

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Fourth Legislature

OF THE

STATE OF MAINE

1949

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, May 3, 1949

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

Prayer by the Rev. Mr. Storms of Gardiner.

The journal of the previous session was read and approved.

The following Special Order of business for today was taken up:

The following Order:

ORDERED, that on Wednesday of this week, all matters tabled and unassigned shall be taken up under Orders of the Day in the order in which they appear on the Calendar, and laid before the House by the Speaker, after matters of Unfinished Business and Specially Assigned Matters have been considered.

AND BE IT FURTHER ORDERED, that all matters which shall be laid on the table shall be assigned for consideration not later than the next legislative day.

The Order received a passage.

Papers from the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that the members of the Judiciary Committee and the Legal Affairs Committee be presented with the copies of the 1944 Revised Statutes and the Session Laws of 1945 and 1947 used by them during the current legislative session (S. P. 692)

Came from the Senate read and passed.

In the House, read and passed in concurrence.

Senate Reports of Committees Ought Not to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve in Favor of Canaan School District (S. P. 396) (L. D. 734)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Tabled and Assigned

Report of the Committee on Legal Affairs reporting same on Bill "An Act to Incorporate the Woolwich School District" (S. P. 116) (L. D. 139)

(On motion by Mr. Larrabee of Bath, tabled pending acceptance of Committee Report and specially assigned for later in today's session)

Report of the Committee on Military Affairs reporting "Ought not to pass" on Bill "An Act to Provide for a Sliding Scale Bonus to Maine Veterans of World War II" (S. P. 616) (L. D. 1331) as it is covered by other Legislation.

Report of same Committee reporting same on Resolve Proposing an Amendment to the Constitution for a Bond Issue for the Purpose of Paying a Sliding Scale Bonus to Maine Members of the Military and Naval Forces in World War II (S. P. 615) (L. D. 1330)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Ought to Pass with Committee Amendment

Report of the Committee on Agriculture on Bill "An Act Relating to Cattle Tested for Bang's Disease" (S. P. 335) (L. D. 566) reporting "Ought to pass" as amended by Committee Amendment "A"

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. 335, L. D. 566, Bill "An Act Relating to Cattle Tested for Bang's Disease."

Amend said Bill by inserting after the word "agent" and before the period in the 3rd line from the end thereof, the following underlined words:

'except vaccinated animals under 36 months of age'

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

Amended by Senate Amendment

Report of the Committee on Labor on Bill "An Act Relating to Compensation for Specified Injuries Under the Workmen's Compensation Law" (S. P. 504) (L. D. 1005) reporting a new draft (S. P. 673) (L. D. 1544) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the Bill 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. 673, L. D. 1544, Bill "An Act Relating to Compensation for Specified Injuries Under the Workmen's Compensation Law."

Amend said Bill by striking out all of the last 3 underlined paragraphs thereof and inserting in place thereof the following:

'For the total and permanent loss of hearing in one ear, 25 weeks.

For the total and permanent loss of hearing in both ears, 65 weeks.'

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

Senate Divided Report Indefinitely Postponed

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve Providing for Certain Improvement in the Property

of the Maine Port Authority (S. P. 79) (L. D. 68)

Report was signed by the following members:

Messrs. WILLIAMS of Penobscot
SAVAGE of Somerset
—of the Senate

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

—of the House

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

Report was signed by the following members:

Messrs. BOWKER of Cumberland
—of the Senate

DENNETT of Kittery
—of the House

Came from the Senate with the Minority Report accepted and the Bill indefinitely postponed.

In the House, on motion by Mr. Dennett of Kittery, the Resolve was indefinitely postponed in concurrence.

Non-Concurrent Matter

Bill "An Act Relating to Fees Payable to Registers of Deeds" (H. P. 2041) (L. D. 1464) which was passed to be engrossed in the House on April 12th.

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

In the House, on motion by Mr. Silsby of Aurora, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Resolve Relating to the Use of Purse, Drag or Stop Seines in Damariscotta River (H. P. 2072) (L. D. 1524) which was passed to be engrossed in the House on April 28th.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

From the Senate: The following Communication:

STATE OF MAINE
Senate Chamber
Office of the Secretary
Augusta

May 2, 1949

Honorable Harvey R. Pease, Clerk
House of Representatives

Sir:

On the disagreeing action of the two branches of the Legislature, on the following bills, the President today appointed the following conferees on the part of the Senate:

Bill "An Act Authorizing Cities and Towns to Assess a Charge for the Maintenance of Sewers" (H. P. 2034) (L. D. 1448)

Senators:

BATCHELDER of York
BREWER of Aroostook
EDWARDS of Oxford

Bill "An Act Authorizing Cities and Towns to Assess a Charge for the Collection and Disposal of Garbage, Rubbish and Refuse" (H. P. 2035) (L. D. 1449)

Senators:

BATCHELDER of York
BREWER of Aroostook
EDWARDS of Oxford

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

Senators:

CROSBY of Franklin
NOYES of Hancock
BREWER of Aroostook

Bill "An Act Relating to Rental for the Western Somerset Municipal Court" (H. P. 1161) (L. D. 613)

Senators:

ELA of Somerset
BARNES of Aroostook
WILLIAMS of Penobscot

Respectfully,
(Signed) Chester T. Winslow
Secretary of the Senate.

The Communication was read and ordered placed on file.

House Reports of Committees

The House Committee on Elections has investigated, in accordance with the action of the House on the motion of the Gentleman from Cape Elizabeth, Mr. Chase, on April 26, 1949, in the matter of political column, Portland Sunday Telegram, April 24, 1949, edited by Edward Talberth, relative to unethical and unscrupulous legislative practice of a Cumberland County member of the House of Representatives, 94th Maine Legislature.

Mr. Talberth came voluntarily before the full committee and related his premise for writing the above cited article. The suspect voluntarily came to the chairman of this committee and reported remarks made by him openly, with no thought that they would be taken seriously. His statements were verified by three witnesses who heard the original remarks. These remarks, exaggerated by repetition, came to the ears of the reporter from several sources, which caused him to call public attention to these reports.

We find no evidence of any misdoings on the part of any member of the Cumberland County Delegation, apart from the careless remarks made in public. We regret that suspicion should have been cast upon any member of the House, yet it is understandable.

We unanimously report that we find no just grounds for even suspecting any member of any wrongdoing; neither do we condemn Mr. Talberth for his report.

Report was signed by the following members:

Messrs. McGLAUFILIN of Portland
SILSBY of Aurora
BIRD of Rockland
FOLEY of Winterport
BENN of Smyrna
CAMPBELL of Garland
WILLIAMS of Auburn

—of the House

The Report was accepted and ordered placed on file.

Leave to Withdraw

Mr. DeSanctis from the Committee on Claims on Resolve in Favor of the Town of Aurora reported leave to withdraw (H. P. 825)

Same gentleman from same Committee reported same on Resolve in Favor of the Town of Dedham (H. P. 1466)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. DeSanctis from the Committee on Claims reported "Ought not to pass" on Resolve in Favor of Central Maine General Hospital of Lewiston (H. P. 1865)

Same gentleman from same Committee reported same on Resolve Reimbursing the Eastern Maine General Hospital, of Bangor, for Certain Claims (H. P. 729)

Same gentleman from same Committee reported same on Resolve in Favor of the Town of Phillips" (H. P. 739)

Mr. Gray from same Committee reported same on Resolve to Reimburse the Town of Wells (H. P. 1367) (L. D. 720)

Same gentleman from same Committee reported same on Resolve to Reimburse the Town of Sangerville (H. P. 1119)

Mr. Hall from same Committee reported same on Resolve to Reimburse the City of Bangor for Fire Fighting Service (H. P. 1681) (L. D. 1027)

Same gentleman from same Committee reported same on Resolve to Reimburse the Town of Milbridge for Fire Fighting Service During Forest Fires of 1947 (H. P. 1679) (L. D. 1017)

Same gentleman from same Committee reported same on Resolve in Favor of Woodrow W. Shaw of Mars Hill (H. P. 1449)

Mr. Loughton from same Committee reported same on Resolve in Favor of the Town of Bowdoin (H. P. 1905) (L. D. 1271)

Same gentleman from same Committee reported same on Resolve to Reimburse the Town of Cherryfield

for Fire Fighting Service During Forest Fires of 1947 (H. P. 1689)

Same gentleman from same Committee reported same on Resolve in Favor of Carroll Plantation (H. P. 893) (L. D. 364)

Reports were read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Hayes from the Committee on Military Affairs reported "Ought not to pass" on Bill "An Act Providing for the Payment of a Bonus to Maine Veterans of World War II and to Provide for Payment Thereof by a State Lottery" (H. P. 663) (L. D. 215)

(On motion by Mr. Gauvin of Lewiston, tabled pending acceptance of Committee Report and specially assigned for later in today's session.)

Mr. Ames from the Committee on Sea and Shore Fisheries reported "Ought not to pass" on Bill "An Act Relating to Clam, Quahog and Mussel Flats" (H. P. 1942) (L. D. 1313)

Mr. Phillips from same Committee reported same on Bill "An Act Relating to Labeling of Shellfish" (H. P. 1853) (L. D. 1191)

Mr. Stevens from same Committee reported same on Bill "An Act Relating to Shipment and Transportation of Clams, Quahogs and Mussels" (H. P. 1854) (L. D. 1192)

Same gentleman from same Committee reported same on Bill "An Act Relating to Shipping of Clams, Quahogs and Mussels" (H. P. 1886) (L. D. 1216)

Reports were read and accepted and sent up for concurrence.

Miss Longstaff from the Committee on Taxation reported "Ought not to pass" on Bill "An Act to Provide for a Self-Imposed Tax on Sardines for an Industry Development Fund" (H. P. 2105) (L. D. 1596)

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

Miss LONGSTAFF: Mr. Speaker, since I signed the "Ought not to

pass" report on Item 19, I have had several speak to me about it, and for the benefit of those who are interested in this particular piece of legislation, I will say that at the hearing yesterday there was a very large attendance, and the bill, which was drawn up, was drawn up very hastily, and they had taken it from the potato tax bill, and after a great deal of discussion yesterday, all those who were in favor of a tax on sardines decided that this bill was not the proper one, and they would prefer to wait until another legislative session.

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

Ought to Pass in New Draft

Mr. Campbell from the Committee on Interior Waters on Bill "An Act Relating to Technical Secretary of Sanitary Water Board" (H. P. 1300) (L. D. 632) reported same in a new draft (H. P. 2112) (L. D. 1602) under same title and that it "Ought to pass"

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

Ought to Pass with Committee Amendment

Mr. Chapman from the Committee on Legal Affairs on Bill "An Act to Grant a Council-Manager Form of Government to the City of Saco" (H. P. 1648) (L. D. 996) reported "Ought to pass" as amended by Committee Amendment "A".

Report was read and accepted, and the Bill, having already been printed, was read twice.

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

COMMITTEE AMENDMENT "A"
to H. P. 1648, L. D. 996, Bill "An Act to Grant a Council-Manager Form of Government to the City of Saco."

Amend said Bill by striking out in the 15th line of Sec. 1 of Article

8 thereof the word "Chief" and inserting in place thereof the word 'Chiefs'.

Further amend said Bill by striking out all of Article 10 thereof.

Further amend said Bill by striking out all of Sec. 3 of Article 11 thereof and inserting in place thereof the following:

'Sec. 3. Referendum; date of meeting; form of question; procedure. This act shall take effect 90 days after the adjournment of this legislature only for the purpose of permitting its acceptance or rejection by the legal voters of the city of Saco at an election to be held on the 1st Monday in October, 1949 and warrants shall be issued for such election in the manner now provided by law for the holding of municipal elections, notifying and warning the qualified voters of said city to meet in the several ward meetings of the said city, there to cast their ballot concerning the acceptance or rejection of the proposed council-manager form of government for the city of Saco as set forth herein.

The question proposed on said ballot shall be substantially in the following form:

"Shall an act passed by the legislature in the year 1949, entitled, 'An Act to Grant a Council-Manager Form of Government to the City of Saco,' be accepted?" Otherwise said ballot shall be in the form provided by law when a constitutional amendment is submitted to the vote of the people.

If a majority of the qualified voters of the city, present and voting, vote in favor of the acceptance of this act, it shall become operative. The city clerk shall forthwith file with the secretary of state a certificate of the action of the voters thereon, and the mayor shall forthwith make proclamation of the fact.'

Further amend said Bill by renumbering "Article 11" to be 'Article 10'

Committee Amendment "A" was adopted and the Bill was assigned

for third reading tomorrow morning.

**Divided Report
Tabled and Assigned**

Majority Report of the Committee on Sea and Shore Fisheries reporting "Ought to pass" on Bill "An Act Relating to Shipment of Clams" (H. P. 1535) (L. D. 810)

Report was signed by the following members:

Messrs. BROWN of Washington
—of the Senate

HANSON of Machiasport
BUCKNAM of Whiting
STEVENS of Boothbay
PRINCE of Harpswell
LITTLEFIELD

of Kennebunk
—of the House

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

Report was signed by the following members:

Messrs. SLEEPER of Knox
LARRABEE of Sagadahoc
—of the Senate

AMES of Vinalhaven
PHILLIPS
of Southwest Harbor
—of the House

(On motion by Mr. Ames of Vinalhaven, the two Reports, with accompanying papers, were tabled pending acceptance of either Report, and specially assigned for tomorrow morning)

**Passed to be Engrossed
Indefinitely Postponed**

Bill "An Act Relating to State Scholarships for Normal School and Teachers' College Students" (S. P. 481) (L. D. 944)

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

The SPEAKER: The Chair recognizes the gentleman from Monmouth, Mr. Marsans.

Mr. MARSANS: Mr. Speaker, this bill, Bill "An Act Relating to State Scholarships for Normal School and Teachers' College Students",—every

year we have a great number of students unable to attend our Normal Schools and Teachers' Colleges because of lack of funds. It would have been a great help to them; it would have been a great help to the increase of our depleted teachers that we need so badly here in Maine. However, it does call for \$25,000 a year, and apparently that greatly outweighs any good that the bill may have been able to accomplish. I therefore ask that this particular measure be indefinitely postponed.

The SPEAKER: The gentleman from Monmouth, Mr. Marsans, moves that Item 1, Bill "An Act Relating to State Scholarships for Normal School and Teachers' College Students" (S. P. 481) (L. D. 944) be indefinitely postponed. Is it the pleasure of the House that the Bill be indefinitely postponed?

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

Passed to be Engrossed (cont'd)

Bill "An Act Relating to Interstate Shipment of Shellfish" (S. P. 510) (L. D. 1008)

Bill "An Act Relating to Salaries of State Department Heads Set by Statute" (S. P. 665) (L. D. 1496)

Bill "An Act Providing for the Construction, Maintenance and Improvement of Controlled Access Highways" (S. P. 684) (L. D. 1583)

Bill "An Act Relating to School Unions" (H. P. 1952) (L. D. 1325)

Bill "An Act Relating to Inheritance Tax Exemptions in Class A" (H. P. 2061) (L. D. 1490)

Bill "An Act Relating to the Bee Industry" (H. P. 2107) (L. D. 1597)

Bill "An Act Providing for the Issue of Paid-up Life Insurance Policies to Maine Veterans of World War II" (H. P. 2110) (L. D. 1600)

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

**Passed to be Enacted
Emergency Measure
Amended**

Resolve Proposing an Amendment to the Constitution to Authorize the Issuing of Bonds to be Used for the Purpose of Building Highway or Combination Bridges Authorized by Legislature (S. P. 670) (L. D. 1522)

On motion by Mr. Spear of South Portland, under suspension of the rules, the House voted to reconsider its action whereby it passed the Resolve to be engrossed.

Mr. SPEAR: Mr. Speaker, I now offer House Amendment "A", under Filing No. 435, and move its adoption. I wish to say, in a way of explanation, that it had been presumed by the committee that there would be an election this year. This is a Constitutional amendment and must go to the people for its enactment. But it is not the purpose or wish of the proponents of the bill to cause the State to bear the expense of a special election for a bill of this type, although it might be considered somewhat of an emergency, so that the amendment, instead of calling for a special election this year, says that a vote shall be taken by the people at the next general or special election if there should be one. That is the purpose of this amendment, and I move its adoption.

The SPEAKER: The gentleman from South Portland, Mr. Spear, offers House Amendment "A" and moves its adoption. The Clerk will read House Amendment "A".

HOUSE AMENDMENT "A" to S. P. 670, L. D. 1522, Resolve Proposing an Amendment to the Constitution to Authorize the Issuing of Bonds to be Used for the Purpose of Building Highway or Combination Bridges Authorized by the Legislature.

Amend said Resolve by striking out the 4th paragraph thereof and inserting in its place the following paragraph:

Form of question and date when amendment shall be voted upon. Resolved: That the aldermen of

cities, the selectmen of towns and the assessors of the several plantations of this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives, at the next general or special state-wide election, to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be:

Thereupon, House Amendment "A" was adopted, and the Resolve was passed to be engrossed as amended in non-concurrence, and on further motion by Mr. Spear, the Resolve was ordered sent forthwith to the Senate.

House at Ease

Called to order by the Speaker.

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

**Passed to be Enacted
Emergency Measure**

An Act to Incorporate the Town of Norway School District (S. P. 311) (L. D. 504)

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. 116 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Incorporate the Town of Otisfield School District (H. P. 1169) (L. D. 625)

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. 116 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Incorporate the Town of Hartland School District (H. P. 1175) (L. D. 630)

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. 118 voted in favor of same and one against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Relating to Requisites for Old Age Assistance (H. P. 1552) (L. D. 870)

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. 122 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Incorporate the Town of Sidney School District (H. P. 1877) (L. D. 1255)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an Emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 124 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to be Enacted

An Act Relating to Fees of an Examination by Board of Dental Examiners (S. P. 87) (L. D. 114)

An Act Relating to the Salary of the Forest Commissioner (S. P. 215) (L. D. 277)

An Act Relating to the Minor Elements in Fertilizer (S. P. 283) (L. D. 484)

An Act Increasing the Amount Available for Expenses of the Justices of the Supreme Judicial Court (S. P. 318) (L. D. 511)

An Act Relating to Clerk Hire in County Offices (S. P. 362) (L. D. 579)

An Act Relating to Number of Medical Examiners in Aroostook County (S. P. 421) (L. D. 778)

An Act Relating to the Re-Use of Barrels for Food (S. P. 443) (L. D. 795)

An Act Relating to Optometry (S. P. 549) (L. D. 1171)

An Act Relating to Compensation of Justices of the Supreme Judicial and the Superior Courts Upon Retirement (S. P. 662) (L. D. 1493)

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 Clerical Assistance for Active Retired Justices of the Supreme Judicial Court (H. P. 315) (L. D. 95)

(On motion by Mr. Brown of Unity, tabled pending passage to be enacted, until later in today's session)

An Act Providing for Bridges and Culverts on Certain Roads (H. P. 606) (L. D. 187)

An Act Relating to the Salary of Clerks in the Office of Recorder of the Portland Municipal Court (H. P. 717) (L. D. 259)

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 Aid to Dependent Children (H. P. 1009) (L. D. 440)

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

Mr. BROWN: Mr. Speaker, on Item 19, An Act Relating to Aid to Dependent Children (H. P. 1009) (L. D. 440). This act is drawn to liberalize the program of aid to dependent children. It is estimated it would cost \$286,200 the first year and \$305,800 the second year, therefore, I move indefinite postponement.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Fay.

Mrs. FAY: Mr. Speaker, in reference to Item 19, I wish to have the motion of the gentleman from Unity, Mr. Brown, tabled.

The SPEAKER: Does the Chair understand that the gentlewoman from Portland, requests that the matter lie upon the table until later in today's session, pending the motion of the gentleman from Unity, Mr. Brown, that this Bill be indefinitely postponed?

Mrs. FAY: Yes, Mr. Speaker.

The SPEAKER: The gentlewoman from Portland, Mrs. Fay, moves that Item 19, An Act Relating to Aid to Dependent Children (H. P. 1009) (L. D. 440) lie upon the table until later in today's session, pending the motion of the gentleman from Unity, Mr. Brown, that the Bill be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed, and the matter was so tabled.

An Act to Incorporate the Town of Yarmouth School District (H. P. 1054) (L. D. 469)

An Act to Incorporate the Town of Hermon School District (H. P. 1058) (L. D. 472)

An Act to Incorporate the Town of Whitefield School District (H. P. 1173) (L. D. 629)

An Act Permitting Counties to Raise Money for Airport Construction (H. P. 1470) (L. D. 803)

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 the Workmen's Compensation Act (H. P. 1502) (L. D. 805)

(On motion by Mr. Campbell of Augusta, tabled, pending passage to be enacted, until later in today's session.

An Act Relating to Rental for the Bar Harbor Municipal Court (H. P. 1623) (L. D. 934)

An Act Permitting Tax Abatement for Certain Towns by County Commissioners of York County (H. P. 1624) (L. D. 935)

An Act Relative to Hatchery Employees in Classified Service (H. P. 1627) (L. D. 938)

An Act Amending the Charter of the City of Brewer High School District (H. P. 1653) (L. D. 961)

An Act Requiring Employer Assenting to Workmen's Compensation Law to File Written Assent and Insurance Policy (H. P. 1723) (L. D. 1080)

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

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

An Act to Incorporate the Old Orchard Beach School District (H. P. 1839) (L. D. 1198)

An Act to Create the Gardiner School District (H. P. 1841) (L. D. 1200)

An Act to Create the Town of Palmyra School District (H. P. 1844) (L. D. 1202)

An Act to Create the City of Bangor School District (H. P. 1845) (L. D. 1203)

An Act to Incorporate the Town of Machias School District (H. P. 1900) (L. D. 1225)

An Act to Incorporate the Town of Orono High School District (H.

P. 1901) (L. D. 1224)

An Act Relating to Slash and Brush Disposal (H. P. 1991) (L. D. 1376)

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

An Act Relating to Automobile Travel by State Employees (H. P. 2042) (L. D. 1465)

An Act Regulating Boats for Hire on Inland Waters (H. P. 2065) (L. D. 1501)

An Act Relating to the Use of Electrolysis in Beauty Culture (H. P. 2076) (L. D. 1529)

An Act Relating to the Salary of the Recorder of the Portland Municipal Court (H. P. 2078) (L. D. 1531)

An Act Relating to Wholesale Lobster Dealer's License (H. P. 2079) (L. D. 1532)

An Act Relating to The Salary of Register of Deeds and Clerk Hire in Offices of Register of Deeds and Register of Probate in Lincoln County (H. P. 2087) (L. D. 1555)

Finally Passed

Resolve in Favor of Myrtle Keefe, of Fryburg (S. P. 248) (L. D. 1548)

Resolve in Favor of the Town of Princeton (S. P. 456) (L. D. 1520)

Resolve in Favor of York Electrical Company (S. P. 570) (L. D. 1545)

Resolve Authorizing the Deer Isle-Sedgwick Bridge District to Release Certain Rights to Eunice Winslow of Rockland (S. P. 667) (L. D. 1503)

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

Tabled

Resolve in Favor of Eugene Jorgensen, of South Windham (H. P. 737) (L. D. 1537)

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

Mr. BROWN: Mr. Speaker, on Item 50, Resolve in Favor of Eugene Jorgensen, of South Windham (H. P. 737) (L. D. 1537), this is a claim of \$267.34 for damages to car caused by escapees from the State Reform-

atory for Men. I move indefinite postponement.

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

Mr. DeSANCTIS: Mr. Speaker, I wish to table the motion of the gentleman from Unity, Mr. Brown, on Item 50, until later in today's session.

