

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

Tuesday, June 6, 1961

Senate called to order by the President.

Prayer by Senator James Stanley of Bangor.

The PRESIDENT: I am sure that the Senators all appreciate the services that the Senator from Penobscot, Senator Stanley, renders.

On motion by Mr. Lovell of York, Journal of yesterday read and approved.

Papers From the House

Recommitted

Bill, "An Act to Provide for the Dissolution of School Administrative District No. 3." (H. P. 618) (L. D. 835) and report of Committee on Education - Leave to Withdraw, recalled from Legislative Files by Joint Order, and come from the House recommitted to the Committee on Education.

In the Senate, recommitted to the Committee on Education in concurrence.

Non-concurrent Matters

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)

In Senate, Conference Committee Report Accepted, and the Bill Passed to be Engrossed as Amended by House Amendments E and J.

Comes from the House passed to be engrossed as amended by House Amendments C, E, and J, in non-concurrence, and the House Insisted and asked for another Committee of Conference. The Speaker appointed Mr. WELLMAN of Bangor, Mr. WHITMAN of Woodstock, and Mr. FOGG of Madison.

In the Senate, on motion by Mr. Davis of Cumberland, the Senate voted to insist on its former action and join with the House in another Committee of Conference; the President appointed as Senate

conferees, Senators: Davis of Cumberland, Noyes of Franklin and Brown of Hancock.

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

In Senate, June 1, passed to be engrossed as amended by House Amendment A.

Comes from the House, passed to be engrossed as amended by House Amendment "B": (Filing No. 372) in non-concurrence.

House Amendment "A", indefinitely postponed.

In the Senate, on motion by Mr. Edgar of Hancock, the Senate voted to recede and concur.

ORDER

On motion by Mr. Noyes of Franklin ORDERED, the House concurring, that the Secretary of the Senate shall, when the Senate is not in session, be the executive officer of the Senate and have custody of all Senate property and materials, arrange for necessary supplies and equipment through the State Bureau of Purchases, arrange for necessary service and make all arrangements for incoming sessions of the Senate, have general oversight of chambers and rooms occupied by the Senate, permit state departments to use Senate property, dispose of surplus or obsolete material through the continuing property record section of the Bureau of Public Improvements, with the approval of the President of the Senate, and approve accounts for payment. The Secretary shall maintain a perpetual inventory of all Senate property of items costing over \$50 and make an accounting to the Senate upon request.

Which was read and passed.

Sent down for concurrence.

Second Readers

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

Bill, "An Act Relating to Teachers' Salaries and Foundation Program Allowance" (H. P. 871) (L. D. 1206)

Mr. BATES of Penobscot: Mr. President and members of the Senate, I move that the Senate reconsider its action of yesterday whereby L. D. 1206 received its first reading after the reception of the Majority Ought to pass report.

The PRESIDENT: The Senator from Penobscot, Senator Bates, moves that the Senate reconsider its former action whereby it accepted the Ought to pass report of the committee.

The motion to reconsider prevailed.

Mr. BATES: Mr. President and members of the Senate, this particular document has two parts; the first part referred to as the teacher salary bill and the second part referred to as the foundation program. All three of your Senators who are members of the Committee on Education were in favor and actually still are in favor of the entire bill. However, upon canvassing members of this Senate and upon facing the facts that we are confronted with no matter how strongly we feel about both parts of this bill, we do recognize that it will be almost impossible for this legislature to be confronted with the money angle and that there is a certain resistance against interference with respect to teachers' salaries at this stage of the session. Therefore, Mr. President, I move the acceptance of the minority Ought to pass as amended report in concurrence with the House.

The motion prevailed, the Minority Ought to pass as amended report was accepted and the bill read once; Committee Amendment A was read, House Amendment A to Committee Amendment A was read; House Amendment A to Committee Amendment A was adopted, Committee Amendment A as amended by House Amendment A was adopted, and the bill was tomorrow assigned for second reading.

Bill, "An Act Relating to Tuition Pupils as Basis for State Aid for School Construction (H. P. 300) (L. D. 452)

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

Resolve, Dividing the State into Senatorial Districts (S. P. 577) (L. D. 1629)

Which was read a second time.

Mr. MARDEN of Kennebec: Mr. President, I would like to ask a question with respect to this resolve of anyone who may care to answer. It is my understanding that the only change is in Penobscot County from three to four Senators, and if so, why? And if the reason is population, how many in the population increase are accounted for by military personnel and their families?

The PRESIDENT: The Senator from Kennebec, Senator Marden, poses a question to any Senator who cares to answer.

Mr. STANLEY of Penobscot: Mr. President, the answer to the question of the Senator from Kennebec, Senator Marden is: Yes, it is Penobscot County only and our Constitution says that counties having a population of 120,000 up to 199,000 shall be entitled to four Senators. That is the reason that this is in here. The Constitution says it should be this way. In the Constitution it also says that it will go according to—or we would use as our figures the Federal census less non-voting Indians and any foreigners who might be in the county. It says nothing about military population, and I believe the military population in the county of Penobscot is somewhere in the vicinity of 4,000 people. The population of the county is roughly 126,000.

Thereupon, the bill was passed to be engrossed.

Enactors

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

Bill, "An Act to Create a Law Revision." (H. P. 15) (L. D. 34)

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

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

Bill, "An Act Providing for Municipal Court Conferences." (H. P. 321) (L. D. 473)

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

Bill, "An Act Increasing Certain Sheriff Fees." (H. P. 887) (L. D. 1267)

Bill, "An Act Exempting Certain Machinery from Sales and Use Tax." (S. P. 563) (L. D. 1618)

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

Which Bills were Passed to be Enacted.

Resolve Authorizing Completion and Printing of a Digest of the Opinions of the Law Court. (H. P. 184) (L. D. 280)

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

Non-concurrent action on an Enactor

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

In Senate, Passed to be Engrossed.

In House, Indefinitely Postponed.

In the Senate, on motion by Mr. Noyes of Franklin, the Senate voted to insist on its former action and ask for a Committee of Conference; the President appointed as Senate conferees, Senators: Noyes of Franklin, Lovell of York, and Christie of Aroostook.

Orders of the Day

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

Mr. LOVELL: Mr. President and members of the Senate, it is most pleasing to see members of this Senate take such great interest in industrial and recreational development for the State of Maine. This morning, the Senator from Penobscot, Senator Bates gave me a copy of the June issue of Travel Magazine, which magazine is sold and distributed all over the world. On the front page, under Norway, Sweden, Denmark and Finland as places of interest to visit, is listed

the State of Maine. And in the magazine is a very fine article on Maine's coastline written by Ralph T. Birch, and I am sure that the circulation of this magazine, which is very large, will bring a great number of new tourists to the State of Maine, not only this coming season but in future seasons after they have seen how marvelous and wonderful our state is.

I would like to move that a letter of thanks be sent to the editor of this magazine and the writer of this article, Mr. Birch.

The motion prevailed and the Secretary of the Senate was so instructed.

The President laid before the Senate, the first tabled and today assigned item (H. P. 1162) (L. D. 1602) bill, "An Act Authorizing Funds for Construction of Machias Landing Field tabled on June 1, by Senator Boardman of Washington pending enactment; and on motion by that Senator, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; the same Senator presented Senate Amendment A and moved its adoption; Senate Amendment A was read and adopted, and the bill was passed to be engrossed and sent down for concurrence.

The President laid before the Senate, the second tabled and today assigned item (S. P. 311) (L. D. 899) bill, "An Act to Transfer Northern Maine Sanatorium to Central Maine Sanatorium, tabled on June 2 by Senator Edmunds of Aroostook pending passage to be engrossed; and on further motion by the same Senator, the bill was retabled until later in the day.

The President laid before the Senate, the third tabled and today assigned item (H. P. 13) (L. D. 32) bill, "An Act Relating to Exit Facilities in Boarding and Nursing Homes," tabled on June 5 by Senator Farris of Kennebec, pending consideration; and on motion by Mr. Parker of Piscataquis, the bill was retabled until later in the day.

The PRESIDENT: The Chair recognizes in the Senate gallery a group of eighth grade pupils from the Union Junior High School, accompanied by their teacher, Mr. Hilton. It is certainly a pleasure to have this group of young folks with us. We hope your stay is enjoyable and educational; we hope that you visit the House and the museum downstairs, and we hope that sometime you will be taking your places in the Senate chamber representing the county in which you live. At this time the Chair would like to present to you the Senator from Knox, Senator Stilphen. (Applause)

The President laid before the Senate the 7th tabled item (S. P. 118) (L. D. 263) Senate reports from the Committee on Towns and Counties: Majority Report, Ought to pass as amended by Committee Amendment A, Minority Report, Ought not to pass, on bill, "An Act to Incorporate the Town of Harpswell Neck"; tabled on June 5 by Senator Wyman of Washington pending enactment.

