

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One-Hundredth Legislature*

OF THE

STATE OF MAINE

VOLUME II

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and

SPECIAL SESSION

NOV. 27 - DEC. 2, 1961

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

**SENATE**

Thursday, June 1, 1961

Senate called to order by the President.

Prayer by Rev. Alton E. Maxell of Augusta.

On motion by Mr. Gilbert of Kennebec, Journal of Friday was Read and Approved.

**Senate Committee Reports**

Mr. WYMAN from the Committee on Towns and Counties, pursuant to Joint Order, S. P. 528, reported in consolidated form, a Bill, "An Act Relating to Salaries of County Officials and Municipal Court Judges and Recorders." (S. P. 573) (L. D. 1626) and that it Ought to pass.

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

**Final Reports**

The following Chairman of Joint Standing Committees submitted their Final Reports:

Mr. PORTEOUS, Claims

Mr. EDGAR, Election Laws

Mrs. LORD, Health and Institutional Services

Mr. COLE, Highways

Mr. CARPENTER, Inland Fisheries and Game

Mr. FARRIS, Legal Affairs

Mr. FERGUSON, Natural Resources

Mr. STILPHEN, Transportation

Which reports were severally Read and Accepted.

Sent down for concurrence.

**Second Readers**

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

**House**

Bill, "An Act Revising the Election Laws." (H. P. 1169) (L. D. 1614)

Which was read a second time and on motion by Mr. Wyman of Washington was tabled until later in the day pending passage to be engrossed.

**House—As Amended**

Bill, "An Act Relating to Special Deputies for All Counties." (H. P. 167) (L. D. 230)

Bill, "An Act Relating to Harness Racing Purses." (H. P. 1175) (L. D. 1621)

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

**Papers From the House  
(Out of Order)  
Joint Order**

ORDERED, the Senate concurring, that the Legislative Research Committee be authorized to study the distribution to municipalities of taxes on railroads, telephone and telegraph companies and public utilities and the relationship of such taxes to local property taxes, and the state franchise tax; and be it further

ORDERED, that the Committee report the results of its findings to the 101st Legislature. (H. P. 1180)

Comes from the House, read and passed.

In the Senate, on motion by Mr. Farris of Kennebec, tabled until later in the day pending passage to be engrossed.

**House Committee Reports  
Ought to Pass—As Amended**

The Committee on Education on Bill, "An Act to Pay School Subsidies in Certain Administrative Units on the Basis of Uniform Local Effort." (H. P. 965) (L. D. 1330) reported that the same Ought to pass, As Amended by Committee Amendment "A" (Filing No. H-310)

In House, indefinitely postponed.

In the Senate, that Body voted to concur with the House.

Subsequently, on motion by Mr. Edmunds of Aroostook, the Senate voted to reconsider its action just taken whereby the bill was indefinitely postponed; and on further motion by the same Senator, the bill was laid upon the table pending acceptance of the committee report.

**Ought to Pass—New Draft**

The Committee on Taxation on Bill, "An Act Relating to the Amount of the Annual Excise Tax on Railroads and Study by Department of Economic Development." (H. P. 709) (L. D. 987) reported that the same Ought to pass in New Draft, under same Title (H. P. 1176) (L. D. 1622)

Which Report was read and accepted in concurrence, the bill read once in new draft, and tomorrow assigned for second reading.

**Enactors**

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

Bill, "An Act Establishing Fees to be Collected by Registers of Probate." (S. P. 533) (L. D. 1571)

Which was passed to be enacted.

Bill, "An Act Requiring State and Municipal Consultation on Aid to Dependent Children" (H. P. 124) (L. D. 164)

Which was passed to be enacted and subsequently, on motion by Mr. Davis of Cumberland, enactment was reconsidered and the bill was placed on the Special Appropriations Table pending enactment.

Bill, "An Act Providing State Aid to Towns for Care of Poor Persons." (S. P. 84) (L. D. 183)

Which was passed to be enacted, and subsequently on motion by Mr. Davis of Cumberland, enactment was reconsidered, and the bill was placed on the Special Appropriations Table pending enactment.

Bill, "An Act Relating to Sunday Sales of Liquor by Hotels and Class A Restaurants" (H. P. 830) (L. D. 1145)

Mrs. CHRISTIE of Aroostook: Mr. President, I am still disturbed about this bill and I move indefinite postponement. I would like to speak to that motion.

Mr. MAYO of Sagadahoc: Mr. President, may I have reference as

to what bill the Senator is speaking about?

Mrs. CHRISTIE of Aroostook: Mr. President, I am speaking about House Paper 830, Legislative Document 1145.

The PRESIDENT: The Senator may proceed.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate, this bill has been passed to be enacted. I realize that, but I feel I must say a few words in regard to this bill. I wonder if we, as members of this higher Body, this group of leaders in our state, want to let down the bars still further as far as the sale of liquor is concerned. We have let down the bars in that we allow Class A restaurants to sell liquor—we did that two years ago.

Mr. President, am I out of order?

The PRESIDENT: No, Senator, you may proceed.

Mrs. CHRISTIE: Mr. President, we are now asking that we have Sunday sale of liquor. One member of this Body made the remark some weeks ago that he had not read the Bible recently; he had a long time ago. I feel that maybe it is time we thought about the Bible a little bit and I would say this, that in the Bible, in Habakkuk 2:15, it says "Woe unto him that giveth his neighbor drink." I know that those who voted for liquor have already done that. I have not because I have never voted for the sale of liquor. But we have given our neighbor drink and we are going to give him more drink if we allow Sunday sale of liquor.

The Bible also says: "Look not thou upon the wine when it is red" and then it says, "It biteth like a serpent and stingeth like an adder." In the State of Maine, we have, I stated the other day, over 30,000 alcoholics but that was a figure given to me by someone who perhaps was not in a position of authority. Since then I have talked with the head of alcoholics rehabilitation division of our Department of Health and Welfare, and he states definitely that there are around 25,000 who are alcoholics in the State of

Maine. A great many of those are in institutions, in mental institutions or others. 20,600 have been diagnosed by doctors as alcoholics. Now, someone questioned what my definition of an alcoholic is but when a doctor diagnoses a case as an alcoholic, then my definition wouldn't go very far. I would say this, I do not mean a person who would take a drink perhaps once a week. I do mean one who is a compulsive drinker. I believe that one who is a compulsive drinker is an alcoholic now. When he uses alcohol as a crutch, he is an alcoholic.

About 1850 there was a wonderful man in the city of Portland. This man was appealed to by a woman whose husband was going to saloons and buying liquor, getting drunk, and using family money for the purpose of drinking. She appealed to this man to do something about it. So the man went to the saloon and he said, "Will you stop selling this man liquor? He is just using money that should be used to maintain his family." The man who sold the liquor said, "I have a license to sell liquor and as long as I have that license, I will sell to whom I wish." At that, Neil Dow, for it was he to whom the appeal was made, declared to himself that he would try to do something to stop the sale of liquor. Of course we know that nobody can completely stop the drinking of liquor. It will always be available to those who want to make it for themselves or to those who import it from some other place.

He tried his best to protect people who are weak. The Bible says, "It is good neither to eat flesh nor to drink wine nor anything whereby thy brother stumbleth or is offended or is made weak." When we do that we are sinning against our brother and I feel we should be more careful than we are.

I don't know what can be done about this bill now. It has been signed by the President and presented to the Governor for his approval, but — is that not right, Mr. President?

The PRESIDENT: The Chair will inform the Senator from Aroostook, Senator Christie, that the bill has not been enacted and has not been signed by the President.

Mrs. CHRISTIE: Mr. President, what does this mean here? "Which bills were passed to be enacted and having been signed by the President, were by the Secretary presented to the Governor for his approval"?

The PRESIDENT: We use the past tense on this calendar, the Chair would inform Senator Christie.

Mrs. CHRISTIE: Then it hasn't been enacted yet, Mr. President?

The PRESIDENT: No.

Mrs. CHRISTIE: Mr. President, I would follow up my motion by saying that I hope that these Senators, these leaders in our state are not going to further let down the bars by passing this bill for Sunday sale of liquor. I feel it would be a downward step. We are chipping away little by little at our liquor laws, and the result is going to be eventually that we will have just as lax laws as they have in a great many other states where the results of liquor are worse than in Maine, because Maine's laws are more restricted at present than in most states. A great many states have higher alcoholism rates, higher prison rates and as I have said before in this Body, about fifty percent of juvenile delinquency is definitely chargeable to liquor one way or another, either drinking among juveniles or drinking among parents, who by that means are not taking care of their children as they should take care of them.

I feel that it would be a disgrace for this august Body to pass this bill and again I move its indefinite postponement and ask for a division.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate, I rise in opposition to the motion of the Senator from Aroostook, Senator Christie. I certainly do admire her thinking and her thoughts regarding this situation. I do not in any way try to take away from her her beliefs and

what she is trying to do, but I will say to the Senators here this morning: This bill in no way will increase alcoholism in the State of Maine; this bill set up as it has been with a 1 to 8 o'clock closing provides that the liquor must be served with food, must be served in the dining room, no bars are open and no cocktails are open. The majority of the diners who go out on Sunday are family people. This is not in any way going to increase the drunkenness that has been spoken of in the past.

I would assume in the State of New Hampshire and in the State of Vermont there are just as many Puritans, just as many drys as we have in this state. We are known as New England stock. We all seem to spring from the same category. New Hampshire and Vermont have had this same type of bill for a number of years. It is working out well in those states. It has helped the small business man during the months of low business on Sundays when that is about all he has in his restaurant or hotel dining room - Sunday business. I would not at any time want to see this bill stretched to the point as some of the sister states in New England have. I do not want to see it wide open but the way the bill has been amended and watered down, I think it is just a common sense bill and I certainly hope that the motion to indefinitely postpone does not prevail.

Mr. PIKE of Oxford: Mr. President and fellow Senators, I have been in the summer hotel business practically all my life and you would naturally think that I would want this bill passed. But I am going along with Senator Christie.

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

A division of the Senate was had.

Seven having voted in the affirmative and twenty-five opposed, the motion did not prevail.

Thereupon, the bill was passed to be enacted.

#### **Non-concurrent Action on Enactors—Constitutional Amendments**

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

In House, failed of final passage.

In the Senate, on motion by Mr. Noyes of Franklin, the resolve was indefinitely postponed.

#### **Emergency**

Bill, "An Act Authorizing Funds for Construction of Machias Landing Field." (H. P. 1162) (L. D. 1602)

In House, failed of enactment. In the Senate, on motion by Mr. Boardman of Washington, the bill was laid upon the table pending enactment and especially assigned for Tuesday next.

#### **Orders of the Day**

The President laid before the Senate the first tabled and especially assigned matter (S. P. 436) (L. D. 1308) Bill, "An Act Relating to Sales of Discontinued Items of Liquor in State Stores," which was tabled on May 31st by Mr. Mayo of Sagadahoc, pending consideration.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate: I would move that House Amendments A and B be indefinitely postponed.

The PRESIDENT: Will the Secretary please read the status of the bill?

Mr. COUTURE of Androscoggin: A point of order, Mr. President,

The PRESIDENT: Will the Senator from Androscoggin, Senator Couture, state his point of order?

Mr. COUTURE: Mr. President, I do not think that it is proper to move to indefinitely postpone two amendments on one motion.

The PRESIDENT: The Senator from Androscoggin, Senator Couture, is correct. The Secretary will read the status of the bill and then the Senator from Sagadahoc may correct his motion.

The endorsements were read by the Secretary.

On motion by Mr. Mayo of Sagadahoc, the Senate voted to reconsider its action whereby the

bill was passed to be engrossed. On further motion by the same Senator House Amendment A was indefinitely postponed, and on further motion by the same Senator House Amendment B was indefinitely postponed, and the bill was passed to be engrossed in non-concurrence.

Sent down for concurrence.

The PRESIDENT: The Senate will be in recess to the gong as we are awaiting papers from the House.

#### Recess

Senate called to order by the President.

Mr. FARRIS of Kennebec: Mr. President, I would like to inquire as to whether the Senate has in its possession House Paper 13, Legislative Document 32, An Act Relating to Certain Standards for Nursing Homes.

The PRESIDENT: The Chair will inform the Senator that the bill is in the possession of the Senate, having been recalled by Joint Order on May 31.

Mr. FARRIS: May I inquire, Mr. President, as to whether it is in order to move reconsideration of our action whereby this bill was passed to be enacted?

The PRESIDENT: It is in order if the rules are suspended.

