

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

VOLUME II

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and

SPECIAL SESSION

JAN. 6 - JAN. 17, 1964

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Thursday, June 20, 1963

Senate called to order by the President.

Prayer by the Rev. Edward F. Allen of Augusta.

On motion by Mr. Hichborn of Piscataquis, the Journal of yesterday was read and approved.

**House Papers
Non-concurrent Matters**

Bill, An Act Relating to Operating Business on Sunday and Certain Holidays. (H. P. 930) (L. D. 1364)

In Senate, June 13, Passed to be engrossed As Amended by Senate Amendment "A" (S-240) as Amended by House Amendment "E" thereto (H-439) and As Amended by Senate Amendment "E" (S-294) in Non-concurrence.

Comes from the House, the Bill Indefinitely Postponed in Non-concurrence.

In the Senate, on motion by Mr. Porteous of Cumberland, the bill was tabled and especially assigned for later in today's session.

Bill, An Act Providing for a Continuance of the Constitutional Commission. (S. P. 83) (L. D. 190)

In Senate, June 19, Passed To Be Engrossed, As Amended by Senate Amendment "A" (S-313) in Non-concurrence.

Comes from the House, Indefinitely Postponed in Non-concurrence.

In the Senate, on motion by Mr. Whittaker of Penobscot, the Senate voted to insist and ask for a Committee of Conference, and subsequently, the President appointed as Senate conferees, Senators: Whittaker of Penobscot, Christie of Aroostook and Lovell of York.

Bill, An Act Shortening the Period of Real Estate Mortgage Foreclosure. (S. P. 596) (L. D. 1563)

In Senate, May 28, Passed to be Engrossed As Amended by Senate Amendment "A" (S-244)

In House, June 12, Passed to be Engrossed as Amended by Senate Amendment "A" and As Amended by House Amendment "H" (H-446) in Non-concurrence.

In Senate, June 17, Passed to be Engrossed As Amended by Senate Amendments "A" (S-244) and "C" (S-297) in Non-Concurrence.

Comes from the House, the Bill Indefinitely Postponed in Non-concurrence.

In the Senate:

Mr. FARRIS of Kennebec: Mr. President, I move that the Senate insist and ask for a Committee of Conference.

Mrs. SPROUL of Lincoln: Mr. President and members of the Senate, this bill has bothered me all through the procedures in the Senate, and in the House. I feel it is an injustice to a man that might be trying to make a payment and keep his home or his business. I am very much against it and I move that we recede and concur with the House.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, actually the philosophy of reducing the redemption period from one year to six months has been resoundingly accepted by both bodies of this legislature. The bill itself seems to have bogged down due to a number of amendments, and I am reasonably confident that we can really perform a service for the people of the State of Maine if we are allowed to have the courtesy and opportunity to meet in a committee of conference and I would request a division on the motion of Senator Sproul of Lincoln, and trust that this would be kept alive so that we might at least have a Committee of Conference.

A division of the Senate was had.

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

Thereupon, the Senate voted to insist and ask for a Committee of Conference, and the President appointed as Senate conferees, Senators: Farris of Kennebec, Campbell of Kennebec and Stitham of Somerset.

Ordered sent to the House forthwith.

**Committee Reports — House
Conference Committee Reports**

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Sen-

ate Joint Order relative to Legislative Holiday, July 20th. (S. P. 590) Reported in verse.

Which Report was read and Accepted in concurrence.

Ought to Pass in New Draft

The Committee on Appropriations and Financial Affairs on Bill, An Act to Authorize General Fund Bond Issue in Amount of Seventeen Million Dollars and to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for the Fiscal Year Ending June 30, 1964. (H. P. 263) (L. D. 357) reported that the same Ought to Pass in New Draft, under new title: "An Act to Authorize General Fund Bond Issue in Amount of Six Million Nine Hundred and Ninety-two Thousand Dollars and to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for the Fiscal Year Ending June 30, 1964. (H. P. 1111) (L. D. 1594)

Comes from the House, Passed to Be Engrossed As Amended by House Amendments "A", (H-470); "C" (H-475); "D" (H-479) and "E" (H-486)

On motion by Mr. Edmunds of Aroostook, bill and reports were tabled pending acceptance of the report; and especially assigned for later in today's session.

Orders

Joint Order

On motion by Mr. Edmunds of Aroostook

ORDERED, the House concurring, that free telephone service be provided after final adjournment of the Legislature, during the remainder of the biennium, for each member of the Senate and House of Representatives, to the number of 50 calls of reasonable duration from the member's home to any state department, commission or agency within the limits of the State of Maine, and that each member of the Senate and House be provided with a card to be certified by the Secretary of the Senate and Clerk of the House, respectively, the cost of this service to be paid to the New England Telephone and Telegraph Company at regular tariff rates. (S. P. 635)

Which was Read and Passed.
Sent down for concurrence.

Enactors

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

Bill, An Act to Correct Errors and Inconsistencies in the Education Laws. (H. P. 960) (L. D. 1306)

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

Bill, An Act to Provide for Longevity Pay for State Employees. (H. P. 1108) (L. D. 1590)

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

Resolve, Providing for the Revision of the Statutes. (S. P. 61) (L. D. 111)

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

Bill, An Act Amending Certain Provisions of the Employment Security Law. (S. P. 453) (L. D. 1345)

On motion by Mr. Johnson of Somerset, tabled pending enactment and especially assigned for later in today's session.

Constitutional Amendment

Resolve, Proposing an Amendment to the Constitution to Revise Article VI Relating to the Judicial Power (S. P. 529) (L. D. 1450)

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

Bill, An Act Relating to Discrimination in Rental Housing. (S. P. 426) (L. D. 1169)

Comes from the House, Indefinitely Postponed on passage to be Enacted. (Motion to Reconsider made and lost)

In the Senate, on motion by Mr. Whittaker of Penobscot, the Senate voted to suspend the rules and reconsider its former action where-by the bill was passed to be engrossed; and the same Senator presented Senate Amendment D and moved its adoption; and on further

motion by the same Senator, the bill was tabled pending his motion to adopt Senate Amendment D; and the bill was especially assigned for later in today's session.

Orders of the Day

The President laid before the Senate the 1st tabled and today assigned item (H. P. 1067) (L. D. 1532) bill, "An Act Providing for State Support of Education Foundation Program and the Financing Thereof"; tabled on June 19 by Senator Cram of Cumberland pending assignment for second reading; 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 2nd 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 19 by Senator Campbell of Kennebec pending acceptance of the report; and on further motion by the same Senator, the bill and reports were retabled and especially assigned for the next legislative day.

The President laid before the Senate the 3rd tabled and today assigned item (H. P. 862) (L. D. 1249) bill, "An Act Relating to the Educational Foundation Program Allowances"; tabled on June 19 by Senator Brooks of Cumberland pending adoption of House Amendment A and that Senator moved the pending question.

Thereupon the bill was given its first reading and House Amendment A was read and adopted.

House Amendment B was read.

Mr. BROOKS of Cumberland: Mr. President, I present Senate Amendment A to House Amendment B and move its adoption.

The Secretary read Senate Amendment A to House Amendment B.

Mrs. SPROUL of Lincoln: Mr. President, I wonder if the Senator from Cumberland, Senator Brooks would explain what the amendment does.

Mr. BROOKS of Cumberland: Mr. President, Ladies and Gentlemen of the Senate, House Amendment B to L. D. 1249 removes from the general law the so-called footnotes which have been referred to as the penalty clauses. There were two. Footnote 1 penalized elementary schools that were located within ten miles of one another. Footnote 2 penalized secondary schools that were located fifteen miles from one another. This amendment accomplishes two facts. First, it places back into the law the footnote 2, known as the secondary school footnote. In other words, if this amendment is passed, we will have eliminated from the law, the penalty that referred to the elementary school, which I think is OK.

The second step that it does, this amendment, it allows for the ten per cent award to any administrative unit which makes effort over and above the minimum effort required by the state in its subsidy occupation, without regard to penalty incurred by this footnote proposition. So, one, if this amendment is accepted, we will have eliminated the elementary schools from the footnote penalty and we will have allowed all administrative units in the state to receive the ten per cent award in the event they do more than the minimum effort required by the state.

Mr. CRAM of Cumberland: Mr. President, this matter of footnotes and penalties and so forth is one of the main reasons I was interested enough in these educational matters to spend as much time as I have in drafting my educational bill which is now on the table and which is L. D. 1598. L. D. 1598 is a redraft of the former bill. And my good friend, Senator Brooks in speaking of these footnotes had to speak of them as penalties. This is something I tried to avoid in my bill in trying to keep a positive approach all the way through. I think that the action in the House on these bills in removing these footnotes is strict-

ly a negative approach, and even in speaking of his amendments which modify the bill, Senator Brooks could not avoid using the word "penalty." I think this is a very poor thing to have in the law. I think we should try to preserve a positive approach and try to give the impression to the people that we are trying to upgrade education and not merely fooling around with a lot of figures.

In 1598 you will find a foundation program which is a standard of excellence. It is not expressed in dollars; it is expressed in terms of performance. And then the subsidies are based, in 1598, on whether or not you are meeting the standards of excellence. They are not based on mere mileage. I don't believe we are doing a great service to education in the State of Maine or to any of our towns by keeping this concept of educational subsidies in the law. And therefore, I would move indefinite postponement of the bill and all accompanying papers.

Mr. BROOKS of Cumberland: Mr. President and ladies and gentlemen of the Senate, it is rather amusing to me that when I start discussing educational problems, particularly when in debate with my good friend from Cumberland, Senator Cram, it seems that the point we are discussing, L. D. 1249, in this particular instance is a good opportunity for him to expound on the virtues of L. D. 1598 which just previously he saw fit to table.

I want to make it quite clear, ladies and gentlemen, that L. D. 1249 is a subsidy bill. It guarantees to communities in the state their full share under the subsidy program that we at state level, have in effect promised them. Now these towns and cities make up their budgets based on what they assume they are going to receive from the state. Let's not be confused. L. D. 1249 is simply a bill to increase our subsidy under the present law. The good Senator from Cumberland, Senator Cram is discussing a brand new method of developing subsidies. I would prefer that we did not get into that area right now. We have plenty of time when he takes this item off the table. I believe this bill is most important

to you and I and our communities back home. The amendment, I think, is practical and a good amendment and a fair amendment and I certainly rise in opposition to the motion for indefinite postponement and I request a division.

Mr. PORTEOUS of Cumberland: Mr. President, in order that this might be resolved, I ask for it to be tabled until later in today's session.

The motion prevailed and the bill was tabled pending the motion by Senator Cram of Cumberland to indefinitely postpone the bill and all accompanying papers. (Division requested.)

The President laid before the Senate the 4th tabled and today assigned item (H. P. 313) (L. D. 406) bill, "An Act Increasing Sales Tax"; tabled on June 19 by Senator Edmunds of Aroostook pending the motion 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 the 5th tabled and today assigned item (H. P. 372) (L. D. 1259) bill, "An Act Relating to Partial Unemployment Benefits and Experience Rating Record under Employment Security Law" tabled on June 19 by Senator Edmunds of Aroostook pending passage to be engrossed; 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 6th tabled and today assigned item (H. P. 371) (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 19 by Senator Edmunds of Aroostook pending passage to be engrossed; and on further motion by the same Senator, the bill was retabled and especially assigned for later in today's session.

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

Mr. EDMUNDS of Aroostook: Mr. President, I have had a number of people ask me why we continue to table these bills until later in the day's session and then table them later until the next legislative day. I merely rise to state that this is a parliamentary procedure that these bills for various reasons should be kept alive until other matters are disposed of or until, possibly, other decisions are reached in another body of this legislature. That is the only reason why we are proceeding this way.

The President laid before the Senate the 7th tabled and today assigned item (H. P. 522) (L. D. 739) House Reports from the Committee on Appropriations and Financial Affairs on Resolve, Appropriating Moneys for Vocational Educational Institute in Androscoggin County." Report A, Ought to Pass in New Draft A, New Title, Resolve, Appropriating Moneys for Vocational Educational Institute in Androscoggin County Area (H. P. 1113) (L. D. 1596); Report B, Ought to Pass in New Draft B, New Title, Resolve Appropriating Moneys for the Purchase of Land and for Planning for Vocational Educational Institute in Androscoggin County (H. P. 1114) (L. D. 1597); Report C, Ought Not to Pass; tabled on June 19 by Senator Brooks of Cumberland pending acceptance of any report.

Mr. BROOKS of Cumberland: Mr. President, I yield to the Senator from Androscoggin, Senator Jacques.

Mr. JACQUES of Androscoggin: Mr. President and members of the Senate, I believe you know that this is a project very close to our delegates from Androscoggin County and we hope that you Senators here in this Senate will go along with this bill that we have before you here this morning. I would like to point out first of all that we have the Man Development Training Act which is already in progress in Auburn, which is training, or will be training 370 employees. This money was given by the federal government. We were allocated \$34,000 for the first six months, \$18,000 for equipment and the rest for training of the personnel.

Under this act if you are single, you are not allowed any money to take home; you are just training, but if you have a family, they allow you up to \$28 a week to take home while you are training. After the vote is taken, maybe some of you gentlemen would like to see the projects that we have. Some of them take ten weeks to train, some of them take a little longer. If you want to be a cutter or a stitcher or anything else to do with the shoe industry, we have it.

A little while ago, a year or so ago, the Continental Mill was closed and Lewiston was in a very depressed area. Continental Mills let go about 900 people and we thought at that time that that was the end for our community. The population hasn't dwindled much but at the end of one year we had one person who was on the rolls of the Department of Welfare. I have checked that. Also, maybe some of you know, we had a TV program showing what had happened to Lewiston. Well right off we had these 900 people who had to be put back to work. Some of the young men got out of grammar school and went right into the mill and have been there probably twenty years and that was the only trade they knew. We also had Bates Mill but Bates couldn't employ many. As you know we are in competition with foreign trade and Bates Mill was also at the time in a hardship condition. So what has happened? We had to put these people back to work and they didn't know any trade other than the mill trade. We tried to create more projects with public works and other industries in our community. Naturally we lost a few of the people who moved out.