Mr. WYMAN of Washington: Mr. President, a bill to allow the people of West Harpswell to decide for themselves in a referendum whether or not they should become a town, to be called "Harpswell's Neck", has been before your Committee on Towns and Counties during four succeeding legislatures.

The Ninety-seventh legislature granted the referendum which was rejected by the voters by a narrow margin.

However, the bill was again introduced in the Ninety-eighth legislature, but since it has been before the voters only two years previously, your Committee on Towns and Counties reported "Ought not to pass" and the legislature accepted the committee report, thus denying the referendum at that time.

Again in the Ninety-ninth legislature, a bill for a referendum was proposed and again both the Committee and the legislature voted against the proposal.

Each time this move was rejected, it was not because a strong demand for the referendum was

lacking; nor was it because the proposal did not seem to have merit. But after the first referendum which failed by a narrow margin, we hoped that the demand would gradually disappear.

However, it has been quite the contrary. At each session the hearing on this bill has drawn a great deal of interest and was among the most largely attended of the session. And the hearing last March was the most largely attended of all, there being several hundred persons present.

It would surely seem that this large interest extending over such a long period of time would indicate that there is a real problem and that the voters should again be allowed to vote upon it in a referendum. And thus this time your committee has voted seven to two "Ought to Pass".

As usual this last hearing produced many proponents and many opponents and many reasons for and against the referendum, one of the widely presented reasons against it being sentiment which after all, the committee did not think should be given so much weight.

However, the most impressive reason seemed to be the fact that Harpswell's Neck has already been geographically separated from the remainder of the Town of Harpswell by the establishment of the Brunswick Naval Base.

Should there be any here who are not familiar with the geography of Harpswell, the town is divided into three areas of land projecting fingerlike from the mainland into the ocean, the easternmost front known as Cundy's Harbor, the central section consisting principally of Bailey's Island and Orr's Island being known as the Island section and the western part being known as West Harpswell. The largest population together with the town office is on the middle, or island section, Bailey's Island and Orr's Island.

Prior to the Brunswick Naval Base, the citizens of Harpswell's Neck had only to go up around the head of the sound or estuary

and back on the other side to the center of town, not a long trip.

However, since the establishment of the Naval Base, the road around the head of the water has been closed and the people from Harpswell's Neck have been obliged to go around three sides of the Brunswick Naval Base to get to the Center of the town of Harpswell, the Island Section.

The Eastern or Island Section, and the Western or Neck Section are two geographical areas separated by both land and water. The shortest possible distance by road from one to the other is about nine and a half miles and all of it in the Town of Brunswick.

Neither division has any primary shopping area or industry which would stimulate travel between the two. It is much as though the people on this side of the Kennebec river were obliged to go to Gardiner and return on the other side of the river to get to City Hall, or as though the people on the East bank were obliged to go to Gardiner and back on this side of the Kennebec River to get to the business area.

Evidence at the hearing has indicated that Harpswell's Neck is growing and has enough population and resources to make a self sufficient municipality should the proposed referendum be allowed, and should the voters so choose.

The decision to go along with this bill has not been easy because I have friends in the Island section who are very much opposed to it.

However, due to the fact that the proposed town of Harpswell's Neck is already geographically separated from the remainder of the town; and due to the fact that both divisions face problems which have local peculiarities, not necessarily understood by those citizens of the other division and also due to the fact that such strong efforts have been made to have a referendum on this that it has been before four succeeding legislatures, it is my sincere hope, members of the Senate, that you will go along with the seven to two report of your committee on Towns and Counties to allow a referendum by which the people of Harpswell's

Neck can decide this matter for themselves. Thank you.

The PRESIDENT: Because of an error in printing on the calendar, the Chair would ask the Secretary to read the status of the bill.

The endorsements on the bill were read by the Secretary.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Washington, Senator Wyman, that the Senate accept the majority "Ought to pass" report of the committee.

Mr. BROOKS of Cumberland: Mr. President and members of the Senate: I appreciate the remarks of the Senator from Washington County, Senator Wyman, but I believe this to be poor legislation, discriminating against the great majority of the people in the town of Harpswell.

Ninety-two per cent of the people in Harpswell do not want separation. We have the problem of geography that Senator Wyman has stated, and that is a problem and has been several years, due to the building of the naval base in Brunswick. Until recently the Navy would not clear the town for the building of a bridge and causeway across the Narrows from West Harpswell to the island or the main part of the town. However, through the efforts of our good Congressman from the Third District, Representative Garland, recently the Navy has given clearance to the building of such a bridge.

Now I look at this as a family argument or problem or misunderstanding which has grown greatly out of proportion. I feel, like in our own personal families, that these problems can be ironed out and should be ironed out together, not apart. As I say, in my opinion this is a discriminatory type of legislation and I move for the indefinite postponement of L. D. 263.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate: I will say this is like the light colonel who would have us as we were. My colleague, Senator Brooks, has mentioned that this is poor legislation. Now I disagree with him because I introduced this bill, and I think when a bill is entered that makes

it possible for the will of the people to be expressed then it is anything but poor legislation. And as far as discrimination is concerned, the shoe is on the other foot. The people of the western division of Harpswell have been discriminated against, probably unwittingly and certainly not by any malicious design of the officials of the town of Harpswell. And as for the 92 per cent who do not want separation, I question this figure. I also would state the figures on population.

According to the 1960 census, the population of Harpswell was 2032 people. As of several months ago the voting lists showed 456 registered voters to be separated, and 1076 in the eastern division, a 30-70 split. Therefore any poll taken of the entire town would naturally be opposed to a vote of separation.

Might I remind the members of the Senate that this bill does not separate the town of Harpswell into two towns; it merely gives the people the right of self-determination whether they believe the people of this western geographically noncontiguous area should be one town or whether they should not.

We have before us the problem of a fair voice in town affairs. There are very few close relationships between the two areas of the town due to geography primarily. Picture yourself in a town where you were a part of a minority that year after year was out-voted two to one in the board of selectmen as well as on the school board, never having even an outside chance of getting a two to one majority in your favor.

Now as far as the financial problem is concerned, it has been said by the opponents of this bill that it is the wrong thing to do to separate this town and put it into two because they do not feel that a town of the western division size, that is Harpswell Neck, could exist by itself. But I submit to you, fellow Senators, that this western division will be eminently better off if it can raise its own taxes and spend that taxation money in its own area rather than seeing a

flow of tax dollars go out year after year.

Here are the figures from the town reports of the Town of Harpswell covering the years 1951 through 1959 for presentation to the citizens of Harpswell in the Towns and Counties Committee of the State Legislature. This proves beyond any doubt that considerable amounts of money collected on Harpswell Neck each year are not spent in the interest of that portion of the town. During the nine-year period mentioned tax collections on Harpswell Neck, \$536,956 or over half a million dollars collected in the Harpswell Neck area in this nine-year period. During the same period, operating expenses of Harpswell Neck, including its school department and pro-ration of all indirect items, totaled \$365,115—three sixty-five against five-thirty. The surplus of moneys collected in this division over total operating costs, a total \$165,841. Average overpayment or operating loss of \$18,427 annually, or 31.8 per cent.

The sources of information used in arriving at these figures were town, state, county, and town auditing officials, whose authority in town affairs is unimpeachable.

Now if you are concerned about this being a small town which may not be able to take care of itself, I will say that comparative studies of other small towns operating today on a comparative budget indicate that Harpswell Neck could well survive as a separate town without finding it necessary to increase taxes immediately, even allowing for steadily increasing costs of operation.

I worked with this committee for some six months, I am thoroughly convinced that they are a capable, dedicated and very sincere group of people who are thoroughly capable of operating their own town.

This, of course, was once a part of North Yarmouth. In the old days when the King granted land he had never seen the State of Maine and did not know about these island fingers stretching down towards the Atlantic. He took a line and drew it from east to west and then took another line

parallel to it from east to west, and he said, "From the shore on westward it is all yours." Of course at that time it went all the way over to North Yarmouth and Maine was a part of Massachusetts and Massachusetts and the rest of the colonies were a part of England. So I would submit there is nothing wrong with separation. In these several instances it has proved advantageous. The Legislature, by passing this act will not be separating the towns; it will be leaving that decision to the citizens of the town who will be affected the most. For that reason, I support the motion of the Senator from Washington, Senator Wyman, that this majority 8 to 2 committee report "Ought to pass" be accepted.

Mr. BROOKS of Cumberland: Mr. President, my good seatmate, the Senator from Cumberland, Senator Porteous, has quoted statistics, and I am sure, knowing the Senator personally, he is most sincere and I respect his remarks. However, when we speak of the will of the town voting separation we must remember that this bill is written so that it allows only those people in West Harpswell to vote, not the entire town, and that is a small minority. The separationists, so-called, represent a very small percentage of the total taxpayers in the town of Harpswell, roughly six per cent.

