

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One-Hundredth Legislature

OF THE

STATE OF MAINE

VOLUME II

MAY 12 - JUNE 17, 1961

and

SPECIAL SESSION

NOV. 27 - DEC. 2, 1961

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

SENATE

Wednesday, June 7, 1961

Senate called to order by the President.

Prayer by Capt. A. E. Milley of Augusta.

On motion by Mr. Mayo of Sagadahoc, Journal of yesterday was read and approved.

Papers From The House

Joint Order, relative to Legislative Research Committee to study problem of motor vehicle excise taxation. (H. P. 1183)

Comes from the House, read and passed.

In the Senate, on motion by Mr. Noyes of Franklin tabled pending passage.

Non-concurrent matters

Bill, "An Act Exempting Certain Aircraft from Sales Tax." (H. P. 850) (L. D. 1164)

In Senate, March 7, Passed to be Engrossed.

Comes from the House, Passed to be Engrossed as Amended by House Amendment "A" in Non-concurrence.

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

Bill, "An Act Continuing the Committee on Aging." (H. P. 1116) (L. D. 1538)

In Senate, May 17, Passed to be Engrossed, as Amended by House Amendment "B."

Comes from the House, Passed to be Engrossed, as Amended by House Amendments "B" in Non-concurrence.

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

House Committee Reports

The Committee on Towns and Counties on recommitted bill, "An Act Relating to Disposition of County Fees and Charges." (H. P. 36) (L. D. 70) reported that the same Ought not to pass.

Which report was read and accepted in concurrence.

Senate Committee Reports

Mr. Davis from the Committee on Appropriations and Financial

Affairs on bill, "An Act Providing for Construction of a Classroom, Laboratory and Office Building at the University of Maine in Portland (S. P. 155) (L. D. 401) reported that the same should be granted Leave to Withdraw as covered by other legislation.

Mr. DAVIS of Cumberland: Mr. President, in order to facilitate the matter I am going to move that we accept the Leave to Withdraw report of the committee, but I do want to point out that this report is in error. Originally we had \$750,000 for this bill set up in the capital improvement budget, but at the request of the University, who felt that this was not large enough for them to do what they had planned to do, they stated that they preferred to wait until the next biennium. The bill should have been reported out "Ought not to pass."

Mr. PORTEOUS of Cumberland: Mr. President, merely for the record and very briefly I would like to speak out of order on this particular thing.

I sponsored this bill for this building at the University of Maine in Portland at the request of President Elliott of the University of Maine. I worked hard on it; there were many people who were interested in this project and believe very distinctly that the future of education in the western part of the state and the south-western part of the state hinges very importantly on the development of a commuter-type college where there is not the necessity for the dormitories and for living away from home that there is at the traditional campus-type college.

President Elliott and I and the Appropriations Committee have merely faced the reality that there is not enough money for this project at this time and that he will do all in his power and many of us who have worked on it will do all in our power to see that this project is put forward in the 101st Legislature. The thought for a while was to build a part of this building, but it would have taken at least a million dollars to build a part of it that would

have been worth while, and President Elliott feels that this money could much better be used on the Arnold campus, and when he told me where it would be used I certainly agreed with him. So I hope in two more years if I return to the Senate I will be able to put in the same bill again and that you will remember it favorably, and remember that we were withdrawing it out of concern for the dollars and cents we have available. Thank you.

Thereupon the "Leave to Withdraw" report of the committee was accepted.

Ought Not to Pass

The same Senator from the same Committee on Bill, "An Act Providing for Renovation and Remodeling of Aubert Hall - West at the University of Maine in Orono." (S. P. 96) (L. D. 241) reported that the same Ought not to pass.

The same Senator from the same Committee on Bill, "An Act Providing for Expansion of Boardman Hall at the University of Maine in Orono." (S. P. 97) (L. D. 242) reported that the same Ought not to pass.

The same Senator from the same Committee on Bill, "An Act Providing for the Expansion of Electric Lines of the Campus Distribution System at the University of Maine in Orono." (S. P. 98) (L. D. 243) reported that the same Ought not to pass.

The same Senator from the same Committee on Bill, "An Act Providing for Construction of Campus Roads and Parking Areas, Phase 1, at the University of Maine in Orono." (S. P. 153) (L. D. 399) reported that the same Ought not to pass.

The same Senator from the same Committee on Bill, "An Act Appropriating Moneys for Completion of Music Section of Multi-purpose Building at Aroostook State Teachers College." (S. P. 247) (L. D. 764) reported that the same Ought not to pass.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate, very regretfully I accept the Ought not to pass report of

the Committee but I do want to say that this section is badly needed and if we had accepted it when it was first presented, it would have cost half what it would cost now. I just wanted to call that to your attention for the record.

The same Senator from the same Committee on Bill, "An Act Providing for Construction of a Building for the University Press at University of Maine in Orono." (S. P. 267) (L. D. 868) reported that the same Ought not to pass.

The same Senator from the same Committee on Bill, "An Act Providing for the Construction of a Service Building, Phase 1, at the University of Maine in Orono." (S. P. 268) (L. D. 869) reported that the same Ought not to pass.

The same Senator from the same Committee on Resolve Appropriating Moneys for an Industrial Arts Building at Gorham State Teachers' College. (S. P. 269) (L. D. 870) reported that the same Ought not to pass.

Which reports were read and accepted.

Sent down for concurrence.

Ought to Pass — As Amended

Mr. Stanley from the Committee on Appropriations and Financial Affairs on Bill, "An Act Amending the State Authority for Emergency and Fire Fighting Training." (S. P. 266) (L. D. 867) reported that the same Ought to pass, as Amended by Committee Amendment "A"

(On motion by Mr. Brown of Hancock, tabled and especially assigned for later today.)

Mr. Davis from the same Committee on Resolve, in Favor of Development of a State Park on Rangeley Lake. (S. P. 272) (L. D. 873) reported that the same Ought to pass as Amended by Committee Amendment "A"

(On motion by Mr. Noyes of Franklin, tabled pending acceptance of the report.)

The same Senator from the same Committee on Resolve, Appropriating Money for Production and Supervision of In-School Educational Television Programs. (S. P. 273) (L. D. 874) reported that the same Ought to pass as Amended by Committee Amendment "A"

Which reports were read and accepted and the Bill and Resolves read once. Committee Amendments A were read and adopted, and the Bill and Resolves, as Amended, tomorrow assigned for second reading.

Report A—Ought to Pass
Report B—Ought Not to Pass—
Report C—Ought to Pass as Amended

Five members of the Committee on Appropriations and Financial Affairs on Resolve, Appropriating Money for In-School Educational Telecasting. (S. P. 275) (L. D. 876) reported in Report A that the same Ought to pass.

(Signed)
 Senator:
 STANLEY of Penobscot
 Representatives:
 DAVIS of Calais
 BRAGDON of Perham
 WELLMAN of Bangor
 DRAKE of Bath

Three members of the same Committee on the same subject matter reported in Report B that the same Ought not to pass.

(Signed)
 Senator:
 SAMPSON of Somerset
 Representatives:
 PLANTE
 of Old Orchard Beach
 JALBERT of Lewiston

Two members of the same Committee on the same subject matter reported in Report C that the same Ought to Pass as Amended by Committee Amendment "A"

(Signed)
 Senator:
 DAVIS of Cumberland
 Representative:
 SMITH of Falmouth

Mr. STANLEY of Penobscot: Mr. President, I would move that we accept Report "A" "Ought to pass"

Mr. MAYO of Sagadahoc: Mr. President, I would like to pose a question to the Senator from Penobscot, Senator Stanley.

The PRESIDENT: The Senator from Sagadahoc, Senator Mayo, poses a question through the Chair to the Senator from Penobscot,

Senator Stanley, who may answer if he chooses.

Mr. MAYO: Mr. President, my question is: Is this bill here the one that has the one million dollar plus price tag on it or was it the one on the preceding page that has the price tag? I am trying to decide which one has this million and some odd price tag.

Mr. STANLEY of Penobscot: Mr. President, the bill is No. 876 which calls for \$60,000. This is for in-school educational telecasting, \$60,000.

The PRESIDENT: Is the answer satisfactory to the Senator from Sagadahoc, Senator Mayo?

Mr. MAYO: Yes, Mr. President. Thereupon, on motion by Mr. Stanley of Penobscot, it was voted to accept Report "A" "Ought to pass," and the bill was given its first reading and tomorrow assigned for second reading.

MAJORITY—Ought Not to Pass
MINORITY—Ought to Pass—As Amended

The Majority of the Committee on Appropriations and Financial Affairs on Bill, "An Act Appropriating Funds for Relocation and Construction of a Boys Training Center." (S. P. 246) (L. D. 763) reported that the same Ought not to pass.

(Signed)
 Senators:
 SAMPSON of Somerset
 STANLEY of Penobscot
 DAVIS of Cumberland

Representatives:
 BRAGDON of Perham
 JALBERT of Lewiston
 DAVIS of Calais
 SMITH of Falmouth
 PLANTE of Old Orchard Beach

The Minority of the same committee on the same subject matter reported that the same Ought to pass, As Amended by Committee Amendment "A"

(Signed)
 Representatives:
 WELLMAN of Bangor
 DRAKE of Bath

Mrs. Lord of Cumberland moved that the Senate accept the Minority Report, Ought to pass as

amended by Committee Amendment A; and on further motion by that Senator, the bill was tabled until later in the day pending that Senator's motion to accept the Minority report.

**MAJORITY—Ought Not to Pass
MINORITY—Ought to Pass**

The Majority of the Committee on Appropriations and Financial Affairs and the Committee on Welfare, jointly, on Bill, "An Act Relating to Definition of Dependent Children." (S. P. 559) (L. D. 1608) reported that the same Ought not to pass.

(Signed)

Senators:

- DAVIS of Cumberland
- SAMPSON of Somerset
- BATES of Penobscot
- STANLEY of Penobscot
- MARDEN of Kennebec

Representatives:

- WELLMAN of Bangor
- BRAGDON of Perham
- SMITH of Falmouth
- PHILBRICK of Augusta
- HANCOCK of Nobleboro
- DRAKE of Bath
- HINDS of South Portland
- SMITH of Strong
- DAVIS of Calais

The Minority of the same committee on the same subject matter reported that the same Ought to pass.

(Signed)

Senator:

- CYR of Aroostook

Representatives:

- STORM of Sherman
- PLANTE
of Old Orchard Beach
- JALBERT of Lewiston
- KILROY of Portland

Mr. CYR of Aroostook: Mr. President, I move that we accept the minority "Ought to pass" report and I am ready to debate it any time while the senators are asleep.

Mr. DAVIS of Cumberland: Mr. President and members of the Senate: I am not sure whether the members realize just what this bill is. This is the section where you are amending the law to include in the law those children of unemployed parents who receive benefits under the ADC program.

It was put up to the committee that this was a one-shot deal, in other words federal funds are available for this year if we buy it.

My objection to the bill is we are amending the law. It seems to me if we amend the law and include this section under it we will have it with us forever. I think it is a very socialistic program, I am opposed to it, and I move the indefinite postponement of the bill and accompanying papers.

Mr. CYR of Aroostook: Mr. President and members of the Senate: I would just like to acquaint you with the purpose of this bill and then you can do what you wish with it.

This bill is intended to implement the federal legislation, Public Law 87-31 from Washington. The intention of the bill is to cover children of unemployed persons and it would cover four or five various categories. No. 1 would be children of unemployed after the unemployment benefits have run out. No. 2 would cover children of unemployed when the grant is not adequate. In other words, many of the grants will be for twenty-six dollars a week and a family of seven or eight children cannot live on that grant, so this would implement inadequate grants. No. 3, as you know, under the unemployment compensation law it covers employers that have four or more employees, and we have many groups that do not have that many employees, therefore they are not covered under the unemployment compensation benefits. The fourth program would be categories that are not covered in any way whatsoever by unemployment compensation, such as your farming category and several others which I do not recall right now but which are categories that are not covered by the unemployment compensation. Now this law would cover them.

Unfortunately the law is only for one year. It started the first of May and it is to run to the first of July, 1962. At that time, of course, we do not know whether there will be a permanent law that will come out of Washington

and we will make this a permanent program.

From the State of Maine the share would be \$371,000. Also it covers 18 per cent. It is operative under the ADC law, therefore 18 per cent has to be shared by the communities. Now this 18 per cent we were told would be a figure of \$225,000 and we were also told that it would be a figure of \$300,000. Well, we can safely figure it will be somewhere close to a quarter of a million dollars. Now the two, the share of the state and the share of the communities, would form a fund of something like \$600,000 and this would generate from the federal government \$1,400,000. In other words, the whole program would figure to \$2,000,000—\$1,400,000 from the federal, \$30,000 from the state and approximately \$250,000 from the communities.

It has some good aspects; it has, of course, the aspect of emergencies, which are the aspects that possibly we object to, it being a one-year affair, being a rush job. Also many of your communities have not had an opportunity to include this in their own budget. But the consensus of opinion of many is that the 18 per cent from the communities which will have to be matched, that that money will be saved on general relief. These families that I mentioned possibly would come under general relief, and this would alleviate or would minimize the amount of general relief, and it is the thought of many that part of the budget of the 18 per cent would come from that part of the expenses.

I think that covers just about what I have to say in regard to this bill.

Mr. FERGUSON of Oxford: Mr. President and members of the Senate: I rise in support of the motion of the Senator from Cumberland, Senator Davis.

I have gone into this thing quite thoroughly, and I think I am somewhat familiar with the ADC program and general relief. This would not be a good program. First, you would not have any control at the local level; it would

be administered by the state. This is a one-year program and people who are now getting general relief would come under this ADC program. A good many of your people who are receiving both unemployment compensation and general relief would wind up under this program in many, many cases getting more money than they would normally earn through their normal earnings. In one year I do not know just what would happen. If it were a permanent program I might feel a little different about it.

I can assure you that if we accept this program a good many of your municipalities are going to find themselves in very bad shape by the end of the year — possibly not at the end of the year but going on from there, because these people will want to be on the relief rolls. This is not the way we do business here in the State of Maine, so I hope the motion of the Senator from Cumberland, Senator Davis will prevail.

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

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Davis, that the bill and accompanying papers be indefinitely postponed, and a division has been requested by the Senator from Cumberland, Senator Davis. All those in favor of the motion will rise and remain standing until counted.

A division was had.

Twenty-one having voted in the affirmative and four in the negative, the motion to indefinitely postpone prevailed.

Majority—Ought to Pass in New Draft "A"—Same Title
Minority—Ought to Pass in New Draft "B"—New Title

The Majority of the same Committee on Bill, "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for Fiscal Years Ending June 30, 1962 and June 30, 1963." (S. P. 221) (L. D. 626) reported that the

same Ought to Pass in New Draft
"A" same title (S. P. 580)

(Signed)

Senators:

DAVIS of Cumberland
STANLEY of Penobscot
SAMPSON of Somerset

Representatives:

WELLMAN of Bangor
BRAGDON of Perham
DAVIS of Calais
DRAKE of Bath
SMITH of Falmouth

The Minority of the same Committee on the same subject matter reported that the same Ought to pass in New Draft "B" New Title (S. P. 581) (L. D. 1635)

(Signed)

Representatives:

JALBERT of Lewiston
PLANTE
of Old Orchard Beach

Mr. DAVIS of Cumberland: Mr. President, I move the acceptance of the New Draft A report.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate, I would like to ask a question regarding this report as to what happens to Report B if for any reason later in the session it might become necessary to bond capital improvements? I am confused as to just what process we would use to bring back Report B.

The PRESIDENT: The Senator from Sagadahoc, Senator Mayo poses a question to anyone who cares to answer.