Then Raytheon announced not too long ago that they were leaving by January 1st of 1964 and this was another hard blow to our city. We already have lost maybe 50 engineers and we are losing more every day and naturally as days go along the company is letting these employees go somewhere else. I couldn't tell you how much the population has dropped in our community but we are hard pressed and we need this vocational school. It is very much needed and if it

does come, the Man Development Training Act equipment would revert to the state if this vocational bill is enacted by the legislature.

I would move at this time, Mr. President and members of the Senate, that we accept this Report A Ought to Pass report. I would like to say that this was accepted in the other body by an overwhelming majority and I hope that the Senate will do the same. Thank you very much.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate, it seems to me that there might be no greater need for vocational education anywhere than in Androscoggin County because of their industry there and because of the depressed condition. I am very much in favor of vocational education on the post high school level which I believe this recommends, and so I would be glad to go along with this motion.

Mr. CAMPBELL of Kennebec: Mr. President and members of the Senate, before I start, I will move that the vote be taken by division and I want to briefly explain to you what the three reports are that are before you and what you will be doing if you accept Report A.

Report A requires the implementation of a vocational school in the Androscoggin area presumably at Lewiston and it would call for the expenditure in the second year of the biennium of \$139,722 of operating funds. It contemplates the employment on a permanent basis of fourteen new employees. Report B signed by the Chairman of Appropriations, the House Chairman and myself — I think there were just three on that — would provide an appropriation of \$25,000 to permit a study to be made and to provide for the purchase of land in the Androscoggin area, certainly giving some indication of a preference for that site. Report C, signed by a majority of the Committee was Ought Not to Pass.

I think you should also realize that as a companion to this, that we have a bond issue before us, L. D. 1594 and that by an amendment in the House this being House Amendment D, Filing No. H-479, there has been added to the bond issue an appropriation of \$640,-

000 for the capital expense for the construction of this school in Androscoggin. Now the position of those who signed Reports B and C was that we have before us a bond issue bill recommended by the Governor and providing for the expenditure of \$17 million of additional capital funds.

We became convinced as a committee that there wasn't the slightest chance of getting the whole package through and with much study, pulling, and tugging, we finally arrived at a figure of \$7 million as the most ambitious bond issue we could hope to pass. So that we did cut the Governor's program by \$10 million and we did recommend a bond issue of slightly under \$7 million.

I think you should realize that in order to cut down to that figure, we had to eliminate from the Governor's program some deserving projects, particularly affecting institutions that were already in existence. For example we did nothing for the teachers colleges although there had been a substantial amount of money recommended by the Governor to be spent for capital additions at the state teachers colleges. We weren't able to do anything for them at all. At MVTI there was a good program there to build a gym and an auditorium recreational center. There weren't funds with which to do that and that has been eliminated. Very substantial expenditures at all of our state hospitals, at Pineland, at the Men's and Women's Reformatories, at the State Prison, all were eliminated in order to bring this bond issue down to a point where it would have a reasonable chance of passage.

So I say to you that I think you should weigh very seriously whether you want to give priority to a new project, something that hasn't yet been implemented and give it preference over those things which are already in existence and need desperately to be improved.

You should also weigh the fact that you are not only building the school but you are also incurring immediately operating expense. I feel that I can take this position with honesty, because I remind you again that I signed the report which

would have given this the nod so to speak and would have appropriated a fair sum of money, \$25,000 for the purpose of perhaps buying a site and planning for the school in the future. But it does seem to me that first things come first, that we have to do these things in stages. We have a school in South Portland, we have a vocational school in Presque Isle, we have got to decide where the next one is going to be. I might also point out to you that the educational department has made a survey and their opinion is that the new school should be either in the Waterville-Augusta area or in the Bangor area.

So if you adopt Report A, you are deciding now that you do want the new school in Lewiston and that you want it immediately, that you are not willing to take it in stages, but want it and want it built this coming year.

Mr. EDMUNDS of Aroostook; Mr. President, I rise very reluctantly with respect to this particular measure to enter into the debate. As you know there has been legislation passed already this session with respect to Arcostook County and legislation is still pending. The same is true with respect to the Maine Vocational Technical Institute. However, this in the opinion of the three signers of Report B resolved itself down strictly to an issue of money. And we felt that we were going as far as we realistically could, being honest with ourselves, in signing Report B which provided for \$25,000 for the purchase of land, necessary surveys and studies and, and I think this is the important point, indicating the legislative intent that at the next session the vocational training program in the State of Maine should be further expanded in the city of Lewiston. We felt that was the important principle of the resolve and we did sign Report B with that in mind.

With those thoughts in mind, I would have to vote against acceptance of Report A, the Ought to Pass report of the Committee.

Mr. JACQUES of Androscoggin: Mr. President, Senator Campbell said just a little while ago that the Department of Education had rec-

ommended the school to be either in the Augusta or Waterville area. Then on the other hand, he comes to us and says, "Well we will accept the school in Lewiston with \$25,000 to make the study or to buy the land." Now I don't see that we need it two years from now or four years from now. The school is needed now. We have lost Continental with 900 jobs and we have lost Raytheon with almost 1300 jobs. Ladies and gentlemen, Lewiston is one of the biggest cities in the state, the second biggest in the state and it is about time that we in the Senate do something to rectify this unemployment in that community.

You talk about MVTI, well, four years ago at that time there were ten per cent of the people from our community, from Androscoggin County, attending that school. These people are out of work and you are asking them to travel thirty-five miles each way a day to go to a school when they haven't got money enough for their families. Let's be realistic. These people cannot afford to do this. These people are in the 40 year age bracket and you try to get a job when you are 40 - nobody wants you. I think some of you people here will go along with me on this.

When I was mayor of the city of Lewiston, I had an average of four people a day who came in to me for welfare and my secretary and I used to call store managers and everything else to try to get these people a job. Believe me if you were sitting behind that desk, you would realize what a problem that was. And now with these mills and the uncertainty - and as you know the mill and the shoe shop are the basic jobs in our community—you would see we are not very stable at the present time. I know it is in the fire to get some new shoe shops in Continental mills but this has not been realized yet. I hope that the Senate will go along with Report A because the school is not needed four years from now, but right now. Under Report B you would only be buying the land and it would be another three or four years before anything would be done. We need it now before we

lose these people and I can tell you right now we are losing a lot of them to Connecticut.

Three years ago when I was in Los Angeles, there were 1200 families that had moved to Los Angeles from our community, from the Lewiston area, 1200 families. I can verify that. We had a get-together over there and we were told that at that time.

I hope that my motion to accept Report A does prevail.

Mr. KIMBALL of Hancock: Mr. President, ladies and gentlemen of the Senate, as a member of the interim committee on industrial and recreational committee, I had occasion to travel pretty well over the state, look into many conditions having to do with the recreational field, the industrial field and I wish I could express to you the sense of real accomplishment that I bumped into in the Lewiston area, with the feeling of the people in general. How proud they were of their industrial progress there, with the job that had been done, with the new Raytheon plant opening up and everything looked so rosy and so well. Now when a community with that viewpoint and the industrial possibilities that it has been showing and that I believe we so badly need here in the State of Maine, needs help, and I think it does need help, I would like to place myself as very definitely in favor of a vocational school in Lewiston.

Mr. WHITTAKER of Penobscot: Mr. President, I rise also to support adoption of Report A on this item. Perhaps it is because I was born in Connecticut although I have lived in Maine for almost 25 years but I have become increasingly impatient with the conservative attitude in this state with respect to our educational needs. I know there is room in this Senate for both the realist and the idealist so I speak as an idealist this morning. I think our primary consideration should be our educational needs, our social needs, our work needs and that we should give more consideration to these aspects of the matter, judge these matters on their merits and then determine, after we have made our decision on that basis, where we may find the

money to support important projects such as this one.

I believe that we can still find the money for this and other educational activities which are so vital to the growth of our state. If we fail to provide the money for adequate education at the vocational level, we can only move backwards. It is false economy not to do the sort of thing that is proposed in this particular report.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, the plea to be realistic actually rather falls upon deaf ears as far as I am concerned. I used to consider myself a rather realistic person but I am afraid this session of the legislature has just thrown all reality from my own personal thinking and I find myself arising, and not reluctantly, but very sincerely in support of this proposition. All of you realize that I personally feel very deeply that we should have made a beginning, and should still make a beginning in this legislature, in high school vocational training. That measure is still hanging by a very, very slender thread, and I still hope that we can make a start even though we spend a nominal amount of money in so doing.

But I have long watched the affairs of Lewiston in the field of industrial development and this also includes Auburn and the entire Androscoggin County area, have been one of our leaders in the state in recognizing the need of industrial development, and of course one reason for that is because of the tremendous labor force which resides in that area. I certainly can only look upon this as an investment for the future of Maine, an investment whereby we will keep people in Maine that are now here and an investment whereby we will provide an additional opportunity for our youth who do qualify to attend a post secondary vocational institute. I certainly hope that we do keep this measure alive and support the motion of the Senator from Androscoggin, Senator Jacques.

Mr. CRAM of Cumberland: Mr. President and members of the Senate, I feel compelled to rise to support my friend, Senator Jacques, because time passes so quickly, if

we put this off for two years, the boys that might benefit from the school this coming year or the year following, will by that time be gone on to some other occupation and will be too old to think of attending school. Six years ago the Sinclair Act was passed and I thought it was a wonderful step forward in the educational plans of the state. At that time my boy, Jim was two years old. Now he is about to enter high school and during this period we have been trying to form a school district in my area without success. So as far as my town is concerned, the Sinclair Act has been a nullity and this has been true in other parts of the state.

So I think if we could possibly find the money for this step forward in education in Androscoggin County, we should go along at this point and see if we could find the money later on.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate, when the vote is taken I would ask to be excused, pairing with Senator Boisvert of Androscoggin who would vote Yes, and I would vote No. I would like to speak to the bill and the reason that I signed what turned out to be the majority, four members, on the Ought Not to Pass report. It was based on the findings of the Appropriations Committee that there wouldn't be sufficient funds to take care of this project at this time; and the report of the education committee that other areas stood first. However, I do feel that as some of my colleagues have said, this is a very worthwhile project and I don't in the least blame them for being for it at this time. I can't see any way to resolve this except by a vote and therefore I will not make any motion but you know how I vote.

Thereupon, Senator Porteous was excused from voting and his vote was paired.

Mr. JACQUES of Androscoggin: Mr. President and members of the Senate, this Maine Development Training Act, it is not every community that can have it, unless it is a depressed area. Lewiston-Auburn was ruled by the federal government to be a distressed area.

I was asked a while ago if the people are guaranteed a job when they come out of this school. Every one of them that came out of the school in the past six months, 120 graduated, had had a job. And this year we are guaranteed by the federal government \$196,000 more. This is just for training in shoe industries. In Lewiston we haven't had just shoe industries. Raytheon, as you know is in the transistor business. We have another one, the Paragon Glass, in the glass business. Lewiston has spent more money for industrial development than any other place in the state. As a matter of fact we pay our industrial development more than the state pays Commissioner Allen. We are trying to better our community and we are naturally trying to bring more industries into our community and we have done a pretty good job.

We need this school and we need it badly for these people who have come out of the mill, people forty and over, who have not been able to get a job. They cannot receive unemployment checks any more and they are moving out or living on welfare.

Mr. CAMPBELL of Kennebec: Mr. President, just one more point. This may or may not weigh on your deliberations on this question, but when the bond issue reaches this body, the other body has adopted an amendment to it which puts into the bond issue an appropriation of \$25,000 for the purpose of purchasing land and making a planning study for the location of the vocational school in Penobscot County, so you may be embarking on two schools instead of one.

Mr. WYMAN of Washington: Mr. President and members of the Senate, I have favored vocational schools. I had a bill in for a vocational school in Washington County in other sessions. I favored the one in Aroostook County and I would like to see one in Androscoggin County. But the part that bothers me is where is the money coming from? Here this legislature refuses to appropriate money to pay the bills for which we have already contracted, or at least for current services and why do we want to go ahead and appropriate more

money until we can tell what we are going to have for a tax or if we are going to have any.

Even though this is a bond issue, the bonds will require servicing and will require extra money and I therefore am going to vote against it.

Mr. COUTURE of Androscoggin: Mr. President and members of the Senate, I was not going to take any stand on this but after listening to the good Senator from Hancock, about the work we are doing in Androscoggin County and also the good Senator Farris from Kennebec, I thought I'd bring this in. We are trying to work hand in hand and do everything we can in Androscoggin County to secure employment for these people and I will even bring out here that in the organization I represent we have twelve of our high school students that our local organization is taking care of in apprenticeships in the trade I represent. So we can help them out this way also.

I would also like to bring out here that in the area I cover I also go beyond Androscoggin County and in Rumford and Mexico and Union, and there are at least four from that area and three from Auburn that have applied for it and that was taken into consideration. I was assured that by next Monday nine will be going into apprenticeship, as carpenters. But this is not enough to take care of these people who have been textile workers all their lives and were struck so badly by the closing of the mills. They have to learn some other trade to be able to earn a living for their families. And I can assure you that this matter is very badly needed in Androscoggin County and I hope this Senate will go along with it.

Thereupon, A division of the Senate was had.

Twenty-three having voted in the affirmative and four opposed, the motion prevailed, Report A was accepted, the bill read once, House Amendment A read and adopted and under suspension of the rules, the bill was read a second time and passed to be engrossed as amended.

On motion by Mr. Edmunds of Aroostook, the Senate voted to take from the Special Appropriations table S. P. 205, L. D. 505, Resolve in favor of Lloyd Talbot of Portland, and on further motion by the same senator the Senate voted to reconsider its action whereby the resolve was passed to be engrossed. Mr. Hichborn of Piscataquis presented Senate Amendment "A" and moved its adoption. Senate Amendment "A" was read and adopted and the bill was passed to be engrossed as amended and sent forthwith to the House for concurrence.

