

# 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, June 5, 1963

Senate called to order by the President.

Prayer by the Rev. Kenneth Brookes of Augusta.

On motion by Mr. Brooks of Cumberland, the Journal of yesterday was read and approved.

**House Papers**

**Non-concurrent matters**

Divided Report from the Committee on Election Laws on Joint Resolution Ratifying the Proposed Amendment to the Constitution of the United States Relating to the Qualification of Electors. (S. P. 381)

Majority Report — Ought to be adopted; Minority Report — Ought not to be adopted.

In the Senate, May 29, Majority—Ought to be adopted report accepted.

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

In the Senate, on motion by Mr. Edmunds of Aroostook, the Senate voted to insist and request a Committee of Conference. The President appointed as Senate conferees, Senators: Campbell of Kennebec, Reed of Sagadahoc and Edmunds of Aroostook.

The PRESIDENT: The Chair, in behalf of the Senate, is happy indeed to welcome thirty students in the Senate Chamber here today. They are Grades 6, 7 and 8 from the LaGrange Elementary School, LaGrange, Maine. Interestingly enough, this school is in Senator Hichborn's school union. He represents Piscataquis County but LaGrange itself is in Penobscot County. These students are accompanied by their Principal, Marion Cook, and their teacher, Stella Strout.

Mrs. Cook, will you rise, please? it is interesting to note tht Mrs. Cook has taught at the same school in LaGrange for thirty-four years. We are happy indeed to have you folks here. (Applause)

Divided Report from the Committee on Appropriations and Financial Affairs on Bill, "An Act Providing

Funds to Establish a County-Wide Industrial Development Program. (S. P. 201) (L. D. 511)

**Majority — Ought to Pass in New Draft (S. P. 614)**

**Minority — Ought Not to Pass**

In Senate, May 29, Majority — Ought to pass report accepted, and the Bill passed to be engrossed.

Comes from the House, Minority—Ought not to pass report accepted in non-concurrence.

In the Senate, on motion by Mr. Edmunds of Aroostook, the Senate voted to insist and ask for a Committee of Conference. The President appointed as Senate conferees, Senators: Edmunds of Aroostook, Campbell of Kennebec and Porteous of Cumberland.

Divided Report from the Committee on Judiciary on Bill, "An Act Relating to Percentage by Weight of Alcohol of Blood of Operators of Motor Vehicles." (S. P. 275) (L. D. 789)

**Majority — Ought to Pass in New Draft**

**Minority — Ought not to pass**

In Senate, May 27, passed to be engrossed.

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

In the Senate, on motion by Mr. Farris of Kennebec, the bill was tabled pending consideration and was especially assigned for later in today's session.

Divided Report from the Committee on Towns and Counties on Bill, "An Act Providing for County Industrial and Recreational Development Personnel." (S. P. 126) (L. D. 443)

**Majority — Ought to Pass as Amended**

**Minority — Ought Not to Pass**

In Senate, June 3, passed to be engrossed as amended by Senate Amendments "A" and "B"

Comes from the House, Minority—Ought Not to Pass Report read and accepted in non-concurrence.

In the Senate:

Mr. LOVELL of York: Mr. President, I don't believe that the other

body understands some of these things and I move that the Senate insist and ask for a Committee of Conference.

The motion prevailed.

Divided Report from the Committee on Industrial and Recreational Development on Bill, "An Act to Create the Maine Recreational Facilities Authority Act." (S. P. 102) (L. D. 239)

**Majority — Ought to Pass**  
**Minority — Ought Not to Pass**

In Senate, May 29, Majority — Ought to pass report accepted — Bill passed to be engrossed.

Comes from the House, Minority — Ought not to pass report accepted in non-concurrence.

In the Senate, on motion by Mr. Noyes of Franklin, the Senate voted to insist and ask for a Committee of Conference.

**Committee Reports — Senate**  
**Conference Committee Report**

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, "An Act Relating to Penalty for Furnishing Liquor to Certain Persons." (S. P. 328) (L. D. 993) reported that the Senate accept the Conference Committee report, that the House recede from its action whereby the Report was indefinitely postponed and concur with the Senate in accepting the report, adopt Committee Amendment "A" and Senate Amendment "A" and pass the Bill to be engrossed as amended by Committee Amendment "A" and Senate Amendment "A" in concurrence.

Which report was read and accepted.

**Ought Not to Pass**

Mr. Farris from the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve Proposing an Amendment to the Constitution Relating to the Apportionment, Election and Powers of the Senate. (S. P. 557) (L. D. 1493) reported that the same Ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

**Ought to Pass — As Amended**

Mr. Hinds from the Committee on Health and Institutional Services on Bill, "An Act Revising Laws Relating to Pineland Hospital and Training Center." (S. P. 418) (L. D. 1161) reported that the same Ought to pass as amended by Committee Amendment "A" (S-273)

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 — Ought Not to Pass**  
**Minority — Ought to Pass As Amended**

The Majority of the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve, Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions. (S. P. 3) (L. D. 3) reported that the same Ought not to pass.

(Signed)

Senators:

PORTEOUS of Cumberland

Representatives:

SMITH of Bar Harbor  
SMITH of Strong  
DENNETT of Kittery  
BERMAN of Houlton  
EDMUNDS of Aroostook  
VILES of Anson  
PEASE of Wiscasset  
WATKINS of Windham

The Minority of the same Committee on the same subject matter reported that the same Ought to pass — as amended by Committee Amendment "A" (S-276)

(Signed)

Senators:

FARRIS of Kennebec  
NOYES of Franklin  
JACQUES of Androscoggin

Representatives:

CARTIER of Biddeford  
PLANTE  
of Old Orchard Beach  
COTTRELL of Portland

On motion by Mr. Lovell of York, tabled pending acceptance of either report, and especially assigned for later in today's session.

**Majority — Ought Not to Pass  
Minority — Ought to Pass As  
Amended**

The Majority of the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve, Proposing an Amendment to the Constitution Forbidding Discrimination against Any Person because of Race, Religion, Sex or Ancestry. (S. P. 527) (L. D. 1448) reported that the same Ought not to pass.

(Signed)

Senators:

PORTEOUS of Cumberland  
FARRIS of Kennebec  
NOYES of Franklin

Representatives:

DENNETT of Kittery  
PEASE of Wiscasset  
WATKINS of Windham  
VILES of Anson  
SMITH of Strong

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass as amended by Committee Amendment "A" (S-275)

(Signed)

Senators:

JACQUES of Androscoggin  
EDMUNDS of Aroostook

Representatives:

SMITH of Bar Harbor  
BERMAN of Houlton  
PLANTE  
of Old Orchard Beach  
CARTIER of Biddeford  
COTTRELL of Portland

Mr. EDMUNDS of Aroostook: Mr. President, in the absence of the sponsor, the Senator from Penobscot, Senator Whittaker, I would move that this be tabled and especially assigned for tomorrow.

The motion prevailed and the bill was tabled pending acceptance of either report, and was especially assigned for tomorrow.

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

**House**

Resolve, Appropriating Money to Supplement Federal Vocational Funds for Area Education Programs for Apprentices and Other Adult Workers. (H. P. 324) (L. D. 451)

Bill, "An Act Relating to the Excise Tax on House Trailers." (H. P. 1099) (L. D. 1576)

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

**House — As Amended**

Bill, "An Act Appropriating Funds for Sewage Treatment Plant and Purchase of Equipment at Gorham State Teachers College." (H. P. 410) (L. D. 563)

Resolve, Appropriating Moneys to Match Federal Funds Provided Under Title VIII of the National Defense Education Act. (H. P. 412) (L. D. 565)

Bill, "An Act Providing for Holding District Court for Western Aroostook at Fort Kent." (H. P. 52) (L. D. 75)

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

Bill, "An Act to Reorganize the Department of Economic Development." (H. P. 1089) (L. D. 1561)

Which was read a second time and passed to be engrossed in non-concurrence (House Amendment "A" having been indefinitely postponed)

Sent down for concurrence.

Bill, "An Act Establishing a Division of Foreign Trade in the Department of Economic Development." (H. P. 907) (L. D. 1315)

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

Sent down for concurrence.

**Senate — As Amended**

Bill, "An Act Relating to Matching State Funds with Local Chambers of Commerce to Obtain New and Aid Expansion of Present Industries." (S. P. 47) (L. D. 97)

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

Sent down for concurrence.

**Enactors**

**The Committee on Engrossed Bills reported as truly and strictly engrossed the following Bill and Resolve:**

Bill, "An Act Providing for Life Preservers for Boats for Hire." (H. P. 35) (L. D. 58)

Resolve, Discharging Town of Liberty from Part of the Indebtedness to Maine School District Commission for Preparation of Agreement for Dissolution of School Administrative District No. 3. (S. P. 278) (L. D. 792)

Which Bill was passed to be enacted and the Resolve finally passed.

Bill, "An Act Relating to Taxpayers Furnishing List of Property to Assessors." (S. P. 434) (L. D. 1177)

Comes from the House Indefinitely postponed.

In the Senate, passed to be enacted.

#### Orders of the Day

The President laid before the Senate Item 1-3 on today's calendar, Divided Report from the Committee on Judiciary on Bill, "An Act Relating to Percentage by Weight of Alcohol of Blood of Operators of Motor Vehicles" (S. P. 275) (L. D. 789); Majority Report, Ought to Pass in New Draft, Minority Report, Ought Not to Pass; in the Senate on May 7 passed to be engrossed and comes from the House indefinitely postponed; tabled earlier in today's session by Senator Farris of Kennebec on further motion by the same Senator, the bill was retabled, and especially assigned for later in today's session.

With regard to Item 1-4 on today's calendar, the President appointed as Senate Conferees, Senators: Lovell of York, Wyman of Washington, and Jacques of Androscoggin.

With regard to Item 1-5 on today's calendar, the President appointed as Senate Conferees, Senators: Noyes of Franklin, Lovell of York and Porteous of Cumberland.

Mr. PORTEOUS of Cumberland: Mr. President, I would like to inquire if L. D. 801, H. P. 544, Bill, "An Act Relating to Establishment of a Personnel Law for Certain Employees of the City of Lewiston" is in the possession of the Senate?

The PRESIDENT: The Chair will reply in the affirmative, it having been held at the request of the Senator from Cumberland, Senator Porteous.

