

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

HOUSE

Wednesday, April 7, 1943

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

Prayer by the Rev. Clifford Osborne of Waterville.

Journal of the previous session read and approved.

Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act providing Authority to Board of Trustees of the Maine Maritime Academy to Confer Degrees" (H. P. 14) (L. D. 19) reporting that they are unable to agree. (Signed)

Messrs. LEAVITT of Portland
DOW of Falmouth
RANKIN of Bridgton
—Committee on part of House.

HODGKINS of Hancock
OWEN of Kennebec
BISHOP of Sagadahoc
—Committee on part of Senate.

Report read and accepted and sent up for concurrence.

**Papers from the Senate
Senate Reports of Committees
Conference Report**

From the Senate: Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Compensation of Department Heads" (H. P. 598) (L. D. 356) reporting that they are unable to agree. (Signed)

Messrs. BRAGDON of Aroostook
VARNEY of York
BUCK of Lincoln
—Committee on part of Senate.

WILLIAMS of Clifton
DOWNS of Rome
JACOBS of Auburn
—Committee on part of House.

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Conference Report

From the Senate: Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Provide for the Speedy and Inexpensive Adjudication of Small Claims" (H. P. 565) (L. D. 314) reporting that they are unable to agree. (Signed)

Messrs. SANBORN of Cumberland
DUNBAR of Washington
DOW of Oxford
—Committee on part of Senate.

SLEEPER of Rockland
SAVAGE of Skowhegan
JACOBS of Auburn
—Committee on part of House.

Came from the Senate, read and accepted.

In the House, read and accepted in concurrence.

Inexpedient

Report of the Committee on Motor Vehicles on Bill "An Act Permitting Use of Motor Vehicles to Transport Observers to Observation Posts without Registration" (S. P. 362) (L. D. 641) reporting that legislation is inexpedient.

Came from the Senate, read and accepted.

In the House, read and accepted in concurrence.

Ought Not to Pass

Report of the Committee on Judiciary reporting "Ought not to pass" on Resolve proposing an Amendment to the Constitution relating to the Number of Voters Necessary to Initiate Referendums (S. P. 420) (L. D. 720)

Report of the Committee on Salaries and Fees reporting same on Bill "An Act relating to the Salary of the Commissioner of Inland Fisheries and Game" (S. P. 374) (L. D. 630)

Report of same Committee reporting same on Bill "An Act relating to the Salary of the Chairman of the Liquor Commission" (S. P. 372) (L. D. 632)

Report of same Committee reporting same on Bill "An Act relating to the Salary of the Commissioner of Labor and Industry" (S. P. 398) (L. D. 674)

Report of same Committee reporting same on Bill "An Act relating to the Salary of the Commissioner of Insurance" (S. P. 373) (L. D. 631) as it is covered by other legislation.

Came from the Senate, read and accepted.

In the House, read and accepted in concurrence.

Final Reports

Final Report of the Committee on Education.

Final Report of the Committee on Judiciary.

Final Report of the Committee on Salaries and Fees.

Final Report of the Joint Select Committee on University of Maine.

Came from the Senate, read and accepted.

In the House, read and accepted in concurrence.

Ought to Pass in New Draft

Report of the Committee on Pownal State School on Resolve providing for Construction of a Building for Employees at the Pownal State School" (S. P. 365) (L. D. 639) reporting same in a new draft (S. P. 487) (L. D. 906) under same title and that it "Ought to pass"

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

In the House, Report was read and accepted in concurrence and the Resolve read once and assigned for second reading this afternoon.

Non-Concurrent Matter

From the Senate: Bill "An Act to Provide a Tonnage Tax on Commercial Fertilizer" (H. P. 1226) (L. D. 712) on which the House accepted the "Ought not to pass" Report of the Committee on Taxation.

Came from the Senate with the Bill substituted for the Report and passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Barnes.

Mr. BARNES: Mr. Speaker, I move we insist on our former action.

The SPEAKER: The gentleman from Houlton, Mr. Barnes, moves

that the House insist upon its former action. The Chair recognizes the gentleman from Rockland, Mr. Sleeper.

Mr. SLEEPER: Mr. Speaker and members of the House: This apparently innocent little bill is apparently quite an important measure to the Department of Agriculture—"An Act to Provide a Tonnage Tax on Commercial Fertilizer." As most of you who have anything to do with agriculture know, one of the most important ingredients in the raising of food is commercial fertilizer. Up until the present war, there has been sold and carried in Maine two or three hundred different brands of fertilizer. It is very important that the Department of Agriculture sample and analyze and test these different fertilizers. I understand that immediately after the last war, crop damage in Aroostook County amounted to \$375,000 on account of too much borax in some of the fertilizer sold up there.

Since 1883 the Department of Agriculture has conducted the sales of fertilizer by statute, and every brand sold in this state must be sampled analyzed and tested by the Department of Agriculture. This always has been done by registration fees for each brand of twenty-five or thirty dollars. The department by these fees has an income of sometimes as high as eight thousand dollars per year.

Since the war, however, the W. P. B. Board has restricted the sale so that there are now available in Maine only fourteen brands of fertilizer. That cuts down the income to considerably less than one thousand dollars, but the sampling and analyzing and testing will be just as numerous as ever because the different elements which are now going into fertilizer are much more dangerous and it is more necessary to test them now than it has been before. So the Department of Agriculture introduced this measure to put a tax of three cents per ton on commercial fertilizer. This tax is really acceptable to eighty-five per cent of the fertilizer companies.

I am going to take the time to read a letter from one of the fertilizer companies as regards this measure.

"Committee on Taxation
State House
Augusta, Maine
Gentlemen:

"We operate a fertilizer plant at Portland, Maine; namely, the Portland Rendering Company. We have an extensive tonnage of complete commercial fertilizer in the State of Maine. The above proposed act, calling for a tonnage tax on commercial fertilizer, is, we feel, correct. We approve of the principle involved. Under this arrangement manufacturers will pay a registration fee per grade as heretofore, and in addition they will pay a tonnage tax assessed on the tonnage of each grade which is sold in the state.

"Since the war there has been a material reduction in the number of different grades of fertilizer sold by each manufacturer. This has been brought about by the shortage of nitrogen primarily due to the fact that nearly all domestic synthetic nitrogen products were diverted from fertilizer to war purposes. This required then an adjustment of supplies to requirements and constituted a major problem. The War Production Board, the U. S. Department of Agriculture, and the fertilizer manufacturers worked together with the agronomists in the different states to arrive at a change in plant food which would be least harmful to the crops. This brought about a reduction in the number of grades of fertilizer sold in the United States from 900 to 90 and with the same proportionate reduction in your state.

"Following this, the War Production Board issued Conservation Order M-231 embodying the approved grades and no manufacturer could put on the market any other than those grades approved. This automatically cut the total number of grades that could be sold in the State of Maine to 14 and most manufacturers will not offer over half that number, I do not believe.

"With a registration fee of \$25 or \$30 per complete fertilizer, you can readily see what would happen to the funds for inspection work on a grade registration fee basis only.

"The American Society of Agronomy has a Subcommittee on Fertilizer Grades and Ratios which recently issued a report on state

laws and regulations relating to fertilizer grade limitation and fertilizer tonnage reports. In this report they quote extracts from laws which are considered satisfactory with respect to grade limitation and tonnage reports and your suggested act under consideration covers the important points recommended in this report.

"I understand that the tonnage tax will be reduced from six cents to three cents a ton of 2,000 pounds of fertilizer sold, which makes the total cost to us for registration fees and tonnage tax approximately as of last season, and we are in favor of the approval of this Bill on this basis."

Now, eighty-five per cent of the fertilizer companies are in favor of this measure. The measure is vital to the Department of Agriculture. If we want the fertilizer tested, analyzed and approved it costs seven or eight thousand dollars to do it. We must have this tax because this tax would bring in about thirty-five hundred dollars.

The members of the Appropriations Committee have expected the passage of this act and have counted on appropriations for the Department of Agriculture taking into consideration the thirty-five hundred dollars that this tax would bring in.

Mr. Speaker in the event that the motion to insist does not prevail, I am going to ask for a suspension of the rules in order that we may reconsider our action and concur with the Senate in the substitution of the Bill for the Report.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Barnes.

Mr. BARNES: Mr. Speaker, I do not represent any fertilizer company. I represent the farmers of Aroostook County who use the greater proportion of commercial fertilizer sold in this state. Already the farmers of Aroostook County have to pay a one cent per barrel tax for every barrel they raise. That amounts to a considerable sum of money to anyone raising fifty acres of potatoes. He will pay a considerable sum each year which goes into the Department of Agriculture and is allocated to a separate fund for the benefit of farmers in Aroostook County. This is a ridiculous tax of three cents

on a ton of fertilizer that costs thirty-five to forty dollars a ton, but it is an opening wedge.

I would be very glad to see the Department of Agriculture continue its practice of inspecting fertilizer, but I think that the money might easily be found from some other source. This ridiculous little tax which raises thirty-six hundred dollars a year, or something like that, is just a slap in the face to the Aroostook County farmers. I hope my motion to insist will prevail.

The SPEAKER: The Chair recognizes the gentleman from Damascotta, Mr. Denny.

Mr. DENNY: Mr. Speaker and members of the House: Since the executive committee meeting on Taxation, several things have transpired which I think will change the minds of some of the committee members, and amendments have been offered which have changed this bill to some extent. I think that one or two things should be pointed out.

In the first place, the fertilizer companies want inspection and they want inspection by disinterested or official parties, and that is the State Department; it always has been; and that is the logical place for inspection. They have been willing to pay for it on a tonnage tax basis, on a brand basis, paying so much for each brand of fertilizer brought into the state. Now, because of war conditions and because certain elements used in fertilizer are not available, and because of certain regulations by Federal authorities, the number of brands has been cut down from ninety to fourteen, or some drastic reduction in brands. Therefore, the money that has been paid as a tax on these brands, and used by the department for the inspection, has been cut correspondingly.

