

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 25, 1941.

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

Prayer by the Rev. Mr. Withee of Gardiner.

Journal of the previous session read and approved.

House Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to the Personnel Law" (H. P. 1445) (L. D. 759) reporting that the Committee is unable to agree.

(Signed)

Messrs. FLAGG of Portland
GRUA of Livermore Falls
Miss CLOUGH of Bangor
—Committee on part of House.
Miss LAUGHLIN of Cumberland
Messrs. HARVEY of York
DOW of Oxford
—Committee on part of Senate.
Report was read and accepted.

House Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act relating to Licenses and Permits for Outdoor Advertising" (H. P. 1153) (L. D. 357) reporting that the Committee is unable to agree.

(Signed)

Messrs. MEGILL of Belgrade
MILLS of Farmington
GRUA of Livermore Falls
—Committee on part of House.
Miss LAUGHLIN of Cumberland
Messrs. HARVEY of York
FARRIS of Kennebec
—Committee on part of Senate.
Report was read and accepted.

Senate Conference Reports

From the Senate:

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act relating to Inspectors in the Department of Secretary of State" (S. P. 500) (L. D. 1024) reporting that the Committee is unable to agree.

(Signed)

Messrs. LIBBY of Cumberland
ELLIOT of Knox
HASKELL of Penobscot
—Committee on part of Senate.

MURCHIE of Calais
WELCH of Chapman
WILLIAMS of Clifton

—Committee on part of House.

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on L. D. 678, S. P. 365, "An Act relating to Arrests in Criminal Cases," reporting that the Committee is unable to agree.

(Signed)

Messrs. HARVEY of York
FARRIS of Kennebec
Miss LAUGHLIN of Cumberland
—Committee on part of Senate.
Messrs. WILLIAMS of Bethel
CONANT of Auburn
DOWNS of Rome
—Committee on part of House.
Came from the Senate, read and accepted.
In the House, read and accepted in concurrence.

Final Reports

From the Senate:
Final Report of the Committee on Claims.
Final Report of the Committee on Indian Affairs.
Came from the Senate read and accepted.
In the House, were read and accepted in concurrence.

Senate Report—New Bill—Ought to Pass

Report of the Committee on Appropriations and Financial Affairs, acting under authority of Joint Order, H. P. 1618, reporting a Bill under title of "An Act Making Supplemental Appropriation for Overdrafts already Incurred Due to Insufficient Appropriations and Anticipated Overdrafts and Other Obligations for which no Legislative Appropriations have been Made" (S. P. 568) (L. D. 1172)

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

In the House, Report was read and accepted in concurrence, and the Bill was read twice.

Under suspension of the rules, the bill had its third reading and was passed to be engrossed in concurrence.

Non-concurrent Matter

From the Senate:
Bill "An Act Creating a Tax on

Cigarettes" (H. P. 1925) (L. D. 1164) which was passed to be engrossed as amended by House Amendment "A" in the House on April 22nd.

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

The SPEAKER: Is it the pleasure of the House to recede from its action whereby this bill was passed to be engrossed?

The House thereupon voted to recede from its action whereby the bill was passed to be engrossed, and further voted to recede from its action whereby it adopted House Amendment "A."

House Amendment "A" was indefinitely postponed.

The SPEAKER: Senate Amendment "A" has been printed in the form of a Legislative Document and has been given Document No. 1173.

The Clerk will read Senate Amendment "A."

Thereupon, Senate Amendment "A" was read by the Clerk and adopted in concurrence.

Mr. Payson of Portland, offered House Amendment "B" and moved its adoption.

House Amendment "B" to H. P. 1925, L. D. 1164, Bill, "An Act Creating a Tax on Cigarettes."

Amend said bill by inserting after the title thereof the following:

'Emergency preamble. Whereas, it is vitally necessary to provide for new taxes in order to take care of the aged and dependent, and

Whereas, the machinery for the collection of any new tax cannot be set up immediately, and the state will not be able to utilize the revenue until the new system is set up, and

Whereas, any loss of revenue will handicap the whole program of relief, and cause much suffering to our aged and dependent, and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine, and require the following legislation as immediately necessary for the preservation of public peace, health and safety; now, therefore,'

Further amend said bill by adding at the end thereof the following:

'Emergency clause. In view of the emergency cited in the preamble, this act shall take effect June 1, 1941.'

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

Mr. PAYSON: Mr. Speaker and Members of the House: Of course the purpose of this preamble is perfectly obvious to all. We are trying to work out a tax program to take care of the measures which we have undertaken and hope to accomplish. The delay of this tax going into effect until July, which would be the normal delay without this preamble, will mean a loss of a considerable amount of revenue. It will also create a situation which is better known to the Appropriations Committee than it is to me, and I hope there is some member of the committee who will explain that phase of the situation.

I believe that this is a true emergency, and that we should do our work and carry it through to completion. I remember the 88th Legislature in which we passed a general sales tax and tied it up with Old Age Assistance and with Education, and, in the campaign that followed, which was very well financed and very well handled, the people were told that the Legislature did not need any more money to carry out Old Age Assistance and Equalization of Education. They were sold on that story up and down this State and they believed it, and they killed the sales tax. I can conceive of the same tactics being used with this bill on the referendum. I therefore hope that the emergency will be adopted.

The SPEAKER: The question before the House is on the adoption of House Amendment "B." Is it the pleasure of the House that House Amendment "B" be adopted? All those in favor of the motion of the gentleman from Portland, Mr. Payson, that House Amendment "B" be adopted will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and House Amendment "B" was adopted.

The SPEAKER: The Chair recognizes the gentleman from Thomaston, Mr. Smith.

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

The SPEAKER: The Chair will inform the gentleman that the vote has already been taken and declared.

Thereupon the bill was passed to be engrossed as amended by Senate Amendment "A" and House Amendment "B" in non-concurrence and sent up for concurrence.

Non-Concurrent Matter

From the Senate:

Bill "An Act relating to Taxes upon Wines and Spirits" (H. P. 1474) (L. D. 607) which was passed to be engrossed as amended by House Amendment "A" and as amended by House Amendment "C" as amended by House Amendment "A" thereto.

Came from the Senate passed to be engrossed as amended by House Amendment "A" and as amended by House Amendment "C" as amended by Senate Amendment "B" thereto, in non-concurrence.

In the House:

The House voted to recede from its action whereby it passed this bill to be engrossed, and further voted to recede from its action whereby it adopted House Amendment "C" as amended by House Amendment "A" thereto.

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

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

Amend said amendment "C" by adding to the first sentence thereof the following:

"...excepting only that spirits and wines sold at wholesale under the provisions of section 5 of chapter 301 of the Public Laws of 1933, as amended, may be sold at wholesale prices established pursuant to the provisions thereof."

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

Mr. PAYSON: Mr. Speaker, may I inquire whether or not House Amendment "A" to House Amendment "C" was adopted in the Senate? It does not so show on the printed calendar.

The SPEAKER: The Chair will state that the endorsement appears to show that House Amendment "C" as amended by House Amendment "A" was adopted in the Senate. The question before the House is on the adoption of Senate Amendment "B" to House Amendment "C".

The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, I think perhaps I do not understand this amendment. I wonder if it means that the increase of five per cent will not apply to wholesale sales of liquor. I would like that information before I vote.

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

Mr. PAYSON: Mr. Speaker, the amendment is intended to preserve the right of the hotels to purchase at a ten per cent discount which has already been granted earlier in this Legislature. It was feared that the bill as written would compel the Liquor Commission to sell to the hotels at the full retail price. This Legislature has already granted them the right of wholesale purchases and this amendment is intended only to protect that right of wholesale purchases by hotels.

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

Mr. MURCHIE: Mr. Speaker, I might say in addition to the explanation of the gentleman from Portland (Mr. Payson) that it is my understanding it is nothing but an attempt to clarify the law. It seemed to come from the Department of Audit that the process under which they were going along was not quite legal, and this is wholly an attempt to clarify the law and straighten it out so that what they are doing would be legal.

The SPEAKER: Is it the pleasure of the House to adopt Senate Amendment "B" to House Amendment "C"?

Thereupon Senate Amendment "B" to House Amendment "C" was adopted.

The SPEAKER: Is it now the pleasure of the House that House Amendment "C" as amended by House Amendment "A" and by Senate Amendment "B" thereto be adopted?

The House thereupon voted to adopt House Amendment "C" as amended by House Amendment "A" and Senate Amendment "B" thereto, and the bill was passed to be engrossed as amended in concurrence.

On motion by the gentlewoman from Brunswick, Miss Bangs, House Rule 25 was suspended for the remainder of today's session.

Non-concurrent Matter

From the Senate:

Bill "An Act relating to the Inheritance Tax Law" (H. P. 1285) (L. D. 551) which was passed to be engrossed as amended by Senate

Amendment "A" and as amended by House Amendment "A" in the House on April 21st.

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

In the House:

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

Mr. PAYSON: Mr. Speaker, I understand that the Appropriations Committee has taken into account the loss of revenue which will accrue from Senate Amendment "A." I expect to have reasonably accurate information within a half hour from the Inheritance Tax Commissioner's office. I therefore move that the bill be laid on the table pending the arrival of that information.

The SPEAKER: The gentleman from Portland, Mr. Payson, moves that this bill and accompanying papers lie on the table. Is it the pleasure of the House?

Thereupon, the motion prevailed, and the bill and accompanying papers were tabled further consideration.

Non-concurrent Matter

From the Senate:

Bill "An Act relating to Automobile Junk Yards" (S. P. 539) (L. D. 1117) which was passed to be enacted in the House on April 23rd and passed to be engrossed in the House on April 18th as amended by House Amendment "A" in non-concurrence.

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

In the House:

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

Senate Amendment "A" to S. P. 539, L. D. 1117, Bill, "An Act Relating to Automobile Junk Yards."

Amend said bill by striking out in the 6th line of Section 5 thereof the words "or unorganized township" and substituting in place thereof the following: '(or to the county treasurer for the use of the county in the case of an unorganized township)'.
Thereupon, the House voted to

recede from its action whereby it passed this bill to be enacted, and

further voted to recede from its action whereby it passed this bill to be engrossed.

The House then concurred with the Senate in the adoption of Senate Amendment "A", and the bill was passed to be engrossed as amended by House Amendment "A" and by Senate Amendment "A" in concurrence.

Orders

On motion by Mr. McGlaflin of Portland, it was

ORDERED, that Mr. Megill of Belgrade, be excused from attendance today because of urgent business.

On motion by Mr. Murchie of Calais, it was

ORDERED, the Senate concurring, that the Chaplains of the Senate and House of Representatives be paid the usual compensation according to lists certified to the State Controller by the Secretary of the Senate and the Clerk of the House respectively.

Mr. Martin of Rumford, presented the following Order and moved its passage:

ORDERED, that before the convening of the 91st Legislature the Clerk of the House requisition from the Bureau of Purchases suitable chairs for the members of the House.

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

Mr. PAYSON: Mr. Speaker, I suggest that this is quite a proposition to undertake offhand. If the House insists on voting on it immediately, I should move to indefinitely postpone the order. I would like to have the order lie on the table until we can study it, and I so move.

The SPEAKER: The gentleman from Portland, Mr. Payson, moves that the order lie on the table. All those in favor of the motion of the gentleman from Portland, Mr. Payson, that the order lie on the table will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, and the order was tabled pending further consideration.

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

Mr. LaFLEUR: Mr. Speaker, I would ask the graciousness of the Chair, if he would direct me in my parliamentary procedure, as I discuss a bill.

The SPEAKER: Does the gentleman ask unanimous consent to address the House?

Mr. LaFLEUR: Mr. Speaker, if that is a proper way. I am really serious. I want to proceed properly.

The SPEAKER: The Chair cannot anticipate what the gentleman may want to do.

The gentleman from Portland, Mr. LaFleur, asks unanimous consent to address the House. Is there objection?

The Chair hears objection, and unanimous consent is refused.

Mr. LaFLEUR: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. LaFLEUR: Mr. Speaker, I move that the rules be suspended, in order that I may make a motion that the House reconsider an action taken previously this morning.

The SPEAKER: The Chair will state that under the rules, the motion to reconsider is in order, without the suspension of the rules.

Mr. LaFLEUR: Mr. Speaker, I move you, Sir, then, that the House reconsider its action upon Item 6, "An Act Creating a Tax on Cigarettes."

The SPEAKER: The gentleman from Portland, Mr. LaFleur, moves that the House reconsider its action taken earlier in this morning's session, whereby it passed to be engrossed Legislative Document 1164, "An Act Creating a Tax on Cigarettes."

Mr. LaFLEUR: Mr. Speaker, my reason for proposing that motion is this: Apparently the House has adopted House Amendment "B" to Legislative Document 1164, and if you will take up the last section, the emergency clause, it has the provision that this Act shall take effect June 1st, 1941.

If I understand the law correctly, I say to you frankly that if you pass this amendment in its present form, you will permit the invoking of a referendum on this bill, if I understand the law correctly.

I would like to place—if the House will vote to reconsider its action—I would like to place the bill upon the table, so that we can ascertain

definitely the effect of the emergency clause at the end of this amendment, which puts this law into effect June 1st, 1941.

Now, if we are going to put an emergency upon this Act, let us put an emergency upon it. Do not postpone its effect until June 1st, 1941.

As I understand Section 16 of the Constitution, a referendum can be invoked at any time prior to the effect of the law, and I do not think that is what this House wants.

I think that this House wants to put an emergency upon this bill, which will become law upon the signature of the Governor.

I now press my motion for the reconsideration of that former action.

The SPEAKER: The gentleman from Portland, Mr. LaFleur, moves that the House reconsider its action whereby it passed this bill to be engrossed.

Thereupon, the motion prevailed, and the House voted to reconsider its action whereby it passed this bill to be engrossed.

The SPEAKER: The gentleman from Portland, Mr. LaFleur, moves that this bill lie on the table pending its passage to be engrossed.

The motion prevailed, and the bill was tabled pending passage to be engrossed.

First Reading of a Printed Bill

Bill "An Act relating to the Practice of Chiropractic" (H. P. 1933) (L. D. 1174)

The bill had its two several readings, and under suspension of the rules, was given its third reading and was passed to be engrossed and sent up for concurrence.

