

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

Saturday, June 17, 1961

Senate called to order by the President.

Prayer by Maurice Knowles of Bar Harbor.

On motion by Mr. Stanley of Penobscot, Journal of yesterday read and approved.

Enactors

Bill, "An Act Relating to Amount of State Retirement Benefits for Teachers." (S. P. 205) (L. D. 538)

Bill, "An Act Providing Expanded Community Mental Health Services." (S. P. 191) (L. D. 524)

Which bills were passed to be enacted.

Non-concurrent Action on an Enactor

Bill, "An Act to Create a School Administrative District in the Town of Orrington." (H. P. 468) (L. D. 668)

In House, June 12, Passed to be Engrossed As Amended by House Amendment "A" in non-concurrence.

In Senate, June 15, Indefinitely Postponed in non-concurrence.

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

Speaker appointed: Mr. HICHBORN of Medford, Mr. DURGIN of Raymond, Mrs. BAKER of Orrington.

In the Senate, on motion by Mr. Brooks of Cumberland, the Senate voted to insist upon its former action and join in a Committee of Conference, and the President appointed as Senate conferees, Senators: Brooks of Cumberland, Davis of Cumberland and Mayo of Sagadahoc.

The Chair declared the Senate Recessed to the sound of the gong.

After Recess

Senate called to order by the President.

Paper From the House Report of the Committee of Conference

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, "An Act Providing for Construction of an Educational Television Network for the State of Maine." (H. P. 224) (L. D. 435) reported that the Senate Recede and Indefinitely Postpone Committee Amendment "A", Adopt Conference Committee Amendment "A" as amended by Conference Committee "A" thereto, and Pass the Bill to be Engrossed As Amended by Conference Committee Amendment "A", as amended by Conference Committee Amendment "A" thereto and that the House Recede, Adopt Conference Committee Amendment "A" (Filing No. H-406), As Amended by Conference Committee Amendment "A" thereto and Pass the Bill to be Engrossed As amended by Conference Committee Amendment "A", As amended by Conference Committee Amendment "A" thereto—in concurrence.

Senators:

MAYO of Sagadahoc
DAVIS of Cumberland
NOYES of Franklin

Representatives:

BERRY of Portland
KENNEDY of Milbridge
WELLMAN of Bangor

Thereupon, the Conference Committee report was accepted and the Senate voted to recede; Committee Amendment A was indefinitely postponed, Conference Committee Amendment A to Conference Committee Amendment A was adopted; Conference Committee Amendment A as amended by Conference Committee Amendment A was adopted, and the bill as amended by Conference Committee Amendment A, as amended by Conference Committee Amendment A thereto, was passed to be engrossed.

Orders

On motion by Mr. Davis of Cumberland ORDERED, that the desk, chair and equipment in the office of the President of the Senate, together with the remainder of such supplies as were required to carry

out the duties of his office, be presented to the President of the Senate and delivered to his home address.

Which was read and passed.

On motion by Mr. Edgar of Hancock, ORDERED, that the Superintendent of Buildings be directed to deliver to the Secretary of the Senate such equipment and supplies as the Secretary shall deem necessary for use in completing and indexing the Journal of the Senate.

Which was read and passed.

On motion by Mr. Farris of Kennebec, ORDERED, that the State Librarian be directed to forward bound copies of the Legislative Record to members and officers at their home addresses.

Which was read and passed.

On motion by Mr. Mayo of Sagadahoc, ORDERED, that the State Librarian mail to each member of the Senate the balance of the Legislative Record.

Which was read and passed.

On motion by Mrs. Lord of Cumberland, ORDERED, that the State Librarian mail to each member and officer of the Senate a copy of the Laws of this Session when completed.

Which was read and passed.

On motion by Mr. Mayo of Sagadahoc, the Senate voted to take from the table (S. P. 436) (L. D. 1308), "An Act Relating to Sale of Discontinued Items of Liquor in State Stores," tabled by that Senator on June 17 pending motion by Senator Davis of Cumberland to indefinitely postponed; and Senator Mayo of Sagadahoc yielded to Senator Davis of Cumberland.

Mr. DAVIS of Cumberland: Mr. President, I understand that there is an amendment being prepared to this bill and for that reason I wish to ask permission to withdraw my motion to indefinitely postpone. Permission was granted.

On motion by Mr. Porteous of Cumberland, the Senate voted to suspend the rules and reconsider its former action whereby the bill was passed to be engrossed; and

on further motion by the same Senator, Senate Amendment A was read and adopted and the bill as amended was passed to be engrossed.

The President laid before the Senate, bill, "An Act Relating to Harness Racing Purses" (H. P. 1175) (L. D. 1621) tabled by Senator Stilphen of Knox pending enactment; and on further motion by the same Senator, the bill was passed to be enacted.

The President declared the Senate recessed until 1:30 o'clock this afternoon.

After Recess Papers From The House Non-concurrent matter

Bill, "An Act Amending the Christmas Tree Law." (H. P. 265) (L. D. 379)

In Senate, June 16, Indefinitely Postponed.

Comes from the House, that body having insisted on its former action whereby the Bill was Passed to be Enacted.

In the Senate, that Body voted to recede and concur and the bill was passed to be enacted.

Report of Committee of Conference

The Committee of Conference on the disagreeing action of the two branches of the Legislature on:

Bill, "An Act to Create a School Administrative District in the Town of Orrington." (H. P. 468) (L. D. 668) reported that they are unable to agree.

