

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Fourth Legislature

OF THE

STATE OF MAINE

1929

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

the bill as so amended received its third reading and was passed to be engrossed.

(S. P. 774) (S. D. 414) Resolve in favor of several academies, institutes and seminaries

(S. P. 782) (S. D. 420) Resolve appropriating money to screen the outlet of Syladobsis Lake, commonly called Lower Dobsis Lake in Township 5, North Division, in the county of Washington.

Orders of the Day

The SPEAKER: Under orders of the day the Chair presents the first matter tabled and today assigned, majority report ought not to pass and minority report ought to pass from the committee on Ways and Bridges on bill an act to provide funds for the construction of State highways, H. P. 1235, H. D. 409, tabled on April 9 by the gentleman from Presque Isle, Mr. Kitchen, pending acceptance of either report; and the Chair recognizes that gentleman.

On motion by Mr. Kitchen this bill was retabled in order to take up the second matter today assigned first.

The SPEAKER: The Chair presents the second matter today assigned, majority report ought not to pass, and minority report ought to pass from the committees on Ways and Bridges and Taxation jointly on bill an act relating to a tax on gasoline, H. P. 1224, H. D. 412, tabled April 9, by the gentleman from Presque Isle, Mr. Kitchen, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. KITCHEN: Mr. Speaker, we have been putting off from day to day the discussion of highway financing until we have reached the point where we are all anxious to get through and get home, and so far as I am concerned I am not going to delay any longer. I move the acceptance of the minority report, ought to pass, and I would like to address the House briefly at this time.

(At this point Mr. Peacock of Readfield assumed the Chair, the members rising and applauding.)

Mr. KITCHEN continuing: Discussing the question of gas tax, the whole matter of highway financing is so closely associated as to the

different methods of providing the funds that I trust you will bear with me if I in some small way allude to the bond issue. I assure you I will try to confine my remarks as closely as possible to the question before the House.

This bill provides for an increase of one cent tax on gasoline from four cents, the present tax, to five cents a gallon, and is a part of the pay-as-you-go program which is called the Kitchen program. This is my own idea. I claim the whole responsibility for it, and, judging from the number of petitions of remonstrance which have been received, it is probably not a very popular measure. However, there is no question of taxation that is popular with the people back home. We all wish money for the highways but we do not wish any further increase in taxation. I know that there are a large number of remonstrants named in here and I am satisfied that if I had the time and means at my disposal, I could have no doubt received as many protests against the bond issue as have been received against the gas tax. I say I claim the whole responsibility for this, but I do not know but I should retract a bit in that line. This program is the result of an inspiration given me by the Ways and Bridges Committee. At the first or second meeting of that committee, after we had organized, we were discussing the matter of highways and a sub-committee of that committee was appointed to see if some ways and means could not be devised other than a bond issue. I happened to be a member of that committee, and, of course, as I live a long way from the capitol, I was forced to spend my week-ends here. Consequently I scouted around in several departments and got together several facts and this program that I presented was the result of my efforts.

This pay-as-you-go program provides for a twenty-five year continuing program, and it sets up a three million dollar fund for State construction. That provided for a two cent gas tax. I am sorry I have not got more of these because I have, at my own expense gotten out three or four hundred of them and passed them to the members and it may be that some of you have them

tucked away in your desks. I would like to go through this list and explain to you the different departments and the sources of income. It provides for three million dollars for State road construction, two cents of the gas tax to go to State road construction. There is a special appropriation of \$300,000 according to the paper, \$100,000 auto fees and \$800,000 Federal aid, making up \$3,000,000.

Now comparing that with the program as set up for the bond issue, we find that to be \$3,800,000 a difference of \$800,000 in favor of the bond issue.

Now going on down to the State aid road, we set up an amount of \$3,000,000. The funds derived for that department of State aid roads are as follows: Auto fees, \$700,000; gas tax, one cent \$900,000. Special appropriation—that is a special appropriation that has been set up from year to year for State aid roads, \$300,000, and \$200,000 mill tax. I presume you are all familiar with the existing mill tax, and in connection with highways this one mill on the valuation of the State which is set up for State aid purposes, \$200,000 of that fund goes into the State aid department. \$150,000 a year of that goes into special resolves and the balance third-class highways. Adding to that also the amount received from municipalities of \$900,000, which is the estimated amount which the towns will contribute to the State in the interests of the State aid roads, makes \$3,000,000 under the pay-as-you-go plan, whereas the bond issue plan calls for \$3,250,000, an increase of \$250,000.

There is practically no difference between my plan and their plan for third class money. It provides for \$332,000. That is derived from as I said, a part of the mill tax and one-half cent tax on gasoline.

