

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

VOLUME II

MAY 10 - JUNE 22, 1963

and

SPECIAL SESSION

JAN. 6 - JAN. 17, 1964

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Wednesday, May 29, 1963

Senate called to order by the President.

Prayer by the Rev. William Dawes Veazie of Gardiner.

On motion by Mr. Boisvert of Androscoggin, the Journal of yesterday was read and approved.

Mr. Edmunds of Aroostook presented the following Order and moved its passage:

ORDERED, the House concurring that when the Senate and House Adjourn, they adjourn to meet at 4:00 o'clock on Monday afternoon June 3, 1963.

Which was read and passed and ordered sent forthwith to the House.

The President appointed as President pro tem, the Senator from Hancock, Senator Brown who assumed the Chair.

House Papers

Bill, An Act relating to Eligibility of Trustees, Executors and Administrators as Directors of Trust Companies (H. P. 657) (L. D. 913)

In Senate, April 25, passed to be engrossed as amended by Senate Amendment A (S-176) in non-concurrence.

In House, May 2, House receded and concurred.

In Senate, May 23, indefinitely postponed in non-concurrence.

Comes from the House, that body having insisted and asked for a Committee of Conference.

In the Senate, on motion by Mr. Atherton of Penobscot, the Senate voted to insist and join in the Committee of Conference.

Bill, "An Act Revising the Maine Employment Security Laws," (H. P. 778) (L. D. 1151)

In House, May 16, passed to be engrossed as Amended by Committee Amendment A (H-342).

In Senate, May 24, indefinitely postponed in non-concurrence.

Comes from the House, that body having insisted and asked for a Committee of Conference.

In the Senate:

Mr. EDMUNDS of Aroostook: Mr. President, I move that the Senate adhere.

Mr. COUTURE of Androscoggin: Mr. President, I want to thank the President pro tem of the Senate for recognizing me. I assume when I get up here that I might as well hit my head against the wall of the statehouse in fighting this piece of legislation in justice to the working people of the State of Maine. There seem to be more laws than ever even when a voice is lifted to try to debate a piece of legislation that is here for the people, a voice loud enough to be heard and then another is recognized. Mr. President pro-tem, I feel like keeping this Senate here before the long weekend in a discussion that will last until late this afternoon.

First I can see the feeling of the Senate when they don't even want to recognize a member of the Committee of Conference who has possibly an amendment to satisfy both sides on this bill. I do believe that this is a good piece of legislation. It is a law we all know has got to be amended. We all know how bad this law is. It certainly is bad. It is one of the worst laws we could have in the State of Maine today. It is shameful to have such a law on our books. It needs to be corrected and here is a body in the State Senate that stands aside and says it doesn't need to be corrected.

I said before and I am going to say again that I defy any member of the Senate here today to get up here today and tell me that this law is fair in any way to the people of the State of Maine. I am speaking about the State of Maine and the people from Kittery to Fort Kent. Still the action is to kill the bill. Kill what your party has requested to have amended? You get up here and say, "Let's go with our Governor." All right, why don't we go with our Governor? Even our Governor requested some amendments. No, we will not go with him, this is for the working people of the state, if it were for anything else with additional expense of the state and the tax-

payers would have to foot the bill, this would be perfectly all right to go along with the Governor.

We are thinking deeply of adding on an additional tax on these people. We know down deep in our hearts that we are thinking of not only penalizing these people by additional taxes but also to penalize them on what they are entitled to by law.

At least we could not do away completely with this law and I always believed that the State of Maine was big enough to make its own laws but I stand up on my feet and I say that possibly it would be a good thing for the federal government to take it over so that possibly we could have a decent law for unemployment compensation. You have seen the other body pass this and insist on their former action and everything else and you have seen a handful of men at the other end of the hall completely against it. At least they may be standing on one side and not going along with everything that is requested in this legislature but I have to look at it on the idea that at least they do represent the working people.

But not here, not at all. After proof and facts that I could come out with and even give you the total amount of people who were disqualified under the Estey amendment and still we want to go home and face these people with it the same way. Is that the type of representation the people of the state should feel that they have here? Why are we spending so much money to try to have money come into the state and money to float around the state so our business will increase? Why are we doing this when we turn around and make the working people lose hundreds and hundreds of dollars, and I would say thousands and thousands of dollars. Making people lose their benefits under this present law today and we all know what it is, I hope. I don't believe there is a member of this Senate that at one time or another has not been approached by this unfair law that we have in our books here.

But what are we doing? Closing the door to our working people

in the State of Maine again. I remember prior to the Estey law becoming law in this state that it was asked for by our leader in the State, the Governor, that the Maine Unemployment Security Law should be revised. I say those of you who were in either this body or the other body remember that. I have personally talked to him about this law. I have had over a hundred hearings with the Commission about people losing their unemployment benefits. I have seen people lose \$200 to \$300 back pay on their unemployment through an Act of God where they were sick in bed. Still they were disqualified for being sick. When you say that people have to lose what belongs to them — caused by sickness and rejected from employment when they have worked in plant for 15 or 20 years and then have had a heart attack or some other kind of sickness and the employer feels he might get struck with this again and he has had the best out of that man for 15 years but he doesn't want him any more. Then he'll hire another young man and replace him and after fifteen or eighteen years that poor guy is left without work if he's sick, and he'll be disqualified for compensation. He received his slip marked "You are disqualified for unemployment compensation until you earn fifteen times the amount to which you are entitled under unemployment." They have to face it. It has been a shame for the past two years. It hasn't only been the talk in the State of Maine. It has been the talk all over the United States and you meet people and they ask what we are doing here in Augusta penalizing the working people as bad as we are.

How can any man be re-elected after treating the people the way they do? It is a wonder. All we have to do is drive approximately eighty to ninety miles from here and after crossing the bridge they recognize the working people. After going further along they recognize them also. But after crossing the bridge on this side when you enter into Maine the laborer is entering into a state prison be-

cause we have hold of them and we are going to keep them.

It looks as though any act of the legislature to better the working people, especially under insurance that was founded for the time when you become unemployed, keeps on penalizing the working people. It penalizes them so deep that when they become unemployed for a few weeks let's see that he doesn't draw anything at all and may be we could get him for sixty cents an hour less if he gets hungry enough. I even accuse the Commission of dealing in a way to encourage sweatshops to pay less wages under this law. It has proven to be true. They have made it in the shoe factory in some jobs where they have combined two jobs in one and the man on the two jobs can't make as much money as he was making on one. And then on top of that we disqualify these people under the law for benefits because they couldn't be a double horse. They say that they have to pull the load of two horses — or else. "You go out of this shoe factory and I'll see that your benefits are denied under unemployment." And they have been practicing that, more and more than ever the past two years.

I remember some three or four months after this became law, the law that today I feel should be amended, a telephone conversation from my house where the person involved was being disqualified and I spoke to the Governor in his home. He assured me that he was going to look into this. He assured the people that he was going to look into this to see if there was anything that the Commission could do. He knew that the Commission wasn't doing anything and finally on the end, somebody woke up and threw it to the Attorney General.

Why aren't we just to these people? We keep their money. They were disqualified by an unfair law and finally after all these people lose their benefits under this unfair law that we have here today, a year and a half afterward they turn around and say that these people should not have been disqualified because the law doesn't mean it this way.

Why don't we act and give the people back the money that belongs to them? Far from doing this they overlook it as long as this Estey bill directs it and yet we are here to vote it down and bury it once and for all. I am not going home with a black veil in front of my face and meet the working people.

I haven't taken any stands during this legislature at all. I have been a very quiet patient boy sitting down and leaning back and taking deep breaths at a good many things that have happened at this legislature. If it favors certain people in this Senate we overlook the fact that we are supposed to represent all the people of the state. Many in this Senate don't represent all the people of this state. They represent themselves and their own pocketbooks.

In hiring these people retired on their Social Security allowing them to work up to \$1200 a year and the worker goes and makes a lot of money for the employer then they get laid off for lack of work and they often say it is caused by the employee but it is not. Who killed this law? Not the employees, but the employer. It is proven fact and for this we penalize the employee.

I have said I could hit my head against the wall of the State Senate here and I would get hurt before I even got a dent in the wall. The least that this Senate can do is join the House for a Committee of Conference. Let's see what we can come out with. The least we can do is give it a fair hearing all the way through. Do we realize how long this committee has worked on this thing? Even Mr. Estey that passed this law two years ago turned around and he was a member of the committee that worked on this Thaanum bill. You had management present, you had labor represented. Mr. Estey himself realized that the law should be amended. And the members of this committee that went along with all of them, and those of us here in the State Senate being elected here spent hours and hours and hours on it so they could come in with a compromise bill and release it to the legislature, a

bill that would be a little better than the other one.

Will we recognize these qualified persons that worked, that donated their time, so much of their time at so many meetings. It is very encouraging that some citizens will donate their time and try to help the state the way that this committee has done. Possibly if you'd have spent \$7,000 or \$8,000 or a half a million dollars for a study committee you would buy it.

Frankly I am hoping that this Senate will at least give the matter a chance to go to a committee of conference and see if we can come to some understanding and some agreement between the two so that we can go home and say that we tried to do something even if it isn't too good.

I hope that the motion of my good friend will not prevail.

Mr. EDMUNDS of Aroostook: Mr. President, in a sense of fair play, I would remind the Senator from Androscoggin, that should he make a motion to insist and ask for a Committee of Conference, it would take precedence over my motion to adhere.

Mr. COUTURE of Androscoggin: Mr. President, to be very personal about this, that was my intention when I first wanted to be recognized which I wasn't. I thought then it possibly was no use but — I'll make the motion that we join and ask for a Committee of Conference.

Mr. EDMUNDS of Aroostook: Mr. President, do I understand that the motion is that we insist and join in the Committee of Conference?

Mr. COUTURE of Androscoggin: Mr. President, this came from the House with that body having insisted and asking for a Committee of Conference. I move that we join in the Committee of Conference.

Mr. JACQUES of Androscoggin: Mr. President, I move that we adhere.

The PRESIDENT pro tem: The Senator is out of order. The motion to insist takes precedence. The question before the Senate is on the motion of the Senator from Androscoggin, Senator Couture, that

the Senate insist and ask for a Committee of Conference.

Mr. EDMUNDS of Aroostook: Mr. President, I know this was argued at very great length in this Senate Chamber last week while I was absent, but I want to assure the members that I have read all of the debate on it and I believe that I do have a personal interest in the bill, having served on the interim committee which brought forth the so-called Thaunum report. I would also remind the Senate that they have before them on the Senate table L. D. 1258 and L. D. 1259 which would as I understand it, correct any inequities which exist in the employment security act as a result of the Estey bill passed by the 100th legislature. When the vote is taken on the motion to insist and join in the Committee of Conference, I would ask for a division and hope that it would not prevail. Should it not prevail, I would then make the motion to adhere.

The PRESIDENT pro tem: The motion before the Senate is the motion of the Senator from Androscoggin, Senator Couture, that the Senate insist and join the Committee of Conference. A division has been requested.

A division of the Senate was had. Eleven having voted in the affirmative and nineteen opposed, the motion did not prevail.

Thereupon, the Senate voted to adhere.

Bill, An Act Relating to Definition of "Hotel" Under Liquor Law. (H. P. 299) (L. D. 393)

In House, May 10, passed to be engrossed as amended by House Amendment "B" (H-345) in Non-concurrence (House "A" having been indefinitely postponed)

In Senate, May 22, passed to be engrossed in Non-concurrence as amended by House Amendment "A" and Senate A (S-239)

Comes from the House, that body having insisted and asked for a Committee of Conference.

In the Senate, on motion by Mr. Kimball of Hancock, the Senate voted to insist and join in the Committee of Conference.

Bill, An Act to Increase the Salaries of Certain Department Heads Elected by the Legislature. (S. P. 548) (L. D. 1480)

In Senate, May 22, passed to be engrossed.

Comes from the House, passed to be engrossed, as amended by House Amendment "B" (H-395) in Non-concurrence.

In the Senate, on motion by Mr. Edmunds of Aroostook, tabled pending consideration and especially assigned for later in today's session.

Bill, An Act Relating to Excise Taxes on Motor Vehicles Paid by Members of Penobscot Tribe of Indians. (S. P. 599) (L. D. 1566)

In Senate, May 17, passed to be engrossed.

Comes from the House, passed to be engrossed as amended by House Amendment "A" (H-390) in Non-concurrence.

In the Senate, on motion by Mr. Philbrick of Penobscot, the Senate voted to recede and concur.

Committee Reports — House Ought Not to Pass

The Committee on Appropriations and Financial Affairs on Bill, An Act Relating to the Assessment of Towns in Aid to Dependent Children Grants. (H. P. 788) (L. D. 1141)

Reported that the same Ought not to pass.

Comes from the House, Bill substituted for the Report and passed to be engrossed as amended by House Amendment "B" (H-386)

In the Senate, on motion by Mr. Campbell of Kennebec, the bill was substituted for the report, read once, House Amendment "B" was read and adopted, and the bill was tomorrow assigned for second reading.

Ought to Pass, As Amended

The Committee on Towns and Counties on Bill, An Act Increasing Salaries of Jury Commissioners of Lincoln County. (H. P. 169) (L. D. 218)

Reported that the same ought to pass as amended by Committee Amendment "A" (H-394)

Which Report was read and accepted in concurrence, Committee

Amendment "A" was read and adopted in concurrence, and the Bill, as amended, read once and tomorrow assigned for second reading.

Majority — ONTP Minority — OTPA

The Majority of the Committee on Appropriations and Financial Affairs on Bill, An Act to Provide Funds for Evaluating Existing Commercial Waterfront Facilities and Feasibility of Additional Facilities at Maine Ports. (H. P. 318) (L. D. 445)

Reported that the same Ought not to pass.

(Signed)

Senator:

PORTEOUS of Cumberland

Representatives:

SMITH of Falmouth

HUMPHREY of Augusta

MINSKY of Bangor

PIERCE of Bucksport

JALBERT of Lewiston

EDWARDS of Raymond

The Minority of the same Committee on the same subject matter reported that the same Ought to pass as amended by Committee Amendment A (H-391)

(Signed)

Senators:

EDMUNDS of Aroostook

CAMPBELL of Kennebec

Representative:

BRAGDON of Perham

Comes from the House, Majority — Ought not to pass report read and accepted.

In the Senate:

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate, in moving that we accept the Ought Not to Pass Majority report of the Committee in concurrence with the other body, I would like to state that this calls for an appropriation of \$95,000 to conduct this study along the harbors of the State of Maine. While I am very much in favor of the purposes of the Maine Port Authority named in this bill to carry on this survey, I feel that the appropriations already granted to them, and the duties already allotted to them make it unnecessary to provide further funds. I think it is their responsi-

bility to be doing this every working day that they are on the job. The number of ports where commercial facilities are available are not too many for this Authority as presently constituted to be in a position to know exactly what is needed and necessary in the way of repairs, replacements or additions.

I do think that our Port Authority can do this work without any such study and thereby save the state \$95,000. I further say that I think they are much more qualified to come up with the answers or to be responsible for giving the legislature and the Governor the answers to any questions that may be asked in relation to our ports, much more so than outside study groups that would come in here to do such a study. Therefore I reiterate that I move the acceptance of the Ought Not to Pass report of the committee.

The motion prevailed.

Majority — ONTP
Minority — OTPA

The Majority of the Committee on Education on Bill, An Act Permitting Municipalities Choice of Grades in Forming School Administrative Districts. (H. P. 801) (L. D. 1188)

Reported that the same Ought not to pass.

(Signed)

Senators:

BROOKS of Cumberland
WHITTAKER of Penobscot
HICHBORN of Piscataquis

Representatives:

McGEE of Auburn
TREWORGY of Gorham
LEVESQUE of Madawaska
EASTON of Winterport
BRADEEN of Waterboro

The Minority of the same committee on the same subject matter reported that the same Ought to pass as amended by Committee Amendment "A" (H-397)

(Signed)

Representatives:

SNOW of Jonesboro
CURTIS of Bowdoinham

Comes from the House, Majority Ought not to pass Report read and accepted.

In the Senate, on motion by Mr. Brooks of Cumberland, the Senate voted to accept the Majority Ought Not to Pass report in concurrence.

Majority — ONTP
Minority — OTP with Committee Amendment

The Majority of the Committee on Education on Bill, An Act Repealing Supplemental State Aid for Reorganized School Districts. (H. P. 25) (L. D. 49)

Reported that the same Ought not to pass.

(Signed)

Senators:

BROOKS of Cumberland
HICHBORN of Piscataquis
WHITTAKER of Penobscot

Representatives:

CURTIS of Bowdoinham
BRADEEN of Waterboro
McGEE of Auburn
TREWORGY of Gorham
LEVESQUE of Madawaska

The Minority of the same committee on the same subject matter reported that the same Ought to Pass as amended by Committee Amendment "A" (H-362)

(Signed)

Representatives:

EASTON of Winterport
SNOW of Jonesboro

Comes from the House Recommended to the Committee on Education.

In the Senate, on motion by Mr. Brooks, recommended to the Committee on Education in concurrence.

Committee Reports — Senate Conference Committee Report

The Committee of Conference on Bill, An Act Providing for Area Directional Sign on Maine Turnpike for Rumford. (S. P. 360) (L. D. 1026)

Reported that the Senate Recede from its action whereby the Bill was Passed to be Engrossed as Amended by Committee Amendment "A" (S-130) and by Senate Amendment "A" (S-185); Indefinitely postpone Senate Amendment "A"; Adopt Conference Committee Amendment "A," and Pass the Bill to be engrossed, As Amended by Commit-

tee Amendment "A," and Conference Committee Amendment "A" (S-252).

