

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Ninth Legislature

OF THE

STATE OF MAINE

VOLUME II

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and
SPECIAL SESSION
1960

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

SENATE

Thursday, May 14, 1959

Senate called to order by the President.

Prayer by Rev. J. P. Williams of Augusta.

On motion by Mr. Willey of Hancock,

Journal of yesterday read and approved.

The PRESIDENT: At this time it is the Chair's pleasure and privilege to invite another distinguished member of the Maine Senate to act as President pro tem during a portion of the day's session, and the Chair would request the Sergeant-at-Arms to escort the popular and able minority floor leader, the Senator from Androscoggin, Senator Lessard, to the rostrum.

This was done amidst the applause of the Senate and Senator Lessard of Androscoggin assumed the Chair, the President retiring amidst the applause of the Senate.

Papers from the House

Bill, "An Act to Authorize the County Commissioners of Cumberland County to Issue Bonds for Construction of a County Jail." (S. P. 264) (L. D. 677)

In Senate on March 25, passed to be engrossed.

Comes from the House, passed to be engrossed as amended by House Amendment B (Filing No. 207), House Amendment C (Filing No. 241) as amended by House Amendment A (Filing No. 368) thereto, and House Amendment D (Filing No. 359), in non-concurrence.

In the Senate, on motion by Mr. Weeks of Cumberland, the bill and accompanying papers were laid upon the table pending consideration.

**House Committee Reports
Ought Not to Pass**

The Committee on Appropriations and Financial Affairs on Bill, "An Act Appropriating Moneys for Landscaping at Aroostook State Teachers' College." (H. P. 379) (L. D. 562) reported that the same Ought not to pass.

Which report was read and accepted in concurrence.

The Committee on Natural Resources on "Resolve Authorizing the Release of State of Maine's Claim on T. 1, R. 13, W.E.L.S., Piscataquis County." (H. P. 663) (L. D. 955) reported that the same Ought not to pass.

In House, report and resolve indefinitely postponed.

In the Senate, on motion by Mr. Duquette of York, the bill was laid upon the table pending acceptance of the report.

The Committee on Taxation on Bill, "An Act Relating to Additional Revenue by Severance Taxes on Severer of Timber or Producer of Timber Products." (H. P. 903) (L. D. 1272) reported that the same Ought not to pass.

In House, report and bill indefinitely postponed.

In the Senate, that Body voted to indefinitely postpone in concurrence.

The Committee on Towns and Counties on Bill, "An Act Relating to Clerk Hire, Rental and Expenses of Waterville Municipal Court." (H. P. 525) (L. D. 760) reported that the same Ought not to pass.

In House, bill substituted for the report and passed to be engrossed as amended by House Amendment A (Filing No. 209)

In the Senate, on motion by Mr. Wyman of Washington, tabled pending acceptance of the report.

Ought to Pass

The Committee on Appropriations and Financial Affairs on Bill, "An Act Relating to National Defense Education Program." (H. P. 383) (L. D. 566) reported that the same Ought to pass.

Which report was read and accepted and

On motion by Mr. Dow of Lincoln, the bill and report were tabled pending first reading.

The same Committee on Bill, "An Act Relating to Disposition of Income on Public Administrator's Funds." (H. P. 431) (L. D. 637) reported that the same Ought to pass.

The same Committee on Bill, "An Act Establishing a State Committee on Children and Youth." (H. P.

516) (L. D. 751) reported that the same Ought to pass.

Which reports were severally read and accepted in concurrence, the bills read once and tomorrow assigned for second reading.

Ought to Pass — as amended

The same Committee on Bill, "An Act Providing for an Executive Secretary for the Highway Safety Committee." (H. P. 369) (L. D. 536) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 365)

The same Committee on Bill, "An Act Reactivating the Committee to Review the Settlement Laws." (H. P. 381) (L. D. 564) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 362)

The same Committee on Bill, "An Act Appropriating Moneys for Municipal Planning Assistance." (H. P. 737) (L. D. 1056) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 366)

The same Committee on Bill, "An Act Relating to Non-lapsing Funds of Present Biennium for Armory Repairs and Expansion." (H. P. 827) (L. D. 1178) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 363)

The same Committee on "Resolve Providing Matching Funds for Federal National Defense Education Allotments." (H. P. 580) (L. D. 827) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 367)

(On motion by Mr. Dow of Lincoln, tabled pending acceptance of the report.)

The same Committee on "Resolve Appropriating Funds to Public Utilities Commission for Water Resources Investigation." (H. P. 713) (L. D. 1018) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 364)

Which reports were severally read and accepted in concurrence and the bills and resolves read once. Committee Amendments A were read and adopted in concurrence, and the bills and resolves as so amended were tomorrow assigned for second reading.

Majority — ONTP

Minority — OTP

The Majority of the Committee on Natural Resources on Bill, "An Act Relating to the Classification of Prestile Stream in Aroostook County." (H. P. 661) (L. D. 954) reported that the same Ought not to pass.

(Signed)

Senators:

BRIGGS of Aroostook
 COLE of Waldo
 FARLEY of York

Representatives:

SAUNDERS of Bethel
 WHITMAN of Woodstock
 PERRY of Easton

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

(Signed)

Representatives:

JALBERT of Lewiston
 HEALD of Union
 WILLIAMS of Hodgdon
 BACON of Sidney

In House, Minority Report accepted and the bill passed to be engrossed.

In the Senate, on motion by Mr. Briggs of Aroostook, the bill was laid upon the table pending acceptance of either report and was especially assigned as the first item under Orders of the Day today.

Senate Committee Reports

Ought to Pass — N. D.

Mr. Pierce from the Committee on Appropriations and Financial Affairs on Bill, "An Act Creating a Permanent Committee on Aging." (S. P. 266) (L. D. 728) reported same in New Draft (S. P. 492) (L. D. 1370) — New Title: "An Act Reactivating the State Committee on Aging." and that it Ought to pass.

On motion by Mr. Bates of Penobscot, tabled pending acceptance of the ought to pass report.

Mr. Rogerson from the same Committee on Bill, "An Act Creating the Maine Educational Television Authority." (S. P. 267) (L. D. 729) reported same in New Draft (S. P. 493) (L. D. 1371) — New Title: "An Act to Reactivate the State Committee on Educational Television." and that it Ought to pass.

Which report was read and accepted, the bill in New Draft read once and tomorrow assigned for second reading.

Mr. Wyman from the Committee on Towns and Counties on Bill, "An Act Relating to Salaries of County Officials and Clerk Hire." (S. P. 386) (L. D. 1112) reported same in New Draft (S. P. 491) (L. D. 1369) — Same Title, and that it Ought to pass.

Which report was read and accepted and the bill read once; on motion by Mr. Wyman of Washington, tabled pending assignment for second reading.

Majority — OTP
Minority — ONTP

The Majority of the Committee on Appropriations and Financial Affairs on Bill, "An Act Directing a Study of Property Tax Administration." (S. P. 129) (L. D. 324) reported that the same Ought to pass.

(Signed)

Senators:

ROGERSON of Aroostook
 DUQUETTE of York

Representatives:

STANLEY of Bangor
 BRAGDON of Perham
 DAVIS of Calais
 BROWN of Ellsworth
 JACQUES of Lewiston

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

(Signed)

Senator:

PIERCE of Hancock

Representatives:

SMITH of Falmouth
 EDWARDS of Raymond

Mr. ROGERSON of Aroostook: Mr. President, I move the acceptance of the Majority ought to pass report.

Mr. PIERCE of Hancock: Mr. President, as one of the signers of the "Ought not to pass" report, I would like to call the attention of the Senate to another tax study bill, L. D. 189. The committee under this other bill has been established. "The committee shall consist of not less than seven nor more than ten members, one to be

appointed by the President of the Senate, one by the Speaker of the House, and the others by the Governor."

In this bill that we are now considering, L. D. 324, it is another study of property tax administration. My objection to the bill is to the method of choosing the various members of the committee. "The State Tax Assessor is directed to make a study of the administration of property taxes in this State. The State Tax Assessor is authorized to employ such technical and clerical assistance as he may deem necessary," and the State Tax Assessor may appoint the twelve members of his own committee.

In my opinion, that is a one-way street. During the testimony which was given to your committee the State Tax Assessor made this statement, and this is my basic reasoning for opposing the present bill:

"Assessing today is a technical profession; it is not something that can be successfully indulged in as a pastime, voluntary or involuntary, by the uniformed layman."

He goes on, and I quote: "Our laws should be revised to provide for sound assessing units, for adequate pay, for full-time assessors," and so forth.

He further goes on: "It would be desirable if the University of Maine could initiate a training course for assessors comparable to the management course which it now offers."

To my way of thinking, his report, which would cost the taxpayers \$20,000, is already incorporated in his statement.

I wish to prepare an amendment accomplishing the purposes of the bill but more or less incorporating the thinking of the other bill, and that is to have an unbiased committee chosen, and possibly they could choose the technical thought. That is the reason why I signed the "Ought not to pass" report. It will take me probably twenty-four hours to prepare the amendment. I realize that I cannot make a tabling motion at this time because I have been debating the bill. I sincerely hope that the motion of the Senator from Aroostook, Sena-

tor Rogerson, does not prevail, and I trust that somebody will make a tabling motion out of courtesy.

Mr. ROGERSON of Aroostook: Mr. President, I believe that the Senator can make a tabling motion. However, since he has not, I will make the motion to table.

Thereupon, the bill was laid upon the table pending motion by Senator Rogerson of Aroostook to accept the Majority ought to pass report.

Second Readers

The Committee on Bills in the Second Reading reported the following bills:

House

Bill, "An Act Increasing Number of Medical Examiners in Lincoln County." (H. P. 823) (L. D. 1161)

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

House — as amended

Bill, "An Act Relating to Hunting Deer with Bow and Arrow in Islesboro, Waldo County." (H. P. 620) (L. D. 888)

Bill, "An Act Relating to Certain Acts Constituting Lotteries." (H. P. 813) (L. D. 1151)

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

Senate

Bill, "An Act Providing for Mental Health Services." (S. P. 490) (L. D. 1367)

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

Sent down for concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed, the following bills and resolves:

Bill, "An Act Amending the Charter of the City of Augusta." (H. P. 936) (L. D. 1323)

Bill, "An Act Relating to Weekly Benefit for Partial Unemployment." (S. P. 72) (L. D. 122)

Which bills were passed to be enacted.

"Resolve Appropriating Moneys to Aid Construction of Dormitory at Higgins Classical Institute." (H. P. 853) (L. D. 1221)

(On motion by Mr. Rogerson of Aroostook, placed on the Special Appropriations Table pending final passage.)

"Resolve for the Purchase of Fifty Copies of 'The Story of Houlton.'" (S. P. 108) (L. D. 258)

(On motion by Mr. Rogerson of Aroostook, place on the Special Appropriations Table pending final passage.)

"Resolve Providing for Purchase of History of the Town of Unity." (S. P. 152) (L. D. 373)

(On motion by Mr. Rogerson of Aroostook, placed on the special Appropriations Table pending final passage.)

Emergency

Bill, "An Act to Continue the Citizens Committee on Survey of State Government." (S. P. 321) (L. D. 897)

In Senate on May 4, passed to be engrossed.

Comes from the House, failed of passage to be enacted and ordered placed on file.

In the Senate, on motion by Mr. Ross of Sagadahoc, the bill, being an emergency measure, and having received the affirmative vote of twenty-two members of the Senate and three opposed, was passed to be enacted.

The PRESIDENT: The bill has been passed to be enacted by the Senate, and will be returned to the House for further consideration.

At this point, the President returned and assumed the Chair, Mr. Lessard retiring amidst the applause of the Senate.

The PRESIDENT: The Chair wishes to thank the Senator from Androscoggin, Senator Lessard, for his very excellent services presiding as President pro tem this morning.

The President laid before the Senate the first tabled and especially assigned item being House Reports from the Committee on Natural Resources: Majority Report ought not to pass; Minority report, ought to

pass, on bill, "An Act Relating to the Classification of Prestile Stream in Aroostook County." (H. P. 661) (L. D. 954) tabled by the Senator from Aroostook, Senator Briggs earlier in today's session, pending acceptance of either report and especially assigned as the first order of business today, under Orders of the Day.

Mr. BRIGGS of Aroostook: Mr. President and members of the Senate: I feel that this particular item is one of the most important items to come before this session of the Legislature, perhaps one of the most important items to come before any session. It deals with one of our most vital natural resources, which is our water, which, along with our soil and forests—and all of them are dependent upon each other — which gives us our very sustenance by which we exist, but oftentimes I think my friends know it not.

