

# 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**

Thursday, June 6, 1963

Senate called to order by the President.

Prayer by the Rev. Arthur G. Christopher of Hallowell.

On motion by Mr. Brown of Hancock,

Journal of yesterday read and approved.

The PRESIDENT: Will the Sergeant-at-Arms please escort Elizabeth and Tommy Wilkenson to the well of the Senate Chamber?

The Chair would announce to the Senate that this happens to be a great day. This is Senator Wyman's 39th birthday. (Applause)

Thereupon, the President of the Senate escorted Elizabeth and Tommy Wilkenson to the seat of Senator Wyman of Washington where the children sang "Happy Birthday" to their grandfather, Senator Wyman. (Applause)

Mr. WYMAN of Washington: Mr. President and members of the Senate, I am very appreciative. I suppose if I do have to have a 39th birthday I do not know of a better place to have it or a finer group of people with whom to be. (Applause).

Subsequently, the President appointed Elizabeth and Tommy Wilkenson Honorary Pages of the Senate for the day.

**House Papers**

**Non-concurrent matter**

Bill, "An Act Relating to Expend- ing Aroostook County Funds for Renovating the Terminal at Presque Isle Municipal Airport." (S. P. 194) (L. D. 493)

In Senate, May 21, passed to be engrossed as amended by Committee Amendment A and by House Amendment A in non-concurrence.

In the Senate May 24, receded and concurred.

Comes from the House, Indefinitely postponed. (Motion to reconsider made and lost)

In the Senate, on motion by Mrs. Christie of Aroostook, the bill was recommitted to the Committee on Towns and Counties.

Sent down for concurrence.

Bill, "An Act Increasing Salary of Forest Commissioner." (S. P. 374) (L. D. 1040)

In Senate, March 29, passed to be engrossed as amended by Committee Amendment "A" (S-106)

In House, April 26, passed to be engrossed as amended by House Amendment "A" (H-297) (Committee Amendment "A" Indefinitely Postponed) in non-concurrence.

In Senate, May 29, receded and concurred.

Comes from the House, passed to be engrossed as amended by House Amendment "B" (H-409) in non-concurrence. (House Amendment "A" Indefinitely Postponed)

In the Senate:

Mr. WHITTAKER of Penobscot: Mr. President and members of the Senate: We are now in non-concurrence with the House on this bill by virtue of their adoption of House Amendment "B" which increases the salary of the Forest Commissioner by an amount of \$1000. When this matter was discussed in the State Government Committee a very nominal increase was given to the Forest Commissioner, but as a member of the Committee I am in accord with the House action. I therefore move that the Senate recede and concur.

The Secretary read House Amendment B and the Senate voted to recede and concur.

**Committee Reports — House**

**Leave to Withdraw**

The Committee on Judiciary on Bill, "An Act Designating Saco as the Seat of the District Court for Eastern York." (H. P. 51) (L. D. 74) reported that the same should be granted Leave to Withdraw.

Comes from the House Indefinitely Postponed.

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

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

The Majority of the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve, Proposing an Amendment to the Constitution to Apportion the

House of Representatives. (H. P. 432) (L. D. 637) reported that the same Ought not to pass, covered by other legislation.

(Signed)

Senators:

PORTEOUS of Cumberland  
FARRIS of Kennebec  
NOYES of Franklin  
EDMUNDS of Aroostook

Representatives:

BERMAN of Houlton  
PEASE of Wiscasset  
WATKINS of Windham  
VILES of Anson  
SMITH of Bar Harbor  
DENNETT of Kittery  
SMITH of Strong  
COTTRELL of Portland

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

(Signed)

Senator:

JACQUES of Androscoggin

Representatives:

PLANTE  
of Old Orchard Beach  
CARTIER of Biddeford

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

In the Senate, on motion by Mr. Porteous of Cumberland, the Majority Ought Not to Pass report was accepted in concurrence.

**Majority — Ought to Pass**

**Minority — Ought Not to Pass**

The Majority of the Committee on Education on Bill, "An Act to Provide for the Dissolution of School Administrative District No. 3." (H. P. 437) (L. D. 642) reported the same Ought to Pass in New Draft under new title: "An Act to Provide for the Reorganization of School Administrative District No. 3." (H. P. 1101) (L. D. 1579).

(Signed)

Senator:

WHITTAKER of Penobscot

Representatives:

McGEE of Auburn  
TREWORGY of Gorham  
LEVESQUE of Madawaska  
CURTIS of Bowdoinham  
BRADEEN of Waterboro  
EASTON of Winterport  
SNOW of Jonesboro

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

(Signed)

Senators:

BROOKS of Cumberland  
HICHBORN of Piscataquis

Comes from the House, Majority—Ought to pass in New Draft read and accepted.

In the Senate, on motion by Mr. Whittaker of Penobscot, the Majority Ought to Pass report was accepted in concurrence, the bill read once and tomorrow assigned for second reading.

**Majority — Ought Not to Pass**

**Minority — Ought to Pass in New Draft under New Title**

The Majority of the Committee on Judiciary on Bill, "An Act Relating to Statute of Limitations on Actions for Malpractice of Physicians." (H. P. 918) (L. D. 1352) reported that the same Ought not to pass.

(Signed)

Senators:

FARRIS of Kennebec  
BOARDMAN of Washington  
CAMPBELL of Kennebec

Representatives:

RUST of York  
PEASE of Wiscasset  
SMITH of Bar Harbor

The Minority of the same Committee on the same subject matter reported that the same Ought to pass in New Draft, under title of "An Act Relating to Statute of Limitations." (H. P. 1102) (L. D. 1581)

(Signed)

Representatives:

CHILDS of Portland  
BERMAN of Houlton  
THORNTON of Belfast  
KNIGHT of Rockland

Comes from the House, Reports and Bill indefinitely postponed.

In the Senate, on motion by Mr. Farris, the reports and bill were indefinitely postponed.

**Majority — Referred to 102nd Legislature**

**Minority — Ought to Pass**

The Majority of the Committee on Legal Affairs on recommended Bill, "An Act to Consolidate the Maine Unitarian Association with

Northeast District of the Unitarian Universalist Association." (H. P. 295) (L. D. 389) reported that it should be referred to the 102nd Legislature.

(Signed)

Senators:

STITHAM of Somerset  
SPROUL of Lincoln  
ATHERTON of Penobscot

Representatives:

GILBERT of Eddington  
COTE of Lewiston  
BOISSONNEAU  
of Westbrook  
FOSTER of Mechanic Falls  
WHITE of Guilford

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

(Signed)

Representatives:

WELLMAN of Bangor  
COPE of Portland

Comes from the House, Majority—Ought to pass Report accepted and the Bill passed to be engrossed.

In the Senate, on motion by Mr. Edmunds of Aroostook, the bill was tabled pending acceptance of either report and was especially assigned for tomorrow.

**Majority — Referred to the 102nd Legislature**  
**Minority — Ought to Pass**

The Majority of the Committee on Legal Affairs on recommitment Bill, "An Act to Consolidate the Universalist Church of Maine with Northeast District of the Unitarian Universalist Association." (H. P. 296) (L. D. 390) reported that it should be referred to the 102nd Legislature.

(Signed)

Senators:

STITHAM of Somerset  
SPROUL of Lincoln  
ATHERTON of Penobscot

Representatives:

COTE of Lewiston  
BOISSONNEAU  
of Westbrook  
GILBERT of Eddington  
FOSTER of Mechanic Falls  
WHITE of Guilford

The Minority of the same Committee on the same subject matter

reported that the same Ought to pass.

