

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

Friday, June 9, 1961.

Senate called to order by the President.

Prayer by Rev. Kenneth Brookes, of Augusta.

On motion by Mr. Noyes of Franklin, Journal of yesterday was read and adopted.

Senate Committee Reports

MAJORITY—Ought to Pass in New Draft—New Title
MINORITY—Ought Not to Pass

The Majority of the signers from the Committee of Appropriations and Financial Affairs on Resolve, Providing for the Construction of Dormitories at the Aroostook, Farmington and Washington State Teachers' Colleges. (S. P. 277) (L. D. 878) reported that the same Ought to pass in New Draft under a new title (S. P. 585) (L. D. 1637) (Signed)

Senators:

SAMPSON of Somerset
 DAVIS of Cumberland

Representatives:

BRAGDON of Perham
 DAVIS of Calais
 DRAKE of Bath

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

(Signed)

Senator:

STANLEY of Penobscot

Representatives:

JALBERT of Lewiston
 WELLMAN of Bangor
 SMITH of Falmouth

On Motion by Mr. Davis of Cumberland, the Majority Ought to pass report was accepted and under suspension of the rules, the bill was given its two several readings and passed to be engrossed.

Ought to Pass—As Amended

Mr. BROOKS from the Committee on Education on Bill, "An Act to Correct Errors and Inconsistencies in the Education Laws." (S. P. 409) (L. D. 1456) reported that the same Ought to pass As Amended

by Committee Amendment "A" (Filing No. S-268)

Which Report was Read and Accepted, and the Bill Read Once. Committee Amendment "A" was Read and Adopted, and under suspension of the rules, the bill was read a second time and passed to be engrossed.

ENACTORS

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

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

Which was passed to be enacted.

Bill, "An Act Relating to Use of Live Bait in Little Sebago." (H. P. 389) (L. D. 564)

Which was passed to be enacted.

Bill, "An Act Increasing the Tax on Liquor." (H. P. 849) (L. D. 1163)

(On motion by Mr. Wyman of Washington, tabled pending enactment.)

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

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

Bill, "An Act Relating to Educational Foundation Program Allowance." (H. P. 871) (L. D. 1206)

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

Bill, "An Act Increasing State Tax in Unorganized Territory." (H. P. 947) (L. D. 1295)

(On motion by Mr. Wyman of Washington, tabled pending enactment.)

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

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

Bill, "An Act Appropriating Funds for Ferry Service for Long Island Plantation." (H. P. 1186) (L. D. 1633)

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

Appropriations table pending enactment.)

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

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

Orders of the Day

Mr. BROWN of Hancock: Mr. President, I would like to inquire if the Senate has in its possession L. D. 867, an Act Amending the State Authority for Emergency and Fire Fighting Training?

The PRESIDENT: The Chair will inform the Senator that it is, having been held at the request of the Senator from Hancock, Senator Brown.

Thereupon, on motion by Mr. Brown of Hancock, the Senate voted to reconsider its former action whereby it voted to recede and concur with the House.

Mr. BROWN of Hancock: Mr. President, I now move that the Senate insist and request a Committee of Conference.

Mr. PORTEOUS of Cumberland: Mr. President, is this desirable?

The PRESIDENT: It is, Senator.

Mr. PORTEOUS: Mr. President, I heard some of the debate on this in the other body and of course the other body represents people from the towns a little more closely than we in the Senate do, and much of their feeling against the bill is based on the fact that for firemen, volunteer firemen to go to the location of this school would entail a week or so away from the town from which they came, and the expense to the town and the impracticability of it being as far away as contemplated being located, would be too expensive and too time consuming to benefit many towns especially in the western and southern parts of the state. I don't remember exactly the vote in the other body but it is a rather late hour in the legislature to appoint a Committee of Conference that has had the resistance that it has had. I think it is futile. I am not against, I am

for the concept of this thing because the increased efficiency would provide our fire fighting groups and some of the towns that are close by could take advantage of it, but I think it could be done in some other way and therefore I would move against the Senator from Hancock, Senator Brown for a Committee of Conference.

Mr. BATES of Penobscot: Mr. President, it is impossible to see each and every individual who has serious questions concerning this particular document and I am pleased to report that those that I have been able to talk to with respect to this particular document understand it then although they do not seem to understand it without a detailed personal explanation.

In the first place you have an itinerant training program for the firemen under the auspices of the Department of Education, which has been in existence for some time and which will not be discontinued. You have already appropriated funds for the continuation of that most worthwhile program. This is a step beyond, a supplementation of that type of program for industry as well as the large fire fighting facilities to send a person to such facilities for supplemental training. The bill provides for inclusion in the authority which was established by the 99th legislature to come up with facilities and a program whereby this could be implemented as is done in many other states, and that is as far as the authority existing by virtue of the 99th legislature's action could go. And this new authority would include members of the fire chiefs' associations and the firemen's associations of the State of Maine to attempt to develop such a program in conjunction with their needs and desires.

However, at this time it does appear, and I do not even know whether I would be a member of the Committee of Conference, but it does appear that something could be worked out whereby the fears and apprehensions of volunteer fire departments and small fire departments can be allayed

and yet a most vital and proven necessity with respect to establishing the basic premises for such a building might be attempted looking into the future whereby we will need eventually, in fact there is already a need but it will be a growing need eventually to protect the University of Maine buildings.

I have also had it thrown in my direction that this was a selfish motion on the part of Senator Bates for the town of Orono. I would like to point out that this is for the fire protection of the University of Maine facilities already in valuation of \$23 million. I ask anyone in this room to ask his conscience as to whether it is fair for the tax payers of the town of Orono to bear the burden of \$23 million worth of fire facilities. This program might well include a start toward what will eventually be a necessity whereby the tax payers of the whole state will be in a position to protect their investment in properties at the University of Maine.

At this point then, all I plead for is a Committee of Conference to see what might be worked out, finally realizing the action that has been pointed out by the Senator from Cumberland, Senator Porteous and possibly nothing can be worked out but it seems to many of us, and I must include my thinking at this time a unanimous Ought to pass report from the Appropriations Committee and I think we all look to them for a very close scrutiny of all the money bills that there is some merit in this particular situation. If nothing can be worked out that will be the end of the attempts of this legislature to do something about the existing condition with respect to several aspects of control centers, underground shelters, a possible secondary site of installation for state business headquarters in the event of disaster—and I am not dreaming, gentlemen, these are all possibilities—as well as protection of my investment and your investment in the University of Maine properties.

I would plead with you to see what might be worked out in rela-

tion to this particular document. To refresh your memory, yesterday I got up against my better judgment and moved to recede and concur. I did not know until later in the day that the Senator from Hancock, Senator Brown, had asked that this be held. I was pleased naturally, that he asked that it be held, and the major reason that I was willing to recede and concur was that I did not want to be labeled as being selfish for the people of the town of Orono.

I point out to you that if such facilities should come into being, whereby fire fighting equipment is stationed on the campus of the University of Maine, that Orono will still have to have a fire station of its own as it does now, of course, on the side of the town on the opposite side of the campus area. But there will be every indication as does take place in New Hampshire and many other states where there is a combined fire fighting facility by an authority such as has already been established by the 99th legislature for the protection of state investments of a college or university of a land grant nature and the town where that particular housing is included.

Mr. STILPHEN of Knox: Mr. President, I have no objection to this Committee of Conference, but I would like to clear up a point. I thought I understood the good Senator from Penobscot, Senator Bates, to indicate that he didn't think it was fair for the town of Orono to have to protect this great facility that the State has up there. In view of that I would like to pose a question to the Senator. Does the town of Orono receive any remuneration from the State of Maine for these services?

The PRESIDENT: The Senator from Knox, Senator Stilphen, poses a question to the Senator from Penobscot, Senator Bates, and he may answer if he wishes.