Mr. PORTEOUS: Out of order and under suspension of the rules, I move that we reconsider our action taken yesterday in this matter, and in requesting this reconsideration I would like to say something that was not suggested, and that is that this bill calls for it going to referendum by the people of the City of Lewiston. That is the reason I have asked for reconsideration.

The PRESIDENT: The Senator from Cumberland, Senator Porteous, moves that the Senate reconsider its action whereby it accepted the "Ought not to pass" report of the committee on the last legislative day.

Mr. JACQUES of Androscoggin: Mr. President and members of the Senate: This bill was discussed by me, and I stated that the fire department was not included in this personnel board. In the police department the association has taken a vote not to participate in this program because they have a program at present. If you knew our form of government maybe you would realize this bill would not go out to referendum.

You know when you talk about City Hall everybody seems to have doubts about City Hall — I mean they are ready to vote against City Hall. Any time that you run for office and you say that you are against City Hall you are sure to be elected. But that isn't the point. The point is they are leaving out the Police Chief, who a few years ago was given tenure of office, the City Clerk was also given tenure of office, and they are not included in this Personnel Board.

I realize that we have a Personnel Board in the State of Maine, and we have our own troubles at present and I do not believe Lewiston is ready for this Personnel Board. We have Commissioners on every one of these boards: we have five Commissioners for Public Works, we have five Commissioners for Police, we have five Commissioners for Fire, we have five board

members on the Board of Education, we have five board members on the Board of Zoning. In all, ladies and gentlemen, we have about 72 appointees, plus the Urban Renewal plus the Housing Authority which we will have in the next few days, and I believe if we keep this up every citizen of the City of Lewiston will be an appointive member. Under this Personnel Board also you are appointing five members. With all of the other boards you have to have two Republicans and three Democrats, On this Personnel Board they don't even mention you should have three Democrats or two Republicans, they just say that the Personnel Board will be appointed three by the Mayor, one by the Association, and another one by the union, I believe. Now they would put Public Works under this Personnel Board.

Ladies and Gentlemen, will you tell me what are they going to do with a man who uses a pick and shovel or who pushes a broom? This is a Lewiston problem and we know what are the needs of Lewiston. I have been Mayor for two years, I have been in the city government for seven years, and believe me we had our troubles. But there is always someone here in the Legislature that tries to put something over on the people of the City of Lewiston. These are problems we had before and we are fortunate to have good members that watch these things come up. Every time there is a holiday they come up and want two days off; if the holiday happens to fall on Thursday they like to close the City Hall also on Friday. I had numerous complaints when I was Mayor but there was nothing that I could do about it.

Ladies and gentlemen, as I said a little while ago, I was Mayor for two years and I know the problems of the City of Lewiston and I do not believe that this Personnel Board would be a good gesture to give to the City of Lewiston at the present time. I hope that when you vote on this this morning that you will vote against the motion of the good Senator Porteous of Cumberland. Thank you very much.

The PRESIDENT: The Chair will restate the motion. The question before the Senate is on the motion of the Senator from Cumberland, Senator Porteous, that we reconsider our action whereby this report and bill were indefinitely postponed.

Mr. CRAM of Cumberland: Mr. President, I rise in support of my good friend Senator Jacques' position on this argument and I ask for a division.

Mrs. CHRISTIE of Aroostook: Mr. President, inasmuch as there is a referendum clause on this bill I feel it would not be too harmful to allow it to go through, and I am in favor of it.

Mr. COUTURE of Androscoggin: Mr. President, I cannot help but get up but I assure you I will not speak as long as I did the other night in Lewiston.

There is one thing I would like to remind this Senate here and which has been forgotten is that the boards and commissioners that have been mentioned by our good Senator Jacques from Androscoggin County — I have been a member of the Council in Lewiston, I am on my 11th term now — and there is not a board or commission in the City of Lewiston that has not approached me in opposition to this proposed amendment to our charter.

Now they have mentioned a referendum. We have another piece of legislation with a referendum which was overlooked. We have one bill with a referendum pending on the table now, and that is the first tabled and assigned item on this calendar, and there is a referendum on that one. Just because there is a referendum price, and I am going to support the boards and commissions, where they appeal, and the same person has been on his feet in opposition to the amendment of the same charter, and I do believe if he does respect the Board of Finance who do the hiring of all of these department heads and set their salaries, also the Board of Public Works that do all the hiring of all the Public Works employees, they are opposed to this legislation and I think I am going to go along with them, and I am ask-

ing the Senate to certainly not support the motion for reconsideration.

Mrs. SPROUL of Lincoln: Mr. President and members of the Senate: If there are as many as the Senator from Androscoggin says that are eligible for positions, it would seem that an examination might be a good thing. Also the referendum has been mentioned. This was a 7 to 3 committee report, 7 signing the "Ought to pass" report and 3 signing the "Ought not to pass" report. While it is not my custom to have anything to do with problems of another county, I do know that every two years —no, I will take that back, about not having anything to do with problems of another county, because I am deeply interested in them all, but I try not to get too involved. But I do know that every two years they are here from Lewiston with various problems. There are two factions there and they never seem to agree. For that reason, I favor this bill, and I hope we will support the motion of Senator Porteous to reconsider this bill.

Mr. JACQUES of Androscoggin: members, such as the Public Works Board, view these applicants that come in for jobs, they have charge of their own department, and the Board of Finance has charge of the personnel in city hall. The City Council has not a thing to do with it, they don't even set their salary. And Fire is the same thing: they have their own board, they view these applicants and they choose them from the group of applicants.

They say there will be less politics but I cannot see where there will be less politics if you had five more members and they would have to go through one board and then go through the other one. I don't believe there would be less politics.

Let's return government back to the people, not to the appointed officials but the elected people. It is just like saying that from now on you are not going to elect the Secretary of State, he is going to be appointed by the Governor and Council. I believe that the Senate certainly would not agree with this, and the same thing with the At-

torney General, I know they would not agree with it. I hope that the motion of the Senator from Cumberland, Senator Porteous, will not prevail.

Mr. President, there is another thing I would like to bring out: if this bill goes to a referendum this would cost from fifteen hundred to two thousand dollars to call an election on this. This does not say that it will cost any money for the City of Lewiston but it certainly will.

The PRESIDENT: The question before the Senate is the motion of the Senator from Cumberland, Senator Porteous, that the Senate reconsider its action whereby the reports and bill were indefinitely postponed. A division has been requested.

A division of the Senate was had.

Seven having voted in the affirmative and twenty-one opposed, the motion to reconsider did not prevail.

The PRESIDENT: The Chair is happy to recognize in the Senate gallery 22 pupils of the 6th Grade from the Central School, in Union, Maine. They are accompanied by their teacher, Mrs. Maxine Heath and four mothers. They are the guests of Representative George Finley. I want you students to know that you are welcome here, and I will introduce to you the Senator who represents your area, Senator Stilphen, from Knox County. (Applause)

The President laid before the Senate the 1st 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 as amended by Committee Amendment A; tabled on May 29 by Senator Jacques of Androscoggin pending acceptance of any report.

Mr. JACQUES of Androscoggin: Mr. President, I hope that I have as good luck with this one as I had with the other one. I move



that the report and the bill be indefinitely postponed in concurrence.

The motion to indefinitely postpone in concurrence prevailed.

The President laid before the Senate the 2nd 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 29 by Senator Boardman of Washington pending acceptance of the report.

Mr. BOARDMAN of Washington: Mr. President, I would at this time place this bill at rest and I move the pending question.

The motion prevailed and the Ought Not to Pass report was accepted.

The President laid before the Senate the 3rd 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 29 by Senator Jacques of Androscoggin pending passage to be engrossed; and that Senator yielded to the Senator from Washington, Senator Wyman.

On motion by Mr. Wyman of Washington, the bill was recommitted to the Committee on Towns and Counties and ordered sent forthwith to the House.

The President laid before the Senate the 4th 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 29 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 tomorrow.

The President laid before the Senate the 5th tabled and today assigned item (H. P. 958) (L. D. 1392) Bill, "An Act Relating to the Definition of Aid to Dependent Children"; tabled on June 3 by Senator Hinds of Cumberland pending adoption of House Amendment A to Committee Amendment A.

Mr. HINDS of Cumberland: Mr. President, ladies and gentlemen of the Senate, the motion I am going to make today, it grieves me deeply to have to do this — I will make my motion and then I would like to speak to my motion. I move that House Amendment "A" and Committee Amendment "A" be indefinitely postponed.

The reason for my motion for indefinite postponement — first of all, this was the unanimous feeling of the Welfare Committee that this amendment which would stop mothers from receiving ADC if they were living with men they were not married to — we have contacted the federal government on this because we were informed that if this amendment were put through there might be the possibility of the loss of federal aid. This has been going on for three months and this item has been on the table for quite a long while and I still cannot find out from the federal government or from our Department of Health and Welfare whether this will or will not cut down on our federal aid under the ADC. We receive approximately seven million dollars a year in federal aid under this program, and I myself, and I know the Welfare Committee do not feel we want to take a chance on losing any of this because of trying to correct a situation we have here in the state. It seems to me that perhaps we have to accept many of these federal regulations and federal thoughts when we do accept federal aid. It is certainly true in this particular program, because I have four letters from the Commissioner of Health and Welfare of our country, the United States, and I have asked him the question four times through Senator Margaret Chase Smith and she has been trying to get the answer for me, and every time a letter comes back saying there might be a possibility we

would lose aid or there might not be a possibility, and so forth and so on. So last week when I had this item tabled again I took all the correspondence to our Attorney General's office, and I asked George West, the Deputy Attorney General, to study this for me and give me his analysis of the letters from the federal government. He did a pretty good job here and I have a three-page analysis of all these letters, and the conclusion on the whole thing is that we had better not take a chance and put this into effect because the federal government does not condone anyone tampering around with the ADC program to any extent at all. In fact they will hardly go along with any type of legislation on the state level that would interfere with the ADC program.

I know the whole committee would like to see this pass and I would too because I think it would still be a good thing for the state, but under the Flemming ruling of 1961, a congressional ruling by the Department of Health and Welfare in Washington, it just seems this amendment would not be proper and therefore I move that House Amendment "A" and Committee Amendment "A" both be indefinitely postponed.

