

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Second
Legislature*

OF THE

STATE OF MAINE

1965

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Wednesday, March 17, 1965

Senate called to order by the President.

Prayer by Rev. Warren V. Murphy of Wells.

On motion by Mrs. Sproul of Lincoln, the Journal of yesterday was Read and Approved.

Senate Papers

The following Resolve was received and transmitted to the Committee on Reference of Bills on March 16, 1965, pursuant to Joint Rule 19-C, and approved for appearance on the calendar by a majority of the Committee:

Mr. Moore of Washington presented Resolve Authorizing State Highway Commission to Study Desirability of Bridge Across Machias River. (S. P. 467)

Which was received by unanimous consent and referred to the Committee on Highways.

Sent down for concurrence.

At the request of the President, the Sergeant at Arms escorted to the rostrum, Senator Jacques of Androscoggin who assumed the Chair, the President retiring from the Senate Chamber.

Reports of Committees**House****Leave to Withdraw**

The Committee on Election Laws on Bill, "An Act Establishing Voting Districts in Certain Towns." (H. P. 948) (L. D. 1284) reported that the same should be granted Leave to Withdraw.

The Committee on Legal Affairs on Bill, "An Act Establishing a Personnel Law for Certain Employees of City of Lewiston." (H. P. 515) (L. D. 668) reported that the same should be granted Leave to Withdraw.

The same Committee on Bill, "An Act Repealing Urban Renewal Laws." (H. P. 706) (L. D. 944) reported that the same should be granted Leave to Withdraw.

The same Committee on Bill, "An Act Repealing Certain Municipal Planning and Zoning Laws." (H. P. 707) (L. D. 945) reported that the same should be granted Leave to Withdraw.

Ought Not to Pass

The Committee on Claims on Resolve in Favor of Joseph T. Sewall of Boothbay Harbor for Land Damage. (H. P. 459) (L. D. 613) reported that the same Ought Not to pass.

(On motion by Mrs. Sproul of Lincoln, tabled pending acceptance of the report)

The Committee on Legal Affairs on Bill, "An Act Relating to Litter Law Enforcement." (H. P. 596) (L. D. 788) reported that the same Ought not to pass.

Which reports were read and accepted in concurrence.

The PRESIDENT pro tem: We have with us this morning in the Senate a school group from Pittston, the 6th grade of the Pittston Elementary School with Mrs. Althea Lamson and Mrs. Marie Morin. The Senators from Kennebec County are Senator Shiro, Senator Carter and Senator Dunn. Will those Senators please stand? (Applause)

The same Committee on Bill, "An Act Relating to Position of Drivers of Motor Vehicles." (H. P. 645) (L. D. 870) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Number of Passengers in Front Seat of Motor Vehicles." (H. P. 646) (L. D. 874) reported that the same Ought Not to pass.

The same Committee on Bill, "An Act Prohibiting Alien Contractors from Furnishing Board and Lodging to Hunters." (H. P. 647) (L. D. 875) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Penalty for Dumping Litter on Highways." (H. P. 836) (L. D. 1063) reported that the same Ought not to pass.

The Committee on Transportation on Bill, "An Act Permitting

Signal Lights on Motor Vehicles of News Gathering Organizations." (H. P. 669) (L. D. 896) reported that the same Ought not to pass.

Which reports were Read and Accepted in concurrence.

Ought to Pass

The Committee on Business Legislation on Bill, "An Act to Clarify the Law with Respect to Municipal Investments." (H. P. 309) (L. D. 412) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Management of Insurance Organizations During Periods of Acute Emergency." (H. P. 683) (L. D. 920) reported that the same Ought to pass.

The same Committee on Bill, "An Act to Incorporate the Allied Loan Company." (H. P. 725) (L. D. 963) reported that the same Ought to pass.

The same Committee on Bill, "An Act to Incorporate Plymouth Capital Finance Company." (H. P. 726) (L. D. 964) reported that the same Ought to pass.

The same Committee on Bill, "An Act to Incorporate the Federal Finance Company." (H. P. 727) (L. D. 965) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Election of Clerks and Secretaries of Trust Companies." (H. P. 795) (L. D. 1072) reported that the same Ought to pass.

The Committee on Education on Bill, "An Act Authorizing the Municipalities of Acton, Alfred, Limerick, Lyman, Newfield, Shapleigh and Waterboro to Form a School Administrative District." (H. P. 322) (L. D. 425) reported that the same Ought to pass.

The Committee on Taxation on Bill, "An Act Relating to Definition of Cigarettes under Cigarette Law." (H. P. 555) (L. D. 726) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Payments by Baxter State Park Authority to Maine Forestry District." (H. P. 719) (L. D. 957) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Exemption of Certain Real Estate from Taxation." (H. P. 556) (L. D. 727) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Definition of 'Storage' and 'Use' in Sales and Tax Law." (H. P. 658) (L. D. 885) reported that the same Ought to pass.

The Committee on Towns and Counties on Bill, "An Act Relating to Meridian Lines and Standards of Length in Aroostook County." (H. P. 663) (L. D. 890) reported that the same Ought to pass.

(Which report was read, and on motion by Mr. Manuel of Aroostook, the bill was tabled pending acceptance of the report.)

The same Committee on Bill, "An Act Relating to Certain Fees of Registers of Deeds." (H. P. 664) (L. D. 891) reported that the same Ought to pass.

Which reports were Read and Accepted in concurrence, the Bills Read Once, and tomorrow assigned for second reading.

The Committee on Legal Affairs on Bill, "An Act Establishing Representative Town Meetings in the Town of Fort Fairfield." (H. P. 423) (L. D. 567) reported that the same Ought to pass.

Comes from the House Passed to Be Engrossed, as amended by House Amendment "A" (H-117)

In the Senate, the report was read and accepted, the bill read once, House Amendment A read and adopted and the bill as amended tomorrow assigned for second reading.

Ought to Pass — As Amended

The Committee on Judiciary on Bill, "An Act to Clarify the Civil Liability of Civil Defense Shelter Owners." (H. P. 633) (L. D. 858) reported that the same Ought to pass, as amended by Committee Amendment "A" (H-108)

Which report was read, and on motion by Mr. Violette of Aroostook, the bill was tabled pending acceptance of the report.

At this point President Reed resumed the Chair, Senator Jacques

of Androscoggin retiring to his seat in the Senate amidst the applause of the Senate.

The PRESIDENT: The Chair would like to thank Senator Jacques.

Divided Reports

The Majority of the Committee on State Government on Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of the Governor to Two-Year Terms. (H. P. 548) (L. D. 719) reported that the same Ought to pass.