Thereupon, on motion by Mr. Farris of Kennebec, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be enacted; and on further motion by the same Senator, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate: This particular bill, L. D. 32, is a very short bill as you will notice, and we have had discussion and debate in the past on this particular measure which, in effect, would provide that nursing homes, lodging homes and boarding homes which now are exempt from the so-called safety code or building exit code would be extended from a level where you do not have to comply with three or

less boarders or patients to a level that you would not have to comply with five or less boarders or patients.

You will recall that the Senator from Hancock, Senator Edgar, introduced a bill which would have made it mandatory in nursing homes for any licensee with one or more patients to conform to the so-called safety code or building code.

Previously in this body we adopted an amendment and the bill went on to enactment stage, and the amendment was a very happy compromise as far as the proponents and the opponents of extending the exemption from three to five patients was concerned but unfortunately the happy compromise ran into a legal snarl whereby it would be illegal to permit old licensees to have five patients and new licenses be limited to one patient. In other words, it would be discrimination in one category. This is a police power measure, actually, and of course the theory is that it is just as dangerous from a safety point of view to have five patients in an old home as it would be to let them have five in a new home. So that is understandable under the law.

Now personally I feel that this L. D. 32 is not good legislation for this reason: that in your boarding homes you have, to be sure, boarders who are more or less ambulatory, but they are aged people, and if you did have a fire or just a little smoke of course there would be confusion, and, being elderly people, they would become more quickly confused than might younger people; but, for the most part, it seems to me that whereas elderly people in the boarding homes are more or less ambulatory other than having sickness for a day or two at a time — of course if they become really bedridden and they are State patients the State would not let them remain in a boarding home but would have them transferred to a nursing home.

I might explain, because I know it was not explained, that I was not in support of the bill of the Senator from Hancock, Senator

Edgar, even though from a safety point of view I do feel it desirable, from an economic point of view I did not feel I would want to legislate out of business these people who are running these nursing homes with three patients, so I did not support that bill, and, as a matter of fact, Senator Edgar had his bill indefinitely postponed after we arrived at the compromise by the amendment which was affixed to L. D. 32. But I do have a very strong feeling that, as far as nursing homes are concerned, we would be taking a very backward step if we were to permit nursing home not to conform to the safety code with five or less patients. I think it is dangerous enough that we have three or less patients at the present time, and certainly I do not feel that we should extend that exemption to allow a nursing home to have two more patients.

Now in the discussion previously much was made of the fact that the nursing home operators cannot, in a small home, make a good living with three patients but they could make a better living if they were permitted to go to five patients and not be compelled to adhere to the safety code, for example, putting a fire escape on a building where you have patients on the second or third floors. And once you exempt any licensee from the building code you have no control so far as the safety of the patient is concerned, and I do not feel that we as Senators should actually be looking to what economic value can be achieved by a nursing home operator but rather it is our function to look at the safety features that are involved in legislation for the protection of the patients that are in these homes.

To show you why it is fair to leave the present law as it is pertaining to nursing homes in particular, I would like to point out that five years ago the average pay per patient in the nursing home on State-aid cases was \$90. Today the State of Maine is paying \$180 for nursing home patients. So here we have had in a matter of five years an increase of

one hundred per cent in income to the operators, and certainly the only justification for such a large increase in monthly payments to the operators is to make it possible for the operator to provide better standards of care and to provide better safety facilities for the patients in their homes. Incidentally, in the boarding home five years ago the average pay was \$65 a month and now it is \$110 a month. So you can see that the State has been conscious of the fact that we do need to pay more money in order to provide better facilities.

I would also like to explain that so far as nursing homes are concerned in the State of Maine we have had a licensure law since 1945 and since that time patients have been permitted to be in licensed homes up to three without having to conform to the more stringent regulations that apply to homes that have patients in excess of three. As a matter of fact in the last five years, the State of Maine in the nursing home industry, has become a national leader. We are now classified in the top ten states in the nation that do have good regulations, good licensing provisions, good standard care and good safety facilities, and it appears to me that we would be taking a most regressive step if we were now to say that we will extend the exemption to adhering to the building code or safety code by permitting nursing homes to go to five without safety control.

I know it has been stated that in the insurance commissioner's department, that that department has been a little too rigid. I can cite from my personal association and experience with that department that they have at all times tried to be fair. They have not been arbitrary. They have given extension upon extension and we must remember that in that department they must give prime consideration to the safety of patients or boarders in these homes, and certainly I think it is very unfair to criticize our administrators who are doing their utmost to enforce the law and yet at the same



time trying to be reasonable and give people an opportunity to make improvements and gradually so that they do not suffer any great economic hardship.

So for that reason, I now offer Senate Amendment C which is Filing S-238 and which in effect merely deletes the nursing homes from the provisions of this bill, and the bill will be left applying to certain standards for boarding homes and we will be permitting the people that operate boarding homes to have five boarders. In other words, they can take on two more boarders in excess of the three they are now permitted to have, without having to conform to the code. I can think of nothing that would be more disheartening to us as legislators, if we were to pick up a paper one day and read where someone in a nursing home had been seriously injured or to read of a fatality due to the fact that we had loosened our existing provisions which apply to nursing homes.

We would certainly lose our rating at the national level, and believe it or not, some of the leaders in the nursing association were speaking to me and they were completely amazed originally that we would take such a backward step here in the State of Maine, from a health and safety point of view, by extending licensing up to five without proper regulation. Before I can move adoption of this amendment, I suppose I should move that the Ought to pass report of the committee be accepted?

The PRESIDENT: Would the Senator from Kennebec, Senator Farris, approach the rostrum?

(Conference at rostrum)

Mr. FARRIS: Mr. President, in view of the fact that there are some discrepancies in the title as set forth in the amendment, and the title as set forth in the bill, I would move that this bill be tabled until later in the day when we can prepare the proper amendment to correct the title.

The motion prevailed and the bill was tabled until later in the day pending adoption of Senate Amendment C.

On motion by Mr. Noyes of Franklin, Recessed until two o'clock this afternoon.

#### After Recess

The Senate was called to order by the President.

On motion by Mr. Edgar of Hancock, the Senate voted to take from the table the 6th tabled item (H. P. 57) (L. D. 98) House report, Ought not to pass, from the Committee on Appropriations and Financial Affairs on "Resolve Providing Funds for School Lunch Subsidy"; tabled on May 25 by that Senator pending acceptance of the report.

Mr. EDGAR of Hancock: Mr. President and members of the Senate, I originally tabled this bill, not because I intended to take any particular part in the debate if any, on it, but I understand and have learned since then that there are some in the Senate who do have a particular interest in it and would like to speak on it to some extent. For that reason I will yield to the Senator from Aroostook, Senator Edmunds.

Mr. EDMUNDS of Aroostook: Mr. President and members of the Senate, at this time I would like to make a motion to substitute the bill for the report, and I would like to speak briefly to that motion.

At the present time, the money picture with respect to this session has not been resolved and I do feel that this bill is a worthy bill. Briefly this bill would provide that the state contribute 2½ cents on all lunches sold under the school lunch program here in the state and the 2½ cents which would be contributed by the state would have to be matched by the towns before the state would be required to pay in their 2½ cents.

I appreciate the fact that this came out of committee with an Ought not to pass report and I appreciate the fact that the price tag with respect to this particular bill is rather sizeable, somewhere in the vicinity of \$550,000 to \$600,000 for the biennium, but I would submit to my fellow Senators that the cost of a school lunch is a real

problem, especially in certain areas in the state today. For instance, in the area that I represent in Aroostook County, where many families have a number of children in school, the increase of five cents a day in the cost of a school lunch, can mean in many instances as much as fifty dollars a year to a particular family and some of those families have incomes of only \$50 a week so you can see that a budget item of \$50 a year, equal to one week's salary, is extremely substantial.

Now, federal assistance has been continually decreased with respect to the school lunch program both with respect to funds made available, I believe federal funds have been decreased from approximate-four cents today and in addition to that the surplus foods have been decreased over the past few years so that the people who run those programs have to step out in the market and buy substantial amounts of food, more than they did several years ago. Of course in buying that food they have helped the agriculture economy of the state and the country, but very briefly I believe the facts with respect to this program are available to all of the Senators. I notice on my desk a sheet of facts presented by Representative Harrington and I believe all of the Senators can look over the facts with respect to this program, but until such time as the money situation is resolved and we know where we are going in terms of money at this session, I certainly hope that the Senate will go along with my motion and keep what I feel is a particularly worthy piece of legislation alive.

Mr. DAVIS of Cumberland: Mr. President and members of the Senate, I am opposed to the motion of the Senator from Aroostook, Senator Edmunds. I would like to call to your attention as he mentioned briefly, that if you buy this bill, you are buying an entirely new program as concerns the school lunch program which we now operate.

The present program is paid fifty percent from federal funds, fifty percent from the amount

raised by towns and other local organizations like Lions Club, PTA and so forth. This bill would provide that the state match the recurring funds on a fifty-fifty basis. It carries an appropriation of \$275,000 the first year and \$300,000 the second year. The Committee turned out a unanimous Ought not to pass report on this bill for two reasons. In the first place we didn't see any half million dollars lurking around the corner that we could use to pay for it. In the second place we felt it actually might harm the program we are now operating in that it would take away some of the incentive on the part of the local people to participate in this program. I think that is very essential, they are interested in it and doing a good job.

I would also call attention of the members of the Senate and I think I am right, that this same bill has been before the legislature three previous sessions and has been turned down, and for that reason I move the indefinite postponement of the bill and when the vote is taken, I ask for a division.

Mr. EDMUNDS of Aroostook: Mr. President, I can certainly appreciate the comments of the Chairman of Appropriations and Financial Affairs. As I have said many times on the floor of this Senate, I have a great deal of respect for his committee and for himself personally, but I would point out that I am not particularly afraid of the fact that this is a new program, one that has not been tried by the state before, because I think it is a progressive program and I would also point out that this school lunch meal which these children get in many instances is very important, because in many instances it is the only balanced diet, the only square meal so to speak that the children get, in some of the poorer homes in the State.

As I said before, I believe it is a worthy bill. I appreciate that the money is not immediately in sight to enact legislation such as this, but that is no indication that the money will not eventually be

available. Of course if this bill is accepted here in the Senate, and should go back to the House and be treated favorably, it would go on the Special Appropriations Table, and I am sure it is every bit as worthy as some of the items that are already on that Special Table and for that reason, I would hope that this motion to indefinitely postpone would not prevail, and when the vote is taken I would ask for a division.

The PRESIDENT: The question is on the motion of the Senator from Cumberland, Senator Davis, that this bill 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 to indefinitely postpone prevailed.

Sent down for concurrence.

On motion by Mr. Wyman of Washington, the Senate voted to take from the table Item 7-1, bill, "An Act Revising the Election Laws". (H. P. 1169) (L. D. 1614) tabled by that Senator earlier in today's session pending passage to be engrossed.

Mr. WYMAN of Washington: Mr. President and members of the Senate, as most of you know, I intended to attempt to put an amendment on this bill, which I think is very worthwhile. However, there appears to be some question regarding the Constitutionality of the amendment and those who have put a great deal of work on the bill are very much concerned for fear that if it goes back to the other branch with an amendment on it, other amendments might be put on, which are very much opposed and perhaps add to the bill. For that reason I am not going to attempt to put on my amendment and I move the pending question.

The motion prevailed and the bill was passed to be engrossed in concurrence.

The President laid before the Senate, the 8th tabled item (H. P. 451) (L. D. 651) House Report, Ought to pass in new draft, same

title (H. P. 1165) (L. D. 1606) from the Committee on Appropriations and Financial Affairs on bill, "An Act Making Supplemental Appropriations for the Expenditures of State Government and for other purposes for the Fiscal Years ending June 30, 1962 and June 30, 1963"; tabled on May 26 by Senator Davis of Cumberland pending assignment for second reading.

Mr. DAVIS of York: Mr. President, I move that the bill have its second reading.

Mr. ERWIN of York: Mr. President, I present Senate Amendment B and move its adoption. Before a vote is taken on Senate Amendment B, I would like to briefly address the Senate if I may, and I would like to point out that now we have come down to the place in our proceedings where it is important to define terms.