That the House Recede from its action whereby the Bill was passed to be engrossed; Adopt Conference Committee Amendment "A" and Pass the Bill to be engrossed, as amended by Committee Amendment "A" and Conference Committee Amendment "A" in Concurrence.

Which report was accepted. Senate Amendment A was indefinitely postponed, Conference Committee Amendment A was adopted, and the Bill as amended was passed to be engrossed.

Ought Not to Pass — covered by other legislation

Mr. PORTEOUS from the Committee on Appropriations and Financial Affairs on Bill, An Act to Provide Funds to Aid Completion of Lincoln County Economic Development Plan. (S. P. 227) (L. D. 722)

Reported that the same Ought Not to Pass — covered by other Legislation.

The same Senator from the same Committee on Resolve, Providing Funds to Aid Existing Maine Business to Find Foreign Markets. (S. P. 136) (L. D. 413)

Reported that the same Ought Not to Pass — covered by other Legislation.

Which reports were read and accepted.

Sent down for concurrence.

Ought to Pass — As Amended

Mr. Campbell from the same Committee on Bill, An Act to Reactivate Maine Committee on Problems of the Mentally Retarded. (S. P. 203) (L. D. 513)

Reported that the same Ought to pass as amended by Committee Amendment "A" (S-261)

Which report was read and accepted, Committee Amendment "A" was read and adopted, and the Bill, as amended, read once and tomorrow assigned for second reading.

Majority — ONTP Minority — OTP

The Majority of the Committee on Appropriations and Financial Affairs on Resolve Appropriating funds for Operation of Advisory Committee on Education. (S. P. 269) (L. D. 783)

Reported that the same ought not to pass.

(Signed)

Senators:

EDMUNDS of Aroostook
CAMPBELL of Kennebec
PORTEOUS of Cumberland

Representatives:

HUMPHREY of Augusta
BRAGDON of Perham
MINSKY of Bangor
JALBERT of Lewiston
EDWARDS of Raymond
PIERCE of Bucksport

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

(Signed)

Representative:

SMITH of Falmouth

In the Senate:

Mr. EDMUNDS of Aroostook: Mr. President, I move acceptance of the Majority Ought Not to Pass report of the committee.

Mr. BROOKS of Cumberland: Mr. President, I move that the bill be tabled and specially assigned for Thursday next.

A division of the Senate was had. Twenty-five having voted in the affirmative and five opposed, the motion to table and so assign prevailed.

Majority — OTP in New Draft Minority — ONTP

The Majority of the Committee on Appropriations and Financial Affairs on Bill, An Act Providing Funds to Establish a Country-Wide Industrial Development Program. (S. P. 201) (L. D. 511)

Reported that the same ought to pass in New Draft under new title (S. P. 614)

(Signed)

Senators:

EDMUNDS of Aroostook
CAMPBELL of Kennebec
PORTEOUS of Cumberland

Representatives:

BRAGDON of Perham
MINSKY of Bangor
PIERCE of Bucksport
JALBERT of Lewiston
EDWARDS of Raymond

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

(Signed)

Representatives:

SMITH of Falmouth
HUMPHREY of Augusta

On motion by Mr. Edmunds of Aroostook, the Majority Ought to Pass Report was accepted, the Bill read once and tomorrow assigned for second reading.

Majority — OTP As Amended
Minority — ONTP

The Majority of the Committee on Appropriations and Financial Affairs on Resolve, Appropriating Monies to Provide for National Advertising for Maine's Recreational Industry. (S. P. 95) (L. D. 232)

Reported that the same ought to pass as amended by Committee Amendment "A"

(Signed)

Senators:

EDMUNDS of Aroostook
CAMPBELL of Kennebec
PORTEOUS of Cumberland

Representatives

BRAGDON of Perham
MINSKY of Bangor
JALBERT of Lewiston
EDWARDS of Raymond

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

(Signed)

Representatives:

SMITH of Falmouth
HUMPHREY of Augusta
PIERCE of Bucksport

The PRESIDENT pro tem: The Chair recognizes the President of the Senate, Senator Marden of Kennebec.

PRESIDENT MARDEN: Thank you for recognizing me. I feel a little strange down here and a little more comfortable. I speak now as the Senator from Kennebec County for the purpose of un-

burdening myself of a few thoughts on this subject matter and the general problem of this state related to this particular bill. In doing so I recall for two sessions the crying out in the wilderness of a couple of other Senators who gradually are increasing in numbers by support, and I am referring specifically to the Senator from Franklin, and the Senator from York, Senator Lovell, one of whom it is said is so interested in the business of Maine's recreational development that we should discount part of what he says. The other one who has been accused on the floor of this Senate as being fifty years ahead of his time, and obviously this must be wrong. And so temporarily at least, I will join these gentlemen and you can say, "This fellow happens to enjoy Maine's recreational facilities" so I ask you when you listen to me to discount a great deal of what I have to say, although I suggest to you that if you enjoy these things in this state, you may be in a better position to appraise their value.

Once in a while these days I still see my children and a couple of them are really young, and when they go to bed, they still like to hear that silly little poem called Winken, Blinken and Nod. As I recall the opening lines, I think it has to do with Winken, Blinken and Nod one night sailing off in a wooden shoe, off on a river of crystal light into a sea of dew. "Where are you going and what do you wish?" the old moon asked the three — and so on and so forth. And when I look at a resolve such as this and see a split report for I don't know how many sessions of this legislature, I think of the old moon in the poem and I ask myself, "Where are we going and what do we wish?"

It doesn't take much experience for anybody to realize that the world is made up of grays and not clear blacks and whites. And if this is true of the world, it certainly is true of the legislature and things of governmental concern. It would not be my purpose to stand up in this body and suggest to you that I have the answer to the problems of this state, and

they are many and great, but I thought, in thinking in terms of Winken, Blinken and Nod, as we are about to take a long week-end before returning hopefully to wind up this session that we might give a little thought to what we are doing here. What are we really accomplishing?

If we think of these things in this light with a new sense of perspective, there may be hope for what I consider to be a great opportunity in this state, and it is related directly to this particular resolve.

The problems of this state—and I don't have to tell you this—are so serious and so severe that the people who lost in the election who were running for these offices are looking just about as sad as an undertaker at a \$7,000 funeral. You have heard comment made of William King, the first governor of this state and that back in 1820 his platform was to bring new industry to Maine and you have heard comment about the renovation of this room at a cost of \$65,000 as compared to the original cost of the entire capitol building at \$50,000. If you put these two simple little facts together, don't they start to paint a picture of just part of our problem?

Let's face reality, that we are representing a piece of real estate which comprises the northeastern-most part of the United States, a tremendously large state in area with a small, leveling population, covered ninety percent with forest lands. Yet, facing these facts we are in a position of having to compete with forty-nine other sister states, most of which do not have our disadvantages. You don't have to be a student of history to watch the shifting economy in this state and know that we started out as a wilderness of hunters and trappers, gradually shifted to fishing and ship-building, in lumbering and farming and agriculture and gradually into the textile field. It wouldn't take a crystal ball to realize that the textile industry is gradually shrinking and leaving. What is our future? Inflation affects our economy as it does every other. You have seen the major

issue of this particular legislative session really swing around the built in increases in the cost of state government partly, but mostly a genuine effort on the part of the people of this state to improve their educational system.

Everyone who cries against the need for new taxation must realize while they are crying about it, that after all, this is our effort to improve our educational position. So many people have pointed out our weaknesses in the field of education that I need not do it. Just a couple of new statistics in a paper of this week. Four New England states, Maine, Vermont, Connecticut and Rhode Island have the greatest percentage of uncertified secondary teachers in the nation, Maine's average being the second worst in the nation, lowest teacher salary scale, highest student drop-out rate, only one out of five we send from high school to college and the United States average is one out of two. New Hampshire and Vermont have one out of three. No free public education at the junior college level, only one vocational education school and now another one. A shocking record of state aid to out of school and out of work young people. So I don't think anybody could seriously fight for economy in this state on the basis that our educational effort should be eliminated.

Isn't it reasonable to draw the conclusion that the needs for money in this state will increase as long as we have this problem alone? Many people have drawn the conclusion, and it is a correct one, that after this particular session of the legislature is gone and the next one comes in this room that an additional eight to ten million dollars will be needed under the Sinclair Act. What is our answer? Where do we go from here? You have got to consider an income tax or you are blind. The sales tax is up as high as people like to talk about it, when it goes to four and if it goes to four. Are you going to broaden the base and remove exemptions? Are you going to have a lottery? Where are you going in this thing? And what do you wish?

The answer, of course, is very simple, and we all know it. If you could pepper this state with industry, if you could put a factory in every town and hamlet in this state and quadruple your payrolls so that more people shared the cost of our government and the services to our people and the education of our citizens, you would have your problem licked. Every single state recognizes this, and that is why they have embarked on elaborate campaigns for industrial development. In my remarks to you here, I would not suggest that we do away with our efforts. I am suggesting a change in emphasis. I compare the State of Maine to a sleeping giant who needs to be awakened and very quickly. We live in one of the nations last, natural wilderness areas. Even in Washington County, economically horribly depressed, there is a re-awakening of its potential value as a recreational area reflected in the value of shore property even today. If you could take a boat trip along that beautiful coast line and travel for miles and hours without seeing a soul or a camp, you would realize why many people who have done this too from out of state want to be there, know that someday they will be there. You can watch the value of shore property in this state increase as you move easterly, so the day will come when they will be of premium value even in Washington County for this beautiful country.

Do you know that on February 1st of each year it is almost impossible to get a camp or a room in the Moosehead area? Do you know who is up there? Mostly people from outside of Maine. How many of you people know that there is often standing room only in the parks and camping grounds throughout this state during the summer months? We know, but do we realize what this particular industry, which we have taken for granted for so long, means to this state? Do you know that vacationers buy 24 million gallons of gasoline from our 1140 service stations? Do you know that this is an average of 12,500 gallons per sta-

tion? They spend \$5.1 million. Gasoline, and liquor and beer, the two words that people hesitate to say out loud in the halls of this legislature, cigarettes, sales and use taxes, just the receipts from non resident hunting and fishing licenses, \$976,000. Property tax payments from out of state people here on vacation \$6,500,000.

I usually go to the town meeting in Boothbay. We try to keep our taxes down there as we do everywhere else. In this beautiful community of Boothbay Harbor in July and August you can see and witness over three million dollars change hands in two months. At the Boothbay town meeting two years ago, an article was proposed that they should spend \$400 for their Chamber of Commerce to promote their area. My good friends in the Senate, this article was voted down and killed. Then it was attempted to try not quite so hard or so high and an expenditure of \$200 was proposed for the promotion of the Boothbay Harbor region and this was voted down. They finally compromised in a close vote at \$100.

The State of New Hampshire not far away has just spent millions. They do it on a bond issue for recreational promotion. For years they have realized the gold mine they live in.

How many years have you had a license plate on your car that said "Vacationland"? And how many times have you looked at it and realized what it really meant? I will never forget the story of the bridge in Franklin County which needed an appropriation of \$5,000 for purposes of repair, and after long debate and discussion in the halls of this building, it finally squeaked through and the bridge was repaired. Two winters ago 500,000 cars passed over that bridge on the way to Sugarloaf Mountain.

When are the people of Maine going to wake up and understand what they have here? National Geographic, I happen to think is a wonderful magazine and a while ago at random I withdrew an issue

and something struck me as being very interesting. The first eight or ten pages are full of national advertising, most of them in color, all of them beautifully done, promoting the respective merits of many states in this country. For a moment I would like to point out to you what these are, and I will be glad to pass them around, because you will know when you see them that you have seen the thing yourself.

Page 1. "Fun People"—Arkansas, full page, color. On the other side is "Manitoba" and "Pensacola." Page 2. "Zest of the West"—Washington State, full page and color. On the other side St. Petersburg, Florida and "See Italy First". Next page, "Why Every Day is Different on a Southern California Vacation"—full page and color. On the other side "Switzerland" and "Alaska". Next page "Jet Fares to South America"—full page color and on the reverse side full page color "North Carolina". And so it went, "Hong Kong", "British Railways", "Nova Scotia", "Vacationland U.S.A., the Northwestern States", "Air India", "New York State", "Canada", "Sail for the Orient", "Oregon", and at the end of the last page in a size of a quarter page in black and white, there is a coupon that invites you to write to Maine to get some information about it.

Many people don't believe in the effectiveness of polls, but a lot of people are beginning to have some respect for them, so I will for what it is worth relate what a Gallop poll reported and which is pretty well accepted, and was confirmed since the poll was taken. This Gallop poll indicated that Maine ranks third among the states east of the Mississippi in vacation preferences, of all the people in the United States. Of the eastern states, Florida was first, quite understandably, New York was second and Maine was third. Considering the relative pittance that we spend in this regard, this is simply amazing and should teach us many things. On a nationwide basis, Maine was 11th out of all fifty

states and the poll was taken by asking thousands of people, thousands of them where they would like to go if they could take a vacation anywhere they wanted to in the United States.

There is so much evidence to indicate the validity of what I am suggesting that we could go on and on and on. Anybody will tell you that in a matter of years we will be talking about a thirty-five hour week and that medical people, educators and psychologists are genuinely concerned about how the American will spend his increased leisure time. The facilities and opportunities in this state are beckoning to everybody if only we Maine people would give them a hand. We have been either blessed or cursed with a spurt of negativism which sometimes is appalling when you consider this opportunity.

I don't mean to be misunderstood when I say this, and I mean it in all respect, but in my humble opinion the failure of the Sunday Liquor bill to be passed by this legislature will be considered in years to come as a major failing of this group, purely from an economic point of view. There is a bill before this legislature providing for funds to promote Maine's ski business, a tremendous, dramatic, invitation for continued economy in this state when the snow is on the ground. This bill is dead. The only glimmering hope of awakening is the bill which provides for access roads to ski areas. And this is but a crack in the door to what the state should be doing.

Even an ignorant, uneducated storekeeper knows enough to put a sign outside. How can you talk about transportation in airports if some of us have never flown in an airplane? We vote for spending, we talk economy, we drink wet, we vote dry. We know something is wrong with economic development and we do nothing about it. All I can say is that it is incredibly pitiful that we don't love this state as much as the people outside of this state love this state.

So when the old moon said to Winken, Blinken and Nod, "Where

are you going and what do you wish?" I wish I knew the answer. This weekend might be a good time to do a little thinking about it. I move that we accept the "Ought to Pass" report of the committee. (Applause)

Mr. LOVELL of York: Mr. President and members of the Senate, it is indeed warming and tremendous to me as an advocate of recreational development for many years, to see the President of this Senate leave his rostrum and come down in the Senate to talk for this bill which will mean a great deal of progress to the State of Maine.

At the risk of boring you and I'm sure it won't because I know that there is no one in this Senate that wants to see taxes increased every two years, which will certainly be the case unless we get more people into the State of Maine in tourism to visit our various areas or for industrial development. But Senator Marden of Kennebec has brought some points to you and I would like to state some additional facts.

The overall tourist business has grown into a tremendous business. In the United States last year it amounted to \$25 billion. And United States people traveling abroad in foreign countries spent \$2.8 billion. A good part of it, more of it, could have come to the State of Maine if we had spent sufficient money to publicize and promote the State of Maine. In fact the administration is worried because so many American dollars are being spent abroad in the tourist business that our balance of dollar payments has put our gold reserve down to an all time low. Let me just state that in 1960 the country of Italy spent \$388,000 in the United States promoting their country and from the United States people they got back \$4 million in the tourist business. France spent \$600,000 and got back \$95 million showing you the tremendous return. The state of Florida we can't compete with but for every dollar they spent for tourism, they got back \$350. And the state of California got back \$440 for every dollar they spent. Now, Maine, through its Chambers of Commerce and through the state spent approximately a million and a half and they got back

\$300 million. Consequently they got back \$150 for every dollar that was spent. Certainly that in itself was a good investment. In the various taxes that the tourist people pay all the way from horse racing to sales tax from the out of state people amounted to almost \$10 million in our treasury. At the present time we have increased our communities so that now fifty-one communities, fifty per cent of their real estate tax is paid by out of state people.

For example eighty per cent or over of the real estate taxes in the towns of Acton, Shapleigh, Mt. Desert, North Haven, Southport, Rangeley, over eighty per cent of their taxes are paid by out of state people and they do not attend the schools and we don't even have to plow their roads out. So certainly this is progressive in appropriating extra money for the promotion of this tourism.

Maine last year spent \$330,000 from our Department of Economic Development. So you look at it from that basis of what the state spent, then for every dollar the state spent, we got back a thousand dollars from the tourists. And every dollar the state spent brought back about \$30 in direct taxes to the State of Maine. Let me just state that Florida which spends many, many times that amount, several million dollars a year, last year they got in 770 new industries which created 22,000 new jobs and a thousand or more new firms were incorporated each month, and the six states that do the most business, do one third of all the manufacturing in the United States, showing that the tourist can well stay in that state and I have known of many cases where they liked the state so well that they stayed here and established their industry here or moved it here or expanded it here. And the figures show that if 24 tourists today stay one day in your community throughout the year that is equivalent to an industry with a \$100,000 a year payroll, which in turn according to the Department of Commerce turns over five times before it leaves the area.

