

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Ninetieth Legislature

OF THE

State of Maine

SPECIAL SESSION

JANUARY 12, 1942

KENNEBEC JOURNAL PRINT SHOP
AUGUSTA, MAINE

SENATE

Thursday, January 22, 1942.

Senate called to order by the President.

Prayer by the Rev. Andrew X. Mahy of Augusta.

Journal of yesterday read and approved.

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**House Committee Reports
Ought Not to Pass**

The Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Moneys for Civilian Defense and Military Purposes." (H. P. 1965) (L. D. 1243) reported that the same ought not to pass.

Which report was read and accepted in concurrence.

Referred to Next Legislature

The Committee on Temperance on Bill "An Act Relating to the Regulation of the Sale of Malt Liquors to Minors." (H. P. 1999) (L. D. 1257) reported that the same be referred to the 91st Legislature.

Which report was read and accepted in concurrence.

Ought to Pass

The Committee on Banks and Banking on Bill "An Act Authorizing the Facsimile of the Signature of the Governor to be Used on Bonds Issued by the State," (H. P. 1951) (L. D. 1190) reported that the same ought to pass.

Which report was read and accepted in concurrence, the bill read once and tomorrow assigned for second reading.

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The Committee on Judiciary on Bill "An Act Relating to Fingerprinting and Identification of the Civilian Population," (H. P. 1984) (L. D. 1251) reported that the same ought to pass.

Mr. ELLIOT of Knox: Mr. President, I move the indefinite postponement of this bill and my reasons for so doing are as follows: I object to the fingerprinting of all the people of the state of Maine because the cost of same would be tremendous, to say nothing of the fact that there is an aversion on the part of the people in Maine to being told they have to do anything. As I understand it, there is no provision in this law to take

care of those people who refuse to have their fingerprints taken.

Regarding costs, there are 850,000 people in the state of Maine and the cards alone for the taking of fingerprints cost two cents each. As I understand it, they want to take three separate sets of fingerprints, one to be used by local law enforcement officers, one to be used by the state police and another set of cards sent along to the federal government. The cost of those cards, as I have said, is two cents each, making the cost of each individual fingerprint, for cards alone, six cents each. Multiply that by 850,000 people and you get \$51,000 that cards alone will cost.

To the best of my knowledge and belief, one person can take fingerprints of only 50 people in a day because it is not simply a matter of placing the hand on a pad and transferring the finger prints to a card, but there is an awful lot of data that goes along with that such as age, weight, height, color of eyes, hair, etc. All three of those cards have to be made out separately. Dividing 50 into 850,000 people and you get 17,000 man days that it is going to take to do that job. I submit it is getting to be impossible to get anyone to do anything these days for less than \$5.00 a day. If you multiply \$5.00 by 17,000 you will get \$85,000 that it is going to cost for the fingerprinting of 850,000 people.

The total of those two figures will give \$136,000 for those costs alone. Now, fingerprints on cards are of absolutely no use unless filed away in proper equipment so that when a fingerprint card is needed or wanted it can be procured in very short order. I have made no mention of filing equipment necessary to file away 850,000 cards, nor any mention of the cost of a sorting machine through which these cards should go in order to be properly classified so that a particular card can be taken out of the file on short notice.

I would object and do object to nearly \$200,000 being taken from the defense funds for the purpose of fingerprinting the civilian population of the state. I object from the point of view of cost and not from the point of view of the necessity, when the emergency is over, of having fingerprints of the civilian population. I object from the point of view of cost.

Mr. President, I move the indefinite postponement of the bill.

Thereupon, on motion by Mr. Farris of Kennebec, the bill was laid upon the table pending motion to indefinitely postpone.

The Committee on Legal Affairs on Bill, "An Act Providing for Better Protection of the Portsmouth-Kittery Bridge" (H. P. 1991) (L. D. 1222) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Ordinances of Towns Relative to Trailers and Trailer Camps," (H. P. 1990) (L. D. 1221) reported that the same ought to pass.