Passed to be Engrossed

Bill "An Act to Provide for a Pension for Members of the Fire Department of the city of Auburn" (H. P. 1930) (L. D. 1171)

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

Mr. Conant of Auburn, offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 1930, L. D. 1171, Bill, "An Act to Provide a Pension for Members of the Fire Department of the City of Auburn."

Amend Section 10 of said bill by striking out the underlined word "to" in the 4th line thereof and inserting the underlined words 'which shall' in place thereof.

House Amendment "A" was adopted and the bill had its third reading and was passed to be engrossed and sent up for concurrence.

Passed to be Engrossed (Continued)

Bill "An Act to Provide a Pension for Members of the Police Department of the city of Auburn" (H. P. 1931) (L. D. 1170)

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

Mr. Conant of Auburn, offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 1931, L. D. 1170, Bill, "An Act to Provide a Pension for Members of the Police Department of the City of Auburn."

Amend Section 10 of said bill by striking out the underlined word "to" in the 4th line thereof and inserting the underlined words "which shall" in place thereof.

Thereupon, House Amendment "A" was adopted and the bill had its third reading and was passed to be engrossed and sent up for concurrence.

Passed to be Enacted

An Act relating to Payment of Accounts to the State (S. P. 46) (L. D. 22)

An Act relating to the Parole Board (S. P. 372) (L. D. 688)

An Act to Prevent Fraudulent Advertising. (S. P. 567) (L. D. 1169)

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Porrell.

Mr. FORRELL: Mr. Speaker, I move that Legislative Document 1169, Bill "An Act to Prevent Fraudulent Advertising" lie on the table.

The SPEAKER: The gentleman from Westbrook, Mr. Porrell, moves that Legislative Document 1169, Bill "An Act to Prevent Fraudulent Advertising," lie on the table pending passage to be enacted. All those in favor of the motion will say aye; those opposed no.

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

An Act Approving the Purchase of Lamoine Coal Depot (H. P. 446) (L. D. 185)

An Act Amending the Gasoline Tax Act (H. P. 1239) (L. D. 500)

Resolve Dividing the State into Executive Councillor Districts (S. P. 527) (L. D. 1090)

Resolve Authorizing the Purchase of Property for the State (S. P. 558) (L. D. 1160)

Resolve providing for the Revision of the Statutes (S. P. 561) (L. D. 1163)

Resolve Permitting the Use of the Eastern State Normal School Plant as a Nautical Training School (S. P. 566) (L. D. 1168)

Resolve Authorizing the Improvement of Fort Knox Reservation (H. P. 1889) (L. D. 1086)

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

On motion by the gentleman from Turner, Mr. Pratt, the House voted that all papers acted upon by the House at this morning's session be sent forthwith to the Senate.

The SPEAKER: The House may be at ease to reassemble on the call of the Speaker.

House at Ease

11:50 A. M.

Called to order by the Speaker.

House Committee Reports Ought to Pass in New Draft

Mr. Sanderson from the Committee on Pensions on Bill "An Act relating to Pensions of State Employees" (H. P. 1275) (L. D. 545) reported same in a new draft (H. P. 1935) under same title and that it "Ought to pass"

Mr. Osgood from the Committee on Ways and Bridges on Bill "An Act relieving the Towns from Certain Maintenance Costs on Roads" (H. P. 451) (L. D. 189) reported same in a new draft (H. P. 1936) under same title and that it "Ought to pass"

Reports were read and accepted and the new drafts ordered printed under the Joint Rules.

Ought to Pass With Committee Amendment

Mr. Murchie from the Committee on Appropriations and Financial Affairs on Bill "An Act providing for Joint Financial Participation between the State and its Municipali-

ties" (H. P. 1109) (L. D. 367) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith. (New Title "An Act relating to Applications for Old Age Assistance.")

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

Mr. MURCHIE: Mr. Speaker, I feel that in the beginning that this has naturally given every member of the Legislature a scare in that they felt the committee, in reporting out, desired, to divert another \$800,000, as was the case two years ago, which, at that time, was perfectly justified.

While the bill is reported out "Ought to pass", I want to assure you the amendment to Legislative Document 367 strikes out all the bill which was presented under the number and under the title of "An Act Providing for Joint Financial Participation Between the State and its Municipalities," and also repeals the entire law regarding \$800,000 from Highway funds.

The idea was, rather than to introduce another bill, they would simply use this as a vehicle. The idea embodied in it, as far as the amendment, simply makes the bill a provision for the filing of applications for Old Age Assistance, either with State or Municipal officers, under the regulations prescribed by the Department of Public Health and Welfare, to meet the mandatory requirements of the Social Security Board.

The idea is, as I have got it in my head, there was no thought of diversion, because, under the law, as set up, there must be a way whereby proper application could be made by the Municipal Officers. It has nothing to do with the other bill. It is used for that purpose.

Thereupon, the report of the committee was accepted.

The bill was then given its two several readings under suspension of the rules.

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

Committee Amendment "A" to H. P. 1109, L. D. 367, Bill, "An Act Providing for Joint Financial Participation Between the State and Its Municipalities."

Amend said bill by striking out all of said bill after the title thereof and inserting the following in place thereof:

'Be it enacted by the People of the State of Maine, as follows:

Sec. 1. P. & S. L., 1939, c. 96, repealed. Chapter 96 of the private and special laws of 1939 is hereby repealed.

Sec. 2. Applications for old age assistance. Applications for old age assistance under the provisions of section 3 of Title II of chapter 105 of the private and special laws of 1937, as amended, may be made to either the state or the municipal officers of the cities, towns and plantations in which the applicant resides, in accordance with such regulations as the commissioner of the department of health and welfare shall prescribe. Said applications shall be made on blanks furnished by the department of health and welfare and forwarded by said municipal officers to the department of health and welfare.

Further amend said bill by striking out the title thereof and inserting the following in place thereof: 'An Act Relating to Applications for Old Age Assistance.'

Committee Amendment "A" was adopted, and under suspension of the rules the bill was given its third reading, passed to be engrossed as amended and sent up for concurrence.

Ought to Pass With Committee Amendment

Mr. Richardson from the Committee on Taxation on Bill "An Act for the Assessment of a State Tax for the Year 1941 and for the Year 1942" (H. P. 1704) (L. D. 1027) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Reports of the committee was accepted and the bill had its first two readings under suspension of the rules.

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

Committee Amendment "A" to H. P. 1704, L. D. 1027, Bill "An Act for the Assessment of a State Tax for the Year 1941 and for the Year 1942."

Amend said Bill by striking out the figures "9½" in Section 2 of said bill and inserting in place thereof the figures "7¼."

Thereupon, Committee Amendment "A" was adopted, and under suspension of the rules the bill was given its third reading and passed to be engrossed as amended and sent up for concurrence.

The SPEAKER: The Clerk has in his possession an additional paper from the Senate out of order.

From the Senate:

Bill "An Act Relating to the Manufacture and Sale of Cider." (H. P. 1560) (L. D. 849) which the House passed to be engrossed on April 21st, as amended by House Amendment "A" and which was indefinitely postponed in the Senate on April 22nd in non-concurrence, and on which the two branches joined in a Committee of Conference, the Conference Committee reporting that the Senate recede and concur with the House. The Conference Committee report was accepted in both branches and the bill now comes from the Senate with the bill substituted for the "Ought not to pass" report in concurrence with the House and the bill passed to be engrossed as amended by House Amendment "A" as amended by Senate Amendment "A" to House Amendment "A" in non-concurrence.

Thereupon the House voted to recede from its action whereby it passed the bill to be engrossed, and further voted to recede from its action whereby it adopted House Amendment "A".

Senate Amendment "A" to House Amendment "A" was read by the Clerk, and the bill was tabled, under the rules, for reproduction of the amendment, pending adoption of Senate Amendment "A" to House Amendment "A".

On motion by Mr. Payson of Portland, the House recessed until two o'clock in the afternoon.

Afternoon Session—2:25 P. M.

The House was called to order by the Speaker.

The SPEAKER: The House is proceeding under Orders of the Day. The Clerk has in his possession a Conference Committee Report.

House Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on H. P. 830, L. D. 344, "An Act to Assist Rural Sanitation Activities", reporting that the House recede from its former action whereby it passed the bill to be engrossed as

amended by House Amendment "C", and indefinitely postpone House Amendment "C" and adopt Conference Committee Amendment "A" and pass the bill to be engrossed as amended by Conference Committee Amendment "A" submitted therewith; and that the Senate recede from its former action whereby it passed the bill to be engrossed as amended by Senate Amendment "A" in non-concurrence and indefinitely postpone Senate Amendment "A" and adopt Conference Committee Amendment "A" and pass the bill to be engrossed as amended by Conference Committee Amendment "A".

(Signed)

Messrs. PRATT of Turner
MILLS of Farmington
GRUA of Livermore Falls
—Committee on part of House.
SANBORN of Cumberland
DOW of Oxford
CHAMBERLAIN

of Penobscot

—Committee on part of Senate.

Report was read and accepted.

Thereupon, the House voted to recede from its action whereby it passed this bill to be engrossed and further receded from its action whereby it adopted House Amendment "C".

House Amendment "C" was indefinitely postponed.

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

Conference Committee Amendment "A" to H. P. 830, L. D. 344, Bill, "An Act to Assist Rural Sanitation Activities."

Amend said bill by striking out the second paragraph thereof and inserting the following underlined words in place thereof:

"but such rules, regulations and ordinances shall not apply to privately owned premises to which neither public water nor sewerage service is available, provided that neither entertainment, meals nor lodging be furnished the public thereon and that the disposal of sewerage therefrom may not drain into any stream or body of water designated by the state bureau of health as a public water supply."

The SPEAKER: It is now the pleasure of the House that this bill be passed to be engrossed as amended by Conference Committee Amendment "A" in non-concurrence.

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

Mr. PAYSON: Mr. Speaker, this bill does more than the sponsors of the bill intend.

I would like to prepare an amendment that would exempt cities of over 50,000 population, because we want no part of it in the City of Portland.

I have not had a moment's time to prepare that amendment but I would like to have that opportunity; and I promise you I will take this bill off the table, if you table it, just as soon as the amendment can be reproduced. I move that the bill lie on the table.

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

The motion prevailed, and the bill was tabled pending adoption of Conference Committee Amendment "A".

On motion by Mr. LaFleur of Portland, the House voted to take from the table L. D. 1164, Bill "An Act Creating a Tax on Cigarettes," tabled earlier in today's session by that gentleman, pending passage to be engrossed; and on further motion by the same gentleman, the House voted to reconsider its action whereby it adopted House Amendment "A".

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

Mr. PAYSON: Mr. Speaker and Members of the House: I think the Members of the House are entitled to an explanation of the mistake that was made this morning, in this amendment.

In conference, this morning, we were discussing the question of when the Administrative Department could be ready with the stamps and we decided that June 1st was probably the earliest that the stamps and the plan could be put into operation.

With only that thought in mind, the stencils were cut for the reproduction of this Emergency Preamble and of the effective date of the Act.

My Brother, the gentleman from Portland Mr. LaFleur, keenly aware of the Constitutional situation, caught the mistake that I had made

and called it to my attention, and immediately tabled the bill, so that the rights of the House might be preserved in it.

In order to permit the introduction of a proper amendment, I now move leave to withdraw House Amendment "A" which I proposed this morning.

The SPEAKER: The gentleman from Portland, Mr. Payson, withdraws House Amendment "A".

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

Mr. LaFLEUR: Mr. Speaker, I offer House Amendment "B" to Senate Amendment "A" and move its adoption.

The SPEAKER: The gentleman from Portland, Mr. LaFleur, offers House Amendment "B" to Senate Amendment "A" and moves its adoption.

The Clerk will read House Amendment "B".

House Amendment "B" to Senate Amendment "A" to H. P. 1925, L. D. 1164, Bill "An Act Creating a Tax on Cigarettes."

Amend said bill by inserting after the title thereof the following:

Emergency preamble. Whereas, it is vitally necessary to provide at the earliest practicable date new revenue in order to take care of the aged and dependent, and in the judgment of the legislature such new revenue can best be obtained in the manner hereafter provided, and

Whereas, the machinery for the collection of any new tax cannot be set up immediately and the state will not be able to utilize the revenue until the new system is set up, and

Whereas, any loss of revenue will handicap the whole program of relief, and cause much suffering to our aged and dependent, and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine, and require the following legislation as immediately necessary for the preservation of public peace, health and safety: now, therefore'

Further amend said bill by adding after section 20 thereof the following section:

Sec. 21. Collection of taxes. The state tax assessor is hereby directed to immediately begin to make such

plans and perform such duties as are necessary to begin the collection of the tax imposed herein by June 1, 1941. No license required by the provisions of this act or tax imposed by the provisions of this act shall be required or imposed prior to June 1, 1941.'

Further amend said bill by adding at the end thereof the following:

'Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.'

The SPEAKER: Is it the pleasure of the House to adopt House Amendment "B"?

The Chair recognizes the gentleman from Rockland, Mr. Sleeper.

Mr. SLEEPER: Mr. Speaker and Members of the House: I think that before the House takes the most important step that we have taken all through this session, and attaches an Emergency Clause to this most necessary bill, that it is my duty and my privilege to read you the findings of the Appropriations Committee, taken at our meeting this morning.

I will have to break a rule that I have always kept, that I have never read a speech, because the figures and content of this are so important that it really should not be trusted to a person's memory. So that, if the House will bear with me, I will now read my first speech to this House.

Please bear with me and please try to memorize the figures, because they are vital and I want you to know how necessary it is to put through an emergency clause with this bill.

The situation before the Legislature is that in order to provide for the regular Appropriation Bill, as already presented, plus the Supplemental Bill, now in preparation, that the total monies involved are \$13,637,724.94 for the first year of the biennium. If we deduct from this amount the Old Age Assistance appropriation of \$2,275,000, which was set up on a basis of caring for approximately 17,500 people, we would then have to raise for other expenses of government \$11,362,724.94. Now, please try to listen to these figures. They are awfully dry, I will admit, but you really ought to know them. We have available in present revenues about \$11,850,000

to care for this amount, leaving a balance of \$487,275.06 that would be unappropriated and available for Old Age Assistance. From this amount, however, must be deducted the estimated cash deficiency for the current year's operation, ending June 30, 1941. One-half of the deficiency is \$147,211.95, leaving then available \$340,063.11. To this amount, providing the liquor tax is passed, would be added \$225,000, the revenue that could be anticipated from this tax. This would then make it possible for an appropriation from General Funds of the State toward Old Age Assistance in the amount of \$565,000. If the cigarette tax receives passage, there would then be available \$1,300,000 estimated revenue earmarked for Old Age Assistance, which would give a total of \$1,865,000 for this purpose, and this sum would care for 14,300 cases at an average cost of \$10.50 per month of State funds per case.