I have struggled in three different consecutive sessions of the Legislature to try to place upon the statute books of our State some little bit more forthright and energetic water classification laws, and I have been, in most instances, unsuccessful. Upon each occasion I was argued to let the present law work, "It was a good law," people said who came before the Committee on Natural Resources, and also there was lengthy and extensive debate in both branches of the Legislature, and much of it said, "Let the present law work." Well, the present law is a classification type of law which is used in quite a few states, but some states have found it to be ineffective and quite unsatisfactory. However, it is about all there is. I told one of my friends just recently that they keep me so goshdarned busy trying to keep this thing from getting any worse and going backwards that I cannot take any time to try to put something in which I am a little more interested onto the books. He said, "You know, Jim, that is just exactly what they want and they are keeping you right where they want you." And I guess he is right. I feel like the young bride who had been married and was starting out on a rather unique new venture: she knows she

is going somewhere but she does not know exactly just where she is going.

I think this problem that we have before us today on which we have a majority report "Ought not to pass" from the Natural Resources Committee, is potentially a bill that can wreck the entire water classification law, which is our existing law which they have been urging me to allow to work.

The members of the Water Commission told our committee at the beginning of the session that if we accepted either of these two bad bills — and there were two, one for the Meduxnekeag River which flows through Houlton, the town of my seatmate, Senator Rogerson, and the other one which flows through Mars Hill, which is the Prestile Stream — both of these streams in the course of their flow go across the international boundary and into Canada. Now we found out during the course of our observations that this was rather significant, because somebody dug up the fact that there had been an international treaty in 1909, or some year in the early nineteen hundreds, which might have some bearing on the question. I hope I do not have any difficulty in pointing out again for the members of this Senate that, irrespective of any effect which the court decision that we have requested on the treaty of 1909 may have on any of this legislation, that if you vote to accept this minority report of this committee you are in effect lowering a classification which was established by a previous legislature, and that as a result of that you will be just about putting the death-knell onto the present classification law, because once the dam is broken there will be no end of municipalities and others who have been classified by previous legislatures who will want to come in here and get off the hook; and you know, of course, that no town, or bloody few, and no industry, because their main concern is production, is going to find it convenient voluntarily to abate their own contamination of these public waters. Voluntary compliance is a very interesting method of cleaning our waters, but it will be just

about as effective as the voluntary payment of your income tax would be, or the purchase of your driver's license. It is very interesting, but it is not very effective, and it won't be in this instance either.

Now the Water Commission is made up of persons representing all of these various interests. Two members on it represent industry, two members represent municipalities, two members represent the public generally, and two members, since the last four years, represent conservation interests.

Incidentally, it might be worthwhile to point out that that word "conservation" takes on some very tortured descriptions in the course of debate on this subject. Everybody is for conservation as long as it does not affect them, just like everybody is against sin: they do not want it too close to home in a lot of cases.

Now I hope I have made it abundantly clear that we do not need to wait on any decision of the court to decide whether we are going to take this step to downgrade previously classified waters in this state. In the event you are determined to downgrade these previously classified waters, then we may possibly find out, depending on what the decision of the court is, that this treaty would forbid our having done it, but I would not rest on that. I am not concerned with that one way or another as far as this is concerned. What I am interested in and exercised about is the fact that if we do this, if we take this stream out of classification you might as well kiss the classification law goodbye. And I never have been especially for this law, because I feel that we should have something stronger and more forthright to get this job done. No one should imagine, if they do now, that clean water and industry, for example, are not compatible, because they are. The places that retain and preserve clean water are going to benefit in many ways, and you hear no end of the dissertations about the cost of abating water pollution. That is all you hear. They get some big figure and ring it over your head and try to show you how it is going to cripple every town there is, but they never tell you anything about how much

it is costing to have the stink in Back Bay or in Bangor, or about the seven million dollars that was previously mentioned here, the cost to Bangor of boring a tunnel to Moosehead Lake or wherever they did bore it. They never tell you about the million and a half dollars a year that the Commissioner of Sea and Shore Fisheries told me that it cost in polluted clam flats.

How much of an industry do you think it would take in this state, capitalized on a reasonable basis, to produce a million and a half dollars a year? That is what you are losing as a cost of pollution. They don't tell you about that.

The sport fishing and boat industry is growing tremendously. Sport fishing is one of the most outstanding recreational activities that there is in the world; it has way more exponents than those who view organized baseball for example. It returns more revenue, capitalized at four per cent, to the United States than all the woods products industry combined. Do not ever be ashamed if someone rises up and tries to defend sport fishing, because it is worthy of it.

Now on this particular little gem we just happened to have a seven to four, or six to four — that is one too many — it might as well have been twenty-one to four — we just happened to have a six to four divided report, six to four believing it should pass. Your Senate members on the Natural Resources Committee are unanimous in their belief that it should not pass; and nobody whiplashed or tried to whiplash anybody else into making these decisions, and if you know the other members of the Natural Resources Committee you will know that is a fact.

Now they have tried every trick they can think of; all of the opponents of your questionable speaker have used all of the methods available to them, and they are continuing to do that, to try to see if they cannot confine this issue in some way and get it so they can get this dangerous precedent established; and of course, like a trout rising to the bait, I have risen to the occasion to the best of my ability.

ty in an effort to defeat their purpose.

Now I had no doubt before I came over here this morning that they would be successful in getting someone, probably some highly respected person who has a keen sense of what is fair but at the same time who has no heart for passing this type of disgraceful legislation, to get up here and make a motion that we would place this item on the table. It has been tabled in the other branch for ages, so they have had it and tabled it and taken it off and tabled it, and they have gone on, trying every trick that they could, and no doubt now they will have someone make that effort here.

I, Mr. President, in the interests of preserving what little bit of effect there is in the already weak and puny and pitiful water pollution control laws, make the motion now that this bill and accompanying papers, or anything else that it may have with it, be now and forever indefinitely postponed, and I am against tabling it or anything else too.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Briggs, that L. D. 954 and accompanying papers be indefinitely postponed.

Mr. ROGERSON of Aroostook: Mr. President, I rise very reluctantly to say whatever might not have been said about this bill, but, to make my position clear in this matter, I should point out that there were two such bills in this legislature, one of them having to do with the Meduxnekeag River which flows through my own town. On that bill I took the position that I could not in good conscience support it. At the same time, I took the same position with reference to this bill and made my position clear to the sponsors and other interested people. When the time comes, if it does come later, to debate this issue, I will find it necessary to speak against the bill. However, this morning the sponsor of this bill came to me as a fellow member of his delegation, and in spite of the fact he knew I was opposed to the bill and in spite of the fact he advised me

he had some supporters in this body who might make the motion with more conviction than I would, I told him that I would make the motion to have this bill lie on the table, and I now make that motion.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Rogerson, that L. D. 954 be laid on the table pending the motion of the Senator from Aroostook, Senator Briggs, that the bill and all accompanying papers be indefinitely postponed.

Mr. BRIGGS of Aroostook: Mr. President, I request a bloody division. (Laughter)

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

Mr. FARLEY of York: Mr. President and members of the Senate: I stand here in support of the Senator from Aroostook, Senator Briggs. In a meeting in executive session it was stated that we were going to have a rough time with Senator Briggs as Chairman of the Natural Resources Committee. I am happy to stand here this morning and say that Jimmy Briggs is as fine a chairman as we have had on Natural Resources, and I have been on it for four terms. Jimmy Briggs was very fair with us, although he is very prejudiced on the matter of clean waters, and he let us amongst ourselves decide the question without doing any hammering one way or the other. Jimmy Briggs probably does not like some lobbyists for this or that, but if he didn't like them he didn't show it; he was fair and square, and we had the right and a chance to argue back and forth. Senator Cole and I saw fit to go along with Senator Briggs because we figured that he was fair. I have been on the committee, and I do not like to take this stand against the other senator from Aroostook County, but I have leaned over backwards and I have been one of those on Natural Resources who have been completely fooled by those in Aroostook County relative to starch factories. It seems as though every time they come down they haven't done anything. I am happy to support Senator Briggs on his motion to indefinitely postpone.

Mr. ROGERSON of Aroostook: Mr. President, this is the occasion to which I referred a few minutes ago when I said I would like to make a statement on this question at the appropriate time. I do not have a prepared statement, but I would like to place on the record my feelings in this matter and try to indicate why I find it impossible to support this sort of legislation.

In the first place, I am convinced that it a desirable thing to clean up the waters of the State. I do feel, however, that it should be done gradually and reasonably without jeopardizing unduly any industry or any municipality. I feel that the steps, which the Water Improvement Commission through their recommendations, and the Legislature through its action, have taken are not hasty steps, they are not steps which, if followed to their logical conclusion, will in my opinion jeopardize the welfare of any industry or any municipality, because I feel, unlike many folks who have something to do with this problem, that the Water Improvement Commission is a very rational and reasonable group. It was my experience, in dealing with the problem which arose out of the legislation having to do with the Meduxnekeag River, to have some dealings with the Water Improvement Commission, and I was convinced, by their attitude and their action in this case, that they were a reasonable body.

Now as I understand this situation, the town of Mars Hill feels that its financial position is not such that it can comply with the directive which has been given it by the Water Improvement Commission to build a sewage treatment plant in compliance with this classification. I also understand that if that is true, that the town is not in good financial condition and is unable to comply with the directive, then all that is necessary for them to do is appeal and to appear in court and offer to the court the evidence which they have to support their contention that they cannot comply with the law.

Now I think a great deal of sympathy has been aroused for the town of Mars Hill by indicating that they are being set upon by a completely unreasonable Water Im-

provement Commission that is bound to pursue its objective at any cost. It is my feeling that this sympathy is wasted, because that I am sure is not the case. As I told the sponsor of this bill this morning, if I had any doubts at all about the necessity for the town of Mars Hill having protection in this situation that of course I would support this legislation even at the risk of defeating the original purpose of this bill. But, as I say, I am convinced that if the town of Mars Hill is in no position to follow the directive given to it by the Water Improvement Commission, it is only necessary for them to make those facts known to the court and they will not be forced to do it. For that reason, I find it necessary to support the motion to indefinitely postpone this bill.

Mr. MacDONALD of Oxford: Mr. President and members of the Senate: I would not feel in order if I did not have something to oppose my good friend, the Senator from Aroostook, Senator Briggs. I did it four years ago, so we have got to get in line somewhere.

There is no question that the water bill which is on the statute books now is good, but there are a lot of these towns which just simply cannot do it. With the present commission you may be all right, because they may ease off on a town, but you must remember we are not always going to have the same commission. If you get a commission that insists that every town do it, I don't know just what they are going to do, because most of our little towns, particularly for the last few years, have borrowed up to the limit of their borrowing capacity. Now the commission insists they have the right to go to court, but no one can tell you what the courts are going to do. They say that what a judge does during the day depends on whether or not he has had a fight with his wife in the morning. All they can do is assess that town for taxes for one year for the whole cost of that changeover, and you might have towns that would be paying the full value in one year, and that could apply to a great number of towns in the State of Maine.

Mr. BRIGGS of Aroostook: Mr. President and members of the Senate: I don't know whether this is the right time or not, but one of the members of the committee I thought came up with a very good little item, and I would like to read this little poem. He says:

"I found an old solution to the problem of pollution: For the town that says they can't, here's a low-cost treatment plant."

I do not know if the Senator from Oxford, Senator MacDonald, received one of these slips or not. But it is important to point out, I think, that regardless of the make-up of the commission, that the final decision, if it is going to have to go that far, is not going to rest with any commission, it is going to rest with the court and with the Maine Supreme Court if that is necessary, which I am sure that the learned attorney, the Senator from Oxford, Senator MacDonald, is aware of. I, at least, have just as much faith in the objective and reasonable attitude of the court to appraise this situation as I have in a court of this sort which in some instances, I fear, may be subjected and is subjected to the political and emotional implications which we all recognize in the normal course of legislation. So, as the Senator from Aroostook, Senator Rogerson, has said, I do not think there is any reason for alarm. As you know, I would not be too rough on one of the very few towns in which, as I recall it, I darned near led the ticket in the election races in two different terms, unless I am mistaken, and I do not think I am, and so I have a very fond regard for this particular area.

But you know how that is. That is the very thing I have just finished speaking about, as a matter of fact. I cannot see any need really to belabor this question any longer, and I cannot see any reason why it should not be defeated and why we should not dispense with this legislation, and I hope that every subsequent legislature will have as much courage as I think this one will have.

Mr. COLE of Waldo: Mr. President and members of the Senate: I think this bill has been thoroughly

debated. To my surprise I am happy to learn that we have a very distinguished and capable orator in our midst. I did not believe that the Senator from Aroostook, Senator Briggs, could do the job he has done this morning. I am actually proud of him and proud to be associated with him on the committee. And I want to confirm what the Senator from York, Senator Farley, has said: he has not used any pressure within the committee, he has let each one of us make our own decisions and he has been very fair, although I know how he feels, and I think most of you know he feels very strongly on this problem. However, I am one of those who do not feel quite as strongly as Jim does, but I feel that his efforts in the terms that he has served in the past and in the present session have done much to clean up the rivers of Maine. I feel that his efforts have been rewarding, and I hope that the motion does prevail.