Mr. BATES of Orono: Mr. President, I anticipated this question and I am not involved in town government of the town of Orono, but it is my understanding that for three years now, the University of Maine has contributed ten

thousand dollars for improved fire fighting equipment to the town of Orono, on the premise and basis of good judgment as I see it, and again I hope I am not appearing selfish, whereby the type of equipment that is needed with respect to fighting fires for buildings of the nature of the University of Maine would be quite different than would be ordinarily needed in the town of Orono if the University of Maine were not included within the realms of that town, for a beneficial effect on the fire insurance premium ratings for the University of Maine.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate, it is rather funny that the representative I listened to came from Senator Brown's area but I think that the Senator from Penobscot, Senator Bates, has given me at least, very reasonable assurance that there is a chance for the passage of this and he has given me another reason that we are defending a \$23 million investment there on the University of Maine campus, and if it is the pleasure of the Senate, I would withdraw my motion asking for a division on the motion by the Senator from Hancock, Senator Brown who asked for a Committee of Conference.

The Senator from Cumberland, Senator Porteous was granted permission to withdraw his motion.

Mr. CHASE of Lincoln: Mr. President and fellow Senators, I wish to support Senator Brown's request. Coming from a county where we have many towns depending on our volunteer fire departments, and listening to the remarks of Senator Bates, I would not feel right if I did not stand to support this request. I feel that our volunteer fire departments do need some training and this would be a two fold measure and if it is taken to a Committee of Conference, I am sure it will be received with some thought whereby something at least can get started that will eventually do a lot of good.

I realize that most of the Senators here do come from major cities or towns where they do have

a department that has paid firemen but I am from a town and county that has many towns that depend on volunteer firemen and I have had quite a lot of experience in that line, and I know that these volunteer firemen in our state are doing a terrific job. I am also mindful that they need some training in that sometimes in their efforts and attempts to save property that they do, by not having the proper knowledge of fighting fires, sometimes property is destroyed where it would have been unnecessary.

Therefore, I support Senator Brown.

The PRESIDENT: The question before the Senate is the motion of the Senator from Hancock, Senator Brown, that the Senate insist and ask for a Committee of Conference.

The motion prevailed and the President appointed as Senate conferees on the committee, Senators: Brown of Hancock, Bates of Penobscot and Davis of Cumberland.

The President laid before the Senate the 6th tabled item (H. P. 965) (L. D. 1330) House Report, Ought to pass as amended by Committee Amendment A from the Committee on Education on bill, "An Act to Pay School Subsidies in Certain Administrative Units on the basis of Uniform Local Effort"; tabled on June 1 by Senator Edmunds of Aroostook pending acceptance of the report; and that Senator yielded to the Senator from Penobscot, Senator Bates.

Mr. BATES of Aroostook: Mr. President I appreciate the courtesy of the Senator from Aroostook, Senator Edmunds. I would also like to point out to you that this is a very forward step in education in the State of Maine and I think actually it is an implementation of the recommendation of six years ago and which was reported out by the Department on Education four years ago, that they had not enough experience at that time to make such a recommendation. However, I must regretfully move for indefinite postponement.

The motion prevailed and the bill was indefinitely postponed.

On motion by Mr. Edgar of Hancock, the Senate voted to take from the table the first tabled matter (H. P. 1023) (L. D. 1424) House Report from the Committee on State Government on Bill "An Act Increasing Compensation of Boards of Registration in Cities," Majority Report, "Ought not to pass"; Minority Report, "Ought to pass" which was tabled on May 22nd by that Senator pending acceptance of either report. (In House Passed to be Engrossed as Amended by House Amendment "A" (Filing No. H-171))

Mr. EDGAR of Hancock: Mr. President and members of the Senate; I first would like to thank the Senate most sincerely for permitting me to keep this on the table for this length of time, and now I am in a position where I can say "Off with the old and on with the new," and in view of the fact that we have enacted and the Governor has just signed a revision of the election laws which handles among other things the matter of compensating boards of registration in cities which makes this bill which has been on the table unnecessary and obsolete, I now move that we accept the "Ought not to pass" report of the committee.

The motion prevailed and the "Ought not to pass" report of the committee was accepted in non-concurrence.

Sent down for concurrence.

On motion by Mrs. Lord of Cumberland, the Senate voted to take from the table the 9th tabled matter (S. P. 246) (L. D. 763) Senate Reports from the Committee on Appropriations and Financial Affairs on Bill, "An Act Appropriating Funds for Relocation and Construction of a Boys Training Center," Majority Report "Ought not to pass"; Minority Report, "Ought to pass as Amended by Committee Amendment "A" (Filing No. S-260) which was tabled on June 7th by that Senator pending acceptance of Minority Report.

Mrs. LORD of Cumberland: Mr. President and members of the Senate: I first wish to apologize for keeping this on the table longer than I had intended, but I might say that this report of the committee was a great disappointment to me and I did not know exactly what to do, and I did have an amendment mimeographed to return the bond issue to this bill, but it was decided that that was not the way to do it so I will speak to the motion to accept the minority report.

First, I would like to give a little of the history of this because some of you may have forgotten that in the last session of the 99th Legislature an order was introduced directing the Bureau of Public Improvements to study the present site of the State School for Boys to determine the desirability of new construction on this site, considering the proximity of the airport, and to make a report to the 99th Legislature in six weeks. This report was made and we found that the last building that was built there had been built in 1903 and there has been no new construction except for a gymnasium. The repairs which have been provided for by the different sessions of the Legislature, the appropriations, were not used because the buildings were so obsolete and it was felt that the school should be moved, so the only thing that was added was fire escapes and the roof repairs on three cottages were deferred. Porch repairs were deferred, vocational shop building was deferred and the central kitchen and diningroom were deferred. The only thing that actually happened was to put on some fire escapes, so there has been very little money spent there.

The next thing, after this report was received in the House and Senate, there was an act to create a committee to study the relocation of the State School for Boys, and the duties of this committee were to determine the long-range purpose of a training school for male juvenile offenders for the State of Maine, determine the program necessary to translate the purpose

of the school into effective action, determine the units needed and the physical plant, to implement of the school, determine the size both the purpose and the program of the school in terms of ultimate desirable capacity, determine the best site for relocation of the State School for Boys in terms of purpose, program and physical plant needs, and to employ an architect or architects to translate into plans, specifications and cost estimates the thinking of the committee.

This has been done by the committee that was appointed according to the order. One person appointed by the President of the Senate, one appointed by the Speaker of the House, one to be from the Department of Finance and the Bureau of Public Improvements. This committee has done its duty and it has brought in a report which has been on your desks for some weeks. I hope you have read it.

This amendment, which was brought out "Ought to pass" by a minority of the committee, simply allocates \$273,000 for architectural purposes and purchase of the land in anticipation of the relocation which was proposed by this committee.

The members of the committee recommend the relocation of the training center and the construction of a new institution for rehabilitation of the state's male juvenile offenders. The committee recommends that these new facilities be constructed on the selected site in Gorham, Maine. The site was found to be the most suitable for the purpose of all those considered, based on the requirements and standards of a modern training center. We believe the plans, sketches and cost estimates contained in this report fairly represent the plant requirements necessary to implement both the purpose and the program of the center.

Finally, the committee respectfully urges the members of the 100th Legislature to give careful consideration to the problems of the boys' training center and to adopt necessary legislation to

carry out these recommendations in the best interest of the State.

In arriving at these conclusions and recommendations, the committee performed all the duties imposed upon it by Chapter 149 of the Private and Special Laws of 1959, the law which established the committee, a copy of which may be found in this report. As Chairman of this committee, fully aware of the time and effort this committee devoted to this study, I am convinced that the committee has performed a distinct service for the people of the State of Maine and to the cause of improving residential services for male juvenile offenders.

Since the committee concerned itself with many problems and procedures, many of the conclusions in respect to the cost, number of buildings, site or choice or architect are probably subject to critical review, but we must not confuse minor differences of opinion with the basic issue before this legislature because of this bill. The basic issue cannot be better stated than it was in part of the report prepared by the Maine Aeronautics Commission and submitted to the Legislative Research Committee and reproduced for distribution to members of the 99th Legislature. I quote this part of the report:

"We feel very strongly that the State School should be entirely removed from the immediate area of the Portland Municipal Airport. Such report would eliminate a serious hazard to aviation safety and to the safety of the occupants and staff of the State School.