Which reports were severally read and accepted in concurrence, the bills read once and tomorrow assigned for second reading.

Ought to Pass as Amended

The Committee on Appropriations and Financial Affairs on Bill "An Act Amending the Law Relating to the Maine Nautical School to Provide for War Emergency," (H. P. 1938) (L. D. 1179) reported that the same ought to pass as amended by Committee Amendment "A."

The Committee on Banks and Banking on Bill "An Act Permitting Savings Banks to Assist in House Building During the Present Emergency," (H. P. 1966) (L. D. 1212) reported that the same ought to pass as amended by Committee Amendment "A."

Which reports were severally read and accepted in concurrence, Committee Amendments "A" were severally read and adopted, the bills read once and tomorrow assigned for second reading.

Ought to Pass

The Committee on Public Utilities on Bill "An Act to Incorporate the Eliot Water District," (H. P. 1942) (L. D. 1183) reported the same in a new draft (H. P. 2006) (L. D. 1261) under the same title, and that it ought to pass.

Which report was read and accepted in concurrence, the bill in new draft read once and tomorrow assigned for second reading.

Divided Report

The Majority of the Committee on Temperance on Bill "An Act to Improve the Efficiency of the Administration of the Liquor Laws and to Safeguard State Revenues During the Present Emergency," (H. P.

2000) (L. D. 1258) reported that the same be referred to the 91st Legislature.

(Signed) Senators:

BATE of Kennebec
TOWNSEND of Penobscot

Representatives:

GOOD of Monticello
ESTABROOK of Stacyville
BUBAR of Weston
DAVIS of Montville

The Minority of the same Committee on the same subject matter reported that the same ought to pass.

(Signed) Senator:

BOUCHER of Androscoggin

Representatives:

SLOSSBERG of Gardiner
MILLS of Farmington

Comes from the House, the Majority Report read and accepted.

On motion by Mr. Bate of Kennebec the majority report of the Committee "that the same be referred to the 91st Legislature" was accepted in concurrence.

Senate Committee Reports Legislation Inexpedient

Mr. Harkins from the Committee on Salaries and Fees on Bill "An Act Relating to the Salary of the Attorney-General," (S. P. 613) (L. D. 1227) reported that legislation thereon is inexpedient.

Which report was read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Emery from the Committee on Federal Relations on "Memorial to the Honorable Senate and House of Representatives of the United States of America in Congress Assembled," (S. P. 619) reported that the same be adopted.

Which report was read and accepted.

Sent to the House.

Mr. Morse from the same Committee on Bill "An Act Amending the Unemployment Compensation Act to further Conform with the United States Law," (S. P. 617) (L. D. 1259) reported that the same ought to pass.

Which report was read and accepted, the bill read once and tomorrow assigned for second reading.

Mr. Farris from the Committee on Judiciary on Bill "An Act Vali-

dating Acts of Notaries Public Who Become Police Officers," (S. P. 621) (L. D. 1263) reported that the same ought to pass.

Which report was read and accepted, the bill read once and tomorrow assigned for second reading.

Ought to Pass as Amended

Mr. Stilphen from the Committee on Salaries and Fees on Bill "An Act Providing for Appropriations and Adjustments in Salaries and Fees Made Necessary by the War," (S. P. 593) (L. D. 1205) reported that the same ought to pass as amended by Committee Amendment "A."

Which report was read and accepted, the bill read once and Committee Amendment "A" was read.

Mr. BISHOP of Sagadahoc: Mr. President, I am not quite certain of the reading or meaning of this bill as it is and I would like to have it laid upon the table until some time later in the day. I so move you, Mr. President.

The motion prevailed and the bill and amendment were laid upon the table pending adoption of Committee Amendment "A."