Now as I said earlier, there has been a family problem in Harpswell caused by geography as a result of the construction of the naval base. I submit to you, however, the 1960 tax commitment figures for the whole town of Harpswell. It shows that on the east side sixty per cent was spent on behalf of Great Island and Cundy's Harbor and forty per cent for the west side. The east side paid sixty per cent of the taxes and the west side forty per cent of the total tax. The grade school pupils attending schools in Harpswell are broken down, 72 per cent on the east side and 28 per cent on the west side. Roads, maintenance of roads in the Town of Harpswell, 59 percent of the roads from the east side; 41 percent on the west side; the west side being

that part of Harpswell which a small minority wants to separate.

Now, the good Senator from Cumberland, mentioned North Yarmouth and other towns which have been separated in the past and that is true. Many years ago we had no communications nor the transportation networks that we have in this modern twentieth century. I say that this town of Harpswell that I know very well and am acquainted with many people down there on both sides, this town with the new bridge which will be built eventually and with a new five room school house going up in West Harpswell of which \$12,300 has already been set aside, is testimony to the desire of the great majority of the people of Harpswell to maintain their lovely town as one town. The relationship between the east and the west is not distant but close except for the summer people perhaps, who come down for two or three months, and I submit to you that I am sure with my exhaustive studies of this problem that over a period of time there is fair representation now and will be in the future as shown by the townspeople, the town officials, and the towns who develop by building schools on the west side.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate, I rise in opposition to the motion now before the Senate to indefinitely postpone this bill. Though I do not come from Cumberland County, I am from the neighboring county of Sagadahoc, and I feel it is my duty as a neighbor to act neighborly towards these people of Harpswell Neck. In reading the brochure which was put on my desk yesterday, it more than before made my mind fast in the discrimination against these people of Harpswell Neck. The good Senator from Cumberland, Senator Brooks, mentions a new bridge which will be built. My recollection with Federal government is that if this bridge is ever built it will be many years before it is built. As for the new school which will be built in Harpswell Neck, in this brochure it refers to the fact that the school possibly will be built by 1965.

The school was never proposed until the bill was introduced in this legislative session. I repeat that I must stand here and oppose the motion to indefinitely postpone and when the vote is taken I request a division.

Mr. ERWIN of York: Mr. President, I don't live there either but inasmuch as the law says that you and I must decide these matters and have opinions, I think it is only fair to state why I on the Senate side, signed the minority Ought not to pass report, and it is my feeling that there is a serious flaw in the argument for separating these people, which appeals to the geography of the district, or calls notice to the geography and shows how widely separated they are. If you glance at this map on the front of the brochure which most of you have seen, and you see that they have to drive around the Brunswick Naval Air Base and it is a long trip around. In 1960 I submit to you that trip is a lot less cumbersome and hazardous and tiresome than what it was like in 1750 or in the early eighteenth century when the town of Harpswell was founded. Either to travel by horse and cart on the road which is barely outlined on the lower end of the Naval Air Station or it should be somewhere along there, or by skiff, it seems to me geography was just as much against them when they formed this town as it is now.

The other reason and probably my principal reason for opposing this thing is that I don't think we do these small towns any favor and ultimately thereby we don't do the State of Maine any favor when we divide these small political entities into smaller fragments. These people with the best of intentions in the world say that they can paddle their own canoe. I doubt it. This is a small town and it has not got unlimited resources and I don't think you serve the cause of the welfare of the town or the State of Maine if you divide it up even smaller than it is now.

Mr. PORTEOUS of Cumberland: Mr. President, I don't want to prolong this but I would like to answer a couple of points made by Senators Brooks and Erwin. I

would remind Senator Brooks of Cumberland that when Maine voted to separate from Massachusetts, only Maine people voted and if all the State of Massachusetts had voted, we probably still would be paying a five percent tax to the State of Massachusetts. And if he calls this a family problem, I would cite it as a family problem where the mother and father live apart and very seldom ever call each other on the phone.

I would answer Senator Erwin on the travel between the towns that modern transportation has improved the situation. I would say that the reverse is true. In the old days many of the people that lived on Harpswell Neck and over on the island, traveled by water back and forth quite liberally. I was down there to a meeting at this time last year and I saw a banker from Portland whom I knew lived in Harpswell and we were at Cook's lobster pound over on the eastern side and I said, "Well, this was convenient for you, wasn't it?" He said, "Convenient? I had to drive nearly thirty miles—farther than you did to get here."

Now, the travel from one part of this town to another up through Bowdoin College and over across by the Air Base, if you want to find out what a bad problem it is, go to the Highway Commission and they will tell you it is one of the worst year round problems, not just summer when it is almost intolerable, but as a year round problem is very bad. The intersection at Cook's Corner is one of the worst in the state.

As far as distances are concerned, the center of the eastern side from the center of the western side where the town meetings are held is 18.8 miles from the other side. The town of Brunswick 9.3 miles; Topsham 10 miles; Bath 15; Woolwich 16; Bowdoinham 17; Freeport 18; and Bowdoin center 18; are all closer to the center of the western area than is their own town hall where they must go for their town meetings.

I hope I have answered all questions, and if there are further questions, I shall be glad to answer them.

Mr. WYMAN of Washington: Mr. President and members of the Senate: I would like to comment on one or two of the points which have been made.

Regarding the bridge: haven't we bridge problems enough now without creating another bridge problem? And relative to the fact that the whole town should vote on this, the good Senator from Cumberland, Senator Porteous, brought up Maine and Massachusetts. I would like to point out that since I have been here we have had West Paris separate from the Town of Paris and the voters of Paris were the only ones to vote on it. It has been fairly standard practice in the legislature to allow the people directly concerned to vote. In the case of Beals in Washington County, I recall that some thirty or forty years ago the Legislature actually made a separation without a referendum. This town has some six or seven hundred people, and it does very nicely, it handles its affairs very nicely, and I am sure it does much better than it did when it was a part of Jonesport.

Finally, all we are asking for is a referendum. Here in the Senate we continue to hear "home rule" and that we should be allowed to do this in this county and in that county. This is just home rule, and all we are asking is to allow these people to decide for themselves. I certainly oppose the motion of the Senator from Cumberland, Senator Brooks, to indefinitely postpone this bill.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate: Earlier I made references to the remarks about building a bridge across the lower end of the Naval Air Base. Since I made these remarks I have been passed this letter from Representative Peter A. Garland, and I would like to quote from this letter. In spite of the fact there has been no objection from the Naval Air Station in regard to building a bridge, yet Representative Garland revealed that at no point in these discussions was there any indication whatever of the availability of federal funds to assist in the construction of the proposed

bridge. This just verifies my remarks about when a bridge would be built across the lower end of the Air Base. Therefore the argument about the towns becoming closer because of the bridge do not have any bearing on this bill.

Mr. DAVIS of Cumberland: Mr. President and members of the Senate, I would like to point out that this town, as I think has been stated, is 203 years old. It is not the oldest town in Cumberland County but it is one of the oldest. It seems to me that if they have resolved their differences for that length of time they can settle them now. To me, this idea of separation is a good deal like a couple who have lived together for fifty years celebrating their golden anniversary and then asking for a divorce. There is also some question in my mind, in looking over the sponsors for separation, how many of these people have actually had experience in municipal government. Do they realize the problems they are facing?

In regard to what has been mentioned about the town of West Paris, I believe the bill for the separation of West Paris from South Paris called for sixty-five per cent of the polls.

I support the motion for indefinite postponement.

Mr. PIKE of Oxford: Mr. President and fellow Senators: It makes me feel bad to be on the other side from Senator Davis and Senator Brooks and Senator Erwin whom I think so much of, but, as you notice, I was one of those who signed the "Ought to pass" report on this bill.

West Paris has been spoken of several times and I live right near Paris. Of course everything now is a merger rather than separation, but this separation has worked very well in Paris. I think West Paris has been favored well in this separation and the South Paris folks are pleased with it also.

Now I have lots of friends in both the eastern and the western parts of Harpswell. They are wonderful people on both sides. I have had more letters probably on this bill than on any other bill in the legislature. They are at the

hotel room. I have a bureau drawer pretty near full and I should have them here, but it would have been quite a job to have gotten them. I have had letters in favor and letters against from the western division and letters in favor and against from the eastern division, but, taking everything into consideration, I felt that I was doing the right thing to allow these people home rule on this question.

The PRESIDENT: The question is on the motion of the Senator from Cumberland, Senator Brooks, that the bill and all accompanying papers be indefinitely postponed and a division has been requested by the Senator from Sagadahoc, Senator Mayo.

A division of the Senate was had.