(Signed)
Senators:

MAXWELL of Franklin
WILLEY of Hancock

Representatives:

PITTS of Harrison
DOSTIE of Lewiston
EDWARDS of Portland
STARBIRD of Kingman
LIBHART of Brewer
BERRY of Cape Elizabeth
KATZ of Augusta

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

(Signed)
Senator:

STERN of Penobscot

Comes from the House, Majority Ought Not to pass Report accepted.

In the Senate, on motion by Mr. Maxwell of Franklin, the Majority Ought Not to Pass report was accepted.

The Majority of the Committee on Judiciary on Recommitted Resolve, Discharging Town of Brooks from Part of the Indebtedness to State for Preparation of Agreement for Dissolution of School Administrative District No. 3. (H. P. 419) (L. D. 531) reported that the same Ought to pass.

(Signed)
Senator:

GLASS of Waldo

Representatives:

RICHARDSON
of Cumberland
DANTON of Old Orchard
GILLAN of South Portland
BRENNAN of Portland

DAVIS of Calais
BERMAN of Houlton
BISHOP of Presque Isle

The Minority of the same committee on the same subject matter, reported that the same Ought Not to pass.

(Signed)
Senators:

VIOLETTE of Aroostook
STERN of Penobscot

Comes from the House, Majority — Ought to pass report Accepted, and the Bill Passed to Be Engrossed.

Mr. GLASS of Waldo: Mr. President, I move that the Senate accept the majority "Ought to pass" report, and I would like to make a few remarks.

The PRESIDENT: The Senator may proceed.

Mr. GLASS: Mr. President, this bill is the culmination of a long and bitter struggle that existed in SAD No. 3, of which I am sure the members of the Senate are aware. The bill itself disturbed me greatly because what it in effect does is to discharge the town of Brooks from a legitimate bill incurred by the Department of Education in connection with the preparation of a dissolution agreement, and under any other circumstances my name would be under the minority "Ought not to pass" report. The reason I signed the majority report and the reason I urge the acceptance by the Senate is this: it is because the town of Liberty, through a bill introduced by the late Senator Cole while he was in this body, was discharged for exactly the same thing, and consequently I feel as a matter of fairness, if it can be put that way, the town of Brooks should also be discharged. I might comment briefly to this extent and suggest to the Senate that this is exactly what happens when we establish a precedent, particularly when we establish a bad precedent, which I believe this was and is, but, nevertheless, because of the conduct of the legislature at its last session, I feel that in fairness to the town of Brooks they should be discharged from this indebtedness. Thank you, Mr. President.

Mr. VIOLETTE of Aroostook: Mr. President, my first inclination was to make a statement and then I more or less decided that the signers of the minority report would remain silent. However I think that after Senator Glass's statement perhaps I should explain my position on the bill, which is also Senator Stern's position.

I think that Senator Glass has quite fairly stated his position and I think the position of probably the majority of the members of the Judiciary Committee who signed the majority report.

My reason for signing the minority report is that it is my feeling that the towns who go into a school district, who vote to go into it and then thereafter decide that they do not like the set-up ought to stand behind their commitments with regard to the action that they have taken.

Now as far as the school district law is concerned, there is provision in it that after the district is formed and one or more of the municipalities wish to have a dissolution of the district that the State, in order to carry out the request of these towns who request dissolution, has to undertake certain expenses with regard to legal expenses and the expenses of putting this dissolution move to a vote of the towns of the district. And the law is quite explicit that if the moving town does not prevail in the dissolution movement that this town will assume the obligation which has been incurred by the State with regard to the dissolution. Now I do know in regard to the district which was formed and in which the town of Brooks as well as the town of Liberty were involved, that they had quite a problem there, and it is certainly not my intention to tell the people of Brooks or Liberty or any town which goes into a school district as to what they ought to do, because that is up to themselves. I think undoubtedly that perhaps some of those towns did go into this matter at a fairly rapid pace and perhaps they had some after-

thoughts and they resorted to the courts to try to get out of it, and, as I say, that certainly is their prerogative and privilege.

Now we had two dissolution moves which went up to the Supreme Court. The first one was initiated by Liberty and that one failed, and at that time I think most people involved in the school district problems felt that the matter might have been laid to rest. However, thereafter the town of Brooks requested a dissolution and again the entire procedure went through the courts and up through the State Supreme Court for another ruling, and, as a result of that second Supreme Court decision the town of Brooks was again denied the privilege of withdrawing.

I think that if our school district law is going to have any effect and any strength behind it then it is up to the towns who move for these dissolutions and who are well aware that if they fail it will be up to them to pick up these expenses involved in which the State has been required to incur with regard to these actions—I do not think it ought to be taken lightly, and that is the reason why I signed the minority report as well as Senator Stern. I do admit there is some justification by reason of the fact that at the last legislature the town of Liberty was exempted by the legislature from paying a certain amount of the cost of this litigation, and again this is why the town of Brooks comes here and says, "Well, we would like to have the same treatment." I think there is some justification to that. However I think there is quite a broad principle involved here and I do not think that the State of Maine ought to be fair game for the towns who wish to withdraw from districts and then feel that the State is just going to pick up the tab.

Mr. SNOW of Cumberland: Mr. President, I would like to concur with Senator Violette in his remarks and I would like to add briefly that while there is a saying that one good deed deserves another I do not feel that the con-

verse is necessarily true: that one bad deed deserves another.

Mr. STERN of Penobscot: Mr. President, I want to concur with the remarks of Senator Violette and Senator Snow.

Mr. BERNARD of Penobscot: Mr. President, I want to go on record as being against this type of legislation and when the vote is taken I ask for a division.

Mr. GLASS of Waldo: Mr. President, I also would like the record to show that I concur with my Brother, the Senator from Aroostook as well as Senator Snow. The fact does remain that Brooks and Liberty were in the same school administrative district. I therefore move the pending question.

Mrs. SPROUL of Lincoln: Mr. President, I suppose I should keep out of this but this is a subject that I think about a great deal, and, as I said before, the towns are urged to go into these districts and then they want to get out of them and something like this is bound to happen. I have pleaded with people to sell the program: if they want school administrative districts convince them ahead of time—if they are going to go into them then they want to get out of them. I also feel like the culprit, having been in the last legislature and having been on the committee which gave the town of Liberty an exemption. The reason for that was that the town of Liberty had had years of stress trying to solve their problems. It was all presented to us at a good hearing, and the thing that upset me greatly was that the State attached the bank accounts of the town of Liberty. I do not think that is right, I do not think it is good government, and that was one reason that the committee voted, shall we say, to exempt the town of Liberty. I think the amount was something like two thousand dollars. We did cut down the amount asked for, and we thought it was fair, we thought it was equitable. I was on the Legal Affairs Committee which went along with that decision. I concur with Senator Glass in part of his remarks but not the whole of them. Maybe it was a bad precedent but it was a

precedent that we thought out very carefully. We listened to the town of Liberty, we had sympathy for them, we saw the problem, and I do not think it is right for the State of Maine to attach the bank accounts of a town.