Mr. FARLEY of York: Mr. President and members of the Senate: First I would like to say to the Senator from Oxford, Senator MacDonald, that so far as the towns are concerned we find ourselves in the same position after having passed L. D. 717. Our selectmen in York County were up in arms, although they still have the right of appeal.

When the vote is taken I move that it be taken by a division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Briggs that L. D. 954 be indefinitely postponed, and a division has been requested.

A division of the Senate was had.

Twenty-eight having voted in the affirmative and none opposed, the motion prevailed and the bill was indefinitely postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Stilphen of Knox, the Senate voted to take from the table the 24th tabled item being "Resolve in Favor of George Freyer, Jr. of Covington, Kentucky." (S. P. 365) (L. D. 1048) tabled by that Senator on April 14 pending final passage; and that Senator moved the pending question.

The motion prevailed and the resolve was finally passed.

On motion by Mr. Stilphen of Knox, the Senate voted to take from the table the 27th tabled item being "Resolve in Favor of Lena Freyer of Covington, Kentucky." (S. P. 366) (L. D. 1049) tabled by that Senator on April 14 pending final passage; and that Senator moved the pending question.

The motion prevailed and the resolve was finally passed.

On motion by Mr. Stilphen of Knox, the Senate voted to take from the table the 51st tabled item being, "Resolve in Favor of A. R. Palmer of Litchfield tabled by that Senator on April 27 pending final passage; and that Senator moved the pending question.

The motion prevailed and the resolve was finally passed.

On motion by Mr. Ross of Sagadahoc, the Senate voted to take from the table the 81st tabled item being bill, "An Act Establishing a Minimum Wage." (S. P. 472) (L. D. 1337) tabled by that Senator on May 12 pending consideration.

Mr. ROSS of Sagadahoc: Mr. President, I will now move the question and I would like to speak to the amendment.

The Secretary read House Amendment A.

Mr. ROSS of Sagadahoc: Mr. President, I suppose that our spectators shuddered here when the words eighty dollars were mentioned. Of course we have been talking about the dollar and the eighty cent bills. I have expressed time and time again my philosophy concerning minimum wages. I recently put in a bill calling for a dollar. I amended that to eighty cents, after careful consideration of our entire economic situation.

The hullabaloo that has been raised that the Republican Party is only willing to give a worker thirty-two dollars a week is absolutely ridiculous. We are not setting an arbitrary value on labor but we admit there is no state law at the present time and we are willing to shoulder our responsibility to correct the outstanding wage rates that a few employers

are giving, and we do not think it is advisable to go the whole way the first jump. Many of us certainly would never go along with any policy that "if I can't give the whole hog, I will give absolutely nothing." If the members of the other party honestly feel that way their minimum wage law should have been one dollar with no exceptions. I hope today that there will be no banner waving. The headlines have been won and in my opinion it was at the peril of sacrificing the principles of minimum wage.

What was not mentioned in debate before was that ninety per cent of these employees are not primary wage earners but secondary wage earners. Certainly we will admit it would be hard to support a family on thirty-two dollars a week but when we are talking about augmenting the primary income, we say that a person is worth at least eighty cents an hour and not the present wages that many of them are getting of fifty cents an hour.

Now, this morning, I am going to support this amendment raising it from eighty cents to a dollar because I hope that certain exemptions will be offered and accepted by this Body. I now move that the Senate adopt House Amendment A.

Mr. WOODCOCK of Penobscot: Mr. President, as one of the Senators who at one point in the legislative course of this bill endorsed the eighty cent minimum wage figure, I rise now to support this amendment. The original Senate action on the eighty cent figure was based in part upon a hope that concurrent action in the House thereby could be reached in inscribing upon our statute books some minimum wage law. Perhaps not one clothed in perfection but one nevertheless that would express legislative support for the minimum wage principle.

When the subsequent House comment was heard in favor of the one dollar figure it became evident that the eighty cent amount was not the amount they wanted and so it is that for one reason, that of possible concurrent action, I hope that the Senate will muster enough

strength for this amendment to be adopted here and now.

A more concerning reason, although one that is not any more essential from a practical viewpoint, in supporting this increased figure is found in the bedrock ground of human brotherhood; namely, that no man or woman should suffer the indignity of working by the sweat of his brow for a substandard wage. Even if this amendment is successful of adoption and subsequently if the bill is enacted by both branches of the legislature and signed by the Governor, those that would be covered and would receive the one dollar amount for an hour's work would I think be receiving little enough for their labor. I fully support this amendment and will evidence my belief in it concretely by my vote.

Mr. MacDONALD: Mr. President and members of the Senate, the other bill referred to was the bill that I introduced, L. D. 154, which called for originally, one dollar, went down to defeat at one dollar and was changed over to L. D. 1337 establishing a dollar. Now I don't care whose name is on that bill, I want the dollar and I'm going along with this amendment and I hope that the whole Senate goes along with the amendment. It is worth it. It is the money for those people that I'm interested in. I'm not interested in having my name on the bill.

Thereupon, the rules were suspended and the Senate voted to reconsider its former action where-by the bill was passed to be engrossed; House Amendment A was adopted in concurrence.

The Secretary read House Amendment C.

Mr. ROSS of Sagadahoc: Mr. President, this is the amendment which covers primarily those women who do sewing and knitting in their homes. In the original bills, I thought that they would be covered under part time workers but a ruling has said that this would not be so, so I certainly move the adoption of this amendment.

Mr. MacDONALD of Oxford: When I agreed, and gladly agreed to the dollar minimum wage, I would like to see somebody get it, somebody who is not exempted

so that they will get that dollar. If we're going to pass them the bottle without the contents, the tree without the fruit, we might as well forget the whole thing. Now I understand that there are other exemptions coming in here. Let us be fair with the workers. Let us be fair and give them the dollar. Let's not give it to them in the beginning then take it away from them at the end.

The PRESIDENT: The question is on the motion of the Senator from Sagadahoc, Senator Ross, that House Amendment C be adopted.

Mr. MacDONALD: Mr. President, I ask for a roll call.

The PRESIDENT: In order for the Chair to order a roll call, there must be the affirmative vote of at least one-fifth the members present.

A division of the Senate was had. Obviously a sufficient number having risen, the roll call was ordered.

The Secretary called the roll, and the Senators answered as follows:

YEAS: Bates, Boucher, Briggs, Charles, Cole, Dow, Hillman, Lewis, Lord, Martin, Parker, Pierce, Rogerson, Ross, Stilphen, Weeks, Woodcock, Wyman — 18.

NAYS: Coffin, Dunn, Duquette, Farley, Fournier, Hunt, Lessard, MacDonald, St. Pierre, Thurston, — 10.

ABSENT: Brown, Carpenter, Noyes, Willey — 4.

Eighteen having voted in the affirmative and ten opposed, the motion prevailed.

The Secretary read House Amendment E.

Mr. ROSS of Sagadahoc: Mr. President, in my opinion, this is an amendment in an entirely different category. It was offered by a member of the other party. It is an exemption which would affect a small minority group, egg candlers. I say it is inequitable because it would be very difficult to administer. For instance on a farm, a person gathering the eggs, they would not be required to pay him a dollar, but then when he went in to the candling room to candle the eggs, they would have to pay him a dollar for that part of his work and so I say it would be most difficult to straighten this con-

dition out and how you would ever be able to establish the differential in rates because of his job, I do not know, and I oppose this amendment, and I will move its indefinite postponement.

The PRESIDENT: The question is on the motion of the Senator from Sagadahoc, Senator Ross, that House Amendment E be indefinitely postponed.

A viva voce vote being had, the motion prevailed and House Amendment E was indefinitely postponed in non-concurrence.

Mr. ROSS of Sagadahoc: Mr. President, I present an amendment and move its passage and request the Secretary to read it in its entirety.

The Secretary read Senate Amendment A.

Mr. ROSS of Sagadahoc: Mr. President, for the edification of the members of the Senate, this amendment changes two commas to two semicolons and that is all it does. When I told our esteemed director of legislative research Mr. Samuel Slosberg about it, he said that he thought we should have had this prepared before the mock session because all it does is to change two commas to two semicolons.

This may appear picayune but in reality that certainly is not a joke. In the original committee redraft, two semicolons were inserted. By typographical error they were changed to commas, and with the intended punctuation the exemption will include counsellors, persons going to an educational institution or on vacation therefrom and part time workers, but without the semicolons and with just the commas, it would just include counsellors and make three categories of them. I move that this amendment be adopted.

Mr. LESSARD of Androscoggin: Mr. President, I would like to pose a question, through the Chair, to the Senator from Sagadahoc, Senator Ross. You now say that the semicolon will make it that the part time worker does not refer back to summer camp employees nor refer to them no matter where they work?

The PRESIDENT: The Senator from Androscoggin, Senator Lessard poses a question to the Senator from Sagadahoc, Senator Ross, and

that Senator may answer if he so chooses.

Mr. ROSS of Sagadahoc: Mr. President, the esteemed attorney from Androscoggin County, Senator Lessard is absolutely correct in his assumption.

The PRESIDENT: The question is: Shall the Senate adopt Senate Amendment A in non-concurrence.

A viva voce vote being had, the motion prevailed and Senate Amendment A was adopted in non-concurrence.

Mr. CHARLES of Cumberland: Mr. President, I now present Senate Amendment B and move its adoption and would ask the Secretary to read the complete amendment.

The Secretary read Senate Amendment B.

Mr. CHARLES of Cumberland: Mr. President, during our discussion of recent date relative to this bill I made certain comments relative to small business. I brought forth certain facts that I thought were very important for the economy and stability of our small businesses that have three or less employees. I urge upon you to give this amendment serious consideration. If you do not give this consideration to these small merchants we are going to lose them definitely. They are not operating on a big margin of profit. They are in stiff competition with big business. The type of labor sometimes employed by them does not require essential skill and therefore in order to preserve small business in this state, I urgently request that you adopt this amendment.

Mr. LESSARD of Androscoggin: Mr. President and members of the Senate, the opposition has been very magnanimous this morning in giving us one dollar. Now come the amendments to take everyone out from in under the one dollar.

We have taken out egg candler and now they are taking out those who work in stores or establishments with three or less. I don't know but what there are amendments to take out those with five or less, ten or less or a hundred or less. I think it is just a mockery to say to the laboring men and women of Maine, "We are going to give you a dollar" and then exempt

everything. I think this is terrible. Either we recognize the principle that a working man or woman is entitled to a dollar an hour or we don't and these kind of amendments which allow exemption after exemption after exemption, pages of them, — well we're not doing anything for anybody. We endorse the principle of a dollar an hour and then say no one can have it. I hope that this amendment will be defeated and I now move that we indefinitely postpone the amendment and I ask for a division.

Mr. HUNT of Kennebec: Mr. President and members of the Senate, I think with these amendments coming up it might be a good time to get one or two points straightened out.

I want to state my position here. I was for the MacDonald one dollar an hour bill; I am for the Ross one dollar an hour bill provided that is the chief point in the bill. It does not make any difference to me under what name the bill goes or who the sponsor is; I am for the dollar an hour and shall so vote. However, it is possible to kill a bill by amendments, and I think we may be facing such a situation here.

The position of some of those now in favor of a dollar an hour bill seems to me to require clarification. I have here before me the proofs of April 30th and May 1st. The MacDonald bill was argued at that time, and also the Ross bill. This record shows that repeatedly those in favor then of the eighty cents an hour bill stated that the economy of the State of Maine would not stand more than eighty cents. There were others of the opposition who said that we should try eighty cents an hour first at this session and then at some other session we could try the dollar. One of the good senators made the point that the poor elevator man at the Augusta House probably would be out of a job if we went to more than eighty cents an hour, and there were other examples of older people that we were told would not be able to work if we accepted more than eighty cents an hour. Reason after reason was then stated as to why the economy of the State of Maine — and it is all

in the proof of April 30th and May 1st — why the economy of the State of Maine would not stand more than eighty cents an hour at that time.

I would like to propose a question through the Chair for anyone to answer: What happened to the economy of the State of Maine in the last week which now makes it possible for certain of the senators to now back one dollar an hour who felt a week ago that eighty cents an hour was all that they could back? I am sure that it is not the fact that there is a different sponsor to the present dollar an hour bill that made this change. If the argument is going to be presented here however, that the change in the exemptions, that these new amendments which are being added to exempt certain classifications, is the thing that might have made the difference so that they are now able to support a one dollar an hour minimum wage with the exemptions whereas they could not do so previously, I raise this question: Why did not someone at the prior debate, if that was the only thing that was holding them up on the previous one dollar an hour bill, why didn't they then suggest some of these exemptions to us at that time? And if the change in exemptions makes it now possible, does that not mean that a great section of the working men of the State of Maine must be perhaps exempted and cut out from the benefits of the act?