The PRESIDENT: The question before the Senate is the motion by the Senator from Cumberland, Senator Hinds, that House Amendment A be indefinitely postponed.

The motion prevailed, House Amendment A was indefinitely postponed.

The PRESIDENT: The question now before the Senate is the motion of the same Senator that Committee Amendment A be indefinitely postponed.

The motion prevailed, Committee Amendment A was indefinitely postponed.

Thereupon the bill was tomorrow assigned for second reading.

The PRESIDENT: The Chair is happy to recognize in the Senate Chamber a group of students from the 7th and 8th grades of Bristol Consolidated School, in Lincoln County, accompanied by their teachers Mrs. Ella Poole and Mrs. Flor-

ence Hope and parents of the children.

I would like to introduce to you the Senator from Lincoln County, the good Senator Sproul. (Applause)

The Chair would also like to recognize in behalf of the Senate the Civics class of the Brewer Junior High School. They are accompanied by their teacher, Mr. Charles Heddericg. Of course Brewer is in Penobscot County, which is represented by Senator Harrington, Senator Philbrick and Senator Atherton, and good Senator Atherton's daughter, Patience, is a member of this class. We are happy indeed to have you here with us. (Applause)

The President laid before the Senate the 7th tabled and today assigned item (H. P. 407) (L. D. 560) House Report Ought not to pass from the Committee on Appropriations and Financial Affairs on Bill, "An Act Relating to Deficiency Appropriation for Division of Veterans Affairs"; tabled on June 4 by Senator Jacques of Androscoggin pending motion by Senator Campbell of Kennebec that the Ought Not to Pass report be accepted; and on motion by Mr. Couture of Androscoggin, the bill was retabled and especially assigned for later in today's session.

The President laid before the Senate the 8th tabled and today assigned item (S. P. 383) (L. D. 1086) Senate Report Ought Not to Pass, from the Committee on Appropriations and Financial Affairs on Bill, "An Act Relating to Establishment, Maintenance and Operation of Regional Technical and Vocational Centers"; tabled on June 4 by Senator Edmunds of Aroostook pending motion by Senator Stitham of Somerset to reconsider acceptance of the Ought Not to Pass report.

Mr. EDMUNDS of Aroostook: Mr. President, I move the pending question and I would request a division when the vote is taken.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, this is the measure which would provide for vocational education at the high school level, and the same measure which was debated at great length during the

session on Monday last. This measure has the support of practically all of our industrial leaders, our labor leaders, educators, lay educators throughout the state, school directors and so forth, and I sincerely hope that the motion to reconsider will prevail.

Mr. CAMPBELL of Kennebec: Mr. President, as a signer of the "Ought not to pass" report, if I were to vote today I would vote against the motion to reconsider the action previously taken, and if Senator Brooks were here he would vote for the motion. I therefore ask permission to refrain from voting.

The PRESIDENT: The Senate hears the request of the Senator from Kennebec, Senator Campbell. Is this the pleasure of the Senate?

Permission was granted.

Mrs. HARRINGTON of Penobscot: Mr. President and members of the Senate: I am going to vote for this bill. I do not know where all the money is coming from, of course, but we do have a problem here in the State of Maine of drop-outs. When twenty-five or thirty percent of our young people who enter high school drop out what are we going to do with them? At least a high school education is required in most any field nowadays, and if we do not do something to take care of them our welfare problem will be worse than it is today in years to come. I do believe that in our new districts, our new high schools, that we can establish some sort of courses that will take care of the pupils in that area. It has been said by many educators that we do not use our school houses enough. We could use them also for adult education. I hope you will vote for the bill.

Mr. CRAM of Cumberland: Mr. President, I rise in opposition to the motion. I agree that vocational education is a fine thing and that we must have more of it, however money is tight and it seems to me that if there is any extra money floating around it should go into increased across-the-board subsidies. I support the view that if drop-outs are to be decreased we must have improved education in the lower grades to give a little desire to

our pupils to go on and get a higher education.

It has been said by a friend of mine in the Education Department that the place to induce children to go on and create an interest in further learning is in the lower grades. There is quite a drop-out between the 8th grade and high school.

I think that nowhere near have we fulfilled the intent of the Sinclair Act which was passed six years ago in grouping our children into larger high schools. The larger high school gives the child more incentive to go to school, more interest, and that is where the vocational program should be. Also, it seems to me that this bill creates a brand new program, and if there are sufficient high schools and if there are sufficient vocational schools so that a new vocational training center is needed in a particular area I believe it can be formed under the community school district law, which is Sections 112 to 121 of Chapter 41. At the present time I do not think there is any limitation in that law which would prevent this project from being carried out. If there should be, it could be solved very simply by a very simple amendment, but I think the law provides for it right now. Where money is tight I would prefer to see the money go into an over-all subsidy program for all schools and further inducement of the grouping of children into good-sized high schools.

Mr. STITHAM of Somerset: Mr. President, the good Senator from Penobscot, Senator Whittaker, is absent today. In the event he were here he would vote against reconsideration and I would vote for reconsideration. I would therefore ask that I be excused from voting.

The PRESIDENT: The Senator from Somerset, Senator Stitham asks permission to pair his vote with the vote of the Senator from Penobscot, Senator Whittaker, who would, if he were voting, vote against reconsideration. Senator Stitham of Somerset would vote for reconsideration.

Thereupon, Senator Stitham of Somerset was excused from vot-

ing and his vote was paired with that of Senator Whittaker of Penobscot.

The PRESIDENT: The pending question is on the motion of Senator Stitham of Somerset to reconsider former action of the Senate whereby the Ought Not to Pass report was accepted.

A division of the Senate was had.

Seventeen having voted in the affirmative and eight opposed, the motion to reconsider prevailed.

Thereupon, the Senate voted to further reconsider its action of June 4 whereby the motion to substitute the bill for the report failed to prevail.

Mr. FARRIS of Kennebec: Mr. President, I now move that the bill be substituted for the report and request a division.

Mr. EDMUNDS of Aroostook: Mr. President, I believe that the merits and demerits of this bill have been thoroughly debated the other day, and I do not propose to go into any of the provisions of the bill. I note the absence of the Senator from Cumberland, Senator Brooks from the Chamber. If he were present he would vote in favor of the motion to substitute the bill for the report and I would vote in opposition to the motion. Therefore I request that I be excused from voting and pair my vote with that of Senator Brooks.

Thereupon, Senator Edmunds of Aroostook was excused from voting, and his vote was paired with the vote of Senator Brooks of Cumberland.

Mr. STITHAM of Somerset: Mr. President, again in the absence of the good Senator from Penobscot, Senator Whittaker who would vote for the substitution of the bill for the report, I ask to be excused from voting. I would vote against the motion and asked to be paired with Senator Whittaker.

Thereupon, Senator Stitham of Somerset was excused from voting, and his vote was paired with the vote of Senator Whittaker of Penobscot.

The PRESIDENT: The question before the Senate is the motion of Senator Farris of Kennebec

that the bill be substituted for the report.

A division of the Senate was had.

Seventeen having voted in the affirmative and eight opposed, the motion prevailed, the bill was read once and tomorrow assigned for second reading.

The President laid before the Senate the 9th tabled and today assigned item (H. P. 262) (L. D. 356) House Report Ought to Pass from the Committee on Appropriations and Financial Affairs on bill, "An Act Increasing Working Capital of Liquor Commission"; tabled on June 4 by Senator Brown of Hancock pending acceptance of the report.

Mr. BROWN of Hancock: Mr. President, L.D. 356 is an act increasing the working capital of the liquor commission by half a million dollars. They now have the privilege to go to the Governor and Council to get this money, and in fact on March 6th they borrowed half a million dollars. Two years from now we will be faced with this problem, and for that reason I move indefinite postponement of the bill.

Mr. PORTEOUS of Cumberland, Mr. President and members of the Senate: On your desks in support of L.D. 356 I have prepared some statistics and some statements which I hope you have had time to take a glance at. In any event, I will try to substantiate the unanimous vote of the Appropriations Committee in favor of "Ought to pass" on this bill by some very pertinent facts and figures.

First of all, its present capital available is \$3,000,000, which has remained the same since 1945. There are now 73 stores against 42 stores in 1945. And may I point out that these stores have been chosen through local option of the people of the State of Maine. Three million dollars at that time would purchase 125,000 cases and today it will purchase 100,000 cases, so you are buying a lot less merchandise to stock half again as many stores.

I have a list here of seventeen states that have liquor commissions such as the State of Maine

has, and out of the seventeen thirteen have no limit on their working capital, and two have a limit but higher, Utah with three million and a half and West Virginia with six million. Vermont has a limit but when it was asked to return the questionnaire it just said it had a limit but did not specify its amount.

I maintain that this half million dollars of working capital and the better business practice of having adequate capitalization in a business such as this, would restore this to our surplus funds and would yield over the years extra money and extra revenues.

Departing from this prepared statement, I would like to quote from the Compendium on State Fiscal Information on Page 3: The percentage amount received from the liquor and beer together—now it would be a little bit lower if you take beer out of there, the excise tax on beer, it would probably be one per cent lower—7.29 per cent of all revenue in the state is derived from liquor and beer together—so roughly it is just about six per cent of all the revenue. This stands third if you exclude the revenue from the federal government. First is the sales and use tax, which accounts for 20 per cent of the state's revenue, and second is the gasoline use fuel tax, which of course is dedicated to highways. So that actually, so far as our state funds are concerned for use outside of highways measures, this business of ours which we have monopolized as a state and do not let private enterprise delve into accounts for the second highest figure. And may I also go down to the expenditures. The fourth highest expenditure, actually the third if you exclude highways and bridges to be consistent—the first is Health, Welfare and Charities, 18 per cent, the second is Education and Libraries, 17.68 per cent, Mental Health and Corrections is 7.64 per cent, so if you want to figure that these funds are dedicated to anything you could say that almost the entire Mental Health and Corrections program

is paid for through the sale of liquor in our state stores.

This business has been growing in spite of the fact that it has been hobbled, and I would say that with the further capitalization it will grow even more. Even using very conservative figures, the State of Maine could conceivably realize \$810,000 in extra revenue each year or \$1,620,000 for the biennium.

