

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One-Hundredth Legislature*

OF THE

STATE OF MAINE

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AUGUSTA, MAINE

**SENATE**

Tuesday, May 23, 1961

Senate called to order by the President.

Prayer by Rev. Alfred H. Ives of Gardiner.

On motion by Mr. Farris of Kennebec, Journal of yesterday was read and accepted.

Mr. NOYES of Franklin: Mr. President, I present an Order and move its passage and I would like to explain that one of the clerks is in the hospital and it is necessary to hire a clerk for a temporary period.

The Secretary read the Order.

ORDERED, that the Secretary of the Senate, with the approval of the President, be authorized to employ such secretarial assistance as may be necessary to complete the clerical work of the session.

Which Order received a passage.

**Second Readers**

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

**House**

Bill, "An Act Relating to Unprotected Wells." (H. P. 1131) (L. D. 1558)

Which was read a second time and passed to be engrossed in non-concurrence. (House Indefinitely Postponed)

Bill, "An Act Relating to Appointment of Director of Indian Affairs and Planning Board for the Penobscot Tribe." (H. P. 1166) (L. D. 1607)

Resolve, Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions. (H. P. 1163) (L. D. 1604)

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

**Senate**

Resolve, Authorizing State Highway Commission to Study Feasibility of a Bridge Across the Damariscotta River. (S. P. 285) (L. D. 886)

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

solve substituted for the Com. Report).

Sent down for concurrence.

**Orders of the Day**

The President laid before the Senate the 1st tabled and today assigned item (S. P. 311) (L. D. 899) bill, "An Act to Transfer Northern Maine Sanatorium to Central Maine Sanatorium"; tabled on May 18 by Senator Edmunds of Aroostook pending assignment for second reading.

Mr. EDMUNDS of Aroostook: Mr. President, the amendments I am having prepared for this bill are still not ready and I would like to retable this item and especially assign it for Thursday of this week.

The motion to table and assign prevailed.

The President laid before the Senate the 2nd tabled and today assigned item (S. P. 295) (L. D. 906) bill, "An Act Relating to Zoning in the City of Lewiston"; tabled on May 22 by Senator Couture of Androscoggin pending enactment; and that Senator moved the pending question.

Mr. FARRIS of Kennebec: Mr. President, if I recall correctly, this is an item in which the Senator from Androscoggin, Senator Jacques, is interested, particularly in his position as Mayor of the city, and he has discussed this with me. I think there is something he wishes to say and I move that the bill be retabled until later in the day, when the Senator is here.

The motion to retable prevailed.

The President laid before the Senate the 3rd tabled and today assigned item (H. P. 821) (L. D. 1136) bill, "An Act Clarifying Electricians Licensing Law"; tabled on May 22 by Senator Porteous of Cumberland pending enactment; and that Senator moved the pending question.

The motion prevailed and the bill was enacted.

The President laid before the Senate the 4th tabled and today assigned item (H. P. 461) (L. D. 661) House Report from the Committee on Business Legislation on bill,

"An Act to Regulate Issuance of Trading Stamps"; Majority report, Ought not to pass; Minority report, Ought to pass; tabled on May 22 by Senator Edmunds of Aroostook pending motion by Senator Brown of Hancock to accept the Majority Ought not to pass report; and that Senator yielded to the Senator from Somerset, Senator Sampson.

Mr. SAMPSON of Somerset: Mr. President, I move that Senate accept the Minority Ought to pass report.

The PRESIDENT: The Chair will inform the Senator that the motion pending before the Senate at the present time is the motion of Senator Brown of Hancock to accept the Ought not to pass report of the committee.

Mr. SAMPSON of Somerset: Mr. President, I move that the bill, H. P. 461, L. D. 661, An Act to Regulate the Issuance of Trading Stamps, be retabled until later in the day.

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

The PRESIDENT: The Chair would like the privilege of the Senate to skip over the first ten tabled matters. It would be a repetition of yesterday and we will proceed with Item 11 on Page 4. Is this the pleasure of the Senate? It is a vote.

The President laid before the Senate the 11th tabled item (H. P. 977) (L. D. 1364) House Report, Ought not to pass, from the Committee on Highways on bill, "An Act Transferring Working Capital Fund of Highway Garage to General Highway Fund"; tabled on May 5 by Senator Stanley of Penobscot pending acceptance of the report.

Mr. STANLEY of Penobscot: Mr. President, Item 11 on page 4 is an act transferring working capital fund of the highway garage to general highway fund. In the highway setup they have a highway garage account which presumably is the funds in this account which are used to buy equipment. This is set up as sort of a lending agency for the highway department something like an Avis Rent-a-Car or Hertz Rent-a-Car deal for the high-

way department. It is not included in the general highway unappropriated surplus. It is a special account.

This bill would transfer that account back to the general highway unappropriated surplus. At the present time there is in that account, \$1,404,000 which they have invested in bonds. The Highway Department has used bonds for years, deficit financing, you might say, for building highways, and it seems to me a little ridiculous that we would be investing funds of the Highway Department in bonds which actually return to the state less money than we are paying on the bonds which are issued to build highways.

The Department says that they use this fund to buy equipment. The actual account was set up in 1958 and the first deposit was for \$6,000. Since that time it has grown to \$1,404,000 and only once since 1958 has there been a withdrawal and that was for \$200,000. Whether that \$200,000 was used for buying equipment or not I do not know, but it does show that only once since 1958 has there been any money withdrawn from this particular account, so it shows that they do not use it for buying equipment. The Highway Department tells me that they buy equipment in the spring and in the fall and only once since 1958 have they withdrawn any money and that was \$200,000 and it shows on the account that at the time they withdrew that \$200,000 there was something like \$12,000 charged up to loss on the sale of bonds, assets.

This particular item would help the financing of many of the bills in this legislature. We are taking the tolls off some of the toll bridges; it costs us money for the operation of ferry service. If we remove this million dollars or a goodly portion of it \$1,404,000 in fact, if we remove that to the general unappropriated surplus of the general fund then it would be available for allocation in the next two years. As it is now, it is kept as a special account. It is sort of a leasing agency for the Highway Department. They have made money on this setup and have in-

vested the money, which is a fine thing, to invest the money, but it does seem a little strange to me that we should be investing money when we are floating bonds to build highways, and the return on the money we have invested is less than what we pay in interest on the money that builds the highway. So it would appear to me that this was a good bill, would give us an opportunity to use this money for several of the bills that are in this legislature and would help out the general unappropriated surplus of the highway fund which they feel is getting down to a point which is lower than they would like to have it, even though it will be around four million dollars at the end of the biennium.

This would increase that by a million dollars roughly, so I would move that we substitute the bill for the report.

Mr. COLE of Waldo: Mr. President and members of the Senate, I would like to explain a little further the setup of the highway garage which is a self maintained department similar to many cities and towns throughout the state and throughout the country. This is an operating account set up principally for equipment you might say the million-four, the exact figure I might quote as of May 1st, \$1,437,435. This is as I said before, a self operating account. It has to do with equipment, buying new equipment and setting up reserves for this equipment as it wears out over a period of years, and I might say that varies because of different type of equipment that we have in the state garage. This is something that 11 corporations set up and there have been three outside consultants, engineering consultants giving this special account the once over, once by the Legislative Research Committee of the last legislature which was the Ebasco Associates which made their report to the legislative research committee and they in turn to this legislature and they found nothing wrong. In fact they thought very highly of the setup. We also have had it surveyed by the John Deibould Associates. They specialize in equipment,

equipment reserve and depreciation. They too gave this a good, clean bill of health. And the last outside survey was the Wilbur Smith Associates and I believe that also was reported to this legislature and that too gave a clean bill of health so I feel that this department is self-maintained; it pays its own employees; it buys the supplies and equipment and operates on its own.

Getting back to the small withdrawal and the fact that they have not withdrawn much from the original investment because of the fact that they wanted to get the equipment reserve up to a point where it was self maintaining and the Highway Commission notified the Governor and Council that it had arrived at that point so in the future there will be no requests from the Governor and Council for equipment.

Now the million-four in round figures, the balance of May 1st has been changed somewhat through obligations for equipment as of May 1st which was for equipment necessary to take care of our interstate highway that has just been opened the last year, and that is mowers, and rollers, and tractors and loaders and distributors which amounted to some \$117,000. Also as of May 1st, obligations for supplies which are bought quarterly and this is for gas, oil, supplies, tires, steel cutting edges for plows which have to be maintained and put back in order for service this fall, which amounts to \$297,000 or a total of \$415,000 which taken from the million-four leaves as of today approximately a million dollars. Now, it is true this money is invested and I am sure we would have real cause for criticism if it wasn't invested. It is true that the interest is not quite as much as that we have to pay on our bonds for highway construction because of the short term notes that we buy. It doesn't carry the same rate of interest that a long term note would pay.

It is generally understood that the necessary cash balance for the garage should be at least \$450,000 to pay for the salaries and the operating costs so you see you have

but a little left. The annual payroll is approximately \$800,000. In view of the fact that we have had three outside consultants give this a clean bill of health and something that practically all the cities within our state are doing, I can see no reason for changing. Once you abolish this account, then you in turn would have to set up your operating funds for your employees and equipment and I might say that our equipment in the state garage is at a point where I think we all can be proud of it. It is not in the condition it has been for many years in the past. We have arrived at a point where we all can be proud of this equipment.

Mr. President, I move the indefinite postponement of this bill.

Mr. FERGUSON of Oxford: Mr. President and members of the Senate, I rise in support of the Senator from Waldo, Senator Cole, in regard to this bill transferring working capital funds to the general fund of the Highway Department. It has been pointed out that the Highway Commission does invest their funds. I think this is reasonable and proper that they should do this and certainly we don't have any more in that fund now than we should have. It is a very fine thing and we ought to be very proud of it that we are operating this department on a small profit basis. You will notice that a good many of the municipalities are doing this very same thing, setting up capital improvement funds to carry on to buy equipment as it becomes obsolete and keep a good highway program in operation. You will find out that the municipalities that are not doing this type of programming, they find themselves in real serious trouble. They find themselves without equipment, with no money to buy it and certainly I hope that the Senate will go along with the motion of the Senator from Waldo, Senator Cole for the indefinite postponement of the bill.

Mr. STANLEY of Penobscot: Mr. President, I have no quarrel with the setup of the Highway Garage account. My only quarrel is with the fact that they do show a profit

and it is in bonds paying less money than it costs us to float bonds. If they are making money in this process, then it should go into the unappropriated surplus of the highway fund for use buying vehicles or whatever they need for the operation of the Highway Department. I have no quarrel with the setup but any profits from the rent-a-car business which they have should go into the general unappropriated surplus of the highway fund. I am sure that the auditor's reports would give them a clean bill of health because the setup is good. It shows a profit and all of the accounts are accounted for. Everything is accounted for so they would have a clean bill of health. I don't believe that the auditors would make recommendations as to changing the thing because it is showing a profit but someone should make a reservation that it be changed because the general public knows nothing of what goes on in this account. We have a highway budget, the allocation fund which went through here without any debate whatever. There was no question on it. We had a caucus on it. So the general highway bill has gone through this legislature. It has been signed by the Governor and I don't remember anyone ever debating it or saying a word about it.

Somebody should point out to the people of the state that this is available and should be in the general highway unappropriated surplus because it is a profit which the State of Maine has made on the operation of renting equipment and should go for the making or building of highways rather than buying or floating bonds which we have to pay interest on. This setup, as I said before, is a good setup. I like it, but any profit from it should go into the general unappropriated surplus of the highway fund.

Mr. COLE of Waldo: Mr. President, I would like to explain a little bit further that there at this point is no profit. The million-four which is reduced now to approximately a million is capital reserve for new equipment as the

old equipment deteriorates and wears out over the years, this is a fund to replace it. If we find that we are making a profit then the only change I personally would recommend would be that we reduce the hourly rates that are charged against each piece of equipment. If our rates are too high so we are building up a sum larger than necessary to replace that type of equipment then by all means we should reduce the rental fees for that piece of equipment, so I see no profit whatever in the operation. And, Mr. President, when the vote is taken I ask for a division.

Mr. STANLEY: Mr. President, may I speak again on this subject?

The PRESIDENT: The Senator may speak again; he has only spoken twice.

Mr. STANLEY of Penobscot: Mr. President, I wonder if the Senator from Waldo, Senator Cole, would be willing to tell the Senate as of May 1, how many bonds we own right now of the \$1,404,000 which was as of February 28th, have we sold those bonds to bring it down to a million dollars or did I hear the Senator say that that amount is now \$1,437,000?

The PRESIDENT: The Senator from Penobscot, Senator Stanley poses a question to the Senator from Waldo, Senator Cole, who may answer if he wishes.

Mr. COLE of Waldo: Mr. President, the latest figures I have as of May 1st leave a net balance of \$1,022,332.

The PRESIDENT: Does that answer the question of the Senator from Penobscot, Senator Stanley?

Mr. STANLEY: Mr. President, I presume the Senator from Waldo, Senator Cole, is telling us the balance of bonds they have in this account now. I would point out that they have a reserve for depreciation and they say that this money is put in a reserve to buy equipment. The reserve for depreciation is \$3,380,000. A working capital advance from the Highway Department of \$3,776,000; a donated surplus of \$1,000,000 and an unappropriated surplus of \$1,378,000. The rental that they received from equipment was \$1,484,000. It

proves that we are putting money aside that we could be using and it would not cost us as much money.

Mr. FARRIS of Kennebec: Mr. President, might I inquire of the Senator from Waldo, Senator Cole as to whether this was a unanimous ought not to pass report?

The PRESIDENT: The Senator from Kennebec, Senator Farris poses a question to the Senator from Waldo, Senator Cole, and that Senator may answer if he wishes.

Mr. COLE of Waldo: Mr. President, I personally don't remember. Would the Secretary please read the status of the bill?

The Secretary read the endorsements on the bill.

Mr. COLE of Waldo: Thank you, Mr. President. I was quite sure it was unanimous but that proves the point. One thing more I would like to bring out is the fact that our annual payroll over there is about a million-three so when you say if we have a million dollars at the moment we have too much, I certainly question that.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Waldo, Senator Cole, that the bill be indefinitely postponed; a division has been requested.

A division of the Senate was had.

Twenty-one having voted in the affirmative and nine opposed, the motion prevailed and the bill was indefinitely postponed in concurrence.

On motion by Mr. Carpenter, out of order and under suspension of the rules, the Senate voted to take from the table Item 3 on Page 2; (S. P. 165) (L. D. 411) bill, "An Act Relating to Retirement of Chief Warden of Inland Fisheries and Game"; tabled by that Senator on May 22 pending motion by Senator Davis to indefinitely postpone.

Mr. CARPENTER of Somerset: Mr. President and members of the Senate, this particular L. D. was presented to the legislature many weeks ago. This bill if it passed would increase the retirement age of the chief warden and warden supervisors from 60 to 65, should

they so desire. Before introducing such legislation, I gave a lot of thought to the fact that the heads of our warden service had to retire at 60. If they decide to retire at 60, this in my understanding it no way affects their maximum retirement benefits. Today age sixty is young and when we have two good men at the helm, it is too bad to lose their services.

Moneywise it is my understanding that this would save the retirement fund some \$45,000 each year and that particular fund is growing by leaps and bounds. I feel it is up to the legislature to correct any inequities in our retirement plans and likely the next session will see more corrections made. Practically all the heads of departments in the Fish and Game do not have to retire until age 70. If this bill was set up asking for a decrease in retirement age, I would expect you to oppose it. The motion before the Senate is the motion of the Senator from Cumberland, Senator Davis for indefinite postponement and I oppose that motion.

Mr. CYR of Aroostook: Mr. President and members of the Senate, as a member of this committee, I would like to support the feelings and the statements of the Senator from Somerset, Senator Carpenter. I think that 60 is really too young to retire somebody in administration, and particularly after the state has put in so much money into getting such men, into the caliber of such men, I think it is really depriving the state of very good services. I would be opposed to this indefinite postponement.

Mr. DAVIS of Cumberland: Mr. President and members of the Senate, I think we debated this bill quite thoroughly some few weeks ago and I have not changed my mind on it since. I don't want to repeat my arguments but I do want to call to the attention of the Senate that this department along with the salt water wardens and the State Police have very special privileges under our retirement system and I think we would be doing a great disservice to the Department to change it.

Under the warden service, if a warden has been employed in the service for 25 years and has reached the age of 55, he may retire at 55 years of age. It is mandatory that he retire at 60. Under the other branches of the retirement system, they cannot retire until they are sixty years of age and must have worked 35 years in order to retire at half pay. I would point out also, that there is nothing to prevent a Chief Warden or other warden being continued on a year to year basis after retirement age at the request of the head of the department. I hope my motion to indefinitely postpone will prevail.

Mr. MARDEN of Kennebec: Mr. President, I would remind the members of the Senate that the Board of Trustees of the Maine State Retirement System communicated to me, and which communication I will relay to you at our last debate on this subject. Their feeling is that they are unanimously opposed to this legislative document, for several reasons, the most important one being that this is clearly class legislation. Here is a bill before the legislature affecting the status of one individual in state government and, assuming that it is a good idea, the least that should happen would be for the bill to be worded so that it would apply to all of those in this particular class or category; sea and shore fisheries, Maine State police, wardens at the Maine State prison. For this reason I would support the motion of the Senator from Cumberland, Senator Davis.

Mr. CARPENTER of Somerset: Mr. President, in explanation to the Senator from Kennebec, Senator Marden, the Committee Amendment does include warden supervisors and assistant Chief Wardens so the bill originally was aimed at one particular class but the amendment would take care of many of the others. I might state that some weeks ago I became interested in knowing what many of the supervisors thought about this bill so I wrote a letter to some 13 or 14 of them and I have answers here in my desk in which some eighty-nine of them are in favor of



the legislation as put out in this particular L. D. When the vote is taken I ask for a division.

The PRESIDENT: The question is on the motion of the Senator from Cumberland, Senator Davis, to indefinitely postpone, and a division has been requested.

A division of the Senate was had.

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

Mr. CARPENTER of Somerset: Mr. President, I move that we accept the majority "Ought to pass" report of the committee.

Mr. MAYO of Sagadahoc: Mr. President, I am looking around the chamber this morning and I see the number of absent members. I would move that this item be tabled and specially assigned for tomorrow morning.

Mr. STILPHEN of Knox: Mr. President, I ask for a division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Sagadahoc, Senator Mayo, that this bill be tabled and especially assigned for the next legislative day. A division has been requested by the Senator from Knox, Senator Stilphen. All those in favor of the motion of the Senator from Sagadahoc, Senator Mayo, will rise and stand until counted.

A division was had.

Fifteen having voted in the affirmative and thirteen in the negative, the motion prevailed and the bill was tabled on motion of the Senator from Somerset, Senator Carpenter, that the Senate accept the majority "Ought to pass" report of the committee.

The President laid before the Senate the 12th tabled matter (H. P. 464) (L. D. 664) House Reports from the Committee on Claims on "Resolve, in Favor of Jim Adams, Inc. of Bangor," Report "A", "Ought not to pass"; Report "B", "Ought to pass as amended by Committee Amendment 'A', Report "C" "Ought to pass as amended by Committee Amendment 'B', which was tabled on May 6th by the Senator from Cum-

berland, Senator Porteous pending acceptance of any report.

Mr. PORTEOUS of Cumberland: Mr. President, due to the fact that we had a little secretary trouble this morning the amendment has not been reproduced, so I move that this matter be tabled until later in the day.

