

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Second Legislature

OF THE

STATE OF MAINE

1945

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

HOUSE

Friday, April 20, 1945.

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

Prayer by the Reverend Representative Rankin.

Journal of the previous session read and approved.

Papers from the Senate**Senate Reports of Committees
Ought to Pass in New Draft**

Report of the Committee on Salaries and Fees on Bill "An Act Relating to Fees of Registers of Probate in re Petitions" (S. P. 269) (L. D. 618) reporting same in a new draft (S. P. 437) (L. D. 1155) under same title and that it "Ought to pass"

Came from the Senate with the Report read and adopted and the new draft passed to be engrossed.

In the House, Report was read and accepted in concurrence and the Bill read twice. The rules were suspended and the Bill was given its third reading and passed to be engrossed in concurrence.

Senate Divided Report

Majority Report of the Committee on Public Health on Bill "An Act to Require the Enrichment of Flour and Bread to Meet Certain Standards of Vitamin and Mineral Content" (S. P. 354) (L. D. 909) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Mr. TOWNSEND of Penobscot
Miss CLOUGH of Penobscot
—of the Senate.

Mr. DOWNS of Rome
Mrs. LORD of So. Portland
Messrs. WEEKS of Waterville
THORNDIKE of Bar Harbor
—of the House.

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

Report was signed by the following members:

Messrs. BROWN of Aroostook
—of the Senate.

SPRINGER of Danforth
BIRD of Washington
Miss LONGSTAFF of Crystal
—of the House.

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

In the House, on motion by Mr. Downs of Rome, the Majority Report was accepted in concurrence, and the Bill had its first two readings.

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

Committee Amendment "A" to S. P. 354, L. D. 909, Bill "An Act to Require the Enrichment of Flour and Bread to Meet Certain Standards of Vitamin and Mineral Content."

Amend said Bill by adding after the underlined word "Definitions" in the 4th line of said bill after the enacting clause the following: '**limitation**'

Further amend said Bill by adding at the end of that part of said bill designated as "Sec. 170-A" a new paragraph to read as follows:

'The provisions of sections 170-A to 170-E, inclusive, shall not apply to any flour manufactured in the state of Maine or to any breadstuff made therefrom.'

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

Final Report

Final Report of the Committee on Inland Fisheries and Game.

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Ought Not to Pass

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to the Police Commission for the city of Lewiston" (S. P. 142) (L. D. 348)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Ought to Pass

Report of the Committee on Judiciary reporting "Ought to pass"

on Bill "An Act relating to Preference in State Employment for Veterans" (S. P. 249) (L. D. 635)

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

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

Mrs. Lord of South Portland, offered House Amendment "A" and moved its adoption.

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

House Amendment "A" to S. P. 249, L. D. 635, Bill "An Act Relating to Preference in State Employment for Veterans"

Amend said Bill by adding at the end thereof the following underlined paragraph:

'The provisions of this section shall not apply beyond a period of 5 years after cessation of hostilities in World War II or 5 years after discharge of the veteran, whichever is later.'

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

Mr. CONNELLAN: Mr. Speaker, at the conclusion of my remarks, I shall move for the indefinite postponement of this amendment. My remarks will be brief.

This bill is a method of giving veterans preference to those State employees who apply for admission to the classified service of the State. It is similar, in many respects, to your Federal civil service law. It is not as far-reaching as the Federal civil service law.

This amendment would limit veterans' preference at the end of five years after hostilities have ceased or after the discharge of a veteran. This amendment is discriminatory; it would eliminate World War I veterans and veterans of previous wars. In addition, it could conceivably cause many hardships. If this amendment were adopted, a veteran who some years after his discharge became ill would not be able to get veterans' preference, thus the purpose of the bill would be defeated.

I feel that this Legislature, in their mature judgment, will pass the bill in its original form and will not try to limit it or defeat its purpose by the inclusion of this amendment. I therefore move the indefinite postponement of the amendment.

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

Mr. BOYKER: Mr. Speaker and Members of the House: I am a veteran of the Spanish War, fought in 1898, a member of the First Maine Infantry Volunteers. We were not only asked to fight Spanish bullets but we fought rotten beef and contaminated water. What beef we didn't eat we buried in the ground, maggots and all. Rough riders of the west bathed their horses in a small pool in Chicamauga Creek, and we drank what was left. Our fare, however, was nothing compared to that of the soldiers of the first World War and those of the second World War.

This bill applies principally to the soldiers who are fighting our battles today. Shall we, when they return, give to them any consideration? I do not believe it is necessary to debate this question, and I hope the motion of the gentleman to indefinitely postpone this amendment will prevail.