These figures are based upon the premise that we would be able to start in operation with these revenues as of July 1st. However, no act that is passed and does not carry an emergency will become effective until ninety days after the close of the Legislative Session. Therefore, approximately one month would elapse, during which time revenues from the cigarette tax and from the liquor tax would not become available. This would result in a loss of approximately \$120,000, which would care for about 900 Old Age Assistance cases, so that we would have to assume that if the bills mentioned were passed, that for the first year of the biennium we would be able to provide for only 13,400 cases, or about 400 more than we are at the present time. In the event that no emergency provision were added, we would be in the position, providing a referendum were invoked, whereby at least three and a half months' revenues would be lost or approximately \$400,000. This would provide for about 3,100 cases, and these cases would have to be eliminated during the first year's operation of the Old Age Assistance program, and this computation is on the basis that the referendum would be approved by the people. If the referendum vote were against the tax measure, then the only monies that would be available for Old Age

Assistance would be \$565,000, the amount that would be appropriated from General Funds, and this amount is only sufficient to care for approximately 4,000 Old Age Assistance cases, meaning that 9,000 cases would have to be eliminated immediately from the rolls. If the emergency, however, were enacted, not only would the program be assured of fulfillment on the basis of 14,300 cases for the first year, but it would like wise be possible to add approximately 1,400 additional cases, or a total of 15,700 during the first year, for the emergency would provide revenues from both liquor and cigarette taxes over a two months' period, which would provide about \$250,000. I will admit that these figures are dry, but still try to stay with me two or three minutes and I will be all through.

In the second year's operation, namely, the year ending June 30, 1943, our total appropriations are \$13,732,484.58; if we deduct again the Old Age Assistance appropriation of \$2,275,000, we have a balance of \$11,457,484.58 with available revenues from present tax measures of \$11,850,000, leaving \$392,515.42 unappropriated. If we again deduct one-half of the current year's deficiency of \$147,211.95, we then have available out of current funds for Old Age Assistance \$245,303.47, and to this, if we enact the liquor tax and the inheritance tax, we would have about \$225,000 on liquor and \$320,000 on inheritance—please notice that this new set-up on Inheritance Tax does not begin to take effect until one year from now, so that in the second year the State is going to be a little bit better off—which would give a total then available for Old Age Assistance of \$790,000. This figure, added to the estimated revenue from the proposed cigarette tax, would then make available a total for Old Age Assistance of \$2,090,000, or an amount sufficient to provide for approximately 16,250 cases. If the emergency were enacted on the first year, it would be possible to provide for an additional 600 cases in the second year from revenues derived as a result of the emergency. This would then permit a total of 16,850 cases. Likewise, in the second year, if it were such that the referendum were invoked because of no emergency clause being

made a part of the bill, the only monies then available for Old Age Assistance, providing the referendum were lost, would be \$790,000. This amount would make it possible for the payment to only about 6,000 Old Age recipients, or less than one-half of the number that we are paying at the present time.

From this it should be apparent that the Old Age Assistance program that has never been financed on a sound and stable basis would, in effect, be nearly wiped out unless the Legislature should place an emergency on both the cigarette tax, if enacted, and the liquor tax, for in this way—and in this way alone—can you be assured that when you leave this Legislature that the program you have worked for can be faithfully fulfilled. We have every reason to believe that if no Emergency is attached, a referendum would be sought, and history of votes on tax measures usually results in the defeat of the measure passed, on the premise that the people desire the service but are reluctant to vote a tax in order to support that service.

The problem is clearly before us—the problem is whether or not our duty is to see to it that before we leave this Legislature the financial program to carry out those measures we favor is enacted into law and made effective immediately so that further cash deficits and suspension of services may not be necessary, for the likelihood is that if we fail to enact an Emergency on these tax measures, a suspension of the Old Age Assistance program will result.

Now, that is the case in a nutshell, which we are passing on to you. We have made no attempt to color this thing. Those are the absolute, final figures. If we do not put an emergency clause on the cigarette tax and liquor tax, then we might just as well have not been here, and you can rest assured that the Old Age Assistance program—to which both parties are committed—will have to be thrown out of the window. We might just as well not pass any tax at all, as not to put the emergency clause on it.

We have done our duty and I am quite sure that this House will.

We want you to please understand that those are the final figures, and, if the emergency clause

does not go on here—and in other places—the entire program is out of the window.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Goldsmith.

Mr. GOLDSMITH: Mr. Speaker and Members of the House: I have listened to the remarks of the gentleman from Rockland, Mr. Sleeper.

In my opinion the remarks were irrelevant to the amendment that we are about to vote on. House Amendment "B" to Senate Amendment "A" calls for an emergency.

We have had a cigarette tax, along with many other tax measures, presented to us. A cigarette tax bill was passed, and sent along down the hallway, where it was toyed with and revived for a moment, and then finally slaughtered.

Other bills came before us, and we had the nerve and the courage to slaughter them, even before they went down, because we thought they should be slaughtered here.

Now, this last moment they come in here with an emergency, as I said before. You put through a tax measure on cigarettes, a tax measure some of us have repeatedly stated will be a tax against the poor people, not against all people.

Not for once have I mentioned that I do not smoke; that I will not pay a tax; that no tobacco is used in my family.

Not for once have I mentioned that we did not use liquor in my family, and I will not pay a tax on that.

Discriminatory taxes — I have fought against them ever since I came here on January 1st, and, believe me, I have been lobbied on taxation problems. I was against it when I came here and I am against it today. I said I would go along with any tax measure that would reach out and hit every one of us. I have repeatedly stated that I was with Mr. Bubar's tax measure an income tax, but we found out we could not pass it.

Then I said "What about a Sales Tax?" And I presented a sales tax. Unfortunately, the Taxation Committee took my measure and wove it around a bill I did not like, and stood up on the floor and defeated it, because it was not my measure. It was woven into that bill known

as the "Homestead Measure,"—a bill that I thought was entirely socialistic. It was passed or log-rolled as I call it.

What did they do? They toyed around with that, and finally sent it back to us to be slaughtered, and we had the courage to slaughter it.

Now, what is the emergency all at once in the State of Maine? It was referred to here this morning that under the Constitution of the State of Maine, if this bill went on to the public, the people of the State whom we represent, would have the right to call for a referendum and possibly defeat it.

What are we afraid of, all at once? This overwhelming Republican Party that is sitting here, what are we afraid of all at once? If there ever was a measure at all that the Republican Party led out with its chin, then it is this measure right here.

We will be ridiculed all over the State of Maine, if we pass this measure without giving the people a chance on this bill. So, I say, what is the emergency?

We have been told on the Floor, by the gentleman from Arostook County—the gentleman from Perham, Mr. Bragdon,—that they will not be able to hire enough people to work in the potato fields this year. I can tell you in Bath people cannot find places to live today, because there are so many people down there that are employed. I can tell you that in South Portland the same condition exists. There are not houses enough for the people. I can tell you that in the city of Bangor employment is scarce. I can tell you in my town that employment is scarce. All over the State of Maine employment is scarce. So I say, what is the emergency all at once?

Why railroad this bill through the Republican Party today, that is so overwhelmingly represented here?

It is true that I am not an orator, and I cannot talk much before the public, but I came down here as a private citizen, not sent here by any political party, but to do what I thought was right.

I voted against the tax bill the other day, because I thought it was a levy against the poor people. And, as I have said, I am against discriminatory taxes. But I said that

I would stay with any measure which I think is reasonable—and I still will.

I also stated that I would hate to see this Legislature recess without doing something for Old Age Assistance.

I am not against Old Age assistance but I am just wondering, as I said before, what is the emergency, and until I am shown what the emergency is, I absolutely refuse to vote for this measure.

The SPEAKER: The Chair recognizes the gentleman from North Anson, Mr. Fenlason.

Mr. FENLASON: Mr. Speaker, I have been interested in the remarks of the gentleman from Orono, Mr. Goldsmith, and he repeatedly asked what the emergency was.

I do not think that would take anyone long to answer. There are old people, Mr. Goldsmith, in the State of Maine that have not got anything to eat—and you eat three times a day.

The SPEAKER: The Chair will suggest that the gentleman address his remarks to the Chair and not to any individual.

Mr. FENLASON: (continuing) Mr. Speaker, and Members of the House: Now—discriminatory taxes—he will not vote for them. What is the real estate tax? Does everybody pay real estate taxes? No. Does everybody pay the gasoline tax? No. Does everybody drink liquor? No.

I do not know of any tax that is any way different from this one.

Now, as far as the potato business of Aroostook, or the South Portland shipyards,—those old ladies are not going to pick up potatoes. They cannot work. They are in bed. They are sick.

I do not think that the remarks of the gentleman from Orono, Mr. Goldsmith, have anything to do with an Emergency Clause at all.

Now, he had a bill in here which he said in his remarks he considered a good one. I do not doubt him. But his bill has come in with every other bill into the hopper, and they did not agree with it.

I had a bill in here this winter and it did not go along in accordance with my wishes, but I am not going to vote against everything, because the bill did not pass. I do not think his remarks are pertinent at all.

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

Mr. LAMBERT: Mr. Speaker and Members of the House: I rise to speak as a member of the Minority Party. I am in favor of the cigarette tax bill with the emergency, and, in answer to the gentleman who talked a few minutes ago, I will say that there is an emergency, and as a minority member, I recognize that emergency of needy, aged people that are hungry and are waiting to get a pension so that they can get off the relief rolls of various municipalities and cities like my own.

I hope that this House will soon realize, especially through my remarks that, as a minority member, I am not going to play politics with the Old Age bill.

This bill is earmarked for Old Age pensions, and I am not going to play politics. I am going along with the majority, I believe, of the Republican Party and support this emergency clause. Thank you. (Applause)

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: My position is this,—that I will not vote to force any taxation measure on the people of the State of Maine by an emergency clause.

I do not, personally, believe the emergency is sufficient to warrant that procedure.

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

Mr. MURCHIE: Mr. Speaker and Ladies and Gentlemen of the House: I am well amazed that at this eleventh hour, when we have our plans pretty well made to meet the situation in the State of Maine,—and I think we are going to do it—that there should be opposition to an effort of this kind to properly set this bill up.

I am not going to say much more, because the gentleman from Rockland, Mr. Sleeper, has outlined the program, but I will just tell you in a very few words what it means.

With the emergency clause, we can add 2700 more people to the Old Age Pension list, in the present year. With the emergency clause,

in the second year we can build the Old Age Pension list up to 16,850 people.

With no emergency and no referendum, we can set up 13,400 people, the first year, and build up 16,250 people the second year.

There is every possible reason why we should have an emergency in this case. I have stated that it seems to be built up now where it looks as though we might not set up quite the goal we first had in mind of 17,500 but I am convinced the estimate of income from a cigarette tax is more or less conservative.

If you go along with this measure—and we must do it—I feel sure that the Old Age Assistance job you came here to do will be fully accomplished.

And, if you do that, we can go along with another bill that is being talked about here, in the form of what is known as the "Holman Bill" or One-half Cent Gas Tax.

You will have done a real job for the State of Maine, and you will have shown a disposition to relieve real estate, and at the same time, set up Old Age Assistance,—and I believe the increase coming from that bill will meet the present goal of 17,500.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Goldsmith.

Mr. GOLDSMITH: Mr. Speaker and Members of the House: I realize that I am perhaps fighting for a lost cause, but I still feel I want to go on with my convictions. I have got courage enough to stand here and fight for a lost cause and I am going to continue.

I wonder how many of you read an editorial in the leading paper of the State of Maine this morning—not one of the leading papers but the leading paper of the State of Maine.

We were branded as perhaps one of the dumbest Legislatures that have been here in a long time. I do not go along with it, because I thought, up to this time, that we were a pretty good Legislature. In fact, I thought we were one of the best Legislatures.

I am just going to say right now, in answer to the statement of the gentleman from Calais, Mr. Murchie, about an emergency created in this eleventh hour—why an emergency in this eleventh hour?

We are told that we accepted the responsibility of being representatives to our communities and to the State of Maine; that we were timed with this job of ours; that we just came down here for a limited time; that we had to rush out of here.

All at once we find the newspapers scattered around, and everybody getting wild and excited, and here we are confronted with the most important thing we have been faced with this year—the taxation problem—something that we are actually going to send back to all the people of Maine—and he mentions that at this eleventh hour we are here.

I just cannot go along on that. I would like to sit here for hours and hours, and days and days, until we settle this problem. As I said before, perhaps I am fighting for a lost cause, but, if you will read that editorial, and do not want to continue to be branded as a dumb legislator, you will be careful how you vote on this emergency. I am warning you, every one of you.

The SPEAKER: The Chair recognizes the gentleman from Bingham, Mr. Dutton.

Mr. DUTTON: Mr. Speaker, I had much rather go home branded as a dumb legislator than to go home branded as a heartless legislator.

You ladies and gentlemen have got to go home and face old people, old people who are too proud to ask for a straight pauper assistance. You have got to go home and face old people, who are depriving themselves of necessary food and clothing, in order to keep from being branded as paupers.

I speak as a Selectman of a town, who knows of the condition of the poor people in that community—people who are so proud that they have neglected to have proper food, although the town would be perfectly willing to grant them pauper assistance.

This Old Age Assistance has been set up and it has been used as a political football from almost its inception, and today we come up here faced with a real proposition.

You all know—every member of this House knows—what will happen to the only revenue which we are able to put forth here as a tax measure to take care of Old Age Assistance.

They ask us what emergency exists. Is there a person in this

House that does not well know that an emergency exists in the referendum that will be invoked against this tax measure, if it is not passed here as an emergency measure.