The motion prevailed and the resolve was so tabled.

On motion by Mr. Farris of Kennebec, out of order, the Senate voted to take from the table (S. P. 195) (L. D. 906) Bill, "An Act Relating to Zoning in the City of Lewiston," which was tabled by that Senator earlier in today's session pending enactment; and on further motion by the same Senator the bill was passed to be enacted.

On motion by Mr. Carpenter of Somerset, under suspension of the rules the Senate voted to take from the table the 13th tabled matter (H. P. 594) (L. D. 815) House Report "Ought to pass" from the Committee on Inland Fisheries and Game on Bill, "An Act Relating to Open Season on Deer in Zone 2," which was tabled on May 15th by that senator pending acceptance of report.

Mr. CARPENTER of Somerset: Mr. President and members of the Senate: This particular L. D., the only change that it makes in the present law is in Zone 2 where it takes a few days off the October 26th, 27th, 28th deal and puts them up to December 5th. There is a House amendment on this particular bill that would extend the season from October 15th to the fourth Monday in October.

I feel that the legislature would be very wrong in attempting to legislate laws this year that would affect our particular season because of the fact that many camps and many people have made reservations for their fall hunters. As a matter of fact, I have a copy of Outdoor Life which I picked up just the other day and in here it states "Deer Season Opens in Zone 3 October 15th."

Now just a little bit about the background of this particular deer

bill. Two years ago when this particular zone bill was set up we had quite a difficult time in getting it through the legislature so people would understand it. I might state that the reason for this particular zoning bill goes back to 1950 when our game department made a study of the available food conditions, yard conditions, reproductive ability conditions, to determine the status of our deer herd in Maine. They found that the northern sections should have a heavier kill than the southern sections on account of the food conditions. Also, the northern zone was not so accessible in the later weeks of the deer season as it was in the earlier months of the deer season.

Another factor which made me clearly make up my mind as to the dividing line, which is the Appalachian Trail across to the C.P.R. tracks and then down the Penobscot River for Zone 2, was the fact that it put the early deer season up in the northern country where it rightfully belonged and left the agricultural lands south of the Appalachian Trail to one particular season clear down to Kittery.

I found out in my particular section that it lessened the posting of lands because we do not have the heavy hunt in there during the month of October we previously did. I think it would be very wrong for this legislature to attempt to enact deer laws effective this fall. I think this should at least have another two years of trial and then if we find it has not worked out we can suitably correct it. I therefore move for the indefinite postponement of House Amendment "B".

Mr. MAYO of Sagadahoc: Mr. President, in rebuttal to the honorable Senator from Somerset, Senator Carpenter, on his motion to indefinitely postpone House Amendment "B" I object to the motion for the reason that the amendment allows hunting in this Zone 3 to December 5th. December 5th is not an unrealistic day for the southern counties to be hunting, due to the past few seasons of warm weather during the hunting season. I do not see any-

thing wrong with the amendment. The counties that it involves are in the eastern section which generally does have a warm November. All they are asking for is this additional five days to hunt into December, with the hope that they might possibly get a little bit of tracking snow.

Now in the process of this debate this morning I will eventually place an amendment before this body which will also put Zone 1 into the December 5th category. I certainly hope that the motion to indefinitely postpone does not prevail.

Mr. EDMUNDS of Aroostook: Mr. President, I believe the Senator from Sagadahoc, Senator Mayo, stated that House Amendment "B" would extend the season in Zone 3 to December 5th. As I read the amendment, it says to change it from October 15th to the fourth Monday of October and for the season to close on November 30th. So I am very strongly opposed to House Amendment "B" to this particular bill.

The area we are talking about is the area that I represent, where the snow is deep and the winter is long, and I feel that the hunting season schedule that is set up now and which was approved two years ago by the 99th Legislature is extremely satisfactory. For that reason, I hope that the motion of the Senator from Somerset, Senator Carpenter, will not prevail.

The PRESIDENT: The Chair will inform the Senator from Somerset, Senator Carpenter, that the motion that should be made is to accept the "Ought to pass" report of the committee prior to debate on the motion.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate: I just want to go along with the motion of the Senator from Somerset, Senator Carpenter, because I feel we should not change the dates that have been set by the 99th Legislature. I feel that in our area winter does come very early and the snow can be deep very early, so I feel that it is a better time as it is now.

The PRESIDENT: Will the Senator from Somerset, Senator Car-

pen, please ask for the privilege of withdrawing his motion.

Mr. CARPENTER: I do that, Mr. President.

Permission was granted.

Thereupon the Senate voted to accept the "Ought to pass" report of the committee and the bill was given its first reading.

Senate Amendment "B" was read by the Secretary.

Mr. CARPENTER: I now move that House Amendment "B" be indefinitely postponed.

Mr. CYR of Arostook: Mr. President and members of the Senate: I am in favor of the report changing the date in Zone 2 and I think that possibly the Senator from Sagadahoc, Senator Mayo, probably has confused the changes in Zone 2 with the amendment which calls for the changes in Zone 3. Now the changes in Zone 2 are that it changes the opening date from October 25th to November 1st and extends the season from November 30th to December 5th. That received a very thorough hearing in the committee and everybody was in favor of that change. Now House Amendment "B" changes the date in Zone 3 from October 15th to the fourth Monday in October, however it does not extend the season at the end.

Now I have received all these telegrams from constituents and clubs in our area, all in opposition to making any changes in Zone 3. They are in favor of October 15th. The biologists are in favor of the present date in their zone. Also the economy of the section would favor the opening October 15th. Also, due to the fact that this amendment makes quite a drastic change in the date and yet has not received any hearing, the public has not had a chance to be heard on this matter, I would be very violently in opposition to any changes at this time, and for that reason I support the motion of the Senator from Somerset, Senator Carpenter, that House Amendment "B" be indefinitely postponed.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Somerset, Senator Carpenter, that House

Amendment "B" be indefinitely postponed.

Mr. ERWIN of York: Mr. President, I support the motion of the Senator from Somerset, Senator Carpenter, in fact I support it so strongly that I think perhaps we ought to indefinitely postpone the bill and all the papers and leave the deer season alone.

The 99th Legislature passed a new departure by dividing the State into three zones. It has only had a short time to work. If there have been any glaring deficiencies I haven't heard anything about it, and I am wondering if we are not creating something of an anomaly here to extend the hunting season into the 5th of December in the middle zone but leaving it to the 30th north, south, east or west of the middle zone.

There are quite a number of deer in Zone 1 in the southwestern part of the State of Maine, but I am not at all sure that anybody down there wants to continue hunting into the 5th of December just for a little tracking snow. We have got so many hunters down there now in certain parts of it that there is no point in increasing the pressure. My own feeling is that we ought to leave well enough alone for another biennium, as the Senator from Somerset, Senator Carpenter, suggested, and therefore I am going to move, Mr. President, that the bill and accompanying papers be indefinitely postponed.

Mr. EDGAR of Hancock: Mr. President and members of the Senate: My interest, of course, is primarily in Zone 2 which contains the area which I represent. There are several reasons why we should not indefinitely postpone the original bill at least which involves Zone 2. One of them is that after a very thorough and detailed hearing before the Fish and Game Committee the committee felt that conditions did warrant a change in Zone 2. Secondly, the sportsmen, both individually and organized in the various rod and gun clubs within Zone 2, are quite unanimous in supporting the proposed change in Zone 2. Now the

reasons for their support can very briefly be outlined.

One reason is that, whether due to change in climatic conditions, as evidenced by a trend over the years, or whatever the reason may be, when the deer season now opens in Zone 2 on October 25th everybody is going around in their shirt sleeves down in my area and literally hunters go out in the woods in their shirt sleeves. Although I am not a hunter myself I am told that when the weather is warm and the woods are dry it makes for minimum hunting.

Now I have received and I know a great many other people in my area have received protests from bird hunters. When the deer season used to be from November 1st to November 30th the bird hunters were given the entire month of October in which to hunt and, due to the warm weather at the end of October, the bird hunting was good, but by the institution of the zoning system in the last session of the legislature it reduced the bird hunting season by five days and of course this has raised a protest from that group.

Now we do have in my area a considerable number of summer people who make it a point to come back to our area in October and bring their friends and enjoy a period of good bird hunting, and they have urged me, and I know my colleague from Hancock County, to support the advancement of the opening of the deer hunting season from October 25th to November 1st.

The only thing I can say in opposition to the motion of the Senator from York is that as far as Zone 2 is concerned, and that is primarily my only concern, the changes proposed have the support of the Fish and Game Department, they have the support of the sportsmen in the area, and the proposed change, in their combined opinion, would make for both better bird hunting and for better deer hunting. For that reason, I must oppose the motion of the Senator from York, Senator Erwin.

The PRESIDENT: The Chair would rule that we would have to act on the previous motion to in-

definitely postpone House Amendment "B" and then act upon the motion of the Senator from York, Senator Erwin, that the bill be indefinitely postponed.

Mr. ERWIN of York: Mr. President, just briefly in support of my position: I grant that all of the arguments proposed by the Senator from Hancock, Senator Edgar, have force and effect, but what he is saying also in effect is that perhaps there should not be a state-wide situation and that we should deal with these things parochially. I do not think that is so, and I think that the State of Maine frequently refuses to take a long look at anything. We are dealing with quite a large industry, the hunting industry. We are dealing with situations which have existed and have been slowly changed over the years, and it seems to me that we do not do ourselves or the state any service by making drastic changes in the hunting season status quo from season to season. And in view of the fact that there has already been a good deal of advertising in the sporting magazines and other media of advertising indicating the seasons and people are making their reservations, it seems to me that this is an ill-considered situation. However, if it will uncomplicate the situation I will withdraw my motion since it is not in order anyway and let the orderly procedure go ahead.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Somerset, Senator Carpenter, that House Amendment "B" be indefinitely postponed. A division has been requested. All those in favor of the motion of the Senator from Somerset, Senator Carpenter, will rise and stand until counted.

A division was had.

Twenty-four having voted in the affirmative and four in the negative, the motion prevailed.

Mr. ERWIN of York: Mr. President, I withdraw my motion.

Mr. MAYO of Sagadahoc: Mr. President, if I am in order I have an amendment. Would it be better to introduce it tomorrow or today?

The PRESIDENT: You may introduce it today. May I ask: Has it been reproduced?

Mr. MAYO: Yes, it has, Mr. President.

Mr. President and members of the Senate: Now that House Amendment "B" has been indefinitely postponed I will not present Senate Amendment "A" which carried on the same type of dates for Zone 1, but I am going to present Senate Amendment "B", which has been reproduced, Filing No. 171, and the main reason for presenting Senate Amendment "B" and the main thing Senate Amendment "B" will do is to change the boundary line between Zone 1 and Zone 3.

Mr. President, I present Senate Amendment "B" and I will talk on it after it is presented.

Senate Amendment "B" was read by the Secretary.

The PRESIDENT: The Chair will declare a short recess so the Senators may read the amendment.

(Recess)

Called to order by the President.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Sagadahoc, Senator Mayo, that the Senate adopt Senate Amendment "B".

Mr. MAYO of Sagadahoc: Mr. President, as an explanation of Senate Amendment "B" and as to what it will do to the line which is now known as the Appalachian Trail between Zone 1 and Zone 3, my amendment proposed to lower the line between Zone 1 and Zone 3 to correspond with the State Highway Route 2. At the present time the boundary zone between Zone 3 and Zone 1 is the so-called Appalachian Trail which goes through wilderness, and in places is very hard to define. It starts in on the New Hampshire border just north of the town of Gorham and meanders and winds in many directions and comes out at the town of Blanchard on the Piscataquis River. We have Zone 1 and Zone 3, and then follows the Piscataquis River in an easterly direction to the town of Howland where it joins with the Penobscot River.

Now my amendment will have no change in the zones at any place east of Guilford or anything to do with north of the Piscataquis River. Now the reasons for wanting to lower the zone line between Zone 1 and Zone 3 are many.

When this law took effect for the first time in last year's hunting season, which meant the season opened on October 15th, you could hunt north of the Appalachian Trail, you could not hunt south of it. Now as I have said, the Appalachian Trail meanders and winds across the wilderness as far as the town of Blanchard and between the Appalachian Trail and the Canadian border is a very short distance of miles, approximately thirty to thirty-five miles in many places.

Now because in Zone 1 the hunters cannot hunt until November 1st, the influx of hunters from the southern district of the State of Maine and the large industrial cities naturally floods into this very crowded area north of the Appalachian Trail. They have been very destructive in the one season that this trial was used for the hunting season. They concentrate so heavily on the roads and in the woods in this very narrow strip of land that I, last year after hunting for a day or two, hesitated to go into the woods on any weekend until November 1st when the state was opened statewide and therefore the hunters were dispersed more. They have been destructive to property, they have been destructive to camp owners and they have just created a havoc of this beautiful north country.

As I said before, my proposal would lower this boundary line down to follow Route 2 across to Skowhegan and then at Skowhegan pick up Route 150 to the town of Guilford where it would again join the Piscataquis River, which is now the boundary as is. It is my opinion as a hunter that a road boundary creates a much better boundary line, much more definable and much easier to administer so far as the law is concerned. There is never at any time possibly a chance for a warden to be patrolling the Appalachian Trail to

see whether a person is hunting on the north side or the south side, whereas the normal boundary line of a road which would have the normal traffic and could also be patrolled by wardens would be very easily definable.

The camp owners in the area around Skowhegan who appeared at the hearing regarding my original bill which called for a statewide zoning spoke very highly and very favorably for some change in this zoning line. It seems that many camp owners who are now just south of this Zone 1 Appalachian Trail section to Blanchard cannot open their camps to the visiting hunters from out of state until November 1st. Well, it runs into conflict with the opening of the hunting season in New Hampshire, Vermont and New York State. They have suffered tremendous losses in their revenue from these camps because the reservations, after this law went into effect last year, dropped considerably.

So my amendment proposes to lower this line down not only to relieve the pressure on the herd of deer in this small section but also to help the many hundreds of camp owners who last year suffered tremendous losses because of no reservations on the deer hunting season. I certainly hope that my amendment is adopted.

Mr. FERGUSON of Oxford: Mr. President, as one of the Senators from Oxford County I must oppose the amendment presented by the Senator from Sagadahoc, Senator Mayo. I do not see any good arguments for the amendment but I see a good many in opposition to it. No. 1 is the concentration of population in the proposed amendment. When you get into Dixfield on Route 2 that is the first town in Oxford County on that route with a population of 2400, Mexico 5000, Rumford 10,000, the big town of Hanover 250, Newry 250, Bethel 2300, and Gilead with 300. As you know, Route 2 follows right through the center of all those towns. You would get the heavy concentration of hunters in the heavily-populated area. There is really no good hunting

there; it is right next to the highway, and there is the danger from high-powered rifles, not only in shooting deer but a good many times people coming in from out of the state and other places and target-practicing and so forth.

The fact was mentioned about out-of-state hunters coming in and that it would be easier for them to find the dividing line between Zone 1 and Zone 2. I think it is about time that we were thinking something about the people of the State of Maine who want to do a little hunting. The Appalachian Trail has served as a dividing line for the past two years very, very well. We have had one hunting season, I guess, since we enacted this law, but people in my area are very much pleased with this particular setup as it is now. We have two very active Fish & Game Clubs, one in Rumford, the North-eastern Fish & Game Association with a membership of over 800, and the Mt. Abraham Fish & Game Association in Bethel with a membership of over 300. They are very much opposed to any changes in the present setup where the 99th Legislature set up Zones 1, 2 and 3.

Last week-end I took time to go up from Route 2 at Newry to the Appalachian Trail and it is just twelve miles. I certainly cannot agree with the good Senator from Sagadahoc, Senator Mayo, that you have a limited area to hunt above the Appalachian Trail there. There are miles and miles up through Grafton, Upton, Magalloway, Parmachenee up to the Canadian border. The reason for this bill was to get the hunters back where the deer were and where there is an early freeze-over.

Therefore I hope that Senate Amendment "B" will not be adopted. I certainly won't go along with the motion of the Senator from Sagadahoc, Senator Mayo.

Mr. CYR of Aroostook: Mr. President and members of the Senate: I do not feel competent to debate the pros and cons and the merits of the amendment of the Senator from Sagadahoc, Senator Mayo.

However, I am opposed to it for the same reason that I opposed the other amendment. This being of such importance to many people, many of the hunters and many of the camp owners in the section, I feel that it would be bad legislation for us to accept this without a hearing. Certainly we are not giving consideration to the people that will be affected by this amendment, the consideration of being heard, and, for that reason, I would be opposed to this amendment.

Mr. CARPENTER of Somerset: Mr. President and members of the Senate: I have no objection to the extra five days or the deletion of the first three or four days in Zone 2 and putting the other five days on the December 5th deal, but I do oppose the line change of the Senator from Sagadahoc, Senator Mayo. As a matter of fact, if we chose that particular line designation we would be putting back practically the same line that we had several years ago when the Kennebec County line was the dividing line between the northern zone and the southern zone, and this particular line would put it in practically the same position. It would go through the very center of our agricultural land, on which we certainly do not want an October 15th date.

As far as Route 201 being a definable line for enforcement, if you folks have ever driven over Route 201 down through Farmington, Mercer, Norridgewock and Skowhegan and then shot up through Harmony on 150 you would agree that it would be very unenforceable I believe. To go back briefly I think we have one of the most excellent game departments that any state has in the United States, right over here in the other building, and unselfishly they have studied this matter for many years and they drew these particular lines, the Penobscot River and the Appalachian Trail wholly for the deer resource itself, nothing else. They had nothing particular in mind and I think that is where we should focus our attention, on whether or not it is good for the deer herd. I don't know whether a motion has

been made for indefinite postponement of this amendment but if it hasn't I will move for indefinite postponement.

Mr. MAYO of Sagadahoc: Mr. President, in rebuttal to what several of the Senators have said this morning in regard to this amendment, I would like to mention the fact that some of the opposition to this changing of the zone is stemming from the bird hunters. The reference to the Route 201 is I think a little out of line because my amendment refers to Route 2. 201 is another section of the State of Maine.

The bird hunters want to preserve this so-called farm land for their bird hunting all through the month of November. They do not want any deer hunters in this area. The farm land north of the designated route in my amendment is not real good deer hunting anyway. You have to move a little further out of the farm land to get into the deer area.

One Senator mentioned the tremendous pressure from the populated areas around Mexico. I draw your attention to the fact that my amendment puts the zoning line through the town of Mexico and Rumford but I assume that the town of Mexico and Rumford have zoning laws which prohibit the use of firearms within their city limits, so I do not anticipate a hunter walking down the main street of Mexico or Rumford hunting deer. Also, this populated area in the Rumford-Mexico area now under the present law can move north twenty or thirty miles and move into the crowded area north of the Appalachian Trail, and that is just what has happened. We are getting that influx of hundreds and hundreds of hunters into that small area. I feel that we must disperse this concentrated group of hunters and spread them out over a larger area. I think this will help stop some of the fatalities that we are having during our hunting season in some of the crowded areas.

As far as the biologists are concerned, they told us two years ago that there were a tremendous amount of deer in this northern

section north of the Appalachian Trail and therefore we must harvest these deer. I have had a camp in this area for nine years. I have never yet seen this tremendous herd they speak of. I bring to your attention the fact that last year in the Rangeley-Stratton area the deer kill was way down over previous years which shows that something is wrong with this boundary line, which was sold to us by the biologists.