This is known as the supplemental budget. As I read the dictionary, a supplemental budget, or a supplemental anything is "that which is in addition to something else". Now, the "something else" is of course the current services budget which has been passed and is awaiting final signature. At the time the current service budget was passed, it was my understanding at least that all of the essentials of government were there in the so-called balanced budget. Now the supplemental budget has a great many desirable things in it. The time has come now to talk ways and means, and although there are a great many desirable things and perhaps all of the things in the supplemental budget we could agree are desirable. When we talk ways and means, I think it is eminently clear now that we cannot have the whole supplemental budget without an increase in the sales tax, and therefore those of us who feel that an increase in the sales tax is not an advisable procedure for this legislature, have the burden of making amendments and for trying to offer acceptable solutions to the problems that confront us here in the State of Maine.

Now I know it is customary to make light of the border and I know that some of you who don't live on the border don't know that life on the border can be tough and border people by their very nature are hardy and inclined perhaps to be in the old days, cattle rustlers and whatever else you may want to call them. But they have to survive and they have to learn to look in both directions to survive.

We have the fact of the State of New Hampshire completely on our southern and western border and it oughtn't to be surprising to the people of the State of Maine that the people of the sovereign state of New Hampshire are not at all dumb. As a matter of fact, they have a small piece of coastline which is about seventeen to twenty miles long sandwiched in between the Commonwealth of Massachusetts and the State of Maine and they have a tax advantage and a competitive mercantile advantage over both the Commonwealth of Massachusetts and the State of Maine, out of which they are reaping quite a harvest and more power to them. But I submit to you that it is not the business of the legislature of the State of Maine to make it any easier for merchants in New Hampshire to make more money at our expense. This is equally true of the Canadian border and I do not presume to speak for those who live along the Canadian border but I think you will admit that it is also true that they who live along the Canadian border are also a hardy breed of cat.

We feel in the County of York that it is not the mandate of this legislature of this last election to tax and spend, or to raise the already significant tax burdens on the people of the State of Maine. For that reason I am offering Senate Amendment B and I will later offer another amendment to the supplemental budget. I ask you to take time to look at this amendment, which addresses itself to the matter which was originally called the so-called "blank check" to the University of Maine. I realize that the proponents of

this particular area in the supplemental budget do not like the use of the words blank check. I also realize that there is a very strong argument that anyone who is foolhardy enough to stand on his feet to oppose worthwhile projects particularly in the field of education, and particularly within the purview of the University of Maine, deserves any kind of a beating on the head that he may get. I am ready to take that beating. I only ask you before you wield the club to realize that those of us who feel about this, feel honestly that there is a point beyond which we cannot go.

Originally, as I recall the presentation of this particular item, the first time I saw it budgeted anywhere, it was simply listed as roughly a million, two hundred thousand dollars for the University of Maine, without any explanation whatsoever and because of that it came to be called at the outset, the "blank check". I am as aware as you are that on your desks or in your desks some weeks ago there appeared a refutation of the fact that these are unearmarked funds, and of course the funds have now been allocated and they are allocated to very worthwhile projects.

But it seems to us who offer this amendment that the argument that these are necessary items of expenditure have lost their force because these items did not appear in the current services budget where we were earlier led to believe all of the absolutely necessary items appeared, and the others had a graduated scale of priority in their desirability.

Without any more ado than that, Mr. President, I move the adoption of Senate Amendment B.

Mr. BROOKS of Cumberland. Mr. President and members of the Senate, my good friend, the Senator from York, has with his usual good oration, argued his point and he has made a point of the fact that the supplemental budget is something in addition to what is absolutely necessary, which I don't agree with. The current service budget was a budget created to balance what was estimated as

expected revenue and the supplemental budget funds, additional funds that are needed for use by the citizens of the state.

The University of Maine is a proud organization of this great state. I am much concerned with the so-called border people down in York County. I know people in York County but I am more concerned about all the people in the state of Maine, in all the counties. I would refresh your memories for a moment. Back in 1960 in April at the Republican Convention the Platform stipulated unequivocally that education was paramount in the minds of the citizens of the state and of the Republican party and that we must take steps to improve our educational system. We campaigned on that issue and I believe that the mandate of the people is for better education in Maine, which includes our great university at Orono.

I might also add that this one million two fifty thousand dollars is not a blank check and never was a blank check. It has been discussed and has been itemized by each and every one of us. I would also remind you that the trustees of the university who are charged with its operation and financial affairs are a group of highly distinguished citizens in the State of Maine. They are not in my opinion padding budgets. They are looking at our problem realistically.

I would for a moment state some of the problems we have at the University which come under this appropriation. We have in the next biennium an estimated 600 students that must enter the University. We must improve the salary problem, the salaries of the professors at the University. Professors salaries at the University average \$1700 less a year than the average of all land grant colleges. Sixty-seven out of eighty land grant colleges in the United States have a higher per pupil subsidy than does the State of Maine. Maine is fourth from the top in its financial requirements of its students to enter the University. The latest report from fifty-

three land grant colleges show that only two have admission standards clearly higher than what we have at the University of Maine. We will have turned away this year approximately one hundred applicants of trusted college caliber. The university did this as a result of lack of space for the students at the University.

We are not attempting by appropriating \$1,250,000 to put this State University in an area above the national average for universities of higher education, we are attempting just to bring our University up to a degree of average as far as national statistics are concerned.

With that, I sincerely move that Senate Amendment B be indefinitely postponed.

Mr. ERWIN of York: Mr. President, may we have a division when the vote is taken?

Mr. BATES of Penobscot: Mr. President, it will be no surprise I am sure that I rise to support the motion of the Senator from Cumberland, Senator Brooks, and it is not necessarily because of my home town being Orono, because the University of Maine is a state institution. Young people qualified to receive higher education come from every community in the state that you people represent. Do I need to remind you that if you should pass the supplemental budget on top of the current services budget, we are still falling short by nearly one million dollars—\$949,000 plus to be more exact—that amount requested by the University in its wisdom by a highly qualified group of individuals, to begin to catch up with competition; I mean competition with industry and competition with out of state universities and colleges who are also seeking highly qualified faculty members. I would like to emphasize again that the University of Maine's position is primarily that of teaching in higher education but that the University of Maine affects the entire economy of the State of Maine and to name a few examples, - farming, forestry, business and industry in general and I could go on because the Univer-

sity reaches out and touches many segments of our economy. Do I need to remind you that the University has placed upon its shoulders the greatest proportion of providing for education of those students in Maine especially who are qualified and who deserve to receive higher education.

Previous legislatures have seen fit to provide for more buildings so that we can accommodate more students who need to be educated at the University of Maine. Services for research facilities at the University of Maine, the improvement of faculty salaries, the need for additional faculty members, the servicing and maintenance of existing buildings, the hope that a great tragedy will not accumulate more and more with respect to college financing because this legislature would fail to understand that to fail to repair college buildings or any buildings as far as that is concerned, ultimately means a greater and greater increase in cost some day.

Inflationary costs which enter into every segment of our operations today must be kept in mind. If you expect the University of Maine to carry its share of the load, which share I have already said is a tremendous one as compared with the other existing institutions of higher education in the State of Maine, you have got to stand up and be counted as being willing to provide the money necessary for carrying on these pursuits.

Please give this your most serious consideration. Let's not take a step backward. Let's try to take a very small step forward. Even this small step forward will only in a very minor way begin to close the gap between the University of Maine and its competitors in the educational field. I do hope you will vote for the motion to indefinitely postpone.

Mr. PIKE of Oxford: Mr. President, my heart goes right out to the Senator from York, Senator Erwin. I sincerely believe that he is one of the smartest men we have here and I admire his standing up and trying to cut this supplemental budget, but as I said in

the caucus this forenoon, I attended the University of Maine, my oldest child is a graduate of the University of Maine and I personally feel that they are not getting any more than they ought to have. I am just like everyone else. I wish they would cut it somewhere but not here. Thank you.

Mr. STANLEY of Penobscot: Mr. President, as a member of the Appropriations Committee, I would like to say we did not discuss the needs, the wants of the supplemental budget with an eye to taxation. We discussed it as to what we thought were the needs of the State of Maine. In the current services budget it has been stated that the essential items to carry on our government for the next two years were included. The essential items to carry on government as it has been for the last two years, are included in there. It does not include anything to maintain any new buildings which have been or will be built. It includes no money for personnel to live in these buildings. It is a current services budget which takes care of that which has been going on for the past two years.

It does not take care of the essential items. With that little thought in mind, the University of Maine is one of the most important cogs in the operation of state government. Without education, we could do away with all economic development, any industrial or recreational development, because if we were not educated we would not need those things. Let's put education where it should be, in first place, where we placed it in our campaign. I would hope that the motion of the Senator from Cumberland, Senator Brooks would be approved.

Mr. MAYO of Sagadahoc: Mr. President, I think it is time someone rose here in the Senate in support of the amendment that has been presented and I rise in opposition to the motion now before this body. My reasons are not that I am against education. I am not against the University of Maine but I am against any increase in taxes on our populace

in the state. If we do not cut the supplemental budget in certain places, we are faced with a tax. I think we must start here today and cut the supplemental budget in places where it is necessary. The current service budget has been passed. The current budget gave a large increase to the University of Maine over what they had two years ago in certain categories. This supplemental budget that we have here today and the amendment we have before us cuts down on the blank check the University of Maine will get. I support the arguments of the Senator from York one hundred percent and certainly hope that the present pending motion will not prevail.

Mr. EDMUNDS of Aroostook: Mr. President, I appreciate the problems of York County and I certainly appreciate the sincerity with which the Senator from York, Senator Erwin has presented those problems but I would submit to the Senate that we are here as a Body to look at problems in the light of the entire State of Maine.

Personally I did not have the benefit of a college education but I have two children, one ten and one six. They are good children; they are good students; but they are a long way from being brilliant students. I think I am correct if I say that today your major universities outside the State of Maine and indeed the private universities and colleges within the State of Maine are turning away all but the exceptional student that graduates as valedictorian or salutatorian of his class, and I am very much concerned as to where my children are going to college. I am not in a position to send them to an expensive university in one of the eastern states and if I were, I don't believe they would have the mental equipment probably to qualify them six years from now and ten years from now when they set out to go to school and it seems to me that the only place my children and your children and your grandchildren are going to get the benefits of a college education are at the University of Maine.

For that reason I certainly support the motion of the Senator from Cumberland, Senator Brooks, that this sum of \$1,250,000 be kept intact. A good deal of reference has been made here this afternoon that this is a blank check for the University of Maine. I believe that has been adequately refuted because we do have here specific information as to how this money would be used if it were appropriated. I would go so far as to say this that if it were a blank check, which it is not, I would still be for it because I have a tremendous amount of respect for the abilities of the President of the University of Maine, Dr. Elliott and for the abilities of the trustees of the University of Maine, to use this money to the very best possible advantage in furthering the aims of college education in the State of Maine. I certainly hope that the motion of the Senator from Cumberland, Senator Brooks, will prevail.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, I rise frankly most reluctantly to support the amendment and in opposition to the motion to indefinitely postpone. There is probably no item in the supplemental budget which I find closer to my interest than the University of Maine, but I do feel, as has been expressed by the Senator from York, Senator Erwin, that we must be realistic, if we are to avoid a sales tax increase.

Now I am not stating at this time that I am unalterably opposed to a sales tax increase but at the present time I do not feel that the need has been demonstrated for a sales tax if we do a little trimming. There is no question but we will have to have some new money but I will support a vote in opposition to the motion to indefinitely postpone, but if it becomes evident that a sales tax must be and a sales tax is enacted, I would certainly be the first to suggest that the cut be restored to this budget.

Mr. NOYES of Franklin: Mr. President, I rise as the Senator from Franklin and also as the Majority Leader of the Senate. L.

D. 1606 at best is a meager proposition. It is a modest proposal and I rise here and will rise again to oppose any cuts in the supplemental budget. It is the work of some five or six months of the appropriations committee. It certainly reflects a lot of the thinking here in the Senate and while it is true that it is supplemental we have got to have some supplemental progress in the State of Maine. Our current services budget which we passed, is merely a housekeeping proposition to provide us with what we now have without buying any progress. It is time that we considered in the three or four areas of progress in the State of Maine those needs which must in some small measure at least, be advanced. We have got to go ahead in education and roads and we certainly have got to go ahead in economic development.

Therefore, Mr. President, I oppose the motion of the Senator from York, Senator Erwin, which would be a cut, and I feel that we ought to defeat it and also defeat any and all amendments which cut from this L. D. 1606.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Brooks for the indefinite postponement of the amendment, Senate Amendment B.

A division of the Senate was had.

Seventeen having voted in the affirmative and fifteen opposed, the motion prevailed and Senate Amendment B was indefinitely postponed.

Mr. BROWN of Hancock then presented Senate Amendment "C" and moved its adoption.