The maintenance problem is, of course, going to be tremendous in the State of Maine. As we increase the building of highways, of course the maintenance increases, and, we have set up in estimating that on the pay-as-you go plan a fund of \$2,063,000 against their recommendation of \$2,000,000. This I have divided, towns and cities, \$200,000, virtually assessed for patrolling and maintaining the improved highways, an additional one and one-

half cent gas tax, which provides for the entire proposed five cent tax on gasoline. The balance of that maintenance comes from auto fees, \$513,000.

Your special resolve money it is of course not necessary to allude to.

The funds for the bridges are derived, and have been for years, from bond issue. There is already existing funds to the extent of \$1,000,000 of bonds unissued, but they are authorized so that they will be available for each year.

Going further down the program, provision is made for the heads of the different departments, police \$140,000, departmental expenses, \$150,000, registration department, \$110,000. Those are the three departments at the present time financed by money received from the registration of automobiles. In addition to that we have interest on bonds, \$552,000; retiring old bonds \$631,000; making in all a total of \$1,583,000 that must be provided. That all comes from the registration of automobiles.

In addition to what I have stated, I have set up a bond issue of \$5,000,000 for bridges. That bill has not yet been reported from the committee because of the fact that the \$20,000,000 bond issue has been reported and is in the Senate at the present time, and I thought it would be well to hold that back until we learned the fate of the gas tax and the other bond issue. In all it provided for a twenty-five year continuing, expanding program, rather than a five-year program as outlined by the proponents of the bond issue. In connection with that, as I said before, it will be necessary to issue bonds for bridges.

Now the State of Maine has been operating for the last two years on the pay-as-you-go basis. There has been considerable criticism of that plan in that not enough funds have been provided to furnish a good working program; but I want to say to you that it is my understanding that in the last two years nearly \$25,000,000 has been spent on the highways of the State under the pay-as-you-go plan, and it seems to me that that is about as much as the State can well afford to spend from year to year and keep on building highways.

It seems to me that the State of Maine has reached the point where

it can well consider seriously its situation as to whether we are going to continue to build highways in the State of Maine on borrowed money, or whether we have reached the point where we wish to pay each year for what roads we build.

Now I have practically no knowledge of the temper of this House. As I say, this is my bill, I have not done much of any canvassing on it and I do not know how you feel. I do know that there are many members on both sides who will probably talk. You probably all are convinced in your own minds at the present moment just how you will vote on this matter. I am not going to take very much more of your time. I thoroughly believe in the pay-as-you-go program.

One fact in connection with the whole thing is that the advocates of the bond issue have not brought out the serious situation confronting this State concerning bridges. The bridge problem is certainly serious, and there is no question in my mind but that in the next twenty years there will be required thirty million dollars of bonds or more to finance the bridges, especially in view of the fact that at this session of the Legislature you have passed a bill providing that the State take over all bridges on Trunk Lines in towns up to four thousand inhabitants, which will largely increase the burden and the requirements of the State in that line, I believe that it is proper and right to finance the building of bridges by a bond issue. A properly constructed bridge will last many years, whereas those who know the most about the building of highways are in doubt as to whether the best road that they can build will last longer than twenty-five or thirty years.

Now I believe that some of the best financiers of the State will agree with me that to continue to build highways in the State of Maine with borrowed money is wrong; that we should look the matter squarely in the face and provide sufficient funds to build highways from year to year if we do not wish to saddle on the coming generations the burdens that we are not willing to carry and meet and pay for ourselves from day to day as we go along. We are facing the situation that we

should meet squarely here. We have today in the State of Maine, as I look at it, nearly reached the saturation point as to automobiles. At the present time there is one automobile to four and a half persons, men, women and children, enough automobiles in the State of Maine to take every inhabitant out at one time on a pleasant Sunday afternoon. That is one thing that I think we should consider seriously. We cannot look for a much greater increase in the amount of money received from the registration of automobiles unless you are willing that the price of registration fee should be increased. I believe that this is a most excellent tax. I have gone through the history of the gasoline tax from its inception. I was a member of this House when the first one-cent tax was placed on gasoline and I remember the hue and cry that went up at that time that we did not want to tax gasoline. In 1925 that was increased to three cents and in 1927 we increased it one cent more, when the cry was that it would keep the tourists from coming in the State, that we must not place any increased burden on those people, that we must finance the highways in some other way.

I do not believe there is a man in the House who for a moment would consider repealing the four cent gas tax. It is true that we may be a little in advance of many states but we have conditions peculiar to ourselves alone. We must work out our own problems. We are confronted with severe frosts conditions in winter time, and seasonal changes. We are a tremendously large State with 25,000 miles of highway and we are a poor state, comparatively speaking, as compared with other States.

