

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One-Hundredth Legislature

OF THE

STATE OF MAINE

VOLUME II

MAY 12 - JUNE 17, 1961

and

SPECIAL SESSION

NOV. 27 - DEC. 2, 1961

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

SENATE

Monday, June 5, 1961.

Senate called to order by the President.

Prayer by Rev. Fr. Frederick E. Dougherty of Augusta.

On motion by Mrs. Lord of Cumberland.

Journal of Friday was Read and Approved.

**Papers From the House
Non-concurrent Matters**

Bill, "An Act Relating to Sales of Discontinued Items of Liquor in State Stores." (S. P. 436) (L. D. 1308)

In House, Passed to be Engrossed As Amended by House Amendments "A" and "B" in non-concurrence.

In Senate, June 1, Passed to be Engrossed with House Amendments "A" and "B" Indefinitely Postponed in non-concurrence.

Comes from the House, that body having Insisted and asked for a Committee of Conference. The Speaker appointed:

Messrs. CHAPMAN of Norway
PLANTE of
Old Orchard Beach
WELLMAN of Bangor

In the Senate, on motion by Mr. Mayo of Sagadahoc, the Senate voted to insist on its former action and join in the Committee of Conference; the President appointed Senators Christie of Aroostook, Mayo of Sagadahoc and Jacques of Androscoggin.

JOINT ORDER, Creating a Committee of Conference of ten members on the disagreeing action of the two branches on Amendments on Bill, "An Act Making Supplemental Appropriations for the Expenditures of State Governments and for Other Purposes for the Fiscal Years Ending June 30, 1962 and June 30, 1963." (H. P. 1165) (L. D. 1606)

In Senate, June 2, Read and Passed and sent forthwith to the House for concurrence.

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

In the Senate, that Body voted to recede and concur.

Concurrent

FINAL REPORTS from the following Committees: CLAIMS, ELECTION LAWS, HEALTH AND INSTITUTIONAL SERVICES, HIGHWAYS, INLAND FISHERIES AND GAME, LEGAL AFFAIRS, NATURAL RESOURCES, COMMITTEE ON TRANSPORTATION.

Comes from the House, Read and Accepted.

In the Senate, read and accepted in concurrence.

COMMUNICATIONS

State of Maine
House of Representatives
Office of the Clerk
Augusta

June 2, 1961

Secretary of the Senate
100th Legislature

Sir:

The Speaker of the House has appointed the following Conferees on the part of the House on the disagreeing action of the two branches of the Legislature 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."

Messrs. BRAGDON of Perham
BAXTER of Pittsfield
JALBERT of Lewiston

Respectfully,

HARVEY R. PEASE,
Clerk of the House

Which was Read and Placed on File.

State of Maine
House of Representatives
Office of the Clerk
Augusta

June 2, 1961

Honorable Chester T. Winslow
Secretary of the Senate
100th Legislature

Sir:

As members of the Committees of Conference on the disagreeing action of the two branches of the

Legislature on Resolve, Proposing an Amendment to the Constitution Pledging Credit of State for Guaranteed Loans for Recreational Purposes. (S. P. 515) (L. D. 1535)

Resolve, Appropriating Money to Provide Promotion for Maine's Industrial Development. (S. P. 102) (L. D. 247) the Speaker has appointed:

Mrs. SMITH of Falmouth
Messrs. WINCHENPAW of
Friendship
TURNER of Auburn

Respectfully,

HARVEY R. PEASE

Clerk of the House

Which was Read and Placed on File.

Mr. LOVELL of York was granted unanimous consent to address the Senate.

Mr. LOVELL: Mr. President and members of the Senate, you will note the absence of our colleague, Senator James Erwin of York. I regret to state that his mother passed away last Friday and the funeral was today. I would request the Senate go on record and send a card of sympathy or a letter of condolence to Senator James Erwin.

The PRESIDENT: The staff has written to Senator Erwin and flowers have been sent. I might add that I called the Senator last night and talked with him. I appreciate the remarks the Senator has made. We thought it was the appropriate thing to do.

Mr. LOVELL: Thank you, Mr. President.

