

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninetieth Legislature

OF THE

STATE OF MAINE



1941

KENNEBEC JOURNAL COMPANY

AUGUSTA, MAINE

HOUSE

Friday, April 18, 1941.

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

Prayer by the Rev. Mr. Fowle of Hallowell.

Journal of the previous session read and approved.

Senate Reports**Conference Committee Report**

From the Senate:

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve proposing an Amendment to the Constitution to Provide for the Appointment of the Secretary of State by the Governor with the Advice and Consent of the Council, for a Term of Four Years (S. P. 354) (L. D. 669) reporting that the Committee is unable to agree.

(Signed)

Messrs. FARRIS of Kennebec

HARVEY of York

Miss LAUGHLIN of Cumberland

—Committee on part of Senate.

Messrs. McGLAUFLIN of Portland

WILLIAMS of Bethel

PRATT of Turner

—Committee on part of House.

Came from the Senate, read and accepted.

In the House, read and accepted in concurrence.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Mileage of State Employees" (S. P. 107) (L. D. 149) reporting that they are unable to agree.

(Signed)

Messrs. FARRIS of Kennebec

STILPHEN of Lincoln

EMERY of Hancock

—Committee on part of Senate.

SMITH of Thomaston

DOW of Palmouth

OSGOOD of Bradford

—Committee on part of House.

Came from the Senate, read and accepted.

In the House, read and accepted in concurrence.

Final Report

Final Report of the Committee on Public Buildings and Grounds.

Came from the Senate, read and accepted.

In the House, read and accepted in concurrence.

Ought Not to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act relating to State Aid for Academies" (S. P. 232) (L. D. 392) as it is covered by other legislation.

Came from the Senate, read and accepted.

In the House, was read and accepted in concurrence.

Ought to Pass in New Draft

From the Senate:

Report of the Committee on Claims on Resolve in favor of the Children's Aid Society (S. P. 225) reporting same in a new draft (S. P. 557) (L. D. 1156) under same title and that it "Ought to pass."

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

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

Senate Divided Reports

Majority Report of the Committee on Sea and Shore Fisheries on Bill "An Act Revising the Regulation of the Clamming Industry" (S. P. 414) (L. D. 644) reporting same in a new draft (S. P. 556) (L. D. 1155) under title of "An Act Revising the Regulation of the Clamming Industry in Lincoln County" and that it "Ought to pass."

Report was signed by the following members:

Messrs. STILPHEN of Lincoln

HODGKINS of Hancock

—of the Senate.

SMITH of Thomaston

FORHAN of Canton

TEEL of Long Island Pl.

RACE of Boothbay

CLAPP of Brooklin

—of the House.

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

Report was signed by the following members:

Messrs. HARVEY of York

—of the Senate.

BAKER of Scarborough

SAYWARD of Kennebunk

—of the House.

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

In the House, on motion by Mr. Race of Boothbay, the Majority Report was accepted in concurrence, and the Bill had its two several readings.

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

Senate Amendment "A" to S. P. 556, L. D. 1155, Bill, "An Act Revising the Regulation of the Clamming Industry in Lincoln County."

Amend said bill by inserting after the word "Cumberland" in the 2nd paragraph of said bill the following: ', Lincoln'.

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

Non-concurrent Matter Tabled

From the Senate:

Bill "An Act Authorizing a Bond Issue for the Building, Rebuilding and Strengthening of Bridges for Military Purposes on the Highways of the State of Military Importance", (H. P. 1902) (L. D. 1127) which was passed to be engrossed in the House on April 9th.

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

In the House:

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

Senate Amendment "A" to H. P. 1902, L. D. 1127, Bill, "An Act Authorizing a Bond Issue for the Building, Rebuilding and Strengthening of Bridges for Military Purposes on the Highways of the State of Military Importance."

Amend said Bill by inserting in section 5 at the end of the 1st sentence following the word "purpose" the following language: 'and shall be available for the purposes of this act only if, as and when federal funds are made available for the purposes hereof.'

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

Mr. PAYSON: Mr. Speaker, I move that the House recede and concur with the Senate in the adoption of Senate Amendment "A." If this motion is successful, I shall later ask to table the measure so that a fur-

ther amendment may be drafted to clear up a technical difficulty.

The SPEAKER: The gentleman from Portland, Mr. Payson, moves that the House recede from its action whereby it passed this bill to be engrossed on April 9th and concur with the Senate in the adoption of Senate Amendment "A." Is this the pleasure of the House.

The motion prevailed; and on further motion by Mr. Payson, the bill was tabled pending passage to be engrossed in concurrence.

Non-concurrent Matter

"An Act relating to the Liability of Relatives to Support Recipients of Public Assistance" (S. P. 361) (L. D. 668) which was passed to be enacted in the House on April 15th, and passed to be engrossed as amended by Committee Amendment "A" on April 10th.

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

In the House, on motion by Mr. Williams of Bethel, the House voted to recede from its action whereby it passed this Bill to be enacted on April 15th and to further recede from its action whereby it passed the Bill to be engrossed as amended by Committee Amendment "A" on April 10th.

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

Senate Amendment "A" to S. P. 361, L. D. 668, Bill, "An Act Relating to the Liability of Relatives to Support Recipients of Public Assistance."

Amend said Bill by striking out the word "department" in the 1st line of Section 2 thereof and substituting in place thereof the word 'commissioner'; and

Further amend said Bill by inserting between the words "proceedings" and "in", in the 2nd line of Section 2 thereof, the words "in the name of the State of Maine."

Senate Amendment "A" was adopted and the Bill was passed to be engrossed as amended in concurrence.

Non-concurrent Matter Tabled

From the Senate:

Bill "An Act to Incorporate the Ellsworth School District" (H. P. 1589) (L. D. 911) on which the Bill

was substituted for the "Ought not to pass" Report on April 10th and passed to be engrossed on April 14th.

Came from the Senate with the Report accepted in non-concurrence. In the House:

The SPEAKER: The Chair recognizes the gentleman from Clifton, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker, in the absence of the gentleman from Ellsworth, Mr. Willey, I move that this bill lie on the table.

The SPEAKER: The gentleman from Clifton, Mr. Williams, moves that this bill lie on the table pending further consideration. Is this the pleasure of the House?

The motion prevailed, and the bill was so tabled.

Non-concurrent Matter

From the Senate:

Bill "An Act to Provide for the Speedy and Inexpensive Adjudication of Small Claims" (H. P. 1517) (L. D. 858) on which the House accepted the Minority Report of the Committee on April 10th and passed the Bill to be engrossed on April 16th.

Came from the Senate with the Majority Report reporting "Ought not to pass" accepted in non-concurrence.

In the House, on motion by Mr. Briggs of Hampden, the House voted to insist and ask for a Committee of Conference.

The Chair appointed as Conferees on the part of the House:

Messrs: BRIGGS of Hampden
SLEEPER of Rockland
GOLDSMITH of Orono

Senate Insisting—Conference Asked

From the Senate:

Bill "An Act relating to the Safety on Highways" (H. P. 1892) (L. D. 1107) which was indefinitely postponed in the House on April 16th in non-concurrence.

Came from the Senate with that body insisting on its former action whereby the Bill was passed to be engrossed and asking for a Committee of Conference and with the following Conferees appointed on its part:

Messrs. ELLIOT of Knox
LIBBY of Cumberland
HASKELL of Penobscot

In the House, on motion by Mr. Williams of Bethel, the House voted to insist on its former action and join in a Committee of Conference.

The Chair appointed as Conferees on the part of the House:

Messrs. WILLIAMS of Bethel
WELCH of Chapman
BRAGDON of Perham

Orders

On motion by Mr. McGlaulin of Portland, it was

ORDERED, that Mr. Conant of Auburn be excused from attendance because of important business; that Mr. Keller of Hallowell, be excused from attendance today because of business, and that Mr. Buker of Bath, be excused from attendance during the remainder of the session because of illness.

