

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and First Legislature*

OF THE

STATE OF MAINE

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and

SPECIAL SESSION

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DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Tuesday, June 18, 1963

Senate called to order by the President.

Prayer by the Rev. James Waugh of Hallowell.

On motion by Mr. Ferguson of Oxford,

Journal of yesterday read and approved.

The PRESIDENT: The Chair is happy to recognize in the Senate Chamber today, young Gregory Cyr, age 11, who is the 3rd son of the Senator from Aroostook, Senator Cyr. We are happy to appoint him honorary page for the day. It is nice to have you here, Gregory. (Applause)

The Chair likewise on behalf of the Senate is happy to recognize three young friends from Cape Elizabeth. Jeffrey Putnam, Roger Ashurst Putnam, III and Willard Harris, whom the Chair would also appoint as honorary pages for the day. We are happy to have you here, too, boys. (Applause)

Joint Order Relative to Lobbyists. (S. P. 631)

Comes from the House, read and adopted as amended by House Amendment A in non-concurrence.

Mr. EDMUNDS of Aroostook: Mr. President, I realize that when this order was submitted, it was with good humor; it was a good joke and we have all had our fun with respect to it. However, I would point out that if it had passed in its previous form it would be part of the record and there would be a question as to whether or not it should be carried out and if it were passed in its amended form, it is in my opinion, hardly fair to the good Senator from Aroostook, Senator Cyr. Therefore, I would move that this be indefinitely postponed.

The motion prevailed and the order was indefinitely postponed.

**Second Readers****Senate**

**The Committee on Bills in the Second Reading reported the Following Bills:**

Bill, "An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1964 and June 30, 1965." (S. P. 632) (L. D. 1595)

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

Sent down for concurrence.

**Senate — As Amended**

Bill, "An Act to Authorize the Construction of Self-Liquidating Student Housing for the State Teachers Colleges and the Issuance of not Exceeding \$1,434,000 Bonds of the State of Maine for the Financing Thereof." (S. P. 94) (L. D. 231)

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

Sent down for concurrence.

**Enactor**

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

Bill, "An Act Authorizing the Maine Port Authority to Establish Foreign Trade Zones in Maine." (H. P. 978) (L.D. 1417)

Which Bill was passed to be enacted.

**Orders of the Day**

The President laid before the Senate the 1st tabled and today assigned item (H. P. 313) (L. D. 406) Bill, "An Act Increasing Sales Tax"; tabled on June 13 by Senator Edmunds of Aroostook pending motion by that Senator to reconsider; 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 (H. P. 872) (L. D. 1259) Bill, "An Act Relating to Partial Unemployment Benefits and Experience Rating Record under Employment Security Law"; tabled on June 14 by Senator Edmunds of Aroostook pending passage to be engrossed; and on further motion by that Senator, the bill was retabled and especially assigned for later in today's session.

The President laid before the Senate (H. P. 871) (L. D. 1258) Bill,

"An Act Relating to Disqualification and Claims for Benefit and Employer's Contribution Rate under Employment Security Law"; tabled on June 14 by Senator Edmunds of Aroostook pending passage to be engrossed; and on further motion by that Senator, the bill was retabled and especially assigned for later in today's session.

The President laid before the Senate the 4th tabled and today assigned item (S. P. 287) (L. D. 860) Senate Report, Ought Not to Pass, Covered by Other Legislation from the Committee on Appropriations and Financial Affairs on Bill, "An Act to Authorize the Construction of Buildings and Plant Facilities for the University of Maine and the Issuance of not Exceeding Twenty Million Dollars Bonds of the State of Maine for the Financing Thereof"; tabled on June 14 by Senator Campbell of Kennebec pending acceptance of the report; and on further motion by that Senator, the bill was retabled and especially assigned for later in today's session.

The President laid before the Senate the 5th tabled and today assigned item (S. P. 581) (L. D. 1534) Bill, "An Act Creating an Allagash River Authority for State of Maine"; tabled on June 14 by Senator Campbell of Kennebec pending motion by Senator Cyr of Aroostook that the Senate adhere; and Mr. Campbell of Kennebec yielded to Mr. Cyr of Aroostook.

Mr. CYR of Aroostook: Mr. President and members of the Senate, I am wondering whether I would have more luck if I were to retable this too until later on in the day, but I don't think we can dispose of these things so easily. I am not going to talk very long to you in regard to this bill. I think you know all about it, all there is to know in regard to it. In scrutinizing the bill, I would just like to remind you of a few pertinent factors.

