

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Seventh Legislature*

OF THE

STATE OF MAINE

VOLUME II

1955

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Thursday, May 12, 1955

Senate called to order by the President.

Prayer by the Rev. W. Lloyd Williams of Portland.

Journal of yesterday read and approved.

The PRESIDENT: The Chair at this time will name the Senate conferees on L. D. 117, An Act Relating to the Checking of Speed of Motor Vehicles by Electrical Devices, the following Senators:

Senators:

JAMIESON of Aroostook

REID of Kennebec

PARKER of Piscataquis

**Papers from the House**

Bill "An Act Amending the Financial Responsibility Law." (S. P. 408) (L. D. 1183)

In Senate on April 12, passed to be engrossed.

Comes from House, passed to be engrossed as amended by House Amendment A (Filing No. 444) in non-concurrence.

In the Senate, on motion by Mr. Weeks of Cumberland, that Body voted to recede and concur.

Bill "An Act to Correct Errors and Inconsistencies in the Public Laws." (S. P. 481) (L. D. 1350)

In Senate on May 3, passed to be engrossed as amended by Committee Amendment A (Filing No. 409)

Comes from House, passed to be engrossed as amended by Committee Amendment A, and as amended by House Amendment A (Filing No. 517) in non-concurrence.

In the Senate, on motion by Mr. Weeks of Cumberland, that Body voted to recede and concur.

Bill "An Act Relating to Trespass on Certain Buildings." (H. P. 599) (L. D. 655)

In Senate on April 21, passed to be engrossed as amended by Committee Amendment A (Filing No. 300).

Comes from House, passed to be engrossed as amended by Committee Amendment A, as amended by

House Amendment A (Filing No. 417) thereto.

In the Senate, on motion by Mr. Weeks of Cumberland, that Body voted to recede and concur.

Bill "An Act Increasing Salaries of County Officials of Penobscot County." (H. P. 1226) (L. D. 1507)

In Senate on May 4, passed to be engrossed as amended by Senate Amendment A (Filing No. 429) in non-concurrence.

Comes from House, passed to be engrossed as amended by Senate Amendment A as amended by House Amendment A (Filing No. 516) thereto, in non-concurrence.

In the Senate, on motion by Mr. Woodcock of Penobscot, that Body voted to recede and concur.

**House Committee Reports Ought Not to Pass**

The Committee on Claims on "Resolve to Reimburse the Town of Stetson for Aid Extended to Carlton Johnson." (H. P. 809) (L. D. 846) reported that the same Ought not to pass.

Comes from House, recommitted to the Committee on Claims.

In the Senate:

Mr. SILSBY of Hancock: Mr. President, I wonder if I am in order to make a brief comment on this matter being recommitted. I want to say that I believe the Claims Committee was in error when it passed this out ought not to pass.

Thereupon, on motion by Mr. Silsby of Hancock, the resolve was recommitted to the Committee on Claims in concurrence.

The Committee on Highways on Bill "An Act Relating to Service Roads on Controlled Access Highways." (H. P. 648) (L. D. 725) reported that the same Ought not to pass.

Comes from House, bill substituted for report and passed to be engrossed.

In the Senate:

Mr. PARKER of Piscataquis: Mr. President, I move that the ought not to pass report be accepted.

Thereupon, on motion by Mr. Farris of Kennebec, the bill was laid upon the table pending motion

by the Senator from Piscataquis, Senator Parker, that the ought not to pass report be accepted.

The Committee on Highways on Bill "An Act Designating Sebastiacook Bridge as a State Bridge." (H. P. 878) (L. D. 986) reported that the same Ought not to pass as covered by other legislation.

The same Committee on "Resolve Relating to Maintenance of Covered Bridge in Brownfield." (H. P. 982) (L. D. 1130) reported that the same Ought not to pass as covered by other legislation.

The Committee on Retirements and Pensions on "Resolve Providing for State Pension for Mrs. Addie Lavoie of Milford." (H. P. 390) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for an Increase in State Pension for Bertha Hodge of Mechanic Falls." (H. P. 845) reported that the same Ought not to pass.

The same Committee on "Resolve Increasing Pension of Ernest Rounds of Mechanic Falls." (H. P. 846) reported that the same Ought not to pass.

The same Committee on Bill "An Act Amending the Law Permitting Municipal Employees to Receive Federal Social Security Benefits." (H. P. 1112) (L. D. 1303) reported that the same Ought not to pass.

The Committee on Taxation on Bill "An Act Exempting Agricultural Sprays and Dusts from Sales and Use Tax." (H. P. 764) (L. D. 840) reported that the same Ought not to pass.

Which reports were severally read and accepted in concurrence.