On motion by Mrs. Grady of Whitefield, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

The SPEAKER: The Clerk has in his possession a Report of a Conference Committee just received.

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Signs on Pumps Dispensing Internal Combustion Engine Fuels" (H. P. 1165) (L. D. 461) reporting that the Committee is unable to agree.

(Signed)

Messrs. MURCHIE of Calais
SMALL of E. Machias
RODRIGUE of Waterville
—Committee on part of House.
MORSE of Waldo
DOW of Oxford
SANBORN of Cumberland
—Committee on part of Senate.
Report was read and accepted and sent up for concurrence.

The SPEAKER: The Clerk has in his possession another Conference Committee Report which does not appear on the Advance Printed Calendar.

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Speed Regulations" (H. P. 1552) (L. D. 843) reporting that they are unable to agree.

(Signed)

Messrs. BRAGDON of Perham
ARZONICO of Yarmouth
SLOSBERG of Gardiner
—Committee on part of House.
ELLIOT of Knox
LIBBY of Cumberland
HASKELL of Penobscot
—Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

House Reports of Committees Divided Reports

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act to Enable Candidates for Office to File their Names in State Primaries Without Petitions" (H. P. 310) (L. D. 119)

Report was signed by the following members:

Messrs. FARRIS of Kennebec
HARVEY of York
—of the Senate.
HINCKLEY of So. Portland
GRUA of Livermore Falls
WILLIAMS of Bethel
PAYSON of Portland
BRIGGS of Hampden
MILLS of Farmington
—of the House.

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

Report was signed by the following members:

Miss LAUGHLIN of Cumberland
—of the Senate.
Mr. McGLAUF LIN of Portland
—of the House.

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

Mr. McGLAUF LIN: Mr. Speaker, I move the acceptance of the minority report "Ought to pass", and I request permission to face the House.

The SPEAKER: The gentleman has permission.

Mr. McGLAUF LIN: Mr. Speaker and Members of the House: I am one of those who are old enough to remember the old convention system. I was one of those who strongly favored the change from that system to the direct primary system, chiefly for two reasons.

Under the convention system the conventions were boss-controlled, and that system permitted trading, which resulted in some vicious combinations. The direct primary was set up as something of an ideal situation as it was conceived by its promoters, but that system too had its faults.

Now I am in favor of the bill that is introduced by the gentleman from Gorham, Mr. Gould, and I want to point out some of the defects, as I see it in the present system of nominations.

In the first place, it is in many respects a good deal of a farce. Let me illustrate. To get my three or four hundred names necessary in the City of Portland this last year I sent one of my nomination papers to a woman whom I did not know, who happened to be a friend of a man whom I did not know, and she got thirty-five names on my petition by people not one of whom I knew and not one of whom knew me. They did not know anything about me at all, but they signed that petition. I was glad to have them do it, of course, but I say it is a farce.

The idea in the mind of the originators of this primary system was that if quite a number of citizens endorsed you, then presumably you were fit to be considered. But that has not worked out so well.

Let me give you another illustration. There is a certain man in Portland who likes to run for the Legislature each year, because he gets a little advertising that way. He knows—and everybody knows who knows him—that he could not be a Representative here. He is not qualified for the place, and he has got sense enough to know it. Yet he runs, and the amusing part of it is that he never has had any difficulty getting signers to his petitions. He always gets defeated, but people do that thing. Let me go a little further, and tell you that people do not think very much when they sign petitions for or against some measure.

For instance, two years ago, I introduced in this Legislature, a bill to increase the gas tax one cent, trying to get money for Old Age Assistance. There were more than 25,000 names sent into this Legislature against that petition, and there was not one person in a thousand, I positively believe, that knew a thing about my bill.

Let me come up to something more recent. Just last Friday, when I went back to the Eastland Hotel, with my wife, a lady stepped up to my wife and wanted her to sign a petition for or against some measure in the Legislature. As she happened to be with me, and I was somewhat hurried, my wife said that she would look at it later. I asked her what she was asked to sign, and she had not seen it. She did not know, but she had seen a name of a lady friend on that petition. So she immediately called her up, to ask her what it was she sign-

ed, and the lady said that she did not know.

Now, that is not all. I say it is a farce, and here is another illustration of it. This is the third time in succession that I have been to this Legislature. Well, now, if I am ever qualified to sit here, I must be qualified by this time, but, if it should be my desire to ever run again, I have got to go through all this farce, all this red tape, and get 300 or 400 people to endorse me, to see whether or not I am fit to run on that ballot.

That is not all. This system, especially in the cities, is a perfect nuisance to the candidate. As I say, we are required to get, in Portland, something less than 300 names, one per cent of the gubernatorial vote, but, in the city, you are liable to get many defective signatures, so we do not dare to rely on that, so we try to get two per cent,—that means at least 400 or 500 names.

That means that you have either got to hire somebody to go around and get signatures for you, from people who do not know anything about you, or care anything for you at all, or you have got to do what I do,—go around and see my friends. That means a lot of work on my part. That means that I must put them in an embarrassing position. If they do not want to sign, they have to say "No,"—and yet probably many times they wish to the Lord they could.

That is not all. I have to go around and get these people, or call on my friends to put themselves out and see if they cannot get somebody to sign those petitions for me.

So, I say that it is a nuisance to me. In the second place, it is a nuisance, especially in a place like Portland, to the public. Each year, when there is a primary election coming on, man after man comes in to me, for me to sign a petition. Now, bear in mind that sometimes there are anywhere from three to eighteen candidates, at least, for these different jobs. They all want your signature. First, there are three or four candidates for Sheriff, more or less. They come in. Then there is a candidate for the Judge of Probate. Then there is a candidate for Registrar of Deeds,—the State Senate—and then the Representatives. They keep coming in and coming in, until you get sick to

death of seeing them—even though they are your friends. And it always puts you in the situation of where you have to say "No" to somebody—because you cannot sign them all. Therefore, I say it is a nuisance to the public.

Now, notwithstanding what I have said, there is an advantage, sometimes, to having this system. Therefore, the gentleman from Gorham, Mr. Gould, has left it possible for you to use the old system, if you want to. He merely makes it a simple way to get your name on the ballot without going through all this red tape.

Now, I have stated that sometimes it is an advantage to have this privilege, and that is particularly true of the candidate for Governor. I will illustrate:

In the case of our present Governor, he had served in this House. He had served in the Senate. He had become Speaker of the House and President of the Senate, but he was not particularly well known throughout this State. He was known by us here and everybody liked him, but I say he was not widely known.

So, in his case, what did he do? I did not ask him if he did this; I know he must have done it. He sent his nomination papers all over the State. He sent one to me, because I was a friend of his, and I got that filled out inside of twenty-four hours. But I want to tell you now I did not get that filled out in twenty-four hours because it was Governor Sewall. I got it filled out because I recommended Governor Sewall. He did that same thing all over this State, and men in Aroostook County, and men in Washington County, and Kennebec County, who knew the Governor and who liked him, said "This is a good man," and signed for him. That was done all over the State, and gradually people began to know who he was, because all of us were talking about him; we were recommending him; we were boosting him. I say that I have no doubt whatever but what we helped the Governor, and the chances are that anybody who would run for Governor would want to adopt the system of the gentleman from Gorham, Mr. Gould.

But all Mr. Gould does is to provide an alternative system. If you do not want to go through this

farce; if you do not want to be a nuisance to your friends; if you do not want to be embarrassed yourself; then you can resort to this other method by paying a small fee and getting your name on the ballot.

Now, I think this is a measure worth considering. Bear in mind that everybody who wants the present system can have it, but if somebody wants to go on the other system, they have that privilege.

Now, it has been suggested that this system will give too many candidates. Well, I am not so sure about that. Anybody that wants to run now can be a candidate for any of these offices, if he gets the names, and anybody can get the names.