In studying this bill all you are doing is creating another committee to further study. There is no justification in further studying this bill where it comes out of legislative research. I have here on my desk three reports of studies that

have been made on this particular area. The National Resources Council has also a big report on the area so there is no justification in further study. You have to look a little deeper for the motive on this bill. The motive is only a stall. It is a do nothing program. They just hope that the commotion will die out and it can then go back to the old status quo, to the old Rip Van Winkle days in Sleepy Hollow, go back to the chain and padlock on the road, and everything that goes with it. That is the reason I am opposed to the authority. Since then there has been a flavor of politics mixed in and if we do pass this I think we are due for quite a lot of criticism on the part of the people of the State of Maine, because the people of the State of Maine are aware that the timber lobbyists have been working overtime to try to pass this bill. Therefore all we are doing, we are telling the people of Maine that it is the lobbyists that are running to government, which is actually just what we would be doing if we are to capitulate to them.

So, Mr. President, my motion to adhere is still in order.

Mr. CAMPBELL of Kennebec: Mr. President, I request that the vote be taken by division.

Mr. BOARDMAN of Washington: Mr. President, I would like permission to abstain from voting. Senator Pike asked me to pair my vote with him. In the event he were here, he would vote against the motion to adhere; I would vote in favor of the motion to adhere.

The Senator from Washington, Senator Boardman was excused from voting in order to pair his vote.

Mr. COLE of Waldo: Mr. President and members of the Senate, I rise in opposition to the motion of Senator Cyr of Aroostook, and also to defend the research committee in their final report of the Allagash bill. To bring the Senators up to date, as I might say, as to the decision of the committee, I would like to read into the record the exact recommendations of the committee, and I might add that this committee consists of seven members of the Senate and seven members of the House with the two ex-officio officers, the President of the

Senate and the Speaker of the House as members. This was a unanimous report of the committee. I want to show you that we spent many hours considering pros and cons. To quote from the final report: "It is the unanimous conclusion of the committee that the area could be of tremendous value to the State of Maine because of its unique wilderness character, but only if this unique aspect can be preserved will these benefits be fully realized. It can be accomplished without sacrificing equally important economic values of the timber and water resources. With proper management of the area by a state agency, a genuine multiple use plan could provide for the preservation of the wilderness aspect of the area while controlling use of our natural resources. Such a plan would not necessarily require outright ownership of vast amounts of land by the state. The committee has explored the possibilities of the state negotiating with the land owners for the development rights of the area in question. Under such agreement the owners would retain title of the land but would relinquish their rights to construct buildings, lease land or in any way alter the natural aspects of the area. This would allow the state to control access to the area, provide construction of commercial buildings and provide recreational facilities. To this end, the committee recommends enactment of the following legislation". That legislation is what we are discussing today. Thank you.

Mr. CYR of Aroostook: Mr. President, the whole purpose of this thing — I am taking my chances as well as they are. I don't know what is going to be recommended up there but I think we should give the courtesy to the federal government to come out with their finds of this \$800,000 survey which they have been making the past two years as to what is best for these resources.

I don't know just what is going to come out, but one thing we know from this bill, the landowners, the timber people are still going to dictate their terms into this and for that reason the Save the Allagash Committee and the Natural Resources Council of Maine have left

the fold. They are now in opposition to this authority. So you see, they themselves realize the landowners are just going to be dictating the terms and they are going to control this under their own conditions. And that is why I am in opposition to this bill. Let's leave it alone until we find out what the recommendation is going to be. Then if the recommendation is going to be to put a park on the Allagash well and good. I'll go along with it. But until that time we should not tie the hands of any organization or anybody in the area and that is why I am in opposition.

Now the thing has developed with political overtones the last few weeks, to the extent that I am really disturbed because you know as well as I do that the people of Maine are going to react violently to the fact that these lobbyists are dictating the terms here at the Capitol. And that is another reason why I am violently opposed to the passage of this legislation. I am afraid of the overtones, particularly to my party.

Mr. STITHAM of Somerset: Mr. President and members of the Senate, I have a telegram here I would like to read into the record. It more or less is in opposition to the remarks just made by the good Senator from Aroostook, Senator Cyr. This is a telegram from Robert Patterson who is Chairman of the Save the Allagash Committee and is also President of the Natural Resources Council of Maine. "Some members in the legislature may recently have been led to believe that the Save the Allagash Committee is opposed to passage of the Allagash River Authority bill. This is emphatically not true. The Committee was organized to oppose the bill to create a Maine Power Authority in order that the Allagash may be preserved." It is signed Robert W. Patterson.