(Signed)

Representatives:

WELLMAN of Bangor  
COPE of Portland

Comes from the House, Minority—Ought to Pass Report accepted and the Bill, passed to be engrossed.

In the Senate, on motion by Mr. Edmunds of Aroostook, the bill was tabled and especially assigned for the next legislative day.

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

The Majority of the Committee on Public Utilities on Bill, "An Act to Create the Maine Power Authority." (S. P. 301) (L. D. 874) reported that the same Ought not to pass.

(Signed)

Representatives:

RAND of Yarmouth  
PHILBRICK of Augusta  
PLANTE  
of Old Orchard Beach  
TAYLOR of South Portland  
PITTS of Harrison  
WELCH of Chapman

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

(Signed)

Senators:

PHILBRICK of Penobscot  
HARRINGTON of Penobscot  
BOISVERT of Androscoggin

Mr. PHILBRICK of Penobscot: Mr. President and ladies and gentlemen of the Senate: It was almost exactly a week ago when a speech was made by the President of our Senate under rather unusual circumstances, it not being the custom as a general thing for the President of the Senate to step down from the rostrum and speak as any of the rest of us would do from our assigned seats. I know that on that particular day I was very much affected by that speech and I am reasonably sure that most or all the rest of you were too. In his speech President Marden spoke of the State of Maine economy being very much like a sleeping giant, and that is the feeling that I have today and I believe that the bill which I present for your consideration this morning is, if not the best, it is certainly one of the very

best vehicles to awaken this sleeping giant and to get the State of Maine on the move.

To properly evaluate the Cross Rock project, it is not enough to limit one's consideration to the construction of a dam — or to the flooding of a portion of the Allagash area or even to the fact that a huge block of power will become available for distribution.

It is not enough to analyze this project from the point of view of preservation of the white water trip of the multiple use group, at least within the context of the meaning of multiple use as used by the group which operates under that banner. Neither is it sufficient to analyze it only as viewed by the local power companies just as it would be impossible to properly evaluate it in terms of the timberland owner only.

In the consideration of Cross Rock much more is at stake than that. This development could mean the awakening of an entire community (meaning the State of Maine) to a new and invigorating way of life. There is nothing that will stimulate the up turn of the economy of a community more than the enthusiasm of its people who have the confidence that their community is on the move; that it has ideas and the courage and vigor to implement them — and there is nothing which will create enthusiasm as the introduction of a substantial development.

Cross Rock can do just this and do it now; and it will be done by and for the people of Maine — without tax dollars.

The initial millions of dollars and the related activity associated with it is only the beginning. Cross Rock power will support a major transmission line across the State of Maine — a transmission line that can export and import power from anywhere in the integrated system. This permits the power consumer in Maine to look forward to lower cost power wherever it is generated in the system. This transmission line then is not unlike a major express railroad or an express highway in terms of the benefits provided. It opens up the area to additional development and growth. It would permit Maine to

develop more fully its natural resources. The lower cost of power would result in increased demands. Industries which require lower cost power than is now available would be encouraged to settle in Maine. At the very least, they could not point to our cost of power and say because of it we cannot consider Maine.

Cross Rock is designed also with recreational development in mind—hence the large stable lake with a minimum yearly draw-down. Deep cold water will encourage excellent fishing and miles of water ways into the wilderness area will beckon the outdoor enthusiast with a desire to explore. Motor boating is fast becoming the number one participating sport in the U. S., so much so that a movement is being encouraged now to get the Federal government into this area to create more and more Federally controlled boating facilities.

This demand is growing and there is no reason why Maine cannot take advantage of it and incidentally the income generated by such activity.

This large stable lake also provides sufficient water for the operation of large barges suitable for economic transportation of lumber along the lake and into areas now accessible only under high cost methods. Actually this lake serves some 2500 square miles of land.

This high dam makes possible the maximum control of the upper Saint John Valley which results in the following benefits:

1. Assurance of no flooding in upper St. John Valley.
2. Maximum benefits from down stream power development, 50 percent of which comes back to the pocketbooks of Maine power users.
3. Maximum benefits to pollution problems now existing on the St. John.

The Cross Rock project then is designed not just for the production of power nor is it designed to benefit one group or one area. Its development could very well spark the beginning of a fresh and invigorating awakening of the people of the State of Maine to the realization of the true potential of development possible in this State.

It could encourage the attitude, enthusiasm, the confidence, and the

will of the Maine people to move out and into the development of our assets second to none.

This project has been developed to a point far beyond the stage of possibility — it can become a reality — and soon with our help. I suspect that this is why the power companies have put up so much resistance. They, too, realize this and they do not wish to disturb the status quo — they are making a dollar so why the necessity for any change? A development such as this benefits all the people not just a selected few. It creates activity and invigorates our atmosphere which encourages still more growth and expansion — that's why it is necessary to make some changes.

The State of Maine has become practically a stagnant community — in the past 30 years our population has increased a mere 2 percent or actually is only remaining still. We are constantly bemoaning the fact that there is an exodus of our young people. But why shouldn't they leave? If our economy is such that we can't absorb them, they have no alternative but to go elsewhere. The best we can hope for is to educate them and bid them God-speed.

Each biennium we return to the legislature with the exact same problems — only multiplied by time — and the same obvious solutions before us. There is no new activity, no new growth, no new development of consequence, which offers any possible help to the economy or which offers any possible future source of taxation. We can only increase the same old tax or hope that the people will drink more, smoke more, or buy more necessities to cover the additional burdens of government.

It should be obvious to even the most uninformed that the status quo is not good enough. We, as members of this government must exert some leadership and encourage some changes — for it is no secret that the present policies are not producing growth, encouragement, or enthusiasm among the people.

It is most important to effect economy in government — but it is equally important to exert the type of leadership which creates an atmosphere conducive to growth and

development. This will never be accomplished by closing our eyes to the obvious and by following blindly the same old tired programs and policies of the past.

Mr. President, I move acceptance of the minority "Ought to pais" report of the committee.

Mr. FERGUSON of Oxford: Mr. President, I move that this item lie on the table and be especially assigned for next Tuesday, the 11th.

Mr. PHILBRICK of Penobscot: Mr. President, I realize that this is not debatable and so all I can do is to ask for a division.

A division of the Senate was had. Nineteen having voted in the affirmative and eleven opposed, the motion prevailed and the bill was tabled pending motion by Mr. Philbrick of Penobscot to accept the Minority Report and was especially assigned for Tuesday next.

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

##### **House**

Bill, "An Act Increasing Working Capital of Liquor Commission." (H. p. 262) (L. D. 356)

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

Bill, "An Act Relating to the Definition of Aid to Dependent Children." (H. P. 958) (L. D. 1392)

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

##### **Senate**

Bill, "An Act Relating to Establishment, Maintenance and Operation of Regional Technical and Vocational Centers." (S. P. 383) (L. D. 1086)

On motion by Mr. Farris of Kennebec, the bill was read a second time and tabled pending passage to be engrossed; especially assigned for later in today's session.

##### **Senate — As Amended**

Bill, "An Act Revising Laws Relating to Pineland Hospital and Training Center." (S. P. 418) (L. D. 1161).