Passed to be Engrossed

Bill "An Act Providing for Transfer of Certain State Property to the Maine Nautical Training School." (H. P. 1939) (L. D. 1180)

Bill "An Act Relating to Pre-marital Medical Examinations in Emergencies." (H. P. 1953) (L. D. 1191)

Mr. SANBORN of Cumberland: Mr. President, before the second reading of this bill I am rising to offer an amendment and move its adoption. By way of explanation, I think it only fair to the members of the Senate to say that this legislature at its regular session, passed the so-called pre-marital bill, the contents and purport of which I know you all understand and recall.

This provided, among other things, that in cases of emergency where it should be made to appear before some justice of the superior court that the public health and safety would not be imperiled, such justice might authorize dispensing with the requirements of the act as to certain steps otherwise neces-

sary to be taken. This was unquestionably a wise provision. It has developed, however, that as it stands, in many cases or at least in some cases it works a hardship.

To illustrate perhaps rather than to describe in general terms, let us suppose a couple desiring to marry in Presque Isle, but believing and properly so, that their situation is such that certain requirements might be waived, they go to Houlton only to find that Judge Tompkins is holding court in Belfast, so they go to Bangor and are told that Judge Murray is holding court in Auburn. Then they may drive to Augusta and may find Judge Cony quietly ensconced in the court house and they get the waiver, but they have been subjected to unreasonable hardship.

The purpose of the bill before us was to avoid it. The bill before us, as you will note, provides any judge of the superior court or any judge of probate may grant the waiver. It is thought, perhaps erroneously, but it is thought that the result of the passage of this act would be a general tendency to go to the judge of probate in all cases, 16 of them scattered over the state, different temperaments, different states of mind, and there would be likely to be some letting down of the bars and at least a partial defeat of the purposes of the act, which is to conserve the health of the public.

The amendment I am offering, which will be read, does only this, it puts that couple I have suggested in this position: when they get to Houlton, hearing that Judge Tompkins is not in the county, they go to the judge of probate. The judge of probate simply has to satisfy himself and find judicially that no justices are in the county, then he can act. But if the judge of the superior court is available he is the one who must be applied to. That is all there is to this amendment which is thought to be helpful.

The Secretary read Senate Amendment "A":

"Amend said bill by striking out the words 'any judge of probate' in the fifth line of said bill and inserting in place thereof the following underlined words 'when none such justice is present and available within his county the judge of probate in such county, finding that no justice of the superior court is present and available therein.'"

Thereupon, Senate Amendment "A" was adopted and the bill was

given its second reading and passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

Sent down for concurrence.

Bill "An Act Relating to Gambling." (H. P. 1986) (L. D. 1219)

Bill "An Act Providing Means for Assistance in the Maintenance of and Snow Removal from Airports." (S. P. 580) (L. D. 1198)

Bill "An Act Clarifying Certain Tax Laws to Safeguard Present Revenues." (S. P. 581) (L. D. 1199)

Which bills were severally read a second time and passed to be engrossed in concurrence.

Sent down for concurrence.

Bill "An Act Providing for Appropriations and Adjustments Made Necessary by the War; Relating to Additional State Policemen and to Institutional Emergency Fund." (S. P. 587) (L. D. 1200)

Which was read a second time and passed to be engrossed as amended by Senate Amendment "A."

Which was read a second time and passed to be engrossed as amended by Senate Amendment "A."

Sent down for concurrence.

Bill "An Act Providing for Appropriations and Adjustments in the Highway Department Made Necessary by the War." (S. P. 620) (L. D. 1262)

Which bill was read a second time and passed to be engrossed.

Sent down for concurrence.

Orders of the Day

The PRESIDENT: The Senate is acting now under orders of the day. Is there any further business to come before the Senate at this time?

On motion by Mr. Elliot of Knox Recessed until this afternoon at two o'clock.

After Recess

Senate called to order by the President.

House Papers

House Committee Reports

(Out of Order)

Legislation Inexpedient

The Committee on Federal Relations on "Memorial to the Honorable Senate and House of Repre-

sentatives of the United States of America in Congress Assembled," (H. P. 1973) reported that legislation thereon is inexpedient, as Congress has already taken action on the same subject matter.