Mr. GLASS of Waldo: Mr. President, in connection with Mr. Violette's remarks, it so happens that I am quite familiar with the problem in SAD 3 because I was the attorney who appeared before the Supreme Judicial Court not twice but three times, and I might add, I was the attorney for the district attempting to preserve its integrity.

This matter has finally been laid to rest, as you know, with the last decision of the Supreme Court declaring the legislature's action permitting the towns of Liberty and Brooks to withdraw as being unconstitutional. Now this district is a whole at the moment, it is attempting to get along, the eleven towns comprising the district are attempting to get along with one another; they have built their new high school, things have smoothed out to a great degree, and I would beg the Senate not to upset the proverbial apple cart by refusing to accept this majority report of the Judiciary Committee, by which Committee this matter was maturely and carefully deliberated. I would therefore suggest that the failure of the passage of this bill could accomplish that which we within the district have been attempting to accomplish for some years now and that is to lay this matter to rest. I think this could accomplish that purpose, even though, as I said before, I can concur with the remarks of Senator Violette, Senator Snow and Senator Stern.

The PRESIDENT: The motion before the Senate is the motion of the Senator from Waldo, Senator Glass, that the Senate accept the Majority Ought to Pass report. A division of the Senate has been requested.

Mr. MOORE of Washington: Mr. President, I would like to ask if I would be in order to table this bill until Tuesday next.

Thereupon, on motion by Mr. Moore of Washington, the bill was tabled pending the motion of the Senator from Waldo, Senator Glass that the Senate accept the Majority Ought to Pass report, and the bill was especially assigned for Tuesday next.

The PRESIDENT: The Chair at this time would like to recognize in the gallery 29 students of Rockland District High School. These 29 students are on a teaching project. They are chaperoned this morning by Fred Perkins, Helen Young, Carleen Kelly, Howard Wiley and David Wilson. We welcome you here this morning and hope you enjoy and will benefit from your stay here. The Chair would like to introduce to you the Senator from your county which is the county of Knox. Would Senator Hoffses please rise? (Applause)

Reports of Committees

Senate

Leave to Withdraw

Mr. Violette from the Judiciary Committee on Bill, "An Act Relating to Conflicts of Interest in Municipal and Quasi-Municipal Contracts." (S. P. 291) (L. D. 853) reported that the same should be granted Leave to Withdraw.

Which report was Read and Accepted.

Sent down for concurrence.

Ought to Pass in New Draft — Same Title

Mr. Glass from the same Committee on Bill, "An Act Revising the Maine Industrial Building Law." (S. P. 415) (L. D. 1311) reported that the same Ought to pass in New Draft. (S. P. 468) (L. D. 1405)

Which report was Read and Accepted, the Bill, in New Draft, Read Once and tomorrow assigned for second reading.

Committee of Conference Report

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

Bill, "An Act Increasing Fees of Innkeepers and Victualers." (S. P. 226) (L. D. 685) reported that they are Unable to Agree.

Which report was Read and Accepted.

Sent down for concurrence.

Second Readers

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

House

Bill, "An Act Relating to Out-of-State Service Credit for Teachers Under State Retirement System." (H. P. 653) (L. D. 881)

Bill, "An Act Relating to Reimbursement of Daily Travel Expenses in Lieu of Housing Expenses." (H. P. 601) (L. D. 793)

Resolve Providing Retirement Benefit for D. Irene Carlson. (H. P. 287). (L. D. 369)

Resolve Authorizing State Tax Assessor to Convey Land in Portland to Edward F. Lally of Winthrop, Massachusetts. (H. P. 604) (L. D. 796)

Which were Read a Second Time and Passed to Be Engrossed in concurrence.

Bill, "An Act Creating a Sewer District in the Town of Medway." (H. P. 153) (L. D. 176)

Bill, "An Act Concerning Insider Trading of Domestic Stock Insurance Company Equity Securities." (H. P. 796) (L. D. 1073)

Which were Read a Second Time and Passed to be Engrossed as amended, in concurrence.

Bill, "An Act Relating to Religious Confessionals as Privileged Communications." (H. P. 1013) (L. D. 1352) which was read a second time and passed to be engrossed as amended in Non-concurrence.

Sent down for concurrence.

Senate

Bill, "An Act Relating to Age of Compulsory Education." (S. P. 456) (L. D. 1392)

Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of Sheriff to Four-Year Terms. (S. P. 101) (L. D. 268)

Resolve Proposing an Amendment to the Constitution for the Appointment of the Attorney General by the Governor. (S. P. 220) (L. D. 679)

Bill, "An Act Authorizing the Appointment of the Commissioner of Agriculture by the Governor." (S. P. 219) (L. D. 678)

Resolve Authorizing the Estate of Frank E. Lemli, Formerly of the Forks, Maine, to Sue the State of Maine. (S. P. 150) (L. D. 391)

Bill, "An Act Relating to Sales and Use Tax Liability of Lessors of Tangible Personal Property." (S. P. 269) (L. D. 817)

(Which was read a second time and on motion by Mr. Glass of Waldo was tabled pending passage to be engrossed.)

Bill, "An Act Relating to Use Tax on Personal Property Withdrawn from Inventory." (S. P. 270) (L. D. 818)

Which were Read a Second Time and Passed to Be Engrossed. Sent down for concurrence.

Senate — As Amended

Resolve in Favor of the Town of Anson. (S. P. 302) (L. D. 916)

Bill, "An Act Relating to Dogs Doing Damage to Livestock and Poultry." (S. P. 41) (L. D. 212)

Which were Read a Second Time and Passed to Be Engrossed, as amended.

Sent down for concurrence.

