

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Seventh Legislature

OF THE

STATE OF MAINE

1935

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AUGUSTA, MAINE

day of July next following the year for which the license was issued, and if by such 31st day of July an application for renewal license has not been made and renewal license issued on or before the last day of August next ensuing the former license shall become null and void. Each such application for renewal license shall be accompanied by the fees specified in section 1 of this act."

**"Sec. 3. P. L., 1933, c. 260, Sec. 4, repealed.** Section 4 of chapter 260 of the public laws of 1933 is hereby repealed."

**"Sec. 4. P. L., 1933, c. 260, Sec. 7, amended.** Section 7 of chapter 260 of the public laws of 1933 is hereby repealed and the following enacted in place thereof:

**"Sec. 7. Definition of term "store."** The term "store" as used in this act shall mean and include any store or stores, shop, mercantile establishment, office, warehouse, depot, business stand or station or other place where trade or business is carried on, where goods, wares, and merchandise of any kind are sold at retail, but shall not be construed to apply to any place of business at which 75% of the business conducted is that of selling, storing, or distributing gasoline and petroleum products, nor to any establishment or place of business of any kind the stock in trade of which does not amount in the aggregate to more than \$25."

On motion by Mr. Austin of Exeter, the amendment was tabled pending adoption until 4 p. m. today.

(At this point Mrs. Forbes resumed her seat on the floor of the House, amid the applause of the House, the members rising, and Mrs. Kilroy of Portland assumed the Chair.)

The Chair lays before the House the thirteenth matter tabled and today assigned, resolve in favor of Clayton French of Carmel, H. P. 1753, L. D. 785, tabled April 2 by Mr. Tupper of Calais, pending final passage; and the Chair recognizes that gentleman.

On motion by Mr. Tupper, the resolve was finally passed.

Mr. PAYSON of Brooks: Madam Speaker, if in order, I move that the rules be suspended and that

the members be allowed to smoke during the remainder of the session. (Laughter and applause.)

The motion prevailed.

The Chair lays before the House the fourteenth matter tabled and today assigned, resolve providing pensions for certain soldiers and dependents of soldiers, H. P. 1807, L. D. 849, tabled April 2 by Mr. Tupper of Calais, pending final passage; and the Chair recognizes that gentleman.

On motion by Mr. Tupper, the resolve was finally passed.

(At this point Mrs. Kilroy resumed her seat on the floor of the House, amid applause, the members rising, and Speaker Tompkins assumed the Chair.)

The Chair lays before the House the fifteenth matter tabled and today assigned, majority report ought to pass and minority report ought not to pass of the committee on Inland Fisheries and Game on bill an act relative to resident fishing and hunting licenses, S. P. 132, L. D. 79, which came from the Senate the majority report accepted and the bill passed to be engrossed, tabled in the House on April 2nd by the gentleman from Cooper, Mr. Clarke, pending motion of Mr. Davis of Newfield to accept the majority report in concurrence; and the Chair recognizes the gentleman from Cooper, Mr. Clarke.

Mr. CLARKE: Mr. Speaker and members of the House: I presume it is not necessary to tell you what position I take on this measure. I am not in favor of increasing the cost of the hunting and fishing licenses. I think the matter has been pretty well discussed in this whole session of the Legislature, and although it may be a small matter, as it was termed by the Commissioner of Inland Fisheries and Game at the hearing, yet it does not appear to be a small matter to the people back home, and this measure is being watched as closely as any other proposed legislation before this Legislature.

In view of the fact that this matter is of quite substantial interest to those who sent us here, and in view of the fact that the greater part of them would like to know exactly where we stand on such a matter, I am sure that the proponents of the measure, as well

as the opponents of it, will join with me in asking for a yea and nay vote, when the vote is finally taken. I think we owe it to them to at least show our position and to make it clear. It does not seem to me that anybody need be afraid to say where they stand, and it would seem to me that no one would want to leave the hall, as has been done in times past, merely to avoid voting. Mr. Speaker, I move that when the vote is taken, we have a yea and nay vote.

Mr. DAVIS of Newfield: Mr. Speaker and members of the House: I listened very attentively to the remarks of the gentleman from Cooper (Mr. Clarke), and I believe it would be perhaps the best thing for me to very briefly state to you the reasons for the majority report of your committee.

At the very beginning, we were faced with a threatened deficit in the fund of the Department of Inland Fisheries and Game. There has been throughout this State a constant demand from every part of the State for increased stocking of lakes and streams, and your Commissioner and your Department has been entirely unable to answer that demand, because of the fact that they have not had the finances to do so. In addition to that, that splendid project, the finest of its kind in the country, situated at Gray, was curtailed in its work because of lack of funds. We had that as a partial background in our decision in this matter.

In addition to that, we had in our committee alone \$28,000 worth of bills pertaining to screening, of which I would say ninety per cent of them are legitimate claims, and which your committee cannot pass unless they receive this increase in fishing license fees.

In addition to that, we have a bill calling for an increased bounty on bobcats, and the gentleman who presented that claim showed us very convincingly that depredations by bobcats in the northern part of the State have been alarming, particularly on deer. We cannot pass that bill unless we have the increase as outlined in this bill. In other words, we have in that committee alone approximately \$30,000 worth of other bills which we will have to turn down if we do not receive this increase.

Now I will turn very briefly to the main points of the evidence

which was submitted to your committee. In the first place, we had before us petitions of every character, petitions for the bill and petitions against the bill. We had before us gentlemen representing clubs and organizations, some against the bill, and some for the bill, and as those gentlemen came in we on the committee asked them if they understood the significance and the import of the bill, and we explained it to them, and we asked them, in the light of that knowledge, if they would go back to their constituents and carry that message and bring to us a final report relative to the opinion of their constituents.

The results of that have been extremely gratifying. We have had many, many cases where they were completely against this bill, where they have now reversed their stand and come to us with the statement that they are now entirely in favor of it. We have had individuals who have written to us, and we have had clubs which have petitioned us in regard to this matter. Now those delegates who were interested enough to carry back to their constituents that message are now in the position that they are strongly in favor of this bill.