The farmers also want this protection and they are entitled to it. The fertilizer companies have been paying six to eight thousand dollars, whatever it has been; and they have paid it as a tax on brands. It has covered the inspection which protects the fertilizer company and protects the farmer. It has been good inspection and everyone has been satisfied. There were just perhaps three courses the department of inspection could fol-

low when the brands were cut and the money for inspection cut in a corresponding way. First, they might increase the tax on brands. While they had no idea how many brands would be permitted, it did not seem advisable. Instead of twenty-five or thirty dollars, it might run up to four or five hundred dollars per brand; they could not tell. Furthermore, this act will not take effect on this year's fertilizer sales; it cannot take effect until sometime in July. It will affect next year's sales and no one knows how many brands there might be offered for sale; so that is out of the window. They might then, as a second course, ask for an appropriation from the Appropriations Committee to make up this deficiency. That did not seem right because the fertilizer companies have paid it—perhaps they have added it to the cost of the fertilizer—because no stockholder has been taking any money out of his pocket to pay for the inspection—it is probably one of the costs of the fertilizer. It did not seem advisable to go to the Appropriations Committee and ask everyone in the state to help pay for the inspection of fertilizer.

Another course that might have been taken was to throw the whole thing out and do just what inspecting could be covered by the money taken in from the brands that are registered, but that would reduce the inspecting considerably more than one-half, and possibly wipe out one year or two years of this.

The fertilizer companies wanted it and the farmers need it, so that didn't seem advisable.

The fourth and the only chance appeared to be to put on a tonnage tax, which is a common tax in other sections. Contrary to the argument of the gentleman from Houlton, Mr. Barnes, this is not an additional tax. The fertilizer companies have been paying this much money in the form of a brand tax. Now they cannot pay a brand tax, and they are asking to pay it in the form of a tonnage tax. It would not amount to any more money. The fertilizer companies want the inspection and the farmers are entitled to it and want it. If there ever was a year that they need it, it is this year—and the following year.

There are some companies that have registered complaints and say they do not want it. There are some local dealers who have stated that their companies do not want this tax and, therefore, are not in favor of it. I happen to be a fertilizer dealer and I don't care a hoot what my fertilizer company wants; I don't care if I stay in the good graces of the fertilizer companies I sell for or not. It seems so it is a larger problem than that. The situation I think is just this: Here is an industry that is willing and has been willing to pay this tax. The tax is needed by the industry and by the farmers. Now, why not let it go on as it has been? Call it a sales tax if you want to; it accomplishes just the same purpose. I hope the motion of the gentleman from Houlton, Mr. Barnes, does not prevail.

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

Mr. MURCHIE: Mr. Speaker and ladies and gentlemen of the Legislature: I do not propose to take much of your time. I look at this thing perhaps from a little bit of a selfish angle. The matter has been pretty thoroughly covered. The point to me is just a matter of finance. If you go along with the motion of the gentleman from Houlton it appears that the Appropriations Committee will have to come in with a supplemental bill setting up a certain amount of money for the Department of Agriculture; because you know as well as I do, we need and want and must have this inspection. While I have come to have the very greatest respect for the gentleman from Houlton (Mr. Barnes) I feel really he is a little narrow and is wrong in this case.

I think we ought to go along with the measure.

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

Mr. BREWER: Mr. Speaker and members of the House: I object to this tax too. It is just another tax. Although it does not involve too much money, nevertheless it is another one added to what we already have. Now, some of our members in the Aroostook delegation suggested if this money is so vital that it be taken out of the one cent a barrel tax. It only amounts to thirty-five hundred dollars. About the only other excuse some officials can

give for this thing, outside of the revenue, is that they want to know and get a record of how much fertilizer is sold in the county. I object to paying anywhere from four dollars and a half to six dollars. I object to taking it out of my pocket so the Department of Agriculture will know how many tons of fertilizer come into Aroostook County. I think that there are other ways for them to get that information. I think there will be other provisions made if this bill does not go through. It is another tax, and I hope the motion of the gentleman from Houlton, Mr. Barnes, prevails.

The SPEAKER: The question before the House is on the motion of the gentleman from Houlton, Mr. Barnes, that the House insist upon its former action. The Chair recognizes the gentleman from Auburn, Mr. Jacobs.

Mr. JACOBS: Mr. Speaker, I rise for information. I would like to ask, Mr. Speaker, through the Chair, of the gentleman from Rockland, Mr. Sleeper—who pays this tax, the fertilizer company or the farmer who buys the fertilizer?

The SPEAKER: The gentleman from Auburn, Mr. Jacobs, asks a question through the Chair of the gentleman from Rockland, Mr. Sleeper. The gentleman may reply if he desires.

Mr. SLEEPER: Mr. Speaker, I am very glad to answer that question. The tax is paid by the fertilizer companies. It is not as the gentleman from Presque Isle (Mr. Brewer) says, an additional tax. It is a new method of collecting it perhaps. Until the war, there were at least two or three hundred brands that were sold in Maine, and every brand had to pay a registration fee of twenty-five or thirty dollars to take care of inspection and the analysis of all these different brands. Due to the war conditions there are now only fourteen brands sold in the state; so, to arrive at the six thousand dollars they had paid for registering the different brands, they proposed this tax of three cents per ton on the fertilizer that they sell of the fourteen remaining brands. The cost to the fertilizer companies is just the same as it was last year; it is just collected differently, and paid by the fertilizer companies. This will not result in one penny's additional cost to the farmer; the tax would be paid as it was before, by the fertilizer companies. The need

for inspection is much greater now than it was then because the sources of nitrogen and potassium are different than before the war. It is very important that there should be this inspection and analysis; and I certainly hope that the motion to inspect does not prevail.

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

Mr. BOYKER: Mr. Speaker and Members of the House: I do not understand the fallacy of the gentleman from Rockland, Mr. Sleeper, in his statement that it costs more to inspect fourteen brands of fertilizer today than it cost to inspect several hundred brands years back.

The SPEAKER: The Chair recognizes the gentleman from Fort Fairfield, Mr. Dorsey.

Mr. DORSEY: Mr. Speaker, I would like to ask if possible, through the Chair, the name of the concern that wrote the letter.

The SPEAKER: The gentleman from Fort Fairfield, Mr. Dorsey, asks a question through the Chair of the gentleman from Rockland, Mr. Sleeper. The gentleman may reply if he desires.

Mr. SLEEPER: Mr. Speaker, I didn't hear the question.

The SPEAKER: Will the gentleman repeat the question?

Mr. DORSEY: Mr. Speaker, I wanted to inquire the name of the concern that wrote the letter.

Mr. SLEEPER: Mr. Speaker, it was the Portland Rendering Company.

The SPEAKER: The Chair recognizes the gentleman from Fort Fairfield, Mr. Dorsey.

Mr. DORSEY: Mr. Speaker, the Armour Fertilizer Company in Aroostook County sells about fifty-five per cent of the fertilizer. The Portland Rendering Company is a subsidiary of the Consolidated Rendering Company of Massachusetts. That is the only letter which the Taxation Committee had. We came here two years ago to repeal the branding law. We feel we have been taxed quite a lot. We compromised and left the one cent a barrel tax on. I know the farmers in Aroostook County and elsewhere—if we go back and tell them there has been another tax which they have got to absorb—in two years they will come back here to repeal the one cent a barrel tax.

The SPEAKER: The Chair recognizes the gentleman from Damariscotta, Mr. Denny.

Mr. DENNY: Mr. Speaker, to answer the question of the gentleman who asked why it cost as much to inspect fourteen brands as it does one hundred or two hundred brands, the answer is this: It is not for inspection of each brand. It means the inspectors must test every car load that comes into the state. All the brands are not made up at one time, and they have got to be tested at different times. In our section, the tester comes to our warehouse every single year and tests each brand. Then he goes on twenty-five to fifty miles where he might strike fertilizer from another car, perhaps from the same company. It is the only chance of making the inspection. There would be just as much fertilizer sold regardless of the number of brands, and just as much inspection needed. I want to impress upon the members of the House that this is not an additional tax. The fertilizer companies will not be asked to pay any more money than they are paying now. It is not adding anything. It is just replacing a tax which they cannot pay and the department cannot collect under the present condition.

On motion by Mrs. Leidy of Fort Kent, House Rule 25 was suspended for remainder of today's session in order to permit smoking. (Applause)

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Barnes.

Mr. BARNES: Mr. Speaker, there is one thing I neglected to point out here briefly, and that is this: Quite naturally the fertilizer companies will not be against this thing. If it were passed there is no emergency measure on it and it could not be enforced this year. Next year it would be just passed along to the farmers. If this were a matter of \$360,000 it would be one thing, but this is a matter of \$3600, just one more little straw to add to the back of the farmers who are laboring now under great difficulties. I hope my motion to insist will prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Houlton, Mr. Barnes, that the House insist on its

former action. All those in favor will say aye; those opposed no.

A viva voce being doubted,

A division of the House was had. Sixty-eight having voted in the affirmative, and 26 in the negative, the motion prevailed.

Non-Concurrent Matter

From the Senate: Joint Order Creating a Committee to Report on Legislative Purchases and Expenditures (H. P. 53) which was passed in the House on January 21st.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. PAYSON: Mr. Speaker, I am very proud that this House says it is perfectly willing that the people of the State should know how we spend money for legislative expenses. I hope this House is going to stick with that proposition. I am not going to waste your time.

I move that the House adhere.

The SPEAKER: The gentleman from Portland, Mr. Payson, moves that the House adhere. All those in favor will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, and the House voted to adhere.

Non-Concurrent Matter

From the Senate: Bill "An Act for the Better Protection of Livestock and Poultry" (H. P. 1349) (L. D. 887) which was passed to be engrossed in the House April 1st.

Came from the Senate indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Libby of Caribou, the House voted to insist on its former action and ask for a Committee of Conference.

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

Messrs. LIBBY of Caribou
PEARSON of North Kenne-
bunkport
McFADDEN of Pembroke

Non-Concurrent Matter

From the Senate: An Act to Provide for Post War Planning (S. P. 178) (L. D. 242) which was passed

to be enacted in the House on April 2nd and passed to be engrossed on March 31st.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. ROLLINS: Mr. Speaker, under suspension of the rules, I move that the House recede from its former action and concur with the Senate.

