

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Fourth Legislature*

OF THE

STATE OF MAINE

1949

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Friday, February 18, 1949

The Senate was called to order by the President.

Prayer by the Reverend Merle E. Golding of Augusta.

Journal of yesterday read and approved.

**Order**

**(Out of Order )**

On motion by Mr. Haskell of Penobscot, out of order and under suspension of the rules, it was

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, February 22nd, 1949 at eleven o'clock in the forenoon. (S. P. 455)

Sent down for concurrence.

Subsequently the foregoing order was returned from the House, having been read and passed in concurrence.

**From the House**

Bill "An Act Relating to Retail Grocer Representative on Milk Control Board." (H. P. 1360) (L. D. 713)

Bill "An Act Relating to the Bee Industry." (H. P. 1361) (L. D. 714)

Bill "An Act Relating to the Price of Milk to the State and Certain Institutions." (H. P. 1362) (L. D. 715)

Which were severally referred to the Committee on Agriculture in concurrence.

Bill "An Act Relating to Investment of Sinking Funds." (H. P. 1363) (L. D. 716)

Which was referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill "An Act Relating to Powers of Industrial or Morris Plan Banks." (H. P. 1364) (L. D. 717)

Which was referred to the Committee on Banks and Banking in concurrence.

"Resolve in Favor of the George Green Estate." (H. P. 1365) (L. D. 718)

"Resolve in Favor of the Town of Woodland." (H. P. 1366) (L. D. 719)

"Resolve to Reimburse the Town of Wells." (H. P. 1367) (L. D. 720)

"Resolve in Favor of the City of Biddeford." (H. P. 1445)

"Resolve in Favor of Dr. H. C. Knowlton, of Bangor." (H. P. 1446)

"Resolve in Favor of Wilfred Simmons of Livermore Falls." (H. P. 1447)

"Resolve in Favor of Clyde W. Lindley of Dennysville." (H. P. 1448)

"Resolve in Favor of Woodrow W. Shaw of Mars Hill." (H. P. 1449)

"Resolve in Favor of John C. Libby of Chester." (H. P. 1450)

"Resolve in Favor of Lawrence H. Osgood of Kingman." (H. P. 1451)

"Resolve in Favor of John Richards of Rumford." (H. P. 1452)

"Resolve in Favor of Charles Nowak of Berlin, N. H." (H. P. 1453)

"Resolve in Favor of Christopher Hilton, of Anson." (H. P. 1454)

"Resolve in Favor of James E. Irish & Son, of Hartford." (H. P. 1455)

"Resolve in Favor of Ernest J. Bryant of Dover-Foxcroft." (H. P. 1456)

"Resolve in Favor of Emery McIntyre of Bingham." (H. P. 1457)

"Resolve to Reimburse the Town of Jefferson." (H. P. 1458)

"Resolve in Favor of Knowlton Stuart, of Coopers Mills." (H. P. 1459)

"Resolve in Favor of Emile H. Lebel, of Brunswick." (H. P. 1460)

"Resolve in Favor of Richard Black, of East Limington." (H. P. 1461)

"Resolve in Favor of Albert F. Lessard, of Springvale." (H. P. 1462)

"Resolve in Favor of Edward D. McKeon of Kennebunk." (H. P. 1463)

"Resolve in Favor of Emery L. Jordan, of Plantation Number 21." (H. P. 1464)

"Resolve in Favor of New England Telephone and Telegraph Company, of Augusta." (H. P. 1465)

"Resolve in Favor of the Town of Dedham." (H. P. 1466)

"Resolve in Favor of the Town of Dedham." (H. P. 1467)

"Resolve in Favor of Eric A. Ohlson of New Sharon." (H. P. 1468)

"Resolve in Favor of William Burgess, of New Sharon." (H. P. 1565)

Which were severally referred to the Committee on Claims in concurrence.

