

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-first Legislature

OF THE

STATE OF MAINE



1943

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Friday, April 2, 1943.

The Senate was called to order by the President.

Prayer by the Rev. Donald A. Scanlin of Kennebunk.

Journal of yesterday read and approved.

Order

On motion by Mr. Elliot of Knox, out of order and under suspension of the rules, it was

ORDERED, the House concurring, that when the Senate and House adjourn at the close of this week's session, they adjourn to meet on Monday, April 5, 1943, at 11:30 o'clock in the forenoon. (S. P. 486)

Sent down for concurrence.

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

From the House

Bill "An Act for the Issuance of Refunding Bonds of the State." (H. P. 1069) (L. D. 558)

(In the Senate, on March 19, passed to be engrossed in concurrence.)

Comes from the House, indefinitely postponed in non-concurrence.

In the Senate:

Mr. VARNEY of York: Mr. President, I just want to make the statement that this is the bond issue bill on which the legislature asked the opinion of the Supreme Court and they have replied that the bill is unconstitutional. I now move that the bill be indefinitely postponed in concurrence.

The motion prevailed, and the bill was indefinitely postponed in concurrence.

Bill "An Act Relating to Alternative Method of Enforcement of Tax Liens." (H. P. 1301) (L. D. 830)

(In the Senate, on March 26, passed to be engrossed in concurrence.)

Comes from the House, indefinitely postponed in non-concurrence.

In the Senate:

Mr. DOW of Oxford: Mr. President, this also is a bill on which

the opinion of the Supreme Court was asked and a similar answer was received on this bill. I now move for the indefinite postponement of the bill in concurrence.

The motion prevailed and the bill was indefinitely postponed in concurrence.

Bill "An Act Relating to Compensation for Personal Injury to Employees." (S. P. 480) L. D. 869)

(In the Senate on March 30, passed to be engrossed.)

Comes from the House, passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate, under suspension of the rules, that Body voted to reconsider its action taken on March 30 whereby the bill was passed to be engrossed. House Amendment A was read and adopted in concurrence, and the bill as so amended was passed to be engrossed in concurrence.

Petitions in Favor of (H. P. 1240) (L. D. 739) "An Act Relating to Hunting and Trapping of Foxes." (H. P. 1355 to 1358 incl.)

Which were severally ordered placed on file in concurrence.

House Committee Reports

The Committee on Mercantile Affairs and Insurance on Bill "An Act Creating a State Fire Marshal," (H. P. 1244) (L. D. 744) reported that the same ought not to pass.

Comes from the House, the bill substituted for the report and subsequently referred to the 92nd Legislature.

In the Senate, the bill was substituted for the report and referred to the 92nd legislature in concurrence.

The Committee on Salaries and Fees on Bill "An Act to Increase the Salary of the Recorder of the Waldo County Municipal Court and to Provide for Clerk Hire," (H. P. 576) (L. D. 343) reported the same in a new draft, (H. P. 1319 (L. D. 856) under the same title, and that it ought to pass.

Comes from the House, indefinitely postponed.

In the Senate, the bill was indefinitely postponed in concurrence.

The Committee on State Lands and Forest Preservation on Bill "An Act Relating to the Aroostook County State Park," (H. P. 153) (L. D. 112) reported that the same ought not to pass.

Comes from the House, the bill substituted for the report, and passed to be engrossed.

In the Senate, on motion by Mr. Sterling of Somerset, the bill and report were laid upon the table pending acceptance of the report.

Report "A" from the Committee on Salaries and Fees on Bill "An Act Relating to Compensation of Department Heads," reported that the same ought to pass.

Report "B" from the same Committee on the same subject matter reported that the same ought not to pass.

(In Senate, on March 31, Report "A" was read and accepted, and the bill passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.)

Comes from the House, that body having adhered to its former action, whereby Report "B" of the Committee was read and accepted.

In the Senate, on motion by Mr. Varney of York, that Body voted to insist on its former action and ask for a Committee of Conference.

The PRESIDENT: The Chair will announce the Senate conferees subsequently.