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

Thereupon, on motion by Mr. Wyman of Washington, the Majority Ought to pass as amended report was accepted, and the bill read once; Committee Amendment A was read and adopted and the bill was tomorrow assigned for second reading.

The PRESIDENT: The Chair would like to announce that we had in the gallery a short time ago, twenty-two students from West Bath, 8th grade students with their Principal, Chester Merrifield. It was impossible for the Chair to recognize the group since we were in debate. We hope their stay was enjoyable and the Chair will ask the Senator from Sagadahoc, Senator Mayo to express our regrets and sent them a copy of the record.

The PRESIDENT: The Chair would announce that we will release immediately L. D. 1606 to the Conference Committee so they can convene and consider the supplemental budget..

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

After Recess

Senate called to order by the President.

On motion by Mr. Edmunds of Aroostook, the Senate voted to take from the table bill, "An Act to Transfer Northern Maine Sanatorium to Central Maine Sanatorium"; (S. P. 311) (L. D. 899) tabled by that Senator earlier in today's session pending passage to be engrossed; and that Senator presented Senate Amendment C and moved its adoption.

The Secretary read the amendment.

Mr. MAYO of Sagadahoc: Mr. President, through the Chair I would like to address a question to the Senator from Aroostook, Senator Edmunds, the question being: What does he mean in his amendment by referring to "equipment"?

The PRESIDENT: The Senator from Sagadahoc, Senator Mayo poses a question to the Senator from Aroostook, Senator Edmunds who may answer if he wishes.

Mr. EDMUNDS: Mr. President. By "equipment," I would include such items as are transferred from the present Northern Maine Sanatorium to the Central Maine Sanatorium to facilitate the care of patients during the period of consolidation.

The PRESIDENT: Does that answer the question of the Senator from Sagadahoc, Senator Mayo?

Mr. MAYO: Not completely, Mr. President, I am still confused with the amendment.

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

At Ease

Senate called to order by the President.

Mr. MAYO of Sagadahoc: Mr. President, my curiosity has been satisfied and I move the adoption of the amendment.

The motion prevailed, Senate Amendment C was adopted and the bill passed to be engrossed.

On motion by Mr. Parker of Piscataquis, the Senate voted to take from the table bill, "An Act Relating to Exit Facilities in Boarding and Nursing Homes" (H. P. 13) (L. D. 32) tabled by that Senator earlier in today's session pending consideration; and that

Senator yielded to the Senator from Kennebec, Senator Farris.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, at this time I wish to offer Senate Amendment D which is Filing Number 245 and is the amendment which was prepared last Friday and notice that it was being produced was given at that time. I move its adoption.

The Secretary read Senate Amendment D.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate, I am still concerned about the nursing homes because this would rule those out as far as application of five patients is concerned, so I would like a division on this motion.

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

At Ease

Senate called to order by the President.

Mrs. Christie of Aroostook was granted permission to withdraw her request for a division.

Thereupon, the motion of the Senator from Kennebec, Senator Farris prevailed, Senate Amendment D was adopted.

Mrs. LORD of Cumberland: Mr. President, there is a difference in this L. D. The title is An Act Relating to Exit Facilities, but the L. D. itself was An Act Relating to Certain Standards in Nursing Homes. I think that should be corrected in one bill or the other.

The PRESIDENT: At the request of the Democrats, the Chair will declare a five minute recess.

After Recess

Senate called to order by the President.

The PRESIDENT: The bill which we were discussing before recess, is H. P. 13, L. D. 32, An Act Relating to Exit Facilities in Boarding and Nursing Homes. Is it now the pleasure of the Senate that this bill as amended by Senate Amendment D be passed to be engrossed in non-concurrence? It is a vote.

Sent down for concurrence.

Additional Paper From the House Report of Committee of Conference

The Committee of Conference on the disagreeing action of the two bodies 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."

Reported that the Senate Recede and Concur in Passing the Bill to be Engrossed As Amended by House Amendments "C", "E" and "J"

Comes from the House Read and Accepted, under suspension of the rules, and ordered sent forthwith to the Senate.

In the Senate:

Mr. DAVIS of Cumberland: Mr. President and members of the Senate, I move acceptance of the report of the Conference Committee.

Mr. LOVELL of York: Mr. President and members of the Senate, I understand that this conference committee report has cut off the Assistant Industrial Development Specialist for the Governor. I would like to say a few words on this. The State of Maine in its present position, 49th in the United States with the number of people unemployed percentage wise going over a period of years, in the last eight years, with at least 26,000 people unemployed and at the present time with 30,000 people unemployed, to cut something off this budget such as this which is so important and which the Governor has asked for - now we haven't given the Governor everything he has asked for - I haven't always agreed with him in the things he has asked for, but certainly he deserves this part of the supplemental budget without any question.

Now this is nothing absolutely new. If it were new and Maine were the first to try such a thing as this, I might say, "Well, probably we'd better not try to lead" but this has been done and proven successful in other states with an assistant industrial specialist to the Governor to seek and bring new industry in to their own state.

Now certainly I am all in favor - we are spending millions for health and welfare and education but we are spending in this one only a few dollars to earn back some of the money for the state that we are spending on education and on health and welfare, and we must have something to earn money. It is like a man earning \$40 a week who goes out and buys a Cadillac with payments of \$50 a week. We have got to have some income here in the state to pay for these various things that we are going out and voting as expenditures. This has been in many states a proven success.

Is this man who represents the Governor - and I will say that the other Body in this building is at times rather unprogressive in industrial and recreational development, things that are going to bring money in to the State of Maine in direct taxes and more jobs and more payrolls - is this assistant to the Governor - and I am sure and I have confidence in Governor Reed's judgment but I think the other body here doesn't have too much confidence in his judgment as it has been said that this job might be created for somebody that had no experience on industrial and recreational development. In my opinion, and in talking with Governor Reed, he is all for industrial and recreational development and it was one of the strong planks in his platform and in his various speeches. This does not come under personnel. This man if he does not produce, can easily be laid off by Governor Reed. He doesn't have redress and isn't able to go around to various committees and have hearings. Governor Reed can find the right man. And if this man that Governor Reed appoints gets in just one industry that employs 500 people, just one industry in the next year that employs 500 people, it will mean payroll for the State of Maine of \$1,750,000 which turns over five times, which will mean over \$6,000,000 turning over for the State of Maine on which the State of Maine will get a half million to a million dollars in direct taxes which would ten times

or twenty times over pay for this man's salary if he only gets in one industry.

The Governor, as you well know, is very busy. He has to go around and speak at luncheon engagements and dinners and he has school children coming in here to shake hands with and so on, but he is so interested in industrial development that he feels this job is essential and necessary and I think he is right. You have well seen what happened here recently. We just lost an industry downstate in Cumberland County that employed 250 people. We are losing another in Lewiston I understand that employs some 1200 people. We must have an all out effort to go after new industry, not only to replace this industry but to get more industry and put more people to work in the State of Maine.

I think all of you in this Senate definitely are tired of seeing over half of our high school and college graduates when they get through school in the State of Maine and can't find a job here, go to Massachusetts, Connecticut or New York or some other state to get a job.

Now there is only one solution and that is for us to get on the ball for industrial and recreational development. Industrial development is a solid economy that we definitely need. So if I am in order, I presume we can't put Amendment H, the amendment that the Senate passed, on this bill. I would like to see this go through the Senate and not bother with the other Body but I don't know as we could get away with that but it is certainly what should be done for the good of the State of Maine. I would like to move that we do not accept the Conference Committee Report at this time.

Mr. DAVIS of Cumberland: Mr. President and members of the Senate, I wish to explain that if you accept the report, you are accepting the bill as presented to you by the Appropriations Committee with the two amendments E and J which I explained yesterday are merely technical amend-

ments; plus amendment C which does eliminate the liaison man for the front office, which the Senator from York, Senator Lovell, has described. I regret losing that man as much as he does, but I think it is a small matter to concede in a budget of over seven million dollars. To concede on a matter of \$17,484 a year is a small concession. I would suggest to you that if you want to get out of here before Labor Day, that you go along with the House and accept this report.

Mr. NOYES of Franklin: Mr. President, I also regret losing this man for the Governor, but at this point in the ball game, as Senator Davis has stated, this is our second Committee of Conference and we have got to go along with it or we can't get this thing through at all. Therefore I hope that you will go along with the motion to accept the Committee of Conference report.

Mr. LOVELL: Mr. President, I don't mind if I stay here until Labor Day if I am doing good for the State of Maine. If I am getting something which the State of Maine definitely needs, which we definitely do, we can stay here as long as necessary even if we have to freeze the other Body out over there and let them go home. My feeling is definitely that we should not give up this thing that Governor Reed wants and I would request a division when the vote is taken.