In our development we have been very meager. We had some 770,000

people visit our State Parks. We could have had a great many more if we had spent sufficient money to promote tourist business. The vacation property in the State of Maine, by the University of Maine report, which cost us \$15,000 but which we have followed but little in its recommendations, the property value of out of state people is some \$270 million.

Something this fund will do to the state of Maine in increasing its overall economy is personal income, providing more jobs with the passage of this bill and it will mean many millions of dollars in the tourist business for Maine and several millions more in direct taxes.

So if we can pass such a bill as this, which I am sure the progressive Senate will certainly be for — we will probably need lobbying in certain other sections of the state house — but nevertheless I don't believe we are going to find people so short sighted in this legislature that they will not realize the importance of spending extra money to get many times that money back even if we don't come up anywhere near the previous averages we will increase the economy of Maine so much that it will be well worth while. The average tourist spends \$20 a day. \$5 of it goes for transportation, the tourist stations benefit, the garages benefit, and so on. Their money keeps turning over. \$4 a day is spent for lodging in the motels, hotels and tourist homes, the camps and parks. And incidentally our parks earn sixty percent of what they spend. The only paying park was the Sebago Lake Park but we have very few concessions on these parks to take in money. \$5 went for food a day. Everybody benefited by that. The farming business benefited, the restaurants bought eggs and fresh vegetables. \$1 went for services such as haircuts. \$3 went into purchases of gifts and various other things. All the stores benefit and I can assure you that the good Senator from Cumberland, Senator Porteous will tell you that his store, like all of the stores

in Maine, benefited. \$2 of the \$20 was spent in entertainment. Entertainment that helped the out of door theatres, the dances and so forth.

In conclusion, I am certainly most grateful to have the support of the President of the Senate on this bill and I assure you that the passage of this bill to bring us somewhere near other states — because Maine has many assets as you know, 2,500 lakes and ponds, 3500 miles of seacoast, 800 mountains two thousand feet or over, and 5000 streams and rivers. What more could we ask for? If we can publicize this, work with the Department of Economic Development and develop the so-called package deals which the poor person can pay on time, develop package deals where a complete vacation is paid for in advance and they pay for it on time, which we have done very little of. We have done very little convention work which the Senator from Hancock can well tell you. We could well triple or quadruple our convention business.

But the big thing of this is that with this extra money we can push the State of Maine for all year round tourism. Not only for skiing, hunting and fishing but develop Maine into an all year round tourist area, and in so doing we can keep the people employed all year round, we can up our economy so much that the taxes we take in from this extra money, two years from now, would make it possible for you not to have to pass an income tax, and you won't have to put the sales tax up to four percent. To me that is something that is well worthwhile and I certainly go along with the Senator in his motion that this ought to pass.

Mr. EDMUNDS of Aroostook: Mr. President, on behalf of the three members of the Joint Standing Committee on Appropriations and Financial Affairs in the Senate, I would like to thank the President of the Senate, the Senator from Kennebec, Senator Marden, for the outstanding remarks that he has made in support of the position of those

Senators. I heartily agree with him that this is a giant step forward in the economic development of the state which is so dear to the hearts of all of us who sit here, our great State of Maine, and I certainly hope that his motion to accept the Ought to Pass report of the Committee will prevail.

Mr. HICHBORN of Piscataquis: Mr. President, as you know, I am the Senator from Piscataquis County, where we are well known for our tremendous potential in the recreation area, where we have some of the most beautiful lakes, including the largest lake in the State of Maine, where we are known for our mountains and our streams and where we are recognized as having the best hunting and fishing in the area, and I certainly want to go on record as being very appreciative of the support that is being given to this bill and I certainly hope that the Ought to Pass report will be accepted.

Mr. PORTEOUS of Cumberland: Mr. President, the speeches this morning have been very fine and very effective. I think there has been some reference to the fact that this probably will pass the Senate. I think that the practical thing for all of us who feel as strongly as we do that this should pass should probably take some action, some real concrete action, to ensure its passage in the other body. I think that if each of us from the several counties of the state would call a delegation meeting to bring this message of the President of our Senate, and the good Senator from York, Senator Lovell to our several delegations in the other body to make sure that they know of these remarks, that it would be effective in passing it through that body.

It is so often very frustrating to find a big and favorable vote in this body and then for want of adequate communication over there, to find it lost, either now or in the final hours of the legislature.

This is a very serious problem, and I think that for each of us from the several counties to do this might be an effective way to

ensure the final passage and enactment into law that the Department have the needed funds for its recreational advertising, that is to say, the \$200,000 as the bill is amended to read.

Mr. WYMAN of Washington: Mr. President and members of the Senate, I too, want to thank our good President, Senator Marden for his very wonderful remarks on this subject, as well as the other Senators who have expressed themselves so well.

In Washington County, we don't happen to have the largest lake in the State of Maine but we do have tremendous undeveloped possibilities for recreation. We have some of the highest tides in the world at Passamaquoddy, we have the most easterly point in the United States at West Quoddy Head, we have a lot of fishing areas and hunting areas which are almost untapped and I, too, feel very strongly on this measure and I certainly hope that it does pass because I think it can perhaps do more for Washington County comparatively than for any other area of the state.

Mr. CRAM of Cumberland: Mr. President, I would like to emphasize the effect of the tourist business and the ownership of summer property by out of state people on the educational program and on the valuations in many towns. Due to my interest in education, I have compiled a map in which I have plotted the towns which have a valuation per pupil of over \$14,000 and it would appear from a quick check of this map that at least 30 towns have this high valuation per pupil primarily because of ownership of summer residences and tourist business by non-resident owners and only about ten have this high valuation per pupil because of industries located within the town.

Mr. KIMBALL of Hancock: Mr. President, ladies and gentlemen of the Senate, as a representative of one of the oldest groups in the State of Maine who have been interested in the recreational field, in other words, the Maine Hotel Association, I would like to speak on their behalf, my thanks for one of the most inspiring messages I have had the pleasure of hearing in two

terms here at the state house. I would like to compliment our President for his remarks, and the other remarks, and I would like to say that I think they are most inspiring. I want very definitely to set myself on record as highly favoring the passage of this bill.

Mrs. HARRINGTON of Penobscot: Mr. President, well, I would like to extend our congratulations from Penobscot County to our good President whose talk was very inspiring. I would like to say that up where I live we really have the biggest deer and we have all kinds of nice fishing and we have moose and we are going to have caribou.

Mr. PIKE of Oxford: Mr. President and fellow Senators, I have been connected with the summer tourist business practically all my life and I have been in the legislature since 1956 except for one term, and I have never heard a nicer speech than our Senate President gave today and I wish to say I appreciate it a lot.

Mr. FARRIS of Kennebec: Mr. President, ladies and gentlemen of the Senate, I certainly concur one hundred per cent with the very fine remarks which have been made here this morning in relation to the necessity for us to spend funds as an investment in tourism for the State of Maine.

But I do feel that there are other matters also to be considered, that this is not the only measure which we have before us, and I also think that inasmuch as this is the morning for true confessions, that I too should say a bit about my particular philosophy. My philosophy is certainly not one of negativism. It certainly is neither one of "fly now and pay later" and I have no quarrel whatsoever with the proponents of many of the high spending measures which have been before us in this session and also in the last session of the legislature but I do think that we may be losing sight of one very important fact.

I am not much concerned, or too much concerned, about the amount of money which we are spending in the State of Maine as an investment for the future and I think the record is replete with remarks along

this vein made during the 100th legislature. But I do take exception with some of the pending programs that are advanced, as being the best solution for our problems in Maine. Now, I certainly am going to support this measure. I think it is a good measure and it is certainly a step in the right direction but I still place it a number two measure in importance to the 101st legislature. The same Appropriations Committee which has reported favorably by a majority report on this measure, has unanimously reported that the bill proposing to inaugurate a program of vocational-technical training at the high school level, as ought not to pass. I honestly feel, even though I am going to vote for this measure which carries \$200,000 that the \$200,000 would be better spent if we were to expend it making a start toward a program of vocational-technical training, because what do we do when we invest our money in vocational training for our youngsters? We give better quality education and an opportunity for seventy per cent of our youngsters who are in the area where they will not be able to go into higher education. We make at least an attempt to correct our drop-out rate. We also certainly will reduce unemployment if we make that investment, how much, I don't know, but it is bound to have its effect. And at the same time we will be making a sound investment which will attract industry into the State of Maine, because industry does want at least semi-skilled youngsters that they can take into their plants, particularly in the light industries and train them in the skills which will make them valuable employees in their respective industrial activities.

So I certainly do not feel that we have been negative in the State of Maine. I feel that possibly that our money could be better spent in other areas than in some areas where we have been spending it, and certainly when you consider in the past ten years, our current services budget, assuming that the budget this year will be enacted substantially as proposed, and I think it will be, there is a 250 per

cent increase in ten years. So we certainly have not been staying still as far as expenditures of funds is concerned. But I do feel that possibly we should give a little more thought to the allocation of these funds so that we will get a better return on our investment. Notwithstanding that I certainly am going to support this measure but make these remarks so you will take it into consideration when technical vocational high school training comes before you because that is even more important than this measure. Thank you.

The PRESIDENT pro tem: The question before the Senate is the motion of the Senator from Kennebec, Senator Marden, that the Senate accept the Majority Ought to Pass report.

The motion prevailed and the Majority Ought to Pass report was accepted, the bill read once, Committee Amendment A read and adopted, and the bill was assigned for second reading on the next legislative day.

Second Readers

The Committee on Bills in the Second Reading reported the following Bills: and Resolve:

House

Bill, An Act Appropriating Funds to Aid in Dredging Carver's Harbor, Town of Vinalhaven. (H. P. 319) (L. D. 466)

Resolve, Providing Funds for Public Landing at Islesford, Hancock County. (H. P. 177) (L. D. 246)

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

House - As Amended

Bill, An Act Relating to Weight of Commercial Vehicles. (H. P. 866) (L. D. 1253)

Which was read a second time and on motion by Mr. Cole of Waldo was recommitted to the Committee on Highways and ordered sent forthwith to the House.

Resolve, in Favor of Town of Woolwich for Rent of Certain Property Owned by State. (H. P. 1026) (L. D. 1487)

Which was read a second time and passed to be engrossed, as amended, in non-concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed the following Bills and Resolves:

Bill, An Act Establishing the Uniform Commercial Code. (H. P. 79) (L. D. 95)

(On motion by Mr. Edmunds of Aroostook, placed on the Special Appropriations table pending enactment.)

Bill, An Act to Clarify the State Boating Law. (H. P. 333) (L. D. 460)

(On motion by Mr. Stitham of Somerset, tabled pending enactment and especially assigned for Thursday, June 6.)

Resolve, in Favor of Margaret Sinclair of Windham. (H. P. 424) (L. D. 577)

(On motion by Mr. Edmunds of Aroostook, placed on the Special Appropriations Table pending enactment.)

Bill, An Act Relating to Compensation of and Per Diem Fees of Deputy Sheriffs. (H. P. 1082) (L. D. 1549)

Bill, An Act Relating to Age in Criminal Offenses. (S. P. 79) (L. D. 187)

Resolve, in Favor of Lloyd Talbot of Portland. (S. P. 205) (L. D. 515)

(On motion by Mr. Edmunds of Aroostook, placed on the Special Appropriations Table pending enactment.)

Bill, An Act Revising the Laws Relating to Apothecaries and the Sale of Poisons. (S. P. 419) (L. D. 1162)

Which bills were passed to be enacted and the Resolves finally passed.

The President pro-tem declared the Senate Recessed for five minutes.

Called to order by the President pro tem.

The President pro tem laid before the Senate Item 1-4, Bill, "An Act to Increase the Salaries of Certain Department Heads Elected by the Legislature," (S. P. 548) (L. D. 1480) which was tabled earlier in today's session by the Senator from Aroostook, Senator Edmunds.

On motion by Mr. Edmunds, the Senate voted to reconsider its

action whereby the bill was passed to be engrossed.

On further motion by the same Senator House Amendment "B" was read.

Mr. WHITTAKER of Penobscot: Mr. President and members of the Senate: May I give a word of explanation concerning this proposed action?

This bill was considered by the State Government Committee and as reported out by the State Government Committee it did not include salary increases for the Treasurer or the Commissioner of Agriculture. This action was taken by the Committee under an agreed upon rule that we would report out salary increases only where we could give a unanimous report. I do rise, however, to concur with the suggestion, as an individual member of the committee, that the Treasurer be given the proposed increase under House Amendment "B".

The PRESIDENT pro tem: The question before the Senate is on the adoption of House Amendment "B".

House Amendment "B" was adopted.

Mr. EDMUNDS of Aroostook: Mr. President, I offer Senate Amendment "B" to L.D. 1480, Bill, "An Act to Increase the Salaries of Certain Department Heads Elected by the Legislature," and move its adoption and would like to speak briefly to the amendment.

Very briefly, this amendment proposes to increase the salary of the Commissioner of Agriculture by one thousand dollars in each year of the biennium, making his total salary \$11,000, a salary consistent with the salaries that would be received by other department heads should this legislative document be finally enacted by both bodies of the legislature. I have checked with the Senate members of the State Government Committee who agree with me that this is a worthy amendment and should be adopted and I hope that the Senate will take favorable action with respect to it.

Senate Amendment "A" was read and adopted and the bill was passed to be engrossed as amended.

On motion by Mr. Cram of Cumberland, the Senate voted to reconsider its action taken earlier in today's session whereby Bill, "An Act to Reactivate Maine Committee on Problems of the Mentally Retarded," (S.P. 203) (L.D. 5130) was assigned for second reading on the next legislative day, and on further motion by the same Senator the matter was tabled and specially assigned for Thursday, June 6th, pending assignment for second reading.

The President pro tem laid before the Senate the first tabled matter of unfinished business of May 28th, (S. P. 157) (L. D. 433) Bill, "An Act Providing for a Full time Chairman of the Liquor Commission," which was tabled on May 23rd by Senator Porteous of Cumberland pending passage to be engrossed.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate: This has been on the table long enough for each one of us to have had time to consider it. The reasons for having a full-time chairman of the Liquor Commission are somewhat obscure. The Liquor Commission at the present time consists of three men, as you know, one Democrat and two Republicans, who are so-called part-time commissioners but are paid a pretty good amount of money. There are two men down there who operate this commission and if you want an answer to any question you usually go and find out from them what the answer is. They have a good enforcement division. The problems of liquor control as far as the Commission is concerned have not bothered anyone in the State for a long time. I would think that to change this to a full-time chairman, which makes him also chief executive officer and makes him responsible for answering many questions which he may not be qualified to answer is really a disservice to him and to the State. The operating officers of this twenty-six or twenty-seven million dollar business are the ones that are the best able to answer this. The Liquor Commission operates somewhat the same as the board of di-

rectors of a company in laying down policy, but when it comes to making of purchases or drawing up rules and regulations for operation and for personnel I remind you there are some seventy stores and hundreds of employees, but this is more of an operating executive job and not the job of a policy-making person, so I would therefore move that this bill, L. D. 433, be indefinitely postponed.

Mr. WHITTAKER of Penobscot: Mr. President and members of the Senate: I request a division when the vote is taken and I would like to speak against this motion.

The history of this bill is roughly as follows. It was originally reported out of the Committee on State Government on a majority-minority report, the majority "Ought not to pass." Later it was re-committed to the committee with a proposed amendment changing the proposed increase in salary which originally was from seventy-five hundred to ten thousand per year, changing it to eighty-five hundred by amendment. We have adopted this amendment, I believe, and the bill is now pending passage to be engrossed. This action was taken upon reconsideration by the State Government Committee because it acknowledged the validity of the proponents of this measure, which include the Governor, that there should be a Chairman of the Liquor Commission who was the chief administrative officer and who could devote full time to his duties. The committee concurred in this, and I therefore hope that the motion to indefinitely postpone will not prevail.

Mr. EDMUNDS of Aroostook: Mr. President, I rise merely to point out to the members of the Senate that this is part of the Governor's program, that the present Chairman of the Liquor Commission is fulfilling his duties almost on a full-time basis at the present time and this would establish the position of a full-time basis with a very modest increase in salary so that the costs to state government are very, very small.

The PRESIDENT pro tem: The question before the Senate is on the motion of the Senator from

Cumberland, Senator Porteous, that this bill be indefinitely postponed. A division has been requested. All those in favor of the indefinite postponement of this bill will please rise and remain standing until the Secretary has made the count.

A division was had. Seven having voted in the affirmative and twenty-two in the negative, the motion to indefinitely postpone did not prevail. Thereupon the bill was passed to be engrossed.

The PRESIDENT pro tem: The Chair at this time is most happy to recognize a group of students from Freeport High School, accompanied by their teacher, Beverly Hancock, and would like to have these students also recognize their Senators: Senator Hinds, Senator Porteous, Senator Cram and Senator Brooks. (Applause)

Order out of Order

Mr. Hinds of Cumberland, out of order and under suspension of the rules, presented the following order and moved its passage:

ORDERED, the House concurring, that the Legislative Research Committee is directed to study the welfare functions and activities of the State as relate to the Aid to Dependent Children program, and be it further

ORDERED, that the committee report the results of its study to the 102nd Legislature.

The order was read and passed. Sent down for concurrence.

The President pro tem laid before the Senate Item 2 of tabled and unfinished business of May 28th, (H. P. 862) (L. D. 1249) Bill, "An Act Relating to the Educational Foundation Program Allowance" which was tabled on May 23rd by Senator Porteous of Cumberland, pending adoption of Senate Amendment "A" to Committee Amendment "A."

On motion by Mr. Brooks of Cumberland, the bill was recommended to the Committee on Education.