#### Ought to Pass

The Committee on Sea and Shore Fisheries on "Resolve Providing Review of Shellfish and Marine Worm Laws." (H. P. 505) (L. D. 542) reported that the same Ought to pass.

Which report was read and accepted in concurrence, the resolve read once and under suspension of the rules, was read a second time and passed to be engrossed in concurrence.

#### Ought to Pass N.D. — Same Title

The Committee on Legal Affairs on Bill "An Act Relating to Preference to Maine Residents in Certain Contracts." (H. P. 748) (L. D. 829) reported that the same Ought to pass in New Draft (H. P. 1248) (L. D. 1541), same title.

The Committee on Transportation on Bill "An Act Relating to Traffic Officers at Drive-in Theaters." (H. P. 1114) (L. D. 1304) reported that the same Ought to pass in New Draft (H. P. 1245) (L. D. 1538), same title.

Which reports were read and accepted in concurrence, the bills in new draft read once and under suspension of the rules, was read a second time and passed to be engrossed, in concurrence.

#### Ought to Pass N.D. — New Title

The Committee on Highways on "Resolve in Favor of City of Waterville." (H. P. 881) (L. D. 989) reported that the same Ought to pass in New Draft (H. P. 1246) (L. D. 1539) and under a new title: "Resolve Providing for Splashboard on Waterville-Winslow Bridge."

Which report was read and accepted in concurrence, the bill in new draft, under new title, read a second time under suspension of the rules and passed to be engrossed.

The Committee on Legal Affairs on recommitted Bill "An Act Relating to Definition of Schoolhouses in Laws Relating to Boilers and Unfired Steam Pressure Vessels." (H. P. 727) (L. D. 764) reported that the same Ought to Pass in 2nd New Draft (H. P. 1235) (L. D. 1525), and new title: "An Act Relating to Boilers and Unfired Steam Pressure Vessels."

Comes from the House, report accepted and bill in 2nd New Draft passed to be engrossed as amended by House Amendment B (Filing 512).

In the Senate, on motion by Mr. Martin of Kennebec, the bill was laid upon the table pending acceptance of the report.

**Ought to Pass  
as Amended**

The Committee on Public Health on Bill "An Act Relating to Instruction in Schools of Barbering." (H. P. 549) (L. D. 606) reported that the same Ought to pass as Amended.

Comes from House, report accepted and bill passed to be engrossed as amended by Committee Amendment A (Filing 114) and as amended by House Amendment A (Filing 509)

In the Senate, on motion by Mrs. Lord of Cumberland, the bill was laid upon the table pending acceptance of the report.

**Majority—ONTP  
Minority—OTP**

The Majority of the Committee on Highways on "Resolve Authorizing State Highway Commission to Study Desirability of Bridge and Causeways connecting Littlejohn's Island and Chebeague Island in Casco Bay with the Mainland." (H. P. 254) (L. D. 239) reported that the same Ought not to pass.

(Signed)

Senators:

PARKER of Piscataquis  
JAMIESON of Aroostook  
COLE of Waldo

Representatives:

PULLEN of Oakland  
CARTER of Etna  
DUNN of Poland  
FERGUSON of Hanover  
NADEAU of Biddeford

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

(Signed)

Representatives:

HIGGINS of Scarborough  
DENBOW of Lubec

Comes from the House, Majority Report accepted.

In the Senate:

Mr. PARKER of Piscataquis: Mr. President, I move that we concur with the House and accept the ought not to pass report of the committee.

Thereupon, on motion by Mr. Chapman of Cumberland, the resolve was laid upon the table pending motion by Mr. Parker of Pis-

cataquis, that the ought not to pass report be accepted.

**Majority—OTP  
Minority—ONTP**

The Majority of the Committee on Highways on "Resolve Authorizing Study of Proposed Maine—Quebec Highway." (H. P. 960) (L. D. 1086) reported that the same Ought to pass.

(Signed)

Senator:

JAMIESON of Aroostook

Representatives:

FERGUSON of Hanover  
PULLEN of Oakland  
DENBOW of Lubec  
CARTER of Etna  
DUNN of Poland  
HIGGINS of Scarborough  
NADEAU of Biddeford

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

(Signed)

Senators:

PARKER of Piscataquis  
COLE of Waldo

Comes from the House, Majority Report accepted and bill passed to be engrossed.

In the Senate:

Mr. JAMIESON of Aroostook: Mr. President, I move that the majority report of the committee be accepted in concurrence with the House.

Thereupon, on motion by Mr. Parker of Piscataquis, the resolve and accompanying papers were laid upon the table pending motion by Senator Jamieson of Aroostook that the Majority "Ought to pass" report be accepted; and the resolve was especially assigned under Orders of the Day today.