Joint Resolution

Whereas, the members of the Legislature have learned with profound sorrow of the death of James Glynn Frost, Deputy Attorney General of the State, on June 3rd, and

Whereas, in our work we have constantly relied on his legal ability and wise counsel;

And Whereas, his deep concern for the public interest reflected sterling qualities of character and mind;

And Whereas, the members of the Legislature sense in his pass-

ing a personal loss and genuine grief;

Now, Therefore, Be it Resolved: That the State of Maine mourns the loss of a faithful and valued public servant and the Legislature laments the departure of an esteemed and trusted friend;

And Be it Further Resolved: That these Resolutions be entered in our journals and an engrossed copy of these Resolutions be sent to his family.

Which was Read and Passed.

House Committee Reports Ought to Pass—As Amended

The Committee on Education on Bill, "An Act Relating to Tuition Pupils as Basis for State Aid for School Construction." (H. P. 300) (L. D. 452) reported that the same Ought to pass, As Amended by Committee Amendment "A" (Filing No. H-358)

Comes from the House, Passed to be Engrossed, As Amended by Committee Amendment "A".

In Senate, Report Accepted in concurrence; Committee Amendment "A" Read and Adopted in concurrence, and the Bill Read Once and tomorrow assigned for second reading.

Majority—Ought to Pass Minority—Ought Not to Pass, As Amended by Committee Amendment "A"

The Majority of the Committee on Education on Bill, "An Act Relating to Teachers' Salaries and Foundation Program Allowance." (H. P. 871) (L. D. 1206) reported that the same Ought to pass.

(Signed)

Senators:

BATES of Penobscot
BROOKS of Cumberland
SAMPSON of Somerset

Representatives:

LEVESQUE of Madawaska
SIROIS of Rumford
HICHBORN of Medford
Township
ESTEY of Portland

The Minority of the same Committee on the same subject matter reported that the same Ought to

pass, As Amended by Committee Amendment "A" (Filing No. H-282)

(Signed)

Representatives:

DURGIN of Raymond
HANSON of Lebanon
CURTIS of Bowdoinham

Comes from the House, Minority Report Accepted, and House Amendment "A" to Committee Amendment "A" Adopted, and the Bill Passed to be Engrossed as amended. House Amendment "A" (Filing No. H-360)

In the Senate, on motion by Mr. Bates of Penobscot, the Majority Ought to pass report was accepted, the bill read once and tomorrow assigned for second reading.

Senate Committee Reports

Mr. NOYES of the Committee on Constitutional State Reapportionment and Congressional Redistricting reported a Resolve entitled: Resolve, Dividing the State into Senatorial Districts. (S. P. 577) (L. D. 1629) pursuant to Joint Order S. P. 245, and that the same Ought to pass.

Which report was Read and Accepted, the Resolve read once and tomorrow assigned for second reading.

Majority—Ought to Pass, As Amended by Committee Amendment "A"

Minority—Ought Not to Pass

Majority of the Committee on Towns and Counties on Bill, "An Act to Incorporate the Town of Harpswell Neck." (S. P. 118) (L. D. 263) reported that the same Ought to pass As Amended by Committee Amendment "A" (Filing No. H-249)

(Signed)

Senators:

WYMAN of Washington
PIKE of Oxford

Representatives:

TWEEDIE of Mars Hill
SHAW of Chelsea
BAKER of Orrington
DANES of South Portland
BEANE of Moscow

The Minority of the same Committee on the same subject matter

reported that the same Ought not to pass.

(Signed)

Senator:

ERWIN of York
JONES of Farmington

Mr. WYMAN of Washington: Mr. President, Senator Erwin was the only Senate signer of the Minority Report and since he is not here today, I move that this be tabled, and I will take it off when Senator Erwin returns.

The motion prevailed and the bill was tabled pending acceptance of either report.

Second Readers

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

House

Bill, "An Act to Permit Searsport Water District to Prevent Pollution." (H. P. 1174) (L. D. 1620)

Which was Read a Second Time and Passed to be Engrossed in concurrence.

Enactors

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

Bill, "An Act Relating to Travel Allowance for Members of the Legislature." (H. P. 53) (L. D. 94)

On motion by Mr. Davis, placed on the Special Appropriations Table.

Bill, "An Act Providing for a Revised Charter for the City of Portland." (H. P. 326) (L. D. 478)

Which was passed to be enacted.

Bill, "An Act Exempting Proceeds of Pension and Profit Sharing Plans from Inheritance Tax Law." (H. P. 423) (L. D. 598)

On motion by Mr. Davis of Cumberland, placed on the Special Appropriations Table.