It seems to me that those are things which should be clarified for the record. First, has the economy of the State of Maine been in any way changed since our prior debate? Secondly, does the addition of these exemptions affect such a large part of the working class that they now feel, what they felt would not a week ago be detrimental to the economy of the State of Maine could now be passed without affecting them.

Mr. CHARLES of Cumberland: Mr. President and members of the Senate: I just wanted to place upon the record the fact that small businesses that employ three or less employees are now exempt under the Employment Security Act relative to contributions.

Mr. COFFIN of Cumberland: Mr. President and members of the Senate: I rise in opposition to this amendment. I think that everyone here realizes my position on the bill as a whole. I think if we keep adding these amendments we are going to have a barrel without a bottom. Thank you.

Mr. MacDONALD of Oxford: Mr. President and members of the Senate: I heard it whispered in the corridors that the opposition is going to offer eight amendments to this bill for the purpose of killing it altogether. I really could not believe it because I think we are off to the races now, and I think that this is the time to stop them by defeating this amendment.

Mr. ROSS of Sagadahoc: Mr. President, in answer to the Senator from Kennebec, Senator Hunt, I believe he asked what has happened to our economy when one week later we support a dollar, and then we supported eighty cents. My feeling is exactly the same now as it was then. I favor a minimum wage law. I favored the eighty cents. I would not change that stand unless I was going to favor some exemptions under that. I have no intention of killing this bill by amendments, but I furthermore do not want to legislate people out of jobs, and if we did not have amendments such as some of these are, that is exactly what we would be doing, and in so doing we would certainly be defeating our purpose of wanting to help those persons who are getting substandard wages.

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

Mr. CHARLES of Cumberland: Mr. President, when the vote is taken I request a roll call.

The PRESIDENT: A roll call has been requested. To order a roll call, requires the affirmative vote of at least one-fifth the members present.

A division of the Senate was had. Obviously a sufficient number having risen, the roll call was ordered.

The Secretary called the roll, and the Senators responded as follows:

YEAS: Boucher, Coffin, Dunn, Du-

quette, Farley, Fournier, Hunt, Lessard, Lewis, MacDonald, St. Pierre, Thurston, 12.

NAYS: Bates, Briggs, Charles, Cole, Dow, Hillman, Lord, Martin, Parker, Pierce, Rogerson, Ross, Stilphen, Weeks, Woodcock, Wyman, 16.

ABSENT: Brown, Carpenter, Noyes, Willey-4

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

Thereupon, on motion by Mr. Charles of Cumberland, Senate Amendment B was adopted in non-concurrence.

Mr. Parker of Piscataquis presented Senate Amendment C and moved its adoption.

The Secretary read Senate Amendment C.

Mr. PARKER of Piscataquis: I offer this amendment well aware that in the State of Maine we have many small private hospitals. Several of those have contacted me within the last few days and have indicated to me that if they are required to pay one dollar an hour minimum wage that they must of necessity close their doors. For that reason, I offer this amendment.

Mr. LESSARD of Androscoggin: Mr. President and members of the Senate: Here is another amendment to do away with another class of people. There may be some small hospitals perhaps who will feel the pinch if they have to pay a dollar an hour, but there are a lot of privately-owned rest homes, and privately-owned hospitals that charge pretty good — if you don't think so, try to get into them — and I am sure they can afford to pay a dollar an hour to the people who work there — forty dollars a week on a forty-hour week. I am sure they can pay that. I remember the argument of the good Senator from Sagadahoc, Senator Ross, sometime last week when he said that possibly some of these who cannot operate and pay a living wage should look around and perhaps discontinue business, or something of that sort.

This is just another amendment, as I said before, to offer the workingman a dollar, be very magnanimous and give him a dollar, and then bring in all these exemptions.

I don't know who is left. Probably it is the poor old fellow over at the Augusta House, the elevator man, and probably there is an amendment to take care of him. Let's not make him the only one out of a job. This simply bars everyone out by bringing in these amendments. If this be politics, believe me it has gone pretty low.

I ask for a division when the vote is taken.

Mr. MacDONALD of Oxford: Mr. President, I had an idea that I would file an amendment, have the bill tabled and file an amendment exempting everyone except those who had purple hair, but I do not think I will do it now. (Laughter)

Mr. BOUCHER of Androscoggin: Mr. President up to this point I have kept quiet. I had hoped that with the giving in on one amendment which I voted for to appease the Republican Party, that they would be satisfied. I notice by now that they are going to exempt everybody. I shall go out and have an amendment prepared to exempt the building trades so I will be able to pay whatever I want instead of paying \$1.50 or \$2.00, or \$3.50 for masons.

I have been here long enough to see the changes in the name on bills from Democrat to Republican. That is nothing new and I have no fight with that. You are the majority party and you want the credit for this bill, although I think we showed you the way a week ago. But you were wrong and the House decided to change it to one dollar. Now you are trying to kill this bill by kindness to everybody who is sick or infirm or young by exempting them under this bill. It is getting to be a farce, and I am ashamed of this legislature trying to do such a thing, trying to tell the working people of Maine that we are taking care of you, that we going to give you one dollar but are exempting 90 per cent of you so only 10 per cent will get the one dollar and the other 90 per cent will get whatever we agree on. I think this is a farce and I think we ought to be ashamed of ourselves, and I for one think that one dollar for everybody is low enough in the State of Maine.

Mr. ROSS of Sagadahoc: Mr. President, I am delighted that the

Senator from Androscoggin, Senator Boucher, admits that the Republican Party wants to be kind to the sick and the old people of the State of Maine. We certainly want to be kind to them. We do not, as I said, want to legislate them out of a job, and these amendments are certainly not affecting 90 per cent of the twenty-two, twenty-three or twenty-four thousand people that would have been covered in the first place. It is only a very small percentage of those people that we are going to exempt, and we want to exempt them rather than have them put out of their jobs when small business is forced to pay them one dollar which they really cannot afford to do.

Mr. HUNT of Kennebec: Mr. President, this is my first session here and I realize that I have many things to learn. I am wondering, if our good friends of the opposition were sincere, why some of these amendments were not suggested a week ago when the MacDonald bill was then being discussed. They certainly would have worked as well under that bill as under the present one.

In reply to a question that the good Senator from Sagadahoc, Senator Ross asked, I look at column 8 of the proof of April 30th, where the good senator said, "I favor the principle"—that is of one dollar an hour presumably — "but I believe that this amount of eighty cents is all our economy can stand."

Now I think we are entitled to know, because that seemed to be the sentiment of most of those who argued at that time for an eighty cents an hour bill, that our economy could not stand more; I still think we should know what has happened since then that our economy now can stand a dollar an hour when so many speakers a little over a week ago said that Maine's economy just could not stand more than eighty cents an hour. Also, I think it should be clarified for everyone here as to the effect that these exemptions have in connection with that statement. Do they feel that by putting on enough exemptions that it will make it cover so few that it will not seriously affect the State of Maine? Is that the purpose?

Mr. ROGERSON of Aroostook:

Mr. President and members of the Senate: I hesitate to speak on a subject which is in an area which I know too little about, however I would like to make it clear why I am supporting the amendments which have been offered.

First let me say that I have no illusions about the effects of the amendment or the exclusion to this bill, because in effect when you exclude certain workers you are subsidizing the consumer of goods and services at the expense of the workingman.

To illustrate that, let me point out that whenever you buy goods or services, incorporated in the price which you pay are all of the costs which are incurred in producing and delivering the goods to the consumer. In the case of the hospital service, you can see that the user of the hospital service is being subsidized at the expense of the working people if an exclusion or an exemption is made in that case, the same as in the case of grocery store people: if the people there are exempted then the consumer of the goods and services which they render are the ones who are getting the benefit.

Now in spite of the fact that we are subsidizing the consumers of goods and services at the expense of the working people, I am supporting these amendments because I am told that without these amendments the jobs of certain of them will be jeopardized. Now it is possibly true that if you do not exempt these people and it is necessary to mark the cost of the goods and services up enough so that the consumer can bear the extra load which would result from increasing the workers' salaries, it is true, possibly, that some of these businesses, being marginal, would go out of existence. So temporarily, at least, I feel we should support these exemptions which result in retaining jobs for certain people who might otherwise lose them, in spite of the fact that the true nature of these exemptions is to subsidize the consumer at the expense of the working people.

Mr. ROSS of Sagadahoc: Mr. President, I have just three points that at the present time I would like to make.

At the committee hearing when both of these bills were being heard, our good friend, the Senator from Oxford, Senator MacDonald, after due consideration, agreed to amend his bill down to eighty cents. At that time I certainly thought that we were going to get some bipartisan support and bring out a committee redraft. But they have changed their tactics, evidently, I know not why and I care not why.

The second point: It was said "Why didn't we offer these exemptions last week?" These exemptions would not have been necessary under the eighty cent bill. And remember, when we talk about the over-all economy, we are not talking about big business and industry where the people are now getting two dollars, two-fifty — and I even heard it mentioned by Senator Boucher that he was paying three dollars and a half — we are talking about the fringe economy, the economy that affects the secondary wage-earner not the primary wage-earner.

Mr. LESSARD of Androscoggin: Mr. President, we are not going to talk about the economy, we are not going to talk about what is involved. Let's talk about the poor employees who are employed in establishments of three or less employees; let's talk about employees working in private hospitals. What about them? You are asking them to live on less than forty dollars a week. Explain to me how they are going to do that. We are asking that they be given one dollar an hour, which, on a forty-hour week, would be forty dollars a week. Explain to me how you expect those people to get along. Perhaps they would be better off if they were out of a job than to have to work for fifty, sixty or seventy cents. Tell me: how are these people going to live on less than forty dollars a week?

Mr. BOUCHER of Androscoggin: Mr. President, according to Senator Ross of Sagadahoc we should go back to classes. He is going to have classes in workingmen; he is going to have a high-salaried working man and give him a good wage, and he is going to have an existence wage of one dollar for the ordinary man, and those who are old and sick and feeble will get what-

ever the employer wants to pay them. I do not call that progressive legislation; I call that going back to what I have already stated in the Senate several times, going back a hundred years to the civil war. People from other states call us backward, and they have reason to call us backward, because we are never up to the times. The motto of the State of Maine is "Dirigo," "I lead." Certainly we are far from leading on the question of a minimum wage.

We have spent an hour this morning and we spent several hours a week ago discussing this problem. Some of the Republican Party apparently have changed their minds and they are now willing to go to one dollar, but they want to exempt everybody or most everybody from the law. What is the use of the law if we are going to exempt everybody? A law, as I understand it, is for everybody in this state, not a few. If we are going to vote a one-dollar minimum wage let's vote a one-dollar minimum wage and let's not exempt anybody from that. They can pay more than a dollar if they want to, but let us not let them pay less than a dollar to the working person.

Mr. MacDONALD of Oxford: Mr. President and members of the Senate: I would like to inform the Senator from Sagadahoc, my good friend Senator Ross, that he is absolutely mistaken in his statement that I, after due consideration, said I wanted to go back to eighty cents. I said the first time I spoke on this bill before, that the chairman of the committee quite readily asked each one of us to make a statement on our bill. He did not tell us how to make it or what to say. And at that time I said that I might, after consideration, go back to eighty cents. That is in the statement to the committee. It didn't take me long to change my mind, because one of the men who spoke against both bills represented the Merchants Association, and he said this, if I remember correctly: that for the last six years, with the exception of five months, the cost of living has gone up, therefore the thing to do is to reduce wages. Now if that is not an asinine statement I would like to know what is. But

all through the committee hearing this was the position, directly or indirectly, that they took. So it was at that time that I began to find out what they were paying and what the conditions were. And within twenty-five minutes after I made my statement I definitely decided that I was going to stay with the dollar, and I told some of the people sitting alongside of me what I was going to do.

Now yesterday we spent an hour and a half talking about white perch, and they were very solicitous about white perch and they stated that they would get stunted if they did not get enough to eat, but no one seems to care about the children that will get stunted if they do not get enough to eat. It is the most asinine exhibition of legislation that I have ever listened to in here today, and it makes one absolutely disgusted.

Mr. BATES of Penobscot: Mr. President and members of the Senate: I must refute the statement made by the Senator from Oxford, Senator MacDonald. He presented his bill on an eighty cents an hour basis. At no time during the public hearing within my memory did he change his opinion, and even after the public hearings were over the Labor Committee followed my suggestion that Senators Ross and MacDonald be themselves a sub-committee of the Committee on Labor to come up with a redraft on the eighty cents an hour basis at which each bill was heard, the Ross bill and the MacDonald bill, at the time of the public hearing before the Labor Committee.