Mr. STANLEY of Penobscot: Mr. President, as I look at the amendment, it does away with the first step of the employees' pay plan and leaves only what we call Step 4, which would be the longevity item in the Jacobs pay plan.

We have considered this bill for a long time in the committee. We had it presented to us in public hearing. The original amount asked for the pay plan was \$1,000,000 each year. The committee

came out with a program of \$64,000 per year which would start the Jacobs pay plan in the first step and give the longevity item to those employees who have been with us for seven years or more. This would strike out the first step in the pay plan, and to our way of thinking in the committee it would just set up another item in our pay plan which we have now.

I would be very much opposed to this amendment and I would move that it be indefinitely postponed.

Mr. BROWN of Hancock: Mr. President, I offer Senate Amendment "C" for two reasons: first, out of our 8000 employees 5500 are receiving a raise in the general fund budget which we have already passed. The rest of the employees would receive a raise in the supplemental bill by keeping this Step 4, and this Step 4, is the longevity step, as the Senator from Penobscot, Senator Stanley said.

Secondly, I offer this amendment with the idea that many of us do not want an increase in the sales tax, and for that purpose we have to cut the supplemental budget.

On motion by Mr. Couture of Androscoggin, the Senate recessed for fifteen minutes.

(Recess)

Senate called to order by the President.

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

Mr. MAYO of Sagadahoc: Mr. President, I would ask for a division.

Mr. DAVIS of Cumberland: Mr. President, I rise in support of the motion of my colleague, the Senator from Penobscot, Senator Stanley, for the indefinite postponement of this amendment.

In the first place, I think there is an error in the amendment which has been called to the attention of the sponsor, that if we adopt this, \$30,000 each year should be put into the Liquor



Commission budget rather than in this one.

I would also like to repeat what my colleague has told you: that the committee has studied this pay plan and studied it long and carefully. If you adopt Step 4 without Step 1 you would then have an eight-step merit pay increase plan instead of a seven-step. But the most important part of Step 1, to my mind, is what it does: it places the personnel department in a better position for recruiting personnel. In other words, it gives them an opportunity to hire better-qualified employees. I submit to you: in your own business it is not quantity that counts, it is the quality of your employees. I urge you to support the motion of the Senator to indefinitely postpone this amendment.

Mr. EDMUNDS of Aroostook: Mr. President, I also rise in support of the motion of the Senator from Penobscot, Senator Stanley, that this amendment be indefinitely postponed. I would like to point out to my colleagues in the Senate at this time that the various industries, or, shall I say, the economic barometers by which we judge our economy, are all gradually creeping up, the cost of living, the cost of various services; and I believe it is a well-established fact that the recession is behind us nationally and I suspect also here in the State of Maine and that over the next two years we here in the State of Maine must live with a rising economic tide. Now in my own business I can raise my employees tomorrow if necessary in order to retain the caliber of help that I think I need in connection with my business, but I would point out to my colleagues in the Senate that should we turn down these pay raises today it will be two long years before these people can get the pay raises which they are justified in receiving.

I certainly believe that in this day and age, especially in this state and in this economy, that you get what you pay for, not a nickel more and not a nickel less, and I certainly believe that in

the best interests of the State of Maine these employees are entitled to this pay raise at this time and I certainly hope that the motion to indefinitely postpone will prevail.

Mr. MAYO of Sagadahoc: Mr. President, I rise again in opposition to the motion, to again keep the supplemental budget up to where we must buy a sales tax. I can very easily see the proponents of the sales tax gathering their forces; I can see what they are working up to; they want to buy the supplemental budget intact, as is, regardless of what it means to the voters and the people of the State of Maine. I just cannot buy this continual increase in State government.

This amendment has been discussed thoroughly in caucus, the arguments for and against it. The so-called pay raises which are necessary for the State employees is a matter of one individual's thinking. The recruiting of employees means simply that if they want to recruit a college graduate they can pay the college graduate \$90 a week whereas under the present pay scale they probably would receive only around \$75. I think there are many qualified people who want to work for the State of Maine under the present wage system. I think if anyone would check with the department they would find on their waiting list over there many hundreds of people waiting for vacancies so that they can go to work for the State of Maine. I repeat: if we continue to defeat these amendments we are buying a major tax in this legislature. I again oppose the motion to indefinitely postpone this cut.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Stanley, that Senate Amendment C be indefinitely postponed. A division has been requested by the Senator from Sagadahoc, Senator Mayo. All those in favor of the motion of the Senator from Penobscot, Senator Stanley, will rise and stand in their places until counted.

A division was had.

Twelve having voted in the affirmative and eighteen in the negative, the motion did not prevail.

Mr. BROWN of Hancock: Mr. President, I move that we adopt Senate Amendment "C".

Mr. STANLEY of Penobscot: Mr. President, I would again just mention the fact there is \$30,000 more than is necessary in this amendment. If they are economy minded they can take another \$30,000 out of the budget each year. I would also just like to repeat that the per capita income of the people of the State of Maine is the lowest of any state in New England.

The PRESIDENT: Is it the pleasure of the Senate to adopt Senate Amendment "C"?

Mr. MAYO: A point of order, Mr. President. I do not think that the remarks just made were pertinent to the question.

Thereupon Senate Amendment "C" was adopted.

Mr. STANLEY of Penobscot: Mr. President, just a point of privilege: Were my remarks proper or not?

The PRESIDENT: The Chair would state that the Senator's remarks were proper.

Mr. Erwin of York then presented Senate Amendment "D" and moved its adoption.

Senate Amendment "D" was read by the Secretary.

Mr. PORTEOUS of Cumberland: Mr. President, with reference to Senate Amendment "D", I would move its indefinite postponement and I would like to speak briefly.

This medical care program has had wide support throughout the State. When it was first considered in the Senate it was passed without a vote, and it has been passed in the other body. The full appropriation amount was voted in that other body. It is in the interests of economy and the fear of an increased sales tax that this amendment is introduced at this time, but I submit to this Senate: Who do the people who are submitting this amendment think they are saving money for? They are saving nobody any money by this amendment, because the very people who are paying taxes in

this state are paying the difference in the cost of their hospital rooms due to the inadequacy of the payments to the hospitals by the State.

I believe each and every member of this Senate is familiar with these figures without my going further with them; but the cutting in half of this particular program, which had no padding in it in the first place and which recognized that the State could not financially go the full length and breadth to relieve this situation—the people who formulated this program and came up with this appropriation were knowledgeable people, they knew the problems of the State of Maine and they knew the problems of the hospitals and the people that those hospitals serve. They did this with their eyes open. The original request in this bill which I sponsored for one million dollars for each year of the biennium is realistic and not padded. People from both parties testified at the hearing that this health care bill either rates ahead of or is second to our education bills, and that there is no saving to the people of the State of Maine by reducing this supplemental appropriation.

I move for the indefinite postponement of this amendment and I sincerely hope that the Senate will support me. When the vote is taken I request a division.

Mr. ERWIN of York: Mr. President, there comes to mind obviously the old chestnut: "It all depends on whose ox is gored." That is what we are faced with here today. As the good Senator from Oxford, Senator Pike said, "I would like to see you cut but don't cut this one."

First of all, I object to the implication that the people who drafted this item in the supplemental budget and who worked out the particular program are the only ones in the State of Maine who know something about hospitals. I submit to you that a good many people in the State of Maine who have been in hospitals know something about hospitals too. Hospitals are not sacred cows, nor I suppose is it claimed that all of the hospitals' problems and all of their deficiencies are going to be ironed out by the magic of two

million dollars—one million dollars every year. This is another one of those things that has been with us for a very long time. The payment of an average of seven dollars a day for the State's indigent to the hospitals who take care of them probably wasn't adequate whenever it was originally passed. You never can catch up completely with the social needs of the population, but just because you cannot catch up with it does not mean you have to go as far as the proponents of a measure claim that you should.

I agree that there is a hospital problem; I agree that we have got things to do to upgrade our hospital service, to make our hospitals better places, to help them help themselves, but this kind of a subsidy is something new on the scene, because this is in addition to the present program which is not affected one way or another if you do not give them any extra money, and therefore those of us who have to reiterate over and over and over again that the passage of this supplemental budget without any amendments whatsoever brings you right square up to an increase in the sales tax, ask you to realize that half a loaf is better than none and that going part way with these people is making a step toward improving the existing problem. Let's try it for two years. The hospitals will still be getting one million dollars more than they ever got before, and that in the State of Maine, my friends, is a lot of money. For Heaven's sake—I don't know how many clichés we could pump out here this afternoon, but the only one that comes to my mind is "Let's walk before we run."

Let us remember that when we pick up these individual pieces of legislation and put them into a whole that every time you do step on somebody's bill there is bound to be a yelp of anguish. I yell with anguish when you hurt my particular things. But let's look at the whole picture, let's look at the welfare of the State of Maine and let's look at the people who pay for all of these things. The vast majority of the people of the State of Maine do not have very

much money left over from one pay-day to the next, and every single time you and I sit here in our happy arrogance and plan ways and means for the people of the State of Maine to spend their money let's stop and think who are the people who are paying for this. In the main they are wage-earners; they are the famous little man, the famous common man who is going to have to find some way to pay more taxes because of what occurs in this supplemental budget here today. We ask you not to think in terms of helping any one county to the exclusion of any other county. Obviously each of us approaches a problem from this own parochial angle, but this is the welfare of the State of Maine we are talking about. There is not a single hospital in the State of Maine that is worth its salt that is going out of business if you do not give them any extra money, and every one of these hospitals will be happy to receive half of this particular item in the supplemental budget if you see fit to give it to them.

When the vote is taken I ask for a division.

Mr. MARDEN of Kennebec: Mr. President, I hope that in the life hereafter Senator Erwin and I will be in the same place, because it seems that in the past five and a half months, we have been on opposite sides, which doesn't say he is wrong, although I think he is.

I am a little bothered by the constant reference to "Let's not run before we walk. . . . Let's not go too far, too fast" and so on, while at the same time we are creeping along, in our blissful ignorance. Hospitals aren't going out of business, obviously not. The reason they aren't going out of business, is because when the \$7 a day patient leaves the hospital with an increase in per diem costs to keep that patient in first class condition, bear in mind, the difference is paid by you and me and the wage earner who can ill afford to pay that difference. I do not view this particular million dollar item as a subsidy or an upgrading or a maintenance. I view it strictly as a matter of philos-

ophy as to whether or not this burden of paying this extra cost of the indigent patient throughout the state of Maine should be paid by all citizens throughout the state on a proportionate basis, rather than by the wage earner or the father or the bread winner of the family who has one of its members in the hospital.

Therefore, I support, with enthusiasm, the motion to indefinitely postpone this amendment.

Mr. FERGUSON of Oxford: Mr. President and members of the Senate, I rise in support of the motion of the Senator from Cumberland, Senator Porteous. This is one of the most important money matters that we have before us in this session of the legislature. I think it has not been mentioned if we put in the two million we will qualify for federal matching funds. As you know, now we provide forty-five days hospital service for general relief and in cases in the categories of Old Age Assistance, Aid to the Blind and others but if we are able to enact this bill and hold this intact, this million dollars for each year of the biennium, we will qualify for 180 days of hospital aid for the poor, the sick and the feeble of the State of Maine.

If we don't want to go along with this appropriation, then let us repeal - let us have the guts to stand up here today and repeal the section of the law that says we must take care of these people. As you know it is in the statutes that we are to take care of the categorical cases and also for general relief. To be sure the hospitals might carry on. I doubt very much if all the hospitals in the State of Maine, there are 64 of them in the State of Maine and some are badly in need of hospital equipment and with the less they are taking now, an average of \$18 a day, certainly we can't continue.

The figure of \$7 a day has been mentioned several times and I would like to point out that in 1956 the average load of the hospital aid cases in our own particular hospital was 16.9 and at the

time it is 29.6 or pretty near a third of the load we are taking care of in one particular hospital.

I would like to call to your attention the losses of a few of the various hospitals in Maine during the last year: the Medical Center in Portland, \$587,000; Portland City, \$120,000; Waldo County General, \$41,000; Thayer \$102,000; Central Maine General in Lewiston, \$276,000; St. Mary's Hospital, \$158,000; the Rumford Community Hospital, \$100,000. I have a list here of the losses of the hospitals over the state and it is going to get to the point that the hospitals will not be able to accept these state aid cases.

Therefore I hope that the Senate will seriously consider the amount of money we are going to lose from the Federal government. We are paying for it whether we take advantage of it or not. Every time you pay your income tax, or buy a tire, or a piece of jewelry you are contributing to this fund. I might say the loss last year for all the hospitals was two million, five. By appropriating a million dollars for each year of the biennium, the hospitals will still have to absorb another million dollars in loss. It certainly is not taking care of the whole load. But it would be a big help.