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 Bills and Resolves:**

Bill, "An Act Appropriating Moneys to Provide for Night Pay Differentials for State Employees." (H. P. 85) (L. D. 129)

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

Bill, "An Act Increasing Salaries of Jury Commissioners of Lincoln County." (H. P. 169) (L. D. 218)

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

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

Bill, "An Act Appropriating Funds to Aid in Dredging Carver's Harbor, Town of Vinalhaven." (H. P. 319) (L. D. 446)

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

Bill, "An Act Relating to Transportation to Islands in Casco Bay." (H. P. 611) (L. D. 846)

Bill, "An Act Relating to County Taxes in Places Not Incorporated." (H. P. 689) (L. D. 945)

Bill, "An Act Relating to the Assessment of Towns in Aid to Dependent Children Grants." (H. P. 788) (L. D. 1141) Bill, "An Act Relating to Apportionment to Municipalities of Tax on Telephone and Telegraph Companies" (H. P. 1077) (L. D. 1544)

(On motion by Mr. Farris of Kennebec, tabled pending enactment and especially assigned for later in today's session.)

Bill, "An Act Relating to Claims of Municipalities Against State for Taxes Lost from Veterans Property Tax Exemptions." (S. P. 339) (L. D. 1004)

(On motion by Mr. Edmunds of Aroostook, placed on the Special Ap-

propriations Table pending enactment.)

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

Bill, "An Act Revising Certain Laws Under the Workmen's Compensation Law." (S. P. 583) (L. D. 1548)

Bill, "An Act Relating to the Department of Economic Development Advisory Council" (S. P. 578) (L. D. 1533)

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

Resolve, In Favor of Town of Woolwich. (H. P. 1026) (L. D. 1487)

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

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

### Orders of the Day

The President laid before the Senate the 1st tabled and today assigned item (S. P. 574) (L. D. 1519)

Bill, "An Act Relating to a Permit for Processing of Imported Lobster Meat Under Bond"; tabled on May 29 by Senator Wyman of Washington pending assignment for second reading; and on motion by that Senator, the bill was retabled and especially assigned for Wednesday next.

The President laid before the Senate the 2nd tabled and today assigned item (S. P. 203) (L. D. 513)

Bill, "An Act to Reactivate Maine Committee on Problems of the Mentally Retarded" tabled on May 29 by Senator Cram of Cumberland pending assignment for second reading; and on motion by that Senator, the bill was tomorrow assigned for second reading.

The President laid before the Senate the 3rd tabled and today assigned item (S. P. 269) (L. D. 783) Senate Reports from the Committee on Appropriations and Financial Affairs on Resolve, Appropriating Funds for Operation of Advisory Committee on Education"; Majority



Report, Ought not to pass; Minority Report, Ought to pass, tabled on May 29 by Senator Brooks of Cumberland pending acceptance of the Majority Ought not to pass report.

Mr. BROOKS of Cumberland: Mr. President and ladies and gentlemen of the Senate: I rise in opposition to the pending question, which is the acceptance of the "Ought not to pass" report. I do so for the following reasons.

The Advisory Committee on Education, appointed by the Governor, has been in existence since 1957, it has served a very good purpose, the 100th Legislature appropriated funds in order to retain the services of a part-time executive secretary, for office expense and traveling expense.

Now this Advisory Committee on Education has some 100 representatives throughout the sixteen counties in the State. The committee has been in a position to advise, as the title of the bill indicates, and has served education in Maine in a very effective manner, I believe. It has been able to bring together leading citizens from all the communities in Maine to sessions to discuss the real problems that we have here on education in Maine. I think it is a good, democratic way for citizens to have their views felt and expressed to the professionals. They have, at their own expense I might add, annually put out a very fine report which comments on the various aspects of education in the State. Personally, I think that the small sum of \$8300 is little enough to maintain this part-time secretary who will be responsible for accumulating and disseminating this information to interested parties in the State. I therefore, as I said earlier, oppose the motion before us for the acceptance of the "Ought not to pass" report, and when the vote is taken I would request a division.

Mr. EDMUNDS of Aroostook: First, Mr. President, I think I might say I haven't checked this out with the leadership yet. I would point out that this is a 9 to 1 "Ought not to pass" report from the Appropriations Committee, and the thinking of the Appropriations Committee was merely this: that with each successive session of the legislature we implement more and

more committees of this particular nature and they are all creating a drain on the general fund. We feel, and I have talked to some of the members of the Advisory Committee itself, and they feel that the committee would continue to function without this eight thousand dollars which is requested under L. D. 783. As a matter of fact it is not eight thousand dollars, it is nine thousand dollars. And, for that reason, the fact that they could continue to function without the nine thousand dollars, we thought then perhaps it was time to call a halt.

I will state that I do not feel very strongly on this either one way or the other, but I think we have got to use some judgment and discretion here in the legislature, and for that reason I would hope my motion to accept the "Ought not to pass" report would prevail.

Mr. WHITTAKER of Penobscot: Mr. President and members of the Senate: I think quite naturally I should rise to support the position of the Senator from Cumberland, Senator Brooks. We have been talking in this legislature many hours, I think, about education and the problems related to it. We have suggested on more than one occasion that members of the legislature should become more familiar with the problems in this important field, and here is an opportunity for us to enlist the concern and the interest of various segments of our population in the lay field. I feel very strongly that we should not economize at the expense of education in this State.

Mr. EDMUNDS of Aroostook: Mr. President, I merely rise to state that this committee will continue to function whether you appropriate this nine thousand dollars or whether you do not.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Brooks, that the Ought Not to Pass report be accepted.

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

The President laid before the Senate the 4th tabled and today as-

signed item (H. P. 541) (L. D. 758) Bill, "An Act Amending the Charter of the City of Portland Concerning Election Districts"; tabled on May 29 by Senator Whittaker of Penobscot pending adoption of Senate Amendment A.

Mr. WHITTAKER of Penobscot: Mr. President, this item was tabled at the request of the Senator from Sagadahoc, Senator Reed, and I would be happy to yield to him if he cares to speak. Otherwise I would move the pending question.

Thereupon, Senate Amendment A was adopted and the bill as amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate the 5th tabled and today assigned item (H. P. 333) (L. D. 460) Bill, "An Act to Clarify the State Boating Law"; tabled on May 29 by Senator Stitham of Somerset pending enactment.

Mr. STITHAM of Somerset: Mr. President, in view of the other bond bill, the large bond bill as we call it, which is in Committee of Conference which meets this afternoon, I move that this be tabled and especially assigned for Wednesday next.

The motion prevailed and the bill was retabled and so assigned.

The President laid before the Senate the 6th tabled and today assigned item (S. P. 598) (L. D. 1565) Bill, "An Act Relating to Minimum number of School Days in Public Schools"; tabled on June 3 by Senator Edmunds of Aroostook pending enactment; and that Senator yielded to Senator Brooks of Cumberland.

On motion by Mr. Brooks of Cumberland, the bill was retabled and especially assigned for Tuesday next.

The PRESIDENT: The Chair in behalf of the Senate is happy to recognize six members of the Thomaston Extension Association. Thomaston, Maine of course is in Knox County. We are very happy to have you ladies here visiting the Senate. You may be impressed by these chambers, which are only two and a half years old by way of renovation. We are proud of them, and there are people who say that this

is one of the most beautiful Senate chambers in the entire United States.

This Senate of the State of Maine which you see here has been in session now for seventy-five legislative days. Actually this group started to meet on the first day of January when it was very cold and very icy, and sometimes we wish it were that way today. We have considered 1581 ideas from people and up to this date the Governor has signed some 570 bills and resolves. This is usual and is about a ratio of one to three. We hope that we are in the last days of this session. The Senate of this State has a creditable record of attendance here, and that is typical, that which you see before you. I think only two senators are absent, and both of them happen to be ill. I think you and other citizens of the State have an honest and sincere right to be proud of this particular body.