The SPEAKER: The Chair recognizes the gentlewoman from South Portland, Mrs. Lord.

Mrs. LORD: Mr. Speaker and Members of the House: I would be the last person to say that veterans should not have preference. My own son is in the Air Corps now. I believe they should have preference, but this preference should be for the time when they return, when they are trying to get adjusted. At the end of a five-year period they will all be taken care of, and, after a certain length of time they will be competing against their own children and the children of veterans who have died in the service. That should not be. They should have preference at the present time, but, at the end of a five-year period, I think this preference should be removed. I think the veterans do not want it and would not ask for it.

The SPEAKER: The question is on the motion of the gentleman from Portland, Mr. Connellan, that the amendment be indefinitely postponed.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: I hate to differ with the lady who has a son in the Air Corps, but I also stand here with a son in the Pacific on a ship that has been in conflict, and we have not heard from him

for a long while. No doubt some of you realize that we are quite worried, enough so that my wife did not feel like coming to your mock session last night.

I will say this in rebuttal to the lady's statement: I served in the other war, and I realize that ten years after the other war the veterans were not adjusted. They marched on Washington for a chance to work and eat, and they turned machine guns on them. Why would the greater number of those who are serving our country today be adjusted in a five-year period?

I do hope the motion to indefinitely postpone this amendment prevails.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Connellan, that House Amendment "A" be indefinitely postponed. All those in favor of the motion will say yes; contrary minded, no.

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

Thereupon, under suspension of the rules, the bill was given its third reading and passed to be engrossed in concurrence.

Bill "An Act relating to the Salary of the Secretary of State" (H. P. 49) (L. D. 20) which was passed to be engrossed as amended by House Amendment "A" in the House on April 17th.

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

In the House, on motion by Mr. Haskell of Portland, the House voted to reconsider its action on April 17th whereby this bill was passed to be engrossed as amended by House Amendment "A"; and on further motion by the same gentleman, the House voted to reconsider its action whereby it adopted House Amendment "A". On further motion by Mr. Haskell, House Amendment "A" was indefinitely postponed in concurrence.

Mr. HASKELL: Mr. Speaker, I now move the adoption of Senate Amendment "A" in concurrence.

The SPEAKER: The gentleman from Portland, Mr. Haskell, now moves the adoption of Senate Amendment "A" in concurrence.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: We have had our mock session, in fact many people wonder which was the mock session—in the afternoon or in the evening. But, altogether, including the mock session, we put in about twelve hours. That, ladies and gentlemen, is two hours more than this Legislature put in in the first eight weeks of this session. I say this because I believe in fun, I believe in frolic, but I still believe in serious business, and I still believe that each and every one of you sitting here has some thought for the man who walks in and marks an X on the ballot, the taxpayer, the worker, and the man who pays the bills.

I do not agree with the action of this body in feeling that we have so many indispensable men. I also state again that we are about four years late in raising salaries when everybody else's salary is being cut and cut to the bone. Be that as it may, that is the will of this House. I have attempted, with support, to limit the salaries. I would again attempt the same thing, because we all know that two years from hence there will be a change. We are not kidding ourselves; we do not think that salaries are going to stay way up, and we do not think, certainly, after the action in this House, that the next Legislature, the 93rd Legislature will not have any brains. Let us leave it to the 93rd Legislature to decide in the light of conditions at that time. I would request, at a later time, to put an amendment on for a two-year period.

Mr. Speaker, I move that this item lie upon the table until later in the day, pending further consideration, in order that I may prepare the amendment.

The SPEAKER: The question is on the motion of the gentleman from Greenville, Mr. Rollins, that the matter be tabled until later in today's session, pending the motion of the gentleman from Portland, Mr. Haskell, to adopt Senate Amendment "A" in concurrence.

Is it the pleasure of the House that this matter be tabled until later in today's session? All those in favor will say yes, those opposed no.

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

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

Mr. PEIRCE: Mr. Speaker, the amendment, filing No. 232, amends the title of the bill increasing the salary of the Secretary of State—

The SPEAKER: Just a moment. Senate Amendment "A" is now before the House. The Clerk will read Senate Amendment "A".

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

Senate Amendment "A" to H. P. 49, L. D. 20, Bill "An Act Relating to the Salary of the Secretary of State."

Amend said Bill by striking out the underlined figures "\$5,000" in the 2nd paragraph thereof, and inserting in place thereof the underlined figures "\$6,000".

Senate Amendment "A" was adopted in concurrence.

Mr. Haskell of Portland presented House Amendment "B" and moved its adoption.