I have here letters which were presented to me at the hearing which the good Senator from Aroostook, Senator Cyr said we did not have and therefore he was reluctant to pass any legislation which did not have a fair hearing. It so happened that these people attended the hearing on my original bill, but they all spoke of lowering this line down to where they would have a fair shake in not only the sportsmen trade but also in relieving the pressure on the deer herd. One letter here from a Mr. Nyeburg of Highland Lodge in North New Portland, Maine, who under the present law is not allowed to open his hunting camp until November 1st, but under my amendment could open on October 15. He mentions here that "many camps, stores, restaurants in our county of Somerset" which is the county where most opposition is coming from ". . . lost heavily last fall when the dividing line was pushed northward by the new zone. Our peak ten days of business was taken away with no resulting gain to anyone." In this letter he mentions that the state had been divided into two parts with the U.S. Highway 2 as a boundary. So there are many people that are aware of what this boundary line will do. I do not just pick out route 2 from a pinpoint on the map. This has had study from many groups.

I have here a list of people who appeared at the hearing from the same section we are talking about, representing fish and game clubs who are strongly in favor of changing the line between Zone 1 and Zone 3. Now the reference

was made to the fact that reservations have been made in these camps for this coming season. I believe that these reservations that have been made for the coming season will not be hurt because those who now are below the Appalachian trail zone do not have any reservations because their season does not open until November 1st. Under my amendment, dropping this line down along Route 2 and 150 these camp owners in this very large area will be able to make new reservations and will be able to have hunters come in from New York and other states. Reference was made to save the deer for the local hunters. Let the local hunters have their share of hunting. I thoroughly agree with that but when you stop to realize the economy of the state, the economy of the business man, the economy of the Fish and Game Department which depends heavily on these out of state licenses at \$25, if these people do not come in from New York State because their season opens at the same time, we are going to lose money.

Now, many New York hunters will remain in New York rather than come here for the fifteen days of hunting in this area between Zone 1 and Zone 3. I certainly hope that the motion to indefinitely postpone my amendment does not prevail and I ask for a division when the vote is taken.

Mr. PIKE of Oxford: Mr. President, fellow Senators, back a few weeks ago when I thought our two young Senators, Senator Marden and Senator Porteous were a little off the track, I said that they were all wet. It wouldn't be appropriate for me to say that Senator Mayo was all wet, it wouldn't be germane to the question so I won't say it.

Mr. NOYES of Franklin: Mr. President, if Senator Mayo is all wet I wish to join him and be all wet also. I have refrained from speaking on this matter because I think those of you who were here two years ago will recall that the good Senator from Somerset, Senator Carpenter and myself had almost a running feud concerning this proposition. I know that this



thing is going to be defeated and I am not going to get wound up over it but I hope that some time you will look back into the legislative record of two years ago in which I predicted that in the third zone, if you followed the Appalachian Trail which apparently you are going to stick to, it would annihilate the hunting business and the sporting camps north of the Appalachian Trail — most of you have been up there and I assure you that in Zone 3, this three zone deer bill so-called which we passed and now are confirming the same pattern, certainly cost the up country or northwestern part of Maine as far as the commercial enterprises are concerned, one million dollars. There is no question about it, we submitted petitions with eighty per cent of the people in the various towns signing the petition. In the first instance of course we wanted to do away with the three zone proposition. We wanted a state wide law like we used to have. Now with the amendment gone which would help out a little bit, and finally with the point of view prevailing that we stick to the Appalachian Trail, it means that we just continue along and I think we will probably have to go into some sort of business up there. We are quite ingenious. We went into the skiing business and perhaps we can put men into space from now on.

Mr. CARPENTER of Somerset: Mr. President, in rebuttal to the Senator from Sagadahoc, Senator Mayo's remarks, I might say that I am very familiar with the camps he has in mind, Mr. Nyeburg and another camp in that section. They lie some ten or twelve miles from the Appalachian Trail. Their camps can be open December 15 and they are open on December 15 and from my knowledge of going up there hunting last December there were twenty hunters at these particular camps, so I don't think that question should enter into the matter. I think the lines are well designated at the moment and I hope that the Senate goes along with indefinite postponement of Senate Amendment B.

Mr. MAYO of Sagadahoc: Mr. President, I sincerely hope that the Honorable Senator from Somerset, Senator Carpenter, was not hunting on December 15th which he just spoke about because if he was, he certainly was in violation not only of my amendment but all the laws of the State of Maine.

Mr. CARPENTER of Somerset: Mr. President, I would like to correct that. The Senator from Sagadahoc, Senator Mayo, knows very well it was not December 15th. The season opens October 15th.

Mr. MAYO of Sagadahoc: Mr. President, if the clerk will read the record, I think the Senator from Somerset, mentioned December 15th in his statement.

The PRESIDENT: The Chair will inform the Senator from Sagadahoc, Senator Mayo, that the Senator from Somerset, Senator Carpenter, has a perfect right to change the record and ask for a correction.

Mr. CARPENTER: Mr. President, I so move.

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

A division of the Senate was had.

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

Mr. Mayo of Sagadahoc presented Senate Amendment A and moved its adoption.

Mr. ERWIN of York: Mr. President, sometimes it seems as though we carry these things a bit too far but for the same reasons that I advanced a few moments ago and for the same reasons I have been supporting the Senator from Somerset, Senator Carpenter, I oppose this. I don't think it is called for and I think we should just for once in our lives take a long look at something and let these laws work themselves out. Two years is too soon to start amending these laws which were passed according to a plan that was good two years ago and I have yet to be convinced that the plan

has failed so that we need to tear it all up. I move for the indefinite postponement of Senate Amendment A.

Mr. EDMUNDS of Aroostook: Mr. President, I concur with the sentiments expressed by the Senator from York, Senator Erwin and when the vote is taken I ask for a division.

The PRESIDENT: The question is on the motion of the Senator from York, Senator Erwin that Senate Amendment A be indefinitely postponed, and a division has been requested.

A division of the Senate was had.

Nineteen having voted in the affirmative and twelve opposed, the motion did not prevail.

Mr. MAYO of Sagadahoc: Mr. President now that I have heard the learned Senators speak on my two amendments and see the feeling of the Senate regarding no change to the present law, that we should stick by the ruling that we made two years ago, the biologists again have won. The biologists are right. I now move the indefinite postponement of this bill and all its accompanying papers.

Mr. EDGAR of Hancock: Mr. President, I have already stated the reasons to the Senate as to why this bill, which involved only Zone 2 was presented to the legislature. I am not going to repeat those reasons but I regret very much to see Zone 2 go down the drain merely because we can't settle Zone 1 and Zone 3, so all I can say is, "Please fellows let's have Zone 2" and I would oppose the motion of the Senator from Sagadahoc, Senator Mayo.

Mr. MAYO of Sagadahoc: Mr. President, my reason for asking for the indefinite postponement of this bill stems from the fact that the Senate evidently definitely doesn't want to change this law. Now why should we pick out one zone and let that zone have changes which the Senate did OK and then turn around when changes are requested for other zones, and indefinitely postpone the amendment. I appeal to you gentlemen and ladies here in the Senate to be consistent with your reasoning, to be consistent in your

thinking. If we decide to let this law remain on the books and give it a fair trial, let's be consistent in our thinking and indefinitely postpone the whole bill and all accompanying papers.

Mr. PORTEOUS of Cumberland: Mr. President, I voted with the Senator from Sagadahoc, Senator Mayo in his try to make his changes but I think there is quite a difference here. I think in one case we had a bill prepared and had public hearings and in the other case we had amendments which I thought were good but which didn't have hearings for the public.

Mr. CYR of Aroostook: Mr. President, it may seem inconsistent but at the same time I would like to repeat that this bill had a very fair hearing on Zone 2 and everybody was in agreement and I am just wondering if the statement of the Senator from Sagadahoc, Senator Mayo is not a case of the "grapes are green" statement in trying to defeat this legislation.

Mr. CARPENTER of Somerset: Mr. President, just briefly, I appreciate the remarks of the Senator from Sagadahoc, Senator Mayo in his terming us as learned Senators. I might say if you remember my previous remarks, I said I had no quarrel with the Zone 2 law as it was put out by the Committee, Majority ought to pass. I still feel that same way. There are only four or five days difference over there in that particular section and it will do no particular amount of harm. Therefore I oppose the motion of the Senator from Sagadahoc, Senator Mayo.

The PRESIDENT: The question is on the motion of the Senator from Sagadahoc, Senator Mayo that the bill and all accompanying papers be indefinitely postponed.

A division of the Senate was had.

Eight having voted in the affirmative and twenty-three opposed, the motion did not prevail.

Thereupon, the bill was tomorrow assigned for second reading.

The President laid before the Senate the 14th tabled item (H. P. 895) (L. D. 1229) House Reports from the Committee on Legal Af-

fairs on bill "An Act Creating a State Lottery for Old Age Assistance and Aid to Municipalities"; Majority report, Ought not to pass; Minority report, Ought to pass; tabled on May 10 by Senator Lovell of York pending acceptance of either report.

Mr. LOVELL of York: Mr. President, do we have a quorum here? There is quite a bit of absenteeism.

The PRESIDENT: The Chair would inform the Senator from York, Senator Lovell, that we do have a quorum.

Mr. LOVELL of York: Mr. President and members of the Senate, this particular bill which I have amended and will present an amendment to a little bit later, will get I am sure the unanimous vote of this Senate, and I feel without question that when you read the amendment and realize that we have now taken out from the bill many of the objections that certain persons might have, you will vote for it.

I might say first, however, that in a survey, nine out of ten persons on the street that were contacted are in favor of a state lottery and I have even talked with many Senators who have told me that their constituents have spoken to them inquiring about the lottery bill and very much in favor of it. I might say I am not for gambling. Now for example, some two years ago I purchased in the stock market, five hundred shares of Bendix Helicopter, two hundred shares of Myler Plastics and 200 Drug Products which cost me some \$2,000. Now all three companies went into bankruptcy and I lost my gamble and it was really a gamble. Now I don't mind spending a dollar or two for a ticket or something for a worthy project. But when you lose as much as that I will say that highly respected people call it speculation, and I know that is true with many others.

However, I would like to say a little bit about the history of the lottery since that was originally the name of this bill, while the bill I have will simply be a donation to the State of Maine for charity and other worthy purposes.

I passed out this morning a reprint from the Boston Sunday Post which you will find on your desks. It talks about the lottery and what happened years ago, and I would like to read just one little excerpt from it:

"It was then considered as respectable to sell lottery tickets as to sell Bibles, and often the advertisements for both appeared side by side in the daily press."

You have the sheet which you may peruse at your leisure.

Now under the present form of a general welfare fund I am sure that Senators who might have objected to a lottery and who might have told their constituents "I cannot vote for a lottery," certainly do not have to vote for a lottery now; they can vote for a general welfare fund. This is certainly similar to green stamps, because when you make a purchase you get stamps as a bonus and then cash them later for a prize. Under this particular amendment you make a donation to the state and then if you are fortunate you have a prize coming to you later on, just the same as in the stock market. You may say this is very small, a donation of a dollar or two, but a friend of mine bought five thousand shares of Gillette stock some years ago at ten dollars a share and sold it at fifty dollars a share and he made a quarter of a million dollars. Now that certainly is not very small, but this here is insignificant and rather small, but it can be of great assistance to the state, particularly now that you have the supplemental budget out, the various different departments that need money and want money, and the various worthy projects such as raising teachers' pay and pensions, old age assistance, educational television, helping the hospitals. So I feel very confident that with the supplemental budget out, and many of you have L. D.'s that you are anxious to have passed, that this can well cover the over-all picture of extra money as needed.

Now there is a book downstairs in the State Library entitled "Fortunes Merry Wheel," which you can take out as soon as I take it back today if you would like to

read it. I would like to take just a few quotations from it.

George Washington, the Father of our Country, was very much in favor of lotteries, and as you well know, we gained our freedom in the Revolutionary War from moneys raised that way. Benjamin Franklin was very much in favor of it. Reverend James Manning, who founded Brown University, was very much in favor of lotteries, as well as Thomas Jefferson and John Hancock, some of the great men in our country. As I mentioned, a lottery definitely helped finance the Revolutionary War.

In various other countries lotteries have been very successful. In Australia, for example, 81 per cent of the people approved a lottery. The actual lotteries back in the old days were run by the states and they carried on until 1860 or thereabouts to a great extent. In other words, it was not controlled as we now control liquor and horse racing and Beano. The numbers racket, they tell me, brings in a billion dollars a year.

As you know, the acceptance of the lottery has increased a great deal in public opinion polls. Of course we know that the churches and the clubs put on small lotteries, and I want to assure them that this does not affect their small lotteries they may wish to put on.

In 1942 Mr. Gallup took a poll—this is in this book here—and 54 per cent of the people in the poll favored the lottery and 37 per cent were against it and nine per cent undecided, so out of the people voting, 60 per cent were in favor of the lottery.

Now Franklin D. Roosevelt, one of our great presidents favored the lottery for institutions for national charity, and he pointed very bitterly to their success in Ireland.

In 1937 they proposed a lottery in the State of Nevada and it was turned down in the State of Nevada and it was greatly opposed. The reason it was turned down was because the gamblers all lobbied and worked against it. I certainly hope that this would not happen in the Senate here.

In 1949 an all-women grand jury in Philadelphia said, "The legal-

ization of lotteries would save the Commonwealth a great sum of money in prosecution and the tax on lotteries would bring in a great deal of funds."

The Catholic Encyclopedia states: "If there is no fraud in the transaction and if some sort of proportion between the price of a ticket and the value of a chance of gaining a prize, the lottery cannot be condemned as in itself immoral."

In 1942 New York and Cincinnati took the attitude that Beano and similar games would be unlawful unless under the auspices of the church. In 1949 Maryland and Connecticut approved bingo and raffles it for charity and other good causes. The Catholic Archdiocese at Newark, N.J. said, "It is not gambling but the abuse of gambling that involves an immoral act." They voted then to approve lotteries by three to one, bingo and raffles. In January, 1958 New York became the 9th state to legalize such games by a vote of 1.8 million to 1.1 million. In 1955 the Methodists in a nationwide opinion poll showed that over fifty per cent of the respondents saw nothing wrong with bingo, which is very similar.

It is also stated that twenty million Americans play with monotonous regularity in churches or profession groups and clubs, and an additional forty million play occasionally. Legally, this is the most popular form of gambling in the nation, and in New York State alone the state realized \$25,000,000 year before last in profit.

No recent polls have been taken on lotteries in this country, but small polls have been taken and they state that 68 per cent of American adults are in favor of the lottery. They also state that 76 per cent of American adults gamble each year in some illegal form.

In 1760 Rev. Samuel Seabury, father of the Episcopal Bishop Samuel Seabury, recorded in his diary, "Ticket No. 586 in the Light House and Public Lottery of New York, drawn in my favor by the blessing of Almighty God, 500 pounds of sterling of which I received 425 pounds, there being a

deduction of 15 per cent for which I now record to my posterity my thanks and praise to Almighty God, the giver of all gifts."

Consequently then, a lottery, if properly operated is not immoral. The lottery must be carefully controlled by the State as liquor is.

On February 17, 1826 Thomas Jefferson, one of our great Presidents, said: "If we consider games of chance immoral, then every pursuit of human industry is immoral, for there isn't a single one that is not subject to chance, not one where you do not risk a loss for the chance of some gain.

"But the greatest of all gamblers is the farmer, yet so far from being immoral they are indispensable to the existence of man. Almost all these pursuits of chance produce something useful to society."

"Other games of chance which are very useful unless carried beyond their bounds are insurance lotteries and raffles."

Lotteries helped Yale College, the University of Pennsylvania, Brown University, and even Dartmouth University, to get started. Back in those days many churches and Princeton College, for example, also got started from the lottery. Lotteries even built a bridge over the Saco River and another one over the Presumpscoot River in 1758. The lottery founded Kings College in New York, now called Columbia University. They founded many libraries. The first United States lottery started after General Washington lost New York City to the British. After the Revolutionary War lotteries were used to finance roads, bridges, canals, river channels, churches, schools, new industries, actually financing the new nation's future. Lotteries financed the Baptist Church in Newport, the Congregational Church in Newport and the West Conventry Episcopal Church in Providence. The Massachusetts Lottery in 1786 disposed of fifty townships in the Maine region, and Harvard College bought twenty tickets and won 2720 acres of wilderness in Maine. I don't know whether they still have it but I would

doubt it because they probably sold it at a good profit.

Many hospitals have been financed by lotteries as well as many other things such as water supplies and fire companies.

Now why was this voted out in 1860: It was voted out because of abuse; it was not properly used and properly controlled, just the same way as we voted in the 18th Amendment because liquor was not properly handled, and then when liquor finally came back by popular vote, in most states and Maine in particular it has been properly handled, as has been horse racing and other forms of gambling such as beano.

Incidentally, a letter published in the Portland Press Herald last week:

"I feel Representative (so and so) has been somewhat misinformed to make the statement he did against the lottery bill before the present session of the Legislature. He states gambling has never contributed to the financial problems of any individual or group of individuals. I will name just one game, beano, and there are others that have helped many churches and veterans organizations through financial difficulties. (Mr. so and so), what is the difference whether it is beano, horse racing, state lottery or any other game of chance?

"Let me say in answer to the remark of (Rep. so and so) that the financial impact of a state lottery falls hardest on low income groups, no individual of high or low income takes part in games, whether it be beano, horse racing, state lottery or any other game of chance unless he so desires.

"I agree with (Mr. so and so). Why let millions of Maine dollars now going to English and Irish sweepstakes, baseball pools, etc. get away from us?"

The Irish sweepstakes, I think, shows how a program of this type can be undertaken by the government if conducted in a proper manner. I saw in my own visits in Europe and also in the Federation of Rhodesia and Nyasaland where lotteries were handled

in a very good manner and they caused no problems.

It is necessary to have a properly run commission composed of men of honesty and integrity as are our other commissions, the Liquor Commission, for example, and I am sure we can depend on Governor Reed and the Council to do this. An honest job has been done in the Running Horse Racing Commission and the Trotting Racing Commission, and the Liquor Commission has also done a good job on the regulation and enforcement of the liquor laws, and I believe that this General Welfare Fund Commission can do the same thing. We are not going to run the state on so-called sucker money. This is a donation for the needed extras and luxuries for the State of Maine.

These funds are going to the hospitals, old age assistance, educational T. V. This is a donation to the State of Maine. This is a bonus for a person giving a dollar or two to the State, the same way as you go into a store to get green stamps as a bonus for a purchase. A hundred and one such plans have been carried on by the stores and on television. I see in the Boston Daily Record of last Sunday where a die-maker wins \$5640 on the Post Position Jackpot. This was his bonus for buying the paper.

So far as I can see, there is no law against any person donating a dollar to help the State for charity and the care of the aged in the State of Maine. I had thought of putting another amendment on this bill to make the vote absolutely unanimous, and that was to amend it so that Aroostook County would not be taken into consideration in this bill, but after one of the good Senators from Aroostook County gave us a bag of potatoes here two weeks ago and then read us a very nice poem on potato hash and suggested that the planting of potatoes in Aroostook was certainly a gamble up there for those people, I felt that probably they should be included, and now that it is not a lottery I hope that the good Senator will concur with me on this bill.

Now it is estimated that the supportable income in the State of Maine is approximately \$1,566,000,000, and it is estimated that persons would spend one-half of one per cent of their income on lotteries, so a person who makes \$100 a week would spend an average of fifty cents a week and a person making \$50 a week would spend an average of a quarter a week. Now of course in some cases some would spend a good deal more and some, of course, would spend less. Now when the horse races are open some people would spend a good deal more on over-all gambling because they are handy there and they certainly can make some good speculative investments there at times.