The prime need for additional capital is demonstrated by the low stock conditions in many of our stores around the state during the summer months when hundreds of thousands of cash-laden visitors are here to spend their money. Our price of liquor is well below that of Massachusetts, New York, Connecticut, Rhode Island and Pennsylvania. Many of these visitors, when they go home, will pack several bottles, or many times will pack a full case to take home to save several dollars a bottle. This, of course, is true in New Hampshire too, and some people driving through New Hampshire probably pick it up there because it is a few cents cheaper, but after you have packed your station wagon full it is pretty hard to get anything in after you get in the kids and their baby carriages and bicycles, so to pack it in the first place when you leave the door is a lot more practical. I also say that in the State of New Hampshire, which has a very high per capita rate of consumption actually it is out-of-state people purchasing, and that is a factor in the relatively but not near as high New Hampshire rate for the State of Maine.

Last summer I made an independent survey, and I do not represent any company that has anything to do with this—I would be very happy if this was left to private enterprise because I could run a very fine department and get a discount myself on this, and I would probably be one of the more popular people in the neighborhood by inviting people to cocktail parties. But at this particular store, right at the height

of the season in the middle of August 43 items were out of stock. I had this list and carried it around for quite a time, but I do not have it right now, but it included many items that are popular.

Now one of the things they stress behind the counter in the liquor stores is that if somebody comes in for one brand and they do not have it they might buy one bottle but they will go away unhappy and disgruntled. As it states in the last paragraph here: Many of these people must drive from considerable distances or take a boat or walk to a store, and then they get there and find that they do not have the right thing, and it is certainly a black eye to this business as well as to our state. The state has accepted it; it may be unpopular with some people, but through the years we have had these stores this has been the practice, to sell this liquor and we are in the business. Now if we are in the business it is better to do it right than to do it wrong, and if we do not have our stores stocked correctly then we are doing it wrong.

I have said in this statement on Page 2: The interests of temperance will not be served by defeat of this legislation. Those who should not drink or drink too much will not be able to drink any more or more often if this is passed. These unfortunates will drink intemperately whether the capital is set at one million or ten million, or twenty.

Now as far as the figures are concerned, gross liquor sales in 1962 were \$27,258,669.90, and for simple arithmetic, let us reduce this to 27 million even. The net profit on liquor sales in 1962, \$7,326,234, percentage of gross profit roughly 33 per cent. And to make these figures conservative rather than project them on the basis they are now with nine turns per year, that is turning the stock at nine turns, and that is quite considerable for any kind of merchandising. It is much higher than most forms of merchandising.

For instance, a furniture store will turn their stock one and a half to two times. In a very highly promotional furniture store they might turn it two and a half times. So this is pretty nearly five times the turn of a furniture store, so that it is a business in which the working capital is actually used most efficiently.

Cutting the turns down to six times rather than the nine times turn, which of course you would have to do to have a conservative protection, with this gross profit of 33 per cent it would provide an additional gross profit of \$1,500,000 with a net of \$1,215,000. That is at nine turns, and then cutting that down to the six turns it would mean an additional gross profit of \$990,000 and a net of \$810,000.

I think it is long overdue; it is not going to cost us any money to do it.

Now it has been stated by the good Senator from Hancock, Senator Brown, that the Liquor Commission can go to the Governor and Council and get a half a million dollars extra. Now this they did during the summer and have in previous summers. They did this in the summer of 1962, and still we are out of stock by 63 items in the State's largest store. By the way, that was the Middle Street store in Portland, doing a million four hundred thousand dollars of volume, which represented about ten per cent of all the items stocked and about twenty per cent of the most popular and fastest moving brands, and the Liquor Commission still needed extra money.

Now to have the capital set at three and a half million would enable them to receive cash discounts and much more favorable shipping allowances than they are presently receiving. When they are able to order only on a piecemeal basis they have to pay the long price on both the liquor itself and on the freight. At Christmas they will probably have to go to the Governor and Council for half a million dollars extra to use during the summer months and at Christmas time when the business goes up considerably.

For some of the stores around the state I had them draw up a comparison, and this Middle Street store in Portland which in July and August does approximately \$98,000 at Christmas time does \$150,000, and in February and January, which are low months, \$80,000. To show you how much people on vacation account for the success of this business, in the Bar Harbor store the figure in July is \$39,348, August \$46,242 — that was a cold July and they just didn't get out; I guess — and in the lowest month, February, \$13,008, in other words, three times as much during the month of July as in the month of February and three and a half times as much in the month of August as in the month of February. Even in some of our cities that are not on the vacation trail so much — I will not single out any one city, but I will take one city here which is in one of the very fine counties of the State; \$29,000 in January against \$36,000 in July and \$35,000 in August; and in one of our larger cities the same is true: \$55,000 in February, \$64,000 in July and \$64,000 in August. So it is pretty well demonstrated by these figures — and this is also demonstrated by the number of bottles — we are getting a great proportion of this business from out-of-state, and since it means so much to our revenue that we are receiving and since we stand to profit to a considerable degree by an extension of working capital in excess of any temporary funds that the commission may get from the Governor and Council, I certainly think it makes good business sense for us here in the State of Maine to do this, since we need the money about as badly as anybody. I ask for a division when the vote is taken on the motion to indefinitely postpone. I certainly hope it will not prevail.

Mr. KIMBALL of Hancock: Mr. President and members of the Senate: It is not very often that I have occasion to disagree with my fellow Senator from Hancock County, Senator Brown, but in this case I do.

I come from a small community that depends very largely on the summer business for its existence. In our general vicinity there are a

great many small liquor stores open, and particularly during the summer months; the one in our own town is open merely in the summer months. We are continually faced with the prospect of shortages every time we go to the liquor store, and it is very noticeable among those of us who carry liquor licenses, as we do at the hotel. Perhaps if I stress the fact that our entire season is a ten-week season you will appreciate a little more why a delay of one or two, or even three weeks, as is often the case, in being able to get some particular brand of alcoholic beverage from that store to supply the licensee is a pretty desperate thing. We continually run into the question of the lack of a particular item, say at Northeast Harbor; we are very anxious to take care of our guests who want that particular item so we drive over to Bar Harbor. Then again we may go over to Southwest Harbor and then into Ellsworth and finally up to Bangor, and by that time we may have had the good luck to get the item. That is a pretty expensive item by that time, but at the same time we are trying to do the job of keeping our summer friends pleased and coming back, finding what they are looking for and what they want. I do think that it is vitally necessary that we should have a somewhat better stock on hand in the available stock and the Liquor Commission, and I do hope that the motion to indefinitely postpone is defeated.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate: There is one little paragraph in here that hits me right between the eyes and that is Item A under Paragraph 2: "A business that is under capitalized finds difficulty in growing." Nothing could please me better than to find the liquor business having difficulty in growing. We are having trouble enough with it as it is now and if it grows any faster we will have more trouble. With 35,000 alcoholics in our State, with more than half, probably two-thirds of the prison population there because of alcohol, I think the business does not need to grow any more. We have grown since 1950 from twentieth place in consumption of alcohol to forty-first

place. I think we have grown fast enough and I am opposed to any further growth.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Hancock, Senator Brown that the bill be indefinitely postponed. A division has been requested.

A division of the Senate was had.

Five having voted in the affirmative and twenty-five opposed, the motion did not prevail.

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

The PRESIDENT: The Chair is indeed pleased to recognize in the Senate Chamber a good citizen of Maine, a member of the Interstate Bridge Authority, a member of the Maine Constitutional Commission, a former Senator from York County and a former President of this Senate, the Honorable George Varney. George, would you come to the rostrum, please? (Applause)

I am sure the Senate would be very happy to listen to any observations that George may have on the world outside.

Hon. GEORGE VARNEY: Mr. President, I will just say that it is always a pleasure to come back and visit but it is not as much pleasure to come back as it was to have been a member of this body in years past. Thank you. (Applause)

The President laid before the Senate Item 7 on Page 5 (H. P. 407) (L. D. 560) House Report, Ought not to pass, from the Committee on Appropriations and Financial Affairs on bill, "An Act Relating to Deficiency Appropriation for Division of Veterans Affairs"; tabled on June 4 by Senator Jacques of Androscoggin pending motion by Senator Campbell of Kennebec for acceptance of the Ought Not to Pass report; and retabled by the same Senator earlier in today's session.

Mr. JACQUES of Androscoggin: Mr. President and members of the Senate, first of all let me read what the program is.

World War Assistance is a program of temporary financial aid for the wife or widow, and children or orphans of a deceased or totally disabled war veteran. The program is based on need as established by personal investigation by the Division of Veterans Affairs. Such aid is furnished only to the needy dependents. A veteran without dependents may not qualify.

This has not been a run-away State program. Actually, far more was spent in certain past years than is the case today. Last year only \$367,000 was expended as contrasted with the high year of 1957 when \$409,000 was spent. In fact, for many years there has been a surplus in this account. During the last ten years, \$340,000 was turned back to the General Fund Surplus. For six years, 1954 through 1959, over \$400,000 was appropriated each year. The high point was 1956 and 1957 with \$447,000 appropriated for each year.

Two years ago the Department request was \$380,000 for each year of the current biennium. This was cut to \$365,000 for each year. Last fiscal year, 1961-62, the Department managed to get by with a transfer of \$3000 from surplus of the General Law Pension fund, making total expenditures of \$368,000.

This fiscal year, 1962-63, the Department had a marked increase in requests for aid. This resulted in the cumulative expenditure of \$21,000 more by the end of April, 1963 than at the same point one year ago and leaves the Department facing a deficiency in June.

It should be pointed out that there has been no increase in the scope of the ceilings since prior to 1949. The maximum monthly grant that could be made to a family of seven or more dependents was \$175 in 1949. This figure is still the same. Of course, most grants are much under this figure and average about \$94 per month. The amount depends on the family's budgetary deficit and number of dependents.

According to Section 14 of the state, "The Division shall determine the character and amount



of aid which shall be granted with due regard to the resources of the veteran and his dependents and the necessary expenditures and conditions existing in each case, and which shall be sufficient, when added to all other income and resources available, to provide such dependents with a reasonable subsistence compatible with decency and health. In determining the amount of aid the Division shall use the same budgetary standards as are being used by the Department of Health and Welfare."

Therefore, it hardly seems reasonable that the Department should be forced into the position of making across the board slashes in its grants, especially when no increase has been made in the limits of these grants for over 14 years and in consideration of statutory responsibility.