Bill, "An Act Relating to Length of Motor Vehicle Trucks." (H. P. 435) (L. D. 610)

On motion by Mr. Stilphen of Knox, tabled pending passage to be enacted.

Bill, "An Act Permitting Certain Commercial Vehicles to Exceed

Weight Limits." (H. P. 560) (L. D. 757)

On motion by Mr. Stilphen of Knox, tabled pending passage to be enacted.

Bill, "An Act Relating to Mandatory Fines on Axle Weights of Commercial Vehicles." (H. P. 563) (L. D. 760)

On motion by Mr. Stilphen of Knox, tabled pending passage to be enacted.

Bill, "An Act Revising the Laws Relating to the Organization and General Supervisory Powers of the Department of Banks and Banking." (H. P. 494) (L. D. 805)

On motion by Mr. Davis of Cumberland, placed on the Special Appropriations table.

Bill, "An Act to Revise the Civil Defense and Public Safety Council Law." (H. P. 811) (L. D. 1126)

On motion by Mr. Davis of Cumberland, placed on the Special Appropriations table.

Bill, "An Act Relating to Weight Tolerances for Motor Vehicles Carrying Firewood, Pulpwood, Logs or Bolts." (H. P. 861) (L. D. 1175)

On motion by Mr. Stilphen of Knox, tabled pending passage to be enacted.

Bill, "An Act Relating to Weight of Commercial Vehicles." (H. P. 1119) (L. D. 1541)

On motion by Mr. Wyman of Washington, tabled pending passage to be enacted.

Bill, "An Act Merging Portland University with the University of Maine." (S. P. 161) (L. D. 407)

On motion by Mr. Davis of Cumberland, placed on the Special Appropriations table.

Bill, "An Act Relating to State Retirement Benefits for Teachers." (S. P. 204) (L. D. 537)

On motion by Mr. Davis of Cumberland, placed on the Special Appropriations table.

Bill, "An Act Relating to Completion of the York River Project in York." (S. P. 265) (L. D. 782)

On motion by Mr. Davis of Cumberland, placed on the Special Appropriations table.

Bill, "An Act Creating an Administrative Code for State of Maine." (S. P. 396) (L. D. 1343)

On motion by Mr. Davis of Cumberland, placed on the Special Appropriations table.

Bill, "An Act Creating a Constitutional Commission." (S. P. 498) (L. D. 1498)

On motion by Mr. Davis of Cumberland, placed on the Special Appropriations table.

Resolve, Providing Funds for Dredging Songo River, Cumberland County. (H. P. 68) (L. D. 110)

Resolve, Authorizing Bureau of Public Improvements to Study Desirability of a Dam Across Taunton River. (H. P. 1158) (L. D. 1598)

Resolve, Appropriating Money to Supplement Federal Vocational Funds for Area Education Programs for Apprentices and Other Adult Workers. (S. P. 315) (L. D. 991)

Resolve, Appropriating Money for the Establishment of a School of Practical Nursing in Portland or Vicinity. (S. P. 530) (L. D. 1564)

Which were severally placed on the Special Appropriations table on motion by Mr. Davis of Cumberland.

Non-concurrent action on Enactor

Bill, "An Act Classifying Certain Tidewaters Bordering Thomaston." (H. P. 693) (L. D. 971)

In Senate, May 25, Passed to be Engrossed, As Amended by Committee Amendment "A" in Non-concurrence.

In House, May 31, Passed to be Engrossed, As Amended by Committee Amendment "A" in concurrence.

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

In the Senate:

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

Mr. FERGUSON of Oxford: Mr. President, I move that the Senate recede and concur.

The PRESIDENT: The pending question is on the motion of the Senator from Oxford, Senator Ferguson, that the Senate recede and concur.

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

A division of the Senate was had. Three having voted in the affirmative and twenty-three opposed, the motion did not prevail.

Thereupon, the Senate voted to insist on its former action and ask for a Committee of Conference; the President appointed as Senate conferees, Senators: Stilphen of Knox, Cyr of Aroostook, Cole of Waldo.

The President laid before the Senate, the first tabled and today assigned item (H. P. 13) (L. D. 32) bill, "An Act Relating to Certain Standards for Nursing Homes"; tabled on June 2 by Senator Farris of Kennebec pending consideration, and for introduction of an amendment, the subject matter of which had previously been rejected.