Mr. DAVIS of Cumberland: Mr. President, I think I am right in saying that Draft A could be amended.

Thereupon, the Ought to pass in new draft A report was accepted, the bill read once and tomorrow assigned for second reading.

Senate Committee Report Ought to Pass — New Draft

Mr. Davis of the Committee on Appropriations and Financial Affairs on Bill, "An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1962 and June 30, 1963. (S. P. 99) (L. D. 244) reported that the same Ought to

pass in New Draft, Same Title (S. P. 582) (L. D. 1636)

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

Second Readers

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

House

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

Which was read a second time and passed to be engrossed as amended by Committee Amendment "A" (H-282) and by House Amendment "A" thereto.

Senate

Bill, "An Act to Incorporate the Town of Harpswell Neck." (S. P. 118) (L. D. 263)

Which was read a second time. Mr. BROOKS of Cumberland: Mr. President, I present Senate Amendment A and move its adoption.

The Secretary read Senate Amendment A.

Mr. PORTEOUS of Cumberland: Mr. President, I would oppose this amendment and move that it not be accepted and I ask for a division when the vote is taken.

Mr. BROOKS of Cumberland: Mr. President, I would like to explain the purpose of the amendment. If the town of Harpswell is to be separated, I feel that a vote of substantial numbers in majority should be accounted for and for this reason. If we have just a plain majority of 51 percent, the persons in the west side of Harpswell are not going to be necessarily happy with this and you could have a small town getting started with a great deal of friction and personal animosity between the inhabitants of the new town.

I feel personally if the separationists can vote sixty-five percent or better of the people in favor of separation, that the new town will start off with a good base and can be a great success.

I also can find in the record that that seems to be the custom in

Maine when towns are to be separated, that a sixty-five percent vote is necessary, and I might say that is sixty-five percent of the legal voters voting. The reason for the amendment is simply to clarify the position of the separationists and those who wish to stay with the town of Harpswell, and I do hope you will go along with this amendment.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate, this amendment strikes me as being a back door attempt to defeat the purpose of this bill. The opponents of the bill yesterday went down to defeat in trying to kill the original bill and if my memory is correct, this sixty-five percent of the legal voters was one of the things that stopped the separation back a few years ago because the vote was lost by a very small amount. Now sixty-five percent of the legal voters is possibly the process that has been used in other separation attempts, but when we look at our process here in the legislature, except for emergency acts or tax problems and so forth, which call for a two-thirds majority, the laws being passed in this legislature are passed on a simple majority.

I therefore feel that the people of West Harpswell, Harpswell Neck, are entitled to that same privilege. If they feel that they want to separate and set up their own town, I think a simple majority should rule. I don't think that sixty-five percent of the legal voters is the correct way to do it.

I think it is just an attempt to go behind the door and eventually defeat this legislation. I certainly hope that the motion to indefinitely postpone Senate Amendment A will prevail.

Mr. WYMAN of Washington: Mr. President and members of the Senate, I want to agree with Senator Brooks, that a sixty-five percent vote would be better. I will go even further and say that I think an eighty or ninety or hundred percent vote would be better. Then there would be no dissension. It would be nice in here if we could all vote one way at the same time but that is not

the way our government works. We work by majority vote, and I think this is imposing an impossible restriction on these people and is, as the good Senator from Sagadahoc says, a back doorway to kill the bill.

I do want to remind you that this bill has been before the legislature for four successive sessions, and I think that indicates they have a real problem there. I do hope that you will defeat this proposed amendment and give these people a chance to vote on this with a majority vote required in the American way.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, the only thing I wish to point out is that in this particular proposition down in Harpswell, I feel it is just as important as any Constitutional amendment that we vote upon here in this legislature, and a sixty-five percent vote is less than two-thirds vote which is necessary on many important measures and for that reason I would support the amendment.

The PRESIDENT: For the record, did the Senator from Cumberland, Senator Porteous wish to indefinitely postpone Senate Amendment A?

Mr. PORTEOUS: That is correct, Mr. President.

The PRESIDENT: The question is on the motion of the Senator from Cumberland, Senator Porteous, to indefinitely postpone Senate Amendment A; and a division has been requested by the Senator from Sagadahoc, Senator Mayo.

A division of the Senate was had.

Eighteen having voted in the affirmative and ten opposed, the motion to indefinitely postpone Senate Amendment A prevailed.

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 Amending the Christmas Tree Law." (H. P. 265) (L. D. 379)

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

Bill, "An Act to Create the Bureau of Maine Archives." (H. P. 539) (L. D. 737)

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

Bill, "An Act Changing Fort Kent State Normal School to Fort Kent State Teachers' College." (H. P. 586) (L. D. 807)

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

Bill, "An Act to Amend the Employment Security Law." (H. P. 603) (L. D. 862)

Which was passed to be enacted.

Bill, "An Act Increasing Number of Justices of the Superior Court." (H. P. 840) (L. D. 1155)

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

Bill, "An Act Relating to the Amount of the Annual Excise Tax on Railroads and Study by Department of Economic Development." (H. P. 1176) (L. D. 1622)

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

Bill, "An Act Relating to Operating Business on the Lord's Day and Certain Holidays." (S. P. 552) (L. D. 1599)

Which was passed to be enacted.

Bill, "An Act Revising Laws Relating to Barbers and Hairdressers." (S. P. 556) (L. D. 1603)

Which was passed to be enacted.

Bill, "An Act to Apportion Representatives to Congress." (S. P. 574) (L. D. 1627)

On motion by Mr. Edmunds of Aroostook, tabled until later in today's session pending enactment.

Resolve Authorizing the Setting Out of Buoys in Moosehead Lake. (H. P. 8) (L. D. 27)

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

Resolve Appropriating Funds to Public Utilities Commission for Water Resources Investigation. (H. P. 379) (L. D. 554)

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

Resolve Providing Funds for a Referral Center at Farmington State Teachers' College for Assistance to Teachers. (S. P. 274) (L. D. 875)

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

Emergency

Bill, "An Act Creating the Fort Kent Utilities District. (H. P. 1155) (L. D. 1593)

Which bill being an emergency measure, and having received the affirmative vote of 28 members of the Senate, was passed to be enacted.

Emergency

Bill, "An Act to Authorize the Municipalities of Etna and Plymouth to Form a School Administrative District." (H. P. 1156) (L. D. 1597)

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

Resolve, Providing Funds for Thayer Hospital, Waterville, to Aid its Rehabilitation Program. (S. P. 223) (L. D. 628)

Passed to be engrossed in both Branches.

Indefinitely postponed in the House, June 6th.

On motion by Mr. Ferguson of Oxford, the Senate voted to concur with the House in the indefinite postponement of the resolve.

The PRESIDENT: The Chair wishes to recognize at this time a group of Students from the McLain School in Rockland, accompanied by their teacher Keith Gould and chaperones Mrs. Bitler, Mrs. Blood and Mrs. Anderson. It certainly is a pleasure to have this group of young people with us today. We hope that your stay is enjoyable and that you visit the House and the Museum downstairs. I am sure you would like to meet the Senator from your County and I introduce Senator Stilphen of Knox County. (Applause.)

On motion by Mr. Wyman of Washington, the Senate voted to

reconsider its former action taken earlier in today's session whereby the Senate voted to recede and concur with the House on Item 1-2, bill, "An Act Exempting Certain Aircraft from Sales Tax" (H. P. 850) (L. D. 1164); and on further motion by the same Senator, the bill was laid upon the table pending consideration.

Mr. NOYES of Franklin: Mr. President, out of order and under suspension of the rules, I move that all matters passed by the Senate and to be acted upon by the House may be sent forthwith to the House during the remainder of this session.

The motion prevailed.

The President laid before the Senate the 1st tabled and today assigned item (H. P. 1179) (L. D. 1625) bill, "An Act Redefining the Financial Responsibility of Children and Certain Relatives in Public Assistance"; tabled on June 6 by Senator Mayo of Sagadahoc pending adoption of House Amendment B.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate, I have just received a note requesting that I talk with Dr. Fisher regarding my amendment, and I would therefore ask the privilege of tabling this bill until later in the day.

The motion prevailed and the bill was retabled.

On motion by Mr. Noyes of Franklin Recessed to the sound of the gong.

After Recess

Senate called to order by the President.

Mr. Stilphen of Knox was granted unanimous consent to address the Senate.

Mr. STILPHEN: Fellow members of the Senate: It is with a great deal of pleasure at this time that I give the congratulations of the Senate to the President of our Senate for thirty-eight years of married life, and I will ask the page to escort Mrs. Hillman into

the Senate Chamber so that we might honor her too. I think she is in the office of the President of the Senate.

The PRESIDENT: Will the Senator from Franklin, Senator Noyes, please act as President pro tem for a few moments. This has taken me by surprise and I am a little nervous. I do not know where this information got out.

Mr. PORTEOUS of Cumberland: Mr. President, to you it should not be a shock, but to us it is. We know you could have been married that long but your wife certainly could not have been married that long.

Mr. Noyes of Franklin then assumed the Chair as President pro tem.

Mrs. Hillman was escorted to the rostrum amid the applause of the Senate, the members rising.

The PRESIDENT pro tem: I think it would be very appropriate for Mrs. Hillman to say a few words and particularly explain how she has lived with the President of the Senate for all these years. Now is your opportunity, Mrs. Hillman.

Mrs. HILLMAN: Well, Mr. President, I am a little lost for words. But it has been a great pleasure to have lived with this man for thirty-eight years. I hope all you people here appreciate his kind qualities and his idealism as I have, and I hope I will live with him many more years. (Applause)

The PRESIDENT pro tem: I suppose now the President of the Senate demands equal time.

PRESIDENT HILLMAN: I certainly concur with the words of my lovely wife. I took her right out of high school so that nobody else could ever have a chance to get her and I have kept her all these thirty-eight years. I think I have been pretty fortunate.

It is certainly an honor to have you Senators and the people of the Senate Chamber honor us in this way. It is something I will never forget. We hardly expected to be here on the 7th day of June; we hoped we would be celebrating our anniversary at Moosehead Lake the way we usually do celebrate it, but you can see we are right here in Augusta. However, I can say

that I have enjoyed this day and I am sure that I will enjoy tomorrow. It has been a pleasure to work with this entire group from the start, and I can say that we both feel it is our civic duty to represent our state rather than to celebrate our anniversary. I know you have made it very pleasant for us. Thank you. (Applause, members rising)

President Hillman then assumed the Chair and Senator Noyes of Franklin retired as President pro tem.

Mrs. Christie of Aroostook was granted unanimous consent to address the Senate.

Mrs. CHRISTIE: Mr. President, first, before I say what else is on my mind, I would like to offer my personal congratulations to this wonderful couple. I have enjoyed working with Senator Hillman very much and I want to express my appreciation. But the second thing I want to say is that in the Aroostook delegation we have someone who has a birthday today, and I would like to offer congratulations to Senator Edmunds. (Applause)

Mr. EDMUNDS of Aroostook: Mr. President, I would like to thank Senator Christie and all the other senators for their kind words, and I would like to say that I came into this world just two years after you, Mr. President, were married. It is amazing, but both you and Mrs. Hillman look younger than I do.

PRESIDENT HILLMAN: I wouldn't say that, Senator. I know I speak in behalf of the Senate when I say we wish you a very happy birthday and many years of happy life.

I think while we are passing out these felicitations that I should mention the fact that we here in the Senate failed to realize that we had another senator who had a birthday. Yesterday Senator Hollis Wyman from Washington celebrated his birthday, and I think while we are considering them all we should consider the Senator from Washington, Senator Wyman. (Applause)

PRESIDENT HILLMAN: I would like to inform the Senate

that last night his wife told me that she had made him promise her yesterday morning that he wouldn't divulge the secret to anyone, so that is one of the reasons why we were not able to honor the Senator from Washington, Senator Wyman.

On motion by Mr. Noyes of Franklin, the Senate then resolved itself into a Committee of the Whole.

(Recess)

Called to order by the President.

Additional Papers from the House Joint Order

WHEREAS, the Allagash River Valley is the last major waterway in the east still a wilderness area, unsurpassed for natural beauty and scenic splendor; and

WHEREAS, some effort should be made to preserve such a natural resource for future generations to enjoy; and

WHEREAS, in the future such an area could become one of Maine's greatest assets; now, therefore be it

ORDERED, the Senate concurring, that the Legislative Research Committee be directed to study what steps could be taken to secure these assets for the benefit of the people of the State of Maine; and be it further

ORDERED, that the Committee report to the 101st Legislature what action might be taken to accomplish this purpose. (H. P. 1187)

Comes from the House read and passed.

Mr. CYR of Aroostook: Mr. President, could I find out who is the author of this joint order? What is the purpose of this order?

The PRESIDENT: Will the Secretary inform the Senator from Aroostook, Senator Cyr?

The SECRETARY: Presented by Gilman B. Whitman of Woodstock.

The PRESIDENT: Is the Senator from Aroostook, Senator Cyr, satisfied with the answer?

Mr. CYR: No. Mr. President, I am not satisfied. This is just the beginning.

Mrs. CHRISTIE of Aroostook: Mr. President, perhaps I can help

the Senator from Aroostook, Senator Cyr, a little bit because I have been talking with Mr. Whitman and his thought in presenting this order is to preserve the last virgin forest perhaps that we have in the State of Maine in order that it may not be taken over as a national park but that it may be preserved possibly for a state forest or something of that kind with the privilege of use by industry in a controlled way, I believe. That is as near as I can tell, but perhaps that will give you some idea.

Mr. CYR: Mr. President and members of the Senate: You have heard or you have read time and time again the last two or three years about this Allagash condition, and you are no doubt acquainted with the fact that the federal government is itching to get hold of this area and turn this into a federal park or into a national forest area. The people up in the area that is affected by this are violently opposed to that. A petition was circulated in Fort Kent last summer, and I do not recall the number of signatures that were on that petition but it was quite a high number.

Now the first part of this says, "The last major waterway in the east." That is a fallacy if I ever saw one. It further goes on to say, "still a wilderness area." Now you have heard, and in fact I made the remark in one of my comments, "The last great wilderness east of the Mississippi." Since then I have found out that this word was coined by a member of DED as a gimmick to sell the thought for that area.

Every time they talk of a national park or a national forest up in that area they flash before our eyes that this would be a great recreational area. Well, those of you who have been up there and know the terrain, the roughness of the terrain and everything else—and not only that but this is at the end of the road, in fact there is no road in most places there—know that certainly this is not going to become a recreational area like the Grand Canyon. Everyone who has talked about it has tried to make a comparison

with the Grand Canyon. Well, the Grand Canyon is right in the middle of the United States and you can stop there to visit on your way west or on your way back, but here you are right at the end of nowhere so you have to make it a purpose to go there.

Not only that, but those of us who have been working on this power development, on Rankin power up there, we know that those that are interested in turning this into a natural forest or a national park, we know that what the advocates have in their mind is to kill the Rankin power project on the upper St. John River, and the Rankin power project, if it can be developed, will create cheap power in the area and will create a great source of power which could be used to develop the whole State of Maine but particularly that section of the state. We are so far away from the market, we are so far away from everything else that the only thing we can rely on is on our natural resources, and this is a natural resource.

The advocates of this have told us that it is the world-famous Allagash. Well, do you know how world-famous it is? Last year and the year before the Great Northern have made a survey of the number of people that have visited the Allagash and they came up with 828 people. 228 were Boy Scouts from boys' camps, 225 were wardens on their way to and from their work, and after you have narrowed it down you actually have 72 genuine sportsmen that visited the area. Well, how world-famous can that be? It is a natural resource, it is a good trout section, but the accessibility to it makes it such that the only ones who can go into the area are sportsmen with planes, like Justice Douglas who wants to write a book. But the people affected by this, where you have woodsmen and laborers and where you have a section such as Fort Kent, people who depend on this area for their economy, this would destroy that.