Comes from the House report read and accepted.

In the Senate, the report was read and accepted.

Joint Order

ORDERED, the Senate concurring, that the Law and Legislative Reference Librarian, Edith L. Hary, be and hereby is authorized, during the current biennium, to attend the conferences of the National Legislative Conference, and that she be reimbursed for her necessary traveling expenses. (H. P. 1192)

Comes from House read and passed.

In Senate, read and passed in concurrence.

Enactors

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

Bill, "An Act to Amend the Workmen's Compensation Act." (S. P. 173) (L. D. 419)

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

Bill, "An Act Redefining the Financial Responsibility of Children and Certain Relatives in Public Assistance." (H. P. 1179) (L. D. 1625)

Which were Passed to be Enacted.

Mr. Edmunds of Aroostook was granted unanimous consent to address the Senate.

Mr. EDMUNDS: Mr. President, I hate to take up the time of the Senate with the remarks I am about to make, but I don't think they are altogether trivial. I just bought a copy of the Lewiston Evening Journal which I will hold up for the Senate to see and they have a beautiful article in here entitled "Planning a Vacation? Why not consider a trip along the lovely St. John River". To the best of my knowledge this is a Maine newspaper. They have six beautiful pictures in this article. Every one of them was taken in Canada. The St. John forms the border of the State of Maine, I believe for something over 200 miles, and yet the State of Maine is mentioned briefly I think in either the third or fourth paragraph and it says that some of the waters that form the St. John River do flow from the State of Maine.

As I say, I hate to take the time of the Senate on a matter such as this but it seems to me, especially the Lewiston magazine where they have such close ethnic and cultural relationships with the people of the St. John valley who live in Maine, should do something to feature Maine on the St. John River valley. The thing that amazes me when I look at something like this

is, what is the Department of Economic Development doing when a Maine newspaper would devote an article to the St. John River and not mention the State of Maine, and it is one of our borders for over 200 miles. I don't know what the thought or motion would be but I would certainly hope that there might be some way that possibly our Secretary could bring this to the attention of the Department of Economic Development because I am disgusted when I see something like this.

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

Mr. COUTURE: Mr. President, I think it is better to come out with a little bit about Canada than have publicity about our session.

Final Reports

The following Committee Chairmen have submitted their Final Reports:

Chairman Parker of the Committee on Agriculture.

Chairman Brown of the Committee on Business Legislation.

Chairman Bates of the Committee on Education.

Chairman Lovell of the Committee on Industrial and Recreational Development.

Chairman Erwin of the Committee on Judiciary.

Chairman Mayo of the Committee on Labor.

Chairman Christie of the Committee on Liquor Control.

Chairman Gilbert of the Committee on Public Utilities.

Chairman Marden of the Committee on Retirements and Pensions.

Chairman Brewster of the Committee on Sea and Shore Fisheries.

Chairman Noyes of the Committee on State Government.

Chairman Wyman of the Committee on Taxation.

Chairman Wyman of the Committee on Towns and Counties.

Chairman Boardman of the Committee on Veterans and Military Affairs.

Chairman Cyr of the Committee on Welfare.

Which reports were read and accepted.

Mr. FARRIS of Kennebec: Mr. President, I would like to inquire if L. D. 1155, "An Act Increasing Number of Justices of the Superior Court," is in the possession of the Senate.

The PRESIDENT: The Chair will inform the Senator from Kennebec, Senator Farris, that it is in the possession of the Senate.

Mr. FARRIS: Mr. President, at this time I would like to make a motion that we reconsider our action whereby last evening this was indefinitely postponed, and it was indefinitely postponed, like many other matters for the reason that we did not have sufficient funds to finance this legislative document. This carries a price tag of \$28,000 and adds one Justice to the Superior Court system which is a fine system but which has become somewhat ailing due to the fact that we are lacking enough Justices to keep up with the work load. A lot of it is caused by the change in the rules of civil procedure which became effective in December of 1959.

In trying today and last evening to find some money whereby this bill could become enacted into law, and having discussed it with many members of the Senate and House who feel it is a most meritorious bill, I was talking this morning with Miss Worthley who represents retired teachers, and we had already passed to be enacted L. D. 538 which was amended downward so the price tag for the biennium was \$200,000. Actually we now find that \$161,000 will adequately provide the increased allowance for the teachers as it was enacted into law. So for that reason, that we do have enough money and if we reconsider the Justices of the Superior Court legislation and enact it, we will still come out with a net gain for the biennium of \$12,000.

At this time I move reconsideration of our action whereby we indefinitely postponed this bill.

The motion prevailed.

Mr. FARRIS of Kennebec: Mr. President, I now move enactment of this bill in non-concurrence.

Mr. STANLEY of Penobscot: Mr. President, I just stand in opposition to the motion of the Sen-

ator from Kennebec, Senator Farris and would move that we indefinitely postpone the bill.

Mr. FARRIS: Mr. President, there is no point in debating it. I think everyone realizes the necessity in the Superior Court for this additional Justice. We did not give our Justices an increase in salary which they so deserve. I did not attempt to debate why they should have increases because we were not increasing any Department heads but certainly the least that we can do for that very dedicated and hard working group of Justices is to give them one more man to help spread out the work load because at the present time they are only getting a few days off during the entire year. They are working all summer long and have been for the past several years, and I hope that the motion to indefinitely postpone does not prevail. I would request a division.