Mr. ERWIN of York: Mr. President, just two brief remarks in rebuttal. The losses that the hospitals in the State of Maine and all over the United States of America suffer are losses that are built into any hospital system. A hospital is not a hotel. Just because you have a bed and board that isn't all that you pay for. The hospitals hold their cost down to a reasonable point and every single private hospital that exists in the country has some other form of revenue to supplement the fact that their operating revenues do not underwrite the cost of their operation.

When you talk about losses, you are talking about operating losses and in most cases they don't take cognizance of the fact of endowment, large or small, and they don't take cognizance of one of the most important things on the

American scene which elevates and differentiates the United States of America from every other country in the world, and that is the fantastic impulse to private giving that makes this country just the kind of country it is.

We have a proud heritage in the United States of America which is completely foreign anywhere on the continent of Europe, and that is this great impulse in the American people to contribute to private charity which supports these enormous foundations, like the March of Dimes and the Red Cross and the Heart Foundation and a hundred others. And every single community hospital has in some form, support from its own local people in the name of honest God fearing charity.

It is all very well to say that the hospitals are losing money and the burden is on the taxpayers of Maine to pay it because of these old people who are in the hospital and who aren't getting from the State of Maine the cost of their hospitalization but if you make money available to hospitals of this nature, too soon and too much - and I don't want these words misconstrued - I don't mean to say by this that there is not a need for money, but if you make it too easy to people they are not going out into the field where they belong, and keep contact with the people and ask for money. And I hold it that it is one of the greatest things on the American scene that we do have to go out, every year, the Red Cross and the March of Dimes and all the others, and the community hospitals and ask for money, because it is good for us. It is good for us to share our bounty and it is good for us to support these worthy causes. Now let's not have this emergency atmosphere press too hard upon us, because I say if you give them half what they ask for the first two years, you still would help them a great deal, but I see no need whatsoever for us to go out and the first time this particular program has been advanced in the State of Maine, and give them everything

they ask for. I too hope that Senator Marden and I wind up in the same place eventually.

Mr. PORTEOUS of Cumberland: Mr. President, I am sure that the three Senators, Marden and Erwin and Porteous will probably land in the same place except that they will probably argue who is going to take care of my legal business when they get there.

In rebuttal to the rebuttal, first of all I have not shed any tears over some of the legislation that I introduced in the legislature which is now in the place that we expect to retire to after our death. I have no "ox" sacred or otherwise. I was very happy that the Senator from Oxford, Senator Ferguson made clear that this does not catch up, and I wanted to straighten it out that the existing program is only \$825 a year and doesn't begin to cover what is necessary.

I would also like to state that the hospitals feel that they now are getting absolutely as much as possible from their united funds, their contributions and from endowments. Even after, if this million dollars a year is voted and passed, to make up that million and a half from endowments, that will not be made up, it would take an endowment for all the hospitals of a half billion dollars, to produce that million and a half figuring at three percent.

The United Funds, in the city of Portland, provides a good substantial amount of money, approximately \$100,000 of its \$800,000 budget or one eighth of its entire amount for the Maine Medical Center, and the Catholic charities also do very well by the Mercy Hospital in Portland, and I think that any hospital executive will tell you today that they never would have come along for this particular type of help unless they were very sincerely and realistically desperate.

Mr. EDMUNDS of Aroostook: Mr. President, when I come upon Senators Marden and Erwin in the hereafter, I fully expect, to quote Mr. Kipling or to paraphrase, "They'll be squattin' on the coals servin' drinks to Senate souls

but they're better men than I am, Gunga Din".

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

A division of the Senate was had.

Seventeen having voted in the affirmative and fifteen opposed, the motion prevailed and Senate Amendment D was indefinitely postponed.

Mr. Lovell of York presented Senate Amendment H and moved its adoption.

The Secretary read Senate Amendment H.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate, some of us have been very much concerned about trying to hold back the enactment of any new taxation bill. This amendment would cost us as I figure it, \$390,000. I am sure the people in this County from which the Senator from York comes, are not in favor of any increase in the sales tax, but this \$390,000 would go quite a way toward the prospect of increasing the sales tax and so I move indefinite postponement of this amendment.

Mr. LOVELL of York: Mr. President and members of the Senate, I feel very confident that this Senate knows my feelings on industrial and recreational development in the State of Maine, and its importance to the State of Maine. I am all for good hospitals, good jails and good schools, but certainly we have got to spend some money in some way that is going to bring a definite return to the State of Maine. Now, in this amendment, this is only putting up the current services in the supplemental budget of the Department of Economic Development to the amount that the Armour Foundation Report has suggested that Maine should have.

We spent some fifty thousand dollars for this report and certainly it is a very clear, well written and very well covered report. Certainly we have spent in the current services budget, \$120 million. We have spent \$4½ million before

us in the supplemental budget for capital improvements, a total of \$180 million and certainly the only way we are going to get money back into the State of Maine is through the recreational and industrial development of the state and all this asks for is just about one percent of the total amount we are spending to get money to pay these taxes.

Now you well know, and I am not going into the complete details, but you well know the tax increase two years ago was some \$6 million and over \$3½ million this year over last year. There is the only means, all these different things we have voted for and want in the supplemental budget is for spending and there is no return. Fine. As I said, we want good things, we want good education. Now if this amendment is passed, this will bring in to the State of Maine in increased taxes so we can up our budget some \$4 to \$5 million dollars each year because you have heard the definite return that this will bring in to the State of Maine through recreational and industrial development. This Senate has gone along with several bills that have been introduced, and voted for them. They were killed in another body here that is very unprogressive on industrial and recreational development.

As far as increasing the taxes, I think this Senate knows my position on this. The taxes do not need to be increased in the State of Maine if they will go along with the platform that I have contended in the past six months, and they have heard me in caucus often enough on that, and I am getting some support for that now. The good Senator from Penobscot said that Maine was the lowest per capita income state in New England. That is right. And it is also the highest per capita in taxes, 44th in population increase with half of our children, after they get educated, going out of state to work.

This money for the Department of Economic Development can pay for in the next biennium and take care of all of the supplemental budget in increased taxes coming

into the state, and I ask for a division on the motion.

Mr. STANLEY of Penobscot: Mr. President, the good Senator from York, Senator Lovell, has said he is in favor of good hospitals and good jails, and his voting record on the liquor bills will assure us that we should have better jails and better hospitals.

He also has suggested that the Armour report which we paid \$35,000 for suggested that DED be increased to approximately one million dollars per year for it is economic development that eventually provides sufficient state income to support better other state functions. It says, "If at all available it is strongly suggested—". The gentleman from York Senator Lovell, does not feel that those amounts of money are available but he still would like to appropriate the money.

We have included in the supplemental budget enough money to bring the budget of the Department of Economic Development up to \$850,000 a year which is very near a million dollars and I would be strongly opposed to including any more. It was over strong objection that we put this in the supplemental budget to start with.

Mr. LOVELL of York: Mr. President, my record that has been alluded to on certain bills. I think we passed one bill very strongly today that will bring in half a million dollars a year in new revenue to the State, a million dollars over the biennium. Time will prove that. I think we could up our estimates a good deal.

This amendment provides a hundred thousand dollars more each year for industrial development and also for advertising and promotion of the tourist business and there is no better way, there is no other way that Maine can get more money back in, increase their payrolls, keep our children and people here in the state so that we won't be so far behind in the population increase, and can get somewhere and broaden our tax base with more people in the state and more tourists to get them to help pay our taxes. But if we

raise our taxes, we are pricing ourselves out of competition.

We have at the end of this fiscal year some \$8 million in the surplus and if we bond our capital improvements, then this \$8 million in the surplus, plus upping the estimates, which we can well do for industrial and recreational development, up our estimates for the next biennium will go fully to the amount that we won't need any increase in taxes whatsoever and I am perfectly willing to go along completely with the supplemental budget if this legislature will go along with those principles. After all, that surplus does belong to the people of the State of Maine. It doesn't belong to any one particular person and I certainly feel that this is the most important amendment in this entire section because here is something that is going to give you a definite return in cash. We can't estimate how much it is going to give us for education of our children, and I have seven children and I want to see them have the finest education. We certainly want good hospitals and I am perfectly willing we should subsidize the hospitals but here is something that will give us the money to take care of these things, if this Senate will be far sighted enough to see and realize its importance. Thank you.

Mr. PIKE of Oxford: Mr. President and fellow Senators, I want to call your attention that I am afraid the good Senator from York forgot one thing today. He forgot to say that we receive \$16 for every dollar we spend.

Mr. DAVIS of Cumberland: Mr. President and members of the Senate, I will have to confess that the good Senator from York, Senator Lovell, confuses me a little bit. He told me a few weeks ago that he was a poor man; he told us last week where he invested two or three thousand dollars in the stock market and lost it; he told us many times where we could invest one dollar and get six back or maybe it was sixteen. I can't help wondering if he hasn't been peering through the look glass of Alice in Wonderland. I think the committee considered this item very

carefully and I would suggest that we return from wonderland and indefinitely postpone this amendment.

Mr. NOYES of Franklin: Mr. President, as I said earlier this afternoon, I heartily approve of L. D. 1606; that I would oppose any cuts to it. I will rise on this occasion and others because there are some amendments which would actually increase this supplemental budget. I said that this was a meagre and a modest bit of progress and now I would like to say to you, and I would say to the Appropriations Committee because they said it to us, "If you have any additions, look to the supplemental budget in which to seek any additions." I am for progress whether it is non-productive progress or income producing progress. I am also for schools, education and what not. I don't dare say jails because I am sure that sometimes the Senate would perhaps like to commit the Senator from York, Senator Lovell and myself to such a destination. But I do feel very seriously, that we have got to upgrade our sights a little bit, and in effect this increases the supplemental budget by a hundred thousand dollars each year which brings it close to the one million dollar mark which is advocated very strongly by the Armour report.

We have got to go along slowly and this is slow progress. Some people have said that we are trying to run before we walk and I suggest in Maine we have been creeping for quite a while. It is about time we walked. This is strictly a walking proposition. And if we are talking about two million dollars for hospitals and we are talking about a million for the University of Maine, and a million here and there which I do not oppose, it is about time that we talked about one million which is less than one percent of the total amount of money which this legislature will raise before they get through. It is a very modest appropriation and for that reason I support Senate Amendment H.

The PRESIDENT: The Chair would like to make this remark. I wish the Senators would be a little careful how they make personal remarks to the other Senators. We are a fine Body and have a fine decorum. I hope we keep it that way.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, I also am a little bit confused on the matter of appropriating more money for the Department of Economic Development, and I certainly am not opposed to appropriating some more money if it is going to actually accomplish a worthwhile purpose. But as I recall the recent history of L. D.'s, first we had a legislative document which would have provided as I recall, \$100,000 - I don't know if it was for the biennium or for each year of the biennium, whereby the Governor and Council would have this money available for use at their discretion, and that was passed by this Senate. We then had another L. D. which originally suggested a million dollars I believe and was subsequently reduced by amendment to \$150,000 per year or \$30,000 for the biennium for the purpose of industrial promotion. And now we come along with \$200,000 for the biennium, earmarked specifically for adding three more industrial development field representatives, and an additional recreational development representative and the reason I am confused, and I pose this question through the Chair either to the Senator from York, Senator Lovell or the Senator from Franklin, Senator Noyes, as to actually, if we are going to appropriate an additional \$200,000 for the biennium where could it best be allocated. In this item which is now in the supplemental or would it be better to have the money in the hands of the Governor and Council to be used at their discretion or would it be better to have it available for use for industrial promotion?

The PRESIDENT: The Senator from Kennebec, Senator Farris, poses a question either to the Senator from York, Senator Lov-



ell, or the Senator from Franklin, Senator Noyes, and either Senator may answer if he wishes.

Mr. LOVELL of York: Mr. President, I will be very happy to answer. I might first say that the various L. D.'s mentioned by the good Senator from Kennebec, Senator Farris, have all been indefinitely postponed in the House after we worked so hard to pass them here in the Senate.

Now as to this money, this money calls for \$100,000 each year for industrial development in addition to what was in the supplemental budget, and \$100,000 a year for tourism in addition to the supplemental budget. Now it takes three new employees who are to work out of state, knocking on doors, at factories, and so forth throughout the eastern part of the country or the entire country to get more industries interested in coming to Maine, and to sell our lovely state to them. Then the balance of the money, above that, will be used for advertising in such areas as the Wall Street Journal, Electronics Magazine and so on to attract and get leads on industries which might be interested in the State of Maine.