Mr. FARRIS of Kennebec: Mr. President, in view of the fact that as of last Friday, the Attorney General ruled that Sunday was not included in the two day period for adjournment, I would question that Sunday would be included within the three day period for the purpose of introduction of an amendment, the subject matter of which has previously been rejected, and for that reason I would request that this matter lie on the table and be especially assigned for tomorrow.

The motion prevailed and the bill was retabled.

The President laid before the Senate the second tabled and today assigned item (S. P. 573) (L. D. 1626) bill, "An Act Relating to Salaries of County Officials and Municipal Court Judges and Recorders"; tabled on June 2 by Senator Noyes of Franklin pending passage to be engrossed.

Mr. NOYES: Mr. President, this was tabled on the request of several Senators who had amendments and I will now yield to any of those Senators who want to put on their amendments.

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

Mr. EDMUNDS: Mr. President, With respect to Senate Amendment D which I have just offered,

I would like to state that I have checked with the Chairman of the Committee on Towns and Counties, the Senator from Washington, Senator Wyman, and the amendment is acceptable to him.

Thereupon, Senate Amendment D was adopted.

Mr. Chase of Lincoln presented Senate Amendment C which was read and adopted.

Mrs. LORD of Cumberland: Mr. President, I had an amendment reproduced and I don't find it here. I would like to have this lie on the table until later in the day.

The PRESIDENT: The Senate may have a short recess if the Senator wishes.

Mrs. LORD: Thank you Mr. President.

Thereupon, the Senate recessed to the sound of the gong.

After Recess

The Senate was called to order by the President.

Mrs. Lord of Cumberland presented Senate Amendment "E" to Bill, "An Act Relating to Salaries of County Officials and Municipal Court Judges and Recorders," (S. P. 573) (L. D. 1626) and moved its adoption.

Senate Amendment "E" was read and adopted.

Mr. Couture then presented Senate Amendment "F" to the same bill and moved its adoption.

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

Mr. MAYO of Sagadahoc: Mr. President, I would like to ask if the Senate is in possession of Joint Order, S. P. 551.

The PRESIDENT: It is, the order having been recalled by joint order.

Mr. MAYO: Mr. President, I would move that the Senate, under suspension of the rules, reconsider its action whereby this order was passed.

Mr. EDMUNDS of Aroostook: Mr. President, what is the subject matter of the order?

The Secretary read the Joint Order.

The PRESIDENT: Would the Senator from Sagadahoc, Senator Mayo restate his motion?

Mr. MAYO: Mr. President, I move that under suspension of the rules, the Senate reconsider its former action whereby this Order was passed.

Mr. COUTURE of Androscoggin: Mr. President and members of the Senate, if I am in order, I would like to ask a question of the Senator from Sagadahoc, Senator Mayo, through the Chair.

The PRESIDENT: The Senator is in order.

Mr. COUTURE: Mr. President, may we have an explanation of the reason for reconsideration of this order?

Mr. MAYO: Mr. President and members of the Senate, the reason for recalling this Order is for the purpose of presenting an amendment. The Order as originally passed called for two members of the Senate, appointed by the President and two members of the House, appointed by the Speaker of the House. Since the order was passed by both branches, there has been discussion that the House, due to the numerical numbers of that Body, should have three members on this committee. When this is recalled, I can present an amendment which will call for three members of the House instead of the original two. It does not change the original order in any way except to increase the members of the House from two to three.

Thereupon, the motion to reconsider passage of the order prevailed; Senator Mayo of Sagadahoc presented Senate Amendment A which was read and adopted; the Order as amended received a passage.

Sent down for concurrence.

Conference Committee Report, out of order.

The Committee of Conference 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." (H. P. 1165) (L. D. 1606) reported that the Senate Recede from its action whereby it passed the Bill to be engrossed, and Indefinitely Postpone Senate Amendments A, C, E, F and H, and House Amendments A, D and F, and Adopt House Amendment E, and Pass the Bill to be Engrossed As Amended by House Amendments E and J, and that the House Recede from its action whereby it passed the Bill to be engrossed and Indefinitely Postpone House Amendments A, C, D, F and G, and Pass the Bill to be Engrossed As Amended by House Amendments E and J in concurrence.