The PRESIDENT: The Chair is happy to recognize in the Senate Chamber a group of fifty children from Camp Moden in Canaan, Maine, with their leader Mr. Ehrlich, Mr. Lipsitz and Mrs. Joan Beedic. We are happy to have you people here and we hope you will find your stay educational and enjoyable, and we hope that some day we may be able to join you in a summer vacation. It is nice to have you here. (Applause)

On motion by Mr. Whittaker of Penobscot, the Senate voted to take from the table Item 8-6 on Page 3 of today's calendar, Bill, "An Act Relating to Discrimination in Rental Housing," (S. P. 416) (L. D. 1169) which was tabled by that Senator earlier in today's session.

Mr. WHITTAKER of Penobscot: Mr. President and members of the Senate: I believe the pending question is the adoption of the amendment which I presented earlier, Senate Amendment "D" to Bill, "An Act Relating to Discrimination in Rental Housing." At this time I should like simply to explain the purpose of the amendment, hoping that it will receive your approval. In order to do this I need to review the history of this bill. It was originally presented and passed by a vote of more than two to one in this body. On second reading it was amended, against my wishes but in accordance with the majority wishes here. The amendment removes the exceptions in the bill which stated in effect that the provisions should not apply in a two-

unit dwelling one of which units was occupied by the owner. It was the intent in the original bill to include this so as to make clear the distinction between the private and the public domain. It was not the intent of the proponents of this legislation to violate private rights. This was the reason for my opposition to the amendment the Senate put on this bill. Now in the other body the legislation received substantial support on the first two readings but failed of enactment. One can only guess as to the reasons for the reversal of the vote, but it is my feeling that one of the reasons is the fact that the bill was amended in this body to remove the exceptions, and therefore the purpose of this amendment is to answer some of the objections to this bill which have been raised in the other body. It would put back the exceptions and increase the number from two to three. It would also answer another objection which has been publicly stated against this bill and would provide that it shall not be applicable to single dwellings which are rented by the owner on a temporary or seasonal basis. There has been considerable objection to the fact that without this amendment the bill would apply to summer cottages. It is not the desire of the proponents of this legislation, at this time at least to secure special housing on a seasonal basis; the intent of this bill and the intent of the proponents is to make possible for those in minority groups in our country to secure permanent housing without discrimination in our cities and towns. I therefore hope that you will go along with my suggestion that we may amend the bill so that some of the objections voiced to it may be removed.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate: In all this turmoil which is going on all over the nation in regard to civil rights, let us not forget the rights of property owners. If you were a property owner would you not like to have the privilege of being free to choose whom you would admit to your property? I feel that this is a right which the property owners should be granted. I feel we should not take

from them this right. I would like to tell you a little bit about some things that have occurred in my home city.

I have talked with a man who has charge of rental property in Presque Isle. A part of this property or one section of this property is used largely by colored people. In another section this manager has units of four apartments and in those units he will admit negroes if there is no objection by those occupying the other three units of that section, but if there is objection he will not.

I feel that we have to consider not only the rights of property owners but the rights of other tenants, so I think we should be a little bit careful about enacting such legislation as this. This man told me of one instance in which he admitted a colored couple and he found they were undesirable. They became intoxicated and used vulgar language and they were just generally obnoxious, so he evicted them. Immediately there descended on him one of the officials from the Presque Isle Air Base demanding to know why he had evicted these people, and also clergymen in the community telephoned and wanted to know why he had evicted these people. If that can occur now I wonder what we would do if we enacted such a law as this.

The PRESIDENT: The Chair Appoints the Senator from Hancock, Senator Brown as President pro tem.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate; In regard to the pending motion of the Senator from Penobscot, Senator Whittaker, I would like to point out that the adoption of an amendment such as this is, without question, substituting political expediency for principle.

Now I believe that all of you are well aware of the fact that I am opposed to this entire bill. I certainly agree with my colleague, the Senator from Aroostook, Senator Christie that our individual rights are as important as any other rights, in fact more important. But I will ask you to look at this amendment, which is Filing No S-316, so that you can see what it pro-

poses. It would provide that the owner of a building who had not over three dwellings if he resided on the premises himself, could select his tenants, but if he had a summer home, which is less than three dwellings, say two, even though he is the owner or occupant he would not be able to select his tenants. So immediately we come right down to a point of discrimination on the matter of the so-called year-round house and the so-called seasonal residence. I can see absolutely no consistency in this type of amendment being added to a bill which actually is probably the best anti-discrimination piece of legislation that exists in the United States today. In other words, if we are going to have legislation of this type let's not discriminate among or between land-owners. I certainly would urge the indefinite postponement of this amendment for the reasons I have stated, and I think that probably the Senator from Penobscot, Senator Whittaker, has pretty well put his finger on the entire situation when he said that the people who are interested in this—and of course this is a model bill, as I have previously explained, sponsored either by the NACP or the Congress of Civil Rights, or has the endorsement of both—when he said at this time at least this group does not wish to interfere with temporary or seasonal rents in the State of Maine. That is precisely what this will do, and if an amendment such as this is adopted in the next session you would see seasonal units not out of the law. But let's face up to the issue: if we are going to have rental housing let us have it without any discrimination for any reason whatsoever. I hope you will support my motion to indefinitely postpone this amendment and when the vote is taken I would request a division.

Mr. WHITTAKER of Penobscot: Mr. President and members of the Senate: This issue is too large to go by default. I would beg your indulgence for a few moments while I debate the merits of the main issue.

What this legislature does is the business of this legislature; what the next legislature may do no

one can tell at this time. I have attempted to explain that the proponents of this kind of legislation—and they are widespread across this country—are attempting to make some improvement in the rental housing situation in regard to minority groups. We do not expect it all to happen at once.

If the good Senator from Kennebec, Senator Farris, is so concerned about eliminating all discrimination I would have expected him to have supported the bill in its original form.

This is not a matter of political expediency, it is a matter of human rights. The real issue before us is this: Shall we protect one private right over against another private right? This is not a clear issue, it involves judgment and we are here to make valid judgments. I admit that there are two sides to this question. I am attempting, to the best of my ability, to present one side while admitting there is a second side.

Now let us think for just a moment, if we may, about this matter of rights. I suggest that we are dealing here with the matter of property rights vs. personal rights. We all know that the use of private property is subject to laws: zoning laws, codes with regard to plumbing, fire protection, electrical wiring and so forth, so why not then subject to rental laws?

I am suggesting to you that the owner voluntarily relinquishes some of his rights when he uses his property and solicits public support through rental housing. A private home converted into a rooming house or a private home converted into a restaurant is now subject to the present law against discrimination. Why not rental, because this involves an even more basic right, the right to have a home in the community, and when this right is offered by the private property owner to the general public, when this right to rent is taken up by an applicant, there should be no discrimination against that applicant because of race or religion or any other factor.

Now I have here a document which I have referred to in the

original debate on May 29th. It is 52 pages long. I am prepared to read it all to you if necessary, but I will probably not have to do that at this time.

This is the report of an open meeting held on March 25th, 1963 at City Hall in Portland, a meeting of the Maine Advisory Committee to the United States Civil Rights Commission. Presiding over this meeting was President Robert E. L. Strider of Colby College. At this time I want to read just one statement made by President Strider which has reference to the issue of rights. President Strider said to the meeting before testimony was heard: "Some have raised constitutional questions as to whether a state or a municipality has a right to enact legislation of this kind"—referring to this L.D. 1169—and then he quotes a court opinion: "What is here involved is a conflict between the right of a private property owner and the inherent power of the state to regulate the use and the enjoyment of private property in the interest of public welfare and the power of the State, when reasonably exercised, is supreme." So much for the matter of rights.

I call to your attention the current scene nationwide, restricted to our own United States of America. It has been well described to you, I am sure, through newspapers, radio, television and magazines. We all know that there is a great emphasis nationally at the present time upon civil rights. There are several debates going on at the present time in the State of Ohio and in Rhode Island in regard to legislation such as this. There is strong support for the principle involved in L. D. 1169 in our own State of Maine. I made this abundantly clear to you in the earlier debate, but some of you were not here at that time so I will say briefly that this document is supported by the so-called 1963 Equal Opportunities Committee. On this committee are those representing all walks of life in our state, including the President of Bowdoin College, the President of Colby College, the Bishop of the Roman Catholic Diocese of the State, our leading

rabbis and Protestant ministers, business men, lawyers and many others too numerous to name. This legislation has been supported in our press almost unanimously. I read several articles last time, and I will read two paragraphs from one which appeared last Sunday in the Portland Sunday Telegram entitled "To Help Maine Negroes." "In a historic week, bars against the exercise of full citizenship by negroes have been falling in cities and towns throughout the country as white men of good will have dared for the first time to speak out and to ask for removal of segregation, as more and more negroes have found the courage to flout organized oppression. Maine people have played the role of spectators, uninvolved in either the progress or the violence. The only overt action here in Maine has taken place here in the legislature where the House again gave approval to a bill which would prohibit discrimination in rental housing and also approved a constitutional amendment guaranteeing every citizen in the exercise of his civil rights. These have been commendable steps in tune with the theme proclaimed by President Kennedy that Americans must join in making real the promises of equality contained in the Declaration of Independence and the United States Constitution." This editorial concludes at this point: "It is to be hoped that the legislators in their final week will not falter." We are now in the process of faltering. "It is to be hoped that the legislators will not falter and they will promptly enact the rental housing bill, and that the Senate will reverse its original vote against the constitutional amendment and give that measure passage." We have done the latter; we have not yet done the former.

The overwhelming early support in this legislature has given new hope to literally thousands of people in our state who are in minority groups, not alone the Negro but the Jew and the Roman Catholic and those of French extraction and other national origins. Our early action has given new hope, I say, to those who want to live in our com-

monwealth on an equal basis with all the rest of us. It will be a cruel blow to them and it will be a sad blow to our state if we now fail to follow through on our earlier promises in this field.

Now there has been much said about the need or the lack of need for this kind of legislation. Apparently some of you do not believe there is need. Let me try to convince you otherwise. I want to read one or two instances of testimony given in the City of Portland earlier this year before the Maine Civil Rights Commission. I hope you will listen to this and give it due consideration before you make your decision on this matter:

"Q. Where do you live?

"A. 97 Beckett Street.

"Q. Are you married?

"A. Yes, I am.

"Q. Have a family?

"A. Yes; three children and a wife, 31.

"Would you tell the Committee in your own words your personal experience of attempting to obtain rental housing in this area?

"A. I was born and raised in Portland; grew up in Portland; went away in the service, got married in the service, was discharged from the service in October, 1955. I didn't have any reason at that time to look for an apartment because we were living with my mother-in-law. Early in 1959 we started apartment hunting. We first tried the newspaper ads. The remarks we got were, 'We are sorry, we don't know how the other tenants would feel if we accepted Negroes.' I tried several other places, one of the larger housing projects, I don't know the name, * * * it was very discouraging. It seemed either my wife or myself, either of us, would always get the answer, 'We don't rent to colored. We know how our tenants would feel.' We tried several apartments there. One in particular is outstanding in my mind, the gentleman told both me and my wife that he would accept us. The only thing is, he would have to check with the landlord. He himself had nothing against Negroes. Everything was fine; 'Call me back tomorrow, I will tell you

folks what is what on the apartment.' I called him back, and he said, 'I'm sorry, we can't accept you.' I didn't ask him if it was because we were Negroes, I was so discouraged. We started back checking the newspapers again; still we had no luck. I think it was in January, 1959 I got a job around Portland. We decided to move. The lady who owned the house (and he named a certain street) the one in charge of the house, I knew she accepted Negroes because my cousin lived there three or four months before that. We went there and the lady said, "Yes." This was the only place that would accept us. Later that summer, in seeking another and better apartment, I asked the man point-blank: "Do you accept Negroes?" We had a few harsh words and he said, "Get out. Don't try to come back." Since then I have been very discouraged. It is a hard thing to do, to keep on getting "No, no, we are sorry, because you are colored, but that is the way it is."

Now this document is full of this kind of testimony. I won't read any more at this time, but it is full of testimony citing similar cases in our larger cities in the southwestern part of the state, but I throw no stones at them because we have a similar situation in my home city of Bangor. I made this quite clear in my earlier discussion of this matter.

We need this kind of legislation, not only for legal purposes but for educational purposes.

I want to tell you a story of what happened in the City of Bangor. About a year ago while I was serving as Chairman of the City Council I received a telephone call one night. The man refused to give me his name. He said it didn't matter, but he wanted someone to listen to the problem he was facing. I suppose he chose me partly because of my city position and also because of my relationship to the Theological Seminary. For half an hour he told me of the struggle he was going through in making a decision. He was the owner of rental property in the City of Bangor; I don't know yet who he is. He told me he had had an applicant, a colored family, a Negro family; he

had turned them away but his conscience was bothering him, so he called me and talked with me for over half an hour. We talked about the problem. He thanked me. About three weeks later he called me back and said, "I just want you to know that I decided to rent my apartment to the Negro family."

Now if we had had a law on the books giving this man some guidance he would have made the right decision in the first place. Now the churches can help in this matter but we need the help of the law as well. That is one reason why I hope you will support the bill and the proposed amendment.

During this session of the legislature, which is my first, on more than one occasion I found myself in opposition to the good Senator from Kennebec' Senator Farris. I am sorry this is so. I have tried to support him as many times as I could. But I want to say that I believe that morality and the law are related, that the members of the legal profession and the clergy should be working together on problems of this kind. It is often said, and erroneously said, that we cannot legislate morality. It is simply not true. We legislate morality every time we pass a law.

I am going to take a moment — it is not my time for lunch — to expand on this theory which is basic to this question, on the place of the law on issues of morality.

In the 13th Century, which has been called by many scholars the greatest of all centuries, there was one of the greatest of all theologians, philosophers and lawmakers, Thomas Aquinas. He set forth a theory of law which we ought to have in mind as we make this decision heard. "There is a divine law," said Thomas Aquinas," which is in the mind and the heart of the Creator." He called that the "eternal law," to distinguish it from other types of law. "And there is a natural law, the law which man understands in his native state without any supernatural assistance." There is the eternal law, which is with the Creator; there is the human law, there is the natural law which man understands in his natural state.