Mr. CYR of Aroostook: Mr. President and members of the Senate, I think that some of us are beginning to question the efficiency of this repetition. I certainly am one that will go along with the Committee of Conference. This new position is often referred to as an Assistant Governor. If we are not satisfied with the job that DED is doing; if we don't think that the DED commissioner can absorb the job or the work that is planned for this particular position, I don't believe that the answer is to put in another position. A job in that case would probably be to see if we could get a man that would qualify as the head of the program, or the

Department that should be doing this type of work.

We already have a Commissioner. We have an Assistant Commissioner. What is this position going to fulfill? What is it going to do? Certainly if we keep adding on and adding on to these services we will again be in the position that we're in now. Many of us are not satisfied with the budget as it is but I think we are resigned to take it and I don't believe the answer is to curtail the budget or change it in any way. If we want to make any changes we should go back to 1955 and find out what happened between 1955 and 1961 when we increase the payroll of state employees by 2500 people. I think that is where the answer lies.

So if we are to get anywhere and achieve our objectives we have to make up our minds that we are not going to be completely satisfied and we should be resigned to accept the budget that has been presented to us by the Appropriations Committee after they have very carefully studied it and I think they have arrived at a very good balance without too much political implication and too much of their own personal prejudices or bias. So I hope that the Senate will go along with the Committee of Conference report as presented.

Mr. LOVELL of York: Mr. President, for the last time I am very happy to hear the good Senator from Aroostook, Senator Cyr, say that we should go along with the Appropriations Committee on the budget. Now, the other body is not doing that, when they cut out this industrial development specialist that the Governor has asked for. I am sure the good Senator from Aroostook realizes that.

I might answer him further that the Department of Economic Development is under personnel and when the Department is under personnel, their wage scale for an industrial development specialist has to start at some \$6500 a year when my own particular community pays \$9,000 a year and the neighboring community of Lewiston pays \$12,500 a year plus expenses, then they cannot get the

proper men but they are under personnel. In the present department, Lloyd Allen has five different divisions that he must care for and take care of and his time is so devoted that he cannot spend the time he would like to spend on industrial or recreational development and that is why the Specialist for the Governor could well mean millions of dollars in new payrolls for the State of Maine, with the proper man in that position, and I have every confidence in Governor Reed to know that he will find the proper man even if he has to search throughout the eastern part of the United States and even steal someone from some other state who is doing an excellent job because this will not be under personnel and the man's wage scale can be as the Governor sees fit up to the point of \$12,500.

Mr. PIKE of Oxford: Mr. President, so far I have not missed a session, but if we have to stay here until Labor Day, I shall miss lots of them and if you send the state police after me, I shall hustle right back to Oxford county just as fast as I can get there if we have to stay here much longer.

Mr. CHASE of Lincoln: Mr. President, to me this bill is just a suggestion of a bill, merely a token. It really won't mean a thing until we raise some revenue to take care of this bill or any of the other bills lurking around the corners and in committees.

That is why I have sat here and did not rise in opposition to this bill. I felt that I would let it go because it would not make any difference to my way of thinking whether we threw this bill out in the beginning or adopted it in the beginning, because when the final analysis arrives that we cut the pie with the revenue we have at the time, I think that Senator Lovell's request will receive just as much thought as many of these others that these hopeful Senators are holding. Thank you.

Mr. PARKER of Piscataquis: Mr. President, I would like to ask a question through the Chair of the Senator from Cumberland, Senator Davis.

The PRESIDENT: The Senator from Piscataquis, Senator Parker, poses a question to the Senator from Cumberland, Senator Davis, and that Senator may answer if he wishes.

Mr. PARKER: Mr. President, for the record, I would like to ask the Senator from Cumberland, Senator Davis, if, before we finally adopt this supplemental budget, there will be an opportunity to offer amendments.

Mr. DAVIS: Mr. President, in answer to the Senator from Piscataquis, Senator Parker, it is my understanding that any Senator has a chance to offer an amendment before enactment.

Mr. FARRIS: Mr. President, do I understand from that that amendments could be offered without the two-thirds vote; without having to suspend the rules?

The PRESIDENT: Engrossment would have to be reconsidered.

Mr. FARRIS: Mr. President, that would require a two-thirds vote; is that correct?

The PRESIDENT: The Chair will state that many times there has not been too much objection to suspending the rules as he probably has noticed. It goes under the hammer.

The question before the Senate is on the motion of the Senator from Cumberland, Senator Davis, that the Senate accept the report of the Conference Committee, and a division has been requested by the Senator from York, Senator Lovell.

A division of the Senate was had.

Twenty-three having voted in the affirmative and eight opposed, the motion prevailed, and the Senate voted to recede and concur with the House.

Mr. NOYES of Franklin: Mr. President, I would like to inquire if we have acted so that we may send this forthwith to the House?

The PRESIDENT: The Chair will remind the Senator that three or four days ago we passed such an order and all such papers are sent forthwith to the House.

**Additional Papers From the House
JOINT ORDER**

ORDERED, the Senate concurring, that all Joint Standing Committees be and hereby are discharged from further consideration of any bills or resolves not reported out by 5 p.m. on Wednesday, June 7, 1961, and such bills or resolves shall be returned to the branch in which they originated except such bills as may have for their purpose the correction of errors or inconsistencies in the laws. (H. P. 1182)

Comes from the House, Read and Passed.

In the Senate, Read and Passed.

House Committee Report

The Committee on Welfare on Bill, "An Act Relieving Children and Certain Relatives of Financial Responsibility in Old Age Assistance, Aid to the Blind and Aid to the Disabled." (H. P. 5) (L. D. 24) reported that the same Ought to pass in New Draft, under new title of "An Act Redefining the Financial Responsibility of Children and Certain Relatives in Public Assistance." (H. P. 1179) (L. D. 1625)

Comes from the House, Report Accepted, and the Bill Passed to be Engrossed, as amended by House Amendment "B".

Mr. CYR of Aroostook: Mr. President and members of the Senate: I have a couple of amendments to add to this but before I do I would like to speak in regard to the bill.

As you know, this is a redraft of L. D. 24, which was the elimination of the financial responsibility of relatives in regard to old-age recipients. The Committee on Welfare has been studying this bill all winter, and the objection that we had in regard to L. D. 24 is that we felt it was giving a blank check on the treasury of the State of Maine to the Department of Welfare on this particular subject: in other words, if you eliminated the relative responsibility from the law then there were no more legal obligations on the part of the children to support their parents.

Now possibly, to make you un-

derstand what the new redraft will do, I probably should start by explaining to you the procedure that you have to follow currently.

Under the current law an applicant's request for aid is denied or granted by the department entirely on the income received by the children. At the time of the application a report of the income of the children is also requested. If the income of the children is sufficient to take care of these parents the request is denied. If one or two of the children can contribute towards the support of the parents then that contribution is deducted from the grant.

To make myself clear, I will use this example: In case the department finds that one of the children can contribute twenty dollars the twenty dollars is deducted from the sixty-five dollar grant and the old parent is given a grant of forty-five dollars. Now under that system in many cases the children will not continue their pledge of contribution, thereby leaving the parents with insufficient funds and in most cases they will suffer hardship in silence rather than have to resort to court to renew the contribution. In this case, under the present law, the parent is the plaintiff and therefore has to begin the suit or start the proceeding if he wants correction under the law. Now that type of enforcement has been highly impractical for the reason that you are requiring the parents to sue their children, and in most cases they would rather starve than to have to do that.

L. D. 24, the purpose of that bill was to correct that and to eliminate this responsibility. However, we felt that it was wide open to abuses, and in this redraft we have added a deterrent against abuse. We have also added a clause whereby the Attorney General can inaugurate the suit against the children who do not wish to contribute. Under the new law the operation will proceed something like this: An old parent that wants to make an application for a grant, the grant or the application will be determined entirely

on the merits of the case. If the parent is deserving or has no earnings whatsoever then he will be granted the full grant of sixty-five dollars. At the time of the application the children will have to file an income report with the Department of Welfare. Now those reports will be reviewed by the department and those who cannot contribute towards the support of their parents will be eliminated; but in cases where you have one or two of the children that can contribute financially without hurting their own status then that report will be followed through by an interview by one of the staff of the welfare department and the children will be asked on a voluntary basis to contribute towards the support of their parents. Now the contributions will go to the Department of Welfare and in case that the pledge that the child has made for that contribution is withheld for no good reasons whatsoever then the Attorney General can bring suit on that child to renew the contribution, because the plaintiff in this case will be the Department of Welfare. Also—and this is one of the amendments that I will offer—which says: "After reasonable efforts on the part of the department to secure voluntary contributions have failed" — after that is done, in cases where you have a reluctant child or you have a black sheep or you have somebody who just does not want to accept his moral or legal responsibility towards his parents, the Attorney General will also have the authority to bring suit for collection of whatever contribution the judge may decide is fair and reasonable. So under this new act that we have we are accomplishing pretty near everything that L. D. 24 wanted to accomplish but we have added to this a deterrent or a clause that will stop abuses from the children that can financially contribute towards the support of their parents but who refuse to do. Also, we have some teeth in the thing in regard to the fact that the Attorney General of the State of Maine is the one that can bring the case to court, thereby reliev-

ing the parents of the unpleasant task of having to bring their children to court.