Which report was read and accepted in concurrence.

Referred to Next Legislature

The Committee on State Lands and Forest Preservation on "Resolve Authorizing the Forest Commissioner to Convey Certain Land to Danforth S. Hersey of Portland," (H. P. 1997) (L. D. 1255) reported that the same be referred to the 91st Legislature.

Which report was read and accepted in concurrence.

Ought to Pass in New Draft

The Committee on Judiciary on Bill "An Act Relating to the Transportation of Loaded Firearms by Police Officers," (H. P. 1983) (L. D. 1250) reported the same in a new draft (H. P. 2010) (L. D. 1266) under the same title and that it ought to pass.

The Committee on Sea and Shore Fisheries on Bill "An Act to Prohibit Non-Residents from Taking Certain Fish for Commercial Purposes," (H. P. 1940) (L. D. 1178) reported the same in a new draft (H. P. 2009) (L. D. 1265) under the same title and that it ought to pass.

The same Committee on Bill "An Act Regulating the Legal Length of Lobsters," (H. P. 1947) (L. D. 1188) reported the same in a new draft (H. P. 2008) (L. D. 1264) under the same title and that it ought to pass.

Which reports were severally read and accepted in concurrence.

Ought to Pass

The same Committee on Bill "An Act to Regulate the Sale and Packing of Sardines During the Present Emergency," (H. P. 1946) (L. D. 1187) reported that the same ought to pass.

The Committee on State Lands and Forest Preservation on "Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Hancock County to Orman B. Fernandez, Old Town, Maine," (H. P. 1998) (L. D. 1226) reported that the same ought to pass.

The Committee on Ways and Bridges on "Resolve in Favor of the Town of Durham," (H. P. 1964) (L.

D. 1267) reported that the same ought to pass.

The same Committee on "Resolve in Favor of the Town of Boothbay," (H. P. 2002) (L. D. 1268) reported that the same ought to pass.

Reports read and accepted, bills read once and tomorrow assigned.

Joint Order

(Out of Order)

On motion by Mr. Elliot of Knox, it was

ORDERED, the House concurring, that the Secretary of the Senate and Clerk of the House be directed to furnish to each member and officer of the Senate and House a copy of the State newspaper each morning during the present special session of the legislature." (S. P. 622)

Which was read and passed.

Sent down for concurrence.

Subsequently the foregoing bill was returned from the House having been read and passed in concurrence.

Passed to be Enacted

An Act to Authorize the Secretary of State to Validate the Use of Motor Vehicle Registration Plates Valid Beyond a Calendar Year (S. P. 610) (L. D. 1234)

An Act Changing the Name of Northern Finance and Investment Corporation to 'M-A-C Plan of NE' (H. P. 1940) (L. D. 1181)

Emergency Measure

Bill "An Act Relating to Telephone Service to the Civilian Defense Corps During the Emergencies." (S. P. 612) (L. D. 1228)

Which bill being an emergency measure and having received the affirmative vote of 28 members of the Senate, and none opposed, the bill was passed to be enacted, and having been signed by the President was by the Secretary presented to the Governor for his approval.

Emergency Measure

Bill "An Act Regulating Hunting and Fishing Licenses of Soldiers and Sailors," (S. P. 578) (L. D. 1196)

Which bill being an emergency measure and having received the affirmative vote of 28 members of the Senate was passed to be enacted, and having been signed by the President was by the Secretary

presented to the Governor for his approval.

Orders of the Day

Mr. SANBORN of Cumberland: Mr. President, at the risk of becoming a target for an incendiary bomb I rise to ask the unanimous consent of the Senate to introduce a bill, and the nature of this bill and the reasons for it may be of sufficient interest to warrant a very brief explanation.