But there are two other types of law. There is the human law, which man makes in this body and at the other end of the corridor, there is the human law which man makes in reaction to the natural law which is a part of his being, but in establishing the human law man needs and accepts the divine law which is a part of the eternal plan of God, the creator; and it this divine law, revealed in the scriptures, revealed through the holy spirit, revealed in the conscience of man, which instructs him and leads him to enact just and proper human laws.

Now all I am saying here is that we must take into account, if we are to be true to our very natures, not only the natural law which is within us but the divine law which has been revealed to us, which was expounded in the prayer this morning, for example: God hath made of one blood all nations of men — principles of this kind which are embodied in our Constitution and in our Declaration of 'Independence' which we cannot forget if we are to be true to our heritage as human beings created by a divine being. Let us remember that the law has a divine significance and that it is our responsibility to legislate morality, because that is what law really is.

Finally, we face a choice in this matter, perhaps more than one choice. We shall choose by our vote on this issue between the right of the owner of property to practice discrimination and the right of a prospective tenant to have a home among us. We shall make a choice on this question: Shall Maine be a spectator or a participant in the nationwide struggle of minorities for civil and social rights? And, bringing the matter closer to home, the Democratic Party in Maine and in the United States has clearly indicated its support of civil rights legislation; and I ask: Will the majority Republican Party in Maine make this a bi-partisan effort, which it should be, or will the Republican Party simply cut out against discrimination and do nothing about it? The people of Maine and of our nation are watching us. I have

made my decision. What is yours? I hope the motion to indefinitely postpone does not prevail and when the vote is taken I ask for a division.

Mr. CRAM of Cumberland: Mr. President, I move that we recede and concur with the House, and, in support of this motion I would just like to briefly give you what our present law is on this subject.

Chapter 137, Section 50, which this bill would amend states: "No person, being the owner, lessee, proprietor, manager, superintendent or employe of any place of public accommodation, resort or amusement shall directly, by himself or another, refuse or deny to any person any accommodations, advantages, facilities or privileges thereof or directly or indirectly, by himself or another, publish, issue, circulate, distribute or display in any way any advertisement, circular, folder, book, pamphlet, written or painted or printed notice or sign of any kind or description, intended to discriminate against or actually discriminating against persons of any race, color, religious sect, creed, class, denomination or nationality, in the full enjoyment of the accommodations, advantages, facilities or privileges offered to the general public by such places of public accommodation, resort or amusement, etc.

"A place of public accommodation, resort or amusement within the meaning of this section shall be deemed to include any establishment which caters or offers its services, facilities or goods to or solicits patronage from members of the general public, including but not limited to any inn, whether conducted for the entertainment, housing or lodging of transient guests, or for the benefit, use or accommodation of those seeking health, recreation or rest, any restaurant, eating house, public conveyance on land or water, bath house, barbershop, theater and music hall and retail store." And then it provides a penalty.

Now it seems to me that this law which we now have on the books that was enacted in 1959 is as broad as anything that the President seems to be asking for in his latest message to Congress. I think

we are definitely infringing on the field of private rights which are just as important to the minority owner of property as they are to the majority owner of property. I do not know who the minorities are in the State of Maine; we have been infiltrating each other for so long that just where the minorities stand I do not know, but I think property rights are as important to a minority landowner as they are to anyone else.

Mr. BROOKS of Cumberland: Mr. President, may I pose a question to the Chair? There is a motion for indefinite postponement and the Senator from Cumberland just made a motion to recede and concur with the House.

The PRESIDENT pro tem: The Chair would advise that the motion to accept the amendment would be in order first. The motion before the Senate at the present time is the motion of the Senator from Kennebec, Senator Farris, to indefinitely postpone Senate Amendment "B."

Mr. BROOKS of Cumberland: Mr. President, I rise in opposition to the motion of the Senator from Kennebec, Senator Farris. I have said nothing but I have listened to the debate over the past few weeks on this bill. I know very little if anything about the law, but common-sense would dictate to me that if the law as just read by the Senator from Cumberland, Senator Cram is sufficient this bill would not have been admitted with the intent of it becoming law. I would simply like to go on record as agreeing for the most part with the good Senator from Penobscot, Senator Whittaker, in his remarks. I would like to remind my colleagues that sometime or other in our development of this nation most of us were of a minority group, most of us are attempting to have ourselves heard in state and national affairs. It seems to me today, with the national and international picture as it is and the great demands of this particular problem that we have with colored people, that this state, from a moral point of view certainly deserves recognition of a problem that does exist. It exists right in the City of Portland, Maine and

has existed for some time, and responsible people at the state level have brought out quite clearly to you people and to the state as a whole that these problems do exist: there is discrimination against the colored people. I only wish to say that I firmly believe that we should make every effort for better understanding between those of us who at this present time are not being discriminated against and those who are allegedly being discriminated against. So I would say that this Senate should pass this bill as amended by the proposal of the Senator from Penobscot, Senator Whittaker, and I am quite happy to support this amendment and vote against the motion to indefinitely postpone.

Mr. STITHAM of Somerset: Mr. President and members of the Senate: I will be very brief.

Two wrongs do not make a right. Take for granted that we do have a situation in which there is some discrimination, taking rights away from others does not make the whole picture rosy. We have a duty to all of our constituents and to the whole State of Maine. I do not think there is one of us here but what knows that in every case where a person is considering a tenant that he takes, according to his own conscience, certain matters into consideration. Discrimination is there in all forms. There are people who do not want tenants who drink, who have drunken parties or wild parties; there are many, many factors that all persons who have rental property consider before they accept a tenant. That is an inalienable right which we should recognize, and by taking those rights away from those parties to give one right to a particular group is not fair to anyone.

I think the law as it is on the books and the constitutional amendment which we have passed in both bodies of this legislature is more than ample to take care of every case that may come up. There is no need for such drastic legislation as this bill is. I again say: two wrongs do not make a right. By taking away the right to choose your tenants from everybody in the State of Maine that has property that they may rent to

give some added protection to one group is not in any way fair. I think we are looking at this from a very, very narrow point of view and we are so enthused with what we are after we are overlooking the whole picture. If you will look at it sensibly and analyze the whole picture I am sure you cannot come out with anything else but that this is unfair legislation, it is taking the rights of many to give some possible benefit to a few. I certainly hope that the motion of the good Senator from Kennebec, Senator Farris, may prevail.

Mr. FARRIS of Kennebec: Mr. President, as the Senator from Penobscot, Senator Whittaker, has stated, we did debate this at quite some length about three weeks ago and I am certainly not going to cover the entire area of debate again because I think it is very fresh in the memories of most of you, but I would just like to hit a couple of highlights, and that is our right of freedom of contract which has been alluded to here this morning, and certainly that right is one of the basic cornerstones of our liberties here in the United States.

Now I would like to point out that this legislation is not a civil rights matter. We have decided by our vote on the constitutional amendment as proposed, that there shall be no discrimination exercised on civil rights. Those are political rights and public rights. But now we are coming down to the private rights, and actually if we were to enact legislation such as this it is merely a Jim Crow law in reverse. You are going to create a direct issue, you are going to have a direct confrontation of good people because of a law and great damage can be wrought. I would like to read an excerpt from an article by Mr. Jenkin Lloyd Jones entitled 'Liberal' Formula For Happiness. It is certainly the liberals of this nation, in the press, in politics, in the field of education and in the clergy who are proposing, sponsoring and supporting this type of legislation whereby we do take away basic individual liberties and individual rights. I do, however, exclude the good Senator from Penobscot, Sen-

ator Whittaker, in regard to any remarks in the excerpts from this article, because the good Senator has honestly admitted there are two sides to this question, and there certainly are.

In regard to the liberals: "Self-styled 'liberals' are generally nicer people than sourpuss reactionaries. They are capable of a great degree of dogma, while imagining themselves to be the foes of dogma. They honestly believe themselves to be champions of liberty while they favor creeping coercion as long as they can be the authors of the coercion. They are so sure their theories are good for you that they think they are only doing you a favor when they tie you to a post, pry open your jaw and pour their nostrums down your throat.

"One of the chief characteristics of the liberal in America is his naive belief in the corrective power of law. Every time he sees social maladjustment or a personal tragedy he wants to pass a law to correct it. Gradually and with the best intentions he weaves a net of verbotens and must-do's that paralyze the individual.

"If you keep on passing laws to obviate every possible injustice, eventually you arrive at the ultimate injustice: the police state.

"Although the 'liberal' often professes a contempt for money, he has almost a child-like faith in its power. What he can't cure with a law he thinks he can cure with an appropriation. When mulish taxpayers balk at such expenditures at the local level, he demands that the federal government take over, on the sound theory that the farther the taxing agency is removed from the individual, the more chance there is that the individual will be complacent about the tax. The argument: 'If Okalahoma doesn't take the money, Maine will' is a potent one.

"Therefore, the 'liberal' arrives quite logically at his advocacy of centralized power. Centralized power is the device by which the normal caution of the taxpayer is overwhelmed by his greed. Federal aid to schools will provide more teachers without raising

school district taxes. Ninety per cent federal highway money means that he won't have to pay for a bond issue. Increased federal relief means that local responsibility can be shirked. And so super-government grows and the liberal is delighted.

"He is delighted because he questions whether local government will ever have adequate 'social vision.' But he will see to it that the super government has. There will be plans, bold plans of new frontiers entered into with vigor.

"The 'liberal' also seems to hold a double standard in the matter of human behavior. He is irate about the 'greed' of corporations and the evils of stock options, but the mugger in the park who stabs for \$20 is a 'deprived' person who wouldn't have gone wrong if there had been enough social legislation.

"The 'liberal' can't believe that removing the penalties for misbehavior or lack of performance could increase human cussedness and sloth. Instead, according to his theory, what we need are more social workers, more public housing, more youth clubs. And with them we keep getting more chiselers, more illegitimate children, more delinquency and crime.

"One problem with the 'liberal' is that he's getting way behind the times. He can't adjust his dogmas to new forces. He looks at labor-management problems as though the Pinkertons were still shooting the strikers at Homestead. The significance of Jimmy Hoffa eludes him. He is furious at the price-raising attempt by U.S. Steel, but unable to comprehend the cost fixing capabilities of the United Steel Workers.

"The 'liberal' thus deludes himself with the comfortable assurance that he is farseeing—a 'progressive'—a man of the future. In his effort to cure injustice by piling on more government, he forgets that all the great struggles for freedom have been directed against the overblown force of government.

"He has, with minor interruptions, been in power in America for 30 years. He won't admit error

or consider pragmatic results. He has concocted his medicine, and as our colic increases he merely calls for bigger doses. The 'liberal' is a nice guy. He is loving us to death."

Now certainly we have pretty much, even though we have been debating only the amendment we have also been debating the entire main question and we are certainly down to the moment of truth. One thing that disturbed me after the prior debate was the great number of individuals who came to me and said that they agreed with me and they agreed with Senator Campbell in his remarks but they had promised to vote. Well, that is perfectly all right, it is perfectly understandable, I guess we all have been involved in that situation. But this is an important issue, it is an important issue to all of the people of the State of Maine and important to the people who hope to be helped by a bill of this nature, and actually, my friends of the Senate, all I ask is that you vote your honest conviction on this issue of discrimination in private rental housing, and if it is the majority vote of this legislature that we have such a law I certainly would wholeheartedly support it, but I do not feel it is necessary for the over-all good of the people of the State of Maine and I sincerely hope that the motion to indefinitely postpone this amendment will prevail.

Mr. ATHERTON of Penobscot: Mr. President and members of the Senate: I had not intended to arise at this time, but we seem to be debating the entire bill in addition to the amendment.

This bill has been very thoroughly discussed, not only in this branch, as you know, but also in the unmentionable body down at the other end of the hall, and there is probably not much more, if anything, that could be added to it. However, mention has been made of residents of this State of foreign extraction, and I would like to say that about a week ago a member of the Greek community in the City of Bangor came to me and expressed alarm over

this bill and expressed the hope that the bill would not be passed.

Also I would like to call your attention to the issue of the Bangor Daily News of June 18, 1963, two days ago, in which there appeared an editorial, a cartoon and a letter to the editor, all of which were pertaining to this particular bill and very much in opposition to it. I will not read the editorial because it merely restates in other words what has already been said on the floor of this body. I would also like to call your attention to the Bangor Daily News of June 13, 1963, in which appeared a column written by David Lawrence. It is a lengthy column, but I would like to read the caption, which is as follows: "Civil Rights System Being Ignored in Eagerness to Serve Civil Rights." I would also like to read the last two or three sentences, which are as follows: "Laws do not abolish prejudices. Customs cannot be changed by coercion but only by quiet appeals to reason over a long period of time." The writers of the editorial for the News and the column point out actually that by much of this so-called civil rights legislation which is being proposed we are creating discrimination in entirely the opposite direction in areas other than that which is intended. This bill, L.D. 1169 falls in that same category, therefore I would not only support the motion to indefinitely postpone the amendment but also the motion to indefinitely postpone the entire bill and all accompanying papers.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate: In connection with the article by David Lawrence which was quoted by Senator Atherton of Penobscot, I would like to read a paragraph from that article. David Lawrence, who, of course, is respected by millions of people in the United States, made this statement: "The outstanding distinction between a government of free men and a socialistic or communistic state is the fact that free men can own and control property whereas statism denies property rights. Our American system has always rejected the idea that one group

of citizens may deprive another of legal rights in property by process of agitation, demonstration, intimidation, law defiance and civil disobedience." That was a quote which David Lawrence made in his column, it was not his own statement.

Mr. CAMPBELL of Kennebec: Mr. President and members of the Senate: Having entered into an extensive debate on this on the 29th of May, I simply want to indicate that the proposed amendments do not eliminate any objection that I have to the bill. I think we come right back to the original question, and that is whether or not there has been a showing that the discrimination exists to such an extent that the public welfare, safety and health of the State of Maine is threatened. It is pretty hard for me to believe that with a colored population in Maine according to the 1960 census of 3,318 as against a population of a million, even though all three thousand were concentrated in Bangor, that we could possibly have unsanitary conditions, unhealthy conditions, concentrations in tenement houses and those things which I say to you as a lawyer must exist before you can take away the individual's right to use his property as he may wish.