I would like to introduce to you the Senator who represents your area, the Senator from Knox, Stephen. (Applause)

The President laid before the Senate the 7th tabled and today assigned item (H. P. 871) (L. D. 1258) House Reports from the Committee on Labor on Bill, "An Act Relating to Disqualification and Claims for Benefit and Employer's Contribution Rate Under Employment Security Law"; Majority Report, Ought Not to Pass as covered by Other Legislation; Minority Report, Ought to Pass; tabled on June 4 by Senator Edmunds of Aroostook pending acceptance of either report; and on further motion by the same Senator the bill was retabled and especially assigned for Tuesday, June 11.

The President laid before the Senate the 9th tabled and today assigned item (S. P. 426) (L. D. 1169) Bill, "An Act Relating to Discrimination in Rental Housing"; tabled on June 4 by Senator Edmunds of Aroostook pending passage to be engrossed; and that Senator yielded to the Senator from Penobscot, Senator Whittaker.

Mr. FARRIS of Kennebec: Mr. President, at this time I offer Senate Amendment "B", Filing 269, and move its adoption, and I might explain very briefly that this amend-

ment merely removes the limitation of "2" from the bill and makes it truly a nondiscriminatory matter in every true sense of the word.

Senate Amendment "B" was read by the Secretary.

Mr. WHITTAKER of Penobscot: Mr. President, I move the indefinite postponement of Senate Amendment "B" and I would like to speak to the matter briefly.

This amendment, in the words of the Senator from Kennebec, Senator Farris, would merely eliminate the exceptions. However, this is a very important item, in my opinion. In the long debate on this matter last Wednesday, the opponents of this legislation based their chief argument on the contention that the bill was in violation of private rights. I attempted to make the distinction which is in the bill as originally presented between private rights and public rights and the exception whereby the owner of a house which has two unit dwellings, one of which is occupied by him, the provision that the owner shall not come under the bill as written recognizes the private right of the property owner. The bill draws the line between two and three units, the contention being that if a man owns a house with two units and wants to rent the other half that he should not be subject to legislation. The argument follows that if a man enters rental housing business, which the bill suggests he does when he rents three or more units, that he is then subject to business legislation because he has entered the public domain, in the same sense that one would be subject to certain regulations in public housing, in catering to the needs of the public in regard to food, and matters of this kind.

I believe that this amendment is in direct contradistinction to the argument used by the Senator from Kennebec, Senator Farris, last Wednesday. I think its effect might very well be to bring about the defeat of this bill, because if amended the bill would not recognize the private rights of the owner of a home with two units. I therefore hope that my motion may be supported.

The PRESIDENT: The Senator from Penobscot, Senator Whittaker, moves the indefinite postponement of Senate Amendment "B".

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, I certainly have not changed my own personal belief that this particular bill is an invasion of private rights, but I am not going to belabor that point. This body has spoken very resoundingly that it feels that the private rights of the individual should be subverted for the best interests of the State of Maine to an opening of the door so that we regulate the private interests and prohibit any discrimination. This is certainly not any attempt to kill the bill. The bill would go along on its merit and the amendment would be attached thereto. In the other body if they want to pass the bill they may, and if they want to accept or reject the amendment they may. But I am completely and utterly amazed that when, with the first opportunity in the State of Maine and possibly in the United States, we are in a position to really lead, to really write an anti-discrimination law — and if we are going to override the principle of private rights I think we should not be hypocritical and say that the man who has two apartments in his home cannot select his tenant but the man who has only one apartment may select his tenant. I think if we are going to be consistent and adopt this type of legislation, particularly in view of the fact that we do not have a great many rental units in the State of Maine, that we should have this right straight across the board, and my conscience would certainly rest much more easily with this amendment than it would with the bill with its discriminatory feature against the private property owner.

Now if it were truly the intent and desire of the proponents of this measure to have this bill be applicable only to persons who are engaged in the business of rental housing, then why didn't they come in with a bill which would have made an exception of six, eight, or ten, such as other states have done? They have not done that, they have come in with this particular bill and hewn it down close to the line to two, thinking that is better than four, six, eight or ten. I maintain

that is a wrong approach, that if we in this legislature are going to really adopt an anti-discrimination statute which is not limited to people who are truly engaged in rental housing, whereby we would exclude six, eight or ten, I think this figure of two is ridiculous and that we should put this right across the board. I would urge the adoption of this amendment. I think it is a good amendment, and I think we could really for the first time say that we in the State of Maine are leaders. I would request a division upon my motion.

Excuse me, Mr. President and members of the Senate. There is a motion which takes precedence over my motion, the motion to indefinitely postpone made by the Senator from Penobscot, Senator Whittaker, and I would certainly urge that the motion for indefinite postponement be defeated and I would request a division on that motion.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Whittaker that Senate Amendment B be indefinitely postponed.

A division of the Senate was had.

Twelve having voted in the affirmative and sixteen opposed, the motion did not prevail.

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

Sent down for concurrence.

The President laid before the Senate the 10th tabled and today assigned item (H. P. 978) (L. D. 1417) Bill, "An Act Authorizing the Maine Port Authority to Establish Foreign Trade Zones in Maine"; tabled on June 5 by Senator Porteous of Cumberland pending adoption of Senate Amendment A.

Mr. PORTEOUS of Cumberland: Mr. President, I have just been doing some checking on this bill with the Senator from Aroostook, Senator Edmunds, and I had talked it over but we had not come to the end of our discussion. I would like to tell you what I have found out about this bill and about the amendment which Senator Edmunds had introduced, and this is the pending motion, the adoption of Senate Amendment "A", Filing S-266, which would

take the Maine Port Authority out of this bill and substitute the Department of Economic Development for it.

I have talked with Mr. Macy over in the DED about this in the absence of Mr. Allen, and Mr. Macy looked up the bill and went through it. He has told me that while this is permissive legislation he feels that the Maine Port Authority would be "better qualified." — Those are his exact words — having more specific knowledge of this program, and also to comply with the acts of Congress maintenance and policing authority are necessary, which are embodied within the Maine Port Authority's sphere of activity and which the DED does not possess. Further than that, he said that in the department as it is now constituted they have no one with the specific knowledge necessary to operate such a division, and that was one other reason why he felt the Maine Port Authority was better qualified, as originally envisaged by L.D. 1417. I would therefore like to move that the adoption of Senate Amendment "A" be defeated, and then I would ask that the Senate accept the bill as originally written.

The PRESIDENT: The Senator from Cumberland, Senator Porteous, moves the indefinite postponement of Senate Amendment "A".

Mr. EDMUNDS of Aroostook: Mr. President, I am not going to stand here and argue this question at any great length except to recognize that this is probably the first time in the history of the great State of Maine that a department head or a department of the State of Maine declined the chance to expand their personal empire. However, I would point out that there are two parts to this amendment. The first one I am not going to argue at length about: if the Maine Port Authority is better qualified let them operate this program. The second one, however, exempts agricultural commodities as far as this act is concerned. I will fight that one if I stay here all summer. So I would like to have it understood that if we defeat my proposed amendment that I will then offer a limited amendment which would specifically exempt agricultural commodities so far as this legislation is concerned.

Mr. PORTEOUS of Cumberland: Mr. President, I would have no objection whatsoever to the other amendment.