The SPEAKER: The gentleman from Madison, Mr. DeSanctis, moves that Item 50, Resolve in Favor of Eugene Jorgensen, of South Windham (H. P. 737) (L. D. 1537) lie upon the table pending the motion of the gentleman from Unity, Mr. Brown, that the Resolve be indefinitely postponed, and that the matter be assigned for later in today's session. Is this the pleasure of the House?

The motion prevailed, and the matter was so tabled and so assigned.

Tabled

Resolve in Favor of Albert L. Winship, of South Windham (H. P. 1117) (L. D. 1539)

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

Mr. BROWN: Mr. Speaker, on Item 51, Resolve in Favor of Albert L. Winship, of South Windham, (H. P. 1117) (L. D. 1539) which is another claim, and would cost \$148.29, I move indefinite postponement.

On motion by Mr. DeSanctis, of Madison, the Resolve was tabled pending the motion of the gentleman from Unity, Mr. Brown, that the Resolve be indefinitely postponed, and the matter was assigned for later in today's session.

Finally Passed

Resolve Providing for a Fish Screen in Molunkus Lake (H. P. 1824) (L. D. 1150)

Resolve in Favor of the City of Bath for Loss of Taxes (H. P. 2082) (L. D. 1541)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, finally passed,

signed by the Speaker and sent to the Senate.

Orders of the Day

The SPEAKER: The Chair at this time would wish to make announcement with regard to various Committees of Conference and as to their membership.

The first is on the disagreeing action on Bill "An Act Relating to Weir Fishing in Certain Waters" (H. P. 1736) (L. D. 190) the members of the Committee of Conference, on the part of the House, are as follows:

Messrs: PRINCE of Harpswell
SANBORN of Gorham
PATTERSON of Freeport

On the disagreeing action with regard to Bill "An Act Relating to Inspection of Motor Vehicles" (H. P. 1516) (L. D. 889) the members of the Committee of Conference, on the part of the House, are as follows:

Messrs: PLUMMER of Lisbon
HOBBS of Acton
JOHNSON of Gardiner

On the disagreeing action on Bill "An Act Authorizing Cities and Towns to Assess a Charge for the Maintenance of Sewers" (H. P. 2034) (L. D. 1448) the members of the Committee of Conference, on the part of the House, are as follows:

Messrs: ATHERTON of Bangor
JEWETT of Manchester
WILLIAMS of Auburn

On the disagreeing action with regard to Bill "An Act Authorizing Cities and Towns to Assess a Charge for Collection and Disposal of Garbage, Rubbish and Refuse" (H. P. 2035) (L. D. 1449) the members of the Committee of Conference, on the part of the House, are as follows:

Messrs: ATHERTON of Bangor
JEWETT of Manchester
WILLIAMS of Auburn

On the disagreeing action with regard to Bill "An Act Relating to the Salary of the Judge of the Portland Municipal Court" (H. P. 2077) (L. D. 1530) the members of the

Committee of Conference, on the part of the House, are as follows:

Messrs: CHAPMAN of Portland
PAINE of Portland
McGLAUFFLIN of Portland

On the disagreeing action with regard to Resolve Changing the Opening Date for Fishing in Streams in Cumberland and York Counties" (H. P. 2017) (L. D. 1404) the members of the Committee of Conference, on the part of the House, are as follows:

Messrs: SANBORN of Gorham
HAYWARD of Machias
HILL of Bingham

On the disagreeing action with regard to Bill "An Act Relating to Rental for the Western Somerset Municipal Court (H. P. 1161) (L. D. 613) the members of the Committee of Conference, on the part of the House, are as follows:

Messrs: WOODWORTH of Fairfield
DeSANCTIS of Madison
LAUGHTON of Ripley

Orders of the Day

The SPEAKER: The Chair now lays before the House the first tabled and today assigned matter, Bill "An Act Relating to Harness Horse Racing Meets" (S. P. 445) (L. D. 894) tabled on April 28th by the gentleman from Palmyra, Mr. Millett, pending third reading; and the Chair recognizes the gentleman from Palmyra, Mr. Millett.

On motion by Mr. Millett, the Bill was retabled pending third reading and specially assigned for Wednesday, May 4th.

The SPEAKER: The Chair now lays before the House the 2nd tabled and today assigned matter, Bill "An Act Relating to Salaries of Somerset County Officers" (S. P. 663) (L. D. 1494) which, in the House, was engrossed as amended by Senate Amendment "A" and by House Amendment "A"; In the Senate engrossed as amended by Senate Amendment "A", House Amendment "A" being indefinitely postponed, tabled on the 28th day of April by the gentleman from Mad-

ison, Mr. DeSanctis, pending further consideration.

The Chair recognizes the gentleman from Anson, Mr. Sharpe.

On motion by Mr. Sharpe, the House voted to insist on its former action and ask for a Committee of Conference.

The SPEAKER: With regard to the action just taken, the Chair will appoint as the members of the Committee of Conference on the part of the House on the disagreeing action, as follows:

Messrs: SHARPE of Anson
DeSANCTIS of Madison
WOODWORTH of Fairfield

The SPEAKER: The Chair now lays before the House the 3rd tabled and today assigned matter, House Report "Leave to Withdraw" of the Committee on Legal Affairs on Bill "An Act Amending the Charter of the City of Portland re Powers of Assessors" (H. P. 1643) (L. D. 955) tabled on April 28th by the gentleman from Portland, Mr. Roundy, pending acceptance of report.

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

Mr. CHAPMAN: Mr. Speaker and Members of the House: The provisions contained in this bill are paralleled by certain provisions which are contained in another bill which has not yet been discussed or debated, namely the so-called bill relating to the Gross Receipts Tax. In view of the fact that the latter of the two bills I just mentioned has been specially assigned for tomorrow, it would seem fair and feasible to postpone the consideration of this matter until a determination is made as to what action is to be taken on the so-called Gross Receipts Tax bill. In view of what I have just said, I now move that the third today assigned matter on Bill "An Act Amending the Charter of the City of Portland re Powers of Assessors" be retabled and specially assigned for tomorrow.

The SPEAKER: The gentleman from Portland, Mr. Chapman, moves that the third today assigned matter lie upon the table

pending the acceptance of the report of the committee, and be specially assigned for tomorrow, Wednesday, May 4th. Is this the pleasure of the House?

The motion prevailed, and the matter was so tabled and so assigned.

The SPEAKER: The Chair now lays before the House the 4th tabled and today assigned matter, House Report "Ought to pass in New Draft" the new draft being (H. P. 2101) (L. D. 1587) of the Committee on Mercantile Affairs and Insurance on Bill "An Act Relating to Accident and Health Insurance" (H. P. 1963) (L. D. 1349) which was tabled on the 28th day of April by the gentleman from Paris, Mr. Eastman, pending acceptance of report of the committee; and the Chair recognizes the gentleman from Paris, Mr. Eastman.

Mr. EASTMAN: Mr. Speaker and Members of the House: I move the acceptance of the "Ought to pass in New Draft" report of House Paper 2101, L. D. 1587, on Bill "An Act Relating to Accident and Health Insurance", and I also move that the rules be suspended and the Bill be given its first and second reading at this time.

The SPEAKER: The gentleman from Paris, Mr. Eastman, moves that the House do now accept the "Ought to pass in New Draft" report of the committee. Is it the pleasure of the House to accept the "Ought to pass in New Draft" report of the committee?

The motion prevailed, and the "Ought to pass in New Draft" report was accepted, and the new draft, having been printed, was given its two several readings under suspension of the rules.

The SPEAKER: The Chair recognizes the gentleman from Bucksport, Mr. Sargent.

Mr. SARGENT: Mr. Speaker, I would like to offer House Amendment "A" to Legislative Document 1587.

The SPEAKER: The gentleman from Bucksport, Mr. Sargent, presents House Amendment "A" and

moves its adoption. The Clerk will read House Amendment "A".

HOUSE AMENDMENT "A" to H. P. 2101, L. D. 1587, Bill "An Act Relating to Accident and Health Insurance."

Amend said Bill by adding after the underlined words "for their insurance", in the 6th line of that part designated division 2 of paragraph C of subsection II of section 113, the following underlined punctuation and words:

' except that any coverages provided under the policy with respect to the insured person's dependents may be paid entirely or in part by funds contributed by such insured person'

House Amendment "A" was adopted.

The SPEAKER: What time will the House assign for the third reading of the Bill?

The Chair recognizes the gentleman from Paris, Mr. Eastman.

Mr. EASTMAN: Mr. Speaker, I present House Amendment "B" and move its adoption.

The SPEAKER: The gentleman from Paris, Mr. Eastman, presents House Amendment "B" and moves its adoption. The Clerk will read House Amendment "B".

HOUSE AMENDMENT "B" to H. P. 2101, L. D. 1587, Bill "An Act Relating to Accident and Health Insurance."

Amend said Bill by striking out all of the 1st paragraph thereof after the enacting clause and inserting in place thereof the following:

'R. S., c. 56, §§ 109-113, repealed and replaced, and §§ 113-A-113-I, additional. Section 109 to 113, inclusive, of chapter 56 of the revised statutes, as amended, are hereby repealed and the following sections, to be numbered 109-113-I, inclusive, enacted in place thereof:'

Further amend said Bill by adding at the end thereof the following underlined section:

'Sec. 113-I. Exceptions. The provisions of section 109 to 113-H, inclusive, shall not apply to any contracts or policies of group, blanket or franchise plan insurance entered into or issued prior to September 1,

1949 nor to any extensions, renewals or modifications thereof or amendments thereto whenever made.'

Thereupon, House Amendment "B" was adopted and the Bill was assigned for third reading tomorrow morning.

The SPEAKER: The Chair lays before the House the fifth tabled and today assigned matter, Bill "An Act Relating to the Banking Department" (H. P. 1960) (L. D. 1352) tabled on April 28th by the gentleman from Limestone, Mr. Burgess, pending assignment for third reading; and the Chair recognizes that gentleman.

Mr. BURGESS: Mr. Speaker and Members of the House: I would like to preface my remarks by stating that I am speaking as a member of the Banks and Banking Committee, and I am in hopes that you will agree with me that this particular measure will afford some degree of pleasure and relief to all of us after listening to A.D.C., old age assistance, hospitals, and so forth for several months. In fact, it has been so thoroughly drilled into my mind over a period of time, that I have been doubtful at times whether or not this Legislature was called into session for any other purpose than that.

To my mind, it is absolutely necessary that we give some consideration to those bank deposits, small and large, throughout the State, that represent hard-earned dollars of the people of Maine. Those bank deposits and the investments of our banks are the life-blood stream of economy, of business and of industry. The guardian of those funds and those investments is the State Banking Department, and that department, in my honest, candid opinion, should be staffed by competent men and enough men to handle the situation or any situation that might arise.

Now at the present time the Banking Department of Maine is not only understaffed, but it is constantly faced with having their men, after they have had a period of training, being hired by other

banking institutions throughout the State. The reverse should be true: The State Banking Department should be in a position to hire, because of merit, the best banking men throughout the State and place them in the position of examiners and executives and officials for one purpose only: That of acting as the people's guardians of their invested funds in Maine banks.

This act which we now have under consideration proposes to accomplish that very thing; it proposes, in this manner, to enable the banking department to have competent men and as many of them as they need. In times of emergency it is necessary that their staff should be increased, and this is how the measure proposes to bring that about:

First, the Banking Department would be able to assess against banking deposits throughout the State, except national banks, at the rate of 7 cents per \$1000. In addition to that, the department would be able to assess against the individual bank the actual cost of examinations. You can readily see, I am sure, that that last statement would place the Banking Department in a position to hire efficient, capable men and pay them a salary which is fairly competitive with positions in private institutions.

I assume that the opposition, if there be any to this measure, will say yes, that is a fine bill but it is going to cost money. Certainly it is going to cost money. Have you ladies and gentlemen ever seen an improvement in your own affairs or in the affairs of the State that did not cost money? I do not even pretend that this will not cost money. I do contend that the amount of loss of revenue to the State, should this measure reach its final enactment, and I certainly hope that it does, that that loss of revenue to the State is small compared with the additional safety to the depositors of Maine and to business in general and our industries.

Perhaps, in order to more properly explain, and do so as briefly

as I can, the effect of this measure, if it be enacted, I should first give a brief outline of how the department operates at the present time.

Now the State collects, under a so-called franchise tax, funds from the savings banks, trust companies and small loan companies. I am not sure that you are interested in the details of the figure, but if this bill were to be enacted there would be a loss to the State, based on present deposits, of approximately \$90,000 a year. I think that we should not be misled to the point of contending that that will be an annual loss to the State, for this reason: Bank deposits throughout the State of Maine are at an all-time high of approximately \$460,000,000. As a matter of comparison, to show to this group that \$460,000,000 is way above the normal, I have asked the Banking Department to compile for me the averages of deposits between the twenties and thirties and the thirties and forties.

From 1920 to 1930, savings banks had \$108,800,000; trust companies, \$130,400,000. The average for that ten-year period was \$238,800,000. For the period from 1930 to 1940, the average of all banks dropped to a low of \$228,832,000. From 1940 to 1948, \$357,705,000. And at the present time, or, rather, as of last June, it was \$459,737,000 on deposit in the banks of Maine.

Now it can be readily seen that if we all think of only one figure, \$460,000,000, that the loss to the State would be approximately \$90,000 in revenue. But I do not believe we are justified in basing our opinions on any one year. We should at least consider the average of from 1940 to 1948; and, in my opinion, the average over that thirty year period is the one which we should use as a gauge in figuring normal losses to the State.

I have had prepared, and will offer in just a moment, an amendment to this bill which will postpone the effective date until December 31st, 1949 for the purpose of

not affecting the income to the State for this present year.

Now, members of the House, I think that each one of us should, at this time, after a long and hard winter, giving our best judgment and consideration to the various welfare problems of the State, we should start this morning and consider the safety of that little man or big man who has a few hard-earned dollars in the banks of Maine, whose money is working and providing jobs and doing the things which must be done in order to maintain as high a level of economy as it is possible to do.

Mr. Speaker, I now offer House Amendment "A" and move its adoption.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, offers House Amendment "A" and moves its adoption. The Clerk will read House Amendment "A".

The CLERK: (reading)

HOUSE AMENDMENT "A" to H. P. 1969, L. D. 1352, Bill "An Act Relating to the Banking Department."

Amend said Bill by adding at the end thereof a new section, to read as follows:

'Sec. 5. **Effective date.** The provisions of this act shall become effective on December 31, 1949.'

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

Mr. THOMPSON: Mr. Speaker and Members of the House: I have been connected with mutual savings banks for about twenty-five years, especially with the banking department, and they are having a pretty hard job to get along up there as Mr. Burgess just said. Lately, they have lost one of the best examiners they had on account of a \$500 raise and the amendment that Mr. Burgess offered I think is a fine amendment and I hope this bill receives a passage.

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

Mr. McCLURE: Mr. Speaker and Members of the House: It gives me

pleasure, at this time, to be able to go along with my majority floor leader, the gentleman from Limestone, Mr. Burgess, and I endorse everything he says.

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

Mr. BROWN: Mr. Speaker and Members of the House: I agree with the gentleman from Limestone, Mr. Burgess, as to what this bill will do or, at least, generally speaking, it is a nice bill, but since it does reduce the general fund even with the amendment that is proposed here to the extent of \$75,000 per year for the next two years, I move indefinite postponement of the bill.

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

Mr. THOMPSON: Mr. Speaker and Members of the House: I hope when the vote is taken that we have a division of the House.

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that House Amendment "A" as presented be indefinitely postponed.

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

Mr. BROWN: Mr. Speaker and Members of the House: I, too, want to go along with our majority floor leader on this measure. Two weeks ago, when I arrived home, after retiring, I was called out of bed by some of the bankers of Washington County and they asked me to see that our delegation in Washington County went along on this measure as they consider it a progressive measure. I trust that this House will support this bill.

The SPEAKER: The question before the House is on the adoption of House Amendment "A".

The Chair recognizes the gentleman from Millinocket, Mr. Gates.

Mr. GATES: Mr. Speaker, before voting upon this bill, I would like to ask Mr. Burgess through the Chair what effect this bill would have upon the refund that is now

paid to the cities and towns from the bank tax.

The SPEAKER: The gentleman from Millinocket, Mr. Gates, asks a question of the gentleman from Limestone, Mr. Burgess. The gentleman from Limestone may reply if he cares to.

Mr. BURGESS: Mr. Speaker, for the information of the gentleman from Millinocket, Mr. Gates, I might state that it has no effect at all. The tax that is collected by the State and paid back to the towns is on stock.

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

Mr. BROWN: Mr. Speaker, I guess I got the cart before the horse. It was not my intent to indefinitely postpone the amendment. I withdraw that motion.

The SPEAKER: Does the Chair understand that the gentleman from Unity withdraws his motion to indefinitely postpone the bill?

Mr. BROWN: No, Mr. Speaker.

The SPEAKER: The Chair will state that as soon as disposal is made of the pending motion which is that the House do adopt House Amendment "A", then the Chair will be pleased to put before the House the motion of the gentleman from Unity, Mr. Brown, that the bill be indefinitely postponed.

The Chair recognizes the gentleman from Farmington, Mr. Tyler.

Mr. TYLER: Mr. Speaker and Members of the House: I think it is generally recognized that the Banking Department of the State of Maine is one of the most important departments we have in this State. The Banking Department has supervision of some \$500,000,000 of assets. Of this amount, there is some \$300,000,000 that is neither under federal reserve nor federal deposit insurance. It is my opinion that it is very important that the State have supervision of this \$300,000,000 through State Banking Department.

This bill was reported out by the Banks and Banking Committee as a good bill.

The SPEAKER: The Chair would wish to state, at this time, that the stenographic help of this Legislature has only a certain amount of human capacity. They have to work many long hours after we are free from our formal sessions, and it would be of great help to them and it would help to expedite the work and the duration of this session if the members could make the most use of the microphones whenever they speak because we do wish to get the record, it is necessary that we do it, and it really will facilitate the work here at the present time. And, for that reason, the Chair does ask the utmost cooperation so far as possible.

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

Mr. CAMPBELL: Mr. Speaker, I, too, want to support the passage of this bill. I happen to have attended the meeting at which the bill was heard and was very much impressed by the fact that the bill is supported by the Maine Bankers Association, the Maine Savings Bank Association and is desired by the Maine Banking Department.

I took the bill up with the bank here in Augusta with which I do business to see how it affected them and I find that the bill actually would cost them money. In other words, they would probably pay in the vicinity of \$4,000 if this bill passes more than they are now required to pay under the present law. But, notwithstanding that fact, that bank is wholeheartedly behind this bill.

I think Mr. Burgess has put his finger on one very important point and that is that this bill does provide a stable means of financing the Banking Department and that it is hardly fair to test the cost of this bill by reference to today's figures alone.

I think we all know very well that in periods of depression when our bank deposits are down that usually is the very time that the Banking Department should function at full speed and should have access to a large number of examiners.

The **SPEAKER**: The Chair recognizes the gentleman from Aurora, Mr. Silsby.

Mr. **SILSBY**: Mr. Speaker, I rise for a point of information. As I understand it, the issue before the House is the adoption of the committee amendment whereby the effective date of this act would be December 31st next?

The **SPEAKER**: The question before the House is that the House do adopt House Amendment "A", the provisions of which provide that the act shall become effective on December 31st, 1949.

Mr. **SILSBY**: Mr. Speaker and Members of the House: I certainly approve the adoption of this amendment and, as I see it, should we fail to adopt this amendment and then we did adopt the committee report in the third reading, the effective date would be ninety days after adjournment of the Legislature and I think that would complicate quite a bit of work of our banks and banking department. I hope the amendment is adopted and I want to go further on record that I believe this bill is a good bill and should be passed because it makes our banking department self-supporting and our banks would be on a fee basis whereby they would pay for the services rendered by the department plus the actual disbursements of the examiner and in addition would pay the seven percent, I believe it is, on the deposits for the maintenance of the banking department. I hope both motions prevail.

The **SPEAKER**: The question before the House is on the adoption of House Amendment "A".

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

Mr. **BURGESS**: Mr. Speaker, if the request has not already been made, I move that when the vote is taken, it be taken by division.

The **SPEAKER**: The gentleman from Limestone, Mr. Burgess, requests that when the vote is taken, it be by division.

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

Mr. **PALMER**: Mr. Speaker, I rise merely for information. I would like to ask the gentleman from Limestone, Mr. Burgess, what relationship there is, if any, between the fifth today assigned matter and the sixth today assigned matter, Legislative Documents 1284 and 1352?

Mr. **BURGESS**: Mr. Speaker, I will attempt to reply the best I can to the question of Mr. Palmer by saying this: L. D. 1284 is purely, if I understand it correctly and I think I do, a matter of equalizing the franchise tax between the savings banks and the trust companies. Whereas this one is a complete revision in the activities of the financing of the Banking Department.

The **SPEAKER**: The question before the House is on the adoption of House Amendment "A" to Bill "An Act Relating to the Banking Department", H. B. 1960, L. D. 1352.

The gentleman from Brewer, Mr. Thompson, was granted unanimous consent to address the House.

Mr. **THOMPSON**: Mr. Speaker and Members of the House: I think, perhaps, I can answer Mr. Palmer's question, Representative Palmer.

Two years ago, we passed a law in the Legislature to the effect that certain banks would be taxed sixty cents on a thousand; they asked for it and the Legislature gave it to them and the trust companies now feel that that is unfair to the savings banks so that trust companies want to come in and help the savings banks out of what we got them into and I think the bill, No. 1352, will do it.

The **SPEAKER**: The question before the House is on the adoption of House Amendment "A". As many as are in favor of the adoption of House Amendment "A" will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred and seven having voted in the affirmative and none in the negative, House Amendment "A" was adopted.

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that Bill "An Act Relating to the Banking Department" H. P. 1960, L. D. 1352, be indefinitely postponed.

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

Mr. BROWN: Mr. Speaker and Members of the House: The gentleman from Augusta, Mr. Campbell, has told you that the bank deposits will be down. I would like to say to the members of the House that the general fund is now down. That is the reason I made the motion to indefinitely postpone.

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

Mr. BURGESS: Mr. Speaker and Members of the House: I am fully aware of the difficulties of the State with respect to financing all of the things which perhaps should be financed and I think we are every one of us deeply appreciative of the work that our Committee on Appropriations and Financial Affairs has done for us at this session. I am, personally, fully aware that it is the duty of Mr. Brown to make the motion that he has made and he makes it in all sincerity. I only repeat what I previously said to this House: My honest opinion is that there are things which must be given consideration besides welfare that the economy throughout the State must be preserved so that we may in the future be able to care for them at least as well as we are now.

When the vote is taken, Mr. Speaker, I ask for a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that the bill be indefinitely postponed. The gentleman from Limestone, Mr. Burgess, requests that when the vote is taken it be by division. Is the House ready for the question?

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

Mr. CHASE: I voted for the amendment, Mr. Speaker, and intended to vote for the bill but I should like to get a little more information before doing so.

L. D. 1352 on page 3, Section 2-A, heading: Deposits exempt from municipal taxation, reads as follows: "All deposits in savings banks, institutions for savings, trust companies, and all capital dues of loan and building associations in the State are exempt from municipal taxation to said institutions and to the depositors of said institutions and to the shareholders of said loan and building associations."