Bill "An Act to Amend the Unemployment Compensation Law with Respect to Coverage." (H. P. 1386) (L. D. 758)

Bill "An Act to Amend the Unemployment Compensation Law to Eliminate Double Penalties." (H. P. 1387) (L. D. 759)

Bill "An Act Amending the Unemployment Compensation Law as to Benefit Eligibility Conditions." (H. P. 1388) (L. D. 721)

Bill "An Act Amending the Unemployment Compensation Law as to Payment of Benefits." (H. P. 1389) (L. D. 722)

Bill "An Act Amending the Unemployment Compensation Law as to Disqualification for Benefits." (H. P. 1390) (L. D. 723)

Bill "An Act Amending the Unemployment Compensation Law as to Employer's Experience Classification." (H. P. 1391) (L. D. 724)

Which were severally referred to the Committee on Federal Relations in concurrence.

"Resolve Opening Upper and Macwahoc Lakes, Aroostook County, to Ice Fishing." (H. P. 1393) (L. D. 725)

"Resolve to Open Perry Pond, Aroostook County, to Ice Fishing." (H. P. 1393) (L. D. 726)

"Resolve Providing for a Fish Screen at Outlet of Hancock Pond in the Town of Denmark." (H. P. 1394) (L. D. 727)

"Resolve Providing for a Fish Screen at Outlet of Peabody Pond in the Town of Sebago." (H. P. 1395) (L. D. 728)

Bill "An Act Relative to Registration of Deer." (H. P. 1396) (L. D. 760)

"Resolve Regulating Fishing in Royal River, in the County of Cumberland." (H. P. 1397) (L. D. 729)

"Resolve Relative to Sale of Hatcheries and Feeding Station Property Authorized." (H. P. 1398) (L. D. 761)

Which were severally referred to the Committee on Inland Fisheries and Game in concurrence.

Bill "An Act Relating to Liability of Personal Sureties on Probate Bonds." (H. P. 1399) (L. D. 730)

Bill "An Act Relating to Exceptions to the Admission or Exclusion of Evidence." (H. P. 1400) (L. D. 731)

Which were severally referred to the Committee on Judiciary in concurrence.

Bill "An Act Relating to Payment of Wages by Hotels and Camps." (H. P. 1401) (L. D. 732)

Which was referred to the Committee on Labor in concurrence.

Bill "An Act Relating to the Licenses of Buildings for Dancing Purposes." (H. P. 1402) (L. D. 762)

Bill "An Act Relating to Duties of the State Auditor." (H. P. 1403) (L. D. 763)

Which were severally referred to the Committee on Legal Affairs in concurrence.

"Resolve for the Purchase of One Hundred Copies of History of Sumner and Hartford." (H. P. 1511)

Which was referred to the Committee on Library in concurrence.

Bill "An Act Relating to National Codes in Fire Prevention." (H. P. 1404) (L. D. 764)

Bill "An Act Relating to the Powers of Insurance Companies." (H. P. 1405) (L. D. 752)

Which were severally referred to the Committee on Mercantile Affairs and Insurance in concurrence.

Bill "An Act Relating to Stop Signs at Multi-entrance Intersections." (H. P. 1406) (L. D. 765)

Bill "An Act Relating to Parking in Dangerous Places." (H. P. 1407) (L. D. 766)

Bill "An Act Relating to Traffic Control Signals." (H. P. 1408) (L. D. 767)

Bill "An Act Relating to Stop Intersections." (H. P. 1409) (L. D. 768)

Which were severally referred to the Committee on Motor Vehicles in concurrence.