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act Relating to the Maine Development Commission, and the State Geologist," (H. P. 1266) (L. D. 775) have had the same under consideration and ask leave to report: that the House recede from its former action whereby the Bill was passed to be engrossed, adopt Senate Amendment "A" and pass the Bill to be engrossed as amended in concurrence.

Comes from the House, the report read and accepted, and the Bill passed to be engrossed as amended by Senate Amendment "A," in concurrence.

In the Senate, the report of the Committee was accepted in concurrence.

The Committee on Temperance on Bill "An Act Relating to Sale

of Liquor," (H. P. 1233) (L. D. 732) reported that leave be granted to withdraw.

Which report was read and accepted in concurrence.

The Committee on Agriculture on Bill "An Act for the Better Protection of Livestock and Poultry," (H. P. 444) (L. D. 243) reported the same in a new draft, (H. P. 1349) (L. D. 887) under the same title, and that it ought to pass.

Which report was read and accepted in concurrence, and the bill was given its first reading.

Thereupon, under suspension of the rules, the bill was read a second time and passed to be engrossed in concurrence.

The same Committee on Bill "An Act Relating to Management of Institutional Farms," (H. P. 1068) (L. D. 557) report the same in a new draft, (H. P. 1348) (L. D. 886) under a new title, Bill "An Act Relating to Institutional Farms," and that it ought to pass.

On motion by Mr. Dow of Oxford, the bill and the report were laid upon the table pending acceptance of the report in concurrence.

The Committee on Public Utilities on Bill "An Act to Extend the Charter of the Vanceboro Water Company," (H. P. 467) (L. D. 249) reported the same in a new draft, (H. P. 1345) (L. D. 884) under a new title, Bill "An Act to Incorporate the Vanceboro Water Company," and that it ought to pass.

Which report was read and accepted in concurrence, and the bill read once.

Thereupon, under suspension of the rules, the bill was read a second time and passed to be engrossed in concurrence.

The Majority of the Committee on Counties on Bill "An Act Relating to Farm Bureau Assistance in Oxford County," (H. P. 1094) (L. D. 565) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

(signed) Senators:

WOODBURY of Waldo
HODGKINS of Hancock

Representatives:

KELLER of Hallowell
BOYD of Winn
WELCH of Mars Hill
BURTON of Orneville
SANBORN of Wales
PRINCE of Harpswell

The Minority of the same Committee on the same subject matter reported that the same ought not to pass.

(signed) Senator:

TOWNSEND of Penobscot
Representative:
NADEAU of Biddeford

Comes from the House, the Majority Report read and accepted, and the bill passed to be engrossed as amended by Committee Amendment "A".

In the Senate, on motion by Mr. Townsend of Penobscot, the bill and accompanying reports were laid upon the table pending acceptance of either report.

The Majority of the Committee on Judiciary on Bill "An Act Penalizing Certain Activities Relating to Rationed Commodities in Time of War," (H. P. 1178) (L. D. 656) reported that the same ought not to pass as legislation thereon is inexpedient.

(signed) Senators:

FARRIS of Kennebec
McGLAUFILIN of Cumberland
HARVEY of York

Representatives:

ROBINSON of Brewer
BANGS of Brunswick
PERKINS of Boothbay Harbor

The Minority of the same Committee on the same subject matter, reported that the same ought to pass as amended by Committee Amendment "A"

(signed) Representatives:

BARNES of Houlton
GRUA of Livermore Falls
WILLIAMS of Auburn
MAXWELL of Bangor

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

In the Senate, on motion by Mr. Farris of Kennebec, the Majority Report "Ought Not to Pass" was accepted in concurrence.

The Majority of the Committee on Agriculture on Bill "An Act Relative

to Licensing Dealers in Livestock," (H. P. 1067) (L. D. 554) reported the same in a new draft, (H. P. 1347) (L. D. 882) under the same title, and that it ought to pass.