The PRESIDENT: The question before the Senate is the motion of the Senator from Cumberland, Senator Porteous to indefinitely postpone Senate Amendment A.

The motion prevailed.

Thereupon, on motion by Mr. Edmunds of Aroostook, the bill was tabled pending passage to be engrossed and especially assigned for tomorrow.

The President laid before the Senate the 11th 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 June 5 by Senator Lovell of York pending acceptance of the report; and on further motion by the same Senator, the bill was retabled and especially assigned for later in today's session.

The President laid before the Senate the 12th 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 June 5 by Senator Wyman of Washington pending acceptance of any report.

Mr. WYMAN of Washington: Mr. President, I move the acceptance of the Majority Ought to Pass Report of the Committee. In support of that motion I would say that the good Senator from Somerset, Senator Stitham, has an amendment he will offer and I think we will all agree to go along with this particular bill with the amendment he is going to offer.

Thereupon, the Ought to Pass report A was accepted, and the bill read once.

Mr. Stitham presented Senate Amendment B, S-281 and moved its adoption.

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

The President laid before the Senate the 13th tabled and today assigned item (S. P. 527) (L. D. 1448) Senate Reports from 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"; Majority Report, Ought Not to Pass; Minority Report, Ought to Pass as Amended by Committee Amendment A; tabled on June 5 by Senator Edmunds of Aroostook pending acceptance of either report; and that Senator yielded to the Senator from Penobscot, Senator Whittaker.

Mr. WHITTAKER of Penobscot: Mr. President and members of the Senate, this legislative document represents a recommendation from the Constitutional Commission which I was asked to sponsor, and I am very happy to do so. I think I need debate no more about this matter of discrimination. This is a general law against discrimination and would be subject to a referendum. I move the acceptance of the Minority Ought to Pass Report.

Thereupon, on motion by Mr. Porteous of Cumberland, the bill was retabled pending motion by Mr. Whittaker of Penobscot to accept the Minority Report; and the bill was especially assigned for later in today's session.

The President laid before the Senate Item 7-3 Bill, "An Act Relating to Establishment, Maintenance and Operation of Regional Technical and Vocational Centers" (S. P. 383) (L. D. 1086) tabled earlier in today's session by Senator Farris of Kennebec pending passage to be engrossed.

Mr. FARRIS of Kennebec: Mr. President I present Senate Amendment A, S-282 and move its adoption and will explain that it merely reduces the appropriation measure attached to this bill from \$800,000 to \$321,000.

Mr. EDMUNDS of Aroostook: Mr. President, I rise to address a question to the Senator from Kennebec, Senator Farris.

I think I see the intent of this, which, of course, is to reduce the amount of money which would be required to be appropriated in order to implement the proposed legislative document. If I remember correctly, the various school districts were polled throughout the state through their various superintendents of schools, and the indications were that approximately \$696,000 would be necessary in the first year of the biennium in order to implement this program, and now we have cut that figure down very substantially, from \$800,000 to \$321,000. Is it the present indication of the Department of Education that the \$321,000 will fully implement this program or is it going to be necessary for the Department of Education or some authority to decide who gets what and who doesn't get what if this legislation is passed in the amended form?

The PRESIDENT: The Senator from Aroostook, Senator Edmunds, poses a question through the Chair to the Senator from Kennebec, Senator Farris, who may answer if he chooses.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate: The projected survey by the Department of Education indicated that \$642,000 for the biennium would make a very credible beginning on this particular program. There are very strong indications at the present time that there will be matching funds through the Perkins bill which is in the Congress and optimistically I believe it will be up to the extent of fifty per cent, and that is why this amendment is proposed reducing it to \$321,000 as being the State's share, and in any event if the Perkins bill is not enacted there would still be \$212,000 available from existing federal statutes which could be used to further implement this bill. And I might further point out, of course, that if applications are submitted after the funds have been expended then those applications cannot be acted upon.

Mr. EDMUNDS of Aroostook: Mr. President, I believe I expressed myself the other day as far as the congressional legislation which is pending: I am sick and tired of having the federal carrot dangled in front of my nose, as one individual, and I believe I am opposed to federal aid to education as a program to begin with.

I would address another question through the Chair, if I may, to the Senator from Kennebec, Senator Farris: If we reduce this bill by roughly \$500,000 as far as the first year of the biennium is concerned by enacting this amendment, does that then mean that the request will have to be dealt with by the 102nd Legislature, will be increased from the present estimate of roughly \$1,900,000 plus whatever is necessary for Presque Isle and Augusta to perhaps \$2,400,000 plus whatever is necessary as far as Caribou and Augusta are concerned?

The PRESIDENT: The Senator from Aroostook, Senator Edmunds, poses another question through the Chair to the Senator from Kennebec, Senator Farris, who may answer if he wishes.

Mr. FARRIS of Kennebec: Mr. President and members of the senate: I do not believe it is possible to project with any degree of certainty as to the exact amount which may be requested from the various administrative units. Naturally the local units must take certain steps and provide to raise certain moneys before any applications could receive favorable consideration or could receive any consideration whatsoever. If it would relieve the anxiety of the Senator from Aroostook, Senator Edmunds, in his capacity as Chairman of the Appropriations Committee, I would be perfectly willing to introduce an amendment today removing all appropriations and wait until a later date to see what would be an adequate amount available to implement this program.

Mr. EDMUNDS of Aroostook: Mr. President, I don't know as this is answering my question but perhaps it is. My anxiety is a very real one. If you enact this legislation and put it on the books, then those of us who are foolish enough to

come back here two years from now will probably be faced with requests from the current services budget for two to two and a half million dollars to implement this program, because I do not think there is too much question about it being implemented on the local levels since the State will pay approximately seventy-five percent of any of the costs that are involved. Now we are in hot water here now with a constantly increasing current services budget, largely as a result of the Sinclair Act; the projected increase now or the next biennium is between eight and nine million dollars, I believe to keep the subsidy payments at a hundred percent, and frankly I have real anxiety, if we should adopt a bill such as this, as to the position in which we would be placing the 102nd Legislature.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate: I think it might be well at this time to explain that when we are enacting legislation of this nature, which is of a specialized nature, that we are not in exactly the same area as we are when we are appropriating let us say our matching funds and our school subsidy program. This is actually an extra-curricular activity over and above our absolute mandated responsibility to provide general education, and this a measure merely to provide specialized education, and certainly we cannot expand more funds for this specialized purpose than are reasonably available, and I think that future legislatures will be perfectly capable of making their own decisions as to whether they wish to expand or hold the line or cut back on vocational training. I feel that the figure of \$321,000 is a reasonable figure to make a start, but, as I have previously indicated, even if we were to have no appropriation measure I feel that this bill would be very valuable as enabling legislation, and I would urge adoption of this amendment and request a division.

Mr. EDMUNDS of Aroostook: Mr. President, I merely rise to point out just once more that if this measure without any money is adopted and the intent of the legislature is placed in the statutes that the Department of Education will re-

quest as much money as they feel they can spend as there are requests from various municipalities on a three to one matching basis, and in the current services budget at the next session of the legislature the Bureau of Budget will have to leave those figures in because this will become a current services program, and my only concern is that instead of coming back here next time and looking at a projected increase of fourteen to sixteen million dollars in the budget we will be looking at a projected increase of sixteen, eighteen or nineteen million dollars in the budget, and I think my concern is legitimate. As far as asking for a division on the motion, I haven't said anything in opposition to the amendment, I just question the whole act.