The President pro tem laid before the Senate the 3rd item of tabled and unfinished business,

(S. P. 134) (L. D. 496) Senate Report "Ought not to pass" from the Committee on Appropriations and Financial Affairs on Bill, "An Act Promoting Scenic Attractions and Vacation Facilities in Maine," which was tabled on May 24th by Senator Lovell of York, pending acceptance of report.

Mr. LOVELL of York: Mr. President and members of the Senate: I believe I have spoken on this bill a couple of times and each time I have spoken on it the good Senator from Aroostook, Senator Edmunds, said the sponsor was not here and tabled it. Nevertheless, I am a little at loss this morning, with the President of the Senate leaving the rostrum and coming down to talk for recreational development, which this bill more or less covers. I certainly feel that we simply cannot get too much through for recreational development, and another thing is I feel that if we kill this bill at present the other bill that we have unanimously accepted just recently might be defeated in the other body. However, I will bow to the leadership and turn this over to the good Senator from Aroostook, Senator Edmunds, to do as he sees fit.

Mr. EDMUNDS of Aroostook: Mr. President, I thank the Senator from York, Senator Lovell, and it is true that I have once retabled this bill and he has once retabled it due to the absence of the sponsor: However, we are going towards the last weeks of the session and I think it is essential that we start to dispose of some of these items which, at least in the opinion of the Appropriations Committee, are not vital to the future of our State. I would point out that this bill would call for the expenditure of approximately \$100,000 during the coming biennium to promote scenic attractions by matching funds from Chambers of Commerce, P.T.A.'s, travel promotion agencies, practically anything that you can think of, I think there is a serious question as to constitutionality. I know that is an argument that is used far too often here, but I do believe there is a serious ques-

tion as to the propriety of the State engaging in activities of this sort.

Now in defense of the Department of Economic Development and in defense of the Joint Standing Committee on Appropriations and Affairs, I would like to point out to this Senate that we have reported out favorably a bill which would appropriate \$30,000 to advertise the ski business of the State of Maine; we have debated here this morning an act with a majority report from that committee which would provide \$200,000 to advertise the recreational facilities of the State of Maine. We will, and perhaps I am being somewhat improper in divulging committee action, but we will, I hope, bring out a supplemental budget which will bring out additional moneys for the DED in the area of recreational development; we have reported out and acted favorably this morning on a bill which provides \$100,000 for area redevelopment surveys on a county or regional basis, and we, I hope, will implement a part of the Governor's supplemental budget, which calls for the establishment for a Foreign Trade Division to explore the potential for Maine products on the continent of Europe and in South American markets, which I know is in sympathy with the people who support a more realistic economic development program for this state.

Now the question arises: How far can we go? Here is another bill, another \$100,000 to further expand the Department of Economic Development's activities. The committee chose to feel that we had already implemented their program far more liberally than any previous committee or legislature had done. We do feel it is just a question that the money is not available, and I believe if you examine the Governor's program, the legislative documents now on the Special Appropriations Table, the proposed revenues even if we should increase the sales tax by one per cent, you will agree with me that we are going to be in the tightest bind for money on

the last night of this session as any session of this legislature, at least since I have had any experience here in Augusta.

I would point out that this is a unanimous "Ought not to pass" report from the Appropriations Committee, and I certainly hope that my motion to accept the "Ought not to pass" report will prevail.

The PRESIDENT pro tem: The question before the Senate is the motion of the Senator from Aroostook, Senator Edmunds, that the Senate accept the majority "Ought not to pass" report of the committee. Is this the pleasure of the Senate?

The motion prevailed and the "Ought not to pass" report of the committee was accepted.

The President pro tem laid before the Senate the 4th item of tabled and unfinished business of May 28th, (S.P. 229) (L.D. 611) "Ought not to pass" from the Committee on Appropriations and Financial Affairs on Resolve, Appropriating moneys to State Board of Education to Match Federal Funds Under the Manpower Development and Training Act, which was tabled on May 24th by Senator Whittaker of Penobscot, pending acceptance of report.

Mr. WHITTAKER of Penobscot: Mr. President, before moving to accept the committee report I should like to share briefly with the members of the Senate information which has been given to me concerning this bill since it was tabled.

As I understand the matter, and I can be corrected by any member of the Appropriations Committee, at the present time activities within the State under the Manpower and Training Act are completely subsidized by the federal government. Now this subsidy is scheduled to end about a year from now, which would mean that if this bill does not pass, the program within the State would have to be abandoned, since the bill calls for acceptance by the State of fifty per cent of the responsibility a year hence. However, I also understand that there is legislation pending before the federal congress that would extend the full

subsidy beyond a year from now and apparently we are faced with the necessity of taking the calculated risk that the federal subsidy will continue, and, taking that risk, I move that we accept the "Ought not to pass" report of the committee.

The motion prevailed and the "Ought not to pass" report of the committee was accepted.

The President pro tem laid before the Senate the 5th tabled item of unfinished business of May 28th, (S. P. 91) (L. D. 228) Senate Reports from the Committee on Appropriations and Financial Affairs on "Resolve, Appropriating Moneys to Construct a Car Ferry Ramp at Peaks Island," Majority Report "Ought to pass;" Minority Report, "Ought not to pass," which was tabled on May 24th by Senator Porteous of Cumberland pending acceptance of minority "Ought not to pass" report," motion by Senator Campbell of Kennebec.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate: I rise in opposition to the pending motion of "Ought not to pass" and would move for a division on it and I would like to speak to this motion.

The majority "Ought to pass" was a 6 to 4 vote in the Appropriations Committee, and I think for several good reasons.

The population on Peaks Island is a stable year-round population of about 2,000 people and increasing in the summer to about 6,000.

Now you have just heard a great many remarks about the value of the tourist and vacation industry to the State of Maine. Of course one of its greatest values is that it brings people here to stay on a permanent basis: they buy homes, they build them and they spend money on them continually throughout the year, so I won't dwell any further on the vacation aspects of an island such as Peaks.

Peaks Island is located about a mile and a half from Portland and has always had ferry service, mostly from the Casco Bay Ferry Line, and a year ago in September, or August, there seemed to be a very serious crisis, and that was that

the PUC had condemned the docks and the line was not in a position financially to renovate them to the point where they would be satisfactory to the PUC, and therefore, through executive order of the Governor and Council the docks were taken over and a sum of money was voted, matched partially by the City of Portland to renovate the dock. This job was done very rapidly and very satisfactorily to a certain point and then it stopped because of the lack of any more money, but the Governor and Council committed themselves in principle to renovating the docks and the State possessing them and renting them back to the Casco Bay Line. Now this is no more unreasonable as a principle than ownership by a municipality of a state or county of an airport. This is no more unreasonable than that the City of New York should keep up the docks on Manhattan Island where so many ships dock and which it is so important to the commerce of New York City, or that the State of Maine should own a pier such as the Maine State Pier or should operate ferry services in Penobscot Bay.

Now the alternative, of course, to fixing up these docks at a cost of approximately \$100,000 was to take over the entire ferry service in Casco Bay. This, I think you will agree, would have been very costly and would not have met with a great deal of pleasure in the State because of projects that need funds here in the State.

The cost down there in Penobscot Bay of operating the Penobscot Bay ferry service for a lot fewer people and a lot fewer cars is approximately \$225,000 a year — excuse me; that is the revenue received, and the total operation cost in 1961 and 1962 year was \$366,500, and the operating deficit, including debt service of \$141,500. That is one year. But I submit that because of the beauty of these islands in Penobscot Bay and because of the distances involved and the necessity to keep up a good transportation system, that this is probably money well spent in the same sense that the President of our Senate has just spoken about. But contrast this with a ferry service in Casco Bay, which so far has only cost the State in

the neighborhood of \$100,000, and if this project is completed would be in the area of \$175,000 total, and that is the end because this would be the last of the docks that need any amount of renovation, and with the rental coming in it is quite possible that the docks can be kept up at a necessary level so that such an event may not happen ever and assuredly not for twenty or thirty years. The traffic, which of course would be greatly increased with more adequate facilities to Peaks Island, the traffic in 1962 was 4,421 cars and trucks, just to Peaks Island alone. Of these 3,925 were passenger cars and 496 were trucks.

This is a letter from the head of the Island Development Association: "The faculty is limited in the tonnage of trucks." Well, this is one of the chief gripes of the people on that island, that they have a very difficult time getting adequate truck service over there because the limited service presently in use will not support the type of truck that, for instance, hauls large loads of lumber for construction or other building materials.

I hope that most of you have seen the aerial photograph, and I am sorry that we did not have copies for each person, showing the present facilities on the island. There is one dock here that was built by the State that has a fixed ramp. Now we have a 9.1 mean rise and fall of tide in Casco Bay, and also a current because this sweeps out into the main ship channel from the upper bay, and this fixed ramp is not conducive to rapid unloading of a ferry boat. The present bow-on facility is at the condemned stage and it is not suitable as I said before, to carry trucks of any size. The ferry service has come up to the wishes of the local community in its rejuvenation of the service.

I will yield to Senator Brooks just as soon as he comes back to his seat so that we may hear from him the extent to which that has been done and how we are pleased, and he will tell you how others are pleased with the increase in service, and about the new fer-

ry boat that Casco Bay Lines is purchasing.

Mr. BROOKS of Cumberland: Mr. President and members of the Senate: I rise in opposition to the motion of the Senator from Kennebec, Senator Campbell. In 1960-61 we have reconstructed several wharves in the Casco Bay area, and at that time it was the intent to build a combination passenger ferry dock at Peaks Island. Peaks Island is a large island, as the Senator from Cumberland, Senator Porteous, has stated, with several thousand people living there the year round. It is the main source of revenue of the Casco Bay Lines, the organization that presently is supplying transportation to the several islands in Casco Bay: I think it quite important that this legislature raise the necessary funds to build this combination passenger dock and ferry ramp in order to better service these people on Peaks Island, and also to avail the private operator in the area of the proper facilities for landing.

As you all know, we have had discussion in the Casco Bay area for some years regarding transportation and facilities. There have been many communications back and forth between the Governor and the management of Casco Bay Lines. I would like to state that recently a communication has been received by the Governor from the management stating that they had contracted to build a new modern type ferry which could carry three hundred odd passengers and many more cars than are now carried. It will be an all-weather ferry which would service Peaks Island and the several other islands in that vicinity.

I think it is appropriate for me to read excerpts from a letter sent to the management by the Governor regarding his reaction. I naturally concur with the statements here. I quote now from a letter to the management of Casco Bay Lines from Governor Reed.

"Your letter to me certainly indicates that Casco Bay Line has kept its part of our understand-

ing." And further down it states: "I am confident that all segments of government will continue to cooperate in every way possible so that we may move ahead toward the redevelopment and expansion of the tremendous possibilities that exist in the islands of Casco Bay."

I would like to close by saying that I am sure that all of my colleagues here in this chamber are vitally interested in developing Maine economically and in recreation, and that you will agree with me that Casco Bay is a vital link in the development of this state both recreationally and industrially. I would certainly hope that you would support me in my opposition to the motion before us.

Mr. CRAM of Cumberland: Mr. President and members of the Senate: I do not often get to Peaks Island, but last summer I had occasion to travel to Peaks Island to attend a picnic of the Cumberland County Bar Association, and I traveled via the ferry and walked over the road that leads from the ferry to the paved road, and I can assure you that a new ferry slip is badly needed. Not only is the ferry slip in poor condition but the road is practically non-existent. The road is simply a dirt track up over the bank and can just about be negotiated by any type of vehicle. I think if anything is badly needed it is this project.

The PRESIDENT pro tem: The question before the Senate is on the motion of the Senator from Kennebec, Senator Campbell, that the Senate accept the minority "Ought not to pass" report. The Senator from Cumberland, Senator Porteous, has requested a division. All those in favor of accepting the minority "Ought not to pass" report will rise and remain standing until the Secretary has made the count.

A division was had.

Four having voted in the affirmative and twenty-three in the negative, the motion to accept the minority "Ought not to pass" report did not prevail.

On motion of Mr. Hinds of Cumberland, the majority "Ought to pass" report of the Committee was accepted and the bill was given its first reading and assigned for second reading on the next legislative day.

The President pro tem laid before the Senate (S. P. 608) Joint Order Relative to Welfare Committee to review activities on Aid to Dependent Children Program, which was tabled on March 24th by the Senator from Hancock, Senator Brown, pending passage.

Mr. HINDS of Cumberland: Mr. President, because of our action this morning in sending this to the Legislative Research Committee I now move that this order be withdrawn.

The motion prevailed and the order was withdrawn.

The President pro tem laid before the Senate the 7th item of tabled and unfinished business of May 28th, (S. P. 603) (L. D. 1570) Bill, "An Act to Expand Powers of Soil Conservation Districts, which was tabled on May 27th by Senator Edmunds of Aroostook, pending passage to be engrossed.

Mr. Edmunds presented Senate Amendment "B" and moved its adoption.

Senate Amendment "B" was read by the Secretary.

Mr. EDMUNDS: Mr. President, I would merely state that I have checked with the sponsor of this legislation, the Senator from Penobscot, Senator Harrington, and she is in agreement with this amendment which is entirely technical to put it in proper form for proper treatment by the Bureau of Budget and the Bureau of Accounts and Control.

Senate Amendment "B" was adopted and the bill was passed to be engrossed as amended.

The President pro tem laid before the Senate the 8th item of tabled and unfinished business of May 28th, (S. P. 133) (L. D. 495) Senate Report "Ought not to pass" from the Committee on Appropriations and Financial Affairs on Bill, "An Act Providing Funds for Economic Research Projects

for Industrial Expansion," which was tabled on May 27th by Senator Edmunds of Aroostook, pending motion by Senator Lovell of York to substitute bill for report.

Mr. EDMUNDS of Aroostook: Mr. President, I believe the arguments I made a few moments ago with respect to L. D. 496 are equally pertinent to L. D. 495, "An Act Providing Funds for Economic Research Projects for Industrial Expansion."

Again, we are dealing with an area where there is no question that money could be spent to advantage. I would point out to this body that the Appropriations Committee has already implemented requests to expand the Department of Economic Development in excess of \$400,000 and that the Appropriations Committee brought out a unanimous "Ought not to pass" report with respect to this particular legislation. I note that the pending motion is the motion of the Senator from York, Senator Lovell, to substitute the bill for the report, and when the vote is taken I would request a division.

Mr. LOVELL of York: Mr. President, I hesitate to debate this because I have debated it two times and here again it was tabled both times. The only thing that I would point out to the members of the Senate is that this bill calls for \$50,000 each year to be handled and okeyed by the Governor and Council.

Now the reason that this bill was entered by the members of the Committee on Industrial and Recreational Development was the fact that we had lost several industries due to the fact that we had no funds available on a matching basis or on a helping basis to help some new industry in recent development of their particular project. The one particular project that the committee met on with the Governor and Council was for the establishing of a new manufacturing plant and some six thousand dollars was needed to match funds with this particular company and they in turn would have built a three-quarter million dollar plant in Maine when the proper location was found from this research development work. The Governor

and Council listened very attentively and were very favorably impressed but they felt there had been no precedent where they had from their contingent fund granted funds, even though it meant a three-quarter million dollar plant and a hundred new jobs. Consequently, the committee felt that there should be something with the Governor and Council to administer whereby it would be possible for these new companies that wished to come into Maine to secure some funds. In other words, Maine needed to show them that they were interested enough in this company to help them on a state basis to do the research work needed.

Now this is not a research program where we might go into the space program or some very delicate work. That would cost millions and we do not expect to tackle anything of that type, but it does seem to me and to the members of committee that if a company is interested in coming into Maine that we should show sufficient interest in that particular company to help them on a research and development program for the company to find where to locate their plant.

Now I know that we do not want to spend any money, but I think here is something that if we had had this thing two years ago it would have paid for itself from the direct taxes received from the payroll of the company plus the other taxes in the community the plant was built in plus the number of people employed to build the plant and so on.

I am not going into a long debate but you all have the Armour Foundation report here and that is one of the statements that is in the Armour Foundation report, that Maine needs facilities such as this, a research program such as this to help out industry that might want to locate in Maine. We do not have all the advantages in Maine that we would like to have and we do not meet competition of other states in many fields, but here is something whereby, without a great deal of cost, we could without question, and according to the Department of Economic Development, it would have meant at least three new in-

dustries in the last biennium, and that is a lot. The department last year got in 13 new industries and the year before 19 new industries, and if we could get in two or three extra each year with a small bill such as this it seems to me good policy, and if the money is not needed the Governor and Council certainly will not spend it. I have enough confidence in the Governor and Council to realize that they would not grant any of this money unless they felt it was coming back to the State at least several times over in taxes and payroll for the State of Maine. So I hope that my motion to substitute the bill for the report will receive favorable consideration. This particular bill passed the Senate two years ago and was lost in the other body, who were not progressive enough to see the importance of getting new industry into Maine to broaden the tax base.

Mr. CAMPBELL of Kennebec: Mr. President, very briefly, as a member of the Appropriations Committee I want to second the remarks of the Senator from Aroostook, Senator Edmunds.

This is a matter of dollars and cents. There is nothing wrong with having the Economic Development Commission makes studies. We simply felt that there was not enough money to go around and that we could not afford to give them this additional appropriation for this particular purpose.