Now, on the tourism end, one employee is asked for in addition, who, in turn, will go out and work out package deals for the tourists to come to the state either by plane or bus or what not, and establish and put publicity about the State of Maine before the eastern part of the country where they are most apt to come to Maine.

That only takes into consideration about \$10,000. The rest of the money is to be used in advertising the beautiful State of Maine which we all recognize will bring a great many dollars to us.

Mr. MARDEN of Kennebec: Mr. President, I am well aware that the repetition of arguments by the Senator from York may well reduce his effectiveness. I am also aware that he and others may well be in the minority. Thirdly I am aware that to talk about adding money to the supplemental budget during proceedings in which efforts are made to cut expenditures

makes one as popular as a skunk at a lawn party but it wouldn't seem right to me personally to sit by when this subject is discussed without suggesting that I am in agreement with the purposes suggested by Senator Lovell and Senator Noyes. It is my sincere belief that much of the future of this state lies in its recreational development and it seems to me that this particular amendment does in some small way attempt to awake the sleeping giant.

Mr. CHASE of Lincoln: Mr. President and members of the Senate, I am very reluctant to rise to support an amendment that I am wholeheartedly in approval of at a time when, as Senator Marden stated, we are trying to indicate to the other Body that we have to cut expenses somewhere along the line to enable ourselves to avoid an increase in the sales tax. I feel that I should not remain seated at a time like this when I feel deep in my heart that this is one thing that we certainly should consider. I have stood here before and stated that we have to do something here to try to help ourselves. And this is one way we have to do it. We have got to advertise and try to get some industry in here and advertise our recreational resources, and if we take the amount of money that this amendment calls for, I fully believe it will pay big dividends in the future.

I have sat here this whole session and I have seen Senator Lovell present many bills trying to do something to promote the State of Maine, and in many instances I have felt bad that he hasn't received perhaps the proper courtesy in regard to his propositions, because I think Senator Lovell is sincere in his desire to do something. I certainly feel for him, and I certainly feel that although at this time this increase in the supplemental budget at a time when we are trying to cut it, but I still feel we should go along with this and perhaps when the bill comes back from the other Body maybe we can sit down and talk this thing over and decide what we are going to do, whether we are going to bond or raise the tax or what we are going to do.

Whatever the results are if we can provide a way, certainly I feel that we should pass this amendment to help ourselves.

Mr. WYMAN of Washington: Mr. President, as you know, I am opposing the supplemental budget and favoring the cuts because I feel that we should get by without an increase in the sales tax or with as few new taxes as possible. However, it doesn't seem to be going that way and we seem to be voting this money and I think if we are going to spend the money, the measure which Senator Lovell has is one of the best we have here. As the good Senator from Kennebec, Senator Marden said, we really have something to sell here in Maine with our recreation and in these days with people having so much time for recreation, and with improved roads, they would come here and spend their money. All we need to do is to advertise and show the way. The good Senator from Somerset, Senator Sampson advertises almost daily in the paper, and I am sure the good Senator from Portland, Senator Porteous advertises. I have found the only way you can sell anything is by advertising it and promoting it, and I think this amendment is worthy and I shall support it.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, very briefly I would like to point out that in this Body we have already voted previously \$500,000 for this purpose but that amount of money was defeated in the other Body, and I was opposed to the \$300,000 in the one position because I felt it was an item which belonged in the supplemental and we would be most inconsistent in this Senate, if we did not support this amendment and at least vote \$200,000 additional to be inserted in this supplemental.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Christie to indefinitely postpone the amendment.

A division of the Senate was had.

Thirteen having voted in the affirmative. and eighteen opposed,

the motion did not prevail.

Thereupon, on motion by Mr. Edmunds of Aroostook, the amendment was adopted.

Mr. Edmunds of Aroostook presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A" was read by the Secretary.

Mr. EDMUNDS: Mr. President, I would like to speak briefly in support of the amendment which I have just presented and I would like to quote from some material which I have here which explains why funds are necessary for the cancer control program and the heart program here in the State of Maine. I quote:

"There exists no direct state matching funds for this program. Matching has been accomplished in the past by the use of hospital aid funds expended in behalf of cancer patients during the first three days of hospitalization and by work on cancer tissues performed in the diagnostic laboratory. Under a directive from the U.S. Public Health Service hospital aid funds will not be allowed for matching purposes effective July 1, 1961. Work on cancer tissues has been transferred to the hospitals so no matching funds will be available from the diagnostic laboratory.

The loss of these two sources of state matching funds means that unless a direct appropriation of \$25,000 in each year of the biennium is made for cancer control this program will cease to exist. This means the loss of free clinic services and related hospital services to cancer patients, the necessity of releasing the director of the cancer control program and the abandonment of a program for cancer detection now being built up by the director of cancer control and a reduction in the cancer educational program."

And again with respect to the funds for the heart disease program, and I quote:

"As in the cancer control program, no direct state funds have been used to match federal funds. The prohibition of using hospital aid funds to match federal funds also extends to the use of such

funds for matching heart disease funds. The resulting loss is about \$20,000 a year. Unless a direct appropriation of \$20,000 a year of state funds is made the heart disease program will be greatly curtailed. This means the loss of free clinics and related hospital services to heart disease patients and reduction in the heart disease educational program."

Briefly, boiling it down as best I can, as I understand it under new federal rulings there will be no matching funds available to the state to continue the cancer and heart disease control programs unless a direct appropriation is made for that purpose by the legislature here in the 100th session, and of course without these matching funds and without the appropriation being made by this legislature these very important programs will have to be discontinued. Now I do not think it is necessary for me to have to argue that these are the two major killers, the two major diseases which confront us in the State of Maine and in the United States today and that the work towards the control of these two diseases is of major importance so far as our people are concerned.

It seems to me that it would be extremely incongruous to curtail treatment at this time, and I certainly hope that the Senate will go along with me in adopting this amendment to the supplemental budget.

Human life, I think you will all agree, is a very precious thing, and as far as I am concerned if one patient in the State of Maine should live just ten minutes longer because these programs were implemented and available to him I certainly would not begrudge the \$90,000 price tag on this amendment but I would think that it was well justified.

Senate Amendment "A" was then adopted.

The PRESIDENT: The Chair at this time will say, and I am sure that the Senate will go along, that we have two very fine reporters and we want them to be able to last out the session and we are

a little bit afraid they might have writer's cramp. The Chair at this time will ask for a ten minute recess and I am sure that the Senate will go along.

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#### Recess

Called to order by the President.

Mr. Edmunds of Aroostook presented Senate Amendment "E" to L. D. 1606 and moved its adoption. Senate Amendment "E" was read by the Secretary.

Mr. EDMUNDS: Mr. President, I would like to speak briefly in support of Senate Amendment "E" and explain why the \$64,000 is necessary at this particular time.

As many of the good senators will recall, when we were discussing the current services budget the appropriation to operate the Northern Maine Sanatorium in the amount of some \$512,000 for the biennium was deleted in anticipation of a temporary transfer of the patients at the Northern Maine Sanatorium to the Central Maine Sanatorium at Fairfield. Now along with the bill which would have made it legal to make this transfer of the Northern Maine Sanatorium we considered an additional piece of legislation which would have rescinded an appropriation made at the 99th session of the legislature to not build the new sanatorium wing in Aroostook County in connection with the Community General Hospital in Fort Fairfield.

All of the Senators know, the bill which would have rescinded the appropriation was indefinitely postponed in both the House and the Senate and the wing will be started in August of 1961 and it will be completed and ready for occupancy in September of 1962.

Now the purpose of this amendment is to provide operating capital moneys for the last nine months of the current biennium and the moneys would be approximately \$12,000 for capital expenditures, which would include bedding and medicines in order to get the operation started there and approximately \$52,000 for actual operating expense or a total, as noted in the amendment, of ap-

proximately \$64,000 for the last nine months of the biennium. It would also include the necessary funds for the transfer of the patients from Fairfield and back to Fort Fairfield when this new building is completed.

It seems to me that it is just good logic on the part of the legislature if the building is to be built—and I would like to re-emphasize that the cost of the building does not in any way affect this session of the legislature; the money was raised at the last session of the legislature, it is in cash in the Treasurer's office at the present time and the funds cannot be used for any other purpose—it seems to me that it is good business, if we are going to build this addition, which we have agreed that we shall build, to provide the funds to operate it for the last nine months of the current biennium.

I would like to remind the Senators that when this question came up under the current services budget it was the position of the Aroostook delegation that we could not make firm recommendations as to operating funds for this wing until such time as the repealer was heard that was introduced by a gentleman from the other Body. There is no question as to area needs, we have been through that many times, there is no question that the tuberculosis patients of northern Maine will receive better care in this new, modern wing than they can receive at the present time at Fairfield, and there is no question that operating this wing in the northern Maine area would solve some of the health problems that we do have up there at this time.

I certainly hope that the Senate will go along with me in the adoption of Senate Amendment "E".

Mr. MAYO of Sagadahoc: Mr. President, I rise in opposition to Senate Amendment "E".

If the Senate remembers, back two weeks ago I moved for indefinite postponement of this identical same amount which was put in as an amendment. At that time the Senate went along with my motion for indefinite postponement.

I am opposed to this subsidy of statewide tax money into a specific area and into a private hospital. We are sending those few patients that are left in Aroostook County to the Central Maine Sanatorium in Fairfield. It is known that the incidence of tuberculosis is on the wane; it is known that we will eventually possibly do away with tuberculosis treatment; we hope that we will. I see no reason for taking \$64,000 of taxpayers' money and giving it to a private hospital for their maintenance or for their equipment.

I come from an area which has a hospital, as I have told you before. I have dug deep into my pocket to take care of my hospital and to build it and to keep it maintained today. I am not going to stand here and let the Senate spend more taxpayers' money for private hospital maintenance.

I move for the indefinite postponement of Senate Amendment "E".

Mr. EDMUNDS of Aroostook: Mr. President, my good friend, the Senator from Sagadahoc, Senator Mayo, and I have discussed this problem on the floor of the other Body at the 99th session and we have discussed it several times on the floor of this Body at this session, and I have not been able to impress upon my good friend, the Senator from Sagadahoc, that this is not money being invested in a private hospital.

I appreciate that he dug deep into his pocket to build a hospital in Bath when that hospital was constructed, and I happen to know how much he contributed to that hospital because he has told me. When our hospital was built in 1950 I contributed substantially more to the hospital in Fort Fairfield than he contributed to the one in Bath.

Now this is not a private wing for the Fort Fairfield Community Hospital. This is a new tuberculosis wing as proposed by the Governor and as approved by the 99th Legislature and as approved again by the 100th Legislature. This \$64,000 would be for the purposes of operating a sanatorium under the Department of Health & Wel-

fare and none of the funds would be used in any way to subsidize the Community General Hospital in the town of Fort Fairfield.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate: We are consenting to this temporary transfer of patients from the Northern Maine Sanatorium which has been condemned by the Department of Health as obsolete and not fit for use as a sanatorium. The people who are in that sanatorium are not kindly disposed at all towards going so far from home. They need to be nearer home because their families are poor and it is hard for them to travel any distance for them to see them. This wing in Fort Fairfield would provide a place for these patients and others who should be in a sanatorium, because there are many in Aroostook County who should be there but because there has not been the drive to put them in there they have been left running around to infect members of their families and others with whom they come in contact. We do need accommodations for tuberculosis patients in Aroostook County, and since the feeling has been that this Northern Maine Sanatorium should be closed because, as I say, it has been declared obsolete and not fit for the needs, this wing would provide the need which we have.

We are not situated near the Central Maine Sanatorium as most others in this Senate are; we are over 200 miles from that institution and it is a long way for these patients to go. I hope that you do not indefinitely postpone this amendment.

Mr. EDMUNDS of Aroostook: Mr. President, just one further remark.

It is true that we did, possibly two weeks ago, indefinitely postpone a similar amendment to another piece of legislation, and I believe the Senate will recall that I arose at that time and said that I would concur with the motion to indefinitely postpone the amendment at that time because there was a question as to its germaneness with respect to the particular item of legislation to which I proposed to attach it. I also said to

the Senate, and you can check in the record, that I would propose a similar amendment when the supplemental budget came up for discussion on the floor.

Mr. EDGAR of Hancock: Mr. President, may I address two questions through the Chair to the Senator from Aroostook, Senator Edmunds?