I may say now that one of the reasons that bill was kept in the committee before coming into the House was for the purpose of obtaining the opinion from people from every corner and every section of this State of Maine, and we believe we have obtained that, and as a result of that I can tell you now that the preponderance of opinion throughout the State of Maine, from every angle and from every source, is in favor of the passage of this bill.

One of the questions that faced us was this: That the rural communities en masse were against this bill. That is not true. I come from one of the rural communities of Maine, and I come from one of the communities which in the beginning was very much opposed to this bill, but I took a great deal of time in carrying them the message, without bias and without prejudice, and explaining to them its import and its significance to the State of Maine, and now, almost unanimously, the section I represent is in favor of this bill. I am proud of that community, which has grown great in the greatness

of the home, for the benefit of the State as a whole, and has sent me the message that they are in favor of this bill.

Nor is it they alone who have come to me with the same message. I particularly refer to my colleague from Castle Hill, whose research work and analytical work commands the respect of every member of the committee on Inland Fisheries and Game. I refer to Mr. Ellis of Aroostook county.

Then of course the great question that faced us was the matter of economics, and we had before that committee gentlemen whom I respect and admire who said: "This is no time to pass this bill; we cannot afford to pass this bill." And we took their testimony and their evidence into the deepest consideration and gave it the most thorough analysis. In opposition to those gentlemen, we have a swarm of delegates who come to us with this statement: That the fish and game industry of the State of Maine is bringing thousands and thousands of people into the State of Maine, and this tourist trade and this stream of wealth is predicated on fishing and hunting. They showed us that at the present time there is the keenest competition with the Pocano Mountain Region in Pennsylvania, Delaware Water Gap, the Catskills in New York, the Berkshires in Massachusetts, the White Mountains in New Hampshire, and the provinces of New Brunswick and Quebec beyond our borders. And they proved to us by actual statistics that already a great many people who formerly came to the State of Maine, who normally leave in the State of Maine their money, are passing through to those other sections. That is a serious condition for the people of the State of Maine, and we took that into consideration.

These same gentlemen brought before us a group of figures relative to the amount of wealth which is left in the State of Maine by people coming here,—this great tourist trade, and my colleague from Rangeley, Mr. Ellis, has a list of those figures. There is not a county or a township, hamlet or village in the State of Maine which is not directly or indirectly receiving benefits of great character from this trade, and we cannot afford at this time to let it pass by. They showed to us that every office worker, every

farmer, and every mill man is securing benefits from this trade, and that in the last analysis this small amount of increase which is being asked for in the fishing and hunting license is an investment in Maine by the people of Maine, for the people of Maine.

There was another argument which came up which to some of us was an extremely surprising one. Someone suggested, if this Legislature were to pass this bill, what might a subsequent Legislature do? Mr. Speaker and members of the House, I hold no brief for that argument. What right have we to impugn the motives of Legislatures to come. My confidence in this splendid body of ladies and gentlemen who constitute this Eighty-seventh Legislature has taught me that any Legislature elected by the people of Maine will be just and equitable, and, for my part, I am satisfied to leave in their hands any legislation which lies before us.

I cannot close without referring to the rather simple testimony, perhaps, of a gentleman who came before our committee and said this: "I wish to go on record as in favor of this bill. I do so, because in the years to come I hope there will be some hunting and some fishing for my children." And the name of that man is legion. The majority of your committee, after the most thorough analysis, have decided in favor of this bill. Your Commissioner has asked for this increase in the light of the knowledge which he possesses of the whole State of Maine. I do not think it is necessary for me to enumerate any of the phases of the work which this Department has done. You are all familiar with the long list of its splendid achievements. No man or no woman could write the whole of that story. It has been written in living letters of flame the length of this commonwealth and nation. The eyes of every conservative force are on Maine today, anxiously watching, as we march on past this dangerous milestone to our destiny. Long after we have been forgotten and the records of this Legislature have become dusty in the archives of the State, what we do here this hour and this day will never be forgotten, and so in your hands we leave this question, in your hands we leave its answer, remembering always that in the final analysis we, this hour and this day,

are voting on the future of the finest legacy and the grandest heritage of the State of Maine. (Applause.)

The SPEAKER: The pending question before the House is on the acceptance of the majority report. The Chair recognizes the gentleman from Augusta, Mr. Mace.

Mr. MACE: Mr. Speaker and members of the Eighty-seventh Legislature: On the tenth day of last September we were elected,—one hundred and fifty-one members,—to represent the different legislative districts and we were also sent here to represent the interests of every person in the State of Maine, and thirteen weeks ago last Tuesday, we took our oath of office, not for the support of any political party, but to pass our opinions as best we could on every act that came before us, register our approval of those acts which we thought would be beneficial for the people of Maine, and register our disapproval when we thought that they would be injurious.

I agree with the gentleman from Newfield. We have a great kingdom; we have a great principality; we have the most beautiful State in the eastern section of the Union; and when you remember that we have in Maine 29,895 square miles, and in all the rest of New England 35,581 square miles, you will realize we are legislating for a group of people who represent an area almost as large as the rest of New England.

Mr. Speaker, if in my earnestness I should make remarks and severely censure any member of this House, or any member of that other body, I know that you will call me to order.

Thirteen weeks ago last Tuesday morning, Mr. Speaker, when you were elected Speaker, we wondered what kind of a presiding officer you would make, whether or not your decisions would be fair, whether or not you would be patient with us in our many shortcomings, whether or not your decisions might not be tinged by political prejudice. But if any of us had those opinions, Mr. Speaker, we were happily disappointed. From your honesty of purpose, from your patience with us, from your fairness in your decisions, each and every one of them free from political prejudice, you have not only

won the admiration but the kind regards of each and every member here. (Applause.)