I will not take any more of your time at present, but if there are any questions that anybody wishes to ask as the discussion proceeds, if I can answer them I will be glad to do so. I move the acceptance of the minority report, ought to pass.

Mr. LOWELL of Lincoln: Mr. Speaker and Members of the House: I wish to go on record at this time as being among those who believe in a pay-as-you-go policy, even if we do not go quite so fast. This matter under discussion at this time came before the Ways and Bridges Committee

and the Committee on Taxation jointly for its hearing, and I, a member of that committee, was one of the small minority who signed the ought to pass report, and I did so from the fact that I honestly believe a gasoline tax to be the most logical, reasonable, fair and equitable method of taxing our people for the carrying on of our highway program.

I am conscious of the fact that in these closing hours of this Legislature, with the large amount of business yet before us, that short speeches will be appreciated at this time. Therefore I will not take up any of the time of this House by discussing the merits or the demerits of the gasoline tax. You have all heard it discussed, and I believe everything has been said that can be said for and against it. It is needless for me to draw your attention to the fact that the citizens of this State must necessarily be taxed in some manner or by some method for the building of our highways, and I repeat that I can think of no method quite so fair as the gasoline method of taxation,—pay-as-you-use, pay-as-you-go, each one contributing his little bit, placing no great burden upon any one individual, and placing the responsibility, to my mind, where it belongs. In the majority of cases it places the burden upon those who are the better able to assume the burden.

One more fact that I wish to draw to your attention is this: That not only the citizens of Maine, through the gasoline tax, are contributing to building our highways, but the citizens of these United States, and we should offer them no apologies while driving over our highways, the highways of this State, which offer them so many varied attractions and privileges; they do not object—It is those who object to the gasoline tax who are making the objections for them.

It has been my desire as a member of the Ways and Bridges Committee to be helpful in formulating some kind of a practical road program and to advise or suggest some means or method whereby the money would be available to carry on. Now the issue is before this House. There are different methods of raising road money and

there is more than one method before this Legislature at this time for your consideration and determination. Which will it be? Will it be the adoption of the one cent increase in tax upon gasoline, which is a part of a practical constructive pay-as-you-go road program, one that will steadily increase and carry on from year to year, or will it be the other method of placing a second mortgage upon this State of ours, which is already staggering under one mortgage, which, to my mind, means the shirking of our responsibilities and placing the burden upon those who come after us. I hope the motion of the gentleman from Presque Isle, (Mr. Kitchen) will prevail. (Applause)

Mr. CARLETON of Winterport: Mr. Speaker and members of this Legislature: I being the member from this House who appeared before the committee on Ways and Bridges in favor of this gas tax, I want to say to you that I have not changed my mind, and I want to appear here in favor of the bill as presented, and I am going to give you my reasons why I am. The first one is that I believe the fellow who is wearing out the most road should pay the most for its support.

I have travelled over this State some in the last few weeks. I have travelled from here to Bangor, down through my county, down to Stockton; I have travelled from here to Brunswick, Bowdoinham, Topsham and Lewiston, and I find a great majority of the traffic is by automobile. This is evidence to me that that is what is wearing out the roads, therefore I believe it should be placed upon those who are doing it.

Now I am here to state how it affects me. I am a user of gas to some extent. I use about 400 gallons per week. At the present rate of four cents, that means \$16 per month for the seven months I use my trucks. That means about \$448 that I pay. If one more cent is added, it will mean that I will pay about \$560. And in addition to that I am paying \$155 for licensing my cars and trucks, which means a total of \$715, that I will pay if the other cent is added.

We have received several pro-

tests against the raise of the tax on gasoline. Where do they come from? Does the majority come from the fellow who is using a lot of cars or do they come from the fellow who is using one car and paying no other tax except on his car and on gasoline? I believe that is true. I want to say to you that in my district that I represent I have had no one say to me how I shall vote. I have had several of them say to me "Don't raise the gas tax, for God's sake; don't vote for the bond issue; but give us something which will give us more roads." Now if we are to have more roads and better roads, we have got to have money from somewhere; therefore, I being a user of gas, being the heaviest user of any man in the district which I represent, and I honestly believe using as much as any man in the county where I come from, I believe nobody can come back on me when I stand here and tell you I am in favor of another cent raise on gas tax. (Applause)

Mr. BURNS of Eagle Lake: Mr. Speaker, I have no car. I don't know how soon I probably will have one, by somebody chipping around and getting me one. But the way, I understand my people up home are in favor of Mr. Kitchen's pay-as-you-go plan, so I am going to support the motion of Mr. Kitchen of Presque Isle.