The PRESIDENT: The Chair would inform the Senate that we cannot entertain a motion to indefinitely postpone. We just reconsidered indefinite postponement and it is the same category that we acted upon yesterday. The motion of the Senator from Penobscot, Senator Stanley would have to be in opposition to the motion of the Senator from Kennebec, Senator Farris.

Mr. STANLEY: Mr. President, I would just express my opposition to the motion before the Senate and hope that it does not prevail.

Mr. EDGAR of Hancock: Mr. President and members of the Senate, I am sure many members of this Senate want to do the right thing in connection with this bill and I am equally sure that many of them share my ignorance of the situation insofar as the Superior Court is concerned. Now we have heard Senator Farris's arguments in favor of this bill and I for one would greatly appreciate it if the Senator from Penobscot, Senator Stanley would state the reasons for his opposition merely so that I would gather some information myself.

Mr. STANLEY: Mr. President, I thank the Senator from Hancock for giving me this opportunity to

express my opposition to the bill and I am sure that the gentleman is not as ignorant of the facts as he would lead you to believe. This bill has been on the table for several weeks with the amount of money on it and what it would do. We have come to a point where we have cut — as we say in vernacular — that we have cut the pie. We do not have money to take care of this. We have taken care of the things which have seemed the most important issues. This is one that we could do without. We don't have the money to do it. We could do without this for two years and we have a new bill for district courts which I am sure many of the attorneys here feel is a great step that we have full time justices, and those are the reasons I would be opposed to this at the present time.

Mr. BOARDMAN of Washington: Mr. President, I think that some of the members of the Senate merely because I pointed out the fact to them that the article was in the paper, may have given me the courtesy of reading the article that was in the Portland Evening Express, I believe it was Thursday afternoon. This particular item was one I wrote myself and it is entitled: "Letter to the Editor" and it has to do with judges' work load. I don't want to completely read this article; I know you have other things you want to do but there were certain things in there that I mentioned, and they are just as true now as they were two days ago, and that is that the Superior Court judges are being overworked. There is no question about it, and even with the district court system, we do need more Superior Court judges. It is my opinion that we should go along with this bill on the basis which has just been given to us by Senator Farris with regard to the money factor. I would appreciate it very much if you would give it your favorable consideration.

Mr. NOYES of Franklin: Mr. President, whether it is this bill or any other bill, I will always rise to oppose reconsideration. I would like to go home some time.

The PRESIDENT: The question is on the motion of the Senator

from Kenebec, Senator Farris, that this bill pass to be enacted.

A division of the Senate was had.

Six having voted in the affirmative and fifteen opposed, the motion did not prevail and the bill failed of enactment.

Mr. Stilphen of Knox presented the following order and moved its passage:

ORDERED, the following Senate officers shall be paid a salary adjustment amounting to an increase of \$2.50 per week for the 24 weeks of the session of the 100th Legislature:

Assistant Sergeant-at-Arms, Leland F. King.

Doorkeeper, Maurice Knowles.

Courier, Percy F. Crain.

Postmaster, Harland C. Leighton.

Which Order received a passage.

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

Mr. LOVELL: Mr. President and members of the Senate, I will make this brief. The good Senator from Aroostook, Senator Edmunds, only recently showed an article in the Lewiston paper relative to a vacation along the St. John River in Canada, and laid blame for this article on the Department of Economic Development. Now I know the Department of Economic Development has its faults and problems, but this was not written by the Department of Economic Development. I checked and found that it was written by a reporter on the Lewiston paper. Certainly freedom of the press cannot be stopped and we do not want to stop it and they have a right in the paper to publish any vacation article that they wish.

But I would like to remind this Senate that we did here pass a bill for the development fund; for the Governor and the Council to take charge of and part of this fund was to be used to educate the people of the State of Maine to boost their own state and to praise it when tourists or industrial development

came into this state and wherever they may travel. This of course passed the Senate but it was killed in the other Body which is not quite as progressive as we are as whole on recreational and industrial development. Thank you.

Mrs. Christie of Aroostook presented the following order and moved its passage:

ORDERED, the House concurring, that the Department of Economic Development is hereby directed to promote articles in Maine newspapers publicizing Maine attractions and vacation facilities.

Mrs. CHRISTIE: Mr. President and members of the Senate, thinking of this article which my seatmate mentioned, it seemed to me possibly there might be promotion of Maine through articles like this edited or produced by the Department of Economic Development, and for that purpose I introduced that order.

Mr. PORTEOUS of Cumberland: Mr. President, as a Senator and President of the Maine Publicity Bureau, I am pretty well aware of what the Department of Economic Development does and how it works. For it to spend its time as much on our local newspapers as has been suggested by the Senator from Aroostook, Senator Edmunds might take up the time that they are so well putting into getting into the nationwide magazines such as Field and Stream, and Life Magazine.

Thereupon, the Order received a passage.

The PRESIDENT: Before we get away from the subject, I would like at this time to recognize the fact that Chief Justice Williamson loaned to us again our wonderful court reporter Ruel Hanks. He wrote me a letter last fall saying that it would be impossible for him to serve us this session. I wrote a letter back pleading, and the Chief Justice was kind enough to let us have Ruel Hanks again and I think we should give Ruel and the Chief Justice a bit of applause. (Applause)

I also want to mention the fact that we have another lovely reporter here who, as I mentioned

the other night, has kept her fingers going continuously during the whole session. It is certainly wonderful to have Mrs. Dennett with us too. (Applause)

Mr. Boardman was given unanimous consent to address the Senate:

Mr. BOARDMAN: Mr. President and members of the Senate, I thought it would be a good idea perhaps to speak to the Senators at this time rather than to wait until later on, because my voice might give out and their patience might give out too, and besides, I might not get an opportunity.