The PRESIDENT: The Senator from Hancock, Senator Edgar poses a question through the Chair to the Senator from Aroostook, Senator Edmunds, and he may answer if he wishes.

Mr. EDGAR: Mr. President and members of the Senate and Mr. Edmunds: I am not asking these questions in any critical way; I am merely looking for information.

Do I understand that in the amount of moneys that were appropriated in the 99th Legislature there was no provision whatsoever for furnishing and equipping this new wing?

Mr. EDMUNDS: Mr. President, I would be happy to answer that question although I do not believe I am in a position to give the Senator from Hancock, Senator Edgar, the specific information that he wants.

The moneys for equipping the wing were substantially all included in the appropriation made at the last session. As I believe the Senator knows, in constructing a hospital, equipment is one of the very major items of importance so far as your over-all budget is concerned.

I would estimate that the \$533,400 raised at the last session possibly included as much as \$150,000 for special equipment, that is together with the \$110,000 of federal money which is also being made available to this project. This bill would provide for only \$12,000 in capital expenditures. Most of it would be of non-recurring nature. It would be such things as bedsheets and pillow cases and necessary medicines, probably plates for the x-ray machine, and it would be in a large sense a non-recurring item over the years. It would be an expense which would be incurred only initially.

Does that answer your question, Senator?

Mr. EDGAR: Mr. President and Senator Edmunds, it answers it in part.

My second question would be this: Do I understand correctly that if we should not appropriate this \$64,000 that this wing would be inoperative?

The PRESIDENT: Does the Senator from Aroostook, Senator Edmunds, care to answer?

Mr. EDMUNDS: You are absolutely correct, Senator. If this money is not provided this building would be available for occupancy as of about September 1, 1962 and there have been no funds appropriated at this session of the legislature for the operation of this wing. This amendment would furnish the estimated necessary funds to operate it for the last nine months of the current biennium, and that estimate includes the \$12,000 for immediate capital expenditures such as bedding, x-ray equipment and so forth.

Mr. EDGAR: Mr. President, may I ask one more question through the Chair?

The PRESIDENT: The Senator may ask his question.

Mr. EDGAR: I am rather confused, Senator Edmunds. If I understood you correctly in answering my first question you did say that you did not really know how much was included in the appropriation two years ago for furnishing equipment but you thought possibly there might have been some. Did I understand you correctly?

Mr. EDMUNDS: When we are talking of furnishings we are talking of beds, we are talking of x-ray machines, we are talking of electrocardiograms, we are talking about a number of medical items that are rather expensive, and that was included two years ago, sir.

Mr. EDGAR: But there was evidently something not included that this \$64,000 is absolutely necessary for?

Mr. EDMUNDS: Yes, Senator Edgar, as I understand it. My figures are—the original appropriation which was worked out

to operate this annex for the last nine months of the biennium was \$119,000. I questioned the figure. I went to the Department of Health and Welfare and I went to the Bureau of Budget, and I was able to work this figure down to \$64,000 for the last nine months of the biennium. It is my honest opinion that that is a minimum figure; the fat is all out of it.

Mr. MAYO of Sagadahoc: Mr. President, I will try to keep my remarks on the non-personal side. In regard to the equipment that is being spoken of, I would like to ask what has happened to much of the equipment in the hospital that is being abandoned: why has not some of that valuable, expensive equipment been transferred to this new hospital? Secondly, I would like to know where the patients are going to come from?

The PRESIDENT: Would the Senator from Sagadahoc, Senator Mayo, please take one question at a time?

Mr. MAYO: I am not addressing these questions to anyone, Mr. President. This is part of my rebuttal.

I would like to know where the patients are going to come from that are going back into this hospital. The bill calls for a temporary transfer. In my understanding it is possible that it may be a permanent transfer. There is nothing legislatively that is going to make those patients go back to Fort Fairfield.

I again refer to the fact that bedding, sheets and so forth in most hospitals are furnished by either the hospital auxiliary through their efforts. They are in my hospital. In regard to this matter of personnel, I would assume that the personnel of this hospital that is being built will be taken care of by the regular hospital appropriations of that area. I can see no reason, no real reason in many of the arguments presented here for this amendment to give me any reason to change my thinking that we have got to use taxpayers' money in a certain isolated area for certain individuals. I just cannot buy it.

Mr. EDMUNDS of Aroostook: Mr. President, would I be rising too often if I rose to answer the questions that the Senator has posed?

The PRESIDENT: The Chair will inform the Senator from Aroostook, Senator Edmunds, that he has spoken three times. If the Senate does not object the Senator may proceed. Do I hear objection from the Senate? The Senator may proceed.

Mr. EDMUNDS: Mr. President, first I would like to say that I am glad that there is one area of agreement between the good Senator from Sagadahoc and myself and that is the fact that Aroostook County is isolated.

It is true that much of the equipment which equips this new wing will come from the present facility which is being abandoned in Presque Isle. However, a good deal of that equipment is very, very old, it is designed for far different sized rooms than will be available at this new facility and some of it is obsolete; but the equipment at the present sanatorium which is useable will be fully utilized at the new annex in Fort Fairfield.

Now the second question is: Where would the patients come from to this wing? My answer to that would naturally be that the present patients at Northern Maine will be transferred to Fairfield with a net saving to the State of Maine for the biennium of very nearly \$500,000, and those same patients would be transferred back to the new wing along with a good deal of additional patients in the area who refuse to go to the present facility because of its obsolescence; and there is no question in my mind that the new wing will be very easily filled up.

As to the third question: Why does not the local hospital auxiliary furnish the bedding and so forth? For the last time, Mr. President, may I say that this facility will be operated as a T.B. sanatorium under the Department of Health and Welfare and I do not believe that the local hospital auxiliary in Fort Fairfield should supply the State of Maine with bed sheets and pillow cases.

Mr. CHASE of Lincoln: Mr. President, I would like to pose a question if I may to the Senator from Aroostook, Senator Edmunds.

What would happen if we did not provide this \$64,000 that this amendment requests? Is there not some provision in the Department of Health and Welfare to furnish these funds if we do not furnish them? Does this mean that this wing would be inoperative?

The PRESIDENT: The Senator from Lincoln, Senator Chase, poses a question through the Chair to the Senator from Aroostook, Senator Edmunds, and he may answer if he wishes.

Mr. EDMUNDS of Aroostook: Yes, Senator Chase. If these funds are not made available the wing would be inoperative to the best of my knowledge, and here I must rely upon the discretion of the department head involved. To the best of my knowledge there are no funds available in the Department of Health and Welfare to operate this annex and no funds have been made available for that purpose at this session of the legislature. The building would be completed as of September, 1962; the building would sit there unoccupied and not in operation until the start of the next biennium, and then of course the decision would rest with the 101st Legislature as to whether they chose to provide funds.

Mr. CARPENTER of Somerset: Mr. President, in view of the fact this happens to be my bill that I put in when I first came down here to, in my estimation, relieve the State of a burdensome cost in Presque Isle, and in view of the fact that the State has seen fit to go along with the construction of a T.B. building in conjunction with the Fort Fairfield Hospital, and in view of the fact that this hospital would remain empty unless such funds were raised for the furnishing of it, I do not see but I must go along with the amendment that the Senator from Aroostook, Senator Edmunds, has presented.

Mr. COUTURE of Androscoggin: Mr. President, due to the fact that I do not think any of us are aware whether this hospital will

operate or not and that I think we should have the proper information, for this reason I move that this amendment lie on the table and be specially assigned for tomorrow.

Mr. EDMUNDS of Aroostook: Mr. President, I request a division on the motion.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Couture, that this amendment be tabled and especially assigned for tomorrow. A division has been requested. All those in favor of the motion will rise and remain standing until counted.

A division was had.

Three having voted in the affirmative and twenty-eight in the negative, the motion did not prevail.

Mr. COUTURE of Androscoggin: Mr. President, if this Senate finds it impossible to check with the Welfare Department whether all the statements made here are true and the Senators deny me the chance to table this, I will go along with indefinite postponement while I was leaning previously toward voting for the amendment if it was needed. If I am denied the right to find out if it is needed or not I am going along with indefinite postponement.

Mr. STANLEY of Penobscot: Mr. President, as the Senator from Aroostook, Senator Edmunds, mentioned a short time ago, he had an amendment and I questioned the germaneness of his amendment. We indefinitely postponed the amendment and he did say at that time that he would take the opportunity of presenting the amendment when the supplemental budget came in. I would like to support the senator in his amendment.

As far as we know, this building will be built and operative September 1, 1962. Funds will be needed to operate the facility. The reason that I feel this facility is necessary and that we should provide the funds for it is that two years ago in the 99th session of the legislature the T. B. people

felt that our T. B. hospitals were no longer necessary, that we could add to the present hospitals that we have in the state by adding wings to them to take care of the T. B. patients, and I felt at that time it was a good solution and I feel that it is a good solution now. Sometime, we hope, T. B. will be done away with completely, but until it is we can take care of it in these T.B. wings, and then when we find we do not have any further use for them the wings can be used by the hospitals to which they are attached. I think the money we would spend for these wings will be much less than the money we would spend in repairing the old buildings that we have now at the sanatoriums.

Mr. COUTURE of Androscoggin: Mr. President, I happened to be a member of the legislature when this bill was passed and I was in the other branch, and I can repeat the words honestly myself that I do feel that a proper appropriation was made. They knew that this hospital was going to be ready at that time, and certainly I do not think that the action of the past legislature was to build any building with the idea of it remaining empty. Right now we are standing here and we are even denying the right to look into it. We do not care; we are just going to take the money and throw it in there.

Mr. STANLEY of Penobscot: Mr. President, the bill which went through the legislature last session went out as a bond issue for \$3,950,000 in which this wing was included. The wording on that bond issue said that the Department of Health and Welfare will contract with the Fort Fairfield Community Hospital for fuel, lights and other miscellaneous materials and medicines to take care of this wing after the wing is built.

Mr. MAYO of Sagadahoc: Mr. President, I have spoken twice on this issue and I request permission to speak a third time.

The PRESIDENT: Does the Senate grant the Senator from Sagadahoc, Senator Mayo, permission to speak a third time?



The Senator may proceed.

Mr. MAYO: Mr. President and members of the Senate: It seems to me that some of the questions that have been addressed to the Senator from Aroostook, Senator Edmunds, have been very hazily answered. I do not think that the Senator is too clear on where some of this money is going to be used. I am sorry that the request of the Senator from Androscoggin, Senator Couture, was not honored so that we could look into this a little further because I feel that the questions that have been asked here have not been answered thoroughly. I think if that is the case the only thing we can do here this afternoon is to support my motion to indefinitely postpone this appropriation.

It is interesting to sit here all this afternoon and see the groups who are gradually working towards the major tax problem. I can see the workings behind the scenes; I can see the groups that are supporting certain appropriations here. I for one have said that I am against any major tax. I have opposed these amendments today which have asked for increases because I feel that the State of Maine cannot afford it at this time. I certainly hope that the motion to indefinitely postpone this appropriation will prevail.

Mrs. LORD of Cumberland: Mr. President and members of the Senate: I was opposed to this wing, as I think most everybody here knows, and I am telling the rest that it was one of the things that I worked against because I did not think that we needed it. The proposal came from the Department of Health and Welfare, and it was thought at that time that we needed these wings in different parts of the state to take care of tubercular patients, and before the act was passed it was obsolete because we found we did not need them. The incidence of tuberculosis was much less and it is getting less all the time. However, the legislature did pass this bill and the money was appropriated and it was voted on by the people, so that part is now a past thing and I think it speaks for itself.

The present sanatorium is obsolete and it is very expensive to run. There are 42 employees to take care of 20 people, so the State will save quite a lot of money by closing it. I find that at Fairfield it will require opening another floor in one of the buildings there and it will require ten people to take care of these patients, so that money it would seem could be used at Fort Fairfield as long as we have gone so far, so I would be in favor of the motion of the Senator from Aroostook, Senator Edmunds.

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

A division was had.

Five having voted in the affirmative and twenty-five in the negative, the motion to indefinitely postpone did not prevail.

Thereupon Senate Amendment "E" was adopted.

Mr. BOARDMAN of Washington: Mr. President, I present Senate Amendment G. Mr. President: With reference to this particular Senate Amendment, it was my intention perhaps not to introduce it at this time. However, we do things in a fair manner here in the Senate and I thought it was fair that I should introduce the amendment.