I am not so sure that there will be so many who would want to pay this \$5.00, when they know that they do not stand any chance of being elected or nominated. Even if that is so, even if there are more candidates, you still have the choice of electing the best man in that group.

I say to you ladies and gentlemen in this House that this proposition is a reasonable proposition.

I fail to see why my splendid colleagues in the Judiciary Committee cannot see it in the light that I do. Their judgment may be better than mine, but I am simply passing this on to the House, as I see it. I think this bill should be passed.

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

Mr. LAMBERT: Mr. Speaker and Members of the House: I had an experience that happened in the last June Primaries in the City of Lewiston. A man who was going to run for the Legislature in the City of Lewiston, and was not a fit man to run, took out his nomination papers. He went all over town, about fifteen times, trying to get enough names. Finally he gave up the idea.

This man had some money. If this law were passed, this man could use the alternative method, and give the \$5.00, I believe, that this bill calls for, and get his name on the ballot.

I believe that this additional means of placing your name on the ballot is absolutely unnecessary. I think the present law is sufficient.

I differ very strongly with the gentleman from Portland, Mr. McGlaulin, when he states that the

Governor's papers were sent all over the State. He said in some places they did not know who he was. I am going to claim that any member of this House who has been so active as our Governor was, when he was Speaker of the House—that any man who was ever able to be President of the Senate, or even Speaker of the House (Laughter)—is known all over the State, and if he does run for Governor later on, he certainly is not a stranger.

I was not thinking of talking on this bill, but I wanted to tell you about that one instance that I know of in Lewiston. I certainly do not believe in this additional means of placing your name on the ballot, and having to pay money to do so. This is a free country, and I do not see why anybody should buy their name on a ballot. I am definitely opposed to this.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. McGlaulin, that the House accept the minority "Ought to pass" report.

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

Mr. HINCKLEY: Mr. Speaker, I cannot believe that the House will pass this bill, therefore I do not intend to take any time whatever in argument. I think there are so many objections which are clearly apparent that I do not need to take any time. I will leave it that way. I hope the gentleman's motion will not prevail.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Mills.

Mr. MILLS: Mr. Speaker, I do not dare to take anything for granted the way we have been going lately. I just want to state a few reasons for signing the unpopular side, the majority report.

I think it too bad if we can legislate people onto the ballot merely by paying a fee. It may be a hardship in some places to have a lot of people come around and ask to have you sign their petitions, but I think that is a fine thing, even if it is difficult right after the first of the year, to see so many of these candidates. After all, that was the object in having the petition system, that we would see and know the candidates and that there would be sufficient publicity to their candidacy by reason of requiring a

certain percentage to be on petitions before they get on the ballot.

Now over our way we take our petitions and we do not go only to our friends, we go to our enemies so that we can find out what is wrong with us, because around that time when we start running for office you bring your petition around and they are very quick to tell you the mistakes you have made.

I think it is a very democratic system and a popular system for us to take our own papers and go around to the country stores and houses and give people a chance to give you some of their feelings in regard to the stand you have taken. I seriously hope we will not legislate buying yourself onto the ballot by paying a fee to the Secretary of State's office.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. McGlauffin, that the House accept the minority "Ought to pass" report. The Chair recognizes the gentleman from Bridgton, Mr. Rankin.

Mr. RANKIN: Mr. Speaker and Members of the House: I will take only one moment, because this matter has been covered fully, especially by my friend, Mr. McGlauffin of Portland, with whose views I agree. I had something in the way of a speech prepared, but he made a better speech than I could have done. I really do believe in this bill, and I think it is well to say so, because someone has said that repetition is the most important figure of speech.

I see no reason why we should not have the option of this new system. It has been called absurd and perhaps stronger names than that, but, nevertheless, other states have it and those states like it. I know in a certain state in the central west where both of these methods are followed, but the tendency is towards this new method, so that it gives promise of superseding the old method entirely. I believe in this bill, and I hope you may see fit to vote for it.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. McGlauffin, that the House accept the minority "Ought to pass" report.

The Chair recognizes the gentleman from Greene, Mr. Sanderson.

Mr. SANDERSON: Mr. Speaker and Members of the House: I am very glad to go on record in favor of this bill. It seems to me it would be a desirable measure, and the reasons that tend to form this opinion in my mind are these:

First: It would tend to minimize or eliminate certain undesirable features in the operation of the present method of entering the State primaries.

Second: It would enable a candidate of moderate means to become a candidate for a State office or for Congress.

Third: It would produce an amount of revenue to the State which would reduce or eliminate the net cost of the primary election.

Fourth: It seems to work well where it is in force.

Fifth: It is not compulsory for candidates, but is optional.

Sixth: The comparison of the two methods would enable our voters to decide more intelligently as to any possible future action regarding the primaries.

For these reasons, I hope the motion of the gentleman from Portland, Mr. McGlauffin, that the minority "Ought to pass" report be accepted, will prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. McGlauffin, that the House accept the minority "Ought to pass" report. All those in favor of the motion of the gentleman from Portland, Mr. McGlauffin, that the House accept the minority "Ought to pass" report will say aye; those opposed no.

A viva voce vote being taken, the motion to accept the minority "Ought to pass" report did not prevail.

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

Divided Reports

Majority Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to the Personnel Law" (H. P. 1445) (L. D. 759)

Report was signed by the following members:

Messrs. McGLAUFNIN of Portland
 PAYSON of Portland
 GRUA of Livermore Falls
 HINCKLEY of So. Portland
 BRIGGS of Hampden
 MILLS of Farmington

—of the House.

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

Report was signed by the following members:

Miss LAUGHLIN of Cumberland
 Messrs. FARRIS of Kennebec
 HARVEY of York

—of the Senate.

WILLIAMS of Bethel

—of the House.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Grua.

Mr. GRUA: Mr. Speaker, I move the acceptance of the majority report.

The SPEAKER: The gentleman from Livermore Falls, Mr. Grua, moves that the House accept the majority report "Ought to pass".

The Chair recognizes the gentleman from Weston, Mr. Bubar.

Mr. BUBAR: Mr. Speaker and Members of the House: This bill on paper is a very innocent-looking one and does not take up much space, but I believe the bill in itself is a little more far-reaching than it looks, because it takes this bureau, which started out very small and it increases their power. It gives the hired man a chance to tell the boss what to do.

If you will look at the bill, L. D. 759, at the present time the heads of departments have a hard job to pick who they want, because this department tells the heads of the different departments when they need some help that they can take this person or leave them, and it is not always what they want and what they need. Therefore I hope that the motion of the gentleman from Livermore Falls, Mr. Grua, will not prevail.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Grua.

Mr. GRUA: Mr. Speaker, I had not thought it would be necessary to speak on this measure. This is designed to clear up a somewhat doubtful point in the present law as to whether confirmation of the appointment of clerks and subordinate officials in the Department of State should go to the Governor and

Council for approval. We feel that this is a very minor detail and should be in the hands of the Personnel Board, and that the Governor of the State, and the Council, who are drawing twenty to twenty-five dollars a day, should not have their time taken up with these useless and senseless little matters. Furthermore, we feel by taking away the power from the Governor and Council to approve these minor appointments, there will not be so many people going to the Council to get themselves a position or a job with the State of Maine.

I believe it is a very desirable measure because it will tend further to take all this clerical help out of politics, and I think it is very unnecessary that any of these minor clerks should come before the Governor and Council for approval. I hope you will go along with the committee and adopt this measure.

The SPEAKER: The question before the House is on the motion of the gentleman from Livermore Falls, Mr. Grua, that the House accept the majority "Ought to pass" report. All those in favor of the motion of the gentleman from Livermore Falls, Mr. Grua, that the House accept the majority "Ought to pass" report will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and the majority "Ought to pass" report of the committee was accepted.

The SPEAKER: Is it the pleasure of the House that the rules be suspended in order to permit the House to take up out of order an additional paper from the Senate?