The PRESIDENT: The Chair would like to recognize in the back of the Senate, five Campfire girls from The Baxter School in Portland, chaperoned by Mrs. Edward Bogarczuk and Mrs. Helen Vacca from Portland. We welcome you here this morning and hope that you enjoy and benefit from your stay here. The Chair would like to introduce the Senators from your county which is the county of Cumberland. Senator Smith, Senator Snow, Senator Mendell and Senator Chisholm. (Applause)

Enactors

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

Bill, "An Act to Clarify Law Relating to Junked Automobiles." (H. P. 512) (L. D. 665)

Bill, "An Act to Extend the Charter of the R. and T. Cement Railroad Company." (H. P. 599) (L. D. 791)

Bill, "An Act Relating to Term of Single Municipal Assessors." (S. P. 246) (L. D. 756)

Bill, "An Act Relating to Approval of Appointment of Assistant County Attorney for Kennebec County." (S. P. 299) (L. D. 913)

Which were passed to be enacted.

Resolve Providing Pension for Mrs. Viola R. Townsend of Hudson. (H. P. 370) (L. D. 472)

Resolve Providing for a State Pension for Floyd Merrill of Bath. (H. P. 371) (L. D. 473)

Resolve in Favor of Lloyd Magoon of Mattawamkeag. (H. P. 464) (L. D. 618)

On motion by Mr. Duquette of York, these three resolves were placed on the Special Appropriations Table pending final passage.

Orders of the Day

The President laid before the Senate the 1st tabled and today assigned item (H. P. 506) (L. D. 659) House Reports from the Committee on Legal Affairs on Bill, "An Act Providing for Election of School Board of City of Old Town; Majority Report, Ought to Pass with Committee Amendment A (H-92); Minority Report, Ought Not to Pass; tabled on March 10 by Senator Southard of Penobscot pending motion by Senator Shiro of Kennebec that the Senate accept the Majority Ought to Pass Report; and on further motion by Senator Southard of Penobscot, the bill was retabled and especially assigned for Wednesday next.

The President laid before the Senate the 2nd tabled and today assigned item (S. P. 95) (L. D. 262) Bill, "An Act Relating to Chiropractic Treatment under Workmen's Compensation Law tabled on March 10 by Senator Cahill of Somerset pending motion by Senator Glass of Waldo to indefinitely postpone the bill and reports.

Mr. SNOW of Cumberland: Mr. President, Senator Cahill tabled this bill after I had suggested that we needed time to prepare an amendment. I have discussed a proposed amendment with several people, I do not believe it would be a sound one and I have no amendment to make to this bill.

The PRESIDENT: The motion before the Senate is the motion to indefinitely postpone the bill and all its accompanying reports.

Mr. HARDING of Aroostook: Mr. President and members of the Senate: First of all I want to say that this is not a party measure and I am not addressing the Senate as such. However in the debate the other day there were remarks made by fellow Senators and fellow attorneys, the Senator from Waldo, Senator Glass and the Senator from Kennebec, Senator Shiro. I do respect their opinions as attorneys and also as Senators but I disagree with certain aspects of their remarks and, lest the members of the Senate feel I concurred entirely with their remarks, I thought perhaps I should clarify that.

I think one of the things that seemed to trouble the two Senators was the matter of the expertness of the chiropractor when it came time to testify before the Industrial Accident Commission or before the Court. Now from my understanding of the law and from Wigmore on Evidence, which is generally accepted by attorneys as to how the courts rule, I believe that an expert can testify in relation to those matters on which he is qualified: as far as doctors are concerned, and chiropractors, those matters in which they are licensed to practice. For instance, a doctor of medicine, I believe if he were called upon to testify about neurology he probably would not be qualified. A chiropractor, however, if he were called upon to testify in relation to that matter for which he would be treating a patient, that is injuries to the back, it seems to me quite clear from my experience in the law and Wigmore on Evidence, that he would be entirely qualified. Furthermore, I would like to point out that in my practice of law I

have had occasion to represent a goodly number of workmen who have been injured under the act. In some cases I have found it to be so that with injuries to the back that these people were not able to be treated and to recover satisfactorily under treatment of doctors of medicine. I remember one case in particular where this man was injured and was laid up for a great many months, and finally he did resort to treatment by a chiropractor and he was restored and he got back to health and he went back to work. One of the things that disturbed me greatly was that under the act as it then existed this man was not able to pay the chiropractor — I think the bill ran almost to a thousand dollars and this worked a severe hardship on the man because he had to pay the chiropractor a little at a time over a great many months and there was no provision for this to be reimbursed under the act.

Now there is no intention here, I am sure, for chiropractors to replace psychiatrists if they are required or doctors of medicine or surgeons if they are required; the only intention here is to put into the hands of the workman another tool for his recovery, so to speak, and that is to make available the services of a chiropractor if the injuries are such that a chiropractor could be of help. From this standpoint, it seems to me that it is a good thing to have in the law. As to the problems which my fellow attorneys and Senators have raised in objection to it, it is my understanding that Maine is one of the very few states that does not recognize chiropractors as this act now asks that they be recognized. The overwhelming majority of the other states have worked very satisfactorily with the law as this bill would make the law in this state and I think it is time that we got in step and that we made this very much needed service available to our injured workmen. Therefore I would ask that you vote against the motion of the Senator from Waldo, Senator Glass's motion to indefinitely postpone because I

think that this is a good bill and that it should pass.

Mr. GLASS of Waldo: Mr. President, I do not mean to bore the members of the Senate with any long discourse on the laws of evidence and expert opinion and I am hopeful that the Senator from Kennebec, Senator Shiro, shares my opinion that Mr. Harding, although correct so far as he went concerning the qualifications of a chiropractor as an expert — yes, I will agree that there is the possibility that he might be qualified, under certain limited conditions, insofar as his right to manipulate the spine and articulate the joints is concerned, but this is not my concern. As I used in an illustration when this matter was originally debated: should the workman have something wrong with his spine that by statute the chiropractor is not authorized to treat, then I submit that, being not authorized to treat he is not an expert on this subject and therefore his opinion would not be accepted, and this, basically, is my objection to the bill.

Now I do not know how many of you are familiar with the Workmen's Compensation Law or the practice which surrounds it. I am familiar with the fact that you all have received mail on your desks, one of which I recall at the moment is the Maine Medical Center, which opposes the passage of this bill, signed by twenty-five or thirty eminent doctors of medicine as well and surgeons. They, I do not believe, are concerned with the passage of this bill and its effect on their possible practice; this I do not think is the case. But, generally, we have physicians who are specializing in this area, and as you all know and as I mentioned the other day, Senator Stern has a bill in which I think would go far towards alleviating this very problem, giving the workman his choice of three physicians rather than one.