As you know, when we had prohibition in the State we had a great number of racketeers and men that were getting money illegally from selling liquor and the only way we eliminated this was by legalizing it. Here too, if we legalize this, we will prevent professional gamblers and racketeers and we will also prevent the money from going over to Ireland, which I am not against because they need hospitals over there too.

Just briefly, I will read an excerpt from Sports Illustrated, published by Times Magazine: "conservatively estimates that the American public now spends \$47 billion a year on illegal gambling alone—a figure bigger than the national defense budget. Organized crime takes out of this enormous handle a gross profit of \$9 billion and pays police and politicians \$4.5 billion for protection. All judicial authorities agree that this revenue not only finances good living for bad men but also provides the capital for a variety of crimes."

"A good many public officials drink wet and vote dry on gambling, just as their predecessors quite literally did in the dark days of Prohibition. They are, for the most part, fearful of a minority that holds any form of gambling to be evil."

"As long as gambling is outlawed it will remain in the control of criminals."

Now I am sure that this legislature does not want gambling in the control of criminals.

Last year the various states from horse racing collected \$300,000 and I did not hear any of them refusing it. However, as a person gets older they get more conservative and they do not like to spend money on anything, including gambling. I am getting that way myself, I just don't spend as much as I used to, but I do subscribe to this.

Now I am not going into many other different things I have here because I do not want to bore the Senate because I feel they are going to be for this without much question, but I have many other different arguments and I think that the amendment that I have which I would like to place on the bill—

The PRESIDENT: Will the Senator from York please make a motion to accept the "Ought to pass" or "Ought not to pass" report of the committee before we deal with amendments?

Mr. LOVELL: Would that be advisable before I explain the amendment, Mr. President?

The PRESIDENT: I would suggest that it would be.

Mr. LOVELL: Mr. President, I now move that we accept the minority report "Ought to pass".

Mr. FARRIS of Kennebec: Mr. President and members of the Senate: Before I proceed to support the stand of the Committee on Legal Affairs I would like to move out of order that all remarks pertaining to strings of horses and gambling be deleted from the record of the Senate as being inappropriate and not in accord with the decorum of the Senate.

The PRESIDENT: Does the Senator make that in the form of a motion?

Mr. FARRIS: I do, Mr. President.

The PRESIDENT: First, will Senator Lovell withdraw his motion?

Mr. LOVELL: I am sorry, Mr. President. I will withdraw my motion.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Sen-

ator Farris, that remarks in regard to the front office and horses and gambling be stricken from the record. Is this the pleasure of the Senate?

The motion prevailed and the remarks were ordered stricken.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate: I now rise to speak in opposition to the motion of the Senator from York that the minority report on this document be accepted, which motion I understand was just now withdrawn for the purpose of my motion being entertained, and I assume that the motion of the Senator from York is now again upon the table?

Mr. LOVELL: No, Mr. President, I moved to remove anything I may have said in regard to gambling and horse racing which might have affected some of our good friends in the building, but I did not withdraw my motion because I have to have that motion to draw an amendment, as I understand it.

The PRESIDENT: The Chair asked the Senator from York, Senator Lovell, if he would withdraw his motion and the Senator indicated that he would withdraw it.

Mr. FARRIS: Mr. President, I would yield to the Senator from York, Senator Lovell so that he may make his motion again.

Mr. LOVELL of York: Since with this amendment it is not now going to be a lottery bill and everyone is going to be in favor of it, I would now move that we accept the minority "Ought to pass" report and when the vote is taken I would move for a secret ballot under the Australian plan.

The PRESIDENT: The Senator is out of order.

Mr. STILPHEN of Knox: Mr. President, I move that we concur with the House.

Mr. FARRIS: And I request a division, Mr. President.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Knox, Senator Stilphen, that we concur with the House in indefinite postponement of the bill.

Mr. LOVELL of York: Mr. President, I wonder if the Senate has had time to read this amendment.

The PRESIDENT: The Chair will inform the Senator from York that the motion before the Senate at the present time is the motion of the Senator from Knox, Senator Stilphen, that the Senate concur with the House in indefinite postponement.

Mr. LOVELL: Is that debatable, Mr. President?

The PRESIDENT: It is.

Mr. LOVELL: Mr. President, what is the rule on not having a secret ballot on the bill?

The PRESIDENT: The Chair rules that the Senator is out of order.

Mr. LOVELL: Mr. President, I would hope that the Senate would not indefinitely postpone this bill at this time so this amendment can be placed on the bill, because some have made the statement they would not vote for a lottery even though 90 per cent of the people are for a lottery, but now this is not a lottery, this is a donation. With this amendment on the bill this will be a donation to the State of Maine. Now who is going to question giving a dollar or two to the State of Maine for old age assistance, for education, and in return receiving a stamp? The stamp is not for sale, it is given, and the money received goes to those funds I have mentioned. So I would certainly hope that the Senate would not go along with indefinite postponement so I can put this amendment on so that you can keep this bill going, because you can see how important it is to the State. It is estimated that our tourists spend two million dollars, plus the fifteen million, that makes seventeen million. Let's be conservative and cut it right in half, eight and a half million that we will have rather than having it go to the Irish Sweepstakes and other things. But again I say this is not a lottery.

Mr. FARRIS: Mr. President, I do not feel that there is any need for a great amount of debate, but in support of the motion to indefinitely postpone I merely at this time would like to quote one of our distinguished colleagues, the Senator from Somerset, that

"a trading stamp by any other name would smell as sour."

The PRESIDENT: The question before the Senate is on the motion of the Senator from Knox, Senator Stilphen, that the Senate concur with the House in the indefinite postponement of the bill. A division has been requested. All those in favor of the motion of the Senator from Knox, Senator Stilphen, will rise and stand until counted.

A division was had.

Seventeen having voted in the affirmative and eleven in the negative, the motion prevailed and the bill was indefinitely postponed in concurrence.

Mr. LOVELL of York: Mr. President, I think there must be a mistake. I wonder if the Senators realize —

The PRESIDENT: Does the Senator from York, Senator Lovell, question the vote?

Mr. LOVELL: No, I just wonder if they realize the importance of it.

The PRESIDENT: The Chair rules the Senator is out of order.

The President laid before the Senate the 15th tabled matter, (S. P. 262) (L. D. 779) Senate Reports from the Committee on State Government on "Resolve, Proposing an Amendment to the Constitution to Provide for the Apportionment of Senators for and Within Each County," Report "A", "Ought to pass"; Report "B"; "Ought not to pass," which was tabled on May 10th by the Senator from Cumberland, Senator Davis, pending acceptance of either report.

Mr. DAVIS of Cumberland: Mr. President, I yield to the Senator from Washington, Senator Wyman.

On motion by Mr. Wyman of Washington, the Senate voted to accept Report "B", "Ought not to pass."

Sent down for concurrence.

The President laid before the Senate the 16th tabled matter, (H. P. 915) (L. D. 1249) House Reports from the Committee on Transportation on Bill, "An Act Relating to Annual Permits to



Move House Trailers and Mobile Homes over Highways, Majority Report "Ought not to pass"; Minority Report, "Ought to pass," which was tabled on May 11th by the Senator from Waldo, Senator Cole pending acceptance of either report. (In the House indefinitely postponed)

Mr. COLE: Mr. President, since the sponsor made the motion which I am about to make, I now move that we indefinitely postpone this bill.

Thereupon the Senate voted to concur with the House in the indefinite postponement of the bill.

The President laid before the Senate the 17th tabled matter (H. P. 995) (L. D. 1382) House Reports from the Committee on Judiciary on Bill, "An Act Relating to a Power of Sale in a Mortgage and Sale under a Power in a Mortgage," Majority Report "Ought to pass as amended by Committee Amendment 'A'; Minority Report, "Ought not to pass" which was tabled on May 11th by Mr. Erwin of York pending acceptance of either report. (In House Minority "Ought not to pass" report accepted)

Mr. ERWIN of York: For the purpose of offering an amendment I now move that the Senate accept the Majority "Ought to pass" report.

The motion prevailed and the Majority "Ought to pass" report of the committee was accepted and the bill was given its first reading.

Mr. ERWIN: I now move, Mr. President, that Committee Amendment "A" be adopted.

Committee Amendment "A" was read by the Secretary.

Mr. ERWIN: Mr. President, before we take a vote on this I think perhaps a few words of explanation are in order. I will be as brief as I can.

This is the rather controversial power of sale mortgage which in its original form adds to, as an addition to the Maine law, in addition to the other methods by which mortgaged property can be foreclosed and taken by the mortgagee, this adds the Massachusetts-New Hampshire type power of

sale which is a departure from the Maine custom. In Maine, as I think most of you know the usual procedure when a mortgage is foreclosed is for publication to be made in a newspaper and once the publication is completed according to law the owner, the mortgagor of the property has one year in which to redeem his property. The practical effect in the State of Maine and elsewhere is that banks turn themselves inside out to avoid foreclosure proceedings because, No. 1, they do not want real estate on their hands, and No. 2, they do not want to be in the position of having a year go by with a tenant in a property on which there has been foreclosure and have the tenant care less for the condition of the house than he did when he owned it so that after foreclosure the property is worth a good deal less money.

Now it is not known generally in Maine that once a foreclosure is completed and a bank or other mortgagee takes property into possession and sells it the entire proceeds of that sale belong to the bank or other mortgagee, and if a house is mortgaged at \$8000 and it is taken in and sold for \$12,000 the \$4000 profit belongs to the bank. Under the Massachusetts-New Hampshire type power of sale law, which is L. D. 1382 here, a bank, upon default and breakdown of negotiations with the owner of the house in regard to payment, can move in, take over the property and offer it for immediate sale and give good title. The difference here is that if an \$8000 house is sold by the bank for \$12,000 the bank only gets \$8000 and the owner of the house gets all of his equity back. That is the departure in this law.

Now it was attacked and defeated elsewhere on the basis that it was such a departure in Maine law, that it took the old family homestead away and grandpa and grandma were going to be out in the cold. This amendment is offered to alleviate some of that and perhaps to get people in the State of Maine used to this kind of legislation by degrees. The amendment purports to state that, first of

all, the only property upon which the power of sale would operate would be commercial or recreational property, not private homesteads; secondly, a bank would not have this power accrue to it until 120 days after default, and that a bank could not move to sell commercial or recreational property held under a mortgage until 120 days had passed.

This seems to me and to other people who are in favor of this legislation to be an acceptable compromise. If I had not been fortunate enough to be the director of a small bank in the City of Portsmouth, New Hampshire and to have watched this power of sale mortgage operate over the past two years I myself might have been suspicious of it, but I have seen it work and it works beautifully. The purpose of it is brought into focus if you consider that the property upon which no adjustment can be made between the mortgagor and the mortgagee and the mortgagor is going to lose his place is immediately put on the market and sold to preserve the property and then the man has his debt paid off and he gets back all his equity. That is simply what this bill with the amendment purports to do, and therefore I move the adoption of Senate Amendment A.

The PRESIDENT: Will the Senator defer that motion until we adopt Committee Amendment "A"?

Thereupon Committee Amendment "A" was adopted.

Mr. FARRIS of Kennebec: Mr. President, I move that we reconsider our action whereby we just adopted Committee Amendment "A".

The motion prevailed and reconsideration was voted.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate: The Senate amendment, Filing No. S-198, introduced by the Senator from York, Senator Erwin extends the period of time set forth in House Amendment "A" and the two would be in conflict if both were adopted, and therefore I move the indefinite postponement of Committee Amendment "A".

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Farris, that Committee Amendment "A" be indefinitely postponed. Is this the pleasure of the Senate?

The motion prevailed.

Mr Erwin of York then presented Senate Amendment "A" and moved its adoption. Senate Amendment "A" was read and adopted, and the bill was tomorrow assigned for second reading

The President laid before the Senate the 18th tabled matter, (S. P. 418) (L. D. 1357) Bill, "An Act Including Piers and Terminals in Maine Industrial Building Authority Act," which was tabled on May 11th by the Senator from Knox, Senator Stilphen, pending consideration.

On motion by Mr. Stilphen of Knox, the Senate voted to reconsider its action whereby the bill was passed to be engrossed as amended.

On further motion by Mr. Stilphen, the bill was tabled until later in today's session.

The PRESIDENT: The Chair will pass over Item 19th because, as the Senators know, all matters referred to the Legislative Research Committee will be left on the table until final decision is made of the bills to be presented to the Research Committee.

On motion by Mr. Stilphen of Knox, the Senate voted to take from the table (S. P. 418) (L. D. 1357) Bill, "An Act Including Piers and Terminals in Maine Industrial Building Authority Act," tabled by that Senator previously in today's session.

On motion by Mr. Stilphen, House Amendment "A" to Senate Amendment "A" was indefinitely postponed.

Mr. STILPHEN: Mr. President, I would move that the Senate indefinitely postpone House Amendment "B".

Mr. MAYO of Sagadahoc: Mr. President, I may be a bit confused but I think this is a very important bill and it pertains to a lot of State money and there is a lot of

controversy on it, and I would move that this be tabled until later on in the session so that we can check these amendments that are being indefinitely postponed and added.

On motion by Mr. Stilphen of Sagadahoc, the bill was tabled until later in today's session.

The President laid before the Senate the 20th tabled item (S. P. 515) (L. D. 1535) Resolve Proposing Credit of State for Guaranteed Loans for Recreational Purposes; tabled on May 11 by Senator Noyes of Franklin pending final passage.

On motion by Mr. Noyes of Franklin, the Senate voted to reconsider its action whereby it passed the resolve to be engrossed, and that Senator presented Senate Amendment A and moved its adoption.

The PRESIDENT: The Chair will inform the Senator from Franklin, Senator Noyes, that the amendment has not been reproduced.

Thereupon, on motion by Mr. Noyes of Franklin, the resolve was laid upon the table pending passage to be engrossed (Amendment ordered reproduced.), and the resolve was especially assigned for later in today's session.

The President laid before the Senate the 21st tabled item (H. P. 861) (L. D. 1175) House Reports from the Committee on Transportation on bill, "An Act Relating to Weight Tolerances for Motor Vehicles Carrying Firewood, Pulpwood, Logs or Bolts"; Majority report, Ought not to pass; tabled on May 16 by Senator Cole of Waldo pending acceptance of either report.

Mr. COLE of Waldo: Mr. President, due to the fact that there are other pieces of legislation coming along that have a bearing on this particular one, I move that the bill be retabled unassigned.

The motion to retable prevailed.

The President laid before the Senate the 22nd tabled item (S. P. 516) (L. D. 1542) "Resolve Appropriating Moneys for Vocational and Technical Institute in North-

eastern Maine"; tabled on May 16 by Senator Bates of Penobscot pending passage to be engrossed.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate, due to the fact that research is going on in regard to the possibility of using facilities at Presque Isle Air Force Base in setting up the vocational technical institute, I move that this be retabled until later until the research has been completed.

Mr. DAVIS of Cumberland: Mr. President, I just want to comment as far as I know the research has been completed. We have the figures and the Appropriations Committee needs to know whether this bill is going to pass or not.

Mrs. CHRISTIE of Aroostook: Mr. President; my only reason for asking to table this is that our Governor is still conducting some research in regard to the availability of some property there at the base and that was my reason. If the Senator from Cumberland, Senator Davis, feels that it is better to move this bill along, it is all right with me.

The PRESIDENT: Would the Senator from Aroostook, care to withdraw her motion?

Mrs. CHRISTIE of Aroostook: Mr. President, I will withdraw my motion.

Mr. BROOKS of Cumberland: Mr. President, due to the fact that Senator Bates —

The PRESIDENT: Would the Senator defer for just a moment? The question before the Senate is the request of the Senator from Aroostook, Senator Christie to withdraw her motion.

Mrs. Christie of Aroostook was granted this request.

Mr. BROOKS of Cumberland: Mr. President, due to the fact that Senator Bates of Penobscot, is absent today and he is the Chairman of the Education Committee, I would appreciate this being retabled until tomorrow.

The PRESIDENT: Would the Senator from Cumberland, Senator Brooks, approach the rostrum?

(Conference at Rostrum)

Mr. BROOKS: Mr. President, may I withdraw my motion.

Thereupon, the bill was passed to be engrossed.

On motion by Mr. Mayo of Sagadahoc, the Senate voted to take from the table (S. P. 418) (L. D. 1357) bill, "An Act Including Piers and Terminals in Maine Industrial Building Authority Act", tabled earlier in today's session pending consideration; and that Senator yielded to the Senator from Knox, Senator Stilphen.

On motion by Mr. Stilphen of Knox, the rules were suspended, and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed and to further reconsider its action engwhereby Senate Amendment A was adopted, and that Senator presented Senate Amendment A to Senate Amendment A and moved its adoption.

Mr. CARPENTER of Somerset: Mr. President, I am sorry to have to rise and oppose this particular bill but I certainly am not in favor of the Industrial Building Authority Act including piers and terminals. I feel that we will get into private business and that is not what the Maine Industrial Building Act was organized for. Therefore, I move the indefinite postponement of this bill and all its accompanying papers.

Mr. STILPHEN of Knox: Mr. President, at this time I rise in opposition to the motion made by the good Senator from Somerset, Senator Carpenter. I definitely feel that this is a good bill. We have tried very hard during the whole session to promote this bill for the good of the State of Maine, and although it has been labeled from one end of the State to the other, as the Rockland bill, it still is not the Rockland bill. This is a bill which will help promote industry and help promote the transshipment of goods by our waterways which is one of our greatest assets in the State of Maine. To my knowledge, Mr. President and members of this Senate, there is only one man that is in opposition to this particular bill and I would cite to you that this is not peculiar to many different bills which have happened in the past, but some

people feel, not the role of being prosecuted but being persecuted.

This particular man that has come on the scene in this measure appears every so often with a figment of the imagination, saying that he is doing this and doing that and that we people in the Rockland area are opposed to him. We are not. I cite to you, Mr. President and members of the Senate, under date of May 17, 1961 under the title of New England Portland Cement Company, Rockland, Maine, signed by one Alfred S. Black. At this time I would like to refer you to the Belfast Rockland telephone directory. In the town of Camden which covers the Camden Rockport area, under New England, we find the New England Telephone and Telegraph Company and that is all under New England. Under the city of Rockland, under New England, I would like to refer to you, New England Insulation Company, New England Sanitation System, New England Telephone and Telegraph Company and that is all under New England.

I would like to know where the headquarters of this New England Portland Cement Company is located in the city of Rockland, and if they are located in the city of Rockland, why aren't they a going institution? They are not. It is still a figment of the imagination by this one man. I have here before me the supplemental list No. 3 of February 6 relative to the agents, the legislative counsel and agents as submitted by the Secretary of State of Maine. And I find under list No. 130 Alfred S. Black, 714 West Pine Street, Mississippi. And No. 131 lists Alfred S. Black, 714 West Pine Street, Mississippi.

Friends of this Senate, I have here dated as of this day, May 23, 1961, from the Department of State, State of Maine, Augusta, to Senator Carl Stilphen: "The lists of legislative counsel and agents filed with the Secretary of State's office has been checked and we do not find on file any type of cement company." This is signed, Isabel L. Knowlton, Secretary to the Secretary of State. I submit to you, my friends, that this is imaginary.