I also want to remind the Senate of the two amendments that were adopted in the House. House Amendment 399, Section 8. Construction. "Nothing in this chapter shall be construed to impair the authority of any public body heretofore or hereafter created by the legislature in

the exercise of powers granted to any such public body”.

I would also like to read from an article in the Daily Kennebec Journal of June 12, 1963 also by Robert Patterson. I will read just one small portion: “Aside from any other considerations, the publicity value of this world famous river is incalculable and is not something to be thrown away. The Allagash is a magnet that draws thousands to Maine if not to the river itself. Its power will increase as the years go by if it remains wild and free flowing. As a symbol of Vacationland, nothing could replace it. The fame of the Allagash has spread for more than a hundred years simply because there is nothing to equal it.” It has been said here in the Senate, but I think again it could stand repeating. This bill authorizes further study of the Allagash situation and report back to the 102nd Legislature. It is true that other studies have been made, detailed studies. The purpose of this particular bill is to come up with concrete proposals and even drafts of agreements made between all parties interested which may be accepted or rejected by the next legislature.

The fear that this is in any way going to interfere with any power development that may be undertaken either by the federal government or by the state, I believe to be groundless. I am definitely opposed to the motion made by the good Senator from Aroostook, Senator Cyr.

Mrs. HARRINGTON of Penobscot: Mr. President and members of the Senate, Mr. Patterson’s telegram rather confuses me. A few weeks ago, former Senator Ezra Briggs was in the Chamber and he told me himself that he was against this bill. I don’t know of a more drastic preserver of the Allagash than former Senator Briggs.

Mr. CYR of Aroostook: Mr. President, I would like to read you an article which appeared in the Portland Press.

“The much emasculated and worthless Allagash Authority bill continues to get the ‘Now we pass it; now we don’t’ treatment in the Maine legislature. Surprisingly the very forces which are so unhappy

with the original bill are now backing the toothless version to the hilt. They are apparently suggesting to the legislators that this bill will help to prevent flooding of the prize Allagash. In reality they are not at all concerned about the gimmick urging a dam site and causing its flooding. What they are scared stiff about is the now certain legislation in Congress urging its preservation as a national recreation area. Many people in Maine and elsewhere are resigned to the apparent fact that this is the only way that the Allagash will ever be preserved. So the paper company lobbyists are burning the midnight oil in their efforts to convince the legislators of their sanctimonious concern for the Allagash. What they really want this hopelessly weak Allagash Authority bill for is to aid them in their never ending zeal to preserve the status quo. With this toothless law on the statute books they can point to accomplishing something which in reality accomplishes absolutely nothing. This, they hope, will aid them in keeping the national park service out and the Augusta powerhouse will have scored another victory.

“So the old Augusta powerhouse keeps rolling along practicing the art of pressure and duplicity while all too many legislators seem more responsive to the pressures of this gang than to the folks back home. The legislation which the mob of lobbyists are well paid to influence is often not in public interest. An outstanding example would be any legislation which prevents or seeks to prevent the preservation of the Allagash watershed, one of vacationland’s most priceless assets.”

Mr. PORTEOUS of Cumberland: Mr. President, I don’t like to vote on anything as controversial as this without giving my reasons because I have seen the time when I thought I had given very good reasons for the passage or rejection of a bill and found that people didn’t get up or say anything but the thing went the other way.

Having passed through a glorious night of stars and moonlight and clear, fresh Maine air, my mind is clear. I have forgotten everything of the past 24 hours and wish to speak strictly to this Allagash Au-

thority. I think some of the things that have been said here by the proponents, by the good Senator from Aroostook, Senator Cyr, are very true, but I think that his fears — and I have tried to point this out to him in person to person talks — that his fears for his Rankin Rapids project or any project that the federal government might see fit to go ahead with on the Upper St. John River are groundless. I think that this Allagash Authority will in no way impair any progress along that line. If the survey, the 800,000 survey he speaks of, proves that federal power is feasible, that it is in great need and that the public monies will be well spent in that area, I am sure that this Authority and legislatures in ensuing years will certainly see fit to make way for it.

I do see a threat if we don't pass such legislation to adequately or in some way take care of a vast wilderness area. The federal government admittedly has its eye on it. The Secretary of the Interior has been here and looked at it. There have been pictures in our papers and our magazines with our Junior Senator standing and looking at this beautiful area and this is one of the last places that the federal steam roller can get their hands on.

I don't think that we in the State of Maine, knowing as much as we do about recreational development and having as much potential as we do, need to have a bunch of desk and chair sitters from Washington come up and tell us how to handle an area such as this. If anything, I think we could probably give them some ideas on how to conduct their affairs and get it done with a lot more efficiency than they do. They have to be in session about four months longer than we do, and believe me, this is long enough.