Now the subject matter of this bill which gives me grave concern is the fact that the workman being licensed, as it were, to consult a chiropractor might consult him for a purpose that the chiropractor is not authorized to treat. In

this respect, I do not have any citations at hand at the moment but I do not think even Senator Harding would dispute if this were the case this chiropractor could not testify before the Commission, and if he were unable to testify before the Commission, and if he were unable to testify before the Commission the workman would not recover the compensation that he is entitled to. Not only would he possibly not be entitled to the compensation but again, in reference to the possibility of a chiropractor moving in areas in which he is not entitled to move, that is to say treating certain injuries or accidents — because this is what the bill is concerned with, industrial accidents, not disease—should his intervening negligence, as I said in the debate the other day, combine to produce a greater disability on the part of this workman, it would be the intervening negligence of a third party and not that of the company. I should not use the word "negligence" here because that is not applicable in the sense of the employer but it is so far as the chiropractor is concerned. I not only believe but I have discussed this with several "high powered" so-called attorneys who customarily represent insurance companies in this field, and they would argue, and I submit argue effectively, that as the result of the aggravation of an employee's injuries by a chiropractor he would not recover at all. I therefore ask the Senate to support me in my motion to indefinitely postpone this measure.

Mr. JUTRAS of York: Mr. President, I believe we have had enough debate on this motion right now and that we should not be misled at this time to use the worker as a football in this matter. I believe that Senator Glass is entirely right when he pleads for the protection of the worker. By the same token, the worker should not be pushed and we should not take sides in this case in favoring or not favoring this bill as pro or against the worker. In other words, the issue has been made very clear, I believe, by Senator Glass and I want to go

on record as supporting his motion to indefinitely postpone this bill.

Mr. O'LEARY of Oxford: Mr. President and members of the Senate: I am not as articulate or as learned as some of my fellow colleagues here and I am not going to try to compare law cases with them as such, but the law is clear as to what a chiropractor can do and what he is licensed for, so therefore he cannot testify as an expert in some other field and he is not being asked to under this bill. This bill is simple: it is clear that the employee who has to consult a chiropractor is going to be reimbursed for his expenses under workmen's compensation. That is all there is, there isn't anything more to this bill, that is it in black and white. Doctors of Chiropractic have testified many times as experts before the Industrial Accident Commission of Maine and also before various Superior Court sessions. Dr. Greenlaw of Auburn is considered one of the best X-ray people in industrial accident cases, and Dr. Lynch of Portland qualified in a case last year before Justice Reid, who, incidentally, when he was in this legislature voted against this same bill. I move when the vote is taken that it be taken by a division.

Mr. MENDELL of Cumberland: Mr. President, I would like to cover a few facts on the use of the chiropractor and whether or not it is effective or not. It is recognized by the Railroad Examining Board, by the Postal Department, by the Army Medical Corps, is endorsed by the American Legion and Veterans of Foreign Wars. Forty-one states allow chiropractors to care for infectious and contagious diseases, thirty-six states allow them to sign death certificates and other public health instruments. On the other aspects of it, the insurance section — I have been in the insurance business for seventeen years now and I have made on an average three days a week eight or nine house calls, and I have never seen any of my clients who would hesitate to contact a chiropractor. Another

point: it has been proven and we have all the figures here, that it is cheaper to be treated by a chiropractor and there are less days lost from work. I wish to go on record at this time as being in support of the chiropractors on this issue.

The PRESIDENT: The motion before the Senate is the motion by Senator Glass of Waldo to indefinitely postpone the bill and accompanying reports. A division has been requested.

A division of the Senate was had.

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

Thereupon, the bill was given its first reading and tomorrow assigned for second reading.

The PRESIDENT: The Chair would like to introduce in the balcony a group from Skowhegan High School, students from the Senior class of American Government chaperoned by Mr. David Mattsen, and Mr. Richard Benner. The town of Skowhegan is in the County of Somerset. We welcome you here this morning and hope that you enjoy and benefit from your stay here. The Chair would like to introduce to you the Senators from your county, Senator Cahill and Senator Hilton. (Applause)

Recess

Senate called to order by the President.

The PRESIDENT: The Chair at this time would like to introduce some very distinguished guests, that we have here this morning. They are Hon. George N. Zenovich, Hon. Vernon L. Sturgeon and Hon. Richard Coggin. They are from the Pacific Coast, State of California. These gentlemen are from a bipartisan team visiting the New England States for the purpose of explaining the problems California faces with respect to reapportionment and to attempt to enlist interest and support from California's sister states.

The Chair at this time would request the Senator from Aroostook, Senator Harding and the Sen-

ator from Hancock, Senator Brown, to escort these gentlemen to the rostrum. I am sure they have a few remarks for us and I believe we have a few gifts from the State of Maine for them.

This was done amidst the applause of the Senate, the members rising.

Mr. HARDING of Aroostook: Mr. President, distinguished visitors and members of the Senate, we are very pleased to have these visitors with us from California which is called, of course, The Sunshine State, I guess, — or is that Florida? (Laughter) Anyway, California is known for its sunshine and I would point out to our distinguished visitors that they are here during our worst season. March is known as the month of the year when we have our most difficult and heaviest weather. I would ask you to look outside and see how it is at its worst. I would also invite you distinguished gentlemen to come back here during the summer months when the weather is truly delightful, and if I may use my position here to invite you to our northern county of Aroostook, I am sure you will find it as delightful as the other counties. So if you do have a chance to come back, and I hope you will during our really good weather to have some fishing and other entertainment which I am sure we could supply.

In the meantime, on your way back, we would like to make these small presentations to you of gifts which represent some of the products of the state and we hope that you will take them back with you and enjoy them. If you have friends that you would like to tell about our products and your visit here, I am sure we would be grateful for that. Thank you. (Applause)

HON. VERNON L. STURGEON: Mr. President and gentlemen of the Senate, I have learned something this morning about hospitality. You are liable to get a knife in California instead of a gift like this. (Laughter) It is a very great pleasure and more than that it is a privilege and an honor to be invited to speak to a group such as this. We have been overwhelmed

with the hospitality that we have received in New England since we came here. We came in Sunday night. We had been taught through our lives in California schools that New Englanders were rather staid and reserved and we have heard about their dry humor. We find that you are very warm people and one of the conditions of our Supreme Court order is that these districts may be contiguous by water. Frankly we have been thinking this over and we think by utilizing the Pacific Ocean which my district fronts on, and the Panama Canal and coming back up the Atlantic Ocean, we might be able to carve ourselves out a little district here. So you have that to look forward to.