"Logical development of the Airport suggests extension of the north-south runway in a southerly direction through the area now occupied by the school. Maintenance of the school in its present location would continue a hazard to aircraft and school personnel which is inconsistent with good logic and humanity.

"The Maine Aeronautics Commission wishes to put itself on record as having called to the attention of the Maine Legislature that maintenance of the school in its present location is tantamount

to ignoring possible threat to the lives of air passengers and school personnel, and to crippling future development of the existing airport.”

To this I would add that at the public hearing on this Legislative Document before the Committee on Appropriations and Financial Affairs, representatives from the Maine Aeronautics Commission repeated the above and added that time only served to prove the truth of this statement. This is an urgent situation.

Thus, the 100th Legislature has inherited a problem, not of its own creation, but the 100th Legislature hereinafter must share responsibility for whatever transpires in respect to the Portland Municipal Airport and the Boys Training Center if it fails in passage of this Legislative Document.

And what will transpire? Not only will failure to act “cripple the future development of the existing airport” as claimed by the Maine Aeronautics Commission report, but just as assuredly failure to act will cripple the future development of services to children at the Boys Training Center. If I am correct in this conclusion, then failure to act compounds the problem by not only perpetuating an admittedly ineffective program at the Boys Training Center but by assuring increasingly ineffective air service to a large segment of the State.

Since the Airport is not the subject matter of this piece of legislation, I would call your attention to what is happening, and will continue to happen, at the Boys Training Center until a new Center is constructed. It will continue to operate as an overcrowded facility for the male juvenile offenders from which children who are only partially, or in some instances not at all rehabilitated, are released to provide space for the newcomer. The inevitable by-product of this procedure is an increase in the number of commitments to the Reformatory for Men and the Maine State Prison of these children who, at one time, were at the Boys Training Center.

This is costly and a waste of human resources.

The Boys Training Center is an institution serving all cities and towns and all courts; its location is incidental to the area it serves. If it does a poor job the by-product of its efforts are reflected in the cities and towns to which its boys are returned; they return to crime there. No community is immune from the after-effects of a poorly housed and programmed State Institution. The children at the Boys Training Center are yours — not the State’s.

Finally, as a total State problem, I feel it should be resolved by all the people of the State by referendum as to financing its construction by bond issue. This problem is beyond sectional strife — no area is free of juvenile crime; no area is free of responsibility for the solution to this problem; and all areas will benefit in the passage of this bill.

I have many references here to people who support it all over the State of Maine but I will not take the time to read them.

I think that the time is late in this session and for this project and I know it is costly, but when will it be cheaper? Certainly the cost of construction is going up every year, so if we can act upon it at this session I think it would be for the best interests of the people of the State of Maine.

Mr. DAVIS of Cumberland: Mr. President and members of the State: Originally this bill had a five million dollar price tag on it. I believe the minority report, as my colleague has told you, has amended it down to some \$273,000 for the acquisition of land. While I can agree that perhaps at some time it should be moved, I submit to you that this is not the time nor is Gorham the place. I think nearly everyone will agree that, other than its proximity to the airport, there probably is no better location in the State of Maine than the location where it is at the present time. I can see no particular problem in regard to the airport until and when it is expanded. I think we have settled that matter. I think you will re-

call we turned down the bill to transfer the airport to the State of Maine and the City of Portland has taken definite action, stating that they would not contribute to any further expansion of the airport.

At the hearing there were many people from the town of Gorham who opposed the location in that town. The committee has in its records a letter stating that an informal vote was taken at the Gorham town meeting which indicated they were very much opposed to location of the school in the town.

Mr. President, I move the indefinite postponement of the bill and accompanying papers and when the vote is taken I ask for a division.

Mr. CHASE of Lincoln: Mr. President and members of the Senate: As you know, I was the Senate Chairman of the Committee to look into the disposition of the Hebron site. Our committee went up to Hebron, we looked it over and found that we had a nice piece of property up there that we felt at the time would make a good place for the Boys Training Center, 500 acres approximately, with woods, apple orchards, fields and well-equipped. The only thing that we found there were two obsolete housing buildings, the old treatment centers, that could be torn down and replaced with more modern buildings. When we were up there — and there were many from the legislature that went up there to look at this site, and I am sure that everyone was impressed with the thought that we might transfer the Boys Training Center up there to Hebron. We came back and before we made our report we thought that it would be only proper that we go down to the Boys Training Center and look it over. So our committee went down and spent pretty near a day down there. We talked with Mr. Hughes for a long time. He seemed to be worried that we might suggest that the plant be moved to Hebron. He stated at that time that he could not see but what the place where they were was not nearly as bad as some people had been led to be-

lieve. They have two hundred acres of land and there is plenty of room for improvement. The only argument that the members of this committee seem to have is the proximity to the airport. Mr. Hughes didn't seem to be too worried about that. He even mentioned the Maine Medical Center just across the bay, and he also mentioned the oil storage tanks, quite a number of them, and you folks know that the way planes take off and land today a few hundred or a thousand feet doesn't mean a thing.

Furthermore, there is a housing project just over the hill from this Boys Training Center where there are many people and it is a closely congested area. I believe in wartime there was a plane that came down and destroyed a trailer, I believe it was, and killed some people. So they used that as a reason for moving the site.

I do not blame Mr. Hughes for wanting a better facility to do a better job and I have no doubt but what he could. He went completely through the plan and the committee was impressed with the job that Mr. Hughes is doing there. He teaches them to cook; they had an automotive training building and everything was organized very nicely there. They had a gymnasium, they had an art course. They have the farm. We visited the entire place. I think they are doing an excellent job. The buildings are not located close to one another; they are extended quite a ways apart, so if there did happen to be an accident it would not be a case of all the buildings being together. There is plenty of room there for improvement.

I understand that under the program now that there is a provision for temporary barracks, which they do need for sleeping quarters for these boys. I will admit that the conditions are quite bad there in one building where these boys are sleeping. But there was one thing that I noticed while I was there. We passed out of here, as you know, an emergency bill for four and a half million dollars and in that bill there was some money for a fire escape, but while we

were there at the training center Mr. Hughes mentioned the great need for this fire escape, for these boys were in great danger. That has never been mentioned. Of course they are trying to do it, the request is in to get the fire escape, but they were pretty slow in getting it made under the conditions that existed there as I saw them. I was quite disappointed at that angle, especially when they said that the conditions and the proximity to the airport were the main reasons they wanted this thing. So there is a bill in here to provide for more housing.

Dr. Hughes mentioned to us the specific thing that he was worried about and that is the after-care program. We heartily agree with him. He keeps these boys there and when he sends them out there is no after-care program; they are just turned loose, no one to look after them, no parole board to look after them, nothing to protect them. And I notice that somewhere in these bills there was some money allocated or some money to be set aside for an after-care program. I certainly think that an after-care program is something that is badly needed there. That is the main thing, that and the housing project. But other than that I feel they have a very good place in Portland right where they are, for this time at least.

If they were to be moved from Portland I would suggest that they be moved to Hebron, because that is a beautiful site and it would be a good location. The main argument they have against it is the distance it is away from a major city where perhaps services could be obtained. I disagree on that point because it is only fourteen to seventeen minutes ride from Lewiston, and that is one of our major cities, to Hebron.

The people of Gorham, as Senator Davis has said, do not want this thing out there. The people at Hebron do not mind. We had a hearing up there and they did not mind having the Boys Training Center come up there from Portland. But I do not feel that this is any time to move that cen-

ter down there. I think Mr. Hughes is doing a wonderful job down there and I commend him for doing such a good job. I was really impressed and the committee was impressed. But I cannot see at this time spending five million dollars or half that amount or any amount to buy this property. I feel a little bad that we have spent about fifty thousand dollars just studying this thing. Now they want a little matter of \$273,000 just to engineer this thing and to buy the land. That is just to buy the land and get their feet in the door.

If you took that \$273,000 plus the \$50,000 that they have already spent and \$20,000 perhaps left over and you went up to Hebron I firmly believe that we could make a beautiful place for those boys up there.