It is a persecution complex that this man has and if he only realized it that this imaginary project which he may have in the future in Rockland or the neighborhood of Rockland, he can avail himself of the money which is available under piers and terminals, the bill that we are presenting.

We ask that the State of Maine and this legislature go forward in letting the State MIBA, Maine Industrial Building Authority, put money, advance money for the building of piers and terminals as it does for all other different phases and project. We feel that this particular bill as outlined in many phases of the explanations, the bill and the many amendments which we had to it, is good for Maine and we do not feel that we are doing it only for Rockland, but doing it for the State of Maine.

Now to revert back to this particular persecution complex that we have. It says here in this particular letter which I read: "This is my last appeal to you to defeat the bill. It may take courage (I would prefer to say—") and I would prefer to leave that word off the record—"if you do not strongly object to vote against the powerful lobby which has been mustered to support passage. Perhaps if the sponsors withdrew their original bill" and so forth and so forth. "... because no consideration whatsoever is given to their proposal to the critical blow that this would deal to other deep water port or ports. For instance, the port of Searsport would automatically lose the delivery of 350 to 400 thousand barrels of fuel oil which would go to Rockland Harbor."

I just cannot imagine how Rockland harbor could ever use 350 to 400 thousand barrels of oil no matter what the industry might be.

"Because the sponsors are now openly declaring that they have interested four 'heavy material' industries in their proposal; two of the same, oil and cement, while helpful to Thomaston, are harmful competitively to the neighboring town of Rockport, with its Clam Cove Harbor." My friends, that is pathetic. There is no such thing as Clam Cove Harbor in the annals of the State of Maine. There

is no such thing on the charts of the seacoast of the State of Maine. There is Clam Cove, but no Clam Cove Harbor. It is still another figment of the imagination. I can imagine this man saying he is going to develop Clam Cove Harbor and God bless him I hope he does and I hope the MIBA helps him do it. And I will be one of the first ones in the Rockland area to help that to take place.

Four years ago, to promote this figment of the imagination, I stood in the floor of this Senate to put in a bill for the cement company to operate a railroad and from one end of the state house to the other, the lobbyists that were with the legitimate railroads came rushing to me and said, "By all that's good and holy, Senator Stilphen, are you going to start a new railroad? No railroad now pays its way." And I got the bill through and it passed and what happened? Nothing. There wasn't a spike driven; no right of way obtained, not a rail laid; not a tie laid. Nothing. Some time previous to this session when I came here to this legislature, again this man who has this great imagination came to me and said, "Please Senator, get my bill through. Get an extension for my railroad." I have to acknowledge I had to use some imagination myself. I said, "What railroad?" And he said, "My railroad. I'm going to have it." We got it through. We passed it. I worked for it and spoke for it before committee and it's through. He can operate a railroad. Somewhere in the far distant future, wherever the terminals may be, I hope this man operates his railroad. He is entitled to do it as long as this legislature passed the bill. But by all that's good and holy I ask this Senate today not to stand in the way of progress for piers and terminals up and down the State of Maine, just because this man wants to operate a figmentary railroad.

Mr. NOYES of Franklin: Mr. President and members of the Senate, I rise in support of the motion of the Senator from Knox, Senator Stilphen. I am a member of the committee on Industrial and Recreational Development which heard this bill and, as a matter of

fact, my interest was so aroused because of the controversy which was purely local, but I went down to Rockland to look over the site of this proposition to see whether or not there was any real basis for the local argument.

I am afraid a lot of people do not understand the Maine Industrial Building Authority. It was passed several years ago and it provides that any community or local group can get together and form a development corporation and that corporation must be a non-profit corporation and they put in ten per cent, and then they go from there to the bank and if the banks are willing to put up the ninety per cent, then the thing gets under way and of course you have to have an operator or a business that's coming into to actually carry on the purpose for which the Maine Industrial Authority and the loan is advanced.

Now Senator Stilphen's bill merely asks that the present Maine Industrial Building Authority be expanded so that piers and terminals can be included under the act and Senator Stilphen's bill does not ask this for Rockland or Bar Harbor or Portland, but for the entire state, and I think that is really important. The cost of Maine in my opinion has got to be opened up and most certainly if we can build industries in Sanford and in Lewiston or any other part of the state with this vehicle of the Maine Industrial Authority, why can we not build piers and terminals along the coast of Maine? How does a pier or terminal come into an industrial definition? Very simply. In this particular case, the thing that they have in mind is the moving of grain by the waterways of the world so they could come into Rockland or any other place that wants a pier and because of the primary manufacturing, the grinding and the other processing of the grain which would take place at the pier or the terminal, that would bring it within the purview of the Maine Industrial Building Authority and therefore it pertains to manufacturing or industry, and then the grains would move on to

help out the poultry industry. To help them out means they would be able to get grain shipped this way at a lower price.

It is strange indeed that when the Maine Industrial Building Authority was finally passed by this legislature, that two industries were excluded from the Maine Industrial Building Authority, one was the Agricultural Industry and the other was the Recreational Industry. The way that Senator Stilphen's bill is worded, because of the manufacturing, the preliminary manufacturing, this would definitely be within the purview of the Maine Industrial Building Authority. Before our committee came the members of the Maine Industrial Building Authority and they said this was good and they wanted it. The Commissioner of DED came and said it was a good thing. The industrial agents of the State of Maine came before our committee and said it was a good thing. There was no opposition except by this one gentleman. I hope the Senate will support the motion of the Senator from Knox, Senator Stilphen.

Mr. STILPHEN of Knox: Mr. President, I hope that you will vote against the motion which is before the Senate, the motion of the Senator from Somerset, Senator Carpenter, to indefinitely postpone this bill, and when the vote is taken, I ask for a division.

Mr. COLE of Waldo: Mr. President, I rise to oppose L. D. 1357, in other words, I am supporting the motion of the Senator from Somerset, Senator Carpenter. It is the obvious purpose of the so-called Rockland group to create another deep water port. The State of Maine has two fine harbors in the Port of Searsport and in the Port of Portland; The state has provided the Maine Port Authority with funds to promote more commerce for these ports. Now at least two members of that authority question the wisdom of the action taken by the state at this time to develop a third port, or maybe four or five that would eventually take business from the existing two ports.

Now I saw their view. My second reason for opposing the so-

called Rockland bill is that the Maine Industrial Building Authority was created not to engage in maritime projects but to enlarge the opportunity for employment in our state. I believe the state as a whole has more to gain from MIBA assistance to numerous industrial projects in as many towns as possible that it has to gain by exhausting much of its limited financial capacity on one or more of the multi-million dollar harbor projects.

I share the views of those that believe that MIBA still has a lot to do in the field originally assigned to it without spreading out at this time into either recreational projects or harbor projects.

Now it has been stated here that a project at Rockland would create grain shipments from the west to Rockland. I still maintain that we have two ports that can very ably take care of any shipments that they wish to make. Searsport is one of those which is in the center of the poultry industry and the most logical if you are going to concentrate on grain shipments than any other port. We have the facilities in the Port of Portland already and it is being used as such.

It seems to me that we are going away from the original intent of the MIBA and I want to say here that I was one of those who supported the bill originally. I agree that it has a lot of potential in developing the State of Maine so I shall vote for indefinite postponement.

Mr. STILPHEN: I don't like to belabor this but I am a bit amazed at the good Senator from Waldo, Senator Cole referring to an authority which is in the red and they are now in the legislature asking for money to bail them out, the so-called Port Authority.

I happen to have it here: Maine Port Authority, fiscal year ending June 30, 1959; Statement of operations shows a net loss of \$20,661.75 as compared with the net loss of \$14,000 even the previous year.

I feel that if we can do something which is contrary to what these people may think, I think it is good for the State of Maine.

I think it makes money for the State of Maine. I think the ports can make some money. I submit to you that we should not take them too reliably and I hope when the motion is taken you will defeat it.

Mr. LOVELL of York: Mr. President, just a word on this bill. Since this came before my committee, I think Senator Noyes expressed my sentiments, but I would like to point out to Senator Carpenter that it cannot be, this development corporation cannot be a private corporation; it must be a non-profit corporation which must put up ten percent of the capital, the other ninety per cent to be guaranteed by MIBA. Now I have great confidence in the intelligence and integrity of the directors at MIBA and whether this is for a pier or terminal or Rockland Harbor or Portland or Searsport and I can well see that Portland and Searsport might use them in the future. They might need a pier or terminal to help them, that certainly we should look at this bill in an impartial light. We have already passed a bill to form the Kittery Port Authority and I can well see Kittery wanting to use this particular amendment to the bill to help their port authority. It seems to me in Maine we have a wonderful state with its water, its sea-coast and our shipping business can be greatly increased and the thing that is more important to me is to see more jobs and more payrolls and I feel that we can get more jobs and more payrolls and I feel definitely we should not look at it in the light of a few but should look at it in the overall picture and its good for the state. I hope that the motion does not prevail to indefinitely postpone.

Mr. FARRIS of Kennebec: Mr. President, I rise to a point of information. Is the motion of the Senator from Somerset, Senator Carpenter, to indefinitely postpone the bill and accompanying papers?

The PRESIDENT: Yes.

Mr. FARRIS of Kennebec: Mr. President, I would like to ask a question of anyone who can answer, and possibly the Senator from Knox, Senator Stilphen, is

more familiar with this particular amendment which he has introduced the definition of the piers and terminals to come under this authority are water piers or terminals where the same are used for trans-shipment or storage of materials and products, which I supported previously and would still support and would not care to see that particular amendment lost.

Now, my question is this, in offering Senate Amendment A to Senate Amendment A, where the definition is changed to read "any ocean pier or terminal occupied by any industry engaged in manufacturing, processing, assembling," and so forth, what is the purpose and the intent, and what is to be accomplished by changing the definition to a pier "occupied by a particular industry engaged in the manufacturing, processing," and so forth?

The PRESIDENT: The Senator from Kennebec, Senator Farris, poses a question to the Senator from Knox, Senator Stilphen, who may answer if he wishes.

Mr. STILPHEN of Knox: Mr. President, in answer to the question of the Senator from Kennebec, Senator Farris, I would say this: that first, I am not an attorney and this amendment, Senate Amendment A to Senate Amendment A was prepared by the Hon. John Carey of Bath who is a member of the Maine Industrial Building Authority and only, as I understand it from Mr. Carey for clarification and terminology as far as the bill is concerned. It is to make it more palatable to future scrutiny of the members of the Bar Association and we subscribe to the fact that he knew what he was doing and we have gone along with it. If that answers the question, I am happy and if it doesn't I am sorry.

Mr. FARRIS of Kennebec: Yes, Mr. President, I thank you, Senator Stilphen. It still seems to me that if we are going to accomplish the desires which have been mentioned by persons who are interested in industrial development—all of us are interested in it, but those who are authorities on it, that the real intent to accomplish

what I would think would be a true purpose, would be to have this as we adopted it in Senate Amendment A where water piers and terminals would merely be used for trans-shipment or storage rather than limiting it merely to an industry which is engaged in manufacturing and processing. I certainly am in favor of providing opportunity for expanding our facilities, but I frankly admit that I do not fully understand the limitation in Senate Amendment A to Senate Amendment A where the pier or terminal must be occupied by an industry engaged in manufacturing, processing and assembling. I would think the piers should be developed for the purpose of storage and then trans-shipment of goods.

Mr. NOYES of Franklin: Mr. President, I think I can explain the reason for the Senate Amendment and I think I touched on it before. Under the provision of the Maine Industrial Building Authority, only those industries which are engaged in manufacturing come within the purview of the act and so the Maine Industrial Authority people through their attorney and some other attorneys have been involved and I believe also that the Attorney General has approved this, changed the wording so that this pier and terminal by reason of having the industry located upon the property for primary manufacturing at least would then come under the purview of the present intent of the Maine Industrial Building Authority and therefore at a later date, and particularly because of this local feud, someone would not take the question to the Supreme Court of the State of Maine and if they did it was the feeling of the legal minds that worked on it that the matter resolved itself into a law suit or had to go to the Supreme Court of the State of Maine for legal interpretation. Probably the second amendment would meet with their approval.

The PRESIDENT: The question is on the motion of the Senator from Somerset, Senator Carpenter, to indefinitely postpone.

A division of the Senate was had.



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

The PRESIDENT: The question before the Senate is on the motion of the Senator from Knox, Senator Stilphen, that the Senate adopt Senate Amendment A to Senate Amendment A.

The motion prevailed, Senate Amendment A to Senate Amendment A was adopted; Senate Amendment A as amended by Senate Amendment A was adopted, and the bill was passed to be engrossed.

Sent down for concurrence.

Mr. Edgar of Hancock was given unanimous consent to address the Senate.

Mr. EDGAR of Hancock: Mr. President and members of the Senate, I have been asked to point out to the Senate that President Kennedy and Governor Reed both have designated Monday, May 22nd as National Maritime Day and in connection with that and to commemorate that occasion, the Maine Maritime Academy has erected in the rotunda out here on the third floor, a maritime exhibit attended by two of the midshipmen from the Academy. I have been urged to ask you to inspect the exhibit and feel free to ask any question. They will be happy to inform you, I know. Thank you.

The PRESIDENT: The Chair thanks the Senator from Hancock, Senator Edgar, for his remarks.

Mr. MAYO of Sagadahoc: Mr. President, could I ask a question of the Chair?

The PRESIDENT: The Senator may.

Mr. MAYO: Mr. President, it is my understanding that we had agreed to have afternoon sessions on Wednesdays and Thursdays. I knew nothing about an afternoon session on Tuesday. Am I correct?

The PRESIDENT: If the Senator from Sagadahoc, Senator Mayo had attended the session yesterday afternoon, it was decided to hold a meeting this afternoon.

Mr. MAYO: Mr. President, I am sorry I was absent yesterday afternoon.

On motion by Mr. Noyes of Franklin,

Recessed until three o'clock this afternoon.

#### After Recess

The Senate was called to order by the President.

The President laid before the Senate the 23rd tabled item (S. P. 16) (L. D. 16) Senate Reports from the Committee on Inland Fisheries and Game on bill, "An Act Establishing a Uniform Open Deer Season"; Majority report, Ought not to pass; Minority report, Ought to pass; tabled on May 16 by Senator Mayo of Sagadahoc pending acceptance of either report.

Mr. CARPENTER of Somerset: Mr. President, in view of the Senator's absence, I move that this be tabled until later in the day.

Mr. PORTEOUS of Cumberland: Mr. President, a point of information, I believe that Senator Mayo has gone home. I don't think he will be here.

Mr. EDMUNDS of Aroostook: Mr. President, I know that Senator Mayo's intention was to go home early but he was planning to be here about an hour.

The PRESIDENT: The Senator from Sagadahoc, Senator Mayo, informed the Chair that he would be here at the beginning of the session in the afternoon.

Thereupon, the motion of Mr. Carpenter of Somerset to table the bill until later in the day prevailed.

The President laid before the Senate the 24th tabled item (S. P. 248) (L. D. 765) Senate Report, Ought not to pass, from the Committee on Appropriations and Financial Affairs on "Resolve Appropriating Funds for Operating Expenses for University of Maine"; tabled on May 17 by Senator Brooks of Cumberland pending acceptance of the report.

Mr. NOYES of Franklin: Mr. President, both Senator Brooks of Cumberland, and Senator Bates of Penobscot are not here and they spoke to me and I move that this bill be retabled until tomorrow morning.

The motion to retable and so assign prevailed.

The President laid before the Senate the 25th tabled item (S. P. 102) (L. D. 247) Senate Report, Ought not to pass, from the Committee on Appropriations and Financial Affairs on "Resolve, Appropriating Moneys to Provide Promotion for Maine's Industrial Development"; tabled on May 17 by Senator Lovell of York pending acceptance of the report.

Mr. LOVELL of York: Mr. President and members of the Senate, I had a good deal of notes on this particular bill but one of the good Senators this morning told me that if I talked too much I generally lost the bill so consequently I am going to make my remarks on this bill rather brief. But I would first take for granted that most of you have perused the Armour Foundation Report.

This bill calls for a million dollars for industrial development in Maine for the next two years. The Armour Foundation report has stated that we should have a million dollars per year for industrial development of the State of Maine for the next two years. I would point out to you first, that at the present time in Maine, we have—

The PRESIDENT: Could the Chair interrupt the Senator from York, Senator Lovell, please. Would the Senator please make a motion to substitute the bill for the report if he is going to talk in favor of the bill?

Thereupon, on motion by Mr. Lovell of York, the Senate voted to substitute the bill for the report.

Mr. LOVELL: Mr. President, I would state that at the present time in Maine, there are some 34,000 people out of work and there have been over a period of years a great number of people out of work, never under twenty-five or twenty-six thousand, according to Dr. Sly's report; that we have lost some 6000 manufacturing jobs in the last few years. I would also point out that Maine at the present time is the highest taxed state in the east, per capita—

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Stilphen. For what purpose does the Senator rise?

Mr. STILPHEN: Mr. President, a point of order. I would like to know if the Senator has unanimous consent to address the Senate. I would like to know what the motion is that he is speaking to.

The PRESIDENT: Will the Senator from York, Senator Lovell inform the Senate what motion he is speaking on?

Mr. LOVELL: Mr. President, I am not quite clear. Has this bill passed?

Mr. STILPHEN: Mr. President, this bill has been substituted for the report.

The PRESIDENT: Will the Senator from York please defer his remarks for a moment?

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

The PRESIDENT: The Chair would like to announce at this time that on Wednesday afternoon at 3:30 o'clock there will be a joint meeting with the House in regard to the election laws. Is this right, Senator Edgar?

Mr. EDGAR of Hancock: Mr. President, may I out of order and under suspension of the rules, briefly address the Senate?

The Senator from Hancock, Senator Edgar was granted unanimous consent to address the Senate.

Mr. EDGAR of Hancock: Mr. President and members of the Senate, as you all know, the Secretary of State's office and the Committee on Election Laws have been working for a long time on a bill to introduce to the legislature to revise completely the state election laws. This runs to some fifty odd printed pages. It is not a simple bill to read or to understand in all its phases and because it is of such great importance and covers so wide an area we would like if possible to have a joint meeting of the House and Senate, both parties, tomorrow afternoon at 3:30 in the House, similar to the session that was held in connection with the district court bill. The Secretary of State will be

present to answer the many questions which I am sure are on people's minds in regard to this bill, and I would merely like to urge all of you if you possibly can to attend that meeting at 3:30 tomorrow afternoon in the House.

The PRESIDENT: The Chair thanks the Senator from Hancock, Senator Edgar, for making definite and explanatory statements.

On motion by Mr. Porteous of Cumberland, out of order, the Senate voted to take from the table (H. P. 464) (L. D. 664) Resolve in Favor of Jim Adams, Inc. of Bangor; tabled by that Senator earlier in today's session pending acceptance of either report; and on further motion by the same Senator, the Report B, Ought to pass as amended by Committee Amendment A was accepted and the bill read once.

The Secretary read Committee Amendment A.

Mr. FERGUSON of Oxford: Mr. President and members of the Senate, due to the fact that the Chairman of the Highway Committee, Senator Cole, is out, I request that this be tabled until later in the day. I know he has material he will want to discuss it.

Thereupon, that Senator was granted permission to withdraw his motion.

Committee Amendment A was adopted.

Mr. STILPHEN of Knox: Mr. President, I would like to inquire through the Chair of the Claims Committee, anyone who might be familiar with this act, how much Jim Adams, Inc. has been paid up until now?

The PRESIDENT: Will the Senator approach the rostrum?