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

House Amendment "B" to H. P. 49, L. D. 20, Bill "An Act Relating to the Salary of the Secretary of State."

Amend said Bill by adding to the title thereof, before the period, the following: 'and the Salary of the Treasurer of State.'

Further amend said Bill by adding at the beginning of the 1st line thereof the following: 'Sec. 1.'

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

'Sec. 2. R. S., c. 15, § 1, amended. The 2nd paragraph of section 1 of chapter 15 of the revised statutes is hereby amended to read as follows:

'The treasurer of state shall receive an annual salary of \$3,000 \$4,000; he shall receive no other fee, emolument, or perquisite.'

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

Mr. PEIRCE: Mr. Speaker, I would like to ask the Chair to rule on the question of whether or not this amendment, House Amendment "B" is germane.

The SPEAKER: The gentleman from Augusta, Mr. Peirce, raises a point of order.

The Chair would explain to the members of the House that he will rule on the question, that the question is debatable, and that the ruling of the Chair may be upheld or

overruled. The Chair rules that the amendment is not germane.

The Chair recognizes the gentleman from Augusta, Mr. Peirce.

Mr. PEIRCE: Mr. Speaker, in view of the fact House Amendment "B" is not germane, I move that it be indefinitely postponed.

The SPEAKER: The amendment is not before the House, the point of order having been sustained. There is no need to indefinitely postpone it.

Thereupon the bill was passed to be engrossed as amended by Senate Amendment "A" in concurrence.

Non-concurrent Matter

Report of the Committee on Public Health on Bill "An Act relating to Public Health" (S. P. 212) (L. D. 471) reporting "Ought to pass" as amended by Committee Amendment "A" which was indefinitely postponed in the House on April 19th.

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

Miss CLOUGH of Penobscot
Messrs. LEAVITT of Cumberland
TOWNSEND of Penobscot

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

The Chair appointed on the committee on the part of the House:
Mr. JEWETT of Pittston
Miss DEERING of Bath
Mr. PRATT of Windham

House at Ease

Called to order by the Speaker.

The SPEAKER: At this time the Chair will appoint the following Conferees on the part of the House on the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Expense Accounts of Deputy Fire Wardens and Reports of Chief Fire Wardens." (S. P. 161) (L. D. 364)

Messrs. WILLIAMS of Clifton
ROLLINS of Greenville
DUTTON of Bingham

On motion by Mrs. Lord of South Portland, a viva voce vote being taken, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

The following paper from the Senate was taken up out of order under suspension of the rules:

From the Senate: The following Order:

ORDERED, the House concurring, that Bill "An Act relating to Pari-Mutuel Pools" (S. P. 416) (L. D. 1111) be recalled from the Governor to the Senate. (S. P. 445)

Came from the Senate read and passed.

In the House, read and passed in concurrence, and on motion by Mr. Ward of Millinocket, the Order was returned forthwith to the Senate.

On motion by Mr. Ward of Millinocket, it was voted that all papers acted upon by the House today, requiring concurrent action by the Senate, or engrossing, be sent to the Senate one-half hour after being acted upon by the House, and that the right of reconsideration in such matters shall be lost unless a notice to move for reconsideration is given to the Clerk while the papers are in his possession.

The SPEAKER: The House may be at ease until the sound of the gavel or the gong. The gentlemen are now free to leave their seats but please stay at least within the sound of the gong and try to get back here directly if you hear it, because we want to find out what they are doing in the other end of the hall and expedite business as much as we can. Please do not leave the lobby anyway.

House at Ease

Called to order by the Speaker. The SPEAKER: There are several committees that still have work to do and also some Committees of Conference. The Senate has recessed until twelve o'clock.

The gentlewoman from Bath, Miss Deering, moves that the House do now recess until twelve o'clock.

The motion prevailed, and the House so recessed.

After Recess—12 O'clock

Called to order by the Speaker.

Conference Committee Reports

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Provide a Tonnage Tax on Commercial Fertilizer" (H. P. 1338) (L. D. 989) reporting that they are unable to agree.

(Signed)

Messrs. BREWER of Presque Isle
DORSEY of Fort Fairfield
WRIGHT of Limestone

—Committee on part of House.

BISHOP of Sagadahoc

GOOD of Aroostook

DENNY of Lincoln

—Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve, Providing for the Abatement of Certain Interest Owed by the town of Linneus (H. P. 410) (L. D. 164) reporting that they are unable to agree.

(Signed)

Messrs. CORSON of Hodgdon
LEATHERS of Hermon
BENN of Smyrna

—Committee on part of House.