Mr. President and members of the Senate: this department is operated not with a padded budget, they have operated by barely making both ends meet, and I believe that this \$25,000 should be reinstated in that department because without it I do not believe they can operate at this time. We should not forget that this department is the Department of Veterans Affairs and we should take care of our veterans. I know that the Appropriations Committee has done a good job. I was told this should come out of the Governor's Council but I don't think this is up to the Governor's Council, I think this is a program that we, the legislature, while we are in session should take care of, and I hope that the motion of the good Senator from Kennebec, Senator Campbell, does not prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Campbell, that we accept the "Ought not to pass" report of the committee.

Mr. CAMPBELL of Kennebec: Mr. President, I rise to explain the position of the Appropriations Committee on this bill which calls for a \$25,000 deficiency appropriation. I would like to say that this is actually a matter of principle with the committee. We were told

in January, because that is the date of this bill, that the Division of Veterans Affairs was going to overrun their budget. They were not five months ago going to stay within their budget. We were also informed in November of 1962 that the introduction of this bill was discussed with the budget officer, and even as far as seven months ago the director of the Division of Veterans Affairs had determined that he was not going to live within the legislative appropriation. Now we feel that if seven months ago he realized that he might be in trouble if he continued payments at the same rate that he ought to have adjusted his program to live within the budget.

There has to be some ceiling on these things; the Appropriations Committee cannot delegate to any department and substitute the judgment of the legislature. The appropriation to this division was \$365,000 in each of the two years of the biennium. This was a realistic appropriation as is proven by the fact that the five year average expenditure of this department was \$355,000. Now the Senator from Androscoggin, Senator Jacques, points out that this department has turned back money every year, and that is true. For eight years running they turned back \$42,000. We point that out to you as indicating that they have had in the past more money than they needed, and that was the reason why two years ago the legislature in its wisdom fixed this appropriation at the amount of \$365,000.

Now suppose the Health and Welfare Department or the Mental Health and Corrections Department decided they were not going to live within their appropriation: they are doing the same kind of thing, they are subsidizing people and they are making these welfare expenditures; we would be in a real fix if departments of this state continued to spend money without regard to the appropriation.

We had only one other bill similar to this before the committee and that was one introduced by the State Treasurer. He anticipated a deficit, but his was

meritorious in this sense: there was an increase in the postage rate from four cents to five cents, which was not anticipated, and a very substantial amount of money of the State Treasurer is used for postage and he did run short by about \$1200. However, the legislature killed that bill and the State Treasurer was told that he should go to the Governor and Council and he did, and he got his money and he is going to be all right.

At the time of the hearing on this bill when we discussed with the director of this department the propriety of living within his budget he indicated to us that if we didn't give him the money he would go to the Governor and Council. So we suggested to him, and I suggest to you now that probably is the action that he should follow, and he apparently agrees with me because he now has pending with the Governor and Council an order requesting that there be made a payment to him to tide him over.

Now I am a veteran, I am a Legionnaire, I am also a member of the National Guard, so I am sensitive to the value of this program, but I am also a legislator, and it does seem to me that we just cannot let our administrators exceed the budget and do it deliberately so far ahead. I could be somewhat sympathetic if this was presented to us in the closing days, but when I remind you again that it was conceived of seven months ago it seems rather strange that the department could not have lived within its budget, knowing that far ahead what its needs might be. So I trust that the motion, made by me, I believe, that the "Ought not to pass" report be accepted will prevail.

Mr. EDMUNDS of Aroostook: Mr. President, I arise also to defend the report of the Appropriations Committee with respect to this particular piece of legislation. Perhaps not being as much of a gentleman as the good Senator from Kennebec, Senator Campbell, I will be just a little bit rougher in expressing my attitude as to the actions of the head of this particular department in this

particular instance. True, he was informed, I think possibly earlier than November, that he was overspending his account and that he should make some very minor readjustments in the amount of moneys he paid out under this particular program, and his answer was "No, I am going to do it my way. This legislature did not know what they were doing. And, furthermore, I am going to put a bill in to get enough money from the legislature to go ahead and implement this program in full. Furthermore, if you people oppose it I am going to go to the legislature and lobby it through and beat you."

Frankly, I do not like that attitude on the part of department heads or any member of state government here in Augusta. As far as I am concerned, it is a very flagrant defiance of the legislative directive that he received from the 100th Legislature to limit his program to the expenditure of \$365,000 annually.

I too am a veteran, I am a Legionnaire, I am very sympathetic to the problems that these people face, but I think properly, if he has got a problem here the contingent fund still has a substantial amount of money in it, and he should go in before the Governor and Council and see if they can correct his problem.

I will say further that this act will call for some \$25,000. I know of my own knowledge that approximately \$6000 would take him out of the hole which he is in due to his own obstinate action. Therefore I would hope that the motion of the Senator from Kennebec, Senator Campbell, will prevail.

Mr. JACQUES of Androscoggin: Mr. President and members of the Senate: This is an account that will fluctuate. We have the same problem in Lewiston. We have a Department of Health and Welfare, and when I was Mayor of the City of Lewiston there was an average of four cases a day that used to come to my office to receive assistance. Now you certainly cannot turn these people back and say, "I had to cut my

budget, I can't give you any more. This is it. You have to go out." I certainly cannot see this. This is a program where the state is almost obligated to go ahead with it.

Now I do not know what this man has done. I know his budget has been over-extended but I do not think there is anything that he can do about it. When the law says he has to give so much money at a certain time for so many dependents, \$175 a month, I can't see how a man can live on \$175 a month with seven dependents. I know that we are living with \$1600 here for six months.

This bill was engrossed in the other body and they saw fit to pass this bill, and I do not see reason why the Senate should take any other attitude than to go ahead with this \$25,000. I do not think it is the prerogative of the Governor and Council to take care of this; the legislature is in session and I think they should take care of it, and if this man was good enough to keep his budget as low as he could two years ago maybe he should have padded it a little more and put in an extra \$25,000. But no, he didn't he kept his budget right at par. And this fellow has not lobbied me. When I saw that bill in the house and I read the debate on it I felt it was my duty to rise here and support this measure. I know they had, as the Senator from Aroostook said the other day, three hundred million dollars, I believe, in L.D.'s that he has and some that he is holding back. Somebody will have to take a cut somewhere but I do not believe we should do it right here on this expenditure of \$25,000.

Mr. EDMUNDS of Aroostook: Mr. President, I merely rise to point out that we appropriate annually \$450,000 for the contingent fund for the use of the Governor and Council to resolve situations such as we are faced with here. That is the intention of this appropriation, to meet emergencies when the legislature is not in session. If this is such an emergency and is perhaps justified I say leave

it to the Governor and Council to make this particular decision, but if you start backing up now and letting department heads run away with the legislature you are going to be in a lot more trouble two years from now than you are right now over a mere \$25,000.

Mr. BOARDMAN of Washington: Mr. President and members of the Senate: I would like to ask one question of the Chairman of the Appropriations Committee: In the event this legislature does turn down this sum of money would the department head be able to go to the Governor and Council then and get the money?

The PRESIDENT: The Senator from Washington, Senator Boardman, poses a question through the Chair to a member of the Appropriations Committee, who may answer if he wishes.

Mr. EDMUNDS of Aroostook: Mr. President, my answer is that I understand he has already presented to the Governor and Council an order which would make the necessary moneys available to him, and I believe that order has been tabled by the Governor and Council pending the fate of this particular legislative document in the 101st Legislature. I believe I am correct.

Mr. COUTURE of Androscoggin: Mr. President and members of the Senate: It is hard to be in session and having a piece of legislation in front of us and going against it when the order is already pending in front of the Governor and Council. I think that the Governor's Council is acting between the sessions, but I cannot understand the Governor and Council having an order in front of them during the session. It was mentioned here that they have an amount of money to take care of these affairs between sessions, but it is stated that the order is pending now. Are we to do our duty one way or the other or are we to expect the Governor and Council to do it for us. If there is a question in our minds here that there is not enough money to take care of this situation why wait for the

Governor and Council? We are in session here.

Mr. JACQUES of Androscoggin: Mr. President, I have to get up again, but the good Senator from Aroostook said that we have \$425,000 in the contingent fund, so why don't we take \$25,000 out of the contingent fund or appropriate \$25,000 less to the contingent fund and give this \$25,000 to this appropriation.

Mr. CAMPBELL of Kennebec: Mr. President, when the vote is taken I request a division.

Mr. BOARDMAN of Washington: Mr. President, I didn't want to get into this too deeply. However the thing that I am wondering about, there is still a question in my mind that if the legislature while in session turns down an appropriation of this amount whether or not they could actually go to the Governor and Council. Now my only concern is as far as the veteran is concerned or his dependents, and I would hate awfully for us to turn something down which is going to affect them in spite of any action which may have been taken by the Department head. That is my only point.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Campbell to accept the Ought Not to Pass report of the committee.

A division of the Senate was had.

Twenty-five having voted in the affirmative and five opposed, the Ought not to pass report was accepted.

The PRESIDENT: The Chair is happy indeed to recognize in the Senate Chamber the good wife and the daughter of Senator Atherton of Penobscot, Mrs. Atherton and Patience. (Applause)

The President laid before the Senate Item 1-3 Senate Reports from the Committee on Judiciary: Majority Report, Ought to Pass in New Draft; Minority Report, Ought Not to Pass; on bill, "An Act Relating to Percentage by Weight of Alcohol of Blood of Operators of Motor Vehicles (S. P.

275) (L. D. 789) tabled earlier in today's session by Senator Farris of Kennebec pending consideration.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, this document, being L. D. 1571, is a redraft of L. D. 789, and you would hardly recognize the redraft as stemming from the original bill. The reason that I wish to speak on this measure is to have an opportunity to combat a great deal of criticism which has been leveled at the Judiciary Committee and also criticism which has been leveled to some extent against the 101st Legislature by the editorial writers at least of the Portland Press Herald and the Portland Sunday Telegram. The criticism has been that this legislature and the Judiciary Committee have not been nearly as conscious as they should be of the problems relating to highway safety, and that this legislature and the Judiciary Committee has not given proper consideration to measures which have been proposed by the Maine Highway Safety Committee.