Now if you have any misgivings about this do not for a moment believe that the Economic Development Commission cannot now make research projects. While this is set up to suggest perhaps this is a worthwhile program I remind you that it is well within the province of the commission to do. The only question is that they are limited to some extent by funds. They will have funds and there will be occasions when they will make projects, and if some research is necessary in order to interest a particular industry into coming into Maine without a doubt those research projects will be undertaken. I think therefore I will move that the bill and accompanying papers be indefinitely postponed and I will ask for a division.

A division was had. Eighteen having voted in the affirmative and nine in the negative, the motion prevailed and the bill was indefinitely postponed.

Additional Paper from the House

Joint Order Relative to Congratulations to Carleton Willey.

Comes from the House Read and Passed, as Amended by House Amendment "A" in non-concurrence.

(House Amendment inserts the name of Casey Stengel)

In the Senate, that body voted to recede and concur.

On motion by Mr. Edmunds of Aroostook

Recessed for thirty minutes.

After Recess

Senate called to order by the President pro-tem.

The President pro tem laid before the Senate the 1st tabled and today assigned item (S. P. 381) Senate Reports from the Committee on Election Laws to which was referred Joint Resolution on Ratifying the Proposed Amendment to the Constitution of the United States Relating to the Qualification of Electors. Majority Report, Ought to be Adopted; Minority Report, Ought not to be Adopted; tabled on May 22 by Senator Edmunds of Aroostook pending acceptance of either report.

Mr. EDMUNDS of Aroostook: Mr. President, I was the sponsor of this proposed amendment to the United States Constitution which would do away with the poll tax requirement insofar as being able to vote for certain national offices, such as President, Representative, local Senators and so forth. Not being a lawyer I am somewhat hesitant to debate the merits and demerits of this particular piece of legislation. However, I would like briefly to deliver this message to the Senate. This is completely bi-partisan or perhaps I should say non-partisan in nature. I think I can safely inform the Senate that the adoption of this report is desired very greatly by the senior Senator from the State of Maine, Senator Margaret Chase Smith and in no less manner

by the junior Senator from the State of Maine, Senator Edmund S. Muskie.

For that reason, Mr. President, I would like to move that the Majority Ought to Pass report of the Committee on Election Laws be accepted.

Mr. CAMPBELL of Kennebec: Mr. President and members of the Senate, I rise to support the motion of my colleague on the Appropriations Committee, Senator Edmunds. I have had occasion since I have seen this on the docket, to make some inquiries and I can certainly confirm what he has told you with respect to the non-partisan character of this amendment. It seems to me that it is something desirable, something that would certainly improve the public image of the State of Maine and I for one would certainly favor its passage.

As perhaps you know, when Congress passes a resolve of this sort, it has to be passed in the Congress by a two-thirds vote and it is true that in 1962 the United States Congress did pass this resolve; in the House, 294 to 86 and in the Senate, 77 to 16. This means that it then goes to the various legislatures of the States and only becomes law if three-quarters of the states adopt it. Three-quarters of the states today is 38 and I am now reliably informed that 35 states have already in the short time of one year, adopted this resolution.

I also am told that this includes two southern states, Tennessee and Florida. Now, we may think of this as having some geographical significance because it is true that there are five southern states which still condition the right of voting upon the payment of a poll tax. So I think that it is particularly significant to call attention to the fact that there are southern states as well that have seen fit to adopt this resolve.

Florida was the 31st state as I recall it, and in the Florida legislature, every Republican in that legislature voted for it. The vote in the Senate in Florida was 36 to 6, the vote in the House was 105 to 3. The 32nd state to pass was Iowa, as recently as the 25th of April, and in the Iowa legislature,

the House passed it 92 to 4 and the Senate 48 to 0. Again thinking that this might have some partisan significance I checked further and found that in the Republican Party platform, I think in 1944, one of the planks was the following: "The payment of any poll tax should not be a condition of voting in federal elections and we favor immediate submission of a Constitutional Amendment for its abolition." When this resolution was under consideration in the United States Senate, I find that both Senators Smith and Muskie supported it.

Actually it has only been defeated in two states thus far, one is Mississippi and the other is Oklahoma and it did pass one of the two branches of legislature in Oklahoma. Also as a lawyer, I questioned in the first instance whether this actually called for an amendment to the constitution. At first I thought, "Well, why don't they just pass an Act of Congress. It ought to be simple enough to do that, because after all, Congress would certainly have the right to specify conditions of voting with respect to certain federal office." But I find that this is not the answer because this particular resolve did pass the House on three occasions, only to be defeated by a filibuster in the Senate. So it does seem to me that this is worthwhile and that Maine, by passage of this and by passage of the amendment will lead toward better government through wider voter participation in federal elections.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, we have a reasonably long afternoon in front of us so I am certainly not going to belabor this particular issue. But I do feel before we vote that we should know the facts and just because a number of other states have voted on something without giving it a great deal of thought, I do not feel is any reason why we in the State of Maine should just blindly vote for a proposal whereby we would amend the Constitution of the United States.

We actually are permitting the Congress to abdicate its responsibility. There is no question but what a public law enacted by the

Congress would accomplish exactly the same thing. As a matter of fact at the hearings at Washington, the Attorney General, United States Attorney General, Robert Kennedy so stated and it seems to me that we are establishing a very dangerous precedent when we use the Constitutional Amendment vehicles to direct law in the area of one section of our country.

As has been stated, there are only five states that have such laws whereby payment of a poll tax is a condition preceding voting, and actually only in two states is it enforced or possibly abused.

Historians certainly are beginning to deplore what they see as our tendency today to make the constitution just a storage bin for what they argue could better be handled by statute. And this certainly raises and puts that issue directly in focus.

The paradox to this particular amendment coming out of the Congress and being submitted to the states is this, that the great civil rights groups, as groups and organizations, deplore the use of the constitutional amendment to do something which can be done by a public law of the Congress. As a matter of fact, at the hearing, the NAACP, the ADA, the American Jewish Congress, United Auto Workers and others urged the Congress not to pass the amendment, because they feel it would provide a precedent for the future which would be very, very bad. Some future year it could very well be if the rest of the nation doesn't like something we are doing in the State of Maine, or something we are doing in the New England Area, they could get up a Constitutional Amendment and we are the victims of pot-shot, and by people who have no understanding or concern for our particular problems in this area.

Even in the House Representatives, Representative Lindsey of New York charged the Democratic leadership with casually and cynically tinkering with the United States Constitution, and

that was to get themselves off the hook on civil rights and they added, "This is using a sledge hammer, a giant cannon to kill a gnat." I certainly feel that all logic and reason dictate that we leave this matter in the Congress where it belongs because all that the amendment does is say that a poll tax is not precedent to voting for your President, your Vice President, your United States Senators and your Congressmen. And Congress can pass a law down there and accomplish this same proposition and certainly if this is, and it is President Kennedy's program, we all know that there are enough Democrats down there so that they are able to put through one of his major pieces of legislation.

I have no objection to the principal; I abhor the abuses in measures of this nature, but I say that we are being illogical in not using reason in the State of Maine and just finally favor action on a Constitutional Amendment which is utterly unnecessary. We are just adding garbage, actually to our Constitution and it should not be. The Constitution is too solemn a document to be cluttered with amendments such as this.

At this time I would move indefinite postponement and request a division.

PRESIDENT MARDEN: Mr. President and members of the Senate, I rise to oppose the motion to indefinitely postpone. This particular resolve has been referred to as "garbage" and has been referred to as "cluttering up our Constitution" and if doing our little part up in our little state to assist the negro in his right to vote is "garbage" and "cluttering up the Constitution," then let's clutter it up. It is not often that we up here in this part of the country can express our sentiments and project our convictions in national affairs and indeed it is less often that we can unleash our emotions on such a historic and regional and traditional matter as integration, because that is really what we are talking about in this resolve. Now that we have

the chance, let's not miss the opportunity.

History again quickly tells us of the days of the feudal baron and those who could take part in government and the groups of landed gentry who alone could vote in the days of the law providing that only the real property owner could vote. And this poll tax arrangement in some of our states is nothing but the last vestige of the dark ages which required some restrictions on a man's right to express himself at the polls. It is my feeling that we ought to assist the other states and get rid of it, and the sooner, the better. I care not whether or not this is a major part of President Kennedy's program. I know that this has been advocated by both President Kennedy and by former President Eisenhower. This has been a substantial plank in both the Republican and the Democratic National Committee.

I am not interested at all, or impressed, by the argument as to whether or not we are dealing with state's rights, whether or not the federal government by this means is exercising its influence in state affairs because these words and this explanation and this rationalization, I have read too often and too recently, coming from some of our leaders in the south, in places like Birmingham, Alabama and Little Rock, Arkansas.

The shrinking world and this shrinking country makes their problem, our problem. I hope the Senate would oppose the motion to indefinitely postpone.

Mr. EDMUNDS of Aroostook: Mr. President, I ask for a division if one has not already been requested on the motion to indefinitely postpone.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Farris, that this Joint Resolution be indefinitely postponed. A division has been requested.

Mr. BROOKS of Cumberland: Mr. President, ladies and gentlemen of the Senate, as Chairman of the Committee on Election Laws, I would like to state that the Committee

listened to the arguments in public hearing regarding this resolve, and as you know, the majority of the Committee passed this resolution out, ought to pass. Now, I am not an attorney and the words spoken here this afternoon by the members of the legal profession in this Senate have been very well taken. As a citizen, knowing little about law, I would simply like to say that as a signer of the Majority Ought to Pass report, that we on the committee thinking in terms of our rights and the rights of the citizens of the country, thought that this resolution was proper and just. We were dealing with the principle that all persons in this great nation should have the right to vote and should not be hindered by the necessity of paying a poll tax, which we all know in some areas has been used as a barrier in the rights of certain persons to vote, and I think we are right. I think as citizens on the Committee and as representatives of the people of this state that we did right by voting this resolve out Ought to Pass, I certainly oppose the motion for indefinite postponement.

Mr. EDMUNDS of Aroostook: Mr. President, I think I should point out that this is not printed as a legislative document. It is merely referred to as S. P. 381, and as such, I believe is in the possession of the Secretary of the Senate. Am I correct?

The PRESIDENT pro tem: Would the Senator please repeat his question?

Mr. EDMUNDS of Aroostook: Mr. President, I said that I note that this is not a legislative document, and as such does not appear in our various document books that we have before us. It is merely referred to as S. P. 381 and I believe there is only one copy of it in existence, which I assume at the moment is in the possession of the Secretary of the Senate.

The PRESIDENT: That is correct.

Mr. EDMUNDS of Aroostook: Mr. President, having ascertained that it is in the possession of the Senate, and due to the fact that we do not have copies of it available before us, I would request that the Secretary of the Senate read the pertinent

parts of the proposed resolution to the Senate, for the information of the members.

The PRESIDENT: The Secretary will read the Resolution.

The SECRETARY: "Joint Resolution Proposing an Amendment to the Constitution of the United States Relating to the Qualification of Electors.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, two-thirds of each House concurring therein, that the following article is hereby proposed as an amendment to the Constitution of the United States which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several states within seven years from the date of its submission by the Congress.

"Section 1. The right of citizens of the United States to vote in any primary or other election for President, or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any state by reason of failure to pay any poll tax or other tax. The Congress shall have power to enforce this article by appropriate legislation.

"Therefore be it Resolved that the legislature of the State of Maine hereby ratifies and adopts this proposed amendment to the Constitution of the United States.

"Resolved that the Secretary of the State of Maine notify the President of the United States, the Secretary of State of the United States, the President pro tempore of the Senate of the United States, the Speaker of the House of Representatives of the United States, the Administrator of General Services of the United States and each Senator and Representative from Maine in the Congress of the United States of this action of the legislature by forwarding to each of them a certified copy of this Resolution."

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, to put the record straight, so that the record can in no way indicate that I am opposed to civil rights, I want to say this: That

this is actually a very hypocritical piece of legislation that has been presented before us because it only provides that a poll tax need not be paid before you can vote in federal elections. Now if this were a Constitutional Amendment whereby payment of poll tax for the conditions preceding should be abolished in even state elections, in all elections, I would be the first to support it, but on this one, no.

The PRESIDENT pro tem: The question before the Senate is the motion of the Senator from Kennebec, Senator Farris to indefinitely postpone. Is the Senate ready for the question? A division has been requested.

A division of the Senate was had.

Mr. BOARDMAN of Washington: Mr. President —

The PRESIDENT pro tem: For what purpose does the Senator arise?

Mr. BOARDMAN of Washington: Mr. President, I would like to change my vote to Yes.

Thereupon, two having voted in the affirmative and twenty-seven opposed, the motion did not prevail.

Thereupon, on motion by Mr. Edmunds of Aroostook, the Joint Resolution was adopted.

The President pro tem laid before the Senate the 2nd tabled and today assigned item (S. P. 102) (L. D. 239) Senate Reports from the Committee on Industrial and Recreational Development on Bill, "An Act to Create the Maine Recreational Facilities Authority Act"; Majority Report, Ought to Pass; Minority Report, Ought Not to Pass; tabled on May 22 by Senator Lovell of York pending acceptance of either report; and on further motion by that Senator, the Ought to Pass report was accepted, the bill read once and tomorrow assigned for second reading.

The President pro tem laid before the Senate the 3rd tabled and today assigned item (S. P. 472) (L. D. 1324) Senate Reports from the Committee on Election Laws on bill, "An Act Permitting Selectmen of Certain Municipalities to Act as Voting Registrars"; Report A, Ought to Pass; Report B, Ought to Pass

as Amended by Committee Amendment A; Report C, Ought Not to Pass; tabled on May 22 by Senator Wyman of Washington pending acceptance of any report; and on further motion by the same Senator, the bill was retabled and especially assigned for Wednesday next.

The President pro tem laid before the Senate the 4th tabled and today assigned item (S. P. 574) (L. D. 1519) bill, "An Act Relating to a Permit for Processing of Imported Lobster Meat under Bond"; New Draft of (S. P. 481) (L. D. 1333) tabled on May 22 by Senator Wyman of Washington pending assignment for second reading; and on further motion by the same Senator, the bill was retabled and especially assigned for Thursday, June 6.

The President pro tem laid before the Senate the 5th tabled and today assigned item (S. P. 126) (L. D. 443) bill, "An Act Providing for County Industrial and Recreational Development Personnel"; tabled on May 22 by Senator Christie of Aroostook pending adoption of Committee Amendment A; and that Senator yielded to the Senator from Aroostook, Senator Edmunds.

Mr. EDMUNDS of Aroostook: Mr. President, while I cannot say that I favor this particular piece of legislation, I have been standing here in opposition to so many bills, that I am afraid I might be accused of having a complete negative attitude as far as the State of Maine is concerned. Therefore I will at this time move the pending question and we will see what develops in certain other bodies of the legislature.

The PRESIDENT pro tem: Is it the pleasure of the Senate that Committee Amendment A be adopted?

The motion prevailed.

Mr. LOVELL of York: Mr. President I present Senate Amendment A and move its adoption and would like to speak on it briefly.

The PRESIDENT pro tem: The Senator may proceed.

Mr. LOVELL of York: Mr. President and members of the Senate, we have in Maine — about half of the

state is under the area redevelopment act or is considered a distress labor area. In York County for example, the federal government donated \$60,000 and \$15,000 was put up half by the state and half by the county communities for a complete industrial, recreational and economic survey of that county. This is under contract with the Sewell Company in Orono, I believe. Now there are other counties doing just this same thing and in order for Maine to improve industrial and recreational development, when these surveys are finished on a county wide basis — at the present time there is no particular person or body in the county, on a paid basis, to go out and continue to develop the program after this particular survey in York County, which is \$75,000. Consequently the Maine Industrial Development group and other groups have felt that we should have one particular man in each county with the county matching funds with the state to implement this program.

Now Washington County has done that. They have an industrial and recreational development man and Androscoggin has raised funds to do that. Now this bill with amendment A provides for \$20,000 — in other words that would handle two counties, but there are four counties that are very anxious that this pass so that they can take advantage to implement their program after this study with the funds put up by the federal government which is some 75 per cent of the total amount. So consequently this survey in many cases would be filed and of no advantage so this amendment is simply to implement and carry out this program that the federal government is helping us with and I move adoption of Senate Amendment A.

The Secretary read Senate Amendment A (S-163).

Which amendment was adopted and the bill as amended was tomorrow assigned for second reading.

The President laid before the Senate the 6th tabled and today assigned item (SP 426) (LD 1169) Senate Reports from the Commit-

tee on Judiciary on bill, "An Act Relating to Discrimination in Rental Housing"; Majority Report, Ought not to Pass; Minority Report, Ought to Pass; tabled on May 22 by Senator Edmunds of Aroostook pending motion by Senator Farris of Kennebec to accept the Majority Ought Not to Pass Report.

Mr. EDMUNDS of Aroostook: Mr. President and members of the Senate, here again I am not a qualified expert in this particular field, and I hesitate to oppose a Majority Ought not to Pass report from the Committee on Judiciary. My primary concern is that the image of the party which I represent might be irreparably damaged if we fail to pass the legislation encompassed in this particular bill. I would certainly hope that the pending motion to accept the Ought Not to Pass report would not prevail. However, I believe I will leave the debate to people who are far more competent in this particular area than I am myself.

Mr. WHITTAKER of Penobscot: Mr. President, when the vote is taken on the pending motion, I request a division. Ladies and gentlemen of the Senate, this L.D. 1169 is one of the very few pieces of legislation which bears my name as sponsor. As far as I am concerned, it is the number one piece of legislation on the list of those which I have sponsored.