It is my impression that, at the present time, demand deposits in trust companies are subject to the personal property tax in this State. I realize that, as a practical matter, they are not taxed but they can be taxed and I should like to inquire if the effect of this bill would be to lead to exempt from municipal taxation demand deposits in trust companies but leave all deposits in national banks still subject to the personal property tax?

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. Burgess, for the purpose of giving information to the gentleman from Cape Elizabeth, Mr. Chase.

Mr. BURGESS: Mr. Speaker, I shall attempt in my humble ability to answer the question asked by the gentleman from Cape Elizabeth, Mr. Chase.

It was the opinion of the Committee on Banks and Banking that demand deposits should remain taxable at the municipal level but interest bearing deposits should be exempt. I agree with what I think is Mr. Chase's line of reasoning that none of these deposits should be taxed municipally for, if they were, it would simply mean a transfer of funds out of the State for a day or two before the assessment date of April 1st. If this measure does not accomplish the thinking of the committee, I am sure the committee would want to correct it.

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

Mr. CHASE: Mr. Speaker, I had assumed, apparently erroneously, that the point which I have just made and which I made at the committee hearing on the bill, was to have been corrected by a committee amendment. It seems to me that the House at least ought to understand the great advantage which is given to trust companies if the demand deposits in trust companies are exempt from municipal taxation while the deposits in the national bank right across the street in the same town are left technically taxable under the personal property tax. In so far as money may be taxed in this State and it is taxed to some extent in some localities, it would seem to me that because of the incentive afforded to the depositor in a national bank on March 30th to transfer his funds into a trust company and thereby shift from taxable into tax exempt form would create an incentive which might be extremely disturbing to the banking structure of the State.

National banks, while under federal charter, are nevertheless Maine institutions, the stock of which is owned by Maine people and if demand deposits are going to be exempt then I believe they should be exempt whether in a state trust company or in a national bank in the same town.

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

Mr. WOODWORTH: Mr. Speaker, I am in agreement with the gentleman from Cape Elizabeth, Mr. Chase, that this section should be clarified. If it exempts the same class of deposits in one type of institution and does not exempt them in another, I will say that the provision is unconstitutional in that it does not provide uniformity of taxation.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, requests unanimous consent to address

the House. Is there objection? The Chair hears none and the gentleman may proceed.

Mr. BURGESS: I would like to read, for the benefit of the House, Section 2-A on Page 3:

"Deposits exempt from municipal taxation. All deposits in savings banks, institutions for savings, trust companies, and all capital dues of loan and building associations in the state are exempt from municipal taxation to said institutions and to depositors of said institutions and to the shareholders of said loan and building associations."

Now it may be that the words "all other savings institutions" is not broad enough to cover every institution whether it be a national bank of any other name in the State of Maine. I believe it was the thinking of the committee that it was broad enough to take those in. Now I might point out that, although this might be a technical matter of law, it is really not important, although I want to correct it if it needs to be corrected.

I have been informed, and I believe correctly, that there are only four places in the State of Maine where the municipalities, be it a city or town, use the right under the statute to tax by municipal taxation bank deposits. One of those places is the City of Portland. And it is also my understanding that prior to April 1st this year there was considerable money—I cannot tell you the figure, but, if I remember correctly, it was a very large sum that was withdrawn. Another place is Bath, another place is Rockland, to a much smaller degree.

I think I pointed out a few minutes ago the effect it would have if all municipalities throughout the State enforced their right under existing statutes, that the municipalities could not afford, for the benefit of their banking institution, to enforce it.

This bill, if it becomes enacted, would exempt interest-bearing deposits and leave as is at the present

time demand deposits, whether they be National Banks, trust companies or otherwise.

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

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

Mr. McClure: Mr. Speaker, might I ask our majority floor leader, through the Chair, whether or not this tax is also taxed against our national banks, this seven cents a thousand?

The **SPEAKER**: The gentleman from Limestone, Mr. Burgess, may answer if he so desires.

Mr. Burgess: No, Mr. Speaker. National banks are under federal laws and are examined by federal examiners and pay their bills directly to the federal government through the proper agency, and do not in any way enter into the Banking Department of the State of Maine.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that the bill be indefinitely postponed. The gentleman from Limestone, Mr. Burgess, has requested that when the vote is taken it be by division. As many as are in favor of the motion of the gentleman from Unity, Mr. Brown, that the bill be indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

The **SPEAKER**: Eight having voted in the affirmative and seventy-two in the negative, the motion to indefinitely postpone does not prevail.

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

Mr. Burgess: Mr. Speaker, in order that this matter may progress as rapidly as possible, under suspension of the rules I move that the bill now have its third reading and be passed to be engrossed.

The **SPEAKER**: The gentleman from Limestone, Mr. Burgess, moves

that the rules be suspended and that the bill be given its third reading at this time and passed to be engrossed. Is this the pleasure of the House?

The motion prevailed, and the bill was given its third reading, passed to be engrossed and sent up for concurrence.

The **SPEAKER**: The Chair lays before the House the sixth tabled and today assigned matter, House Report "Ought to pass" of the Committee on Banks and Banking on Bill "An Act Providing for the Expenses of the Banking Department" (H. P. 1924) (L. D. 1284) tabled on April 28th by the gentleman from Limestone, Mr. Burgess, pending third reading,* and the Chair recognizes that gentleman.

Mr. Burgess: Mr. Speaker and Members of the House: This L. D. 1928 is a measure which can very properly be indefinitely postponed as soon as or if the other branch of this Legislature favorably acts upon the measure we have just passed to be engrossed. For that reason, Mr. Speaker, I would like to move that this item be tabled and specially assigned for tomorrow.

The **SPEAKER**: The gentleman from Limestone, Mr. Burgess, moves that Item 6, House Report "Ought to pass" of the Committee on Banks and Banking on Bill "An Act Providing for the Expenses of the Banking Department" (H. P. 1924) (L. D. 1284) lie on the table pending assignment for third reading and be specially assigned for tomorrow, May 4th. Is this the pleasure of the House?

The motion prevailed and the item was so tabled and so assigned.

The **SPEAKER**: The Chair lays before the House the 7th tabled and today assigned matter, House Divided Report of the Committee on Legal Affairs on Bill "An Act Relating to Control of Dogs" (H. P. 1972) (L. D. 1354) Majority Report "Ought not to pass" and Minority Report "Ought to pass," tabled on April 28th by the gentle-

man from Nobleboro, Mr. Palmer, pending acceptance of either report.

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

Mr. CHAPMAN: Mr. Speaker, even though it is springtime, after mature consideration, it would seem proper that the dogs get along by themselves, consequently I will move that the House do now accept the Majority Report "Ought not to pass" of the committee.

The SPEAKER: The gentleman from Portland, Mr. Chapman, moves that the House do accept the Majority "Ought not to pass" report of the committee. Is this the pleasure of the House?

The motion prevailed and the Majority "Ought not to pass" report of the committee was accepted and sent up for concurrence.

On motion by Mr. Winchenpaw of Friendship,

Recessed until 1:00 p.m., E.S.T.

Afternoon Session

1:00 P.M., E.S.T.

Called to order by the Speaker.

The SPEAKER: The Chair lays before the House the 8th tabled and today assigned matter, Joint Order Relative to Directing Research Committee to Study the General Desirability of Legislation Seeking Information in Building Codes (S. P. 658) tabled on April 28th by the gentleman from Limestone, Mr. Burgess pending passage in concurrence; and the Chair recognizes that gentleman.

Mr. BURGESS: Mr. Speaker, I would suggest that the Clerk read the order.

Order read by the Clerk as follows:

"ORDERED, the House concurring, that the Legislative Research Committee be and hereby is directed to study the general desirability of legislation seeking information in building codes. The result of this study shall be reported to the 95th Legislature (S. P. 658)"

Mr. BURGESS: Mr. Speaker, it would seem to me that an order of

this kind possibly has a selfish motive behind it, although I do not know that to be true. I will state that the Insurance Department has ample authority to study building codes, if necessary, for the prevention of fire, and I believe that any city or town has the opportunity, if it so chooses, to study building codes that might affect its own community. Therefore, Mr. Speaker, I move the indefinite postponement of the order.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, moves that the order be indefinitely postponed.

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

A viva voce vote being taken, the motion prevailed and the order was indefinitely postponed in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair at this time notes the presence in the balcony of the Hall of the House of the seventh and eighth grades of the East Baldwin school, with Mrs. Catret in charge, and the eighth grade of the Sebago Center School with Mrs. Anderson in charge. On behalf of the House, we bid you welcome. (Applause)

The SPEAKER: The Chair now lays before the House the 9th tabled and today assigned matter, Bill "An Act Providing for the Establishment of a State of Maine Information Center" (H. P. 1621) (L. D. 932) tabled on April 28th by the gentleman from Limestone, Mr. Burgess, pending assignment for third reading; and the Chair recognizes that gentleman.

Mr. BURGESS: Mr. Speaker, I now move that the rules be suspended and the bill be given its third reading and passed to be engrossed.

The SPEAKER: Would the gentleman care to amend his motion so that it would be to assign it for third reading at two o'clock eastern standard time?

Mr. BURGESS: Mr. Speaker, I am very happy to conform with your wishes and I so move.

Thereupon the Bill was assigned for third reading at 2:00 P.M., E.S.T.

The SPEAKER: The Chair now lays before the House the 10th tabled and today assigned matter, Senate Report "Ought to pass as amended by Committee Amendment 'A'" (L. D. 1552) of the Committee on Salaries and Fees on Bill "An Act Relating to Fees of Clerks of Courts" (S. P. 441) (L. D. 829) tabled on April 29th by the gentleman from Kennebunk, Mr. Littlefield, pending acceptance in concurrence.

Thereupon, the "Ought to pass as amended by Committee Amendment 'A'" report of the committee was accepted.

This being a printed Bill, under suspension of the rules, was given its two several readings.

Senate Amendment "A", printed as L. D. 1553, was read by the Clerk as follows:

SENATE AMENDMENT "A" to S. P. 441, L. D. 829, Bill "An Act Relating to Fees of Clerks of Courts."

Amend said Bill by striking out all of that part designated "Sec. 115" and inserting in place thereof the following underlined section:

'Sec. 115. Fees of clerks of courts. The fees of clerks of the judicial courts shall be as follows:

For every blank writ of attachment with a summons, or of scire facias, or an original summons, 10c.

Blank writs of replevin with the seal, signature and blank bond, 20c.

Entry of an action, or entering up and recording the judgment, whether on a verdict, demurrer, nonsuit or default, \$1.

Copies, minimum of \$1 for first 500 words, if the writing contains that number, and 20c for each 100 words or fraction thereof in excess of 500 words.

Recording a petition for partition, and any other thereon, at the rate of 25c a page of 224 words.

Recording petition and proceedings for release of attachment, and making copy and certificate, \$2.

Making certificate of dissolution of attachment by judgment for defendant, 50c.

Entry of a rule of court upon the parties submitting a cause to referees, 25c.

Proving a deed in court and certifying the same, \$1.

Making certificate of approval by judge, of sale of real estate and price, when husband or wife refuses to release interest and right by descent, \$1.

Authenticating the official signature of a magistrate, 50c.

Original or other writ of execution in personal matters, and filing the same when returned, 50c.

Writ of possession in real actions, 50c.

Writ of protection or habeas corpus, 50c.

Subpoena for 1 witness or more, or with a duces tecum, 10c.

Recording certificate of discharge of a soldier or seaman from the army or navy of the United States, 25c, and for a copy of such record, 25c.

Recording certificate of registration in veterinary surgery, \$1.

For making up the record in an equity case, the court may allow a further sum, not exceeding \$1 for the first 500 words, if the writing contains that number, and 20c for each 100 words or fraction thereof in excess of 500 words, to be taxed by the clerk.

For each certificate, or copy of judgment or decree, in equity, 50c for the 1st page and 25c for each additional page, which together with the fees of the register of deeds for recording such certificate or copy, may be taxed in the costs of suit.

Warrant to make a partition, \$1.
Process to enforce a lien on personal property, \$2.

Commission to referee, auditor, surveyor or other officer appointed by the court, \$1.50.

Writ of review, \$1.

Writ of scire facias, \$1.

Every writ and seal, other than before-mentioned, \$1.'

The SPEAKER: The Chair will state that the amendment just read was Senate Amendment "A" rather than Committee Amendment "A".

The gentleman from Kennebunk, Mr. Littlefield now presents House Amendment "A" to Senate Amendment "A" and moves its adoption.

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

HOUSE AMENDMENT "A" to SENATE AMENDMENT "A" to S. P. 441, L. D. 829, Bill "An Act Relating to Fees of Clerks of Courts."

Amend said Amendment by striking out the underlined figure "25c" where they appear twice in the 2nd line of the 17th paragraph of that part designated "Sec. 115" and inserting in place thereof the underlined words 'no charge' in both places.

House Amendment "A" to Senate Amendment "A" was adopted.

Senate Amendment "A" as amended by House Amendment "A" was adopted.

The SPEAKER: The Clerk will read Committee Amendment "A".

Committee Amendment "A", printed as L. D. 1552, was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to S. P. 441, L. D. 829, Bill "An Act Relating to Fees of Clerks of Courts."

Amend said Bill by striking out the underlined figure "\$3" in the 10th line thereof and inserting in place thereof the underlined figure '\$1'

Further amend said Bill by striking out the underlined figures "25c" where they appear twice in the last line of the 32nd paragraph of said bill and inserting in place thereof the underlined words 'no charge' in both places.

On motion by Mr. Littlefield, Committee Amendment "A" was indefinitely postponed in concurrence; and the Bill as amended was assigned for third reading on the next legislative day.

The SPEAKER: The Chair lays before the House the 11th tabled and today assigned matter, Resolve Proposing an Amendment to the Constitution Authorizing Additional Issue of Highway and Bridge Bonds (H. P. 2099) (L. D. 1585) tabled on April 29th by the gentleman from Livermore, Mr. Boothby, pending second reading; and the Chair recognizes that gentleman.

Mr. BOOTHBY: Mr. Speaker and Members of the House: This Legislative Document 1585, Resolve Proposing an Amendment to the Constitution Authorizing Additional Issue of Highway and Bridge Bonds, I tabled on April 29th in order to have an opportunity to inform myself a little better on this bill. I have spent quite a little time looking into this, and I want to say on the very start that I am one that believes in pay-as-you-go, but when you have an income that you are pretty certain that is coming along, sometimes it pays to use additional funds. I do it in my own business, and I think it might be a help for the State on this. We can build probably more roads and have the use of them over this time, the bonds running for fifteen years, and I think we will be in a great deal better position at the end of fifteen years than if we go from year to year with the high maintenance on some of our roads using up quite a part of that income. I will say that I am very much in favor of this resolve.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Robbins.

Mr. ROBBINS: Mr. Speaker and Members of the House: I will not take up the time of the House this afternoon in any detail. I could scarcely improve upon the remarks of Mr. Boothby. I would just like to say, in summary, that this measure is, in the considered judgment of the Committee on Ways and Bridges, the best means of carrying out the highway program which is set out in this book, "Maine Highway Needs," which I hope you all have studied.

In summary, this program calls for the construction and reconstruction of 1600 State Highway miles and 2700 State Aid Highway miles, at a total cost for the State Highway mileage of \$81,000,000 and of the State Aid Highway mileage of \$53,000,000, a total of \$134,000,000.

In the opinion of the committee, we will have the greatest difficulty in catching up with either maintenance or construction because of the deficiencies created during the war unless we adopt this bond issue resolve.

I have two amendments to offer which I will explain before offering them in the interests of saving time. House Amendment "A" changes the wording of the last part of the bill so as to avoid the necessity of a special referendum on this question. The House has already amended the Portland bond issue to the same effect this morning. This will provide that this measure will be voted upon at the next general or special election.

House Amendment "B" I would like to explain in a little more detail. Since we drafted the bill it has become known to us that there are before the United States Senate two bills, one sponsored by Senator Kerr of Oklahoma, and the other by Senator Stennis, I think of North Dakota, which would furnish a fourth type of federal aid money to be spent on rural local roads. At the present time federal aid is only made available for primary federal aid, secondary federal aid, and urban federal aid. If either of these bills should be adopted, it would mean that Maine would receive on a matching basis somewhere between one million dollars and one and a half million dollars, to be spent exclusively on local rural roads.

I think you will all agree with me that it would be out of the question for Maine towns at this time to find anything like a million or a million and a half dollars to spend on roads. It is our feeling, therefore, that the only possibility of matching this money, if it becomes available, would be through this

bond issue, and this amendment will simply provide that we can match any kind of federal money that is made available.

I move the adoption of these two amendments.

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

Mr. McCLURE: Mr. Speaker and Members of the House: I also believe in a pay-as-you-go policy to a point; that point is economy. I think, in the interest of economy, this is a good measure. It will go before the people of our State, and, on many occasions, I have stated that I have faith in the judgment of the people of our State on almost any matter that goes to referendum.

Our State-aid roads in my county and many other counties that I am acquainted with really need help. This money is to be paid for, as I understand it, out of our general highway fund and as near as I can find, through what study I could give this matter, I believe it is really in the best interests of all of the citizens of our State.

Mr. HALL (of Calais): I move that when the vote is taken, it be taken by division.

The SPEAKER: The gentleman from Houlton, Mr. Robbins, offers House Amendment "A" and moves its adoption. The Clerk will read House Amendment "A".

The CLERK (reading):

HOUSE AMENDMENT "A" to H. P. 2099, L. D. 1585, "Resolve Proposing an Amendment to the Constitution Authorizing Additional Issue of Highway and Bridge Bonds."

Amend said Resolve by striking out the 4th paragraph thereof and inserting in place thereof the following paragraph:

'Form of question and date when amendment shall be voted upon.

Resolved: That the aldermen of cities, the selectmen of towns and the assessors of the several plantations of this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for

calling and holding biennial meetings of said inhabitants for the election of senators and representatives, at the next general or special state-wide elections, to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be:

The **SPEAKER**: The Chair is given to understand that the gentleman from Calais, Mr. Hall, does not ask for a division on House Amendment "A" when it is voted on?

Mr. **HALL**: That is right. I withdraw my motion on the two amendments.

The **SPEAKER**: The question before the House is on the adoption of House Amendment "A".

Thereupon House Amendment "A" was adopted.

The **SPEAKER**: The gentleman from Houlton, Mr. Robbins, offers House Amendment "B" and moves its adoption. The Clerk will read the amendment.

The **CLERK** (reading):

HOUSE AMENDMENT "B" to H. P. 2099, L. D. 1585, "Resolve, Proposing an Amendment to the Constitution Authorizing Additional Issue of Highway and Bridge Bonds."

Amend said Resolve by adding after the underlined word "systems" at the end of the 2nd sentence of that part of said Resolve designated "Sec. 23", the underlined words:

'and on any system for which federal aid may become available'

Thereupon, House Amendment "B" was adopted and the Resolve was given its second reading.

The **SPEAKER**: Is it now the pleasure of the House that the Resolve pass to be engrossed as amended? Does the Chair understand that the gentleman from Calais, Mr. Hall, requests a division on that question?

Mr. **HALL**: I do Mr. Speaker.

The **SPEAKER**: The question before the House is upon the passage of the Resolve to be engrossed as amended. The gentleman from Calais, Mr. Hall, has requested a division.

Thereupon, a division of the House was had.

One hundred seven having voted in the affirmative and eight having voted in the negative, the Resolve was passed to be engrossed as amended and sent up for concurrence.

The **SPEAKER**: The Chair now lays before the House the 12th tabled and today assigned matter, Senate Report, Consolidated Resolve (S. P. 683) (L. D. 1582) Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons, on the several listed resolves, tabled on April 30th by the gentleman from Auburn, Mr. Jacobs, pending acceptance of the report in concurrence.

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

Mr. **MILLETT**: Mr. Speaker and Members of the House: I move the adoption of Amendment "A" in concurrence with the Senate.

The **SPEAKER**: The question before the House is upon the adoption of the report.

Mr. **MILLETT**: Mr. Speaker, I move the adoption of the report.

Thereupon, the House voted to adopt the report in concurrence, the Resolve was given its first reading and assigned for second reading tomorrow morning.

The **SPEAKER**: The Chair now lays before the House the 13th tabled and today assigned matter, House Report "Ought to pass in New Draft" (H. P. 2109) (L. D. 1599) under title of Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying for the Issue of Paid-up Insurance Policies to Maine Members of the Military and Naval Forces in World War II, of the Committee on Military Affairs on Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Bonus to Maine Veterans of World War II and to Provide for the Payment Thereof by a State Lottery (H. P. 644) (L. D.

216) tabled on May 2nd by the gentleman from Limestone, Mr. Burgess, pending acceptance of the report of the committee.

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

Mr. CHAPMAN: Mr. Speaker and Members of the House: In view of the action that we took just a few moments ago on a rather large bond issue, I hesitate to address myself on the subject of another constitutional amendment on a bond issue. With regard to this resolve, there are two matters which haven't been settled in its treatment, one of which is an amendment, and I would be inclined to request to table the resolve until tomorrow. However, in the interest of expediting House business, it would seem to me more appropriate to move that the acceptance of the report be made at this time and that the resolve be given its first reading with the clear-cut understanding that opportunity for full dress debate, if it is in order, will be provided tomorrow at which time an amendment will be offered and further discussion can be had on the matter. Consequently, I am going to now move that the report of the committee, unanimous "Ought to pass", be accepted.

The SPEAKER: The gentleman from Portland, Mr. Chapman, moves that the House do accept the "Ought to pass in New Draft" report of the committee. Is it the pleasure of the House to accept the "Ought to pass in New Draft" report of the committee?

Thereupon, the motion prevailed and the New Draft, having been printed, under suspension of the rules, the Resolve given its first reading and assigned for second reading tomorrow morning.

The SPEAKER: The Chair now lays before the House the 14th tabled and today assigned matter, House Report "Ought to pass in New Draft" (H. P. 2106) (L. D. 1598) of the Committee on Agriculture on Bill "An Act Relative to Licensing Dealers in Livestock" (H. P. 971) (L. D. 413) tabled on May

2nd by the gentleman from Wilton, Mr. Maxwell, pending the motion of the gentleman from Livermore, Mr. Boothby, to accept the report of the committee.

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

Mr. MAXWELL: Mr. Speaker and Members of the House: There will be an amendment available following the second reading. Mr. Kent, myself and Mr. Boothby have conferred and I feel that this amendment will accomplish the purposes which I had in mind and also I feel it will strengthen the bill and so it is completely in the favor of Mr. Boothby I now go along with the acceptance of the report.

The SPEAKER: The gentleman from Wilton, Mr. Maxwell, moves that the House do accept the "Ought to pass in New Draft" report of the committee. Is it the pleasure of the House to accept the "Ought to pass in New Draft" report of the committee?

The motion prevailed and the New Draft having been printed, under suspension of the rules, the Bill was given its two several readings and assigned for third reading tomorrow morning.

The SPEAKER: The Chair now lays before the House the 15th tabled and today assigned matter, Senate Report of the Committee on Salaries and Fees on Resolve Appropriating Moneys to Continue the Cost of Living Increases of State Employees (S. P. 382) (L. D. 647), Majority Report "Ought to pass in New Draft 'A'" (S. P. 674) (L. D. 1546), Minority Report "Ought to pass in New Draft 'B'" (S. P. 675) (L. D. 1547) tabled on May 2nd by the gentleman from Limestone, Mr. Burgess, pending the motion of the gentleman from Garland, Mr. Campbell, to accept Minority Report "Ought to pass in New Draft 'B'".