The original bill, L. D. 789, sponsored and introduced by the Senator from Somerset, Senator Johnson, was simply a bill which proposed to reduce the prima facie evidence in use of alcohol blood tests from 15/100 per cent to 10/100 per cent, and in my opinion this proposal was probably one of the best steps forward towards procuring highway safety than any other piece of legislation that has been brought before the 101st legislature. Incidentally this was not the Highway Safety measure, it was not sponsored by the Highway Safety Committee, but rather was the personal thinking of the Senator from Somerset, Senator Johnson, after a great deal of collaboration with one of our well known pathologists in the State of Maine, Dr. Irving Goodof of Thayer Hospital in Waterville.

As far as the Judiciary Committee is concerned, it has recommended by Majority Report that the driver education be stepped up and that a young person who has not had driver education or attended a driver education school should not be licensed until he attains the

age of 19 years, it is age 17 under our present statutes, we having raised it two years ago. That measure was defeated by the legislature. There were a lot of problems and it understandably created lots of opposition but I state this to point out that the Committee on Judiciary in its deliberations was cognizant of the fact that something should be done in that area.

The Committee on Judiciary did turn out a Majority Report but the so-called compulsory blood test for statistical purposes should not be enacted and you will recall there was much debate on that and the reasons were set forth. They were valid, legal reasons as to why it was not a good bill.

Now I point that out in arriving at a discussion of the redraft which is now before you because basically it would seem that we have a couple of major problems in the matter of highway safety. One is the fact that even though there are more cars upon the highway, there are more people being arrested under the influence, yet there are fewer convictions today for driving under the influence than there were ten years ago. It also seems rather imperative that we do have more statistics available for evaluation, and particularly the effect of alcohol upon the driver of an automobile. I think we all pretty well know it has a bad effect, but we do not have percentage figures and so forth with which to work and I think there is a reason for that. Under the law today, there is absolutely no incentive, no motive for a person — who has actually had nothing to drink, but let's say a person who has had two or three drinks — to consent to the taking of a blood test. Very rarely is there anything to be gained because it can't be used as evidence against him and it can be incriminating so he is just as well off as an individual to stand mute and not ask for the blood test or agree to take a blood test if requested.

Now, I think probably one of the primary reasons as to why our conviction rate is dropping off is due to the fact that the public is well aware of the fact that any person convicted of the offense of

operating a motor vehicle under the influence is going to lose his license for one full year. There is no question but in many, many instances this loss of license for the one full year works an undue hardship. We can say, "Yes the man should know better" or "The woman should know better—they should know if they drink and drink a quantity of liquor which runs in excess of 15/100 percent that they are going to lose their license." But it is very seldom that an individual and particularly the social drinker, goes out on the highway in the evening, planning to consume alcohol to the extent that it will impair the faculties. But it happens and it is going to happen. So the purpose of this redraft was to (1) It has been demonstrated scientifically that if a person has consumed alcohol to the extent that his blood test will show a percentage of 15/100 or more that he is pretty well over the bay. As a matter of fact, if that blood test shows up in excess of 10/100 there is no question that that person's faculties as far as operating a motor vehicle, are impaired. And that man should not be operating a motor vehicle upon our highways. Now it was rather obvious after a discussion of this matter that it would be most unlikely that this legislature would be willing to reduce the prima facie limits from 15/100 down to 10/100 so we struck upon a mid-way figure of 12/100.

I discussed this proposition with the Secretary of State. I also discussed this proposition with the Chief of our State Police, Colonel Marx and both were of the opinion that this might be a good step in the right direction, and particularly that it might provide an incentive for the taking of blood tests for the following reasons: That in redrafting our statute on driving while under the influence or driving while intoxicated, to put in a provision that any person who had taken a blood test within four hours after the offense occurred and it was made a part of court record, and that the test showed up with less than 18/100 that that person would be permitted to apply for restoration of his license at the expiration of six months. Now that would certainly

in many instances be an incentive for a person to take a blood test. And this measure came out of our Judiciary Committee, as I said, with an 8 to 2 Majority Report and it did not seem necessary to have any discussions because I assumed everyone had read it and then the bill went over to the other body and I was completely shocked yesterday when I was advised, and it now is confirmed in the Journal of the House as of yesterday, that one of our colleagues in this legislature in speaking on this measure, stated that the Secretary of State had signified that he is inalterably opposed to this bill. And he told me that he did not mind being quoted. Now I have no objection to Mr. MacDonald being inalterably opposed to any dog-gone thing he wants to but I certainly feel that it was a gross insult after he and I had discussed this measure that he did not come to me, voiced no objection to me but goes over in the other body and lobbies for the defeat of this particular measure, which incidentally, also had the tacit support of the present Chairman of the Highway Safety Committee and other members of the Highway Safety Committee who had knowledge of the subject matter.

So, I asked Mr. MacDonald why he opposed this and he told me why, and the reason that he gives me is that this 12/100—he doesn't know just what that does, he never heard of 12/100 being in the law and this "less than 18/100 he never heard of that being in the law, it is something pretty new. Well, personally I think it is about time we had something new. I also think it is about time that we had some public officials who will show a little vision and take a little leadership and a little responsibility and at least if they are going to scuttle something after it has been discussed, they will come around and discuss the matter with the sponsor of the legislation. Because certainly it doesn't take a man who has graduated cum laude from an Ivy League college to figure out if a man has 12/100 percent alcohol by weight in his bloodstream as opposed to 10/100 percent, he is going to be a little more under the influence. And by the same token

it doesn't take a person of any great imagination to figure out that if he has only 12/100 as compared to 15/100 he is not going to be quite as loaded. I certainly feel that a little bit of responsibility on this matter of highway safety and the fact that something is not being done constructively and steps being taken in the right direction probably should be laid right at the doorstep of the Secretary of State along with this legislature if the criticism is just.

I think that this measure does have merit. I think that possibly when the full import of this bill is understood in the other body, there might be a prospect at least if not enacted by this legislature that it certainly is meritorious for study by the Maine State Highway Safety Committee and I have been led to believe that there are many in the other body that are very happy with the 15/100 percent. So a Committee of Conference may avail us nothing but that should not stop the Safety Committee from conducting a study on its own along the lines suggest in this bill.

In order to keep this alive and see if we can do something constructive at this session I would move that we insist upon our former action and request a Committee of Conference.

The motion prevailed and the President appointed as Senate conferees, Senators: Farris of Kennebec, Johnson of Somerset and Boardman of Washington.

The President laid before the Senate Item 6-4, Senate Reports from the Committee on Constitutional Amendments and Legislative Reapportionment: Majority Report, Ought Not to Pass; Minority Report Ought to Pass as Amended; on Resolve Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions (S. P. 3) (L. D. 3) tabled earlier in today's session by Senator Lovell of York pending acceptance of either report.

Mr. LOVELL of York: Mr. President, I move that the Ought to Pass report be accepted and I would like to speak to the motion.

The President: The Senator may proceed.

Mr. LOVELL: Mr. President, ladies and gentlemen of the Senate, I think in the last few weeks that this Senate has shown to me and to the state at large that we are getting more and more for progress in the State of Maine. I don't think I need to debate this bill at length but I would like to bring out some pertinent facts in regard to annual sessions of the legislature.

As you all well know, last year, for example, the total budget, or the total expenditures of the State of Maine were \$150 million. Next year they will rise without question to over \$160 million in annual expenditures. If you remember some two years ago we received a statement that the departments in the past ten years had turned back a million and a half dollars a year to the state treasury and that we had underestimated our surplus each year for the past ten years by two and a half million dollars per year. I don't know in the last two years how much was turned back but I do know that the surplus in the last two years was \$5 million.

I think we have come to the point now that Maine should and would be considered as big business. And when it becomes big business, I feel that we need to meet in annual sessions. Not that I am against serving here until the 4th of July as we may well do this year and two years ago we served if you remember to June 17th, but I feel that we would do a much better job, more progressive if we handled our business, our state business on an annual basis. I would like to point out that at the present time, well over twenty states now have annual sessions of their legislature. For example the two newest states of the Union whose Constitution was drawn up with help of the Council of State Governments and other well known parliamentarians, have annual sessions. They have the so-called perfect Constitutions. I think you saw in a recent debate the good Senator from Kennebec, Senator Campbell, on the efficiency of the veterans program, where this could well have been eliminated if we had annual sessions.

The Council of State Governments which is very cognizant and constantly studying the various types of changes needed to be in Constitutions, and I would like to review one or two things—that in the old days people were afraid of government and their concept of the function of government was largely a negative one. By means of frequent elections and frequent legislative sessions, it was thought that the government could be kept under better control, and we here in Maine, back in the old days had annual sessions. It was the feeling of the people that the sessions of the legislature were a necessary evil and the quotation is that “since the legislators were necessary evils, their opportunities for mischief should be reduced to a minimum.” So they went from annual to biennial sessions. However, as time has continued on, it has been proven that the legislators certainly in Maine and in most legislatures are honest, conscientious, hard working groups.

Many states have changed from biennial sessions to annual sessions and other states are considering that change. The principle arguments for annual sessions may be stated briefly as follows, that the most important single function of the state legislature is the approval and enactment of the budget of the state government. And you well can see, the problems we have in budget commitments. This determines the amount of taxes which the citizens will have to pay for the support of the state government, and determines to some extent the quality of the services which they will receive from the several departments and institutions. Budget estimates can be more accurate if made for one year than if made for two years. I think that statement is very, very evident. The business of state government has expanded to such an extent that aside from the budget there are many problems that are likely to require legislative attention more frequently than once every two years, and I think that I can point out that in the recent ten years we have had one or two special sessions during the interim of our two year periods.

Now this particular bill, S. P. 3, L. D. 3 was rather hastily drawn up and if it passes, I do feel that it would be not feasible for thirty days in one session and sixty in another because we have shown with the number of bills that are now coming in to the legislature, 1500 to 1600 in the last two sessions, that would not be possible. So if it should pass, I would like to strike out those sections and leave it, after the people have voted on this constitutional amendment, to the discretion of the legislature on what they want to take up in each session; the budget yearly, or bills that have been indefinitely postponed, or come out of committee unanimously Ought Not to Pass, such as certain bills we can think of that might be entered every year; then the legislature can take the proper steps to eliminate putting in of extemporaneous bills which would just take time being entered every year instead of every two years. With the increasing function of the state government, the legislature can scarcely attend to all the accumulated problems of the biennium in our five months session even, under the biennial system. Consequently if we had annual sessions, then these various bills that are coming in we would have more time to study and concentrate on the different bills but I think without question the Senate will realize the tremendous advantages of annual sessions.