I had far rather sit here until August, if necessary, than to go home and face my people, if we have not passed a tax measure, and passed it in such a manner that the cigarette, or tobacco, or rum interests cannot overthrow it. Those are my sentiments and I propose to go forward on that basis. I would not care to go home and face the old people, if I did not stand here and vote and speak in their behalf.

I have a little dog at home, and I would be ashamed to go home tonight or tomorrow night, if I did not vote for this emergency measure—and look that innocent dog in the face. (Laughter)

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

Mr. McGLAUFFLIN: Mr. Speaker, may I face the House?

The SPEAKER: The gentleman may have that privilege.

Mr. McGLAUFFLIN: Mr. Speaker and Ladies and Gentlemen of the House: We came down here to try to perform a real service. We found that it was necessary in some way to get more money to take care of this program.

Now, in this Legislature there are many men—there are quite a number of different ideas of how we should solve the problem. Some of us believe that it could be done by a sales tax and an income tax. Some believe that it could be done by a gasoline tax. Some believe that it could be done by a luxury tax—or by a tax on cosmetics or taxes on electricity, or taxes on liquor, or taxes on soft drink—but we could not seem to agree.

Now, in order for us ever to agree, somebody must yield to the judgment of somebody else.

Now, I want to say that this cigarette tax was not my idea of a tax but I am convinced that it is the best tax that we can get.

When you talk about the justice of a tax, there is not any tax that is just to everybody, and right in this connection I want to borrow an expression from Walter Winchell, when he says “debunking the bunk”—and of all the bunk that I have heard is this talk about this tax

being particularly hard on the poor man. He can roll his own cigarettes; he can buy his own tobacco and pay no tax at all. Or, if he cannot bear to do that, he can at least do what I do part of the time—smoke a pipe, and then he does not have to pay the tax.

I spent ten days in the City of Paris, France. Not a person there that I ever saw, a native, smoked anything but a pipe. If you saw anybody smoking a cigarette or a cigar, it was an American.

Now, it is said that these cigarettes do not taste so good, if you roll them yourself. Well, I want to tell you that whole nations, like the people of France—and the people all over this country—are sacrificing to meet the conditions of this time. It seems to me that we have not got to spend much time considering taste, when we pass a tax measure.

Now, then, we have come to a measure upon which we have agreed. And that brings us to the point at issue: Shall we pass this as an emergency measure? Every one of us came up here honestly wanting to serve the people of the State of Maine. Every one of us came here wanting to do our duty. I want to tell you, that after all the work we have done—and we have worked hard,—if you do not pass this Emergency Act, it is liable to be all upset, and all our efforts amount to just nothing.

I was in this Legislature four years ago, when we passed the sales tax, and over and over again, when I got back home, I heard the expression that, “That Legislature was no good! they passed the buck! they passed it on to the people! and they did not have sand enough to stand on their own feet and take the responsibility themselves but they passed it on.” And that criticism was in the press; it was everywhere.

Now, one gentleman has said here that we would be the laughing stock of somebody. In the first place, if you pass this measure, in three weeks' time every critic in the State will have lost all interest in the matter. This matter of hurting the Republican Party or the Democratic Party—there is nothing to it. Here is this well-meaning Democrat voting for this emergency, just as I am going to do.

Who is going to criticize us? And who cares a hoot when criticized by

somebody who does not know what they are talking about?

Now, this measure has passed this House. We have got an opportunity now to do a thorough job. All we have got to do is to take the responsibility in our own hands, and carry this thing through. We can put this over the top. We will put it over the top right here today.

I heard General Chamberlain, the hero of Little Round Top, once say that Phil Sheridan said, referring to the rebels, "When you get them going, keep them going!"

This House has taken the lead on this bill. We have got this measure going. Let us keep this measure going. We can do it.

You have heard the expression, "Caesar crossed the Rubicon." What does that mean? It means that you have taken a decisive step. The die is cast.

The most of you have voted for this tax. Let us not back up an inch. We have cast the die. Let us carry it across. Vote for this emergency measure now.

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

Mr. LAMBERT: Mr. Speaker and Members of the House: I have risen at different times in various capacities. This time I rise as a former newspaper man with eleven years' experience in the newspaper business.

The leading newspaper article this morning, referred to by the gentleman from Orono (Mr. Goldsmith), stating that the State legislators here were dumb, to me does not amount to anything. It is just the opinion of one man, Ladies and Gentlemen—that man who writes the editorial—and take it from me, because I have written some of them in the past myself. (Laughter) He did not tell you in that article that the Massachusetts, the Vermont, and the New Hampshire Legislatures voted for a cigarette tax.

I stand here to tell you, Ladies and Gentlemen, that I plead with you and plead especially with my minority members, to vote for the emergency clause on this Act, to show the people of Maine that we are not playing politics; that we are here to do a job; and we are going to do it and do it right. Stick by your former decision and firm

conviction and I know you cannot go wrong. I thank you.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Jones.

Mr. JONES: Mr. Speaker and Ladies and Gentlemen of the House: I may be wrong in my remarks that you are about to hear, but I think it is a terrible thing that this Legislature has to argue over an issue that is vital to our whole State.

We have a triangle with three corners. We have No. 1 Corner taken care of. We have No. 2 Corner taken care of. And we need Number 3.

As you heard my colleague from the city—he likes to be called from the country but he, nevertheless, is from the city—say; we need so much money, and from three sources.

I am truly and honestly not in favor of picking out one, two, or three more commodities to place a tax upon, but, when it is of vital importance, I am sport enough to let my private opinions slide.

As I have said, we have taken care of point No. 2 of the triangle, and point No. 1, and it is up to us to take care of point No. 3. You also know, in the center of the triangle, are two words—"Old Age". We have all had our pet bills come before this House. Some we were lucky to have passed, and others we were lucky that we did not have them passed—if you ask me. (Laughter)

Now, I say let us forget our bills and our petty jealousies, if you will. And I will say—while it is in my mind, before I lose it—that newspaper editorials have no place in this argument that we are voting on here this afternoon. I am not afraid of any newspaper article, because, what we are here for is for fair play, and to be a good sport.

We should now all pull together. I smoke cigarettes. It is going to cost me twenty-five or thirty cents, but I would blow it some other way if it were not for cigarettes.

There was a question asked as to what is this emergency. There are two points to this question. One, you all know, is Old Age.

Now, the reason as I see it, from a common sense point of view, this question of emergency, is the fact that we must not leave any loophole of any kind that might retard the attainment of the monies need-

ed to take care of our Old Age at this present moment.

I think we should let our pet problems and our pet opinions, and our private opinions and our personal opinions, as I said before, slide by. Let us all take our coats off and pull for this one thing—those three main things shown to us today.

I do not like a tax on tobacco, and probably some of you do not. The fellows that drink do not like a tax on liquor. And as far as an inheritance tax is concerned—it does not affect the dead.

But I think now is the time to cut out this petty stuff, and never mind figures. If you cannot understand figures, that is too bad. But the common sense way, as I see it, is to take off our coats and all pull for this one particular thing. Let us not be pikers. Let us be good sports. We are all playing the game. There is no fun in being a winner all the time; that gets monotonous with you. The people you pass by on the street like a good loser. Everybody knows who the winner is. Tell them you are a good loser and take it on the chin, and like it.

And that is what I say—that this emergency is there for one purpose, to see that we do not leave this State House until we are assured of those monies coming in. The minute you leave the State House with this bill open, without this emergency clause on it, you are going to get it back in the face in pretty short order.

So let us all be good sports, and get together and stand behind this one particular measure. If you cannot understand what an emergency is, get Webster's Dictionary; that will give you the best illustration I can tell you.

Let us cut out now this arguing over Old Age, and kicking them around. It is an issue that both parties of this State are interested in—whether they are the minority or the majority. Let us do a job for once. I would like to be a member of the House, of this Legislature, that goes out with a job fulfilled and complete. I cannot find in the records where that has ever been done before.

There are new things in 1941 that are here. Some of them have gone and some are before us. Let us put

1941 down as the big red mark for the State of Maine that the Legislature went out with its job complete.

There is a pretty good feeling in that. I hope that we cut out this arguing and all pull together.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. LaFleur, that the House adopt House Amendment "B" to Senate Amendment "A."

The Chair recognizes the gentleman from Rockland, Mr. Sleeper.

Mr. SLEEPER: Mr. Speaker and Members of the House: I hate again to get up, but there is one very vital thing that I forgot to add that is not in this paper.

You have asked what the emergency is. Why, the emergency is—we have not the money.

I was a member of the last House of Representatives in 1939, and when we set up Old Age Assistance, we did not have the courage to enact a tax to put it on a sound basis, so we raided the Highway Department, and we put through that so-called "Steal"—the diversion of Highway Funds of \$800,000, which allowed us to pay the pittance we are now paying.

That Act was for two years only, and that Act ends on the first of June. From the first of June on, we have one hundred odd thousand dollars to fulfill this program.

That is the emergency we have here today. We have got to have it, starting in the first of June, or we will not have a cent.

It does not take any courage to vote for a cigarette tax. We all know that. The only reason is we are surprised by the pressure that was put against this bill, and that is the reason we will have to have this emergency clause. The same people are able to put as much pressure on a referendum as they have been able to put on the members of the House. It is going to be very easy to get the necessary names—I think it is 12,000. And, even though people are far-sighted enough not to kill the bill, the bill stands in abeyance until the vote of the people next fall. So all through the summer they have not got the money. It is not a discriminatory tax. It is a tax on an obnoxious, habit-forming weed. It is a tax they expect; it is a tax they are willing to pay; an inevitable tax—every State is getting it.

There is not any doubt at all but what this House is going to pass this bill, so I will not take up any more of your time.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Portland, Mr. LaFleur, that the House adopt House Amendment "B" to Senate Amendment "A."

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

Mr. **GOOD**: Mr. Speaker and Members of the House: Being sponsor of this bill—I suppose lots of people call it my bill. I want you people to know that it is not my bill any more than it is your bill.

I will say that if this bill is defeated, I will have no feeling against anyone in this House—whether it is carried or not carried.

I came down here for one purpose and one purpose only—to do what I thought my constituents sent me down here to do.

One thing impressed upon our minds last year was that we must have some assistance for aged people. The other thing was to reduce real estate. That we tried to do.

I have put measures in here that have failed. I have just forgotten about it. Because some man defeats me and the majority says he is right, I am willing to say, "I am wrong; they must be right."

I feel that this is an important question. This is a matter for you to decide. I am not afraid of what people may say when I go back home. I know what they said two years ago. They said, "What is the reason they did not pass a cigarette tax?" I said, "Because the majority did not want it."

We are here today to properly decide one of the biggest issues we have had before us this session. We know what we should do. We know what we ought to do. We know what we can do. We know what will happen if we do not do it, the thing that is right, here this afternoon. Every State in New England has a cigarette tax and tobacco tax.

One man said to me last night, "I would have voted for it in the other branch, if I had known that it included cigars." Of course then I tried to explain that cigars are a tobacco product but it was such a complicated thing collecting it, that the other states repealed their tobacco products tax and left just the cigarette tax. Thirty states have a

cigarette tax. New York had over nineteen million dollars from a cigarette tax last year. Massachusetts got over \$7,300,000 for a cigarette tax. New Hampshire got over \$1,300,000 last year.

I said this is \$1,250,000. I am convinced in my own mind it will go over one and three-quarters millions of money in coming years.

We have over a million people, all tourists, coming into this State. I figured it out per capita, that is \$300,000 from those tourists coming in—that they would pay this \$300,000,—those tourists.

I am in favor of taking care of old people. I thought that I heard my Brother—the gentleman from Orono (Mr. Goldsmith) say—I may have been wrong—but I thought I heard him say that they could go to work.

I do not know how old men and old women, who are past sixty-five years of age, with their backs bent and their heads bowed with labor, and their health is all gone—I would like to know what kind of a day's work they can do.

They are coming to you and me, with their hands out, asking us to help them. They come to me again and again and say, "Why do you not do something to help us?"

We have got a chance, Ladies and Gentlemen, to do something today. I have confidence in this House and I believe that this afternoon we will pass this tax as an emergency measure, and then we can go home and feel that we have done a good job.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Portland, Mr. LaFleur, that the House adopt House Amendment "B" to Senate Amendment "A".

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

Mr. **ROLLINS**: Mr. Speaker and Members of this House: I rise, not in opposition to Old Age Assistance, and I believe thoroughly in what the gentleman from Monticello, Mr. Good, has said. But I rise to defend my position, as I voted against the cigarette tax. I voted against the cigarette tax because I was not in favor of it.

At the moment, if a cigarette tax were coming up, I would vote for it, because it is a mandate of the House and I would vote with the majority.

I rise on the question that is before us, the question of the emergency.

It is my understanding, as a layman, that an emergency clause is put on a law when an emergency exists, and otherwise than that, it is up to the people, and that was put into the Constitution of the State of Maine. And it has served us well, although many times it has been stretched far beyond the breaking point. I believe that this is one of the times. I believe that the last Legislature of which some of you gentlemen spoke, have put this bill on the books, and they did not have courage enough to raise the money to do it.

Now, I believe that this bill, going to the people, would be the mandate of the people of the State of Maine—whether we want to continue Old Age Assistance to the extent of 17,000 people or two million dollars. I would like to go on record here and say that in the next few years that 17,000 people will be—Lord knows how many—down to fifty years old, and be a ten million dollar bill in the State of Maine.

Why did we take it? Because the government dangled the bait in front of us. They dangled it before us and we swallowed it. The same way as the Highway Commission dangles before our towns any highway program. We overbid ourselves and the towns have gone into debt, and tax the real property to maintain highways which we could not afford. We have swallowed it, and you can see the results. Towns are returning back and back to de-organization.

The gentleman from Orono (Mr. Goldsmith)—I am glad to say that for the second time I think he and I agree.

I do not think he ever mentioned a word against Old Age Assistance. His whole argument was against the emergency.

I believe that we have heard only one lawyer in this House speak on this bill, besides the gentleman from Portland, who presented the amendment. I speak as a layman. I would like to have some of the lawyers' opinions on the emergency.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: I do not rise as an expert on emergencies. I do rise, however, because I feel satisfied, from what the Budget Committee and what the Appropriations and Financial Affairs Committee have told us, we are going to be in a vital need of more revenue before, let us say, sometime next October, when a vote might be had on a possible referendum.