And the other members of the House, many of us strangers, when we read the biographies, when we looked at the pictures, we wondered whether or not this session was to be marked with bitter political prejudice, with personal prejudice and debate. That has not been the result. As we grew better acquainted, we sat here day after day, trying as best we could to consider all of the acts and resolves that were presented to the Legislature, watching them carefully in committee hearings, looking over those resolves and acts carefully, and when they come back here giving our best thought in their deliberation, whether or not the passage of those acts would be beneficial and good for the people of Maine, not the rural people of Maine alone, not the poor people of Maine alone, but the entire people of this great State of ours. And from that casual acquaintance, Mr. Speaker, and members of the House, friendships have been formed here, and when we part it will be with sadness. Ties of friendship have been formed that will only cease when the Great Master, the Ruler of the Universe, shall take us on that ride with the silent boatman across the broad and mystic river.

Mr. Speaker, since this bill has been presented in this House, many arguments have been made on both sides, both for and against the passage of this bill. It has been my privilege to have been present at every session of the Legislature, I have scrutinized as best I could every act, I have given every act fair consideration, I have voted on every single question, either by voice vote or by division, and on the roll calls, and I say to you members of the Legislature that I have not voted a single time at the behest of party or for political consideration or for personal interests, and I ascribe to you the same honorable motives.

Now what is this bill before us, Mr. Speaker and members of the House? It is an increased license on hunting and fishing.

The gentleman from Newfield (Mr. Davis) has well said we should not judge our future Legislatures in regard to our acts. We have a perfect right to judge of

the future from the things that have occurred in the past.

Eight years ago the then Commissioner of Inland Fisheries and Game asked for a license, not for revenue but for a license only, so that he could better know and his wardens could better enforce the laws in finding out who were hunting and who were fishing, and a license was given to every person who wanted to purchase that license for 25 cents, and that license was good as long as you were a resident of Maine.

Four years ago the proposition was placed before the Legislature to increase that to 50 cents, with 15 cents for the Town Clerk, both for the hunting and fishing license, and a combination license of \$1.15. Now what was the result of that? We must remember what the people thought of that. They signed petitions to hold up that bill, and 12,000 names were presented to the Governor, and at a hearing he said that all of those names were not genuine, and he denied that referendum.

Now here, four years later, we have the same thing, and you ask us to increase the fee for those licenses. You have forgotten the bitter need of the people, and you are asked to increase their burden for the privilege of fishing the brooks near their homes. You have forgotten their dire needs. They say to you that other States have increased their fishing and hunting licenses for residents. That was before the blight, Mr. Speaker, and members of the House, that was before the blight came down all over this State. Many of those people are unable even now to buy the necessities of life, much less the luxuries that some of us enjoy. I think it would be very unwise. When we go back home and when the Record is read and when we look over the results of our deliberations and the work that we have performed during this session, we will be surprised at the few votes, at the few acts that we have passed here for the benefit of the people of Maine. If I read your minds rightly, I do not believe you will say to the poor people of the rural sections of the State, where their homes are, and where they do not have the advantages that we have, I do not believe that you will impose that burden upon them.

I have in mind in a town not far distant—and many of the members have in mind similar conditions—of two boys living close to each other, and in the month of May, when the buds have started on the trees, when the grass is becoming green, there is the music of the brook, as it trickles down over the rocks and ledges, and those boys want to fish. They haven't any money to buy their license, they go out and cut their poles, dig angle worms, not in the favorite spot, but down over the hill, away from the eyes of the people. They come back; they do not take a steel rod; they never possessed one; they do not have a basket or creel; they do not have silk lines; they do not have flies; the only flies they enjoy at that time of the year are the flies that the Creator sent to them. Those are the only flies they have. But they take their little peeled poles, mostly juniper poles, and their cotton lines with a sinker and a hook. Now those boys go down to the brook right close to their home. They do not go down singing; they do not go down whistling. They do not go down into the open spaces in those fields; they go into the brush. They catch a few trout.

When they come back, their mother immediately becomes an accessory to the crime; she cooks those trout, and all the time the boys are looking out of the window and watching. Who are they watching for? They are watching for the game warden, that man who is receiving \$150 a month, with his splendid uniform. He comes in and arrests those boys. They are criminals. He takes them before the trial justice, and we have made the laws and the judge can make no other decision. They are fined ten dollars and costs, or a total of seventeen dollars. They haven't the money. They go to the neighbors; their parents say "We do not want our boys in jail." They get the money, but do you realize, in the re-payment of that money, it is the life blood of that family? Please bear that in mind when you cast your vote. (Applause.)

Mr. ELLIS of Rangeley: Mr. Speaker, I am not going to shed any crocodile tears over the poor boy, because the poor boy, up to the age of sixteen, does not have to have any license. The Portland Sunday Telegram said, in an edi-

torial on March 24th of the current year:

"We doubt if there is any single measure now before the law-making body that means as much to the State materially as does this act. The reason for this is that with the increased funds that thus would be provided, it would be possible greatly to expand the State's facilities for the propagation of fish and game.

"It is now agreed that the recreation industry is Maine's greatest asset and it is also true that the greater number of our visitors come here to hunt or fish, especially to fish. The better the fishing is, the more will come.

"Another point is that the disposition of the State to improve the fishing here will attract visitors, even if at first results are not apparent.

"As a State we are going to stand or fall by this recreation business. That is true and yet there are some who are inclined to ignore it."

That is the end of the quotation from the editorial.

It was argued before the committee that Maine would get this recreational business whether or not it did anything for the people who come here. Now let us see for a moment how that is borne out by the facts and records I have here. I do not know just what it is, but it is from something or other. It says that in 1933 Michigan sold 58,622 non-resident licenses, while Maine sold 18,719; Wisconsin sold 41,243 non-resident licenses, while Maine sold only 18,719; Minnesota sold 37,253 non-resident licenses. There are 136,000 potential fishermen for the State of Maine, if we can deliver the goods.

In 1920 we sold 15,221 fishing licenses; in 1934 we sold 26,373. That is just to indicate how our industry is increasing. In 1920 we sold 521 bird licenses; in 1934, 1,237. That more than doubled. Our bird licenses have stayed about the same. In 1934, we sold 2,391; and we received for those non-resident licenses \$109,114.