The SPEAKER: The gentleman from Greenville, Mr. Rollins, moves that the House recede from its former action and concur with the Senate in indefinite postponement of this Bill. Is this the pleasure of the House?

The Chair recognizes the gentleman from Bangor, Mr. Hutchins.

Mr. HUTCHINS: Mr. Speaker, this matter has been before us for a long time, practically all the session, and we have debated it fully and at considerable length here in the House. I think that all of us feel that there is some good in the bill,—some perhaps more than others. I feel that there are parts of the bill which should be kept. If it is in order, I should like to move that we insist and appoint a Committee of Conference.

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

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

Mr. BARNES: Mr. Speaker, I wish to speak very briefly in favor of the motion to insist and ask for a committee of conference. Even those people who object most seriously to the Post War Planning Bill, with the possible exception of the gentleman from Greenville, Mr. Rollins, recognize that there is some of of this bill that is definitely worth preserving—and that is the fifty thousand dollars for planning. If we concur with the Senate, as has been requested by Mr. Rollins, this matter will then be definitely dead. I think at least the planning part is worth saving. I think we should in this Legislature take such action as to send out to our boys who are fighting that we are thinking about them and we are trying to make

plans for their rehabilitation after the war. I therefore hope the motion of the gentleman from Bangor, Mr. Hutchins, to insist and ask for a committee of conference, will prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Greenville, Mr. Rollins, that the House recede and concur. The Chair recognizes the gentleman from Livermore Falls, Mr. Grua.

Mr. GRUA: Mr. Speaker and members of the House: I think we will make a mistake if we do not set up some sort of planning at this time. I feel that a planning board at this time could be very well worth while. I was originally opposed to setting up this large sum of money as it was set up in the bill. I did feel that the provision for a planning survey was amply worth while. I think we will be much ahead if we have already before us plans of how we can employ our unemployed, and prevent a slump the way we did before. If we have these plans before us, then we can choose what plans we will use. If there is any chance for having a committee of conference to agree, and then be limited to a certain sum to be appropriated for a committee to plan on possible ways of employing our soldier boys when they come back home, and for those who have moved to other defense industries, I think it is worth while. I hope this motion to recede and concur does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Rome, Mr. Downs.

Mr. DOWNS: Mr. Speaker, at the time this matter received passage in the House there was only one question which was debatable in my mind, and that was the amount of the appropriation which this bill carried. I was entirely in sympathy with the purpose of the bill, and I believe at this time we would make a great mistake to have this, as we sometimes say, "thrown out the window." Therefore, I hope that the motion of my good friend, the gentleman from Greenville, Mr. Rollins, will not prevail.

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

Mr. SLEEPER: Mr. Speaker, I have listened with a great deal of interest to a lot of talking on Post War Planning. I noticed something very peculiar about this in the opposition who are raising their hands and shouting that there is a great boom coming after the war. They mention the one after the last war. I can just barely remember the last war and I can remember the boom after it. It is a significant fact that there will not be any boom for Maine after this war. Every industry in Maine is a war industry, and the minute an armistice is declared every shipyard in the state will stop its contracts and close the following day. It is ridiculous to think that these shipyards in South Portland will keep on. They say they will, but we know they will not. We know the shipbuilding in Bath will be greatly curtailed. The shipyards in Camden and Rockland will close, and the shipyard at South Bristol will close, the minute the war is over. Then what will Maine have in the way of so-called boom industries like radios, refrigerators and automobiles? There is not a factory in Maine that will benefit by a peace-time boom. We will have the same thing as happened after the last war. Every boy and girl who graduates from high school is going to go west to Massachusetts, New York and Ohio to get employment. That, I believe, is the object of this Post War Planning, to attract some of the peace-time industries into the State of Maine to take up the place of the war-time industries. I will venture to say that there will be a boom, but not for Maine unless we plan to bring something here. I fully agree with the gentleman from Houlton, Mr. Barnes, when he says we ought to salvage the fifty thousand dollar planning part of this bill. We ought to plan to bring some of the boom to Maine.

The SPEAKER: The Chair recognizes the gentleman from Kennebunk, Mr. Sayward.

Mr. SAYWARD: Mr. Speaker, this House voted practically unanimously on the bill. I do believe that something can be salvaged from that bill. I heartily agree with what has been said in favor of that. There is an amount of fifty thousand dollars, you will recall,

provided for in the bill, and that was for such surveys as may seem necessary. These surveys will be available to this, or another Legislature, called into special session on this subject. The needed information will be there on account of the amount we do spend for the surveys. It seems to me that is something to take into consideration. The legislators will then be in position to decide whether the amount asked for in the original bill will be needed to carry out the work, and they will have definite knowledge on the estimates of cost. I do hope that the motion of the gentleman from Bangor, Mr. Hutchins, will prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Greenville, Mr. Rollins, that the House recede and concur. The Chair recognizes the gentleman from Augusta, Mr. Cross.

Mr. CROSS: Mr. Speaker and members of the House: I think you all are perfectly familiar with this bill and I think the most of you have weighed it very carefully. In my mind there is just one point which some of us might have objected to in the bill, and that was the unqualified turning over of the one million dollars, in the last section. Now I personally feel, and I think most of you do, that we weighed those things carefully, and we figured the merits of the bill outweighed that question, and that we were very much in favor of the fundamental purposes behind this bill. Now, it seems to me if we can strike that feature from the bill and keep the post war planning idea, financing it with fifty thousand dollars, we will have made a step ahead in the State of Maine. I personally feel that fifty thousand dollars would be in the form of an insurance for the citizens of Maine; and, as much other insurance is used, the money would have some use; and if the plans were never used, we would still have had our money's worth. Insurance is always a good feature. I would point out to you that any expenditures after this part is stricken out would be solely in the hands of the Legislature, aside from the fifty thousand dollars. I hope the motion to recede and concur will not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Greenville, Mr. Rollins, that the House recede and concur. The Chair recognizes the gentleman from Presque Isle, Mr. Brewer.

Mr. BREWER: Mr. Speaker and members of the House: I think most of the members would be surprised to know the number of people in my locality who have a stenographic report of what happens in the Legislature. To my mind there has never been a question of this bill not being good, but there was a question at first as to who should handle this fund. As soon as this bill was called to the attention of the people in my locality, I was surprised at the number of people who contacted me and said that this was the finest piece of publicity or propaganda that could be offered, in that we were looking ahead to the time when the war would be finished, and they felt it would be very, very worth while. I think anybody will agree that if we are to do something about the future, you certainly would be in position to handle the situation when it comes much better than you would if no thought was given to the matter. I do think this thing is very worth while and I hate to see it thrown out the window. I think we can salvage at least the planning part, which will be very valuable to us here in the State of Maine.

The SPEAKER: The question before the House is on the motion of the gentleman from Greenville, Mr. Rollins, that the House recede and concur. The Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, I have got to get up and defend my motion I guess. I take the attitude that I did before. The main issue before this House and before the State of Maine and before this country is to win the war. I can foresee this setup of the Maine Development Commission planning. I don't see where they need fifty thousand dollars or any other sum. The Development Commission is already organized, and it doesn't take money to think. They could still be thinking and building plans, looking toward the special session that some gentlemen speak of. We have heard recently that without a question we will have a special session within a year; and I think it

has been made plain on the floor of this House, from every avenue and source of information that there will be a special session and a regular session before this war is over. I have tried to show that the members of the Development Commission or the members of the House do not know what is necessary for future planning. Things are moving so fast that we do not know what is ahead of us at the termination of this war. I can visualize the situation after the last war when they set up something of this same nature by the Federal Government in the City of Augusta. One gentleman who lives within your beautiful city here came out a Colonel from the army, and he went to this board looking for employment, and he went several times, and finally they did offer him a job at twenty dollars a month, and he was not interested. I can visualize this thing set up, and all the fine jobs picked out and all assigned to slackers, and when our boys come home they would work with a pick and shovel. Right now they say there will be nothing in Maine after the war. Right now before Congress they are asking for five thousand Canadians to come in and cut wood. Our mills are reduced, and that is an industry we don't overlook in this state. There will be plenty of employment. There is a scarcity of men now. Since these men will not be dumped on us in one bunch after we win this war—which I hope to God we do—we will have a big job of policing the world and these men will be employed for a long time. Therefore, I hope the motion prevails.

The SPEAKER: The Chair recognizes the gentleman from Mapleton, Mr. Webber.

Mr. WEBBER: Mr. Speaker, I believe this measure has a great deal of merit, and I hope we will be able to preserve those features which we feel will benefit our State. We ought to have learned something from the last war and be looking forward to the time when the boys come back. Therefore, I hope we will do something to preserve this measure.

The SPEAKER: The Chair recognizes the gentlewoman from Brunswick, Miss Bangs.

Miss BANGS: Mr. Speaker, may I have permission to face the House?

The SPEAKER: The gentlewoman may face the House.

Miss BANGS: Mr. Speaker and Fellow Members of the House: This matter is something that I feel very, very strongly about. I had hoped not to get into the debate; I do not really think it is necessary. I am one who would like to go on record as endorsing this measure. I feel that perhaps I should say to you that I believe the gentleman from Greenville, Mr. Rollins, has misinterpreted this measure, and what is going to be done and should be done under it. This post war planning is something that the world is considering. We must first win the war, but the peace is important after the war, and it is to that peace that we have a right now to look. Every Legislature, the Federal Government and other countries are working on post war planning. Of course we cannot anticipate what will happen after the war, and therefore we must work and analyze and summarize these things. All they have asked for at this time is not the one million dollar bond issue, but simply the right to salvage a mere fifty thousand dollars to give to a body of people who are in a position to know what is happening throughout the State, to analyze the projects and to be ready, if it is necessary, to propose to a Legislature what should be done by way of helping those men who are coming home from the front.