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

Mr. CAMPBELL: Mr. Speaker and Members of the House: As it makes no difference which one of these reports we accept, now, as I

have an amendment prepared to present, it would expedite matters, I think, if I should withdraw my motion to accept Report "B" and move that we recede and concur with the Senate.

The SPEAKER: The gentleman from Garland, Mr. Campbell, withdraws his motion that the House do accept the minority report in new draft "B" and now moves that the House concur in the acceptance of the majority report "Ought to pass in New Draft 'A' ". Is it the pleasure of the House to accept the majority, being "Ought to pass in New Draft 'A' "?

The motion prevailed and the Bill was given its two several readings and assigned for third reading tomorrow morning.

Mr. Campbell of Garland then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 674, L. D. 1546, Bill "An Act to Appropriate Moneys to Continue the Cost of Living Increases of State Employees."

Amend said Bill by striking out all of sections 1 and 2 of said Bill and inserting in place thereof the following sections:

'Sec. 1. Continuation of cost of living increases for state employees. Beginning July 1, 1949, there is hereby appropriated such sums as may be required by the respective departments of state government so as to continue in effect the \$7.20 cost of living increases as were effective during the years 1947-48 and 1948-49.

Sec. 2. Intent. It is the intent of the legislature to continue the provisions of chapter 188 of the private and special laws of 1947.'

House Amendment "A" was adopted and the Bill was assigned for third reading tomorrow morning.

The SPEAKER: The Chair lays before the House the 16th tabled and today assigned matter, Resolve Authorizing Completion and Printing of a Digest of the Opinions of

the Law Court (H. P. 1497) (L. D. 853) tabled on May 2nd by the gentleman from Portland, Mr. Chapman, pending the motion of the gentleman from Unity, Mr. Brown, to indefinitely postpone the Resolve.

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

Mr. BROWN: Mr. Speaker, in order that an amendment may possibly be offered, I withdraw my motion to indefinitely postpone.

The SPEAKER: The gentleman from Unity, Mr. Brown, withdraws his motion to indefinitely postpone the Resolve.

The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Hayes.

Mr. HAYES: Mr. Speaker, for the purpose of offering an amendment, and under suspension of the rules, I move that we do now reconsider our former action whereby we passed this Resolve to be engrossed.

The SPEAKER: The gentleman from Dover-Foxcroft, Mr. Hayes, moves that the rules be suspended and that the House do reconsider its action whereby it passed the Resolve to be engrossed on March 22nd. Is it the pleasure of the House to reconsider its action whereby it passed the Resolve to be engrossed?

The motion prevailed.

The SPEAKER: The Chair recognizes the same gentleman.

Thereupon, Mr. Hayes offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1497, L. D. 853, "Resolve Authorizing Completion and Printing of a Digest of the Opinions of the Law Court."

Amend said Resolve by inserting after the first "the" in the 6th line of the second paragraph thereof, the words 'unappropriated surplus of the'

Thereupon House Amendment "A" was adopted and, on further motion by Mr. Hayes, the Resolve was

passed to be engrossed as amended in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair lays before the House the 1st tabled and later today assigned matter, Senate Report "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act to Incorporate the Woolwich School District" (S. P. 116) (L. D. 139).

Came from the Senate, report read and accepted.

In the House, tabled earlier in today's session by Mr. Larrabee of Bath, pending acceptance in concurrence.

On motion by the same gentleman, the House voted to accept the "Ought not to pass" report of the committee in concurrence.

The SPEAKER: The Chair now lays before the House, the 2nd tabled and later today assigned matter, House Report "Ought not to pass" of the Committee on Military Affairs on Bill "An Act Providing for the Payment of a Bonus to Maine Veterans of World War II and to Provide for Payment Thereof by a State Lottery" (H. P. 663) (L. D. 215) tabled earlier in today's session by the gentleman from Lewiston, Mr. Gauvin, pending acceptance of the committee report; and the Chair recognizes that gentleman.

Mr. GAUVIN: Mr. Speaker, I move to take from the table L. D. 215, tabled earlier in today's session. I originally intended to substitute the bill for the report, but upon learning of the committee's action on turning out a bonus bill providing for the issuance of life insurance policies, I have changed my mind and desire to support the committee bill when it comes up for action. However, in support of the general principles attending to bonus legislation, I would like to say the following:

I suppose that if one presents a bill to provide a bonus for veterans of World War II, he should

start with two considerations in mind:

1st: Is such a bill desirable? and

2nd: If our veterans deserve some tangible expression of our gratitude, what is the best method of providing for it?

As to the first consideration, the want of a bonus: I admit that you can maintain in the strict construction of the law, no veteran is entitled to any reward for his military service. For you can say that those who served in the armed forces during the recent war only did their duty; and a man is not entitled to be paid for doing his duty. By the same reasoning, however, nobody in uniform should have been paid for his services. And no worker in a war plant should have been paid for his work.

Custom and precedent rule out this line of reasoning. On the other hand, custom, precedent, and current practice in other states of the union are in favor of a bonus for veterans.

The State of Maine, for instance, paid a bonus to veterans of World War I. Every New England State, with the exception of Maine, has voted a bonus to veterans of World War II. New York, Illinois, Michigan and Ohio have also voted to distribute bonuses to their veterans of World War II.

According to an Associated Press account of February 26th, the Legislatures of Iowa, North Dakota, Indiana and Minnesota are now considering bonus bills. And bonus bills have been introduced in ten other states.

If you think that the men and women of Maine who served in the recent war do not deserve a bonus, I realize that my proposal to provide a bonus for our veterans of the recent war, and to finance it with a lottery, will never meet with your approval.

But if you believe that their sacrifice deserves recognition, you will agree with me that the only difficulty involved is the one we all meet in the grocery store—how can we pay the bill?

I realize that my suggestion to finance a bonus with a State lottery will be regarded as a radical proposal in some quarters. And there are those who try to create the impression that Maine is a conservative State, and that the people of Maine do not look with favor upon so-called radical ideas. I remind you, however, that the Townsend Plan is considered a radical idea, and that Maine is the only state in the Union which has had all of its representatives in Congress pledged to the Townsend Plan. So we may not be as conservative as we so often claim to be.

If beano, pin ball machines and pari mutuel betting are legal in the State of Maine, I can't for the life of me understand why we couldn't have a State lottery which would provide a large sum of money to the State. Think of the tremendous amount of money that is going out of the State annually for that very purpose. Why can't this money remain in the State, legally, and the income provided from this source, be put to good use to the advantage of the taxpayers? More than 50% of the people in our State are at present buying lottery tickets, and you can't stop that any more than you can stop the water in the river to flow. Members of this legislature should be unanimous in their favoring of such a bill.

A lottery would be no new or novel procedure in the State of Maine. In 1823, the Legislature authorized one to build the Cumberland and Oxford Canal. In 1826, another was set up for the Sullivan Bridge at Sullivan Ferry.

Also in 1826, the Legislature granted a lottery to Seward Porter of Bath to encourage steam navigation in the State of Maine.

As a means of providing funds for a bonus, the lottery would have many advantages over other methods of gathering public funds. In the first, its collections would be entirely the result of voluntary contributions. No citizen who was not sympathetic to the purpose or

the procedure of the plan would have to contribute.

Furthermore, all of the funds involved, with the possible exception of payments to out-of-state winners, would circulate in the State of Maine. All administrative workers will be State employees. All recipients of the bonus would be citizens of Maine.

We all know that illegal gambling goes on in this State. The prominence given Treasury Balance figures in our daily papers is proof of this. The so-called baseball pools and policy slip rackets operate year in and year out. A State sponsored lottery would divert some of the money now taken by operators of these rackets to the veterans. And a lottery would drive these parasites out of business, and probably out of the State.

I know that there are those who object to a lottery on the ground that gambling is sinful. But gambling is all around us in our daily lives. We take a chance with our lives every time we cross a city street or walk along a State road or drive over our highways.

In fact, these men I plead for here today are veterans because they were victims of a gambling device, the losers in a lottery, a lottery which dealt in the lives of American boys—the Selective Service System. If it was all right to draw a number out of a gold fish bowl to determine who among the youth of our nation should be drafted, it should be all right to adopt the lottery device to reward them for their service to that nation.

As a very practical matter, moreover, sending our boys to war was a very profitable business for many of us in the State of Maine. If we were to look at this proposition in a dollar for dollar manner, we could say that a bonus to the returning veterans was merely a token payment of part of the wages or profits they lost while out of the State in military service. And a bonus could easily be paid our veterans from the wartime wages and profits enjoyed by those who stayed

at home in Maine during the war. We know that the shipyards at Bath and Portland meant millions of dollars to this State; we know that this money came here only because of the war; and we know that a great deal of this money was spent on things less worthy than a bonus to our veterans would be.

The time may not be far off when we shall see other men of Maine going off to war. These youngsters can see, by observing how we handle the bonus question at this session, just how grateful we will be to them after they are caught in the selective service lottery. If we are willing to gamble their lives to insure our safety, and then roll our eyes to Heaven in horror at the thought of a lottery to reward the draftees for their service, they will have very little respect for us.

The veterans of World War II are not children. When they are told that we deny them a bonus for their own good—because they would have to pay in taxes or otherwise for a part of it—they know we are not sincere. For they know that they must pay in taxes for other things they get no part of.

I think the men and women who served our nation and our State are entitled to a bonus. I think that we should be willing to make some sacrifice to give them one. I think that the time has come for us to be honest with these veterans, and to be practical in our efforts to provide a bonus for them. We have given them the run-around long enough.

Let's vote them a bonus. And let's adopt a method of providing funds to pay that bonus. And let's adopt a method that will be the least burdensome on the already heavily-burdened taxpayer. Let's adopt the lottery as the device which will provide a bonus and finance that bonus with voluntary contributions.

In view of what I have previously said, I now move that the com-

mittee report on my bill be accepted.

Mr. Speaker, when the vote is taken, I move for a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Gauvin, that the Bill be substituted for the "Ought not to pass" report of the committee.

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

Mr. McCLURE: Mr. Speaker and Members of the House: Regardless of whether or not you believe in what Representative Gauvin just said, there is a method on behalf of the veterans of Maine when the 94th Legislature adjourns and has gone home, I can say on behalf of them that they certainly had one friend who was sincere in the House and a non-veteran and I want to compliment the gentleman from Lewiston, Representative Gauvin, for his faithful work in this Legislature on behalf of the veterans of World War II.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Gauvin, that the Bill "An Act Providing for the Payment of a Bonus to Maine Veterans of World War II and to Provide for Payment thereof by a State Lottery" be substituted for the "Ought not to pass" report of the committee. The same gentleman requests that when the vote is taken it be by division.

A division of the House was had.

Fourteen having voted in the affirmative and thirty-three having voted in the negative, the motion to substitute the Bill for the "Ought not to pass" report does not prevail.

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

The SPEAKER: The Chair lays before the House the 3rd tabled and later today assigned matter, An Act Relating to Clerical Assistance for Active Retired Justices of the Supreme Judicial Court (H. P. 315)

(L. D. 95) tabled earlier in today's session by the gentleman from Unity, Mr. Brown, pending passage to be enacted; and the Chair recognizes that gentleman.

Mr. BROWN: Mr. Speaker and Members of the House: This is an act relating to clerical assistance for active retired justices of the Supreme Judicial Court. It costs \$6,000 per year to come out of the general fund. Therefore, I move indefinite postponement.

The SPEAKER: The gentleman from Unity, Mr. Brown, moves that Bill "An Act Relating to Clerical Assistance for Active Retired Justices of the Supreme Judicial Court," H. P. 315, L. D. 95, be indefinitely postponed.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: At this time, I would like to say just a few words in explanation of this bill. We have provision in our law for the appointment of active retiring justices of the Supreme Judicial Court. These men, or rather a justice of the court, upon retirement, may be appointed as an active retired justice. If this is done, he is available to work in equity matters the same as an active justice. At the time this bill was introduced there were three such active retired justices of the Supreme Court: Justice Murray in Bangor, Justice Chapman in Portland and Justice Mansur in Auburn.

This bill, as written, provides that these justices might be reimbursed for their actual expenses in hiring clerical help not to exceed \$1500 each per year. It does not provide that the full amount be spent. It was my understanding that the Chief Justice, the former Chief Justice Sturgis, had conferred with them and had recommended and was going to include in the budget an item of \$3,000 which would have made available a sum not exceeding \$1,000 each.

I understand from Mr. Mudge that in the recommendation there is no definite amount set forth to

cover this item. He did mention and showed me the figures in connection with the Supreme Judicial Court appropriation. It has been the practice of the Chief Justice to include in his budget request and ask for a sum adequate to cover all possible contingencies based upon any retired member living during the entire biennium; also based upon the fact that any present member would serve the maximum period before retirement and that they would have the maximum number of court stenographers. During the past year, the first year of the current biennium, there was left to the general fund a sum in excess of \$25,000. The current estimate is that there will be more than \$7,000 left to the general fund from the appropriation for the Supreme Judicial Court during the current year ending June 30th.

I understand that there is nothing to prevent using surplus funds in this appropriation for this purpose if they are available, and further I would like to state that at the present time the active retired justices are working, some of them, full time and paying for their clerical assistance from their present retirement pay. I want to point out that they could go to Florida and receive exactly the same retirement pay for doing no work. It seems only fair that if Justices like Justice Harry Mansur in my own town or city, are willing to work full time handling equity matters and help on any and all problems that arise of a legal nature they should have reimbursement for necessary clerical assistance. Therefore, I am opposed to the motion of the gentleman from Unity, Mr. Brown, that this bill be indefinitely postponed.

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that the Bill be indefinitely postponed.

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

Mr. McCLURE: Mr. Speaker and Members of the House: It does my

heart good to hear the gentleman from Auburn (Mr. Williams) state that without a new tax he found a surplus in some fund.

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that the Bill be indefinitely postponed. As many as are in favor of the motion will say yes; those opposed no. The ayes have it unless doubted.

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

Eighty-three having voted in the affirmative and fifteen having voted in the negative, the bill was indefinitely postponed in non-concurrence and sent up for concurrence.

The SPEAKER: The hour has arrived to which assignment for third reading of a bill was made earlier in the afternoon. Third reading of a bill.

House Paper 1621, Legislative Document, 932, Bill "An Act Providing for the Establishment of a State of Maine Information Center."

The SPEAKER: Is it now the pleasure of the House that this Bill pass to be engrossed?

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

Mr. CAMPBELL: Mr. Speaker, I move that the Bill be indefinitely postponed.

The SPEAKER: The gentleman from Garland, Mr. Campbell, moves that the Bill be indefinitely postponed.

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

Mr. BURGESS: Mr. Speaker and Members of the House: Several days ago I believe that we had a full-fledged debate on this measure that is now under consideration, and the vote was taken by a division. I think we are still faced with the problem of not losing sight of those things which are essentially sound and necessary to the economy of the State.

We have, and I believe very justly so, voted funds with which to build a Research Building at the University of Maine. I believe that that is a very, very worthy en-

deavor in the interests of research for the poultrymen of the State of Maine, in order to help them to keep sound their own personal economy and that of the State. I believe the investment of the amount of money that is asked in this resolve is for the same purpose but for a different group.

In our closing days of the Legislature, I hope that we do not lose sight of those things which are absolutely sound and necessary in order to preserve a high level and sound economy throughout our State, and I certainly hope that the motion does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Garland, Mr. Campbell, that Bill "An Act Providing for the Establishment of a State of Maine Information Center" (H. P. 1621) (L. D. 932) be indefinitely postponed.

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

A viva voce vote being doubted,

A division of the House was had.

Fifty-two having voted in the affirmative and fifty-eight having voted in the negative, the motion to indefinitely postpone the Bill did not prevail.

Thereupon, the Bill was passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair now lays before the House the 4th later today assigned matter, being An Act Relating to the Workmen's Compensation Act (H. P. 1502) (L. D. 805) which was tabled on May 3rd by the gentleman from Augusta, Mr. Campbell, pending passage to be enacted; and the Chair recognizes the gentleman from Augusta, Mr. Campbell.

Mr. CAMPBELL: Mr. Speaker and Members of the House: I introduced this bill for the Industrial Accident Commission to clarify a section of the Workmen's Compensation Act. However, I now find that that clarification is taken care of in a bill introduced by the gentlewoman from Portland, Mrs.

Fay, which apparently is assured of passage. So we do not need this bill. I therefore move the indefinite postponement of House Paper 1502, An Act Relating to the Workmen's Compensation Act.

The SPEAKER: The gentleman from Augusta, Mr. Campbell, moves that An Act Relating to the Workmen's Compensation Act be indefinitely postponed. Is it the pleasure of the House that the Bill be indefinitely postponed?

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

The SPEAKER: The Chair now lays before the House the 5th later today assigned matter, being An Act Relating to Aid to Dependent Children (H. P. 1009) (L. D. 440) tabled on May 3rd by the gentlewoman from Portland, Mrs. Fay, pending the motion of the gentleman from Unity, Mr. Brown, that the Bill be indefinitely postponed.

The Chair recognizes the gentleman from Addison, Mr. Lackee.

Mr. LACKEE: Mr. Speaker, in considering this bill in the Welfare Committee, it was understood that this aid would be administered on an equality basis according to the amount available, without the maximum. It was further understood that this would call for no more appropriation. I do not know what has taken place since, but that was what was understood when the committee report came out "Ought to pass."

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that the Bill be indefinitely postponed.

The Chair recognizes the gentlewoman from Portland, Mrs. Fay.

Mrs. FAY: Mr. Speaker and Members of this House: I rise in opposition to the motion of the gentleman from Unity, Mr. Brown, to indefinitely postpone this measure, on the contention that he has misunderstood the measure presented by me.

L. D. 440 is purely a policy measure, and not one involving the expenditure of any funds. If it had called either directly or indirectly for such expenditure, I would not be its sponsor.

May I take a moment to briefly give you a bit of the history of maximums on ADC. Maximums of \$50 for a mother and one child per month, \$75 for a mother with two children, or \$75 plus \$20 per month for each additional child, was put on our statute books in 1947, your Welfare Committee believing, at that time, that it would serve to fairer and more equitable administration of the funds available to the department.

The establishment of maximums has taken the discretion from the social workers, people who you feel are qualified to use judgment as to our needy cases, to apply the funds available on the basis of need. The tendency of the maximums has been to work inequitably on the recipients, and in some cases the purpose of the act has been defeated.

Therefore, after an opportunity to observe the operation of these maximums, the Maine Welfare League sought to introduce this measure, whereby maximums would be removed, and assistance could again be given on the basis of need, as it had been given prior to 1947.

Whether you have a large or a small amount of money to use in administration of whatever particular business you gentlemen happen to be in, you will find that you have to use judgment in administering those sums to the best advantage. Whatever sum the department has appropriated for the next biennium for ADC, I firmly believe should be administered on the basis of need, the neediest cases first, rather than on an arbitrary maximum schedule.

Your Welfare Committee was unanimous in reporting this measure "Ought to pass", also on the same contention, and that if so administered, this bill did not call for any new money. If, as the gentleman from Unity, Mr. Brown, contends, this does call for money, he

is, in fact, saying that the department is not capable of administering what funds they do have on the basis of need. I therefore hope that his motion to indefinitely postpone will not prevail, and that the bill will be enacted.

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

Mr. BROWN: Mr. Speaker and Members of the House: I would like to correct one statement which the lady from Portland, (Mrs. Fay) made when she said that I did not understand the bill as to the cost. I would like to point out that none of these bills is my understanding; I get my information from the Finance Officer. I am not capable, myself, of saying how much these bills would cost, in my own right. I would like the members to understand my position.

The SPEAKER: The Chair recognizes the gentleman from Bucksport, Mr. Sargent.

Mr. SARGENT: Mr. Speaker, in reading this bill, it would seem to me that the principal object of the bill was to take all the responsibility for the administration of the act away from the municipal officers and concentrate it in the department. I am against that procedure in most matters, not for a financial reason but because I do not believe in the principle of the bill, as I read it. I would like to support the motion of the gentleman from Unity (Mr. Brown).

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that the Bill be indefinitely postponed.

The Chair recognizes the gentleman from Portland, Mrs. Fay.

Mrs. FAY: Mr. Speaker and Members of the House: I hope there is not any misunderstanding as to L. D. 440. The section to which the gentleman from Bucksport (Mr. Sargent) refers has already been signed by our Governor, and the reason that L. D. 440 crosses out the section to which he refers is because it was enacted prior to the presentation of this

present measure. All that L. D. 440 intends to do is to remove the maximums, and anything else that is brought into this issue has no bearing on this particular bill.

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that the Bill be indefinitely postponed. As many as are in favor of the motion will say aye; those opposed no.

A viva voce vote being doubted,

A division of the House was had.

Twenty having voted in the affirmative and sixty-seven having voted in the negative, the motion did not prevail.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

(At this point the gentleman from Union, Mr. Payson, was conducted to the rostrum, where he assumed the Chair, amid the applause of the House, and Speaker Haskell retired)

The SPEAKER pro tem: The Chair now lays before the House the 6th later today assigned matter, Resolve in Favor of Eugene Jorgensen of South Windham (H. P. 737) (L. D. 1537) tabled on May 3rd by the gentleman from Madison, Mr. DeSanctis, pending the motion of the gentleman from Unity, Mr. Brown, to indefinitely postpone the Resolve; and the Chair recognizes the gentleman from Madison, Mr. DeSanctis.

Mr. DeSANCTIS: Mr. Speaker and Members of the House: This is one of the several claims that the committee spent considerable time on. The original claim was for \$267.34 and the committee saw fit to cut it down to \$200. A brief outline of the case is that these escapees from the State Reformatory stole this car and did considerable damage to it. This Eugene Jorgensen, of South Windham, in the minds of the committee, has a just claim, therefore I hope the motion of the gentleman from Unity, Mr. Brown, does not prevail.

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

Mr. CHASE: Mr. Speaker, when we went home last Saturday, we went with the knowledge that upon our return the black flag would be up and blood would be running in the scuppers. Since coming back I have been looking for some principle to which I could adhere in considering the matters which still have to be settled by this Legislature. I had hoped to find that in some unity of intelligent opinion in this House, which would place first matters first, but I have not yet found that principle, and I am afraid I am going to have to draft one of my own.

Now so far as I can see, on the matter which is before us this afternoon, we have, first, the belief on the part of a large majority in this House that someone will lend us \$40,000,000 to build roads, that someone will lend us \$14,500,000 to buy paid-up insurance for veterans, and yet, on this particular issue, the motion indicates that the State of Maine is so close to bankruptcy that it cannot pay \$200 which the Committee on Claims says is a just debt of the State, and that does not make sense to me.

Now the Governor is entitled to his opinion as to the sanctity of the unappropriated surplus, and so am I to mine, and so is every other member of this House, but it is apparent, in spite of the appropriations which have already been made out of that surplus, that the State of Maine does still have a considerable amount of money in that account. Now I do not believe in passing these bills which happen to say now that the money is coming out of unappropriated surplus, just because they contain that clause. I have voted for one or two of them and against some others, but there is the money. It does not make a pleasant spectacle to me to borrow these vast sums for materialistic interests or to pay pensions, while at the same time we are scuppering the teachers and

the children and the people who are eligible for old age assistance, and I think this House ought to consider which are first things and not rely on these bills.

We may want to build some of these buildings, but so far as non-recurring expenses are concerned, which is the principle upon which the Governor seemed to rely in his Budget Message, I call to your attention that these buildings create expenses for the most part, not the one, I believe, at the University of Maine, which is to be sustained by the industry, but the Information Center at Kittery,—it says in the bill that the Maine Development Commission is going to run it, and that requires expense. Now can we not find somewhere a principle which evaluates these things in terms of real need and relative importance without falling back on this particular clause and scuppering things that we want to do and passing a bill just because the fellow that drew the bill happened to put into it that it comes out of unappropriated surplus?