Now I did not know that this was coming up and I did not know that this was going to be on the

agenda, otherwise I would have been a little bit more prepared, but I would ask you to indefinitely postpone this for those reasons.

Mrs. CHRISTIE of Aroostook: Mr. President, I have a feeling that the Senator from Aroostook, Senator Cyr, is "all het up" over something which does not exist, but in order to give him an opportunity to inquire into it a little more thoroughly I move that this be tabled until later in the day.

The motion prevailed and the order was tabled until later in today's session pending adoption.

Reports of Committee of Conference

The Committee of Conference on the disagreeing action of the two branches of Legislature on Bill, "An Act Relating to Use of Live Bait in Little Sebago Lake." (H. P. 389) (L. D. 564) reported that the Senate Recede from its acceptance of Report "B" and concur with the House in Accepting Report "A"—Ought to pass, and Pass the bill to be Engrossed in Concurrence.

(Signed)

Robert E. Moore
Arnold Briggs
Welden W. Hanson
House
Miles D. Carpenter
Carl M. Stilphen
Edward P. Cyr
Senate

Comes from the House read and accepted.

On motion by Mr. Carpenter of Somerset, the report of the Committee was read and accepted; and on further motion by the same Senator, the Senate voted to recede from its former action whereby it accepted Report B; and on further motion by the same Senator, Report A was accepted, the bill read once, the rules suspended, the bill read a second time and passed to be engrossed.

Additional House Committee Reports

Leave to Withdraw

The Committee on Appropriations and Financial Affairs on Bill, "An Act Providing for Construc-

tion of a Women's Physical Education Building at University of Maine at Orono." (H. P. 222) (L. D. 337) reported that the same should be granted Leave to Withdraw.

The same Committee on Bill, "An Act Providing for the Construction of an Engineering Building at the University of Maine in Orono." (H. P. 223) (L. D. 338) reported that the same should be granted Leave to Withdraw.

The same Committee on Resolve to Develop Historic Sites and Facilities in the State of Maine. (H. P. 649) (L. D. 927) reported that the same should be granted Leave to Withdraw.

The same Committee on Resolve Appropriating Funds for Development of Moose Point State Park. (H. P. 726) (L. D. 1014) reported that the same should be granted Leave to Withdraw.

The same Committee on Resolve Appropriating Money for Renovation of Air Guard Buildings at Maine Vocational Technical Institute. (H. P. 457) (L. D. 657) reported that the same should be granted Leave to Withdraw.

The Committee on Education on Bill, "An Act Relating to State Aid for School Construction by Certain Single Municipality Administrative Units." (H. P. 14) (L. D. 33) reported that the same should be granted Leave to Withdraw.

The Committee on Judiciary on Recommended Bill, "An Act Relating to Ways to Great Ponds." (H. P. 400) (L. D. 575) reported that the same should be granted Leave to Withdraw.

Which reports were read and accepted.

Additional House Committee Reports

Ought Not to Pass

The same Committee on Bill, "An Act Providing for Enlargement of Men's Physical Education Facilities at University of Maine in Orono." (H. P. 181) (L. D. 277) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Providing for the Expansion of Water Lines at the University of Maine in Orono."

(H. P. 182) (L. D. 278) reported that the same Ought not to pass.

The same Committee on Bill, "An Act to Construct Wing on Stevens Hall, North at the University of Maine in Orono." (H. P. 226) (L. D. 340) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Providing for the Enlargement of the Agricultural Engineering Building at the University of Maine in Orono." (H. P. 286) (L. D. 438) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Providing for Renovation of Winslow Hall at the University of Maine in Orono." (H. P. 287) (L. D. 439) reported that the same Ought not to pass.

Which reports were read and accepted.

The same Committee on Recommended Resolve Appropriating Funds for Regional Airport to Service Augusta, Waterville and Surrounding Areas. (H. P. 568) (L. D. 788) reported that the same Ought not to pass.

Mr. MARDEN of Kennebec: Mr. President and members of the Senate: In these rushing moments of the closing days I would ask your indulgence for a few moments.

You have been fair and reasonable in all my causes, and I thank you for this, and while this particular bill is not a cause of my own or a bill of my own, in my judgment it has such tremendous significance to the future of the State of Maine that we should pause momentarily and consider it.

Before you can consider this particular bill you must make two basic assumptions: No. 1, that air travel is here to stay, and, No. 2, that the experts know what they are talking about.

I am going to move to substitute this bill for the report with my assurance to you, my friends, that if I am successful in this regard I will propose an amendment, Filing No. S-264, which will reduce a frightening two and a half million dollar package to \$73,000.

I express my thanks and appreciation to Senator Davis and the other members of the Appropriations Committee for their careful consideration of this matter, and were I in their position I would be voting with them in consideration of the two and a half million dollar package in these times and at this hour, particularly when there has been opposition to this move—unreasonable opposition, but opposition. I would hope that the members of the committee themselves might think differently in the light of the amendment which I will propose.

I will not waste your time in talking about what has happened to air traffic, not only in Maine or the United States but in the world. I will point out to you that passenger trains in effect are no longer with us, and that the automobile and the bus are fine but certainly less fun on distances over four hundred miles.

Bearing these facts in mind, a legislature other than this one proposed a study of this particular problem and nineteen firms were consulted and finally Northeast Research Foundation, Inc., by chance with an office in Brunswick, was hired to do the job—unbiased and nonpolitical. I would not presume to ask you to read it if you have not done so already. It contains fifty-four pages of facts and figures and projections. But the interesting thing to me, my friends, is that rather than coming up with a general policy recommendation or rather than coming up with alternative recommendations for the future of air traffic of the State of Maine, they came up with one single positive recommendation, and that is that an area regional airport is the one crying need for this area at this time. Of course it is reasonable.

Isn't it silly in traveling by air, the very purpose of which is speed and ease of travel, to land an airplane at Waterville and take off and before you reach flying speed or height you settle down to land in Augusta and do the same thing at Lewiston and so forth. The area airport concept is correct.

But we are speaking about more than that. We are speaking of acres and acres of flat land, enabling larger and faster craft to land in safety; and in that area of doubt where you are questioning the safety factors the approach areas must be free from the obvious risks of damage to life and property by an unfortunate occurrence.

And I am equally disturbed, in discussing this problem, to find myself on the other side of the fence from my friends in the Augusta area who cry, with understandable pride, as to their facility at the top of the hill, limited by nature itself, surrounded by cemeteries, new housing developments, an armory and a school. I think they too might agree with me that the area concept is correct.

We are talking about navigational aids and we are talking about an instrument landing system, the total cost of which is paid by Uncle Sam. We are talking about a contribution by the State of Maine into a truly progressive project, only one-half of the cost of which is paid by the State of Maine and the other half by the federal government. This survey of fifty-four pages covers all of the considerations which must go into the consideration of the future of air travel in this state. Many areas were considered: Togus, South Windsor, the coastal area, and Sidney was agreed upon, under all the circumstances, to be the correct area. The future trend, the return on the investment were considered.

If you should happen to agree with me that air travel is not only here to stay but that the experts knew what they were talking about, I simply would suggest to you that you are not alone in that feeling because the Federal Aviation Authority agrees too, the New England Council of State Government agree to, the Maine Aeronautics Commission is unanimous in its feeling, Northeast Airlines likewise, the industry of the state, the National Airport Plan, and practically everybody except the understandable group who drive

up to the top of the hill to fly their airplanes.

In the national picture and in the regional picture you may be aware of this fact: that there are four major air transportation sites recommended for the entire State of Maine. Two of them are major and two are minor: Portland and Bangor are the major sites and the minor ones are Presque Isle and the Sidney area airport.

It was not with gladness that I watched the demise of the transfer of the Portland airport to the State of Maine because this too was part of the picture; but in the light of all that is good for the future of this state let's not lose the whole concept.

The amendment which I would propose would simply provide funds for the purchase of the land to take the first step toward the area airport concept. I therefore urge your agreement, move that this bill be substituted for the report so that I may amend it accordingly, with the hope that it would end up on the appropriations table and take its good, honest fair chances with the rest of the good bills.

Mr. BROOKS of Cumberland: Mr. President, I rise in support of the motion of the Senator from Kennebec, Senator Marden. I want to go on record publicly as being for this amendment to the bill. I think it is later than we think in the good State of Maine and that this step proposed by the Senator from Kennebec, Senator Marden, is a progressive and wise move. I would just reiterate, as he emphasized, the importance of the area airport concept within the state as it is being used in the nation and even around the world.

Mr. STANLEY of Penobscot: Mr. President, the area concept of airports certainly is growing and it probably is the coming thing. Two years ago this legislature provided funds for the Aeronautics Commission to make a survey to find out as to whether this area airport for the Waterville-Augusta area was feasible and possible and where the proper place would be for such an airport. They had some consulting firm from Bow-

doin College, I believe, who came up with a report, and I am sure that I could give you the gist of the report in one sentence, in that they said we should build an area airport in the vicinity of Waterville, Augusta, the Sidney location being the preferred one, and we should do it within ten years because ten years from now it would not be of any value to us; that the smaller airports would be what we would be using because of the aerodynamic abilities that the planes have now that the smaller craft would be used, helicopters would be used much more, and unless we had this done within ten years it would be of no value to us. So, feeling that an airport was not going to be of any value after ten years, we sent out a report that it ought not to pass.

Certainly I can feel for these people who would like to be able to fly without stopping at Augusta, Waterville, Lewiston, Portland and so forth. Maybe it would be better to build one airport, because certainly flying from Waterville to Augusta, Lewiston, Portland and so forth is faster than driving from Waterville to Sidney and then flying on to Lewiston. I would hope that the motion of the gentleman would not prevail.

Mr. NOYES of Franklin: Mr. President, I rise to support the Senator from Kennebec, Senator Marden, but at this time I would like to have this tabled until tomorrow and I would make the motion to that effect.

The PRESIDENT: The Senator from Franklin, Senator Noyes, moves that this matter be tabled until the next legislative day.

Mr. PORTEOUS of Cumberland: Mr. President, my question is as to the time of this motion: is it necessary to table it all the way until tomorrow?

The PRESIDENT: The Senator from Cumberland, Senator Porteous, poses a question through the Chair.

Mr. NOYES: Mr. President, my motion was that it be tabled until tomorrow, the next legislative day.

Mr. MARDEN of Kennebec: Mr. President, would I be in order,

Mr. President, if I requested a two minute recess?

The PRESIDENT: The Senator from Kennebec, Senator Marden, is in order. At the same time I would suggest that the Senator from Aroostook, Senator Cyr, inquire about the previous order that is on the table and which is to be taken off the table later in the day. The Chair will declare a recess to the gong.

After Recess

The Senate was called to order by the President.

Mr. Noyes of Franklin was granted permission to withdraw his motion that L. D. 788 be laid upon the table.

Permission was granted.

Mr. Noyes of Franklin yielded to the Senator from Kennebec, Senator Marden.

Mr. MARDEN of Kennebec: Mr. President and members of the Senate, I thank the Senator from Franklin, Senator Noyes. Very briefly, I think my friend from Penobscot County, Senator Stanley examined this report, and while I have not committed it to memory, I have tried to read it carefully. I think he will find that nowhere in the report is there any such statement as he has suggested that within ten years the trend would indicate shorter landing areas, shorter runways or smaller airports. From page seventeen on there is specific discussion of the trends of the future and the most honest answer anyone can give is simply this: That because of the speed of the development of air transportation since the Wright Brothers up until today, no one knows what the future holds. We all know this. But with reference to steep gradient aircraft which is a technical word which today means helicopters, this according to all trends would simply be effective and would apply to short hops, fifty to four hundred miles, and for that purpose, obviously, all of the airports in the State are more than large enough.

Written throughout the report is the definite conclusion that it

seems unavoidable that the future will mean, along with the growth of jet travel, longer and longer runways for purposes of long trips. I would therefore hope that his remarks would not be considered as having the authority of the report behind them and would urge you to support my motion.

Mr. ERWIN of York: Mr. President, very briefly first of all I would like to go on record as supporting the motion of the Senator from Kennebec, Senator Marden. I would like to point out that although some of us by this time in the game have labels applied to us with regard to our outlook on life, this to me is true progress. This is the sort of thing that is inescapable in the future of mankind's movement upward and onward. This is the sort of thing that you cannot turn your head away from except temporarily and from time to time, and there is no sense now in putting this off because even if all that is contemplated now is the acquisition of the land alone, the land will never be any cheaper, nor will there ever be as much land available as there is now, and therefore I submit to you that if this is going to be done, it should be started. I hope you will support the motion to substitute the bill for the report.

Mr. CYR of Aroostook: Mr. President and members of the Senate, I am neither a proponent nor an opponent to this measure. However, the thought has been going around in my mind for quite some time now, particularly when I left a couple of weeks ago for fifteen minutes and came back to find that the State of Maine had gone into the airport business, bought an airport for a dollar and there we were in business.

Now my thinking would be this: It seems to me that we are putting the cart before the horse. Before we go into doing this and that, we should have a long range program of some kind. We should have some kind of coordination. What is the State of Maine going to do in regard to this? Maybe I am not aware of it; I haven't seen any study anywhere, recommendation or any report. Maybe there

is one I don't know. If there is, I hope some Senator will post me on it but it seems to me that the primary move, in my estimation is to try to coordinate this and have some kind of qualified people without any political interests of any kind that could give the State of Maine a guide or a recommendation in regard to where we are going in this air business.

As I said, I am neither a proponent nor an opponent to Senator Marden's motion, although I think I am going to vote for it.

Mr. MARDEN of Kennebec: Mr. President and members of the Senate, at the risk of incurring the impatience of those who heard me speak before, I would reply to the Senator from Aroostook, Senator Cyr, by saying that there are many groups who have been working diligently to prepare a long range air transportation picture for not only the State of Maine but for the United States. There is a group whose components I do not know who devised the National Airport Plan; there is the Federal Aviation Authority; in the state there is the Maine Aeronautics Commission; and for the region, the New England Council of State Government that has considered this.

The report to which he must refer is a report on the Augusta-Waterville area prepared for the Maine Aeronautics Commission by the Northeastern Research Foundation, Incorporated, consisting of 54 pages which I will be very happy to lend to the good Senator.

The conclusion is that there are four airport projects in the big picture for the State of Maine, not at all to belittle the other airports in the state which will constantly be used for local air travel, flying lessons, flying service, and so forth. There are two major ones, Bangor and Portland; and there are two minor ones, Presque Isle and the Sidney area airport which is now under discussion. Of the many subjects which we have considered here, few have convinced me of the many hours of long range planning to the extent that this one has and I think that if the good

Senator would read this report, he would agree with me.

Mr. STANLEY of Penobscot: Mr. President, just so the Senate won't think I have not read this 54 page document which the Senator from Kennebec, Senator Marden was referring to in his first talk on this subject, I have read it, and I summed up what it says here in one sentence, and I still will go by that, that they say in here that we must do this within ten years, or it will be of no value.

They have listed in here the air traffic, revenue passenger traffic from Waterville, Augusta, Rockland, Portland, Lewiston, Bangor, Augusta and Waterville together, and they figure that when the traffic reaches 26,000 passengers, then it will be a paying proposition, that the Sidney airport would be a practical thing.

In 1955 there were 5655 passengers from Augusta and 3730 from Waterville. They have projected it and in 1960 there were 6400 from Augusta, and 5600 from Waterville. These figures represented the projected trend at Waterville prior to nearly complete loss of service in 1958. So, it is not a true figure, it is a projected figure.