Down in Calais and St. Stevens, starting on July 1 and running through the 8th will be a celebration known as Frontier Week. I know some of you gentlemen and ladies have read something about this in the newspapers, and between now and the first of July you will be reading more about it in the newspapers. This is a publicity campaign.

In about two weeks, I will send to you this booklet which I have here. I don't have any more with me now but I will send them to you and it will pertain to Frontier Days, setting out the schedule of what is happening on each day. I call particular attention to International Day which is July 5, 1961. On this particular day, the Governor of the State of Maine and the Premier of New Brunswick will be down to Calais and St. Stevens and we are going to have a ball game which will last three innings I hope, if we can last that long and this will determine some sort of championship, although we are not sure right now just what it will be.

I just wanted to mention to you the fact that it is Frontier Week and we'd like to have some of you there to be on the softball team. Thank you.

The PRESIDENT: I am sure the Senators appreciate Senator Boardman's remarks.

Mr. FARRIS of Kennebec: Mr. President, might I inquire if L. D. 538, "An Act Relating to Amount of State Retirement Benefits for

Teachers is still in the possession of the Senate?

The PRESIDENT: The Chair will inform the Senator that it is.

Mr. FARRIS: Mr. President and members of the Senate, I would like to and shall move now that we reconsider our action whereby this measure was passed to be enacted, and the purpose of the motion is so that we may annex an amendment to the enacted bill which will in effect reduce the total appropriation which has now been taken from the general fund and placed in the Maine Retirement Fund. This will in no way affect the legislation which we have enacted increasing what we call the elderly retired teachers with a \$100 a year across the board increase. It was an over estimation in the amount of money which would be necessary to accomplish this purpose—\$100,000 each year of the biennium. We now find that \$80,000 per year or \$160,000 for the biennium will be sufficient. And to put everyone's mind at rest, I will read a note which Mary Worthley, whom I believe most of you know, has delivered to me this afternoon.

"The intention of the Appropriations Committee was to give the elderly retired teachers \$100 straight across the Board. The sum of \$100,000 a year is too high for this. \$80,000 covers it. 780 teachers only are affected.

(My sign and seal)

Mary Worthley"

I think it is wonderful of her, in her position to be so cooperative with this legislature and subscribe to cutting this back and be in agreement with us. The only other change will be an effective date which will be October 1, 1961, the reason being that if we do not put in an effective date, it becomes effective ninety days after adjournment of the legislature and that means that in the Retirement System they have to compute a monthly check on the basis of so many days and it caused a great deal of difficulty in the past and for that reason the Retirement Board requested this amendment, and this also has the approval of

Miss Worthley representing the elderly teachers.

At this time I move the pending question.

Thereupon, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

Mr. Farris of Kennebec presented Senate Amendment A to Senate Amendment C and moved its adoption.

The Senate voted to reconsider its action whereby it adopted Senate Amendment C; Senate Amendment A to Senate Amendment C was read and adopted; Senate Amendment C as amended was adopted; and the bill as amended was passed to be engrossed.

Sent down for concurrence.

Additional Enactor

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

Bill, "An Act Providing for Construction of an Educational Television Network for the State of Maine and the Issuance of not Exceeding Five Hundred Thousand Dollars of State of Maine Bonds for the Financing Thereof." (H. P. 224) (L. D. 435)

On motion by Mr. Cole of Waldo, the Senate voted to reconsider its former action whereby this bill was passed to be engrossed; and on further motion by the same Senator, the rules were suspended and the Senator presented Senate Amendment A to Conference Committee Amendment A.

Mr. BROOKS of Cumberland: Mr. President, I would like to direct a question to anyone in the Senate Chamber if I may, and the question is this: This bond issue you speak of amounting to a million, two hundred thousand dollars, from good authority I understand would cost in this biennium in the area of \$130,000. I understand Mr. President, that we have somewhat less than that in funds, and I would request someone to tell me where we are going to pick up somewhere around \$60,000.

Mr. STANLEY of Penobscot: Mr. President, I don't believe I can answer the gentleman's question but

I would say that I don't believe that we have the funds available to finance this type of capital improvement. I would be opposed to this amendment. It seems to me we had a conference committee report just a short time ago in which this branch of the legislature accepted the Conference Committee Report, and the House accepted the Conference Committee Report. It is easy enough to change our minds, but let's not do it by an amendment such as this. If we want to amend some bond issue, we already have a bond issue on teachers colleges and maybe we could amend that.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate, as a member of that conference committee, the conference committee discussed the amount of money that would be put into educational TV only, there was no discussion on any of the other parts.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Waldo, that the amendment be adopted.

Mr. STANLEY: Mr. President, I would be opposed to the passage of the amendment and request a division.

A division of the Senate was had. Seventeen having voted in the affirmative and two opposed, the motion prevailed, and Senate Amendment A to Conference Committee Amendment A was adopted.

Subsequently adoption of Senate Amendment A to Conference Committee Amendment A was reconsidered, adoption of Conference Committee Amendment A was reconsidered; Senate Amendment A to Conference Committee Amendment A was then adopted, Conference Committee Amendment A as amended by Senate Amendment A was adopted and the bill was passed to be engrossed as amended.