Mr. ASHBY of Fort Fairfield: Mr. Speaker, this being a kind of a revival meeting where we are supposed to give our testimony, and so forth, I just want to say that like Representative Carleton I use a little gas myself. I own two cars and two tractors, and use over 1,000 gallons a year, but I certainly am in favor of the gas tax because I realize this—that we must have money for our road program anyway, and I do not see as it makes any difference which pocket we take the money out of. If we are not taxed for gas, we have got to be taxed directly. Moreover, I fully agree with the gentleman who mentioned the fact that under the gas tax we will get a little tax out of the out-of-State cars which so freely use our roads. I do not believe that the tourists who come here every year with the intention of spending \$1,000 or so will object to another \$10 as a gas

tax. Therefore I fully hope and trust that the minority report will be accepted.

Mr. CLIFFORD of Garland: Mr. Speaker, we have before us today probably one of the most important matters of legislation to come before this body. It is necessary, as has already been stated, to take into consideration another matter which provides for a \$20,000,000 bond issue for the State of Maine.

We all recognize the fact that the people in the State of Maine are demanding more money for road purposes than that which is provided for under any form at present. In order to get the necessary revenue, we have got to pay an additional tax upon something. I was among those who received remonstrances from the people in my district against the further increase in the gas tax. A few days after that I was back home and talked with over one-half of those who signed this remonstrance, and they said in case of the choice between a gas tax and a bond issue, they would prefer the gas tax; so that I think it is safe to throw the remonstrances—as was said in the mock session last night—out of the window, because I think the people who signed them did not understand the full conditions of them.

In regard to the gas tax, the program which we have before us provides for the first year, \$11,578,980. For the second year there will be an additional revenue on account of the fact that the revenue from gas and the revenue from registration increases each year.

The communication we had from the Maine Automobile Association, on page three says that the estimated four cent gas tax for 1930, based on an increase of \$200,000 per year, would be \$3,800,000. They recognize the fact that it is safe to assume an increase of \$200,000 per year on the gas tax on a four cent basis. We put this on a five cent basis and it makes an increase of \$250,000 a year, which, in five years' time, would be an increase in revenue per year of \$1,250,000. They also, in their communication, estimate the increase in registration fees per year for the five year period would be at least six per cent. This amounts to \$978,834. They estimate, with the increase of the gas

tax, that we will have an increased revenue at the end of five years of \$2,228,843, which, with the revenue provided for next year in the gas tax, would make a revenue for 1934 of \$13,807,814, which is more than the estimated revenue provided under the bond issue.

Mind you, I do not say that the average revenue for the five years would be more, but this year the revenue would appear to be more under the bond issue than under a gas tax. To this can be added, if we wish to trace it out, the fact that a little less each year had to be taken out to provide for the interest on the bonds at the present time. Against this we have the fact that if we authorize the bond issue, it will be an additional amount taken out of our revenue each year to pay interest and retire bonds. So that we have, under the program, a choice between a bond issue which will provide a revenue of something over \$13,000,000 for the next five years, and at the end of that time there will be so much required for the retirement of the bonds that I claim there would not be a revenue of over \$9,000,000 after the five years' time. Against that we have the gas tax which will provide a revenue of from \$11,578,000 up to \$13,807,000 in the next five years, and after this next five years there is no question but what the revenue from the gas tax is much larger. For that reason I favor the gas tax.

Mr. TAYLOR of Belfast: Mr. Speaker, I wish to favor the motion of the gentleman from Presque Isle, Mr. Kitchen. We are all interested in the progress of our State. We are all interested in the progress of the highway construction of our State. As the highway construction is now constituted, the main arteries which carry the products and business of our State over roads to the market, the only question before us is which shall serve us the best, the bond issue or an increase of a gas tax. It must have changed in this last ten years as well as in the last twenty. The price of a car ten years ago was perhaps more than it is today and trucks likewise, and the mileage per gallon at that time was less than it is today. Gasoline was practically the same price, if not

higher. Therefore, with your increased efficiency in your cars and their mileage per gallon of gasoline, I cannot see why an increase of one cent more in the gas tax would be any great burden upon those who drive the cars. It seems to be the proper method of reaching out for a just taxation for the building of our highways because if we tax them on the basis of the total per mile of those who use the road, it could hardly be more equally distributed than to tax it on the gasoline.

There are other factors which enter into it, which of course do not directly touch upon the gasoline tax. One of these factors is the efficiency of the building of the cars themselves which gives them a greater mileage at the present time and which all speaks for the economy of the operation of the automobile which is less than would be required by a tax of one cent more on the gasoline to take care of the building of the road, and which seems to me a better plan than for the State to go on mortgaging itself for the sake of a few more miles of road.