There are between 150 and 250 boys and a potential of maybe 500 of these boys, and my heart is out for them. Believe me, and I am sincere when I stand here talking. I am talking about boys that have come from homes where perhaps the environment is not too good. I believe they should be taken care of. They are our problem. I realize when I make these remarks that I have a responsibility, but I sincerely state at this time that I feel they are being taken care of well at this site at this time, especially if they can have this after-care program and this new dormitory. Thank you.

Mr. BROOKS of Cumberland: Mr. President and members of the Senate: I would simply like to put the record straight, if I may, regarding a few remarks that the Senator from Lincoln, Senator Chase made.

The problem at the State School for Boys is the rehabilitation of these boys. As a matter of fact, that is the primary purpose of these boys going to that school.

As Mr. Hughes has stated — and I have visited the school twice — he is only able to keep those boys, for lack of staff and facilities, approximately, I think it is five months. Naturally it is necessary to have the young boys several

months longer in order to get any kind of results.

Now nationally there are schools of this type that have a very high percentage of rehabilitation, as high as 80 per cent, and according to Mr. Hughes the rehabilitation of his boys is almost negligible. As a matter of fact, he stated that some of the alumni of his school were playing basketball for the State Reformatory and the men in the State Prison, which seems too bad. What he needs is a staff and facilities and he needs them badly. The argument against Hebron, Mr. Hughes says, is the fact that the persons in the Portland area who are concerned with the professional aspects of the school state that in an area as far away from Portland as Hebron is it would be very difficult to get the psychiatrists, psychologists and so forth to serve these boys who do need this type of treatment.

Mrs. LORD of Cumberland: Mr. President, I would just like to answer one thing which the Senator from Lincoln, Senator Chase brought up.

So far as fire escapes are concerned, the money for them was appropriated by the 98th Legislature and the report of the Bureau of Public Improvements says that it is one hundred per cent completed, so I do not know what he is talking about.

This committee investigated Hebron; we went up there and spent a day. But it is not the place for this kind of an institution. It is a beautiful spot, yes, but it is not right for this sort of an institution. To begin with, there is no police protection, not much fire protection, the water supply is not adequate, the sewerage is not adequate, and everything would have to be built over. It would also be much more costly to maintain a staff there because we can use part-time doctors and psychiatrists and so forth in Portland. In the end it will cost the State much more to run this place.

Mr. COUTURE of Androscoggin: Mr. President, as a member of the other branch one term I happened to be on that committee and I

visited the State School for Boys. At that time the buildings were in fair condition and there was sufficient space for the boys at that time, which I think was some six years ago. There is no doubt in my mind that today they possibly need a little more room. Of course in those days there were not as many houses around and not as many businesses around. I did feel then that that was the proper place for it and a good location. Possibly now, from what information I have had, the land has become very valuable in this area at this time and probably is worth more and more every year for something else than a school for boys. For this reason, I believe myself that there is a nigger in the woodpile somewhere, that these buildings, fire escapes, sewerage and so forth have dropped down so rapidly in a period of a few years. I think the proper place for it is right where it is now at this time. I do not think that this state should go to the expense which is demanded to move them out of there. There is plenty of land that I know of. They can put up more buildings if they do not have enough room now without being moved out of there.

As I said before, I think there is something else in back of this. As we know, it is building up very fast in that area and the land could be used for something else and there is a possibility of it. I do not think that the State should inject itself into this at this time, and I shall support the motion for the indefinite postponement of the bill and all its papers.

Mr. DAVIS of Cumberland: Mr. President, just for the information of the Senate, I would like to comment that we have provided in the supplemental budget for an after-care program at this institution. I do not recall the exact figure at the moment, but it seems to me it is in the vicinity of seventy-five or eighty thousand dollars a year. I think this can become a very important program at this institution.

If you will also refer to your capital improvement budget which is now on its way through this legislature, you will know that we

have provided for one cottage living unit for \$42,000.

Mr. CHASE of Lincoln: Mr. President, I want to rise to restate my position in regard to the fire escape. All I know on this, and the committee will verify my remarks, was that Dr. Hughes said that he was quite anxious to get hold of the money or to get the job done. I understood from him that it was under this crash program that we passed here. Nevertheless, the fact was that the fire escape had not been built and there was a great need for it.

There was another thing I wanted to mention. The Senator from Cumberland, Senator Lord mentioned that there was an inadequate water supply and inadequate sewerage disposal units at the Hebron site. I would disagree with the Senator on that. I understand that there was a new sewerage disposal unit built there just before this place was closed; and the water supply I believe is an excellent one. But I hope you did not understand me to say that I recommended moving this site from Portland at this time to Hebron for I do not. I feel that they have a good place there. I do not believe in my own mind that the danger exists which they claim does exist. I feel that it is an excellent location right where it is and I feel that if we put money in there, if you put in any part of this money the good Senator has recommended for over to Gorham, it will help considerably. I am pleased, as I said before, that the Appropriations Committee has approved in their report some money for an after-care program, and I sincerely hope before we leave this legislature that part at least of the supplemental budget will be taken care of.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Davis, that the report and bill and all accompanying papers be indefinitely postponed.

Mrs. LORD of Cumberland: Mr. President, I ask for a division.

The PRESIDENT: A division has been requested by the Senator from Cumberland, Senator Lord.

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

A division was had.

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

The PRESIDENT: The Chair will announce to the Senate that one of our lovely staff members, Mrs. Regis Strout, is celebrating her thirty-third wedding anniversary today. I am sure we all wish her many years of happiness in the future — and I hope she has more than ten years. (Applause, members rising)

We would like to have a word from Mrs. Strout. I am sure she will accommodate us.

Mrs. REGIS STROUT: Mr. President and members of the Senate: I do not know how to thank you but I do appreciate your congratulations. (Applause)

The President laid before the Senate the 7th tabled item (H. P. 224) (L. D. 435) House Reports from the Committee on Appropriations and Financial Affairs on bill, "An Act Providing for Construction of an Educational Television Network for the State of Maine"; Report A "Ought to pass"; Report B "Ought not to pass"; Report C "Ought to pass as amended by Committee Amendment A"; tabled on June 7 by Senator Brooks of Cumberland pending motion by Senator Davis of Cumberland to accept Report C.

Mr. BROOKS of Cumberland: Mr. President, I believe sincerely, that educational television, if enacted in the State of Maine would be a great progressive step forward in the area of education, particularly in rural areas. The rural areas are those areas that will get broader education and a qualified type of education from ETV.

Bowdoin, Colby and Bates are already developing an educational type of program and with this ETV that is proposed, we would be covering ninety per cent of the persons in the State of Maine. ETV would reach into the public schools in the state and also the private

schools in the State of Maine. It also would include for adult education by providing cultural programs in the evening. I would at this time, with prudence and a sense of responsibility, move that we accept the motion of the Senator from Cumberland, Senator Davis, and accept Report C of this ETV bill.

Mr. MAYO of Sagadahoc: Mr. President, I pose a question through the Chair to the Senator from Cumberland, Senator Brooks, the question being, did he say that the BBC Broadcasting educational system would cover ninety per cent of the state?

The PRESIDENT: The Senator from Sagadahoc, Senator Mayo, poses a question to the Senator from Cumberland, Senator Brooks, and that Senator may answer if he wishes.

Mr. BROOKS of Cumberland: Mr. President, I think I understood the question. I will answer and if it is not correct, the Senator may correct me.

The combination of the one proposed by the state and the one to be provided by the three private schools would serve ninety per cent or better of the State of Maine.

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

Mr. MAYO: Mr. President, it does and I thank you. I would like now to inquire, through the Chair, of anyone who could answer, what the final situation is in the problem of receiving this educational broadcast in the counties to the east of Washington. I have heard a lot of pros and cons about having to put this under ultra high frequency type of reception. I am wondering if that particular problem has been resolved in any way.

The PRESIDENT: The Senator from Sagadahoc, Senator Mayo poses a question to any Senator who wishes to answer.

Mr. BOARDMAN of Washington: Mr. President, being one of the Senators from Washington County, and being very much familiar with this educational T.V. and very

much interested in it, I would like to answer that question.