"Resolve Providing for State Pension for John L. Sullivan, of East Corinth." (H. P. 1517)

"Resolve Providing for State Pension for Omer Garneau, Jr., of West Peru." (H. P. 1518)

"Resolve Providing for State Pension for Ina J. Alto, of Jefferson." (H. P. 1519)

"Resolve Providing for an Increase in State Pension for Artell Cookson, of Newcastle." (H. P. 1520)

"Resolve Providing for State Pension for Albert Parent, of Frye." (H. P. 1521)

"Resolve Providing for State Pension for Virginia Stacy, of Augusta." (H. P. 1522)

"Resolve Providing for State Pension for Alvin Bickford, of Nobleboro." (H. P. 1523)

"Resolve Providing for State Pension for Ross Sidelinger, of Nobleboro." (H. P. 1524)

Which were severally referred to the Committee on Pensions in concurrence.

Bill "An Act Relating to Application of Health Laws to Certain Grocery Stores." (H. P. 1419) (L. D. 753)

Which was referred to the Committee on Public Health in concurrence.

Bill "An Act Repealing Retail Dealers' Fish Licenses." (H. P. 1420) (L. D. 754)

Bill "An Act Relating to the Taking of Clams in Scarborough." (H. P. 1421) (L. D. 769)

Which were severally referred to the Committee on Sea and Shore Fisheries in concurrence.

Bill "An Act Relating to Continuous Credit for Excise Tax." (H. P. 1322) (L. D. 757)

Which was referred to the Committee on Taxation in concurrence.

Bill "An Act Relating to Retail Sale of Malt Liquor." (H. P. 1422) (L. D. 755)

Bill "An Act Prohibiting the Procuring of Liquor for Certain Persons." (H. P. 1423) (L. D. 756)

Which were severally referred to the Committee on Temperance in concurrence.

"Resolve in Favor of the Town of Waldo." (H. P. 1556)

"Resolve in Favor of the Town of Winterport." (H. P. 1557)

"Resolve in Favor of the Town of Frankfort." (H. P. 1558)

"Resolve in Favor of the City of Westbrook." (H. P. 1559)

"Resolve in Favor of the City of Westbrook." (H. P. 1560)

"Resolve in Favor of the Town of Mexico." (H. P. 1561)

"Resolve in Favor of the Town of Corinna." (H. P. 1562)

"Resolve in Favor of the Town of Hiram." (H. P. 1563)

"Resolve in Favor of the Town of Hiram." (H. P. 1564)

Which were severally referred to the Committee on Ways and Bridges in concurrence.

#### House Committee Reports

The Committee on Pensions "Resolve Providing for an Increase in State Pension for Everett Ervine, of Damariscotta," (H. P. 307) reported that the same ought not to pass.

The Committee on State Lands and Forest Preservation on "Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Aroostook County to Burton Porter of Mapleton," (H. P. 859) (L. D. 328) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Inland Fisheries and Game on "Resolve to Open Third Debsconeag Lake in T. 1, R. 10, and T. 2, R. 10, Piscataquis

County to Ice Fishing," (H. P. 286) (L. D. 693) reported that the same ought to pass.

The Committee on Judiciary on Bill "An Act to Incorporate the 'Progressive Loan Co.'" (H. P. 179) (L. D. 55) reported that the same ought to pass.

The Committee on Legal Affairs on Bill "An Act to Incorporate the Dover-Foxcroft School District," (H. P. 837) (L. D. 334) reported that the same ought to pass.

The same Committee on Bill "An Act to Create the Boothbay Region Community School District," (H. P. 839) (L. D. 335) reported that the same ought to pass.

The same Committee on Bill "An Act Amending the Charter of the Town of Litchfield School District," (H. P. 925) (L. D. 401) reported that the same ought to pass.

Which reports were severally read and accepted, the bills and resolves read once and tomorrow assigned for second reading.

The Committee on Judiciary on Bill "An Act Relating to Joint Bank Accounts," (H. P. 297) (L. D. 85) reported the same in a new draft (H. P. 1438) (L. D. 710) under the same title and that it ought to pass.

The Committee on Legal Affairs on Bill "An Act to Incorporate the Carroll School District," (H. P. 581) (L. D. 179) reported the same in a new draft (H. P. 1439) (L. D. 711) under the same title and that it ought to pass.