OWEN of Kennebec

CLEAVES of Cumberland

SAVAGE of Somerset

—Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

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

Non-concurrent Matter

Bill "An Act Relating to the Salary of the Forest Commissioner" (H. P. 1464) (L. D. 1168) which was passed to be engrossed in the House on April 19th as amended by House Amendment "A".

Came from the Senate with that body insisting upon its former action whereby the bill was passed to be engrossed without amendment and asking for a Committee of Conference, with the following con-

feres appointed on the part of the Senate:

Messrs. HALL of Franklin
CLEAVES of Cumberland
SMITH of Knox

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

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

Messrs. ROLLINS of Greenville
GROSS of Jefferson
WILLIAMS of Clifton

The SPEAKER: The Chair knows that all the members of the House are most interested in knowing when we may adjourn. That is a question that the Chair cannot answer but the Chair may say this: That early adjournment depends on the Committees of Conference having their meetings and making final reports to the House fairly early in this afternoon's session. If that can be done, and we don't run into any snarls or tangles, we can adjourn tomorrow.

On motion by Mr. Ward of Millinocket,

The House recessed until 2:00 P. M.

After Recess—2 P. M.

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

Communication from the Secretary of the Senate announcing the appointment of the following Conferees on the part of the Senate on the disagreeing action of the two branches of the legislature on Bill "An Act to Create the Town Road Improvement Fund" (S. P. 352) (L. D. 891):

Messrs. CROSS of Kennebec
CLEAVES of Cumberland
WASHBURN of Washington

and the following Conferees on Bill "An Act relating to Bounty on Porcupines" (H. P. 1342) (L. D. 993)

Messrs. WELCH of Aroostook
SAYWARD of York
SAVAGE of Somerset

and the following Conferees on Bill "An Act relating to Keeping Certain Animals Confined" (H. P. 1426) (L. D. 1106)

Messrs. DUNBAR of Washington
DOW of Oxford
WELCH of Aroostook

Was read and ordered placed on file.

Communication from the Secretary of the Senate announcing the appointment of the following Conferees on the part of the Senate on the disagreeing action of the two branches of the legislature on Bill "An Act relating to Expense Accounts of Deputy Fire Wardens and Reports of Chief Fire Wardens" (S. P. 161) (L. D. 364)

Messrs. GOOD of Aroostook
SMITH of Knox
DENNY of Lincoln

and the following Conferees on Bill "An Act to Provide a Tonnage Tax on Commercial Fertilizer" (H. P. 1338) (L. D. 989)

Messrs. BISHOP of Sagadahoc
DENNY of Lincoln
GOOD of Aroostook

and the following Conferees on Bill "An Act relating to Salaries and Expenses of Members of the State Liquor Commission" (H. P. 1467) (L. D. 1170)

Messrs. HALL of Franklin
CLEAVES of Cumberland
SMITH of Knox

Was read and ordered placed on file.

Conference Committee Reports

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Keeping Certain Animals Confined" (H. P. 1426) (L. D. 1106) reporting that they are unable to agree. (Signed)

Messrs. MARSANS of Monmouth
BENN of Smyrna
—Committee on part of House.
DUNBAR of Washington
DOW of Oxford
WELCH of Aroostook
—Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Bounty on Porcupines" (H. P. 1342) (L. D. 993) reporting that they are unable to agree. (Signed)

Messrs. DUTTON of Bingham
ROLLINS of Greenville
ELLIOTT of Corinth
—Committee on part of House.

WELCH of Aroostook
SAVAGE of Somerest
SAYWARD of York

—Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Expense Accounts of Deputy Fire Wardens and Reports of Chief Fire Wardens" (S. P. 161) (L. D. 364) reporting that they have disagreed.

(Signed)

Messrs. WILLIAMS of Clifton
ROLLINS of Greenville
DUTTON of Bingham
—Committee on part of House.

GOOD of Aroostook
DENNY of Lincoln
SMITH of Knox

—Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

Report of the Committee of Conference on the disagreeing action of the two branches of the legislature on Joint Order relative to Register of Bills with Final Disposition at Time of Adjournment (H. P. 1310) reporting that they are unable to agree.

(Signed)

Messrs. NOYES of Hancock
BROWN of Aroostook
STERLING of Somerset
—Committee on part of Senate.

WILLIAMS of Clifton
BURTON of Milo
COOMBS of Belfast

—Committee on part of House.

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Final Reports

Final Report of the Committee on Agriculture.

Final Report of the Committee on Education.

Final Report of the Committee on Judiciary.

Final Report of the Committee on Pownal State School.

Final Report of the Committee on State Hospitals.

Final Report of the Committee on State Prison.