If you increase this amount by thirty percent for the next ten years you still would not have the 26,000 passenger traffic which they suggest would be needed.

I would also quote from page 38: "Helicopters will begin passenger operation with a few years. They will operate initially from downtown areas to the small hub airports and convenient locations from those small hub airports will be a basis for an efficient combination of operation. Augusta and Waterville will eventually need heliports. The existing airport at Augusta is a logical heliport site in every respect and will satisfy Augusta's needs for this type of facility for a long time to come.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Marden, that the Senate substitute the bill for the report.

A viva voce vote being had.

The motion prevailed, the bill was read once.

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

Senate Amendment A was read and adopted and the bill was tomorrow assigned for second reading.

Mr. Couture of Androscoggin was granted unanimous consent to address the Senate.

Mr. COUTURE: Mr. President and members of the Senate again there has been a misdoing in the Senate. It so happened this noon. A real insult to the Minority Party in this Senate. I am not blaming the Senate as a whole for what I am going to bring up but I am placing the responsibility on the leaders' backs. You remember right here at approximately eleven o'clock this forenoon we recessed to the gong. In my years either in the other branch or in this Senate, to recess to the gong has meant that I stay around to be able to sit when I was called back by the gong. You remember what took place this noon. The recess to the gong went on at eleven. The Republican party went into a caucus. In the first place, I don't care to walk out of the Senate and let them caucus in the Senate but I do it to help shorten the session because when they meet outside the Senate in another room, sometimes it is getting tougher to get the Senators back into the Senate and it holds the session back sometimes.

But again this noon the Democratic Party sat in the hall and I repeat that I don't like to leave my chair in the Senate for the Republican Party to caucus. I might have been criticized by some Democrats for doing it but in the meantime, we did go along with this and were satisfied. But we are not satisfied to recess to the gong, stay in the hall while the Republican Party caucuses in this room and then decides in their caucus to recess until two o'clock in the afternoon and let the Democratic Party, the minority in this Senate, stay in the hall without being aware of the recess until

two in the afternoon and being deprived of even going out to get their dinner. If I had been told by some Senator after the caucus, we wouldn't have stayed in the hall waiting for the gong and with no dinner.

I have sat in my seat here a good many times and kept swallowing. I was denied in the past by this Senate, to table a bill until later in the day to study an amendment and I have to express my thanks to Senator Edgar in calling a recess for five minutes for study. Otherwise I would have been deprived of the right completely and been forced to vote either for or against on something that I was blindfolded on, in a surprise amendment that possibly I could have looked in my book to see it and while I was in that Committee, and it was decided in the Committee that our amendment would be put on and we so did. One of the Senators decided to introduce another amendment and I was not aware of it.

Another instance, I like anybody else in this Senate room sometimes am forced to be absent. I went to the bother to call the President of this Senate to see what he could do to hold back a bill if it became impossible for me to attend the session although I would do everything in my power to hurry back as soon as possible. I was informed at that time that the Senate would go in session promptly at four in the afternoon and most likely work until five thirty or six o'clock. At the time I called I was approximately 110 miles away from Augusta. It was a bill I was very interested in and I was unable to be here at exactly four o'clock and I walked in the state house at twenty minutes past four and the Senate had adjourned without any respect to my request to hold back a bill not giving its first reading and wait for the second day so I could be here after being 110 miles away. Five minutes after having its first reading, they got up and moved under suspension of the rules and gave it a second

reading and passed it to be engrossed.

This is what the Democratic Party gets out of this Senate. And I could go on and on and on. But this noon it was the worst insult of all and I repeat that I am not blaming every Senator that sits in here but hold the responsibility on our leaders, the leaders in this Senate that they either don't know any better or they do it purposely and I am sure all of you will understand that in recessing to the gong you have to stay around because you are liable to be called at any time and if we are to listen to that again we would have to go into session at quarter past two without dinner like we did today. The least courtesy the Republican Party could show here to the Democrats, even if we are a small minority we do cooperate and do what we can. We can't vote on both sides but we have taken our stand and we should be respected and not have them decide to recess after caucusing one hour without ringing that bell and having the Senators back in their seats and then recess until the gong or two o'clock.

I believe that this is the worst and biggest insult by the Majority Party leader that a Minority Leader could have and I am hoping that for the next few days of the session we will be respected and given the courtesy sometimes to insist on something and given the courtesy in the absence of someone to table a bill or hold it back and I can assure you this will not prolong the session because the action in prolonging the session has already been done and I can assure you it wasn't by the Democratic Party here in the Senate. I had one bill on the table and I was forced to take it off to speed up the session. I thought to speed up the session maybe I should do it. I could have held it back for three weeks and we would have had plenty of time because we've been tabling bills this forenoon unassigned yet.

The only think I am asking for this Senate is that I think that our people in the county that we represent have elected us here and

if you do not want to pay courtesies to them in times when you give me unanimous consent in this Senate, I will certainly tell them. I will not pursue this any more. As I said I cannot blame the whole Senate. I blame it on the leaders either the Majority Leader or the President.

The PRESIDENT: The Chair recognizes in the Senate Chambers, a former member of the Senate, a very good legislator, one whom we enjoyed working with and although he cannot come to the rostrum because of a previous commitment, the Chair would like to introduce to the Senate former Senator Murray Thurston. It is nice to have you here, Murray. (Applause)

I don't think the Chair needs to answer the accusations of the Senator from Androscoggin, Senator Couture but I would like to ask the Senator from Androscoggin, Senator Jacques to please approach the rostrum for just a moment.

(Conference at rostrum)

Mr. Jacques of Androscoggin was granted unanimous consent to address the Senate:

Mr. JACQUES: Mr. President and members of the Senate: Just to clear up the record, what the Senator from Androscoggin, Senator Couture was talking about was especially, I believe, the matter of last Monday when the Senator said he would not be here until four o'clock. I think at that time President Hillman had told me he would hold the bill until four o'clock until Senator Couture could get here, and I believe that you held it up as long as you could and at the time I guess the Senator did not show up so you had to take it off. I hope that clears the record.

Mr. COUTURE of Androscoggin: Mr. President, could I have unanimous consent to speak briefly? I assure you I will not take more than thirty seconds.

The PRESIDENT: The Senator from Androscoggin, Senator Couture, asks unanimous consent to address the Senate. The Chair hears no objection and the Senator may proceed.

Mr. COUTURE: Mr. President, I do not quite side in with my comrade, Senator Jacques of Androscoggin, who has approached the rostrum and been told what to do. In the meantime let me assure you of this: that I took the bother to talk to the President of the Senate and at that time I was 110 miles away, and he assured me—
The PRESIDENT: Your thirty seconds is up, sir.

The Secretary may proceed.

The same Committee on Bill, "An Act Providing for the Construction of Health and Physical Education Facilities at the State Teachers Colleges and Fort Kent State Normal School." (H. P. 566) (L. D. 786) reported that the same Ought not to pass.

The same Committee on Resolve Appropriating Moneys for the Repair of Buildings at Gorham State Teachers' College." (H. P. 570) (L. D. 820) reported that the same Ought not to pass.

The same Committee on Resolve Providing Funds for Long Range Capital Improvement Planning the State Teachers' Colleges and the State Normal School." (H. P. 646) (L. D. 924) reported that the same Ought not to pass.

The Committee on Public Utilities on Bill, "An Act to Provide Funds for Repairs to Landing Terminals of the Casco Bay Lines." (H. P. 1177) (L. D. 1624) reported that the same Ought not to pass.

Which reports were read and accepted.

Ought to Pass — As Amended

The Committee on Appropriations and Financial Affairs on Resolve, for Development of Revenue-Producing Park Facilities on Mount Battie. (H. P. 727) (L. D. 1015) reported that the same Ought to pass as Amended by Committee Amendment "A" (Filing H-383) Comes from the House, Report and Resolve Indefinitely Postponed.

In the Senate:

On motion by Mr. Davis of Cumberland the "Ought to pass as amended by Committee Amendment 'A'" report of the committee was accepted.

Committee Amendment "A" was read and adopted and the resolve was tomorrow assigned for second reading.

The Committee on Taxation on Bill, "An Act Increasing the Tax on Liquor." (H. P. 849) (L. D. 1163) reported that the same Ought to pass as Amended by Committee Amendment "A" (Filing H-384)

Comes from the House, Passed to be engrossed as Amended by Committee Amendment "A"

Mr. COUTURE of Androscoggin: Mr. President, on this legislative document for increasing the tax on liquor this time I will take a stand of my own, not the stand of the minority party in the State Senate but a stand of my own: that I am opposed to any increase of taxes, whether they are on cigarettes, liquor or anything else. This is a bill that should be in one place: in the waste-basket. If we have prolonged the session up to now to produce a bill to tax the way we are bound to do now, I think, for my part, that we have lost time.

I certainly went along in my own mind with the good Senator Cyr from Aroostook County at the time he came out and said that we should work on revenue before we prolonged the session by keeping tabling bills and putting them on the special appropriations table. If we had done that these matters would have been taken care of at the beginning before we took a line on spending and we would not be in the position of having perhaps the longest session in the history of the State of Maine.

I believe if we increase the tax on liquor it will cause a decrease in the sale of liquor in the State of Maine, and if the sale is lower we are not gaining any revenue. If you lose it on the sales and you tax the remaining amount what are you gaining? You are causing a portion of the people in some parts of the state to go and get their liquor somewhere else.

I have before stood up alone and I am willing to do so at this time, and I will move the indefinite postponement of H. P. 849, L. D. 1163.

Mr. EDGAR of Hancock: Mr. President and members of the Senate: I rise in opposition to the motion to indefinitely postpone this bill.

The minimum mark-up on liquor is fixed by statute. At present that minimum mark-up is 61 per cent, but the liquor Commission does have the discretionary power to increase the mark-up above that minimum but it cannot decrease it below the minimum. Right now the Liquor Commission is working under a sixty-five per cent mark-up although the minimum by statute is sixty-one. This bill raises the statutory floor or minimum up to sixty-five per cent, which is the very same mark-up under which they are operating right now. The only effect that this bill will have will be to raise the minimum below which the Liquor Commission cannot go, and it will not, unless the Liquor Commission sees fit to do so—the bill itself does not raise the retail price that is in existence today.

I oppose the motion to indefinitely postpone and when the vote is taken I ask for a division.

The PRESIDENT: The question before the Senate is the motion of the Senator from Androscoggin, Senator Couture, that the Senate indefinitely postpone the report and accompanying papers. A division has been requested. All those in favor of the motion of the Senator from Androscoggin, Senator Couture, will rise and stand in their places until counted.

A division was had.

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

Thereupon the "Ought to pass" report of the committee was accepted. The bill was given its first reading. Committee Amendment "A" was read and adopted, and the bill was assigned for second reading on the next legislative day.

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

The PRESIDENT: Will the Senator state his point of order?

Mr. COUTURE: Mr. President, I think some action should be taken here where we stop sessions and some senator walks to the rostrum and talks matters over with the President, and I think that somehow this session should remain in order.

Mr. NOYES of Franklin: Mr. President, on this item, H. P. 849, L. D. 1163, I would ask that the Senate reconsider its action whereby it was assigned for second reading on the next legislative day.

The motion prevailed and reconsideration was voted. On further motion by Mr. Noyes of Franklin, the bill, H. P. 849, L. D. 1163, Bill "An Act Increasing the Tax on Liquor," under suspension of the rules was given its second reading and passed to be engrossed as amended.

The Committee on Appropriations and Financial Affairs on re-committed Bill, "An Act Relating to Ferry Service for Long Island Plantation." (H. P. 304) (L. D. 456) reported that the same Ought to pass in New Draft, under New Title "An Act Appropriating Funds for Ferry Service for Long Island Plantation. (H. P. 1186) (L. D. 1633)

In House, Report accepted, and the Bill in New Draft, Passed to be engrossed.

In the Senate:

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate. I would like to pose a question to a member of the Appropriations Committee as to just how this \$12,000 per year or \$24,000 for the biennium is to be spent for this ferry service.

The PRESIDENT: The Senator from Sagadahoc, Senator Mayo, poses a question through the Chair to any member of the Appropriations Committee who may wish to answer. The Chair recognizes the Senator from Cumberland, Senator Davis.

Mr. DAVIS of Cumberland: Mr. President, I would yield to the Senator from Hancock, Senator Edgar. I think he can explain it better than I can.

Mr. EDGAR of Hancock: Mr. President and members of the Senate: My thanks to the Senator from Cumberland, Senator Davis.

The bill that we are now considering says in effect that the Maine Port Authority shall provide ferry service to Long Island Plantation in accordance with the referendum that was held several years ago in which such ferry service was approved and authorized. The \$12,000 appropriation is money to make it possible for the Port Authority to carry out this mandate and the exact way in which the \$12,000 is to be spent is left in the hands of the Port Authority to put it to the best use that it possibly can. Obviously the only use that the Port Authority can make of such a small amount of money is to subsidize a small privately-operated boat, and I must assume that is what will be done with the money, although the final disposition of it is in the hands of the Port Authority.

The PRESIDENT: Do the remarks of the Senator from Hancock, Senator Edgar, satisfy the Senator from Sagadahoc, Senator Mayo?

Mr. MAYO of Sagadahoc: It does, Mr. President, but I would like to pose one more question to the Senator from Hancock, Senator Edgar.

Am I right in understanding that two years ago we authorized this ferry service and that now we are just getting around to financing it?

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

Mr. EDGAR of Hancock: Thank you, Mr. President.

In answer to the Senator from Hancock, Senator Mayo: it was either two or three years ago when the public referendum was conducted in connection with the island ferries, I forget just which year it was, but at that same time ferry service to Long Island was included in the referendum and was approved by the voters of the State of Maine. The legislature

in the last session authorized a study or a survey to be made of the feasibility in regard to what type of ferry service was needed and should be provided to the islands. That survey was made and reported back to the legislature and to the Maine Port Authority, and as a result of that survey there were, I believe, four alternate proposals listed, the cheapest of which was to be the subsidizing of a private boat for a relatively small amount of money and the most expensive of which involved better than \$100,000, which obviously was not feasible. So, in accordance with the public referendum, in accordance with the minimum recommendation contained in the report of the study that was made, authorized by the last legislature, the Appropriations Committee is now recommending that the sum of \$12,000 a year be furnished to the Port Authority to provide a minimum of service which they are required to do by law. They must provide service. Now \$12,000 a year won't provide much but it will provide some, and just how and what it will provide, as I say, is to be left in the hands of the Maine Port Authority.

The PRESIDENT: Do the remarks of the Senator from Hancock, Senator Edgar, satisfy the Senator from Sagadahoc, Senator Mayo?

Mr. MAYO: Yes, Mr. President.

Thereupon the "Ought to pass in new draft" report of the committee was accepted, and on motion by Mr. Edgar of Hancock, under suspension of the rules the bill was given its second reading and passed to be engrossed.

Report "A"—Ought to Pass

Report "B"—Ought Not to Pass

Five members of the Committee on Appropriations and Financial Affairs on Bill, "An Act Relating to Rehabilitation of Aid to Dependent Children Families." (H. P. 790) (L. D. 1104) reported that the same Ought to pass in Report "A"

(Signed)

Senator:

STANLEY of Penobscot

Representatives:

BRAGDON of Perham
DAVIS of Calais
WELLMAN of Bangor
DRAKE of Bath

Five members of the same committee on the same subject matter, reported in Report "B" that the same Ought not to pass.

(Signed)

Senators:

DAVIS of Cumberland
SAMPSON of Somerset

Representatives:

PLANTE
of Old Orchard Beach
SMITH of Falmouth
JALBERT of Lewiston

Comes from the House, Reports and Bill indefinitely postponed.