I do want to bring to you the greetings of the California Legislature and the people of the State of California. We find in talking with legislators in other parts of the country that we all have very much the same problems; in different sizes perhaps but they are all very much the same. We are all thinking about the same thing. I understand you have been debating a bill here on chiropractors this morning. I am not a registered lobbyist in this state so I shouldn't tell you I suppose that California does pay the chiropractors out of their unemployment compensation fund. (Laughter) Whoever the author of that bill is should give a little extra "Thank you" for that.

However, we are not here for the purpose of lobbying that. We have something we think is far more vital not only to California but to all of the country. We are under a court order to reapportion our state Senate by the 1st of July this year. We have been working on the problem. I am a member of that committee and I am sorry to report to you that we have made practically no progress at all. We cut a lot of lines but it takes 21 votes — we have a forty member Senate and we can't find 21 votes any way we cut these lines.

To give you something of the scope of our problem — and our

problem is not political — I am a Republican and Senator Zenovich is a Democrat and the reason we are traveling in this team is to show that there is no self serving interest here. We have a Republican from one House and a Democrat from the other House. I am sure I couldn't explain to you in the rest of the day, California politics, so I won't try but we are not a very partisan state, really. We have 13 Republicans in our Senate and 27 Democrats and out of about 5000 bills that we carry each year, not more than two or three of those ever became partisan. These would be on election laws and sometimes the budget. They once in a while do. But also inter-party has a fight once in a while on the budget. But to our problem on reapportionment, imagine a district 700 miles long ranging from 100 to 150 miles wide and imagine how you would try to serve that district. It does have 400,000 people in it which is what the court is going to require of us I guess. Compare that with a district in the heart of Los Angeles, which is only a few blocks. To use an illustration, the person representing that district could go around the entire outside of his district in five minutes on a motor scooter.

Some of the questions that are not applied here to reapportionment but are what you are going to ask us and I am going to volunteer the answers before you fellows have a chance. Yes, we are here at public expense. We are here with the insistence, not the permission but the insistence, of our constituency. How much do we get in salary? California legislators, both houses, get \$6,000 a year. We have a few side benefits. Our per diem is \$21 a day. We are furnished with an automobile and a credit card. However, we do work full time and by "full time" I do mean just that. We work on interim committees during the interim periods and we do the same thing exactly as you do, we run chores for our constituents in between times, beating department heads over the head to get what they think is not

right and what of course we do think is right because our constituent wants it.

But in California's case, California used to be on a population basis in both houses. Along in the early 1920's the population had gravitated to three of our counties, Alameda, Los Angeles and San Francisco and these three counties controlled both houses. Now the people of California on a one man one vote basis determined that this was not fair and equitable. Agriculture is our number one industry and we felt — at that point it was a little early for me to be voting, but my father felt that this interest should be represented along with our mining, timber, and so forth, so on the initiative process, the people of California apportioned our Senate on the basis that it is presently apportioned which is a combination of population and geography. One Senator may not serve more than three counties and some of them do, and one county may not have more than one Senator. The horrible example this held up for the whole world to look at is Los Angeles with one Senator and 7 million people; Inyo, Mono and Alpine, three counties with a total population of about 15,000. This district presently is 400 miles long, the little district. This man has his work cut out to represent the people in that district but more than that he does represent all of the people of California. Some of our legislative leaders over the years have come from that seat. For many years, the Senator who represented that small district so far as population was concerned was a member of our Senate Rules Committee and I am not sure of the make-up of other states, but Senate Rules would be called the "all powerful" — that is what the press would say — and these members are elected by the members of the Senate itself. This is the type of man that has come from there.

Los Angeles County with the one Senator is very well represented, believe me. The Senator from there now, Senator Thomas Reese is a Democrat. He is leading the

fight against reapportionment. Los Angeles now speaks with one strong voice and nothing in our memory that Los Angeles County has needed has been denied to them. By contrast in the Assembly they have 31 out of a total of 80 seats and they never speak with one voice. I am sure you have heard about the strong hand of the Speaker, Jesse Andrews. Jesse Andrews has never been able to get his Los Angeles delegation together on an important issue. We think — and by we I am talking about all of the people of California — we think that Los Angeles County is better represented by the one man than they would be with fifteen.

After the initiative process in 1926, the legislature refused to accept this and referred it back to the people on a referendum. They weren't any more anxious to give up their seats then than we are now. The people slapped them back even harder in 1928 than they did in 1926. So the Senate was reapportioned on the basis I have described. Since that time there have been three more elections. The last was only two years ago, and the one before that was four years ago and each time the people of California have reaffirmed the belief that our state is represented the way it should be for our particular needs. This includes Los Angeles County itself in their popular vote.

Obviously the populated areas on a one man one vote basis could change this any time they wanted to and the votes of confidence we think are important. We are here at the insistence of our people. We think the only thing that can be done to change the Supreme Court decision is a Constitutional Amendment. We have passed a Resolution in California asking that an amendment be passed by Congress and referred back to the States. We would hope that you agree with us. We are not concerned about how the people of Maine want to apportion themselves. We think that the people of Maine should determine that. We think the people of California also should have a chance and we hope that you

would pass such a resolution supporting our position.

Once more, thank you so very much for your very kind hospitality and I repeat that it has been a very great honor being with you. (Applause)

Mr. HARDING of Aroostook: Thank you very much, Senator Sturgeon. We have other guests here who may wish to add a word and I would call upon the Hon. George Zenovich.

HON. GEORGE N. ZENOVICH: Thank you very much, Mr. President and members. We are very happy to be here. I was just looking out the window and if things are different around here in the summer months, I don't know how they could be any better other than to have a little more green. I think Maine is a lovely state. This is the first time I have been here. I want to commend you on your highway system and your little reminders. It was so much fun driving up from Boston. Every two or three miles, "Is your seat belt fastened?" "Don't forget — speeding will cost you your license." "Have you checked your tires?" I think they are wonderful reminders and wonderful advice. You have a beautiful state.

So, I am here with the Senator attempting to get our message to the legislators of New England, to try to apprise you of the real problem that we have. Can you imagine a liberal Democratic Senator representing 7 million people actually heading up this campaign, testifying in Washington last week. This is really the seriousness of the whole problem. We have a peculiar situation out there as has been evidenced by many a recent election and we feel that to have one man represent an area 700 miles long and 150 miles wide is not good policy so all we ask, we ask that if and when you should be called upon to render judgment and decision in this field that you take into consideration the things that we have told you, bring these things into your deliberations and I am sure that in the end we will all have the results that best fit the

public interest. Thank you very kindly. (Applause)

Mr. HARDING of Aroostook: Thank you very much Mr. Zenovich. I understand the next gentleman wishes to remain mute, but he does tell me that he wishes me to express on his behalf his appreciation of the hospitality and Mr. Richard Coggin, would you take a bow? (Applause)

Mr. Sturgeon and the other distinguished gentleman who spoke, Mr. Zenovich, mentioned the political part of it and I would pass this along that even though we are the Democratic majority here, we still are very tolerant and at this time to display our tolerance, we are going to pass the ball back to the Senator from Hancock who will have the last word. Senator Brown of Hancock.