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Public Health" (S. P. 212) (L. D. 471) reporting that they are unable to agree.

(Signed)

Miss CLOUGH of Penobscot
Messrs. LEAVITT of Cumberland
TOWNSEND of Penobscot
—Committee on part of Senate.

Mr. JEWETT of Pittston
Miss DEERING of Bath
Mr. PRATT of Windham
—Committee on part of House.

Came from the Senate read and adopted.

In the House, read and accepted in concurrence.

The SPEAKER: The House is still waiting for the reports of Conference Committees, and having no further business to do for the moment, the House will recess until three o'clock. It may be, depending upon the diligence with which the committees perform their work, that the House will then recess until four o'clock.

On motion by Mr. Ward of Millinocket,

Recessed until 3 P. M.

After Recess—3:35 P. M.

The House was called to order by the Speaker.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act relating to Salaries and Expenses of Members of the State Liquor Commission" (H. P. 1467) (L. D. 1170) reporting that the House recede from its former action whereby the Bill was passed to be engrossed as amended by House Amendments "A" and "C" and pass the Bill to be engrossed without amendments; that the Senate recede from its former action whereby the Bill was passed to be engrossed as amended by House Amendment "A", and pass

the Bill to be engrossed without amendments.

(Signed)

Messrs. WESTON of Farmingdale
ROLLINS of Greenville
CARPENTER of Augusta
—Committee on part of House.
HALL of Franklin
CLEAVES of Cumberland
SMITH of Knox
—Committee on part of Senate.

Report was read and accepted.

Thereupon, the House voted to recede from its former action whereby this bill was passed to be engrossed as amended by House Amendments "A" and "C".

The House then voted to reconsider its former action whereby it adopted House Amendments "A" and "C".

House Amendments "A" and "C" were indefinitely postponed and the bill was passed to be engrossed without amendment in non-concurrence and sent up for concurrence.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act to Simplify Finances of the Department of Education" (S. P. 191) (L. D. 490) reporting that the Senate recede from its action whereby it passed the Bill to be engrossed as amended by Committee Amendment "A", and pass it to be engrossed as amended by Senate Amendment "A" submitted therewith; that the House recede from its action whereby it indefinitely postponed the Bill, give the Bill its second and third readings and pass it to be engrossed as amended by Senate Amendment "A".

(Signed)

Messrs. OWEN of Kennebec
SAVAGE of Somerset
CLEAVES of Cumberland
—Committee on part of Senate.
Miss DEERING of Bath
Messrs. THOMPSON of Brewer
ELA of Anson
—Committee on part of House.

Came from the Senate, Report read and adopted, and the Bill passed to be engrossed as amended by Senate Amendment "A".

In the House, Senate Amendment "A" read by the Clerk as follows:

Senate Amendment "A" to S. P. 191, L. D. 490, Bill "An Act to Sim-

plify Finances of the Department of Education."

Amend said Bill by striking out all of section 5 thereof and by renumbering section 6 to be section 5.

Further amend said Bill by striking out all of sections 7, 8 and 9 thereof and by renumbering sections 10 to 17, inclusive, to be sections 6 to 13, inclusive.

Further amend said Bill by striking out all of section 18 thereof and by renumbering sections 19 to 23, inclusive, to be sections 14 to 18, inclusive.

Further amend said Bill by striking out all of section 24 thereof.

Further amend said Bill by restoring, in the 24th and 25th lines of section 25 thereof, the following deleted words: "issue to the governor and council a recommendation relative thereto, and the governor and council may".

Further amend said Bill by striking out, in the 25th and 26th lines of section 25 thereof, the underlined words "request the state controller to".

Further amend said Bill by renumbering sections 25 to 32, inclusive, to be sections 19 to 26, inclusive.

Further amend said Bill by restoring in the 4th line of section 202 the figure "\$3." and striking out the figure "\$2."

The report of the committee was accepted in concurrence.

Thereupon, the House voted to reconsider its previous action whereby this bill was indefinitely postponed.

Senate Amendment "A" was adopted in concurrence and under suspension of the rules the bill had its second and third readings and was passed to be engrossed as amended by Senate Amendment "A" in concurrence.

The SPEAKER: The Chair will state that having acted upon all matters which we have at the present time, the gentleman from Millinocket, Mr. Ward, moves that the House do now recess until five o'clock.

After Recess—5:18 P. M.

The House was called to order by the Speaker.

Conference Committee Reports

Report of the Committee of Conference on the disagreeing action

of the two branches of the Legislature, on Resolve to Reimburse the city of Biddeford (H. P. 622) (L. D. 285) reporting that they are unable to agree.