**Majority—OTP—N.D.  
Minority—ONTP**

The Majority of the Committee on Transportation on Bill "An Act Relating to Movement of Contractor's Equipment Over State Highways." (H. P. 1142) (L. D. 1339) reported that the same Ought to pass in New Draft (H. P. 1247) (L. D. 1540), same title.

(Signed)

Senators:

COLE of Waldo

WYMAN of Washington  
HALL of York

Representatives:

TOTMAN of Bangor  
FINEMORE of Bridgewater  
PALMETER of

Meddybemps

MADORE of Van Buren  
JACQUES of Lewiston  
GREENE of Belfast

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

(Signed)

Representative:

ALLEN of Chelsea

Comes from House, Majority Report accepted and bill in new draft passed to be engrossed.

In the Senate, on motion by Mr. Cole of Waldo, the Majority Report "Ought to pass in new draft" was accepted in concurrence, and under suspension of the rules, the resolve was read twice and passed to be engrossed in concurrence.

**Communication**  
**State of Maine**

**HOUSE OF REPRESENTATIVES**

Office of the Clerk

Augusta

May 11, 1955

Honorable Chester T. Winslow  
Secretary of the Senate  
97th Legislature

Sir:

The House voted to insist and join conference on the disagreeing action of the two branches of the Legislature on the Bill "An Act Relating to Equipment of Rail Track Motorcars Used by Railroad to Transport Employees", (S. P. 162) (L. D. 356), and the Speaker appointed the following conferees on the part of the House:

Messrs. WINCHENPAW of

Friendship

BROWN of Baileyville

LETOURNEAU of Sanford

Respectfully,

(Signed) HARVEY R. PEASE

Clerk of the House

Which was read and ordered placed on file.

**Senate Committee Reports**  
**Ought to Pass in**  
**Consolidated Bill**

Mr. Collins from the Committee on Appropriations and Financial Affairs (by authority of Joint Order) on

Bill "An Act Increasing Salary of Director of Legislative Research." (S. P. 390) (L. D. 1104)

Bill "An Act Increasing Salary of Adjutant General." (S. P. 426) (L. D. 1186)

Bill "An Act Increasing Salary of Treasurer of State." (S. P. 242) (L. D. 675)

Bill "An Act Increasing the Salary of the State Auditor." (H. P. 815) (L. D. 907)

Bill "An Act Relating to Salary of Attorney General." (H. P. 131) (L. D. 136)

Bill "An Act Relating to Salary of Secretary of State." (H. P. 329) (L. D. 370)

Bill "An Act Increasing Salaries of Members of Maine Employment Security Commission." (H. P. 699) (L. D. 767)

Bill "An Act Relating to Salary of Commissioner of Labor and Industry." (S. P. 89) (L. D. 220)

Bill "An Act Increasing Salaries of Members of Industrial Accident Commission." (S. P. 339) (L. D. 948)

Bill "An Act Increasing the Salary of the Commissioner of Agriculture." (S. P. 173) (L. D. 435)

Bill "An Act Increasing the Salary of the Forest Commissioner." (S. P. 210) (L. D. 503)

Bill "An Act Increasing Salary of Commissioner of Inland Fisheries and Game." (H. P. 635) (L. D. 712)

Bill "An Act Increasing the Salary of the Bank Commissioner." (H. P. 515) (L. D. 578)

Bill "An Act Increasing Salary of the Insurance Commissioner." (S. P. 425) (L. D. 1185)

Acting by Authority of Joint Order (S. P. 309) reported a bill under title of Bill "An Act Establishing Salaries of Various Department Heads and Commissioners." (S. P. 579) that that it Ought to pass.

Which report was read and accepted, the bill read once.

Mr. COLLINS of Aroostook: Mr. President, believing that there may

be some amendments to this bill, I would suggest that perhaps it be given its second reading at this time and then I would move that it be laid upon the table.

Thereupon, the rules were suspended, the bill given its second reading, and on motion by Mr. Collins of Aroostook, was laid upon the table pending passage to be engrossed.

#### Ought to Pass—as Amended

Mr. Collins from the Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Official Court Reporters." (S. P. 109) (L. D. 270) reported that the same Ought to pass as Amended by Committee Amendment A.

Which report was read and accepted and the bill read once.

The Secretary read Committee Amendment A.

Committee Amendment A to L. D. 270. "Amend said bill by inserting before the headnote in the first line thereof the following: 'Sec. 1.' Further amend said bill by inserting at the end thereof the following:

"Sec. 2. Appropriation. There is hereby appropriated from the general fund of the state the sum of \$7,563 for the fiscal year ending 1955 and 1956 and \$8,250 for the fiscal year 1956-1957 to carry out the purposes of this act.'"