Under L. D. 24, wide open as it was, being a blank check on the treasury of the State of Maine, we also felt that eventually it would lead to a pension, because there was no provision whatsoever for any contribution on the part of those who were financially capable of doing so. So, Mr. President, if I am in order I will move that we accept the "Ought to pass" report. I think this is the first motion that is in order.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate: This redraft would seem to me to be all right if we could be assured of the cooperation of Health and Welfare. I wonder if we can be assured of that cooperation or how it could be brought about.

Mr. CYR of Aroostook: Mr. President, this is a write-up which appeared in the paper after the hearing, at which time Dr. Fisher made this statement: "We want relatives to contribute to their parents on a voluntary basis. Sitting down and persuading them to do so would be a professional approach for our case-workers. Right now it is only clerical." So I think that the feeling of the department is very favorable towards this redraft, and I would say that Dr. Fisher has assured me that he is in favor of this redraft.

Mr. EDGAR of Hancock: Mr. President, may I address a question through the Chair to the Senator from Aroostook, Senator Cyr?

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

Mr. EDGAR: My question is simply this: Under the original draft of this bill we heard various price tabs up to as high, if I remember correctly, as \$600,000. I have not heard any price tag mentioned in connection with this new draft, and I was wondering if the Senator could inform us on that point.

Mr. CYR of Aroostook: Mr. President and members of the Senate: The feeling of the committee was that with a clause that would prevent abuses and also with another clause which would facilitate collections, the feeling of the committee is that we could cut the price tag in half—\$300,000. Now that was brought up in the House by Amendment "B" which has a price tag of \$300,000 for the biennium. I have here an amendment for \$600,000, which was the original one.

Now the feeling of Dr. Fisher is this: If we pass this legislation and attach no price tag to it he will be able to do more than what he is doing today. If he gets \$300,000, which will be matched by \$375,000 from the federal government, thereby giving him \$675,000, he feels that he can do a fairly good job. If we pass the full \$600,000, then he feels that he can do an excellent job. So it is entirely in your hands, I would say.

The PRESIDENT: Is the Senate ready for the question? The question before the Senate is on the motion of the Senator from Aroostook, Senator Cyr, that the Senate accept the "Ought to pass" report of the committee. Is this the pleasure of the Senate?

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

House Amendment "B" was read by the Secretary.

Mr. STANLEY of Penobscot: Mr. President, I wonder if the Senator from Aroostook, Senator Cyr, would give us a little explanation of House Amendment "B": the sixteen employees in the first year, twenty employees in the second year, and the other item for \$34,000, Old Age Assistance \$5000, Aid to the Blind \$15,000, and Aid to the Disabled. I wonder if he would give us an explanation of those items.

The PRESIDENT: The Senator from Penobscot, Senator Stanley, poses a question through the Chair of the Senator from Aroostook, Senator Cyr, that the Senator

from Androscoggin explain House Amendment "B".

Mr. CYR of Aroostook: Mr. President and members of the Senate: The legislative appropriation for Welfare, personal services, under the legislative appropriation under personal services is \$30,450 for 1961-62 and \$50,260 for 62-63. You must have a copy of that Senator. If you have a copy of it you just have to read it. It would be just as good as my reading it.

The PRESIDENT: The Senator from Aroostook, Senator Cyr, does not wish to explain the amendment. His wish is granted.

Mr. STANLEY of Penobscot: Mr. President, maybe my question was not entirely clear to the Senator from Aroostook, Senator Cyr. The \$30,450 I understand is to pay for sixteen employees the first year and the \$50,260 is to pay for twenty employees the second year. But the question I should have asked him and what I was getting at is: We are relieving some relative of the responsibility of paying for their parents, and why do we need sixteen new people to police this thing if we are having fewer cases to take care of? That would be my question.

The PRESIDENT: The Senator from Penobscot, Senator Stanley, poses a question through the Chair to the Senator from Aroostook, Senator Cyr, and he may answer if he wishes.

Mr. CYR of Aroostook: Mr. President, from what I can gather from some of the notes I have taken during the hearing, these people are overloaded today, and if they are to do a professional job, that is to spend their time in doing a professional job, it would entail a smaller case load than what they are carrying today, consequently you would need more people. I think probably that is as good an explanation as I can give you.

Mr. STANLEY of Penobscot: Mr. President, my next question would be: Why do we appropriate more money for aid to the aged, old age assistance, aid to the blind and aid to the disabled under this plan?

The PRESIDENT: The Senator from Penobscot, Senator Stanley, poses a question through the Chair to the Senator from Aroostook, Senator Cyr, and he may answer if he wishes.

Mr. CYR of Aroostook: Mr. President, there are several reasons. One of the reasons I think I touched upon in my explanation of the legislation. Today, when an application is made and an income review is done some of the children are asked to contribute towards the support of the applicant. Now they will assign possibly twenty dollars a month to one of the children. They may have two children that can pay twenty dollars a month. That will be forty dollars which will be taken off the grant of sixty-five dollars, so in many cases the recipient may be receiving only twenty-five dollars and if the children do not come through with their contribution you have an old person that is trying to live on twenty-five dollars a month, consequently he is suffering hardship in silence. Now under this program he would be receiving the full sixty-five dollars. Also, under the present law we have some children that are contributing to the support of their parents where financially it is not advisable; they have to do it out of their own living standards. The standard table that they are following is too low, it is too unrealistic, and consequently they will be asking for a contribution from young parents of a small family who are trying to get established, trying to pay their bills, build a home, some of them are trying to send their children to school, and the whole program is very unrealistic. Now to bring it to a realistic point of view it will entail a little bit more money, and that is where the \$300,000 will come in.

Mr. WYMAN of Washington: Mr. President and members of the Senate: As I look at this amendment it apparently will call for \$600,000 over two years. Now if my arithmetic is correct, \$125,000 of that is for personal services. In other words, one-quarter of it

is going for personal services. I think we should take a good look at it, particularly this part of it, because I think that explains the point the good Senator made a few minutes ago when he asked where the 2500 or 2800 extra employees had come into the state service in the past six years. If we pass a bill like this that requires an annual contribution of \$125,000, in the next legislature that would be part of the current services. It seems to me, as Senator Stanley says, that if we are giving away more money we ought not to have to pay twenty-five cents on a dollar to give it away.

Mr. MAYO of Sagadahoc: Mr. President, I would like to pose a question to a member of the Appropriations Committee if they would care to answer it. The current services budget has been passed and the preamble to the current services budget does not allow for any more permanent employees. How does this amendment creating thirty-six new positions work with the preamble of the current services budget?

The PRESIDENT: The Senator poses a question through the Chair to any member of the Appropriations Committee who wishes to answer it.

Mr. DAVIS of Cumberland: Mr. President, in answer to the Senator from Sagadahoc, the only answer I can give him is that the final appropriations bill would have to be amended with language to take care of the additional employees if we pass this bill.

The PRESIDENT: Does that answer the question of the Senator from Sagadahoc, Senator Mayo?

Mr. MAYO of Sagadahoc: Mr. President, it certainly does answer my question. It brings me back to a few weeks ago when we argued about the preamble. I am very happy to hear those words because they were the words that were spoken on this floor: The preamble would not be workable.

Mr. CYR of Aroostook: Mr. President and members of the Senate: In answer to Senator Wyman: If House Amendment "B" is accepted, which will be a \$300,000 tab for the biennium, I will

not present the \$600,000 amendment.

Mr. FARRIS of Kennebec: Mr. President, I would also like to pose a question. In the L. D. 1606, the supplemental budget, we have on Page 9 under Health and Welfare Administration, Personal Services, for the biennium roughly \$70,000, and it sets forth the figure 11 and now in this amendment we have under Welfare Administration roughly \$80,000 with the figure 16 representing employees. Would I understand from this amendment that we are merely supplanting the figure that is in the supplemental budget or are we adding eighty more thousand to the supplemental budget for this one item plus 16 more employees, making a total of 27 employees? I do not quite understand it.

Mr. STANLEY of Penobscot: Mr. President, I might reply to the Senator from Kennebec, Senator Farris: We have passed the current services budget and the supplemental budget is on the way, we believe. When we get through with all of these bills that have money attached to them they all will become a part of the budget actually, so when we put the preamble onto the current services budget that will be the budget for the next two years, that will be the current services budget, but it will include everything that we pass in this session of the legislature. So in the supplemental budget, if and when it goes through, the number of employees attached on there will still come under the preamble. If we pass this amendment the number of personnel listed in here will also come under that preamble, so we would be employing 27 more — I think your question was — in the first year of the biennium.