As a woman, I certainly would feel guilty going back to my constituents, to those mothers and sisters and wives and fathers and brothers and the families of these men, and saying to them: "No, we don't think there is any necessity for planning the future; we will take care of today and let tomorrow take care of itself." We cannot look at it from that point of view. We must have something to say to those boys when they come home. We must say: "Yes, the State of Maine is looking to the future for you; we have tried to do what we can and we hope that it will help." I certainly feel that something should be salvaged from this measure, and as long as the proposition is only for fifty thousand dollars, I wish to state to you that I personally and sincerely hope that the motion of the gentleman from Greenville, Mr. Rollins, will not prevail; and then in due time when the gentleman from Bangor, Mr.

Hutchins, makes his motion to insist, that he will get your support. And, Mr. Speaker, when the vote is taken, I ask for a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Greenville, Mr. Rollins that the House recede and concur. The Chair recognizes the gentleman from Unity, Mr. Brown.

Mr. BROWN: Mr. Speaker, and members of the Legislature: I am heartily in favor of this measure. As most of you people know, I am an employer of labor, and many of the boys who worked for me are now in the service. Hardly a letter comes from those boys but they ask me for a job when they come back. I know they are thinking of what is going to happen. I hope the motion of the gentleman from Greenville, Mr. Rollins, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Bar Harbor, Mr. MacLeod.

Mr. MacLEOD: Mr. Speaker, I do not think there is any need to say very much on this subject. I happen to be selling the product of one of the largest corporations in the world, General Motors. Two weeks ago I had to turn down an invitation to attend a Buick meeting which was definitely for post war planning. This corporation is definitely working on post war planning right now. If it is good business for them, certainly it is good business for this Legislature.

The SPEAKER: The question before the House is on the motion of the gentleman from Greenville, Mr. Rollins, that the House recede and concur. The gentlewoman from Brunswick, Miss Bangs, asks for a division. The Chair recognizes the gentleman from Weston, Mr. Bubar.

Mr. BUBAR: Mr. Speaker, our Welfare Department has hundreds of citizens on its rolls who failed to consider the future. Up in Aroostook County we have an influx of hundreds of citizens who just live from one day to the next. They have paid very little attention to the future and they refuse to plan for it. I trust that we can take a lesson from those people. I certainly hope that the motion of the gentleman from Greenville, Mr. Rollins, does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Greenville, Mr. Rollins, that the House recede and concur. The gentlewoman from Brunswick, Miss Bangs, asks for a division. Is the House ready for the question? All those in favor will rise and stand in their places until counted and the monitors will make and return the count.

A division of the House was had.

Two having voted in the affirmative, and 109 in the negative, the motion did not prevail.

Thereupon, on motion by Mr. Hutchins of Bangor, the House voted to insist and ask for a Committee of Conference.

The SPEAKER: At this time the Chair recognizes in the rear of the hall a former Speaker of this House, the Honorable Burleigh Martin, and requests the Sergeant-at-Arms to conduct Mr. Martin to the rostrum.

Thereupon, the Sergeant-at-Arms escorted the Honorable Burleigh Martin to the rostrum, where he assumed a seat at the Speaker's left, amid the applause of the House, the members rising.

The SPEAKER: The Chair also observes in the gallery a former Speaker, the Honorable George Hill, and will request the Sergeant-at-Arms to perform his duties and present Mr. Hill at the rostrum forthwith.

Thereupon, the Sergeant-at-Arms escorted the Honorable George Hill to the rostrum, where he assumed a seat at the Speaker's right, amid the applause of the House, the members rising.

Orders

On motion by Mr. Downs of Rome, it was

ORDERED, that Mr. Bartlett of Portland, be excused for the remainder of the session because of serious illness in his family.

Order Tabled

Mr. Green of Princeton, presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the Clerk of the House be directed to furnish to the Indian Representatives at the Legislature \$5 in postage stamps as furnished to the members of the House and Senate.

On motion by Miss Clough of Bangor, the Order was tabled until this afternoon's session, pending passage.

House Reports of Committees Ought to Pass in New Draft

Mr. Goldsmith from the Committee on Salaries and Fees on Bill "An Act relating to the Salaries of Commissioner of Labor and Industry and the Commissioner of Insurance as Members of the Industrial Accident Commission" (H. P. 831) (L. D. 398) reported same in a new draft (H. P. 1367) under same title and that it "Ought to pass."

Report was read and accepted and the new draft ordered printed under the Joint Rules.

Ought to Pass With Committee Amendment

Mr. Smith from the Committee on Salaries and Fees on Bill "An Act relating to Salary of Adjutant-General" (H. P. 1158) (L. D. 613) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Bill was read twice under suspension of the rules.

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

Committee Amendment "A" to H. P. 1158, L. D. 613, Bill "An Act Relating to Salary of Adjutant-General."

Amend said Bill by striking out the underlined figures "\$5,000" in the 4th line of section 1 thereof, and inserting in place thereof the underlined figures '\$4,500.'

Committee Amendment "A" was adopted and the bill was assigned for third reading this afternoon.

First Reading of a Printed Bill

Bill "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1944 and June 30, 1945" (H. P. 1366) (L. D. 907)

Bill had its first reading.

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

Mr. BUBAR: Mr. Speaker, I now move that this bill lie on the table. It will not materially lengthen the

session to have it lie over until tomorrow morning, as several members would like to have the chance to read the bill further.

The SPEAKER: The gentleman from Weston, Mr. Bubar, moves that Legislative Document 907 lie on the table pending its second reading. The question of time is debatable.

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

Mr. MURCHIE: Mr. Speaker, I do not rise with any particular desire to oppose the motion—

The SPEAKER: The gentleman is out of order. It will be necessary first to settle the question of whether or not the bill is to be tabled.

The gentleman from Weston, Mr. Bubar, moves that this matter be tabled and specially assigned for tomorrow morning. Is this the pleasure of the House?

A viva voce vote being taken, the motion failed of passage.

Thereupon, the bill had its second reading and was assigned for third reading this afternoon.

First Reading of Printed Resolves

Resolve in favor of Several Academies, Institutes and Seminaries (H. P. 1364) (L. D. 908)

Resolve providing for the Payment of Certain Pauper Claims (H. P. 1365) (L. D. 909)

Resolves were read once and tomorrow assigned.

Passed to be Engrossed

Bill "An Act relating to the Manufacture and Sale of Apple Wine" (H. P. 1354) (L. D. 895)

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

Amended Bill

Bill "An Act relating to Storage in Millinocket Lake" (H. P. 1343) (L. D. 889)

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

The Speaker appointed the following Conferees on the part of the House on:

Resolve, proposing a Constitutional Amendment Changing the Times of Meetings of the Legislature (H. P. 1243) (L. D. 743)

Messrs. ROLLINS of Greenville
HAMILTON of Hartland
SNOW of Auburn

Orders of the Day

The SPEAKER: At this time the Chair lays before the House the first tabled and today assigned matter, Bill "An Act Relating to Slaughterhouses" (H. P. 1353) (L. D. 894) tabled on April 6th by the gentleman from Orono, Mr. Goldsmith, pending passage to be engrossed.

The Chair recognizes the gentleman from Damariscotta, Mr. Denny.

Mr. DENNY: Mr. Speaker, I offer House Amendment "C" to H. P. 1353, L. D. 894, and move its adoption.

The SPEAKER: The gentleman from Damariscotta, Mr. Denny, offers House Amendment "C" and moves its adoption. The Clerk will read House Amendment "C".

House Amendment "C" to H. P. 1353, L. D. 894, Bill "An Act relating to Slaughterhouses."

Amend said bill by striking out the words "on or before the 1st day of June" beginning in the 7th line thereof.

Further amend said Bill by striking out the word "following" in the 9th line thereof and by striking out the word "July" in said 9th line and inserting in place thereof the word "August".

Thereupon, House Amendment "C" was adopted.

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

Mr. WILLIAMS: Mr. Speaker, I offer House Amendment "D" and move its adoption.

The SPEAKER: The gentleman from Clifton, Mr. Williams, offers House Amendment "D" and moves its adoption. The Clerk will read House Amendment "D".

House Amendment "D" to H. P. 1353, L. D. 894, Bill "An Act relating to Slaughterhouses."

Amend said bill by adding at the end of Section 3 thereof, the following words: "Nor shall it apply to persons who raise and kill their own animals and fowls on their own premises for their own consumption or sale".

Further amend said bill by adding the word "knowingly" before the word "sells" in the 9th line of Section 7 thereof.

The SPEAKER: The Chair recognizes the gentleman from Damariscotta Mr. Denny.

Mr. DENNY: Mr. Speaker and Members of the House: I believe yesterday we had a fair debate on this bill, and I believe you all made up your minds as to just how you wanted to vote on it.

I have no intention of dragging this matter out any longer. I do not object to the first part of this amendment, because I think it is covered in the bill and is unnecessary; but I do object to the word "knowingly."

I suggested before that I was in the milk business, and we are covered by all the licenses which are required of a milk dealer and food handler. If we put out one quart of milk or a hundred quarts of milk or a thousand quarts of milk, and we find later that milk is contaminated and someone is taken sick or an epidemic starts, we are responsible. It is our business to see that milk is all right. We cannot go to the judge and say we did not know it was contaminated with typhoid or septic sore throat or something like that. We are responsible when we sell the milk; and when anyone sells any food product he is responsible for that product.

Now if you put in the word "knowingly" it certainly is going to make the bill ineffective. This bill is for the purpose of protecting the public health and welfare against the unscrupulous who might want to sell meat that is unwholesome and unfit for human consumption.

Can any of you conceive of a man who intends to sell such meat admitting that he knowingly was selling it? It would mean that every case would have to go to court, and they would have to try to prove that the meat dealer, the man who was selling the meat, knew that he was selling, and he would have to admit that he was selling, meat that was unfit for human consumption.

I have no objection to the first part, but, as it is all in one amendment, I hope that the amendment is not adopted.

The SPEAKER: The question before the House is on the adoption of House Amendment "D".