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, April 21, 1941, at 11 o'clock in the forenoon (S. P. 559)

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

In the House, the Order was read and received passage in concurrence.

Ought Not to Pass Report Tabled

Mr. Robie from the Committee on Education reported "Ought not to pass" on Bill "An Act relating to Apportionment of School Funds" (H. P. 462) (L. D. 200)

The SPEAKER: The Chair recog-

nizes the gentleman from Calais, Mr. Murchie.

Mr. MURCHIE: Mr. Speaker, I do not rise in opposition to the "Ought not to pass" report. The fact is, I am more or less in favor of it; but I have been told by the Chairman of the Committee on Education that there was a situation that they wanted to clarify; therefore I am asking that the matter be tabled pending submission of that amendment which will be explained when the time comes.

The SPEAKER: The gentleman from Calais, Mr. Murchie, moves that this report and accompanying papers lie on the table pending acceptance of the report. Is this the pleasure of the House?

The motion prevailed and the report and accompanying papers were so tabled.

Mr. Small from the Committee on Education reported "Ought not to pass" on Bill "An Act Decreasing the Subsidy Contributed by the State relative to Industrial Education" (H. P. 791) (L. D. 306) as it is covered by other legislation.

Report was read and accepted and sent up for concurrence.

Ought to Pass with Committee Amendment

Mr. Briggs from the Committee on Judiciary on Bill "An Act to Incorporate the Wiscasset Foundation" (H. P. 1156) (L. D. 501) reported "Ought to pass" as amended by Committee Amendment "A."

Report was read and accepted.

Mr. Payson from the Committee on Judiciary on Bill "An Act Amending Certain Laws to Limit the Powers of the Council" (H. P. 99) (L. D. 64) reported "Ought to pass" as amended by Committee Amendment "A."

The SPEAKER: Is it the pleasure of the House to accept the "Ought to pass" report of the committee?

The Chair recognizes the gentleman from Houlton, Mr. McGillicuddy.

Mr. MCGILLICUDDY: Mr. Speaker, I move that the matter lie on the table.

The SPEAKER: The gentleman from Houlton, Mr. McGillicuddy, moves that the report, with accompanying bill, lie on the table pending acceptance of the report.

All those in favor of the motion of the gentleman from Houlton, Mr. McGillicuddy, that the report and bill lie on the table pending acceptance will say aye; those opposed no.

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

Thereupon, the House voted to accept the report of the committee, "Ought to pass as amended by Committee Amendment "A".

First Reading of Printed Bills

Bill "An Act to Provide a Police Commission for the city of Biddeford" (I. B. 1) (L. D. 1158)

Bill "An Act relating to Elections in the City of Biddeford" (I. B. 2) (L. D. 1159)

Bills were read twice and assigned for third reading the next legislative day.

Passed to Be Engrossed

Bill "An Act relating to the Manufacture and Sale of Cider" (H. P. 1560) (L. D. 849)

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

Mr. BUBAR: Mr. Speaker and Members of the House: This bill had a hearing before the Committee on Temperance, and the Committee on Temperance reported it unanimously "Ought not to pass." Then the proponents of the measure came along and wanted to present an amendment. The amendment has not come along, so I think the report of the Committee on Temperance should still hold good.

The intent of the bill may be all right, but the way the bill is drawn up it would appear to me, as it appeared to the members of the committee—and we had some legal talent on that committee—that the bill was not at all practical, that it would not accomplish the things which it was intended to accomplish.

It was intended to help the farmers of our State, that is the apple-growing farmers. Being from a farming district, if there is anything that will help the farmers I am in favor of it. But this is to provide for the manufacture and sale of hard cider by our State through the Liquor Commission, that is to force the Commission to buy hard cider and put it on sale in our local stores.

The farmers, the applegrowers, think they should not be discrim-

inated against by letting the wheat farmers get away with all the beer, and with their superior product they felt they should not be barred from the market.

They tell me they can make better than ten gallons of hard cider from one barrel of cull apples. One hundred barrels of cull apples would make a thousand gallons of hard cider. One thousand barrels would make ten thousand gallons of hard cider. That is a lot of hard cider.

These farmers talk in bushels. Up in our section we can understand it better by speaking of barrels. You can see we are going to drink a tremendous amount of cider before it is going to do the farmers of our State very much good. Therefore, without taking any more of your time, I think you can see the folly of the whole thing, and I am going to move the indefinite postponement of the measure.

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

Mr. LAMBERT: Mr. Speaker and Members of the House: I happen to be in a town where I believe the largest cider mill in the State is located. That is Mr. Mosher's mill. He told me two weeks ago when he came over here that at the present time he is manufacturing vinegar out of his cider and that the vinegar market today was six cents a gallon, and that is all he was getting for his vinegar. He has a large plant that operates all the time, and you can just imagine, if he gets six cents a gallon for vinegar, how much he can pay the farmers for his apples.

If this bill passes you will get additional revenue for the State and additional revenue for the farmers, because of the fact that Mr. Mosher and plenty of others will be able to put cider on the market through the liquor store and therefore would increase his revenue, meaning he would pay more to the farmers for his apples. I think this is a wise bill.

The bill was before the Temperance Committee and the Temperance Committee thought enough of the bill to refer it to the 91st Legislature when it was first reported out of committee, because it had some merit. I believe the bill has got merit enough to pass. I think

we can help the farmers out a lot by accepting this bill. I hope the motion of the gentleman from Weston (Mr. Bubar) does not prevail.

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

Mr. GOODRICH: Mr. Speaker, as I have an amendment, I move that the bill lie on the table and be specially assigned for next Monday.

The SPEAKER: The Chair will state that a motion to amend is in order at the present time, if the gentleman would care to offer his amendment.

The gentleman from Palmyra, Mr. Goodrich, offers House Amendment "A" and moves its adoption.

The Chair will state that under the rules a motion to amend takes precedence over a motion to indefinitely postpone.

The question before the House is on the motion of the gentleman from Palmyra, Mr. Goodrich, that the House adopt House Amendment "A".

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

Mr. LEAVITT: Mr. Speaker, I move that the matter lie on the table until it has been mimeographed, so that we can read it.

The SPEAKER: The Chair will state that under the rules, the amendment, not having been reproduced, it will lie on the table for reproduction and distribution.

The Clerk will read the amendment.

House Amendment "A" to H. P. 1560, L. D. 849, "An Act Relating to the Manufacture and Sale of Cider."

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

Sec. 1. Sale of Cider, regulated. The Maine state liquor commission is authorized and empowered to issue licenses under this act for the manufacture and warehousing of hard cider from apples grown in Maine; the annual fee for such license shall be \$100, and such license shall expire on August 31st of the year next issuing.

Sec. 2. Licenses. Such License shall be given only to such persons,

firms and corporations, and in such localities as the said commission may deem advisable.

Sec. 3. Bonds. Before entering upon the business of manufacturing hard cider, the licensee shall give to the state of Maine a bond, approved by said commission in such amount as it may deem necessary, conditioned that the licensee shall conform to all provisions of law and to the rules and regulations of the commission and particularly as to the grade of apples, and cleanliness in manufacturing it may require, and keep and store the same in containers furnished by the commission, and to deliver on order of the commission to vendors sold by them in such containers as they may specify.

Sec. 4. Records. The licensee or operator of a cider mill operating under the provisions of this act shall keep an accurate record in detail showing the date and number of bushels by weight of apples received at such mill, the number of gallons of cider manufactured therefrom, the name of the owner, and the place in the state where such apples were grown, together with such other information as may be required by the commission, and process the same in conformity with the regulations of the commission.