At the present time, Channel 7 which has been assigned to Calais and which was supposed to be used for educational T.V. has been actually transferred for commercial purposes to Bangor. It is my understanding that at the present time, if the legislature and the State of Maine take action to actually incorporate educational TV, then this channel will revert back to Calais for educational purposes.

Mr. MAYO: Mr. President, I thank the gentleman very much. Now one more question to anyone who cares to answer. Has anyone any knowledge as to what the eventual total cost of this program will be in the next few years?

Mr. PORTEOUS of Cumberland: Mr. President, I am not sure I can — I know I can't answer that in dollars and cents but from a general over all understanding of the things that this program will accomplish, that it will save money in the long run in my estimation and give better education especially to some of the outlying schools where the teachers may not have as sound a knowledge as the ones than can be broadcasting over ETV network.

Mr. STANLEY of Penobscot: Mr. President, the answer to the gentleman's question is entirely with succeeding legislatures. They will determine how much money we will spend for Educational TV.

Mr. EDGAR of Hancock: Mr. President, I would like, if I may, to address a question either to the Senator from Cumberland, Senator Brooks, or anyone else who may answer. Since the original bill on this subject carried an appropriation of a million dollars, I would assume that it was felt that that much money was needed to put an ETV station in operation and make it a going proposition. Now my question is, if we only appropriate the half million, what will then be the result? How far will the half million go and will it mean that the ETV Channel will still be assured of actual operation?

Mr. DAVIS: Mr. President and members of the Senate, I think I gave my position on this once

and the reason, but I will be glad to repeat. I have talked with various engineers and they tell me we can make a very good start on this program for \$500,000. We can't provide all the frills for that but we can at least make a start, and my reason for signing the report in this manner is that I feel it is very important that we tie up the VHF channel before we lose them. I think those of you who live down in the southern part of the state and have had experience with UHF channels know how unsatisfactory that is. I also feel that there is a very good possibility that within a short time, federal matching funds will be available for this program.

The PRESIDENT: Does that answer the question of Senator Edgar?

Mr. EDGAR: Partially, Mr. President, but if I may explore this just a little further, with the Senator from Cumberland, Senator Davis. I would like to ask the Senator, when he said this half million will provide a start, does the Senator mean there would be an ETV channel in operation with the half million?

Mr. DAVIS: Mr. President, I am not sure I can answer that question definitely but I do feel that it would at least show our intention to establish this program so we could get the channel.

Mr. BROOKS of Cumberland: Mr. President, perhaps to enlarge a bit on the answer of Senator Davis, the acceptance of Report C would guarantee us the channel necessary to establish the ETV and would give us an opportunity to start training the instructors and coordinating the work necessary to finally actually put it into operation.

Mr. SAMPSON of Somerset: Mr. President, I would like to direct a question to Senator Davis of Cumberland. What is the frequency of VHF?

Mr. DAVIS: Mr. President, not being an engineer probably I can't give the gentleman a technical answer, but the channels are within the range of the television programs that we normally receive

now. I believe they go from Channel 13 to Channel 2.

The PRESIDENT: Does that answer the question of the Senator from Somerset, Senator Sampson?

Mr. SAMPSON: No, Mr. President, it doesn't answer my question. They are merely channels, Channel 2 to 13. I actually believe that at this particular time, this is one of the gimmicks to secure the ETV for the State of Maine and the State is not ready for it. The education department has already stated that it will take four years to train teachers to be able to handle ETV correctly and they have also stated before that the programs will be on tape and they will also be on film. There will be no live telecasts and they won't be ready for live telecasts in the future.

Also, if you go to UHF instead of VHF I would say that it would be more feasible and some engineers state this also because they could construct your UHF stations more economically and they would cover more of the entire state rather than being in a bargaining position trying to grab off the channels which are already available.

The half million dollars as I understand it and which I have been told and done research on would not do anything as far as ETV goes at this particular time. Therefore, I move for indefinite postponement of this bill and all accompanying papers.

Mr. CHASE of Lincoln: Mr. President and members of the Senate, in that I am not versed on these television bills, I understand there are three educational television bills in this legislature and I haven't looked into it and when I vote I would like to vote half way intelligently on it, so I would pose a question to any Senator: What is the difference in these three programs?

Mr. SAMPSON: Mr. President L. D. 876 which was the tabled item on page 4 of the calendar, tabled by Senator Stanley of Penobscot, pertains to this large TV bill which is before us. The one that was passed yesterday,

the one that I sponsored and which we passed, is a supplemental TV program as I understand it which takes place July 1st of the governmental subsidized TV programs which are already taking place in the State of Maine. By continuing the one which I sponsored which was passed yesterday, it will take up where the government leaves off with their subsidy on July 1st.

Mr. CHASE: Mr. President, I thank the Senator from Somerset, Senator Sampson. The other question is that I have heard common talk around the chambers that we might get something started that we couldn't finish and the result would be that we would be selling our interest in the program for a few cents on the dollar in future years to some private interest perhaps.

I am not making any inferences whatsoever, I am just asking of someone if there is any chance of such a thing happening?

Mr. BROOKS of Cumberland: Mr. President, ETV is already being successfully used in other sections of the country. It is a national source of getting education and good education to the students which make up geographically the greatest part of the State of Maine.

I can't conceive of succeeding legislatures turning down a program which I am sure will prove to be valuable and profitable to the state and for that reason I can't agree with those persons who have discussed this, as the Senator from Lincoln, Senator Chase, has said, with him in the corridors, that at some time in the future we may be selling these stations for a few cents on the dollar.

We will have micro-wave relay stations in Presque Isle and one in Brunswick and one over in New Hampshire which will be hooked up with the southern part of the state, and that will afford us the opportunity to get educational programs live from other states and tape and so forth by coordinating with these programs in other states. As I said earlier, we also will eventually build up a library of top-notch educational programs

conducted by leading educators in the nation.

All that we are asking for here is to get this program started by guaranteeing to us the necessary outlets or channels by which we must reach our children and our adults. I think it is one of the bills which gives to that state or this legislature the possibility of a great step forward in the field of education in Maine.

Mr. SAMPSON: Mr. President, I have been informed recently that the State of Michigan — I believe it was the State of Michigan — has been trying this program and they are trying to do away with it at the present time, and I actually believe that there aren't over a half dozen members of this Senate who actually understand the working of ETV and how they are intended to be worked.

Now if all of these programs are going to be on film and tape, every school in the State of Maine, from your sub-primary right through the grade and junior high and regular high schools at the present time have projectors and if this is going to be on film, they certainly could save money, the state could, to have a film library until such time comes when ETV is perfected. I don't believe that the housewives at the present time would have enough knowledge and training to even receive the television programs correctly.

Therefore, I don't think it is a feasible project at the present time. In future years, it probably will be a coming thing, but at the present I think it is money down the drain.

Mr. STANLEY of Penobscot: Mr. President, in the committee I went along with the bill as presented to us asking for a million dollars for educational TV. What will happen in educational TV, we can only tell by doing it ourselves. The three private colleges in our state seem to have an interest and feel it would do something for the State of Maine.

It would be unfortunate to have one half the state having educational TV and the other half not having it. The state of New Hamp-

shire which has been referred to in our debate here, already has educational TV, we can hook in with them and the whole Atlantic Seaboard.

I rather think that Senator Sampson is under-rating the power of the woman again when he says they will not be able to receive TV. I am sure that they will and they will be very happy to receive it.

Mr. MAYO: Mr. President, as I sit here and listen to the questions and answer period, the thought flashes through my mind that we are establishing two separate educational TV systems; the so-called BBC or Brunswick, Bates and Colby system, and now we want to set up another system in competition with them, or in line with them, I don't know which it is. But again, as I said, the question in my mind is, "Why do we have to have two systems? Why wouldn't it be feasible through the University of Maine to increase one more outlet and tie in with this other system that is already set up which already probably has the professors all ready and the system of educational programs established." Why wouldn't it be more feasible for the State of Maine to put in possibly a little less money in this way, and to join in with this other already established system?