**Paper From the House
Non-concurrent Action
on an Enactor
Bond Issue**

Bill, "An Act Providing for Construction of an Educational Television Network for the State of Maine and the Issuance of not Exceeding Five Hundred Thousand

Dollars of State of Maine Bonds for the Financing Thereof." (H. P. 224) (L. D. 435)

In Senate, June 17, Engrossing Reconsidered.

Passed to be Engrossed As Amended by Conference Committee Amendment "A" (H-406), As Amended by Conference Committee Amendment "A" thereto (Filing No. S-300) and by Senate Amendment "A" thereto (Filing No. H-409) in Non-concurrence.

Comes from the House, that body having insisted upon its former action, whereby the Bill was Passed to be Engrossed, As Amended by Conference Committee "A", As Amended by Conference Committee Amendment "A" thereto, and now asks for a Committee of Conference, the Speaker having appointed as Conferees from the House:

Mr. WELLMAN of Bangor
Mr. BERRY of Cape Elizabeth
Mr. KENNEDY of Milbridge

Mr. COLE of Waldo: Mr. President, it is very unfortunate that the other Body did not agree with this Senate in what I think is a real advancement not only in education but in our development of our state, and as you know the amendment that I presented asked for \$250,000 for vocational schools at Presque Isle, \$500,000 for parks which undoubtedly will bring much revenue to the State of Maine, and also \$500,000 for ETV. However, I now move that we insist and join the Committee of Conference.

The President appointed as Senate conferees, Senators: Mayo of Sagadahoc, Cole of Waldo and Brown of Hancock.

Mrs. Lord of Cumberland: Mr. President, I would like to inquire if S. P. 530, L. D. 1564 is in the possession of the Senate.

The President: The Chair would inform the Senator that it is.

Thereupon, on motion by Mrs. Lord of Cumberland, the Senate voted to reconsider its former action on S. P. 530, L. D. 1564, Resolve Appropriating Money for Establishing of a School of Practical Nursing in Portland or Vicinity,

whereby the bill was indefinitely postponed; and on further motion by the same Senator, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; Senate Amendment B was read and adopted, and the bill as amended was passed to be engrossed.

Sent down for concurrence.

House Committee Report Report of Conference Committee

The Committee of Conference on Bill, "An Act Providing for Construction of an Educational Television Network for the State of Maine and the Issuance of not Exceeding Five Hundred Thousand Dollars of State of Maine Bonds for the Financing Thereof." (H. P. 224) (L. D. 435) reported that they are Unable to Agree.

Mr. Wellman, Mr. Berry, Mr. Kennedy—on part of House.

Cole of Waldo, Mayo of Sagadahoc, Brown of Hancock—on part of Senate.

Comes from the House Committee Report Rejected, and that body further Insisted and asked for another Committee of Conference. The Speaker appointed the following conferees to serve on such a Committee:

Mr. Pike of Lubec, Mr. Brewer of Bath, Mr. Drake of Bath.

In the Senate, on motion by Mr. Cole of Waldo, the Senate voted to reject the Conference Committee report and join in another Committee of Conference, and the Chair appointed as Senate conferees, Senators: Stilphen of Knox, Jacques of Androscoggin and Farris of Kennebec.

Mr. NOYES of Franklin: Out of order and under suspension of the rules I would like to say at this time that I hope this committee will get together. There has been a lot of talk around, and I am very willing that the Rangeley State Park in the amount of \$100,000 come out of this picture. I want that on the record and to tell it to the members of the committee before they go in. I believe in a statewide park program to bring in income. I have talked

enough about it so you know I believe it, that it is a good thing for the whole state, but I did want to get that on the record.

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

Mr. LOVELL: Mr. President and Ladies and Gentlemen of the Senate: I deeply respect the Senator from Franklin, Senator Noyes for his wonderful peace-making work which he has done in the last few days, and I want to express on the record that I am very proud to have served with such a fine man as Senator Noyes.

Mr. Noyes of Franklin was granted unanimous consent to address the Senate:

Mr. NOYES: Mr. President, I do not want any compliments. I would also like to add that this same proposal has been told to members of other conference committees and other people within the last two days, I would say over the last forty-eight hours.

Non-concurrent Action on an Enactor

Bill, "An Act Relating to Sales of Discontinued Items of Liquor in State Stores." (H. P. 436) (L. D. 1306)

In Senate June 17, Passed to be Engrossed As Amended by House Amendment "A" and As Amended by Senate Amendment "A" in Non-concurrence.

In the House, June 17, Failed of Enactment.

In the Senate, on motion by Mr. Mayo of Sagadahoc, and under suspension of the rules the Senate voted to reconsider its action whereby this bill was passed to be engrossed; and to further reconsider its action whereby House Amendment A was adopted; House Amendment A was indefinitely postponed, and the bill as amended by Senate Amendment A was passed to be engrossed.

Mr. STANLEY of Penobscot: Mr. President, may I have the status of the bill as of now?

The PRESIDENT: This bill now reads that it has been passed in the Senate to be engrossed as amended by Senate Amendment A which takes the emergency clause off the

bill. It will be sent forthwith to the House.

**Papers From the House
Joint Order**

ORDERED, the House concurring, that the Department of Economic Development is hereby directed to promote articles in Maine Newspapers publicizing Maine attractions and vacation facilities. (S. P. 597)

In Senate, June 17, Read and Passed.

Comes from the House Indefinitely Postponed.