(Signed)

EARL W. DAVIS
SHELDON E. NOYES
DWIGHT A. BROWN

Committee on part of Senate.

HAROLD BRAGDON

JOHN L. BAXTER, JR.

Committee on part of House.

Mr. FARRIS of Kennebec: Mr. President, I would appreciate it if the Committee of Conference would explain just where this leaves the supplemental budget, if we accept this report.

The PRESIDENT: The Senator from Kennebec, Senator Farris, poses a question to the Chairman of the Conference Committee, Senator Davis of Cumberland, and that Senator may answer if he wishes.

Mr. DAVIS of Cumberland: Mr. President and members of the Senate, in answer to the question of the Senator from Kennebec, Senator Farris, this leaves the bill in practically the same state as it came out of the Appropriations Committee. The two amendments, E and J which were adopted are simply technical amendments. Amendment A, under the Department of Economic Development, transposes the figures from industrial advertising to recreational advertising and vice versa. Amendment J sets up out of the million dollars under the medical care program, the amount necessary for the administration of the act.

Mr. EDMUNDS: Mr. President, does this Conference Committee

report also do away with the amendment which would provide funds to combat Dutch Elm Disease and provide for the soil conservation program?

Mr. DAVIS: Mr. President, the Conference Committee report does away with all amendments both House and Senate, except House Amendments E and J which I have just explained.

Mr. EDMUNDS: Mr. President, I perhaps would be out of order at this time but I would like to move that this lie on the table and be especially assigned for tomorrow morning.

Mr. NOYES of Franklin: Mr. President, I would like to speak on the Committee of Conference.

The PRESIDENT: Could the Chair suggest that we have a minute of recess and the Senator from Franklin, Senator Noyes, could speak to the Senator from Aroostook, Senator Edmunds.

Recessed to the sound of the gong.

Senate called to order by the President.

Mr. Edmunds of Aroostook was granted permission to withdraw his motion to table the bill.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate: I think that we have at this point arrived down to the most serious point at which we will arrive during this entire session. It certainly is the point where they say "the chips are down" and it certainly is pretty evident from the entire history of this session that if we do adopt the supplemental budget as proposed that we are in effect pretty much saying that we are prepared to buy a sales tax; and I certainly have no objection as to what the necessary votes in this senate might do, both in supplemental and emergency or on sales tax. As I have said before, I certainly would not be one, if we were within one vote, of being the hold-out and unalterably opposed to the program with the attendant responsibility of voting for a sales tax increase. I do not feel, however, that we as a body have given this matter as much consideration

as it could be given, and as much as it should be given.

We had some debate last week, you recall, on certain key amendments which would have reduced the supplemental by several hundred thousand dollars and the debate was very interesting and also was very articulately expressed, both by proponents and opponents on these various amendments. But let us not forget that on the two key amendments, one in the field of medical care and the other in the field of education, the vote was seventeen to fifteen, quite a way from a two-thirds vote, and certainly indicating that in this body we are pretty well divided down the middle as to how we should go on the matter of new taxes for this current session.

You will recall last Thursday afternoon when we were debating this issue that Senator Mayo stated, and I quote from the record: "I can easily see the proponents of a sales tax increase gathering their forces."

Well, obviously he is a hundred per cent correct, because it was just a few hours earlier the previous evening that the Governor, in a public address at Rockland, made the following statement; and again I quote from the newspaper lead, the Press Herald:

"It is my hope, conviction and determination that in the final days of the legislative session state government shall not waver from its goals or from the sales tax boost needed to finance them."

I certainly respect and admire the Governor for his candor on this issue, and I would only hope that we of the Senate would be as equally candid and forthright in our position, because if we are, there are seventeen senators here that are prepared to support the sales tax increase. I think it is rather dubious right at this point. But I do feel, if we have seventeen senators who will support a sales tax increase, that for the purpose of bringing this session to a termination within the next seven, eight, nine or ten legislative days, that now is the time for them to declare themselves. And even if we do have

seventeen we are still a few short of the necessary votes to enact the tax or enact this bill as an emergency measure. But I would not be too concerned if we have that many that are willing to stand up and be counted now. I imagine you would have a majority and you would find others perfectly willing to go along with the majority. But I do feel this way: that if we merely this afternoon vote the supplemental budget as suggested by the committee of conference and do not come to grips with the serious problem of financing that we are merely delaying the inevitable, we are putting a burden on the engrossing department, who must work hard and long to put this in its final stages, and a few days from now we may find we do not have enough support for a sales tax increase and then here we go again, and all this work will have been for naught, and others in this body who may have some other thoughts are sitting back, waiting to see what develops and no alternative concrete plan is presented for consideration. I feel that if we would this afternoon face up to this entire issue, because your tax measures are completely correlated to your appropriation measures, that we could reduce by several days the number of legislative days that will be necessary to wind up this session.