As far as any question of the lobbyists steam rolling or trying to throw up smoke screens or anything like that, naturally, their companies which they represent, stand to lose a great deal if they cannot harvest the forest in this area. If the federal government were to take it over, that would be out of the question. They could not continue

to get timber for their plants and their bills from this area.

So I don't see anything wrong with their trying to pass something that will deter a federal take over. We have heard of surveys by the federal government on this area; we have seen their officials come in to it. I think that in some ways if you want to talk about it politically, these are smoke screens. I think if we are sensible and are going to do what we see fit about the State of Maine without outside interference, we will vote for this Allagash Authority.

Mr. REED of Sagadahoc: Mr. President and members of the Senate, one thing I was hoping that I would learn before this session adjourns, if it ever does, was to sit still and say nothing. However, I have lived with this Allagash Authority and the bill for three or four months now and I have come to some definite conclusions. I personally don't care too much what other people feel or say, it is what I think in the long run, as the Senator from Cumberland has said that he feels the same way, in the final analysis we should decide by what we ourselves believe.

The other day we were told that history repeats itself and I have no argument with this, because I agree with it. The reason is of course that we as human beings do not change. When we are faced with circumstances that are similar, we react in much the same way as we have in the past. I mention this because I can't help but think that in this debate history is repeating itself. It has already been mentioned here, or possibly has, that this same group has hurt Maine through the pollution of our rivers. I guess it would not be a legislature unless I stood up and spoke on this because it probably is one of my main gripes as far as the State of Maine goes. I would only say this, that I hope that Maine is finally taking steps in abating pollution on our rivers, and I would like to think that we have learned a lesson from it. I feel that the same forces that oppose cleaning up our rivers are present right here in his debate, and true to form they are using their same methods.

As the legislature grinds toward the end, I think that there are a few things that are evident. I would like to see the Allagash region restored. I have voted for both the Cross Rock project and I voted or would support a federal project that would flood this area, provided it was deemed necessary. I do this because I feel that Maine needs a shot in the arm economically. If it means flooding this beautiful area, then I say, yes we should do it. However, it now seems apparent that Cross Rock has not got much of a chance at passing. It also seems likely that the federal government is not going to recommend flooding the area. So this boils down to three alternatives in the area. One, you could keep it under its present ownership. Two, you could put in a state park. Three, you could have a federal park.

Now, this bill on the surface would seem to indicate that we are for a state park and that this study will ultimately come up with one. The proponents of this, the ones who are supporting it mostly are those who actually wish to keep it in its present state and under its present ownership. Now I have no complaint with this. I don't think anyone in Maine does. They have done a pretty good job in preserving the region. But we are concerned because we know that it is subject to the whim of its present ownership and when it becomes economically feasible for the present owners to change their methods, I feel that they will and I cannot blame them for doing so. Therefore I feel that the popular stand is to try to do something with the area.

Now what they have done is they have taken the original bill which had the support of all these conservation groups and have watered it down to the present bill. It has been stated here that the legislative research study came up with a proposal. They drafted a bill. But this is not the bill that we are voting on. This is the second re-draft and it is of course palatable to the vested interests. Now it has also been stated that what we have here is the bill that says something and does nothing and I feel that when you talk about the federal government coming in, I am as

much opposed to it possibly as the Senator from Cumberland, Senator Porteous, but what you are doing by passing a bill such as this, in my opinion, is just asking the federal government to come in. They are not stupid down there. They are probably not as smart as we are but I feel that they can see through this and I would urge that this Senate would learn from past experience that if the state truly wants to do something with this area to take and pass a bill that will do what we desire, and I for one, cannot picture the federal government coming into this area, if we truly indicate to them, even if we don't do it in this legislature, wait until the next legislature — truly indicate to them that we desire to do something with this area, and therefore I would like to see this bill defeated, so we can have something before us that not only says something but does something.

Mr. NOYES of Franklin: Mr. President, I am not against this Allagash River Authority per se nor against the proponents, but I am definitely against the principle. Maine has many rivers and the rivers of Maine are certainly our life blood. If we pass an Allagash River Authority this time, what about an Androscoggin River Authority next time, or a Kennebec River Authority, or a Rangeley River Authority, or a Cupsuptic River Authority, or Carrabassett River Authority. I think it is a very dangerous principle. We have already admitted that the proposal is without teeth and is really a bill that won't do anything anyway, so why pass it and start this precedent?