Sec. 5. Notice to the commission of quantity. On or before September 1 in each year, any person, firm or corporation, hereinafter called owners, desiring to sell cider to said commission shall notify it in writing of the estimated number of gallons such owner will sell to the commission in the calendar year next following, and the locality wherein the apples from which cider is to be manufactured are to be raised. Upon the acceptance by the commission of the offer of such owner, such owner shall deliver to the mill the number of bushels of apples, gallonage to be governed by ratio determined by test. A negotiable warehouse receipt due in 30 days from the date for 40% of the established retail price shall be given to all such owners. Warehouse owner or operator shall from time to time make a test certain of the number of gallons of cider made from a bushel of apples. In case the offering for sale of cider in any year is greater than is needed by the commission, the purchase of the

cider from the various owners shall be on a pro rata basis. Estimates shall be checked by an agent of the commissioner of agriculture.

Sec. 6. Cider, how sold. All licenses granted to dealers in malt liquors shall contain an endorsement to the effect that the licensee is authorized to stock and sell cider containing more than 1% of alcohol by volume purchased of said commission. The said commission is authorized and directed to sell such cider when containing more than 1% of alcohol by volume to the same licensees to whom it has granted licenses to sell malt liquors and such cider shall be sold by them as is provided for the sale by them of malt liquors and at prices established by the commission.

Sec. 7. Containers. For all containers, said licensee shall pay the commission a reasonable sum fixed by it, and upon the return thereof in good condition a credit equal to the original charge therefor shall be made to the licensee. The commission shall cause each and every container taken from a warehouse, for sale, to be labeled, marked or branded as to the quantity contained in it, the place of origin and the approximate per cent of alcoholic content by volume.

Sec. 8. Disposal of proceeds. When the cider is bought by the licensees as aforesaid, they shall receive a discount of 20% of the sale price, the state retains the remaining 40% as a profit and reimbursement for monies spent.

Sec. 9. Appropriation. The use of that part of the appropriation as set up for the liquor commission necessary to carry out the provisions of this act, not to exceed \$100,000, is hereby authorized.

Sec. 10. May ship outside state. The commission is authorized to ship cider out of the state under such regulations as it may prescribe.

Sec. 11. Penalty. Whoever, other than the licensees as specified in this act, sells cider of more than 1% of alcoholic contents by volume shall be guilty of a misdemeanor and punished by a fine of not less than \$50 nor more than \$200, or by imprisonment for not less than 30 days nor more than 90 days or by both such fine and imprisonment.

Sec. 12. Repealing clause. All acts and parts of acts inconsistent

with this act are hereby repealed.'

The SPEAKER: The amendment will lie on the table for printing under the rules.

Passed to be Engrossed (Continued)

Resolve Providing for the Payment of Certain Pauper Claims (H. P. 1919) (L. D. 1157)

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

Amended Bills

Bill "An Act relating to Hours of Employment" (S. P. 524) (L. D. 1085)

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

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

Mr. PIERCE: Mr. Speaker and Members of the House: For the reasons that I endeavored to express to you yesterday, I am personally opposed to this bill. I move its indefinite postponement, and I move when the vote is taken it be taken by a division.

The SPEAKER: The gentleman from Bucksport, Mr. Pierce, moves the indefinite postponement of this bill. The Chair recognizes the gentleman from Bath, Miss Deering.

Miss DEERING: Mr. Speaker, it is rather difficult when a woman has a lot to say in a matter like this, but this bill interests me very much, and, whatever I may say, I want you to realize I am sincerely working for the interests of the working man or woman.

This bill is of interest to people in my section who have never been interested in politics before, and some of those who have asked me about my stand on this bill have amazed me because I did not believe they knew I was a member of the Legislature, and they were people who ordinarily pay no attention to politics. They want this bill. The man or woman working for a living wants this bill.

As it is now, you take our shirt factory in Bath; they have a flood of orders coming in for army mack-inaws, and they can work just so many hours. In fact, these people are begging to work and there is no way under the present law they can work. In fact, they beg to work, and there is no way they can work. This bill allows them to do it. It says forty-eight hours a week,

all overtime at a rate of pay to be agreeable to employer and employee, but not to be less than the regular monthly wage. They want it. Why should they not have it? Why should not we give them a helping hand?

In the small shipyards last spring many men who had no work all winter long had a chance to work, but they are allowed to work just so many hours and no more. They have all these orders coming in; all these chances to go to work, but, after they have worked so many hours they can work no more. This is the one time in the year when we can work, the one time we can make some money. Is there not any way we can do it?

They ask the employer if he won't please let them work. He can not. He tells them the group came down and said you know the rules are so many hours and no more. Why can they not work if they want to. Why can not they earn money enough to tide them over in the slack time so their wives and children will have more clothes to wear and more food to eat?

Why can not the widow with children who is working to put them through school go on working? She is willing to cooperate with the employer. That is the best way in the world to have better feeling between the employer and the employee. They always get along all right.

There may have been a few instances where it has been abused, but I still do not think that the employer is the big, bad wolf you have made him. In fact, I do not know but what it is getting to be the other way; the working man is not objecting to the employer so much now as the employer is to the idea he cannot work when he has a chance and wants to. If you are ever going to help the working person this is your chance to do it right here.

In the summer time, in your smaller communities, they have more work to do, more of a chance to earn a living so that they can have something with which to get through the slack months of the winter. Why can they not do it? Why can you not let them go along and have this? If you are really trying to help the working person, here is your chance. They want to

work and they are ready to go ahead.

When this bill came up I sat all through the hearing and there was no opposition. The worker, the employer and the labor group were all here.

Right now we are having a boom. People who have not worked for years have a chance to work. They are going to need that money in a few years' time. As Mr. Newell said the other day, the tide is coming in now, and it is going to flow away on an ebb we never have seen before. These people are going to need every cent they earn. I hope, when you vote, you will stop and think of the working person, the man who is struggling for bread and clothes.

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

Mr. **PIERCE**: Mr. Speaker, I have here a copy of the labor laws of Maine. There is not an article in here that concerns the hours in any way of men in the State of Maine. It does concern women. This proposed bill would take off the limit which women can work and allow them to work for fifty-four hours. That bill has been in effect since 1915. I believe I speak for organized labor when I say that labor wants that kept as it is, and I believe, speaking for the Commissioner of Labor, that he wants it kept, and I know I speak for the working women, that they want it kept. There is nothing that prohibits a man from working as long as he wants to.

The **SPEAKER**: The Chair recognizes the gentleman from Farmington, Mr. Mills.

Mr. **MILLS**: Mr. Speaker, I think the feeling behind this bill is that the present law, the fifty-four hour law, discriminates against women. I do not believe that is true. I believe that fifty-four hours, six nine-hour days for women is a recognition of the fact that women are not physically as strong and capable of working as long hours as our men. I believe if you talk with women working in restaurants and laundries they will agree with you that law which was placed on the books in 1915 was a good law.

You notice the law went through the World War period without being removed. In the hysteria of the moment are we going to remove that basic law of the State which we find

in many other states of the union, which is based entirely upon health, with no intention upon the part of the American Federation of Labor to oust women from their jobs?

I do not believe it is a hardship to women and minors to say they shall not work more than nine hours six days a week. Many states have much lower standards, in fact I would like to have you hear what some other women have had to say about this.

In 1940 the Women's Bureau of the United States Department of Labor made a study in Maine at the request of the Department of Labor and the League of Women Voters. In speaking of the prospects of wage and hour limitations for women they said:

"There is no foundation for the fear that making the low-paying employers raise wages to the level of the better employers will cause the displacement of women by men."

The same thing would prevail in regard to hours, and I do not believe there will be any instance in Maine where women would lose their jobs and would be replaced by men if we leave the fifty-four hour law on the books as it is.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Bucksport, Mr. Pierce, that this bill be indefinitely postponed. The Chair recognizes the gentleman from Winslow, Mr. Belanger.

Mr. **BELANGER**: Mr. Speaker and Members of the House: I want to go on record at this time as favoring the motion of the gentleman from Bucksport, Mr. Pierce, because I feel that even though there may be, as Miss Deering says, some women who would like to work a little longer hours than they are allowed under this act, I feel the present law on our statute books protects all of the women.