The PRESIDENT: Could the Chair interrupt the Senator from Kennebec, Senator Farris. What motion is the Senator referring to, or is he asking for unanimous consent to address the Senate?

Mr. FARRIS: Mr. President, I believe the motion before the body is: Is it the pleasure of the Senate to accept the report of the committee of conference.

The PRESIDENT: That went through.

Mr. FARRIS: When, Mr. President?

The PRESIDENT: We could have a motion to recede from our former action whereby the bill was passed to be engrossed.

Mr. FARRIS: Mr. President, it was my understanding, and I may be in error, that the Chair in-

quired whether it was the pleasure of the Senate to accept the report of the committee of conference.

The PRESIDENT: The Chair will inform the Senator from Kennebec, Senator Farris, that the Chair is in error. You may proceed. I thought I put the motion.

Mr. FARRIS: Thank you, Mr. President.

Anyway, if we do not have an alternative program established and this program is not accepted as it is now lined out by the leadership we could well be here pretty close to the first of July. And certainly it is incumbent upon anyone who is opposed to this program to have an alternative program. The Senator from York, Senator Erwin, last week attempted to present an alternative program which was defeated when the key amendments were defeated by two votes.

But there is another plan. Not much interest has been evinced by the thirty senators who were made aware of it a week ago. This I would refer to as a compromise supplemental appropriation amendment based upon the lower of the two figures as recommended by the Governor and as coming from the Appropriations Committee and the adoption of amendments in the areas of medical care, education, employees' salaries, as was discussed last week — and we are very close — and a bond issue for capital construction of somewhere between ten and fifteen million dollars, for construction at our teachers colleges and the University of Maine. And I would also want to include, I would think, if I had anything to say about it, the capital construction which we hope will become capital investment at Presque Isle if and when we can acquire that facility for vocational school purposes. I also feel we must give serious consideration to increasing our revenue estimates to a level which will more closely adhere to the historical pattern of revenue in this state.

With that rough outline, plus making some minor tax adjustments, it could be financed with-

out necessity for the sales tax increase at this session.

Now I realize that none of these thoughts are new: I also realize that it is always so that in a government where we have a two-party system, that some of these areas which I have mentioned have been suggested by individuals representing both parties. But this certainly is not the time to let that concern us. We are all here working for the interests of all the people or a majority of the people, we as individuals trying to represent the majority thinking of our constituents and what is best for the State of Maine and what is going to give us moderate progress. Certainly if the sales tax can be avoided and we can make moderate progress I think we will be performing a much better service to the state as members of this legislature.

The reason I have made these remarks, again I reiterate that if we do not know where the various senators stand in relation to a sales tax increase we can pass this today and wait three or four days when we find out we do not have enough votes to put through the sales tax increase and we are right back where we are today. My point is, before I make a motion, that we do face up realistically to this issue today for the purpose of saving a number of legislative days from the time when we can reasonably expect to adjourn. At this time I am not in favor of accepting the report of the committee of conference. I might be in favor of it at a later date and I would be if I could see that in this Senate we have enough senators who will accept the responsibility of voting for a sales tax increase. I realize there are other areas in the area of taxation that can be utilized, but I think at this late stage in this 100th session that we are down to the point where the chips are down and that if we are going to accept this program we should decide in our own mind: Are we willing to accept the sales tax increase to pay for it. My point is not so much in opposition to the budget but it is merely requesting that we declare ourselves

now as to whether we will accept the attendant responsibility of an increase in the sales tax today when we adopt this budget, and on the committee of conference motion I would request a division.