Some years ago the legislature passed an act defining the legal alcoholic content of liquor and that definition tied in with the then Volstead Act and provided that whenever that content should change our content should change with it. A litigated case growing out of that statute went to the Law Court and the Law Court held that the legislature might not constitutionally abdicate its power of legislation by making our law dependent upon future legislation by the federal government.

Now we have all just learned that the federal Congress has passed an act known as the Daylight Saving Act. That Act provides for a change in Eastern Standard Time. It was in 1918 that standard time was enacted by the federal Congress and shortly after that the state of Maine, by legislation—I think that is now to be found in Section Eight of Chapter One of the Revised Statutes—enacted what standard time in Maine should be and proceeded to use the same language as in the federal statute but did not make it dependent on or changing with the federal statute. So that if we do not act now, next month our standard time will be the same as now.

The federal Act just passed provides for its continuance for the duration of the war and for six months after the close of hostilities unless Congress shall within that time change it. Now it was thought at first that our present law was all right, that we were simply following and would follow the federal legislation but in view of that decision by the Law Court it is very gravely feared that we may find ourselves in an awkward position if we make no change and I think it is proper to say that the Chief Justice has been communicated with by telephone, understands the situation and it is his judgment

that we ought to enact some legislation to make us safe.

The purport of the bill I am offering is to redefine standard time for this state in accordance with the present enactment of Congress, making it begin on February 9th and ending, not when the federal law shall end but when the Governor by proclamation may change it, empowering him to change it by proclamation, and of course it is understood that when the federal legislation is passed, that proclamation will be made.

That is the purpose and intent of this Act and I assume that it may be proper procedure that the bill be received and given its several readings and passed to be engrossed without reference to a committee.

The PRESIDENT: The Senator from Cumberland, Senator Sanborn, asks the unanimous consent of the Senate to introduce a bill. Is there any objection? Hearing no objection, the bill is received.

"Bill, An Act Relating to Daylight Saving During the Present War" (S. P. 623).

Thereupon, under suspension of the rules the bill was given its first reading without reference to a committee and tomorrow assigned for second reading.

On motion by Mr. Bishop of Sagadahoc the Senate voted to take from the table, bill An Act Providing for Appropriations and Adjustments in Salaries and Fees Made Necessary by the War (S. P. 593) (L. D. 1205) tabled by that Senator earlier in today's session pending adoption of Committee Amendment A.

Mr. BISHOP of Sagadahoc: Mr. President, with your permission I would like to just briefly explain my position, why I tabled this bill, and my feelings toward it. The first part of the amendment referred to a "permanent employee." It was not clear in my own mind just what that meant so I made an effort to find out what the definition for a "permanent employee" is. I find out that a permanent employee is one who has served his six months probationary period and is then recommended by the departmental head. He then serves fifty weeks a year in order to become a permanent employee. I did not see why it was necessary to change that wording

in the original bill to include all state employees. I did find that inspectors who go on in the summer for the Agricultural Department, employees of the Highway Department and other folks who work for the State such as summer fire wardens, are not considered permanent employees. Therefore it would work a hardship on that group if they were discriminated against.

My main object for tabling this bill was to take just a little more time to clarify in my own mind. Personally I do not feel, and I cannot make myself believe, that a ten percent increase is going to solve this problem that faces us. Private industry is calling away state employees. I cannot understand and cannot figure out how a ten percent increase is going to prevent that practice. A man getting twenty dollars a week or twenty-five dollars a week or any salary under thirty dollars a week, as this amendment calls for, may he leave the state employ and goes into private industry or defense work at a salary of forty or fifty dollars a week or more. I do not believe that a ten percent increase is going to correct that situation. It is, however, a humble gesture on the part of the state to hold out to its employees a little increase and make them feel that their job is a bit more desirable. They may stay but my feeling is that that the man who is worth forty or fifty dollars a week will go and will leave with the state those employees who perhaps are not worth even what they get perhaps, and therefore decrease the efficiency of the whole state employee setup.