I haven't looked into whether it is feasible or possible, but it would seem to me that we would be better off to have one system in this state than to have two. Therefore, when the vote is taken, I am going along with the motion of the Senator from Somerset, because I feel that we are setting up an opposition to a very fine system that has already been started.

Mr. DAVIS of Cumberland: Mr. President, in answer to the Senator from Sagadahoc, Senator Mayo, I cannot see any way that we will be in competition with the three TV stations of Bates, Bowdoin and Colby. That is being established without any cost to the state. This will continue that so that we will provide the

same service to the eastern and northern parts of the state.

Mr. BOARDMAN of Washington: Mr. President and members of the Senate, I think perhaps we are getting off on the wrong track here with regard to what this system is supposed to be and do. It is my thorough understanding of this program that the education TV system which we have here today and which we are discussing, is adding on to this system which is going to be in existence. In other words, we are tying together with them. This is not in opposition to them, it is going along with them. Now already they have agreed to set up certain stations throughout the State of Maine, in turn, we want to continue it further so that we can go into Washington County, Aroostook County, and the other counties. There are no means up in the eastern part of the state to do that and therefore through this system we wish to continue on with what they are already doing, and make it possible so that 98 percent of the people in the State of Maine can see educational TV.

Mr. PORTEOUS: Mr. President, I think that going along the highway, a map is worth a thousand words of direction, and I have a map and my colleague from Cumberland, with whom I don't always agree, has agreed to handle this map for me. To answer the question of would these two overlap? Now, if the Senator will hold the map a little higher, please—thank you. (Laughter) To show you that the better than half million dollars that BBC, Bowdoin, Bates, Colby network is going to spend is going to cover the southwestern part of the state. Therefore my colleagues from Cumberland County won't benefit from any extra expenditures for this ETW network; we will get ours anyway. We will get it partly from New Hampshire and from this area here which is Lewiston on the Bates college campus, and reaching over here (indicating.) It does overlap in Lincoln County and Knox County a little. But there are other towns here too, many of which and much population all along the coast from Vinalhaven

Camden, Lincolnville, Searsport, Stockton Springs, all would be on the outside border of the BBC network, and then you get into the towns in Hancock County and over into Washington County. They would be completely out of that, so that the University of Maine Channel 12 would be covering a part of the state that would be way outside this BBC, and then of course in Washington County, you have the station that would be at Calais, and also you have another at Presque Isle. These red lines are relays where they can get programs all the way through from one place to another.

I hope that answers the geographical portion and I would like to thank Senator Brooks for his kind assistance in holding up this map.

Mr. MAYO: Mr. President and members of the Senate, after looking at that map, I am confused because it looks to me as though the area that our good Senator from Franklin represents, and our good Senator from Piscataquis and Oxford and so forth, they are going to have a bunch of illiterates up there in the next few years. (Laughter)

Mr. NOYES of Franklin: Mr. President, after the remarks of the Senator from Sagadahoc, Senator Mayo, I heard a number of Senators say that they have them up there all ready. I arise for educational television and you can see from the map that most certainly we will get no benefit from educational TV, but I have had occasion and I am sure the rest of you have, to travel in other states and in my own particular case, every so often it is necessary because I like to stay in other states two or three months at a time when the legislature is not in session, and I have observed in the case of my daughter, that educational television brings to the school kids, and she is only eleven years old at this time, additional things, things that cannot be taught in the regular curricula. I refer to music for example. Now in the 458 communities in this state and I am talking about the grade schools and the high schools, there are only 297 programs for music, and

out of the same number of communities, there are only 35 communities that have a formal art program. Now we have been trying in Maine to upgrade education and we are all talking about accreditation of our high schools and our academies, and I would like to leave this thought with you, that out of the 240 high schools and academies in Maine in 1960, only 29 were accredited. That is where some of our problems come in in getting our children into college later on.

You have asked about the cost of this thing. I go for the million dollar package. I suppose that is my theme song. I'm always going for a million dollar package. But getting back to the million dollar package, the cost would be only \$5.50 per student. As to what will this cost per year after you have bought the proposition if you buy it, the cost will be roughly \$1.25 per year, per pupil. I don't know where you can get a much cheaper form of additional education. In this day we are talking about new courses in Spanish and in foreign languages as the world gets smaller, and we have to have additional courses. We have got to have additional courses in space science and many other things that are coming along. So most certainly we cannot have a teacher in every school to take over this type of additional or supplemental education. There have been a few facetious remarks made that this would eliminate the teachers in Maine that it is a horrible monster whereby someday we will have a school, I suppose it would have bars on the window and we would have no teachers. The only thing we would have would be a large television set and a policeman at the door perhaps so they don't leave.

This is supplemental education, additional education. It is true that in some states at the present time, they don't like it too well, but in many of the other states, they like it very much. It is true that this is an experiment, but it is an experiment that is fast becoming a reality and getting back to the question of the differences between some of these channels, between VHF and UHF — well,

I can't give you the technical definition but it is the number of channels that we have now, which in Maine run from 2 to 14. People say, "Well, we can wait a while." We can wait in this state, I suppose, as we have for the last fifty years for many things and I would sum this up by saying that I most certainly go for the million dollar proposition, and I would like to end up with this remark which the good Senator from Cumberland, Senator Lord, used this morning — quote: "When will it be any cheaper?"

On motion by Mr. Brooks of Cumberland, a division of the Senate was had.

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

Thereupon, on motion by Mr. Davis of Cumberland, the Senate voted to accept Report C; the bill was read once; Committee Amendment A was read and adopted and under suspension of the rules, the bill was read a second time and passed to be engrossed.

The President laid before the Senate the 8th tabled item (H. P. 468) (L. D. 668) bill, "An Act to Create a School Administrative District in the Town of Orrington"; tabled on June 7 by Senator Bates of Penobscot pending motion by Senator Brown of Hancock to suspend the rules and give the second reading.

Mr. BATES of Penobscot: Mr. President, I would like to speak to the measure after the pending motion.

Thereupon, the rules were suspended and the bill given its second reading.

Mr. BATES of Penobscot: Mr. President and members of the Senate, with respect to L. D. 668, again I have to say that no matter how much sympathy you may have for an existing local condition, and I will prove to you in a few minutes that I think this existing local condition has been resolved satisfactorily, the State of Maine cannot afford at this time to begin to establish single administrative school district units unless there has been sufficient study made at that level to justify such a situ-

ation, and unless every effort has been exhausted whereby surrounding municipalities have indicated that they will become a part of the study and will vote to be included or not included on such a proposition.

If you should pass L. D. 668 you are leaving the door wide open, either at this session or certainly at the next session, for many other justifiable instances of single administrative units being sought after by those communities. The Sinclair Law would be in jeopardy as far as the program of trying to buy the best possible facilities with the provision of state funds that the state can afford.

I have talked with several members of this Senate and they are concerned as was the Committee on Education with what is going to happen to the Orrington students. This morning referring to the first item under enactors on your Senate journal, you passed to be enacted, L. D. 452 which presumably is on its way to the Governor's office for signature. That is the solution that the Committee on Education believed to be the best solution whereby Brewer with a combination of 700 resident plus tuition pupils would qualify for construction aid the same as any other community in the state that has 700 or more students and would be able to provide far better educational facilities for the students of the town of Orrington than can Orrington with a secondary school system of some 169 students. In order to justify my presentation to you the other day, I have in my hands, telegrams from the Superintendent of schools in Brewer, and the Superintendent of schools in Orrington and I wish to read those at this time.

This is from the Superintendent of Schools in Brewer, Lee Hallowell:

"Bangor, Maine
June 8th, 1961

SENATOR ROSWELL BATES
Senate Chambers, State House,
Augusta, Maine

Have contacted Brewer School Committee. Will take Orrington students next year if bill 452 passes. Met yesterday P.M. with sophomore class for next year from Or-

rrington to discuss plans. Met this morning with Superintendent Brown of Bucksport to discuss tentative plans for next year's ninth grade from Orrington. Have conferred with Brewer school. Principal to make arrangements regarding increased class. Size and room arrangements for added number next year. Have planned to free two rooms in junior high school. One to be freed by moving the superintendent's office in order to take Orrington ninth graders next year. District trustees voted June 5th to authorize working plan for four-room addition to Brewer high school as soon as possible. Waiting for definite word on 452 before we can make above plans final. Hope to hear favorable action on 452 soon. Telegram from Supt. Brown will reach you.