(signed) Senators:

BRAGDON of Aroostook
WOODBURY of Waldo

Representatives:

BUZZELL of Fryeburg
McFADDEN of Pembroke
PEARSON of No. Kenne-
bunkport
DAY of DURHAM
ESTABROOK of Stacyville
DENNY of Damariscotta
LIBBY of Canton

The Minority of the same Committee on the same subject matter reported that the same ought not to pass.

(signed) Senator:

BISHOP of Sagadahoc

Comes from the House, the Majority report read and accepted, and the bill passed to be engrossed as amendments "A", "B" and "C".

In the Senate:

Mr. HALL of Franklin: Mr. President, I move the acceptance of the Minority Report "Ought Not to Pass" in non-concurrence.

Thereupon, a viva voce vote being had, the motion prevailed, and the Minority Report "Ought Not to Pass" was accepted in non-concurrence.

Sent down for concurrence.

The Majority of the Committee on Legal Affairs on Bill "An Act to Create a Board of Fire Commissioners for the Town of Sanford," (H. P. 453) (L. D. 246) reported the same in a new draft, (H. P. 1302) (L. D. 831) under the same title, and that it ought to pass.

(signed) Senators:

DUNBAR of Washington
PETERS of Androscoggin

Representatives:

DONAHUE of Biddeford
WARD of Millinocket
BARTLETT of Portland
SICHOL of Lisbon Falls

The Minority of the same Committee on the same subject matter reported that the same ought not to pass.

(signed) Senator:

SANBORN of Cumberland

Representatives:

ANDERSON of New Sweden
HASKELL of Portland
PAYSON of Portland

(In the Senate, on March 31, the Minority Report was read and accepted in non-concurrence.)

Comes from the House, that body having insisted on its action of March 24th whereby the Majority report was accepted, and the bill passed to be engrossed, and now asking for a Committee of Conference, the Speaker having appointed as members of such a Committee on the part of the House:

Representatives:

PELLETIER of Sanford
WARD of Millinocket
DONAHUE of Biddeford

In the Senate, on motion by Mr. Varney of York, that Body voted to insist and join with the House in a Committee of Conference.

The PRESIDENT: The Chair will announce the Senate members of such committee subsequently.

The Majority of the Committee on Ways and Bridges to which was recommitted Bill "An Act Relating to Third Class Highways, Designated for Improvement, Being Reclassified as State Aid Highways and Providing for Their Construction and Maintenance," (H. P. 1246) (L. D. 745) reported that the same ought not to pass.

(Signed) Senators:

DORR of Oxford
HALL of Franklin

Representatives:

MacLEOD of Bar Harbor
McINTIRE of Phippsburg
DEAN of South Portland
LACKEE of Addison
AYER of Cornish

The Minority of the same Committee on the same subject matter, reported that the same ought to pass as amended by Committee Amendment "A", submitted herewith.

(Signed) Senator:

BROWN of Aroostook

Representatives:

OSGOOD of Bradford
CROSS of Augusta

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

In the Senate, the Majority report "Ought Not to Pass" was read and accepted in concurrence.

Communication:—

STATE OF MAINE
SENATE CHAMBER
AUGUSTA, MAINE

April 1, 1943.

To the Senate
91st Legislature
Augusta, Maine

Dear Sirs:

Pursuant to the Joint Rules, I herewith submit a list of bills and resolutions. These were presented by me to the President of the Senate for his signature at 5:55 P. M., April 1, 1943. These bills and resolutions were signed by the President at 6:16½ P. M. April 1, 1943. These bills and resolutions were presented by me to the Governor at 6:27 P. M. April 1, 1943.

Respectfully yours,

ROYDEN V. BROWN,
Secretary of the Senate.