Mr. BROWN of Hancock: Thank you, Floyd. It certainly is a pleasure for me to welcome these residents of California to our state Senate and I certainly wish them all good speed.

Mr. GLASS of Waldo: Mr. President, I would like to address a remark if I might to Senator Sturgeon. As the opponent to the Chiropractor bill, I will have a box for you outside the Senate Chamber and suffice it to say there will not be in that box what I am sure will be in the box you are now placing your hands on. (Laughter)

Mr. STURGEON: I should add to my remarks that our present administration has kissed off \$176 million in surplus funds in this field in the last four years. (Laughter)

The PRESIDENT: Thank you gentlemen. I am sure that the Sergeant at Arms will now escort the gentlemen to the other end of the corridor where they will deliver their message there and that could be where you will have your trouble. (Laughter). Thank you very much.

Mr. CAHILL of Somerset: Mr. President, I would like to direct one remark to the gentlemen before they leave. It is a bipartisan presentation they have here and I am glad to see it so. However, if they are looking to the future,

I would like to make a little suggestion. I have both sons and daughters, nieces and nephews who reside in California. They are all raising large families and they are also Democrats. (Laughter)

The PRESIDENT: Now the Chair should appoint a Committee of thirty-four to return the visit. (Laughter)

At this point, the guests were escorted to the House of Representatives by the Sergeant at Arms.

On motion by Mr. Snow of Cumberland, the Senate voted to take from the table the 15th tabled and unassigned item (S. P. 191) (L. D. 571) Senate Reports from the Committee on Election Laws on bill, "An Act to Eliminate Straight Ballot Voting in Elections"; Majority Report, Ought not to pass, Minority Report Ought to pass; tabled by that Senator on March 3 pending acceptance of either report.

Mr. SNOW of Cumberland: Mr. President, I now move acceptance of the Minority Ought to Pass report on this measure, and I would like to say a few words if I may. I had planned to make a considerable presentation in support of my position. However, in the interval since tabling this on March 3, I have had the opportunity to talk with many of the Senators and I do not believe it is necessary for me to say any more at this time except that many of us believe it is sound legislation leading in the direction of better government for the state of Maine.

The PRESIDENT: The motion before the Senate is the motion to accept the Minority Ought to Pass report.

Mr. LETOURNEAU of York: Mr. President and members of the Senate: This is one of two bills heard by the Election Laws Committee: the other has been sort of withdrawn mutually. The Committee has given a lot of thought to this bill and I, for one, feel that we should not eliminate the straight ballot. Now some mention has been made here in regard to getting capable candidates to run for public office. I would like to state that

when you register and enroll to vote you must declare yourself to be either a Republican or a Democrat or as an Independent. If you remain an Independent you have no choice as to the selection of the candidate that will appear on the ballot at the General Election, for the primaries are very important. This is where you choose the capable candidate out of the many. The thousands of Independent voters cannot vote in the primaries, which leaves the choice to the two-party candidates. This is the first step in the choosing of a candidate. In the General Election, as you know, you may vote for the party of your choice: you may vote a straight ballot or you may split your ballot. That is as it is now.

This bill would eliminate the party box at the top of the ballot but not necessarily prevent you from voting an entirely straight ballot. For that, you must mark a cross opposite every candidate on the ballot and this would constitute a straight ballot, only you are doing it the hard way, for, as you know, some voters would not carry it all the way down, many would only vote for the top of the ticket and leave the rest unmarked.

Now we have chosen our candidates in the primaries so we must vote only for the names on the ballot regardless of what party you may be. You have the right to vote for anyone on the ballot whether Republican or Democrat. Here you can determine, according to your judgment, which is the most capable candidate, for you are limited to the names on the ballot, they having been chosen in the primaries. This is reasonably simple. Now some voters have strong party affiliations and will only vote party-wise. This is their privilege and I would not deprive them of their right to do so. Also there are many who have said to me, and I am sure to some of you also, that splitting a ballot is confusing to them and they will not do it so as to make sure that they at least vote for someone they want. I do not believe that we should prevent them from voting

in the big squares if they want to, it is their right, and I, for one, want to retain it that way.

Now I believe you have a simple ballot on your desks. This ballot is very simple, you vote in the big box if you wish or you may cross-cross any office that you prefer. We are not depriving anyone of any rights. Some people have limited education and splitting confused them and I have seen well-educated people having apprehensions as to the splitting of their ballots.

We have on the table L. D. 1181 which deletes from the law one aspect of confusion that seems to bother some voters. The Committee recommends this so as to make it simpler to avoid spoiling a split ballot. This I refer to as the Joe Edgar ballot which was explained on the TV by the former Deputy Secretary of State for Elections. Some say that a very popular candidate at the top will bring in others on his coat-tails. With this I agree, but I am sure that at some time both parties benefit from this so it evens out.

Again I say, look at this ballot, it is very simple, it gives the voter his or her choice to vote straight or to split his ballot. By taking out the big square it would only make it confusing to some of our voters.

This is not a new bill, it has been introduced at some time or other by members of both parties. As for the voters knowing how to split their ballot, you will recall in the congressional election in the First District last year for the office of Congressman the voters in that district knew how to split their ballot, which they did. Now this bill has been defeated in previous legislatures and I sincerely hope it will be defeated by this Legislature and I hope that the motion of the Senator from Cumberland, Senator Snow, does not prevail.

Mr. HARDING of Aroostook: Mr. President, first of all I would like to say that this is not a party issue. The people of both parties differ as to the effect of this particular measure. However, I would like to express the fact that I concur with Senator Snow in his

view and that this is no reflection on the view of the Senator from York, Senator Letourneau, whose judgment I very much respect and who has of course served in the legislature before with distinction.

However, it may be that these problems which resolve themselves somewhat to areas and my own views on this are perhaps jelled by my experience in political matters over a great many years in Aroostook County. One of our great problems there was to interest people to run on our ticket. One of the things they would point out as to why they did not run was that "it is no use". This is a Republican area and people did not even bother to look at the names. They looked at the big box at the top and put the big X there. It seemed to me that it was only fair that if a person could go to all the trouble they have to go to to have their name on the ballot at least a person when he went into the booth could go down the list and see who was on the ballot and put an X by his name.