Mr. COUTURE of Androscoggin: Mr. President and members of the Senate, I certainly rise in support of the motion of our good Senator from Aroostook. In the remarks of the good Senator from Cumberland, the bunch of desk and chair people telling the Maine legislature what to do and how to speed our matters through. I'd like to state for the record that if we go five times the number of months in our session, we don't have to cover the entire United States the way Congress does and we have been in session for six months just for the



State of Maine. And it looks as though if we don't stop using bills and swinging them around as a whip we'll be here for another six months. Congress does a pretty good job compared with the State of Maine. They don't take much longer with the whole United States than we do just for the State of Maine alone.

Mr. FERGUSON of Oxford: Mr. President, I was interested in hearing Senator Cyr's remarks on the editorial in the Press Herald. It appears that the papers of the state are a little bit apart as to what we should do with the Allagash River Authority. The Lewiston Daily Sun in an editorial on June 10th says in part, "If the federal government moves into the Allagash region after the U. S. Department of the Interior report this month, it will be Maine's own fault." It goes on to say, "If Maine is unwilling, or unable to take at least preliminary steps toward the preservation of the Allagash region, the Great White Father in Washington will need no more eloquent invitation to move in.

"The legislature already has bounced around a proposal to establish an Allagash River Authority, which would take the preliminary steps toward insuring the future of the region. The matter would be dead but for the House efforts at resuscitation late last week. It may not survive. It is true that this bill would not prevent the federal government from moving in if it insisted. But it would give Maine a leg to stand on in trying to retain its voice and decision over this important portion of our state.

"The Allagash River Authority should be created now."

Also I am getting a little bit disturbed about the remarks about the lobbyists and the pulp and paper industry in the State of Maine. I was interested and happy to read in Sunday's paper about the housing development in the town of Madawaska up in Aroostook County. It says that they have the largest housing development in the State of Maine at the present time. I wondered if there is some other industry in that town besides the Fraser Paper Company that is re-

sponsible for all this. The Fraser Paper Company is responsible for the high economy of the town, or is there some other industry in there that we don't know anything about? I certainly hope that the motion of Senator Cyr of Aroostook does not prevail.

The PRESIDENT: The question before the Senate is the motion of the Senator from Aroostook, Senator Cyr, that the Senate adhere. A division has been requested.

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

Mr. COLE of Waldo: Mr. President, I move that the Senate recede and concur.

Mr. REED of Sagadahoc: Mr. President, is there any way that we could move for indefinite postponement of House Amendment 426 which does away with the appropriation?

The PRESIDENT: The Chair will reply to the Senator in the affirmative. The pending motion is to recede from our action whereby we accepted the Ought Not to Pass report. If this motion prevailed, the next motion would be to accept the Ought to Pass report and then the amendments would come before us for such action as the Senate would wish to take.

Thereupon, the Senate voted to recede from its former action whereby it accepted the Ought not to pass report; the Ought to pass report was accepted and the bill read once.

The Secretary read House Amendment A. H-399.

Which amendment was adopted.

The Secretary read House Amendment C. H-426.

Mr. REED of Sagadahoc: Mr. President, I would move that House Amendment "C" be indefinitely postponed. My only remarks are that I just feel as if we are making a mockery of what we have just done by passing the Authority, because we are not even allowing them, as I understand, traveling expenses and we are giving no appropriation at all to this Authority. As I said before: if we are going to do something let's do it. There-

fore I would hope that my motion would prevail.

The PRESIDENT: The Senator from Sagadahoc, Senator Reed, moves the indefinite postponement of House Amendment "C".

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate: I may be wrong in my assumption of the exact membership of this Authority, but as I remember it they are — and this could have been revised since the original bill was written: The Forest Commissioner, Director of State Parks and Recreation, Commissioner of Inland Fisheries and Game, Director of School of Forestry and the Attorney General. Now in this amendment it also says that they will be allowed actual and necessary expenses for attendance at all meetings. These gentlemen named here in Section 3 as members of the Authority are already salaried employees of the State, and therefore it does not seem that any additional moneys would be necessary for them to carry out the purposes of this Authority as stated.

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

Mr. REED of Sagadahoc: Mr. President, I would merely like to ask a question through the Chair. I am not sure who the author of this bill is but it is a Senate paper. I would like to ask why the original appropriation was put on the bill.

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

Mr. EDMUNDS of Aroostook: Mr. President, I will attempt to answer it. The bill I think was at least partially drafted by various department heads, and I have never yet seen them draft a bill unless they added an appropriation to it.