Bill "An Act Relating to Bonds of Probation Officers." (S. P. 141) (L. D. 145)

Bill "An Act to Make Uniform the Law of Transfer of Shares of Stock in Corporations." (S. P. 287) (L. D. 450)

Bill "An Act Relating to the Signature of the Treasurer of State and Endorsement of Bonds in the State Treasury." (S. P. 294) (L. D. 443)

Bill "An Act Relating to Commitment of Persons of Unsound Mind to the State Hospitals for Observation." (S. P. 320) (L. D. 524)

Bill "An Act Relating to Commitment of the Insane." (S. P. 321) (L. D. 525)

Bill "An Act Relating to Procuring or Attempting to Procure Abortion or a Miscarriage." (S. P. 457) (L. D. 805)

Bill "An Act Relating to the Salary of the Judge of the Municipal Court of Portland." (H. P. 120) (L. D. 74)

Bill "An Act Establishing a Game Preserve in the Town of Rangeley, County of Franklin and State of Maine." (H. P. 243) (L. D. 187)

Bill "An Act Relating to Compensation of Judge of Probate of Lincoln County." (H. P. 264) (L. D. 169)

Bill "An Act Relating to Powers of Police Commission of the City of Augusta." (H. P. 756) (L. D. 405)

Bill "An Act Authorizing the Sale of Certain Property by the County Commissioners of Lincoln County." (H. P. 757) (L. D. 407)

Bill "An Act Relating to Inspections and Recounts in Municipal Elections." (H. P. 800) (L. D. 382)

Bill "An Act Relating to Town Reports." (H. P. 809) (L. D. 465)

Bill "An Act Relating to the Disposal of Insane Criminals." (H. P. 939) (L. D. 543)

Bill "An Act to Provide for Education of Orphans of Veterans." (H. P. 1097) (L. D. 551)

Bill "An Act Relating to Search for Lost Persons." (H. P. 1257) (L. D. 759)

Bill "An Act to Abolish the Old Age Assistance Commission." (H. P. 1272) (L. D. 778)

Bill "An Act Providing for a System of Apprenticeship Whereby Voluntarily Made Agreements of Apprenticeship Would be Encouraged; Establishing Standards for such Agreements in Conformity with the Minimum Apprenticeship Standards of the Federal Committee on Apprentice Training; Creating an Apprenticeship Council and Defining their Duties." (H. P. 1299) (L. D. 821)

Bill "An Act Relating to Taxation of Telephone and Telegraph Companies." (H. P. 1300) (L. D. 822)

Bill "An Act Relating to Conveyance of Municipal Airport Lands to the United States of America." (H. P. 1306) (L. D. 824)

Bill "An Act Relating to the Election of the School Committee of the Town of Brunswick." (H. P. 1308) (L. D. 826)

"Resolve Relating to Fire Protection for Baxter State Park." (S. P. 377) (L. D. 803)

"Resolve in Favor of a Bridge Across the Allagash River." (S. P. 456) (L. D. 804)

Emergency measure:

Bill "An Act to Aid the Prosecution of the War by Providing for the Creation of Local Agencies to Cooperate with the Federal Government in Making Housing Available for Persons Engaged in War Industries and Activities and by Granting Certain Powers to Public Bodies." (H. P. 23) (L. D. 9)

Emergency measure:

Bill "An Act Regulating the Sale of Horse Meat." (H. P. 1280) (L. D. 793)

Emergency measure:

Bill "An Act Amending an Act to Incorporate the Brunswick Village Corporation." (H. P. 1307) (L. D. 825)

S. P. 241, L. D. 361—An Act Permitting the Pembroke Trotting Association to Conduct Amateur Races on Sunday.

Which communication and accompanying list were read and ordered placed on file.

First Reading of a Printed Bill

Bill "An Act Providing for the Retirement of Certain Hancock-Sullivan Bridge Bonds." (S. P. 483) (L. D. 888)

Which bill was given its first reading, and under suspension of the rules was read a second time.

Thereupon, on motion by Mr. Varney of York, the bill was laid upon the table pending passage to be engrossed.

Senate Committee Reports

Mr. Brown from the Committee on Library submitted its Final Report.

Mr. Townsend from the Committee on Public Health submitted its Final Report.

Which reports were severally read and accepted.

Sent down for concurrence.