The PRESIDENT pro tem: The question before the Senate is on the motion of the Senator from Kennebec, Senator Farris, that the Senate indefinitely postpone Senate Amendment "D." All those in favor of the indefinite postponement of Senate Amendment "D" will please rise and remain standing until the Secretary has made the count.

A division was had. Twelve having voted in the affirmative and fourteen in the negative the motion to indefinitely postpone did not prevail.

Mr. FARRIS of Kennebec: Mr. President, I move that this matter lie on the table until later in today's session.

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

The PRESIDENT pro tem: A division has been requested. All those in favor of the motion of the Senator from Kennebec, Senator Farris,

that the matter lie on the table until later in the day will please rise and remain standing until the Secretary has made the count.

A division was had. Eleven having voted in the affirmative and fifteen in the negative, the motion did not prevail.

The PRESIDENT pro tem: The question now before the Senate is the adoption of Senate Amendment "D." Is this the pleasure of the Senate?

Thereupon, Senate Amendment D was adopted.

The PRESIDENT pro tem: Is it the pleasure of the Senate that this bill now pass to be engrossed as amended?

Mrs. CHRISTIE of Aroostook: Mr. President, I think there is another motion before the Senate.

The PRESIDENT: The Chair stands corrected. The motion before the Senate is the motion of Senator Cram of Cumberland to recede and concur.

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

Mr. FARRIS of Kennebec: Mr. President, on the motion to recede and concur, I certainly support that motion. I am utterly and completely shocked that my good friend, the Senator from Penobscot, Senator Whittaker was not willing to have this lie on the table until later in the day when more of our Senators who are also interested in this measure would have an opportunity to express their sentiments on this measure, and particularly when I did not raise the question as to whether or not he should be able to reconsider our previous action where he would have needed a two-thirds vote, and in all fairness and fair play I extended an opportunity that did not require a two-thirds vote in order for him to have this measure reconsidered and at this time I think probably I should retract my initial remarks when I did not place the good Senator from Penobscot, Senator Whittaker, in the category of the liberal who has the happy formula and that now I place him in that category.

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

land, Senator Cram, that the Senate recede and concur.

Mr. CRAM of Cumberland: Mr. President, I would like to speak briefly on this. In driving through the State of Maine and especially through the cities, we find a great deal of rental housing that is very fine looking property and I think that you will find that the best looking, best kept-up rental property in the state is that type of rental property that is owned by a person who lives in that property. I think this is the best type of rental property and we have a great deal of this in the state and in that case I think a person should be unlimited in his choice of who is going to live with him in his own house. If persons do not have that free choice as they have today, they certainly would not be interested in buying that type of property and investing their savings and trying to build up an estate.

Mr. JACQUES of Androscoggin: Mr. President, I rise to a point of inquiry. Did the Senator from Penobscot, Senator Atherton make a motion to indefinitely postpone? And weren't these motions out of order at that time?

The PRESIDENT pro tem: The Chair would advise the Senator that the motion to indefinitely postpone and the motion to recede and concur would be the same on this particular bill at this particular stage.

Mr. JACQUES of Androscoggin: Mr. President, there were three motions made at that time. There was a motion to accept the amendment, then there was a motion to recede and concur by Senator Cram of Cumberland and another motion to indefinitely postpone with the accompanying papers by Senator Atherton.

Mr. STILPHEN of Knox: Mr. President, I understood the Senator from Penobscot, Senator Atherton to say that he would support a motion to indefinitely postpone but I did not understand that he made one.

Mr. ATHERTON of Penobscot: Mr. President, the good Senator from Knox, Senator Stilphen, is entirely correct.

The PRESIDENT pro tem: The motion before the Senate is the mo-

tion of the Senator from Cumberland, Senator Cram, that the Senate recede and concur. A division has been requested.

A division of the Senate was had.

Twelve having voted in the affirmative and fourteen in the negative, the motion to recede and concur does not prevail.

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

On motion by Mr. Porteous of Cumberland, the Senate voted to take from the table Item 1-1 H. P. 930, L. D. 1364, bill, "An Act Relating to Operating Business on Sunday and Certain Holidays" tabled by that Senator earlier in today's session pending consideration.

Mr. PORTEOUS of Cumberland: Mr. President, I would now move that the rules be suspended and the Senate reconsider its former action whereby this bill was passed to be engrossed.

The motion to suspend the rules and reconsider prevailed.

Mr. Porteous of Cumberland presented Senate Amendment F and moved its adoption.

The Secretary read the amendment S-327.

Which amendment was adopted.

Mr. STITHAM of Somerset: Mr. President, I now move that we recede and concur with the House.

Mr. PORTEOUS of Cumberland: Mr. President, I do not intend to debate this at this late hour. The Senate has twice before by a wide margin passed this so-called MacGregor bill. The other body has seen fit to defeat it because of the amendments loaded on it by its opponents and they did so only in the late hours of the evening with 35 members of that body absent and some of those who did vote for its indefinite postponement only voted that way because it was loaded with amendments which would cut it back to practically nothing and would therefore nullify the bill. In asking for a division I ask for the same consistency that the Senate has shown in the past.

The PRESIDENT pro tem: The motion before the Senate is the motion of the Senator from Somerset, Senator Stitham, that the Senate recede and concur. A division has been requested.

A division of the Senate was had. Four having voted in the affirmative and twenty-two in the negative, the motion did not prevail.

Mr. STITHAM of Somerset: I now present Senate Amendment G and move its passage.

The Secretary read Senate Amendment G (S-329)

Which amendment was adopted.

Mr. PHILBRICK of Penobscot: Mr. President, pending preparation of another amendment to this bill, I would like to table this until later in the day.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate, I ask for a division.

Fifteen having voted in the affirmative and eleven opposed, the motion prevailed.

On motion by Mr. Edmunds of Arostook

Recessed until 2:30 this afternoon.

House Papers

Non-concurrent matters

Joint Order

Relative to Legislative Research Committee Considering reports of Committees on Railroad Passenger Service.

In Senate, June 19, Read and Passed.

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

In the Senate, House Amendment A was read and adopted, and on motion by Mr. Brown of Hancock, the Joint Order was placed on the Special Legislative Research Table pending adoption.

Bill, An Act to Pay School Subsidies on the Basis of Uniform Local Effort. (S. P. 629) (L. D. 1593)

In Senate, June 14, Minority—Ought not to pass Report of the Committee Accepted.

Comes from the House, Majority—Ought to pass report Accepted, passed to be engrossed, as amended by House Amendment "A" (H-481) in Non-concurrence.

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

Bill, An Act Repealing Supplemental State Aid for Reorganized School Districts. (H. P. 25) (L. D. 49)

In House, June 18 (Bill having been substituted for the report) Passed to be Engrossed As Amended by Committee Amendment "A" (H-362) and House Amendment "C" (H-464)

In Senate, June 19, the Ought Not to Pass report of the Committee was Accepted in non-concurrence.

Comes from the House, that body having insisted and asked for a Committee of Conference. The Speaker appointed as House Conferencees: Mr. Treworgy of Gorham, Mr. Easton of Winterport, and Mr. McGee of Auburn.

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

Bill, An Act Relating to Investigation of Motor Vehicle Accidents by Highway Safety Committee. (S. P. 492) (L. D. 1344)

In House, June 10, Indefinitely Postponed on passage to be enacted.

In Senate, June 13, Passed to Be Engrossed As Amended by Senate Amendment "B" (S-256), As Amended by Senate Amendment "A" thereto (S-296) in Non-concurrence.

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

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

Joint Order

ORDERED, the Senate concurring, that the State Controller, by January 20, 1965, supply for use of the Legislature two hundred copies of a list of State Employees with their salaries as of November 1, 1964; and be it further ORDERED, that said lists be distributed, one to each member of the Senate, House and Council; two to the Executive; one to the Secretary of the Senate; one to the Clerk of the House; and the balance to the State Librarian for exchange purposes.

On motion by Mr. Edmunds of Aroostook, the Joint Order was tabled pending passage and was especially assigned for later in today's session.

The President appointed the following Senators as Senate conferees:

On bill, "An Act to Pay School Subsidies on the Basis of Uniform Local Effort" (S. P. 629) (L. D. 1593) the President appointed Senators: Brooks of Cumberland, Hichborn of Piscataquis and Whittaker of Penobscot.

On bill, "An Act Repealing Supplemental State Aid for Reorganized School District" (H. P. 25) (L. D. 49) the President appointed Senators: Whittaker of Penobscot, Hichborn of Piscataquis and Brooks of Cumberland.

On bill, "An Act Relating to Investigation of Motor Vehicle Accidents by Highway Safety Committee" (S. P. 492) (L. D. 1344) the President appointed Senators: Porteous of Cumberland, Stitham of Somerset and Brooks of Cumberland.

**Committee Reports—House
Conference Committee Report**

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, "An Act Providing for Separate Voting Place for Connor. (H. P. 728) (L. D. 1057) reported that the House recede from its action whereby the Reports and Bill were recommitted to the Committee on Election Laws and Accept the Minority—Ought to Pass Report; that the Senate recede from its action whereby the Majority—Ought Not to Pass Report was Accepted and concur with the House in the Acceptance of the Minority—Ought to Pass Report.

Comes from the House Read and Accepted.

Which report was Read and Accepted in concurrence., the bill was read once, the rules suspended, the bill read a second time and passed to be engrossed.

Ought to Pass—As Amended

The Committee on Appropriations and Financial Affairs on Bill, An Act Appropriating Moneys for

General Operating Expenses of the University of Maine. (H. P. 517) (L. D. 734) reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-457)

Comes from the House, Report Accepted and the Bill Passed to be Engrossed As Amended by Committee Amendment "A"

Which report was Read and Accepted in concurrence, Committee Amendment "A" Read and Adopted in concurrence, and the Bill, as Amended, Read Once, and under suspension of the rules Read a Second Time and Passed to be Engrossed, As Amended, in concurrence.

**Committee Reports—Senate
Conference Committee Report**

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, An Act Relating to the Admission of Attorneys to the Bar of the State of Maine. (S. P. 62) (L. D. 112) reported that the Senate Accept the Report and recede from its action whereby the Bill was Passed to be Engrossed; Adopt Conference Committee Amendment "A" and Pass the Bill to be Engrossed.

That the House Accept the Report and Recede from its action whereby Bill was Indefinitely Postponed; Adopt Conference Committee Amendment "A" and Pass the Bill to be Engrossed in concurrence with the Senate. (Signed)

Senators:

CAMPBELL of Kennebec
FARRIS of Kennebec
STITHAM of Somerset

Representatives:

RUST of York
MINSKY of Bangor
KNIGHT of Rockland

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

Enactors

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

Resolve, for Development of Revenue-Producing Park Facilities on Mt. Battie. (H. P. 414) (L. D. 567)

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

Resolve, Appropriating Moneys for Additional Faculty Positions at Gorham State Teachers College. (H. P. 524) (L. D. 741)

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

Bill, An Act Relating to Exempting from Property Tax Pleasure Boats in the State for Storage. (H. P. 1092) (L. D. 1567)

Bill, An Act Amending Certain Statutes to Conform to the District Court Law. (S. P. 150) (L. D. 581)

Which Bill was Passed to be Enacted.

Emergency

Bill, An Act Combining the Offices of the Administrative Hearing Officer and the Hearing Examiner for the Liquor Commission, and Revising the Administrative Code. (H. P. 922) (L. D. 1356)

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

The President laid before the Senate Item 804, bill "An Act Amending Certain Provisions of the Employment Security Law" (S. P. 453) (L. D. 1345) tabled earlier in today's session by Senator Johnson of Somerset pending passage to be enacted; and that Senator yielded to the Senator from Androscoggin, Senator Couture.

Mr. Couture of Androscoggin presented Senate Amendment C and moved its adoption.

The Secretary read Senate Amendment C.

Thereupon, the Senate voted to reconsider its action whereby the bill was passed to be engrossed; and on motion by Mr. Edmunds of Aroostook the bill was tabled pending the motion by Senator Couture of Androscoggin that the Senate adopt Senate Amendment

C; and the bill was especially assigned for later in today's session.

The President laid before the Senate Item 1 on Page 3 of today's calendar, (H. P. 1067) (L. D. 1532) bill, "An Act Providing for State Support of Education Foundation Program and the Financing Thereof;" tabled earlier in today's session by Senator Cram of Cumberland pending assignment for second reading.

Mr. CRAM of Cumberland: Mr. President and members of the Senate, I would move the previous question and I would hope that the Senate would go along with the passage of this bill to be engrossed and send it back to the House. I would withdraw my motion to indefinitely postpone the other bill before us, L. D. 1249 and we already have two bills in conference committees with the House on educational matters. I think it only fair to consider them all at the same time.

The PRESIDENT: Is it the pleasure of the Senate to suspend the rules and give the bill its second reading?

Mr. BROOKS of Cumberland: Mr. President, may I inquire what the status is of the bill right now?

The Secretary read the status of the bill.

Mr. BROOKS of Cumberland: Mr. President, ladies and gentlemen of the Senate, we have had as you all know, many, many debates on the educational problems in the State of Maine this session. Most of our discussion has concerned itself with subsidy to the towns and cities. Presently we are allocating our subsidies under a law which we amend each two years in order to maintain our faith with the towns and counties. Earlier in the session this body indefinitely postponed a bill that I had sponsored; that is, I sponsored the original bill, the so-called "uniform tax effort" bill, and the good Senator from Cumberland, Senator Cram at the same time under the so-called Mendes bill, had a plan for subsidizing our public education in Maine.

I have studied his bill and it seems to me that with what we already have on the books for

state support of the towns with our present system which is to some degree equalization, that this particular bill would be a complete departure from our present system, even from the system which I advocated earlier. This bill eliminates for example the construction aid provision which we now have. It, in effect, would lower the state support money-wise to the towns and cities. Generally speaking, although I am sure the intent is to better if possible our system of subsidization in public education, I feel that this being such an important matter to all of us that this particular bill if it were allowed to become law would simply confuse and perhaps not in any way assist our efforts to increase our support to the towns and cities. Therefore, Mr. President, I would move that this bill and all its accompanying papers be indefinitely postponed.