Mr. MacDONALD of Oxford: Mr. President, the good senator from Penobscot, Senator Bates, did appoint Senator Ross and I as a committee to work out a redraft, and and at that time I was taken down with the flu and I was home sick for over a week and I haven't seen the redraft yet.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Piscataquis, Senator Parker, that the Senate adopt Senate Amendment C. As many of those as are in favor of the adoption of Senate Amendment C will rise and remain standing until counted, and those opposed.

A division was had.

Fifteen having voted in the affirmative and thirteen in the negative, the motion prevailed.

Mrs. LORD of Cumberland then presented Senate Amendment D and moved its adoption.

Mr. ROSS of Sagadahoc: Mr. President, I hope that our good friends from the opposite party will view this in a little different light, because here is something entirely different; here is something that opens it up a little bit, because the present bill which they have agreed to adopt says that all waitresses and all waiters will be exempted. That was done because in the larger, better-established restaurants those waiters and waitresses make a major portion of their remuneration in tips, and so they did not want to come under the minimum wage. But I felt sorry for those persons in the smaller establishments where they get few gratuities and I thought something should be done. This amendment says that they must receive the major portion of their remuneration from tips before they will be exempt.

Mrs. LORD of Cumberland: Mr. President and members of the Senate: I feel that this amendment does help the waiters. They get good tips in most places, and if you do not have this amendment then their tips would have to be reckoned into their salary and it would be to their detriment. So I move adoption of the amendment.

Mr. HUNT of Kennebec: Mr. President, it seems to me that if the members of the opposition were really interested in helping the laboring man they might do more by going back to their eighty-cent bill without exemptions than to have this one with so many exemptions.

Mr. LESSARD of Androscoggin: Mr. President, I would like to ask a question through the Chair of the Senator from Sagadahoc, Senator Ross, who seems to be directing these amendments.

The PRESIDENT: The Senator from Androscoggin, Senator Lessard proposes a question to the Senator from Sagadahoc, Senator Ross, and the Senator may answer if he chooses.

Mr. LESSARD: Section 5 of this

bill provides for wages. Does not that provide for the computation of wages including tips, gratuities and commissions of every kind, and wouldn't it take care of it if you took out the words "waiters and waitresses" from Section C?

Mr. ROSS of Sagadahoc: Mr. President, originally, in the original bill, this section concerning waiters and waitresses was not included because I thought that they would be included under Section 5, but if all waiters and waitresses were included under Section 5 they would all come under the bill and they would all have to do things like declaring tips and so forth, and it is my opinion that is not the thing that the waiters want to do in the larger establishments. This helps the waiters in the smaller establishments.

It was mentioned by the good Senator from Androscoggin, Senator Lessard, that I seem to be directing these things. It was only because I originally presented it. It was supposed to be a committee redraft. It is not my original bill. I had hoped that it would be a committee redraft. But if I am guiding this it is only because I am the whipping-boy today, Senator Lessard, and I hope I can take it gracefully enough. But if you will look at Section C, I didn't prepare this amendment and maybe they did not intend to do this, but they have also taken out another category that was exempt under the original bill, because they have not included outside salesmen on a commission basis. So there is another reason why I would hope that the opposition party would go along with it because this is loosening the situation up.

Mr. CARPENTER of Somerset: Mr. President and members of the Senate: I can buy part of this amendment but I cannot buy the whole deal, and that is the last sentence, "service employees" which I assume would mean chambermaids. Chambermaids in our hotels and our various establishments are working for slave wages. I know that because I occupy one of the rooms at one of our nearby hotels. They are working for two dollars a day, sometimes eight or ten hours each day, for a minimum of fourteen

dollars per week. You may say they get some tips, but they get mighty few tips. I contend that they do have a tendency to make up a certain part of that establishment, and from that reason I certainly definitely will oppose this amendment because I feel that that particular category should be struck out of the amendment.

Mr. LESSARD of Androscoggin: Mr. President, I want to thank the Senator from Somerset County Senator Carpenter, because he brought it to my attention. That is the bill that takes care of the elevator man over to the Augusta House. (Laughter) I knew that there was going to be one somewhere and I didn't know where it was, but this is it, and I am glad that the good Senator called it to my attention. That is going to take care of the service employees, which would be the elevator man and the chambermaids and what have you throughout all these establishments, and they will be exempt. I don't know how many tips he gets, except a few tips on the races perhaps. I don't think he gets any cash. And so far as the chambermaid in the room, I don't know how many tips she gets either. I am going to make the motion that this amendment be indefinitely postponed.

Mr. ROSS of Sagadahoc: Mr. President, this amendment is certainly not an amendment to take care of the elevator operator because at the end of it it says that the major portion of his remuneration has to be in tips. If you think he gets the major portion of his remuneration in tips, I certainly do not believe it nor do I believe that the chambermaids do either, so that is why I shall oppose the motion of the Senator from Androscoggin, Senator Lessard.

Mr. CARPENTER of Somerset: Mr. President, in answer to my good friend, the Senator from Sagadahoc, Senator Ross, our chambermaid states that the average tips she receives from home roomers there is fifty cents per week.

Mr. HILLMAN of Penobscot: Mr. President and members of the Senate: I certainly did not intend to speak today, but when we bring in certain phases of the economy of

the State of Maine I think it is time that I get on my feet. I am a little disgusted with this Senate. I do not see why we should single out any one industry or any one place when we discuss this matter. Just so we can cool ourselves off for a few moments, I would like to tell you how I feel about the whole matter.

In the progress of history we have had the Stone Age, the Iron Age and the Machine Age and we are now living in the age of conformity, the age in which the quest for security has displaced opportunity. The accent is on the group; the individual is of little concern; the mass is all that matters. This false doctrine is shot through our whole economy. The end result of this type of thinking is to worship the government, to believe that it can do everything except anything wrong; that the unfailing way to find right and truth and justice is to take a popularity vote. We act as if the State can feed us when we are hungry, heal us when we are ill, raise wages and lower prices at the same time, educate our children without cost, that we need only to pass a law and sit back and be overwhelmed by all the goodness that it does. It is the difference in people that counts. The object of education is to develop your own talents to the best of your ability; it is not to conform. It is time that we used our common sense. Hard work, not legislation, makes production; production, not legislation makes prosperity. This legislature cannot amend the laws of economics any more than it can amend the law of gravity, and that is just what we are trying to do here today.

Senate Amendment D was read by the Secretary.

The PRESIDENT: The question is on the motion of the Senator from Cumberland, Senator Lessard to indefinitely postpone Senate Amendment D.

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

Thereupon, on motion by Mrs. Lord of Cumberland, Senate Amendment D was adopted.

Mr. Bates of Penobscot presented Senate Amendment E and moved its adoption.

Mr. BATES of Penobscot: On the assumption that there may or may not be any more exemptions, this is my attempt to express to the enforcement division charged with the responsibility of carrying through the provisions of this act, the proper working tools and I am reasonably certain that all of us would agree that public hearings and methods of procedure with respect to bringing matters to the attention of the enforcement division are perfectly proper.

Mr. LESSARD of Androscoggin: Mr. President, I would like to ask a question in regard to the amendment and just what it does. I will pose the question to Senator Bates. Does that propose that if there is a violation, the employee must file a written complaint before anything is done?

The PRESIDENT: The Senator from Androscoggin, Senator Lessard, has asked a question of the Senator from Penobscot, Senator Bates, and that Senator may answer if he desires.

Mr. BATES of Penobscot: Mr. President, this is the problem. A procedure whereby such a complaint in writing and brought to the attention of the department rather than a verbal complaint, a telephone complaint. It is something the department will be able to check on and find out the merits of the thing, it having been presented to the department in written form.

Mr. LESSARD of Androscoggin: Mr. President, according to the explanation that has been given to me by the Senator from Penobscot, Senator Bates, is that there will be no enforcement of this by the enforcement office except upon a written complaint by an employee. That is as I understand it. Now, if that is true, here is what is going to happen. You are going to have some person who is employed for less than the minimum. I don't know who that is going to be but there will be someone although a very few and unless he writes out a complaint and submits it to the Commissioner of Labor, then nothing will be done about it. If he feels that his job is insecure and that

he may lose his job then he's going to keep quiet about it and work for sub-standard wages. He is going to sit back and say nothing about it and nothing will be done. This really weakens the law up pretty good and believe me, the amendments are taking care and very good care of this so-called lost bill this morning. If it isn't dead now, it surely will be before things are over because first we exempt everybody and now we fix it so that the poor employee who perhaps would be entitled to it, unless he files a written complaint with the Commissioner of Labor, why then no case will be made, there will be no prosecution and everything will be kept quiet. That is putting the employee in a fine situation. I oppose this sort of law.

The PRESIDENT: The question is on the motion of the Senator from Penobscot, Senator Bates, that the Senate adopt Senate Amendment E.

A viva voce vote being had, the Chair was in doubt.

A division of the Senate was had.

Ten having voted in the affirmative and nineteen opposed, the motion did not prevail.

Mr. LESSARD of Androscoggin: Mr. President, now I am going to offer an amendment which is going to open this up a little bit. I now offer Senate Amendment F and move its adoption.

The Secretary read Senate Amendment F.

Mr. LESSARD of Androscoggin: Mr. President and members of the Senate, this amendment takes out the words "part-time worker working not more than 24 hours per week for any one employer." The reason why I want to urge that this be taken out of the law is because I can't see because a person works 24 hours or less he should be entitled to less money. A person who is employed and does an hour's labor should be just as much entitled to a dollar as a man who works more than 24 hours a week. I can't see why because he is unfortunate enough to be unable to be employed more than 24 hours that he should be penalized and be exempted and not come under the one dollar an hour wage. Now what

would happen? I know the purpose of this. The purpose is this: That they can put on two shifts. Some of these stores can take young people, young girls and young boys and work one shift for twenty hours a week and the other twenty hours a week, and pay them less than a dollar. That can be done very easily. That takes care of the high school boy and girl who have to work afternoons in a store. They are entitled to a dollar an hour. They are entitled to be paid for their work. They are entitled to live. Because a person is working less than twenty-four hours a week, he eats just much, he sleeps just as much. He has to pay the bills just the same. The electricity keeps on. Why should they be exempt? Why should they be paid less than a dollar an hour? I move that this amendment be adopted.

Mr. ROSS of Sagadahoc: Mr. President, in reply to my very good friend, the satirical rhetorician from Androscoggin, Senator Lessard, I would like to mention why it was put in in the first place. It was put in in the first place not to have another shift but, as I originally thought of it, it was put in to take care of people who were working in their homes on part time work. So, I would go along with your idea, my good friend, Senator Lessard, if you will do one more thing. You have bothered me on my comma-semicolon deal again. If you will put in a semicolon in place of that comma, I will be delighted to go along with it.

Mr. LESSARD of Androscoggin: Mr. President, I will agree to that.

Mr. WOODCOCK of Penobscot: Mr. President, after listening to both of these Senators, I certainly would go along with Senator Lessard's amendment. I just would like to ask a question whether or not it takes another amendment to amendment Amendment F to get that semicolon in.

Mr. LESSARD of Androscoggin: Mr. President, if the amendment is returned to me I will take care of the semicolon and the comma.

Thereupon, on motion by Mr. Ross of Sagadahoc,

Recessed for five minutes.

After Recess

The Senate was called to order by the President.

The PRESIDENT: The Chair is pleased to announce that we are being honored by a visit this morning by the Maine Mother of the Year, Mrs. Chessell A. Bryant Davis of Montville, accompanied by her daughter, the wife of the Senator from Waldo, Senator Cole and the Chair will ask the Sergeant-at-Arms to escort these two ladies to the rostrum.

This was done amidst the applause of the Senate, the members rising.

The PRESIDENT: On behalf of the entire membership of the Maine State Senate, it is a real pleasure to have Mrs. Davis here this morning and I would like to take this opportunity to read the citation from the American Mothers' Committee: "The American Mothers Committee, Inc.

"Devoted worker, who established on the solid foundation of motherly love a home and a life that are model in their every spiritual and material appointment;

"Who reared her children in reverence for God and in an atmosphere of love, sympathy and understanding;

Whose successful service to her own State and community have made her widely recognized for her self sacrificing efforts;

CHESELL A. BRYANT DAVIS
"Beloved by all who know her, is hereby honored by the American Mothers Committee, Inc., as the 1959 Mother of Maine

(Signed)

Lillian D Poling, President
American Mothers Committee,
Inc."

The PRESIDENT: The Chair is going to ask Mrs. Davis if she will say just a few words to the Senate.