I have always been in favor of any law that might protect labor, be it men or women. I think Mr. Pierce pointed out to you this act does not affect men in any way. It merely sets a ceiling for the number of hours that any employer may employ women.

In answer to some of the arguments that some of the speakers have given you this morning, I might say some of these employers were behind this act because they felt they might have an emergency

period or it might be necessary for them to work those women more hours. I say to them: "Go out and hire some of these other women who would like to be working and who are not working, rather than work your present force more than fifty-four hours a week." For that reason, I am in favor of the motion of the gentleman from Bucksport, Mr. Pierce.

Mr. SHESONG of Portland: Mr. Speaker, I want to support the position of the gentleman from Bucksport, Mr. Pierce. I think that a law that has been on our books for twenty-five years and has worked so well should be kept there. Unless there is something about present conditions which warrants a change, I certainly am not in favor of changing it at the present time.

The SPEAKER: The Chair recognizes the gentleman from Bath, Miss Deering.

Miss DEERING: Mr. Speaker and Members of this House: This is the second time that I have arisen for this bill. If I cannot make myself understood this time, I do not have another chance to do it. I realize that. I think I am going to need some more help here.

At the present time, it is fifty-four hours a week. There are many places where they are working over fifty-four hours a week, and nothing is being done for those people. These are the workers that I contacted.

I took this bill to the workers. We read it and we interpreted it. I did not go to the employers on this bill. I have not been to one employer, on this bill. I went to the workers, the people who are doing the work and earning the wages. They want it.

Now, you say that it is not going to take any chance away from a woman. I am afraid you are mistaken.

In a laundry a woman works fifty-four hours. That is all she can do. They will put in men who can run those mangles. They put in men to run those machines. A woman cannot work except just so long, and that is the end of it. With this, it is a forty-eight hour week, but she can go on. Forty-eight is supposed to be the ceiling, but fifty-four is not the ceiling now. They say it is, but it is not.

The people who are working over fifty-four hours a week are not get-

ting that much more money, but this way, they will get it. They will work forty-eight hours. Then, if they are willing to work over, they will get a rate less than their regular hourly wage. It gives them a chance to earn some extra money.

There are many occupations that the men and boys can take over. Naturally, some employers have said that they would go along and hire young boys, cheaper than they get the women. They could work the young boys longer.

But I, am honestly speaking for the working person. Someone has spoken of the League of Women Voters—the people I am speaking for do not know a thing about the League of Women Voters. They have to work for a living. They get up early in the morning and go to work. They work hard all day long, to make a living—and they are not getting much for it, either.

They would like to be able to earn more, and this is their last chance.

Please stop and think of the worker—the person who is involved, the person who is making a living that way, rather than your Labor Commissioner or labor group. Think of the working person, who is staggering under those conditions, and who knows what he or she wants. They are asking for it.

Please, when you are thinking this over, think of them. Think of what they are going to do, and not your labor group and the rest of them, who are sitting by, watching what is going on. These people are right in the middle of it, and they know what they want.

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

Mr. McGLAUFFIN: Mr. Speaker and Members of the House: I am going to say just one word in favor of the contention of the gentleman from Bath, Miss Deering, and that is this.

The war is not going so well with England, and I venture to say that women are not confined to fifty-four hours a week in England, in this emergency.

We do not know what is going to happen in this country in the near future.

I do not think that we should put limits to hours and wages at this time.

The SPEAKER: The Chair recognizes the gentleman from Monticello, Mr. Good.

Mr. GOOD: Mr. Speaker, I just want to say a word or two. It seems to me, if I understand it right, that under the present conditions, that a woman cannot work any more than fifty-four hours, no matter how bad she wants to work.

Just as the gentleman from Portland, Mr. McGlauffin, has said, there may come a time in the near future when the men are going out of the country and they are going into training camps. We may need some extra help, and a little longer hours.

I just want to register myself as favoring the bill.

The SPEAKER: The Chair recognizes the gentleman from Fal-mouth, Mr. Dow.

Mr. DOW: Mr. Speaker, I have been an employer of labor in a small way for five or six years.

I want to say, not only for myself but many others in this State who are in the same situation, that I am very much in favor of this bill.

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

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

Mr. BROWN: Mr. Speaker and Members of the House: For about thirty years that I know of, we have tried in every way to reduce the working hours of women and minors in this State,—and also in other states.

Now, we say we have a ceiling of fifty-four hours, and this will remove that.

Just let me tell you this—it is not the women that want to work this over-time. There is something else beside that.

I say that we have got a good law, and we had better stick to it.

The people in factories are already protected by Federal law but a lot of others in the State are not protected.

And by putting this new law into effect, they could be worked day and night with a very slight increase in wages.

I want to go along with the gentleman from Bucksport (Mr. Pierce).

The SPEAKER: The Chair rec-

ognizes the gentleman from Farmington, Mr. Mills.

Mr. MILLS: Mr. Speaker and Members of the House: I would not rise again except for the fact that an argument has been raised that I think is completely answered by the law.

It has been stated that due to the war emergency, we do not want that absolute ceiling of fifty-four hours and that we would be hamstrung. The law says, at the present time, that in cases of emergency and in cases of extraordinary public requirements, the provisions of sections 21-27—and those are the ones that we are talking about—shall not apply to employees engaged in public service.

There is ample law today to take care of any emergency which may arise.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Southard.

Mr. SOUTHARD: Mr. Speaker and Members of the House: I am sorry to say that I do not like to get up and talk, either, but, as a lawyer, I feel that the clause that the gentleman from Farmington, Mr. Mills, has just read about employees in public service and in times of emergency does not refer to a state of war, and does not refer to any industry other than those directly engaged in public service,—like utilities, et cetera.

The public emergency referred to under that law, I am informed, and I am pretty sure, refers to riots, floods, and that sort of thing.

The SPEAKER: The Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker and Members of the House: It seems to me that we are all getting very excited about this war craze. We are not at war, yet. We hope that we are not going to be at war.

But, when that time comes, your Honorable Governor has the power to call the Legislature into session, if necessary.

But, as the gentleman from Farmington, Mr. Mills, says, it is not necessary. The ceiling would automatically come off.

But that law which protected our women through the other war—I want to go on record here as saying "Let us not take it off until it is necessary."

I hope that the motion of the gentleman from Bucksport, Mr. Pierce, prevails.

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

Mr. LEAVITT: Mr. Speaker, I hate to get up on my feet again because I have talked too much in this Legislature already, but I wish to say that if Mr. Pierce's motion is entertained this bill will keep women in a class with minors. We men, we great big, strong, bulky men, are here to protect our weak, frail, more or less unintelligent women. (Laughter)

Now I do not go along with that at all. I have never seen a woman who could not outdance me, stay up all night and eat more than I can. (Laughter) I do not believe they need to be protected by the men. Furthermore, I think their mentality allows them not to be considered as minors. The reason we put minors under protection is because we know that we older people know better than they. We know they should not overtax their strength. But when women get beyond the point of being minors they have got just as much intelligence as we have, so far as I can see. I do not believe we should let a bill stay on our statute books which classes them as minors or says they are not equal to doing as much work as any man. I believe it should be left to their discretion and not to the Legislature to say whether they want to work.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Grua.

Mr. GRUA: Mr. Speaker and Members of the House. I wish to go on record as favoring anything that would help women earn more money. If they can get paid for it and they want to work more than fifty-four hours, I do not believe it is up to us to say they shall not do so. In these times, when it is so hard to earn a living, if there is an opportunity for anyone to work and get paid for it I think they should have that opportunity. I am very much opposed to limiting the hours of work in the hope that thereby we are going to increase employment. I think if a person can get work and get paid for it at least he should have that chance. I do not think that we as legislators have

any right to sit here in our seats and tell those persons they shall not work.

I hope this motion does does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Bucksport, Mr. Pierce, that the bill be indefinitely postponed. The gentleman from Bucksport has asked for a division. Is the House ready for the question?