As to this particular claim, I never heard of Eugene Jorgensen in my life. I hope he is a worthy citizen, and I hope he gets his \$200. If the State of Maine owes this money on this claim, and other valid claims, I say we ought to pay the money out of any account, even though Frank Carpenter may get splinters in his fingers when he scratches the bottom of the cash box. (Laughter and applause)

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that the Resolve be indefinitely postponed. Is the House ready for the question? All those in favor of the indefinite postponement of the Resolve will say aye; those opposed no.

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

Thereupon, the Resolve was finally passed, signed by the Speaker, and sent to the Senate.

The SPEAKER pro tem: The Chair now lays before the House the 7th later today assigned matter being Resolve in Favor of Albert L. Winship, of South Windham (H. P. 1117) (L. D. 1539) tabled on May 3rd by the gentleman from Madison, Mr. DeSanctis, pending the motion of the gentleman from Unity, Mr. Brown, that the Resolve be indefinitely postponed.

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

Mr. DeSANCTIS: Mr. Speaker and Members of the House: I want to thank the gentleman from Cape Elizabeth (Mr. Chase) for taking a little weight off my feet. (Laughter) This claim is similar to the other, under the same circumstances, and the State was negligent, as far as the boys escaping from the school, so I therefore hope that the motion of the gentleman from Unity, Mr. Brown, does not prevail.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that the Resolve be indefinitely postponed. All those in favor of the indefinite postponement of the Resolve will say aye; all those opposed no.

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

Thereupon, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Mr. BURGESS of Rockland: Mr. Speaker —

The SPEAKER pro tem: For what purpose does the gentleman rise?

Mr. BURGESS: To make a motion, Mr. Speaker.

The SPEAKER pro tem: The gentleman may state his motion.

Mr. BURGESS: Have we not come to Orders, Mr. Speaker?

The SPEAKER pro tem: We are proceeding under Orders of the Day.

Mr. BURGESS: Mr. Speaker, I was going to make a motion to take from the table the fifty-fourth tabled and unassigned matter, if it is in order.

The SPEAKER pro tem: The gentleman from Rockland, Mr. Burgess, moves that the House do now take from the table the fifty-fourth tabled and unassigned matter, being House Divided Report of the Committee on Judiciary on Bill "An Act Relating to Housing and Redevelopment" (H. P. 575) (L. D. 173) and new draft of the same (H. P. 2020) (L. D. 1406) which were re-committed. The Majority Report reporting a second new draft (H. P. 2089) and that the second new draft "Ought to pass", the Minority Report reporting "Ought not to pass", tabled on April 25th by the gentleman from Rockland, Mr. Burgess, pending acceptance of either report. Is it now the pleasure of the House that the matter be taken from the table?

The motion prevailed; and on further motion by the gentleman from Rockland, Mr. Burgess, the matter was retabled and specially assigned for tomorrow, May 4th.

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

Mr. BUBAR: Mr. Speaker, I have an Order and I wish to speak to the Order, please.

The SPEAKER pro tem: The gentleman from Blaine, Mr. Bubar, presents an order, out of order, and moves its passage. The Clerk will read the order.

ORDERED, the Senate concurring, that a Recess Tax Committee be appointed consisting of 7 members of the House and 3 members of the Senate to work in conjunction with the Joint Standing Committee on Taxation of the 94th Legislature for the purpose of drafting a taxation measure which, in their judgment, will be acceptable to the voters of the State; and be it further

ORDERED, that the Committee will begin its work on the recess of the 94th Legislature in regular session; and be it further

ORDERED, that the Committee, whenever its work has been completed, will report to the Governor, who may if he deems it advisable convene the Legislature in special

session for the purpose of considering any tax measures reported by the Committee; and be it further

ORDERED, that the members of the Recess Committee shall receive the regular pay of the members of the Legislature in regular session assembled and their necessary expenses.

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

Mr. BUBAR: Mr. Speaker, I find a note on my desk, which was placed here yesterday morning. It is a question, and before I speak to the main question, I feel that I should answer this question.

This is the note: "Mr. Bubar, why do you get excited and shout so loud at times? Some of the Press Men are afraid to come in to the Press Table for fear your vibrant voice will knock a brick from the dome of the State House and hit them on their bald heads. (Laughter) Please calm yourself for Lorin Arnold's sake and safety." (Laughter)

Well, it is only fair that I answer the question as to why I sometimes speak so loudly. Maybe I do, but you understand that we all revert back to our childhood at certain times. When I was a boy, we had an old molasses cask between the horse stable and the big barn. We had to catch the water that ran down, and I used to be very fond of hollering down the rain barrel. When I speak in this mike sometimes I think I am shouting down that rain barrel. (Laughter)

And then, again, I wish the members would please remember that I have been preaching the gospel for fifty years, and I learned, very early in my career, that often I had to yell to keep my Deacons awake, and there are a lot of you fellows here that remind me of my Deacons in those days. (Laughter)

Now those are the two reasons, I suppose, and as to this other, the Press Man, being afraid a brick would fall on him, well I can say, that if a man has been in the newspaper game as long as Lorin Arnold

has been, he has had a great many bouquets thrown at him and a lot of bricks, and while he has given me a lot of advice in the days gone by—he never took any from me, but I am going to advise him that if he is afraid, that he put on a wig and a high cocked hat. I don't wish to depreciate his ability or the gray matter in his bald head. I do not, because the scientists have definitely said that hair does not grow on brains.

Now I hope you don't leave any more notes on my desk. (Laughter)

Now the reason for this order: Before I came down here, even before I was elected, it was understood by the voters that we were to have more money for four departments, the schools, old age pensions, fire protection and real estate relief. That was the platform I was elected on. We have not provided for any of the four, and it is evident to many of us that we cannot agree on any money-raising tax measure at this session. We furthermore know that we cannot go back home and meet the approval of the people and command their respect unless we do. Gambling devices and nuisance taxes will not do it. They are unreliable sources, and will not produce revenue enough. That is the reason I have introduced this order, so I can go home and get a line on what the people want, for that cannot be done in a week-end visit. It will take weeks of listening.

Now Maine is down the line the thirtieth state in school effort, so that will put us among the states, about in the same class, of China and India and Russia among the nations. Our peace and our prosperity depend upon the educated citizens of this State. That is why America is leading the world and feeding the world today, because we are the most highly educated nation in the world. But Maine, down the line thirty states from the top! Our schoolrooms must be made modern and attractive, in order to hold the students beyond the few first grades. They cannot be forced to sit in old back-breaking wooden seats,

poorly lighted and ventilated rooms; they must not be compelled to turn to an old outdoor house toilet; they must have modern conveniences or we will lose them for a higher education, and that means a lower citizenry.

Now then, I contend that the most beautiful women in the world are those of Aroostook County, but beauty does not depend upon powder or lipstick or curled hair. It does not depend on long painted finger nails or walking on one's toes. It depends on an inner life. Beauty is the outward expression of character, and that character is built, fifty percent of it, in the public schools. And you know it! Every achievement of life is but the outward expression of an inner hope and ambition instilled in the people by the worthy teachers in the public schools.

Now, then, are we going home and tell the struggling communities that we refused to do anything for the youth of the State of Maine? I am not. I am going to do my best, Ladies and Gentlemen. I am not going home and face the crowd, and tell them that I didn't do anything and I didn't try to do anything.

Now, then, you noticed in the papers, in the Bangor News, especially, yesterday morning: "Orono Pastor Assails Legislature for Failures, Proposes Formation of Citizens' Committee on Schools.

"Purturbed that the present Maine Legislature has 'up to now' done nothing to face and to solve the many crying problems of our state, Dr. Milton M. McGorrill, pastor of the Church of Universal Fellowship at Orono, yesterday proposed that a citizens' committee on public schools be organized on a state-wide basis."

Ladies and Gentlemen, can't you see that the people of the State are on the move for better schools?

And then he goes on: "... The third aim of the group would be 'plainly political,' Dr. McGorrill asserted, stating that it would set out to elect a Legislature committee to do 'something besides shout-

ing no'." Do you wonder why I shout? Sometimes you have to shout to raise the dead. That is what I have been trying to do, but I haven't succeeded.

Now, then: "... Such a program, he pointed out, would involve considerable sacrifice on the part of those interested and would mean 'careful organization in every town, hamlet and city in the state.'"

That is what is in the air, members.

"He also recommended 'pitiless publicity' on the 'legislative record of each legislator.' It is necessary to find new political candidates if the present ones prove inadequate."

I will not read any more than that, but you can see what is in the wind. You can see the straws moving. You know how the wind is blowing. Don't think that I put this order in here for any personal satisfaction. I am putting it in here because there is the demand that these institutions have enough money to bring them up to a level with other states in the union. This Pastor is right. I tell you, the voters of Maine are going to organize for a show-down as to whether or not Maine is going to have more money for schools, and they are going to check on this Legislature, on me and on you.

Now I plead of you to look this thing fairly in the face. Before I came down here, before I was elected, I was contacted many times by people who said: "Now, Ben, you do something about lifting the real estate tax." They wanted me to go on the Agricultural and the Taxation Committees, and I wrote to the present Speaker of the House and told him what my people in the district had asked me to do. He wrote back and explained the matter as to how many wanted to go on, and I wrote and told him O. K. I would trust to the committee and I would do my best for my constituents.

Now the farmer feeds them all. That is true, and it is equally true that they have the fewest modern

conveniences of any of our people. Many of them are denied the blessings of electricity, running water and modern appliances. And if another depression comes, they will again be taxed out of their homes.

Now Mars Hill, which is in my district, in 1935, had tax liens on 136 farms. There you are. They couldn't pay their taxes. The farms didn't produce enough.

Blaine, in 1934, had tax liens on 140 farms, and I have been called out this afternoon three different times to speak to the managers in my district, and every one of them have said: "Do something. Lift this property tax and do something for the old people and for schools."

Westfield and Bridgewater stand about the same, and in Aroostook County, in those depression days, 3,295 farms were mortgaged to the amount of \$31,444,000. And they couldn't pay their taxes. And Ladies and Gentlemen, just as sure as another depression comes,—and I have heard it stated on the floor of this House that it is on the way, and if it does, the same thing is going to be repeated again. I will tell you that up in Aroostook County, in the potato game, it is a gamble. They had the support price and now that they have cut it down, it is another gamble. I know all about it; I know how I fought for an education. I was brought up on a potato farm. I've seen my father have a barrel of money. Maybe the next year he would not own the hat on his head or the shoes on his feet, and haul out barrels and barrels and barrels and hundreds of barrels of potatoes and dump them in the orchard because they were only twenty cents a barrel. Some of you fellows looking at me know that is true. If that thing comes again, where are we going to land?

And then again we ought to have something for forest fire. In 1947 Maine suffered a \$13,000,000 loss by fire. Do you want this to happen again? If not, then we must give

them money with which to prepare to fight the forest fires in Maine. The department wants to protect us against the repetition of such a calamity, but we will not give them the means with which to do it.

Now here I have taken from the paper this morning an article; I took it from the Bangor News. "Maine Forest Fire Film To Be Shown Throughout the United States." And it goes on to state the menace, fire menace existing in the State of Maine. At the present time, or yesterday, at least, "a crew of one hundred men, were fighting a forest fire in Elliottsville Plantation which had already burned over 1000 acres of old cuttings in that area.

"... A heavy woodland fire was discovered yesterday afternoon behind the Griffin farm on the country road, about 7 miles from Houlton," in my own county. "The fire burned a path through nearly 150 acres of woodland. The Houlton fire department sent two trucks to the scene to protect the buildings."

Now, then, there isn't any county in Maine that has any more fire hazards than the towns and plantations of Aroostook County. I was born and brought up there, and I expected, for the last few years, to see a fire start there that would sweep through the county. You could take Mars Hill, Blaine, Bridgewater and Westfield, and if a fire started over there on that mountain—you can go up on the side of that mountain, go up to the top of it and look down, and you can see just about one-third under cultivation, and here is a swamp and there is a swamp, and just as sure as a fire starts there, I am telling you what will happen. The New England Garden of Maine, the New England Garden of Eden, I might say, will be swept off from the map.

Does it mean anything to the State of Maine? Then let us give something for fire protection.

Now, then, old age, and I want to speak just once more about old age. Brothers, I can't hardly sleep nights. You can call me soft if you

want to, but it gets me to the heart when the letters come in to me about the suffering and the want of the old people, and the Good Book says: "Owe no man anything." Now simply because I make a statement from the Old Book, don't think I am going to preach a sermon, but I'm not so sure but what a good old-fashioned, red-hot, hell-fire brimstone sermon would do us a lot of good, myself included, but I am not going to. Now it says: "Owe no man anything." How do we stand in regard to these old people? That is the question. Do you think we owe the old people anything? Who gave us these farms, these homes, these highways and these counties, and these industries? Did you and I build them? No, never. The old people built them, and people who are now old and who are crying for the right to live in decency and health are crying for them. They built them.

Who built our schools and educated us? Did we? No! We depended on the fathers and the mothers, now old and worn and stooped and gray, going around with their heads down, because they are pauperized. Do we owe them anything? You know we do. Yet we walk around with our heads up, high and mighty, with money in our pockets, and we ride in our big cars and we think we are big shots, and we brand the old people as paupers.

How about them? They awaken in the morning and wish it were night again. I had a letter telling me, just the other day, from a woman. She said: "I awake at night and I awake in the morning and I wish it were night again." Members of this House, you have got to sit up and take notice. And listen: They are back home and they are watching and hoping and praying that this Legislature will do something to pay the debt that we owe to them. But no, we hang on them the brand of pauperism. We turn and bite the hand that fed us, and brokenhearted, they sit and watch and wait.

Are we going to do something? Who sent us down here? Was it the

people who are opposed to more taxes? Was it the well-to-do? Was it the bigshots, the high hats? No, they are only few in number. We were sent down here by the voters, by the common people and the poor. It was not the back slappers who sent us down here. It was by the vote of the farmer, the laborer, the common people, and I repeat it, the poor.

Who sent us down here? Was it the fellows with the lily white hands? Those who smoke the long cigars and drive the big Packards? No! Their votes are only few in number. The people who sent us down here are the ones who drive the tractor, who sit on the milking stool and who carry the dinner pail. Please remember that, and the Senator here knows I am telling the truth. (Laughter)

I would like to ask you who gave us our Government? That is something for you to answer. Was it the big shots? The high hats? Was it the old guard, the old ring who is opposed to any more taxes? You know better. It was the farmers, the laborers, the common people, and again I repeat, the poor. They are the ones who want more money to run our government and they elected the Governor of Maine.

Now I will ask you one other question. Who put Harry Truman in the White House? It was the common people and the poor. He appealed to the people who have the votes, to the old people, to the underprivileged; he appealed to the farmer and the laborer in the mill, and that crowd is listening in back home in the State of Maine to see what we are going to do about these things. You had better be careful how you vote today, Ladies and Gentlemen. We have this Pastor from Orono telling us: "We are going to organize every town in this State, and see that something is done and done at once."

This tax committee cannot bring out a bill which will pass this House. They cannot agree among themselves. They stand five to five. Now they are honest, intelligent men, but they have been bombed,

blasted, booted and blistered with tax measures until they are shell-shocked, and they want a rest; they want to go home and let their wives tell them a thing or two. They want to stand around the garages and the country stores, and the beer parlors, for that matter, and the old prayer meeting, and listen to what the people are saying. They'll tell you what we are saying. Two years is too long to wait; you and I will not be back here then for the Orono Pastor says he is going to put every one of us out, and preachers generally tell the truth.

Now, I think this Legislature is a good deal like the old farmer. He sent his boy to college and he worked hard and he saved the money and he sent the boy down there, but he was an old-fashioned fellow, and bye and bye the boy came back with a lot of high-falutin' notions and took the old man to do because he put a piece of pie in his mouth with his knife, and he took hold of a chicken leg with his hand and chewed it off. The boy said: "Pa, that ain't right. Educated people don't do that." And then he took the old man to do for his grammar, and one day he said: "Pa, does a hen set or sit?" Well, the old man was up against it. He took his straw hat off and stirred up the hayseeds in his hair, and said: "Now, boy, I don't care whether my old hen sets or sits, but by gingo, when she cackles, I want to know she has laid something." (Laughter)

I will tell you, members, we have done a lot of cackling around here. (Laughter) but I'll tell you that we haven't laid a single thing, and it is just about time, boys, that we did something or get off the nests. (Laughter)

Now, we expect our Governor to do a good job for Maine. We must not restrict him in any way, in reason. I can get along with one suit of clothes and on one meal a day, I suppose, but I can do better work if I have a change of clothes and three meals a day, and the Governor must have more

money if he is going to do the job he promised the people of Maine to do. To tie his hands for the lack of funds is like sending him up to Aroostook County to raise potatoes and to compete with the up-to-date farmers of that county, with modern machinery and we give him an old hand plow and a yoke of oxen to do the job. I say it isn't fair. I am not afraid of the Governor over-spending or doing anything that isn't right and for the best because I am not afraid of any man going very wrong when he has a good Aroostook wife to tell him what to do. You needn't be afraid of that.

Now members, I have presented my order and I have told you just why I did it. I am not going back home without telling my people that I did the best I could to fulfill my promises, and I want you to be careful today how you vote on this order. "Oh," you say, "wait two years more. We don't want a special session, it would cost so much." Well, I've seen that old scarecrow dragged in before many a Legislature, that old gunny sack stuffed with buckwheat straw. A special session costs so much! A special session doesn't cost so much as it does to put a tax measure on the books that isn't any good, that will tie the people at home for generations. We had better take some time, and think this thing over for a few weeks, and get together fresh and young, with a little new blood on this committee, and then get a bill that everybody can support. I know I am willing to give and I am willing to take, and I am willing to do my best, but Ladies and Gentlemen, I want to go back home with clean hands and a heart that did the best I could. I thank you.

SPEAKER, pro tem: The Chair recognizes the gentleman from Randolph, Mr. Kent.

Mr. KENT: Mr. Speaker and Members of the House: I rise in opposition to this order. I don't believe we should establish any recess tax committee. It seems to me that it is rather late in this sec-

sion to be hollering about taxes. I think the gentleman from Blaine, Mr. Bubar, must be having a reversal of form. I have sat here during all of these tax debates and about all I have heard from up there is "No" and I think that is about all the rest of you have heard. I don't think a tax recess committee could go out and bring in a tax that would please any of us any better than the ones we have had. I am perfectly willing to go home and, in the wisdom of our Governor, if he wants to call a special session of the Legislature, he can do that at any time. I hope this order doesn't receive a passage.

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

Mr. **BURGESS**: Mr. Speaker and Members of the House: I want to make a couple of confessions before I make a serious remark relative to taxation.

As majority floor leader, I honestly believe that I am majority floor leader of those who have consistently opposed taxes as well as those who have been in favor of them and I feel it my duty at this time to represent that group as well as my friend, Mr. McClure's so-called tax and spend group.

I would like to tell you a couple of personal experiences that happened to me during this session of the Legislature, yet I am perfectly willing and content.

One is that the only thing that I can say that I have accomplished during this session of the Legislature is that I received an "Ought not to pass" report of the Committee on Pensions. Now, I am perfectly happy about that but I don't know whether my constituents are going to be or not. The mistake I think I made was when I told the committee that this lady for whom I had applied for this special legislative pension had never received any help from her father. I think what I should have told them and what I am going to tell you people now is that as far as I know she

never did have a father but luck was with me and she, being a very accommodating lady, perhaps like her mother, died on the very day that the resolve came out "Ought not to pass".

Then, I had another very unfortunate incident happen to me. I put in a resolve to the Claims Committee for \$1700 which was justly due the town which I represent and as soon as that good Committee on Appropriations and Financial Affairs found out that it was going to require new funds, they made me put in another resolve putting the money back, and then when the resolve came along Mr. Brown tabled the resolve which put the money back instead of the one that took it out and so you see I have had about as much fun as anyone could possibly have.

Now, there are a lot of matters on the table, and some bills still in committee, which require serious consideration. Now, we have talked considerably about the unappropriated surplus and as far as I know there are two ways to make use of that. One, which apparently the Budget Committee and the Appropriations Committee use and I want to describe that method.

The Budget Committee met previous to this legislative session and they anticipated the revenues and when they finally came to clear their budget, they found they didn't have revenues enough to go around so I will show you what they used. They take a little blow gun and they just blow up the anticipated revenues. I borrowed this one from the Budget Committee because I think the Appropriations Committee used a larger one because they finally told us that we were to have for expenditures two and a half million dollars or some such figure as that during the next two years, annually for each of the next two years.

So, in settling these affairs that we have left on the table and in committee, we can either amend them, take the funds out of unappropriated surplus or we can just blow up the anticipated revenues and

hope for the best at the end of the year. But, in any event, they will be written off at the end of the year.

Now, in the interest of harmony for the party, for both parties, I believe it is better that we do not give any further consideration to tax measures during this session. It has been my pleasure and honor to serve several sessions and in each one, but particularly two years ago, when we left here, there was not a good feeling among the members of the House. We had discussed taxes fully as much as we have this session and there were a great many hard feelings.

Members of the House, I do not propose that that should happen again. I believe that we have discussed tax matters to our heart's content, every conceivable tax measure has been introduced, faithfully discussed, debated and voted on and defeated and I hope that we will leave it there. I cannot see any advantage in a recess tax committee and I believe that our Governor, if it becomes necessary and I do not believe it will, but should it become necessary that we be called back, he has ample authority to call us back. If there was a conceivable tax measure that this group would accept, and I say that with all due regard and kind personal feeling towards every person here, we would have already accepted it. But, the majority of this House has said "no" many, many times. I hope that when you vote on this order, you will vote "no" and let us emphatically state we are through with tax measures for this session.

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

Mr. BROWN: Mr. Speaker and Members of the House: I would just like to correct one statement the gentleman from Limestone, Mr. Burgess, made in regard to tabling the wrong resolve. If he will consult the calendar of Thursday, April 28th, he will find that I tabled Item 24, Resolve in Favor of Caswell Plantation (H. P. 541) (L. D. 1517). Legislative Document

1517 says that the "sum of \$1700 be and hereby is appropriated to be paid to Caswell Plantation" and so forth and so on.

The other one which he speaks of, which I did not table, is Resolve number 1510, which says that the "Treasurer of State be and hereby is authorized to accept the sum of \$5,000 from Caswell Plantation". Therefore, I did not table the wrong resolve.

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

Mr. BURGESS: Mr. Speaker, I certainly want to apologize to Mr. Brown. I intended anything I said as a joke.

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

Mr. McCLURE: Mr. Speaker and Members of the House: For the benefit of my good friend from Limestone, Mr. Burgess, I want him to know that I feel the same towards him as I did at the start of the session and I worked hard to see that he would be elected as majority floor leader. Everything I have opposed were tax measures. It was my conviction that we didn't need new taxes especially after being a member here two years ago. As many times I have told you, I was informed, because I was a novice, that unless I voted for this discriminatory tobacco and cigar tax we have on our books, we would be called back in special session. That, as you all know, was unfounded and I believe this will be. Anything that I have said in debate, I never meant personalities. In rebuttal, I might have said things but I have always tried to smile when I said them. I have no hard feelings against anyone here; I trust they won't against me. Every man under our American form of government has the right to his convictions, and if he hasn't that right and hasn't the courage of those convictions, I am sure that he wouldn't do any good to any of the people in Maine. Just because you disagree with me or I with you, please don't think there are any personalities in it.