At first glance I felt that it was unfortunate that this matter should come up at an afternoon session just prior to a holiday but second thought convinces me that perhaps circumstances have dictated that we should consider on this eve of Memorial Day, a matter which is of vital significance to the welfare of our nation and of its people. Tomorrow we shall celebrate conflicts which have been waged by citizens of our land so that the freedom of our individual citizens might be preserved. This piece of legislation in its own small way is aimed at this same result.

I should like to suggest to you that the impact of this particular bill is potentially widespread. Our action upon it will have an effect upon the reputation of the majority party in this legislature, although

certainly the subject matter is not a partisan one and should bring forth the support of all representatives of both parties represented in this legislature.

I should like to spend a few moments at this point in indicating to you the strength of the support for this particular legislation. The report of the Judiciary Committee, seven to three, Ought not to pass is very generally unpopular, and I believe that it is unwarranted by the evidence and the testimony which was presented at the public hearing. For well over an hour, the Judiciary Committee heard a series of proponents. No word was spoken against this legislation. There was a room full of proponents representing different races, classes, religious preferences, all of them led by the distinguished educator, President Robert E. L. Strider of Colby College.

This particular legislation has statewide support by the so-called Equal Opportunities Committee which was established especially for the purpose of supporting this type of legislation. I should like to call to your attention the names of some of the persons who have indicated their support of this L.D. 1169.

On this Equal Opportunities Committee, you will find the names of the Most Reverend Daniel J. Feeney, Bishop of the Roman Catholic diocese of the state, you will find on this list the name of the Rt. Rev. Oliver L. Loring, the presiding Bishop of the Episcopal Church of Maine. You will find on this list of supporters in the field of education, such persons as President James S. Coles of Bowdoin College, President C. Worth Howard of Ricker College. Again from the field of religion, you will find it supported by Rabbi David Berent, by Rabbi Boris Gottlieb. In the field of medicine it has the support of Dr. Maurice Ross, Dr. Benjamin Zolov. In the field of law within the state, it has the support of Abraham Rudman, of Sidney Wernick, of Damon Scales among others.

This legislation also has wide spread support among the news-

papers of our state. I could spend considerable time this afternoon reading to you the editorials and other comments which have been made by our newspapers. I shall select just one or two as illustrations. Here is one for example, entitled "No Room for Smugness". Let me read just one paragraph.

"The seven to three vote by the Judiciary Committee of the Legislature against the bill to prohibit discrimination in rental housing was a disappointment. The bill is aimed obviously at guaranteeing decent housing facilities for negro citizens of Maine who even in this land of freedom and so-called tolerance, find it almost impossible to get rents at any price." I am sure most of you read the column of April 6 in the Portland Sunday Telegram written by reporter Len Cohen, entitled, "How Far is Greenwood, Mississippi from Portland?" I shall not quote from that but it is worthy of your reading. Let me quote from newspaper editorials, one other from the Portland Sunday Telegram, February 10th, called "The Unfinished Task":

"Today is international brotherhood week." This was in February. "It is a significant week in any year as a period devoted to emphasizing ways in which people of diverse beliefs and backgrounds can live together in harmony. This year it has special significance because it is also the occasion for commemorating the centennial of the signing of the Emancipation Proclamation. The events reported every day remind us that the task begun in 1863 has not yet been finished. It is a living blot upon the shield of freedom that the liberty and equality invoked by Abraham Lincoln has not yet been fully achieved. To millions of Americans whose skins happen to be dark, the promise of freedom is still an unattainable goal if not a mockery." And there is more in the same vein.

Our newspapers in recent weeks, since the report of the Judiciary Committee have contained many letters written to the editors by the people of our state, expressing

their disappointment in the decision of the committee. Again I quote briefly: "We northerners attempt to pose in lily-white clothes, surround ourselves with haloes and bleat like little animals, pointing our fingers at the south, clucking, whining and decrying the incidents in Mississippi, in Tennessee, in Alabama, in Georgia, in Florida, in North Carolina, in Texas, in Arkansas. We forget that behind our precious facade lies at times the same poisonous disease of wrong color, not wanted. Maine can no longer disregard the old saying, 'As Maine goes, so goes the Nation.' Throughout the nation, legislation has been passed preventing discrimination in housing. It is time we rejoined the United States and recognized our duty as American citizens to extend citizenship and to extend all the privileges of living to our non-Caucasian neighbors." And so it goes.

One other paragraph in a letter to the editors: "Last week the Massachusetts legislature became the 19th state in the Union to pass into law a decent rental housing bill that has become a part of our democratic way of life. Maine, unfortunately, has lagged behind other states in enacting this kind of legislation for the welfare of its citizens. L. D. 1169 gives to those who rent their housing true equality of opportunity to select their residence, subject only to the limitations of their income. It places the state and the authority of the law firmly behind the fight to attain the basic guarantee on which our society was founded, equality of opportunity for all our citizens."

And finally in this category of strong and public support for this legislation you have before you, as distributed this morning, a Resolution adopted by the Congressional Christian Conference of Maine, representing some 250 Congregational churches in the state, who at their annual conference in Portland on May 7th and 8th, issued a Resolve favoring the type of legislation, favoring the principle involved in L. D. 1169.

Here, arriving just yesterday, is a telegram addressed to me:

"Delegates of the annual conference of Maine Methodist Churches, meeting in Rockland May 22-26 wish to express to the Maine State Legislature its support of the legislative document which seeks to eliminate discriminatory practices in rental housing throughout the state. We strongly urge that the bill be passed without delay". It is signed H. Travers Smith, Secretary.

It has been said by those who signed the Majority Ought Not to Pass report on this legislation that it is unnecessary. Let me present to you briefly, evidence to the contrary. I have here before me in my hand a document setting forth the record of a meeting of the Maine Advisory Committee to the United States Civil Rights Commission held in Portland on March 25th. An open meeting to hear complaints concerning the lack of availability of decent rental housing particularly to negroes within our state.

Here are 52 pages of testimony. If I wished to keep you here all afternoon, I would read it to you. But it is here. You can see it if you wish. Testimony indicating that there is a need for this legislation in such places as Portland, Brunswick, Lewiston-Auburn, — let me read to you a letter which you received some time ago from the National Association for the Advancement of Colored People, its Central Maine branch in Auburn. Just one paragraph:

"Our files contain numerous cases of discrimination in rental housing in Maine. The problem is particularly pressing in Portland and the areas around our military installations. Hardship transfers have been requested by negroes because of the successive affrontals they receive when seeking decent housing. This is not the image of Maine that we wish publicized outside the state."

And I want you to know that we have this problem in Bangor which is my home city. We are ashamed of it. We have not been able to solve the problem, but we believe, or at least I believe that this legislation will help us in this regard.

I want to take time enough to read to you one letter which illustrates better than any words I can think of, the problem which we face in Bangor. This is a letter addressed to me by a negro wife of one of the students at Bangor Theological Seminary. She speaks of the time when she and her husband first came to Bangor, when he was at Dow Air Force Base in the armed services of our nation. She says,

"I would like to see legislative document 1169 passed. There is a great need for this bill. When my family and I came to Maine in April 1960 we were refused an apartment because we are negroes. Many landlords told us so. Others made feeble excuses. This meant a separation of our family. My husband and I had to leave my aged mother and ten year old son in another city when they needed us.

"The Dow Air Force base maintains listings that state racial preferences. There were no apartments listed for negroes. Despite all our efforts, answering ads in the paper, going to rentals that displayed vacant signs and making inquiries, despite efforts of friends and interested parties, despite the fact that a sergeant was taken off his regular duties for about two weeks to help us locate housing, despite appeals to local real estate agencies and city officials, we could not locate housing for two months. When we pleaded with our present landlord to give us a place to live, we were requested to ask the white tenant in the building if he minded living next door to a negro. Only after he said, no, did the landlord rent us the apartment.

"The situation has not changed. Negroes are still finding it difficult to obtain housing in the Bangor and nearby areas. Many are forced to accept sub standard housing at very high rates.

"Sirs, I urge you please to pass L. D. 1169."

Now this letter was read at the public hearing before the Judiciary Committee and many other testimonies were given in like vein and yet the committee reported the bill out Ought Not to Pass.

There is one other technical aspect of this bill I want to call to

your attention before I conclude with an exhortation to you. It has been suggested by the opponents of this bill that it violates the rights of the owner of property. Now the bill recognizes a dividing between the private and the public domain. You have read it and you know that there is a provision that the bill shall not apply to a building with not over two dwellings, one of which is occupied by the owner. This is to recognize the fact that in a two-unit dwelling, we may be dealing with the private domain. A man who owns a house should have the inherent right to choose the neighbor who will live with him in that house. But the bill also holds that when the owner of property enters into the business of rental housing by offering for rent units beyond the two family dwelling, that he is entering the realm of the public domain and that he is therefore subject to business legislation, which this is.

Property owners, I suggest, are subject to zoning laws, they are subject to housing codes, why should they not be subject to rental regulations?

Ladies and gentlemen of the Senate, so far this has been a speech. I am going to take just two or three minutes longer to preach a sermon. We are engaged as human beings in a great world wide struggle for racial equality. We know, if we are not blind and deaf, what is happening on the great continent of Africa, not only in the Union of South Africa but among the former colonial peoples of Central and Northern Africa. We know what is happening in our own beloved United States, in Alabama, in Mississippi and in other states. It is high time that we realized what is happening in our own State of Maine.

We live in a glass house and if this bill fails of passage in this legislature, those who vote against it will no longer have the right to throw stones at any other part of this nation, or any other section of this world.

On May 9th, one of the distinguished attorneys of our nation in New York City, William Stringfellow, a leading layman of the

Episcopal Church, spoke in Bangor to the annual meeting of the Bangor-Brewer Council of Churches. I want to quote just a few of his words:

"The great affront to the negro in the north, is that in spite of all the promises of politicians, all the civil rights statutes and judicial decisions, most negroes still are forced to live in segregation in ghettos, separated from the rest of the community." In discussing the racial crisis in the north Mr. Stringfellow told his audience that how the racial crisis in this country is resolved, depends much more on what happens in the great northern cities than what happens in the south." Part of the trouble in the north," he said, "is that white people are governed by a mentality which supposes that the initiative in society remains and should remain in the hands of white people. That mentality must be exercised if there is ever to be real racial peace in northern cities. If that mentality does not die among white people in the north, they will wake one day to find that the initiative has been seized from their hands."

I remind you, ladies and gentlemen, that four out of five of all human beings are colored people. The Creator of all men does not approve so-called white supremacy. The citizens of the United States, and the citizens of Maine have made important progress in equal rights for minorities, in education, in job opportunities, in the arts and sciences, in transient housing accommodations. This being so must we not make equal progress in the area of rental housing which involves the basic human right of establishing a home.

I suggest to you that we have before us in this legislation an opportunity. An opportunity to establish new dignity for this legislature, new dignity for the State of Maine, new dignity for the United States of America and new dignity for ourselves as individuals by granting to minority groups the dignity to be housed among us without discrimination.

Therefore, I ask you, I implore you, to give to this legislation, not

a majority vote but a unanimous vote.

Mr. PIKE of Oxford: Mr. President and members of the Senate, I am a member of the old Puritan Congregational Church. In fact, I have been a deacon since I was a little fellow. I think Dr. Whittaker has preached a pretty good sermon. But I'm not foolish enough not to believe that there are two sides to every question, no matter what it is. I have had lots of letters, from Dr. Strider at Colby and ministers from Portland. I have in my possession a long petition asking me to vote for this. Probably I will, but I am wondering if the Committee on Judiciary didn't have something more to go on than colored people. I would like to ask, through the Chair of Dr. Whittaker, if I am correct. I have heard it stated that back in many of these nice little New England villages, if anybody has offered a house for rent, or for sale, that it doesn't apply only to colored people, or Jewish people, but if the worst racketeer in the country offered to take that place at the price offered, they would have to let it go. I would like Dr. Whittaker to answer that.

The PRESIDENT pro tem: The Senator from Oxford, Senator Pike, poses a question to the Senator from Penobscot, Senator Whittaker, who may answer if he chooses.

Mr. WHITTAKER of Penobscot: Mr. President and members of the Senate, I confess that I based most of my remarks upon the problem involving the negro. Of course this legislation, as you clearly know from reading the bill, deals not specifically with the negro, but deals with persons of any race, color, religious sect, creed, class, denomination, ancestry or national origin. With regard to the specific question asked by the Senator from Oxford, Senator Pike, I believe that there is left within this bill, if it should pass, the option of the landlord to deny rental to any person if he has valid reasons for so doing which are not based upon any of these factors enumerated in the bill. I believe that the example you quoted does not fall within the province of this particular legislation.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate, my sympathy is entirely with the objectives set forth in this bill. Members of my family fought to help free the negro in the south. I am willing if anyone who is of another race or another creed come and ask for rental in one of my apartments, to give him rental if he is otherwise qualified. But I can easily see where an arbitrary bill like this could force the burden of proof on a landlord as to why he refused apartments to someone of another race, if there were some other reason besides the fact that he is of another race.

I am not going to make any motion against this bill. I think its objectives are right and I think it is an ideal we should think about, but I do feel that we should also think that it might pose quite a problem to landlords, in some cases.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, frankly, I am most happy that we are having this debate this afternoon and clearing the Senate calendar of this particular issue.

I want to assure every member of this Senate that the Judiciary Committee which listened to the testimony at the time of public hearing could not help but be moved by some of the problems which were presented particularly by persons of negro origin. This is a matter which probably I have wrestled with to a greater extent in my conscience, and searched my soul before I signed either report. Certainly there is nobody in this legislature who abhors racial discrimination more than do I. It certainly is an unmitigated and intolerable evil in our society and I do not only say this because of study and sitting way up here in the north where we do not have as many problems, but during World War II I had occasion to investigate hundreds of cases of persecution in Germany and in Europe by the Nazis. I had the opportunity to arrest many war criminals. And I have always been active on committees and in organizations which vigorously oppose racial discrimination.

I am an international counsellor in Lions International and that is certainly one of our aims. As a member of the State Executive Committee in the State of Maine YMCA, that is certainly one of our aims, to eliminate intolerance. So I think that my personal background qualifies me to sit in judgment as it were, as a member of the Judiciary Committee.

I have been very much disturbed by the articles, particularly editorials, which have appeared in the Press, and this is particularly in Portland papers. You heard the good Senator from Penobscot, Senator Whittaker, read excerpts from editorials, "No Room for Smugness," "Barring Race Bias in Housing will Help Brighten Maine Image" and the editorial writer in stating that this was a seven to three vote from the Committee on Judiciary, states, "Unfortunately, the majority report was not honest enough to state the real reason for its rejection" and in the previous editorial, "No Room for Smugness," it stated that "the argument advanced in debate was that such a law is not needed in Maine." Now to my knowledge, nobody on the Committee on Judiciary has said that there is no necessity for legislation but we have taken a stand as a majority that there is no necessity for this particular bill. We do recognize that there is a problem and we do have a suggested solution.

Now I have also talked with many, many people of the so-called minority groups. And please believe me when I tell you that many of them as individuals do not feel that this is the type of legislation which should be enacted in Maine or anywhere else. As a matter of fact, what is causing the great problem in the south today? It is laws. Laws that create a barrier and create issues where there is a direct confrontation between two opposing peoples. Now I certainly cannot go along blithely — and this would be the easier thing to do, believe me — with the people who say, "Well, I will vote for this bill because it cannot be enforced." That is no solution. We would be

begging the issue. We would be being hypocritical.

Neither can I become too much concerned as to the statements that have been made that we will hurt our public image. I do not believe that any member of the Senate is going to hurt his public image in the State of Maine, and I do not believe that anyone else is particularly concerned about the public image of the State of Maine. We have heard those terms used and we have heard them used too much in the past few years. And we have seen that the more that has been done, if our public image was low two years ago, I can only say that as a nation it is certainly underground today throughout the entire world.

Now, this is the first time that any reason to my knowledge has been assigned publicly for the report of the Committee on Judiciary, and reason is the entire key to our opinion. Because reason dictates that enactment of this measure would create a greater injustice than any benefit to be derived. It has been mentioned that tomorrow is Memorial Day, and it is just as fitting to present this viewpoint on this eve of Memorial Day that this bill strikes at the very heart of the principle that all of us cherish, and that is the principle of liberty. Embraced in that, of course, is the freedom of private contract. True, liberty can only exist where man is privileged to enjoy and exercise his personal right of contract, and we contend, the majority on the Committee on Judiciary, that this proposal is a destruction of the rights of the individual and a destruction of those rights regardless of race, color, creed, or national origin, because this is a two way street.

We feel that this legislation substitutes expediency for liberty. Now this is a model bill which has been proposed in about fifty states and being made applicable in many states to multiple rental housing. For example, in Massachusetts unless there was a radical change yesterday, it applied to ten or more units. And the Massachusetts Court passed upon this issue in 1962 and the Court intentionally avoided making a decision upon

the issue of whether or not such legislation would be unconstitutional if it dealt in private rental housing or casual sales. No question it would be constitutional where public accommodations are concerned. And when anyone says that the State of Maine has lagged behind, I would like to point out that Maine has been one of the forerunners in enacting legislation to protect minorities in public accommodations, retail stores, theatres. We in Maine have certainly been mindful of our obligation to protect the rights of the so-called minorities in the field and areas of public housing and employment practices. So we have not lagged behind. I think we are up with the times, but I do feel it would be a great injustice to the citizens of the State of Maine to pass a law which does impair freedom of contract, the freedom of the individual to make a contract.