I think we need the revenue immediately, which is, in the first place, one reason why I favor the emergency clause.

My second reason is this: I am satisfied that the cigarette tax is a good taxation measure. I am satisfied that the people of Maine are in favor of it, and will vote in favor of it on a referendum.

Therefore, as a Member of this House, I do not want to shirk my responsibility by providing that a small minority of the citizens of Maine can hold up the effective date of this Act until next October.

I believe that the people of Maine do want this Act. I am not afraid to leave it to them but I do firmly believe that they do not want us to duck this issue, and a small minority refer it to the people of Maine and thus hold up Old Age assistance.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. LaFleur, that the House adopt House Amendment "B" to Senate Amendment "A".

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

Mr. LaFLEUR: Mr. Speaker, when the vote is taken, I move you, Sir, that it be by a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. LaFleur, that the House adopt House Amendment "B" to Senate Amendment "A". All those in favor of the motion of the gentleman from Portland, Mr. LaFleur, that House Amendment "B" to Senate Amendment "A" be adopted, 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,

One hundred and eighteen having voted in the affirmative and sixteen in the negative, House Amendment "B" to Senate Amendment "A" was adopted and the bill was passed to be engrossed, as amended, in non-concurrence.

On motion by Mr. LaFleur the bill was ordered sent forthwith to the Senate.

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

House Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on H. P. 246, L. D. 85, "An Act Recreating the Bureau of State Institutions" reporting that the Committee is unable to agree.

(Signed)

Messrs. PAYSON of Portland
BRIGGS of Hampden
GRUA of Livermore Falls

—Committee on part of House.

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

—Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

The following papers from the Senate were taken up out of order and under suspension of the rules:

Senate Conference Reports

From the Senate:

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on S. P. 316, L. D. 521, An Act relating to Powers and Duties of the State Personnel Board, reporting that the Committee is unable to agree.

(Signed)

Miss LAUGHLIN of Cumberland
Messrs. DOW of Oxford
HARVEY of York

—Committee on part of Senate.

PAYSON of Portland
McNAMARA of Winthrop
HINCKLEY of So. Portland

—Committee on part of House.

From the Senate:

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on S. P. 524, L. D. 1085, An Act relating to Hours of Employment, re-

porting that the Committee is unable to agree.

(Signed)

Miss LAUGHLIN of Cumberland
Messrs. STILPHEN of Lincoln
FARRIS of Kennebec

—Committee on part of Senate.

PIERCE of Bucksport
BELANGER of Winslow
BROWN of Brunswick

—Committee on part of House.
Came from the Senate, read and accepted.

In the House, were read and accepted in concurrence.

Senate Report

Ought Not to Pass

From the Senate:

Report of the Committee on Pensions reporting "Ought not to pass" on Bill "An Act providing for Pensions for Certain County Officers and Employees" (S. P. 397) (L. D. 634)

Came from the Senate, read and accepted.

In the House, read and accepted in concurrence.

Final Reports

From the Senate:

Final Report of the Committee on Judiciary.

Final Report of the Committee on Taxation.

Came from the Senate read and accepted.

In the House, were read and accepted in concurrence.

On motion by Mr. Payson of Portland, the House voted to take from the table Bill "An Act relating to the Inheritance Tax Law" (H. P. 1285) (L. D. 551), tabled by that gentleman earlier in today's session, pending adoption of Senate Amendment "A" to House Amendment "A".

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

Senate Amendment "A" to House Amendment "A", on L. D. 551, Bill, "An Act Relating to Inheritance Tax."

Amend said House Amendment A as follows:

In line 7 of the second paragraph thereof, substitute the figure "5" for the figure "8"; and

In line 8 of said paragraph substitute the figure "\$25,000"; and in

line 9 of said paragraph substitute the figure '\$25,000' for the figure '\$50,000'

Thereupon, the House voted to recede from its action whereby this bill was passed to be engrossed and to further recede from its action whereby it adopted House Amendment "A".

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

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

Mr. PAYSON: Mr. Speaker, this is one of the most important revenue-raising measures that the House has before it at this time. Your Appropriations Committee had figured originally on \$400,000 from this tax. According to the figures read to you a short time ago by the gentleman from Rockland, Mr. Sleeper, they have cut those figures \$80,000 by this Senate Amendment "A" which is before you. I have had those figures checked as accurately as may be by the Inheritance Tax Commissioner, and the best estimate we now have is that this Senate Amendment "A" will take away \$215,000 of the \$400,000 that we hope to get, leaving a net revenue of \$185,000 from the Inheritance Tax Bill. This will throw completely out of line all the figures that have been so far set up in working out your program. I therefore move the indefinite postponement of Senate Amendment "A" to House Amendment "A".

The SPEAKER: The gentleman from Portland, Mr. Payson, moves indefinite postponement of Senate Amendment "A" to House Amendment "A". Is this the pleasure of the House?

Thereupon, Senate Amendment "A" to House Amendment "A" was indefinitely postponed.

House Amendment "A" was then adopted, and the bill was passed to be engrossed as amended by House Amendment "A" and by Senate Amendment "A" in non-concurrence, and sent up for concurrence.

On motion by Mr. Payson, the bill was ordered sent forthwith to the Senate.

On motion by Mr. Payson of Portland, the House voted to take from

the table Bill "An Act to Assist Rural Sanitation Activities" (H. P. 830) (L. D. 344) tabled by that gentleman earlier in this afternoon's session pending adoption of Conference Committee Amendment "A".

Mr. Payson thereupon offered House Amendment "A" to Conference Committee Amendment "A" and moved its adoption.

House Amendment "A" to Conference Committee Amendment "A" to H. P. 830, L. D. 344, Bill, "An Act to Assist Rural Sanitation Activities."

Amend said amendment by inserting at the end thereof before the period the following:

' provided further that such rules, regulations and ordinances shall apply in cities of over 50,000 population.'

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

Conference Committee Amendment "A" as amended was then adopted, and the bill was passed to be engrossed as amended in non-concurrence, and on motion by Mr. Mills of Farmington, the bill was sent forthwith to the Senate.

The SPEAKER: The Chair lays before the House Bill "An Act Relating to the Manufacture and Sale of Cider," (H. P. 1560) (L. D. 849) which was tabled under the rules for reproduction of Senate Amendment "A".

The question before the House is on the adoption of Senate Amendment "A" to House Amendment "A". The Clerk will read Senate Amendment "A".

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

Amend said amendment by striking out section 6 thereof and inserting in place thereof the following section:

'Sec. 6. Cider, how sold. The commission may sell such hard cider in the same manner that it is now authorized to sell wines and liquors.'

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

The SPEAKER: The Chair recognizes the gentleman from Paris, Mr. McKeen.

Mr. McKEEN: Mr. Speaker, I move indefinite postponement of

Legislative Document 849, and when the vote is taken, I ask for a ye and nay vote.

The SPEAKER: The gentleman from Paris, Mr. McKeen, moves the indefinite postponement of Legislative Document 849, Bill "An Act Relating to the Manufacture and Sale of Cider."

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

Mr. HINCKLEY: Mr. Speaker, I want to speak a very few moments on this bill. When this first came before us, I think very few members of this House read the bill at all. I think perhaps we thought it would be killed, and therefore we did not make very much stir about it in the House.

As you remember, the bill that was first introduced apparently was so ridiculous and unworkable that a new draft was submitted in the form of an amendment. That appears as No. 1161. I wish you would read that bill and then tell me if you honestly can pass it and think you have done a good job.

I notice that this bill originally was introduced by Mr. McKeen by request. I do not know whether he was interested in it at that time or not, but at least it was introduced by request.

Now I notice by the register that Mr. McKeen is an orchardist and a farmer, and if anyone should be interested in the farmers and apple growers, he should be. I did not know until today that that gentleman intended to make a motion to indefinitely postpone this bill, because I had the thing in mind myself. I am, however, very glad he has done so, because it shows at least where some of the orchardists and farmers stand in regard to this matter.

I will not take the time to go into the merits of the bill itself or what it does. I am just as much interested in the farmers and orchardists as anyone else, and I would like to see them make a good living. I question, however, whether this bill will do what they want it to do. How much money will the farmer who sells cull apples get out of a measure of this kind? We all know that cull apples are worth hardly anything, and I wonder if the farmers that sell those apples get anything worth while. I will not go into that, but

will leave it to anyone else who wants to talk about it.

I simply want to call your attention to the various provisions of this bill and see if you can follow along and understand what it means.

In Section 3 it refers to the licensing and giving bonds. It says: "The licensee shall give to the state of Maine a bond, approved by said commission in such amount as it may deem necessary."

Now, in the first place, that is entirely different from the wording of any other section we have in the State of Maine on the statute books in regard to bonds, because bonds are always approved not only as to amount but as to surety. Nothing is said in this bond about surety. As far as the bill is concerned, he may give a personal bond and you may or may not have surety. The Commission has nothing to say about it; all the Commission can do is approve it as to amount. I submit to you that is no protection at all for the State of Maine, because if anyone gives a bond he may be worthless or may be worth a million dollars. The Commission has nothing to say about it; he does not have to furnish surety.

Now in the last part of Section 3 it uses the word "vendors". I have tried to read that and understand it, and I believe the author of the bill intended to say "vendees", because otherwise it does not make any sense at all. You know as well as I do that there is quite a difference between a vendor and a vendee. The vendor is the one who sells and the vendee is the one who buys. That is undoubtedly intended to refer to the buyer, but it says "seller".

Now in Section 4 they use the words "licensee or operator of a cider mill." Now previously, mind you, they have referred to "licensee". I do not know whether that means two different persons or not. There is nothing there in the bill to show whether it does or not. I do not know whether there are two persons that have to get a license.

Then they go over on the next page and they refer to them as the owners. Now we have three designations, apparently, for the same person, but the licensee is the only one required to furnish a bond. I fail to understand the real purpose behind that.

Then I want you to look at Section 5 and see if you can understand and find out the purpose behind it:

"Upon the acceptance by the commission of the offer of this owner, such owner shall deliver to the mill the number of bushels of apples, gallonage to be governed by ratio determined by test."

I have tried my best to understand it and I cannot.

But the prize section follows very soon after that, where it says:

"Warehouse owner or operator shall from time to time make a test certain of the number of gallons of cider **make** from a bushel of **apple**".

That is the bill you have been asked to pass, and if there is anyone in the House who can read that section and tell me what it means I will sit down and not say another word. I certainly think when the man wrote that he had a gallon of hard cider beside him. (Laughter)

Then it says:

"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."

A negotiable warehouse receipt for what? For cider? For apples? Where does the warehouse receipt go? Who gets it? There is nothing in the bill to show and I cannot understand it.

Then it also provides that if the manufacturer makes a lot more cider than the Commission wants, the Commission has a right to say to the various cider makers, we will take a pro rata part of the manufacture, and in that case the Commissioner of Agriculture has got to send an agent all over the State of Maine to check up on these various manufacturers to see how much cider they have. I do not know how much expense that is going to be, but it is going to be considerable.

Then I want you to go down into the next section, Section 6—and there again the word "licensee" is used. Now apparently in that case "licensee" refers to the man who sells malt liquor. In the first place "licensee" refers to manufacturer apparently, but here you have it referring to the seller of malt liquor, nothing to do with the manufacturer.

Well, they have repealed this by the amendment, but they have not taken care of Section 8 where it refers to these same licensees. You

cannot keep Section 8 in there if you take out Section 6. They are absolutely inconsistent, but there is no amendment to provide for that.

Then you go on to Section 9 where it says:

"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." That is the amount of money the Liquor Commission has now for the purpose of carrying on the liquor business, and I wonder if the Liquor Commission could properly function if you took \$100,000 out of the money you have already appropriated for it? I do not believe it can.

I think if you pass this bill, it will be a headache to everyone concerned. Of course part of my argument originally was based on the fact it was going to put it into the beer parlors, and now they want to put it into the hotels.

I am not going into the dangers of drinking hard cider. I will let somebody else do that. I just want to point out the defects in this bill that make it impossible to pass it with any degree of common sense. I hope the motion for indefinite postponement will prevail.

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Slosberg.

Mr. SLOSBERG: This bill had a fair hearing before the Temperance Committee, and, as we discussed the bill in executive session, I do not think we looked at it from a temperance point of view.

The thing that interested the committee as a whole, I feel, was that they wanted to do something for the orchardists, and the question arose as to whether or not this was the proper vehicle to do that. The committee felt that the difficulties which have been described to you by the gentleman from South Portland, Mr. Hinkley, prevailed in this problem from an administrative point of view, and therefore it would be far better to allow this question to go over to the next Legislature and allow the proponents more time in which to draft a bill which would perhaps be satisfactory to us, and the committee reported out unanimously that it should be referred to the next legislature.

I just want to comment briefly on Section 9, which deals with appropriations and which the gentleman from South Portland, Mr. Hinckley, has mentioned, and that is this: It is going to cost \$100,000 to set up this system. We have not appropriated that money in this Legislature, therefore we are going to follow Section 9 and take \$100,000 of the amount of money which the Liquor Commission now has to do business and set up this system. I wonder if that is an advisable situation. As I understand, the Liquor Commission needs every penny it has in order to conduct its business in a business-like manner. I hope the motion of the gentleman from South Paris (Mr. McKeen) will prevail.

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

Mr. DOW: Mr. Speaker, may I, through the Chair, ask a question of the gentleman from South Portland, Mr. Hinckley?

The SPEAKER: The gentleman may ask his question through the Chair.

Mr. DOW: Mr. Speaker, I did not quite get one word he used. I wondered whether he thought the author had a gallon of hard cider inside him or beside him. I think it makes quite a difference. (Laughter)

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

Mr. PRATT: Mr. Speaker, I want to go on record in this House as favoring the indefinite postponement of this measure. I do not think this State is in any position at this time where there is any need of entering into the hard cider business.

I wonder if any of you gentlemen know how hard cider gets real hard? They take a keg of cider and put in beefsteak, dump elderberries, brown sugar, and four or five packages of raisins. I know, because I sell them that stuff to put in cider in my country. After you drink a couple of glasses of hard cider you know you have had something. I do not believe we want to go into the hard cider business in this State.