In the Senate:

On motion by Mr. Davis of Cumberland, it was voted to concur with the Senate.

MAJORITY—Ought to Pass

MINORITY—Ought Not to Pass

The Majority of the Committee on Taxation on Bill, "An Act Increasing State Tax in Unorganized Territory." (H. P. 947) (L. D. 1295) reported that the same Ought to pass.

(Signed)

Senator:

PORTEOUS
of Cumberland

Representatives:

BAXTER of Pittsfield
ALBAIR of Caribou
LETOURNEAU
of Sanford
WATERMAN of Auburn
MAXWELL of Jay
BRADEEN of Waterboro

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

(Signed)

Senators:

WYMAN of Washington
EDGAR of Hancock

Representative:

WHEATON of Princeton

In House, the Majority—Ought to pass Report Accepted, and the Bill Passed to be Engrossed.

In the Senate:

Mr. PORTEOUS of Cumberland: Mr. President, I am a little reluctant to move for the acceptance of the majority "Ought to pass" report in the absence of the two senators who signed the minority report, and for that reason I would like to table this bill until a little later when they are in their seats.

The PRESIDENT: The Chair will inform the Senator from Cumberland, Senator Porteous, that the Senator from Hancock, Senator Edgar, will not be back this afternoon. He is attending the graduation of his daughter and he asked permission to be excused.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate: I imagine that both these senators knew this was coming up, both of them being very able men.

I will move the acceptance of the majority "Ought to pass" report of the committee.

The motion prevailed and the majority "Ought to pass" report of the committee was accepted in concurrence. The bill was given its first reading, and on further motion by Mr. Porteous under suspension of the rules the bill was given its second reading and passed to be engrossed.

MAJORITY—Ought Not to Pass
MINORITY—Ought to Pass

The Majority of the Committee on Education on Bill, "An Act to Create a School Administrative District in the Town of Orrington." (H. P. 468) (L. D. 668) reported that the same Ought not to pass.

(Signed)

Senators:

BROOKS of Cumberland
BATES of Penobscot

Representatives:

HANSON of Lebanon
ESTEY of Portland
HICHBORN of Medford
CURTIS of Bowdoinham
LEVESQUE
of Madawaska

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

(Signed)

Representative:

DURGIN of Raymond

In House, Minority, Ought to pass report accepted, and the bill passed to be engrossed.

Mr. BATES of Penobscot: Mr. President and members of the Senate: I move that the bill and both reports be indefinitely postponed.

For some fifteen weeks the Committee on Education has had a tremendous amount of sympathy for the situation with respect to Orrington. We had two or three ways we thought we could solve this situation. We spent many sessions on this matter and I even attended sessions in Brewer in connection with the Brewer-Orrington-Holden-Eddington situation where the entire matter was discussed at the local level. We had two or three alternatives.

For some years now, or for many years in fact, Orrington students have been attending Brewer High School. Brewer High School facilities have not kept pace with the growing school population of the City of Brewer.

Besides L. D. 668, which is the L. D. you have before you at this moment, involved in the situation were two other L. D.'s, L. D. 33 and L. D. 452. Insofar as L. D. is concerned, it specifically referred to placing under the Sinclair Law for the purpose particularly of receiving the incentive of 18 per cent school construction aid, those communities who have in their secondary level of education a certain percentage of tuition pupils, and L. D. 452, a bill to include some five or six communities in the State of Maine who would be included in the incentive program for 18 per cent school construction aid by virtue of the fact they qualified by having seven hundred secondary level pupils, combining both the resident and tuition pupils attending their high school level.

The third solution was this L. D. 668. As the committee was confronted with what seemed to the committee enormous problems with respect to setting up a brand new secondary school in this day and

age, starting out from scratch, so to speak with a building and obtaining a faculty, principal, superintendent and equipping a building with all the necessary facilities, it seemed to the committee that that would be a regressive step, a step backward so far as the Sinclair Law was concerned, where we wished to have an improvement in facilities.

The number of high school students in the town of Orrington at this stage is something like 168 or 172. It seemed to the committee that they would receive a far better training educationally by continuing with the arrangement with Brewer High School. Brewer High School had unfortunately notified Orrington that they would not be able after the next two years to receive the Orrington students any longer. They had not so notified Holden and Eddington but upon investigation it was discovered that Holden and Eddington would soon find themselves in the same situation of being so notified. We received a communication from Brewer stating that "if the tuition bill which you have passed and which is L. D. 114, is brought to a current basis and that either L. D. 33 or L. D. 452 is passed the Brewer School Committee will recommend to the Brewer School Trustees that the plan for the Capri St. School be cut back to four rooms to allow sufficient funds to be available to add on four rooms at the Brewer High School, construction of same to be started and completed as soon as possible."

You have acted favorably upon L. D. 452 in both branches of the legislature even to the point of adopting a committee amendment, Committee Amendment "A", which reads: "Any municipality qualifying for school construction aid under this section by virtue of receiving tuition students from surrounding municipalities must render at least two years' notice to the sending municipalities before discontinuing such acceptance."

I have a letter from the superintendent of schools of Brewer stating that the Brewer School Committee had agreed with the rec-

ommendation of the School District Trustees and that the needed addition to the high school to take care of the Orrington students would be instituted as soon as possible. As recently as yesterday I received notification that the architects plans were already drawn up and that tomorrow evening the superintendent of school of Orrington has been invited to sit with the Brewer School Board to make arrangements for taking the Orrington school children into the Brewer school system as has been done previously and which has been demonstrated for several years to be the most effective situation in that area.

The State cannot afford, Mr. President, in my opinion, to take this step for several reasons. This would mean a 62 per cent school construction aid from the state level to Orrington. I have also received messages from other individual administrative units stating that if this bill receives favorable consideration they would like to have it held so that other towns can be included by way of presenting amendments: the town of Orono, for instance, Wiscasset, Cape Elizabeth, Rumford, towns which have just as much justification as Orrington to be included as a single municipality administrative unit.

I plead with the Senate to use its best judgment, despite any sympathy you might have, despite any understanding you may have thought you had of this situation and to believe that it has been resolved to the best of our ability in preparing for the high school students of Orrington school facilities far better than they could have obtained under a small school system of their own. Thank you very much.

Mr. FARRIS of Kennebec: Mr. President, I knew nothing about this matter until material was distributed this afternoon in relation to the town of Orrington and I have been very much impressed with the statements made by the Senator from Penobscot, Senator Bates. However, in the other body this matter was acted upon in a different manner in that

there will be a meeting tomorrow night between some school officials in Brewer and the town of Orrington. For the purpose of keeping this measure alive for a couple of days until there is more accurate information and until we also have more information as to the other side of the coin for the benefit of this small town which obviously does have a problem, I would be opposed to the motion to indefinitely postpone at this time.

Mr. BATES of Penobscot: Mr. President, I think there is a lot of justification in the request of the Senator from Kennebec, Senator Farris.

I do want to clear up a possible misunderstanding. The meeting tomorrow evening is to make the arrangements which would have to be made anyway. Certainly Orrington cannot have ready by September 1, 1961 secondary school facilities to house the secondary school level students in the town of Orrington, let alone hire a faculty and all the many, many details. It seems to me that this particular school administrative district should go along as being studied by the School District Commission, as being reviewed by the Committee on Education and as being reviewed by the legislature in general as all other school administrative district bills have been and should be entertained two years from now as I do not believe any progress could be made in the next two years anyway.

Mr. PORTEOUS of Cumberland: Mr. President, when the vote is taken I would ask for a division.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate: I hesitate very much to speak after hearing the wonderful explanation given by the Chairman of the Committee on Education, the Senator from Penobscot, Senator Bates. However, it seems to me that this situation in Orrington is similar to some other situations where there seems to be no place where they can join to form a school district. Brewer High has recently notified the Orrington School Department that beginning next fall they will

not be able to take any more of their high school pupils with the exception of the next year's juniors and seniors. We do understand they are promising to build a four-room annex, but it is felt that would not be sufficient to take care of the high school students for any great length of time and that they would again be without a place to have their high school education. So I hope we will consider this carefully before we vote to indefinitely postpone this bill.

Mr. BATES of Penobscot: Mr. President, again trying to clarify the matter for, in this instance, the Senator from Aroostook, Senator Christie, I point out to you the amendment that is on L. D. 452 whereby any municipality qualifying for school construction aid under this section — and this would refer to the City of Brewer — by virtue of receiving tuition students from surrounding municipalities — and this would refer to the town of Orrington — must render two years notice to the sending municipalities before such acceptance.

The PRESIDENT: The question is on the motion of the Senator from Penobscot, Senator Bates, that the bill be indefinitely postponed, and the Senator from Cumberland, Senator Porteous has requested a division.

A division of the Senate was had.

Eleven having voted in the affirmative, and seventeen opposed, the motion did not prevail.

Thereupon, on motion by Mr. Noyes of Franklin, the Minority Ought to pass report was accepted, and the bill read once.

Mr. BROWN of Hancock: Mr. President, I move that the rules be suspended and that the bill be given its second reading and be passed to be engrossed.

Mr. BATES of Penobscot: Mr. President, I move that this bill lie on the table pending the motion of the Senator from Hancock, Senator Brown.

Mr. BROWN: Mr. President, I request a division on the tabling motion.

A division of the Senate was had. Nineteen having voted in the

affirmative and seven opposed, the motion prevailed and the bill was tabled pending the motion by Senator Brown to suspend the rules and give the second reading.

On motion by Mr. Wyman of Washington, the Senate voted to take from the table Item 1-2 bill, "An Act Exempting Certain Aircraft from Sales Tax"; tabled by that Senator earlier in today's session pending passage to be engrossed.

Mr. WYMAN of Washington: Mr. President, I tabled this because of the House Amendment which made quite a difference in the bill. However, I found that this is the way the proponents want it and that it is agreeable to the Taxation Committee, so I move the pending question.

Thereupon, the bill was passed to be engrossed.

On motion by Mr. Mayo of Sagadahoc, the Senate voted to take from the table bill, "An Act Redefining the Financial Responsibility of Children and Certain Relatives in Public Assistance" (H. P. 1179) (L. D. 1625) tabled earlier in the day by that Senator pending adoption of House Amendments A and B.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate, I have had my meeting with Dr. Fisher and I am no further ahead than I was previously; in fact, I may be even more confused as to what to do finally with this bill. I am very reluctant to pass House Amendment B which came into this Body yesterday. I have prepared an amendment, known as Senate Amendment A to House Amendment B which, in effect, will take out of the House Amendment B the personal part of it, total \$116,000 and takes out the 20 additional employees.

Now in talking with Dr. Fisher and getting some information from him, there seem to be three alternatives: to not put the provisions of the bill in effect, or for him to give up some other portion of the program to free in this way an amount of staff time equiv-

alent to that estimated as needed to administer L. D. 1625, or to do an extremely superficial and unsatisfactory administration of the provisions of this bill with the very real probability of subsequent criticism.

So as I spoke before, I am in a perplexing situation but still very reluctantly I am going to present Senate Amendment A to House Amendment B and move its adoption. My reason for this is that in so doing, the bill and accompanying papers will go back to the other body and at that time the original sponsor of the amendment can possibly work out the problem of what my amendment does to his amendment. I can see no other way of dissolving this problem and therefore, Mr. President, I present Senate Amendment A to House Amendment B and move its adoption.

The Secretary read Senate Amendment A to House Amendment B.

Mr. CYR of Aroostook: Mr. President and members of the Senate, I present Senate Amendment A and move its passage.

The PRESIDENT: Would the Senator defer his request until we act upon the amendment just presented?

Is it the pleasure of the Senate to adopt Senate Amendment A to House Amendment B?

Mr. EDMUNDS of Aroostook: Mr. President, while I respect the sincerity of the Senator from Sagadahoc, Senator Mayo in offering Senate Amendment A to House Amendment B in my opinion if you delete the funds to administer the bill you might as well kill the bill. I move the indefinite postponement of Senate Amendment A.

Mr. DAVIS of Cumberland: Mr. President, I received today a letter from Dr. Fisher commenting on this bill, and I would like to read you a paragraph: "Contributions which we can generate from relatives in behalf of recipients and representing savings of state funds are directly related to the time and effort which we can put into the matter of securing these contributions. Without the

means of doing as good a job as possible in this matter of securing contributions from relatives, L. D. 1625 creates an opportunity for some unpredictable amount of chiseling to the extent that the entire public assistance program and the department itself may face the possibility of disapproving criticism. I think this latter hazard is of sufficient degree to suggest that if adequate administration and staff funds are not made available, the passage of this bill might be considered unwise. If it is passed without adequate administrative funds, it seems to me that the department has one of three choices. One, to not put the provisions of the bill into effect. Two, to give up some other portion of our program to free in this way an amount of staff time equivalent to that estimated as needed to administer L. D. 1625. I know of no portion of our program which can be given up to attain this end. Three, to do an extremely superficial and unsatisfactory administration of the provisions of this bill with the very real possibility of subsequent criticism.

Mr. MAYO of Sagadahoc: Mr. President, I appreciate the efforts of the good Senator from Cumberland, Senator Davis, by repeating my remarks and repeating verbatim what I just read. In support of my amendment against the motion now before this Body, I merely want to send this bill and my amendment along on its way to let the original sponsor of this bill work himself out of the dilemma he has gotten himself into. I have tried. If it is necessary, I will move the indefinite postponement of the entire bill eventually rather than let this bill go its merry way with the amendment from the other Body attached to it, which is known as House Amendment B, because I will not add twenty new members to a department which is already overstaffed with many more people than necessary.

I really and truly feel that the department if it wants this bill badly enough, and wants it without additional funds, and rather than

kill the bill entirely, I have tried to work out some kind of compromise and I feel if my amendment goes back to the other branch, they can send it back to us and and we can see what they have done with it. At that time we will probably either have to kill the bill or accept what they send back to us. I hope my amendment does not get indefinitely postponed.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Edmunds, that Senate Amendment A to House Amendment B be indefinitely postponed.

The motion did not prevail.

Thereupon, Senate Amendment A to House Amendment B was adopted, House Amendment B as amended by Senate Amendment A was adopted.

On motion by Mr. Cyr of Aroostook, Senate Amendment A to the bill was read and adopted; and on motion by Mr. Noyes of Franklin, the rules were suspended and the bill was given its second reading and passed to be engrossed as amended.

On motion by Mr. Edmunds of Aroostook, the Senate voted to take from the table bill, "An Act to Apportion Representatives to Congress" (S. P. 574) (L. D. 1627) tabled by that Senator earlier in today's session pending enactment.

Mr. EDMUNDS of Aroostook: Mr. President, maybe this is good legislation; very frankly I doubt it. As I see the new districts which are constituted by this legislature, one of them would contain approximately 53 percent of the population of the state, and, I believe about 85 percent of the land area whereas the other would contain only about 47 percent of the population and roughly, fifteen percent of the land area. Furthermore it would mean that the Congressman who now represents our area in Congress, should he choose to be a candidate again would be campaigning from New Brunswick to the New Hampshire line. Nevertheless, I think I can

recognize the inevitable and most reluctantly, I now move that this bill pass to be enacted.

The motion prevailed and the bill was passed to be enacted.

On motion by Mrs. Lord of Cumberland, the Senate voted to take from the table Item 6-15, bill, "An Act Appropriating Funds for Relocation and Construction of a Boys Training Center (S. P. 246) (L. D. 763) tabled by that Senator earlier in today's session pending acceptance of the Minority report and especially assigned for later today.

Mrs. LORD of Cumberland: Mr. President, I have been trying to find out what the cost is to this bill and I have to get some amendments so I ask that this be retabled and I will take it off as soon as I can.

The motion to retable prevailed.