Now our distinguished colleague, Dr. Whittaker has mentioned the exemption in this bill, that it would not apply to a rental unit of less than two units providing that the owner of the building occupied one of the units. But I am certainly ready to prove my sincerity that I am opposed to discrimination, that I am opposed to intolerance because if this legislature or this Senate does adopt the principle that we should extend anti-discrimination legislation into the field of private housing, then I would offer an amendment and be the first to speak on its behalf, that we do eliminate discrimination in its entirety. It certainly is discriminatory if a person who has two units has a right to select his tenant regardless of what reason he wishes to assign, and to say that a man or woman who owns three units in their home cannot so do.

The proposed amendment which I note was passed around this morning proposing to raise this from two to six I submit is loaded with hypocrisy. That I would not support, and if we are to have anti-discrimination legislation in the field of housing, I say that it should be for every private rent available. Because here in the State of Maine we do not have the large metropol-

itan areas where you have large apartment houses. Most of our units are small units, two and three and four units in private homes.

I certainly would be the first to admit that there are problems in this great country and I certainly want to again make it clear that I do not stand in opposition to any minority because of race, color, or creed. As a matter of fact, I can recall on a college campus not far from the halls of this legislature, where a young man, a negro, was left alone at Christmas vacation in his dormitory room. I and another friend of mine heard about it and went and invited him to spend his holidays in our homes. And I think that I echo the sentiments and feeling of every member of the Committee on Judiciary who signed the Majority Ought Not to Pass Report.

This bill is proposed under the guise of civil rights. But it is not true. This isn't a civil rights bill. A civil right is a public right such as we have in voting, public accommodation and so forth, as previously mentioned. And I support legislation, as the Governor said the other day he has always supported legislation of that type and so have I, but this is the first time we have had legislation of this nature presented to us in any legislature to my knowledge. And I will support and continue to support the rights of the so-called minorities in all the areas, except I reserve the right to reject, as a personal opinion at least, the invasion of private rights by anyone or by any legislation.

There is a solution. And you know, it is pretty easy for proponents to come in here, giving a lot of thought to this measure before they decide which way they are going to go. It is always easy to be against sin and for tolerance. But I submit that the proponents of this type of legislation are actually being intolerant and they are disregarding the private property rights of other individuals. I believe it has been said that the Devil loves nothing better than the intolerance of reformers, and I feel that too often — and I certainly exclude in these remarks,

anyone who is in this legislature — but generally speaking, as a proposition throughout our United States, it has appeared to me, time and time again that the so-called reformers have exercised a much more intolerant attitude than have those who stand up and are willing to be counted on the battle for the maintenance of private rights.

Now there is a solution. There really is only one solution and it is not the enactment of a law. You heard the Senator from Penobscot, Senator Whittaker, mention some very outstanding names on a 1963 list of a committee known as Equal Opportunities Committee. You heard him mention many lay leaders in the churches, many of the clergy, ecclesiastical leaders, professional men, the Bishop of the Roman Catholic Diocese, the Bishop of the Episcopal Diocese, leaders in the Methodist and the Congregational Church, and I think probably the leaders of any church, if asked, "Are you against discrimination?" of course would say Yes, as would you or would I.

But with this vast amount of talent that is available right here in the State of Maine, saying "There ought to be a law" is not a solution to this problem, because the letter of the law could well destroy it. But by educating people and teaching understanding and tolerance, a committee such as this Equal Opportunities Committee could do much more good in creating a spiritual atmosphere which would find these people desirous of rents, located in neighborhoods where harmony and accord would be a way of life. And if this committee were to organize and to call itself A Committee to Obtain Rental Housing then they would be accomplishing something specific and something concrete. I cannot imagine if any of us were in the parish of the Senator from Penobscot, Dr. Whittaker, and he came to us and we had a rental unit, that we could say no, we were not willing to rent to any person because of race, color or creed.

If we are to progress in this nation, if we are to have a proper atmosphere even in the State of Maine, I submit that such a spirit as this should be nurtured and cer-

tainly we should not encourage compulsion. We should not put through legislation which creates an atmosphere of compulsion because there is nothing which is more greatly abhorred by Americans than compulsion to do something where their own private personal rights are affected. Such a spirit would be nurtured if we were to enact such legislation as this.

Whereas if this same committee were to work actively in obtaining rental housing, we would then be fostering true tolerance, educating our peoples on the importance of tolerance, and also at the same time, which is of great importance, locating, actually locating, rental units for these unfortunate people who are being denied rental units because of their race, color or creed.

Recognizing that this is a state problem, this matter of rental housing, it certainly is a public problem and it would be unwise for us as legislators to dictate to the private individual whom he is to select as the tenant upon his property. Rather we should meet this as a public issue and support the matter of housing with adequate public funds and I certainly would be the first to vote for such a measure in areas where the need has been demonstrated.

In conclusion I merely say this, that if we are to accept the philosophy and adopt the principle that anti-discrimination legislation should be invoked in private housing, then let us remove the exemptions. Let us not be hypocritical, let us be honest. If we want to have a bill that is not discriminatory, let us remove the exemptions once this measure is adopted, if that is your desire. But I certainly feel that as one member of the Committee on Judiciary, I have pinpointed some of our reasons for reporting this bill as ought not to pass, and I certainly would resent any innuendoes or accusations that any member of the Committee on Judiciary is intolerant and not fully aware of the problems of his fellow man here in the State of Maine. We feel that this is a bad bill and that it will create a more intolerable situation than now exists and so for that reason I re-

spectfully urge that you support the Majority Ought Not to Pass report, and when the vote is taken, I request a division.

Mr. HINDS of Cumberland: Mr. President, ladies and gentlemen of the Senate, I would like to add just one or two remarks to what has been said here today in regard to this bill.

First of all, I endorse one hundred percent, the remarks made by the good Senator from Penobscot, Senator Whittaker. I think, perhaps, if members of this Senate could live in the greater Portland area as I do and have all my life, and know and have had many cases brought to me about discrimination, that perhaps you would feel differently about this bill.

More recently, a case has just been brought to my attention whereby a colored family moved into the greater Portland area, and while looking for housing were talking on the telephone to a landlord about a home, and seemed to have the thing pretty well solved as long as when they came and looked at the home that it suited them. They arrived, the husband and the two children at the front door of the landlord's home. The landlord opened the door, looked at them and said, "Oh, you didn't sound colored on the telephone." That was the end of that. There was no apartment for these people.

This goes on every day in the greater Portland area. Perhaps it is because we have more colored people in that area than in other parts of the state. I don't know. According to our national census, it shows this. But I would like to endorse Senator Whittaker's remarks, and I would like to say that I think any landlord could refuse under this bill any undesirable person for some other reason than race, creed or color.

Mr. CAMPBELL of Kennebec: Mr. President and members of the Senate, I was put on the Judiciary Committee as a lawyer, and so I have to speak here as a lawyer. I can't preach a sermon, I am not a renter of property. I can only tell you what my reaction to this bill is as a lawyer and why I signed the Ought Not to Pass report.

As always, I like to get down to fundamentals. I like to be sure that everybody in the Senate knows exactly what the bill is before them and what we are actually talking about. L. D. 1169 is a four paragraph bill, the second paragraph only of which is a new law. In other words, we have had on the statute for a number of years, a bill designed to prevent discrimination in the matter of public entertainment, public eating places and that sort of thing. So that is not part of the bill, it is all part of the present law. It is only the second paragraph that we are talking about today and the second paragraph provides in effect that there shall be no discrimination because of race, creed or color, in the matter of the renting of houses.

Now we have heard talk here today of the laws in nineteen states and I want to tell you right at the outset, that the laws in the other states are not similar to the one that we are talking about here. They are basically designed to regulate the matter of commercial housing. I am talking about multiple dwelling houses. This bill is talking about your house and my house. And if for example, this summer I should decide that I didn't want to go to the lake and I wanted to rent my camp, this bill requires that I rent it to whomever wants it. Or perhaps I should put it in reverse. This would deny to me or deny to you the right to rent your camp to anybody because of race, creed, or color.

Now I am not saying there is anything wrong with that, but I want you to understand that we are not talking about apartment houses necessarily. We are talking about your house and mine and the same thing would be true in the winter. If I decided that I wanted to live in the Augusta House some winter, and I wanted to rent my house, and if a colored person came to rent that house and I decided that I didn't want them, I could be in serious trouble if this sort of law passed.

Now I say to you that this is only a matter of anti-discrimination by degrees. It isn't really a complete anti-discrimination bill. It has a built-in weakness to it that

the speakers have already acknowledged here and that is that this law would not apply if you had a two tenement house and you wanted to live in one. In that case, if a colored person wanted to live in the other part of the House, you would have a perfect right to say, "No, I don't want to have a colored tenant in the house where I am going to live." However, if that same person had two houses, if he lived in one and he had a two tenement house next door or a single tenement house, he would not have the freedom of choice.

Now, I have been a team player at this session, and I plan to be and I will be after the vote is taken here, and I must say I don't particularly care how this comes out. I am going to tell you how I feel and I am going to vote against the bill. I am going to be a team player from here on so if this turns out to be an administration measure, let it be. I can't help that. I cannot sit here and get excited about this being a party measure or about a public image to be created, because it seems to me it is much more important that we recognize the rights of the individual. You do have two principles involved here. One is the right of people not to be discriminated against. The other is the right to enjoy the free use of their property, subject only to those regulations that can be justified in the public good.

Now we have examples of that as you well know. If you live in a compact area, this state or the city can prescribe perhaps the kind of plumbing you should have, the kind of roof you have, and that is because you live in close proximity to other houses. On the other hand, if that house is in the outskirts, in a rural area, there is no state that has the right to tell you what sort of roof you should have on your house because it doesn't serve any public purpose.

And so the point that I want to make today is that the majority at least of the Judiciary Committee, after hearing the evidence, definitely did not feel that there was demonstrated the existence of those conditions that would legally justify the passage of this kind of law.

Now we were told that it would be a good thing to do it now before the problem arises. True that there wasn't perhaps the problem now but that soon it would exist. One of the letters that I received contains this statement, "It is self-evident where members of different race, color, religious sect, creed, class, ancestry or other national origin reside, there is the possibility of discrimination. In order to ward off this possibility, it is of paramount importance that the legislature consider this document 1169 and enact it into the laws of the State of Maine." I say again that I can only tell you how I feel about this as a lawyer. I say that you cannot legally pass something because of the possibility of a problem that doesn't now exist. It isn't enough that there may be a problem and you can only do it if you can establish to the satisfaction of the court, in the last analysis that there are circumstances that require this kind of legislation.

Now, what are they? There is no indication in the State of Maine that the peace, health, safety and general welfare of the state and its inhabitants are threatened today. Now there probably is discrimination in housing. I haven't any doubt of that and I can well imagine that there are many colored people who would like to live in certain areas in certain towns and cities who are unable to get houses to live in. That is unfortunate. But there is no showing that those same people aren't able to get adequate housing. There is no indication so far as our committee is concerned, that they have been forced to live in ghettos. The word used was "ghettos." Now where in Maine do we have any concentration of colored people who have to live in ghettos in these circumscribed sections? Where they have sub-standard, unhealthy, unsanitary, crowded living conditions. And I am telling you that these are the elements that you have got to have before you can restrict the individuals rights to use their property as they may wish.

There has been no indication that these conditions exist in Maine. There has been no increase in mor-

ality in colored people, or morbidity. That is a word that we came to know through the Senator from Cumberland, Senator Porteous. There has been no evidence of fire, no evidence of any intergroup tension, no evidence of any loss of tax revenue or other evils. Now, I say as a lawyer, these are the things I have to look for, because I am dedicated to the protection of the rights of the individual and until I can be shown that conditions exist in the State of Maine to justify the taking away of these rights, I simply cannot support a bill of this sort.

Mention has been made of lack of penalty provision and as my brother, Farris, has said, it certainly is no answer that this law will not be enforced. "We should pass it; it will look good on the books." I cannot go along with that and I point out to you that there is no penalty provision here. There is nothing in this bill that proposes to do anything to anybody if they do see fit to discriminate. I say in fairness, we ought to have had a bill presented here with a penalty provision. Let's see how this is going to be administered and then let us decide whether we want to go this far.

Now in the City of New York, there undoubtedly was a problem, and I feel very certain that some of the conditions that I have enumerated here undoubtedly existed to justify in that city the passage of a bill which would require that there be no discrimination in the matter of commercial, multiple dwelling housing. But in the New York City Law, there is provision for a commission, and outlined in the law are the steps by which people who have been discriminated against can make complaint. Provision is made for hearings. Provision is made for appeal to the courts. I say if we are going to do this, let's do it right and let's not pass something because it is supposed to create a good public image.

Now we have been told that there are nineteen states that have this law. Do you know what states have it? Can you name them? Has the public image of any state to your personal knowledge been improved

by the passage of this kind of legislation? Where is anybody going to know about this except the State of Maine if we pass it? Massachusetts is one of the states and yet you remember last summer when the Freedom Riders came to Cape Cod, they had a problem, and apparently this law did not solve that problem for them. I am sure I am going to repeat something that has been said before and I am equally sure that when I sit down I am going to think of a half dozen things I meant to say that I will have forgotten, but I think you should realize that the laws in the other states that we are being compared with here, do concern commercial housing, the question of renting property in large scale and it is not true in the other states that they are regulating your right and my right in the matter of what we want to do with our own property.

If there was public money involved, there would be no doubt but that this sort of law could be passed. It would stand the measure of the courts. There is no question about that.

But there isn't any public money involved here. I am sure I don't have to tell you that I subscribe to tolerance. That is the nice thing about being a member of this Senate, you are entitled to your views, and I know when I sit down, there isn't any one of you that will feel that because I am more concerned about the rights of the individual, that I am a crackpot. I do think tolerance is a good trait. I think we all should practice it, and I think religious training is good. I think if there was a law that provided that every member of the Senate or every citizen of the State of Maine should go to church on Sunday, I think it would probably be a better place to live in, but I don't think that you folks want to pass any such law as that.

It seems to me tolerance is a matter of education and if President Strider and the other good people, and certainly they are who have signed up favoring tolerance, if they want to preach it and try to create public acceptance to the view, more power to them, and I will be the first to join. But I do

not think that the end necessarily justifies the means, and I certainly don't think it does in this case.

So that you won't get the impression that all of the articles in the paper were directed against the Judiciary Committee and the stand that they take, I would like to read in part, and perhaps I had better read all of an editorial that appeared in the Portland Evening Express on May 18. It is quite current.

"Everyone has his own private list of pet peeves. The subjects range from the vital to the inconsequential, from petty annoyances to serious issues which provoke deep emotion. One of the latter high on my own list is discrimination.

"Discrimination makes me sick. Not only the extremist brutality of discrimination Southern style, but also the more genteel home style practiced right here in Portland, or in any other Yankee city you care to examine.

"Everyone gets stirred up about the major battles in the war against prejudice. The crying shame is that so many condemn the backward bigots of Dixie while perpetuating the evil right here in the North. They become so disturbed by the war that they lose sight of the skirmish. They may not even be aware they're a party to it.

"Discrimination has to be taught, we say. Therefore we lay our hope in the generations of tomorrow and tomorrow. Yet we go on teaching by unguarded expressions and habits which reflect tainted instincts.

"I jewed him down,' a man making a tarnished verb of an honorable noun and using it to indicate sharp trading practices. How anyone who grew up in this homeland of the Yankee trader can ever be critical of another's trading practices is a mystery to me.

"Riding the elevator to my office one day I was shocked to hear a supposedly intelligent craftsman address a negro employee in our building as 'Sambo.' The black man's dignity matched the white man's ignorance. I just didn't believe that sort of vulgarity existed any more, not here.

"What brings this on? Legislative Document No. 1169, an act relating

to discrimination in rental housing. It's the bill getting such resounding support from ministerial associations and other groups these days. It would make it unlawful for any landlord to discriminate against a prospective tenant because of 'race, color, religious sect, creed, class, denomination, ancestry or national origin, except that this provision shall not apply to a building with not over two dwellings, one of which is occupied by the owner.'

"I guess if you own the two-family house you live in you can discriminate for any reason you choose.

"Anyhow, I'm not sold on the bill. I loathe discrimination, but I don't like the bill. It's unpopular to be against anything that's anti-discrimination these days, but I'm anti-discrimination and I'm opposed to the bill.

"I think a man who owns a house should be the sole judge of the qualifications of his tenants. I think a landlord has a right to reject an applicant for tenancy because he's Jewish or Catholic yellow white; because he has children or dogs; because he parts his hair in the middle, sports red neckties, or because his wife wears toreador pants.

"I deplore such narrow-minded attitude in a landlord, but I cannot say he hasn't a right to that attitude so long as it's his house. And I can't change that attitude with legislation.

"I don't believe a Negro wants to live in a house where he's unwelcome although the law says the owner can't refuse him tenancy. I suspect a Negro landlord might resent the fact that he was denied the privilege of reserving his rental property for others of his own race.

"Racial discrimination in the North can't be hidden under a blanket of legislation any more than it can be concealed under a white sheet in the South. But it needs to be eliminated, not regulated.

"Prejudice is an internal affliction and legislation is not an emetic that will rid a victim of racial poison. Man is not going to be forced into respect for his fellow beings. He must accept human beings for themselves. And this must come from within. Until the landlord ac-

cepts his tenants without a thought as to their race or religion we won't have true equality among men."

Mr. STITHAM of Somerset: Mr. President and members of the Senate: I won't be as long as the others have been, I hope, and I know you all hope the same thing.