(Signed)

Messrs. DONAHUE of Biddeford
RENOUF of Biddeford
POULIN of Rumford
—Committee on part of House.
DORR of Rumford
WILLEY of Hancock
TOWNSEND of Penobscot
—Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act Permitting the Department of Education to Cooperate in Establishing University Extension and Correspondence Courses" (H. P. 940) (L. D. 570) reporting that they are unable to agree.

(Signed)

Messrs. BISHOP of Sagadahoc
OWEN of Kennebec
LEAVITT of Cumberland
—Committee on part of Senate.
Miss DEERING of Bath
Messrs. THOMPSON of Brewer
WILLIAMS of Clifton
—Committee on part of House.

Came from the Senate, read and adopted.

In the House, read and accepted in concurrence.

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act to Accomplish Conformity to State School Building Standards" (S. P. 197) (L. D. 487) reporting that they are unable to agree.

(Signed)

Messrs. BISHOP of Sagadahoc
OWEN of Kennebec
LEAVITT of Cumberland
—Committee on part of Senate.
Miss DEERING of Bath
Messrs. DONAHUE of Biddeford
THOMPSON of Brewer
—Committee on part of House.

Came from the Senate read and adopted.

In the House, read and accepted in concurrence.

Report of the Committee of Conference on the disagreeing action

of the two branches of the Legislature, on Bill "An Act relating to Salary of the Forest Commissioner" (H. P. 1464) (L. D. 1168) reporting that the Senate recede and concur with the House, in passing the Bill to be engrossed as amended by House Amendment "B".

(Signed)

Messrs. HALL of Franklin
CLEAVES of Cumberland
SMITH of Knox
—Committee on part of Senate.
ROLLINS of Greenville
GROSS of Jefferson
WILLIAMS of Clifton
—Committee on part of House.

Came from the Senate the Report accepted and the Bill passed to be engrossed as amended by House Amendment "B" in concurrence.

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

The SPEAKER: This matter requires no further action on the part of the House because the Senate has concurred in passing this bill to be engrossed as amended by House Amendment "B".

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

Senate Committee Report Ought Not to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act relating to the Appropriation for Schools in Unorganized Territory and to the Funds for Teachers' Pensions" (S. P. 189) (L. D. 496) as it is covered by other legislation.

Came from the Senate read and adopted.

In the House, read and accepted in concurrence.

House Committee Report Ought to Pass

Mr. Bowker from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act for the Assessment of a State Tax for the Year Nineteen Hundred Forty-five and for the Year Nineteen Hundred Forty-six" (H. P. 42) (L. D. 16)

Report was read and accepted and the Bill, having already been printed, was given its three several readings under suspension of the

rules, passed to be engrossed and sent to the Senate.

The **SPEAKER**: The House may be at ease until the sound of the gavel because other papers that may be acted on are expected from the Senate.

House at Ease

6:05 P. M.

Called to order by the Speaker.

Mr. Ward of Millinocket, was granted unanimous consent to address the House.

Mr. **WARD**: Mr. Speaker and Members of the House, it is necessary that an act be passed by the Legislature in order to authorize the Highway Commission to reissue bonds. Through some oversight, either in the Highway Department or the Ways and Bridges Committee, this measure has not been presented to the Legislature. These bonds are necessary to match Federal funds which amount to about two million dollars, and if the measure is not passed at this session, it will no doubt be necessary for us to come back here to a special session of the Legislature to enact such legislation. This measure will be presented to the House here this afternoon, and you will be asked to receive it by unanimous consent.

The **SPEAKER**: Is it the pleasure of the House to take up out of order additional papers from the Senate?

From the Senate: Bill "An Act to Provide for Reissuance of State Highway Bonds (S. P. 448)

Emergency preamble. Whereas, the present highway program requires immediate rebuilding of certain state highways, and

Whereas, the expense of such program should be spread over a period of years, and

Whereas, the rebuilding of certain highways should be started immediately to preserve the roads, and furnish transportation for necessities to the people, 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, and require the following legislation as immediately

necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. Reissue of reissuable bonds authorized. State highway and bridge bonds issued under authority of the legislature under the provisions of the constitution which have matured and have been retired, which were issued before September 28, 1925, shall be reissued according to the provisions of this act.

Sec. 2. Treasurer of state to issue bonds. The treasurer of state is hereby authorized under the direction of the governor and council to reissue bonds from time to time during the biennium ending June 30, 1947, the said bonds not to exceed the amount of \$3,453,000, for the purpose of raising funds to match federal aid funds for the construction of state highways and bridges.