Mr. STITHAM of Somerset: Mr. President and members of the Senate: I think it might be interesting to note that when this particular amendment was offered the House the following remarks were made:

"You will note that this amendment eliminates Section 2 from the bill. Section 2 provides for an ap-

propriation of \$7500 for each year of the next biennium. I feel, and it is also the belief of the sponsor of the bill and others, that no appropriation whatsoever is needed to cover expenses, as the members of the Authority are all State Department heads or employees and certainly the out-of-pocket expenses of members of the Advisory Committee can be provided in some other way."

Mr. PHILBRICK of Penobscot: Mr. President, I move for indefinite postponement of the bill and all accompanying papers.

The PRESIDENT: The Chair will advise the Senator from Penobscot, Senator Philbrick, that the question before the Senate has to do with the motion to indefinitely postpone the amendment. After this is disposed of your motion will be in order and will be then considered.

The question before the Senate is on the motion of the Senator from Sagadahoc, Senator Reed, that House Amendment "C" be indefinitely postponed. A division has been requested. All those in favor of the motion of the Senator from Sagadahoc, Senator Reed, will rise and remain in their places until counted.

A division was had.

Nine having voted in the affirmative and twenty-one in the negative, the motion did not prevail.

The PRESIDENT: The question now before the Senate is on the motion of the Senator from Penobscot, Senator Philbrick, that the bill and all accompanying papers be indefinitely postponed.

Mr. JACQUES of Androscoggin: Mr. President, I think this is an important issue and I move for a roll call when the vote is taken.

The PRESIDENT: A roll call has been requested. In order for the Chair to entertain the request for a roll call the desire must be expressed by one-fifth of the members present. All those in favor of the roll call will rise and remain in their places until counted.

A division was had.

The PRESIDENT: Obviously a sufficient number having arisen a roll call is in order.

Mr. BOARDMAN of Washington: Mr. President, may I approach the rostrum?

(At Ease)

Called to order by the President.

The PRESIDENT: We have not yet disposed of House Amendment "C". The motion for the indefinite postponement of House Amendment "C" having failed, is it now the pleasure of the Senate to adopt House Amendment "C"?

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

The PRESIDENT: The question now before the Senate is the indefinite postponement of the bill and all accompanying papers. A roll call has been ordered.

Mr. BOARDMAN of Washington: Mr. President, my agreement with Senator Pike was that I would pair votes with him so far as this particular bill is concerned. I would therefore request that I be permitted to withdraw from voting. If the Senator were here he would vote against indefinite postponement and I would definitely vote for it.

Mr. PHILBRICK of Penobscot: Mr. President, this is not as bad as it sounds, but I would move that this honorable body refuse permission to have a vote paired.

Mr. EDMUNDS of Aroostook: Mr. President, I would request a division on the request of the Senator from Washington, Senator Boardman to pair his vote.

Mr. COUTURE of Androscoggin: Mr. President, in the future when requests are made to pair votes will that be in some way in writing prior to the issue or does it just come out of the sky now?

The PRESIDENT: The Chair is proceeding under time-honored custom: as a courtesy to members of the Senate who have been in reasonably recent contact with other members of the Senate they may request to be excused from voting and declare an opposite vote by an absent senator. This is subject to the majority of the Senate and if you do not wish to extend this courtesy you can indicate it when a division vote is had as has been requested by the Senator from Aroostook, Senator Edmunds.

The question before the Senate is now a matter of privilege. The Senator from Washington, Senator Boardman, asks to be excused from

voting for the reason that he would like to pair his vote with the absent Senator from Oxford, Senator Pike. All those in favor of allowing the request of the Senator from Oxford, Senator Boardman, will rise and remain in their places until counted.

A division was had.

Twenty-seven having voted in the affirmative and two in the negative, the request of Senator Boardman of Washington to pair his vote with that of the Senator from Oxford, Senator Pike, was granted.

The PRESIDENT: A roll call vote will now be taken. When the Secretary calls each Senator's name a vote of "Yes" will be for the indefinite postponement of the bill and a vote of "No" will be against the indefinite postponement of the bill.

#### ROLL CALL

The Senators responded to the roll call as follows:

YEA — Boisvert, Brewster, Couture, Cyr, Farris, Harrington, Hinds, Johnson, Letourneau, Lovell, Noyes, Philbrick, Reed, Whittaker — 14.

NAY — Atherton, Brooks, Brown, Campbell, Christie, Cole, Cram, Edmunds, Ferguson, Hichborn, Jacques, Kimball, Marden, Porteous, Sproul, Stilphen, Stitham—17.

EXCUSED—Boardman.

ABSENT — Pike, Wyman.