(Conference at rostrum)

Mr. PORTEOUS: Mr. President, I move the adoption of Senate Amendment A.

Thereupon, on motion by Mr. Ferguson of Oxford, the bill was tabled and especially assigned for tomorrow, pending adoption of Senate Amendment A. (Motion by Mr. Porteous of Cumberland)

On motion by Mr. Boardman of Washington, the Senate voted to reconsider its action whereby Item 7-1, bill, "An Act Relating to Unprotected Wells" (H. P. 1131) (L. D. 1559) was passed to be engrossed; and on further motion by the same Senator, the bill was tabled pending passage to be engrossed.

On motion by Mr. Carpenter of Somerset, the Senate voted to take from the table (S. P. 16) (L. D. 16) bill, "An Act Establishing a Uniform Open Deer Season" (Item 23) tabled by that Senator earlier in today's session pending acceptance of either report; and that Senator yielded to the Senator from Sagadahoc Senator Mayo.

Mr. MAYO of Sagadahoc: Mr. President, I thank the esteemed gentleman, the Senator from Somerset, Senator Carpenter for his courtesy. Probably before the debate is over, I will have to take that back. We now get into the same discussion in regard to the deer season that we have already had today. This was the original bill I spoke of previously. This, in my opinion, is the only good bill regarding deer hunting in the state that is before this legislative session. This is the bill that had a hearing at the—

The PRESIDENT: Would the Senator from Sagadahoc, Senator Mayo, defer his remarks and make a motion to accept one of the reports of the Committee.

Mr. MAYO: Mr. President, I would move that the Senate accept the Minority Ought to pass report.

Mr. CARPENTER of Somerset: Mr. President in view of the fact that we have debated deer bills here most all morning I feel that the majority of the Senate is fully aware of the contents of this particular bill and all its accompanying papers.

Mr. NOYES of Franklin: Mr. President, I would request a division when the vote is taken.

Mr. MAYO of Sagadahoc: Mr. President, I rise in opposition to the motion of the Senator from Somerset, Senator Carpenter. Fortunately I can use the same notes that I used previously today but I

can refer to the fact that some of the objections to the amendment this morning, possibly cannot be used on this bill because this bill did have its hearing. It did have a large hearing and it had a large delegation of people for the bill. I can list names here, former game wardens; past presidents of fish and game groups; a Mr. Winter, a former game warden; a camp owner in Somerset who lost so much money last year because of the zoning laws we have; Representative Hancock; Representative Beane; Representative Smith; Mr. Charles Dyer of Dead River; reference to the Stockton-Rangeley problems we had; Representative Archie Hunter; Maine Central Railroad engineer who advocates this bill. I could go on and on.

As I said before, some of the objections to the amendments I introduced earlier, was the fact that it would not be right to pass anything that did not have a hearing. This bill had a very fine hearing and had many proponents for the bill and very few, if any opponents to the bill. Again I repeat that if we here in the Senate are going to be consistent with our motions and with our voting, I cannot see how anyone here in the Senate can possibly stand up and support the motion now before this Body. I sincerely hope that the motion does not prevail.

Mr. CARPENTER of Somerset: Mr. President, to explain this very briefly: this bill would have an open season for the entire state from the 21st day of October until the 30th day of November.

Mr. ERWIN of York: Mr. President, I hate to get involved in this any further. I feel that most of the arguments have been made, but in regard to the statement about a lack of consistency I think it should be pointed out that a little while ago we heard that we should move certain boundaries in order to provide better situations for hunting because of the fact that the deer were disappearing in certain areas. That simply points up the fact that the State of Maine is so large and the climatic situations so diverse that a single deer law for the State of Maine doesn't make any sense at

all. We have had one for quite a long time. But the point I want to make now is that we need to give the three zones a try-out more than we have for the past two years. If at the end of another two years they are not working I will be one of the first ones to come in here and support a change, but I do not think that two years is soon enough to tell if the existing law is not working.

Mr. NOYES of Franklin: Mr. President, two years ago when the three-zone deer bill was passed we were assured by the department and the members of the Inland Fish and Game Committee that if after this first trial there was any opposition to this thing we could change it.

Now I was at that hearing and I spoke at the hearing, and I do not know how many hundreds of other people were there, but there certainly was a hundred people there. I presented, I think 450, names, as I recall, and there was no opposition to it. I think for that reason we ought to give consideration to it at this time. Perhaps it is too bad to return to a one-zone proposition but I think from what little discussion you have heard this morning and certainly throughout the session you can not split up any pie, whether it is the State of Maine or anything else, into zones or into portions and satisfy everybody. Therefore I hope you will give consideration to this measure which would be statewide, would abolish the zones and would open up on October 21st and close the season November 30th.

Mr. CYR: Mr. President and members of the Senate: The Senator from Sagadahoc, Senator Mayo, mentioned that there was very little opposition to this bill. In looking over my notes here I find there was a James Kieran who opposed it, there is a Tom Grace, representing 1000 members, and he mentioned that with the hunting pressure they could not stand more than thirty days of hunting. Arthur Buck, representing 3000 members in opposition, there is Roland Hussey, Carson Hills and George Grew whose names I have here in my notes.

Now we have passed some zone bills and we have gone along so far on the proposition that we are keeping the zone legislation for another biennium, and the feeling is that just one session or just one biennium is not enough to give it a good try-out. That is the assumption that the committee went on on this matter. Certainly it would not be consistent, after passing all this zone legislation, to turn around and pass a uniform deer season for the whole State of Maine.

Mr. EDMUNDS of Aroostook: Mr. President, as I read the status of this bill on the calendar, it seems to me that if we go along with the motion of the Senator from Somerset, Senator Carpenter, to indefinitely postpone this bill we will merely be accepting a majority "Ought not to pass" report. If that is not consistency I don't know what it is.

Mr. MAYO of Sagadahoc: Mr. President, through the Chair I would like to pose a question to the Senator from Aroostook, Senator Cyr.

The PRESIDENT: The Senator from Sagadahoc, Senator Mayo, poses a question through the Chair of the Senator from Aroostook, Senator Cyr, and he may answer if he wishes.

Mr. MAYO: Mr. President, I would like to ask Senator Cyr if he in his notes has any idea as to what clubs or what groups are represented by the 1000 people and the 3000 people. Are these clubs or organizations or what type of representation are they?

Mr. CYR: Mr. President, I did not have time in writing my notes to take the names of the clubs that they were representing. I am pretty sure that Arthur Buck was representing some kind of a federated club. Maybe Senator Carpenter would be able to answer that. The clubs that were represented by Arthur Buck had 3000 membership and those represented by Tom Grace had 1000 membership.

Mr. FERGUSON of Oxford: Mr. President, I personally know both of these men. It is Arthur Bucknell representing the Saco Valley

Fish and Game Association with 3000 members, and Tom Grace represents around 1000 members of the Northeastern Oxford County Protective Fish and Game Association.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate: I would like to bring to your attention the reference made just shortly to the fact that more than thirty days of hunting would hurt our deer herd. If my memory serves me right, these same Senators who speak in this tone of voice voted for and passed an increase of five days in the hunting time in the other zones. Now if that is not inconsistent what is inconsistent?

Mr. EDGAR of Hancock: Mr. President and members of the Senate: I rise in very definite support of the motion of the Senator from Somerset, Senator Carpenter and I also want to concur partly with the remarks of the Senator from York, Senator Erwin.

To me the idea of having a uniform hunting season throughout the entire state is completely untenable because of the variations in climatic conditions. On October 21st down on the coast in my area, as I said this morning, people would be going hunting in their shirt sleeves it is so warm; the leaves are still on the trees, the deer are not moving around, and according to those who know—and I do not because I am not a hunter—according to those who know it is ridiculous to try to go deer hunting under those conditions.

Now as far as adding five days to the season is concerned, by our action this morning, I think the Senator from Sagadahoc, Senator Mayo, is overlooking the fact that we chopped four days off October and added five days in December with a net gain of one day in the length of the season.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Somerset, Senator Carpenter, that the bill and accompanying papers be indefinitely postponed. All those in favor of the motion of the Senator from Somerset, Senator

Carpenter, will say aye, those opposed no.

A viva voce vote being doubted, a division was had.

Nineteen having voted in the affirmative and six in the negative the motion to indefinitely postpone prevailed.

Mr. Mayo of Sagadahoc was granted unanimous consent to address the Senate.

Mr. MAYO: Mr. President and members of the Senate; Unfortunately during this session I have sat on the left-hand corner on this Senate Chamber, and I wonder if I would be out of order in suggesting that possibly at some time when the count is taken on a division vote the Clerk could possibly start his counting on the other side of the chamber so that we over on this side of the chamber could see how the other people are voting and thereby know which way we want to stand up. It is just a suggestion, after sitting here all winter seeing what has happened. (Laughter)

Mr. DAVIS of Cumberland: Mr. President, I must have gotten lost somewhere here in the shuffle. Will the Chair inform me what action we took on Item 25?

The PRESIDENT: The Chair will inform the Senator from Cumberland that we voted to substitute the bill for the report and gave it its first reading and assigned it for second reading.

Mr. DAVIS: Mr. President, if I am in order now, I would like to make a motion to reconsider our action.

Mr. LOVELL of York: Mr. President, I do not think he is in order.

The PRESIDENT: Will the Senator from York, Senator Lovell, allow the Chair to make that decision.

The question before the Senate is on the motion of the Senator from Cumberland, Senator Davis, that the Senate reconsider its action whereby "Resolve Appropriating Moneys to Provide Promotion for Maine's Industrial Development" (S. P. 102) (L. D. 247) was assigned for second hearing on the next legislative day.

Mr. LOVELL of York: Mr. President, I ask for a division.

The PRESIDENT: A division has been requested by the Senator from York, Senator Lovell. All those in favor of the motion of the Senator from Cumberland, Senator Davis, will rise and stand in their places until counted.

A division was had.

Thirteen having voted in the affirmative and thirteen in the negative, the motion did not prevail.

The PRESIDENT: To make it easier for the Chair, the Chair at this time would like to read Rule 3: "When a senator speaks he should stand in place and address the President." This would also be a help to our Mrs. Crocker here who is operating the loudspeaker system. It is impossible, when two or three jump up and face the Chair and do not even speak, for the Chair to know who to recognize first. In the future I will recognize the Senator who speaks first.

The President laid before the Senate the 26th tabled matter, (S. P. 392) (L. D. 1258) bill, "An Act Relating to Interest Rate for Licensed Small Loan Agencies," which was tabled on May 18th by the Senator from Lincoln, Senator Chase, pending consideration.

Mr. CHASE of Lincoln: Mr. President, I move that we concur with the House in the acceptance of the committee report.

The PRESIDENT: The Senate may be at ease for a moment.

(At Ease)

Called to order by the President.

Mr. CHASE of Lincoln: Mr. President, I move that the Senate reconsider its action whereby the bill was indefinitely postponed.

The PRESIDENT: The Senator from Lincoln, Senator Chase, asks that the rules be suspended so that the Senate may reconsider its action whereby the bill was indefinitely postponed.

Mr. CARPENTER of Somerset: Mr. President, I now move that the Senate adhere.

Mr. PORTEOUS of Cumberland: Mr. President, when the vote is

taken I ask that it be taken by a division.

Mr. CYR of Aroostook: Mr. President, may I ask exactly what we are voting to adhere to, indefinite postponement or what?

The PRESIDENT: That would be the motion, sir.

All those in favor of the motion of the Senator from Somerset, Senator Carpenter, will rise and stand in their places until counted.

A division was had.

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

The PRESIDENT: The Chair will ask the Senator from Hancock, Senator Brown to approach the rostrum and act as President pro tem for a few minutes. (Applause)

The President pro tem laid before the Senate the 27th tabled item, (H. P. 1143) (L. D. 1575) bill, "An Act Relating to the Dissolution of Corporations," which was tabled on May 18th by the Senator from Washington Senator Boardman, pending enactment.

Mr. BOARDMAN of Washington: Mr. President, with reference to this particular bill, I was asked to table it so that it could be checked with regard to an amendment. I have been trying all day to contact the gentleman who is most interested in it, but with no luck. I would like at this time to ask that it be retabled specifically for tomorrow.

Thereupon the bill was retabled and tomorrow assigned pending passage to be enacted.

The President pro tem laid before the Senate the 28th tabled matter, (S. P. 1) (L. D. 1) "Resolve, Appropriating Moneys to Provide for National Advertising for Maine's Recreational Industry," which was tabled on May 19th by the Senator from Franklin, Senator Noyes, pending consideration.

Mr. NOYES of Franklin: Mr. President, I would first move that we accept the "Ought to pass" report so that I can present Senate Amendment "A", and I will explain that would reduce the million dollars asked for for National

Advertising for Maine's Recreational Industry down to the sum of one dollar, and I have been informed that most everybody will vote for the one dollar.

The PRESIDENT pro tem: The Chair would inform Senator Noyes that the amendment is in order now as the bill is up for second reading.

Mr. Noyes of Franklin then presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A" was read by the Secretary.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate: I rise merely for the sake of consistency. I have repeatedly been opposed to any special L. D. which carries any amount of money. I have repeatedly stated I am not opposed to spending more money for this purpose, but the proper place for this item is in the supplementary budget, and I think it looks pretty ridiculous for we in the Senate to pass any amendment which is carrying a tag of one dollar for advertising our recreational facilities, and for that reason I move the indefinite postponement of this amendment.

Mr. CYR of Aroostook: Mr. President, I feel the same way, and I would like to ask a question of Senator Noyes: Just what is the purpose of passing this? Is this in the same nature of the airport we bought for a dollar, or these dollar men that work for the federal government? Just what is the nature of this amendment?

The PRESIDENT pro tem: The Senator from Aroostook, Senator Cyr, poses a question through the Chair of the Senator from Franklin, Senator Noyes, who may answer if he chooses.

Mr. NOYES of Franklin: Mr. President, I think if you followed my past remarks throughout this session here — we had several senators who suggested that we amend it down to \$200,000, then we had some more discussion here with the Chairman of the Appropriations Committee that this be worked into the supplemental bill, and then when it was reconsidered it was reconsidered on the basis that it would be kept alive as a

vehicle, and at that time I was not prepared to state just what amount would finally be agreed upon so I said here, and it is in the record, that I would get up and amend this down to one dollar, so I have done that to keep it alive.

The PRESIDENT pro tem: Does the Senator from Aroostook, Senator Cyr, consider his question answered?

Mr. CYR of Aroostook: Well, Mr. President, I can see the reason for keeping this alive, but it is of the same nature as many other problems we have. I am particularly referring to the airport that we bought for a dollar but after we found out what was behind it we were told that possibly the State would have to spend two million and a half. I am just wondering whether there is not a move behind this here that we do not see right now.

Mr. CARPENTER of Somerset: Mr. President, I rise in support of this amendment for this particular reason: knowing that Senator Noyes has been so recreationally-minded all these past several years, for the promotion of Maine industry and recreational matters, anywhere from a million to twenty million, I hope that the Senate will go along and accept this amendment, pass the bill to be enacted and signed by the Governor, so Senator Noyes may hang it up in his little place at Bemis and in his dotage may look at it and say, "At least I did try to do something for the State of Maine." (Laughter)

Mr. CYR of Aroostook: Mr. President, it looks as though I will have to spell it out.

I am told that the last night of the last day when they pick up all of the money bills that it is done by the President of the Senate, the Majority Leader of the Senate and the co-partner in the other house. Now is this just going to be a club over our head to accept something that we do not want to accept? In other words, after we have passed this vehicle here any amount can be attached to it. Now is this going to be used to swap horses and to say, "Now you come along for \$200,000 on this"—or

\$500,000 or whatever figure they feel is fair—"if you come along with my bill I will help you pass your bill"? That is what I had in mind when I asked: Is there something else coming behind this.

Mr. LOVELL of York: Mr. President and members of the Senate: I certainly do not think that Senator Noyes has that in mind. I think that Senator Noyes as well as myself feel the tremendous importance of the tourist business in the State of Maine, and we realize the tremendous amount of money, being our second largest source of income in the state, we realize that this is so tremendous to the State of Maine that we would hate to see the Senate vote down any bill so it would be stated in the press that the Senate voted down a bill for money to bring in more money for the State of Maine, where it has been proven that it brings in \$16 in direct tax money alone for every dollar spent. I certainly hope that the Senate will go along with Senator Noyes on this bill.

Mr. CYR of Aroostook: Mr. President, it looks as though the time is coming when we will have to get down to business and debate this.

I asked that same question at the caucus we had on DED, I asked the question of the Commissioner: Would you rather have a crash program and have a large amount of money for one year or two years and then slump back to our position where we are, or would you rather have a long-time program, something that we can buy? We have to look at it not only from the standpoint of what it is going to bring in. There is a certain amount of no return, and certainly we have to look at it from the standpoint of what we can afford, not only what we can buy but what we can afford.

I have no objection to passing this amendment and keeping this vehicle alive, I have no objection to that. I have no objection to putting more money into recreation. But I think we already have a vehicle to do that. We have the DED and we have the Publicity Bureau. Now why should we divide our



efforts? Why should we pass other types of legislation where we already have these vehicles? I think that is the objection of Senator Farris and I think that is the objection of many of us. If we need more money in the budget of DED let's give them a little bit more money. I do not think we should have half a dozen bills coming before us, one for this and one for that where we are dividing our efforts. We should keep them all in the same vehicle.

Mr. MAYO of Sagadahoc: Mr. President, in support of the motion made by Senator Farris of Kennebec, I would draw the Senate's attention to Page 458 of the Supplemental Budget where it states under the Economic Development Departments "\$200,000 a year additional for advertising." I agree with the Senator that the place for this bill is in the supplemental budget. The reasons have already been given as to why we should possibly keep this bill alive. Those of us in the Senate who feel that the tax burden is going to come upon us very soon to decide, feel that it would just be a possible reason for a sales tax or a tax that some of us do not feel we want to buy. I certainly hope that the motion to indefinitely postpone does prevail.

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

The President pro tem: The question before the Senate is on the motion of the Senator from Kennebec, Senator Farris that Senate Amendment A be indefinitely postponed, and a division has been requested.

A division of the Senate was had.

Twelve having voted in the affirmative and thirteen opposed, the motion to indefinitely postpone Senate Amendment A did not prevail.

Mr. CYR of Aroostook: Mr. President, I now move the indefinite postponement of the bill and its accompanying papers.

Mr. CARPENTER of Somerset: Mr. President, I ask for a division.

Mr. STANLEY of Penobscot: Mr. President I would like to go

along with the Senator from Aroostook, Senator Cyr on this motion. We have lots of time for levity in the Senate and I enjoy it as much as anybody but when we make a ridiculous statement as taking one bill which calls for a million dollars - we already had thrown it out, it was reconsidered, and if you will look at the date, perhaps you will know why it was reconsidered. Mr. Cyr asked why we have this coming back. It is not for something that is coming, it is for something that has been. So we can see what one, perhaps one vote is worth, here.

There is time for levity and now that we have reconsidered this thing, the Press can make just as much of it as they did when we indefinitely postponed it that we have amended it from one million to one dollar. I think there is time for levity but this goes too far.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Cyr that the bill and accompanying papers be indefinitely postponed; the Senator from Somerset, Senator Carpenter, has requested a division.

A division of the Senate was had.

Fifteen having voted in the affirmative and ten opposed the motion prevailed.