And just briefly, in closing, one, annual sessions mean greater independence of the legislature since the calling of special sessions in the interim year of biennial sessions is ordinarily left to the discretion of the Governor. Two, the problems of the state are not limited to alternate years. Three, the less time devoted to problems of legislation, the greater the chance of getting poor legislation, or legislation which is hastily conceived and ill considered. Biennial sessions encourage expansion of executive power at the expense of legislative power.

So I would respectfully request this Senate to vote for the Ought to Pass report of this committee

in giving the people the right to vote on whether or not we should have annual sessions and not have to stay here up into the summer. Thank you.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate, I rise in opposition to the motion of the Senator from York, Senator Lovell to accept the Ought to Pass Minority report. This annual session business has come before us before. It has been a topic for political discussion for some time, and I am sure that all members of the Senate have given it considerable thought.

In our committee we discussed ways and methods that you might have annual sessions. You might have one completely dedicated to financial matters and take up the budget and perhaps a few other things. Now, Senator Lovell from York has said that we might decide on what we wanted to discuss and I submit to you that we could probably meet for at least a half session deciding what we wanted to discuss before we came to any agreement on that, especially between one body and the other, which Senator Lovell of York has made reference to in past statements. I can see a Committee of Conference in session for two months trying to decide what we would discuss.

From the standpoint of this legislature meeting every twelve months, I submit to you that there is nothing very holy or sanctified in a twelve month period. It happens to be the time it takes for the earth to go in its orbit around the sun but it does seem to me that we as intelligent citizens of the State of Maine ought to be able to budget on a two year basis, a twenty-four month basis or a twenty-three or twenty-two or twenty-five month basis. I think that to get stuck with the idea that everything has to go on an annual basis is a mistake.

I would also call to your attention that the estimated expense for the legislature to be in operation for the approximately six months that we are to be in session is \$703,672. And I would think that with the ever increasing



costs we might find ourselves faced with at least as great a figure in the off times because there are many bills that come up every two years that would come up every year and would go to the same committees time after time and return time after time. I think that our deliberations here in Augusta in this session have pretty fully demonstrated that we can stick to our guns, take care of our problems and take care of them for a two year period. When the vote is taken, I would request a division.

Mr. WYMAN of Washington: Mr. President and members of the Senate, I want to rise in support of the Senator from Cumberland, Senator Porteous. I think we have two problems, taxes and appropriations which cause our long sessions, and I think if we had been able to resolve these earlier in the session, we would have been able to be out of here by the middle of May or earlier. I don't think annual sessions are going to cause these two problems to be resolved any faster. We have witnessed a continual delay over this matter now for nearly a month and I can't see where annual sessions would make it any speedier. I hope the motion to adopt the Minority Report does not prevail.

Mr. EDMUNDS of Aroostook: Mr. President, as a signer of the Ought Not to Pass report, I think I should rise and state the reasons that I did sign the Ought Not to Pass. Purely in the interest of self preservation I would hope that a motion that we accept the Ought to pass report would not prevail and I believe I would go even further at this time and move that this bill and all accompanying papers be indefinitely postponed. And when the vote is taken I request a division.

The PRESIDENT: The question before the Senate is the motion of the Senator from Aroostook, Senator Edmunds, that the reports and bill be indefinitely postponed.

Mr. FARRIS of Kennebec: Mr. President, as a member of the committee, who signed the minority report, I feel that I should also state my reasons for such action. My first experience in the legislature

was during the 97th session and at that time I was just as convinced as the opponents to annual sessions are today, that annual sessions were not necessary and would not be of particular benefit to the State of Maine. However, since that time I have given a lot of consideration to this measure and I have arrived at the conclusion that annual sessions would be of greater benefit to the State of Maine than to continue on our present biennial system. Now I think many of you will recall that we had a special session of the 100th legislature in November of 1961. At that time we had in excess of 70 bills which were disposed of by this legislature in one week. The reason for that was as follows. We knew when we came into special session exactly what the measures were upon which we were to take action. We had plenty of opportunity to do our homework in advance and know something about the particular legislation and of course a number of those bills dealt with matters that had been considered at the regular session.

Now we know that we have this tremendous turnover in our legislature every election. It would seem to me that if we were to have annual sessions, and the first session would of course be the new legislature convening, and we were to take up the matters which we could readily dispose of within three months, and of course take up our budget matters, and then adjourn to our second session of the same legislature a year hence, have an opportunity to study the measures which would be coming before us, have plenty of opportunity to do our homework when we were not tied down with the details of committee work as we are today during our regular session, so that when we returned to that second session of the legislature we would be much more knowledgeable and in a much better position to judge the merit and worth of the legislation which was before us.

I think that the action in disposing of better than 70 bills in the special session of 1961 proves that point, that we would be able to do the same thing. We would have an experienced legislature coming into

that second session and they would, so to speak, know the ropes, and in addition to that we would have the opportunity on these many study committees which we have, and which I think are essential and should be continued and maybe in even greater degree than they are now being utilized. But we would have a study committee composed of members of our own legislature who were appointed at the first session to study the particular matters, and then report back at the second session to the same legislature, I am certain that it would have a much greater reception and there would be much greater thought and study given to our overall legislative affairs.

So I say I have certainly revised my thinking in the past eight years. I think we would be accomplishing a greater service for the benefit of the people of Maine if we were to go to annual sessions, and I think frankly, that if it were not for the fact that one major party has consistently recommended annual sessions, that it might have a better response, because I know friends of my own who really close their eyes to the issue and the merits of annual sessions merely because they have been proposed consistently by a major party other than the one which they represent. At this time I would urge that we defeat the motion of the Senator from Aroostook, Senator Edmunds to indefinitely postpone this measure, and then proceed and adopt at least the philosophy of annual sessions and certainly we can work out a suitable bill.

Mr. CRAM of Cumberland: Mr. President, in this matter I have to agree 100 percent with my friend, Senator Farris. The great state of New York with its huge population and huge area is able to operate on annual sessions and adjourn each year by Easter. It is my understanding that they never go beyond Easter. Now it would seem to me that if the legislature should adopt a few simple rules of procedure that annual sessions could result in better understanding of all the bills, and much more expeditiously.

For instance, there would be no need of allowing bills to be introduced at the second session of the biennium. Bills could be introduced at the first session with some very rigid rule that they not be introduced at the second session without unanimous consent. The appropriation problems could be I think disposed of in three months easily enough and the controversial bills could be continued until the second session which would give the members of the legislature nine months in which to discuss them at home and get additional information on the various subjects which happened to be before them.

Also, if all hearings, committee hearings, had not been disposed of during the first session, hearings might be held in the off season as well as not and then I think there could be a time limit during which committees must report on bills. If the rule was that all committees must report by the end of January of the second session, I think that would speed things up. That would be the equivalent of the end of April under our present set-up and here it is June and we still have a number of bills that are still in committee. It is a little ridiculous. I think that annual sessions would offer possibilities for so much more expeditious handling of bills and much sounder action on many of them.

Mr. JACQUES of Androscoggin: Mr. President, I rise in opposition to the indefinite postponement of this annual session bill. I know that a lot of you here that go to Florida would not be able to come back if you had to come here every year. But I think that this could be disposed of in a month and I think most of us would hurry up and get our work done. I know that I tried to this year but it was almost impossible.

Our Committees worked awfully hard to get our bills through and we did. We had two very good Chairmen, but I see that the Appropriations Committee has held things back again—not because they wanted to I guess—they worked awfully hard—but I

think this annual session with the big business we are running here, trying to budget millions and millions of dollars—and I believe this year we will have some millions more—and from what I see we may have another cent on the sales tax and two years from now, maybe the income tax. I believe that this annual session is a good thing and good business for the State of Maine. I can just imagine trying to run my business, which is not very big, and trying to budget it for two years and stay in it. I hope that the motion of the Senator from Aroostook does not prevail.

Mr. STILPHEN of Knox: Mr. President, I rise in support of the motion of the Senator from Aroostook, Senator Edmunds and also just so that he won't have to defend himself I would like to call your attention to the memorandum on our desks this morning. It doesn't appear that the appropriations committee is entirely at fault. It appears that the Committee on Constitutional Amendments and Reapportionment has fourteen bills in their possession at the moment.

Mr. PORTEOUS of Cumberland: Mr. President, I want to rise in defense of our committee. Sir, we have reported out most of those and we only have about one real big one left.

Mrs. CHRISTIE: Mr. President and members of the Senate, it seems to me that if we were to adopt the plan of annual sessions, we would be letting ourselves in for much more expense than we have now. If there is any necessity for a special session, that could be conducted at much less expense than a regular session could be conducted. I feel that it would also make it difficult for a great many people who come now to the legislature to come if they had to be here every year. They make plans for coming every two years and perhaps it is a little easier that way. If they had to come every year they might not be able to come at all. So I feel there are at least two reasons why I would oppose this bill for indefinite postponement.

Mr. LOVELL of York: Mr. President, just a few more words on this bill, and I am sure that the good Senator from Cumberland is not remiss on getting bills out of his committee. I do feel, and would doubt that in his business he budgets his operations of his store over a two year period.

In one particular state they had a special committee to study annual sessions when they changed from annual to biennial sessions and I would like to state that their conclusion was this: "This Committee wishes to point out that the change from annual to biennial sessions not only was a retrogressive step in our democracy but signified a decline in the scope, value, integrity and importance of our legislature. As a matter of fact, if biennial sessions had always been the rule in this state, now would have been the time to change to annual sessions. In other years the tempo of life was slower, changes occurred less frequently. In the interest of economy, circumstance might have permitted less frequent meetings of the legislature. Today the rapid pace of life and communal affairs demands a legislature that is in touch with the pulse of the commonwealth," and I would mention that fact, that those of us who stay away from home the entire week lose touch with our constituents, since we are home only on weekends. With annual sessions, we would have a great deal more opportunity to study the bills and the reports of special committees and I hope that the good Senator's motion does not prevail.