In regard to my good friend from Blaine, Mr. Bubar, his order is all right so far as it goes. There is one thing he fails to take into consideration that I think we should devote some time to and that is that old word "economy." How can we economize? Is it necessary to have new taxes? Couldn't we sometimes, perhaps, think that we might do what the Democrats are doing in Washington, streamline our own state government, perhaps consolidate some of our departments, pay those who really work a living wage, those who are unnecessary, dispense with? We do that in business. In a small way in business, I do it. It is the only reason that big business is successful. The government is not successful; why? Because once they hire you, they never fire you whether your services are needed or not. So I believe that the gentleman from Blaine, Mr. Bubar, only made one mistake that he didn't also put in an amendment for an economy move at the same time.

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

Mr. BUBAR: Mr. Speaker, I just wish to say briefly about my voting "no" on every tax measure; I think I have. But the committee has never brought a bill in to us without a divided report. I have asked the best lawyers in this House again and again if they understood these tax measures that they sent in and they have said: "No, I do not." I have only stated that I cannot vote for any package until I look inside the package and I do not understand it. Now, that has been stated to you again and again.

And then in regard to being late, too late, to talk taxes, I know it's too late to talk taxes so I am asking that this committee be appointed to talk taxes at their leisure and allow us to go home and find something we can agree on.

Now, then, in regard to my brother, Mr. McClure, on economy, I would like to state that I do not see that there is any economy in taking purchasing power away from

15,000 or 20,000 old people and kicking them out of the market so that they cannot buy the produce upon our shelves or eat our potatoes or anything else. They are just simply being thrown out because they haven't any money to exchange for the goods we have to offer. And then about economy, is it economy to send a boy out ignorant, driving him out of school because he won't sit on an old bench and because he won't sit in a schoolhouse that is poorly ventilated and he doesn't go to school; that is not economy.

I would like to ask if that is economy to have Aroostook County swept by fire? I would like to ask if it is economy to tax our farmers off the farms, send them here and there over the State? I don't want to get excited any more. I would like to say to my friend down here and I see him smiling; he says he always does and he confesses that he has done wrong and he doesn't want anybody to be mad at him. Well, confession is good for the soul. (Laughter) I know that and I want to say that he wants to go to Congress and it is a very worthy ambition for any man to aspire to represent his State in the National Congress and I wish that every boy had that ambition and had the education to back it up. But, if my brother will vote for this measure and send a committee out to find a tax measure that will be acceptable to me, if he will vote for this measure, I can almost guarantee him that he will go to Congress with his hands in his pocket.

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

Mr. McCLURE: Mr. Speaker,—

Mr. BUBAR: Mr. Speaker, I didn't finish my speech. I will surrender, yes.

SPEAKER pro tem: The gentleman from Blaine yields to the gentleman from Bath.

Mr. McCLURE: Mr. Speaker, I might say to my friend, Mr. Bubar, that I trust that I go with my hands in my own pockets and keep them there. I have always tried to.

As far as he brought out about are aged and our schools, at no time has he heard me question that. When I spoke of economy, I believe it is understood by everyone here I mean economy in spending the State's money needlessly so that money could be used for the things that the gentleman from Blaine stands for and is working for. That's my ambition also but not throw it away needlessly.

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

Mr. BUBAR: Mr. Speaker, this paper was just brought to my desk and I was asked to read this little editorial from the Portland Evening Express:

"One gets the impression that Maine cannot afford to protect itself against forest fires. That is a wrong impression. The plain truth is that Maine cannot afford to have any more forest fires at all."

I would like to go down and shake hands with that editor because he is a great man. He and I are chums. I don't know what his name is.

"For about \$400,000, the Forestry Department says, the State could protect itself with a fire warden force, a pool of equipment including radio, fire towers and hose, and with a legislative provision permitting towns to pay up to two per cent of their valuation for fire-fighting with the State sharing one-half of such cost.

"There is no needless expense discernible in such a program. It is a program advocated by the Forestry Department, a program which appeals to the common-sense people of Maine" (that let's me in). We're standing together on this. "A program which few members of the Legislature could honestly oppose on any ground other than that of cost.

"The cost—the \$400,000 needed to launch so necessary a program—seems to be the chief and only bar to enactment of such legislation before the 94th Legislature packs up and goes home.

"Even if 'no new taxation' were indeed the watchword at this ses-

ion, members of the Legislature must know that the people they represent want the State government to leave no stone unturned in its effort to give Maine protection against a repetition of 1947.

"If they know that this is the way the people of Maine do feel about, our legislators will find that \$400,000 for forest fire prevention somehow, somewhere, before they adjourn.

"Some of us—in fact, probably nine out of every ten of Maine's people—would even submit willingly to having taxes increased by a cent's worth or two, for the sake of protection against another 1947 conflagration."

I leave that editorial with you, members, but he has just simply reinforced what I have said to you today.

SPEAKER, pro tem: The question before the House is on the motion of the gentleman from Blaine, Mr. Bubar, that the order receive a passage. Is the House ready for the question? All those in favor of the motion of the gentleman from Blaine, Mr. Bubar, that the order receive a passage will say aye; those opposed, no.

A viva voce vote being taken, the order failed of passage.

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

On motion by Mr. Gates of Millinocket, the House voted to take from the table the 34th tabled and unassigned matter, Bill "An Act Relating to Aid to Dependent Children" (H. P. 1326) (L. D. 691) tabled by that gentleman on April 15th, pending assignment for third reading; and the Chair recognizes the same gentleman.

Mr. GATES: Mr. Speaker, I now move the adoption of House Amendment "A" to Committee Amendment "A" to the same bill. It has been distributed as Filing No. 439, I believe.

SPEAKER pro tem: The gentleman from Millinocket, Mr. Gates, moves that the rules be suspended and the House reconsider its ac-

tion of April 15th whereby it adopted Committee Amendment "A". Is this the pleasure of the House?

The motion prevailed.

Mr. GATES: Mr. Speaker, I don't wish to take away Committee Amendment "A". I just want to amend it by House Amendment "A". I just wish to amend the existing amendment.

SPEAKER pro tem: The Chair will rule in answer to the gentleman from Millinocket, Mr. Gates, that the House must reconsider the adoption before the amendment can be amended.

The same gentleman now moves that the House do adopt House Amendment "A" to Committee Amendment "A". The Clerk will read House Amendment "A" to Committee Amendment "A":

The CLERK (reading):

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H. P. 1326, L. D. 691, Bill "An Act Relating to Aid to Dependent Children."

Amend said Amendment by striking out the underlined figure "22%" in the last line thereof and inserting in place thereof the underlined figure "18%".

House Amendment "A" to Committee Amendment "A" was adopted.

Thereupon, Committee Amendment "A" as amended by House Amendment "A" was adopted.

SPEAKER pro tem: The Chair recognizes the gentleman from Millinocket, Mr. Gates.

Mr. GATES: Mr. Speaker, I now move that this bill be given its third reading and pass to be engrossed.

SPEAKER pro tem: The Chair would request the gentleman from Millinocket, Mr. Gates, to withdraw his motion that the matter may be assigned for third reading tomorrow morning.

Mr. GATES: I am glad to, Mr. Speaker. I withdraw my motion.

SPEAKER pro tem: The gentleman from Millinocket, Mr. Gates, now moves that the Bill be assigned for third reading tomorrow morn-

ing. Is this the pleasure of the House?

The motion prevailed.

SPEAKER pro tem: The Chair recognizes the gentleman from Ellsworth, Mr. Dunham.

Mr. DUNHAM: Mr. Speaker, out of order I present an order and move its passage.

SPEAKER pro tem: The gentleman from Ellsworth, Mr. Dunham, presents an order out of order and moves it passage.

The Clerk will read the order.

The CLERK (reading):

ORDERED, the Senate concurring, that Bill "An Act Relating to Interstate Transportation of Shellfish" (S. P. 490) (L. D. 950) be recalled from the Legislative Files to the House for further consideration.

Thereupon, the Order received a passage in concurrence. (H. P. 2113)

On motion by Mr. Marsans, the House voted to take from the table the 23rd tabled and unassigned matter, Bill "An Act to Increase State Aid to Towns for the Support of Salaries of Teachers" (H. P. 1771) (L. D. 1110) tabled by that gentleman on April 7th, pending assignment for third reading; and the Chair recognizes that gentleman.

Mr. MARSANS: Mr. Speaker and Members of the House: I am sure we all realize the great need for increased aid to towns for the support of teachers' salaries. However, we are unable to appropriate the funds necessary to finance this measure so I would move at this time that this bill be indefinitely postponed.

Thereupon, the Bill was indefinitely postponed and sent up for concurrence.

On motion by Mr. Fuller of Buckfield, the House voted to take from the table, the 22nd tabled and unassigned matter, Bill "An Act to Equalize the Educational Load of Municipalities" (H. P. 1949) (L. D.

1322) tabled by that gentleman on April 7th pending assignment for third reading; and on further motion by the same gentleman, the Bill was indefinitely postponed and sent up for concurrence.

On motion by Mr. Fuller of Buckfield, the House voted to take from the table the 13th tabled and unassigned matter, House Report "Ought to pass" as amended by Committee Amendment "A" (Filing No. 171) of the Committee on Education on Bill "An Act Relating to Secondary School Tuition" (H. P. 1951) (L. D. 1324) tabled by that gentleman on April 4th pending acceptance of the committee report.

On motion by Mr. Palmer of Nobleboro, the House voted to accept the "Ought to pass" as amended by Committee Amendment "A" report of the Committee on Education.

This being a printed Bill, the rules were suspended and the Bill was given its two several readings.

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

COMMITTEE AMENDMENT "A" to H. P. 1951, L. D. 1324, Bill "An Act Relating to Secondary School Tuition."

Amend said Bill by adding after the underlined word "**enrollment**" in the 7th line thereof the following underlined words '**or attending any community district high school**'

Further amend said Bill by striking out in the 20th line the underlined figure "2/3" and inserting in place thereof the underlined figure '1/4'

Further amend said Bill by striking out in the 20th and 21st lines the following underlined words "**providing the apportionment to any one town for any one year does not exceed \$1,000**"

SPEAKER pro tem: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker, I now offer House Amendment "A" and move its adoption and I would like to make a word of explanation before the vote is taken.

This bill merely affects the schools receiving students from out of town. The original bill stated that that school could charge as tuition the average cost of educating a young person, the total average throughout the State which last year was \$172. In addition to that, twenty per cent extra as a tolerance factor for those schools which offer vocational courses. That would make one hundred and twenty per cent, as you see on the fourth line of this bill.

This bill, however, the one hundred and twenty per cent, was dependent to a great extent upon whether or not the equalization bill passed. Now, the equalization bill has just been indefinitely postponed; therefore, these figures have to be revised. And now the amendment, House Amendment "A", which I have offered, calls for one hundred percent rather than one hundred and twenty per cent in the first line and not to exceed eighty-five percent down below in the eighth line of this bill. This merely means that it cuts down the amount which a school can charge for tuition approximately \$25 so that now they will be able to charge \$172 rather than the regular \$150.

This amendment merely is to clarify that situation as we do not have this equalization bill, so I move the adoption of House Amendment "A".

SPEAKER pro tem: The gentleman from Nobleboro, Mr. Palmer, offers House Amendment "A" and moves its adoption. The Clerk will read House Amendment "A":

HOUSE AMENDMENT "A" to H. P. 1951, L. D. 1324, Bill "An Act Relating to Secondary School Tuition."

Amend said Bill by striking out in the 8th line of Section 1 thereof, the underlined figure "120%" and inserting in place thereof the underlined figure '100%'

Further amend said Bill by inserting after the underlined word "**exceed**" in the 12th line of Section 1, the underlined word and figure '**85% of**'

Thereupon House Amendment "A" was adopted and the Bill was assigned for third reading tomorrow morning.

At this point, the House voted to take up out of order and under suspension of the rules an additional paper from the Senate.

From the Senate: The following Order:

ORDERED, the House concurring, that House Paper 2067, Legislative Document 1499, Bill "An Act Permitting Continuance of Service of State Employees Reaching Seventy Years of Age" be recalled from the Governor. (S. P. 694)

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

In the House, the order was read and passed in concurrence.

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

On motion by Mr. Atherton of Bangor, the House voted to take from the table the 48th tabled and unassigned matter, House Divided Report of the Committee on Public Health on Bill "An Act Relating to Chiropractic Services Under the Workmen's Compensation Act" (H. P. 1581) (L. D. 903), Majority Report reporting "Ought not to pass", Minority Report reporting a New Draft under title of "An Act Relating to Practitioners' Services Under the Workmen's Compensation Act" (H. P. 2081) (L. D. 1540) tabled by that gentleman on April 21st, pending acceptance of either report; and on further motion by the same gentleman, the matter was retabled and specially assigned for tomorrow, Wednesday, May 4th.

On motion by the gentleman from Bangor, Mr. Atherton, the House voted to take from the table the 46th tabled and unassigned matter, House Report "Ought to pass" as amended by Committee Amendment "B" (Amendment Filing No. 332) of the Committee on Education on Bill "An Act Relating to the Valuation of the Town of Dedham for the Apportionment of State School

Funds" (H. P. 1131) (L. D. 539) tabled by that gentleman on April 21st, pending acceptance of the report.

On further motion by the same gentleman, the report was accepted and the Bill, having already been printed, was read twice under suspension of the rules. The House then voted to reconsider under suspension of the rules its action whereby it adopted Committee Amendment "A". Thereupon, Committee Amendment "A" was indefinitely postponed.

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

COMMITTEE AMENDMENT "B" to H. P. 1131, L. D. 539, Bill "An Act Relating to the Valuation of the Town of Dedham for the Apportionment of State School Funds."

Amend said Bill by striking out the figures "45%" in the 3rd line from the end and inserting in place thereof the figures '30%'

Thereupon, Committee Amendment "B" was adopted and the Bill was assigned for third reading tomorrow morning.

On motion by the gentleman from Ellsworth, Mr. Dunham, the House voted to take from the table the 16th tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Education on Bill "An Act Relating to Terms of Employment for Teachers" (H. P. 914) (L. D. 400) tabled by that gentleman on April 5th pending acceptance of the report.

SPEAKER pro tem: The Chair recognizes the gentleman from Ellsworth, Mr. Dunham.

Mr. DUNHAM: Mr. Speaker, I bow to the wisdom of the Committee on Education and wish to move to accept the "Ought not to pass" report of the committee.

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

On motion by the gentleman from Friendship, Mr. Winchenpaw, the House voted to take from the table the 6th tabled and unassigned mat-

ter, House Report "Ought not to pass" of the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Portage Lake, in the County of Aroostook (H. P. 1141) (L. D. 601) tabled by that gentleman on March 29th pending the acceptance of the committee report.

SPEAKER pro tem: The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker, I now yield to the gentleman from Castle Hill, Mr. Dudley.

SPEAKER pro tem: The Chair will state that the gentleman can not yield but the Chair recognizes the gentleman from Castle Hill, Mr. Dudley.

On motion by Mr. Dudley, the "Ought not to pass" report of the committee was accepted and sent up for concurrence.

At this point, the gentleman from Union, Mr. Payson, resumed his seat on the floor of the House amid the applause of the members and Speaker Haskell assumed the Chair.

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

Mr. BURGESS: Mr. Speaker and Members of the House: Due to the diligent work and the great amount of it that has been accomplished today, I want to put my motion to recess in such a way that you will feel free to vote it down. I know that there are still a great number of items on the calendar and I know that each and all of us are anxious to conclude this session at the earliest possible moment.

If you members of the House are planning and will continue to remove items from the table if we would come back for the evening, then I assume you will vote for the motion which I will put to recess.

Now, Mr. Speaker, I move that the House do now recess until 7:00 P.M., E. S. T.

The **SPEAKER:** The gentleman from Limestone, Mr. Burgess, moves

that the House do now recess until 7:00 P. M., E. S. T.

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

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

The **SPEAKER:** The Clerk will read the notices.

Seventy having voted in the affirmative and eight having voted in the negative; the House stands recessed until 7:00 P. M., E. S. T., tonight.

In Recess

After Recess

The House reconvened and was called to order by the Speaker at 7:00 P. M., E. S. T.

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

On motion by Mr. Maxwell of Wilton, the House voted to take from the table the 53rd tabled and unassigned matter, Bill "An Act Creating the State Board of Education" (S. P. 294) (L. D. 488) tabled by that gentleman on April 22nd, pending third reading; and on further motion by the same gentleman, the Bill was given its third reading and was passed to be engrossed in concurrence.

On motion by the gentleman from Cape Elizabeth, Mr. Chase, the House voted to take from the table the 29th tabled and unassigned matter, House Report "Ought to pass" of the Committee on Taxation on Bill "An Act to Repeal the Tax on Cigars and Tobacco Products" (H. P. 1077) (L. D. 456) tabled by that gentleman on April 13th, pending acceptance of the committee report.

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

Mr. CHASE: Mr. Speaker, two years ago when this tax on cigars

and tobacco products was passed, I voted for it reluctantly as an emergency measure. I didn't think then and I don't think now that it is a fair tax. Neither, as you can see from the calendar, did the Committee on Taxation. But it raises for the State approximately \$660,000 per year which is counted on in the so-called Governor's Budget and since it seems to be impossible to dispense with that amount of revenue, I now move that the bill be indefinitely postponed.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that the report and the Bill be indefinitely postponed.

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

Mr. McCLURE: Mr. Speaker and Members of the House: Two years ago, I voted against the bill. It was a poor bill two years ago; it's a poor bill now. I don't have to tell you members that I have on two different occasions asked for the repeal of this bill. I don't have to again tell you that it is a discriminatory bill. What does my good friend from Cape Elizabeth (Mr. Chase) think were he compelled to compete in the sale of securities with other dealers in New England when they had a thirty-three and a third per cent advantage on him? Two wrongs never make a right. If that same bill was hurting my good friend, Mr. Chase, I would oppose it as strongly as I am opposing this bill. We were told that unless we put this tobacco and cigar tax over two years ago, our State would be unable to run. Still, we take in in all a million and a half dollars and when we come back here I find we have a six million dollar surplus. We didn't need it then, members, and we don't need it now.

What have we done to replace it? You men have voted for running races, you have voted for night harness races. The purchasing power of our dollar has increased by five per cent, perhaps even greater. If we are doing a thirty million dollar business, we have only to multiply five per cent of

\$30,000,000 to find a million and a half. All we have to do is use a little common sense and economy. We can take care of this.

But, members, that isn't the main reason. We have already outlawed one business, that of fireworks. We would outlaw many more if we voted discriminatorily as we would be voting here again this year if we allow this to remain on the books. In fair play to those men who are cigar manufacturers and tobacco dealers and to the users of those products who buy them in the State of Maine, they should have some protection. It's true, many people not knowing that they are hurting the State by buying their cigars and tobacco outside of the State, do buy them; they will continue to buy them. When men and women are walking the streets looking for work, they have got to save pennies where they can and if they can save it on tobacco and cigars, they will. After all, the poor man, about the only enjoyment he has left and my friend, Mr. Bubar, I believe would almost say this, is his pipe and tobacco. He looks after that small man and I hope that he will vote with me as I vote with him, which I did this afternoon on his order, that he also will protect the small man's enjoyment and I believe I can truthfully say when I read in a book published by him, written by him, "Health and Happiness", he stated in that book, "We should not tax tobacco". I believe that is correct; I believe I read that.

Members, thirty-three and a third percent of you members are all in various kinds of business. Would you want to go out today and compete against a competitor with that many strikes on you? I don't think you would. I have witnessed almost every one of you in your voting in your daily life; discrimination has never entered into it. You are one of the fairest groups of men I have ever served with in any capacity, and I mean by that your tolerance. Let's be tolerant even to this evil that is bringing us a revenue. It will not bankrupt the State

but it is going to bankrupt the tobacco and cigar industry, which is a dying industry.

Members, I trust, in fairness to a business in the State of Maine, that you will vote against the indefinite postponement of this measure. It is not comparable in any way to the tax of any other state in New England.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Chase, that Bill "An Act to Repeal the Tax on Cigars and Tobacco Products" and the report of the committee be indefinitely postponed.

Mr. **McCLURE** (of Bath): Mr. Speaker, I would like to ask for a yea and nay vote when we vote on this matter.

The **SPEAKER**: The Chair recognizes the gentleman from Biddeford, Mr. Farley.

Mr. **FARLEY**: Mr. Speaker and Members of the House: I don't know, I probably smoke more cigars possibly than any other member here in the House. I figure that the tax costs me close to \$180 a year to smoke those cigars. I heartily agree with the gentleman from Bath, Mr. McClure. If I remember correctly, the Governor of the State of Maine made this statement to the citizens of the State of Maine that he would drop the cigar tax.

Now, it is true, I did not vote for the sales tax because I figure I pay enough on the cigar tax. But I did vote for the income tax that the citizens of the State of Maine could have a referendum to vote if they wanted those new services.

I want to oppose the gentleman from Cape Elizabeth (Mr. Chase) in his motion to indefinitely postpone it. I believe, myself, that that is a proposition that should go through here and I believe that Governor Payne should hold what he said to the citizens of the State of Maine that he would abolish the cigar tax.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Chase, that the bill be indefinitely postponed.

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

Mr. **PALMER**: Mr. Speaker and Members of the House: Two years ago, I was one of the very few Republicans here in this House who opposed this bill, because I felt then as I feel now that it is patchwork taxation. However, I could not go along, tonight, to repeal this tax in view of the fact that we have repeatedly this session turned down tax measures. I think that we have arrived at a point here tonight where it is a matter of common-sense. We do have increased services and even though we try to economize, the fact still remains that this money will be needed. Our Governor, it is true, indicated that we should give serious consideration to the repeal of this tax. But I think it is also safe to assume that he expected if we did it that we would take care at the same time of our financial situation here in the State of Maine, which we have not yet done. So, at this time, I would like to go on record as being opposed to the repeal of this tax.

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

Mr. **MAXELL**: Mr. Speaker and Members of the House, In these closing days we have had many tax measures before us trying to raise extra funds that we might carry on and perhaps cut off some of these nuisance taxes. But, up to the present time, we haven't been able to reach anything definite on the taxation proposition. We also are hearing much about the needs of the Health and Welfare Department, the Educational Department and many other departments and it seems to me it would be poor strategy for us, at this time, to repeal the tobacco tax. As a matter of fact, when we come to go back home and if we should repeal this tax, I am just wondering what abuse we would get after we have gone along and haven't put through any major tax bill. I am hoping that this indefinite postponement will prevail.

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

Mr. BROWN: Mr. Speaker and Members of the House: In defense of the Governor, I would just like to read from the Budget Message he gave us on January 12th, just exactly what he did say in regard to this tax; and I am quoting: "Your attention is again called to the so-called cigar tax of 20 percent which deserves your consideration as to repeal. Such action will call for \$660,000 per year of new revenue."

The SPEAKER: The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Chase, that Bill "An Act to Repeal the Tax on Cigars and Tobacco Products" (H. P. 1077) (L. D. 456) and the report be indefinitely postponed. The gentleman from Bath, Mr. McClure, has requested that the vote be by the yeas and nays. The yeas and nays are in order at the desire of one-fifth of the members present. Those members desiring the vote be taken by the yeas and nays will kindly rise.

Obviously, less than one-fifth of the members present having arisen, the yeas and nays are not ordered.

Mr. WILLIAMS (of Topsham): Mr. Speaker, I request a division.