Sec. 3. Bonds, conditions of. The bonds issued under the provisions of section 2 hereof shall be payable at the state treasury within 25 years from the date of issue at a rate of interest not exceeding 2½% per year, interest payable semiannually, and shall bear the facsimile of the signature of the governor and shall be signed by the treasurer of state, and attested by the state auditor, with the seal of the state affixed. None of these bonds shall mature before 1950. The coupons attached to said bonds shall bear the facsimile of the signature of the treasurer of state; and such bonds and coupons shall be of such denominations and form and upon such terms and conditions not inconsistent herewith as the governor and council shall direct. Said bonds, together with the proceeds thereof, shall be designated as highway and bridge bonds, and shall be deemed a pledge of the faith and credit of the state.

Sec. 4. Records of bonds. The state auditor shall keep an account of such bonds, showing the number and amount of each, the date of countersigning, the date when payable and the date of delivery thereof to the treasurer of state, who shall keep an account of each bond, showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of sale and the date when payable.

Sec. 5. Proceeds of bonds, how used. The treasurer of state may negotiate the sale of such bonds by direction of the governor and council, but no such bond shall be loaned, pledged or hypothecated in behalf of the state. The proceeds of such sales shall be held by the treasurer of state and paid by him upon warrants drawn by the governor and council, and shall be expended for the purposes set forth in section 2 hereof, and the amounts of such proceeds are hereby appropriated for that purpose. No portion of the said proceeds not expended within the period for which they were appropriated shall lapse, but shall be carried forward to the same account to be used for the same purpose in any ensuing fiscal year.

Sec. 6. Proceeds of bonds not available for other purposes; must be kept separate from other funds. The proceeds of all bonds issued under the authority of this act shall at all times be kept distinct from other moneys of the state, and shall not be drawn upon or be available for any other purpose.

Sec. 7. Maturity and interest, how met. Interest, maturity and retirement obligations accruing on all bonds issued under the provisions of this act shall be paid by the treasurer of state from the general highway fund upon warrants drawn by the governor and council therefor.

Sec. 8. Location of bridges and highways; authority of state highway commission. The state highway commission shall designate and determine the bridges, highways and locations which are within the terms of this act and shall have authority to undertake, control and carry through the work of building, rebuilding or strengthening any bridges, and approaches thereto, and building and rebuilding highways, and to authorize and direct the expenditures for such work. In the performance of its duties under this act the commission may exclusively exercise all powers and procedure vested in it by the general law pertaining to highways and bridges and without joint participation with any other board as now provided by said general law in certain cases. Said commission may cooperate with the federal government for the achievement of the purposes of this act, and in behalf of the state accept and use

federal funds made available for such purposes.

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

Came from the Senate, received by unanimous consent.

In the House, the Bill was received by unanimous consent, and was given its three several readings under suspension of the rules.

Mr. ELA of Anson: Mr. Speaker, for the purpose of a slight amendment which will naturally take a few minutes, I move that this bill will now lay on the table and be assigned within five minutes after recess.

The SPEAKER: The gentleman from Anson, Mr. Ela, moves that the bill be tabled pending passage to be engrossed. Is this the pleasure of the House?

The motion prevailed.

The following Communication:

STATE OF MAINE
SENATE CHAMBER
AUGUSTA

Secretary of the Senate

April 20, 1945

Honorable Harvey R. Pease
Clerk of the House of Representatives

Augusta, Maine

Sir:

The Senate today rejected the report of the Committee on Conference on the disagreeing action of the two branches of the Legislature on Senate Paper 352, L. D. 891, An Act to Create the Town Road Improvement Fund, whereby the Committee was unable to agree, and receded from its former action and concurred with the House in its action of April 18, 1945, by which the bill was Passed to be Engrossed as Amended by House Amendment "A".

Very truly yours,

(Signed) CHESTER T. WINSLOW
Secretary of the Senate

The communication was received out of order under suspension of the rules, read and ordered placed on file.

On motion of Mr. Downs of Rome, out of order and under suspension of the rules, it was

ORDERED, that Mr. Jacobs of Auburn be excused from attendance today and tomorrow.

On motion by Mr. Ward of Millinocket, the House recessed for fifteen minutes.

After Recess—6:38 P. M.

Called to order by the Speaker.

On motion by Mr. Anderson of Oxbow Plantation, the House voted to take from the table the second unassigned matter, Bill "An Act to Revise the Laws relating to Inland Fisheries and Game" (H. P. 1307) (L. D. 958) tabled on April 18th by that gentleman, pending passage to be engrossed.