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: Yesterday I purposely kept quiet when this bill was being debated because I thought there was some merit in the bill, and at that time there was an amendment on the desks which read nearly the same as the first part of this amendment which I have offered. There may be some need for this bill to take care of some unscrupulous slaughterhouses in the State of Maine. For that reason I was not in favor of indefinite postponement, but I am in favor of killing any bill that works a hardship upon the people of the State of Maine.

I put this word "knowingly" in for one reason, and that was for the same reason that the gentleman from Damariscotta, Mr. Denny, wanted to take it out. That is because if that word is in there it is going to be up to the courts of the State to decide whether a man is guilty; and it will not be up to some inspector who is hired for thirty dollars a week by the Department of Agriculture and feels he has a lot of power behind him, and who will go out and condemn a lot of innocent people because it was left all up to his control. I wish every citizen of the State of Maine to be protected by the courts of our state, and not leave it up to some inspector. That is the reason that I wish that word "knowingly" in there, because then it will be a case for the courts to determine.

Now, in the first part of that penalty section dealing with slaughterhouses—that word is not in. This is in the part that deals with the bona fide farmers, and the sections which this amendment of mine covers—in other words, the little fellow.

Now, I noticed that the gentleman from Damariscotta, (Mr. Denny) who is a very good friend of mine—this is the third bill where he has spoken twice today for regulation. He believes in strong regulation. I do not. I believe that the citizens of Maine should have some rights, and I believe that the Department of Agriculture apparently is trying in this session of the Legislature to take away those rights.

That was an interesting hearing they had on this bill. Who sponsor-

ed this bill? I do not know whether they were from outside the State or inside, but I do know there were three of the leading members of the O. P. A. there saying they wanted this bill. And you, Mr. Speaker and Members of the House, know what the O. P. A. is trying to do: it is making criminals, or trying to make them, out of our law-abiding citizens. The Department of Agriculture was there trying to have this bill put on the books. Probably the intent is good, but I do wish to have nothing in that bill—and I do believe you members do—that does not give every citizen of this state equal rights before the courts of our state. That is the reason for that amendment.

The SPEAKER: The Chair recognizes the gentleman from Benton, Mr. Kent.

Mr. KENT: Mr. Speaker, it is pretty hard for a farmer, when he happens to sell anything and later on someone comes back and says it is diseased, to go before the courts or before your big committees with doctors on every side. Where do you suppose that farmer is going to get off? He is not going to get off. There is going to be trouble over this bill right from the very beginning. If it had been a good bill and had been anything the people wanted, do you suppose they would have put on those amendments and amendments and amendments? No, they would not have had to do it. But you know the doctor in that committee said he would do anything to get this bill passed; he would do anything! That is terrible, to do things like that. "Say anything about the farmer you have a mind to, give him any chance you have a mind to, but just get this bill passed!"

I do not believe in this. I believe we are going too far. I believe we are taking the very rights away from the little man putting it in the big man's hands. That is the only thing that the bill would do to anybody. I knew a man who butchered and butchered and butchered for years, and he is a good man, and he stopped. I said, "Why have you stopped?" He said: "It will cost me \$1500 to put my slaughterhouse in the condition they want, and then I do not know whether I can butcher or not." It is not a good bill, and

the bill that came in before this to regulate dealers was not a good bill.

It is a nice thing we have got another part to this body in the other end of the House, the Senate. You fellows call it "the slaughterhouse" but, thank God, we have got somebody from that body who will slaughter some of these bills. (Laughter)

The SPEAKER: The Chair recognizes the gentleman from Kennebunk, Mr. Sayward.

Mr. SAYWARD: Mr. Speaker, this clears indicates to me a desire to kill the whole bill which we voted for a day or two ago. The measure itself would be entirely nullified if this thing should pass. The bill has been gone over carefully and considered in all its phases. This word "knowingly" has been considered very, very carefully from the beginning, and I certainly hope that this House Amendment "D" is not adopted.

The SPEAKER: The question before the House is on the adoption of House Amendment "D".

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

Mr. WILLIAMS: Mr. Speaker, I would like to add that unless this amendment is adopted, this definition of what this would cover, there is nothing in this bill that would allow any citizen who wished to raise a pig or some other animal and kill it and sell half of it, to have that right without paying a license fee. Maybe they have got it tucked in somewhere in the bill, but in this definition they define slaughterhouses, and then say: "The provisions of this act requiring a license shall not apply to any bona fide farmer who butchers or has butchered for him, his own domestic animals or fowl on his farm, or elsewhere for human consumption or sale, as incidental to, and in the general conduct of his business of farming."

Now, a bona fide farmer is not a man who might have a pig in his back yard, or two pigs. There are a great many members of this House, if that bill is passed, who could not raise any animal for meat and sell any part of it. I do not know as they could even butcher it themselves under this bill. So the first part of this amendment is very necessary if you want anyone in the

State of Maine to raise anything for food this year. The whole story today is to raise food, and here we are passing a bill that would not make it lawful for a man to kill an animal without buying a slaughterhouse license. If that is what we want for legislation, then kill this amendment, because that is what the amendment will give us. Under the penalty here, it is "knowingly," because in the section which applies to farmers, it does not come after "slaughterhouse," but it comes after the "bona fide" farmer portion of it, and just gives the ordinary citizen of our state the right to have the courts decide whether they knew something was wrong with the animal. I am not worried about diseased animals coming from the little fellow who raises a few animals.

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

Mr. SMITH: Mr. Speaker, I move that House Paper 1353 be indefinitely postponed.

The SPEAKER: The gentleman from Thomaston, Mr. Smith, moves indefinite postponement.

The Chair recognizes the gentleman from Bangor, Miss Clough.

Miss CLOUGH: Mr. Speaker and Members of the House: I have no wish to say more than I said yesterday, except for this: I hope that the motion of the gentleman from Thomaston, Mr. Smith, does not prevail.

I think when ten people worked as hard as the ten people on the Public Health Committee worked to do something that will protect the health of the people of the State of Maine, it should not be considered as lightly as it has been considered in some portions.

It is true this bill does not go far enough to my way of thinking, but it is a start, and it will help to regulate 190 slaughterhouses.

When the gentleman from Clifton, Mr. Williams, says it will not permit any one of us to raise an animal in our back yard, I still think the public should be protected in that regard, if what I hear about the need of raising vegetables is true.

I certainly hope the motion of the gentleman for indefinite postponement does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Thomaston, Mr. Smith, for indefinite postponement.

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

Mr. SMITH: Mr. Speaker and Members of the House: This bill is something like meat that is hung up too long. When the vote is taken, I ask for a division.

The SPEAKER: The gentleman from Thomaston, Mr. Smith, asks for a division.

The question before the House is on the motion of the gentleman from Thomaston, Mr. Smith, for indefinite postponement of Legislative Document 894.

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

Mr. GRUA: Mr. Speaker and Members of the House: I think we would make a mistake if we postponed this bill. I believe there is merit in it. I think the matter of this amendment should be ironed out, and I think we should have the bill put on the table temporarily so a new amendment can be prepared to cover the point at issue. On the question that has been raised by the gentleman from Clifton, Mr. Williams, about the "knowingly" part, our courts have their own interpretation of that and I do not anticipate any difficulties in prosecutions on that point. Furthermore, I am in agreement with what the gentleman from Damariscotta, Mr. Denny, said: that it is up to the man who sells us our meat to know whether he is selling us good stuff or not. I think we are all vitally interested in protecting the food we have to eat and which our children have to eat.

I am aware of the fact that there are now being operated slaughterhouses which are endangering the health of the public. I think this is wise legislation. I, too, am very much opposed to regulation, but we have come to times when regulation in some departments and some places becomes very necessary, and I feel that this is one of those places. Whether you want to do this through licensing or whether you want to give added power to the Health Department—which seems to be the more logical place for this, since it has to do with

food—that is another matter; but you are arriving at the same result, since you are licensing slaughterhouses. I doubt if it would work very much hardship on the small slaughterhouses. I have not found in my experience that the inspectors for our various state departments are so zealous and so anxious to kill off a State of Maine industry that they go to any great extremes.

I cannot go along with the argument they are certainly going to cooperate with the big fellows to kill off the small slaughterhouses in the State of Maine. I do not believe that would be the attitude of the department. I feel this bill has merit; and if the proponents of this bill do not object to the first part of this amendment, it seems to me a new amendment could be prepared that would be reasonably agreeable to everybody. As I say, I think the "knowingly" part has been over-emphasized and is not as important as it might seem.

I hope the motion for indefinite postponement does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Thomaston, Mr. Smith, for indefinite postponement of Legislative Document 894, Bill "An Act Relating to Slaughterhouses", and the gentleman asks for a division. All those in favor of the indefinite postponement will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had.

Twenty-one having voted in the affirmative and 65 in the negative, the motion did not prevail.

Thereupon, on motion by Mr. Denny, House Amendment "D," with accompanying papers, was tabled and specially assigned for this afternoon.

The SPEAKER: The House is proceeding under Orders of the Day.

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

On motion by Mr. Williams, the House voted to take from the table the first tabled and unassigned matter, Joint Order Relative to Increasing the Salaries of State Employees (H. P. 1341) tabled on April 5th by that gentleman, pending passage.

Mr. Williams then offered House Amendment "A."

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

House Amendment "A" to Joint Order Increasing the Salaries of State Employees (H. P. 1341)

Amend said Joint Order by striking out all of the last paragraph after the word "concurring," and inserting in place thereof the following:

"That the head of each department in cooperation with the personnel board shall give general salary increases to the employees of the department to the amount that the appropriation for that department will allow."

The SPEAKER: The Chair recognizes the gentlewoman from Bangor, Miss Clough.

Miss CLOUGH: Mr. Speaker, may I inquire through the Chair if the Joint Order has been printed?

The SPEAKER: The Joint Order has not been printed.

Miss CLOUGH: Mr. Speaker, would it be too much to read it, together with this proposed amendment?

The SPEAKER: Does the gentlewoman care for the preamble or just the main body?

Miss CLOUGH: Just the main body, Mr. Speaker.

Joint Order read by the Clerk.

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

Mr. WILLIAMS: Mr. Speaker, I now move passage of the Order.