Passed to be Enacted

An Act Defining an Indian. (S. P. 86) (L. D. 13)

An Act Relating to Acquiring Membership in Indian Tribes. (S. P. 90) (L. D. 17)

An Act Relating to Highway Bridges. (S. P. 153) (L. D. 151)

An Act Relating to Sessions of Boards of Registration in Cities. (S. P. 163) (L. D. 178)

An Act Relating to the Salary of Reporter of Decisions. (S. P. 268) (L. D. 458)

An Act Amending the Inheritance and Estate Tax Laws. (S. P. 307) (L. D. 430)

An Act Relating to the Discharge of Person Committed to Insane Hospitals. (S. P. 319) (L. D. 523)

An Act Relating to Fines, Costs, and Forfeitures. (S. P. 334) (L. D. 508)

An Act to Simplify the Inland Fishing Laws. (S. P. 455) (L. D. 808)

An Act Relating to the Method of Computation of the Expense of the Education of the Penobscot and Passamaquoddy Indian Children. (H. P. 240) (L. D. 159)

An Act Relating to the Age of Children Attending School. (H. P. 535) (L. D. 307)

An Act Relating to Representation of Indian Tribes at the Legislature. (H. P. 539) (L. D. 309)

An Act Relating to the Salary of the Recorder of Rockland Municipal Court. (H. P. 575) (L. D. 342)

An Act Increasing the Compensation of the Judge of Probate of Knox County. (H. P. 599) (L. D. 355)

An Act Relating to Pre-marital Medical Examination. (H. P. 632) (L. D. 357)

An Act Relating to Allocations and Unappropriated Surplus Account. (H. P. 928) (L. D. 546)

An Act Relating to Compensation of Members of the Parole Board. (H. P. 968) (L. D. 532)

An Act Relating to Fees of Trust and Banking Companies. (H. P. 1073) (L. D. 562)

An Act Relating to the Pennell Institute in the Town of Gray. (H. P. 1132) (L. D. 553)

An Act Relating to Payments to Franklin County Law Library. (H. P. 1177) (L. D. 655)

An Act Relating to Fees of Sheriffs and their Deputies. (H. P. 1187) (L. D. 664)

An Act Revising the Military Law. (H. P. 1245) (L. D. 746)

An Act to Permit Towns to Create Protected Reserves. (H. P. 1251) (L. D. 755)

An Act Relating to Compensation of Employees who have Received Prior Injuries. (H. P. 1305) (L. D. 833)

Finally Passed

Resolve in Favor of Kennebec Journal Print Shop. (S. P. 208) L. D. 321)

Emergency Measure

Bill "An Act to Authorize and Provide for the Temporary Admis-

sion to Practice in this State of Physicians and Camp Physicians to Protect the Health of the Civilian Population During the War Emergency Period." (H. P. 38) (L. D. 205)

Which bill being an emergency measure, and having received the affirmative vote of 29 members of the Senate and none opposed was passed to be enacted.

Orders of the Day

Mr. HARVEY of York: Mr. President, I am assuming that we are about to take up the first tabled and assigned matter for today and I wish to say this, that due to the lateness of the hour of adjournment last night and due perhaps to the lateness of my getting around this morning, I was unable to get some information from the Department that I wished to have. But regardless of that, after looking this bill over I am satisfied that the State would not benefit at all if they were to carry out the provisions of the bill and for that reason I trust that the motion to indefinitely postpone this matter will prevail.

The PRESIDENT: There is before the Senate the motion to indefinitely postpone Legislative Document 626, An Act Relating to Revolving Fund for Payment of Taxes in Certain Cases by the Department of Health and Welfare, this matter having been tabled, pending that motion, by the Senator from York, Senator Harvey on yesterday. Is the Senate ready for the question?

Mr. GOOD of Aroostook: Mr. President, I don't know as I can say anything now to prevent the decess of this bill but I would like it to have decent burial anyhow. I was talking to the Department of Health and Welfare this morning before I came in here and he went over it very carefully with me and I stated to him what my good colleague Senator Varney said yesterday, and others, and he said that it is a fact that the state does not have any hold on the recipient's property and he said probably they wouldn't be called upon or would never invest out of this money but that there are times when it could be used to the advantage of the state. Now the word "revolving" which the good Senator took out—as was proper and right—put the

money into the Welfare Department which the federal government would match fifty percent, so if it was \$25,000 we could use that \$50,000 if it was thought necessary. He says, and of course you heard it argued here yesterday, that recipients could borrow. Now I don't think any recipient of old age assistance is going to borrow much money. I don't think anyone is going to loan them money. If they have property sufficient to borrow money they shouldn't be getting assistance. It is only in extreme cases where they are sometimes left in that condition where they should be taken care of and where it would be of benefit to the state if they did take care of them.