Mr. WHITTAKER of Penobscot: Mr. President and members of the Senate: Many times during this session I have spoken in opposition to my friend from Kennebec, Senator Farris. I am glad that this matter has been delayed so that I can speak personally, because I understand my votes have been paired for the last few days on this issue.

I should like to say here that I wholeheartedly support this bill and the principle behind it, and I for one would do everything in my power to see to it that reasonably adequate funds are made available for this important program.

Now this bill was heard before a joint meeting of the Appropriations and Education Committees, and to the best of my knowledge the bill was not considered on its merits in regard to education, as I know as a member of the Education Committee I was not asked whether I was in favor of the bill or against it. The matter was decided purely on the basis of appropriation. And I doubt if the State of Maine can expect to make progress in its culture and its industrial development and in its economic development or in any other way unless it makes basic decisions on their merit and then determines to find the money necessary to support bills like this.

Mr. EDMUNDS of Aroostook: Mr. President, I merely rise to clear the record.

This bill was referred by the Committee on Reference of bills to the Committee on Appropriations and Financial Affairs. The Chairman of the Committee on Education asked me as Chairman of Appropriations if it would be permissible for the Education Committee to sit in with us when this bill was heard, and I said we would be very happy to have them. They did sit in and their contribution was very valuable. Subsequent to the meeting of the committee, no member of the Education Committee from either branch approached me indicating his thinking with respect to this bill, either positively or negatively. They may have approached other members of the Appropriations Committee. I can't speak for them. But this bill was not referred to Appropriations and Education; they sat in at their request, which we acceded to.

The PRESIDENT: The question before the Senate is on the adoption of Senate Amendment A, and a division has been requested.

A division of the Senate was had.

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

Thereupon, the bill as amended was passed to be engrossed.

Sent down for concurrence.

The PRESIDENT: The Chair is happy to recognize in the Senate Chamber 12 members of the Tenants Harbor Extension Group with Mrs. Gertrude Hupper. This is the Town of St. George, which is in Knox County. We are happy indeed, ladies, to have you visit with us in the Senate. We hope you find these proceedings enjoyable, and in some way you may assist us to resolve our problems and enjoy the good weather outside with the rest of the world. May I introduce to you the good Senator from Knox County, Senator Stilphen. (Applause.)

The President laid before the Senate Item 8-8 bill, "An Act relating to Apportionment to Municipalities of Tax on Telephone and Telegraph Companies" (H. P. 1077) (L. D. 1544) tabled earlier in today's ses-

sion by Senator Farris of Kennebec pending enactment.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, I feel that before this bill is enacted that it is certainly worthy of some comment.

This is a measure which was introduced in the 100th Legislature by a member of the other body, and in view of the tight situation two years ago in regard to sales tax it did not receive favorable consideration, but at this session it is receiving favorable consideration up to this point, and it is probably one of the greatest steps forward being taken by a Maine Legislature in recognizing the need of additional funds for municipal financing.

I merely wanted to have those remarks in the record, and I now have the pleasure of moving the pending question.

The motion prevailed and the bill was passed to be enacted.

The President laid before the Senate the 11th tabled 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 earlier in today's session by Senator Lovell of York pending acceptance of the report.

Mr. LOVELL of York: I have been unable to find my notes on this bill. I need a better filing system, I guess, but I would like to bring this to your attention from memory, and I am sure this very fine morning that if I can show you beyond any reasonable doubt where you can save a few million dollars that you will be very happy and go along with this bill.

My motion will be to substitute the bill for the report, and in speaking on that motion I might say that some of the members of the Committee on Industrial and Recreational Development had occasion last summer when in Hancock County to continue on into Washington



County and visit at Quoddy Village. During the war there were some five thousand troops quartered there, and there are well over a hundred buildings. Now this particular bill for moving the Boys' School down to Quoddy Village would save the State a great deal of money—and help everybody—and make everyone, I feel, absolutely satisfied. Now Washington County is a depressed area and they are very anxious to have the project in Washington County. Now Cumberland County is the richest county in the State and the highest in earnings per capita, and I am sure that they do not particularly care whether they have the Boys' Reformatory in South Portland, and it is not conducive to have a reformatory in a thickly settled area such as South Portland, and the boys, when they do escape, they have many, many ways that they can travel when the State officers might be after them, but down at Quoddy they would have but a little way to go to try to get on the mainland or head for Canada one way or down south the other way.

The program which the Governor had originally suggested was something like five million dollars on a bond issue for a new location for the Boys' Reformatory, and then through devious means or pressures or whatever it might be, they decided that was too much money and that a location to build was not suitable or available nearby, and they would raise 1.7 million and add on some buildings that are at the present reformatory in South Portland. Now if those buildings are added on the Aeronautics Commission and the airport officials do not like the Boys' Reformatory there. Now the State did not take the airport over, unfortunately, and I assure the Cumberland County delegation that I was all for it, but they did not take the airport for the State for some reason or other. Nevertheless, this Boys' Reformatory is going to have to be moved sooner or later, so let's make it sooner and start saving the State money. If we pass a bond issue for 1.7 million dollars to add buildings onto the present reformatory we will have a better reformatory, to be sure,

but eventually this reformatory is going to have to be moved.

Now in the Quoddy Village area you have every convenience, everything they could ask for for a Boys' Reformatory. There are over 500 rooms. They are in the cottage-type style, which is conducive for a Boys' Reformatory. They have very many different buildings for vocational training, which is very important, to learn carpentry work and to learn all vocational trades from the repairing of automobiles. Then in the area they could also serve something like they did in the old C.C.C. camp days. There are two parks there, a national and a state park nearby and they could be working on those parks in the summertime. In addition to that they have a tremendous amount of room for the planting of gardens to grow their own food and so on, also for boating and fishing facilities that will keep the boys happy, not cooped up in a place like where they are now. In this particular area they can move round, enjoy themselves, and we will save money on psychiatrists because it will keep the boys busy, give them something to do, such as going out fishing, the place is surrounded by water. You are not going to need psychiatrists down there on each and every boy every three or four days. I understand they do employ at the reformatory one permanent psychiatrist, which is fine. He could move down there with the group. I feel that moving the Boys' Reformatory to Quoddy would be a very good step in the right direction.

In addition, there are all the advantages of climate and not being in a congested area. As time goes on, instead of building new buildings at Thomaston State Prison and at the Men's Reformatory in Windham, those men and boys on good behavior could be transferred down there, here again saving money, saving Thomaston State Prison from building new buildings and saving money on the Men's Reformatory. I do not have to say that the wage scale is a good deal lower down there, because that probably would not make too much difference on the actual saving on wages. Probably with such a fine area as this

they would not need as many help. If my memory serves me right, it seems to me that somewhere I saw there were over ninety employees with around a hundred inmates. I think probably that might be cut down to a certain extent. I think that having the Boys' Reformatory at Quoddy Village would not only save the State millions of dollars but you would get a better group of boys who would be trained in a particular vocation of their choice. They have an administrative building there with some fifty-six rooms in it, a theater that seats a couple of hundred people, they have everything that you could possibly ask for.

Now in the bill, as you will note, the bond issue of a million and a quarter takes in the purchase of the village. The homes have already been sold there. One of the members of the other body has checked with every single person down there. There are seven churches in Eastport, and all of the seven ministers and priests have agreed that if the Boys' Reformatory is there they will serve for nothing to help guide the boys back to a better form of life. I think the time has come when we have an opportunity like this to help a depressed area of the State, to help the boys, which is important, to help the boys who are sent in to the reformatory to learn a particular trade so that they can go out in the world and earn their own living, and I think we are accomplishing something by helping all concerned, and I hope that you will go along with me this morning on my motion, and I will explain it more fully some day when I can find my notes.