The SPEAKER: The gentleman from Topsham, Mr. Williams, has requested that the vote be taken by division.

The question is on the indefinite postponement of the report and the Bill.

Thereupon, a division of the House was had.

Seventy-six having voted in the affirmative and twenty having voted in the negative, the Bill and report were indefinitely postponed and sent up for concurrence.

On motion by the gentleman from Bangor, Mr. Webber, the House voted to take from the table the 4th tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Towns

on Bill "An Act to Provide for the Surrender by Moro Plantation of its Organization" (H. P. 1670) (L. D. 977), tabled by that gentleman on March 23rd, pending acceptance of the report; on further motion by the same gentleman, the "Ought not to pass" report of the committee was accepted and sent up for concurrence.

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

Mr. PALMER: Mr. Speaker, off the serious side for a minute, it has been brought to my attention that one of the members of the House, here today, has a birthday. So, I think, at this time, it is well that we now extend Happy Birthday greetings to Representative Carle. (Applause)

The members then joined in singing "Happy Birthday".

Mr. CARLE: Mr. Speaker and Members of the House: I won't say that I am a speaker or anything. I wish to thank you members and I hope nothing happens. If you fellows are not too hard on me, I might come back again another term. (Laughter and Applause.)

On motion by Mr. Palmer of Nobleboro, the House voted to take from the table the 1st tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Judiciary on Bill "An Creating a State Highway Commissioner and Advisory Council" (H. P. 833) (L. D. 318) tabled by that gentleman on February 24th, pending acceptance of the committee report.

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

Mr. PALMER: Mr. Speaker, I hoped that the members of the Judiciary Committee might be here tonight but I find that they have a dinner party and are detained and to expedite matters, I thought I would take this from the table just the same and they can read what I have to say in the record. (Laughter)

This bill is the result of a study which I made last summer on reorganization of state government of several of the states. In each case, a plan of this kind was decided upon and in the correspondence which I have had with those who were instrumental in the reorganization of the state government, I found that it was very successful.

This bill calls for a single highway commissioner, who would be an engineer trained in the direction and administration of a highway program, the scope of which we see and need in the State of Maine. The bill calls for a salary of \$12,000 a year which was not a figure just plucked from nowhere but rather was the advice given by those in authority and those who should know that a man of the caliber which we wanted could be procured for this price. It would not increase the administrative cost of the State appreciably as the present commissioners receive nearly that much. The bill before the present Legislature, I believe, calls for \$5,000 apiece which would be \$15,000 for the three commissioners.

The bill also calls for an advisory council which would be made up, at the present time, of the present members of the Highway Commission; these men merely to advise and assist the commissioner in the exercise of his duties. He, however, would be the final authority

It was felt in other states and I feel it here that by getting a man of this caliber and this experience, we would be doing a good job for the State of Maine, economy-wise and also perhaps sounder administration. It is felt, too, that perhaps the present system in and of itself invites more political influence than we would normally have under any program administering the amount of money our Highway Department administers.

There is ground for this type of government change. You people recall that throughout the United States at the present time, more especially in the State of Maine, there is a movement on foot to re-

place the three selectman boards by one single town manager and we are finding that these men who are town managers, many of whom have proved themselves as administrators, are providing fine administration to the towns they represent and are saving them money. The same principle applies to our Highway Department as is provided in this bill. At the present time, thirty-four of the forty-eight states in the United States have this type of a program and they are finding it very satisfactory and they are finding, too, that it is removing their program from the realm of politics.

But now for just a brief history of this bill. It has been safely on the table since the 24th of February. This bill went before the Judiciary Committee. At the hearing, there was no opposition to the bill. The only question which I was asked was by one member of the committee. He said to me, somewhat seriously: Do I consider that there is politics in the present Highway setup? It was rather subtle humor, I thought at the time. I referred the gentleman to the long waiting line in the corridor across the way but he explained his own position somewhat later and I assume you all have read in the paper where he said that after the committee met in executive session, he realized there were politics in the highway department but who wanted to do away with them? He didn't. So that was the result. Anyway, the next day, the bill came out with the unanimous "Ought not to pass" report.

So, tonight, in view of the fact that there are so many roads and bridges to be built in the State of Maine this summer and in view of the fact also that this bill was given such thoughtful, careful and prayerful consideration by the Judiciary Committee, I, at this time, want to move the acceptance of the committee report. (Laughter)

The SPEAKER: The gentleman from Nobleboro, Mr. Palmer, now moves that the House do accept the

"Ought not to pass" report of the committee.

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

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

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

Mr. CHAPMAN: Mr. Speaker and Members of the House: I am about to discuss a matter which was acted upon by this House, yesterday, House Paper 2005, Legislative Document 1392, Bill "An Act Relating to Taxation of Amusement and Musical Devices to Provide Funds for Payments to Veterans." After the rather confused snarl that this bill ran into yesterday, I am somewhat reluctant and hesitant to again take the matter up. However, after what took place, yesterday, there have been discussions in which certain members of the Military Affairs Committee sponsored the bill. And it has occurred that there is another way of amending this bill to make it inoffensive, to eliminate its worst features, which were the principle reasons for its being discarded by those of the committee who did.

And since it is a revenue obtaining device, although it is perhaps not a popular one, it does seem to me that it is appropriate that we do act upon it again. Consequently, I am going to move that the House reconsider its action of yesterday whereby the minority "Ought not to pass" report on Bill "An Act Relating to Taxation of Amusement and Musical Devices to Provide Funds for Payments to Veterans" was accepted.

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

Mr. McCLURE: Mr. Speaker and Members of the House: I believe the Military Affairs Committee had a great deal of time to consider this patchwork bill that I offered at one time. It wasn't seen fit at that time to use it to pay off Spanish War Veterans, the World I bonus or the World War II; it's just another one

of those taxes. I trust that at the next Legislature, the first of the session, we have a revision of our taxes. We can't do anything in the last week. We put the tobacco tax on the last time and it was killed yesterday. Members, we have a lottery bill, we have a running race bill and various others and I allowed it to go through yesterday, the indefinite postponement, I think I was right then and I feel and trust that it be left dead as all patchwork bills should be.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Chapman, that the House do reconsider its action of yesterday whereby it indefinitely postponed, Bill "An Act Relating to Taxation of Amusement and Musical Devices to Provide Funds for Payments to Veterans".

The Chair recognizes the gentleman from Blaine, Br. Bubar.

Mr. BUBAR: Mr. Speaker, I was delighted beyond measure when I came in and saw this Beautiful Aroostook potato. I have known all along that you were going to grant me the number plate with an Aroostook potato on it. Of course, I realize that you were doing this in appreciation of the bill I presented this afternoon which seemed to please you all and I have an order I wish to present. (Laughter)

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Chapman, that the House do reconsider its action of May the 2nd, whereby it indefinitely postponed Bill "An Act Relating to Taxation of Amusement and Musical Devices to Provide Funds for Payments to Veterans", H. P. 2005, L. D. 1392.

The Chair recognizes the gentleman from Paris, Mr. Eastman.

Mr. EASTMAN: Mr. Speaker and Members of the House: I did quite a bit of research work on this bill partially to help out my friend and colleague, Mr. McClure, and I switched the committee from 9 to 1 to 8 to 4 on its passage.

I feel that we must have some patchwork taxes. That's all we seem

to be able to get and I don't know any racket that could be taxed any easier than the juke boxes and pin ball machines. I know of one pin ball machine within two miles of this city that is in a small, poor table diningroom. The take on that to the owner of the restaurant is approximately \$15 a week. In my own town on a juke box in one of the restaurants the take is approximately \$1 a day in a small restaurant. In another one that I go to frequently, I would estimate something like \$5 a day.

If we are going to have patchwork taxes, we might just as well tax this racket.

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

Mr. McCLURE: Mr. Speaker and Members of the House: I don't like to speak all the time. (Laughter) It so happens that perhaps I am interested in legislation and in legislatures. I don't have to tell you I am interested in the veterans. Now, if after all this time some of our members are really coming out and have the veteran at heart and I mean other veterans, not necessarily my veterans, and they can see perhaps there is merit in that little bill, far be it from me to stand in the way so long as I know it is sincere and not just using the word "veteran". So, members, what I said previously against the indefinite postponement, I will take those words back if it will in any way allow us to give a token of appreciation to the men who made it possible for us to be here as free men and women tonight. I will do everything and cooperate in every way to help that out.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Chapman, that the House do reconsider its action of yesterday whereby the Bill was indefinitely postponed.

The Chair recognizes the gentleman from Anson, Mr. Sharpe.

Mr. SHARPE: Mr. Speaker, inasmuch as we have the talent in this House capable of switching a com-

mittee from 9 to 1 to 8 to 4, I can't understand why we can't pass a tax measure. (Laughter)

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Chapman, that the House reconsider its action of yesterday whereby the Bill was indefinitely postponed. As many as are in favor of the motion will say aye; those opposed, no.

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

The SPEAKER: The Chair understands that the gentleman from Blaine, Mr. Bubar, now presents an Order and moves its passage. The Clerk will read the Order, off the record.

Mr. BUBAR: Oh, no, Mr. Speaker, that is on the record; that's a legal document. Please. (Laughter)

The CLERK (reading):

ORDERED, the Senate concurring, that a sufficient fund to defray the cost of a metal motor vehicle number plate bearing the Aroostook potato, bearing the number of Representative Benjamin C. Bubar's present number plate, be and hereby is appropriated from the funds appropriated for the Ninety-fourth Legislature, and be it further

ORDERED that said number plate when complete be presented to Representative Bubar to be used by him as his legal number plate for the year 1949.

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

Mr. BUBAR: Mr. Speaker, I want to say that I have a great many bills in here. They have gone out the window or disappeared somewhere; now I don't know where they are. I don't think any of them will ever appear on the statute books but I can see that this bill is going to be enacted into law and that I will have the privilege of wearing a number plate bearing an Aroostook potato.

Now, as I take it, this is the potato that Brother McClure asked me if I expected to go to heaven on. This may not be the one but I expect to go to heaven anyway if I eat potatoes enough to live so that I can get all fixed up in good shape; I am sure I will go regardless of the potato. I want to thank you very much for granting me this bill. Thank you.

The **SPEAKER**: The Chair assumes the gentleman from Blaine, Mr. Bubar, will request to be excused because of interest when the vote is taken. The request is granted. (Laughter)

The question before the House is on the passage of the order. As many as are in favor of the passage of the order will say aye; those opposed, no.

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

Eight having voted in the affirmative and thirty having voted in the negative, the order failed of passage.

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

Mr. **BROWN**: Mr. Speaker and Members of the House: I wish to remove the 1st matter on the Special Calendar which is An Act Relating to the Appointment of Municipal Town Forest Fire Wardens. It is quite a long bill and I won't attempt to read it but I will state that the bill, itself, calls for an appropriation of \$25,000 for each of the two fiscal years from the general funds. Therefore, I move indefinite postponement.

The **SPEAKER**: The gentleman from Unity, Mr. Brown, calls up for consideration Item No. 1 from the Special Calendar, Bill "An Act Relating to the Appointment of Municipal Town Forest Fire Wardens, H. P. 1538, L. D. 867, tabled on the 24th of March, 1949, pending passage to be enacted. The gentleman moves that the Bill be indefinitely postponed.

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

Mr. **BROWN**: Mr. Speaker and Members of the House: Our forest fire fighter situation in the State of Maine is in the same condition it was and has been for years. In 1947, we had a very disastrous series of forest fires. The State, at that time, was very much concerned with the situation, very alarmed at what might happen in the future and had a series of conferences with the Governor and interested parties throughout the State to formulate some plan whereby this situation would not occur again. I realize that we have not passed a major tax measure and that we are short of funds. However, I don't think we should lose sight of the fact that there are some bills before this Legislature, today, that have a lot of merit and are required.

Now, this is one of the bills, as I understand it, in this forest fire setup, this plan was given a lot of consideration and thought by a great many people. It is not something that was cooked up quickly; a great many people have been studying this situation for the past two years and have agreed on a plan of action which we should take.

We have already had sixty-five or more fires in the State of Maine this year so far and if it had not been for the rain, today, we would probably have a lot more right off quick. There is so much slash and cut-over areas in the State of Maine that we could very easily have a recurrence of the disastrous fires of 1947.

And let me tell you now that those fires cost the State of Maine at least thirty million dollars in money values but also destroyed homes, whole communities, and sections of beauty in our State which will not be replaced perhaps ever.

I hope the motion of the gentleman from Unity, Mr. Brown, does not prevail. I think the motion was made in good faith; perhaps we haven't the funds to carry out the program but I think it is a program that should be carried out and must be carried out and we

just have to find the money somewhere to carry it out. I don't believe the people of this Legislature can go back home and tell the people of their communities that: "If you have a forest fire, that is your problem. We don't care whether you burn up or not. The State has said, we will have nothing to do with it; it is in your lap."

This is a serious, a very serious thing and I hope the motion of the gentleman from Unity (Mr. Brown) does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that the Bill be indefinitely postponed.

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

Mr. WINCHENPAW: Mr. Speaker and Members of the House: Since I teamed up with the gentleman from Portland, Mr. McGlauffin—I don't see him in the House anywhere—I feel as though one of us should be on his feet. I don't know how he feels in this matter but I am not speaking for him, anyway, but I feel that maybe with some of Mr. McClure's economy, maybe we could scrape up that \$25,000 and I would like very much to go along with the gentleman from Wayne, Mr. Brown.

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that the Bill be indefinitely postponed.

The Chair recognizes the gentleman from Sebec, Mr. Parker.

Mr. PARKER: Mr. Speaker and Members of the House: I well realize the reason for remarks of the gentleman from Unity, Mr. Brown, when he moved that this bill must be killed. I realize very strongly that without funds we cannot do things and perform services that the State of Maine needs and needs very, very much.

This bill required a lot of thought, a great deal of planning. It is the result of a great deal of planning on the part of the Forest Commissioner and others and, if there were

any possible way that this bill could be put in condition to receive an appropriation, I am sure we would have one thing when we went back home we could be proud of. We all know what happened in 1947. It does not require any great deal of thought on our part to well realize that under conditions similar, we could have a repetition of the very same thing because we have no adequate training; we have no trained men in our different towns to look after conditions when they get dangerous, as dangerous as it gets a great many years.

I am very, very sorry to have to oppose the motion of Mr. Brown of Unity. He is a friend of mine and I realize he is doing what he has to do for his committee but I hope, members of this House, I hope you will vote against his proposition and I am sure that if there is any possible way any fund can be appropriated to set up this service, the State of Maine will certainly be in a better position, when conditions arise when we need fire fighters to look after forest fires because when they happen it is too late. Thank you.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: In regard to protection from fire as I told the State Forestry Commissioner, I thought this and one other bill similar to this was a very clumsy way of taking care of that. This imposes a tax on all of the saw mills on the lumber they saw. It is a small tax, to be sure, but they have to report four times a year and nearly all of the - - - I have heard from a lot of the saw mills and we have a good many saw mills in the State and they object very much to being taxed for the development and I don't think it helps them any on the prevention of fires. It imposes a one and a half and a three per cent tax on lumber that is sawed. And, as I understand it, why it isn't helping - - - Perhaps, I am a little mixed

up here. I got the other bill mixed in. (Laughter)

The SPEAKER: That is all right.

The Chair recognizes the gentleman from Bingham, Mr. Hill.

Mr. HILL: Mr. Speaker and Members of the House: I certainly cannot imagine this House going along with the motion of indefinite postponement on this measure. I think some of the members who were in the Ninety-third Legislature often think back when the 1947 fire was on that if they all had their ears open they must have burned a little bit because the heat was on and I don't mean the heat from the fire. There were plenty of accusations thrown around by the people of the State to the extent that there was inadequate planning, evading the issue, and so on and so forth and I, for one, if I went back home and told my people that I voted for indefinite postponement of a measure such as this, I certainly could not live it down and I wouldn't know how to try to live it down.

Now, listen: The measure of protecting our forests has been covered very thoroughly by editorials in the paper, and I refer you to the Daily Kennebec Journal editorial of April 12th, which covers this forest fire measure very thoroughly. I certainly hope that this House will not go along with the indefinite postponement.

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

Mr. McCLURE: Mr. Speaker and Members of the House: I would like to say for the benefit of my friend from Friendship (Mr. Winchenpaw) that we have economy enough. Does it seem reasonable to you that I would have stood up here a few moments ago and repeal a tax that people think would bring into the State \$660,000 if we really needed it and were going to be broke? Members, we are far from being broke. Don't let these people here tell us again this year that the State is bankrupt and come back and find a few more million dollars. Certainly, we can take

care of this. We have the money and will have the money. Reading from tonight's Lewiston Evening Journal, I might read just a few words. I can't blame them and don't let them pass the buck on you either. It says: "Governor Against Buck Passing. Doesn't Favor Larger Fund for Contingent. A move was in the making to raise the State contingent fund, which is administered by the Governor and Council, from \$450,000 to \$1,000,000 per year." What's the difference? Let's subtract \$450,000 from that million. Per year, members, there is still \$550,000 per year left for us. We say we need \$25,000 for this. We have \$25,000. If not, we can work for that economy that McClure speaks of and I know your Governor, once we leave here, will work for the economy that he promised the people of the State of Maine and will really give us an administration. We can have this. Let's not vote for the indefinite postponement through fear.

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

Mr. SPEAR: Mr. Speaker and Members of the House: As long as we are quoting from the paper, I might as well get my whack at it, too. There is an article in tonight's paper, the Evening Express, by our good friend, Edward Talberth. I will quote: "I have continually pointed out, the Governor said, 'the urgency of positive action with relation to a forest fire prevention system.'

"It is my belief the Legislature will provide out of unappropriated surplus, sufficient monies for necessary equipment in the way of powers, fire fighting tools, and a proper communications system on a state-wide basis, particularly in the organized areas."

I am in sympathy with this problem, too. I understand something about it and I would move that we temporarily suspend action on this bill until a House amendment can be prepared whereby this money is appropriated from the unappro-

priated surplus instead of from the general fund.

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

Mr. WEBBER: Mr. Speaker and Members of the House: I hesitate to rise because I am also a member of the Appropriations Committee and I realize the financial plight of the State in view of the fact that no major tax was passed, there is really not much money available for services such as this. However, this is one of the three very important fire control bills and I believe there is some money available that can be wangled one way or another so that this thing can be put into effect. As the bill states, there will be a fire warden appointed to every city and town in the State and the payment of \$50 a year will be contingent upon his attendance at a training course. It will be his duty to return and set up an organization and prepare a plan in the event of fire.

This bill is the result of a great many conferences held over the State among landowners, lumber interests and what not. There has been a great deal of careful thought go into it and I would certainly like to see it passed if it is possible at all.

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that Bill "An Act Relating to the Appointment of Municipal Town Forest Fire Wardens" H. P. 1538, L. D. 867, be indefinitely postponed.

The gentleman from Wayne, Mr. Brown, requests that when the vote is taken it be by the yeas and nays. The yeas and nays are in order at the desire of one-fifth of the members present. All those desiring the vote to be taken by the yeas and nays will kindly rise. Obviously less than one-fifth of the members present having arisen, the yeas and nays are not in order.

The gentleman from Bangor, Mr. Webber, requests that when the vote is taken, it be taken by division.

The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that Bill "An Act Relating to the Appointment of Municipal Town Forest Fire Wardens" be indefinitely postponed. As many as are in favor of the motion for the indefinite postponement of the Bill will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seven having voted in the affirmative and seventy-three having voted in the negative, the motion to indefinitely postpone did not prevail.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

Mr. BROWN: Mr. Speaker and Members of the House: I now wish to remove from the Special Calendar Item No. 2, An Act to Provide for the Annual Salary of Members of the Public Utilities Commission. This would raise the salary of the Chairman of the Commission so that it would be \$8500 per year and the salary of each of the other members would be \$7500, at an annual cost of \$6,000 per year from the general fund. I move the indefinite postponement of the order.

The SPEAKER: The gentleman from Unity, Mr. Brown, calls up for consideration Item No. 2 from the Special Calendar Bill "An Act to Provide for the Annual Salary of Members of the Public Utilities Commission", H. P. 368, L. D. 128, and moves that the Bill be indefinitely postponed.

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

Mr. CAMPBELL: Mr. Speaker, I think the gentleman is in error. I would request that the Clerk read Committee Amendment "A".

The SPEAKER: Would the gentleman care to amend his request to have the Clerk read the Bill, the bill having been engrossed?

Mr. CAMPBELL: Yes, Mr. Speaker.

(The Bill was read by the Clerk.)

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that Bill "An Act to Provide for the Annual Salary of Members of the Public Utilities Commission" be indefinitely postponed.

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

Mr. BROWN: Mr. Speaker, I was wrong on this. I ask that the bill be tabled and assigned for tomorrow morning.

Thereupon, the Bill was tabled pending the motion of Mr. Brown for indefinite postponement and specially assigned for Wednesday morning, May 4th.

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

Mr. BROWN: Mr. Speaker, I wish to remove from the Special Calendar Item 3, which is An Act Relating to the Salary of the County Attorney of Waldo County. This happens to be the county attorney of my own county. He is now receiving a pitiful sum for his salary. It costs \$200 a year and I move indefinite postponement of the bill.

The SPEAKER: The gentleman from Unity, Mr. Brown, calls up for consideration Item No. 3 from the Special Calendar, Bill "An Act Relating to the Salary of the County Attorney of Waldo County," H. P. 1073, L. D. 479, and the gentleman moves that the Bill be indefinitely postponed.

The Chair recognizes the gentleman from Belfast, Mr. Clements.

Mr. CLEMENTS: Mr. Speaker, this county attorney is receiving at the present time \$1300 a year. Now, at the time of the hearing before the committee, he mentioned the fact and mentioned to me that he received less than \$5 per case for the last two years. He is doing a nice job for the county; he is bringing quite a lot of money in; he is an able attorney and I hope that the motion of my colleague, Mr. Brown, does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that the Bill be indefinitely postponed. As many as are in favor of the motion of the gentleman from Unity, Mr. Brown, that Bill "An Act Relating to the Salary of the County Attorney of Waldo County" be indefinitely postponed will say aye; those opposed, no.

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

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

Mr. BROWN: Mr. Speaker and Members of the House: I wish to remove from the Special Calendar Item No. 4, Resolve Appropriating Moneys to Repair, Recondition and Maintain Lot and Monument of Former Maine Governor. The appropriation calls for \$500 and I move its indefinite postponement.

The SPEAKER: The gentleman from Unity, Mr. Brown, calls up from the Special Calendar Item No. 4, Resolve Appropriating Moneys to Repair, Recondition and Maintain Lot and Monument of Former Maine Governor and moves that the Resolve be indefinitely postponed.

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

Mr. BROWN: Mr. Speaker and Members of the House: This resolve calls for the appropriation of \$500 to repair and recondition a cemetery lot of a former Maine Governor. The Governor in question is the late Jonathan Huntoon, Governor of Maine in 1830 and his picture may be seen at the right just before you enter the secretary's office in the Senate. Governor Huntoon had a long political career; he was a member of this House of Representatives; he was a member of the Senate; he was a member of the Governor's Council and he was Governor of the State in 1830.

In 1905, this Legislature saw fit to erect a monument to his memory and, at that time, they appropriated the sum of \$500 and I wish to call to your attention that \$500 in 1905 was a lot of money. Since that time, the monument has gradually come into disrepair, some of the mortar has fallen out, and the lot has grown up with weeds and bushes and it is in a disgraceful condition.