Which amendment was adopted, and on motion by Mr. Collins of Aroostook, the rules were suspended, the bill read a second time and passed to be engrossed.

Sent down for concurrence.

The same Senator from the same Committee on Bill "An Act Relating to Salaries of Justices of Supreme Judicial Court and Superior Court." (S. P. 148) (L. D. 337) reported that the same ought to pass as amended by Committee Amendment A.

Which report was read and accepted and the bill read once.

Committee Amendment A to L. D. 337: "Amend said bill by striking out in the 5th line of Section 1 the underlined figure '\$14,000' and inserting in place thereof the underlined figure '\$12,000'. Further amend said bill by striking out in the 7th line of Section 1 thereof the underlined figure '\$15,000' and insert-

ing in place thereof the underlined figure '\$13,000'. Further amend said bill by striking out in the last line, the underlined figure '\$12,500' and inserting in place thereof the underlined figure '\$11,500'. Further amend said bill by adding at the end thereof the following section: 'Sec. 3. Appropriation. There is hereby appropriated in the General Fund, the sum of \$12,833 for the fiscal year ending June 30, 1956 and \$14,000 for the fiscal year ending June 30, 1957 to carry out the purpose of this act.'"

Which amendment was adopted and under suspension of the rules, the bill was read a second time and passed to be engrossed.

Sent down for concurrence.

#### Second Readers

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

Bill "An Act Transferring State Sanatoriums from Department of Institutional Service to Department of Health and Welfare." (H. P. 1134) (L. D. 1332)

Which was read a second time and passed to be engrossed.

Sent down for concurrence.

#### Enactors

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

Bill "An Act Relating to the Salary of the Judge and the Recorder of the Portland Municipal Court." (S. P. 84) (L. D. 173)

Bill "An Act Relating to Compulsory Commitment of Persons Infected with Tuberculosis." (S. P. 367) (L. D. 1063)

(On motion by Mr. Butler of Franklin, tabled pending passage to be enacted.)

Bill "An Act Amending the Maine Employment Security Law as to Disqualifications for Benefits." (S. P. 412) (L. D. 1181)

(On motion by Mr. Farris of Kennebec, tabled pending passage to be enacted.)

Bill "An Act Relating to the Reorganization of the State Board of Arbitration and Conciliation." (S. P. 559) (L. D. 1515)

On motion by Mr. Collins of Aroostook, tabled pending passage to be enacted.

Bill "An Act to Incorporate the Maine Fidelity Life Insurance Company." (S. P. 571) (L. D. 1524)

Bill "An Act Relating to Flares, Lanterns and Reflectors for Large Trucks." (H. P. 134) (L. D. 135)

On motion by Mr. Jamieson of Aroostook, tabled pending passage to be enacted.

Bill "An Act Relating to Approval and Accreditation of Secondary Schools." (H. P. 343) (L. D. 422)

Bill "An Act Exempting Towns from the Use Fuel Tax." (H. P. 763) (L. D. 839)

Bill "An Act Relating to Registration Fees for Certain Motor Trucks." (H. P. 768) (L. D. 844)

Bill "An Act Relating to Definition and Duties of 'Owner' in Motor Vehicle Laws." (H. P. 1187) (L. D. 1450)

Which bills were passed to be enacted.

"Resolve to Purchase Additional Sets of the Revised Statutes of 1954." (S. P. 407) (L. D. 1121)

(On motion by Mr. Collins of Aroostook, tabled pending final passage.)

"Resolve in Favor of Dudley Carter of Newport." (H. P. 614) (L. D. 718)

(On motion by Mr. Butler of Franklin, tabled pending final passage.)

"Resolve Granting Master Plumber's License to Ernest L. Douglass of Bangor." (H. P. 925) (L. D. 1033)

(On motion by Mr. Butler of Franklin, tabled pending final passage.)

"Resolve for the Reappropriation of Unexpended Special Resolve Road Appropriations" (H. P. 1232) (L. D. 1518)

(On motion by Mr. Boucher of Androscoggin, tabled pending final passage.)

### Emergency

Bill "An Act Providing for Pocket Supplements to the Revised Statutes." (S. P. 406) (L. D. 1120)

(On motion by Mr. Collins of Aroostook, tabled pending passage to be enacted.)

### Emergency

"Resolve Regulating Fishing in Chain of Ponds in Chain of Ponds Township, County of Franklin." (H. P. 1241) (L. D. 1533)

Which resolve, being an emergency measure, and having received the affirmative vote of 27 members of the Senate, and none opposed was finally passed.