Mr. CYR of Aroostook: Mr. President and members of the Senate: Last week when we debated this budget I sat in my chair in confusion, and I believe that possibly many of the other senators felt the same way I did. The matter was brought very vividly to my attention, or at least I woke up and realized the impact of the thing when I received a telephone call from home Friday night at twelve o'clock, asking me why I voted a certain way on a certain item. At that time I was not able to give an answer which was satisfactory to the caller and also to myself. I made up my mind right then and there that this budget here has been debated and has been studied very thoroughly by the Appropriations Committee part of the winter. Most of the winter I was myself very disturbed as to just which way I should go on this, and I had resigned myself to go along with the Appropriations Committee's recommendation. And after all the debates and after all the amendments all the way down the alphabet which were put on and turned down last week I very firmly made up my mind that from now on I am going to follow the recommendations of the Appropriations Committee.

I am not implying by that we should go along with the recommendations of any committee without any debate whatsoever. However, every time that this subject has been brought up, particularly by the advocates who want to cut the budget, they have always flashed before our eyes the alternative of raising the sales tax, and yet every time they are asked to slash the budget or cut down the budget they cut on some of the appropriations they are not interested in and then they turn around and raise the budget for their own pet project. So if we continue on that line we will be here until Labor Day for sure. This is just going to be tossed back

and forth and we are just going to arrive at the same conclusion, so, as far as I am concerned, I am going along with the recommendations of the Appropriations Committee.

Mr. PIKE of Oxford: Mr. President, I thought quite a lot of the Senator from Aroostook, Senator Cyr, all through the session and I think more of him now.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Farris, that the Senate reject the conference committee report.

Mr. FARRIS of Kennebec: No, Mr. President, my request was that when the vote was taken it be taken by a division. I made no motion.

Mr. DAVIS of Cumberland: Mr. President and members of the Senate: I just wanted to point out to the Senate that if they accept the conference committee report and pass the bill to be engrossed it still has to go to the other body for enactment where they have a chance to change it if they want to. After they enact it, if they do, it will come back here, and I can assure the Senate that if it is enacted in the other body it will come back here and will be placed on the table until the money is in sight to pay for it.

The PRESIDENT: Does the Senator from Cumberland, Senator Davis, wish to make a motion?

Mr. DAVIS: Mr. President, I move that we accept the report of the conference committee and pass the bill to be engrossed.

The PRESIDENT: The question is on the motion of the Senator from Cumberland, Senator Davis, that the report of the Conference Committee be accepted; and a division has been requested by the Senator from Kennebec, Senator Farris.

A division of the Senate was had.

Twenty-one having voted in the affirmative and seven opposed, the motion prevailed.

Thereupon, the Senate voted to recede from its action whereby the

bill was passed to be engrossed and further voted to indefinitely postpone Senate Amendments A, C, E, F, and H and House Amendments A, D, and F.

House Amendment E was adopted and the bill, as amended by House Amendment E and House Amendment J (previously adopted) was passed to be engrossed and sent forthwith to the House.

The President laid before the Senate the 5th tabled item (S. P. 248) (L. D. 765) "Resolve, Appropriating Funds for Operating Expenses for University of Maine"; tabled on May 25 by Senator Bates of Penobscot pending passage to be engrossed; and on motion by Mr. Bates of Penobscot, the bill was indefinitely postponed.

Sent down for concurrence.

The President laid before the Senate the 6th tabled item (H. P. 740) (L. D. 1027) bill, "An Act Increasing Renewal Fee of Certificate of Registration for Barbers and Operators of Hairdressing and Beauty Culture"; tabled on May 25 by Senator Lord of Cumberland pending enactment; and on further motion by the same Senator, the bill was passed to be enacted.

The PRESIDENT: The Chair would like to announce that tomorrow the Senate will recess at about twelve noon until two P.M. for the purpose of the Joint Standing Committees and their chairmen to have final meetings of their committees, taking up respective items that may be the last items to be considered by these committees, so we can have their final reports.

Mr. BATES of Penobscot: Mr. President, I just was going to remark that the House has agreed to this procedure.

The PRESIDENT: The House has agreed to this procedure so that we can clean up these matters. I failed to mention that. Thank you Senator Bates.

The PRESIDENT: The Chair would also like to announce that

the funeral of one of our beloved and esteemed state officials, Assistant Attorney General James Glynn Frost will take place tomorrow morning, and when we adjourn, both branches will adjourn until 11 o'clock so that those who wish to attend the funeral may.

Some of the legislators are pall bearers.

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On motion by Mr. Noyes of Franklin,

Adjourned until tomorrow morning at eleven o'clock.