Mrs. CHESELL DAVIS: I thank you very much for giving me this honor. I am honored this morning to be 1959 Mother of Maine, and I do not know any better state in the union than the State of Maine. I thank you again. (Applause)

Mr. CARPENTER of Somerset: Mr. President, In the Senate this morning is a young lady whom I

have known for many years. She was a roommate of my daughter at Oak Grove and she is the sister of our good President, Senator Reed. I would suggest that the President ask the Sergeant-at-Arms to escort Mr. and Mrs. Arthur Mraz to the rostrum, so that she may sit beside her brother and watch him preside over this Honorable Body.

The PRESIDENT: The Chair thanks the Senator and requests the Sergeant-at-Arms to escort Mr. and Mrs. Mraz to the rostrum.

This was done amidst the applause of the Senate, the members rising.

MR. MARTIN of Kennebec: Mr. President, may I inquire if L. D. 1339 is in possession of the Senate?

The PRESIDENT: The Chair would ask the Senator to defer since there is a pending motion before the Senate.

The question before the Senate is on the motion of the Senator from Androscoggin, Senator Lessard, that the Senate adopt Senate Amendment F.

Mr. LESSARD of Androscoggin: Mr. President and members of the Senate, I might state for the purpose of the record that in the amendment prepared by me was the semicolon which was discussed previously and it could have been changed to a comma at any time before presenting it. I do want to state for the record that I appreciate that a semicolon being where it is now and where it is on the amendment offered by Senator Ross had a great deal of significance because that exempted, by adding the semicolon, it exempted any children who attend school, whether it is high school or colleges and not referring back to if they went to summer camps and of course I am opposed and was opposed to that and opposed the amendment that was offered by Senator Ross of Sagadahoc. However his amendment was adopted and because of that I allowed the semicolon to go through. However, I just want it clear that I am opposed to exempting high school children, and college children who are employed on vacation time and I still feel that they should receive a dollar an hour like the rest of them. However, my amendment carries the semicolon.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Lessard, to adopt Senate Amendment F.

A viva voce vote being had, the motion prevailed.

Mr. ROSS of Sagadahoc: Mr. President, I move that the Senate reconsider its action whereby the Senate adopted Senate Amendment A. Senate Amendment A was the counsellor-summer camp deal, and my good friend, Senator Lessard of Androscoggin has so graciously agreed to compromise and give me one of my semicolons in exchange for part-time workers, I now move that Senate Amendment A be indefinitely postponed.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Sagadahoc, Senator Ross to indefinitely postpone Senate Amendment A.

A viva voce vote being had, the motion prevailed.

Thereupon, the bill, L. D. 1337, was passed to be engrossed as amended by House Amendment A House Amendment C, Senate Amendment B, Senate Amendment C, Senate Amendment D and Senate Amendment F in non-concurrence.

Sent down for concurrence.

Mr. MARTIN of Kennebec: Mr. President, I would inquire if L. D. 1339 is in the possession of the Senate?

The PRESIDENT: The Chair would state that it is, having been held at the request of the Senator from Kennebec, Senator Martin.

Mr. MARTIN of Kennebec: Mr. President, I would move that the Senate reconsider its action whereby it passed this bill to be enacted. In support of such motion I would simply say this. First of all I wholeheartedly agree with the high aims and high principles and high resolves of the people who put this bill together. I have not objected to the redraft and if my amendment which I later shall speak about is defeated, I shall vote for the bill. However it has come to my attention that perhaps an amendment to include a grandfather clause might be desirable. It is for this reason I make the motion that I do. I do not think the matter needs

to be debated very much because we all are familiar with the bill. So I would say that if you think a grandfather clause should be included, you should vote to reconsider. If not, you should vote against my motion.

Mrs. LORD of Cumberland: Mr. President, I rise to oppose the motion of the Senator from Kennebec, Senator Martin. I have quite a few reasons. I think this bill has had plenty of time for anyone who was interested to propose an amendment. It has been in the House and in the Senate. It was introduced in January. The Committee gave it every consideration. They redrafted the bill, brought it out in redraft with a unanimous report that the bill should pass. The objection that Senator Martin of Kennebec spoke about is taken care of in the bill; it goes to 1961 for these people to come in under it. I think this is time enough. I would not ask for a longer time. I think the unanimous report of the committee should be accepted.

I understood that this bill, having been signed by the President and having gone to the Governor would require a two-thirds vote to get it back and I do not understand how now, it can be brought up this way. Anyway, I oppose it.

The PRESIDENT: The Chair would state that L. D. 1339 was signed by the President, but it was not conveyed to the Governor's office by the Secretary.

Mr. BATES of Penobscot: Mr. President and members of the Senate. I am fully conscious of the courtesy ordinarily extended to any member of this Body, but I am also fully conscious of the fact that this particular document, of some fourteen pages, has been before the Committee at the largest hearing held at this statehouse during this legislative session and that all parties interested in this particular bill to my knowledge were given ample opportunity to express themselves, that the committee came up with some twelve major changes in the redraft and many minor changes and I think that at this particular stage of our legislative session, I am in a responsible position of saying that I have heard

nothing concrete in the way of opposition through anyone to whom I sent a redraft who originally had doubts or misgivings with respect to the document we saw in the first instance. I shall support the Senator from Cumberland, Senator Lord. I shall vote against the motion to reconsider.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Martin, that the Senate reconsider its action of yesterday, whereby it passed to be enacted L. D. 1339, bill, "An Act to Regulate the Practice of Nursing."

A viva voce vote being had, the motion did not prevail.

The PRESIDENT: At this time the Chair would like to welcome to the Senate Chamber a group of visiting school students, thirty members of the Corinna Grammar School, accompanied by their Principal, Mr. William Robinson.

On behalf of the entire membership of the Maine State Senate, it is my pleasure to welcome you folks here today. We trust that you will spend an enjoyable and profitable day here in the State Capitol. A very cordial and hearty welcome to all of you.

On motion by Mr. Woodcock of Penobscot,

Recessed until this afternoon at two o'clock.

After Recess

The Senate was called to order by the President.

On motion by Mr. Woodcock of Penobscot, the Senate voted to take from the table bill, "An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1960 and June 30, 1961" (S. P. 461) (L. D. 1313) tabled by that Senator on May 8 pending consideration; and on further motion by the same Senator, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; the same Senator moved that House Amendment C be indefinitely postponed.

The Secretary read House Amendment C.

The PRESIDENT: The pending question is: Shall House Amendment C be indefinitely postponed?

A viva voce vote being had, the motion prevailed and House Amendment C was indefinitely postponed in non-concurrence.

Mrs. LORD of Cumberland: Mr. President and members of the Senate, I would like to say that this does in fact propose to close the Sanatorium in western Maine, but before I signed this amendment, I was very careful to find out through the Commissioner that these people would be very well, and possibly better taken care of and clinics would be established so that any person could go to the clinic and be taken care of the same as they have been. This has been established and I think it will make for better care and perhaps the least important thing is that it will save the state perhaps \$197,000 in the biennium.

Mr. LESSARD of Androscoggin: Mr. President, I am in opposition to the adoption of this amendment. This amendment in effect closes Hebron Maine Sanatorium and I have given some study to the matter and I fully appreciate the circumstances surrounding the cost of maintaining this sanatorium. However, it has been of service to the people in my area and the people in other parts of Maine, and when we are dealing with human misery and people who are sick we must take into consideration something else besides money. After all, this sanatorium has been there for some number of years, many of the people who are patients there have been patients there for many years. It means that they will have to be removed to a sanatorium in another part of the state, inconveniencing them and establishing for them a new home. As I understand it, many of those who are presently patients there at Hebron do not want to be moved and will not be moved, and as a result perhaps will return back to their homes. While they may have access to clinics the conditions will perhaps not be so good. These people will return home and will circulate amongst their fellow citizens. It al-

so would inconvenience many relatives, brothers, sisters, fathers, husbands and wives of these people in the Hebron sanatorium who have been accustomed to go and visit them while they are sick in Hebron. It would mean that they would be traveling many more miles to Fairfield where the sanatorium will be in operation.

I feel that this amendment to close up Hebron sanatorium is really penalizing the people of this part of the state which I represent. This is not an attempt to centralize all the sanatoria because they will have other sanatoria in other parts of the state. This does not propose to close the others up, just the Western Maine Sanatorium. I do not believe that it is fair to penalize this part of the state to the detriment of the people who reside there. I appreciate that it will cost more money to operate Hebron sanatorium, but in dealing with this situation I am sure that the people of Maine would be willing to sacrifice in order that better or as good treatment may be given to people in the area rather than move it to another place. I do hope that this amendment is defeated, and when the vote is taken I ask for a division.

Mr. MacDONALD of Oxford: Mr. President, I oppose the motion because it includes closing of Hebron Sanatorium.

I have a letter from an old lady, eighty-two years of age, who is now living in the Hubbard House, South Paris. She tells me that she first became a patient at Hebron twenty-seven years ago, she was there for three years and she had left there, and now she is eighty-two and in poor health. She states in her letter that she likes to visit, go back there and visit the help and keep in touch with them. Her argument is that if they move parents a long distance away they could not be visited as regularly by their children as they could if they were in Hebron. This would penalize the people in my county. I think the happiness of these patients in seeing their parents, children and friends would be greatly stimulated, rather than have them put in some place where they cannot see them as frequently as if they were

in the Hebron Sanatorium. I oppose the motion.

Mrs. LORD of Cumberland: Mr. President, I realize that there may be some few people that this may hurt; it may be harder for relatives to call upon them and so forth, but I do also realize that in this day and age when the automobile is as plentiful as it is now they probably could get to see relatives if they are confined in the Fairfield sanatorium. I also know that in 1956 we had a professional survey made, and at that time the recommendation was to close Hebron for the reason that the buildings are inadequate and they are not safe. I do think that with this move they will get better care and they will be able to get more attendants who will be able to give them the rehabilitation that they need. I think that the situation of thirty-eight people with eighty personnel taking care of them is a pretty expensive thing for the State, but that is my least consideration: I think that the people will get better care in the Central Maine Sanatorium than they will at Hebron.

Mr. HILLMAN of Penobscot: I rise in support of the motion by the Senator from Cumberland, Senator Lord.

I remember eight or ten years ago hearing Commissioner Greenleaf, who was at that time head of the Department of Institutional Services speak at the church universal fellowship in Orono in regard to our sanatoria, and his recommendation at that time was that they should be moved to Fairfield. Now I have heard and I think all of the members of the Senate have heard Niran Bates, who is the head of the Bureau of Public Improvements, speak about the condition of the buildings at Hebron. In my estimation, if we are going to support our department heads we should support this amendment. I think that the people will get better care at Fairfield and I think it will be a great saving to the State of Maine. I cannot see why there would be opposition at this time to a saving which has been shown by the figures presented to both branches of the Legislature.

Mr. BOUCHER of Androscoggin: Mr. President, I rise to oppose the motion of the Senator from Cumberland, Senator Lord, for the simple reason that I do not think we have got the true facts before us.

We were told that we would save some million dollars in the biennium by the closing of Hebron. I have read in the paper articles which have proven that no such saving will be made: it will be nearer one hundred thousand per year than the amount that was originally stated. I cannot see where you can move those patients over there with the cost of moving them and take care of them at Fairfield for much less money than you do at Hebron. The buildings are already there and have been functioning for years and will function. The fact is that if the people are moved to Fairfield you will have to pay for extra travel and everything else, and in the final analysis I do not think there will be any savings at all. But there will be human misery, Mr. President, because a lot of those patients will not go to Fairfield, they will go back to their families and they will be carrying diseases and will create more patients for the sanatoriums on the State of Maine.

Along that line, let me cite a little personal fact. Back in 1929 I had a very close friend of mine who was ill and who had been to several doctors in Lewiston, but the net result was that the family doctor advised him to go to a specialist in Boston. I went along with him to that specialist in Boston and we were there a week. He was going there mornings and afternoons and getting a thorough check-up. The net result was that the specialist in Boston told him, "The only thing I can see that ails you is tuberculosis. You go back to Maine. You have experts up there. Go up to the sanatorium and have yourself checked and I think you will find that you have a touch of tuberculosis." We came back to Maine, and at that time I was constructing the patients' building, so-called at the Fairfield Sanatorium, so I made arrangements with Dr. Shaw who was in charge of the sanatorium at that time for a thorough examination. Within an

hour Dr. Shaw told me that without any question my best friend had tuberculosis and if he did not enter a sanatorium he would not have to because he would be carried to his grave. To make a long story short, I finally got him a week later into the Hebron sanatorium. He didn't want to go to Fairfield. He could have been admitted to Fairfield immediately but he did not want to go to Fairfield, he could not go to Fairfield. And today there are a lot of people in the State of Maine who do not want to be away from their families and who do not want to go there. The net result was that he was taken into Hebron, and for five years he was confined in Hebron and I every week took his wife and children up to see him, and according to the information I got, that is really the thing that cured him, the fact that he could see his wife and children every week during those five years, otherwise the man might have died. The man is still living today; he is an official of the City of Lewiston and he is very grateful that he could get into Hebron.