The SPEAKER: The question before the House is on the adoption of House Amendment "A". All those in favor will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and House Amendment "A" was adopted, and the Order as amended by House Amendment "A" received passage and was sent up for concurrence.

The SPEAKER: The House is proceeding under Orders of the Day.

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

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

the third tabled and unassigned matter, "An Act Relating to the Board of Trustees of the Jointly-Contributory Retirement System (H. P. 552) (L. D. 287) which came from the Senate, Engrossedment Reconsidered, on April 1st, Senate Amendment "A" adopted in non-concurrence, tabled in the House on April 6th by the gentleman from Portland, Mr. Payson, pending further consideration; and the Chair recognizes that gentleman.

Mr. PAYSON: Mr. Speaker, may I inquire what the present status of House action is on this bill?

The SPEAKER: The bill was passed to be engrossed in the House on February 25th without amendment and passed to be enacted on March 10th.

Thereupon, on motion by Mr. Payson, under suspension of the rules, the House voted to reconsider its action whereby it passed the bill to be enacted; and on further motion by the same gentleman, under suspension of the rules, the House voted to reconsider its action whereby the bill was passed to be engrossed.

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

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

The Clerk will read Senate Amendment "A".

Senate Amendment "A" to H. P. 552, L. D. 287, Bill "An Act Relating to the Board of Trustees of the Jointly - Contributory Retirement System."

Amend said Bill by adding after the enacting clause thereof the following: "Sec. 1."

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

"Sec. 2. P. L., 1933, c. 1, sec. 227-E, sub-section 2, amended. Subsection 2 of section 227-E of chapter 1 of the public laws of 1933, as enacted by chapter 328 of the public laws of 1941, is hereby amended by adding thereto a new paragraph to be lettered (e) and to read as follows:

'(e) The deputy warden, the captain of the guard and any guard of the state prison who is a member of this system and who has creditable

service of at least 25 years may be retired at one-half of his average final compensation provided such retirement is requested either by the member or the commissioner of institutional service. If any such member should become eligible under the provisions of this system, as a result of prior service and membership service, to a retirement allowance in excess of one-half of his average final compensation he shall be entitled to the higher retirement allowance.”

Thereupon, Senate Amendment “A” was adopted in concurrence, and the Bill as amended by Senate Amendment “A” was passed to be engrossed in concurrence.

On motion by Mr. Marsans of Monmouth, the House voted to take from the table the fifth tabled and unassigned matter, House Amendment “A” to “Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons.” (S. P. 485) (L. D. 898) tabled on April 6th by that gentleman for reproduction under House Rule 36.

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

On motion by Mr. Sleeper of Rockland,

Recessed until two o'clock this afternoon.

Afternoon Session

2 P. M.

The House was called to order by the Speaker.

The SPEAKER: There is being prepared a supplement to the Advance Journal of bills on their passage to be enacted, bills in the third reading, and additional papers from the Senate. They will be ready shortly. The House may be at ease until the sound of the gavel.

House at Ease

2:30 P. M.

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 “An Act relating to Sales and Use of Fireworks” (H. P. 802) (L. D. 384) reporting that the House recede from its action whereby it passed the bill to be engrossed and adopt House Amendment “B”; and that the Senate recede from its action whereby the bill was indefinitely postponed and adopt House Amendment “B” in concurrence.

(Signed)

Miss CLOUGH of Bangor
Messrs. PIERCE of Bucksport
—Committee on
part of House.

McGLAUFN of Portland
HARVEY of York
BROWN of Aroostook
—Committee on
part of Senate.

On motion by Miss Clough, the report, with accompanying papers, was tabled pending printing of House Amendment “B”.

The Speaker appointed the following Conferees on the part of the House on

An Act to provide for Post War Planning (S. P. 178) (L. D. 242)

Messrs. HUTCHINS of Bangor
BARNES of Houlton
SAYWARD of Kennebunk

On motion by Mr. Sleeper of Rockland, sent forthwith to the Senate.

Passed to be Engrossed (Out of Order)

Bill “An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1944 and June 30, 1945” (H. P. 1366) (L. D. 907)

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

Mr. Bubar of Weston, offered House Amendment “A” and moved its adoption.

House Amendment “A” read by the Clerk as follows:

House Amendment “A” to H. P. 1366, L. D. 907 ‘An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1944 and June 30, 1945.’

Amend said Bill by striking out, in the portion referring to the ‘Finance Commissioner and Bureau of Budget’ for the year 1944-45, the

figures "24,060.00" and inserting in the place thereof the figures 15,500.00.

The SPEAKER: The amendment will lie on the table for reproduction.

**Passed to be Engrossed
(Continued)**

Resolve providing for Construction of a Building for Employees at the Pownal State School (S. P. 487) (L. D. 906)

Resolve in favor of Several Academies, Institutes and Seminars (H. P. 1364) (L. D. 908)

Resolve providing for the Payment of Certain Pauper Claims (H. P. 1365) (L. D. 909)

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

Amended Bill

Bill "An Act relating to Salary of Adjutant-General" (H. P. 1158) (L. D. 613)

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

Conference Committee Report

Report of the Committee on Conference on the disagreeing action of the two branches of the Legislature, on H. P. 1347, L. D. 882, Bill "An Act relative to Licensing Dealers in Livestock" reporting that the Committee is unable to agree.
(Signed)

Messrs DENNY of Damariscotta
BUZZELL of Fryeburg
DAY of Durham

—Committee on
part of House.

HALL of Franklin
BISHOP of Sagadahoc
WASHBURN of Washington

—Committee on
part of Senate.

Report was read and accepted and sent up for concurrence.

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

**Passed to be Enacted
Emergency Measure**

An Act relating to Infectious and Communicable Diseases (H. P. 1352) (L. D. 891)

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

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

A division of the House was had. One hundred and seventeen having voted in the affirmative and none in the negative, 117 being more than two-thirds of the entire elected membership of the House, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to be Enacted

An Act Increasing the Compensation of the County Attorney and Assistant County Attorney for Androscoggin County (S. P. 369) (L. D. 635)

Finnally Passed

Resolve relating to Retirement Pension for Ralph M. Chesley of Thomaston (H. P. 630) (L. D. 893)

Resolve in favor of Miss Mary A. Hughes of Frenchville (H. P. 1150) (L. D. 892)

Resolve Placing Sherman Graves of Mexico under Law relating to Superintendents' Retirement Plan (H. P. 1351) (L. D. 890)

An Act relating to Certain Carriers under the Financial Responsibility Act (S. P. 366) (L. D. 638)

An Act to Provide Relief During the Emergency for Businesses in Financial Distress Because of War-time Conditions (H. P. 1322) (L. D. 863)

Passed to be Enacted

An Act to Incorporate the Bethel Water District (H. P. 1346) (L. D. 885)

Finally Passed

Resolve in relation to Status of Paul J. Brown in Re Teachers' Retirement Association (S. P. 82) (L. D. 880)

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

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

Final Report

From the Senate: Final Report of the Committee on Legal Affairs.

Came from the Senate, read and accepted.

In the House, read and accepted in concurrence.

Non-Concurrent Matter Tabled and Specially Assigned

From the Senate: Joint Order relative to instructing the Research Committee to Study the Tax System of the State and bring in a Report to the 92nd Legislature (H. P. 1363) which was passed in the House on April 5th.

Came from the Senate, indefinitely postponed.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Jordan.

Mr. JORDAN: Mr. Speaker, as I have another order to present tomorrow, legislation on which, if accepted, I hope will be satisfactory, I move that this order lie on the table and be specially assigned for tomorrow morning.

The SPEAKER: The gentleman from Saco, Mr. Jordan, moves that H. P. 1363 be laid on the table pending consideration and be specially assigned for tomorrow morning. Is this the pleasure of the House?

The motion prevailed, and the order was so tabled and so assigned.

Non-Concurrent Matter

From the Senate: Resolve, Proposing an Amendment to the Constitution relating to Adoption of Amendments to the Constitution (S. P. 357) (L. D. 644) which was finally passed in the House on April 6th and passed to be engrossed on March 30th.

Came from the Senate indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Sleeper of Rockland, the House voted to recede from its former ac-

tion whereby the Resolve was passed to be engrossed on March 30th and concurred with the Senate in the indefinite postponement of the Resolve.

Non-Concurrent Matter

From the Senate: Resolve Creating an Interim Committee to Study the Tribal Rights and Needs of the Indians (S. P. 416) (L. D. 724) which was finally passed in the House on April 6th and passed to be engrossed as amended on April 1st.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. BUBAR: Mr. Speaker, I move that we insist on our former action and ask for a Committee of Conference.

The SPEAKER: The gentleman from Weston, Mr. Bubar, moves that the House insist on its former action and ask for a Committee of Conference. Is this the pleasure of the House?

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

Mr. DOW: Mr. Speaker, I move that the House recede and concur.

The SPEAKER: The gentleman from Falmouth, Mr. Dow, moves that the House recede and concur. All those in favor will say aye; those opposed no.

A viva voce vote was taken.

The SPEAKER: The Chair is in doubt. All those—

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

Mr. BUBAR: Mr. Speaker, a word of explanation might be in order.

This is not the original bill we have before us; the original bill, I believe, would not have met with any objection in that other body, but after having an amendment attached to it, it met with objection in there. It is my belief that a Committee of Conference will remedy this matter and return to us the original measure, which would meet with the approval of the House as it did before, and also meet with the approval of others in our legislative branches.

And for that reason I believe it is only just to the Indians; and I would remind you that we spend a whale of a lot of money—several thousand dollars—on them, every year, and that we are now operating under laws and treaties which were passed back in the eighteen hundreds. Many of them were brought over from Massachusetts back in 1820, when the State of Maine, became a State, and our Indian laws are just a hodge podge, nothing more or nothing less, and our Welfare Department cannot give us efficient administration under those laws.

I trust the motion of the gentleman from Falmouth (Mr. Dow) does not prevail and that we appoint a Committee of Conference to try to straighten this matter out.