Therefore, I haven't got anything more to say than that it does seem that this bill is sensible but I am perfectly willing to go along with the majority without any tears being shed whatever.

Mr. OWEN of Kennebec: Mr. President, I had no idea that I would ever speak on this question but I heard the matter discussed at quite considerable length in the Appropriations Committee and it is my conclusion that this bill, if passed, simply means an addition of \$50,000 to the appropriation of the Department of Health and Welfare, and nothing else. And I think the present appropriation would take care of that matter. Therefore I see no reason for passing the bill.

Mr. McGLAUFLIN of Cumberland: Mr. President, I just want to say, without taking any time, that I also am opposed to this bill and I go along with the motion to indefinitely postpone.

Mr. GOOD of Aroostook: I might say, Mr. President, that I hope the Senate will keep in mind that there was a bill went through a short time ago to abolish the Old Age Assistance Commission which gives us about \$10,000 more and if that goes back to the Welfare Department there is about \$20,000 that we have saved already. It doesn't seem to me as if the Welfare Department is out of reason in asking for this. We are willing to take \$25,000 if they wish to give it to us. But we do think that if there is merit to the bill it should be considered and if we can save money along that line—and this is off the subject—

but we have already two years ago appropriated \$250,000 in a bond issue to eradicate Bang's disease and have already accepted in the Senate that the bill ought not to pass, allowing dealers to carry from one county to another, which has already been eradicated, which is practically \$450,000 that will go out of the window if we don't take some action. But be that as it may this is a time when I think we can save a little money.

The PRESIDENT: The question before the Senate is on the indefinite postponement of Legislative Document 626. Is the Senate ready for the question?

A viva voce vote being had.

The bill was indefinitely postponed in non-concurrence.

On motion by Mr. Bragdon of Aroostook, the Senate voted to take from the table Senate Report from the Committee on Salaries and Fees, Majority Report "Ought Not to Pass," Minority Report "Ought to Pass," on bill "An Act Relating to the Salary of the Governor" (L. D. 672) tabled by that Senator on March 25 pending acceptance of either report; and on further motion by the same Senator the Majority Report "Ought Not to Pass" was accepted.

Sent down for concurrence.

Mr. BUCK of Lincoln: Mr. President, at the request of the Senator from Sagadahoc, Senator Bishop, I move that we take from the table Senate Report from the Committee on Judiciary, "Ought Not to Pass" on bill, "An Act to Provide for a Four Year Term for Governor" (S. P. 358) (L. D. 645) tabled by the Senator from Sagadahoc, Senator Bishop, on March 11 pending acceptance of the report.

The motion prevailed, and on further motion by the Same Senator, the report of the committee "Ought Not to Pass" was accepted.

Sent down for concurrence.

Mr. ELLIOT of Knox: Mr. President, with the permission of the Senator from Sagadahoc, Senator Bishop, I move that we take from the table Senate Report from the Committee on Legal Affairs "Ought Not to Pass" on bill "An Act Forbidding the Use of Revolving Doors" tabled by the Senator from

Sagadahoc, Senator Bishop on March 22 pending acceptance of the report.

The motion prevailed, and on further motion by the same Senator, the "Ought Not to Pass" report of the Committee was accepted.

The PRESIDENT: The Chair will announce at this time the appointment of the two Conference committees. On bill, "An Act Relating to Compensation of Department Heads," Legislative Document 356, the conferees on the part of the Senate will be Senators Bragdon of Aroostook, Buck of Lincoln and Varney of York. On bill "An Act to Create a Board of Fire Commissioners for the Town of Sanford," Legislative Document 831, the conferees on the part of the Senate will be Senators Batchelder of York, Varney of York and Elliot of Knox.