Now let us see what some of the states who are going after this business are receiving for licenses: The largest one is Pennsylvania, with \$1,000,000; New York, \$982,000; California, \$453,000.

Now let us see what the costs of some of the resident hunting and fishing licenses are in other states:

Maine, except one State in the Union, has the lowest of any. The highest one, I think, is Washington, \$12.50; Florida, \$11.25. And so it goes all the way—most of them are \$2, \$3, \$4, \$5, and \$6.

It is a significant fact, I think, that in 1933 the towns delinquent on their taxes, not one of them, so far as I can find, is in a resort section of the State. That, it seems to me, is a significant fact as to what the recreational business means to the State.

Here is an analysis of the total recreational industry receipts. I do not want to go through the whole list, as I suppose most of you have seen it, but I do want to call your attention to some of the things: Taxes paid on private recreational property owned by residents of other states, \$1,574,008; sales of farm produce, \$1,100,800. Those recreational industry receipts total \$85,684,741.

The assessed value of property owned by out-of-state people is \$35,000,000. There are 35,000 people employed by out-of-state people. Maine farmers sell to hotels, camps and summer people farm produce to the value of \$1,100,800.

Now assuming that the tax rate is \$50 per thousand, the non-resident is paying to the State of Maine \$1,750,000 annually in real estate taxes.

Now since we had the increase of from 25 to 50 cent licenses, let us see some of the results that Maine has been able to accomplish with 50 cents, and we probably could accomplish many times more if we had just the additional 50 cents.

In Androscoggin county they have erected pools with a capacity of 100,000 four to six inch fish. Before this, all of our fish were put out as fry, as most of you know if you are interested in fishing at all. In Aroostook county they have built three rearing pools, one at the Littleton Hatchery, with a capacity of 1,000,000 to be hatched and 100,000 four to six inch fish to be raised. At the fish rearing station in Houlton there is a capacity of 150,000 four to six inch fish. At Presque Isle, 100,000 four to six inch fish. In Cumberland county, at Dry Mills, they have under construction the largest fish rearing establishment, probably, in the world, with a capacity of 17,000,000 eggs, and 750,000 four to six inch fish. At Durham, 150,000 four to six inch



fish. At New Gloucester, not constructed yet, but that will have a capacity of 2,000,000 when completed. In Franklin county there are two rearing stations with a capacity of 200,000 four to six inch fish and, remember, that all this has happened since we have put on the 50 cent license, otherwise we would not have had any of these hatcheries that I am quoting to you now. Knox County Hatchery, with a capacity of 125,000 four to six inch fish and, by the way, where it says four to six inch fish, most of those we got this year were six to twelve-inch fish. In Lincoln county they have a rearing station with a capacity of 150,000, and in Oxford county a rearing station with a capacity of 100,000 four to six inch fish. In Penobscot county we have two rearing stations with a capacity of 400,000 four to six inch fish. In Piscataquis county we have a rearing station with a capacity of 250,000, and in Somerset county we have three rearing stations with a capacity of 325,000. In Washington county we have two rearing stations with a capacity of 250,000. In York county one rearing station with a capacity of 125,000 four to six inch fish.

And all those have been built by just the measly little 50 cent license we are paying now, and I suppose, if we give them 50 cents more per fisherman or hunter, they will be able to treble the production or produce four or five times as many as they do today.

Mr. DENNETT of Sebago: Mr. Speaker and members of the House: When I first came here, I was much opposed to increasing this license fee to \$1, but I began to study the question a little bit. I thought that most of the people back home did not favor increasing this license fee, so I sent out a number of letters like this one:

"Dear Mr. Brackett:

"Under separate cover you will find several booklets which show, in part, the work done by our Fish and Game Commission. Much have they done to make our State attractive to our visitors, who bring millions to our State, thereby increasing our wealth in many ways.

"This year, the Fish and Game Commission asks that the fee for fishing licenses be increased to \$1. Are you in favor of it?

"At first I was opposed, but the

more I study the benefits conferred by the Commission in the judicious administration of their funds, I have become convinced that by the increase of funds derived from the \$1 license fee, our lakes and streams will be better stocked with fish, and better protected.

"Please write to me, expressing your opinion upon the proposed increase in license fee."

The booklets sent were Fishing, Hunting, Camping and Canoeing Facts, Highway Map, Eastward-Ho to Maine, and Historic Trails and Waterways.

Now I have received many letters, and about three to one are in favor of this increase. I am thoroughly convinced that we will do a great good to the State of Maine if we allow our Fish and Game Commission to have this \$1 license they wish.

Our friend Mr. Mace is overlooking one thing. We do not have to go fishing. We do not have to get those licenses, and so if he thinks the fee of \$1 is too high, he won't have to go fishing this year.

Mr. FLANDERS of Auburn: Mr. Speaker, I think we should look at this as a business proposition for the State of Maine. If you were a director in a big corporation and you had a manager who had been successful in managing that corporation, and he had back of him his board of directors, and they wanted to change the method of doing business so as to bring in new revenue, what would be the natural consequence? The natural consequence of your board of directors would be to stand back of the man who watched your business and made it successful. That is just the way I look at this proposition.

We have a very efficient Fish and Game Commission. We have Fish and Game Associations all over the State. Every one of those associations, as far as I know, are in favor of this bill. What is the recreational business in the State of Maine? It is the largest business that we have today, and is the largest growing business.

Now I want to read to you a few facts, and some of them will reiterate what Mr. Ellis has said.

The recreational business of the State of Maine is \$85,000,000. The assessed valuation of private summer property owned by out-of-state people is \$35,144,720. The assessed valuation of public property owned

by out-of-state people is \$10,558,276. That makes a total of \$45,702,964. They pay taxes on private summer property of \$1,574,008; on public summer property they pay taxes of \$461,432. They pay on gas tax in the State of Maine \$500,000; they pay for non-resident hunting and fishing license \$135,980. That makes a total payment to the State of Maine of \$2,671,420. They pay for farm produce to the farmers of the State of Maine \$1,389,886. Wages paid to guides, \$391,250. They employ 23,578 Maine people, and those people receive yearly in wages \$7,420,123.