Further than that, as this increased efficiency goes on, the cost of operation of the car will be still decreased, maintenance be decreased. Also there is another phase which we can look at, and that is that the cost of construction of our highways is becoming less each year, and, with this in view, it seems as if it is better for the interests of the State that we who operate our cars and who can afford to operate our cars should reach down and pay one cent more on a gallon of gasoline in order that we may have better roads and that we may not find it necessary to bond our State to accomplish the same purpose.

Argument has been offered that it would be an objection to the tourist. It seems strange that any tourist from out of the State—and we welcome them—should make an objection to one cent more on a gallon of gas in order that he may drive on good roads and whose resources are sufficient for him to come into our State and spend money for luxuries hundreds of times more than what he spends for the small amount of gasoline that he uses.

I also hope that the motion of

the gentleman from Presque Isle, Mr. Kitchen, that the minority report ought to pass will be accepted.

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, throughout this discussion so far, allusion has been made simply to an increase in the gas tax. Personally, I believe in a gas tax. The question remains, so far as the gas tax alone is concerned, as to the wisdom of adding to our present gas tax at this time. We are at the present time, with a four cent gas tax, one-fourth of a cent above the average tax assessed by the States in the Union. Whether it would be wise for us to place another one cent tax at this time, placing ourselves a cent and a quarter above the average of the United States, is a question for this Legislature, and possibly a referendum on the gas tax question, to be settled by this Legislature or by the people in a referendum.

However, the gas tax increase cannot stand alone in this discussion. I think everyone will agree that a gas tax of one cent, whatever that might bring in, would not be adequate to carry on a road program such as has been carried on for the past two years. We find that in this past season there has been a shortage of over \$500,000 in meeting the requirements of the municipalities which have applied under our law for State aid which had to be made up by a shifting of accounts and came from the contingent fund. We are facing under the present conditions of a four cent tax, with present revenues, a shortage of over \$800,000 this year in meeting the demands of the municipalities for State aid roads. You have just passed a bill, an emergency measure, authorizing the issuing of bonds to the extent of one and three quarter millions of dollars with which to meet that emergency. Providing you put on a one cent increase in the gas tax, it would only add to your revenue very little more than enough to take care of the deficiency this year. It would not increase your funds permitting work to go on as it has been going on; but coupled with this gas tax in the so-called pay-as-you-go program is an appropriation of \$300,000 which is to come from direct taxation on the property of the State of Maine. That means a little more than one-third of a mill direct taxation

which, if added to the one mill or one and three quarters mills or possibly one and one-half mills, which must of necessity be added to the State tax this year to meet already past legislation would be something that I doubt very much would be passed by the Governor, and none of us could blame a Governor for not wishing to increase the tax rate to that extent.

Even assuming that it did pass and that you had your cent gasoline tax additional and your \$300,000 on top of that, you still would fall short nearly \$1,000,000 of what has been expended by our Highway Department the past year.

The question is, do the people of the State of Maine wish to keep up with the speed or the pace in road work that has been kept up? Do they wish to increase its road program, building its roads, acquiring good roads a little more rapidly, or does it not?

I do not like to discuss the bond issue at all in connection with this proposition. If this bill does not pass, it will become my privilege to show you some of the provisions of the bond issue wherein I believe that it is a preferable measure at this time. The interest on bonds will not be lost. It will not be wasted money because every mile of road built, of the type of road that will be built of the bond money, decreases by nearly \$1,000 per mile the cost of maintenance of those roads so built which can be credited against the interest charges on the money with which they are built. Your maintenance costs are going to steadily increase as we build more and more State roads.

My whole objection to this program at the present time, the proposed pay-as-you-go program, is that even if you should vote an extra one cent gas tax, and even if you should vote for the \$300,000 increase in direct tax appropriation, and even if that should pass the Governor and be approved by the people, you still have an inadequate sum of money with which to carry on the highway department's work up to the standard at which it has been kept for the past two years. The principle of a gas tax in itself and the principle of a property tax with which to build highways is not objectionable to me; but it is because that I believe it impractical

at this time that I am against this proposition and favor the bond issue method of raising money for highway purposes.

Mr. DAIGLE of Madawaska: Mr. Speaker, I will take but a few moments of your time in order to express my sentiments on this proposition. I am thoroughly opposed, and I am voicing the sentiments of my district and I think the northern section of Aroostook on the St. John river, to the increase in the gasoline tax; but as the members supporting the minority report have advocated it, we have had considerable talk in regard to the matter before I came here and I knew that it was to be one of the great questions of the day. After deliberation and looking at the thing at different angles the people in our section have come to the conclusion, which is of course not binding to the rest of the State, that the present is a hard time, especially in our section, on account of the low price of produce, and so forth, that any increase of property tax or gasoline tax would be a detriment to that section of the State, and I have not changed my opinion in this regard. That is about all I have to say. I thank you.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, supporting the motion of the gentleman from Presque Isle, Mr. Kitchen, I wish to state that I am in favor of a part of his program and a part of the other and by my vote on this matter I do not wish to be considered as definitely hostile to the bond issue program.