Lee Hollowell, Supt of Schools,
Brewer"

I will now read to you the telegram from Superintendent Paul J. Brown of Unit 91 which includes Orrington:

"Bucksport, Maine,
June 8, 1961

Dr. Roswell P. Bates,
Maine State Senate
State House, Augusta Maine

Brewer has notified us that they will take the Orrington children next fall. We still feel that the Orrington bill should be passed due to the tremendous financial effort being made by this town and their school building needs.

Paul J. Brown, Supt. of Schools

I must repeat to you that I am in entire sympathy with Superintendent Brown and the people of Orrington, that they would like to have financial support, but they are not the only community. In fact every community feels the same way. I believe, ladies and gentlemen of this body, that the motion which I will now make for indefinite postponement of this document is justifiable in view of the facts that I have recited to you, and you can check with all interested parties, and find I am not misleading you.

Mr. BROOKS of Cumberland: Mr. President, I rise in support of the motion of the Senator from Penobscot, Senator Bates. Having

been a member of the Committee on Education, I was in constant contact with the officials, as was Dr. Bates, of the towns of Brewer and Orrington. We passed this out of committee, Ought not to pass, and it was only done after exhaustive study and you have heard the two telegrams that Senator Bates has just quoted. I think it bears out his argument of the other day that trust and good will exist between these two communities. As I said, that is why I rise in support of his motion.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate, it is a difficult position to be in to oppose two members of the Education Committee or even question what they said, but I stood and moved for a division on this the other day and the vote went against them by quite a wide margin, and so far I have had no word from the representatives from Orrington, that any agreement has been reached. Now the passage of this L. D. 668 will only make it possible for a school administrative district — I don't believe that it directs them to set one up, so that while the legislature, the 101st legislature would not be able to act on this until two years from now, if the things that have been said in the telegram did not come to pass, the town of Orrington would have the door at least open to act in building their own high school.

It seems to me that if this were to be indefinitely postponed at this time, it would shut the door very effectively and then the people of Orrington would not have this opportunity, so again I move to defeat this motion for indefinite postponement and ask for a division.

Mr. EDMUNDS of Aroostook: Mr. President, I rise very reluctantly to speak against this bill because as most of the members will recall somewhat earlier in the session a similar type of legislation was passed here with respect to my home town of Fort Fairfield. However, the problem in my home town was substantially different from this one in that we already have a high school of approximately 400 pupils and here we are deal-

ing with a town that does not have any high school whatsoever. In my particular town we were hemmed in by larger cities and the Canadian border, whereas this town is surrounded by a number of smaller towns which could eventually consolidate with Orrington.

The reason that I rise, and most reluctantly, but I think this is the most dangerous precedent that this legislature could set at this particular time. If this bill is adopted you will establish a precedent whereby similar legislation will come into the next session whereby very conceivably it would cost the state as much as \$25 million in the 1963-64 biennium.

Mr. WYMAN of Washington: Mr. President and members of the Senate, if this were earlier in the session I would suggest tabling this as the good Senator from Penobscot has brought in new information and while I don't disagree with anything he says I am sure those are the facts, there always are two sides to every story. We haven't had a chance to consult with the people on the other side. I would suggest that we let this bill go to the engrossing department. It will be back to us and we can have time to kill it then. In the meantime we can check into it further and it will not be on the table nor delay the session at all. I therefore oppose the motion to indefinitely postpone at this time. Perhaps later I might vote for it, but not now.

Mr. FERGUSON of Oxford: Mr. President, when this bill first was reported out, I voted for it because I told Representative Baker of Orrington that I would. But since that time I have gone to Mrs. Baker and told her I couldn't support the bill. Personally I think we would be setting a dangerous precedent in regard to setting up small administrative districts. We would be getting away from the intent of the Sinclair Act and the whole thing could be broken down so it would not be workable.

I would like to point out to you that the town of Orrington receives now 62 percent of state subsidy for general school purposes and it is

my understanding that if this bill is enacted, that for capital construction they could qualify for 62 percent subsidy for capital improvement. Now where will we be at the state level if we subsidize the local communities up to that point?

I certainly hope that the motion of the Senator from Penobscot, Senator Bates, prevails.

Mr. FARRIS of Kennebec: Mr. President, I also arise with great trepidation because frankly I am not at all an expert on the situation up in Penobscot County, although I am somewhat impressed by the fact that in the other body after very thorough debate on June 7 which might be of interest to any of the Senators in case this is not indefinitely postponed, to obtain more information that it was nearly a four to one vote to permit Orrington to have this administrative district. I appreciate the thinking of the committee on education. I understand that since this bill was reported out that some members do not feel as strongly on the situation being opposed to Orrington having its own administrative district as they were at the time they acted in committee. If I understand correctly, and if I do not, I certainly want to be corrected, but on the basis of contracting at the present time the period for entering into contract by a town in the position of Orrington with a municipality like Brewer, is only a two year period. I would like to pose that as a question if I may, Mr. President.

Mr. BATES of Penobscot: Mr. President, if I understand the question of the Senator from Kennebec, Senator Farris, under the school administrative district law, the Sinclair Act, two or more towns can form a school administrative district for the purpose of contracting with the receiving municipality on a basis of anywhere from five to twenty years. This would be one town contracting with a receiving municipality or being permitted to establish its own school facilities, school construction facilities, and under 452 which is the document that received enactment today, there is a committee amendment which

definitely stipulates that no community receiving pupils can stop receiving those pupils with less than a two year notification.

The PRESIDENT: Does that answer the question of the Senator from Kennebec, Senator Farris?

Mr. FARRIS: Mr. President, as I understand, at the present time Orrington could make a contract with Brewer for a period of any time between five and twenty-five years. Is that correct?

Mr. BATES: Mr. President, Orrington and any of the surrounding communities could form a school administrative district which would enable any two of those three to coordinate their primary school facilities to the better advantage of educational facilities.

Mr. FARRIS: Thank you. Then, Mr. President, as I would understand it, there is not much that the town of Orrington can do at the present time to have any assurance of safeguards in the future other than to join with these two surrounding towns in order to have any long term protection. I am not familiar with the amendment to L. D. 452 and have only seen L. D. 452 this morning to read it thoroughly, but it would seem to me that we are now faced with a problem here in the legislature, which is not going to be recurring as the Senator from Aroostook, Senator Edmunds has stated because in the future units of Grades 9 through 12 with less than 700 students would only be able to have any sort of legal status if the recommendation were given to the legislature by the commission.

The Senator from Penobscot, Senator Bates, has stated himself that of course the door should be open for justifiable administrative units and it seems that whether this is justifiable or not, I am not prepared to state without reservation, but I do feel that in the town of Orrington they have a problem whereby it is justifiable to give this a few more hours consideration and for that reason I would be opposed to the motion to indefinitely postpone at this time.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Bates, that the bill be in-

definitely postponed, and a division has been requested.

A division of the Senate was had.

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

Thereupon, the bill was passed to be engrossed.

The Chair declare a recess until two o'clock this afternoon.

After Recess

Called to order by the President.

Mr. COUTURE of Androscoggin: Mr. President, I would like to have permission to address the Senate briefly, for half a minute.

The PRESIDENT: The Senator from Androscoggin, Senator Couture, requests unanimous consent to address the Senate for one-half minute. Is this the pleasure of the Senate? The Chair hears no objection and the Senator may proceed.

Mr. COUTURE: Mr. President, at this time the Senator from Androscoggin County wishes to thank the President for his message during this caucus.

The PRESIDENT: The Chair thanks the Senator from Androscoggin, Senator Couture. There is nothing that we like to see more than the smile that he has on his face. (Applause)

The Secretary will proceed with Supplemental Journal No. 1.