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

Mr. GRUA: Mr. Speaker and Members of the House: I happen to grow some apples myself. I am interested from the point of view of the orchardist. I have not a very large orchard, but I have some 2,000 bushels a year. The orchardists have spent a great deal of money advertising Maine apples. We have tried to give the apple a good character in the State of Maine, and a great many of the orchardists I have talked with feel the same as I do, that it is not for the best interests of the orchardists to connect up apples with the liquor business. On that score alone I would be opposed to this present bill.

I also want to second what has been said about the difficulties of administering and the cumbersome mechanics that have been introduced into this bill. I think the Liquor Commission would have a very difficult problem on its hands even with a hundred thousand dollars for administration purposes. I also feel that we have no right to put this additional work on the Liquor Commission unless we also appropriate additional money for them to do it with.

For these several reasons, I am opposed to the measure and hope the gentleman's motion to indefinitely postpone may prevail.

The SPEAKER: The Chair recognizes the gentleman from Paris, Mr. McKeen.

Mr. McKEEN: Mr. Speaker, I am going to make one remark. At the present time in this State there have been several plants where they are trying to make sweet apple juice in a commercial way and are just starting in. I wonder, if you start making hard cider, what would be the effect on this new commercial project we are going to try to make successful. Also, Mr. Speaker, when we vote on it, I would like a yeas and nays vote taken.

The SPEAKER: The question before the House is on the motion of the gentleman from Paris, Mr. McKeen, that the bill be indefinitely postponed. Is the House ready for the question?

The gentleman from Paris, Mr. McKeen, asks that when the vote is taken, it be taken by the yeas and nays. In order for the vote to be taken by the yeas and nays it requires the consent of one-fifth of

the members present. All those in favor of the vote being taken by the yeas and nays 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.

Eleven voted in favor of the yeas and nays and one hundred and three against.

The SPEAKER: Less than one-fifth of the members having arisen, the yeas and nays are not ordered.

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

Mr. HINCKLEY: Mr. Speaker, I ask for a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Paris Mr. McKeen, that L. D. 849, Bill "An Act Relating to the Manufacture and Sale of Cider" be indefinitely postponed. All those in favor of the motion of the gentleman from Paris, Mr. McKeen, for the indefinite postponement of this bill 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.

Seventy-four having voted in the affirmative and twenty-four in the negative, the motion prevailed and the bill was indefinitely postponed in non-concurrence and sent up for concurrence.

House Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on H. P. 1283, L. D. 549, An Act Conferring Jurisdiction of the Public Utilities Commission over Vessels or Boats Propelled by other Motive Power than Steam, reporting that they are unable to agree.
(Signed)

Messrs. SLEEPER of Rockland

OTTO of Dexter

LaFLEUR of Portland

—Committee on part of House.

BRIDGES of Washington

CHAMBERLAIN of Penobscot

MORSE of Waldo

—Committee on part of Senate.

Report read and accepted and sent up for concurrence.

First Reading of a Printed Bill (Out of Order)

Bill "An Act relating to Pensions

of State Employees" (H. P. 1935) (L. D. 1175)

The SPEAKER: The Chair recognizes the gentleman from Parkman, Mr. McKusick.

Mr. McKUSICK: Mr. Speaker, this is not my bill, although I am very much interested in this bill for the reason it corrects an injustice and inequality. I want to explain to you about why this bill was so late in coming into the House.

This bill was introduced into the committee fairly early in the session, but because the subject matter was included in the contributory pension bill it seemed wise to hold this in the committee until today, and, in spite of the fact it comes in so late, I trust you will give it fair consideration, because I believe it merits consideration.

When the teachers contributory retirement system went into effect in 1934 it did not provide for a certain group, that is, those superintendents who were in service before 1924.

It may be said they could have come under this contributory pension system by paying up all their payments. That might be prohibitive for that class of men for the reason that those superintendents do not have a large amount of money on hand and probably none of them would be able to contribute a thousand dollars or more in one payment.

Now this bill as it is worded simply names them as State employees and by so doing makes them subject to our present pension system. That is, if the Governor and Council see fit, they may grant them a pension not to exceed one-half of their present salary, provided they have served a certain period of employment. Because we have some superintendents in our State who are drawing a very comfortable salary, the committee deemed it fit to put a ceiling on that and included in the bill that the maximum amount should be \$1200. That is, they could be entitled to a pension at the pleasure of the Governor and Council to an amount not to exceed \$1200.

I wish to explain a little further that these superintendents are State employees and a considerable portion of their salary is paid by the State. The State contributes to their salary up to \$1200. Their election is at the will of the Commissioner of

Education; they are not inducted into office until the Commissioner of Education has given his okay to their election, and at all times they are under his direction. They are just as much State employees as any other class.

Another thing I wish to call to your attention: At the time this bill was introduced I believe there were sixty-two such superintendents in the State. Now that does not mean that sixty-two superintendents may sometime be eligible for this pension, for two or three reasons. They are a group of men who are past middle life, most of them. Many of them will die out in the course of events before receiving a pension. A certain other group will fail of reelection by school boards or will resign before they have completed the necessary years of service. A certain other group are now drawing salaries far in excess of \$1200. One of the oldest in point of service has been reelected for a term of three years at a salary of nearly \$4000. Of course a pension of \$1200 would not be of interest to him.

I will also recall to your mind the fact that within a year or two the principals of your State Normal Schools have been retired on a pension of \$1900, far in excess of any salary we set here. I believe these superintendents have been just as much in the service of the State as your principals of normal schools.

I also want to call to your attention that in their early service their salaries were very small as compared with our present salaries, and during all those years of service they have been under heavy expense. You must remember a great many of them were poor boys, they came out of college in debt and have been working for small salaries; and in their employment their districts sometimes include four or five or six towns, and in the early days it was necessary to maintain a horse to travel about, and at the present time they must maintain an auto. I know from experience, checking up on our own superintendents, that the expense of travelling is a very large item and cuts into their salaries. Each summer they have to attend the superintendents' conference at their own expense.

I just want to say a word or two in regard to the service these men have rendered. We have heard a little here in this House about our

teachers' salaries, and we have been given the idea that the quality of our schools was below that of other states. But here is one thing I want to call to your attention: In spite of our low salaries and whatever they may say about the quality of our schools, our boys and girls that go out of the State of Maine hold their own in colleges with pupils that come from other states; and I know our teachers trained in the State of Maine are in demand in other states, and if you are going to give credit to anybody for some of the work done in the schools you must give it to this group of men who have given their lives to the service of the schools and service of the State of Maine. I believe that this House should give a fair consideration to this measure and endeavor to correct this injustice by passing this bill, labelling these people as State employees and entitling them to consideration for a pension. I thank you.

Thereupon the bill was given its second reading, and under suspension of the rules, was read the third time, passed to be engrossed and sent up for concurrence.

First Reading of a Printed Bill (Out of Order)

Bill "An Act Relieving Towns from Certain Maintenance Costs on Roads" (H. P. 1936) (L. D. 1176)

Bill had its two several readings. Mr. Farwell of Unity offered House Amendment "A" and moved its adoption.

Mr. FARWELL: Mr. Speaker, in support of this amendment I will say it has been one of the cardinal principles of all business that an increase of cost and an increase of service must be provided for by an increase in revenue.

Under this bill we are increasing the cost to the State of Maine to the amount of about \$932,000 yearly. In order to take care of this increased expenditure it has seemed to me necessary that an increased revenue should be had in order that we might have a proper maintenance of roads.

It did not seem possible to me that we should again raid the general highway fund to the tune of about a million dollars. It has been my thought that on a pay-as-you-go basis, on a sound financial basis whereby this will become a perm-

ament thing in the State of Maine, that we would have income sufficient to take care of the Holman bill, that we should derive revenue from some source, and, in offering this amendment, I believe there is sufficient revenue derived to take care of and support this bill, and the revenue will be derived from the source from which I believe it should be derived, and that is those who use the roads.

We have heard much about reduction of real estate taxes. As yet it has seemed to me this House has done very little in reduction of real estate taxes. I believe that this is a step in the right direction; I believe that this is something that will be appreciated by the entire State of Maine.

While it may not be too far-reaching, it certainly is a step toward the reduction of real estate taxes; it is a step towards reducing taxes on your property in towns whereby that property does not have to support the roads in that town. And so I hope that this House will have the courage that it had a few days ago when it passed out the revenue measure which, in my opinion, would have supported adequately this bill, and which I believe is a step which the State of Maine may well be proud of if we can pass this bill.

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

House Amendment "A" to H. P. 1936, L. D. 1176, Bill, "An Act Relieving Towns from Certain Maintenance Costs on Roads."

Amend said bill by adding thereto the following section to be numbered 9-A and to read as follows:

'Sec. 9-A. **Additional tax on gasoline.** Sections 79 to 89-C, inclusive, of chapter 12 of the revised statutes, as amended, are hereby further amended by striking out the words "4 cents" wherever they appear and inserting in place thereof the figures "4½c"; and by striking out the words "3 cents" wherever they appear and inserting in place thereof the figures "3½c"; and by striking out the words "three-fourths" wherever they occur and inserting in place thereof the figures "7/9'.

The SPEAKER: The Chair recognizes the gentleman from Bradford, Mr. Osgood.

Mr. OSGOOD: Mr. Speaker and Members of the House: As a member of the Ways and Bridges Committee, I heartily concur with what the gentleman from Unity, Mr. Farwell, has told you. We have given this bill a great deal of consideration in that committee, and we have had a great deal of discussion on that measure from every angle. We felt that we should absolutely have some revenue measure to go along with it. As a result of the amount of study we put on it, we felt we were justified in putting it out with the amendment, and I certainly hope that we go along and accept this amendment with this bill.

Mr. RODRIGUE of Waterville: Mr. Speaker, I rise to a point of order.

The SPEAKER: The gentleman from Waterville, Mr. Rodrigue, rises to a point of order. The gentleman may state his point.

Mr. RODRIGUE: Mr. Speaker, under House Rule 36 I question the germaneness of House Amendment "A" to Legislative Document 1176.

The SPEAKER: The Chair assumes the gentleman refers to House Rule 36 which reads:

"No motion or proposition on a subject different from that under consideration shall be admitted under the color of amendment."

The Chair will rule that in view of the fact that the amendment apparently is on a subject matter which is not referred to in or related to the original bill, the point of order is well taken and the amendment is out of order.

The Chair recognizes the gentleman from Dixfield, Mr. Holman.

Mr. HOLMAN: Mr. Speaker, I wish to appeal from the decision of the Chair. I would like to explain to the members of the House that Roberts Rules of Order and Reeds Rules of Order, under which we are working, state specifically, in another rule, that if any member takes an appeal from the decision of the presiding officer, a vote shall be taken, and if the majority of the members of the body vote to overrule the decision, then the amendment is considered germane to the bill. Now this is simply a legal

procedure; it is perfectly legal and legitimate under the rules. I want to say to you that in discussing this matter beforehand, anticipating this might come up, and talking it over with the leaders of our Legislature, you will not hurt anybody's feelings by voting upon this matter against the decision of the Speaker. I do not know whether it is in order to make a motion or simply to take an appeal.

The SPEAKER: The gentleman from Dixfield, Mr. Holman, appeals from the ruling of the Chair.

The question is: Shall the decision of the Chair stand as the judgment of the House?

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

Mr. MCGILLICUDDY: Mr. Speaker, I will say that I consider the Chair has been most fair in all matters before it, but, notwithstanding that fact, I shall vote with Mr. Holman to upset the opinion of the Chair in this particular instance in that I feel that this will only mean that we will have to wait here until a suitable bill is drawn, because the opinion of this body in regard to a half-cent tax on gasoline to take care of the roads is clear. We have voted on it once or twice and it is too clear to be held up at this point by useless procedure, because if the Chair is substantiated, the rest of us are ready to stay here until a bill is prepared or a vehicle is ready so that we can have this half-cent gas tax to take care of roads.

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

Mr. FARWELL: Mr. Speaker, I rise to make a parliamentary inquiry through the Chair. If a proper amendment were offered to the bill, would it be out of order?

The SPEAKER: Will the gentleman restate his question?

Mr. FARWELL: Mr. Speaker, I ask if this amendment which I have offered was so tied up to the bill that the appropriation which it will raise is for the purpose of carrying out the desires of the bill, would such an amendment be out of order?

The SPEAKER: The Chair can only reply to that, that the Chair cannot rule before it sees such an amendment as the gentleman might

desire to offer. If the Chair correctly understood the parliamentary inquiry, the Chair will rule you cannot make one amendment germane by adding another germane amendment to it.

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

Mr. MCGLAUFLIN: Mr. Speaker, I would like to ask the Chair if I am correct in this case; that when there is an appeal taken from the Speaker, it is not necessary that we decide that the Speaker has ruled wrongly but it may mean that the House sees fit to change the rule in that particular case? I would like to know about that. I feel that the Speaker has ruled rightly, but I feel that the House can upset that rule so that it can be allowed.

The SPEAKER: The Chair will say in answer to the gentleman's question that in the Chair's opinion a vote of the House certifies that the Chair has ruled wrongly, although the Chair would like to state that the Chair has no pride of opinion.

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

Mr. LAFLEUR: Mr. Speaker, I hope you will guide me on this parliamentary inquiry. May we suspend the particular rule in question by a vote of the House?

The SPEAKER: The Chair will reply that the House could suspend the rule at the proper time.

The Chair recognizes the gentleman from Waterville, Mr. Rodrigue.

Mr. RODRIGUE: Mr. Speaker and Members of the House: I did not do this because I wanted to kill the so-called Holman bill. There is, in my estimation, sufficient money to take care of that. This will take in approximately \$750,000. Now the money that was diverted from the Highway fund—

The SPEAKER: The Chair would suggest that the question before the House at the moment is: Shall the decision of the Chair stand as the judgment of the House? The Chair wishes that all the members would confine their debate to that particular question at this time.

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

Mr. LAMBERT: Mr. Speaker, may I ask through the Chair if the move to appeal the decision of the Chair is debatable? I doubt if it is.

The SPEAKER: The Chair will reply that an appeal from the decision of the Chair is debatable.