Mr. WING of Kingfield: Mr. Speaker, I am somewhat in the same situation: as the gentleman who has just spoken. If it were only a question of an additional gas tax or a bond issue, the situation would be simple as compared with what it is now; but if we vote in a way for the additional one cent gas tax we vote for the program as outlined by Representative Kitchen. If we vote for the bond issue, we practically vote for the other proposition.

As far as I am concerned, I believe in the gas tax. I believe in it to the extent that I would vote for it in addition to the bond issue, but my main care is that we have under one program or the other an adequate program. I believe that the Legislature is entitled to have

placed before it by the advocates of these different policies a program which is workable and which will work in case neither of the others are accepted by the people.

Under the bond issue we have no program for the present year. That does not attempt to work until next year; therefore we have the same proposition that we have had for the last two years. A bill has been introduced which will take care of the State aid proposition for this year, but nothing has been done in regard to the maintenance proposition for this year, and neither program provides adequately for maintenance in future years. I am going to make broad statements now, because this proposition will, I assume, not end with this discussion.

Each year the Maintenance Division of the Highway Department takes over practically 250 miles of State aid road and something like fifty miles of State road. The expense to the town after it is taken over by the State is very small compared with the cost of upkeep, \$30 a mile, I believe, in the case of State aid road and \$60 in the case of the State road. Now those 300 miles taken over by the State probably cost an average of \$500 a mile to maintain, a total of \$150,000 a year increase in maintenance simply from taking over State and State aid roads.

That figure is practically what the increase of maintenance funds has been per year for the last six years. It makes no allowance for the increased demand for tar on the road and for calcium and for the breaking up of the roads which we have at this season and in the fall. I have heard it estimated this last Monday that the unseasonable weather of Sunday produced a damage to the roads which probably would cost the State \$50,000 for that one day.

Now if I am anywhere near correct, you can come somewhere near the conclusion that we are not providing money enough for maintenance. If we have money to build expensive State roads, and we have provided or will provide for the building of State aid roads, I ask the question, have we not enough money to maintain what roads we have built and should be provided for? It is simply a business proposition to every man in the State,

whether he is interested in one locality or the other, that the State of Maine provide adequately for the putting back into the roads of the State of Maine each year what part of them has been washed out, and thus protecting them and not letting them go to pieces, for you all know that when a road gets run down about so far, it is a case of reconstruction and not maintenance. Incidentally, I think the way the law is working that a good part of the money spent for maintenance at the present time should be for reconstruction, because if the bases of the State roads which we have built had been put in as they should have been,—of course, as you know, the old roads were not—there would not be the holes in the roads in the spring and fall that we find.

Mr. EATON of Calais: Mr. Speaker and Members of the House: I feel that this is a matter of vital importance to the city of Calais, which I represent in this Legislature. We are far removed from the larger centers of the State, and it is vital to us that the trunk lines across the county leading to Calais should be completed. I have received during the last four weeks many petitions remonstrating against any addition to the gas tax. Apparently the people of the city of Calais feel that under a bond issue our chances of having the trunk lines completed would be far better.

I believe the following figures are correct: We have in the county, roughly, 1,800 miles of first, second and third-class highways. At the present time I think we have only sixteen miles of hard surface road or tarvia roads in the county, and I hope some program will be adopted which will give us trunk lines across the county into the city of Calais.

Mr. TUCKER of Sanford: Mr. Speaker and Members of the House: This is the first time I have risen to my feet to take any part in speaking for anything before this body. Now I feel we are not discussing the bond issue; that is coming to us a little later. As the gentleman from Presque Isle, Mr. Kitchen, has said, at our last session we raised the tax a cent. Where are we going to stop? I say we ought to stop now, and I

am in favor of the majority report ought not to pass.

Mr. KITCHEN: Mr. Speaker, I would like to answer a question raised by Representative Wing of Kingfield, in regard to maintenance. In preparing the two programs set up, one by myself and one by the Highway Commission, the pay-as-you-go program provides more than the program set up by the Highway Commission. Evidently they figure that a \$2,000,000 fund was sufficient for maintenance. That is all I have to say on that question. In setting up the program on a standard scale, if more was needed for maintenance, it certainly would be provided for.