I believe, and at the committee hearing I so stated, that the whole salary structure is wrong. I do not believe that a blanket increase is going to correct that. I believe there are places it should be corrected. I believe there are folks who are worth more than they are getting and should receive more and that there are many perhaps who are getting more than they are worth. It seems to me that the departmental heads, in co-operation with the Bureau of Personnel, are the people to go over this thing and to correct it where it should be corrected. That is their job and if they function according to the intent of the statutes that should take care of the whole situation. I believe that they are in a better position to correct this wrong, if

there is one—and I believe there is—than we as a group of legislators to come in here and slap on a blanket increase.

In your private business, and in mine, a man is evaluated purely by his merits and by his merits alone. In these times of strife and turmoil and defense and emergency and what-not, we are all asked to sacrifice and do a little more, to draw our belts a little tighter and take on more work. We do that in our own private affairs. I did that in my own business last summer. It makes for greater efficiency. I believe that the state can and must do the same thing.

At the committee hearing I used a very humble illustration. I used for example the state insane hospital across the river from here. From our book on salaries of state employees issued last winter it says there that the head of the institution gets eighty-six dollars a week, a couple of doctors get sixty-five dollars a week or thereabouts, and all the way down, forty, twenty-five, fifteen, eight, and here is one who gets three dollars a week! Also over in that institution there are folks who are paying six dollars a week to stay!

Now, I am just wondering if that whole group were taken, employees and inmates, all dressed alike and placed in a big room and we legislators were sent in to pick out who is worth forty dollars a week or who is worth six dollars a week, I question if we could do it. I doubt if we could tell the difference! I do not believe, therefore, that we are any better qualified to slap a blanket increase on a group of employees and expect to do justice. Another department in the state I use for illustration is the Forestry Department. The head of the department gets five thousand dollars and I think perhaps he is worth it and if I were to have the job I would want the same figure. There are two others in the department who get three thousand dollars. There is one who gets thirty-six hundred dollars, and there are six or seven wardens who work through the summer months who get four dollars a day! And those are the fellows who do the real hard work, who take the bumps, who get the kicks, and they get the very lowest salary. I don't think that is good business. I don't think it is fair; and I don't think we

would do it in our own private business.

So, I believe the whole salary structure should be revamped and revised and for that reason I have asked permission to express my views. Last week when the order came in here about a time limit on bills to be presented, the good Senator from Penobscot, Senator Chamberlain, rose and spoke against it, and then in the next breath moved the adoption of the bill. I am in a similar position. Although I do not feel that this bill, or this amendment, corrects the situation, because of the feeling through this whole legislature I believe that is what they want. Therefore, I move the adoption of the amendment which I tabled this morning.

Committee Amendment A was adopted.

Mr. BISHOP: Now, Mr. President, with this amendment which we have just adopted there is another matter that presents itself. The bill calls for an appropriation of \$75,000 for the remainder of this fiscal year and \$180,000 for next year. The bill included all state employees and it has also included the institutional employees. Therefore the figures set up in the first part of the bill do not cover this situation. They were very carefully estimated to cover the bill when it included all salary brackets. The committee amendment has included only those under the thirty dollar bracket. Therefore the amount needed for that has been changed and the figure without the state institutions is \$45,000 instead of \$75,000 and \$110,000 instead of \$180,000. But with the institutions included—and most of the salaries are below the thirty dollar bracket—it increases that amount by \$34,000 for this year and \$81,000 for next year, making a sum total of \$79,000 and \$191,000.

Now, when we include all state employees that includes temporary employees. The Commissioner of Finance and I worked on it all through the noon hour. At first he did not see how in the world it was possible, without making a careful analysis of the three-year period, to determine what that influx would be for the temporary employees, but finally we came to this figure, that \$80,000 for the remainder of this year would take care of the situation and \$200,000 instead of \$180,000 would take care of it for next year.

I have had Senate Amendment A prepared. I now present it to make that change and I move its adoption.