### Orders of the Day

Under suspension of the rules, Mr. Boyker of Oxford was granted unanimous consent to take from the table at this time Senate Reports from the Committee on Judiciary:

Majority Report "Ought not to pass"

Minority Report "Ought to pass" on bill "An Act Declaring the Communist Party Illegal and Unlawful," (S. P. 444) (L. D. 1236) tabled by that Senator on April 27 pending acceptance of either report.

The PRESIDENT: The Chair would ask the indulgence of the Senate for just a moment.

The Chair notes in the Senate Chamber one of New England's most distinguished citizens, a personal friend of mine of long standing, and I am thoroughly convinced that his presence on the rostrum will honor this Senate, and I will ask the Sergeant-at-Arms to escort a former Executive Vice President of General Electric Company, a citizen who has done much in the development of the entire New England area, to join me on the rostrum, the Honorable Thomas F. Knight of Boston.

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

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Boyker.

Mr. BOYKER of Oxford: Mr. President and members of the Senate, we have during this session had before us many important measures but there is one problem which is very important, which affects the future of our democratic form of government, and that problem is Communism.

We all remember that very eloquent and patriotic address given in our House of Representatives a short time ago by the National



Commander of our Veterans of Foreign Wars, Burtin B. Tice. Mr. Tice has fought in the battles of his country, he has visited and spoken in all the states of our union and he has, here and abroad, acquainted himself with the problems and the dangers which affect the free peoples of the world, more fully than any other person.

He has come here to this building, the capitol of the State of Maine, to tell us that Communism is the greatest enemy our country ever had and to ask up to stand up and fight Communism because we are standing at the cross roads and it may be too late now. In the remarks made by Mr. Tice, he mentioned a Mr. Foster of New York City, William D. Foster, the Stalin of America, entrenched at 35 E. 12th Street, New York City, the leader of over a million Communists in our United States, three hundred of whom are in our State of Maine.

This William D. Foster, what does he say? These are his words: "When a Communist heads this United States Government, and that day will come just as sure as the sun rises, it will not be capitalistic government, it will be a Soviet government and behind that government will stand the Red army." These Communists have a triumphal song, the chorus of which is this:

"Tis the final conflict  
Let each stand in its place  
The international Soviet  
Will be the human race."

Among the written thoughts of Teddy Roosevelt on his deathbed thirty-four years ago were found these words: "Beware of Communism."

And what is Communism that for twenty years has taken so much of our time, so much of our thoughts, denied us the enjoyment of what nature has provided for us, filled our hearts with anxiety as to what the next day is going to bring forth? Karl Marx, a citizen of Russia, aware of the ills of life and the problems of humanity, sought to help men find justice in life. He chose violence as the best way to attain his ends and the more fully the followers of Karl Marx followed

him the less of justice and the more of tyranny his policy became.

It was the writing of Karl Marx to his Russian people and to people outside of Russia that gave us Communism as it is today. I have a few lines of some of his writings: "Conquer by hate and revolution. . . the individual is of no account, religion is for fools only . . . man came from nowhere and death is the end."

The life of Karl Marx is one of utter failure with people. He could not get along with his brother and sister. He failed in the good schools where his father supported him. He made no friends with his classmates. He failed with his employer and his associates in business. He failed miserably with the support of his family. Two of his daughters and his son-in-law committed suicide. Karl Marx divided the people into two classes: the successful and the unsuccessful. His class was the unsuccessful.

Communism is the greatest conspiracy in the history of mankind. It is the greatest threat of freedom that our nation has ever known. It is the organized enemy to our country. Communism does not recognize the power of the father over his children or the public power over the citizen or the power of God over humanity.

Communism forbids private ownership of property, teaches atheism and violent revolution as the best way to attempt political and economic power and to maintain that power through greed and bribery, intimidation and fear, hatred, envy and jealousy and by lying and misleading propaganda under the theory that the end justifies the means.

We have learned and we are learning today how many of our statesmen have been duped by their communist minded advisors; how we lost the peace at Quebec, at Teheran, Potsdam, Yalta, the China deal under the Marshall Plan, Korea, and now Communist China. We have not in Washington today a President McKinley, a Grover Cleveland, a Teddy Roosevelt with their patience, their courage, their willingness to stand unyielding for their country and their people. For the past twenty years we have appeased Communist Russia in everything that she has asked

for until today in more than half the world we cannot protect a single American citizen.

Very recently we went over to China to bring back thirteen American flyers, imprisoned there illegally. We came back without them because Communist China told us that the matter of those flyers was none of our business, that they were going to move into Formosa Straits and were going to capture from Nationalist China the Island of Formosa and if we interfered we could take the consequences. And so day by day we are allowing Communist Russia to tighten the noose she holds around the neck of every man, woman and child in our United States.