I know that is just a sentimental fact, but that case will be repeated time and time again. People do not want to go away from home. That is the main hardship of getting people into sanitoriums. They do not want to be separated from their families. They know they have the disease, they know they are carrying it, they know they will transmit it to others, but still they do not want to give up their family contacts. For that reason alone, are we going to economize on a few dollars to the great disadvantage of these poor sick people?

I think that the State of Maine can afford to carry Hebron for several more years without closing it, carry it for the benefit of the people in Cumberland, York, Oxford and Androscoggin who will be nearer to home at Hebron than they will at Fairfield.

Now if we are going to preach economy and if we are going to disregard human misery on account of a few dollars, then let us have one central sanatorium, not three, four or five; and not only sanitoriums but all of the other institutions that we have throughout

the state of the same nature; let us bring them all to one spot and economize. I say that it is very poor economy, trying to save on the sick and the weak. I can understand that we try to economize, and I am one of those who are economy-minded, but not at the expense of some poor suffering souls who can do nothing to help themselves but who are dependent on us to help them.

I have here petitions with over two hundred names and several telegrams. They are right here in my possession and if anyone cares to look at them they can do so. These are from people interested in keeping the Hebron sanatorium open. I do hope that you members of the Senate will not vote to economize a few dollars against suffering humanity.

Mr. COFFIN of Cumberland: Mr. President and members of the Senate: I rise in support of the motion of Senator Lord.

I had the privilege of visiting this sanatorium before coming to Augusta, and I believe that anyone who has had that privilege would agree with me that the buildings are in a very deplorable condition, and unless there are thousands and thousands of dollars poured into sanatorium in Hebron it is not a safe place to put our loved ones. As far as I could see, there were no sprinkler systems there; most of the buildings are built of wood and most of them are old. I feel that these people would get much better care at Fairfield, and I for one am going to vote for moving the sanatorium. Thank you.

Mr. LESSARD of Androscoggin: Mr. President and members of the Senate: The same arguments which have been introduced here by the Senator from Cumberland, Senator Lord, and the Senator from Penobscot, Senator Hillman, that economically it is more sound to have a sanatorium located in central Maine and patients transferred there should naturally apply also to every sanatoria located in the State of Maine. If that argument is sound, that the patients would get better treatment, then why do we not close them all up and return these patients to the Fairfield sanatorium? Why should we people in

the southern part of the state be the ones who are picked on for the noble experiment? If what they say is true, if t.b. patients are going to get better treatment, if the t.b. patients' relatives and loved ones are able to travel by automobile to Fairfield, why can't they travel from the northern part of the state and have their people placed there? I cannot understand why we should be penalized for the benefit of others.

I might say this in regard to the location of the Hebron sanatorium—and I am sure that many of you here have been there—that it is one of the nicest locations and one of the most beautiful places in the State of Maine; it overlooks the great hills of Oxford County and is a beautiful place. It is true that some of the buildings do need repair, but I do not think that that justifies closing it up. The buildings can be repaired and modernized. I know that we have under consideration now some legislation proposing setting up a new location for our State School for Boys. It may be that sometime in the future that the people in the sanatorium can be moved and that place might become a location for the State School for Boys. After all, you know that if the buildings are closed up they will deteriorate into practically nothing. I think it would do no harm to postpone this for another couple of years and make a further study of just what can be done and whether it would be better to have all of the patients taken to one sanatorium rather than penalize this section of the State of Maine.

Mr. HILLMAN of Penobscot: Mr. President and members of the Senate: In answer to my good friend, the Senator from Androscoggin, Senator Lessard, I think he has traveled over the State of Maine as much as I have and I think he knows the difference between the mileage between Fairfield and Presque Isle and Fairfield and Hebron. I think that is the answer to it. The question he proposes is the fact there is some difference in mileage. I think we should take one thing at a time. I think it is a step in the right direction in closing this one sanatorium, the reason for it being that on a mileage basis

there is a difference of a good many miles in the distance between the two institutions, the one in northern Maine which he referred to and the one in Hebron.

Mr. LESSARD: I don't know what the mileage is from Presque Isle down to Fairfield but I imagine it can't be much greater than the mileage from Kittery to Fairfield, and the patients at Presque Isle do not necessarily all come from Presque Isle. There must be some from the lower part of the county and perhaps some from the Bangor area. I don't know as there is much difference for people way down in York County driving up to Fairfield than we will say the people in the northern area driving down to Millinocket, we will say.

Mr. FARLEY of York: Mr. President and members of the Senate: I would like to second half of the story from the Senator from Androscoggin, Senator Lessard. I am going to vote against the motion of the Senator from Cumberland County, Senator Lord, but I will vote at any time that anyone will bring in a bill to consolidate the three sanatoriums and put them in one place where they really ought to be and where the patients will get better care and the state itself would save some money, I will vote for that. I hope that someone from either party will do that so we can have one and eliminate two, but I will vote with the Senator from Androscoggin, Senator Lessard.

Mr. BOUCHER of Androscoggin: Mr. President, it has been stated that Hebron Sanatorium is dilapidated, that it is a fire trap and that it is obsolete. Hebron Sanatorium is in the same condition as other buildings of the State of the same age. With maintenance Hebron Sanatorium can be brought up to par. As far as it being a fire-trap, I will say one thing, and I think that answers the fire-trap question. I do not know of a fire happening in the Hebron sanatorium in all the years that I recall, not one single fire. That is how much of a fire-trap it is. It does have wooden buildings, that is true, but the State has plenty of institutions with wooden buildings, and if they are maintained wooden buildings will last for hundreds of years. It

does not cost any more to maintain the buildings and the personnel at Hebron than it does in Fairfield and Presque Isle.

Now let's be fair about this situation. If it is real economy we are after, let's bring them all down to one spot, Augusta, Waterville, Fairfield or anywhere else in the center of the state, I don't care where. Why pick out Hebron Sanatorium? They have attempted to do it for the last eight years that I know of, to do away with the Hebron Sanatorium, without success, thank God, and I hope they have no more success this time than they have had in the past. Hebron Sanatorium is on a par with other institutions of the state; Hebron Sanatorium is needed as much as any other sanatorium in the State, and until such time as we are going to make new plans to have one central institution in the state I am opposed to any such move. It is very poor policy for the State of Maine to do away with the Hebron sanatorium. If we do we will soon realize in the near future that what we thought was a saving was just a calamity and an injury to the poor and sick people of Maine.

Mr. MacDONALD of Oxford: Mr. President, I just wanted to add that I had over fifty letters and telegrams from people in Oxford and Cumberland counties opposing the closing of Hebron sanatorium and I did not have one that favored it.

Mr. ROGERSON of Aroostook: Mr. President and members of the Senate: This subject of closing or not closing the sanatorium did not come directly before the Appropriations Committee in the consideration of L. D. 1313, but certain facts did arise as a result of hearings which our committee had which I think should be presented to the Senate at this time, because I think this is the sort of question which can easily be clouded by sentiment. I do not mean to indicate that sentiment does not play any part in the decision or solution to this problem, but I think that the facts should be considered first and that sentiment should play its appropriate part.

The first thing I want to point out is that the long-range plan for dealing with patients in the State

of Maine — and this is the plan which I understand was advocated by the Health and Welfare Department — is to close both Presque Isle and Hebron and to use a wing in connection with a general hospital for the treatment of patients now being treated at Western Maine and at Presque Isle. And in that connection, we have a bill before us to build a wing to the Fort Fairfield Hospital for the treatment of patients who are now being treated in Presque Isle. We had before us a bill for a wing adjacent to a hospital in Lewiston, which of course would have necessitated the closing of Hebron anyway.

Now the testimony which was presented to the Appropriations Committee in support of one of these bills indicated that conditions at Hebron were not at all good. Competent medical authorities all indicated that conditions there were very bad; all of the medical people who appeared before the committee, as I recall, advocated the closing of Hebron at any rate, whatever happened, because they felt that under the conditions prevailing there the patients were not getting the kind of treatment to which they were entitled. So if it is proposed by authorities who should know something about this matter that patients will be better off if treated under other circumstances than those which exist now, then it seems to me that the argument that we can consider the patient's welfare only by leaving them at Hebron is not a very valid one.

I think in dealing with a situation of this sort that quite often sentiment is the thing which finally prevails, and it seems to me the fact that these patients would get better treatment under the proposal than they are now getting should be considered.

Secondly, the people who appeared in opposition and who wanted to see the institution retained in Hebron were, for the most part, people who had economic interests in seeing that the institution was retained there. I recall one spokesman who indicated that one of the banks, or at least some bank in the locality, had some interest in properties owned by people employed at

the institution. Naturally enough, a proposal for moving this institution would concern those folks. Other spokesmen represented people employed at the institution, and of course any group of employees who are faced with the dislocation which will result from changing the institution from that site would naturally enough be concerned; but nowhere along the line did we find any evidence that the patients would be benefitted by continuing to stay on and to be treated under the conditions which exist there now.

Now the savings I have come to last, and I think that is the proper place to put it, because savings is not the important thing. Savings of \$190,000 in this biennium are certainly worth considering, but I think the important thing to remember in this connection is the saving for this biennium. The budget for the Western Maine Sanatorium for the next biennium is in the vicinity of \$900,000, and naturally enough, if the institution were closed and only custodial help retained there, and with the small expense of keeping the buildings maintained and perhaps heating them, it can be seen that this \$190,000 saving would be substantially increased in subsequent years.

So I think, in consideration of the fact that the patients would get better treatment if moved, and in consideration of the fact that there was no evidence of any good reason to keep the institution open, and finally because of the savings which will exist in this biennium and the increased savings in the next biennium and subsequent bienniums, it seems to me that we should support the motion of the Senator from Cumberland, Senator Lord.

Mr. LESSARD of Androscoggin: Mr. President, the Chairman of the Appropriations, Senator Rogerson, stated that evidence was given before the Appropriation Committee and the question was evidently considered in regard to the closing of the Western Maine Sanatorium, yet when the bill was reported out "Ought to pass" unanimously that was not deleted from the recommended budget, therefore somewhere in that committee someone must have decided that they should

keep it open, and it was amended in the other body to delete it.

Now he refers to the fact that there has been before this legislature legislation for the construction of a wing in the Lewiston area. If I am correct, I think that bill has gone down the drain; I think that it has been tossed out of the window and no longer exists before this legislature. However, I do recall that the one for building the wing at Fort Fairfield is still very much alive. Or is that dead too? Anyway, so far as that argument in regard to building wings to take care of these people, it evidently does not look as if we are going to have it at this session, and therefore they are going to have the Western Maine Sanatorium at Hebron closed while the people in the northern part of the state, at Presque Isle or wherever it might be, are going to enjoy the privilege of having their loved ones there where they will be able to call on them, whereas the people in the southern part of the state will have to travel many more miles to visit theirs at Fairfield.

I would like again to express my thought about the State School for Boys. I think that sometime or other the buildings can be taken care of and used at Hebron. So I do not think that we will lose anything if we allow this to stay open perhaps until the next legislative session. It may be economically wise to do so and keep the place occupied rather than allowing it to deteriorate. I do hope that my colleagues in the Senate will defeat the motion of the Senator from Cumberland, Senator Lord, at least for the present to give an opportunity for more study as to whether we should have a single central sanatorium to take care of all of these patients in Maine.

The PRESIDENT: The question is on the motion of the Senator from Cumberland, Senator Lord, that the Senate adopt Senate Amendment A to L. D. 1313, and a division has been requested.

A division of the Senate was had.

Fifteen having voted in the affirmative and ten opposed, the motion prevailed, Senate Amendment A was adopted, and the bill as

amended was passed to be engrossed in non-concurrence.

On motion by Mr. Parker of Piscataquis, the Senate voted to take from the table the 40th tabled item being "Resolve in Favor of Lloyd Moore of Gouldsboro." (H. P. 538) (L. D. 773) tabled by that Senator on April 23 pending final passage; and on further motion by the same Senator, the Resolve was finally passed.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table the 68th tabled item being House Report from the Committee on Legal Affairs: Ought to pass, on bill, "An Act Revising Election Provisions in Charter of City of Lewiston." (H. P. 844) (L. D. 1207) tabled by that Senator on May 7 pending acceptance of the report; and on further motion by the same Senator, the ought to pass report was accepted in concurrence, the bill read once, House Amendment A to House Amendment A was indefinitely postponed, House Amendment A to the bill was indefinitely postponed; House Amendment B was indefinitely postponed; and the same Senator then presented Senate Amendment A and moved its adoption.