All those in favor of the motion of the gentleman from Bucksport, Mr. Pierce, that the bill be indefinitely postponed will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had.

Forty-nine having voted in the affirmative and fifty-eight in the negative, the motion to indefinitely postpone did not prevail.

Thereupon the bill was given its third reading and was passed to be engrossed in concurrence.

Passed to be Engrossed (Continued)

Bill "An Act relating to Automobile Junk Yards" (S. P. 539) (L. D. 1117)

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

The SPEAKER: The Chair will state that the Clerk has in his possession another Conference Committee Report just received, which he will read at this time.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to provide Assistance to the Civil Population of England" (H. P. 637) (L. D. 273) reporting that the Committee is unable to agree.

(Signed)

Messrs. WILLIAMS of Bethel

DAVIS of Buxton

CROCKETT of North Haven

—Committee on part of House.

FINDLEN of Aroostook

SNOW of Piscataquis

SANBORN of Cumberland

—Committee on part of Senate

Report was read and accepted and sent up for concurrence.

Passed to be Enacted

An Act Providing State Services for the Blind (S. P. 540) (L. D. 1115)

An Act relating to Cruelty to Animals (S. P. 552) (L. D. 1148)

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

An Act Creating and Establishing a Body Corporate and Politic to be Designated and Known as the Maine State Office Building Authority (S. P. 553) (L. D. 1149)

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Murchie.

Mr. MURCHIE: Mr. Speaker, again I do not rise in opposition to this bill, but I would like to call the attention of the Members of the House to the fact that they must recognize in a supplementary bill the item of expense that may be involved in the passage of the bill. The thought is that due to possible retirement and interest and other items, it may be necessary for the Appropriations Committee to set up a fund to meet the situation, perhaps not the first year but pretty surely the second. I just want to call that to the attention of the Members.

Passed to Be Enacted (Continued)

An Act relating to Tuition for Indian Scholars in Elementary Schools of Old Town (H. P. 297) (L. D. 107)

An Act relating to Health Officer for Penobscot Tribe of Indians (H. P. 1349) (L. D. 802)

An Act relating to Schools at Pleasant Point and Peter Dana's Point (H. P. 1350) (L. D. 803)

An Act relating to the Penobscot Tribe of Indians (H. P. 1351) (L. D. 804)

An Act relating to Representation of Indian Tribes at the Legislature (H. P. 1352) (L. D. 805)

An Act relating to the Penobscot and Passamaquoddy Tribes of Indians (H. P. 1353) (L. D. 806)

An Act relating to the Passamaquoddy Tribe of Indians (H. P. 1914) (L. D. 1153)

An Act relating to the Adoption of Children (H. P. 1915) (L. D. 1152)

Finally Passed

Resolve to reimburse Aroostook Central Institute for Tuition Owed

by the Town of Blaine (H. P. 585) (L. D. 1151)

Resolve in favor of Joseph L. Perry of Rumford (H. P. 1913) (L. D. 1150)

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

Orders of the Day

The SPEAKER: The Chair recognizes the gentleman from Turner, Mr. Pratt.

Mr. PRATT: Mr. Speaker, I move that we reconsider our action of yesterday whereby we passed L. D. 1033, "An Act to Provide a Jointly Contributory Retirement System for State Employees Except School-teachers."

I will say in support of that motion that you have there, members, a document of twenty pages, and I wonder if you have given it the careful consideration it should have. If you vote to reconsider and vote to table, I will especially assign it so you can study it over the weekend. I think you should have a chance to study it.

The SPEAKER: The Chair understands the gentleman to move to table his motion to reconsider?

Mr. PRATT: No, Mr. Speaker, I move to reconsider.

The SPEAKER: The gentleman from Turner, Mr. Pratt, moves that the House reconsider its action whereby it passed to be enacted H. P. 1783, L. D. 1033, "An Act to Provide a Jointly Contributory Retirement System for State Employees except Teachers."

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

Mr. PAYSON: Mr. Speaker and Members of the House: This is the contributory pension bill which was offered to you by the Recess Committee of which I was a member. It is a long, complicated bill and one that needs considerable study even to understand it. It also affects major policies here in the State. I wish merely to add that I have absolutely no objection to the reconsideration of this bill by this House so that if anyone has any doubt about it, we may take it up and discuss it and you may be fully informed as to what it does do.

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

the gentleman from Turner, Mr. Pratt, that the House reconsider its action of yesterday whereby it passed this bill to be enacted. Is this the pleasure of the House?

The motion prevailed, and the House voted to reconsider its action of yesterday whereby it passed the bill to be enacted; and on further motion by Mr. Pratt, the bill was tabled pending passage to be enacted and specially assigned for Tuesday, April 22.

The SPEAKER: Under Orders of the Day, the Chair lays before the House the first tabled and unassigned matter, House Amendment "A" to Committee Amendment "A" to Bill "An Act Approving the Purchase of Lamoine Coal Depot." (H. P. 446) (L. D. 185) tabled by the gentleman from Bucksport, Mr. Pierce, on April 14th, pending adoption; and the Chair recognizes that gentleman.

Mr. PIERCE: Mr. Speaker and Members of the House: This is another one of the bills about which I know absolutely nothing. I have never seen this property, and I doubt if any person here has ever been down over this property.

As I understand, the University of Maine is utilizing it at the present time for a biological course, which consists of lectures and readings to cover the general field of invertebrate zoology from the systematic phylogenetic viewpoint. I still do not know what it is all about.

I made an appointment next Sunday with the President of the University, the head of the Biological Survey, and the Selectmen of Lamoine to come down and go over the situation so that I can understand it, if you will allow me to retable this bill until next Monday morning, and I so move.

The SPEAKER: The gentleman from Bucksport, Mr. Pierce, moves that the bill lie on the table pending adoption of House amendment "A" to Committee Amendment "A" and be specially assigned for next Monday morning. Is this the pleasure of the House?

Mr. BREWER of Presque Isle: Mr. Speaker—

The SPEAKER: The Chair will have to state that the motion to table is not debatable.

Mr. BREWER: Mr. Speaker, I just wanted to ask if it could be as-

signed for next Tuesday instead of Monday, because I may not be here then.

Mr. PIERCE: Mr. Speaker, I would suggest that it be an unassigned matter.

The SPEAKER: The Chair will inform the gentleman that under the present rule an unassigned matter would automatically be removed from the table on Monday.

Mr. PIERCE: Mr. Speaker, I move that it be especially assigned for next Tuesday.

The SPEAKER: The gentleman from Bucksport, Mr. Pierce, moves that this matter lie on the table and be especially assigned for next Tuesday morning, April 22nd. Is this the pleasure of the House?

The motion prevailed and the bill was so tabled.

The Chair lays before the House the second tabled and unassigned matter, Bill "An Act to Appropriate Monies for the Expenditures of the State Government and for Other Purposes for the Fiscal Years ending June 30, 1942 and June 30, 1943." (S. P. 488) (L. D. 1014) which came from the Senate engrossed as Amended by Senate Amendments "A" and "C". In the House, read twice, Senate Amendment "A" adopted, Senate Amendment "C" indefinitely postponed, and tabled by the gentleman from Perham, Mr. Bragdon, on April 16th, pending third reading; and the Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, owing to certain developments that we are at the moment unable to place before the House, I would like to have this matter tabled and specially assigned for Tuesday morning.

The SPEAKER: The gentleman from Greenville, Mr. Rollins, moves that this bill lie on the table and be especially assigned for next Tuesday morning. Is this the pleasure of the House?

All those in favor of the motion of the gentleman from Greenville, Mr. Rollins, that this bill lie on the table and be specially assigned for next Tuesday will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and the bill retabled pending third reading, and

specially assigned for next Tuesday April 22nd.

The Chair lays before the House the third tabled and unassigned matter, An Act Relating to the Taking and Sale of Clams in the Town of Woolwich, (H. P. 1906) (L. D. 1137) tabled by the gentleman from Boothbay, Mr. Race, pending passage to be enacted; and the Chair recognizes that gentleman.