The PRESIDENT: At the request of the Senator from Sagadahoc, Senator Bishop, the Chair lays before the Senate the third tabled and unassigned matter, bill, "An Act Relating to the Expenses of the Judge of Western Somerset Municipal Court" (S. P. 18) (L. D. 240) tabled by that Senator on March 2nd pending passage to be engrossed.

On motion by Mr. Friend of Somerset, the bill was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Washburn of Washington, the Senate voted to take from the table, bill, "An Act Appropriating Money for the State Soil Conservation Law" (H. P. 125) (L. D. 105) tabled by that Senator on April 1st pending consideration.

Mr. WASHBURN: Mr. President, I now move the Senate insist on its former action and join the House in a committee of conference.

Mr. BRAGDON of Aroostook: Mr. President, I move we recede and concur. Perhaps I should offer an explanation. It is my understanding the House accepted the unanimous report of the Committee on Appropriations and Financial Affairs. In the Senate the other day we indefinitely postponed in non-concurrence. I now make the motion that the Senate recede and

concur with the House in the acceptance of the unanimous report of the Appropriations Committee, "ought to pass."

Mr. McGLAUFILIN of Cumberland: Mr. President, I just want to rise to a point of order. Where we have just passed, if I understand it correctly, the motion of the Senator from Washington, Senator Washburn, to join in a committee of conference, should not we reconsider our action on that point before we pass this one?

The PRESIDENT: The Chair would state that the Senator from Washington, Senator Washburn, made a motion to insist and request a committee of conference. Before the vote was taken on the question, Senator Bragdon of Aroostook offered a motion which takes precedence over the motion of the Senator from Washington, Senator Washburn.

Mr. McGLAUFILIN: Mr. President, I apologize, because I thought we voted on Senator Washburn's motion.

Mr. BRAGDON: Mr. President, I also would point out that the action of the House was to insist. They did not ask for a committee of conference. The motion of Senator Washburn was to join in a committee of conference which had not been asked for.

Mr. WASHBURN: Mr. President, I was under the impression that the House had asked for a committee of conference. I have no objection to entertaining the motion made by the Senator from Aroostook, Senator Bragdon.

Mr. BRAGDON: Mr. President, when the vote is taken I ask for a division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Bragdon, that the Senate recede from its former action whereby it indefinitely postponed this bill in non-concurrence, and concur with the House in the acceptance of the majority "ought to pass" report, as amended by Committee Amendment "A". The Senator from Aroostook, Senator Bragdon, has asked for a division.

Mr. BISHOP of Sagadahoc: Mr. President. I hope the motion does not prevail.

Mr. WORTHEN of Penobscot: Mr. President and members of the Senate, I have done a little farming in my life and am interested in farms and farmers at the present time. If this measure passes it won't do me any good or any of my friends any good, but in fairness to the members of the Senate and to farms and farmers, I would like to say that since taking action on this bill a few days ago I have had the privilege of talking with a few farmers whom I have the highest regard for, large farmers, and we discussed this matter and they all told me this was of vital importance to them. I hope we will pass this bill.

Mr. GOOD of Aroostook: Mr. President I'd like to say just a word. I too, am in favor of receding and concurring with the House. The only thing I didn't like about it—two years ago when it was passed we said that in two years time they would be back for more money. They allowed that would not happen. It has happened and if the Senate is willing to give Aroostook County \$3,000, I am glad to accept it. I feel the federal government will give what they said they would and I do not think they will discontinue it. If this is given to us the lower part of the county is going to ask for money to help out down that way.

Mr. BISHOP of Sagadahoc: Mr. President, I was born in Aroostook County. Most of my relatives still live there. They are good farmers. I have the greatest respect for them and the greatest respect for every farmer in Aroostook County and every farmer in the state of Maine. I do not propose to be a prophet, but it will be \$3,000 this year, \$6,000 next session, then \$10,000 after that it will be \$25,000. Then ten years from now it will cost the State of Maine \$100,000 annually.