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

Additional Enactor

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

Bill, "An Act Relating to Amount of State Retirement Benefits for Teachers." (S. P. 205) (L. D. 538)
Which was Passed to be Enacted.

Communication

State of Maine
House of Representatives
Office of the Clerk
Augusta

June 17, 1961

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

Sir:

The Speaker of the House today appointed the following members to serve on the Legislative Research Committee.

Messrs.

- BRAGDON of Perham
- BAXTER of Pittsfield
- WHITMAN of Woodstock
- WELLMAN of Bangor
- KENNEDY of Milbridge
- BERRY of Cape Elizabeth
- MAXWELL of Jay

Respectfully,

Harvey R. Pease
Clerk of the House

Which was read and placed on file.

**Additional Papers from the House
Report of Committee of
Conference**

The Third Committee of Conference on the disagreeing action

of the two branches of Legislation on: Bill, "An Act Providing for Construction of an Educational Television Network for the State of Maine and the Issuance of not Exceeding Five Hundred Thousand Dollars of State of Maine Bonds for the Financing Thereof." (H. P. 224) (L. D. 435) reported—Unable to Agree.

Comes from the House, Report rejected.

In the Senate, Mr. Stilphen of Knox moved that the report be accepted; Mr. Boardman of Washington requested a division.

A division of the Senate was had.

Fifteen having voted in the affirmative and four opposed, the motion prevailed and the report was accepted.

On motion by Mr. Davis of Cumberland, the Senate voted to take from the table (S. P. 590) (L. D. 1638) "An Act to Correct Errors and Inconsistencies in the Public Laws; tabled by that Senator on June 16 pending enactment; and that Senator moved the pending question.

This being an emergency measure, a division of the Senate was had.

Twenty-two having voted in the affirmative and two opposed, the bill was passed to be enacted.

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

After Recess

Senate called to order by the President.

At the invitation of the President, Mr. Brown of Hancock assumed the Chair, President Hillman retiring.

**Senate Paper
Joint Order**

On motion by Mr. Davis of Cumberland ORDERED, the House concurring, that the Committee on Appropriations and Financial Affairs report a Bill that will provide funds to make effective the Acts which have been Passed to be Enacted, and the Resolves which have

already been finally passed. (S. P. 598)

Which was read and passed.
Sent down for concurrence.

Additional Enactor

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

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

Which was passed to be enacted.

The President made the following appointments:

Two members of the Committee on Election Expenditures:

Senator Boardman of Washington

Senator Porteous of Cumberland
Seven members of the Research Committee:

Senators: Brown of Hancock; Cole of Waldo; Erwin of York; Ferguson of Oxford; Marden of Kennebec; Stanley of Penobscot, and Wyman of Washington.

One member of the Atlantic States Marine Fisheries Compact:
Senator: Chase of Lincoln.

Report of Committee of Conference

The Committee of Conference on the disagreeing action of the two branches of Legislature on Bill, "An Act Relating to the Harbor Project in the Town of Wells." (H. P. 221) (L. D. 336) reported that they are unable to agree.

Comes from the House Report read and accepted.

In the Senate, the report was read and accepted.

Resolve in Favor of Development of a State Park on Rangeley Lake (S. P. 272) (L. D. 873)

In Senate on June 16 passed to be engrossed as amended by Senate Amendment B.

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

In the Senate:

Mr. STANLEY of Penobscot: Mr. President, was there an appropriation on that bill?

The PRESIDENT: In reply to the Senator from Penobscot, Senator Stanley, the Chair will state

that there was a \$100,000 on Senate Amendment B.

Mr. STANLEY: The Senator from Penobscot thanks the Chair.

Mr. FARRIS of Kennebec: Mr. President, what is now the status of this bill?

The PRESIDENT: The measure was indefinitely postponed in the House in non-concurrence.

Mr. FARRIS: Mr. President, with great reluctance, I move to recede and concur.

The motion prevailed.

Mr. Chase of Lincoln was granted unanimous consent to address the Senate.

Mr. CHASE: Mr. President and members of the Senate: I arise to express my disappointment that the two bodies of this legislature have been unable to reach agreement in regard to the bond issue for educational T.V. and development of State Parks and for the vocational school at Presque Isle. The conferees on the part of the Senate offered to yield to the extent of withdrawing \$100,000 from the bill for development of the State Park in the Rangeley area and the \$250,000 for the vocational school in Presque Isle. However, this did not meet with the other group's desires. It is a pity for these two good bills not to receive passage. One of these bills would have enabled us to exploit one of our greatest natural resources, the other would have enabled us to participate in a new concept in educational training for our children. I am proud that the Senate was for the passage of these bills. (Applause)

Mr. STANLEY of Penobscot: Mr. President, after those stirring remarks maybe somebody would like to move that we reconsider our action. We just indefinitely postponed a bill here carrying an appropriation of \$100,000 and we could reconsider our action and nobody would feel bad about adjourning and not doing something for these children that we want to educate by educational T.V.

Mr. FARRIS of Kennebec: Mr. President, by unanimous consent I would pose a question through the Chair to the Senator from Penobscot, Senator Stanley.

The PRESIDENT pro tem: The Senator from Kennebec, Senator Farris, poses a question through the Chair to the Senator from Penobscot, Senator Stanley, and he may answer if he wishes.