Now, gentlemen, is this to be considered? Are we going to stand back of this Commission and help build up this business for the State of Maine? I say we owe an obligation to the future generations. I have been asked to do what I could by an association that represents some three or four hundred people in Androscoggin county. Are they all residents of the cities? No; a large part of them are residents of the country. I hope that this bill has a passage.

Mr. DRISKO of Jonesboro: Mr. Speaker, I just rise to make a correction. The gentleman from Rangeley, Mr. Ellis, says the boys can fish now. As I understand it, no one over sixteen years of age can fish without buying a license, and I call them boys until they are twenty-one. Another thing, the principle applies to the present hunting and trapping license. We pay \$1.15 for a joint hunting and fishing license; we pay \$5 for trapping in organized township; we pay \$1 for a duck stand; we pay \$5 for an unorganized township, making \$12.15 we are paying for hunting and trapping. It seems to me we pay enough. Why not let all the people do this? Why put it on a few fishermen and hunters? I want to go on record as opposing this bill.

Mr. PHAIR of Caswell: Mr. Speaker, I just simply wish to state my stand on this bill. I have been against this since the start. I have felt that our district has not been fairly treated in the past, but what is past is so much water gone under the bridge. We must look at the future. I have talked with Mr. Stobie, and if he and his department will carry out the plan he has outlined to me, I feel that the people of my district will receive

benefits many times greater than this increase asked for.

I feel that we as members of this Legislature should be careful about putting added burdens on the people at this time, but I also feel that we should be careful about obstructing the department and the economic value to the State of Maine of its fish and game. And in the hope that the department will carry out the program as outlined, and that with the benefits that will be received a better understanding will be brought about between the department and the people it serves, I am reversing my stand and am going to vote for the passage of this measure. (Applause.)

Mr. HOBBS of Hope: Mr. Speaker and members of the House: You would infer from some of the arguments made here that all of the revenue we are receiving comes from the non-resident people, and that all of the non-residents fish, who come to Maine. I do not like such inconsistent arguments. As a matter of fact, I would like to ask the gentleman from Auburn (Mr. Flanders), if he knows what percentage of the visitors who come to Maine fish.

The SPEAKER: The gentleman from Hope, Mr. Hobbs, asks a question from the gentleman from Auburn, Mr. Flanders. The gentleman from Auburn may answer if he wishes.

Mr. FLANDERS: Mr. Speaker, I would like to say to the gentleman from Hope, Mr. Hobbs, that in one of the most authentic magazines published in the country, the National Sportsman, it says fifty per cent of the money received for recreational purposes can be attributed to fishing and hunting.

Mr. HOBBS: Mr. Speaker, I have some figures from the Commissioner of Inland Fisheries and Game giving the number of resident licenses and non-resident licenses, and out of the millions of people coming to the State of Maine as visitors, there are twenty-six thousand people, approximately, that fish in the State of Maine, or a little over two and a half per cent. Now the gentleman figures that all this revenue we receive from out-of-state people is from fishing. I disagree with the gentleman.

At the hearing before the Fish and Game Committee it was stated that about \$300,000,000 worth of business going to Canada would be

worth receiving. So I asked the gentleman who made that statement if he thought that by increasing this fishing license from sixty-five cents to \$1.15 that we were going to get all the business that went to Canada. He said "no."

A great many people around the State have asked me if I was in favor of this proposition of increasing the license fee. I should not dare go home and face my constituents if I voted for that bill, unless it called for a referendum. I said to a gentleman, as a matter of fact, do you believe that if we do not pass this increase in license that we are going to keep any summer business out of the State of Maine?

Now I do not see anything in this bill that prevents the people who want to pay the increase from paying the increase. If they are in favor of paying \$1.15, let them pay it if they want to go fishing. It does not say they can't.

I asked the people back home in my town if they were in favor of it. I did not find very many in favor of it, and I found a great many opposed to it. I think it is only fair that if we are going to pass a bill like this, that we should have a referendum on it.

Now the gentleman spoke about wanting to get more revenue. As a matter of fact, there was an increase of \$9,000 from non-resident licenses in 1934 over 1933. If you are anticipating such a tremendous summer business here in Maine as these people say we are going to have, and as they are having in Florida, which is a pretty good sign, it might increase the revenue from non-resident licenses as against this year, and you may get money enough to help the cause along.

Now, as I see this thing, it is mostly a sporting proposition. I will admit that the majority of the fish and game associations favor this increase, but are they the majority of the people in the State of Maine? I have a great many good friends, and I believe you are all friends of mine, but I resent what the gentleman from Rangeley (Mr. Ellis) said about the farmers at the hearing.

Now I want to tell you a little story about what happened in in Rangeley. It is a true story. I do not know that it has anything to do with Mr. Ellis.

Several years ago, a party went

fishing up to Rangeley, which they are apt to do. They were non-resident people, and they went up into the Rangeley section to a camp, where they were going fishing. The camp was some distance in, so they got an old horse of a farmer there to tote their dunnage into camp. They went into the camp—by the way, this was in prohibition days—and the fishermen, as they are wont to do at times, had a little bait. After getting into the camp that night they had a jug, and they placed it outside the camp for the night. The old horse was smelling around the camp, and upset that jug and imbibed some of the contents. The next morning the proprietor of the camp, on coming outside, found the old horse dead to the world. "Well," he thought, "I might at least save the old horse's hide." So they skinned him. They started off fishing.

Bye and bye the old horse came to and he wandered off down the road. He was going past a butcher shop where the butcher was dressing off some lambs. The butcher saw this horse coming down the road. As the horse neared him he saw the condition he was in, and he grabbed up an armful of those lambs' pelts, and he ran out of the door, and stubbed his toe when he was going out over some blackberry bushes. And he grabbed up some of those briars and he put those pelts on the old horse and fastened them on with briars. Do you know, the next year, they had ninety pounds of wool from that old horse, and forty pounds of blackberries.

Mr. Speaker, I am opposed to raising this license fee.