Mr. HICHBORN of Piscataquis: Mr. President, the proposal as presented by the good Senator from Cumberland, Senator Cram, does have some good points. I think he is to be commended for the weeks and months of work he has put in on this bill but it does represent a very radical change in the payment of school subsidies and it does not seem to me at this time at this hour that the legislature is in any mood to give the detailed study to such a proposition that such a bill deserves. I will concur with the Senator from Cumberland, Senator Brooks in moving for the indefinite postponement of this bill but I do suggest, respectfully, that the matter contained therein, without making this a motion, should be given further study during the next couple of years so that if there is merit in it we can take advantage of the work that the Senator has done.

Mr. STITHAM of Somerset: Mr. President and members of the Senate, in view of the fact that we have two bills on the supplemental Senate Calendar for today upon which conference committees have been appointed, in view of the technical nature of all of these bills, I cannot help but feel, since, as the good Senator from

Piscataquis, Senator Hichborn, has said, there are some points here that might be of value and worth consideration, it would almost seem to me to be good business to keep this bill alive, to pass it along to the House — all of these bills. I believe Number 3 is another one. They all should be considered by this joint committee, and perhaps they can come up with something out of all of them that both the House and the Senate might be willing to adopt. By killing off one of these things, we might prevent an agreement on the conference committee, and I hope that the motion to indefinitely postpone this will fail. In order to keep it alive I would further recommend that we pass it along to the House so that they may have it at the time that the conference committee meets.

Mr. WHITTAKER of Penobscot: Mr. President and members of the Senate, I rise to support the motion to indefinitely postpone. I concur with many of the sentiments expressed by the Senator from Piscataquis, Senator Hichborn. There are many aspects of this bill which are worthy of consideration. I believe that there will be a special study committee suggested for the biennium in the field of education and certainly the content of this bill should be considered by them.

However, the facts of the matter are that this particular bill now before us has once been recommitted to the Committee on Education. It has been considered carefully once again by them and was unanimously reported out, I believe, Ought Not to Pass. This was the one bill upon which we agreed one hundred percent and I personally see no point in referring it once again to a conference committee which will undoubtedly be composed of six members of the education committee.

Mr. CRAM of Cumberland: Mr. President and members of the Senate, to correct a few wrong impressions which may be in the minds of the members of the Senate, this is not the same bill, although it is the same bill in number, that was recommitted to

the Education Committee. In adopting House Amendment B, we adopted a new draft of the bill. The reason the new draft in this form was presented was, as I said the other day, the fact that after studying the various bills before us, I still thought that those ideas were good, and I thought that the several suggestions I had received from the Education Committee and members of the Department could be incorporated into the bill and make it a very workable bill.

I might briefly state the chief differences in this bill and the present law. Here in Section 237 C is a foundation program which is merely a set of criteria which the various school units in the state must meet in order to meet the foundation program. Under the present law you have various expenses outlined under Section 237 C which will be subsidized by 237 D which is a table of amounts per pupil varying according to the number of pupils in the school or in the unit. So the difference is that here we have a set of criteria which to me seemed very workable. In fact I think they are a little stiffer than the criteria which must be met by schools meeting the foundation program today. And we have added an item on drop-outs. The unit must report drop-outs to the Commissioner, investigate the cause and take necessary precautions to insure that no student need drop out of school for lack of transportation. Now there is no provision in the law today that drop-outs must be reported to the Commissioner of Education.

I was trying to give the Commissioner tools with which he could do a better job than he is now doing.

Then the support of the foundation program is upon the basis of so much per pupil, \$250 for the first fifty pupils, if meeting the program \$190, if not meeting the program \$170, so that when meeting the program a unit receives \$20 per pupil more. Now this is suggested according to the capability of the different towns by deducting ten mills on the state valuation, and further reducing it

by ninety percent of the federal aid to impacted areas.

Now several tables were worked out on this by the legislative research officer. The table that I have here is the third table that was worked out and that is on the basis of \$180 and \$200. We have not had time to work one out on the provisions of this redraft but by a little quick figuring we know that very few units would lose any money, and a few of those would be the ones that are not meeting the foundation program at the present time.

We have a minimum payment of \$40 per pupil. This comes out just about even with the high value towns like Biddeford, for instance which has 1599 pupils in public high school and almost twice that many in parochial schools. Biddeford would receive a little more under this act than under present law.

Then we go on with aid for school construction. Now most of the subsidies under this bill are increased enough so that the aid for school construction is on top of the aid for school construction they are already receiving.

We have included in here aid for school construction, for school administrative districts, administrative units of 300 or more residents, and tuition pupils in grades nine to twelve to districts created by special acts of the legislature, and to this special section that is already in the law where you have a municipality with 100 resident pupils which contracts with the school administrative district. We have this situation in Hancock County and I think that is the only place where there is a school administrative district formed which sends their pupils to Ellsworth to high school. This type of arrangement receives building subsidy. We also say that if a unit, a town contracts with a foundation program high school in another unit for all of its pupils in grades nine to twelve and provides transportation for school it also should receive a 20 percent building subsidy.

And then we have said that the building subsidy must be divided

in annual payments of not less than five nor more than twenty-five years nor longer than the loan which has been negotiated in the discretion of the commissioner. The reason for this is that under the present law if there is money available and if a town had a sinking fund for instance, it is possible for the commissioner to match percentagewise that sinking fund. For instance, last year the state paid Brunswick \$147,000 in building aid. It seems to me that this could be budgeted much better if every aid program was laid out in annual payments. Since this aid is going to towns for the most part that are not receiving aid at the present time, at the level of 20 percent it seems fair to me.

We do provide that no school administrative district shall receive less in net subsidy in the year 1964, 1965, 1966, 1967 than it does now although many of these units would receive as much or more than at the present time and I would expect that at the end of the four years they would be about equal.

Section 6, Section 7, Section 8 and Section 9 of the bill are provisions which would make it easier to form community school districts. For instance, as I said before, my town of Cumberland has tried twice now to form a school administrative district and the only hope would seem to be that we might form a community school district. We also provide that vocational high schools might be formed under the same law and be subsidized under the general law by cities or towns and divide the cost according to the number of pupils from the various participating municipalities.

We also provide that—this is to make their community school district law a little more flexible—that if the towns so choose they may have varying numbers of directors from each municipality on the community school district board. This is true of the Sinclair Act. Under the community school district law there is a set number of three from each town. So I would certainly hope that you would not kill this bill at this

time and let it go on to the House for further consideration.

Mr. FARRIS of Kennebec: Mr. President, might I inquire of some member of the Education Committee, just what the general status is now of the other bills and this bill, whether we are still out of concurrence. I am thoroughly lost.

The PRESIDENT: The Senator from Kennebec, Senator Farris, poses a question to the Senator from Cumberland, Senator Brooks, who may answer if he chooses.

Mr. BROOKS of Cumberland: Mr. President, I will attempt to answer the Senator from Kennebec, Senator Farris. We have L. D. 1159 which originally was the bill I sponsored, the "uniform tax effort" bill which we refused to pass here and it is now going to committee of conference. L. D. 49 which was the school district reorganization plan which had to do with the ten percent subsidy to school districts, is in committee of conference. L. D. 1249 we will discuss later this afternoon, that is the so-called Brewer bill which upgrades table 1 and maintains our support to the cities and towns at 100 percent and then this L. D. 1598 in redraft which we are discussing at this time.

Mr. FARRIS of Kennebec: Mr. President, I thank the Senator from Cumberland, Senator Brooks. In view of the fact that we still have these educational matters to be agreed upon or disagreed upon as the case may be in committee of conference, I certainly feel that it would be logical to keep this measure alive along with the other educational measures and I support the motion of the Senator from Cumberland, Senator Cram.

The PRESIDENT: Is the Senate ready for the question? All those in favor of the motion of the Senator from Cumberland, Senator Brooks, that this bill be indefinitely postponed will say Aye.

A viva voce vote being had

The Chair was in doubt.

A division of the Senate was had.

Eight having voted in the affirmative and twenty in the negative the motion did not prevail.

Thereupon, under suspension of the rules, the bill was read a

second time and passed to be engrossed as amended.

The President laid before the Senate Item 3 on today's calendar, (H. P. 862) (L. D. 1249) bill, "An Act Relating to the Educational Foundation Program Allowances"; tabled earlier in today's session by Senator Porteous of Cumberland pending motion by Senator Cram to indefinitely postpone the bill and all accompanying papers.

Mr. STITHAM of Somerset: May I ask the status of the bill?

The PRESIDENT: The Chair is informed that this bill was laid upon the table by Senator Porteous of Cumberland who happens to be absent from the Chamber. The pending question is the motion of the Senator from Cumberland, Senator Cram that the bill be indefinitely postponed and a division has been requested. Once this motion is disposed of the next question is on the motion of the Senator from Cumberland, Senator Brooks that we adopt Senate Amendment A to House Amendment D.

Mr. PORTEOUS of Cumberland: Mr. President, I yield to the Senator from Cumberland, Senator Cram.

Mr. CRAM of Cumberland: Mr. President, I will withdraw my motion to indefinitely postpone.

The Senator from Cumberland, Senator Cram, was granted permission to withdraw the motion.

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

The President laid before the Senate Item No. 4 on Page 3 of today's calendar (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 to reconsider; and on further motion by the same Senator, the bill was retabled and especially assigned for the next legislative day.

The President laid before the Senate Item No. 5 on today's calendar (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 6th 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 the same Senator, the bill was retabled and especially assigned for the next legislative day.

The President laid before the Senate Item 1-1 on today's calendar, "An Act Relating to Operating Business on Sunday and Certain Holidays" (H. P. 930) (L. D. 1364) tabled earlier in today's session by Senator Philbrick of Penobscot.

Mr. PHILBRICK of Penobscot: Mr. President, ladies and gentlemen of the Senate, I offer Senate Amendment H S-331.

The Secretary read the amendment.

Mr. PORTEOUS of Cumberland: Mr. President, members of the Senate, it is probably no surprise that I would rise in opposition to Senate Amendment H and probably to Senate Amendments X, Y, and Z because it looks as though we will get that far. I have even heard that Senate Amendment Y is going to prohibit Yankees from working on Saturdays or vice versa. I am not sure.

But seriously, in opposing this amendment for Washington's Birthday and Patriot's Day being included in this law, I do so on very practical and businesslike grounds

in that these days while celebrated by the financial community and government offices in some places, they have not generally been for retail closing any place in the United States. Taking Patriot's Day, April 19th for instance, it is a day which is only celebrated as a legal holiday in two states, Maine and Massachusetts. For years we in Maine were closed on April 19 and down in Lexington and Concord, which is the purpose for it all, they were wide open and so was Boston and so the net result of this was that our friends who wish to take advantage of the large ads in the Boston Herald got in their cars and wended their way down there and they did the same thing on Washington's Birthday.

Again I would say that this Senate has been consistent and I would say that this is no more than a good honest attempt to kill this bill and I would therefore ask the defeat of Senate Amendment H, and when the vote is taken I would respectfully ask for a division.

Mr. PHILBRICK of Penobscot: Mr. President, the original bill provided that business would be prohibited on The Lord's Day, Memorial Day, July 4th, November 11th and Thanksgiving Day. Then I note that the Senator from Cumberland, Senator Porteous himself, offered an amendment to include Labor Day and this morning the Senator from Somerset, Senator Stitham included Christmas Day. Now other than Christmas Day which to me is the single most important holiday of the year, I feel that the next most important day is Washington's birthday. This amendment is not being offered for facetious purposes. I feel that Washington's Birthday comes considerably ahead of Labor Day, Thanksgiving Day, or Memorial Day. After all, George Washington was the father of our country, he was responsible for the victory that we had at that time over the British, by which we were enabled to form this type of government which we all — (Laughter)

The PRESIDENT: The Chair will declare a five minute recess.

The PRESIDENT: The Senator may proceed.

Mr. PHILBRICK of Penobscot: Mr. President, because of the recent recess I must confess I have lost my train of thought. I might add by way of obiter dicta that the very engaging and fetching smile on the part of our esteemed President of the Senate was more than enough to break me up. Having lost my train of thought I won't attempt to engage in debate at any more length. I will simply hope and trust that this honorable body in its infinite collective wisdom, will vote in favor of Senate Amendment H and when the vote is taken I will ask for a division.

A division of the Senate was had.

Six having voted in the affirmative and twenty-two in the negative, the motion did not prevail.

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

Sent forthwith to the House.

The President laid before the Senate Item 8-4 on today's calendar, "An Act Amending Certain Provisions of the Employment Security Law" tabled earlier in today's session by the Senator from Aroostook, Senator Edmunds pending adoption of Senate Amendment C presented by Senator Couture.

Mr. EDMUNDS of Aroostook: Mr. President, I rise reluctantly to oppose this amendment because I would like to be on the same side as the good Senator from Androscoggin, Senator Couture, somewhat more often than I am. However, I would point out that this particular matter has been before previous legislatures many times and has been rejected. A bill very similar to the language in the proposed amendment was presented to the Committee on Reference of Bills after the cloture date and the Committee on Reference of Bills chose at that time not to admit that bill. Now we have the bill before us in the guise of an amendment to an act which has merit, L. D. 1345. It is my opinion that this amendment is no good as far as an employer is concerned and it is my opinion that it is equally bad as far as an employee is concerned.

What it would do would be to restrict the privacy of these hearings that are held, and the free ex-

change of ideas and attitudes which permits the people at the hearings to get at the truth would be impaired with consequent damage to both employer and employee. If we go along with ideas such as this the next thing we will probably be doing will be to allow the press into pre trial conferences and other things of that nature and therefore at this time I would move for indefinite postponement of Senate Amendment C and when the vote is taken I would ask for a division.

Mr. COUTURE of Androscoggin: Mr. President, I wish I could go along with the good Senator from Aroostook more often also but it seems that we never can get together.

One thing I would like to bring up here is that I have supported some pieces of legislation under unemployment compensation and have been in opposition when it has been a cost to the fund, a decrease to the fund, a cost to the employer. It was defeated on this basis. Here is an amendment that has no cost to the fund, no cost to the employer, no cost to the employees, only an education for these people who are working in the state here who don't know the first step of this unemployment compensation. Often during their working days something comes up and they feel in their minds that they are in the right and often leaving their jobs they have been charged with misconduct on employment and have been disqualified for benefits.