Mr. CYR of Aroostook: Mr. President, I rise in opposition to this annual session bill and I fail to see how it can shorten the session. You all know that it takes about a month to put the session in gear and about two months to get it out of gear so if we are going to do that every year, right there is three months.

I think the best way, if we are looking for a solution to try to shorten the sessions, is a very simple solution. All of us know that if we oppose the Governor's

budget, we are considered obstructionists; therefore, after we have debated all during this session, we finally give in in the name of progress and we go along with the Governor so all we would have to do after the Governor has given his budget message is to have the President of the Senate and all the officers sign on this document and then we'll be ready to go home. We spend the rest of the session debating the merits of all these bills and then we put them on the Appropriation Table. Come the last night and we throw them all down the drain. So we can do that right at the beginning of the session and shorten the session. It seems to me that we would be better off to put an amendment on this thing here and have a session only every four years. (Laughter)

Mr. EDMUNDS of Aroostook: Mr. President, Senator Cyr's remarks reminded me of remarks I heard once from a member of the third house who said that the legislature should meet only once every twenty years and they could do damage enough then. (Laughter)

Mr. REED of Sagadahoc: Mr. President and members of the Senate, I have been waiting for someone to say about what I have planned to say and no one has as yet. I think it is probably because I am going to get a little far afield here.

I had a bill, in fact it was an exact duplicate of this bill and it will be withdrawn. Therefore, since I had such a bill, I had a feeling about it. I think that if I have one regret about this legislature it is the fact that we have done nothing up to this point in making our state government more progressive. There are a lot of things I would like to do. I would like to eliminate the X on our ballot. I would like to do something about the Executive Council, if not to abolish it, then to change the manner of its election; I would like to see our Executive strengthened; I would like to see department heads appointed by the governor and serve at the wishes of the governor, I would like to see four year terms for

Senators because I feel that it would give this body and the whole legislature more continuity and as a result we would have better government.

Now most of you disagree with me, and this is certainly your prerogative but I hope that the reason you disagree with me is not similar to those that were brought forth by the Senator from Kennebec, Senator Farris. I don't know whether it is wrong to mention political parties here, but we are either Democrats or Republicans or "be darned" and I can't help but think that this is not necessarily bad. I have been asked many times why I was a Democrat and the answer is pretty simple. My father was one, my grandfather was one, my great-grandfather was one and so on down the line. If you go back far enough you will see that Maine was once a Democratic state and the answer is easy. The Democrats favored a low tariff and this meant trade and New England and especially the Maine coast was a trading center. The reason I am an active Democrat is also simple. And that is because there are too many Republicans.

Now, perhaps this sounds rather odd, but I have heard it said on the floor of this Senate that Washington had a two to one majority, the present administration. If you have the horses you can plow the field. I suppose this may be true but I look around here and I see that my party is outnumbered seven to one, or very nearly so. We, as yet, have not had a roll call vote. Now this is just as easy for me as it is for you. I wonder if the end result means good government.

I suppose you are also wondering why and how this is related to annual sessions or any such discussion as progress in government. I feel that there is a direct relationship and it is this: That whether it be the Republican party in Maine or the Democratic party in the south, they talk of progress but they are very reluctant to change the machinery. This is only common sense, because if you are winning, if you are in power, why change?

Why rock the boat? The sad part about it that I would like to bring forth this morning is that we are defeating the very thing that I feel we hold dear, and that is State's rights. The federal government cannot sit by and watch the states not do their job. We talk here about competing with New Hampshire, Vermont, Canada. You must remember that the federal government is competing against communism and its doctrine of world domination.

Let us talk about federal aid to education which has been mentioned here in this Senate. I am against it. And yet if I were a member of Congress, I'd feel compelled to vote for it because after all I would be charged with the defense of this country, and what is more important to the defense of this country than the defense of its educational system? It is one and the same. It is more important than the standing army in the field. And yet, with federal money I know comes federal control. I know because I have been associated with the highway division and the last ten years I have seen it come in. And yet we are so afraid to strengthen our Executive. We are afraid to gamble on annual legislative sessions. I think this is wrong. I think that we are remiss in our responsibilities. I know that I sit here in the Senate and say to myself a good many times, "If the towns could do it" it would make it so much easier for us. We talk about school subsidies and school education. I think this is true on the federal level. I think they probably sit down and say, "If the states would do the job, it would be easy. Take care of their education. Take care of their pollution problems. Save their natural resources." But we don't. I think if we want to hold on to our institutions and keep them in line with what they should do, then we have to be willing to change.

I would like to quote — and I have had this in my desk for two months and I would like to read it because seven or eight years ago I gave a little talk and I mentioned Thomas Jefferson. After I mentioned his name and quoted him, some lady crawled all over me and

said that I was a Democrat and Jefferson certainly was not although he was a Republican-Democrat or whatever you would like to call him, and I should not be quoting him because he was not for change. He was for states rights. He was for the small fellow. I was supposed to be for centralization, etc. Well, I went back and I did a little research and I happened to see these words written by Jefferson and on the Jefferson Memorial. I will not call Jefferson the greatest president this country ever had because I don't believe he was. I believe that that honor without doubt belongs to Lincoln. But I think he certainly was one of the greatest men of our country and he said this about change: He said, "I am not an advocate of frequent changes in laws and constitutions but laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths discovered and manners and opinions changed, with the change of circumstances, institutions must advance also to keep pace with the times."

This is his last sentence, "We might as well require a man to wear still the coat which fitted him when a boy. Is civilized society to remain ever under the regime of their barbaric ancestors?"

Here is one of the fathers of our country, the great exponent of liberty and democracy who knew that he himself one day would be considered as one of our barbaric ancestors. I think we should take this into consideration and we should not be afraid of change.

I would like to compliment the Senator from York, Senator Lovell for introducing this bill because I personally feel that this comes before some of the great spending programs in industrial development and recreational development. They should go together.

I know that I have gone far afield. I hope that this legislature weighs this matter heavily, and as Senator Farris said here today, just because it is in the Democratic platform is no reason necessarily to vote against it. I certainly hope that the motion

to indefinitely postpone this bill does not prevail because I do know this. We cannot solve our problems by running away from them. Thank you.

Mrs. SPROUL of Lincoln: Mr. President and members of the Senate, I can see merit in this bill but as far as parties go I hope I can look on both sides of the question. But I am one of those that go home nights, and my constituents meet me in Damariscotta and Newcastle on my way home and they don't like an increase in the sales tax, if I might mention that this minute and we know that that measure is coming in here. That being the point, I would like someone to give me figures as to what this would cost. And I will ask the question through the Chair of anyone who can answer it.

Also I would like to know whether it would cut down on the session which we have now every two years. As I say, I think the measure has merit but I do not feel that if it is going to make a great increase in cost that I could go along with it.

Again I ask through the Chair as to what the cost of this measure would be.

The PRESIDENT: The Senator from Lincoln, Senator Sproul, poses a question through the Chair to any Senator who may answer if he chooses.

Mr. LOVELL of York: Mr. President, as the bill is worded, sixty days on one year and sixty days on the second year, then if we run in the biennial session twice that amount, then we would save half. If the price is \$700,000 then we would save \$350,000.

In the judgment of the legislature, if the session on an annual basis ran sixty days or possibly ninety then if we run now, as we are very apt to do this year, and in the future, then it would cost no more, but just about the same.

Mr. EDMUNDS of Aroostook: Mr. President, the Senator from Lincoln, Senator Sproul, asked a question as to cost. I don't think the reply of the Senator from York, Senator Lovell, was entirely correct and I don't think anybody can indicate exactly what annual sessions would cost ever.

I would just take a minute and review the expense of operating the present session of the legislature. The budget recommendation at the 100th session of the legislature was that we would spend in the first year of the biennium \$91,509 and in the second year of the biennium \$735,253 — that is the year for which we would meet. I would also add that the bill which is currently before us to increase expense and salaries of the legislators would probably add another \$200,000 to this so that you would be getting up in the million dollar area or over the million dollar area as far as conducting legislative sessions on a biennial basis. I don't think it is at all improper to say that if you got into the area of annual sessions that you probably would have to look at an expense figure of a million and a quarter to a million and a half dollars.

Mr. NOYES of Franklin: Mr. President, in answer to the question of the Senator from Lincoln, Senator Sproul. I think the question here is not what the additional cost of the sessions would be, but what would be the saving in state efficiency. Now we all know that we appropriate too much money to some of these departments because we do not have the time to get in and find just what they need. Secondly we do it on a two year basis and in the last ten years over \$2 million has been turned back unused.

Now certainly in your business and my business we have a board of directors, we meet every month, we have the time and the opportunity to review our divisions or our departments or whatever we have, even if we are a small business. We would be on top of the job and the real savings would be in the appropriations which we are forced to make and we do not have the time or put the effort into proper efficiency of state government.

This is not a political issue. In the 99th legislature I voted for annual sessions and in the 100th legislature. I was not going to talk on it today because so many have but this is just a matter of good government. It is not a matter of anything else and perhaps it would cost us more to

come down here every year but the overall advantages to the state and the efficiency of state government would be perhaps five million dollars.

The PRESIDENT: The question before the Senate is the motion of the Senator from Aroostook, Senator Edmunds, that the report and the bill be indefinitely postponed.

A division of the Senate was had.

Sixteen having voted in the affirmative and thirteen opposed, the motion prevailed.

Mr. LOVELL of York: Mr. President:

The PRESIDENT: For what purpose does the gentleman rise?

Mr. LOVELL: Mr. President, I rise to ask if we could reconsider an item which we passed over during my efforts to get material together for the recent debate.

The PRESIDENT: The Senator may state his motion.

Mr. LOVELL of York: Mr. President, I would like to ask that the Senate reconsider its action on Item 2 on Page 4, L.D. 1402.

The PRESIDENT: The Senator from York, Senator Lovell, moves that we reconsider our action whereby we accepted the Ought Not to Pass report of the committee 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, (H. P. 963) (L. D. 1402).

The motion to reconsider prevailed.

Mr. LOVELL of York: Mr. President, as the hour is getting late, I would move that this be tabled until the next session whether it be this afternoon or tomorrow.

Thereupon, the bill was tabled pending acceptance of the report and was especially assigned for tomorrow.

On motion by Mr. Edmunds of Aroostook

Adjourned until tomorrow morning at ten o'clock.