The same Committee on Bill "An Act to Incorporate the Prentiss School District," (H. P. 580) (L. D. 712) reported the same in a new draft (H. P. 1440) (L. D. 712) under the same title, and that it ought to pass.

Which reports were severally read and accepted in concurrence, the bills in new draft read once, and tomorrow assigned for second reading.

The Committee on Salaries and Fees to which was recommitted Bill "An Act Relating to Travel Reim-

bursement for Members of the Legislature," (H. P. 312) (L. D. 92) reported the same in a new draft (H. P. 1253) (L. D. 557) under a new title, Bill "An Act Relating to Travel for Members of the Legislature," and that it ought to pass.

(On motion by Mr. Slocum of Cumberland, tabled pending acceptance of the report.)

#### **Referred to Committees**

The following bills and resolves were received and on recommendation by the Committee on Reference of Bills, were referred to the following committees:

#### **Agriculture**

Mr. Brewer of Aroostook presented Bill "An Act Relating to Harness Horse Racing." (S. P. 445) (Ordered printed.)

Sent down for concurrence.

#### **Claims**

Mr. Brown of Washington presented "Resolve in Favor of the Town of Princeton." (S. P. 456)

Sent down for concurrence.

#### **Inland Fisheries and Game**

Mr. Bowker of Cumberland presented Bill "An Act Regulating Wearing of Hunting and Fishing Licenses in Metal Cases." (S. P. 457)

(Ordered printed.)

Sent down for concurrence.

#### **Order**

On motion by Mr. Haskell of Penobscot, it was

ORDERED that there be printed 500 additional copies of Senate Paper 379, Legislative Document 645 entitled "An Act to Create an Industrial Safety Code Commission."

#### **First Reading of a Printed Bill**

Bill "An Act to Relieve Towns of Maintenance of State and State Aid Highways and to Provide for Construction of State Aid Highways." (S. P. 454) (L. D. 770)

Which bill was given its first reading and on motion by Mr.

Crosby of Franklin, the rules were suspended and the bill was given its second reading and passed to be engrossed.

Sent down for concurrence.

**Senate Committee Reports**

Mr. Bowker from the Committee on Appropriations and Financial Affairs on "Resolve Transferring Moneys from Employees' Retirement Fund to General Fund," (S. P. 220) (L. D. 340) reported that leave be granted to withdraw the same.

Which report was read and accepted in concurrence.

The same Senator from the same Committee on Bill "An Act Refunding to Towns, Fees of Retail Liquor Licenses," (S. P. 112) (L. D. 135) reported that the same ought not to pass.

(On motion by Mr. Baker of Kennebec, tabled pending acceptance of the report.)

The same Senator from the same Committee on "Resolve Relating to Impounded Bank Accounts of Certain Trust Funds," (S. P. 111) (L. D. 136) reported that the same ought to pass as amended by Committee Amendment "A".

Which report was read and accepted and the bill was given its first reading. The Secretary read Committee Amendment A.

"Committee Amendment A to L. D. 136. Amend said Resolve by adding at the end thereof and before the Statement of Facts, the following: ' and be it further resolved that the Treasurer of State and the State Controller charge off the books of the state, the following trust funds: Augusta State Hospital Robie Library Fund \$2,000; Colonel Black Fund, \$2,000; Bangor State Hospital Robie Library Fund \$2,000. Total \$6,000.' "

Which amendment was adopted and the resolve as so amended was tomorrow assigned for second reading.