On motion by Mr. Brown of Hancock, the Senate voted to take from the table Item 6-11 bill, "An Act Amending the State Authority for Emergency and Fire Fighting Training (S. P. 266) (L. D. 867) tabled by that Senator earlier in today's session pending acceptance of the report; and on further motion by the same Senator, the report was accepted, the bill read once, Committee Amendment A read and adopted; and on motion by Mr. Noyes of Franklin, the rules were suspended, the bill read a second time and passed to be engrossed.

Sent down for concurrence.

On motion by Mrs. Christie of Aroostook, the Senate voted to take from the table Item A-1 Joint Order H. P. 1187 tabled by that Senator earlier in today's session pending passage; and on further motion by the same Senator, the bill was retabled and especially assigned for tomorrow.

Mr. NOYES of Franklin: Mr. President, I would like to inquire if L. D. 607, bill, "An Act Relating to Director of Indian Affairs is still in the possession of the Senate?

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

Thereupon, under suspension of the rules, the Senate voted to reconsider its action whereby the Senate voted to insist and ask for a Committee of Conference.

Mr. NOYES of Franklin: Mr. President, I now move that the bill be enacted.

Mr. STANLEY of Penobscot: Mr. President, I am a little confused as to what we have done. Would the Senator from Franklin, Senator Noyes, enlighten us?

The PRESIDENT: The Senator from Penobscot, Senator Stanley, poses a question to the Senator from Franklin, Senator Noyes, and that Senator may answer if he wishes.

Mr. NOYES: Mr. President, I believe in answer to the question of the Senator from Penobscot, Senator Stanley, that what we are trying to do is to correct a procedure here. Inadvertently several days ago, someone made the motion that we insist on our former action and ask for a Committee of Conference. I have been informed by our good Secretary that that procedure was wrong and I am trying to follow the new procedure which has been suggested.

On motion by Mr. Wyman of Washington, the bill was tabled pending enactment.

The President declared a short recess.

After Recess

Senate called to order by the President.

Mr. NOYES of Franklin: Mr. President, I now move that L. D. 607 pass to be enacted.

Subsequently, Mr. Noyes of Franklin was granted permission to withdraw his motion, and on motion by the same Senator, the bill was tabled pending enactment.

On motion by Mr. Noyes of Franklin,

Recessed until 7:30 o'clock tonight.

After Recess

Senate called to order by the President.

Mr. DAVIS of Cumberland: Mr. President, I would like to inquire if Joint Order, H. P. 1182 which we passed yesterday is in the possession of the Senate?

The PRESIDENT: The Chair will state that it is, having been held at the request of the Senator.

On motion by Mr. Davis of Cumberland, the Senate voted to reconsider its former action whereby Joint Order Relative to Cloture on Rules and Resolves from Joint Standing Committees (H. P. 1182) was passed.

Mr. DAVIS: Mr. President, I now move that the order be indefinitely postponed.

Mr. MAYO of Sagadahoc: Mr. President, could I inquire what this order is, the title did not mean anything to me.

The Secretary read the order.

Mr. DAVIS of Cumberland: Mr. President, I would like to point out to the members of the Senate, that it will be necessary before we close the session, for the Taxation Committee and the Appropriations Committee to report out some more bills. For that reason I feel we should kill this order.

Mr. PORTEOUS of Cumberland: Mr. President, I think I speak for the Taxation Committee in saying that we have no further bills to pass out.

The PRESIDENT: The Chair will inform the Senator from Cumberland, Senator Porteous, that there is one bill which is not in the Secretary of State's office.

Thereupon, the Order was indefinitely postponed.

Additional House Committee Reports.

Report "A"—Ought to Pass
 Report "B"—Ought Not to Pass
 Report "C"—Ought to Pass as amended by Committee Amendment "A"

Five members of the Committee on Appropriations and Financial Affairs on Bill, "An Act Providing for Construction of an Educational Telecasting Network for

the State of Maine." (H. P. 224) (L. D. 435) reported in Report "A" that the same Ought to pass. (Signed)

Senator: STANLEY of Penobscot
 DAVIS of Calais

Representatives: BRAGDON of Perham
 WELLMAN of Bangor
 DRAKE of Bath

Three members of the same committee on the same subject matter reported in Report "B" that the same Ought not to pass. (Signed)

Senator: SAMPSON of Somerset
 Representatives: PLANTE of Old Orchard Beach
 JALBERT of Lewiston

Two members of the same committee on the same subject matter reported in Report "C" that the same Ought to pass, As Amended by Committee Amendment "A" (Filing No. H-385) (Signed)

Senator DAVIS of Cumberland
 Representative SMITH of Falmouth

In House, Report "A" was Accepted and the Bill Passed to be Engrossed.

Mr. DAVIS of Cumberland: Mr. President, I move that the Senate accept Report C.

Mr. FARRIS of Kennebec: Mr. President, I would appreciate it if one of the Senators would explain what Report C is.

Mr. DAVIS: Mr. President and members of the Senate, for your information, Report A includes the full amount of the bill, which, I believe is a sum over one million dollars; Report B is Ought not to pass; Report C is the passage of the bill with \$500,000.

Mr. FARRIS of Kennebec: Mr. President, I would also like to ask another question, and that is: "How much can be accomplished with the \$500,000 appropriation before establishing this network?"

Mr. DAVIS of Cumberland: Mr. President and members of the Senate, it was my feeling and I have discussed this matter with

various engineers that all that was necessary for the time being could be accomplished with the \$500,000. I agree that it is important at this time that we make some start on this in order to hold the channel. The question of the full amount is like the difference between buying a Rolls Royce and a Ford. One costs more than the other but they will both get you to the same place. Another thing I feel sure that within a very short time there will be federal matching funds available and I think if we can find \$500,000 for this program that we are doing all we can afford and doing a good job at this time.

Mrs. CHRISTIE of Aroostook: Mr. President, without making any motion I am inclined to favor Report B and my reason is that I am wondering just how much benefit we are going to receive for the money we invest in this. We are not going to dispose of any teachers; it is going to cost us just as much for our educational program aside from the TV program. We don't know just what value the TV program is going to be and I wonder if we shouldn't think about it a little bit before we enact a bill like this.

Mr. BROOKS of Cumberland: Mr. President, I am a little bit confused and I would appreciate an opportunity to study it tonight. I move that the bill be tabled until tomorrow.

The motion prevailed and the bill was laid upon the table pending motion by Senator Davis of Cumberland to accept Report C.

Mr. NOYES of Franklin: Mr. President, before I make a motion to recess until 8:20, I would like to announce that immediately in the Judiciary room there will be a caucus of Senate Republicans.

Thereupon, on motion by Mr. Noyes of Franklin,
Recessed until 8:20.

After Recess

Senate called to order by the President.

Report "A"—Ought to Pass in New Draft "A"

Report "B"—Ought Not to Pass
Report "C"—Ought to Pass in New Draft "B"

Five members of the Committee on Taxation on Bill, "An Act Increasing Sales Tax." (H. P. 708) (L. D. 986) reported in Report "A" that the same Ought to pass in New Draft "A", under same title (H. P. 1184) (L. D. 1631)

(Signed)

Senators:

WYMAN of Washington
EDGAR of Hancock

Representatives: BAXTER

of Pittsfield
ALBAIR of Caribou
WHEATON of Princeton

Four members of the Committee on Taxation on the same subject matter reported in Report "B" that the same Ought not to pass.
(Signed)

Representatives:

BRADEEN of Waterboro
MAXWELL of Jay
WATERMAN of Auburn
LETOURNEAU of Sanford

One member of the same Committee on the same subject matter reported that the same Ought to pass in New Draft "B" under New Title: Decreasing the Sales Tax and Eliminating Certain Exemptions."

(Signed)

Senator

ORTEOUS of Cumberland

In House, Reports and Bill Indefinitely Postponed.

Mr. WYMAN: Mr. President, I move acceptance of the Ought to pass report of the committee, Report A.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate, I move the indefinite postponement of this bill and all accompanying papers. I have been opposed to a sales tax since the word was brought into this legislative session. We knew, a few of us, how this supplemental budget and other requirements can be financed without this increase in the sales tax. When the vote is taken, I request a division.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate, I heartily support the Senator from Sagadahoc, Senator Mayo in his motion to indefinitely postpone this increase of a half of one percent in the sales tax. As one who has been interested in taxation since my student days, since before the sales tax was introduced and as a merchant who sees people from all over the country come to our state, shop in our state, spend their vacations here, I realize too well that the effect of an increase in the sales tax on the economy of the State of Maine and particularly the vacation and travel business will be very detrimental.

At two percent we were just one more State with a sales tax. At three percent we got into pretty nearly the top bracket. At three and a half percent we will be very near the top bracket. We place ourselves in jeopardy of position where our visitors whom we spend thousands of dollars to attract here—of course we don't spend enough to get them here, but we spend a lot—we face the possibility of their saying, "You are getting us in here and then soaking us at every turn." Now, I don't think that is the way to welcome summer vacationers and other travelers to this state. And I would say it is not only summer visitors any more because we are developing a great winter business too and those people will be adversely affected coming in here to buy skis and other equipment for winter sports and being soaked at the rate of three and a half percent where they can buy in some cases at home with no sales tax.

I don't think this is the time for this. I think that those that said that Dr. Sly said we should either do this or that or should have a piecemeal tax—well Dr. Sly said some other things too. For instance, he said that a state with a sales tax should have as its principal source of revenue a broad base tax. He said it is unpopular to tax food, but that it is—and I quote—"a costly exemption". He said that in the case

of automobiles, the greatest benefit of the present exemption goes into those purchasing new cars and using valuable used cars as trade-ins. He further states that this exemption is of doubtful validity. He also mentions the possibility of making more equitable the tax on fuel for home heating and we heard testimony before the Taxation Committee that it was inequitable to tax electricity and gas for home heating. The way to make the equitable in my book is to tax the other two widely just and equally taxable and equally accountable commodities for home heating, taxation of coal and oil.

We have been told that three and a half percent is the easiest way. Well, most of us have faced problems before, and many of us have found that the easiest way may be the wrong way in the end. Some people support the sales tax as a means toward an end. They support it just because they have something of interest to them in the supplemental budget. I believe in more courage than that. I believe that we should look to other means than an increase of a half of one percent. I think that there are members of the Senate besides myself who have thought of this, and I would like to see this tax defeated and these proposals brought forward on the floor of this Senate.

I think that this Senate can well be proud of itself and do a good job for all the people of the state if it comes up with a more honest and forthright way of raising the tax dollars we so much need in some other way than the way I feel will seriously damage the State of Maine.

Mr. PIKE of Oxford: Mr. President, before Senator Ralph Lovell left this afternoon, he said he wished that I would pair my vote with him, and I am asking if I may. I would vote for the sales tax; he was on the other side.

Thereupon, the Senator from Oxford, Senator Pike was granted permission to pair his vote with the Senator from York, Senator Lovell.

Mr. BROOKS of Cumberland: Mr. President, I rise with some

regret to oppose for the second time today, my seatmate Senator Porteous and his proposal. I don't think that the taxing of food is the largest single amount of money we could raise in additional revenue from the three mentioned, so I feel that by not taxing food we have no purpose in taxing fuel for home consumption or automobiles.

I would like to quote Dr. Sly myself when he made the statement in Joint Convention that he wasn't too much concerned with the increase in the sales tax and the way it would affect the influx of summer people. We are going to draw people into Maine for recreational purposes only by progressive promotion and a three and a half percent sales tax is not going to keep them out. I might submit to you that the city of New York has a three percent tax and it has kept nobody out of that city for business or pleasure.

Now, it has been said that people support this three and a half percent sales tax because they want to use that as a means to an end and I think that is true. The means to what end? I reiterate, the end is a better climate for our citizens of Maine to live in; better economy; better aid to hospitals; welfare, education, and also to help us to develop this recreational business which we are so much interested in or have been during this session.

I must support Report A, which calls for the three and a half percent sales tax. I think it is the fairest tax to invoke at this time and it will go a long way in giving us what is so sorely needed in the State of Maine right now. Thank you.

Mr. ERWIN of York: Mr. President, I don't think you need to be a veteran legislator to know that sometimes late in every legislative session, every legislator faces a moment of truth, and I think we face the moment of truth right now, because in the next few minutes, we are going to decide pretty much what we are going to do.

Frankly I think there is no question about the fate of this

particular bill, and I submit to you that there is example before you of the feeling against it. I suggest that one of the best things we can do if we want to wind up the state's business and save the state some money is to accept the moment of truth at its face value and put this thing to a decent rest.

I think the record ought to show that this is not a repudiation of any one or anyone's program. I think it has been made adequately clear over the period of the last few weeks and the discussions that have been had over the supplemental budget, and earlier than that over the current services budget, ways and means to finance them all, as to how this can be done. It can be done without a sales tax. It can be done in so many different ways without a sales tax that we have an embarrassment of riches, if you wish to look at it that way, and directions in which we can go to finance this program. Those of us who feel that there are things written into this program that are not necessary, have accepted the inevitable and the majority has spoken that they wish all of this program to be passed. Now we ask you this question and we ask it in all sincerity and all honesty: If the program can be passed without a sales tax, then why do we have to have a sales tax? What genie behind the scenes is pushing us inevitably to a raise in the major tax that faces the State of Maine? I don't need to go into the details and I don't want to prolong the discussion. I would simply repeat that the entire program and almost all, in fact all of the L. D.'s, all of the little special bills that are close to all of your hearts can be financed without recourse to a sales tax.

Let's bid it depart in peace and put it to sleep.

Mrs. CHRISTIE of Aroostook: Mr. President, when I came to this legislature in January, it was my firm purpose to vote against a sales tax. Tonight I am not in favor of voting at this time for indefinite postponement of this bill. I feel that until we know what we are going to vote for in the way of

services, we should not kill this bill and I am in favor of keeping it alive until we know what the story is.

Mr. COUTURE of Androscoggin: Mr. President, for the second time in the same day, I stand on my feet and concur with the good Senator from Sagadahoc, Senator Mayo, but I too will support the motion for indefinite postponement of this increase in the sales tax. Now to make sure that the majority of this Senate doesn't think I am taking a special stand against our present Governor of the State of Maine, as a member of the other Branch back to the Administration when the sales tax became a law in the State of Maine, I was in opposition to the sales tax because I felt the same way I do now that it was one of the most unfair taxes to the people of the state, that we could pass. Going back to the administration of a Democratic Governor when I was a member of the other Branch, the Democrats possibly could be counted on the fingers of one hand that were in opposition to that sales tax increase. There were two in the other branch and I was one of them. And certainly after being in opposition to the three percent sales tax, I have to stand on my feet here in opposition to increasing it to three and a half percent. I also explain my reasons that I had to oppose it. I have always felt that it was one of the most unfair taxes that any legislature could pass. Our large families in the state are hit hard with the burden of paying a sales tax and usually there is only one earner in the family. I think in debating in this Senate previously on minimum wages, we made some exemptions and they were to work for less than a dollar an hour. How can we go out and adjourn this session and say "We deprived you of earning a dollar an hour but you shall pay a sales tax equal to the high income people." This afternoon some of the Senators told me that my face was just as red as blood could be. This is possible. I will tell you one thing. My face will be a little redder than it was this afternoon if I have to go home and

face my people with an increase in the sales tax.

Let's go back to our people in the state who are under state pension of \$65 per month. I have felt in the past, in passing a sales tax, that we were going back home and taxing the people and making them feel that we have been Indian givers by giving them a pension of \$65 a month to live on and then making them pay a sales tax back to the state on the money we gave them for three meals a day and a place to sleep. And those who are living under social security, they haven't got enough to live on and by applying to the state under old age pensions, they are granted a certain amount of money so they will be able to live. To increase the sales tax, or to have one in the first place is saying that the state will give these people on the right hand and on the left they will take it away.