Mr. NOYES of Franklin: Mr. Speaker, I have listened with a great deal of interest to the remarks made by both the proponents and the opponents of this bill. I have made it a practice to speak only upon those measures in which I was directly and greatly interested, and with which I felt that I had a certain degree of familiarity.

Knowing that my constituents are vitally interested in this bill, I feel that it is my duty to explain to the members of this Legislature why I opposed the bill.

The proponents of this measure say it is a small increase. An increase of \$1 a year amounts to only two cents a week. Upon further investigation it can be made to

look more attractive than that. This is the way that I figure it: When our present law was put into force, and a fee of \$1 was charged, that was a hundred cent dollar. In 1933 your dollar was cut to fifty-nine cents. A \$2 license today would represent two times fifty-nine, or \$1.18 in the old money, an increase of only eighteen cents a year. I wonder why the proponents have not advocated this fact.

I agree, Mr. Speaker, with the proponents of this bill, that it will bring a great many out-of-state dollars into our State. I agree that every man, woman and child in the State of Maine will derive a great benefit, and I maintain that since every one will derive a benefit from this increased appropriation, that every one should pay a part of the cost. Unlike my opponents, I will not vote for a bill which places that cost upon a class of people who can ill afford to bear any increased taxation at this time.

The people in our rural communities are poor. Many heads of families earn less than \$200 a year. A \$2 license fee is equal to one per cent of those earnings. And I wonder, of those men who appeared at the hearing, advocating this increase in license fee, those men whose salaries range from \$2,000 to \$10,000 a year, how many of them would be willing to pay one per cent of their salary, \$20 to \$100 a year, for a license to fish. Therefore I say this bill is unfair.

Our opponents say this is an easy way to get the money. They admit they could not get an appropriation. They would have us believe that this is the only way to get the money.

Right here, I would like to call your attention to a bill introduced in this Legislature, and to what happened to it:

A certain bill was introduced in this Legislature placing a tax on filling stations; that bill was referred to a certain committee, and a certain lobbyist for a certain company appeared before that committee and pleaded that if the bill were enacted, it would mean \$60,000 or \$70,000 taken out of the pockets of the poor people of Maine. Whereupon, that committee reported it out to the other body in the other end of this building ought not to pass. Off hand, that pill was a little too bitter to swallow, and that body substituted the bill for the report

by a vote of 14 to 13. Needless to say, it was placed upon the table, and soon died the death of many other dangerous bills.

I maintain that this present bill is unique, in that there was no lobbyist to appear before the committee to plead for the poor, poor people, therefore it was an easy way to get the money. Our opponents would have us believe that if this bill is enacted, the Utopia for all lovers of the piscatorial art is just around the corner. I contend, however, that any law which is enacted which arouses the ill will of the rural people, the people who are in immediate contact with our wild life, may react to defeat the very end which this bill aims to achieve. I hope the motion of the gentleman from Newfield (Mr. Davis) does not prevail.

Mr. GLEASON of Bridgton: Mr. Speaker and members of the House: I know at this time you are very sorry that I have gotten on my feet to make a speech, but I feel that it is my privilege and my duty to do this, and I appeared before the committee several different times as a proponent of the bill.

On my car I carry an additional plate which says: "Bridgton, the Home of a Hundred Lakes." And, living in that territory where the fishing is so good, and where there are so many lakes, it is not surprising that I am very much in favor of this bill.

I would like at this time to take just a few minutes to tell you the story of how it has affected several towns in our territory. In the town of Lovell, near Kezar Lake, a pickerel pond a few years ago was stocked with salmon, and people came from New York and Boston to fish in this lake. The fishing was good and is now. In the last twenty-five years there has been built around this lake homes, hotels and cottages costing over a million dollars, and non-residents who own those cottages are paying seventy-five per cent of the taxes of the town of Lovell, and three-quarters of the people of the town of Lovell are supported directly by those summer people.

Now in the town of Waterford, fifty-three per cent of the taxes are paid by non-residents; in the town of Harrison, sixty-five per cent; in the town of Sweden, fifty-eight per cent; in the town of Naples, fifty-two per cent; Sebago, seventy

per cent; Raymond, sixty-five per cent; and Denmark, fifty per cent. And they not only pay taxes, but they support the people. They were brought into our territory because of the fishing and the lakes and of the continual restocking of lakes by the Department of Inland Fisheries and Game. I feel that every one should realize that this fishing in these lakes is our greatest asset.

This story of the barefoot boy with cheek of tan, and of the maiden all forlorn who milked the cow with the crumpled horn, that they cannot afford to buy a fishing license, is all a myth. I will tell you why. Every Saturday night they are going to town and attending a picture show, with Pa's automobile. If there are any such extreme cases in our territory, Mr. Mace and Mr. Noyes and myself will volunteer to buy a license for all those who cannot afford it. Now I hope that the motion will prevail, and that we will be generous enough to feel that this small item of fifty cents, while it is very small, yet in the aggregate will give us a great deal of money to spend to keep the fishing good in our lakes, and bring more people here to build cottages and improve our summer conditions. (Applause.)

Mr. CARLETON of Alna: Mr. Speaker, I have a petition here with sixteen names on it, from my county, asking me to vote for the increase in the hunting and fishing license fee and just two additional men have approached me, and they were men with plenty of money, who did not have to work for a living. They are business men and professional men who care nothing about a dollar and would not care if they had to pay ten dollars. Fortunately I am able to buy a license if I wanted one but I do not have to have one, for I have something to do beside hunt and fish.

Now my esteemed friend, the gentleman from Augusta (Mr. Mace) made some remarks here which very much pleased me. I honor him. I have learned to love him and respect him since I came here. I have a neighbor who enlisted in the World War and went across and came back with an honorable discharge. He married a girl in the city of Lewiston and they have three children of school age, and he got a pension from

the government, and his health was bad so he couldn't work. If his health was back where it was before that, he would ask no odds of anyone, for he is capable of earning good money, \$30 or \$35 a week; but he lost his health and the government saw fit to take his pension away from him. Two years ago this Legislature granted him a pension of \$20 a month for a term of two years. That was very extraordinary, as there were just two persons in this State who had one of these special pensions. Now I went before the Pension committee myself, and I pleaded with them to extend his pension two years more. I had a talk with this man and his wife and he told me that if he did not get this pension, they would have to go on the town. He does hunt and fish, and has a license. His wife told me last year that they practically lived on the fish that he caught.