Papers From the House Non-concurrent Matter

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. 580) (L. D. 1634)

In Senate, June 8, Passed to be Engrossed As Amended by Senate Amendment "A" (Filing No. S-270)

Comes from the House, Passed to be Engrossed, As Amended by House Amendment "A" (Filing No. H-393) in Non-concurrence.

Mr. LOVELL of York: Mr. President, in order to keep this measure alive, and because we well know that sometimes the other

body changes their mind, as we may also do here, I would like to move at this time that we insist on our action.

Mr. DAVIS of Cumberland: Mr. President, I have not had an opportunity to see House Amendment "A". For that reason I ask that this matter be tabled.

The PRESIDENT: Will the Senator from York, Senator Lovell, please approach the rostrum?

(Conference at the rostrum)

Mr. LOVELL of York: Mr. President, I would like to withdraw my motion.

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

Permission to withdraw the motion was granted.

On further motion by Mr. Lovell of York, the bill was tabled pending acceptance of the report.

COMMUNICATION

House of Representatives
Office of the Clerk
Augusta

June 9, 1961

Hon. Chester T. Winslow
Secretary of the Senate
100th Legislature
Sir:

The House has voted to insist and join with a Committee of Conference and the Speaker of the House has appointed the following Conferees on the part of the House on the disagreeing actions of the two branches of the Legislature on:

Bill, "An Act to Increase Cigarette Tax One Cent." (H. P. 851) (L. D. 1165)

Messrs.

BAXTER of Pittsfield
ALBAIR of Caribou
WHEATON of Princeton.

The Speaker today appointed the following members to serve on the Interim Joint Committee to Study the Employment Security Law and Report to the 101st Maine Legislature:

Messrs.

ESTEY of Portland

THAANUM of Winthrop
FOGG of Madison

Respectfully,

HARVEY R. PEASE
Clerk of the House

Which was read and placed on file.

At the request of the Senator from Androscoggin, Senator Couture, the Senate was recessed for three minutes.

Recess

Called to order by the President. Mr. PARKER of Piscataquis: Mr. President, I would ask if H. P. 1184, L. D. 1631 is in the possession of the Senate?

The PRESIDENT: The Chair will inform the Senator from Somerset, Senator Parker that it is, having been held at the request of the Senator from Knox, Senator Stilphen.

Mr. PARKER: Mr. President, having voted on the prevailing side yesterday on this measure, I ask that this bill be reconsidered.

The PRESIDENT: The Senator from Piscataquis, Senator Parker, moves that the Senate reconsider its action whereby this bill was indefinitely postponed.

Mr. COUTURE of Androscoggin: Mr. President, could I be informed by the Chair if that is the sales tax bill?

The PRESIDENT: The Chair will inform the Senator from Androscoggin, Senator Couture, that it is.

Mr. COUTURE: Mr. President and members of the Senate, I request a roll call on this motion for reconsideration.

The PRESIDENT: The Senator from Androscoggin, Senator Couture, requests a roll call. In order for the Chair to entertain the request of the Senator from Androscoggin, Senator Couture it requires the consent of one-fifth of the membership of the Senate. All those in favor of the motion by the Senator from Androscoggin, Senator Couture, will rise and remain standing until counted.

A division was had.

The PRESIDENT: Three senators having arisen, obviously the

request for a roll call does not prevail.

Mr. COUTURE: Mr. President, I request a division.

The PRESIDENT: All those in favor of the motion of the Senator from Piscataquis, Senator Parker, that the Senate reconsider its action whereby H. P. 1184, L. D. 1631, Bill, "An Act Increasing Sales Tax" was indefinitely postponed will rise and stand in their places until counted.

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

On motion by Mr. Edgar of Hancock, the bill was given its second reading.

On motion by Mr. Noyes of Franklin, the bill was tabled unassigned pending engrossment.

The President laid before the Senate (S. P. 275) (L. D. 876) "Resolve, Appropriating Money for In-School Educational Telecasting," which was tabled on June 8th by Mr. Stanley of Penobscot pending motion by Mr. Sampson of Somerset to indefinitely postpone.

Mr. STANLEY of Penobscot: Mr. President, the Senator from Somerset, Senator Sampson, is not here but he has asked me to take this from the table and he would like to withdraw his motion. That being the case, I would like to move that we accept the committee report. I believe that would be the proper motion.

The PRESIDENT: Does the Senate concur with the action of Senator Stanley in bringing this message from the Senator from Somerset, Senator Sampson, to the Senate. The Chair hears no objection, and the motion of the Senator from Somerset, Senator Sampson, for indefinite postponement is withdrawn.

Mr. CYR of Aroostook: Mr. President, could I ask the Senator from Penobscot, Senator Stanley, what relationship this bill has with the one that we passed this morning?

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

Mr. STANLEY of Penobscot: Mr. President, in answer to the Senator from Aroostook, Senator Cyr, this is giving funds to the University of Maine for operation of their telecasting. The bill that we had this morning was to set up T. V. broadcasting and this would be for the operation.

The PRESIDENT: Would the Senator from Penobscot, Senator Stanley, please state the amount? That is probably what the Senator from Aroostook, Senator Cyr, is interested in.

Mr. STANLEY of Penobscot: Mr. President, I believe it is \$60,000.

The PRESIDENT: Does that answer the question of the Senator from Aroostook, Senator Cyr?

Mr. CYR: Yes. Thank you.

The bill was thereupon given its second reading and passed to be engrossed.

Sent down for concurrence.

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

Mr. STILPHEN: Mr. President and members of the Senate: Earlier in the day a group of seventh grade students from Rockport Grammar School visited the Senate balcony, accompanied by their teacher, Miss Mildred Graffam. I was not aware that they were here and I did not at that time introduce them, but for the record I would just like to mention it.

Mr. MAYO of Sagadahoc: Mr. President, out of order I present an order and move its passage.

The PRESIDENT: The Chair would inform Senator Mayo that the order has not been reproduced. The Chair will declare a five-minute recess if you wish to have it reproduced.

Mr. MAYO: Mr. President, I will present the order when we come back on the next legislative day. Thank you, Mr. President.

Mr. Gilbert of Kennebec, was granted unanimous consent to address the Senate.

Mr. GILBERT of Kennebec: Mr. President. This is pertaining to civil defense. As you well know, the Federal Office of Civil Defense and the Maine Civil De-

fense Agency as well as the County Civil Defense Office have at one time picked certain sites to install these prototype family fall-out shelters for use in case of air raids or other conditions that might occur. It so happened in this area that Representative Emery O. Beane Jr's house was one of the new houses that was selected and it is most interesting to visit. Mr. Beane requested me to extend an invitation here to the members of the Senate to visit the new shelter. He says his house will be open any time between now and the time we get back next week, if we do, and also it will be open from 1:00 P.M. to 4:00 P.M. Monday afternoon. It is most interesting to visit. Mr. Beane was selected because he has been interested for so many years in civil defense. I thank you.

The PRESIDENT: The Chair thanks the Senator from Kennebec, Senator Gilbert, and I know I speak for the Senators in conveying our thanks to Representative Beane.

Order Out of Order

Mr. MAYO of Sagadahoc presented the following order out of order and moved its passage:

ORDERED, the House concurring, that there be created an interim joint committee, to consist of three senators and five repre-

sentatives, appointed respectively by the President of the Senate and the Speaker of the House, to study and report to the 101st Legislature such recommendations concerning the functioning of the Department of Economic Development as may best promote greater benefits in meeting the increasing industrial and recreational needs of the State.

And be it further ORDERED, that the members of the committee shall serve without compensation but shall be reimbursed for their expenses incurred in the performance of their duties under this order.

And be it further ORDERED, that there be appropriated to the committee from the legislative appropriation the sum of One Thousand Dollars to carry out the purpose of this order.

Which order was read and passed.

Mr. Noyes of Franklin presented the following order and moved its passage:

ORDERED, the House concurring that when the Senate and House adjourn they adjourn to meet on Monday, June 12th at four o'clock in the afternoon.

The order received passage and was sent to the House.

Subsequently the order having been passed by the House in concurrence, the Senate so adjourned.