Fourteen having voted in the affirmative and seventeen opposed, the motion did not prevail.

Thereupon, the bill was tomorrow assigned for second reading.

Mr. JACQUES of Androscoggin: Mr. President, I wish to change my vote from "Yes" to "No."

The PRESIDENT: The Senator from Androscoggin, Senator Jacques, wishes to change his vote from "Yes" to "No." Is this the pleasure of the Senate?

The request was granted and the roll call was corrected accordingly.

The President laid before the Senate the 6th tabled and specially assigned matter (H. P. 52) (L. D. 75) Bill, "An Act Providing for Holding District Court for Western Aroostook at Fort Kent" which was tabled on June 14th by Senator

Campbell of Kennebec pending enactment.

On motion by Senator Campbell the bill was retabled and specially assigned for the next legislative day.

The President laid before the Senate the 7th tabled and unassigned matter, (S. P. 416) (L. D. 1159) Senate Report "Ought to pass in New Draft" (S. P. 629) (L. D. 1593) from the Committee on Education on Bill, "An Act to Pay School Subsidies on the Basis of Uniform Local Effort", which was tabled on June 17th by Senator Stitham of Somerset, pending motion to reconsider acceptance of Minority "Ought not to pass" report.

On motion by Senator Stitham the matter was tabled until later in today's session.

The President laid before the Senate the 8th tabled and specially assigned matter, (H. P. 992) (L. D. 1435) House Report "Ought to Pass in New Draft under same title" (H. P. 1110) (L. D. 1592) from the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve, Proposing an Amendment to the Constitution Clarifying Provisions Governing Assumption of Office of Governor by the President of the Senate or the Speaker of the House, which was tabled on June 17th by that Senator pending acceptance of report.

Mr. PORTEOUS: Mr. President and members of the Senate: You will be a little surprised when I say I am not going to retable this bill until later in the day, if I can find my amendment. May we have about a one-minute recess while I find it?

**(Recess)**

Called to order by the President.

The PRESIDENT: Before proceeding, the Chair would like to welcome in behalf of the Senate Ex-Senator Farley from York County. Will he please stand and be recognized? (Applause)

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate: The reason I tabled this yesterday was because I had a letter from George West in the Attorney General's office pointing out

an inconsistency in this bill. I have conferred with him and with the Legislative Research office, and that is the reason for presenting Senate Amendment "A", Filing 310, to this L. D. 1592, and I move its adoption.

The "Ought to pass in New Draft" report of the committee was accepted and the new draft was given its first reading. Senate Amendment "A" was read and adopted. Under suspension of the rules the resolve was given its second reading and was passed to be engrossed as amended and sent down for concurrence.

On motion by Mr. Edmunds of Aroostook, the Senate voted to take from the Special Appropriations Table H. P. 246, L. D. 314, "An Act to Increase Pensions of Certain Retired Teachers."

On motion by Mr. Edmunds, under suspension of the rules the Senate voted to reconsider its action whereby the bill was passed to be engrossed.

The same Senator presented Senate Amendment "A" and moved its adoption. Senate Amendment "A" was read by the Secretary.

Mr. EDMUNDS: Mr. President, since this is not a very long amendment, I think I should explain it as briefly as I possibly can.

It would reduce the increases for teachers with twenty-five or more years of service as approved by the Committee on Retirements and Pensions from \$150 annually to \$115 annually and would do away with the section which refers to \$100 for other teachers and makes the effective date of the bill October 1st.

I wish to state I have checked this with the interested parties and the Chairman of the Committee on Retirements and Pensions and they are agreed that this is a necessary amendment. Also there is the fact that money, even if pending revenue measures are passed, will be scarce and the amendment will leave the bill in such form as to substantially implement the request of the retired teachers of Maine.

Senate Amendment A was adopted, and on motion by Mr. Edmunds of Aroostook the matter was tabled

until later in today's session pending passage to be engrossed.

On motion by Mr. Edmunds of Aroostook,

Recessed until 2:00 P.M.

#### After Recess

Senate called to order by the President.

Additional paper from the House, out of order and under suspension of the rules.

#### Committee Report — House

##### Ought to Pass, As Amended

The Committee on Appropriations and Financial Affairs on Resolve, Appropriating Moneys for Additional Faculty Positions at Gorham State Teachers College. (H. P. 524) (L. D. 741) reported that the same Ought to pass, as amended by Committee Amendment "A (H-458)

Comes from the House, passed to be engrossed as amended by Committee Amendment "A".