The President laid before the Senate the 29th tabled item (S. P. 271) (L. D. 872) Senate Report, Ought not to pass, from the Committee on Appropriations and Financial Affairs on Resolve Providing Funds for Biological and Management Investigation of Certain Fish, tabled on May 19 by Senator Chase of Lincoln pending acceptance of the report.

Mr. CHASE of Lincoln: Mr. President, I move that the Senate substitute the bill for the report. This resolve calls for \$26,000 for a biological survey of fish in our rivers and I feel definitely that we have got to do something in the way of research of the things that we have to develop our state, and this is one small way to do something to help ourselves. I

certainly hope that you will support me on this motion.

Mr. STANLEY of Penobscot: Mr. President, the report of the Committee on Appropriations was unanimously Ought not to pass, and our thinking on this was that the Department of Sea and Shore Fisheries, Department of Inland Fisheries and Game, and the Atlantic Sea Run Commission all have a bit in taking care of our biological and management investigation of certain fish and all fish. We felt that it was up to them to make their recommendations to us. They had not made a recommendation to us on this particular thing but they had made recommendations on the salmon themselves and we felt if that was what the departments wanted to do, we would go along with them.

We didn't think that we should provide another \$26,000 for this particular investigation unless the departments felt it was necessary. We felt that they were the people who would tell us whether or not it was necessary. That was the reason for the Ought not to pass report of the committee.

Mr. CYR of Aroostook: Mr. President and members of the Senate, in going through the survey of the Fish and Game Committee that was assigned to me by the President of the Senate, which we never used, in my search for information I was shown that the biologists of the department, the funds for those biologists, seventy-five percent comes from the federal government and for that reason I would be opposed to this because this would be pure state money while within the department today you have similar work or similar investigation which is going on, and seventy-five percent of this is being paid by the federal government.

Mr. MAYO of Sagadahoc: Mr. President, in support of the motion of the Senator from Lincoln, Senator Chase, I would like to call to the attention of the Senators, the fact that this bill pertains to specific type of research. There are many people in the state who are trying hard, and putting in many hours of their time and

money of their own to bring back an industry to the State of Maine, which is the Atlantic Salmon fishing. The State of Maine is the only state which still has rivers in which the Atlantic Salmon run. Now the money that is appropriated to the Atlantic Salmon Commission is a very small amount of money in comparison to what this great fishing industry can mean eventually to the State of Maine. The money that is appropriated to them in the general budget will not give them money enough to conduct this special survey.

Now in the bill it also includes the survey of striped bass which is already a very important sports fishing industry to the State. It has a survey of alewives. Now this Senate has already passed bills this session granting special permits to towns for exclusive rights for the alewife industry. If we can do something to further this industry we are helping the economy of the state.

The reference to the money for biologists from federal, it is my recollection that a short time ago a directive came from the federal government making it mandatory that we drop certain of our biologists from the roster because they were not being used in the specific categories they were supposed to be used under the federal law. That means that we do not have as many biologists at the present moment.

This small amount of appropriation of \$26,000 will allow the Commission to hire certain engineers and biologists on a part time basis to survey these rivers. My county does not have one of the rivers, but the next county to me has the Sheepscot River, there are three rivers in Washington County which already have a tremendous run of Atlantic Salmon and it means quite a bit to this county to have this small industry which is growing all the time. If anyone has ever had the opportunity of fishing in New Brunswick on the Miramachee or the Narragauagus or any of the rivers up there they would see what a tremendous industry this is to the Canadian Province, and most of the traffic

that goes up there on these fishing trips passes right through the State of Maine because we have neglected to bring back our Atlantic Salmon fishing industry to where it could be and where it should be. This \$26,000, if it is passed in the final hours of the session when we find out how much money is available, would be an investment which would bring back tremendous amounts of money for the small investment.

Again, I think the bill should be kept alive until we find out if the money is going to be available. It certainly is a wise investment of a small amount of money. I support the motion.

Mr. DAVIS of Cumberland: Mr. President and members of the Senate: I just want to emphasize what my colleague, Senator Stanley, has told you about the research programs in the Sea and Shore Fisheries Department. You will find in the supplemental budget, set up there, two research programs which cost us \$25,000 a year. These are the programs the department wanted and gave the first priority to.

In addition to that, we have another request before us now for \$25,000 on the Atlantic Sea Run Salmon. I think if we take care of these programs for the next biennium it will be about all we can do.

The PRESIDENT pro tem: The question before the Senate is on the motion of the Senator from Lincoln, Senator Chase, that the bill be substituted for the report.

Mr. CHASE: Mr. President, I ask for a division.

The PRESIDENT: A division has been requested. All those in favor of substituting the bill for the report will rise and remain standing until counted.

A division was had.

Eight having voted in the affirmative and 14 in the negative, the motion did not prevail.

Thereupon the Senate voted to accept the "Ought not to pass" report of the committee.

On motion by Mr. Boardman of Washington, the Senate voted to take from the table bill, "An Act

Relating to Unprotected Wells," (H. P. 1131) (L. D. 1158) which was tabled by that Senator earlier in today's session pending passage to be engrossed.

The same Senator presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A" was read and adopted and the bill was passed to be engrossed as amended.

The President pro tem, laid before the Senate the 30th tabled matter, (S. P. 541) (L. D. 1588) Senate Report "Ought not to pass" from the Committee on Appropriations and Financial Affairs on bill, "An Act to Create the Development Fund," which was tabled on May 19th by Mr. Lovell of York pending acceptance of report.

Mr. LOVELL of York: Mr. President, I yield to the Senator from Franklin, Senator Noyes.

Mr. NOYES of Franklin: Mr. President, through the Chair I would ask the Senator from York, Senator Lovell, for what purpose?

Mr. LOVELL of York: Mr. President, I might say that earlier in the day I thought this was not coming at this time. I am not particularly prepared to debate it at this time, but I would say this particular bill was a result of the Armour Foundation report which you all received and which had a hearing before the Committee on Industrial and Recreational Development, and there were present representatives from Chambers of Commerce, Industrial Development groups from all over the State of Maine. We then had Mr. Phillips of the Armour Foundation Report at a joint conference in the House, and then in executive meeting of the Industrial Development Committee —

Mr. PORTEOUS of Cumberland: Mr. President, I rise to a point of order.

The PRESIDENT pro tem: The Senator may state his point.

Mr. PORTEOUS: I do not believe the Senator has made a motion.

Mr. LOVELL of York: Mr. President, I move that the bill be substituted for the report.

Mr. DAVIS of Cumberland: Mr. President and members of the Senate: I am opposed to the motion to substitute the bill for the report. The Appropriations Committee turned out a unanimous "Ought not to pass" report on this bill, one reason being that we did not see anywhere in sight \$100,000 to be used for this purpose. But I would call to your attention the fact that we do have set up a special fund with the Governor and Council for part of the purposes of this bill and I think if we are going to appropriate any more money it should be added to that fund. I hope you will not go along with the motion to substitute the bill for the report.

Mr. PORTEOUS of Cumberland: Mr. President, for the reasons stated by my colleague, Senator Davis, I move that L. D. 1588 be indefinitely postponed.

Mr. NOYES of Franklin: Mr. President, through the Chair I would like to ask the Senator from Cumberland, Senator Davis, because it was my understanding that this was taken care of in the supplemental budget or was one of these things which should have been—how much money is appropriated for this in the supplemental budget, Senator Davis.

Mr. DAVIS: Are you referring to the special fund that the Governor and Council have?

Mr. NOYES: Yes, I am referring to the discussion that we have had on this matter and I understand it was included in the supplemental budget. If so, how much money is provided.

Mr. DAVIS: I do not have a copy of the bill in front of me now.

Mr. STANLEY of Penobscot: Mr. President, the amount of money which the Senator from Franklin, Senator Noyes, is asking about is a ten thousand dollar fund which the Governor and Council have for the promotion of Maine and that is included in the budget, it is replenished each year as well as the \$450,000 contingent account which the Governor and Council have is replenished each year.

Mr. LOVELL of York: Mr. President, that is what I wanted to hear.

To continue where I left off: This fund is asking for \$100,000. This was gone over completely by the Committee on Industrial and Recreational Development with Commissioner Allen of DED as a bill to come out of the Armour Foundation Report which we spent a good deal of money on. This is not covered in the supplemental budget.

This \$100,000 if spent will well bring back several million dollars not only in new payroll in the State of Maine but will bring back to the State of Maine a great deal of money in direct taxes.

Now Commissioner Allen is preparing a complete statement for me of the way this money is necessary, but I will briefly outline what was suggested as a result of this meeting. For example, there are two new industries that want to come into the State of Maine which research work is needed to be done on, two definite industries which will match funds with the State to do this research and when the proper location is provided one industry amounts to \$7500 and the industry will match that amount, then when the proper place is found for this industry to locate it will come to the State of Maine and it will mean a payroll of several hundred thousand dollars a year.

In addition to that, the Armour Foundation Report, if you have read it carefully you will well understand that it stated in there that the feeling of the people in the State of Maine is not conducive to industrial development in Maine. And the reason why it is not conducive is that when an industry feels that they might like to locate in Maine they send their team of experts around to various communities in the State of Maine, and yet people think that these experts may be only tourists—which are also very important to us—but they knock down their own community. They say that Maine is under snow from the 1st of September until the following 4th of July, and in many cases they have

prevented industry from coming into the State of Maine. Now it is definitely proven that if the Department of Economic Development could get out a monthly or bi-monthly pamphlet or bulletin which they could send to the Chambers of Commerce, to the filling stations, barber shops, and various other people doing business in Maine, and try to educate them to not knock the State of Maine, so that when these industrial development people or tourists come into Maine they will get a good report; in other words, to brag a little bit about Maine as they do in Texas—and I can tell you that their industrial development work there has been tremendous.

In doing this, Commissioner Allen estimated that he would need in the next biennium \$35,000. Now the fund was to be held by the Governor and Council and then released to Commissioner Allen if he needed and when needed, and if not needed the money would stay with the Governor and Council. It was estimated that for the two programs or for the bi-monthly publication that in the next two-year period \$50,000 would be needed. Now certainly I know in my own particular case in Sanford that two or three possible industries that could have been located in Sanford were driven away by adverse comment of people on the street.

Also, we are very lax in our recreational development, particularly on boat landing sites. You probably read recently many articles in the Press Herald. They recently published an article on Maine's lack of boat-launching sites. Over the turnpike last year 58,000 boats came into Maine from out-of-state, and many of them could not find a place to launch their boat. So they want a survey to designate launching places on the great ponds of Maine, ponds of ten acres or more, so that tourists when they come into the State will want to come back. They come in now and they cannot find a place to launch their boat and they go to New Hampshire or they go back to Massachusetts and maybe

don't come in again. So this would mean a great deal of direct help to the tourist business. Also to survey, besides the launching of boats, the placing of buoys and danger signals and what not on the various lakes, for rocks and other things on Sebago Lake and some of our other lakes which have a great deal of boating.

The money was also for a survey of recreational development sites. For example, yesterday noontime I spoke to the Industrial Development Council of Maine in Sanford. Commissioner Allen was there. One of the directors of the Maine Turnpike said: "I rode down the New Hampshire Turnpike and noticed on the New Hampshire Turnpike all kinds of picnic sites where a person could stop and have a picnic." On the Maine Turnpike there are no places actually where you can stop, or any tables or anything for a picnic on the Maine Turnpike, which certainly is not conducive to tourism. And one of the directors of the Maine Turnpike Authority said, "We will definitely start and do something," or he recommends that we start and do something to that extent.

As I say, Commissioner Allen was very much in favor of this bill, and the two new industries that would come into Maine would ten times over pay for the amount of money needed for this bill.

I move for a division on this motion. I am not showing any levity, I am just as serious as I can be to the good Senator from Penobscot County, Senator Stanley, and the good Senator from Cumberland County, Senator Davis. I know that they are on the Appropriations Committee but I am definitely serious, because I believe this is good business for the State of Maine and is something that is definitely essential to the State of Maine.

Mr. NOYES of Franklin: Mr. President, I hate to arise on this question because I have spoken too much today on recreational development. I though probably we would have to speak on industrial development. But it seems very strange that in one legislature we appropriate the sum of \$50,000 and

then we go out and get experts and have people like the Armour people come in here and give us recommendations, and then it seems we either do not like them or we think it is too much money or something.

Now I am not going to plead for this bill any more than I will plead for any others. I would just like to leave one thought in your mind, and that is: When are we in the State of Maine going to start doing the things that should be done? Out in the halls and on the streets and at home we are all around talking to various groups, saying what should be done. We read the Governor's Inaugural Address and there are two pages on economic development, what we should do for industrial development and recreational development. We hold these committee hearings—and we were fortunate enough this year to have a separate committee in the House and Senate on Industrial and Recreational Development. I know a lot of people do not approve of it, but it has been stated that it is a pretty good thing. I am wondering when we are going to get started. Maybe some of us want to move too fast. When I came down to the legislature two years ago they said I was twenty-five years ahead of my time, but I feel better now that Senator Lovell has come down because they say he is fifty years ahead of his time.

Perhaps our procedure is not right, perhaps this committee is not right, perhaps the recommendations of the Armour Report are not correct. We have spent many thousands of dollars on other reports, we have just spent \$18,000 in conjunction with the Small Business Administration on another report which you have on your desks, the University of Maine Report, so-called. I am just wondering if we are going to wait another two years or are we going to start giving some serious consideration to some of these things. The only place where levity comes into play is through the maneuverings and the futility that some of these proposals finally meet up

with in the halls and outside of this State House, and yet every newspaper is recommending that we do something. I say: When are we going to start? You do not have to start this session, you can wait two years or you can wait longer; but there are a lot of people and a lot of communities in this State that are trying to help themselves; they are forming development groups; and whether we are talking about the Maine Industrial Building Authority being expanded to include piers or for the recreation business, or whether we are talking about individual resolves for other matters along the line sometime we have got to look at the big picture in Maine. I say to you, ladies and gentlemen of the Senate, it is later than you think.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate: I am very happy to have an opportunity to concur with my colleague and very good friend, the Senator from York, Senator Lovell. The more I read this bill the better I like it.

We leave this State House in a few weeks and we do not come back for eighteen months. Now we have already, in my opinion, pretty well tied down the Governor and Council as far as going into new programs or even expanding existing programs, and I feel that this is certainly a reasonable amount of money which should be left at the discretion of the Governor and Council to make allocation for special promotions as set forth in the bill.

I have only one question which I would like to pose through the Chair to the Senator from York, Senator Lovell, and that is: Is it the intent of this particular measure that the Governor and Council would be mandated to expend the full \$100,000, or is it the intent that the \$100,000 would be available to the Governor and Council to be expended in their discretion when they deemed it prudent.

The PRESIDENT pro tem: The Senator from Kennebec, Senator Farris, poses a question through the Chair of the Senator from

York, Senator Lovell, and he may answer if he chooses.

Mr. LOVELL of York: Mr. President, I will answer the Senator from Kennebec, Senator Farris, that that is true: the Department of Economic Development must prove beyond a reasonable doubt to the Governor and Council that this money is essential and necessary for whatever program may come up as an emergency program, and if the Governor and Council agree the department will then get the money for what is needed, and if it is not used it simply goes back into the general fund.

Mr. FARRIS of Kennebec: Mr. President, if that is the intent—and I think that is a good intent—if this bill is kept alive then I would offer an amendment at the time of second reading that Section 20-B of the bill under "Allocation" be amended to read in place of "the Governor and Council shall allocate" that "the Governor and Council be authorized and empowered to allocate," so it would remove the mandatory language in the statute. I am highly in favor of substituting the bill for the report.

Mr. STANLEY of Penobscot: Mr. President, I think perhaps this points out something that Senator Lovell has already pointed out to us: that we do need to instill in the people of Maine a greater desire to help themselves and to promote the State of Maine. I think the Senator who is fifty years ahead of his time is perhaps guilty of that very same thing. We have the Armour Report, but already we have a fund of \$460,000 for the Governor and Council to handle. If the state departments feel they have a need for this particular thing, each department right now can go to the Governor and Council and say we need some research to get industry in here, we need research to develop our recreational areas, there is \$460,000 appropriated each year of the biennium. So we already had this fund set up before the Armour report was made up, so the Senator is a little bit guilty of the things he accuses the State

of Maine of being guilty of. If he is fifty years ahead, and I believe he is, he has done a remarkable job here in the Senate and I am very proud that he is here. I am proud that Senator Noyes is here but we have already set up this fund. It has been done years ago and each department can go in just as this bill calls for, can go to the Governor and Council and say, "These are the things that we want done and we want the money to do them." If the Governor and Council feel that this is a proper function of that department then the money is there available for them to do that. I think that no matter how much money we appropriate, will we ever effectively educate and inspire the citizens of Maine in the possibilities and potentials of the state to the point where all the citizens of the state will take native pride in their state's assets and accomplishments and become foremost boosters? We never will do that, but we have the opportunity to do that and this fund is not necessary at all. We already have the fund there. All we need is the enterprise to go ahead and do it.

Mr. NOYES of Franklin: Mr. President, I hate to rise to disagree with the Senator from Penobscot, Senator Stanley but he is referring to the contingency fund and as you well know, and we have for the last upteen legislatures always created a contingency fund for the Governor and Council, and that is hardly enough to do the things that they wish to do at the present time and I assure you that there will not be any less requests for the other purposes for which it now is being used and therefore there is a definite need to create this separate development fund.

Mr. STANLEY of Penobscot: Mr. President, the contingency account is what I was referring to and any department head can come to the Governor and Council with his request, and if it is a legitimate request, they will get the money for it. This bill asks for \$100,000 for the biennium. The contingent account is \$450,000, the development fund or promotional fund is \$10,000 a year. Never in

the past fifteen years have we spent more than \$232,000 leaving a balance of some \$218,000 each and every year for the past fifteen years. So this \$100,000 is not necessary.

Mr. FARRIS of Kennebec: Mr. President, I would like to inquire through the Chair of the Senator from Penobscot, Senator Stanley, as to whether in his opinion, there is sufficient authority in the law for the Governor and Council to expend money from the contingency fund for the purposes set forth in this measure which is simply legislation?

The PRESIDENT pro tem: The Senator from Kennebec, Senator Farris, poses a question to the Senator from Penobscot, Senator Stanley, and that Senator may answer if he wishes.

Mr. STANLEY of Penobscot: Mr. President, I would answer, "Yes", to the question. He certainly knows more than I on the legal question of the bill. The Governor and Council has this \$450,000 contingent account to be used at their discretion. We in the legislature determine as to what an emergency is even to closing a brook or opening a lake when it has ice in it, so we determine what an emergency is, the Governor and Council have the right to determine an emergency or they can use this as they see fit.

Mr. NOYES of Franklin: Mr. President, may I speak again on the subject?

The PRESIDENT: The Senator may proceed unless there is objection.

Mr. NOYES: Mr. President, I would just like to point this out, and many of you are familiar with the contingency fund and that only a very small part of that has ever been used in the past for the purposes which we are talking about today, and I submit to you that in the future you cannot use too much of that money for such purposes as outlined in this development fund.

Mr. MARDEN of Kennebec: Mr. President, I rise in opposition to the motion. I am not sure whether calling someone ahead of their time, as it is used here today is a

compliment or an insult. Whichever it is, I would like to join the team of those who are called ahead of their time because if it is twenty-five years or fifty years that we are talking about, that day will eventually come and that day referred to many of you gentlemen, as the day when Senator Lovell and Senator Noyes are in their time. But when that day comes, I suggest, Maine will be, instead of a leader in the parade, it will be at the end of the parade like a calliope at the end of a circus parade, pumping and whistling and making noises but nevertheless at the end followed by crying children and barking dogs.