**Passed to be Engrossed**

Bill "An Act Relative to Non-Resident Hunting Licenses." (H. P. 350) (L. D. 116)

"Resolve in Favor of the Town of Washburn." (H. P. 532) (L. D. 659)

Bill "An Act Relative to Game Preserve, Limington, Hollis and Waterboro." (H. P. 652) (L. D. 208)

"Resolve in Favor of the Town of Appleton." (H. P. 686) (L. D. 660)

Bill "An Act Relating to Registration of Motor Vehicles by Minors." (H. P. 1336) (L. D. 661)

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

"Resolve Authorizing the State Forest Commissioner to Convey Certain Interest of the State in Lands in Somerset County to Dennistown Plantation." (S. P. 61) (L. D. 37)

Bill "An Act Relating to a State Police Barrack in the County of Penobscot." (S. P. 65) (L. D. 48)

Bill "An Act Relating to Territory Included in the Maine Forestry District." (S. P. 89) (L. D. 75)

Bill "An Act to Provide for a Reserve for Operating Capital for the General Fund of the State." (S. P. 96) (L. D. 102)

Bill "An Act Relating to State Prison Sentences." (S. P. 101) (L. D. 106)

Bill "An Act Relating to Practice of Architecture." (S. P. 211) (L. D. 273)

(On motion by Mr. Boucher of Androscoggin, tabled pending passage to be engrossed.)

Bill "An Act Relating to the Payment of the Cost of the Kennebec or Carlton Bridge." (S. P. 255) (L. D. 389)

"Resolve, Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Oxford County to Emile Pellerin of Rumford." (S. P. 278) (L. D. 451)

"Resolve, Transferring Supervision and Control of Certain Interest of the State in Lands in the Unorganized Territory from the State Tax Assessor to the Forest Commissioner." (S. P. 279) (L. D. 452)

Which were severally read a second time and passed to be engrossed. Sent down for concurrence.

Bill "An Act Relating to State Owned Delinquent Tax Lands Accounts." (S. P. 110) (L. D. 137)

Bill "An Act Relating to Permanent State Trust Funds." (S. P. 221) (L. D. 341)

Which were severally read a second time and passed to be engrossed, as amended.

Sent down for concurrence.

#### Enactor

Bill "An Act to Incorporate the Town of Burnham School District." (H. P. 810) (L. D. 263)

#### Orders of the Day

On motion by Mr. Ela of Somerset, the Senate voted to take from the table Senate Report "Ought Not to Pass" from the Committee on Legal Affairs on bill "An Act Relating to Plumbing" (S. P. 228) (L. D. 345) tabled by that Senator on February 17 pending acceptance of the report; and on further motion by the same Senator, the report was accepted.

On motion by Mr. Hopkins of Kennebec, the Senate voted to take from the table Senate Report "Ought Not to Pass" from the Committee on Judiciary on bill, "An Act Relating to Order of Names on Primary Ballots" (S. P. 134) (L. D. 196) tabled by that Senator on February 17 pending acceptance of the report.

Mr. HOPKINS of Kennebec: Mr. President and members of the Senate, it seems to me that at this stage of the session, we ought to try to avoid if possible, these half hour meetings. This bill is a minor one, and while there are a number of members absent this morning, I think it is a type of bill which might well be discussed a little.

This bill provides a change in the method of placing names on the primary ballots. It is a very simple, understandable bill. The existing law, as you know, provides that the names be placed on the ballots alphabetically. If this bill is enacted it provides for drawing names at a public drawing on the Thursday following the third Monday of April.

The purpose of course, is to avoid the advantage which now happens to fall upon the man whose name begins with A. A. or who has the good fortune to have a name beginning with a combination of letters which places the name high on the ballot.

I have talked with a number of people about this bill over a period of several years. It seems to me that if there were some way to eliminate that advantage, it would be of much value to people who seek office under our primary laws. All the Senators here have had the experience of running for office under the present primary system and would probably agree with me that if there should be some way that we could rotate the names, that would be the most desirable thing to do but the office of the Secretary of State advised the committee at the time of the hearing that to rotate the names would be a rather expensive thing to do, both in the printing and in the handling of the ballots, and of course, would delay the time required for counting the ballots, and that is a matter of some importance.