The Secretary read: "Senate Amendment A to Senate Paper 593, Legislative Document 1205, Bill, An Act Providing for Appropriations and Adjustments in Salaries and Fees Made Necessary by the War. Amend said bill by striking out in the second line of section one thereof the figures \$75,000 and inserting in place thereof the figures \$80,000. Further amend said bill by striking out in the third line of section one of said bill the figures \$180,000 and inserting in place thereof the figures \$200,000."

Senate Amendment A was adopted and the bill as amended by Committee Amendment A and as further amended by Senate Amendment A was tomorrow assigned for second reading.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table bill, An Act Relating to Fingerprinting and Identification of the Civilian Population (L. D. 1251) tabled by that Senator earlier in today's session pending motion to indefinitely postpone the bill.

Mr. FARRIS of Kennebec: Mr. President, I would speak briefly on the motion of the Senator from Knox, Senator Elliot, to indefinitely postpone. I just want to inform the Senators that this matter was heard before the Judiciary Committee and at that hearing there was no opponents to this bill. There was evidence introduced by the proponents that the cost of this bill would not exceed \$10,000 if the Governor saw fit to use it.

This is a permissive bill and authorizes the Governor, if he sees fit, to have all persons fingerprinted. I think it is a Civilian Defense measure in a way for the purpose of identifying a person in case of bombing or other disaster that causes great loss of life. The Senator, this morning stated on the floor of the Senate that in his opinion it would cost \$200,000 to administer this bill. Since it was tabled this morning I had a conference with the Senator from Knox, Senator Elliot, and other Senators and Representatives and it is possible that we have arrived at a solution

whereby we can amend this bill, in this way, to limit the amount that would be spent in the administration of this bill to the sum of \$15,000 and change the present working of the bill, which reads "the governor is hereby authorized to require the fingerprinting of all persons" so that it will read "the governor is hereby authorized to require the fingerprinting of such group or groups of persons in the state," so this will eliminate the question of minors and infants where before it included everybody.

Now at this time I am opposed to the indefinite postponement of the bill. There is nothing very momentous in this bill. Probably we can get along without it. It is just one of those bills that came in with the other Civilian Defense bills. I hope the motion of the Senator from Knox, Senator Elliot, does not prevail.

Mr. BRIDGES of Washington: Mr. President, I am perfectly willing to vote for an appropriation of money if the need is apparent, a present, pressing need. I have felt from the start that there was no pressing need for the fingerprinting of the citizens of the state of Maine. I sat in at the conference referred to by the Senator from Kennebec, Senator Farris. I sat in at the suggestion of the \$15,000 ceiling for this fingerprinting. It is not a compulsory fingerprinting. It may be that the large element of the people living in the rural sections will find it too difficult to go to some place to have fingerprinting. They may get the impression that they are not criminals and why should they be fingerprinted.

Now, is it an emergency measure? Do we need it now? Mr. Shepherd of the State Police was in at the conference and he admitted that only in a degree did it have anything to do with the defense emergency. I don't know that I am breaking any confidence when I say that the highest individual in authority in the state said there wasn't a chance in a million that he would ever authorize fingerprinting. If that be so, Mr. President, where is the need for it now?

Already those engaged in the defense industries in the state have been fingerprinted, a hundred thousand of them. Why do we want to tie up even \$15,000 to answer the purpose of something which may

never occur, the release of which, as I get it, stands only one chance in a million? Why do we want to tie it up? If I had received information that those in authority felt it was essentially a matter for this state in the emergency and for defense purposes I certainly would not be opposing it. But from what I have gathered it is not essentially a defense matter nor a defense measure. And, mind you, if we took the fingerprints of every individual in this state tomorrow excluding children under school age, six months from then we would have a thousand more children whose fingerprints we must take and in another six months we would have thousands more children, and the process would go on and on. The \$15,000 is just starting it.