Some remarks were made about New York. I can assure you that possibly in New York that the scale of wages are not the scale of wages in the State of Maine. Possibly the scale of wages that is approved in New York City is high enough so they can afford to pay a sales tax and possibly their exemptions are suited to those that cannot pay. But under this tax of ours in the State of Maine, there are no exemptions at all for those that down in our hearts we know cannot pay. There aren't any members in the State Senate here who can show me any exemptions for the people who are getting \$65 a month from the state. Is that fair? No member in the Senate here can show me any exemptions here that will show that anyone under Social Security who is not even getting enough now who will become eligible for a life pension here, which is very restricted because people have to starve to be able to get it, but under this sales tax proposal, there isn't any exemption for the people that cannot pay.

We are trying to raise money for education. In time I was hoping we were going to try to raise money to see that three meals a day were served at every table of every single home in the state. But

no success in that matter but a great demand for taxing. Even though they haven't got enough. How would any of you like to live in a textile city where their average take home pay is \$48 to \$50 a week and have to bring up a family of three or four or five or eight children at home and be taxed equally with a single person or anyone earning enough money to be able to afford to pay a tax? What are we doing? We turn around and tax these people who cannot even afford to have proper food for their children or they have to go to the store to buy a pair of pants or a pair of shoes and they have to take the cheaper pair of pants and the cheaper pair of shoes because they haven't got enough money to buy the grade of pants and the grade of shoes that will last them longer. They have to go down to the cheapest bracket because they cannot afford to pay any higher.

Then they reach the cash register and they hear: "Three percent sales tax, please." I have felt all the time that this is the most unfair tax to the people of the state and I haven't changed my mind at all. Until I am shown here on a document that will take care of our people under social security and pensions, especially those that don't receive enough under social security and have become eligible to receive their old age pension so they can have enough money to live. We all know if they qualify and can rate for our old age pension they must be in the starvation tables. We are all aware of the laws we have. Once this pension is granted to them, they certainly need it bad.

Definitely until the state passes a bill to take care of them and exempt in the tax bill all people with large families and those that are unemployed and can't take care of their families, to me it is definitely a disgrace to come in to these people and have six or seven dollars to buy a pair of pants for their children to go to school and be hit with a sales tax on top of it. Furthermore, I do believe that this three and a half proposed tax, that this state can do away with it at this session of the legislature.

There are other ways and means. I heartily support the motion to indefinitely postpone.

Mr. STILPHEN of Knox: Mr. President, at this time I would like to rise in opposition to the motion of indefinite postponement. I feel that if we are going to make some progress in the State of Maine in giving relief to our hospitals back home, doing something for our state employees and doing many things which are progressive, we must face up to the realization that some increase in our revenues is necessary.

We will hear no doubt the suggestion that we can bond this and bond that and cover this up with patchwork taxation but I was here two years ago myself and four years ago, and I have heard these arguments over and over again, and I would just like to remind those that were here two years ago that when the suggestion was made to bond the program it was called irresponsibility and that came from the corner office and at that time it was not occupied by a member of my party. We subscribed to that and we did add taxes and we did not use the bonding method.

I would like to go back again to the time we increased the tax from two percent to three percent. I was in the other end of the State House at that time and we faced up to the realization that we had to make progress then and I have heard it over the radio and over TV and the political platform and the other party that they were the ones that made progress, that they gave the state employees better pay scales, and they gave the towns better relief and a better education program and all that and I subscribe that that was so. They did it because they faced up to the realization that they had to have income in order to make expenditures and for that same reason now I support the increase in the sales tax. I think it is very fair to only have to increase the sales tax one half of one percent to finance the program which Governor Reed has suggested and I heartily oppose the motion to indefinitely postpone.

Mr. EDMUNDS of Aroostook: Mr. President, throughout the ses-

sion I have heard on many occasions criticism of our leadership both in the front office and here in the halls of the Senate and I would submit to the Senators that perhaps the problem is not a problem of leadership. I would submit that perhaps the problem is one of too many generals and not enough sergeants. I would submit that no leadership can cope with a problem such as that.

I have heard several times today that the Senator from Cumberland, Senator Porteous operates one of the largest mercantile establishments in the State of Maine and he is in a better position than I to assess the impact, the validity, the rightness of a sales tax as far as this state is concerned, but I would submit to this Senate that to the best of my knowledge that the mercantile establishment that he is most justly proud of, does not sell groceries, and yet his plan would tax groceries. As far as I know, the tourists that come into Maine will have to buy groceries. I have also heard it said that those of us who support a sales tax, support it for lack of courage as the easiest way out. If that be so, then may I say I rise as a spineless, gutless Senator and I may say that I am proud to rise as a spineless, gutless Senator as a follower and as a good Republican, and I would submit to the Senate that it takes more courage to rise in favor of new taxation than it does to rise in opposition to it.

The motion to indefinitely postpone is a fairly positive step. Without reconsideration this bill will be dead. The motion before us would merely give this bill its first reading. I would submit to this Senate that it is far short of enactment. A two-thirds vote will be necessary in order to enact this legislation and I certainly hope in the interest of my state and my party and my governor whom I am very proud of, that at this time the Senate will not go along with the motion to indefinitely postpone.

Mr. NOYES of Franklin: Mr. President, I rise two capacities. First I rise as the Senator from Franklin County and secondly as the majority leader of the Senate.

We have known for a long time that if we were going to buy some progress here, what the people want, and what they need, we would have to pay for it. I submit to you, although I live in the northwest corner of the state and probably do not see as many people as you see in the cities, but I submit to you that the people are not opposed to a sales tax. And they are particularly not opposed to a sales tax because they are down here and have been down here for weeks and months asking for things they want and things they need.

I don't know where you can get something for nothing. Certainly you can't get it in Porteous' store. I have tried it several times. I am sure you can't get it at my ski area because when Senator Porteous comes up there he has to buy a ticket. So we have got to face the issue and the issue is that we have got to buy some sort of tax and perhaps several taxes.

I would say that tonight we should reconsider in our minds what we have already done today. We have voted for two taxes and I think we have another one on the list and most certainly a lot of people went along and voted for those other taxes merely to keep the issue alive. We have not arrived at the point where we know exactly how much money we need. After we pass the supplemental and we would remind you this afternoon we voted for two more L. D.'s which totaled about a million dollars and I see several more on the table which can cost perhaps another million or two so I say this Senate should be consistent and all I am asking you to do is to keep this thing alive. Vote for it because you have voted for the others and if you are consistent, you will vote for this sales tax and pass it along.

Mr. PORTEOUS of Cumberland: Mr. President, I don't think I would have risen again to speak unless my two fine colleagues had spoken and I respect their knowledge in respect to the sales tax and regard it as great as mine. But I would correct the Senator from Aroostook, Senator Edmunds, that we do sell some groceries, in

the nature of fancy groceries and they are taxed at the same rate as the rest of our merchandise.

I also happened to have talked to a small grocer and the operator, not a colleague of ours, of a rather large operation in the grocery business, and both of them told me, which surprised me quite a bit, I thought I'd get beaten around the head and shoulders when talking to them for proposing this but both of them told me it would simplify their tax collection procedure especially at the check out counter where a young person has to shove some this way and some that way because this is taxed and that is not taxed and it would make their operation more efficient.

In defense of my own program because I have a great concern for the people which the Senator from Androscoggin, Senator Couture was talking about. I have investigated quite thoroughly, as thoroughly as I could and as thoroughly as the figures are presently available, the effect of the so-called regressiveness of the sales tax especially in the lower income brackets, and I certainly would not, and I know of this word "regressive" from many years back, I certainly would not have proposed the removal of such an exemption if I felt that in dollars and cents rather than in percentages of regressiveness, that it was going to affect these families to depriving their children of the food they might not get in the difference of paying or not paying a sales tax.

I didn't say all this the first time I rose but it has been talked about and I don't think I will get a chance to say it again, but for the record, this tax which is that of the thirty-four states including Maine that presently have sales taxes, twenty-six states do tax food. At four percent, there are three; at three percent there are ten; and at two percent there are twelve; and at two and a half percent in Kansas there is that one state at two and a half percent.

Going back to the regressiveness of this tax, Dr. Sly says it is regressive and that is the chief objection to it as an economic theory

but he says and I quote, "comparitively small". In a table from the Ohio State University book on taxation which is also part of the figures I passed out, it shows that in the low income bracket, the payers of the sales tax, through the redistribution of income through federal, state and local budgets receive back many more times what they pay in in taxation. In other words, the more we vote—and these tables were back in 1946 and 1947 before there was as much social welfare legislation as we have had in the past ten or twelve years, that it shows that these very people—you all have the figures so I won't try and quote them—they are the principal recipients. Now in part this says in the last sentence, and this is not talking about food, but talking about the sales tax in general, it does apply to food, and probably if you say that the sales tax on food is the most regressive part of the sales tax, then you must admit that this applies: A retail sales tax which distributes itself proportionately or even mildly regressively may be considered an appropriate means of financing a government expenditure whose benefits distribute themselves in a sharply progressive manner. The people that have the highest degree of regressiveness also receive in a sharply progressive manner the amount of benefit.

Now if we want to get into equality, let us talk about the people who live in small rooms and who don't have cooking facilities. Those people eat out and those people pay a three percent sales tax when they eat out and many of these people are hardship cases and people with pensions and living on social security, the people the Senator from Androscoggin, Senator Couture referred to and they are people we all know about. Others of the working people who eat out are paying a three percent sales tax, on their food, while the people who don't have to eat out so often can prepare the food at home. And may I also add that the tax on food prepared is taxing the same number of calories at a higher rate because it has in it the

cost of preparation, heat, light and power of the restaurant, waitress tips and so forth. Now I have explored further than that a possibility should we ever adopt this, and I have no illusions that we are going to adopt it and I am sorry it wasn't introduced because quite a few have said that maybe it is the thing that we should do. I have to submit that this is a real possibility that the recipients of health and welfare checks and other aid could be, through the Department of Health and Welfare, especially these people who are in the very lowest income group, be issued exemption stamps through the department along with their check. In other words, if they bought a dollar's worth of food they would have a dollar exemption stamp and it could be fixed on some sort of formula as to just what the need of the family was. And this with very little extra administrative cost. The stamp goes to the grocer and when he sends in his return he merely affixes the stamp to the return and the check and the stamps would total up to the total sales.

As far as the three together are concerned, the food, the auto and the fuel, the auto and the fuel, if this program happened to be adopted would balance out against the regressiveness of the other tax, not equally balancing in dollars and cents, but very nearly so. Dr. Sly says the automobile tax favors those who buy high cost cars and have a good trade in. That is also shown on the table. And he says, and I quote again, "The exemption is of doubtful validity." The same thing is true of houses. The examples are given there too. People with the larger and more luxurious homes would be paying more and even at the rate of a thousand dollars a year for the heat bill, the tax would be twenty five dollars. One more point on the automobile tax is that it is very very low in the lower purchasing price. One example is the \$500 trade in for a \$1500 new car, or used car that is new to the person buying it, would under my program be \$7.50 more than at present or only \$2.50 more

if the tax is raised to three and a half percent.

So there are other possibilities. There are ways of doing this. Other states have found the way. Dr. Sly said, "You are going to do one of two things." You are going to go to a higher sales tax or broaden the base and go to other taxes.

I would say that this is the time to do it.

Mr. PIKE of Oxford: Mr. President, I realize it is getting very late, but could I have unanimous consent to speak very briefly?

The PRESIDENT: If you are talking on the same subject, the Chair will state you can speak right now.

Mr. PIKE: Well, Mr. President, I guess I am not. Thank you.

The PRESIDENT: Will the Senator from Oxford, Senator Pike, please stand? Does the Senate object to unanimous consent? The Senator may proceed. I am sorry. I thought if you wanted to talk on the subject you could talk without asking unanimous consent.

Mr. PIKE: Mr. President, as you granted me permission to pair my vote with that of Senator Lovell I won't be standing up to vote and I would like to stretch just a little.

I have been watching these senators speak over their loud-speaker system and it makes me think of a minister back home in my home town. He was one of those ministers who always wrote his sermons out in long-hand and went to the church before anybody else got in there and placed them on the pulpit. There was a little fellow who lived right across the street and he knew the procedure, and on this Sunday we are speaking of as soon as the minister went and placed his sermon on the pulpit and went down into the basement to help the choir, this little fellow hustled over to the church and he took the bottom sheet of the sermon and folded it up and put it inside the pulpit. When the minister got to his next to the last page he said, "And Adam said to Eve", and he reached for the other paper and he thought to save time he would mention it again. He said, "And Adam said

to Eve", but he couldn't find that sheet, and he said to himself so everybody in the church could hear him over the loud-speaker, "There seems to be a leaf missing." (Laughter)

The PRESIDENT: A laugh at times is a great help, and I am sure that the Senator from Oxford, Senator Pike makes that possible for us all, for which we are pleased.

Mr. WYMAN of Washington: Mr. President and members of the Senate: As most of you know, I have been opposed to increased taxes and increased spending all winter. However, I think we have pretty much committed ourselves to the increased spending, and so it becomes a question of how are we going to pay for it. I think Senator Porteous's bill has considerable merit, however I think if we accept it we are broadening out into fields of taxation which have had no hearings. I think when we tax food without giving the matter a legislative hearing we are going a little too far.

Now it may be that we can raise this money by the so-called patchwork piecemeal taxation, but let us not deceive ourselves: when we tax cigarettes and tax beer we are still taxing the workingman. And so I come to the sales tax, which I think is the fairest and most equitable way to raise this money.

It has been mentioned here that it would keep people out of the State, it would deter them and they would not spend their money, but I cannot conceive of anybody who has a hundred dollars to spend failing to spend it because of a difference of fifty cents in the sales tax.

Now New York City was mentioned and of course they do have taxes, and those who have traveled in other states have continually faced sales taxes, they have paid them and they have thought nothing about. I ask you Senators if any of you ever stayed away from a state or failed to make a purchase because of the sales tax, because of half a cent difference in the sales tax, or, in this case a difference of fifty cents on one hundred dollars? So I hope that the motion of the Senator from

Sagadahoc, Senator Mayo, does not prevail.

Mr. COUTURE of Androscoggin: Mr. President, in listening to our good senator from Cumberland, Senator Porteous, the remark that some of these people who qualified for a state pension under the old age assistance eat in restaurants and pay the sales tax. I want to point out to the Senate that people who are receiving an old age pension from the state according to our law who can afford to eat three meals a day in a restaurant should not qualify for a state pension.

Now let's break down this restaurant meal here. I cannot see any of our old-age people living on less than thirty dollars a month rent. That is about the lowest we can find in any corner of our State of Maine. That is leaving something like thirty-five dollars a month for three meals a day. I would like to see the one who can have a meal for less than a dollar in any restaurant. Let's cut it down, let's make it sixty cents, and still that thirty-five dollars will not be enough to get fuel home to keep warm in the daytime. There are thirty days in the month. Let's say it is \$1.50 a day and and they are paying thirty dollars rent. Where is the fuel? Where is what they need for their home? Where is a piece of clothing once in a while? I say that they cannot afford to pay and that it is an unfair tax even though they are buying their food not taxable; it is still hard to cut a slice of bread in two.

Let's not kid ourselves. Let's go out and try to live on sixty-five dollars a month. The law specifies they cannot even carry over four hundred dollars worth of insurance on themselves so they will be buried. The law specifies that they cannot have a bank account, so that is out. The law specifies that if they have any revenue, ten or fifteen dollars a month, it is deducted on their sixty-five dollar pension. If we turn around and say they have to pay a sales tax on it they won't have anything left. When I say they cannot afford it I say it from the bottom

of my heart. Knowing these people, meeting these people and facing them and talking with them, I submit that I know their situation. I mentioned a man raising a family of five, six, seven and eight children. With that income how can he possibly afford to pay taxes on food? They will have to say to their children, "Let's cut the glass of milk in half because my revenue isn't enough to give you a full glass."