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

The amendment was read by the Clerk as follows:

House Amendment "A" to House Amendment "A" to H. P. 1477, L. D. 1183, Bill "An Act to Revise the Laws Relating to Inland Fisheries and Game." (New draft of L. D. 958)

Amend said Amendment by striking out in the 19th line thereof the underlined words "**or the state of Maine**"

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

House Amendment "A" to H. P. 1477, L. D. 1183, Bill "An Act to Revise the Laws Relating to Inland Fisheries and Game."

Amend said Bill by adding at the end of section 1 thereof a new sentence to read as follows: 'Section 37 of chapter 11 of the revised statutes of 1930 is hereby repealed.'

Further amend said Bill by striking out the 2nd paragraph of section 1 of that part designated "Chapter 33" thereof.

Further amend said Bill by striking out in the 2nd line of section 5 of that part designated "Chapter 33" thereof, the underlined words "**or lands**"

Further amend said Bill by re-numbering sections 17 to 128 of that part designated "Chapter 33" to be sections 18 to 129.

Further amend said Bill by adding to that part designated "Chapter 33" a new section to be numbered 17, to read as follows:

'Sec. 17. Reciprocal enforcement of violations in boundary waters.

Whenever a violation of the sea and shore fisheries laws or the inland fish and game laws of the state of New Hampshire or the state of Maine is committed or attempted to be committed by any person or persons fishing in any waters or portion thereof lying between the state of New Hampshire and the state of Maine, any warden or other person, who is authorized to make arrests for violations of the sea and shore fisheries laws and the inland fish and game laws of the state of New Hampshire or the state of Maine, shall have power and authority to make arrests on any part of such waters between the state of New Hampshire and the state of Maine or the shores thereof and to take the person or persons so arrested for trial to the state in which the violation was committed and there to prosecute such person or persons according to the laws of such state.'

Further amend said Bill by striking out all of section 22 of that part designated "Chapter 33" thereof and inserting in place thereof the following:

'Sec. 22. Examinations to be advertised. Notice of the time and the place of the examination shall be published in a paper having state wide circulation.'

Further amend said Bill by striking out the 2nd sentence of the 3rd paragraph of subsection II of section 31 of that part designated "Chapter 33" thereof.

Further amend said Bill by inserting after the 4th paragraph of section 70 of that part designated "Chapter 33" thereof, the following 2 new paragraphs:

'An auto-loading firearm shall be defined as one that reloads itself after each shot, and requires that the trigger be pulled for each shot.

No part of the 2nd or 3rd paragraph of this section shall apply to firearms used by any law enforcement agency in this state. The 3rd paragraph shall not apply to firearms using the .22 cal. rim fire cartridge, or to any auto-loading pistol having a barrel less than 8 inches in length.'

Further amend said Bill by striking out the first 4 paragraphs of section 74 of that part designated "Chapter 33" thereof.

Further amend said Bill by striking out subsection VII of section 96 of that part designated "Chapter 33" thereof.

Further amend said Bill by striking out in that part designated "Chapter 33" the figures "1945" in the 1st line of the paragraph of section 127 which relates to Limington, Hollis and Waterboro, and inserting in place thereof the figures '1947'

Thereupon House Amendment "A" to House Amendment "A" was adopted.

House Amendment "A" as amended was then adopted.

Mr. Anderson then offered House Amendment "C" and moved its adoption.

House Amendment "C" read by the Clerk as follows:

House Amendment "C" to H. P. 1477, L. D. 1183, Bill "An Act to Revise the Laws Relating to Inland Fisheries and Game."

Amend said Bill by inserting in the 1st line of sub-section I of section 21 of that part designated "Chapter 33" thereof, after the underlined words "deputy commissioner", the underlined words 'with the approval of the commissioner'

House Amendment "C" was adopted, and the bill as amended was passed to be engrossed and sent up for conference.

On motion by Mr. Ela of Anson, the House voted to take from the table Bill "An Act to Provide for Reissuance of State Highway Bonds (S. P. 448), tabled by that gentleman earlier in today's session pending passage to be engrossed.

Mr. Ela then offered House Amendment "A" and moved its adoption as follows::

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

House Amendment "A" to S. P. 448, Bill "An Act to Provide for Reissuance of State Highway Bonds."

Amend said Bill by inserting after the 1st sentence of Section 3 thereof the following:

'Such bonds shall contain such callable features as the Governor and Council shall determine.'

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

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

Final Report of the Committee on Salaries and Fees.

Final Report of the Committee on Welfare.

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

The SPEAKER: The House has in its possession only one paper that is unassigned.

The gentleman from Millinocket, Mr. Ward, now moves that the House do now adjourn until nine-thirty tomorrow morning.

The motion prevailed, and the House so adjourned.