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

Mr. FARWELL: Mr. Speaker, I am satisfied perhaps that the ruling of the Chair is correct, and I move suspension of Rule 36 that I might offer an amendment that is not germane to the subject.

The SPEAKER: The Chair will rule that the motion is out of order, at the present moment there being one matter before the House.

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

Mr. WILLIAMS: Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER: The gentleman may state his inquiry.

Mr. WILLIAMS: Mr. Speaker, if the ruling of the Chair is sustained, would a motion to suspend Rule 36 then be in order?

The SPEAKER: The Chair would state that it would be in order.

Mr. WILLIAMS: I move you, Mr. Speaker, that the ruling of the Chair be sustained.

The SPEAKER: The question before the House is: Shall the decision of the Chair stand as the judgment of the House?

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

Mr. PAYSON: Mr. Speaker, I think that the members of this House know that I am heartily in favor of this amendment. I am utterly opposed to overruling the ruling of the Chair on this appeal. I do not believe that this House wants to say the Chair is wrong in its ruling when we know the Chair is right; I do not believe the House wants to establish that precedent. I think the matter can be worked out some other way, but, as far as I am concerned, I shall vote against the appeal from the ruling of the Chair.

The SPEAKER: The Chair recognizes the gentleman from Dixfield, Mr. Holman.

Mr. HOLMAN: Mr. Speaker, I want to suggest a way out of this, and I want to be sure it is right. After I make my motion, I will move that this bill be laid on the table. This Amendment "C"—it was intended to have those two amendments in one, but that was by mistake left off in the first one and

Amendment "A" was already being cut when the mistake was discovered, so this Amendment "C" was drawn up in addition. They should have gone together.

The SPEAKER: The Chair will suggest that the gentleman is not debating the question before the House.

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

Mr. FARWELL: Mr. Speaker, I ask permission to address the House for a third time.

The SPEAKER: The gentleman from Unity, Mr. Farwell, asks permission to address the House for the third time. All those in favor of granting the gentleman permission to address the House the third time will say aye; those opposed no.

A viva voce vote being taken, permission was granted.

Mr. FARWELL: Mr. Speaker, I rise for the third time merely to ask the House to sustain the ruling of the Speaker, after which I shall then ask for the suspension of Rule 36 in order to introduce an amendment.

The SPEAKER: The question before the House is: Shall the decision of the Chair stand as the judgment of the House?

All those in favor of the decision of the Chair standing as the judgment of the House—

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

Mr. MCGLAUFLIN: Mr. Speaker, I would suggest an easy way out of this difficulty—that the gentleman withdraw his motion.

The SPEAKER: All those in favor of the decision of the Chair standing as the judgment of the House will say aye; those opposed no.

A viva voce vote being taken, the decision of the Chair was sustained.

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

Mr. FARWELL: Mr. Speaker, I now move suspension of Rule 36, that I may offer an amendment to the bill not germane to the bill itself.

The SPEAKER: The gentleman from Unity, Mr. Farwell, moves that Rule 36 be suspended in order to permit the introduction of an amendment which is not germane to the bill. The motion to suspend the

rules requires a two-thirds vote of all the members present. All those in favor of the motion of the gentleman from Unity, Mr. Farwell, that Rule 36 be suspended 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. One hundred and three members arose.

The SPEAKER: The Chair will state that more than two-thirds of the entire membership has arisen and Rule 36 is suspended.

Mr. Farwell thereupon offered House Amendment "D" and moved its adoption.

House Amendment "D" to H. P. 1936, L. D. 1176, Bill, "An Act Relieving Towns from Certain Maintenance Costs on Roads."

Amend said bill by adding thereto the following section to be numbered 9-A and to read as follows:

'Sec. 9-A. Additional tax on gasoline. Sections 79 to 89-C, inclusive, of chapter 12 of the revised statutes, as amended, are hereby further amended by striking out the words "4 cents" wherever they appear and inserting in place thereof the figures '4½c'; and by striking out the words "3 cents" wherever they appear and inserting in place thereof the figures '3½c'; and by striking out the words "three-fourths" wherever they occur and inserting in place thereof the figures '7/9'.

The SPEAKER: Is it the pleasure of the House that House Amendment "D" be adopted?

All those in favor of the adoption of House Amendment "D" will say aye; those opposed no.

A viva voce vote being taken, House Amendment "D" was adopted.

The SPEAKER: The Chair recognizes the gentleman from Dixfield, Mr. Holman.

Mr. HOLMAN: Mr. Speaker, I offer House Amendment "C" and move its adoption.

The SPEAKER: The gentleman from Dixfield, Mr. Holman, moves that Rule 36 be suspended to permit offering of House Amendment "C." Is this the pleasure of the House?

The motion prevailed, and Mr. Holman offered House Amendment "C" under suspension of Rule 36 and moved its adoption.

House Amendment "C" to H. P. 1936, L. D. 1176, Bill, "An Act Relieving Towns from Certain Maintenance Costs on Roads."

Further amend said bill by adding thereto the following section correctly numbered:

'Sec. Appropriation. So much of the additional revenue derived from the extra tax imposed by section 9-A herein as is necessary to carry out the provisions of this act is hereby appropriated for the purpose of caring for the extra expense incurred by the state in carrying out the provisions of this act.'

House Amendment "C" was adopted.

The SPEAKER: The Chair recognizes the gentleman from Dexter, Mr. Otto.

Mr. OTTO: Mr. Speaker, I offer House Amendment "E" and move its adoption.

The SPEAKER: The gentleman from Dexter, Mr. Otto, offers House Amendment "E" and moves its adoption. The Clerk will read the amendment.

House Amendment "E" to H. P. 1936, L. D. 1176, Bill, "An Act Relieving Towns from Certain Maintenance Costs on Roads."

Amend said bill by adding to the title thereof the following: 'and imposing an additional gasoline tax.'

Mr. LAMBERT of Lewiston: Mr. Speaker, I rise to a point of order.

The SPEAKER: The gentleman from Lewiston, Mr. Lambert, rises to a point of order. The gentleman may state his point.

Mr. LAMBERT: Mr. Speaker, I did not understand the rules to be suspended before that amendment was presented.

The SPEAKER: The Chair will state that the rules do not require suspension for the presentment of this amendment. The previous amendment relating to gas tax having been adopted is now before the House.

The Chair recognizes the gentleman from Dexter, Mr. Otto.

Mr. OTTO: Mr. Speaker, I move the amendment be adopted without reproduction.

The SPEAKER: The gentleman from Dexter, Mr. Otto, moves that House Amendment "E" be adopted without reproduction and distribution. The Chair recognizes the gentleman from Portland, Mr. LaFleur.

Mr. LaFLEUR: Mr. Speaker, reserving the right to check, I would like to have that amendment read again.

(House Amendment "E" was read by the Clerk.)

Mr. LaFLEUR: I withdraw my objection, Mr. Speaker.

The SPEAKER: Is it the pleasure of the House that House Amendment "E" be adopted?

House Amendment "E" was adopted, and the bill had its third reading and was passed to be engrossed as amended.

On motion by Mr. Holman the bill was ordered sent forthwith to the Senate.

Passed to be Enacted

(Out of order and under suspension of the rules)

An Act relating to Labor Relations in the State of Maine (S. P. 562) (L. D. 1162)

An Act to Provide a Pension for Members of the Police and Fire Departments of the city of Waterville (H. P. 831) (L. D. 345)

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)

An Act relating to the Salary of the Attorney General (H. P. 1464) (L. D. 740)

An Act to provide for the Appointment of a Board of Commissioners of Fire Department for the city of Gardiner (H. P. 1585) (L. D. 919)

Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons (S. P. 545) (L. D. 1131)

Resolve in favor of Several Academies, Institutes and Seminaries (H. P. 1927) (L. D. 1165)

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.

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

Mr. BREWER: Mr. Speaker, I ask that the House reconsider its action of this morning whereby it ac-

cepted the Conference Committee report that the committee was unable to agree, on Bill "An Act Pertaining to Inspectors in the Department of Secretary of State," and ask for another Committee of Conference.

I would like to state at this time my reason for so doing. It has come to my attention that an executive order has gone through which completely sabotages the present set-up in the Secretary of State's department. If this old bill with the amendment could be resurrected, it would make a much better set-up for everybody concerned, I sincerely believe. This order, to my mind, is absolutely contrary to every intention the Legislature has indicated that it stands for, and I ask the indulgence of the members for a second Committee of Conference.

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

Mr. MURCHIE: Mr. Speaker, admitting in the beginning I did have a considerable hand in the indefinite postponement of the bill to which the gentleman refers, I now state that I am in perfect accord with what he desires. Certain things have taken place here which will very much disturb the department to which he has referred. I hope the House will go along with his motion. I think I can promise the House we will take very little of its time if it agrees with his idea.

The SPEAKER: The question before the House is on the motion of the gentleman from Presque Isle, Mr. Brewer, that the House reconsider its action whereby it accepted the report of the Conference Committee that they were unable to agree.

The Chair recognizes the gentleman from Hallowell, Mr. Keller.

Mr. KELLER: Mr. Speaker and Fellow Members of the House: I believe that the two gentlemen who have just spoken really have found out a few things, therefore I am going along with them.

The SPEAKER: The question before the House is on the motion of the gentleman from Presque Isle, Mr. Brewer, that the House reconsider its action taken this morning whereby it accepted the report of the Conference Committee that they were unable to agree. Is this the pleasure of the House?

The motion prevailed, and the House voted to reconsider its action taken this morning whereby it accepted the report of the Conference Committee on Bill "An Act Pertaining to Inspectors in the Department of Secretary of State."

On further motion by the gentleman from Presque Isle, Mr. Brewer, the House voted to ask for another Committee of Conference; and the Chair appointed as Conferees on the part of the House:

Messrs. BREWER of Presque Isle
EDDY of Bangor
Miss BANGS of Brunswick

On motion by Mr. Payson of Portland,

Recessed until 8:00 P. M.

EVENING SESSION—8.45 P. M.

The House was called to order by the Speaker.

The following papers were taken up out of order under suspension of the rules:

Non-concurrent Matter

From the Senate:

Bill "An Act to Appropriate Monies for the Expenditures of 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 was passed to be engrossed in the House on April 22nd as amended by Senate Amendment "A" in non-concurrence.

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

In the House:

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

Senate Amendment "D" to S. P. 488, L. D. 1014, Bill, "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1942 and June 30, 1943."

Amend said bill by striking out in the first and second columns of figures, the figures "120,000.00" where they appear opposite the words "Support of dependent soldiers, sailors" under the heading of "HEALTH AND WELFARE DEPARTMENT", and inserting in the first column the

figures '115,000.00', and inserting in the second column the figures '114,000.00'; and by striking out the figures in the first and second columns "2,275,000.00" where they appear opposite the words "Old Age Assistance", and inserting in the first column the figures '565,000.00' and inserting in the second column the figures '790,000.00'.

Further amend said bill by correcting the figures opposite "Total Health and Welfare" to correspond with the changes made herein.

Further amend said bill by striking out the figures "13,600.00" in the first and second columns opposite the words "Departmental operations" where they appear under the heading of "INSTITUTIONAL SERVICE, DEPARTMENT OF", and inserting in place thereof the figures '19,600.00'.

Further amend said bill by striking out the figures "200,000.00" where they appear opposite the words "Prison, Maine State" under the heading of "INSTITUTIONS", and inserting in place thereof the figures '194,000.00'; and by correcting the figures opposite the words "Total institutions" to correspond with this correction.

Further amend said bill by correcting the figures opposite the words "Total all appropriations" to correspond with the changes made herein.

Thereupon, the House voted to recede from its action whereby it passed this bill to be engrossed.

Senate Amendment "D" was then adopted, and the bill was passed to be engrossed as amended by Senate Amendments "A" and "D" in concurrence.

Senate Conference Report

From the Senate:

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on S. P. 246, L. D. 403, "An Act relating to the Administration of State Institutions," reporting that the House recede from its former action whereby it accepted the Minority Report (Ought not to pass) of the Committee on Judiciary and concur with the Senate in the acceptance of the Majority Report (Ought to pass in new draft) (S.

P. 565) (L. D. 1167) and pass the Bill to be engrossed.

(Signed)

Miss LAUGHLIN of Cumberland
Messrs. FARRIS of Kennebec
HARVEY of York
—Committee on part of Senate.
PAYSON of Portland
BRIGGS of Hampden
GRUA of Livermore Falls
—Committee on part of House.

Came from the Senate, read and accepted.

In the House, the House voted to recede from its action whereby it accepted the "Ought not to pass" report of the committee and concurred with the Senate in the acceptance of the majority report "Ought to pass in new draft" (S. P. 565) (L. D. 1167).

Thereupon, under suspension of the rules the bill had its three several readings and was passed to be engrossed in concurrence.

Final Report

From the Senate:

Final Report of the Committee on Pensions.

Came from the Senate, read and accepted.

In the House, was read and accepted in concurrence.

The SPEAKER: Is it the pleasure of the House to take up out of order bills on their passage to be enacted?

Passed to Be Enacted

Emergency Measure

An Act Creating a Tax on Cigarettes (H. P. 1925) (L. D. 1164)

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

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

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

This being an emergency measure, under the Constitution requires for its passage the affirmative vote of

two-thirds of the entire elected membership of this House.

The gentleman from Portland, Mr. LaFleur, requests that when the vote is taken, it be taken by the yeas and nays. Under the Constitution a vote shall be taken by the yeas and nays upon the request of one-fifth of the members present. All those in favor of the vote being taken by the yeas will rise and stand in their places until counted and the monitors will make and return the count.

A division of the House was had.

The SPEAKER: Obviously more than one-fifth of the members present having arisen, the yeas and nays are ordered.

The question before the House is on the passage of this bill to be enacted. All those in favor of the passage of this bill to be enacted will say "Yes" in answer to their names; those opposed will say "No". The Clerk will call the roll.