Mr. FARRIS: Would the Senator from Penobscot, Senator Stanley, be willing to contribute toward this contribution the sum of \$1800 which has been awarded the County of Penobscot for the purposes of establishing a fourth Senator when under the federal census they have persons of 126,000 under inhabitants, which are defined by the Constitution, who would be people living in that county, reduced from 126,000, 8000 military personnel and their families, 1200 inhabitants or inmates at the Bangor State Hospital, and 4000 students at the University of Maine which would reduce this federal census under inhabitants, the resident rule, to 115,000, so that we might have \$1800 more to devote to these worthwhile projects?

Mr. STANLEY: Mr. President, I would like to request equal time. To answer the Senator from Kennebec, Senator Farris, I certainly would, I would be very happy to give up that \$1800 — not for the reasons you have given because I do not believe that those reasons are true or that they are true facts. We have gone by the federal census. The federal census of 1960 gives 126,000 inhabitants in the County of Penobscot, and I do not know who we are to go against the federal census.

The PRESIDENT pro tem: Does the Senator from Kennebec, Senator Farris, consider his question answered?

Mr. FARRIS: Mr. President, I certainly appreciate the answer to the question, but I would still, if I may, pose a question through the Chair to the Senator from Penobscot, Senator Stanley, as to whether or not the 126,000 were inhabitants who were legal residents of the County of Penobscot?

The PRESIDENT pro tem: The Senator from Kennebec, Senator Farris, poses a question through the Chair to the Senator from Penobscot, Senator Stanley, who may answer if he wishes.

Mr. STANLEY: Mr. President, as I understand it, and I am sure that this is correct because I have checked the federal census through the Department of Health and Welfare and we have 126,377 inhabitants in Penobscot County, having most of these people who are inmates in the State Hospital who are Bangor residents, and in a very few minutes we are going to have one more. (Laughter)

Mr. FARRIS: Mr. President, one last question through the Chair to the Senator from Penobscot, Senator Stanley.

Is it his understanding that the federal census is based on people who happen to be in Penobscot County or people who are residents of Penobscot County in accordance with the formula which was adopted for the purpose of awarding an additional senator from the County of Penobscot?

The PRESIDENT pro tem: The Senator from Kennebec, Senator Farris, poses a question through the Chair to the Senator from Penobscot, Senator Stanley, who may answer if he chooses.

Mr. STANLEY: Seriously, the federal census says there are 126,760 inhabitants in the County of Penobscot. They say "inhabitants." And our Constitution of the State of Maine says that when a county gets up to over 120,000 inhabitants according to the last federal census then they are entitled to four seats in the Senate. I would also say, to give a little more emphasis to this, that there are more than 12,000 people outside of Penobscot County who are counted at other bases overseas in Japan, and in outer space one person. (Laughter)

The PRESIDENT pro tem: Does the Senator from Kennebec, Senator Farris, consider his question answered?

Mr. FARRIS: Mr. President, excluding the 12,000 people who should be in Penobscot County—only one further question—is it not true that the federal census included the 13,000 individuals who do not have a permanent residence in the County of Penobscot when this bill was passed to be enacted?

The PRESIDENT pro tem: The Senator from Kennebec, Senator Farris, poses a question through the Chair to the Senator from Penobscot, who may answer if he chooses.

Mr. STANLEY of Penobscot: Mr. President, I do not like to answer a question by asking a question, but I would ask the Senator from Kennebec if he had made a census of these 13,000 people? We have one ward in Bangor, Ward 7, which has been the largest ward in town and it is now the second largest because of the military population who are residents of Bangor. We have had 550 new houses built in this one area. There are more registered voters in that one ward than we have in any other ward in the city.

While we are talking about that, I do not know how many fathers we have up there, but this is Fathers Day and it seems to me that perhaps we might use this \$100,000 and I will kick in the \$1800 to bring educational T.V. to the whole State of Maine, not just down in the southern end from Boston to Durham, New Hampshire to Augusta but to all of the State of Maine. I would be happy to kick that in.

The PRESIDENT pro tem: The Chair recognizes the Senator from Kennebec, Senator Farris.

Mr. FARRIS: Mr. President, I am not quite sure how much the Senator from Penobscot, Stanley, is willing to kick in, but it is wonderful that at this late hour of the session to find out that he is willing to kick in something for a worthwhile project, and, it being Fathers Day, we all appreciate it. But might I still inquire as to whether or not it is true that in the census taken and on the formula which was utilized for the purpose of setting forth for a fourth senator in the County of Penobscot that 8000 military personnel, including families, 4000 students at the University of Maine and 1200 inmates at the hospital in Bangor were included in the count?

Mr. EDMUNDS of Aroostook: A point of order, Mr. President.

The PRESIDENT pro tem: The Senator from Aroostook may state his point of order.

Mr. EDMUNDS: Mr. President, I believe that question has been adequately answered and I believe the Chair should rule these questions out of order.

The PRESIDENT pro tem: The Chair will declare a recess to the gong.

Recess

Senate Committee Report

Mr. Davis from the Committee on Appropriations and Financial Affairs, pursuant to Joint Order S. P. 598, on Bill, "An Act Making Additional Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years ending June 30, 1962 and June 30, 1963. (S. P. 599) reported that the same Ought to Pass.

Which report was read and accepted. The Bill was read twice under suspension of the rules, and Passed to be Engrossed.

Sent down for concurrence.

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

After Recess

Senate called to order by the President.

Additional Enactor

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

Emergency

Bill, "An Act Making Additional Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years ending June 30, 1962 and June 30, 1963." (S. P. 599)

Which Bill, being an emergency measure, and having received the affirmative vote of 24 members of the Senate, was Passed to be Enacted.