I have been a member of the other body for five terms and this is my second term here in the Senate and I cannot recall at any time a similar amendment or a piece of legislation has been introduced. I feel that in a way to let our people know in the state how they can get themselves in trouble and lose their unemployment. Some of the people have been disqualified and disallowed for benefits and it would be a lesson to them to read it in the newspapers. Otherwise how are we going to educate the people in the state about this law? Some people attended the sessions when this bill was debated and they were not even aware of some of

the law. If it were anything that would cost the employer anything, I might say that it is costly and they cannot afford it according to the way the fund is today but this doesn't cost anything and after attending so many hearings on unemployment and people who were disqualified either through appeal of tribunal or the commission, I have appealed through both. And in a good many instances in meeting some of the people that work for a contractor or in textiles or the shoe factory I felt in my mind that according to the law they were entitled to unemployment compensation either because they were threatened and told to go home or maybe their work was unsatisfactory and instead of letting them stay until they did satisfactory work they were told to take their coats and go home and some of them went. They felt there was nothing else for them to do and then they found themselves disqualified until they earned fifteen times or more the amount they were entitled to under unemployment.

I have attended some of these hearings, the employers have been present, at times the Commissioner has been there and what else will educate the worker so they won't do the same thing? Nothing at all. And this is a big reason why so many people are disqualified possibly under this law, because they are not aware of what the law is. I will explain to you one of the cases where a person was disqualified, a person that got injured in a store, went to the hospital, became able to work, went back to the store to go to work after the doctor said that he could go back and try to do it. She went back and worked two days and went back to see the doctor and he ordered her not to work. The following week she tried to work a couple of days. Finally she got fired. Misconduct. She appealed for a chance to be able to draw her unemployment benefit without knowing any part of the law at all and she was there and the employer and I happened to be in there with her.

Finally after proving that this person had been discharged from

her work on misconduct and was disqualified for not earning fifteen times what she was entitled to under unemployment compensation benefits, it came out that this person was laid off because the company found out that possibly in the future she would not be able to work a full week on account of straining her back in that store and with the help of someone she did finally get her unemployment checks the way she was supposed to.

Something else that was reported to me by a foreman that they are holding schools to learn how to get rid of a person so they will not have to pay unemployment benefits to them. Holding schools between the bosses to teach them how to get rid of a person so the person will not qualify under unemployment compensation. And I am not talking through my hat because I have investigated this matter and this was in a local shoe factory in my city and I found out it was true. It was proven. The employer goes so far as to hold school hours during the working day and teach the bosses how to fire men so they won't be able to draw unemployment and I think it is high time for action for these employees so that before they take any steps they will know exactly what the law is. And this is a free education to them, no cost to anyone, not the state or the employer but just a free education so let's vote for this free education now.

If it was a case of a study which would cost \$50,000 to \$75,000 to give somebody an education in the next two years we'd spend it maybe. This is free all over. There are big questions in my mind in the way that they are holding these hearings according to the law in the State of Maine. A person will appear at a hearing with someone to represent him or maybe alone and the employer by not being present they can only consult with him by telephone and get his reason why this person was discharged from work and the employer can claim that he is dissatisfied or he can claim misconduct or anything else. And the person will not qualify under

unemployment benefits and that will be put on his record.

After these hearings in the local office, the whole matter rests on a record and it is sent here to Augusta and they take up the case by playing the record and decide between themselves, maybe in closed door, maybe in open door meetings, but not a public meeting and the person is disqualified.

This is what they are facing. They can't even be present when their case is decided. And the same action is taken by the deputy in our office a good many times and they will sit with someone who isn't able to explain himself and they say, "Sign this piece of paper and we'll let you know later," and they take the paper to someone else and ask them to explain it. I really believe that by allowing the press to be there and listening to these cases and it is the right of these people to appeal and if it is their right to appeal I don't think they should be denied the chance to do it publicly, to have the press there and have it come out in the paper and if the person is solely responsible for being disqualified according to the law of the State of Maine, I don't think that any of us here should be ashamed to have it printed in the paper.

Then if any of his friends or any other worker picks up the paper and reads why the person has been disqualified for unemployment benefits, maybe it will teach him a few lessons and give him a little free schooling on what will happen to him tomorrow if he takes the same action, thinking that he is right. I don't care how many people you go to in the factories or the textiles or the contractors or the shoe factories in the entire State of Maine, if you ask them what they know about this compensation law, they don't know. By reading about it there is a possibility that they will pick up something and learn something so they won't be disqualified or fired for misconduct on a job.

If any one of you here would like to be working somewhere and charged with misconduct and have it listed on a record that you have been an employe but

got through on a misconduct charge, you'd see how it is to try and get a job afterwards. Would you hire a person that had been charged with misconduct if you needed somebody to work for you? That would make you think twice and you'd say, "Let me see the others because I prefer to pick someone else". Whether the misconduct charge is right or wrong, he has to face it and at least if it comes out publicly and is known somebody will learn about it and it will help these poor people who don't know what they are facing. What do we want to do, hide this behind locked doors? They have no way to defend themselves. The final hearing is with the commission and if you are dissatisfied with this, they tell you you can take it to court and then you can spend whatever money you would have got out of it. A good many of these cases would probably be won if they could afford to take it to court.

I hope that the motion for indefinite postponement, for the sake of the people working in this state, so they can learn something about this law, — will not prevail.

Mr. JOHNSON of Somerset: Mr. President, ladies and gentlemen of the Senate, I feel very sympathetic to the thoughts expressed by the Senator from Androscoggin, Senator Couture. He has many problems and I feel that the cases that he has reference to in his talk today are marginal cases and very unusual. Of course, in his field, maybe they occur enough so they are not so unusual but the ones I hear about are unusual.

As far as going to a hearing and letting your hair down and letting everyone know in the newspapers, that you were discharged for misconduct, I don't know whether I would want to read about it because I would form an impression if I were an employer. I would support the motion, regretfully and reluctantly, to indefinitely postpone.

Mr. FARRIS of Kennebec: Mr. President, I would like to inquire of anyone who may know the

answer. By what authority is the press barred? I thought they were public hearings. There is nothing in the law that says they should be private.

The PRESIDENT: The Senator from Kennebec, Senator Farris, poses a question to any Senator who may answer if he chooses.

Mr. COUTURE of Androscoggin: Mr. President and members of the Senate, truly, I have asked this question directly to the commissioner and I have sent this request to the commission. I believe it went to the Governor's desk although I won't say that for sure but I know for sure that it went in to the Attorney General and he said, "No." I have this answer in writing.

Mr. FARRIS of Kennebec: Mr. President, I would assume then that probably these hearings are made private by rules and regulations promulgated by the unemployment security commission. I do not have the so-called Right to Know statute in front of me so whether or not such a regulation would be in violation of our Right to Know law, I am not qualified to give an opinion at this time but it certainly seems to me that this is an issue where public protection can be afforded by having the press represented and certainly with all the disagreements that I have had with editorial writers of the press, I have never had any disagreement with the representatives of the press who are reporting the news. They certainly always exercise the best of discretion and would not want to hurt an individual. If there were proceedings being conducted in the State of Maine and they were not being conducted in what the press considered a spirit of fair play, certainly the public should know about it and I am very happy to support this amendment introduced by the Senator from Androscoggin, Senator Couture.

Mr. COUTURE of Androscoggin: Mr. President and members of the Senate, possibly some of you have the wrong impression of this amendment. I wish I could dissolve the case I have taken up with the commission just a few days ago about what to place in

one plan. I see that Senator Jacques is laughing at this — I took this up with him and I certainly can't solve it.

But what I am talking about is that these sessions should be open during explanations of the law, which it is not. If I could only dissolve the case I have in the back of my mind that is going to come before the commission in a few days, I'd like to know why it can't be open. The hearing is coming up next week and if the session here is adjourned I might have to ask the commission to continue this at a later date because I want to be there. These kind of cases are going I believe to an executive session. Just like we do here in the legislature. We hold separate caucuses, and we take our stand, and then our vote is taken publicly on the matters. And that is the same thing. When our vote is taken there are different explanations given on the floor. I do believe that they should have the right to hold executive sessions on some of the cases. I have taken some of the cases publicly that were pretty bad and I have asked them to keep it off the record as much as possible and I have even asked them to investigate it alone but the working people in our state should be able to learn what the law is in our state and we should give it to them, we should educate them.

Mr. BOARDMAN of Washington: Mr. President and members of the Senate, I had no intention of getting into this but I can see one particular point here. As far as the good Senator from Androscoggin, Senator Couture is concerned, I would agree with him on amendment C as far as the press is concerned. In this particular case, you have discretion on the part of members of the press. However, I think there would be many people who would not want to go to these hearings, particularly the people who are involved if there was going to be radio and television coverage. I believe this is a very strong factor. As far as the press is concerned, yes. If the amendment were strictly for that, I would go along with it but I cannot go

along with the idea of radio and television because I do not think the people would want it.

Mr. COUTURE of Androscoggin: Mr. President, I am even willing to go along with the person himself, the person appealing to have the right to say whether he wants the press or not. If he doesn't want the press to be there during the discussions of why he was disqualified either for misconduct or anything I would be willing to further amend it to leave it to the discretion of the person that called for the hearing.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Edmunds, that Senate Amendment C be indefinitely postponed. A division has been requested.

A division of the Senate was had. Twenty-one having voted in the affirmative and seven in the negative, the motion prevailed.

Thereupon, on motion by Mr. Couture of Androscoggin, the bill was tabled pending passage to be engrossed and was especially assigned for the next legislative day.

The President laid before the Senate, Item 6-2, Committee report on "An Act to Authorize General Fund Bond Issue in Amount of Seventeen Million Dollars and to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for the Fiscal Year Ending June 30, 1964" reported Ought to Pass in New Draft as "An Act to Authorize General Fund Bond Issue in Amount of Six Million Nine Hundred and Ninety-two Thousand Dollars and to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for the Fiscal Year Ending June 30, 1964.

The President declared a five minute recess.

Senate called to order by the President.

The PRESIDENT: The Chair is happy to recognize on behalf of the Senate of this state former Senator Neil Bishop of Sagadahoc County.

We are glad to have you here. (Applause)

The item before the Senate is Item 6-2 on today's calendar and the Chair recognizes the Senator from Aroostook, Senator Edmunds.

Mr. Edmunds moved the pending question.

The motion prevailed and the report of the committee was accepted and the bill read once.

The Secretary read House Amendment A.

Mr. HINDS of Cumberland: Mr. President, ladies and gentlemen of the Senate, I would like to move that House Amendment A be indefinitely postponed and I would like to speak to that motion.

The PRESIDENT: The Senator may proceed.

Mr. HINDS of Cumberland: Mr. President, ladies and gentlemen of the Senate, this House Amendment A, deleted from the Capital construction budget, the Crescent Beach Park project in Cape Elizabeth. This project in this particular bill came out of the Appropriations Committee with a unanimous ought to pass report and it would seem to me at this time to be a little ridiculous to eliminate development of this park where the state already has an investment of over \$200,000 there.

Upon checking with the park commission today, I find that a ranger that they have stationed at this location at the present time and do have all summer, estimated that a thousand people attend the park daily now with no facilities, and it is causing quite a lot of concern in the town of Cape Elizabeth. These people have no place to change their bathing suits and they are changing in people's back yards and on lawns and behind bushes and the sanitary conditions are not what they are cracked up to be. They are using the beach and the fields and other people's personal property around that area. I talked with the town manager at Cape Elizabeth today and they are quite concerned. They didn't know there would be any problem with this. They are very much in favor of the park. The selectmen are calling a meeting this evening to discuss why their representative from

that area was not in favor of this.

The park commissioner also estimated that when this park, if we get this \$400,000 to develop it—this is only the first stage of development, too; the Governor recommended more than \$800,000 for its development but the Appropriations Committee because of cutting down the capital construction budget saw in their wisdom the need to reduce this to \$415,000. With a parking space available for 2500 cars, the park commissioner tells me they will charge fifty cents a car for parking there and this alone would bring in \$1250 a day revenue and he told me that he would expect that this park would be one of the most profitable parks in our state because of the great population in the Portland area plus the number of tourists coming in from out of state who would use this park in Cape Elizabeth.

These improvements are for a parking area, bathhouses, toilet facilities and I would hope that the Senate would go along with me today. If my motion prevails to indefinitely postpone House Amendment A, then I would offer an amendment which would reduce this by \$15,000 so we could send this back to the House for their further consideration.

The motion prevailed and House Amendment A was indefinitely postponed.

Thereupon, House Amendment C, House Amendment D and House Amendment E were read and adopted.

Mr. Stitham of Somerset presented Senate Amendment A and moved its passage.

The Secretary read Senate Amendment A.

Mr. STITHAM of Somerset: Mr. President and members of the Senate, I can explain this amendment briefly. It is, as the others have been, technical, because it amends many provisions, totals particularly. Briefly the amendment that I propose here is something which in the good business affairs of the state, I don't believe we can do without. It provides for a needed central warehouse for the Forestry Department for fire fighting purposes. This particular provision

was adopted at the last legislature and in the early hours of the final day of adjournment, it was cut because of funds not being available at that time. The need for this is just as great as it was then and I would like to take the liberty, if you have the patience, to explain why I think it is good business to go along with this central warehouse.

The Forestry Department has a great deal of very expensive and very vital equipment which it needs at a moments notice. Communications is very vital to them and I will go into that a little later. At the present time their material is scattered in three different locations. Building Number 25, which is a canteen up at the airport, they are occupying through the courtesy of the Adjutant General. It is crammed full of valuable equipment which, when it is needed, is needed urgently and at once. There are several bins that are locked up that contain radio, field radio equipment, pumps needed for fighting forest fires, hose and many other adjuncts to the protection of our forests. As I said, this is occupied through the courtesy of the Adjutant General's office, and the Adjutant General has been very patient but has several times asked if other provisions could be made because they could use it for their own purpose.