Mr. MAYO of Sagadahoc: Mr. President, I would like to ask a question through the Chair of the Senator from Aroostook, Senator Cyr: if at the original hearings it was not brought out that the relative responsibility law as originally written would save the State of Maine money because of the administrative problems in chasing

down the reports filed by the older people? Now here is a redraft, here is the same bill only watered down to \$300,000. I would like to ask the question: why, if the bill in itself was supposed to save money, have we got to spend \$300,000 more? That does not look like saving money to me. Before I would make a motion to do anything regarding this amendment I would like to ask where the remark came from that this would save the State of Maine money to have this relative responsibility law done away with.

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

Mr. CYR of Aroostook: Mr. President, to begin with, I think the Senator from Sagadahoc, Senator Mayo, is a little confused on this legislation. At no time was there any mention that it would save the State of Maine some money. The primary purposes of L. D. 24, when it was first presented was to eliminate the case-workers from the clerical work and transfer them to professional work. Secondly, it was to relieve the hardship on the part of the old people and the disabled people and the blind people, particularly the old people, and I think I have covered that in previous statements. The reason for that is if you have an old person who gets twenty-five dollars a month, as some of them are doing, or even forty-five dollars a month, they just cannot support themselves with an adequate standard of living, and the only recourse they will have is to bring their children to court, which I mentioned before was a very impractical provision in the law. So that eliminates that.

Also, the third point is to eliminate the hardship from the children who are asked to contribute and who are not financially capable of doing so. You know many families and I know many families, young families that have a salary of \$3500, \$4000, \$5000, and they are asked to contribute twenty or

thirty dollars a month and they have to support four or five children and support themselves and try to raise a family on that income and they still have to sacrifice thirty dollars a month or so from their pay. It just creates a hardship on them. So this is what this bill would do.

Now in the redraft as I have said we have a clause to prevent abuses. We do not want to have somebody go by you in a Cadillac with the state having to support their old parents. For the one who is financially capable there is a provision in here to go after him, first of all to go after him on a voluntary basis and if that does not work then the Attorney General is authorized to proceed with the legal aspect of it; and in this case, the State being the plaintiff, the parents do not have to be put in the embarrassing situation of having to bring suit against their children.

Now the first price tag that we heard all winter—there is no secret about it—L. D. 24 carried \$250,000 for the first year and \$350,000 for the second year. The reason why there was only \$250,000 the first year was that the law would not become effective until ninety days after the session and therefore this would be in operation only in the fall, which would not be a full year, it would be about a nine-month year.

Under Amendment "B" from the House it was cut to \$300,000; \$100,000 the first year and \$200,000 the second year. Now surely they need more case workers, they have told us that, even if we do not pass this they need more case workers. This only applies to the three federal categories of old age assistance, aid to the blind and aid to the disabled. The eleven that is included in the budget—which is in answer to the Senator from Kennebec, Senator Farris—that applies to aid to the disabled, to the other category.

I think I have answered your question. I do not know as I have answered it satisfactorily. What more do you want?

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate: I appreciate the efforts of

Senator Cyr of Aroostook; I think that he is trying very hard to answer these questions that are being posed to him, and I do appreciate the fact that he feels that this is a good bill as it is rewritten. But the question that I originally asked was in relation to the thirty-six new positions. That is what I am mainly interested in. Now as I read L. D. 24 there is no mention in there of new personnel. I am wondering if this bill could be operative and the appropriation could be operative minus the personal services part which includes thirty-six employees. I am still very much confused, and I would ask that this Amendment "B" be tabled and specially assigned for tomorrow.

On motion by Mr. Mayo of Sagadahoc the bill was tabled pending adoption of House Amendment "B" and specially assigned for the next legislative day.

At the invitation of the President, the Senator from Hancock, Senator Brown, assumed the Chair, the President retiring.

The President pro tem laid before the Senate the 8th tabled item (H. P. 1119) (L. D. 1541) bill, "An Act Relating to Weight of Commercial Vehicles"; tabled on June 5 by the Senator from Washington, Senator Wyman pending enactment.

Mr. ERWIN of York: Mr. President, I thank the Senator from Washington, Senator Wyman, for his courtesy. I did not know that this bill and the next three coming after it were going to be tabled as a favor to me but I am grateful for the courtesy since I was not here yesterday.

I grind no axe on them, any of them. I find it is impossible to talk about any one of these bills without talking about the road bills in general. I would like in earnest of my good faith to point out the fact that it has not been frequent in this legislative session that I have aligned myself with the Highway Commission and the Chairman thereof and therefore I might claim freedom from being suspected of favoritism.

However, Mr. President, I do not like L. D. 1541, nor the ones that follow it and I would be remiss in my duty if I failed to stand up and at least go on record as saying that I do not like them and I feel that they are bad legislation. I am going to move that L. D. 1541 be indefinitely postponed but I would like to tell you why.

Seventy thousand pounds is thirty-five short tons and if I recall my railroading experience in the Army when I was a stevedore, it seems to me that the maximum weight that a railroad car has, at least during World War II, was forty tons, and if a truck coming over the Maine highways can carry thirty-five tons it must be pretty near as big as a box car to get down our highways. Now if the highways were designed for it and if the highways could take it, fine. But I would submit to you that the engineering on most of our Maine highways was set up twenty years ago and the road construction—I have no exact figures, you all know as well as I do the road situation in the State of Maine. It certainly isn't the best in the country although it isn't the worst. I don't think you are helping it in the slightest especially since some things have come to your attention through the medium of the newspapers, to pass these bills now when there is no actual need for them to be passed at this given moment in our history.

It isn't often either, that I find very much support in the editorial policies of some Maine newspapers and therefore when I join with the Portland newspapers and the Lewiston Daily Sun in telling you that I think these are bad laws, you will realize that I am not currying favor anywhere there, either. As late as June 5, 1961, the Lewiston Daily Sun through the lead editorial entitled "A Group of Bad Road Bills" talked about these bills that are coming before you now. It seems to me that the important and impressive part of the argument that says these are bad bills is that we are pushing them through now in a rush, or at least it seems to me as though

we are pushing them through now in a rush when if we could hold off for another biennium - and freight would still come into the State of Maine if we didn't change the trucks law at all - until such time as a study which is going on, as I understand it, at the national level, has been completed to determine just what weights on given axles and given tire diameters will do to highways engineered in certain fashion. There is nothing in the world that costs us more over a period of years than our highways. If we do something now in the name of progress, which may not be progress at all, but only change, we will be doing a disservice to the State of Maine.

There may be many who don't agree and who feel that what is before us here with these truck bills, is progress in its very own form, but I submit to you that we have done a lot in this particular legislature to equate heavier and bigger and faster and more expensive with better. I think that we can agree that those words are not always synonymous.

There are times when we can go too far too fast as well as do too little, too late. Therefore, Mr. President, I move the indefinite postponement of L. D. 1541, An Act Relating to the Weight of Commercial Vehicles and suggest that if you will go along with my motion, in two years these same bills will be back, and we will have far more information before us upon which to make a decision.

Mr. STILPHEN of Knox: Mr. President and fellow members of the Senate, I had thought we had reached the end of the debate on the truck bills which are at this moment before us, and being accused of being hastily acted upon. I cannot agree with the good Senator from York, Senator Erwin that these bills have been hastily acted upon. I think of all the bills before the legislature this winter, that these trucking bills and particularly L. D. 1541, has had about as much treatment as any bill could have. It has been in committee, sent out with a report, recommitted to committee, sent out in new draft, tabled here

and tabled there, held overnight elsewhere, held overnight here, and at last it is here before us today.

Now the bill has merit. The bill to increase the truck weight, the gross weight of trucks traveling our highways, has a lot of merit. It has merit to help an industry, not only the trucking industry, but industry throughout the length and breadth of our state because within our state there are some 260 communities where the only mode of transportation into those communities is by truck, and I submit to you that you have all read the newspapers relative to new wage agreements that truck owners and operators have had to go through; their overhead is going up and they should have an opportunity to haul more payload.

Now, we are not asking the legislature, the truck people aren't, or people representing industry aren't asking the legislature to allow 70,000 pounds on the same amount of tires that touch the road. The 70,000 pound bill before us today asks not only for an increase in the gross weight, but it demands that they put five axles underneath the trucks instead of four. The amount of weight which they can carry on a four axle truck is 62,000 pounds and if you add two extra tires, four extra tires actually on a set of dual wheels, under that load which they are carrying, it is going to be spread over a better area. Now the revenue which this is going to produce hasn't been mentioned. Each operator of these trucks when they go from 60,000 to 62,000 pounds will pay to the State of Maine \$45 more registration. The trucks who are putting five axles under their trucks will pay \$90 more and this is going to pay some of their way in the State of Maine.