Mr. HINDS of Cumberland: Mr. President and members of the Senate: It has been said on the Senate floor here in the past few weeks that the good Senator from York, my very good friend, Senator Lovell has been twenty years ahead of himself in regard to industrial and recreational facilities of our state. I have not agreed with that but I have agreed with many of his bills. However, when it comes to this boys training center and the rehabilitation of juvenile offenders, I think perhaps he might be twenty years behind the

times according to the rehabilitation artists in these fields. It has been thought in past years that rehabilitation in the country area and a good chance to milk cows and to farm was an excellent way of rehabilitating these boys. But in more recent years it has been found that when these boys leave the institution, it has been very difficult for them to find work on a farm, milking cows or working a garden, because there just isn't enough of that work in our state to do.

So the new form of rehabilitation has been to work with the community and industry, and trying to give these boys some kind of vocational trade whereby they could come out into the community and perhaps remain in the community as good citizens rather than return as has been the case in the past to the institution, or be graduated to the reformatory at South Windham, or to Thomaston.

The population would dictate that the institution should be located in the area. By population I mean the population in the institution. Naturally the larger counties send more boys there than anywhere else because of their population. The last year's figures show that Cumberland County sends thirty per cent of the population there. Washington County sends three per cent of the population; Androscoggin, ten per cent; York, six per cent. It would seem from the cost of transportation back and forth to and from the courts and what have you when these boys are being committed to an institution like this that keeping the cost down and where the institution is located here presently — we do have several new buildings at the institution — that it would be wise to keep it where it is.

One other point I would like to clear up. It was mentioned here that we have ninety staff members there for 100 boys. The present total just a week ago at the institution was 212 boys, that is if none have run away since last week. They have 82 permanent employes at the institution. So compared to some of our other institutions in the state that are matched one inmate for one employee, I would think that

this staff was a much different ratio than was mentioned here today and I would hope that the motion of the good Senator from York, Senator Lovell, would not prevail.

Mr. LOVELL of York: Mr. President, I would like just briefly to say that this is not going to give the boys just an opportunity to milk cows. I don't know if they would even have any cows. But this place has a great number of different shops, machine shops of different types where they will learn vocational trades. When they do come from there they will have a trade where they can go back into circulation and earn something.

As far as the population center is concerned, that most of the bad boys are from Cumberland County, the actual cost of transporting these boys from Cumberland County or any county to Quoddy Village is a very, very small amount compared to the million of dollars that we can save. And I do not believe as far as rehabilitation is concerned, and this was brought up, I think it is more conducive for a boy to get back into circulation in life, not being cooped up in a small place, watching the airplanes fly down over the roof, not knowing when one is going to land on that roof, it is much more conducive to be out in that wonderful climate up in Quoddy where they are surrounded by water, where they can have boating, fishing, hunting, they can live, they can have all the vocational trades, they can have various sports, they can have room to do most anything they want to do, and certainly the little cost of transportation will mean little because they will be able to save much more money through the various other methods, but the most important thing is the psychological effect on a boy when he has that chance in Quoddy, when he has that chance to be back with nature and a chance to learn a vocational trade, and I am sure that this Senate this fine morning will agree with me and go along with this bill.

Mr. WYMAN of Washington: Mr. President and members of the Senate, I want to rise in support of the good Senator from York, Senator Lovell. I want to commend

him on the very excellent presentation he has given on this subject. I also want to thank the good Senator from Cumberland, Senator Hinds, since he has pointed out that Washington County is a much better place; we have a lot lower delinquency there percentage wise than in Cumberland County and I think the boys would be a lot better down there in that Washington County atmosphere.

Seriously it does seem strange to keep an institution of this kind in the built up area of our largest city in the State of Maine. As the Senator from York has pointed out, we have a lot of buildings down there. Quite a village was set up for the Seabees and I think they used it on somewhat of a similar basis that it would be used on the vocational technical training program.

It just seems to me that sooner or later the school will have to be moved and that this does offer a way to move it and a place for it at the least ultimate expense to the state, and I certainly hope that the Senator's motion may prevail.

Mr. BOARDMAN of Washington: Mr. President and Members of the Senate, Number 1. I would like to state to you that I haven't seen a cow or a goat in Quoddy Village in about five or six years, so I don't think there will be any trouble there as far as milking cows or goats.

Apparently, the good Senator from York County is probably riding the wrong horse again. Unfortunately this seems to happen as far as our good Senator Lovell is concerned. But I believe that eventually the Boys Training Center is going to have to be moved somewhere. We don't have any airport nearby which will present any problems so far as runways are concerned. We do have the area and we have people who would like to have those boys down there, and unless the die were cast, I would certainly stand up here and fight awfully hard for it.

Mr. CAMPBELL of Somerset: Mr. President, the hearing on this bill was rather unusual because by the time the bill came up for public hearing, it had already been determined by the Committee that had to study and decide on a new

site for the school that Gorham was the desired location, and it had also been decided that they weren't going to move the school anyway. So the proponent of the bill came in to the hearing and said that he would like to speak, not on the bill at all, but on a redraft of the bill which would provide for locating a vocational technical school and so you see, the Appropriations Committee hasn't even heard the arguments that you have heard this morning.

However, the Committee wasn't willing to recommend to you that the State incur a bonded debt of a million, two hundred fifty thousand dollars to move the school at this time, and I therefore would move that the bill and accompanying papers be indefinitely postponed, and I would ask for a division.

Mr. LOVELL of York: Mr. President, may I just speak briefly. As far as the bond issue of 1.25 million, you already have a bond issue coming out of 1.7 million which I am sure the good Senator from Kennebec, Senator Campbell will probably vote for. This is a lower bond issue, and then after you get the buildings built in South Portland in this congested area with the airplanes apt to fly into the building at any time and they don't want the school there, and you are never going to expand the airport with the school there, so what is going to happen? Four years from now, two years from now, you are going to have to move the school anyway and there is another 1.7 million and a couple more buildings. Why build those new buildings now? For less money, let's move the whole thing to Quoddy and give the boys a chance to have a real happy life, to be rehabilitated the way they should, not in a congested city area. I have great respect for Cumberland County and Portland is the largest city in the State. I know that the revenue may mean something to them but the important thing is the rehabilitation. I request a division when the vote is taken.

Mr. PORTEOUS of Cumberland: Mr. President and members of the

Senate there are some humorous asides I could make at the present time, such as, "I would rather have a boy escape along Route 1 and be picked up by the State Police than to get lost in Senator Wyman's blueberry bushes or swept out to sea by the fast current." But to be serious about this, it is a professional matter, and not a matter of whether we have excess buildings some place or whether in his opinion this area is congested, or in his opinion the airport won't expand in spite of the plans to expand it if possible with the change of the runway direction and the building of any new buildings that are built, in a direction away from the runway which would not interfere.

But the real reason that Gorham was not selected or Hebron was rejected, is that to take care of this situation, skilled professional people are necessary near by. The case workers and the personnel involved here just could not be recruited in an area such as the Quoddy and Eastport area. It is a charming and beautiful area but it does not have and support a population from which people of this nature can be drawn. And outside of the transportation problem and several other factors, this alone would be reason enough to defeat this legislation at this time without any further discussion.