The second place that they use at the present time is a garage next to the State Police headquarters. That building is occupied by the entomology laboratory which is already crowded and hampered in their work. The garage connected with this laboratory is now crowded and used for storage of equipment which again is vitally needed and needed urgently when it is needed. The space now occupied by storage is urgently needed by the entomology laboratory to perform their functions efficiently.

The third place, and one of the more important places is the Windsor station which is 17 miles away. That is the radio laboratory and it is the place where all motor vehicles are serviced, where the radios are taken off when the vehicles are old. That is 17 miles away. Communications are that far away. The

whole program is slowed up because of this travel.

In recent years, the agricultural central warehouse has been provided by the legislature, state police garage has been provided, and the fish and game combination warehouse and garage have been provided by this legislature. The forest service has been overlooked each time. The need for this is that it is a focal point for all new equipment. If there was a new warehouse, all new equipment would be there serviced, there inspected and made ready for the field. It would provide a central testing point. Further more communications would be centralized and I think you will appreciate that communications are essential for fire fighting purposes. Time is of the essence when a forest fire breaks out.

The new building would provide for all storage of all materials of all kinds that they use. It would further have a place where the various exhibits could be prepared and stored, and I understand they are many.

All equipment which is needed in emergencies would be at one place. There is one other advantage, there would be a warehouse man in residence at all hours of day and night and that would be provided, the resident man, without any expense to the state. The land owners, realizing the value of this particular service have agreed to provide the money to man the warehouse.

Now, to explain how urgent this is. On Tuesday of this week there were thirty forest fires reported in one day and night. That is a tremendous tax upon the service which the forest service renders. Now with their equipment scattered around, with no man on duty, sometimes it is eight o'clock the next morning before the wheels can be set in motion and the proper equipment spread out to the places where the equipment is needed. If this warehouse is provided and the warehouse man is in residence and the equipment is all there in one building, all necessary equipment can be promptly dispatched and I firmly believe that in one fire we can spend more than this building would cost.

The cost is \$72,000. It has been pared down from \$81,000. The build-

ing would be a wooden building with a cement base. It would be built entirely by the employees of the forestry department and I believe it is just plain ordinary good business for the state to do this and do it at this time.

I sincerely hope that this amendment will be adopted.

Mr. CAMPBELL of Kennebec: Mr. President, I request that the vote be taken by a division and I want to give some indication of the Appropriations Committee with regard to this particular item. What we are talking about is a central warehouse, the cost of which is \$72,000. This probably is a good project but it is simply a question of priority and whether this comes ahead of some of the other items we have to consider.

I mentioned this morning in discussing the bond issue that we felt that we had to reduce the large bond issue of \$17 million down to a size that might be accepted by the legislature and arrived at the figure of \$7 million so it was in fitting the cloth to the pattern that this was one of the items that was omitted.

Now, whenever any of these projects are being considered, the department that asks for them has to file what they call a project justification. And so we had before us the project justification that had been offered by the forestry department and I assure you that there was nothing in this justification that suggested that the building at the airport on a loan basis from the Adjutant General had been demanded or even required by the Adjutant General. That may be but I must say that was not brought to our attention.

I would say that the job justification that was given to us was that this was a building from which would be initiated a maintenance program if the forestry commission were allowed to employ a new employee who was going to be a structural and mechanical engineer at a salary of \$8,000 a year. Now that job was not given to the forestry current services budget was not increased and neither was that job provided for in the supplement so it seemed to us that if the real pur-

pose of the building was to provide a place for the initiation of the maintenance program which could not be initiated because we hadn't as a legislature seen fit to fire this man that probably this was a project that could wait.

Now it is true that another justification for the project would be the consolidation of materials and equipment from three locations into one but I point out to you that these three locations are not too widespread, two of them are in Augusta and one is in Windsor which as you know, is a town very close by. There isn't probably a department in the state that has more mobile equipment than the forestry department and which could better operate from three places than this department.

Another project which was a companion to this, which also was not included in the bond issue was a \$9,000 appropriation to build three garages for the storage of equipment. One of those was to be located in Jefferson, one of them was to be located in Weld, and one of them was to be located in Holden. So it seemed to us that whereas on the one hand the Commissioner was talking about the desirability of centralizing this equipment yet at the time he was requesting an additional sum of money to build three more storage places, for the same kind of equipment I assure you, at three rather widely-dispersed areas.

Now the Governor recommended twenty-two and a half million dollars for capital improvements and every one of those projects was rated as to priority and the warehouse that we are now talking about came into the nineteenth million dollars, in other words there were eighteen million dollars of projects which, according to the Bureau of Public Improvements anyway, had more need and should be given preference over this.

As the Senator from Somerset says, this was considered two years ago and it failed to meet the test of the last legislature.

Included in the Governor's program there are four warehouses very similar, in fact, to this one. One was the carpenter and main-

tenance shop at Pineland, which has not been favorably considered and that is not included in this bond issue, and that one had a higher priority than the one we are talking about. The Forestry warehouse was second—I want to be fair about that—it was second in priority among these four, and behind it was the maintenance building at the Bangor State Hospital and a garage and service building desired by the Bureau of Public Improvements.

So, in conclusion, it seemed to us that where we were cutting out of this bond issue such items as the Sidney Airport, cutting out allocation to the Teachers' Colleges—the Arcostook school would have been \$46,500, the Farmington Teachers' School \$252,700, Fort Kent had requests approved by the Governor to the amount of \$62,300, Gorham had capital additions to the amount of \$1,060,600, Washington State \$15,000, there was a gym and recreational center at the MVTI that was recommended by the Governor ahead of this for \$290,000 that had to be dropped by the way-side, and the Bureau of Public Improvements had a variety of projects totaling \$185,900 which had to be dropped, Stevens Training Center \$208,700, the Reformatory for Women \$61,200, and the Maine State Prison \$219,000.

In conclusion, as I say it seemed to us that we had to deal fairly in the matter of priority. Granted that this might well be a desirable thing if we had the money, it did not seem to us that we were going to be able to take care of all these projects and we simply too had to rate them in some order of priority and this one, as I say, was in the nineteenth million, and our bond issue only calls for seven million.

Mr. STITHAM of Somerset: Mr. President and members of the Senate: I have been personally acquainted with the Forestry Commissioner since his college days. He has come up through the ranks in the Forestry Department, and I state here on the floor he is one of the best administrative officers we have in the entire State set-up. He is conscientious, his re-

quests have never been blown up in any way, he has asked for bare essentials. This time he has been cut \$150,000 on the Current Services, I believe, on forest fire reserve fund. In the Governor's request \$103,000 was requested for this purpose. He does not push for the nine thousand dollars that accompanied this \$72,000 item. He has been passed over several times and I think it is time his turn has come! If we have got a good, conscientious man who is trying to do a good job I say let's play ball with him. If he was the kind that was padding his requests I would not have introduced this amendment.

The PRESIDENT: The question before the Senate is on the adoption of Senate Amendment "A". A division has been requested. All those in favor of adoption of Senate Amendment "A" will rise and remain in their places until counted.

A division was had. Eight having voted in the affirmative and seventeen in the negative the motion did not prevail.

Mr. Johnson of Somerset then presented Senate Amendment "B" and moved its adoption.

Senate Amendment "B" was read by the Secretary.

Mr. JOHNSON: Mr. President and members of the Senate: I will try to be brief. In general I oppose this type of financing for the State of Maine, the same as I would feel in finances for my own family. However, I believe there are a great many merits in this particular bill and I also believe that some of these items in here will bring further revenue into the State. However, I feel that the most important one that has not been accepted is this particular one that has to do with the construction of the Sidney Airport.

I supported a motion of the Senator from Penobscot, Senator Whittaker, in the railroad subsidy because I felt that this State has got to do something about its transportation, and I thought it would be difficult perhaps to get this bond issue through for the airport, however, on a second basis I gladly accepted the railroad. That has been put off for study

for two more years and I have a peculiar feeling as to what will happen to this bill, but I think you will all agree that transportation in this State is the worst — I won't say it is worse than other states because other states have areas that are very bad, but as a whole our transportation is good up to Portland and that is where it stops. Airplane transportation up to Portland is fairly good, considering what we have in the rest of the state.

The growth of any state is measured in many terms and in the dollars that you spend perhaps you should look ahead a little further than just today; and then if you look back two or three years ago and realize that the railroads were taken away most people at the time sat back and were very apathetic and did nothing about it. I think after they lost what they had they realized there was something there of value. No one is able to estimate the value. The railroads were losing money. I think it applies the same way to air transportation, and I think air transportation is probably more important than rail transportation. And I would like to say this: of the fifty states in the United States there are only two states where we have seen no air subsidies, and Maine is one and Vermont is the other.

I guess you have all read the voluminous report that we have received on the Sidney Airport, you have read the pros and cons, you realize there is quite a disagreement between the Augusta Airport group and the Waterville Airport group, and it would seem to me it is about time, as legislators from all over the State, to resolve this. I think you all realize that it takes two-thirds of this body and two-thirds of the other body to pass this bill, and then the people have got to vote on this bond issue, and maybe this would make it a little bit better for a great many people to vote in favor of it.

I do not want to take any more time because I know we are late here today, but I think all of you feel something should be done

about transportation, and I would move that Senate Amendment "B" be adopted.

Mr. EDMUNDS of Aroostook: Mr. President, I rise very reluctantly to oppose the motion of the good Senator from Somerset, Senator Johnson. I do this for several reasons. First, I would point out that there is a small town just north of Augusta by the name of Waterville, which is somewhat interested, I believe, in the construction of this airport, and I would think, if my memory serves me correctly, the President of the Senate, who has been a very good friend of mine, originated there. Whether he will be able to return there is probably questionable.

I would point this out: We started in initially considering a bond issue in the amount of seventeen million dollars as presented to the Appropriations Committee in the proper legislative document. Initially I believe I was disposed to buy the entire seventeen million dollars because I felt and I believe I have amply demonstrated that I proposed at the start of the session to support the Governor's program as near as I could in its entirety. I would also point out that there were people on the Appropriations Committee who indicated very early in our hearings that they would support no bond issue whatsoever, so in effect we started out with possibly one or two of us bargaining at a level of seventeen million dollars and others bargaining at the level of approximately no million dollars. Now we did finally compromise with the unanimous report at seven million dollars, and actually, in view of the action that was taken by not relocating the Boys' School, which was five million dollars of the original proposal, you might say that we compromised in effect at \$10,600,000 if we do consider that one particular change which was subsequent to the legislature convening. I think at the seven million dollar level we brought out a bond issue which substantially represented the bulk of the Governor's proposed program. Now

at one fell swoop, so to speak, we are proposing to add in approximately ten million dollars.

I do not question the worthiness of the airport at Sidney as proposed, however it is my conviction that 1, it is probably beyond the limits of the economy of the State of Maine at this time, and 2, that we are considering a very progressive move and we are considering a bond issue which in effect might be called a bond issue of \$10,600,000, and I am quite positive that if you buy this amendment and increase this bond issue from the seven million to the ten million dollar level, forgetting the adjustments that I have just mentioned in connection with the Boys' School, that you will have in effect killed the bond issue itself, and there are many other very worthy projects in the bond issue. So, very reluctantly, I would hope that the motion that we adopt Senate Amendment "B" would not prevail.

Mr. JOHNSON of Somerset: Mr. President, I have read in some of the papers the remarks of some of the gentlemen here that this legislature has done very little in many fields, and in some cases I agree with them and in some cases I disagree. I realize that if this amendment ever gets over to the other body there are two gentlemen who have told me in no uncertain terms that they will bury it. I almost feel that the act of this Senate in passing this would be an indication of how we feel about something that is vitally important. To go a little further, as far as the gentleman from Aroostook is concerned it is my opinion that the Limestone Air Base up there will one day — and I am just saying this from my own thinking and observation — will be vacated as a military base and then Aroostook will have one of the most beautiful air fields up there, without any expense to the State so to speak. When that happens I will be very glad that they have such a place. There is nothing in this area around here that could be comparable to the airport up there or the Dow Field at Bangor.

I hope that my motion will prevail and I would request a division.

Mr. EDMUNDS of Aroostook: Mr. President, I would point out that the good Senator is probably correct that sometime in the far distant future that Loring Air Force Base probably will be vacated and the economy of Aroostook will then entirely collapse and at that time we will probably all move south to the Waterville-Augusta area and we will then support the Sidney Airport, but at this time I do not think we can quite afford to do it.

The PRESIDENT: The question before the Senate is the adoption of Senate Amendment "B". A division has been requested. All those in favor of the adoption of Senate Amendment "B" will rise and remain in their places until counted.

A division was had. Seven having voted in the affirmative and twenty in the negative the motion did not prevail.

Mr. Hinds of Cumberland then presented Senate Amendment "C" and moved its adoption.

Senate Amendment "C" was read by the Secretary.

Mr. HINDS: Mr. President and ladies and gentlemen of the Senate: This amendment looks lengthy but the only thing it does is add the \$400,000 for the Crescent Beach Park. I explained my reasons for doing this before and this was the unanimous report of the Appropriations Committee, and I move that this amendment be adopted.

Mr. EDMUNDS of Aroostook: Mr. President, I merely rise to say that the Appropriations Committee would support the motion of the Senator from Cumberland, Senator Hinds. This was in our original report although at a slightly different level.

Senate Amendment "C" was adopted.

Mr. LOVELL of York: Mr. President, for the purpose of an amendment being prepared I would like to table this bill until later tonight or tomorrow morning.

The PRESIDENT: The Senate may be at ease.

At Ease

Called to order by the President.

Mr. LOVELL of York: Mr. President, I would like to withdraw my motion.

The PRESIDENT: Is it the pleasure of the Senate that the Senator be allowed to withdraw his motion?

Permission was granted.

Thereupon the bill was assigned for second reading on the next legislative day.

The President laid before the Senate Item 1-5 on the Supplemental Senate Calendar of today, which is a Joint Order, tabled earlier in the day by the Senator from Aroostook, Senator Edmunds, whom the Chair now recognizes.

On motion by Mr. Edmunds the Joint Order received passage in concurrence.

On motion by Mr. Edmunds of Aroostook,

Adjourned until ten o'clock tomorrow morning.