I have my doubts that it will be sufficient to fingerprint fifty per cent of the people of the state regardless of the suggestion that it will be sufficient. You once start the system and you must keep it going else what you have done will be of no profit to you, and once you start the system going the number of people who must necessarily be employed must increase and when they are once on the payroll they will all be anxious to tell you that the thing must go on, there are so many more to be fingerprinted and it is no use to quit. And it will be just as hard to divorce them from the payroll as it would be to take a robust bull calf from the exhausted teat of its despairing and despondent mother. It can not be done.

If the need were pressing now I would go along with this suggestion but I feel from consultation with the highest authority—and we talked with him since the session this morning—that there is no pressing need for this now. I made a promise to the people of my district, as you did, and I want to go back and say that I have kept my promise, that we have gone down the line to appropriate what we felt was absolutely necessary and that there we stopped.

So, Mr. President, I hope the motion to indefinitely postpone prevails.

Mr. FARRIS of Kennebec: Mr. President, I would like to clear up the Senator's mind. The Senator from Washington, Senator Bridges, spoke about an appropriation. The

original bill which is on the table, provides, "the governor is hereby authorized to expend such sums as may be necessary from the defense funds of the state to carry out the provisions of this act." So there is no appropriation in this bill except the moneys we have allowed in the Civilian Defense bill and this morning in the amendment introduced we have, "the governor is hereby authorized to expend not more than \$15,000 from the Emergency War Fund." That is the amount set up in the proposed amendment. So as far as the money goes (you needn't worry about that. And if the governor says there is only one chance in a million of using this provision there is no harm that I can see in passing the bill. I hope the motion will not prevail.

Mr. BRIDGES: Mr. President, perhaps I should not have used the word "appropriation," but somewhere in the money which the governor has at his disposal is \$15,000. This is the taxpayers' money of the state of Maine and if he says there is only one chance in a million of his ever authorizing the fingerprinting why don't we release it now by the indefinite postponement of the bill and say to the governor, "there is \$15,000 you may use in actual defense preparation?"

Mr. STILPHEN of Lincoln: Mr. President, when the vote is taken I ask for a division.

Mr. HILDRETH of Cumberland: Mr. President, I would merely like to ask if the governor didn't think we might want to use this why was it put in among the bills which went before the Research Committee and of which the governor spoke?

Mr. ELLIOT of Knox: Mr. President, in answer to the Senator from Cumberland, Senator Hildreth, I would like to state that the Governor refused to have the fingerprinting feature included in the regular Civilian Defense bill because he has felt that that was not a necessary part of the Civilian Defense and therefore it should stand or fall on its own merits and not on the merits of the Civilian Defense measure.

Mr. BROWN of Aroostook: Mr. President, it seems to me there is one point which has been overlooked. If the purpose of this bill is for identification in case of disaster then by all means we should not

leave the children out because they are the ones who in case of disaster and bombing and destruction are the hardest ones to identify and if we are going to leave them out I don't see that for the purpose of identification the bill has any merit whatever because the \$15,000 or any other amount is simply going to be thrown away.

Mr. FARRIS: Mr. President, I will say for the information of the Senator from Aroostook, Senator Brown, that this is a permissive bill and the Governor can have anyone, any group or groups, fingerprinted or any or all persons; either way. It is entirely up to the Governor and not to any agency unless he appoints an agency. It says he may appoint an agency to fingerprint all persons and the amendment we agreed upon was any group or groups of persons, so he could do whatever he wished. It gives him discretionary powers.

The PRESIDENT: The question before the Senate is on the in-

definite postponement of the bill. Is the Senate ready for the question? A division of the Senate has been asked.

A division of the Senate was had.

Twenty-two having voted in the affirmative and seven opposed, the motion to indefinitely postpone in non-concurrence prevailed.

Sent down for concurrence.

On motion by Mr. Burgess of Aroostook, it was

ORDERED, that the chief of police be directed to submit forthwith to the Senate an expense account covering his departmental expenses for each of the last three years.

The PRESIDENT: Is there any further business to come before the Senate?

On motion by Mr. Elliot of Knox
Adjourned until tomorrow morning at ten o'clock.