Now if this bill is passed, it will not mean that a person cannot vote a straight ticket. He can still go down and vote for everyone he wishes on his party side but at least it will do this. It will encourage the voter when he goes into the booth to look at all the names. This may seem like heresy to say this but I still feel that as far as the State of Maine is concerned that if we have the best men possible on each ticket and if the voters go down and select the best men on the ticket regardless of the side, that the State of Maine is to be the ultimate beneficiary. And really we are here as they say, once in fifty years, to do something. This is an opportunity that we have and whether or not it will benefit our party is I think beside the point. Our long range objective is to do that which will benefit the State of Maine. It seems to me that this would do it because it would encourage people to vote for the best man and that is what I always subscribed to when I was in the minority and I still subscribe to it. I do support the

Senator from Cumberland, Senator Snow, on this particular matter.

Mr. JUTRAS of York: Mr. President I would like to remind the members of the Senate that first of all I believe they have a duty to the constituents of their county and then the State of Maine takes second place. They must remember that and for that reason I must go on record, I know that in York County, both parties, Republican as well as Democrat do not desire the elimination of the big X on top of the ballot.

Mr. HILTON of Somerset: Mr. President, I would like to concur with the remarks of Senator Snow and Senator Harding. I come from a county that is registered two to one Republican. I have made it twice in the House with Ed Muskie at the top of the ticket; I was defeated for the House because John F. Kennedy headed the ticket; I was elected this last time because President Johnson headed the ticket. I would like to know whether my constituents have voted for me or am I being dragged along? I favor the elimination of the big box. I have to have pretty near 45 per cent Republican votes in order to get in and that is one reason I sort of look that way once in a while, being all the time in disapproval of certain members of my own party. Be that as it may I am getting along and perhaps I'll never come back again anyway so I don't care much what they think.

Mr. JACQUES of Androscoggin: May we have the report read Mr. President?

The Secretary read the Committee report.

Mr. JACQUES of Androscoggin: Mr. President, coming from a county which is ten to one Democratic, I certainly am not in favor of eliminating the straight party ticket. But, Mr. President, I think we have a responsibility to the committee that reported Ought Not to Pass. I don't think we should disregard this and I think these gentlemen had a hearing, an expensive hearing on this and I think we should accept their report. At this time I move that the

bill and accompanying papers be indefinitely postponed.

Mr. SHIRO of Kennebec: Mr. President, I would like to oppose the motion to indefinitely postpone this particular matter. I think here that we have to be guided primarily by our reason rather than by any particular loyalty to the committee and I think it is evident to all of us that the presence of the big box on the top of the ballot many years ago was politically motivated and it has perpetuated itself down through the years on that same basis. Senator Harding says it is not a major party platform but I would hope that it would be a major platform of both parties to eliminate this box. I know that the elimination of straight balloting would certainly add a great deal to the intelligent voting of every individual who casts a vote at an election. It would make him deliberate at least a little bit before putting a mark for any candidate. I know that the Senators here who come from various counties where there is a strong tendency for a particular party feel that it may some way diminish chances in a particular election. However, I do not think that would be the case. I think that if people lean very strongly toward a certain party, they certainly should be allowed to do so even though we eliminate the big box at the top.

I believe there are about 26 states in the nation now which have eliminated straight party balloting and there is a growing tendency to eliminate more. I would hope that as Senator Snow has stated, that in the interest of good government — I know in the long run we shall all benefit from it if this Senate would vote now and accept the minority report of the committee to eliminate the straight box.

Mr. SMITH of Cumberland: Mr. President, I want to go on record as a Senator from Cumberland in favor of the straight ballot box.

Mr. MOORE of Washington: Mr. President, I request a division, on Senator Jacques motion.

Mr. LETOURNEAU of York: Mr. President, I want to say again that a lot of people desire the party box. To us who are interested in politics it is very simple to get a ballot and vote and split our ballot. We have experience. Most people don't. I did not want to say anything about partisanship. First of all I want to make it clear that York County is not entirely Democratic. We have to fight to get elected and we don't always make it. I am not speaking for that purpose. As far as coattails are concerned, if I had a crystal ball to look into the future two years hence and some of these people these worthy Senators think that President Johnson didn't carry them in, I'd like to see the crystal ball in two years.

The PRESIDENT: The motion before the Senate is the motion of Senator Jacques of Androscoggin that the bill be indefinitely postponed. A division has been requested.

A division of the Senate was had.

Nine having voted in the affirmative and twenty-four in the negative, the motion did not prevail.

Thereupon, the Minority Ought to Pass report was accepted, the bill read once and tomorrow assigned for second reading.

Mr. HARDING of Aroostook: Mr. President, I would like to request unanimous consent to address this body briefly on a non-partisan matter.

The PRESIDENT: The Senator from Aroostook, Senator Harding, requests unanimous consent to briefly address the Senate. Is there objection? The Chair hears no objection and the Senator may proceed.

Mr. HARDING: Mr. President and members of the Senate: As you will note and am very pleased to observe I am sure, each of us bear a green carnation in celebration of St. Patrick's Day, and all of us in the Senate, the Senator from Penobscot, Senator Stern, myself from Aroostook and Senator Violette and the Senator from York, Senator Jutras, are all

Irishmen today, and I am sure that my distinguished colleagues, the Senator from Cumberland, Senator Smith and the Senator from Washington, Senator Moore, will accept us in that regard on this day. I think you might be interested to know who we should thank for this and I think we should express our gratitude at this time. It has, as I have expressed before, been a great pleasure to have served with our lady senators. Every day we are grateful for their good looks and their charm and help, but today we are grateful to them for remembering that this is St. Patrick's day and giving us this flower to wear in celebration of it, and so I think they deserve some applause for this gift which they have given to us. (Applause)

Mr. CAHILL of Somerset: Mr. President, I have to agree with

the Senator from Aroostook, Senator Harding. When I arrived here this morning before I could even get upstairs to park my overcoat, a very nice looking young lady approached me with this flower and insisted that she pin it on and she informed me at the time that it was a present from the better half of the Senate, which I believe is two-thirty-fourths of the Senate. It has been so long since a lady has bought me anything that I can't remember back to that time. It has really made me swell right up and I don't know as I will get back to size tomorrow. (Laughter)

On motion by Mr. Harding of Aroostook,

Adjourned until next Friday at ten o'clock.