Somebody has said—I don't know just who—that we get our names by lot anyway, that we are not born with our names and consequently placing our names on the ballot alphabetically is all right anyway. The only reply to make to that is that when you are born you are not running for public office, you seek public office after you are born and when you seek public office under the present primary system you hope to have at least the same advantage as other people and you don't very often have a parent who is far-sighted enough to give you a name with the combination of letters A. A. so that it would be placed at the head of the ballot.

I think some of you who have ambitions for your offspring might consider naming your offspring with a name beginning with A. A. Anyway, I think that this bill is a good bill. The committee says unanimously, however, that it ought not to pass. I don't know whether they



have any feeling in the matter or not. I assume not, and certainly I have none at all.

This is simply a bill to protect the rights of people who may run for public office, up until the time the ballots are printed. It has been said, and I think truthfully, that there have been cases where a certain group of people have declared themselves for public office and the people who do the finagling have come to the conclusion that if they could find a man with a name beginning with A. A. they could throw him into the race with a distinct advantage. I think it has been successfully done, and if it has, there is need for this change in the law. All I am asking the Senate to do is to think this over and if they think this change ought not to be made that is perfectly acceptable to me. If you think as I do, you might be willing to allow this bill to live for further consideration. I move the substitution of the bill for the report.

Mr. BARNES of Aroostook: Mr. President, I don't mind these half hour sessions myself because after we get through this half hour session I will probably spend some seven hours getting home. This bill of Senator Hopkin's doesn't seem to me to accomplish anything. The committee gave it very careful consideration. I think our ballots come in blocks of 75 and if there were some way to have the first block have one man's name at the head of the list and the second block to have the second man's name at the head and so on in alternation, the bill would accomplish what the Senator seeks to do.

But in conversation with the Deputy Secretary of State after the hearing, we became convinced that that just couldn't be done, it would be too much bother for the Secretary of State and his force and would cause a great deal of confusion in the counting of ballots.

I guess perhaps I was the one who suggested that all of us got our names by lot in the first place

and when you talk about picking out a name for a boy or a girl, they usually get the name of their parents.

If this bill accomplished anything, I would be glad to go along with it. But I don't see that it does. Some of us in the northern end of the state find it a long, long way to Augusta. I am not talking about the present Deputy Secretary of State but we will call him Mr. X. I think that any candidates who were running for office and knew there was going to be a drawing off at Augusta to see whose name would come first on the ballots, would probably travel down here to see how it was done and whether it was done fairly, and that would be a great deal of expense.

I don't know the situation in Kennebec County but I think I do fairly closely in Aroostook County and in the last three elections people whose name came first or prior on the list in the race for State Senate were defeated, and last election we had a contest for U. S. Senator and the line-up was Beverage, Hildreth, Sewall and Smith. Whether there was any advantage in being placed first on the ballot for Mr. Beverage, I don't know but I think the election returns show there wasn't.

I won't take up any more time of the Senate because it is a long way home but we could see no value in this bill. If the Senator wanted to put an amendment on it making it applicable to Kennebec County only I wouldn't object but for the state as a whole I can't see any advantage and when I can't see any advantage in legislation I am very apt to vote against it. I hope the motion will not prevail.

Mr. VARNEY of Washington: Mr. President, I happen to be one of those unfortunates who was penalized by having been named Varney. I can readily see why a man whose name begins with B is not worried too much about the present situation. As I look around

and recognize the A B C's here in the legislature I can see why they are willing to let the think go on as it is and if those names are placed on the ballot by lot I can see no particular difficulty in that matter and I can see no reason why it can't be done very easily. The Senator refers to the candidates for U. S. Senate which reminds me of a story, which I hope won't be out of order, of the scientist who claimed that there was nothing in the idea that the eating of fish made brains and he said "As a demonstration of this fact I am going to visit the fishing port of Gloucester where undoubtedly the principle item of food is fish." He made a report to an old wag who said that the eating of fish certainly did make brains, and upon investigation he came back and said, "I have investigated the situation in Gloucester and I find that people who eat fish are the most simple minded class of people I have ever met in my life." And the old wag said, "Only think what they might have been if they didn't have fish."