On motion by Mr. Race, the bill was passed to be enacted and sent up for concurrence.

The Chair lays before the House the fourth tabled and unassigned matter, Bill "An Act Relating to the Inheritance Tax Law" (H. P. 1285) (L. D. 551) tabled by the gentleman from Portland, Mr. Payson, on April 16th, pending passage to be engrossed; and the Chair recognizes that gentleman.

Mr. PAYSON: Mr. Speaker, since the tax law as it was drafted is so far from accomplishing the purpose which it was intended to accomplish, a very considerable redraft of the amendment has to be made, and it has not been possible to complete that in time to give it to you this morning. I am rather loath to do it, but I have to move that this matter be retabled.

The SPEAKER: The gentleman from Portland, Mr. Payson, moves that this bill lie on the table pending passage to be engrossed. Is this the pleasure of the House?

The motion prevailed and the bill was so tabled.

The Chair lays before the House the fifth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Taxation on Bill "An Act Relating to Taxes upon Wines and Spirits" (H. P. 1474) (L. D. 607) tabled by the gentleman from Strong, Mr. Richardson on April 16th, pending motion of Mr. Good of Monticello, to substitute the Bill for the Report.

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

Mr. PAYSON: Mr. Speaker, I now wish to speak in favor of the motion of the gentleman from Monticello, Mr. Good, that the bill be substituted for the report. The reason for this is that this particular measure may be necessary as a vehicle for your general tax struc-

ture. Our purpose is to keep the bill alive so that if it does fit into the general scheme of taxation the Legislature chooses to adopt, we will have a vehicle to carry it along; therefore I go along with the motion of the gentleman from Monticello, Mr. Good, that the bill be substituted for the report.

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, I concur with the motion made by the gentleman from Monticello (Mr. Good), and also subscribe to the point brought out by the gentleman from Portland, Mr. Payson.

The SPEAKER: The question before the House is on the motion of the gentleman from Monticello, Mr. Good, that the bill be substituted for the "Ought not to pass" report of the committee. Is this the pleasure of the House?

The motion prevailed and the House voted to substitute the bill for the "Ought not to pass" report of the committee.

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, I did not speak loud enough. I intended to ask that the rules be suspended and L. D. 607 be given its first two readings at this time.

The SPEAKER: The gentleman from Strong, Mr. Richardson, moves that the rules be suspended and L. D. 607, "An Act Relating to Taxes upon Wines and Spirits" be given its first two readings at this time. Is this the pleasure of the House?

The motion prevailed and the bill was given its first two readings.

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

The Chair recognizes the gentleman from Calais, Mr. Murchie.

Mr. MURCHIE: Mr. Speaker, I am fully in accord with the bill in its present state, but I am in agreement with the gentleman from Portland, Mr. Payson, and the gentleman from Strong, Mr. Richardson, that a further amendment is necessary; and, desiring time in which such amendment can be produced, I ask that the matter be tabled pending the receipt of such amendment.

The SPEAKER: The Chair would suggest to the gentleman that an amendment would be in order when the bill comes up for third reading

next Monday. Does the gentleman from Calais withdraw his motion to table?

Mr. MURCHIE: I will withdraw my motion, Mr. Speaker.

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Richardson.

Mr. Richardson then offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 1474, L. D. 607, Bill, "An Act Relating to Taxes upon Wines and Spirits."

Amend said bill by striking out the second sentence of the second paragraph thereof.

House Amendment "A" was adopted, and the bill was assigned for third reading on the next legislative day.

The Chair lays before the House the sixth tabled and unassigned matter, "An Act Incorporating the Maine Vocational School" (H. P. 1867) (L. D. 1079) tabled by the gentleman from Portland, Mr. Payson, pending passage to be enacted.

Mr. PAYSON: Mr. Speaker, I now move this bill to be passed to be enacted.

The SPEAKER: This bill having had its three several readings in the House and having been passed to be engrossed, and having had its two several readings in the Senate and having been passed to be engrossed, the Committee on Engrossed Bills having reported that it is truly and strictly engrossed, is it now the pleasure of the House that the bill be passed to be enacted?

This is an emergency measure and requires for its passage the affirmative vote of two-thirds of the entire elected membership of this House. All those in favor of the passage of this bill to be enacted will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: One hundred and thirteen having voted in the affirmative and none on the negative, one hundred and thirteen being more than two-thirds of the entire elected membership of the House, the bill is passed to be enacted. It will be signed by the Speaker and sent to the Senate.

The Chair lays before the House the seventh tabled and unassigned

matter, Bill "An Act Relating to Payment of Accounts to the State" (S. P. 46) (L. D. 22) which came from the Senate, passed to be engrossed as amended by Senate Amendment "A" and in the House tabled by the gentleman from Dixfield, Mr. Holman, on April 17th, pending third reading; and the Chair recognizes that gentleman.

Mr. HOLMAN: Mr. Speaker, an amendment is being prepared which is not on our desks this morning. I move that the bill be retabled.

The SPEAKER: The gentleman from Dixfield, Mr. Holman, moves that the bill lie on the table pending third reading. Is this the pleasure of the House?

The motion prevailed and the bill was so tabled.

The Chair lays before the House the eighth tabled and unassigned matter, House Amendment "A" to Bill "An Act Amending the Gasoline Tax Act." (H. P. 1239) (L. D. 500) tabled by the gentleman from Portland, Mr. Payson, on April 17th pending the motion of same gentleman to indefinitely postpone; and the Chair recognizes that gentleman.

Mr. PAYSON: Mr. Speaker, as I stated to the House yesterday, the reason for my motion to indefinitely postpone was in order to get the information as to how much this will cost the State if this amendment goes through. The information, as I have obtained it from the Tax Assessor's office, indicates that the figure would be only seven or eight thousand dollars a year on the average out of Highway funds.

I had heard rumors that the amount might be sixty or seventy thousand dollars, and I was interested; but, with this information, which I feel to be accurate, that the loss to the State is only six or seven thousand dollars a year, and the fact the amendment is evidently fair in spirit, I ask leave to withdraw my motion to indefinitely postpone the amendment.

The SPEAKER: The gentleman from Portland, Mr. Payson, asks leave to withdraw his motion to indefinitely postpone House Amendment "A". Is this the pleasure of the House?

The motion prevailed, and Mr. Payson was given permission to withdraw his motion to indefinitely postpone the amendment.

The SPEAKER: The question before the House is on the adoption of House Amendment "A". Is it the pleasure of the House to adopt House Amendment "A"?

House Amendment "A" was adopted, and, on motion by the gentleman from Strong, Mr. Richardson, under suspension of the rules, the bill was given its two several readings and assigned for third reading on the next legislative day.

The Chair lays before the House the ninth tabled and unassigned matter, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Labor on Bill "An Act Relative to the Employment of Females in Executive, Administrative, Professional or Supervisory Capacities and as Personal Office Assistants". (H. P. 1235) (L. D. 497) tabled by the gentleman from Yarmouth, Mr. Arzonico, on April 17th pending acceptance; and the Chair recognizes that gentleman.

Mr. ARZONICO: Mr. Speaker, as I explained to the House on two

previous occasions, the reason for holding this bill on the table was that the acceptance of the committee report depends entirely on the passage and final enactment of L. D. 1083. In view of the fact that we have not as yet achieved that, I will ask that this matter lie on the table.

The SPEAKER: The gentleman from Portland, Mr. Arzonico, moves that this report and accompanying papers lie on the table and be specially assigned for next Tuesday. Is this the pleasure of the House?

The motion prevailed and the report with accompanying papers was so tabled.

The SPEAKER: The House is proceeding under Orders of the Day. If there be no further business to come before the House, the Clerk will read the notices.

On motion by Mr. Briggs of Hampden,

Adjourned until Monday, April 21st., at eleven o'clock in the forenoon.