I hope that the motion of the Senator from York, Senator Erwin, does not prevail, and when the vote is taken I ask for a division.

Mr. COLE of Waldo: Mr. President and members of the Senate, I would like to speak for the Highway Department and as Chairman of the Highway Committee. I would like to go on record as being

in favor of what the good Senator from York, Senator Erwin has said. I think we are getting our trucks too long, too big, and I think at this time that it already has been said that this test data from Ottawa, Illinois, will be available to the Congress and available to the Recess Committee late this year and it certainly would not be good legislation to pass these truck bills at this time.

I have checked with the New Hampshire Highway Department. I find that if we do pass this legislation increasing our weight to 70,500 pounds that it will not be possible for this type of vehicle to use the New Hampshire highways and consequently Maine will be the one to suffer. As you know, most of our highways have been constructed for many years, a lot of them twenty years or more. They were constructed with a very light fill and I think that they will not take the punishment we will permit them to take if we pass this legislation. The Commissioner has taken the stand that all these bills should be reported to the Recess Committee, and in turn, after Congress makes its recommendation the members of the Recess Committee can report to the 101st legislature, weights, axle weights, length, width, everything concerning trucks, in a form that I think we all will be willing to accept. The Committee believes that the Commission is right in offering this suggestion and it has already been stated that most of all our daily newspapers have been critical of the action of this legislature so far on truck bills. It would seem to me that all are in agreement with the Highway Commission and the Chairman of the Highway Committee. Therefore I hope that the motion of the Senator from York, Senator Erwin, prevails.

Mr. ERWIN of York: Mr. President, I would simply like to remind the Senate that when in its wisdom it decided that engineering was required to study the problem of a bridge in another part of the state that it was then said by many of the people who now turn their backs on the same argument that we should trust the engineering of the State Highway Depart-

ment. I think that in this particular case we have got to trust the engineering of the State Highway Department. Where I live and the roads that I travel in the State of Maine not only where I live but elsewhere, the roads this past winter have taken the most fantastically bad beating that I can remember, with existing traffic. And now we propose to make them longer and heavier and put more axles on them and we are simply compounding the problems that we already face.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, this is certainly a serious question but we have a lot of serious questions facing the State of Maine. As I understand on this particular bill, adding an additional axle so as to have a five axle vehicle, and increasing the gross weight, the risk of doing any more damage than the present trucks are doing is rather minimal. I also understand that this particular weight limit has been cleared and given at least approval of the U. S. Bureau of Roads in that they do not feel it is dangerous or going beyond the limits that are found acceptable in other states.

It may be that as Senator Cole has stated, the trucks cannot go through New Hampshire at least at the present time and it may not be of any value here in the State of Maine if we were to pass this bill. But it certainly does go without saying that one of the greatest deterrents to attracting new industry to the State of Maine and one of the greatest problems facing our existing industry is cost of transportation and I feel that we must take some calculated risks. We must give the measures that will help the economy of the State of Maine, an opportunity to see if they will be of help or whether they will not be good measures in another two or four years. If it develops that the additional weight is destroying our roads more rapidly and that it is bad for the overall good of the state, I would be one of the first that would want to see the weight limit then reduced, but at this time we certainly have debated

this at great length in this session of the legislature and I certainly hope that we are willing to move forward and pass these bills to be enacted and I am opposed to the motion of indefinite postponement.

Mr. WYMAN of Washington: Mr. President and members of the Senate, it bothers me to know how this is going to help us if the trucks get out of Maine and can't go across New Hampshire. It has been stated and not denied that New Hampshire will not allow these trucks to go across their state.

Mr. STILPHEN of Knox: Mr. President, it appears that the State of New Hampshire hasn't been quite as rigid as the State of Maine has on enforcement. It came out at our hearing in Transportation and I don't know exactly what the weight limits are in New Hampshire that only last week the legislature in the Commonwealth of Massachusetts adjourned, and before they adjourned, Governor Volpe signed into law a gross weight bill for trucks of this nature to the limit of 73,280 pounds gross. And if the State of New Hampshire in between the State of Maine and of Massachusetts, does not allow these to go through, I say that Massachusetts is going to have trouble too.

Another thing, we have trucks coming in from the Provinces. They have gone to 73,280 and they have had 70,000 limit there for many months. I cannot see that this is a deterrent to the bill whatsoever.

The PRESIDENT pro tem: The question before the Senate is on the motion of the Senator from York, Senator Erwin, that the bill be indefinitely postponed, and the Senator from Knox, Senator Stilphen requested a division.

A division of the Senate was had.

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

Thereupon, on motion by Mr. Stilphen of Knox, the bill was passed to be enacted.

Mr. ERWIN of York: Mr. President, out of order and under suspension of the rules, may the Judiciary Committee make a report?

The PRESIDENT: The Senator may present the report.

Mr. ERWIN: Mr. President, it is with great pleasure that the Judiciary Committee discharges its duty with regard to the initiated referendum on the Chebeague Island bridge, and I herewith hand to the Secretary our report.

The PRESIDENT: The Chair thanks the Senator.

Mr. Erwin of the Committee on Judiciary to which was referred Communication, together with Bill, "An Act to Authorize the Construction of a Causeway Connecting Cousins Island with Littlejohns Island, and a Bridge and Causeway Connecting Littlejohns with Chebeague Island" and accompanying petitions, be referred to the Committee on Judiciary for investigation and report as to the sufficiency of the petitions with power to summons witnesses.

Report that the said petitions be filed in the office of the Secretary of State.

Number of valid signatures required was 41,731;

Number of signatures accepted was 39,477;

Number of signatures not accepted 2,718;

Petitions falling short of required number by 2,254; consequently, the Bill should not be admitted.

Which report was read and accepted.

The President pro tem laid before the Senate the 9th tabled item (H. P. 861) (L. D. 1175) bill, "An Act Relating to Weight Tolerances for Motor Vehicles Carrying Firewood, Pulpwood, Logs or Bolts"; tabled on June 5 by Senator Stilphen of Knox pending enactment; and on further motion by the same Senator, the bill was enacted.

The President pro tem laid before the Senate, the 10th tabled item (H. P. 563) (L. D. 760) bill, "An Act Relating to Mandatory Fines on Axle Weights of Commercial Vehicles"; tabled on June

5 by Senator Stilphen of Knox pending enactment; and on further motion by the same Senator, the bill was enacted.

The President pro tem laid before the Senate the 11th tabled item (H. P. 560) (L. D. 757) bill, "An Act Permitting Certain Commercial Vehicles to Exceed Weight Limits"; tabled on June 5 by Senator Stilphen of York pending enactment; and on further motion by the same Senator, the bill was enacted.

The President pro tem laid before the Senate the 12th tabled item (H. P. 435) (L. D. 610) bill, "An Act Relating to Length of Motor Vehicle Trucks"; tabled on June 5 by Senator Stilphen of Knox pending enactment.

Mr. CHASE of Lincoln: Mr. President and members of the Senate, we have enacted four bills here for the truckers. We have given them a chance to increase their weights in the winter time; we have given them a chance for the load to shift; we have given another bill increasing the weight to 70,000 pounds; now we have another one here relating to length, and it seems to me that the truckers would be doing pretty well to get four out of five.

Personally I was against the 70,000 pounds. Since they signed the contract for more pay for the drivers, they are trying to make it up by hauling bigger loads which will result ultimately in reducing the number of drivers they have and the number of trucks on the roads. The trucks will be bigger, and I question the braking power, for safety. If we let these truckers have these long trucks and haul 70,000 pounds to a load, it will cut down on the terminals and the small trucks that are delivering merchandise around into the various communities. This in turn means more unemployment for the state.

I feel that the truckers have done very well in this session if they get the previous four bills. This one is to give them I believe 60 feet in length. Can we be consistent here in the Senate and

help the railroads out, cut their taxes and at the same time come in here and give the truckers all they want when they are in competition to the railroads that we are helping. To me it doesn't look like consistency and I move for the indefinite postponement of this bill.

Mr. STILPHEN of Knox: Mr. President, before I ask for a division I would just like to clarify that this bill does not call for 60 feet, it calls for 55 feet. It is a companion bill to the 70,000 and is a better distribution with the wheels farther apart. I ask for a division on the motion.

The PRESIDENT pro tem: The question is on the motion of the

Senator from Lincoln, Senator Chase, that the bill be indefinitely postponed; and the Senator from Knox, Senator Stilphen, has asked for a division.

A division of the Senate was had.

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

Thereupon, the bill was passed to be enacted.

On motion by Mr. Noyes of Franklin Adjourned until tomorrow morning at nine-thirty.