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

Mr. HAWKES of Richmond: Mr. Speaker, I wish to make my position clear on this matter. I have always been in favor in the town and in the State of paying our bills as we go, but I think at the present time we are facing a condition where we have got to make a different provision.

I am heartily in favor of increasing the gas tax one cent, and I believe it is the tendency of the majority of the States of the Union to increase their gas tax. I do read where people are advocating less gas tax. Now if this gas tax is not enough to provide an adequate program for maintaining our highways and bridges, I believe that we should issue bonds to the extent that we can take care of those things, and I think there is a chance there where we can all agree and put over a program that will be satisfactory to all concerned.

Mr. RODOLPHE HAMEL of Lewiston: Mr. Speaker, it is very evident that the House has heard all it wishes to hear on this question. However, one point I think the previous speakers have failed to bring out in regard to the proposed increase in the tax to which I am opposed. I think four cents is ample on an article costing twenty or twenty-two cents.

As has been said by a previous speaker, it is higher than the average for the whole United States. I would like to ask through the Chair of the gentleman, I believe it was Mr. Merrill of Dover-Foxcroft, what the average price of gas is in the

United States and do we pay more than the average than they do in Massachusetts, New Hampshire and perhaps New York State,

The SPEAKER pro tem: The gentleman from Lewiston, (Mr. R. Hamel) asks the gentleman from Dover-Foxcroft (Mr. Merrill) through the Chair, a question which the gentleman may answer or not as he chooses.

Mr. MERRILL: Mr. Speaker, I did not quite understand the question.

Mr. R. HAMEL: Is the price of gas any more than in other states regardless of the tax.

Mr. MERRILL: The retail price of gas?

Mr. HAMEL: Yes, sir.

Mr. MERRILL: I am not able to answer that question. I am able to answer the question as to the tax rate but not the price of gas.

Mr. HAMEL: Mr. Speaker, the point I want to bring out is that we are paying a great deal more for our gas than they are in several other states that I travel through, and it seems to me that the imposition of an additional gas tax would be an extra burden which our constituents would not like to pay. I listened to Mr. Kitchen when he said that he had seen the gas tax go from two cents to three and four cents, now they are talking about five cents and that we would not feel it. I think five cents is too much; at least I am opposed to this five cent gas tax.

Mr. INGRAHAM of Bangor: Mr. Speaker, somewhat answering the question of my friend from Lewiston (Mr. R. Hamel) he must take into consideration that Maine is way off in the northeast corner of the United States. We have no gas wells here as there are in the middle part of the United States. When you take into consideration freight rates from the gas-producing states to the State of Maine, I do not think we are paying any more tax than the average over the country; and I feel quite sure that if we had no tax on gas, we would pay considerably more than the price we are paying now plus the tax.

I brought this up two years ago as a piece of legislation that I was going to introduce. I will admit that I got stepped on and the first one to do it was my wife when it was taken up at some of our whist parties. After this tax was passed everybody saw the advisa-

bility of taxing the out-of-state automobiles rather than a tax on their own homes. They have entirely changed their mind now and I feel that this tax is the very best method of solving our highway situation.

I left the State House last Friday and in going down to the Augusta House I saw several out-of-the-State cars. I saw one from Ohio, one from Connecticut, one from New Hampshire, one from New York, and several from Massachusetts, all right along in a row. Now I am going to vote for the increase in the gas tax as I did before. If we have a bond issue, we will have something to retire with on this additional tax.

Mr. ROY of Lewiston: Mr. Speaker, I move the previous question.

The SPEAKER pro tem: The gentleman from Lewiston, Mr. Roy, moves the previous question. As many as are in favor of the Chair entertaining the motion for the previous question will rise and stand in their places until counted and the monitors have returned the count.

A sufficient number arose.

The SPEAKER pro tem: The question now before the House is, shall the main question be now put.

A viva voce vote being taken, the motion for the previous question prevailed.

The SPEAKER pro tem: The question before the House is on the acceptance of the minority report of the committee on Ways and Bridges and Taxation jointly on bill an act relating to a tax on gasoline, H. P. 1234, H. D. 412, and the gentleman from Presque Isle, Mr. Kitchen, has moved that when the vote is taken, it be taken by the yeas and nays.

Mr. BISSETT of Portland: Mr. Speaker, will you explain the motion again, please.

The SPEAKER pro tem: The Chair will announce the question. The question is upon the motion of the gentleman from Presque Isle, Mr. Kitchen, to accept the minority report ought to pass of the committee on Ways and Bridges and Taxation jointly on bill an act relating to a tax on gasoline. All those in favor of the motion of the gentleman from Presque Isle will vote yes; and all those opposed will vote no. The Clerk will call the roll.