YEA—Anderson, Arzonico, Ayer, Babin, Baker, Bangs, Belanger, Biddeford; Belanger, Winslow; Bernier, Bolduc, Boutin, Bowers, Boyd, Bradford, Brewer, Briggs, Brown, Brunswick; Brown, Corinna; Brown, Eagle Lake; Bubar, Buckley, Buker, Conant, Cousins, Crockett, Cross, Davis, Buxton; Davis, Montville; Dean, Deering, Denny, Donahue, Dorrance, Doughty, Dow, Downs, Dutton, Estabrook, Farwell, Fenlason, Fickett, Flagg, Forhan, Fuller, Good, Goodrich, Gould, Gorham; Gould, Milo; Grady, Grua, Hall, Hamilton, Harold, Harvey, Hincley, Holman, Jones, Jordan, Keller, Lackee, LaFleur, Lambert, Lane, Leavitt, Libby, Littlefield, MacLeod, Martin, McFadden, McGillicuddy, McGlaulin, McIntire, McKeen, McKusick, McLellan, McNamara, McGill, Milliken, Mills, Murchie, Newcomb, Osgood, Otto, Patterson, Payson, Pearson, Pelletier, Poulin, Pratt, Preble, Race, Rankin, Bridgton; Rankin, Denmark; Richardson, Roberts, Robie, Robinson, Rodrigue, Sanderson, Savage, Saywaru, Seeger, Shesong, Sichel, Sleeper, Slosberg, Smith, Thomaston; Southard, Sylvia, Teel, Tozier, Walker, Welch, Chapman; Weston, Williams, Bethel; Williams, Clinton; Winter, Wyman.

NAY — Bragdon, Clough, Dorsey, Eddy, Goldsmith, Michaud, Morrison, Phair, Rollins, Starrett, Wallace, Warren, Worth.

ABSENT—Brown, Bangor; Clapp, Dwinal, Gowell, Jacobs, Labbe, Leveque, Mercier, Pierce, Porrell, Robbins, Roy, Small, Smith, Bangor; Stevens, Welch, North Berwick; Willey.

Yes—118.

No—13.

Absent—17.

The **SPEAKER**: One hundred and eighteen having voted in the affirmative and 13 in the negative, 118 being more than two-thirds of the entire elected membership of this House, the bill is passed to be enacted, and signed by the Speaker.

**Passed to be Enacted
Emergency Measure**

An Act Making Supplemental Appropriation for Overdrafts Already Incurred Due to Insufficient Appropriations and Anticipated Overdrafts and Other Obligations for Which No Legislative Appropriations Have Been Made (S. P. 568) (L. D. 1172)

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

This being an emergency measure, under the Constitution 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.

One hundred and thirty having voted in the affirmative and none in the negative, 130 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted, and signed by the Speaker.

**Passed to be Enacted
Emergency Measure**

An Act for the Assessment of a State Tax for the Year Nineteen Hundred Forty-one and for the Year Nineteen Hundred Forty-two (H. P. 1704) (L. D. 1027)

The **SPEAKER**: This bill, having had its three several readings in the House and having been passed to be engrossed, having had its two several readings in the Senate and having been passed to be engrossed, and having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, is it

now the pleasure of the House that this bill now pass to be enacted?

This being an emergency measure, under the Constitution 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.

One hundred and thirty-two having voted in the affirmative and none in the negative, 132 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted, and signed by the Speaker.

On motion by the gentleman from Strong, Mr. Richardson, these three emergency measures were ordered sent forthwith to the Senate.

Passed To Be Enacted

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

An Act relating to the Practice of Chiropractic (H. P. 1933) (L. D. 1174)

An Act relating to Taxes upon Wines and Spirits (H. P. 1474) (L. D. 607)

An Act to Provide a Pension for Members of the Fire Department of the City of Auburn (H. P. 1930) (L. D. 1171)

An Act to Provide a Pension for Members of the Police Department of the City of Auburn (H. P. 1931) (L. D. 1170)

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.

The following papers from the Senate were taken up out of order and under suspension of the rules.

Non-Concurrent Matter

From the Senate:

Bill "An Act to Assist Rural Sanitation Activities" (H. P. 830) (L. D. 344) which was passed to be engrossed in the House earlier in the day as amended by Conference Committee Amendment "A" as amended by House Amendment "A" thereto.

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

In the House:

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

Mr. PAYSON: Mr. Speaker, I cannot conceive that the action taken here is the final action. I therefore move that we insist and ask for a Committee of Conference.

The SPEAKER: The gentleman from Portland, Mr. Payson, moves that the House insist and ask for a Committee of Conference.

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

Mr. MILLS: Mr. Speaker, I move that we recede and concur with the Senate.

This bill has been before the Legislature for a long time this winter, many attempts have been made to amend it, and I think I have acted in entire good faith with those who have proposed amendments. I have come to realize that many times when an amendment is suggested, it is suggested with a view to killing the bill. I thought this afternoon when an amendment was offered, it was offered in entire good faith. I found, when the bill arrived in another part of the State House, it ran into a veritable hornet's nest because of that amendment. I think the amendment was not necessary and made no particular concession to the City of Portland or to any other city.

The bill, as it stood when it came out of Conference Committee, was that anyone in a private dwelling in a farmhouse who desired to install modern plumbing facilities can do so without getting a license first from the Department of Health here in Augusta.

As the law is today, if you have a camp on the side of Mt. Katahdin and you want to put in a sink you have got to get a permit from Augusta before you can do it, and many people over the State have found that the situation in regard to that plumbing code and the installation of plumbing facilities on our farms is intolerable. Many farmers have looked forward to the time when they could make improvements along those lines, only to find that in order to do so they had to get a permit from Augusta before they could do it, no matter whether they lived five miles or ten miles from another farmhouse. This bill was introduced to change that situation.

We come down here and find that a group is so interested in stopping it that they will spend hundreds of dollars to amend it in different ways and change it so that it will not even relieve that situation in the country. I suggest that if there are farms in the City of Portland that are not served by municipal sewerage systems or by municipal water systems, they may be just as rural in character as a farm in Fort Kent or Van Buren and just as entitled to the same ease in making those improvements as those other farms.

The opposition to this bill comes from the plumbing supply houses. The plumbing supply houses have been able to finance during the last month or two a man at this Legislature whose sole purpose has been to stop it entirely, although it has no effect in the City of Portland except as there might be a farm house out in the distance that has no connection with the municipal sewerage system or municipal water system.

If any of these farms happen to drain their sewerage into a water supply, then they would still be under it, and I submit that the dictates of good health would require they should, and that is the way the bill is drawn.

I want to ask that this House recede and concur with the Senate, so that this bill can go along as the Conference Committee worked it out. I also want to say that on that Conference Committee there were members from Portland who felt Portland was well taken care of by the Conference Committee.

The SPEAKER: The gentleman from Portland, Mr. Payson, moves that the House insist and ask for a Committee of Conference. The gentleman from Farmington, Mr. Mills, moves that the House recede and concur with the Senate. The question before the House is on the motion of the gentleman from Farmington, Mr. Mills, that the House recede and concur. The Chair recognizes the gentleman from Portland, Mr. Payson.

Mr. PAYSON: Mr. Speaker and Members of the House: We are all getting pretty tired and perhaps a little bit suspicious, but I do want to explain to the House exactly what it means. I will not take over five minutes. I have not taken over ten minutes on any speech I have made here.

I am only asking for the same thing my friend, the gentleman from Farmington (Mr. Mills) is asking for. I am asking that we have home rule in our city. I submitted the amendment which I drafted and which I put on the bill today to the gentleman from Farmington, Mr. Mills, and to the gentleman from Livermore Falls, Mr. Grua, and they agreed that it was perfectly proper and met with their cooperation. I do not think anyone here thinks that I am connected with a lobby that is fooling around with plumbing.

I just want to say this: You do not want to be bothered in the country section with bothersome inspections. We do not want to be killed in Portland by water-borne disease through careless plumbing. All I am asking is for a chance to get an amendment that will protect our city. I think we are entitled to it; I think we have a right to it; and, under the Conference Committee report, ordinances and rules and regulations are cut out unless the private houses are connected with a sewer or other running water. We do not want it in Portland that way. I think I can speak truly. The Department of Health in Portland asked me to look after this bill carefully and make sure we did not get into trouble on it. We have a fine record there and we want to preserve it. I hope the motion of the gentleman from Farmington, Mr. Mills, will not prevail. I do not want to kill his bill; I simply want to protect my people.

The SPEAKER: The question before the House is on the motion of the gentleman from Farmington, Mr. Mills—

The Chair recognizes the gentleman from Thomaston, Mr. Smith.

Mr. SMITH: Mr. Speaker, this concerns me quite a lot. When the bill was first drawn I was against it. Now this is my business. I am a licensed master plumber, and I am fully in accord with the bill as amended, and I hope the motion of the gentleman from Farmington, Mr. Mills, prevails.

The SPEAKER: The question before the House is on the motion of the gentleman from Farmington, Mr. Mills, that the House recede from its action whereby it passed this bill to be engrossed, and further recede from its action whereby it adopted House Amendment "A" to

Conference Committee Amendment "A" and concur with the Senate in the indefinite postponement of House Amendment "A" to Conference Committee Amendment "A" and in the passage of the bill to be engrossed as amended by Conference Committee Amendment "A".

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

Mr. FARWELL: Mr. Speaker, when the vote is taken I ask for a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Farmington, Mr. Mills, that the House recede from its action and concur with the Senate in the passage of this bill. All those in favor of the motion of the gentleman from Farmington, Mr. Mills, that the House recede and concur with the Senate 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. Ninety-eight having voted in the affirmative and sixteen in the negative, the motion prevailed and the House voted to recede from its action whereby it passed this bill to be engrossed, and further voted to recede from its action whereby it adopted House Amendment "A" to Conference Committee Amendment "A".

The House then concurred with the Senate in the indefinite postponement of House Amendment "A" to Conference Committee Amendment "A", and the bill was passed to be engrossed as amended by Conference Committee Amendment "A" in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that the Legal Affairs Committee room being room numbered 83, be reserved for the use of the Committee on Revision of the Statutes and the Revisor of Statutes during the preparation of the revision of statutes (S. P. 569)

Came from the Senate read and passed.

In the House, was read and passed in concurrence.

Non-Concurrent Matter

From the Senate:
Bill "An Act relating to the Inheritance Tax Law" (H. P. 1285)

(L. D. 551) which was passed to be engrossed in the House earlier in the day as amended by Senate Amendment "A" and as amended by House Amendment "A" in non-concurrence.

Came from the Senate with that body insisting on its former action whereby the bill was passed to be engrossed as amended by Senate Amendment "A" and as amended by House Amendment "A" as amended by Senate Amendment "A" thereto in non-concurrence, and asking for a Committee of Conference, and with the following Conferees appointed on its part: Miss LAUGHLIN of Cumberland Messrs. BROWN of Aroostook STILPHEN of Lincoln

In the House, on motion by Mr. Payson of Portland, the House voted to insist and join in a Committee of Conference, and the Chair appointed as Conferees on the part of the House:

Messrs. PAYSON of Portland
SLEEPER of Rockland
McNAMARA of Winthrop

Final Reports

From the Senate:

Final Report of the Committee on Appropriations and Financial Affairs.

Final Report of the Committee on Education.

Final Report of the Committee on Labor

Came from the Senate read and accepted.

In the House, were read and accepted in concurrence

House Reports of Committees

(Out of Order)

Ought Not to Pass

Mrs. Grady from the Committee on Education reported "Ought not to pass" on Bill "An Act relating to Apportionment of School Funds" (H. P. 461) (L. D. 199)

Report was read and accepted and sent up for concurrence.

Ought to Pass

Mr. MURCHIE from the Committee on Appropriations and Financial Affairs, acting under authority of Joint Order H. P. 1618, reported a Bill under title of "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other

Purposes for the Fiscal Years ending June 30, 1942 and June 30, 1943" (H. P. 1937) and that it "Ought to pass"

Report was read and accepted, and the Bill was given its three several readings under suspension of the rules, passed to be engrossed and sent up for concurrence.

Passed to be Enacted

(Out of Order)

An Act relating to Applications for Old Age Assistance (H. P. 1109) (L. D. 367)

Was 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.

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

Mr. PAYSON: Mr. Speaker, I move to take from the table the order tabled by me earlier in today's session which I tried to get back from the table earlier and the Clerk did not have it, relating to the purchase of new chairs for the members of the House.

The SPEAKER: The gentleman from Portland, Mr. Payson, moves that the House take from the table House Order relative to purchase of new chairs, tabled by that gentleman earlier in today's session.

The motion prevailed, and the order was taken from the table.

Mr. PAYSON: Mr. Speaker, at the time I tabled the order I had not had a chance to see it, and I suspect that not all the members of the House had had a chance to see it, although the gentleman from Rumford (Mr. Martin) had talked it over with several members of the House. I was afraid at the time it might not be quite in order, because the expense would have to come from the Legislative appropriation of the 91st Legislature; but I realize that the order is more in the nature of a request, and I also know that as a practical proposition that probably is the only way we will ever get new chairs in here, therefore I certainly have no objection to the order.

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

the order. Is it the pleasure of the House that the order receive passage?

All those in favor of the motion of the gentleman from Rumford, Mr. Martin, that the order receive passage will say aye; those opposed no.

A viva voce vote being doubted,

A division of the House was had.

Seventy-nine having voted in the affirmative and thirty-one in the negative, the motion prevailed and the order received passage.

The SPEAKER: The Chair has been informed that the House has acted upon all matters in the possession of the House at this time. The House may stand at ease awaiting additional papers from the Senate.

House at Ease

10.30 P. M.

Called to order by the Speaker.

Additional paper from the Senate, out of order and under suspension of the rules.

Non-concurrent Matter

From the Senate:

Bill "An Act Relieving Towns from Certain Maintenance Costs on Roads" (H. P. 1936) (L. D. 1176) which the House passed to be engrossed earlier in the day as amended by House Amendments "C," "D," and "E."

Came from the Senate with House Amendments "C," "D" and "E" indefinitely postponed and the Bill passed to be engrossed without Amendment in non-concurrence.

In the House, on motion by Mr. Holman of Dixfield, the House voted to recede from its action whereby it passed this bill to be engrossed.

House Amendments "C," "D," and "E" were indefinitely postponed, and the bill was passed to be engrossed without amendment in concurrence.

The SPEAKER: The Chair is informed that the House has acted on all matters which were sent to the House.

The Clerk will read the notices.

On motion by Mr. Payson of Portland,

Adjourned until 9:00 o'clock tomorrow morning.