Under the new draft of this resolve, \$250 would be set up to repair this monument and lot and \$250 would be set up as a trust fund to be expended by the Park Commission to maintain this lot so that it won't fall into disrepair again.

In so far as the State of Maine saw fit in 1905 to erect a monument to Governor Huntoon, I think it is only fitting and proper that we should see that that monument and the cemetery lot are maintained in a respectable condition. The amount of money involved is not large but the principle involved is. I hope that the motion of the gentleman from Unity, Mr. Brown, does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that Resolve Appropriating Moneys to Repair, Recondition and Maintain Lot and Monument of Former Maine Governor be indefinitely postponed. As many as are in favor of the motion that the Resolve be indefinitely postponed will say aye; those opposed, no.

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

Thereupon, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

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

Mr. BROWN: Mr. Speaker, I admit many of these resolves are small as far as dollars go, but collectively they amount to quite a large sum.

I wish to consider Item 5 on the Special Calendar, "An Act to Increase the Salary of the County Attorney of Knox County" (H. P. 1797) (L. D. 1139) which calls for an appropriation of \$300 per year. I move indefinite postponement.

The SPEAKER: The gentleman from Unity, Mr. Brown, calls up for consideration Item 5 on the Special Calendar, Bill "An Act to Increase the Salary of the County Attorney of Knox County, H. P. 1797, L. D. 1139. The gentleman moves that the Bill be indefinitely postponed.

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

Mr. WINCHENPAW: Mr. Speaker and Members of the House: There seem to be very few men from Knox County here tonight, and I feel that I should stand up and defend Knox County as well as the others have defended Waldo County. As I understand it, we just increased the County Attorney's salary from \$1300 to \$1500 in Waldo County, and we are asking that we do the same for Knox County and pay the County Attorney \$1500. I understand he has been getting \$1200 down in Knox County, and, from reading the recent reports in the Courier-Gazette and other newspapers, I think it must be quite a job to be County Attorney in Knox County where they are wheeling out safes every night and one thing and another. I feel that we should pay that young man down there \$1500. I hope that the motion of the gentleman from Unity, Mr. Brown, does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that Bill "An Act to Increase the Salary of the County Attorney of Knox County" H. P. 1797, L. D. 1139, be indefinitely postponed.

As many as are in favor of the motion that the Bill be indefinitely postponed will say aye; those opposed, no.

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

Thereupon the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

Mr. BROWN: Mr. Speaker, I wish to consider Item 6 on the Special Calendar, Resolve in Favor of Mrs. Charles Boyce of Cumberland Mills (H. P. 165) (L. D. 53). It calls for an appropriation of \$1544, and I move the indefinite postponement.

The SPEAKER: The gentleman from Unity, Mr. Brown, calls up for consideration on the Special Calendar Item No. 6, Resolve in Favor of Mrs. Charles Boyce of Cumberland Mills (H. P. 165) (L. D. 53). The gentleman moves that the Resolve be indefinitely postponed.

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

Mr. DeSANCTIS: Mr. Speaker and Members of the House: This is just another one of those claims that the committee had, and they spent considerable time on it. This is of a somewhat different nature. Mrs. Boyce is merely trying to collect money that was paid in by her late husband under the Teachers' Retirement Plan and who was taken sick and did not collect the full amount of money he had coming to him, dying in the meantime in a short period of time after he started collecting the money. The committee thought that this was a just claim where he had already paid the money in himself and they felt that Mrs. Boyce should be reimbursed. I hope that the motion of the gentleman from Unity, Mr. Brown, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Larrabee.

Mr. LARRABEE: Mr. Speaker, I will say, in answer to what Mr. DeSanctis has said, that the head of this particular department, I think I am correct in saying, came to the Committee on Claims and recommended that they reimburse Mrs.

Boyce for the amount due her, or the amount she had in this particular fund.

Now it is my candid opinion that the State of Maine is morally and financially obligated to live up to this resolve; and I want to say, in conclusion, that I hope that our State is not in such pitiful condition financially to the extent that we find it necessary to compel a widowed lady to donate approximately \$1500 of her own money to fatten up the State's general fund. Therefore, I hope that the motion of the gentleman from Unity, Mr. Brown, does not prevail, and when the vote is taken I request that it be by division.

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

Mr. McCLURE: More economy, Mr. Speaker! Is it not true that we will have about \$120,000 from funds that are unclaimed in our banks in another year, a bill which has already passed, I believe? And that is not counting what I thought we had previous. So, so far as some of these bills that are just, why make so much over them? This is a just bill for this lady. I was at the hearing; I understand the case thoroughly. Why use all these picayune arguments against it? Gentlemen, we are not broke. We are going to have another \$120,000. I believe we are also going to have some more money from our insurance and inheritance taxes. We are far from broke. Let us pay what is just; let us economize only when money is spent needlessly.

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that Resolve in Favor of Mrs. Charles Boyce of Cumberland Mills (H. P. 165) (L. D. 53) be indefinitely postponed. The gentleman from Westbrook, Mr. Larrabee, has requested that when the vote is taken it be by division.

As many as are in favor of the motion of the gentleman from Unity, Mr. Brown, that the Resolve be indefinitely postponed will kindly

rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: One having voted in the affirmative and fifty-six having voted in the negative, the motion to indefinitely postpone does not prevail.

Thereupon the Resolve was finally passed, signed by the Speaker and sent to the Senate.

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

Mr. BROWN: Mr. Speaker, I would like to consider Item 7 on the Special Calendar, Resolve Relating to Construction of Airports (H. P. 1444) (L. D. 802). This resolve calls for an appropriation of \$300,000 from the unappropriated surplus.

The SPEAKER: The gentleman from Unity, Mr. Brown, calls up for consideration Item No. 7 on the Special Calendar, Resolve Relating to Construction of Airports (H. P. 1444) (L. D. 802).

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

Mr. CHASE: Mr. Speaker, did I understand that the motion was that it be finally passed?

The SPEAKER: The Chair understands the gentleman made no motion. Is that correct?

Mr. BROWN: That is correct, Mr. Speaker.

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

Mr. CHASE: Mr. Speaker, I have been voting for these appropriation items or against them selectively. The general fund, from now on, is all one to me, whether it be general fund or unappropriated surplus thereof; and, in order to balance my personal budget as I vote along here and try to get a little money to vote for some seemingly more worthy items that are coming up, I move that this resolve be indefinitely postponed.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that Resolve Relating to Construction of Airports be indefinitely postponed.

The Chair recognizes the gentleman from Houlton, Mr. Robbins.

Mr. ROBBINS: Mr. Speaker and Members of the House: The Civil Aeronautics Act of 1938 and the Federal Airport Act of 1946 directed the Civil Aeronautics Authority to establish a national airport plan, taking into consideration the needs of both air commerce and private planes. In accordance with that directive from Congress, the Civil Aeronautics Authority has surveyed the State of Maine and the other forty-seven states and territories and has laid out a plan of airport construction which, in their opinion, will best promote aviation within the State of Maine and develop the State from an aviation standpoint.

This program, although it is an unfied program, for our purposes should be broken down into two parts: One part concerns the so-called Carrier Airports which are served by commercial airlines, and the other is the local or grass-roots program, which consists of feeder airlines and airports of local importance.

On this so-called grass-roots program, I have picked at random a few examples from a long list of airports and potential airports which the CAA has certified as being eligible for development if the money is made available. Among them I have checked here: Eastport, Greenville, Boothbay Harbor, Rangeley, Rumford, York and Wells and Portage Lake. I have picked those because they illustrate very well what will happen, if we can develop either sea-plane bases or airports in those areas, in the way of bringing in tourists and fishermen and hunters into those areas.

I did not explain, and I should, that the financing of this airport program is on a split basis, the federal government putting up two dollars for every two dollars that

is put up, one dollar by the State and one dollar by the local sponsor. That can be either a county or a town.

The immediate importance of this resolve lies, however, in the situation that faces the State of Maine as regards commercial airline service. I think you have all read in the papers lately that a new type of plane, known as the Convair, is being put into service in the State of Maine. This new plane is not voluntary with Northeast Airlines or with any other airlines; it has been forced upon them by the Civil Aeronautics Authority. The CAA has declared that the Douglas D. C. 3's, which we have been so used to flying around in are no longer safe for ordinary air travel. They must be discontinued by 1953. Now what does this mean to us? It means this: That the D. C. 3's are being replaced by heavier airships which have a greater speed of landing and take-off, and require a more substantial base on the runways and they require longer runways than we have.

There are seven carrier airports in the State of Maine, and I will just touch each of them briefly to show you what will happen in case there is no money made available for construction and reconstruction in the next two or three years.

Houlton and Presque Isle are the only two carrier airports in the State of Maine that are able to handle the Convairs without any further work being done. In the case of Houlton, the surface is cracking up, but it can stand the traffic and the field is sufficiently long to handle these planes.

Going to the other extreme: Augusta is absolutely out of the picture, and there will be no air service in and out of Augusta whether or not this bill is passed. The two strips at Augusta are only 3400 feet and 2800 feet and the Convair needs a minimum of four thousand feet at sea level and with a level runway.

Waterville is also out without a substantial expenditure of money, somewhere between ninety and a

hundred thousand dollars. There is one runway there of four thousand feet and two of twenty-three hundred feet, and they all have an incline of between one and two two degrees.

Unfortunately, it happens that all our airfields were built—except at Old Town—all our airfields were built before it was understood how important it was to have an absolutely level surface. A slant of one degree or more extends the distance five hundred feet that a Convair or any other plane must have to take off. Old Town, fortunately, is the nearest to being level of any airport that we have. There is going to be a slight reduction of service there during hot weather, that is, the planes are going to have to leave off weight in order to serve the field.

Auburn-Lewiston has three runways, of which only one can be used by Convairs, and if there is a substantial cross-wind there the service will have to be cancelled at Auburn and Lewiston.

This gets us down to Portland, which is a key airport in the State. There are three runways at Portland. One, the east-west runway, is 2900 feet, and that is entirely out of the picture and cannot be used by these new planes at all. The north-south runway and the north-west-southeast runway have obstructions at either end. The north-west-southeast runway has the—
—one of them has the Boys Reformatory and the other has another obstruction, I am not sure what it is, so that both of them are very radically restricted as to the extent to which they can be used.

What this means to the public in terms of reduced service is simply this, that unless there is a substantial head-wind in hot weather these planes are going to have to leave off about half of their passengers or more, so that it is very doubtful whether Northeast Airlines or any commercial airline can fly these planes profitably.

I hope that no one will think that this is a measure for the bene-

fit of Northeast Airlines. If Northeast Airlines was forced to withdraw from the State of Maine it would be a case of some other airline coming in or we would have no airline service. I am not saying to you that if the measure is not passed that all commercial service will be cut off. I am saying that service will be so restricted that there will be many times when these planes cannot land and take off. And in the interests of developing aviation in the State of Maine, I earnestly hope that this bill will receive passage.

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

Mr. JACOBS: Mr. Speaker and Members of the House: This was heard before the Appropriations Committee by the Commission presenting the resolve, and we had come to the conclusion, most of the members of the committee, that this \$150,000 per year would not amount to very much to serve aviation in Maine.

You have just heard the gentleman speak about several of the regular airports not being available on account of these heavy aircraft coming into Maine. At that hearing, the federal man was there, and I asked him if, in his opinion, this \$150,000 would do very much for aviation in Maine under the conditions. He said it would be better to have millions instead of thousands. That was his answer, as near as I can remember. In that case, this \$150,000 per year would not do very much to help aviation in Maine, especially when they are discarding many of the airports we have, due to the heavier aircraft that are coming into Maine.

Believing this, I believe it would be poor economy for Maine to spend this small amount of money when, according to the federal gentleman at the hearing, we should have millions to expend instead of thousands, and in his opinion it would not amount to very much.

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

Mr. McCLURE: Mr. Speaker, I would like to ask through the Chair one question of the gentleman from Houlton, Mr. Robbins. Between the city I represent and the town of Brunswick, I would like to know how much money the federal government expended there. Where we have brought the national government into the argument, why are we not taking advantage of it now? I would like to ask that of the gentleman, if he can answer.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Robbins.

Mr. ROBBINS: Mr. Speaker, I regret that I cannot tell the gentleman how much was put into the Naval Air Station at Brunswick. The reason it is not being used today is that there is no traffic there. The same is true at Sanford. Sanford has a beautiful airport which could handle these planes, and it could be done at Brunswick the same way, but it just happens that the traffic is at Portland, Auburn, Lewiston, and Augusta and points north.

As far as the remarks of the gentleman from Auburn (Mr. Jacobs) are concerned, I would like to point out to the House that by making \$300,000 available on the part of the State it results in another \$900,000 becoming available from the federal government and the local sponsors, so that actually this would mean that over the period of the next two or three years there would be \$1,200,000 available, which is a fairly substantial sum.

The SPEAKER: The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Chase, that Resolve Relating to Construction of Airports be indefinitely postponed.

As many as are in favor of the motion of the gentleman from Cape Elizabeth, Mr. Chase, that the resolve be indefinitely postponed will say aye; those opposed will say no.

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

The SPEAKER: Sixty-two having voted in the affirmative and twenty-

six having voted in the negative, the motion to indefinitely postpone prevails.

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

Mr. BROWN: Mr. Speaker, I wish to take up for consideration the 8th matter on the Special Calendar, Resolve to Provide for a Refund of Contributions to Certain Teachers (H. P. 1500) (L. D. 855). As this resolve is short, I will read it.

(L. D. 855 was read by Mr. Brown)

Inasmuch as this calls for an appropriation of \$2846 for the next twenty-eight years from the general fund, I move indefinite postponement.

The SPEAKER: The gentleman from Unity, Mr. Brown, calls up from the Special Calendar Item No. 8, Resolve to Provide for a Refund of Contributions to Certain Teachers (H. P. 1500) (L. D. 855) The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: I would like to read a letter for the record that I received from a teacher of Maine:

"The following data is a summary of my experience with Maine Teachers' Retirement Plans.

"Started teaching Fall of 1922 and have been teaching continuously in Maine since.

"Voluntarily joined the Maine Teachers' Retirement Association in 1935 making retroactive payments plus interest back to 1922. This amount totaled over \$1600.

"Made yearly payments of \$100 from 1935 to 1947. In the early forties had a growing feeling of uneasiness concerning wisdom of having joined and in November 1946 made formal application to return to my former status under the old pension plan. At the meeting of the State Board, December 15, 1946, my request was tabled after a lengthy discussion. The unofficial consensus of opinion was that the flood of withdrawals was jeopardizing the safety of the sys-

tem. The fact that some had been allowed to withdraw and others had been denied that privilege seemed to have little influence on the Board's decision.

"Sometime in the summer of 1947 I voluntarily joined the Employees' Retirement System and had the dubious honor of making the largest contribution to the general pension fund by some \$1700.

"October 3, 1947, upon advice of Mr. Clair Wood, I again made application for an equitable adjustment to the new pension board and was informed that nothing could be done under the provisions of the existing statute.

"My case has received considerable publicity and I have been asked many times in recent years what I would consider to be fair and just treatment. My answer has been and still is: I am entitled to the same consideration received by those teachers who started teaching the same year I did.

"The above information is all a matter of official record in Augusta. The exact amounts paid in and dates of payment can all be found there."

I presented this resolve, and as the House Chairman of the Appropriations Committee states it would involve \$2846 dollars for, I believe, the next twenty-five years. Now this is a just bill. Of course I would say that as it is my bill. It has created a great deal of interest. As a member of the Research Committee, I will say I believe we spent a whole evening discussing the Teachers' Retirement System. This involves several teachers throughout Maine. This is only one of the letters that I have received. Notwithstanding that fact, and not wanting to kid myself that I am going to lose something or that the House Chairman is going to lift something out of this gas chamber to throw it into another on the other side of the alley, I go along with indefinite postponement.

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

Mr. McCLURE: Mr. Speaker, the reason I am rising now—I was one of those who went to that small schoolhouse in my bare feet many times. We had teachers there, and it was there that I learned what little I know about public speaking.

Many a Friday afternoon when the teacher had me recite a poem—I can feel my knees buckling now. But they taught us much more than the three R's. I trust that what character I have those teachers in the old days were the ones who taught it to me. I feel that for the paltry sum they worked for in those days they would not have been working if they had not had an interest in the coming generation of their day. In behalf of those teachers, I trust that this does not have an indefinite postponement.

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

Mr. WOODWORTH: Mr. Speaker and Members of the House: This is another one of those collection claims similar to No. 6, which has already been approved by the House. There are quite a few of these teachers who paid money into this fund and never got it out. The list was presented, and the trustees or officers in charge of the Teachers' Retirement Fund came before the Judiciary Committee, and it was generally conceded, in fact I do not believe that anybody denies that where most of these teachers did get their money back the others ought to get their's back also.

These payments over a period of twenty-eight years, mentioned by members of your Appropriations Committee, represent the refunds spread over a period of years so as to keep intact the capital of the retirement fund. Those of us who served on the Judiciary Committee recommended that this bill ought to pass. It is immaterial to us whether you do it or not; we lose nothing; but if the House is going to pay one of these claims—and the State has already paid many of them—and if the House is going to pass the resolve in favor of Mrs.

Charles Boyce of Cumberland Mills, as it already has decided that it should do, then there is no reason why the others should be left out, and I hope that this resolve may receive passage.

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that Resolve to Provide for Refund of Contributions to Certain Teachers (H. P. 1500) (L. D. 855) be indefinitely postponed.

As many as are in favor of the motion of the gentleman from Unity, Mr. Brown, that this Resolve should be indefinitely postponed, will say aye; those opposed no.

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

Thereupon the Resolve was finally passed, signed by the Speaker and sent to the Senate.

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

Mr. BROWN: Mr. Speaker, I request consideration of Item 9, "An Act Relating to Elderly Teachers' Pensions" (H. P. 2045) (L. D. 1471)

This, to my mind, is one of the most worthy acts we have had before us. It calls for an appropriation of \$192,000 per year to be used for increasing the elderly teachers' pensions. I regret very much to move to indefinitely postpone this bill.

The SPEAKER: The gentleman from Unity, Mr. Brown, calls up for consideration Item 9 from the Special Calendar being "An Act Relating to Elderly Teachers' Pensions" and moves that the Bill be indefinitely postponed.

The Chair recognizes the gentleman from Crystal, Miss Longstaff.

Miss LONGSTAFF: Mr. Speaker and Members of the House: A week ago when we were trying to arrange a tax measure that would be acceptable to this House, we decided that to give these elderly teachers thirty-five per cent of the \$300 would be doing them a great favor. So, now, even though we

have not passed the tax measure, I do feel that this item is worthy enough to be taken from the unappropriated general fund.

Just to remind you a bit of what the bill consists of: We have 645 of these elderly teachers who will come in under this bill. We have 350 who have taught thirty-five years, and who are getting \$600 and that thirty-five per cent increase would give them an increase of \$210. We have 150 who have taught thirty years, who are now getting \$500, and would receive a \$175 increase. 150 who have taught twenty-five years, who are now receiving \$400, would receive \$140 a year increase. This makes a total of \$120,750 for one year. And I understand that of these 350 ladies, the majority of them are in their late 80's and 90's. So, you see, that would be greatly reduced each year. I believe when the bill was written they thought it would mean a period of fifteen or sixteen years that this fund would need to be kept up. I realize that it is something which will be recurring but I feel sure and certain that the next Legislature in two years will find a way to provide for these teachers if this money is taken from the unappropriated surplus this year. I hope that the motion of the gentleman from Unity, Mr. Brown, does not prevail.

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

Mr. BUBAR: Mr. Speaker and Members of the House: It cannot be possible that the State is so poor, so near bankrupt, that these old teachers, many of them in their 80's, that gave the best of their lives and they taught for one dollar a day and some of them less than that and now they are in need and what are we going to do? Turn them down? I would like to go along with my neighbor over here, Mr. Brown, but I cannot do this. I had a teacher write me lately who is eighty-four years old, nearly blind. She taught for nearly twenty-seven years and the highest she ever got was a dollar and a half a

day and she asked me to put in for a pension, but I did not do that. I went back and told her that there wasn't one single, solitary thing I could do, that they were turning down everything. Now I wish I had put it in; I am sorry that I didn't. But, please, please do not turn down the old teachers who served us so loyally and so long and so well.

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that Bill "An Act Relating to Elderly Teachers' Pensions" H. P. 2045, L. D. 1471, be indefinitely postponed.

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

Mr. McCLURE: Mr. Speaker and Members of the House: The reason we haven't communism in America today in any great numbers, I'm sorry that we have it in any numbers, is due to the teaching of those teachers who now have reached that grand old age of more than three score years and ten. Members, as I said before, not only my thought but every veteran in the State of Maine today owes it to those teachers for the respect they taught us for not only the laws of our country but of the people in those days who represented us. They served us well. We fought many a war but never a losing one. Let's not let them have a losing one. Let's reward them for services well done.

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that Bill "An Act Relating to Elderly Teachers' Pensions" be indefinitely postponed.

The Chair recognizes the gentleman from Bangor, Mr. Wight.

Mr. WIGHT: Mr. Speaker, I ask for a division.

The SPEAKER: The gentleman from Bangor, Mr. Wight, requests that when the vote is taken, it be by division.

The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that Bill

"An Act Relating to Elderly Teachers' Pensions" be indefinitely postponed.

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

Mr. PALMER: Mr. Speaker and Members of the House: I hesitate to rise in opposition to this bill, as I have been for it right along and would be at this time if the money were available. It seems to me that when we are discussing these appropriations measure here tonight, we have to realize the fact that in many cases we are spending money which we haven't got.

Now, in this case, if this were taken from the unappropriated surplus, it looks as though when we complete our sojourn here, all of the unappropriated surplus will be taken. We are still going to have this amount, or an amount somewhat smaller, two years from now to appropriate so that the Ninety-fifth Legislature will be faced with the task of finding new money and it would seem to me that if we are facing the trying economic times which we are supposedly facing two years from now will find us, perhaps, in even worse fettle than we are in now. If this money were available, I would be one of the first to vote for the bill. I think it's worthy; I think these people are worthy but I think it is time now that we stop to consider what we are doing here tonight by voting these sums of money from money which we do not have. We are having a wonderful time spending money here which isn't available and I think it's time we stopped to think it over.

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

Mr. McCLURE: Mr. Speaker and Members of the House: Two years ago, I heard this same expression, what are we going to do for money?

That's why we put the tobacco tax on. We are not broke, members, and this year I am not a novice. I am not going to have that thrown down my throat. Members, we can take care of this. We may be facing a depression as I said. We know that by the number of men who are walking the streets seeking employment today but our income will be the same as it was in the past, perhaps with a few exceptions, that might be liquor and tobacco. Outside of that, members, we are going to have more income. And on top of that, as I have repeatedly said, we have a Governor who is going to give us an economical program. Let's take care of these aged teachers. That is our first duty to ourselves, to our State and to our Nation.

The SPEAKER: The question before the House is on the motion of the gentleman from Unity, Mr. Brown, that Bill "An Act Relating to Elderly Teachers' Pensions" be indefinitely postponed. The gentleman from Bangor, Mr. Wight, has requested that when the vote is taken, it be by division.

As many as are in favor of the motion of the gentleman from Unity, Mr. Brown, that Bill "An Act Relating to Elderly Teachers' Pensions" be indefinitely postponed, will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ten having voted in the affirmative and fifty-nine having voted in the negative, the motion to indefinitely postpone did not prevail.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

On motion by Mr. Burgess of Limestone,

Adjourned until 9:00 o'clock tomorrow morning, E.S.T., May 4th.