Communism is with us. It is around us. It is being taught in many of our schools and colleges throughout our nation. The State of New Hampshire and you have the records on your desk, is about to pass a bill outlawing Communism in their state because it has been found that Communism was being secretly taught in Dartmouth College, in their universities and in other organizations. There are today thirteen states in our union which have discarded from the ballot, outlawed Communism in their states. This has been done in Alabama, Arkansas, California, Delaware, Indiana, Kansas, Ohio, Oklahoma, Oregon, Pennsylvania, Texas, Wyoming, Wisconsin and there may be others.

Three days ago one of our members, high in public office in Washington said this: What we should do, our government should erect a school building in which there could be taught methods to combat Communism in our United States. In January 1951, the Vice President of our United States, Richard Nixon, then a Senator in the Congress of our nation gave an address before the State Bar Association in our House of Representatives, and this is what he said: Communists are infiltrating into our national government and the battle between the Republicans and the Democrats for power politically has given Communism, here and abroad, the chance to be the only victor. He also said this: We are getting no help from our national government or from our educational institutions

to combat Communism and in our appeasement for Communism, we are losing the faith and we will say, the confidence of the American people.

We fought Communism in Korea. There they threw our soldiers into the flaming fire, buried them alive and on the death march when one fell exhausted by the roadside, they put a bayonet into his breast. Do we want to throw our boys and our girls, our men and our women to Communism to be murdered and to be raped? This bill says, "No.". Mr. President, I move you that we accept the minority report.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Oxford, Senator Boyker, that the Senate accept the Minority Report "Ought to pass".

Mr. REID of Kennebec: Mr. President, everyone in this room hates Communism and the Communist doctrine. We have now on our books the following law: "Sec. 4. Ch. 143. Advocating or Aiding an Overthrow of the Government by Force or Violence. Any person who advocates, aids or takes any active part in the overthrow by force or violence the government of the United States or the State of Maine or any political subdivision thereof is guilty of a felony and conviction thereof shall be punished by imprisonment in the State Prison for not more than five years or by a fine of not more than \$5,000 or both."

This bill L. D. 1236 is an ostrich bill. The only way I know of to defeat Communism is by knowing what it amounts to, what its impact is, what its objectives are. If this bill passes, no one will know. Children cannot be taught the real meaning of Communism and they should know what it means. They should be taught. The good Senator from Cumberland, Senator Lord, in my opinion very wisely introduced a bill to teach the four freedoms. That is what we want. We do not want to foreclose our teachers from teaching our students the meaning of Communism. I hope that before the vote is taken on this measure, you will carefully examine L. D. 1236 and if you do, I think you will agree with me that it is an ostrich

bill, hide our heads in the sand, know not what we are doing. I agree with everything the Senator from Oxford, Senator Boyker has said about Communism. I agree that it is a deadly doctrine. I agree that we are bound to clash with it but I for one would like to clash with it not in the nighttime when I cannot see it but in the daytime when I can see it and know how to combat it. Therefore I am against the passage of this bill.

Mr. BOYKER: Mr. President, I do not recognize that what we have on our statute books today keeps Communism from our midst. And I say this; Let us drive Communism under-ground, drive them down and down and down until they come to that place where they will be right at home, the place that we call Hell.

Mr. LESSARD of Androscoggin: Mr. President and my colleagues of the Senate: I want to subscribe to what the good Senator from Oxford, Senator Boyker, has said about condemnation of the Communist Party, although I do want to go along with the Senator from Kennebec in regard to this bill and will so vote, and I want to give the reasons why I will so vote.

First of all, I was very fortunate to have the opportunity to serve as United States Attorney for the State of Maine for several years, and in this service I was able to go to Washington several times and I heard this same subject discussed by such men as the present justices of the Supreme Court, the Attorney General, and also many times by the director of the Federal Bureau of Investigation, J. Edgar Hoover. I have heard this same matter discussed, as I said before, by such people as those and very soundly discussed. It seems that one reason why they were opposed to this sort of legislation was what the Senator from Oxford, Senator Boyker, just mentioned, the fact that you drive them under-ground, and once they get under-ground they are rather hard to find, which makes the task of the FBI a lot harder. They felt that perhaps if the Communist Party was allowed to go on as it is that they would be able to better keep them under surveillance and know their movements and know their actions, and from them be able

to trace the so-called "fellow travelers." That is the one thing they are all afraid of.

A Communist card-carrying member makes no bones about it, and even though you outlaw the party he will still be a Communist but he will go under-ground. However, if you keep him out in the open sometimes you are able to go from him to the so-called fellow-traveller.