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

Mr. SLEEPER: Mr. Speaker, I would like to speak for just a moment in support of the motion of the gentleman from Falmouth, Mr. Dow. As perhaps some of you know, a Research Committee made an exhaustive study of Indian affairs and they had some professor work on it, and he gave a sixty-eight page report on Indian treaties and on everything that took place between us and the Indians. It was a very exhaustive report and anyone in this House who served on that legislative research committee can back me up on this statement. They spent a lot of time and money and that report was final. If anyone would like to see the report, there are several copies in circulation through the building.

This man turned in a sixty-eight page report which went back to the time when the first white man landed here. Every treaty we ever made with them is in the report and every cent we ever paid out to them is in that report; every law we ever passed in regard to the Indians is in there. The creation of this committee is a useless and needless expense, and I certainly hope that the motion of the gentleman from Falmouth, Mr. Dow, will prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Falmouth, Mr. Dow, that the House recede and concur.

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

Mr. BUBAR: Mr. Speaker, as much as I hate to I have to disagree with the gentleman from Rockland, Mr. Sleeper. He is correct in the fact that we have a report. That report has to do with much of the material down in the State Library.

As far as actual contact with the Indian on his reservation, the Committee did not have an opportunity to do that. They had too many things to look after. They had a big job on their hands and they were unable to look very thoroughly into this matter.

Of course if the Legislature wants to instruct the Welfare Department to go ahead on the basis it is working on now, operating under these ancient and outmoded laws, spending money where it is not actually necessary, and not being able to spend any where it is necessary, of course that is up to the Legislature.

After having served three terms on the Indian Affairs committee, I find that in the little time that standing committee had to confer with the Indians, we could get but a very little way. I will tell you it is a tremendous job to go down there and reason with those fellows because they do not understand the methods that we are using here. I will admit that they are suspicious. If any of you don't believe it, go on the reservation and have a chance to talk with them. If a small group could go on there and meet with those Indians and talk with them they would have a better understanding of the situation. They are human beings like you and me. Under the present law we tell them what they have to do and what they shall not do. It is a lot easier to lead than it is to be driven. This measure is to help the Indian, rather than to jump on him now that we have him down, and we do have him down.

I am sorry to disagree with the gentleman from Rockland, Mr. Sleeper. I don't know how much he knows about the Indians or how much he has had to do with them. I have had a chance to converse and meet with them in their own homes and on their reservations, and I know they are up against a ser-

ious problem. It is only through some method such as this that conditions can be remedied. I trust that the motion of the gentleman from Falmouth, Mr. Dow, does not prevail.

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

Mr. PAYSON: Mr. Speaker, in regard to the sixty-eight page report, I want to support everything the gentleman from Rockland (Mr. Sleeper) has said. It is true that the committee did not go to either of the reservations. The high school principal whom we hired did go to both reservations and went over them carefully and gave a detailed report of what the situation was there. It is also true that we have the Indians down and are jumping on them to the tune of one hundred thousand dollars a year. I would like to be jumped on that way any time. It appears to be a very careful and conscientious and extensive report. Now, the problem is one to be worked out by the administrative department and not one that a committee of the Legislature can work out. It is an administrative problem how you can train and educate and bring these Indians along so they will be a self-supporting people. A great many things in the committee report have been adopted by the Legislature in squaring the accounts of the Indian Tribes. I feel very certain that this committee will be just a waste of time and money on all sides.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Cousins.

Mr. COUSINS: Mr. Speaker, I do not intend to take very much of your time, but I was down there on Peter Dana Point, and if you members had been down there, you would have been ashamed.

There were two families living in one house which you could have thrown a cat through, and it was thirty below zero weather. We slipped down there and slipped out again. I don't know what the other fellow did in his investigation. Probably he saw all he could, but we had enough.

There was something wrong there, as on the other side of the Point there was a house, a nice house, built seven years ago, while right there on our side was the house with two families in it, and the house had two holes in it—I don't

know how the holes got there, but it looked as if it had been hit by a bomb. They were trying to live there, and here was this nice house empty. That was one thing wrong. I don't know what this fellow saw two years ago when he looked around but I am telling you truthfully, and I don't lie—the boys know how I play—I don't play wrong.

There should be more investigation of what we are doing for the Indians. Common humanity demands that we have a committee to investigate these conditions so that those Indians can get what they deserve.

The SPEAKER: The question before the House is on the motion of the gentleman from Falmouth, Mr. Dow, that the House recede and concur.

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

Mr. DOW: Mr. Speaker, the only motive I had in making the motion was that I had read the report of the committee, and I didn't feel that any further information would be brought out any more than was brought out in that committee.

The SPEAKER: The Chair recognizes the gentlewoman from Fort Kent, Mrs. Leidy.

Mrs. LEIDY: Mr. Speaker, I would like to call to the attention of the House that we have two members of the legislative research committee who have spoken, yet by their own words they have admitted that they have not been on the reservation. They have taken the word of one man. This is the word of one man against two who have been there.

I hope the motion of the gentleman from Falmouth, (Mr. Dow) does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Newcastle, Mr. Byers.

Mr. BYERS: Mr. Speaker, we have heard a lot about the Indians. There are about seventy, I think, now from our reservations in the Armed Services of the United States. Some of them knew that if they went abroad and married, and came back, they would not have their own homes and their own houses.

We have been down and seen those things, all of us on the Indian Affairs Committee. I think there is an absolute need for some

committee to investigate conditions down there. I think the gentleman from Portland (Mr. Payson) may have gone down near the reservation, but I doubt if he ever went on it.

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

Mr. DOW: Mr. Speaker, we have had a Committee on Indian Affairs for about fourteen weeks. I haven't heard any adverse report from it.

The gentleman from Weston, Mr. Bubar, was granted permission to address the House for a third time.

Mr. BUBAR: Mr. Speaker and members of the House: In answer to the gentleman from Falmouth. Mr. Dow, you know how your committee operates. The Indian Affairs Committee operates just the same way. We had one week-end in which we could go down there and which we could give of our time, because our time was demanded here. If the Indian Affairs Committee had gone down there on the reservation and stayed two weeks, the Speaker would have to send for us, the same as he had to send for a certain committee yesterday or the day before. It was out of the question to spend that much time down there.

And again referring to the other research committee in its report according to the Indians, the High School Superintendent interviewed the Indian Agent and he interviewed one Indian on each reservation. The Indians in general did not even know that he was there until he was gone. It happened by accident. I guess that one of the Indians on one of the reservations happened to see him and asked who he was and thereby was given an introduction.

Friends, I maintain the Indians have not had a fair show. They have not had a fair investigation, and this is not an investigating committee. God deliver us from an investigating committee. This is a committee to talk with them on their own level and do what we can for them, and thereby save the State several thousand dollars which I know can be saved by getting down to the bottom of their troubles.

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

Mr. SLEEPER: Mr. Speaker, I did not have any intention of starting an Indian War over this, but I do know that the bill will not receive final passage. What I was trying to do was just to save that much time and avoid a Committee of Conference. All that I know about the Indians is that we feed them; we clothe them, shelter them and pay every cent they have, and the bulk of them are willing to stay there. I have visited all three of the Indian Reservations. I will admit there is nothing very palatial down there, but I don't think they want it to be. I think the State is treating them well in every fashion. I venture to say that I have got almost as much Indian blood in me as a lot of those Indians down there. I think too much sympathy is being wasted on them. If this House wants a Conference Committee, which will accomplish nothing—and even if it should, I don't think we should send an interim committee down there to study their affairs. It is needless to form a committee and send it down there at our expense to find out things that we already know.

A committee has already made a trip down there and ought to be able to bring back a good report. I don't see any value or sense in having an interim committee do something that has already been done, but if this House wishes to have a Committee of Conference, it is up to you. I say it is useless.

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

Mr. ROLLINS: Mr. Speaker, I hate to disagree with my friend from Rockland (Mr. Sleeper) since he seems to be so certain about the eventual outcome of any bill in this Legislature. It would seem perhaps we are all at sea, and we should let him tell us which bills we are going to pass and which ones we are not. I would just like to leave one thought with you: If we keep bungling around and Hitler takes us over the way we took the Indians over, I hope he uses us better than we have used the Indians. I hope the motion of the gentleman from Falmouth (Mr. Dow) does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Falmouth, Mr. Dow, that the House recede and concur. All those in favor will say aye; those opposed no.

A viva voce vote being taken, the motion failed of passage.

On motion by Mr. Bubar, the House voted to insist and ask for a Committee of Conference.

Thereupon, the Chair appointed as Conferees on the part of the House:

Messrs. BUBAR of Weston
COUSINS of Old Town
BYERS of Newcastle

Order

On motion by Mr. Brewer of Presque Isle, out of order and under suspension of the rules, it was

ORDERED, that the Clerk be instructed to send flowers to Armored Hanks, House Reporter, and express to her the sympathy of the members in her sudden illness and their hope for a very speedy recovery.

The SPEAKER: At this time the Chair lays before the House the first tabled and this afternoon assigned matter, Joint Order Relative to Postage Stamp Allowance for Indian Representatives (H. P. 1368), tabled on April 7th by the gentleman from Bangor, Miss Clough, pending passage; and the Chair recognizes that gentlewoman.

Miss CLOUGH: Mr. Speaker, I tabled this measure for the purpose of finding out what the precedent had been in regard to this postage stamp allowance or in regard to the Indians. I did not know that the Indian War was coming so early in the day. I do not feel qualified to argue this matter, but it seems to me it might be an opening wedge.

I might tell the members, however, that in years past, at the legislative sessions, the Indians were allowed the same as other representatives; but at the last session, I believe, there was no such allowance for postage stamps. For the purpose of bringing this to a vote, I move, Mr. Speaker, that the order receive passage.

The SPEAKER: The gentlewoman from Bangor, Miss Clough, moves that the order receive passage. Is this the pleasure of the House? All those in favor will say aye; those opposed no.

A viva voce vote being taken, the order received passage and was sent up for concurrence.