Now I have pleaded with the Pension committee and they turned it down. Now what can a man do with a wife and three children? You cannot make a pauper of him because he is a soldier. The government took his pension away from him and he cannot get a State pension.

Now if that man wants to hunt and fish, why penalize a man like that, a man who has sacrificed himself for his country and gone across the seas and come home with an honorable discharge, and because he has lost his health, why should we penalize such a man as that? I do not care what you charge the rich man, it is the poor man that I represent, the man who has to work for a living, the man who has the interest of his family at heart, that they should be fed and clothed and educated. I thank you. (Applause.)

Mr. SCATES of Westbrook: Mr. Speaker and members of the House: The other day it was the lion and the lamb. Today I should say it was Jonah and the whale. I don't know. I shall vote for the increase in the license. (Applause.)

Mr. CROWELL of Weston: Mr. Speaker and members of the House: We have met here to discuss an economic question, and not the efficiency of any Department. A Department the efficiency of which cannot be questioned and the value of which we do not doubt. The question that we have to determine this

day is this: Shall we ask the citizens of Maine to contribute approximately a hundred thousand dollars to a Department that last year had a total budget, as shown on Page 59, of \$394,309 to expend?

Whenever I think of this hunting and fishing license increase in the light of the facts of other days, it reminds me of the old story of the camel in the dust storm approaching the tent, and when he received permission for his head to be inserted he eventually crowded out the occupants, and the camel occupied the tent.

I have on my desk at the present time the Legislative Record of 1919, and I planned to read therefrom a bit, but because of the lateness of the hour I am not going into ancient history, except to say that in these early days they foresaw the danger that is threatening us, and they warned the Legislature of 1919 not to put this increased license fee on, and that Legislature refused to do it.

I also have on my desk the Legislative Record of the year 1927, when again this question of licensing was presented to that Legislature, and I am going to read from that because it explains how the camel first got his head into the tent. It was stated: "The opposition they say that this is an entering wedge, twenty-five cents temporarily, one dollar two years from now, five dollars four years from now, ten dollars six years from now, and so on"—and it goes on to say "This is not a revenue measure, but a measure for identification only." That was the time when they sold the twenty-five cent license in order that the residents of the State of Maine might be identified.

On the next page, page 1153, in the Senate on April 13, 1927, an advocate of that bill said: "This is not an annual license; this license, as my fellow Senator said, is good for all time."

Perhaps you members do not know but I know that in the corridors of this State House this year a movement was started not to put our license at one dollar, but to put it at two dollars, but because of the opposition that was voiced in conversation and otherwise, they abandoned that plan and settled on the one that is now before you.

We have been told here today by my good friend from Rangeley (Mr. Ellis) about how it will help

the fishing, and if I could get as many fish in my lake as he did, I might want to increase the license. He told how they had accomplished all the things they had accomplished on the measly fifty cent license. If you will open your Department of Finance Report, ending June 30, 1934, and turn to page 73, you will find that they have there listed twenty-five different kinds of licenses, twenty-five different sets of people are contributing at the present time to the support of the Inland Fish and Game Department. You have the buyers of skins, you have the taxidermist's license, resident trapping, license to fish in unorganized territory. You have to have a license to hunt wild hares and wild rabbits. I won't take your time to read any more. I am convinced, members of the House, that great as the fishing industry is in the State of Maine, it is not the only reason people come to Maine and take up their residence.

In the Taxation hearings all winter we were told that people come to Maine to escape income tax and tax on intangibles. While the fishing is great, and contributes its part to success of the State of Maine, there are other elements that enter into this situation. Let us analyze them carefully and let us not be swept from our moorings by the narrow arguments that we have heard, but let us look at it from the broader point of view, because our lakes and our mountains, and the old home folks call back to the State of Maine the sons and daughters of Maine beyond our borders, and they too should have credit, and the credit should not all be given to this Department.

As members of this Legislature we have gone on record as opposed to the increase in fees of those who sit upon our juries and decide the fate of their fellow citizens. We have done it in a spirit of economy. We have refused to grant an increase to our deputy sheriffs who protect our homes and serve a useful function in the protection of our government. These officials are being supported by taxes on the entire people.

Now we are called upon in this hour of stress to assess a certain portion of our citizens approximately a hundred thousand dollars to turn over to a Department which is efficient but last year, according to the report, had \$395,309 to ex-

pend, and outside of the licenses that I have referred to the budget report tells you that this Department had \$140,000 by direct taxation or by appropriation.

I am not opposing the Department; I am pleading for the people of Maine; I am pleading for the people whom I represent. I know what they want; I know what they have asked me to use my ability to secure for them, and, because of the pleadings of those who I represent, I hope that the motion of the gentleman from Newfield (Mr. Davis) does not prevail.

Mr. DAVIS of Newfield: Mr. Speaker and members of the House: I have an important announcement which I have been privileged to make and that will be my swan song. Through the Department of Inland Fisheries and Game, the Governor sent a message to me to the effect that if this bill goes through, if this bill passes, another hatchery will be started by the Federal government at Eagle Lake in Aroostook county, and still another one in Washington county. That was just decided less than an hour ago. It is unnecessary for me to state how much labor that will give to the poor people of Maine, and, after all this bill is designed for the poor people of Maine. (Applause.)

Mr. JACOBSON of Portland: Mr. Speaker. I move the previous question. (Applause.)

Mr. AYER of Union: Mr. Speaker, I move that we recess until four o'clock this afternoon.

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

The SPEAKER: The gentleman from Portland, Mr. Jacobson, has moved the previous question. To entertain this motion requires the consent of one-third the members present. All those in favor of the Chair entertaining the previous question will rise and stand until counted and the monitors will make and return the count.