Actually what this amendment does is change the two million to \$1,500,000 with regard to the medical care provision. I have seen what has happened here this afternoon with regard to this bill. I do not want to speak one way or the other with regard to the bill at this time because I am afraid I would have to oppose my own amendment, but I do want to introduce it in the event somebody was misled in the fact that this was going to be introduced and might possibly want to go along on the one-half reduction.

Mr. NOYES of Franklin: Mr. President, I move that Senate Amendment G be indefinitely postponed, and ask for a division.

A division of the Senate was had.

Nineteen having voted in the affirmative and eleven opposed, the motion prevailed and Senate Amendment G was indefinitely postponed.

Mr. COUTURE of Androscoggin: Mr. President, would I be in order to ask reconsideration of action taken previously today on an amendment?

The PRESIDENT: Did the Senator vote with the prevailing side?

Mr. COUTURE: Mr. President, I voted with the prevailing side. I now move that the Senate reconsider its action whereby it voted to indefinitely postpone Senate Amendment B.

Mr. NOYES of Franklin: Mr. President, I request a division.

Mr. MAYO of Sagadahoc: Mr. President, I think it is only fair that the Senators be informed as to what Senate Amendment B is.

The Secretary read Senate Amendment B.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Couture, that the Senate reconsider its former action whereby Senate Amendment B was indefinitely postponed; and a division has been requested.

A division of the Senate was had.

Twelve having voted in the affirmative and eighteen opposed, the motion to reconsider its former action whereby the amendment was indefinitely postponed did not prevail.

The Secretary read House Amendment A.

Which Amendment was adopted.

The Secretary read House Amendment C.

Mr. NOYES of Franklin: Mr. President, I am going to move, after I speak, for the indefinite postponement of House Amendment C.

If you will look over the executive department in the supplemental budget, you will find there was a provision there for a special system known to some as a super salesman to go out and to help sell the State of Maine. I think this is one of the most im-

portant parts of the supplemental budget and I stand up here again to oppose any cuts in the supplemental budget because I say it is meager enough and modest enough.

There has been some misunderstanding about this special man. Some say he would be a Lieutenant-Governor; others say he is a liaison man between the Governor and DED but the real provision of this man was to facilitate the contacting out of state, of industries which might want to come into the State of Maine. Now the Governor cannot leave the State of Maine at a minutes notice and in most every other state in the union, there are certain men regardless of what you call them, assigned to the Executive Department for the express purpose of going out and making these contacts.

We have talked long and loud about industrial development this session and it would seem very silly, after appropriating moneys to DED and moneys to other phases of our effort, to do away with this man. Therefore I now move indefinite postponement of House Amendment C and after that I wish to speak again.

A viva voce vote being had House Amendment C was indefinitely postponed.

Thereupon, Mr. Noyes of Franklin yielded to Mr. Lovell of York.

Mr. Lovell of York presented Senate Amendment F and moved its adoption.

The Secretary read Senate Amendment F.

Mr. LOVELL of York: Mr. President, this Senate this afternoon has been very progressive in increasing funds for DED which will bring many, many dollars to the State of Maine's tax coffers and will prevent an increase in taxation.

I don't always go along with the front office but in this particular case I think this amendment is very worthwhile. I think the front office has something here than can bring to the State of Maine, new industries and new payrolls. This assistant to the Governor will be an industrial de-

velopment specialist who will be a man of high caliber, intelligence, experience, who can go out and sell the State of Maine to outside industries and I feel very confident that it will result as it has in other states who are doing this and have done this, that this man who will be a personal assistant to the Governor in seeking new industry, will bring in each year, several million dollars in new pay-rolls and five to ten new industries a year and I certainly hope that the Senate will be as progressive as they have been and pass this amendment.

Thereupon, the motion prevailed and Senate Amendment F was adopted.

The Secretary read House Amendment D.

Which amendment was adopted.

The Secretary read House Amendment E.

Mr. NOYES of Franklin: Mr. President, in view of the action on Amendment H, to adopt this would be in conflict and therefore I move indefinite postponement of House Amendment E.

The motion prevailed and House Amendment E was indefinitely postponed.

The Secretary read House Amendment F.

Which amendment was adopted.

The Secretary read House Amendment G.

On motion by Mr. Stilphen of Knox, House Amendment G was indefinitely postponed.

The Secretary read House Amendment J.

Which amendment was adopted.

Mr. Davis of Cumberland moved that the bill be given its second reading under suspension of the rules.

THE PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Davis, that the rules be suspended and that the bill be given its second reading as amended.

The motion prevailed and under suspension of the rules the bill was read a second time and passed to be engrossed, in non-concurrence.

Mr. FARRIS of Kennebec: Mr. President, I have no idea how much money we have added to this budget now that we have acted on the House and Senate amendments and I guess it would not matter much, but I merely want to place on the record that in voting for this, it is to keep it alive and I am not necessarily committing myself that I am going to support—

The PRESIDENT: Would the Senator from Kennebec, Senator Farris, ask unanimous consent to address the Senate, please?

Mr. FARRIS: Mr. President, I guess I have completed what I was going to say. I apologize for not asking for unanimous consent but then, I was speaking to the motion and requesting a division on this item.

The PRESIDENT: The Senator from Kennebec, Senator Farris, would have to ask reconsideration whereby this bill was passed to be engrossed. The hammer came down on the vote before the Senator spoke.

Mr. FARRIS: Mr. President, I move reconsideration and request a division.

A division of the Senate was had.

Five having voted in the affirmative and twenty-two opposed, the motion to reconsider did not prevail.

The PRESIDENT: The Chair recognizes in the Senate Chambers the very lovely daughter and granddaughter of one of our fine Senators, and it gives the Chair great pleasure at this time to introduce to the Senate Mrs. Nancy Wilkinson and her daughter Elizabeth, daughter and granddaughter of the Senator from Washington, Senator Wyman.

It is a pleasure to have you with us.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table L. D. 32, "An Act Relating to Exit Facilities in Boarding and Nursing Homes, tabled by that Senator earlier in today's session pending adoption of Senate Amendment C.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, as I explained this morning, this measure has come back to the legislature because of unconstitutionality of the bill as enacted with an amendment which is designated Senate Amendment D. To refresh your memories, that was the compromise proposal worked out between the proponents and the opponents of the measure. At this time, Mr. President, I would move that the Senate indefinitely postpone Senate Amendment B.

Mr. PORTEOUS of Cumberland: Mr. President, knowing of the interest of my colleague, Senator Lord of Cumberland who has had to leave, I would like to ask the filing number of this and have a couple of seconds to look at it.

The SECRETARY: Filing Number S-201.

Mr. FARRIS: Mr. President and members of the Senate, I might explain now that we have indefinitely postponed Senate Amendment B which was in effect the gist of the entire bill which was enacted, we now have before us L. D. 32 which proposes to increase boarding, lodging and nursing homes, from three boarders or patients to five, without having to conform to the safety code. As I explained this morning, I have no great objection to extending it from three to five in boarding homes because these people for the most part are ambulatory. At this time I move that the Senate accept the Ought to pass report on L. D. 32.

The PRESIDENT: Would the Senator defer for a moment.

(Senate at ease)

The PRESIDENT: Is it now the pleasure of the Senate that Senate Amendment B be indefinitely postponed?

Mr. PARKER of Piscataquis: Mr. President, just for my own benefit, this thing has been moving a little faster than I am in the habit of moving probably. We are talking about Senate Amendment B and the motion is to indefinitely postpone Senate Amendment B. Is that correct?

Thereupon, Senate Amendment B was indefinitely postponed.

Mr. FARRIS: Mr. President, I

might explain again that Senate Amendment B has been indefinitely postponed and I made that motion because that is the illegal part of the bill as ruled by the attorney general. We now have before us L. D. 32 which I assume now stands in a position of having been passed, inasmuch as it was previously passed as amended by Senate Amendment B. Is that correct?

The PRESIDENT: The Chair would inform the Senator from Kennebec, Senator Farris, that the bill now stands ready to be engrossed. If the Senator wishes to put on another amendment, it is perfectly within his rights.

Thereupon, Mr. Farris of Kennebec presented Senate Amendment C and moved its adoption.

Mr. FARRIS of Kennebec: Mr. President, I might explain that this is S-238 and before the amendment is read I would like to state that this is the Senate Amendment that was presented by the Chairman of the Committee which heard this bill, the Senator from Cumberland, Senator Lord, and I might also explain that the Senate members on that committee have endorsed the adoption of this amendment, Senate Amendment C, which in effect would increase the number of boarders in boarding homes without having to conform to the safety regulations from three to five, but it would leave nursing homes in the same status in which they are now; to wit, that they may only continue having three patients without having to conform to the safety code and I urge its adoption as I explained this morning, and I would request a division.

Mr. PARKER of Piscataquis: Mr. President, I rise in opposition to the proposed amendment and I do it for several reasons. First of all, we went over this several weeks ago and we were discussing exactly what we are discussing here today in the form of an amendment. I have heard this afternoon a great deal of debate on the need for additional funds, additional appropriation for hospitals and I have no doubt that every dollar that was appropriated for that purpose was needed, but

let me tell you members of the Senate that there are now in the State of Maine thirty-five nursing homes under the provision that we have now that allows three patients, in those nursing homes with three patients, many of those that I have visited particularly in my own county, and every one of them told me the same story that you just can't make both ends meet with three patients. That is fundamentally the reason why I have tried to get this increased to five. Unless these homes are kept in operation, if there were 100 patients, if there were a number of these nursing homes that had to close because they did not have funds to operate, it means just one thing. These patients would have to go to a hospital. Those that go to a hospital, the patients that are now receiving state aid, it would mean many more dollars it would cost the state to take care of them in a regular hospital, but beyond everything else that appeals to me in the small nursing homes, is the fact that patients that are there, instead of being in an institution are having the care and they very much approve of the care they are getting there because it is really a home and not an institution. I certainly hope that this amendment does not prevail and I move for indefinite postponement of the amendment.

Mr. FERGUSON of Oxford: Mr. President, I rise in support of the motion of the Senator from Piscataquis, Senator Parker, I think this is a good bill as it is. I don't see anything wrong with it. Certainly it is going to be a great help to our elderly people who have to go to nursing homes and rest homes. The people who are operating them are having a struggle. With three patients they could not operate as efficiently as they could with five. The law calls, I understand, for a full time nurse. I don't see any need of the restriction. It seems that we are getting too many restrictions here. Before the nursing homes are licensed they are required to be inspected by the Health and Welfare inspector and also by the insurance department under Mr. Flynn.

I certainly hope that the motion of Senator Parker prevails.

Mr. CARPENTER of Somerset: Mr. President, I request permission to be excused from voting and I would like to pair my vote with the Senator from Androscoggin, Senator Jacques. Senator Jacques is absent. I would vote for the amendment and Senator Jacques would vote against it.

Permission was granted Senator Carpenter to pair his vote with Senator Jacques.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, only one brief remark in rebuttal. The Senator from Oxford, Senator Ferguson has said that these homes are all inspected. If we go to five they will not be inspected from the safety feature for conforming with the safety code or the building code, and that is the principle objection to the bill, which incidentally was in error because the sponsor in the other branch intended to have it only apply to boarding homes.

Mr. STILPHEN of Knox: Mr. President, I would like to rise in support of the motion of the Senator from Piscataquis, Senator Parker. I feel that we have been over this in the past and because of the fact that it was found not to be constitutional, that certainly didn't alter the fact that the intent of this branch of the legislature was that these nursing homes should be able to keep five patients without coming under these restrictions. In my area, this is a very necessary bill. The nursing homes we have there have to have five patients in order to survive financially and I certainly hope that his motion does prevail, and I request a division.

The PRESIDENT: The question is on the motion of Senator Parker of Piscataquis, that Senate Amendment C be indefinitely postponed, and a division has been requested.

A division of the Senate was had.

Fourteen having voted in the affirmative and thirteen opposed, the motion prevailed and Senate Amendment C was indefinitely postponed.

Thereupon the bill was passed to be engrossed.

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On motion by Mr. Farris of Kennebec, the Senate voted to take from the table Item 1-1 on the Supplemental Journal, Joint Order (H. P. 1180) tabled by that Senator earlier in today's session pending passage.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, in view of the fact that this Order ties into a bill which is on the table as an appropriations measure and in view of the fact

that it is also an order requesting an interim study and the other matters requesting interim studies are on the table, I would yield to to the Senator from Franklin, Senator Noyes, who as majority leader has these items on the table.

Thereupon, on motion by Mr. Noyes of Franklin the Joint Order was laid upon the table pending passage.

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On motion by Mr. Noyes of Franklin adjourned until tomorrow morning at 9:30 o'clock.