The SPEAKER: The Chair lays before the House the second tabled and this afternoon assigned matter, House Amendment "D" to Bill "An Act Relating to Slaughterhouses" (H. P. 1353) (L. D. 894), tabled on April 7th by the gentleman from Damariscotta, Mr. Denny, pending adoption.

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

Mr. WILLIAMS: Mr. Speaker, at this time I would like to withdraw House Amendment "D".

The SPEAKER: The gentleman from Clifton, Mr. Williams, desires to withdraw House Amendment "D". Is this the pleasure of the House?

The motion prevailed.

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

Mr. WILLIAMS: Mr. Speaker, at this time I would like to present House Amendment "E" and move its adoption.

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

The Clerk read House Amendment "E" as follows:

House Amendment "E" to H. P. 1353, L. D. 894, Bill "An Act relating to Slaughterhouses".

Amend said bill by adding at the end of Section 3 thereof, the following words: 'Nor shall it apply to persons who raise and kill or has killed for him their own animals and fowls on their own premises or elsewhere for their own consumption or sale'.

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

The motion prevailed and House Amendment "E" was adopted.

Mr. KENT of Benton: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. KENT: Mr. Speaker, I wish to move indefinite postponement of the bill. I think it has been cluttered up so long now that it needs inspection. I think it is not smell-

ing as good as it ought to, and I think it is time that we indefinitely postponed it.

The SPEAKER: The question before the House is on the motion of the gentleman from Benton, Mr. Kent, that Legislative Document 894 be indefinitely postponed. All those in favor will say aye; those opposed no.

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

Thereupon the bill was passed to be engrossed as amended by House Amendments "A," "C," and "E," and sent up for concurrence.

On motion by Mr. Williams, of Clifton, the bill was ordered sent to the Senate forthwith.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Donahue.

Mr. DONAHUE: Mr. Speaker, I move that the House reconsider its action of yesterday whereby it finally passed "Resolve, Proposing an Amendment to the Constitution to Limit to Highway Purposes the use of Revenues Derived from the Taxation of Vehicles Used on the Public Highways, and Fuels used for Propulsion of such Vehicles." (S. P. 233) (L. D. 339).

My reason for making that motion is that during the debate yesterday reference was made to the action of the Legislature of 1937 in permitting a temporary diversion of highway funds. As a member of the Appropriations Committee at that time I would like to briefly set forth the reasons that were in back of the recommendation of the Governor, and the reasons why both branches of the Legislature, after the time had passed for the introduction of bills except by unanimous consent, permitted that bill to be introduced, and then enacted the bill as an emergency measure.

We have the right, under our present law, to borrow money by a temporary loan to take care of the deficit between July 1st of each year and December 1st of each year, providing for the payment of departmental expenses. During that time the state receives less than one-quarter of its revenue. Approximately one-half of the state revenue is received from your state taxes. Those do not become due and payable until December 1st of each year. However, your fiscal

year starts July 1st, and the biennium ending July 1, 1937, or the report of that biennium, showed that during the preceding year it was necessary to borrow by temporary loan \$300,000; yet during that time the State had in the bank an average of seven million dollars. That was money the larger part of which was earmarked for highway purposes. While I have no definite figures as to the exact amount of interest paid for the temporary loan on the three million dollars necessary to carry on from July 1, 1936 to December 1, 1936, from the information available, that figure amounted to approximately \$80,000.

The Legislature of 1937 was faced with the alternative of either permitting a temporary diversion of the highway fund or increasing your state mill tax one-eighth of a mill. That is the danger that lies ahead in this constitutional amendment is voted on by the people and approved by them.

We have heard a lot of talk during this session about the desire of this Legislature to decrease, if possible, the state mill tax. If this constitutional amendment is approved by the voters, the next Legislature, unless it can find the money elsewhere, might be faced with the problem of increasing the state mill tax. I do not recall of any instance in the debate yesterday when we were told that the federal government had withheld funds from the State of Maine because of a temporary diversion. I do not personally believe there is any such danger in view of the fact that our present laws permit us to borrow three million dollars by temporary loan during any fiscal year, should the federal government tell the Governor and Executive Council under the present law that they must replace those funds which have been temporarily diverted. They have a right under the present law to borrow up to three million dollars. They told me there were only two instances that were referred to relative to a temporary diversion. One was the measure passed in the emergency session of 1937, and that involved \$800,000,—well within the temporary borrowing power of the State of Maine as it exists at the present time. The other reference was made to the revenue received under the Motor Vehicle Title Act, yet the amount

there involved was insignificant compared to the temporary borrowing power of the State of Maine.

For that reason, I move that the House reconsider its action of yesterday whereby this Resolve was finally passed.

The SPEAKER: The question before the House is on the motion of the gentleman from Biddeford, Mr. Donahue, that the House reconsider its action of yesterday whereby S. P. 233, L. D. 339 was finally passed.

The Chair recognizes the gentleman from Millinocket, Mr. Ward.

Mr. WARD: Mr. Speaker and Members of the House: The matter of this resolve was widely advertised before a public hearing and it has been fully debated in this House on two occasions. It was finally passed yesterday by a two-thirds vote, and I hope at this time that we will not delay this matter longer, and that the motion of the gentleman from Biddeford, Mr. Donahue, will not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Biddeford, Mr. Donahue, that the House reconsider its action of yesterday whereby L. D. 339 was finally passed.

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

Mr. BREWER: Mr. Speaker, I think, as the House will recall, the other day the judges of the Supreme Court rendered us a decision whereby they said we could not at this time refund or recall certain bonds, which to my mind would save this state considerable money and would have been a good business proposition. Now, that is the example of the constitutional amendment, and I think this same thing could apply here. I hope the motion of the gentleman from Biddeford, Mr. Donahue, does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Biddeford, Mr. Donahue, that the House reconsider its action whereby this resolve was finally passed. All those in favor will say aye; those opposed no.

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

On motion by the gentlewoman from Brunswick, Miss Bangs, the House voted to take from the table the fourth tabled and unassigned

matter, "An Act Relating to the Retirement System for State Police," (S. P. 474) (L. D. 852) which was tabled on April 6th by that gentlewoman, pending passage to be enacted.

Miss BANGS: Mr. Speaker, for the purpose of offering an amendment which has been reproduced, I now move that the rules be suspended in order that the House may reconsider its action whereby this bill was passed to be engrossed.

Thereupon the motion prevailed and under suspension of the rules the House voted to reconsider its action whereby the bill was passed to be engrossed.

Miss BANGS: Mr. Speaker, I now offer an amendment to this measure and in support of it I will say that the bill itself takes care of the past and the amendment looks to the future. I am happy to report that it meets with the approval of the sponsor of the bill and has been recommended and approved by the Judiciary Committee. Now, the people in the State who are informed on the pension system have also approved it. So I now offer House Amendment "A" to L. D. 852.

The SPEAKER: The gentlewoman from Brunswick, Miss Bangs, offers House Amendment "A" to L. D. 852 and moves its adoption. The Assistant Clerk will read the amendment.

The amendment was read by the Assistant Clerk as follows:

House Amendment "A" to S. P. 474, L. D. 852, Bill "An Act Relating to the Retirement System for State Police."

Amend said Bill by inserting after the enacting clause thereof the following: 'Sec. 1.'

Further amend said Bill by adding at the end of the 2nd paragraph thereof the following:

'Provided further, that this section shall apply only to persons who are members of the state police at the time of the effective date of this act.'

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

'Sec. 2. P. L., 1933, C. 1, sec. 227-E, sub-sec. 2, amended. Sub-section 2 of section 227-E of chapter 1 of the public laws of 1933, as enacted by chapter 328 of the public laws of 1941, is hereby amended

by adding thereto a new paragraph to be lettered (e) and to read as follows:

'(e) Any member of the state police who becomes a member of this system and who has creditable service of at least 25 years may be retired at 1-2 of his average final compensation provided such retirement is requested either by the member or the chief of the state police. If any such member should become eligible under the provisions of this system, as a result of prior service and membership service, to a retirement allowance in excess of one-half of his average final compensation he shall be entitled to the higher retirement allowance.'

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

The SPEAKER: The House will listen to another conference report.

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 Institutional Farms" (H. P. 1348) (L. D. 886) reporting that the Committee is unable to agree.

(Signed)

Messrs. LEAVITT of Portland
BUZZELL of Fryeburg
DENNY of Damariscotta
—Committee on part of the House.
WASHBURN of Wash-
ton
DOW of Oxford
VARNEY of York
—Committee on part of the Senate.

The report was read and accepted and sent up for concurrence.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Miss Bangs.

Miss BANGS: Mr. Speaker, I now move that the rules be suspended in order that the House may reconsider its action of yesterday

whereby H. P. 1218, L. D. 904, "Resolve in favor of George Crimmins, of Brunswick" was passed to be engrossed.

In asking for this, I would explain that I find I am going to take home to my constituent sixty-three dollars more than he asked for by reason of the transposition of two figures. I, therefore, am going to ask for an amendment to correct this typographical error.

The SPEAKER: The gentlewoman from Brunswick, Miss Bangs, moves that the House reconsider its action of yesterday whereby L. D. 904 was passed to be engrossed. Is this the pleasure of the House?

The motion prevailed.

Miss Bangs then offered House Amendment "A" and moved its adoption.

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

House Amendment "A" to H. P. 1218, L. D. 904, Resolve in favor of George Crimmins, of Brunswick.

Amend said resolve by striking out the figures "\$681.35" in the first line of said resolve and inserting in place thereof the figures "\$618.35".

House Amendment "A" was adopted and the resolve was passed to be engrossed as amended by House Amendment "A" and sent up for concurrence.

First Reading of a Printed Bill (Out of Order)

Bill "An Act relating to the Salaries of Commissioner of Labor and Industry and the Commissioner of Insurance as Members of the Industrial Accident Commission" (H. P. 1367) (L. D. 912)

Thereupon the bill had its two several readings, and on motion by Mr. Downs of Rome, the bill was tabled pending assignment for third reading and specially assigned for tomorrow morning.

On motion by Mr. Sleeper, of Rockland,

Adjourned until ten o'clock tomorrow morning.