A division of the House was had.

The SPEAKER: Obviously more than one-third of the members having arisen, the previous question is ordered. The question now before the House is shall the main question be put now. As many as are in favor of the Chair putting the main question now will say aye, contrary-minded no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The gentleman from Cooper, Mr. Clarke, has asked for a yea and nay vote. Before the yea and nay vote can be ordered, it is required that one-fifth of the members present shall signify their desire that the vote be taken by roll call. Those in favor of the roll call will rise and stand until counted and the monitors will make and return the count.

A division of the House was had.

The SPEAKER: Obviously more than a sufficient number having arisen, the yea and nay vote is ordered. The motion before the House is that of the gentleman from Newfield, Mr. Davis, to accept the majority report in concurrence of the committee on Inland Fisheries and Game on bill an act relative to resident fishing and hunting licenses. The members will remain in their seats until the final vote is determined and announced, and the visitors will likewise remain in their places. Are you ready for the question? The Clerk will call the roll.

YEA—Alden, Allan, Belaire, Boucher, Bragdon, Bramson, Brown, Burgess, Burnham, Bushy, Carswell; Chase, Baring; Chase, Limington; Chase, Sebec; Churchill, Connolly, Coolidge, Cummings, Currier; Davis, Newfield; Deering, Demers, Dennett, Desmond, Donahue, Donovan, Dorr, Dow; Doyle, Caribou; Eddy, Elliot; Ellis, Castle Hill; Ellis, Rangeley; Findlen, Flinders; Fogg, Rockland; Forgue, Lewiston; Fortin, Gleason, Graves; Gray, Presque Isle; Hall, Hathorn, Heald, Hearn, Hescocock, Higgins, Hill, Jacobson, Jandreau, Kilroy, Labbee, Lancaster, Latno, Lausier, Lebel, Leclair, MacKenzie; Martin, Dexter; Mason, Patterson, Phair, Philbrick, Proctor, Richardson, Rush, Scates, Seabury, Sewall; Smith, Bangor; Smith, Van Buren; Stickney, Stoddard; Thompson, Belfast; Thurston, Tupper, Vaughan, Wallace, Webber, Wentworth, Willey, Worthen, Young.

NAY—Austin, Exeter; Austin, Parkman; Ayer, Bubar, Burrill, Cambridge, Campbell, Carleton; Clark, Plymouth; Clarke, Cooper; Cole, Cook, Cote, Crosby, Crowell; Davis, Fairfield; Devereux; Doyle, Skowhegan; Drisko, Forbes, Fowles, Gibbons, Goss; Gray, Brooksville; Hagan, Hammond; Harriman, Prospect; Haskell, Hastings, Hobbs, Jillson, Kendrick, King, Leonard, Lewis, Lindsey, Mace, Maheu, Mallett; Martin, Oakland; McKay, Mosher, Newton, Noyes, Oliver, Palmer, Parsons, Payson, Pike, Poulin, Russ, Ryder, Sennett, Shaw, Sprague, Stilphen, Story; Thompson, Chelsea; Weatherbee, Wheeler, Woodbury, Wright.

ABSENT—Eveleth; Harriman, Gardiner; Roach, Sawyer, Sleeper.

83 yes.

62 no.

5 absent.

Eighty-three having voted in the affirmative and 62 in the negative, the motion that the House accept the majority report ought to pass, in concurrence prevailed.

Thereupon the bill had its two several readings.

Mr. CROWELL of Weston: Mr. Speaker, I wish to present an amendment and move its adoption.

The SPEAKER: Mr. Crowell of Weston presents House Amendment A and moves its adoption:

House Amendment A to Senate Paper 132, Legislative Document 79. Amend said bill by adding at the end thereof, the following section:

**Section 3. Referendum provided for.** 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, on the 2nd Monday in September following the passage of this act, to give in their votes upon the act proposed herein and the question shall be:

"Shall an act passed by the legislature and referred to the people, providing for an increase in resident fishing and hunting license fees become law?"

And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment voting "Yes" upon their ballots, and those opposed to the amendment voting "No" upon their ballots, and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings, and return made to the office of the secretary of state in the same manner as votes for governor and members of the legislature and the governor and council shall count the same and if it shall appear that a majority of the inhabitants voting on the question are in favor of the act, the governor shall forthwith make known the fact by his proclamation and the act shall thereupon as of the date of said proclamation become law. The secretary of state shall prepare and furnish to the

several cities, towns and plantations ballots and blank returns in conformity with the foregoing act accompanied by a copy thereof.

On motion by Mr. Hill of South Portland,

The House recessed until three p. m.

#### AFTERNOON SESSION

The Speaker in the Chair.

The SPEAKER: The pending question before the House is on the adoption of House Amendment A to S. P. 132, L. D. 79, bill an act relative to resident fishing and hunting licenses.

Mr. SCATES of Westbrook: Mr. Speaker, I think it would be only fair in as much as the gentleman from Weston, Mr. Crowell, is not in his seat, to suspend action on this amendment until he is present; and I move that it be retabled and assigned for later in the day.

The motion prevailed.

The Chair lays before the House the sixteenth matter tabled and today assigned, majority report ought to pass in new draft and minority report ought not to pass of the committees on Education and Taxation on bill an act to provide for the allotment of additional funds to the State school fund and to provide for the equalization of the burden of supporting a foundation program of education, H. P. 1846, L. D. 909, tabled April 3 by Mr. Cook of Pittsfield, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. COOK: Mr. Speaker, and members of the House: I move the acceptance of the majority report. I shall take just a few moments of your time to point out the provisions of this new draft, L. D. 909. We are all familiar with the origin and history of this bill. It embodies the recommendation of the Maine Public School Finance Commission which was appointed two years ago by Governor Brann, and which during the past year and a half has been engaged in making an extensive survey of the educational system of the State. I shall not weary you with enumerating the findings of the Commission. They have been widely published and have been set forth in considerable detail in the report which the Commission made to the Legislature earlier in the present ses-