Mr. BROWN of Aroostook: Mr. President, I am one of those, you know, who opposed this measure at the hearing. I think I stated my grounds at the time, largely on account of the way it was put through in the first place and the implied suggestion. I do not think anyone made any definite statements but implied they would not come back and ask for more. Since that time I have talked with a lot of other members from Aroostook

County and also some of the people at home and I will say I am going to vote to recede on this matter.

I want to call attention to one thing the Senator from Washington, Senator Washburn, said in his argument against it in regard to the opposition that developed when we passed the blueberry fly control bill, giving Washington County money for eradicating the blueberry fly. I want to say that Aroostook County for itself has never asked for any money from the state to take care of disease problems. We are taxing ourselves one cent a barrel, which amounts to a very large sum of money each year, to control our potato diseases. Now, we do not benefit only to a very small extent because we are not a dairy county, in the manner which the state spends to help the dairy industry in eradicating Bangs disease, and so I think it is perfectly justifiable that this small amount of money at this time should be appropriated for Aroostook County. We have taken care of our own diseases with money out of our own pockets. I believe this is a fair measure. You will remember my principal objection was the manner in which the federal government put it over in the first place. But that is water over the dam. Therefore, I am going to vote to recede.

Mr. WASHBURN: Mr. President, I do not know that I have any particular objection to this act, in itself. I have thought it was time someone raised a voice of protest against encroachment of the federal government, particularly the federal Department of Agriculture, in the affairs of the State of Maine. It is a problem, Senators, we have sometime got to face. Maybe this is not the time to do it, but I have merely tried to raise one voice in protest against that continuing and expanding program of reaching into and taking over the management of our affairs, and I am still opposed to the passage of the bill.

The PRESIDENT: The question is on the motion of the Senator from Aroostook, Senator Bragdon, that the Senate recede from its position whereby it indefinitely postponed this bill, and concur with the action of the House. Is the Senate ready for the question? The Senator from Aroostook, Senator Bragdon, has asked for a division. Those

in favor of the motion to recede and concur will please rise and stand until counted.

A division of the Senate was had.

Twenty-two having voted in the affirmative and nine opposed, the motion to recede and concur, prevailed.

Thereupon, the bill was given its second reading and passed to be engrossed as amended by Committee Amendment "A" in concurrence.

Mr. BISHOP of Sagadahoc: Mr. President, if it is not out of order, I would like to make just a brief remark. There is no great loss without some small gain. We have unified Aroostook County.

On motion by Mr. Washburn of Washington, the Senate voted to reconsider its action taken earlier in today's session whereby bill, "An Act for the Better Protection of Livestock and Poultry" (H. P. 1349) (L. D. 887) was passed to be engrossed.

Mr. WASHBURN: Mr. President, I now move the bill be laid upon the table because there are some features which several of the Senators would like to study a little.

The motion prevailed and the bill was laid upon the table pending passage to be engrossed, in concurrence.

On motion by Mr. Sterling of Somerset, the Senate voted to take from the table, House Report "Ought Not to Pass" from the Committee on State Lands and Forest Preservation on bill, "An Act Relat-

ing to the Aroostook County State Park" (H. P. 153) (L. D. 112) tabled by that Senator earlier in today's session pending acceptance of the report; and that Senator yielded to the Senator from Aroostook, Senator Brown.

Mr. BROWN of Aroostook: Mr. President, I move for the indefinite postponement of this bill and accompanying papers. I wish to say this relates to a road in the town of Presque Isle leading to the State Park. This did not come before the Ways and Bridges Committee. The matter has been taken care of through another channel, through regular road resolves. I have conferred with the author of the bill, Representative Brewer of Presque Isle, and he has agreed with me that they should have it indefinitely postponed as it is covered by other legislation.

The motion prevailed and the bill was indefinitely postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Varney of York, the Senate voted to take from the table Joint Order asking opinion of the Supreme Judicial Court to Re-issue of Bonds tabled by that Senator on March 10 pending passage; and on further motion by the same Senator, the Order was indefinitely postponed.

On motion by Mr. Elliot of Knox
Adjourned until next Monday forenoon at eleven-thirty o'clock.