Just think of taxing that man on his food!

One thing I bought from the Senator from Cumberland, Senator Porteous, was that these people when they bought food would be given a stamp for all the food they would purchase so they would be tax-exempt. I would buy this, but not on taxing food. Let's put it on everything else that they have to pay taxes on. Let's give them stamps when they have to buy a piece of clothing. Even if they are sixty-five and if they are down and out and have to qualify for old age assistance, let's give them a stamp if they have to go to another store, and maybe after a while they can save three or four dollars out of their pension so they can go and buy themselves a pair of pants or a pair of shoes or whatever they need the most. If we did that that would be something to look at.

I am not going to take any more of your time because I think most of you senators know just how I am going to vote.

Mr. CHASE of Lincoln: Mr. President and members of the Senate: I rise to support the motion for indefinite postponement of this tax bill.

We have passed many bills here, we have approximately eleven million dollars worth of bills included in the supplemental and including all the L. D.'s that we have passed. They are on the appropriations table. Now we can provide for this eleven million dollars and we can provide for it without increasing our sales tax one-half per cent.

When I was in the House ten years ago we passed the two per

cent sales tax. Since that they have raised it to three. About that time, about ten years ago, they created the Bureau of Public Improvements and then they started building brick and mortar, using our surplus for brick and mortar, they started building new buildings at a rate that the State of Maine cannot afford. That is the reason that our taxes have gone up year after year and that is why we have a problem here today.

I reviewed some of the law books and I found a few results that I could mention. In 1952-53 I noted that they spent almost thirteen million dollars for new buildings. Now, mind you, this is for new buildings, this is not for repairs. In 1954-55 they spent almost seven and one-half million dollars. In 1956-57 over eleven million dollars. In 1958-59 over five and one-half million dollars. And now we have a surplus of about eight million dollars and they want to spend that and a million, two hundred thousand extra for new buildings. As a result of this our current expenses have gone up every biennium. In the last biennium our current services budget was a hundred and four million dollars. This time it is a hundred and nineteen million dollars. That is quite an increase. How long can we stand this thing? I am not worried about today. If we pass a three and a half per cent sales tax probably the people can still live under it. But what I am concerned about, if this procedure is continued of using the entire surplus for capital improvements where are we going to get off in the State of Maine, particularly with our economy the way it is? It has been proven that our income per capita is one of the lowest in the country. It has been proven that we are one of the highest-taxed per capita in the nation, and our economy has been bad since 1958. We have been in and out of recessions, we might call them, and we are in one now and money is still short. It may not be short here in this building, but it is if you get outside. You have a million people in this State of Maine and I tell you that the

whole of these million people are not getting a good high-class living. If our standard is low on the average what must it be on the lower half?

I come from a county where we do not have too much industry, where we depend on retail sales and on the summer people coming in, and this tax would hit those people and will effect their business. We in the State of Maine say to the people outside: "Come in. We want your business," but when we get them in here we put the tax to them.

I believe in supporting the Governor's program, I believe in going along and covering the eleven million dollars here and living up to our responsibilities, and I thoroughly believe that it can be done.

We have already spent over four and a half million of our surplus for capital improvements, but after they upped the thing a million dollars they found it just like the snap of a finger; they found a million dollars. Now we have about five and a half million dollars of capital improvements left. I say if we have spent four and a half million dollars already on capital improvements what harm would there be in taking this remaining five and a half million dollars and bonding it?

Now my reason for bonding is this: I do not believe in too much bonding but I do believe in retarding this program of ours of building at the terrific rate that we are going. If we pass a three and a half per cent sales tax here I have no doubt that we will come back here two years from now and you will have a surplus of over fifteen million dollars. And what will happen then? They will say the same thing, and they will want to build new buildings with this fifteen million dollars. What will happen two years from then? They will want another increase in the sales tax. It will go on and on and we will get to the limit. We are pretty near to the limit now. And then they are going to say we have got to go into the income tax field. There were those professors when we were up to the Uni-

versity of Maine that said we should have an income tax now because there is a possible amount that we can get up to thirty-seven million per biennium out of an income tax. So they are looking forward to an income tax so they can take it out of our people.

The Senator from Franklin, Senator Noyes, spoke of the people in our state coming down and saying we want this and we want that. Ladies and gentlemen, that is only natural: the squeaking wheel gets the grease. They know that if they do not appear for the thing they want then somebody else is apt to get it. I do not blame them for wanting things. But it is our job, this legislature's job, it is for us to make the decision as to what we shall buy and how we shall provide the taxes to pay for this program.

As I said before, I am wholeheartedly in support of the Governor's program or most of it, but I do not believe that we need a three and a half percent sales tax, because we can bond this five and a half million dollars and then revert to a smaller tax and make up the difference. If they have already raised the estimates with a snap of the finger they can snap the finger again and get another million dollars, so we will not suffer two years from now as some would lead us to believe.

I am thinking about the future. Our country is in a great crisis. We all know that. We have been in a crisis for many years and we will be in a crisis for many years ahead. There is no relief in sight. But here in the State of Maine where our economy is poor and we are being taxed heavily from outside like every other state why should we continue to use this amount of surplus for new buildings year after year? That is the main theme for me. I believe that we are using too much money for capital improvements, and that is why I say it is time for this legislature to put on the brakes and start using some of that surplus, and I do not say all of it, I say use some of it for current services to run our state on and to avoid a tax increase.

I am definitely in favor of the indefinite postponement of this bill, and I sincerely believe in the bottom of my heart that we can go out of here and buy this program without increasing our sales tax.

Mr. NOYES of Franklin: Mr. President, I am sure we could stay here several hours more but I figure it is about time that we moved for the pending question. Before we close I would again like to ask the Senate to oppose the indefinite postponement motion. I say we have got to be consistent. We have already voted for two taxes today and if we get to another tax tonight I think we will perhaps vote for that too. We are not at the point where we know exactly what we are going to do, and therefore I urge you to keep this alive along with the other tax measures, to be consistent and to go along with this tax.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate: I think it should be brought out here that there is no need of this tax for many reasons. I think it should be brought out that two years ago the tax was imposed upon the hotel and motel owners, three per cent. The proponents of that tax told about how much money it was going to bring in, it was going to bring in three million dollars. The facts and figures show it brought in only \$600,000. We operated in the past two years therefore with a red budget if you want to use those figures and tack them onto the so-called balanced budget of two years ago, and yet with an unbalanced budget we still will show up on July 1st of this year with approximately ten million dollars of surplus.

Now according to statistics, the Bureau of Census, Department of Commerce — and this can be found also in the Sly report — the per capita income in the State of Maine is only \$1,663 for an average. It makes this state the sixth state in New England and the thirty-third in the United States in per capita income. Now the growth in Maine of both state revenue and expenditures is very

great. During the 1955-56 period the total revenue from all sources was 95.9 million and in 1959-60 it was 139.9 million dollars. This clearly demonstrates that Maine, in view of its per capita income, is providing many services for its people and is definitely not a do-nothing state. The arguments that have been heard here this evening regarding the need for a sales tax show that we definitely do not need a sales tax.

My original motion was for indefinite postponement. I now move the previous question.

The PRESIDENT: The Chair will inform the Senator from Sagadahoc, Senator Mayo, that he cannot move the previous question.

Mr. MARDEN of Kennebec: Mr. President, I suppose that a million years ago when the cavemen decided they needed to protect themselves from the dinosaurs and band themselves together to make contribution to build a wall around their community there were arguments as to who should give how much and to whom, and it may very well have been that for a period of years nobody gave anything, but eventually society has banded itself together to pay for the things it needs for each individual and for society itself.

I cannot help but think back on the last five months as I listen to this debate this evening and specifically look at the calendar today, pages 7, 8 and 9 and ad infinitum, and the series of black and white figures, L. D. this and L. D. that, each one of which represents either a good idea or a bad idea, but nevertheless an idea which has the good of the State of Maine at heart — and it is extremely naive to think that the good things we would like to accomplish for the people of this state can be accomplished without paying for them.

I often wonder as a freshman senator, after we finally adjourn and go home, what the people who are at home will think of what we have been doing here; and a year from now or two years from now or ten years from now, when somebody looks back and says, "What did the 100th Legis-

lature do?" what will you say and what will they say? Will somebody say in disgust, "Was that the legislature that increased the sales tax from three to three and a half per cent?" The people who are watching westerns on television tonight or at the drive-in theater, who are at the spinning machines in the mills and factories throughout the state, are they concerned about this debate really or what the results of our efforts will bring to them in their community? Instead of remembering this last five or six months for what we cost the people, isn't it just as fair to say they will remember what we did for them? Isn't it just as proud to be able to tell them that you made a great effort to help the financial burdens of the hospitals of this state so that each of them did not have to bear this cost themselves when somebody in their family is ill? Does it mean anything to you or the people back home that the community mental health services were finally supported by the organization by which it should be supported and that if one young person is saved by this then all of your efforts are worth while? Does it mean anything to you that the educational subsidies were increased, and the hope of not only the state but maybe the entire nation, and that there is some satisfaction that we have done something for the education of our children by the increased facilities at the University of Maine? Does it mean anything to you that as a result of this legislature an entire new concept of lower court justice has been established for the people, so that men for a thousand years will have the respect for the law and the courts and the judges before whom they appear as outlined in the district court bill? Or at last that there is a realization that vacationland is vacationland by a renewed feeling that the Department of Economic Development and Maine's recreational industry will at last be recognized.

It is my suggestion, my friends, that these are the things that will

be remembered and not one-half a penny.

While I am on my feet, Mr. President, I ask for the consent of the Senate to be excused from voting when my name is called because of the fact that I have paired my vote with the Senator from Androscoggin, Senator Jacques, who is unavoidably absent. If present Mr. Jacques would vote against the sales tax and my vote would be for it.

The PRESIDENT: Is there objection to the request of the Senator from Kennebec, Senator Marden, to be allowed to pair his vote? The Chair hears no objection.

Mr. NOYES of Franklin: Mr. President, I move the pending question.

The PRESIDENT: The Chair will inform the Senator that there is no provision in the Senate rules for moving the pending question.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate: As you know, I have been saying for days that we should come to grips with the problems which face us. It is rather evident that as things stand tonight that the sales tax is going to be a hard, hard push if it is ever going to be enacted in this legislature. An alternative program can be prepared in very short order that will accomplish practically everything that is in the Governor's program as well as taking care of the major portion of the which are on the appropriations York, Senator Erwin, has very articulately expressed that point of view. Normally I would vote against the motion for indefinite postponement in order to keep this tax measure alive, but here again I think if we do not indefinitely postpone this in concurrence with the other body this evening we are merely fooling ourselves and we are merely going to delay the termination of this legislative session by a number of days. If we do indefinitely postpone this and then come up with an alternative program that is acceptable we can be out of here in very short order. On the other hand, if the program is

not acceptable we can always bring back this same bill from the legislative files.

Remember, my colleagues, that it will take a two-thirds vote to enact any tax measure, and certainly if we have the two-thirds vote to enact a tax measure we will have no trouble bringing it back from the legislative files. I feel this evening the same as I have all along during the session that we can do the job without an increase in the sales tax, but if it cannot be done then I would be willing to vote for the sales tax. But first let us try what we discussed earlier. I feel we can come up with a program that I am confident will be satisfactory to the majority or even to two-thirds of the members of this body, and we can then close up in pretty short order without having to raise the sales tax.

I certainly am not opposed to progress; I am in favor of progress, but I am not in favor of imposing an unnecessary sales tax increase at this time.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Sagadahoc, Senator Mayo, that this bill and the reports and accompanying papers be indefinitely postponed will rise and stand until counted.

A division was had.

Eleven having voted in the affirmative and fourteen in the negative, the motion did not prevail.

On motion by Mr. Wyman of Washington, Committee Report "A" was accepted and the bill was given its first reading and tomorrow assigned for second reading.

MAJORITY—Ought to Pass
MINORITY—Ought Not to Pass

The Majority of the Committee on Taxation on Bill, "An Act to Increase Cigarette Tax One Per Cent." (H. P. 851) (L. D. 1165) reported that the same Ought to pass.

(Signed)

Senator:

PORTEOUS of Cumberland

Representatives:

BRADEN of Waterboro
WHEATON of Princeton
WATERMAN of Auburn
LETOURNEAU of Sanford
ALBAIR of Caribou
BAXTER of Pittsfield
MAXWELL of Jay

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

(Signed)

Senators:

WYMAN of Washington
EDGAR of Hancock

In the House, Majority Ought to pass Report Accepted, and the bill was Passed to be Engrossed as amended by House Amendment "A".

In the Senate:

Mr. WYMAN of Washington: Mr. President, I move that this be tabled pending acceptance of either report.

Mr. MAYO: Mr. President, I would request a division on the tabling motion.

Mr. COUTURE of Androscoggin: Mr. President, I would question the time of tabling.

Mr. WYMAN of Washington. Mr. President, I move that this be specially assigned for tomorrow.

The PRESIDENT: The Senator from Washington, Senator Wyman moves that this bill be tabled and specially assigned for the next legislative day. A division has been requested by the Senator from Sagadahoc, Senator Mayo. All those in favor of the motion will rise and remain standing until counted.

A division was had.

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

Mr. PORTEOUS: Mr. President, if I am in order I would like to move the acceptance of the majority "Ought to pass" report.

Mr. WYMAN of Washington: Mr. President and members of the Senate: As you know, I am opposed to this. I signed the "Ought not to pass report," but, to be consistent and to keep these tax bills alive I will not oppose it at this

time, so I second the motion of Senator Porteous.

Mr. EDMUNDS of Aroostook: Mr. President, for the very same reasons I would like to state that I am in agreement with the motion.

Thereupon the majority "Ought to pass" report of the committee was accepted and the bill was given its first reading.

Mr. PORTEOUS of Cumberland: Mr. President, under suspension of the rules I would move that the bill be given its second reading now.

Mr. FARRIS of Kennebec: Mr. President, I notice there was a House amendment attached to this at the time it was acted upon in the other body. I read the amendment and it is merely one of a technical nature but it should be accompanying this bill. At this time I would move the adoption of House Amendment "A".

House Amendment "A" was read and adopted.

Mr. PORTEOUS of Cumberland: Mr. President, under suspension of the rules I move this bill be given its second reading at this time.

Mr. EDMUNDS of Aroostook: Mr. President, in the debate on the issue which was just decided we mentioned several times that it was our hope to keep this bill alive. It has been given its first

reading at this time. If anybody is interested, when I asked the President if I might approach the rostrum it was to say that I felt in fairness we should not give this bill its second reading under suspension of the rules at this time. I am talking about the sales tax. For the same reason, I do not feel that we should give the cigarette tax bill its second reading at this time. I hope that we can keep these tax measures somewhat together, and for that reason I would have to oppose the motion of the Senator from Cumberland to suspend the rules and I would ask for a division when the vote is taken on the motion.

Mr. PORTEOUS of Cumberland: Mr. President, I would respect the feeling of the Senator from Aroostook, Senator Edmunds and would withdraw my motion.

The PRESIDENT: The Senator from Cumberland, Senator Porteous requests permission to withdraw his motion. Is this the pleasure of the Senate?

Permission was granted.

The bill as amended was then assigned for second reading on the next legislative day.

On motion by Mr. Noyes of Franklin,

Adjourned until ten o'clock tomorrow.