Think what a tremendous vote Mrs. Smith might have piled up if her name hadn't been Smith but had begun with a B.

I am inclined to agree full heartedly with Senator Hopkins on this matter and I do want to take this opportunity to extend the time of this session a little beyond the half hour period.

Mr. HOPKINS: Mr. President, I think it could hardly be contended that anybody would win any contest simply by having his name placed at the head of the ballot. I think it has been demonstrated that that is not so. On the other hand, I haven't found anybody with whom I have talked who would not agree that it implies a certain advantage, that there is a five to ten percent advantage in having the name at the head of the ballot. One of the advantages comes from this, where there are several candidates to be chosen from a group, a substantial number of voters don't vote for

the full number simply because they are not observing enough to note there are more they should vote for and in minor where they are not acquainted with the candidates and have no preference, they simply vote for the first and stop there. So I think that is one of the advantages that A would have over some other letter in the alphabet.

If that advantage does exist and if we can eliminate it up to the time the ballots are printed there would be only five or six weeks between that time and the time of the primary election. If we can do away with any possibility of anyone changing the results of the election by throwing in names with a special combination of letters, it might be worthwhile. I agree with the Senator from Aroostook, that if the names could be rotated it would be a better way but I cannot agree that this way accomplishes absolutely nothing. I think it is desirable and I think the motion should prevail in order that we might give further thought to it.

Mr. LEAVITT of Cumberland: Mr. President, I do not wish to prolong this discussion, but I have been very interested in this subject for quite a while. When I first went into politics I would have agreed with Senator Hopkins one hundred percent but I have been watching the elections very closely for the past few years especially down in Cumberland County where we have a fairly large field running for office, particularly in Portland, and in analyzing the voting there I cannot find any indication that a person whose name begins with A or B has any advantage over one whose name begins with L or S or even W.

I don't think that the claim that a person who has a letter L in front of his name has a ten percent or five percent disadvantage from a person whose name begins with A or B. I have studied it very closely and tried to analyze it and I don't think this bill will improve a candidate's chances any more than, as Senator Haskell says, the natural

selection. I think you might as well take that selection as to draw it out of a hat.

Mr. SLOCUM of Cumberland: Mr. President, I am one of the depressed class being in the S's. I hate to disagree with the Honorable Senator from Aroostook or the Honorable Senator from Cumberland. I am sure they would be elected even though their names being with S. In a field of seven, my name was down the line quite a way. Nevertheless I was elected from a group of seven in the primaries but it is generally conceded that the first few names on the ballot have a ten percent advantage and the last name a five percent advantage. I am sure that Senator Barnes would have been elected if he were on the last end or the middle of the ballot. Senator Leavitt was elected even though he was in the middle of the list in Cumberland County. I do know that several states rotate the names on the ballots. Although our Secretary of State and our committee feel that it is too expensive and too cumbersome to rotate names I do believe that this bill is an attempt to give all an even break when it comes to selecting a place on the ballots.

I don't worry about where my name is on the ballot but I do feel that this would at least attempt to place the names on the ballots so that no one could claim that advantage resulted because of the position of the name on the ballot.

I hope that the motion of the Senator from Kennebec, Senator Hopkins, will prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Hopkins, to substitute the bill for the "Ought Not to Pass" report of the committee. Is the Senate ready for the question.

A viva voce vote being doubted by the Chair

A division of the Senate was had.

Seven having voted in the affirmative and fourteen opposed, the motion to substitute did not prevail.

Thereupon, on motion by Mr. Barnes of Aroostook, the "Ought Not to Pass" report of the committee was accepted.

On motion by Mr. Haskell of Penobscot

Adjourned until Tuesday, February 22, 1949 at eleven o'clock in the forenoon.