Mr. EDMUNDS of Aroostook: Mr. President, I rise to address a question through the Chair to the Senator from York, Senator Lovell. In his recent remarks he referred to the fact that this bill would save money because it was at the level of \$1,250,000 whereas the other proposal would be at a level of \$1,700,000. I would like to know just what that legislative document is and where it is at this time.

The PRESIDENT: The Senator from Aroostook, Senator Edmunds, poses a question, through the Chair, to the Senator from York, Senator Lovell, who may answer if he wishes.

Mr. LOVELL: Mr. President, the document for the bond issue for the present boys reformatory in my understanding is probably tucked

very carefully in the Appropriations Committee bond issue. If I remember rightly, I believe that the Governor at some recent date stated that he would go along with not moving the boys reformatory at a cost of a bond issue of five or six million but that they did need expansion at 1.7 million. I presume, or I thought that that was in the bond issue that is shortly to come out of committee. While I am on my feet, I might say that as far as professional help is concerned, the regular help would be no problem in Washington County. They are the most depressed county in the state. They have plenty of ordinary help. And as for professional help, I am told that professional help in the area would not like to move away from the society of Portland, but I don't think that they are indispensable. I am sure that we could find professional help. There is one full time psychiatrist and I am sure that he would enjoy living in that wonderful healthy atmosphere. There is an airport only a mile away from the Quoddy Village and they could fly a psychiatrist or two down there. But in the old days and in the modern days if you give the boy something to do, that is the important thing. Some pleasure, some work, take care of his energy and his mind will straighten out.

Mr. EDMUNDS of Aroostook: Mr. President, just to set the record straight, the original bond issue proposed by the Executive was for \$5 million to relocate the boys school. At this point the Appropriations Committee has not considered the bond issue as proposed by the Governor at all. We do hope to get at it either Monday or Tuesday as of the coming week, but I as an individual member could not pre-judge whether they will bring it out at the \$5 million level or at \$1,700,000 level because this committee has a way of making up its own mind, or whether it is coming out at the \$500,000 level or whether they are going to recommend striking it from the bond issue altogether. I don't think we should give too much merit to the money.

While I am on my feet, I think I should recognize one thing, so many good things have been said about the Senator from York, Senator Lovell the past few weeks that I think just one thing should be added to the record and that is the fact that he is an extremely generous man. He has several children of his own and he is willing to let them pay for all of these things in the not too distant future.

The PRESIDENT: The question is on the motion of the Senator from Kennebec, Senator Campbell to indefinitely postpone the reports and the bill.

A division of the Senate was had.

Twenty having voted in the affirmative and nine opposed, the motion prevailed.

The President laid before the Senate the 13th tabled item, (S. P. 527) (L. D. 1448) Senate Reports from 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"; tabled earlier in today's session by Senator Porteous of Cumberland pending motion by Senator Whitaker of Penobscot to accept the Minority Ought to Pass Report of the Committee.

Mr. PORTEOUS of Cumberland: Mr. President, L. D. 1448 reads, the principal part of it, "Discrimination against persons prohibited. No persons shall be deprived of life, liberty or property of law, nor be denied equal protection of the laws, nor be denied enjoyment of the civil rights, nor be discriminated against in the exercise thereof because of race, religion, sex, or ancestry". The amendment which is S-275 merely changes as far as the law itself is concerned, it strikes out the last two lines.

Going to the constitution, the section 6 which this intends to amend. Section 6 is the right of persons accused. I will read it to you. It is not very long. "In all criminal prosecutions, the accused shall have a right to be heard by himself and his counsel or either at his

election; to demand the nature and cause of the accusation and have a copy thereof; to be confronted by the witnesses against him; to have compulsory process for obtaining witnesses in his favor; to have a speedy, public and impartial trial, except in trials by a martial law or impeachment by a jury of the vicinity. He shall not be compelled to furnish or give evidence against himself nor be deprived of his life, liberty, property or privileges, but by judgment of his peers of the law of the land. Number 1. General consideration. 2. Right to demand nature and cause of accusation. 3. Right to be confronted by witnesses. 4. Right to speedy trial. 5. Right to trial by jury. 6. Privilege against self incrimination. 7. Law of the land or due process.

Now these rights are given to all Maine citizens and in the State of Maine in which we live, there has been absolutely no record before our courts, and I think it would be a great injustice if you could call it that, to designate to our courts that they should have to put in such language as is in this constitutional amendment against any person because of race, religious, sex or ancestry. That has not been the practice of our courts and I don't think it ever will be and I don't think it is language that needs to be put in.

Our recent past Secretary of State, Harold I. Goss was a great supporter and defender of our Constitution and he maintained that it was one of the finest Constitutions of any state in the United States. And he said that one of the things about it is that it is not cluttered with unnecessary language, unnecessary lengthy explanations so that the average citizen without many years of legal training could look at it and find out the answers to where he stood in the face of the law.

Our committee felt very strongly that this would do just that. It would clutter up the constitution and add something that is unnecessary and that is already and has been historically and I think forever will be the practice of the judicial process in the State of Maine. Therefore I would move that the

Ought Not to Pass report be accepted.

The PRESIDENT: The question before the Senate, the Chair will inform the Senate, is on the motion of the Senator from Penobscot, Senator Whittaker, to accept the Minority Ought to Pass report of the committee.

Mr. PORTEOUS of Cumberland: Mr. President, I appreciate the correction and would move that the bill and all accompanying papers be indefinitely postponed.

Mr. WHITTAKER of Penobscot: Mr. President, I request a division.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, as one of the signers of the Majority Ought Not to Pass report, I rise in support of the motion of the Senator from Cumberland, Senator Porteous for the indefinite postponement of this particular measure. All of the reasons which he has stated are accurate. There is no necessity in our Constitution for a measure such as this and it would cause certainly a great deal of problems. Probably I wouldn't consider the problems nearly as serious if I were a younger man but you notice in this particular proposal that there would be no discrimination because of sex. I can see where there could be problems from the local YMCA if the gals wanted to come in the swimming pool and it could rattle and shake the ivy halls of Bowdoin if a female were to apply for admission to Bowdoin and insist upon her constitutional rights to be permitted to go to Bowdoin.

Those of course are facetious remarks and that is probably carrying it to the extreme but there still is valid legal argument particularly in relation to all male schools, or all female schools. It is not a necessary piece of legislation and we can handle all of these problems by public statutes as they arrive.

Mr. WHITTAKER of Penobscot: Mr. President, I am not prepared to debate this in detail and have no inclination to do so, but apparently the Constitution Commission felt that there was good and sufficient reason to propose this as an addition to our constitution and I am inclined to go along with

their recommendation in this matter.

The PRESIDENT: The question is on the motion of the Senator from Cumberland, Senator Porteous that the report and the resolve be indefinitely postponed. A division has been requested.

A division of the Senate was had.

Nineteen having voted in the affirmative and seventeen opposed, the motion prevailed.

Sent down for concurrence.

Mr. Edmunds of Aroostook was granted unanimous consent to address the Senate.

Mr. EDMUNDS of Aroostook: Mr. President, I requested unanimous

consent in order that I might inform the Senate that we will have a Friday session tomorrow at nine-thirty although we will have a very limited work schedule at that particular time, through no fault of our own. We will not have a session Monday afternoon because we did not have enough work in front of us here in the Senate to justify such a session. So after the conclusion of the Senate tomorrow forenoon, we will be adjourning until ten o'clock Tuesday morning.

On motion by Mr. Edmunds of Aroostook

Adjourned until tomorrow morning at nine-thirty.