If you mean by saying that a man is ahead of his time, that he is right, then what are we waiting for?

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Porteous, that this bill be indefinitely postponed.

A division of the Senate was had.

Eight having voted in the affirmative and eighteen opposed, the motion to indefinitely postpone did not prevail.

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

At this point President Hillman returned and assumed the Chair, Senator Brown of Hancock retiring amid the applause of the Senate.

The PRESIDENT: The Chair would like to take this opportunity to thank the Senator from Hancock, Senator Brown. It was certainly a relief to the Chair to have him take the rostrum for a few minutes.

The President laid before the Senate the 31st tabled item (S. P. 563) (L. D. 1615) bill, "An Act Permitting St. Francis College to Confer Honorary Degrees"; tabled on May 22 by Senator Farris of Kennebec pending consideration; and Senator Farris yielded to the Senator from York, Senator Lovell.



Mr. LOVELL of York: Mr. President, I wish to thank Senator Farris of Kennebec. I did not explain on this bill for St. Francis College to permit them to give these Honorary degrees. The President of the college, Father Clarence and his assistant, Father Frederick were here Thursday, and they went to the Commissioner of Education, Dr. Hill, and got his approval. They also went to the Secretary of State and got his approval. I then took them to the leadership in the Senate and the leadership in the House and they all met, and explained the details of the bill to them, and as you know they at least the majority, the required number accepted this bill to present to this legislature.

We went to Mr. Slosberg's office and his office stated that a hearing was not necessary, that the hearing could be waived in this particular case where it is only changing the charter of St. Francis college to permit them to give these honorary degrees that they need to give in their expansion program. I certainly hope for the good of this college which turned down 125 boys last year, I plead with you to permit them to enter this bill.

The PRESIDENT: The Chair will explain to the Senate that yesterday this bill was referred to the Committee on Legal Affairs, and the Chairman of Legal Affairs made a suggestion that the rules be suspended, that this bill be given its first and second readings and be passed to be engrossed. Does the Senator from Kennebec, Senator Farris, still wish to make that motion?

Mr. FARRIS of Kennebec: Mr. President, might I first inquire of the Secretary as to whether the bill itself just before section 2 has a reference: Private and Special Laws 1953, Chapter 123, Section 2, etc. I believe there may have been a mistake in the printing of this bill.

(Senate at Ease)

Mr. FARRIS: Mr. President and members of the Senate, the actual bill itself does have the proper correlation of this section to the Pri-

vate and Special Laws of 1953. Therefore at this time I move that this bill be given its first reading without reference to a committee.

The motion prevailed and the bill was given its first reading.

On further motion by the same Senator, under suspension of the rules, the bill was read a second time and passed to be engrossed without reference to a committee.

Sent down for concurrence.

The PRESIDENT: The Chair notes in the Senate Chamber a former member of this Body, a friend of all the old Senators and known by some of the new Senators, a man who conducted himself diligently for the State of Maine. It gives me great pleasure to introduce to the Senate, and ask the Courier to escort to the Rostrum, former Senator Armand Duquette of Biddeford, Maine. (Applause)

The PRESIDENT: The Chair will state that there are two matters still on the table and today assigned; one tabled by the Senator from Somerset, Senator Sampson; and one by the Senator from Franklin, Senator Noyes.

On motion by Mr. Sampson of Somerset, the Senate voted to take from the table the 4th tabled and today assigned item (H. P. 461) (L. D. 661) House report from the Committee on Business Legislation on bill, "An Act to Regulate Issuance of Trading Stamps"; Majority report, Ought not to pass; Minority report, Ought to pass; tabled on May 22 by Senator Edmunds of Aroostook pending acceptance of the Majority Ought not to pass report (Motion by Senator Brown of Hancock)

Mr. SAMPSON of Somerset: Mr. President and members of the Senate, I would like to state a few facts and figures regarding the trading stamps since there has been so much controversy whether the consumer is or is not paying for the stamps. It is true when only one store in a community has trading stamps, its business will increase enough so the store prices should remain the same. But should another store in the same business take on the trading

stamps, then the first store's business will go back to normal. And in order for him to make the same amount of profit or break even, he will have to raise his prices accordingly from two to three per cent to compensate for these stamps.

But think for a minute of the smaller markets, the filling stations, the department stores in Maine with only one store. He has always been threatened in the past by stamp companies telling him that they have signed all other stores up in that particular town and if he doesn't go along, he won't be able to have that certain company's stamps later on in the future, and when another new market or store opens, the new market will have that company's stamps instead of his being able to have them.

Remember, not only is this business of markets threatened, but also small filling stations, department stores, appliance stores and all the rest of them. I have seen letters written by companies such as Bates Manufacturing, Pepperell Manufacturing and Fraser Paper Co. and many more stating that the stamp company is purchasing thousands of dollars worth of merchandise from this particular company. They, the stamp company usually overstates the dollars in the amounts many times. Here again the stamp companies threaten to cancel orders. The stamp companies say that if Maine makes stamps illegal then they won't buy any more of their merchandise that they use as premiums in their so-called redemption center.

Imagine, out of state concerns such as these stamp companies, holding a weapon such as this over the heads of our good manufacturing companies. If these stamp companies are interested in anything but themselves they certainly would buy merchandise from Maine manufacturers. I maintain that they still will buy from the manufacturing concerns if Maine makes the use of these stamps illegal because to quote one stamp company official in charge of purchases: "We place our orders with the concern selling us at the low-

est prices. Our purchases are put out on bid prices."

Recently the Montana legislature passed a bill that would kill the use of trading stamps in their state and I have read of their presentation of their bill to their committee, and the stamp company said as they said before our committee when they made their presentation, that they won't purchase any more merchandise from the State of Montana but the stamp companies agreed later on that they would if their prices were the lowest.

Many other states have made them illegal and are following Montana at the present time. I have just been informed recently that the Canadian Government is about to outlaw trading stamps in all its territory. As people of the State of Maine, we should be among the first to recognize the bad features of these trading stamps, and not the last. A large appliance store manager in Portland came to me recently and said he has not sold too many electric toasters or many other appliances since the trading stamp companies moved into Maine in force with their redemption centers. These so-called redemption centers have robbed many stores who used to sell these appliances. Think of the facts. The hard working man's wife goes to the store. She makes her purchase and also gets her stamps. She cannot buy food which is the main article for every working family and her stamps have cost her two to three per cent to obtain. She must go and buy luxury articles at the redemption center with her filled books. The housewife could just as well take two or three percent of her money and go to a Maine operated store and buy her luxury articles her own self.

Recently the front page of the Wall Street Journal explained how the housewife was paying for her stamps. Now, members of the Senate, doesn't it seem obvious that the housewife is paying dearly for her stamps? That small business men are going to be run out of business? That many stores giving stamps are now just advertising stamps instead of their

own wares? That the stamps discriminate against many stores, filling stations, department stores and the like and who profits in the end? Naturally, the trading stamp company.

The retailer has to purchase stamps from the stamp company. If a consumer loses her stamps, then these stamps are not redeemed. Again, who benefits? It is the outside State of Maine trading stamp company which benefits from this also. I would safely say that if trading stamps are not made illegal in this legislature at this time, thousands of merchants will be begging at the 101st legislature for you to pass a bill to outlaw them. I hope that the motion of Senator Brown of Hancock does not prevail.

Mr. BROWN of Hancock: Mr. President, I think many of us on the Business Legislation committee felt that you can't afford to legislate out of business \$80,000 in taxes \$42,000 in rent, \$37,000 in trucking and fifty employees with a payroll of \$160,000 along with four million dollars worth of goods bought from Maine merchants. Finally I think most of us felt that the ladies of our good state want the green stamps and I believe in the old saying "Never underestimate the power of a woman."

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate, to illustrate that there is an awareness of legislation, that there is concern in other states as well as the State of Maine about the effect of such trading stamps, a bill in the State of Iowa has been passed in the House, File Number 307 which makes it mandatory that "persons giving stamps in connection with a purchase, must at the time of purchase give the purchaser a choice of acceptance of the stamps or receive the actual cash value as a cash discount." The explanation in brief says that this bill provides that persons giving stamps must give the purchaser a choice of the stamps or receipt of their actual cash value as a cash discount. This relieves families and government agencies not wanting or saving stamps from a financial loss.

One of the real bad points in trading stamps is that a lot of people really don't know what they are getting. Of course most people think that they are getting something for nothing but most of us know that that is impossible. To repeat actually what the Senator from Somerset, Senator Sampson said, about the pressure of stamp companies, I think all of us can remember and it is probably still going on in some parts of the country, the very active protection racket and this is beginning to assume the proportion and the major harmful effects of that kind of activity. I would say that this is most harmful to the smallest type of individual businesses around the state. I don't think that the large nationwide chains have to feel it so much, although I know one that recently took it over and he did it with a great deal of reluctance. I have heard these figures quoted about their doing four million dollars worth of business here in the State of Maine, but I believe and have said before that the stamp companies will continue to buy Pepperell sheets and Bates spreads and other products here in the State of Maine because I am sure they are among the most popular and most wanted items in redemption stores any place in the country.

I doubt if there is a merchant any place who wouldn't give his eye teeth to get rid of this curse on his business. This particular form of activity takes millions from the State of Maine, millions that don't stay here. They say they spend money here; they say that the housewives want them. But I say to you that if all stamps are to be outlawed in this state, all prices would be reduced by the amount it cost these companies to buy the stamps and the housewives could of their own free will buy of the local independent merchant who is paying taxes in the community and in the state, could buy comparable merchandise and know exactly what she is getting for the price that she pays.

I think that Maine would be taking a major and enlightened step if it were to outlaw these stamps. I therefore agree with

my colleague, the Senator from Somerset, Senator Sampson, in his opposition to the motion by Senator Brown, the Senator from Hancock, that this be indefinitely postponed.

Mr. EDGAR of Hancock: Mr. President and members of the Senate, I rise in very definite support of the motion of the Senator from Sagadahoc, Senator Brown, that the Senate accept the Ought not to pass report on this bill, and before going any further, I would like to inform my good friend from Cumberland, Senator Porteous, that I have two very good eye teeth and I would not give them to get rid of green stamps.

I operate what by no stretch of the imagination could be called anything but a very small business and I would like to state for the record right now that I would not be without green stamps in my store, and I would like to explain why. But, before doing so and for the benefit of the gentleman whose pencil is working very rapidly over at the press table I would like to mitigate the impression that has been given that every store that has green stamps raises its prices by virtue of giving away their stamps. I am not trying to plug any individual business but I can very quickly mention to both Senator Sampson and Senator Porteous, one store that has never raised its prices a penny because of giving the green stamps. I don't think I have to tell you to which one I refer.

My reason for being very much opposed to this bill, or rather in favor of the ought not to pass report is simply this. Senator Porteous made the statement that he would imagine that these stamps worked more of a hardship on small businesses than on any other type of business. Just as an illustration of how wrong that is, let me cite my own example because it is the one I am most familiar with. We have in my town a large supermarket, one of the large nationally known chains which used to be known as a grocery chain. Today in that supermarket, they are selling ladies dresses, mens jackets, mens and boys underwear, mens and boys

hosiery, all kinds of garden and lawn supplies, automobile oil, toys, games,—I could go on for a long time. Now because it is a unit of a large chain, naturally they can purchase those items in large quantities for a cheaper price than I could purchase the same items and by virtue of that they can retail them at a price lower than I can retail them. And because of that situation, and because I saw an alarming trend of my customers going to this grocery store to buy kids socks, and underwear and jackets and shirts and what not I decided that I would try to combat it by putting in green stamps, and I am so pleased with the results of this after one year's trial, that, as I said before, I would not want to be without green stamps in my store.

Now I am sure that my experience is not unique. I know of other stores in my own area which put in green stamps, and I can speak first hand over the delight of the ladies of the community at getting these green stamps, and I can speak at first hand as to how many of them keep coming to my store and other stores, because we do give the green stamps, and without that attraction to bring these customers in, my business would be even smaller than it is now if that is possible, so I support the motion of the Senator from Hancock, Senator Brown.

Mr. PORTEOUS of Cumberland: Mr. President, just one brief remark in answer to the Senator from Hancock, Senator Edgar. Wait until that big chain business puts the stamps in and find out what kind of a competitive basis you are on.

Mr. CYR of Aroostook: Mr. President and members of the Senate, I will not get into the debate as to the merits or the fallacies of green stamps or trading stamps. But I will tell you the effect and the impact it will have on the local industry in the town where I come from, and this is a presentation which was given at the hearing by Mr. Easley, Marketing Manager of Fraser Paper of Madawaska and I quote the letter that he sent to me.

"Fraser Paper, Limited has been a substantial producer of bleached chemical fibre and groundwood papers at Madawaska, Maine since 1925 and presently provides employment for 960 persons which represents an annual payroll of approximately \$5,500,000.

"That for the past several years, and as the result of substantial development work, the company has been successful in producing a type of paper used in the production of trading stamps and that this paper is an important segment of the business of the company and has been a major factor in providing employment at its mill to the extent that the approximately 5200 tons of this paper, produced and sold last year, was sufficient to operate one of our large paper machines for approximately two months and thereby represents direct employment of some 150 persons. In terms of gross sales this type of paper represented revenues in 1960 of approximately \$1,500,000.00 the movement of stamp paper via common carriers operating in the State of Maine, involved the shipment of some 250 rail carloads and truckloads.

"Starch is an essential ingredient in the production of papers, starch produced from Maine potatoes. Fraser Paper, Limited, used 6500 tons of starch in its papers during 1960. This is the equivalent of 715,000 barrells or 2360 carloads of potatoes. The production of stamp paper last year was responsible for use of the equivalent 76 carloads of potatoes.

You can see what this would do to the economy of my town. The Senator from Somerset also mentioned the fact that the small appliance dealer has lost his market to the trading stamp companies. I submit to you that if you look through all the business that is lost through wholesale catalogues that are sent to each and every one of you - I have seen one right here in one of the offices in this building - the wholesale catalogue where you can buy any of these appliances. I also submit to you that home clubs will do far more damage to this market than the trading

stamps do. Also I would say that the Senator from Somerset is real inconsistent in his action. Here he is fighting the trading stamps and just the last few weeks while this bill was on the table, he has added four more stores to a new type of trading stamps. Apparently there must have been a reason behind it or he wouldn't have done it, and certainly he doesn't believe this legislation will pass; otherwise he wouldn't have done that.

The trading stamp as it was mentioned by the Senator from Hancock is a device or a gimmick, a publicity gimmick bringing more customers to your store and as such if it is used properly it will bring more customers and will absorb the cost for the stamps. Most of the stores that are giving these trading stamps and are doing a good job doing it, haven't added a cent of cost to their merchandise. They have charged it to publicity. That is what I did when I was in the retail business and it paid off. I hope that the motion of the Senator from Hancock, Senator Brown, to indefinitely postpone the bill prevails.

Mr. SAMPSON of Somerset: Mr. President, obviously the Senator from Aroostook, Senator Cyr, does not know that these trading stamp companies put all their purchases out on bids and if the particular concern which is a paper company, is the lowest bidder, they certainly will be given the business from the trading stamp companies.

Also, in answer to the Senator from Hancock, Senator Edgar, it seems he is trying to retard business progress because I go along with Senator Porteous in saying that when the Atlantic and Pacific Tea Company takes on trading stamps, he can rest assured that all his new business he has been enjoying in the past is going out the window. Senator Cyr of Aroostook states that they charge this additional trading stamp cost, two to three per cent, up to advertising or promotions. They cannot, because in your large chains, your advertising goes to—if it

goes to one half of one per cent, it is considered high. How can they absorb two to three per cent in advertising?

Mr. LOVELL of York: Mr. President, I feel I must say a few words on this bill. First, I might say it is not necessarily true that the stamp companies have to buy their merchandise in Maine. They could well, if Maine voted out these stamps, they could well decide to buy in another place.

The Pepperell Manufacturing company has contacted me several times and they are one of our mainstays in York County down in Biddeford and they purchase several millions of goods from the Pepperell Manufacturing Company each year and the personnel manager states that the restraint in trading stamps in the State of Maine would jeopardize the employment status of people both directly and indirectly. I also have a letter from the Maine Consumer League and the executive secretary to the effect that the housewives of Maine want trading stamps, and it would be a great blow if this should be killed. So I must vote with the Senator from Hancock, Senator Brown.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate, one more brief word. I am rather amused by this remark about Pepperell, because one of the main items in the redemption stores are Pepperell sheets, yes. They are Pepperell sheets. Pepperell percale sheets for your edification are manufactured in Pepperell, Alabama and not much of that money comes back to Maine. It may be purchased from Pepperell, but the people who work there are people in Alabama. Another thing about the paper they use for stamps. If they were going to take the two percent and put it in our local newspapers, they would be using a lot more papers than they are using on trading stamps.

Mr. PIKE of Oxford: Mr. President and fellow Senators, the ladies are fond of trading stamps and I am fond of the ladies, so I am going to vote for the stamps.

Mr. SAMPSON of Somerset: Mr. President, every time the trading stamps have been brought up recently, the ladies have been mentioned. I don't believe there is any lady that wears the pants around the House or in this Senate. I think all the Senators are boss in their own household.

Mr. BROWN of Hancock: Mr. President when the vote is taken, I ask for a division.

Mr. STANLEY of Penobscot: Mr. President, just for information, I was unable to attend the hearing, but I wonder how much money is spent at these redemption centers. The goods that they give out, how much money is represented there in value? How much money do the trading stamp companies give out and when they do, do the people pay a three per cent sales tax on the items?

Mr. SAMPSON of Somerset: Mr. President, in reply to Senator Stanley of Penobscot, there are approximately eleven trading stamp redemption centers in Maine at the present time, but I do not have the dollars and cents value of the redemptions and they do have to pay a three per cent sales tax.

Mr. PORTEOUS of Cumberland: Mr. President, I think I can answer that the trading stamp companies when it comes to telling how much business they do here, will only say, one of the companies, says that it does in excess of the maximum amount necessary to pay the thousand dollar tax. They do pay sales tax in the redemption centers but they will not submit their figures over and above what is necessary to establish they pay the maximum tax.

Mrs. LORD of Cumberland: Mr. President, when the vote is taken, I ask to be paired with the Senator from Cumberland, Senator Brook. He would have voted for the bill and I would vote against it.

The Senators request was granted.

The PRESIDENT: The question is on the motion of the Senator from Hancock, Senator Brown, that the Senate accept the Majority ought not to pass report of the committee, and a division has been requested.

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

Thereupon, on motion by Mr. Sampson of Somerset, the Senate accepted the Minority ought to pass report and the bill was read once, and tomorrow assigned for second reading.

The President laid before the Senate, Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Guaranteed Loans for Recreational Purposes (S. P. 515) (L. D. 1535) tabled earlier in today's session by Senator Noyes of Franklin pending adoption and reproduction of Senate Amendment A; and

on further motion by the same Senator, Senate Amendment A was read and adopted and the bill passed to be engrossed.

Sent down for concurrence.

The PRESIDENT: The Chair will announce to the Senate that tomorrow morning, because of circumstances beyond his control, it will be impossible for the Chair to attend the morning session, and the Chair has asked the Senator from Franklin, Senator Noyes, to act as President pro tem for that session.

On motion by Mr. Noyes of Franklin,

Adjourned until tomorrow morning at 9:30 o'clock.