Now the Senator from Oxford, Senator Boyker, has said that Vice President Nixon in addressing the Bar Association — and I was present that day — said that we are getting no help from our national government in combatting Communism. I was present, but I do not remember that statement. If he said so, it wasn't true, because I am sure that a leader such as J. Edgar Hoover, who hates Communism as much as all of us do and perhaps more so because he is the head of our great Federal Bureau of Investigation and has survived many administrations in Washington — and I know that he has carried on the fight against Communism, and I am sure that his bureau has always been very active in behalf of the security of the people of our country.

Here in Maine I know that our FBI boys are working seven days a week, and part of their duty is to search out and keep under surveillance and report on security risks. Right in this room today there is a lady who could perhaps tell you more about it than I can. She is sitting right over there, a former FBI girl whose husband has spent many nights working on this security thing. Perhaps she could address you and tell you a lot more about it than I can.

However, let me assure you that the FBI is doing a marvelous job in keeping track of these so-called Communists, and I know they will keep on doing it as long as J. Edgar Hoover is there.

If this bill is passed you are not changing the Communists from their belief, you are merely driving them under-ground, which is going to make it just doubly hard for our agencies to search these fellows out and keep them to a point where they can be gathered in if something happens. For that reason I

am going to vote against the Senator from Oxford, Senator Boyker.

Mr. BOYKER of Oxford: Mr. President, I want to say this: That the statements that I have made here in regard to Communism are true and I can back them up. Now the address by our Vice President, Richard Nixon here, as a Senator in the Congress of our nation, is right in the library. You will find that he did say that our government and our educational institutions are giving us no help to combat Communism.

Mr. SILSBY of Hancock: Mr. President and members of the Senate, I commend the Senator from Oxford, Senator Boyker, for everything he has said and I agree that the statements are in accord with my understanding in every particular. Nevertheless, I feel that I should go along with the Senator from Kennebec, Senator Reid and Senator Lessard of Androscoggin.

I am not unmindful and I don't think any of us here are unmindful of the fact that there are many parasites which jeopardize our health and our security and I can think of no better term to define the Communist Party than that it is a parasite and I believe that the better way to guard against parasites is by keeping our Parties and our Country and our bodies healthy.

And I think that the way we can keep them the most healthy is by education rather than by legislation. I am firmly convinced that our legislation already on the statutes is before us today and I cannot go along with my good friend from Oxford, Senator Boyker.

Mr. FARRIS of Kennebec: Mr. President, I would like to inquire from the Secretary. In the original bill I believe there is a mistake—typographical possibly—in the printed bill that we have before us, Section 4B, after the first word, "teach" "which engage in or advocate, abet, advise or teach" and then it says "or a purpose" in the printed bill. Shouldn't that read, or doesn't it read in the original bill, "for a purpose"?

The PRESIDENT: The Secretary will read the first six lines of Section 4B.

The SECRETARY: "Section 4B, Parties illegal. The Communist par-

ty of the United States together with its component or related parts and organizations no matter under what name known and all other organizations incorporated or unincorporated which engage in or advocate, abet, advise, or teach or a purpose of which is to engage in or advocate, abet, advise or teach any activities intending to overthrow, destroy or alter."

Mr. FARRIS of Kennebec: Mr. President, I believe that "or a purpose" was intended to be "for a purpose" of which is to engage in or advocate, abet, advise, or teach any activities intending to overthrow, destroy or alter." That section is intended to preserve the right for our instructors to teach Communism for what it is without being in violation of the law intended to be passed by this bill. For that reason, I would move that this might be laid upon the table until later in today's session.

The motion prevailed and the bill and accompanying papers were laid upon the table pending motion by the Senator from Oxford, Senator Boyker, that the Senate accept the Minority ought to pass report of the committee.

The President laid before the Senate the first tabled and especially assigned matter, being Resolve Authorizing Study of Proposed Maine-Quebec Highway (H. P. 960) (L. D. 1086) tabled by the Senator from Piscataquis, Senator Parker, earlier in today's session pending motion by the Senator from Aroostook, Senator Jamieson that the "Ought to pass" report be accepted.

Mr. PARKER of Piscataquis: Mr. President, I asked to have this item laid on the table that I might explain my reasons for signing the minority report. In discussing this matter before the committee, we felt that the expense of this study would be in the neighborhood of \$7,000 to \$10,000. To my mind the purpose was not of such necessity that this expense warranted using that much of the State's Highway money. That was my reason for opposing it and I certainly hope that the motion of the Senator from Aroostook, Senator Jamieson does not prevail.