On motion by Mr. Noyes of Franklin, ORDERED, that a message be sent to the House of Representatives, informing that body that the Senate has transacted all the business which has come

before it and is ready to adjourn without day.

Which was read and passed.

The Senator from Franklin, Mr. Noyes, was appointed to convey the message, and subsequently reported that he had discharged the duty assigned to him.

Mrs. Lord of Cumberland was granted unanimous consent to address the Senate.

Mrs. LORD: Mr. President and members of the Senate: I would like to call to your attention the fact that the four senators from Cumberland have been in their places each time we have convened during the marathon and all of this long legislative day.

The PRESIDENT: I think that the Senators from Cumberland deserve a lot of credit. (Applause)

The Senate may be at ease.

(At ease)

Called to order by the President.

At this point a message was received from the House of Representatives borne by Representative Baxter of Pittsfield, informing the Senate that the House was ready to adjourn without day.

The PRESIDENT: At this time the Chair would like to tell the Senate how much he has enjoyed working with this young man, Representative Baxter. I can only say that the State of Maine is fortunate in having a young man of this caliber to represent them, and I want you to know, Jack, how much I appreciate it. (Applause)

Order Out of Order

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

On motion by Mr. Noyes of Franklin, ORDERED, the House concurring, that a Committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon the Governor and inform him that both branches of the Legislature have acted on all matters before them and are now ready to receive any communication that he may be pleased to make. (S. P. 596)

Which was read and passed.

Subsequently returned from the House, read and passed in concurrence.

The President appointed as members of such Committee on the part of the Senate:

Senators:

NOYES of Franklin
CHRISTIE of Aroostook
JACQUES

of Androscoggin

Mr. Noyes subsequently reported that the Committee had attended to the duties assigned it, and that the Governor was pleased to say he would send a message forthwith.

The PRESIDENT: The Chair recognizes in the back of the chambers our Secretary of State, who will be the future boss of our Senator from Penobscot, Senator Edgar. We all want to say to Senator Edgar that we wish him the best of luck in his new assignment. It has been wonderful to have worked with you, Joe.

Mr. Edgar of Hancock was granted unanimous consent to address the Senate.

Mr. EDGAR: Mr. President, I suppose anyone who delivers a swan song always does it with a great deal of reluctance, and certainly this time is no exception to me.

I have known many of you for years and some of you for months, but along with all the other experiences I shall always be able to look back upon happily I want each and every one of you to know that knowing you and associating with you, whether it be years or months, is one of the best memories that I will have of my career in the legislature. It is an experience that if I had never had it I would not have missed, but having had it I am very thankful that I did. And even though I may not be in the Senate two years from now I sincerely hope that I will meet all of you in the Senate two years from now and that we will be able to continue our most enjoyable association.

Thank you very much.

At this point the Honorable John M. Reed entered the Senate Chambers, amid the applause of the Senate and addressed the Senate as follows:

Governor John H. Reed:

Now that you have reached the hour of adjournment, I want to express my appreciation for the consideration which you have given to the matters of legislation that have come before this session for your deliberation and action.

It was twenty-four weeks ago when I first came before you for the purpose of outlining what I conceived to be the image of the State of Maine in the future. It was my sincere belief at that time that this One-Hundredth Session could bring about great accomplishments for the future of the state, and, to a significant extent this has been done.

Your decisions have not come easy. You have labored long, and, as is always the case, differences have arisen. However, you have resolved those differences and you have written the record.

I submit to you herewith a tabulation of the results of the action of the One Hundredth Legislature:

There were 620 acts approved.

There were 122 resolves approved.

There was 1 veto presented.

A great many of the acts and resolves which you have enacted and approved will reflect to the credit of the Legislature in the years ahead. They are constructive actions, generally speaking, and I feel that time will prove their soundness. They represent the degree to which you believe that State of Maine can advance during the next two years.

While other seemingly worthwhile objectives failed of majority support, many consistently held the commendable interest and whole-hearted support of a considerable number in each Legislative Branch,

for which the thousands of our citizens will be everlastingly grateful. Such support will conceivably serve as a basis upon which to build for the future.

The framework of State Government for the biennium has been drawn through your deliberations, and it shall now be my aim, as related to you in my budget message, to give strict attention to the administration of the law, along with the efficient use of such monies as have been provided.

I have enjoyed working with the membership of both branches, especially your very fine leadership. I believe each member of this One-Hundredth Session has shared well in the burden of personal sacrifice in coming to Augusta to conduct the business of the state. For this, the people of Maine are grateful, and I express their thanks to you.

Mrs. Reed and I have enjoyed our associations with you throughout the session, and it has been a real pleasure for us to have you visiting at the Blaine House from time to time. In the future it is my hope that when you are at the capitol, you will drop by the office to say hello.

And now, let me say that I have enjoyed your friendship, your cooperation and counsel. In a spirit of good will, I take my leave and thank you for your service in the public interest.

The PRESIDENT: For the purpose of making the motion for final adjournment, the Chair recognizes the distinguished Senator from Piscataquis, Senator Parker.

Mr. PARKER of Piscataquis: Mr. President, I move that the Senate do now adjourn without day.

Thereupon, the President of the Senate, the Honorable Earle M. Hillman, at 11:45 P. M. on Saturday, June 17th, 1961 declared the Senate of the 100th Legislature adjourned without day.