The Secretary read Senate Amendment A.

Thereupon, Senate Amendment A was adopted, and the bill as amended by Senate Amendment A in non-concurrence, was tomorrow assigned for second reading.

On motion by Mr. Bates of Penobscot, the Senate voted to take from the table the 73rd tabled item being, House Reports from the Committee on Labor on bill, "An Act Relating to Contributions Under Maine Employment Security Law." (H. P. 500) (L. D. 713) tabled by that Senator on May 8 pending acceptance of the majority report.

Mr. BATES of Penobscot: Mr. President and members of the Senate, the pending motion would be acceptance of the Majority ought to pass report of the committee. The majority of the committee had a definite feeling that the section of law with which this particular

law deals is now antiquated and that there are provisions already in the law to take care of it.

This proposal deletes the provision whereby the Commission must increase all rates to 2.7 per cent if the benefits paid during the first six months of a calendar year equal to or exceed 4.5 per cent of taxable wages reported by employers during the same period. During the first six months of 1958, the agency came within one million dollars of this factor based on present benefit formula. It would cost over five million dollars to employers if that level had been reached.

Section 17, Subsection IV, B, (page 42) of the law provides for a gradual rate increase based on the amount in the trust fund. In addition, Subsection "D" of this same section, in part, still provides authority for the Commission, after due hearing, to reestablish all rates at 2.7 per cent if an emergency exists and if the benefits currently being paid would seriously impair the fund.

We contend the proposed deletion would not affect the solvency of the fund and should be favorably considered, as the 4½ per cent factor was based on maximum benefits of \$400.00 as compared with present maximum benefits of \$858.00.

Even though the trust or reserve fund amounted to 100 million dollars, benefits paid during the first six months could exceed 4½ per cent of taxable wages.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Bates, to accept the Majority ought to pass report on L. D. 713.

The motion prevailed, the majority ought to pass report was accepted in concurrence, the bill read once and tomorrow assigned for second reading.

On motion by Mr. Bates of Penobscot, the Senate voted to take from the table the 86th tabled item being bill, "An Act Relating to Petition for Review of Incapacity under Workmen's Compensation Act." (H. P. 955) (L. D. 1355) tabled by that Senator on May 13 pending enactment.

Mr. BATES of Penobscot: Mr. President and members of the Senate, I hope you will smile with me when you realize that this was one of the items which came out of the Labor Committee with a unanimous ought to pass report. It came out in new draft form and in an attempt to satisfy the sponsors of the bill. I am now informed by the sponsor of the bill that he is not satisfied and wishes this bill to be indefinitely postponed. I tabled it until I checked with other parties who might be interested and find out that there is no interest in it. I am also informed that the sponsor of the bill will agree to recede and concur and I therefore move that this item be indefinitely postponed.

Thereupon, the bill was indefinitely postponed in non-concurrence.

On motion by Mr. Wyman of Washington, the Senate voted to take from the table the 83rd tabled item being bill, "An Act Relating to Tolls on Bridge Across Jonesport Reach." (H. P. 190) (L. D. 282) tabled by that Senator on May 12 pending motion by Senator Parker of Piscataquis for Adoption of Senate Amendment A; and the same Senator moved the pending question.

The Secretary read Senate Amendment A.

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

On motion by Mr. Dow of Lincoln, the Senate voted to take from the table Item 1-6 on Page 2, being House Report from the Committee on Appropriations and Financial Affairs: Ought to pass, on bill, "An Act Relating to National Defense Education Program." (H. P. 383) (L. D. 566) tabled by that Senator earlier in today's session pending first reading.

Mr. DOW of Lincoln: Mr. President, I tabled this item by mistake thinking it was Item 1-13 which I subsequently tabled. Therefore I move the pending question.

The motion prevailed, the bill was read once and tomorrow assigned for second reading.

On motion by Mr. Weeks of Cumberland, the Senate voted to take from the table Item 1-1 on Page 1, being bill, "An Act to Authorize the County Commissioners of Cumberland County to Issue Bonds for Construction of a County Jail." (S. P. 264) (L. D. 677) tabled by that Senator earlier in today's session pending consideration.

Mr. WEEKS: Mr. President, what is the pending question?

The Secretary read the endorsement on the bill.

The PRESIDENT: The pending question would be to recede and concur, or to reconsider engrossment.

Mr. WEEKS: Mr. President, I move the indefinite postponement of House Amendment B.

Mr. MacDONALD of Oxford: Mr. President, I would like to pose a question, through the Chair, to Mr. Weeks of Cumberland. What does House Amendment B do to the bill? What changes does it make?

The PRESIDENT: The Senator from Oxford, Senator MacDonald, poses a question, through the Chair, to the Senator from Cumberland, Senator Weeks, and that Senator may answer if he desires. In case the Senator could not hear, the question was what does House Amendment B do to L. D. 677?

Mr. WEEKS of Cumberland: Mr. President, House Amendment B injects into this bill a new element of damages in reference to taking by eminent domain, that in the process of taking, the taking power will also pay the cost of moving tenants who may be displaced and also pay the cost for moving places of business which may be displaced.

Mr. COFFIN of Cumberland: Mr. President and members of the Senate, I am speaking in opposition to my good friend, the Senator here on my left. I believe in the place where the jail is planned to be put, there are a great many people here that live in more or less of a congested area and they are people that cannot afford to move around at their will. Therefore I believe that this is a fair piece of legislation. Actually it calls for the expenditure up to \$100 for moving a family. That doesn't particularly mean that they are going to give them a flat rate of a hundred dol-

lars. They are expected, as I understand it, to present the bill and so forth for the cost of moving. However, I understand it too, it costs twelve dollars an hour for a moving truck in the city of Portland whereby they are supposed to show proof of evidence of the cost of moving. It doesn't seem to me that it would be too much to consider to pay for moving. So I will go on record as disagreeing with my good Senator on my left. Thank you.

Mr. WEEKS of Cumberland: Mr. President, there is very little to be said, Mr. President and members of the Senate, about this provision. It is novel in so far as the laws of the State of Maine are concerned, and if you in your wisdom want to allow it up to a hundred dollars for displacement costs and up \$2500 for business costs, it is your decision to make. It will be a new provision in the laws of the State of Maine.

Mr. LESSARD of Androscoggin: Mr. President, I would like to ask a question of the Senator from Cumberland, Senator Weeks, through the Chair. Does the federal law have these provisions to take care of this?

Mr. WEEKS: Mr. President, I understand that in the federal law there is a provision to take care of some displacement costs.

Mrs. LORD of Cumberland: Mr. President and members of the Senate, I think that there should be a provision to help these people who have to move from one place to another, to help them and see they get a place to live in. I think there is no reason why Cumberland County should have to carry this cost when they don't have to in any other part of the state.

Mr. COFFIN of Cumberland: Mr. President, I do not believe that these people want a charity organization to be moving them around. So I am sorry I will have to disagree with the Senator on my right.

Mr. FARLEY of York: Mr. President, I am going to vote against the amendment. I don't believe the delegation from Cumberland County has put the amendment in the right place. It should be on another bill pertaining to salaries, and this and that, and I do think that they

have power under the statutes of Maine to do this. We did the same thing over in Kennebec in a small way, and we did it in Androscoggin. I signed the unanimous ought to pass report and I am going to stand by my signature on that. I think the county commissioners should have the power.

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

A viva voce vote being doubted by the Chair,

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

Thereupon, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

On motion by Mr. Coffin of Cumberland, House Amendment B was adopted in concurrence.

The Secretary read House Amendment A to House Amendment C.

Mrs. LORD of Cumberland: Mr. President, I would like to move indefinite postponement of this amendment. I think it is the first time in the memory of state officials that a county has had to ask to have a referendum.

I know that when our fellow delegates met in regard to this bill we all agreed that it should be passed as it was written. I do not think that we should have to have a referendum. The wording of this referendum says that this act will come up at a time when the bond issues are the only issues; there won't be any election this year, so I feel it will be a very small vote. It says it must have twenty per cent of the total vote for the candidates for Governor at the preceding gubernatorial election.

Now if this amendment is carried and we do not get a chance to have this jail built we will lose it, and I think everybody knows that we need a new jail, there is no question about that. It has been on the front pages of the papers and has been fully publicized. The jail is in very poor condition and is not a fit place to keep prisoners. I think that we should not have to

have this referendum question and hold proceedings up until after this vote, so I move that this amendment be indefinitely postponed.

Mr. COFFIN of Cumberland: Mr. President and members of the Senate, I rise to disagree with my compatriot here on my right, the Senator from Cumberland, Senator Lord. I feel that an amount of money of \$1,350,000 is large enough and ought to go to the people for them to decide. I have also made up my mind that on all referendum questions coming before us, I am going to vote for them and this is not going to be an exception. I am not questioning the conditions of the jail. However, I don't think a year or two years will make too much difference but I do feel this: I think the people should be informed of the increases we are going to be expected to pay in Cumberland County. We build a jail about once every hundred years in Cumberland County, and it almost seems to me that an item as important as the jail seems to be, we should give the people the right to decide whether they want to put this amount of money into the jail. I have here a report on the conditions and so forth in the jail, which I am not going to go into because as Senator Lord has said, it has been quite highly publicized in the last few weeks in the newspapers.

However, in reading over this report by Sheriff Jones, he has painted a very much better picture than I read in the newspapers. I am not going to bother you with that picture. However, I definitely disagree with Mrs. Lord of Cumberland. Thank you.

Mr. ROSS of Sagadahoc: Mr. President, I have a question I would like to pose, through the Chair, I guess to the Secretary. The amendment that we are talking about now, is that under Filing Number 368?

The SECRETARY: The Senator is correct.

Mr. ROSS of Sagadahoc: Mr. President, now I have another question. This time to Senator Lord of Cumberland. She had in her hand, Amendment Number 241. Which amendment was she talking to when she talked.

The PRESIDENT: The pending motion is for the indefinite postponement of House Amendment A to House Amendment C.

Mrs. LORD of Cumberland: Mr. President, I was talking to Amendment No. 368. I would like also to say that the slum clearance development in Portland will be very much hindered if this jail is not moved. It is in the section that they are about to rehabilitate and for this reason I would hate to see this bill killed or amended to this amount so we could not go on with the new development.

Mr. FARLEY of York: Mr. President and members of the Senate, once again I am going to vote for the amendment. My main reason in doing these things and standing here is I fought in the Committee on Towns and Counties for some of the Cumberland County delegations to remove eminent domain. They wanted it out of there and I attempted to do it and was defeated. I later on spoke to a lawyer from the city of Portland, Mr. Barney Shur as to whether or not the city of Portland needed a jail. He then told me that the city of Portland needed the jail and that the city of Portland paid 53 per cent of the county tax and they would have to assume the rest if they couldn't get a raise because they needed a new jail in the city of Portland.

Probably it is unfair to make some of the remarks that have been made. It was disgraceful to see those things that were in the newspapers. I am only going to take the stand I took in the committee in sending it out ought to pass with my name signed to it.

Mr. WEEKS of Cumberland: Mr. President and members of the Senate, of course it is unnecessary for me to remind anyone that the county of Cumberland is the sub-station which has been created for the carrying on of the duties which fundamentally are those of the state; just the same as a city in a small way. A county is directly under your control. The county is keeping prisoners because it is their obligation. It is also suggested to you that never has there been, so far as I can ascertain, a county referendum. It is not impossible. We can have one if we want one but

there never has been one and I doubt very much if a county referendum would be favorable upon this particular issue.

After all we are going to ask the people of the city of Portland to pay, I believe it is 51 to 53 percent. My city of South Portland will pay the balance and I can imagine what the voters will do in all those communities.

Now if you believe in the first instance that the jail situation is such that it shouldn't be tolerated any longer, if you feel that it has outlived its usefulness and that we should erect a more modern structure located somewhere, then I think it is your responsibility to pass a bill out and give the authority to borrow the money to build the jail. It is your responsibility and not one that should go back to the people because if you believe these facilities should be improved, it is up to you to say so now.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Lord, that House Amendment A to House Amendment C be indefinitely postponed.

A viva voce vote being had, the Chair was in doubt.

A division of the Senate was had.

Six having voted in the affirmative and fifteen opposed, the motion did not prevail.

Thereupon, on motion by Mr. Coffin of Cumberland, House Amendment A to House Amendment C was adopted.

On motion by Mr. Weeks of Cumberland, House Amendment C as amended by House Amendment A was adopted.

The Secretary read House Amendment D.

On motion by Mr. Weeks of Cumberland, House Amendment D was adopted.

Thereupon, the bill, L. D. 677, was passed to be engrossed as amended in concurrence.

There being no objection, all papers ready for House action, were ordered sent to the House forthwith.

On motion by Mr. Woodcock of Penobscot

Adjourned until tomorrow morning at nine-thirty.