Which report was read and accepted, in concurrence, Committee Amendment "A" was read and adopted in concurrence, and the Bill, as amended, was read once and under suspension of the rules given its second reading and passed to be engrossed, as amended, in concurrence.

The President laid before the Senate Item 1 (H. P. 313) (L. D. 406) Bill, "An Act Increasing Sales Tax"; tabled earlier in today's session by Senator Edmunds of Aroostook pending motion by that Senator to recede; and on further motion by the same Senator, the bill was retabled and especially assigned for the next legislative day.

Mr. Wyman of Washington was granted unanimous consent to address the Senate.

Mr. WYMAN of Washington: Mr. President, and members of the Senate, I would appreciate an opportunity to explain briefly why I was out this morning and my action on the Allagash bill. As you know I have voted consistently against this bill. I voted this morning to adhere. I sat here and listened to the Majority Ought to Pass report of the

committee accepted under the gavel, and the first reading of the bill under the gavel and at that time, having two long distance telephone calls waiting for me, I figured the shooting was over for this particular action on the bill and it was all right for me to leave. Had I known a roll call was coming or further action, I would have stayed here and voted against the bill.

I also want to say that I expect to be out late tomorrow forenoon for a while so if there is another vote on the bill, you will know why I am out. Thank you.

The President laid before the Senate the 2nd tabled and today assigned item (H. P. 872) (L. D. 1259) Bill, "An Act Relating to Partial Unemployment Benefits and Experience Rating Record under Employment Security Law"; tabled earlier in today's session by Senator Edmunds of Aroostook pending passage to be engrossed; and on further motion by that Senator, the bill was retabled and especially assigned for the next legislative day.

The President laid before the Senate the 3rd tabled and today assigned item (H. P. 871) (L. D. 1258) Bill, "An Act Relating to Disqualification and Claims for Benefit and Employer's Contribution Rate under Employment Security Law"; tabled earlier in today's session by Senator Edmunds of Aroostook pending passage to be engrossed; and on further motion by that Senator, the bill was retabled and especially assigned for the next legislative day.

The President laid before the Senate the 4th tabled and today assigned item (S. P. 287) (L. D. 860) Bill, "An Act to Authorize the Construction of Buildings and Plant Facilities for the University of Maine and the Issuance of not Exceeding Twenty Million Dollars Bonds of the State of Maine for the Financing Thereof"; tabled earlier in today's session by Senator Campbell of Kennebec pending acceptance of the report; and on further motion by that Senator the bill was retabled and especially assigned for the next legislative day.

The President laid before the Senate the 7th tabled and today assigned item (S. P. 416) (L. D. 1159) Bill, "An Act to Pay School Subsidies on the Basis of Uniform Local Effort"; tabled earlier in today's session by Senator Stitham of Somerset; and that Senator yielded to Senator Stitham of Knox. That Senator was then granted permission to withdraw his motion to reconsider.

Thereupon, the bill was ordered sent down for concurrence.

The President laid before the Senate H. P. 246, L. D. 314, Bill, "An Act to Increase Pensions of Certain Retired Teachers" tabled earlier in today's session by Senator Edmunds of Aroostook; and that Senator yielded to Senator Stilphen of Knox.

On motion by Mr. Stilphen of Knox, the Senate voted to reconsider its former action whereby it adopted Senate Amendment A; and the same Senator presented Senate Amendment A to Senate Amendment A and moved its adoption.

Which amendment was read and adopted, Senate Amendment A as amended by Senate Amendment A was adopted and the bill as amended was passed to be engrossed and ordered sent forthwith to the House.

On motion by Mr. Edmunds of Aroostook,

Recessed until 3 P.M.

#### After Recess

Senate called to order by the President.

ORDERED, the House concurring, that the members of the committee appointed to carry out Joint Senate Order S. P. 601, Relating to Teachers Certification Study by Interim Committee, shall serve without compensation but shall be reimbursed for their expenses incurred in the performance of their duties and the committee shall have authority to employ clerical assistance within the limits of funds appropriated; and there is appropriated from the Legislative Appropriation the sum of \$750 to carry out the purposes of S. P. 601; and be it further

ORDERED, that the members of the committee appointed to carry out Joint Senate Order S. P. 602, Relating to Secondary School Accreditation Study by Interim Committee, shall serve without compensation but shall be reimbursed for their expenses incurred in the performance of their duties and the committee shall have authority to employ clerical assistance within the limits of funds appropriated; and there is appropriated from the Legislative Appropriation the sum of \$750 to carry out the purposes of S. P. 602.

Which Order was read and passed.

On motion by Mr. Edmunds of Aroostook,

Adjourned until tomorrow morning at ten o'clock.