I believe that the good Senator from Kennebec, Senator Campbell, perhaps forgot that this particular bill is an amendment to an existing statute and that the existing statute does carry a criminal penalty for violation and I believe the penalty is a \$100 fine plus 30 days jail for the first offense; for the second offense it is a fine of \$500, and I presume that there is also a jail sentence on that. I am sure that was overlooked by the good Senator and I did want to bring it to your attention.

I think the two senators from Kennebec, Senator Campbell and Senator Farris, have given you a fair, impartial discussion of this particular matter, I think their thinking is right, and from a legal standpoint I certainly can see a great many complications that may arise if we should pass this particular bill.

I spent about six years in the District of Columbia, I spent nearly a year in Chatanooga, Tennessee, and I spent about half a year outside of Macon, Georgia, in the service. I have seen these racial matters when they have become mob violence, and I abhor, as the two Senators from Kennebec have told you they abhor, discrimination of any kind, but I would just like to give you two examples of what might happen if this bill were to be enacted. I think they are good examples.

One example is: that Mrs. Stitham has a house which is next to the house in which we live. That particular house was fitted up while Mrs. Stitham was with me in service and we were stationed around in different parts of the country, it was fitted up by her parents and it was fitted up very well, and I will say that is one of the nicer small houses that there is in our village. For sentimental reasons, we do not want to part with it. We like good tenants, and we have had

one tenant for twenty years that just recently, this past winter, for reasons of health, moved to an apartment in Waterville. We have had the house fixed up, papered and painted, and it is in good condition. We have a new hospital in town, we have been trying to get new doctors in town, and one of our local doctors said, "We have an opportunity to get what we consider a very good new doctor to come into town and I would appreciate it if you would give him consideration for having that particular house because we feel that is what would be desirable for him." We have had probably better than fifty applications to rent that particular house, and I will say we have had half as many opportunities to dispose of it. Mrs. Stitham went along with the doctor. We have told everyone that came that if the doctor wanted it we wanted him to have it, and he did come with his wife and their child, they are happy with it and they are planning to move in.

Now there is the statement of a proposition. If one of the fifty applicants that Mrs. Stitham had to rent that house had happened to be a colored person or a member of another creed, denomination or what have you and having lived in places where I know they would tag onto anything — Mrs. Stitham could have been complained against in a criminal court. She would have had to have gone into court, and proved to the court the reason why she chose to have the doctor come rather than a colored person or someone else.

Another illustration: We have a very nice small apartment house in our town which is owned by a very lovely lady. There are probably eight apartments in this apartment house and for years it has been a place where elderly ladies, widows and so forth could stay. The small apartments were very desirable. There again, if a colored person applied for a vacancy in that particular house and had been refused I am very sure that from an emotional standpoint the NCAA and other groups would probably come in, make a complaint, and it is entirely possible that she might have been

fined and it is possible she could have been jailed for not having accepted them, and yet for years the type of tenants that she has there are elderly people and people who will get along with each other. That is a private right, she owns the apartment house, there is no public money in it, and I say that not only do colored people and other groups have their rights, but I say that each and every one of us have certain rights, although I will grant that little by little they are being taken away.

Mr. BOARDMAN of Washington: Mr. President and ladies and gentlemen of the Senate: For the benefit of those of you who were wondering whether or not I was still on the Judiciary Committee, I will say I am, I am the third member. I happened to be one who signed the minority report so far as this particular bill is concerned. Now I will state that I, of course, signed this bill at the same time the others did, which was before any newspaper articles came out, so therefore I could not be influenced in any way so far as these articles are concerned.

Now as far as I am concerned, I thoroughly believe that in this country we should practice what we preach, and this is the basis on which I went along so far as this bill is concerned. Now I recognize the fact there will be some problems as far as the law is concerned, however I felt there was a need and I will remain standing in favor of this particular bill.

Mr. WHITAKER of Penobscot: Mr. President and members of the Senate: I take advantage of our privilege to speak twice on this measure. I will be brief.

It is with some temerity I enter into rebuttal against my colleagues, the good Senators from Kennebec, Senator Campbell and Senator Farris. Since I am a layman in the matter of the law, I could wish that the good Senator from Somerset, Senator Stitham, might have given me the privilege of pointing out that there is a penalty provision with regard to this bill, Chapter 137, Section 50, the third paragraph of which does provide the penalty.

The good Senator from Kennebec, Senator Campbell, if I may answer in reverse order, suggested that we are faced here with a situation which is a possibility; he seems to suggest that there is not need for this legislation because certain factors are not now present. I believe, if you listened to me earlier, I presented enough information to suggest that we are dealing here with a fact of discrimination and not with a possibility. I could, if I thought it would help any, read the fifty-two pages of the testimony given in Portland to this effect. And I should also say to the Senator from Kennebec, Senator Campbell, that whenever he is in the Bangor area I shall be very happy to show him what will qualify as a ghetto. These situations do exist in the State of Maine.

I think it is unfortunate, and I bring this fact before you only so that you may perhaps understand one reason why Senator Campbell may not be aware of all of the situations involved here. I think it was unfortunate that the time of the public hearing Senator Campbell was not able to be present because of his duties on the Appropriations Committee, therefore he did not hear the testimony of citizens of our state concerning the facts of discrimination among us.

Now much has been made here of the distinction between private property and public property. This bill has to do with rental housing and not private housing. While I am no lawyer, I would still maintain that there must be a dividing line between the private domain and the public domain. The bill recognizes this dividing line as between two and three units. Now perhaps it should be placed somewhere else, but there are rights involved on both sides.

Our good friends in the legal profession have, during this debate, sought to protect the rights of the landlord, of the owner of property, but there are rights on the other side which need to be protected also, and these are the rights, in my opinion, which are the majority rights, the most significant rights involved so far as this legislation is concerned.

I repeat, that if a person owning housing wishes to enter the business field by offering that housing for rent the owner should become subject to business legislation, which this is, in essence.

Just one other factor. I want to thank the good Senator from Kennebec, Senator Farris, for the confidence which he places in the churches and educational institutions. He suggests that this problem, which he admits is a problem, should be settled not by legislation but by education, by moral suasion, if you will. This suggests what has become a cliché among us, that you cannot legislate morality. This simply is not true. The whole history of our nation, the whole history of civilized peoples indicated that morality has been and is continually being legislated. I wish it were true, but we who are leaders in the churches — and may I say all of you who are in any way affiliated with religious organizations, I wish it were true that the clergy and the laymen alike were able to bring to pass the kind of situation wherein the liberty of all men is protected by education and by moral suasion. But we know this is not possible. That is why we have laws and lawyers. If we were to follow the suggestion of Senator Farris of Kennebec there would be need for no laws whatsoever and we might just as well throw our lawbooks away if we as human beings are capable of bringing to pass the good society by education and by moral suasion. We do legislate against injustices in our society, and there is no reason why we should not legislate against the injustice about which we are speaking this afternoon.

Now there are many other things that need to be said, but when the vote is taken on this matter I suggest that our vote will indicate whether or not we are going to be persuaded by the exceptional cases such as that quoted by the Senator from Somerset, Senator Stitham; whether we are going to be persuaded by the exceptional cases involving seasonal housing. This can be taken care of by amendment. When we vote we will indicate whether we are really interested in doing something about a problem

which has had altogether too much talk here and in other places through the years. It is all very well to talk about religion and religious influence in general, or reforming and reformers in general, but when we come down to the hard facts of the case, when we come to a specific, it is very difficult for us to take the necessary action. We are dealing here with a specific situation, a fact which demands remedy, and it demands remedy in our own State of Maine. We cannot effect that remedy by following the example of the states where rental housing is involved in a commercial way. We are dealing here in the State of Maine with rental housing involving small units. So when you vote, ask yourselves whether you will protect so-called rights of the landlord or whether you will protect the rights of those fellow-citizens of ours who, through no fault of their own, who only because they belong to another race or another religious group, or another class of society, are denied the right to have a home among us.

Mr. CAMPBELL of Kennebec: Mr. President, I do not want to prolong this. I want to readily concede that I had not checked the statute and there is a criminal penalty, and so I say again: I think you should make your decision in the light of what can happen to you or me if you do violate this law.

Senator Whittaker says I was not at the hearing. I was there. You will have to decide whether you want to believe him or believe me. I came late and I did not hear it all but I heard a very good part of it.

I do think that the amendment, which is apparently in the offing here to be presented if this bill is accepted strengthens materially the position that the Senator from Kennebec, Senator Farris and I have taken. Already, now there has been some indication that this bill might pass, here is one senator and perhaps some group that he is interested in who does not want to be restricted below the number of six. He is perfectly willing to have an anti-discrimination statute as long as we limit it to dwellings of

six tenements or more. It does seem to me though that the bill we are talking about is still talking about the single dwelling house, your house and mine, and we are no longer talking about the commercial area, we are talking about the private home area.

The PRESIDENT pro tem: The question before the Senate is the motion of the Senator from Kennebec, Senator Farris, to accept the Majority Ought Not to Pass report.

A division of the Senate was had.

Eight having voted in the affirmative and eighteen opposed, the motion did not prevail.

Thereupon, the Ought to Pass report was accepted, the bill read once and tomorrow assigned for second reading.

The President pro tem laid before the Senate the 7th tabled and today assigned item (H. P. 54) (L. D. 758) Bill, "An Act Amending the Charter of the City of Portland Concerning Election Districts"; tabled on May 23 by Senator Whittaker of Penobscot pending passage to be engrossed.

Mr. WHITTAKER of Penobscot: Mr. President and members of the Senate: I am not sure I am prepared to change gears here so quickly but I will do my best.

May I explain that this item was recalled, after having been engrossed, at the request of leadership. I am sure that those of you who have been in the legislature before, as I have not, realize that near the end of the session there are matters which come before us which need further consideration. This is the case with regard to this present legislation. They are technical amendments needed by the cities of Portland, Bangor and Biddeford with regard to some of their local laws which need to be cared for this year.

Mr. President, I present Senate Amendment "A" which is reproduced as L. D. 1578, not as an amendment in your books but as a legislative document. I present Senate Amendment A to L. D. 1578, which changes the title to "An Act Relating to Election Districts in the City of Portland and Urban Renew-

al in Portland and Bangor and Clarifying Borrowing Capacity of the City of Biddeford," and move its adoption.

The PRESIDENT pro tem: The question before the Senate is the motion of the Senator from Penobscot, Senator Whittaker to adopt Senate Amendment A.

Mr. REED of Sagadahoc: Mr. President, I would like to table this until Tuesday next.

Mr. WHITTAKER of Penobscot: Mr. President, may I debate the time of the tabling motion?

Thereupon, Mr. Reed of Sagadahoc was granted permission to withdraw his motion.

Mr. WHITTAKER of Penobscot: Mr. President, I move that the bill be tabled until one week from Thursday. I shall not be here on Tuesday.

The motion prevailed and the bill was tabled pending Mr. Whittaker's motion to adopt Senate Amendment A, and the bill was especially assigned for Thursday, June 6.

The President laid before the Senate, the 8th tabled and unassigned item (H. P. 1077) (L. D. 1544) Bill, "An Act Relating to Apportionment to Municipalities of Tax on Telephone and Telegraph Companies"; tabled on May 23 by Senator Brooks of Cumberland pending passage to be engrossed.

Mr. EDMUNDS of Aroostook: Mr. President, I rise to make a parliamentary inquiry. In the absence of the Senator from Cumberland, Senator Brooks, is it permissible for me to submit an amendment on his behalf and with his name on it?

The PRESIDENT: The Senate will be at ease.

At Ease

Mr. Edmunds of Aroostook presented Senate Amendment A and moved its adoption. Senate Amendment "A" was read and adopted and the bill was passed to be engrossed as amended.

The President pro tem laid before the Senate the 9th tabled and today assigned item (H. P. 963) (L. D. 1402) House Report, Ought Not to Pass from the Committee on Appropriations and Financial Affairs on

Bill, "An Act to Authorize the Issuance of Bonds in the Amount of One Million Two Hundred Fifty Thousand Dollars on Behalf of the State for the Purpose of Relocating the Boys Training Center at Quoddy Village"; tabled on May 23 by Senator Boardman of Washington pending acceptance of the report; and on further motion by that Senator, the bill was tabled for one week from today.

The President pro tem laid before the Senate the 10th tabled and today assigned item (H. P. 603) (L. D. 838) House Reports from the Committee on Municipal Affairs on Bill, "An Act to Grant a Council Manager Charter to the City of Lewiston"; Report A, Ought Not to Pass; Report B, Ought to Pass in New Draft under title of "An Act Providing for a New Charter for the City of Lewiston" (H. P. 1087) (L. D. 1559) Report C, Ought to Pass with Committee Amendment A; tabled on May 23 by Senator Jacques of Androscoggin pending acceptance of any report; and on further motion by the same Senator, the bill and reports were tabled until Wednesday next.

The President pro tem laid before the Senate the 11th tabled and today assigned item (H. P. 85) (L. D. 129) House Report, Ought to Pass as Amended by Committee Amendment A, from the Committee on Appropriations and Financial Affairs on Bill, "An Act Appropriating Moneys to Provide for Night Pay Differentials for State Employees"; tabled on May 24 by Senator Campbell of Kennebec pending acceptance of the report; and on further motion by the same Senator, the Ought to Pass as amended report was accepted, the bill read once; Committee Amendment A read and adopted, and the bill as amended was tomorrow assigned for second reading.

The President laid before the Senate the 12th tabled and today assigned item (H. P. 18) (L. D. 43) Bill, "An Act Appropriating Funds to Aid in Dredging the Kennebunk River Harbor"; tabled on May 24 by Senator Philbrick of

Penobscot pending enactment; and on motion by Mr. Edmunds of Aroostook, the bill was placed on the Special Appropriations Table pending enactment.

The President pro tem laid before the Senate the 13th tabled and today assigned item (S. P. 598) (L. D. 1565) Bill, "An Act Relating to Minimum Number of School Days in Public Schools"; tabled on May 27 by Senator Edmunds of Aroostook pending enactment; and on further motion by that Senator, the bill was retabled and especially assigned for Monday, June 3.

The President pro tem laid before the Senate the 14th tabled and today assigned item (S. P. 609) (L. D. 1575) Bill, "An Act Relating to Salaries of County Officials and Municipal Court Judges and Recorders"; tabled on May 28 by Senator Jacques of Androscoggin pending passage to be engrossed; and on further motion by that Senator, the bill was retabled and especially assigned for Wednesday next.

The President pro tem laid before the Senate the 15th tabled and today assigned item (H. P. 689) (L. D. 945) Bill, "An Act Relating to County Taxes in Places not Incorporated"; tabled on May 28 by Senator Whittaker of Penobscot pending motion by Senator Wyman of Washington to indefinitely postpone Senate Amendment A.

Mr. WHITTAKER of Penobscot: Mr. President and members of the Senate: I tabled this item yesterday so that I might study the matter, and I have discovered that this bill started out to be "An Act Relating to County Taxes in Places not Incorporated," and then became a bill relating to county taxes, and under the amendment became not only that but a special consideration for Cumberland County. It is my impression that this is special legislation and for that particular reason I wish to support the motion to indefinitely postpone. I move the pending question.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate: When it comes time to talk about germaneness of something, I think this is really stretching a point for the Senator from Penobscot, Senator Whittaker to object to this par-

ticular vehicle. There was no other way to get it in. We pointed out in perfectly adequate debate — it may be noted that this is in humor — that he has attached certain of his interests to the coat-tails of one of ours, so I would ask for a division on this motion to indefinitely postpone.

Mr. WHITTAKER of Penobscot: Mr. President, may I defend myself by saying that in regard to the other bill it so happened that I was the only senator in the chamber late one afternoon when it was necessary to rescue that bill. I had no personal interest in it and was simply acting as an agent of the leadership.

Mr. FERGUSON of Oxford: Mr. President and members of the Senate: I rise in support of the motion of the Senator from Washington, Senator Wyman. I think this is very poor legislation, and I think if we let this particular amendment go through we are really missing the boat. You know that we have 494 organized municipalities in the State of Maine and you are picking one out for the Bureau of Taxation to go in and do a revaluation in the off year. They are not equipped to do this sort of work. In the off year they have a schedule set up, and certainly I know of places in our own county, municipalities with twenty million difference between the legal valuation and the State valuation. I certainly hope that the motion will prevail in this matter.

Mr. CRAM of Cumberland: Mr. President, I thought when this amendment was introduced I explained it quite fully, and the only reason for putting it in at the time was, as has been stated previously in argument yesterday, that the 100 per cent valuation of the City of Portland was not reported to the city government until sometime in March, which was after the cloture date, and it revealed such a wide discrepancy that I felt it was justified to try to do something about it at this time. It was expected by the city government that the 100 per cent valuation of Portland would approach the valuation placed on the city by the State Board of Equalization but it was way off, the difference between \$310,000,000 and \$446,000,000, the four hundred and

forty-six million being the State valuation.

The PRESIDENT pro tem: The question before the Senate is on the motion of the Senator from Washington, Senator Wyman, that Senate Amendment A be indefinitely postponed. A division has been requested.

A division of the Senate was had.

Fourteen having voted in the affirmative and eight opposed, the motion prevailed and Senate Amendment A was indefinitely postponed.

Mr. PORTEOUS of Cumberland: Mr. President, I rise to a point of

order. I would like to have the Secretary count the Senate. I question whether there is a quorum.

The PRESIDENT pro tem: There are 24 Senators in the Senate, which would be a quorum.

Thereupon, the bill was passed to be engrossed.

The Adjournment Order having been received, read and passed by the House in concurrence, the Senate

Adjourned until Monday afternoon at four o'clock.