YEA—Adams, Aldrich, Allen, Sanford; Anderson, New Sweden; Angell, Ashby, Bailey, Blaisdell, Blanchard, Bove, Briggs, Burkett, Portland; Burkett, Union; Burns, Burr, Buzzell, Campbell, Carleton, Winterport; Chase, Clark, Clifford, Comins, Crawford, Dudley, Fogg, Gillespie, Hamel, George; Harrington, Hatch, Hawkes, Richmond; Heath, Holbrook, Holman, Hughes, Hunt, Hurd, Ingraham, Jackson, Bath; Jackson, Portland; Jacobs, Auburn; Jones, Corinna; Jones, Waterville; Jones, Windsor; Kane, Kitchen, Laughlin, Lenfest, Leonard, Lewis, Libby, Lowell, MacKinnon, Mansfield, McKnight, Milliken, Morse, Oakland; Palmer, Patterson, Peacock, Potter, Powers, Pratt, Quint, Rackliff, Rea, Rogers, Yarmouth; Roy, Sargent, Saucier, Seavey, Small, Freedom; Stanley, Sterling, Kittery; Stetson, Stuart, Sturgis, Taylor, Towne, Ward, White, Dyer Brook; Wight, Newry; Wing—82.

NAY—Allen, Camden; Anderson, South Portland; Bachelder, Belleau, Bisbee, Bishop, Bissett, Boston, Boynton, Butler, Carleton, Portland; Daigle, Day, Eaton, Farris, Ford, Friend, Gagne, Gay, Hamel, Rudolphe; Hammond, H a t h a w a y, Hawkes, Standish; Hill, Hubbard, Jack, Jacob, Wells; Jones, Winthrop; King, Littlefield, Farmingdale; Littlefield, Monroe; Locke, Lombard, McCart, McLean, Melcher, Merrill, Morin, Morse, Rumford, O'Connell, Perham, Perkins, Picher, Richardson; Roach, Robie, Rounds, Rumill, St. Clair, Small, East Machias; Sterling, Caratunk Plantation; Stone, Sturtevant, Thatcher, Tucker, Varnum, Vose, Webster, Auburn; Webster, Buxton; Williamson, Wright—61.

ABSENT—Blodgett, Couture, Folsom, Foster, Pike, Rogers, Greenville—6.

Eighty-two having voted in the affirmative and 61 in the negative, the minority report ought to pass was accepted.

Thereupon the bill had its three several readings under suspension of the rules.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, before the bill is passed to be engrossed—because there does not seem to be any available copies of it here—I would like to inquire of the gentleman from Presque Isle, Mr. Kitchen, if the bill in its present form could be reconciled with the terms of any bond issue? Does the bill prescribe the manner in which this money is going to be used or does it just levy the tax?

Mr. KITCHEN: Mr. Speaker, the bill provides the different percentages of taxes for the various departments in connection with the

Highway Department. If it were going to be considered in connection with the bond issue, it would probably need to be changed somewhat.

Mr. CHASE: Mr. Speaker, would the gentleman from Presque Isle (Mr. Kitchen) object to the tabling of the bill, pending passage to be engrossed until this afternoon.

Mr. KITCHEN: I certainly would not.

Thereupon the bill was tabled to be taken up later in the day.

The SPEAKER pro tem: The Chair lays before the House the third matter today assigned, an act with reference to tuberculous prisoners, H. P. 1572, H. D. 579, tabled on April 9th by the gentleman from Portland, Mr. Bissett, the pending question being passage to be enacted; and the Chair recognizes the gentleman.

Mr. BISSETT: Mr. Speaker and Members of the Legislature: I move that this bill be referred to the next Legislature, and my reasons for doing so I will explain. We have just this year appropriated \$45,000 to build a new industrial building at the Men's Reformatory at South Windham, which it will take those men two years to construct. This bill calls for \$5,000 to build a building at South Windham for tuberculous prisoners. Five thousand dollars—that would only build the cellar, and there is nothing for maintenance in the bill, nothing to say how it shall be taken care of. In view of the fact that it will take the men at South Windham two years to build the building provided for in the resolve which has already been signed by the Governor, I move that this bill be referred to the next Legislature.

Thereupon, the bill was referred to the next Legislature.

Order out of Order

On motion by Mr. Kitchen of Presque Isle, it was

Ordered, that when the House rises this morning, it be to recess until 3 o'clock this afternoon.

The SPEAKER pro tem: The Chair now lays before the House the first matter tabled and unassigned, House report ought to pass in new draft, committee on Judiciary, on bill an act relating to licensing operators of motor vehicles after their conviction of operating