Mr. JAMIESON of Aroostook: Mr. President, I believe that if a study of this proposed road was made, not only would it benefit Aroostook, but it would benefit the whole State of Maine. I think that the fact would be established that it would give us another road to get out of northern Maine in time of bombing and I certainly feel that the whole of the State of Maine would benefit by the road. I think if the study was made, the federal government, if they were satisfied that we needed that road, they would come in and help build it and they are planning in the near future—they have not made public announcement yet, but they are planning in the near future to establish a big radar station up in that section. I believe for what little it costs that we should have a study made for that road.

Mr. COLLINS of Aroostook: Mr. President, I rise in support of the motion for the study of this particular highway and I do it with real conviction. The proposed highway, whether or not it should be built, needs some investigation. There is this area that would go across the northern part of the State of Maine from Ashland to the Quebec highway or from some part of Aroostook County, and it goes through a wooded territory that is used extensively at the present time by the pulp people, the lumber people and it would open up a territory and a shorter route to the Canadian border.

The distance from Ashland across to the Canadian border is a little less than a hundred miles. Part of the portion of this area is now being used by private interests and there are a series of roads which almost connect and it would seem to me that if a study could be made, it would find out whether it was feasible to use those highways, whether it would be feasible to connect them up with the Canadian border.

This is not a new plan. Twenty years ago, when Governor Brann was Governor of Maine, a similar proposition was made and at one time a scenic highway was proposed over this same area. The thing does have very definite possibilities and

I believe it would be in the interest of this legislature to allow a study of it to be made. If it is found that it is not economic to do so or that the funds are not available, then we will have a basis on which to make a decision.

I know there are many people in the northern part of the state, including the wild land owners, including those people interested in those interested in the recreational opportunities, feel that this study should be made and for the small sum of money that is involved, I think it is a definite step in the right direction. Certainly we do not want to bar out any progress of anything that is going to be for the benefit of the people of the State of Maine.

For those reasons, Mr. President, I urge that the majority report of the committee be accepted.

Mr. COLE of Waldo: Mr. President and members of the Senate, I have a great amount of admiration for the Garden Spot of Maine. I also recognize that their roads are maybe better than in some other counties and that perhaps they can relieve the Highways of the State of Maine of this estimated cost of five to ten thousand dollars out of our Highway system. I feel that the whole crux of the thing is: Can we afford to spend this money for a road that goes straight through the woods, eighty miles without a house of any kind when we have been studying here all winter trying to come up with revenue to take care of our roads badly in need of repair in other sections of the state.

I cannot see how we can logically take this amount of money away from the Highway fund that is needed so badly, for a project of this kind. I will agree that sometime in the future maybe this should be done, but as of now, I certainly do not see it.

Mr. BUTLER of Franklin: Mr. President, I rise to inquire as to the amount of money which it is estimated or time it will take from the Highway department to accomplish this. As I read this bill and from my notes, there is nothing incorporated as to the expense. It is simply an order for the Highway

Department to have their members spend their time doing this and as yet, we have not heard as to the availability of time from the department in carrying out this request if it should be granted. Therefore I would like to inquire of the Senator from Piscataquis, Senator Parker or the Senator from Waldo, Senator Cole as to that point.

Mr. COLE: Mr. President, in answer to the Senator from Franklin, Senator Butler, I will say that there is a very severe shortage of engineers and at the present time in the County of Waldo on the section from Stockton Springs to Frankfort, the State Highway Department has already hired out of state engineers to do the job. So there are no engineers to do the job unless we go out and hire some.

Mr. BUTLER: Mr. President, I would like to ask a further inquiry. If this were passed, from what source would the revenue come to carry out the request. Would this come from the general fund of the Highway so that would have to take funds which they otherwise would be spending on construction or survey work?

I am simply asking that as a question.

Mr. COLE: Mr. President, I will inform the Senator that there are no other funds other than the highway construction funds that I know of for this project.

Mr. JAMIESON of Aroostook: Mr. President, for what little bit this survey would cost, it would not be a drop in the bucket. As far as not having engineers available, when the survey was made in the city of Presque Isle we had to send down to Old Town and get engineers to make it and I understand if this bill is passed we would do the same thing. That is where the engineers would come from, Old Town.

Mr. BUTLER: Mr. President, I would like to inquire of the Senator from Waldo, Senator Cole, what this little cost "drop in the bucket" would be as estimated by the Highway Department to accomplish this purpose because I fully appreciate that the Garden Spot of Maine is very irrational. Money up there means nothing. You either have it or you don't.

Mr. COLE: Mr. President, the estimated cost is five to ten thousand dollars. When the vote is taken, Mr. President, I move that it be taken by division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Jamieson, that the majority ought to pass report of the committee be accepted. Is the Senate ready for the question?

A division of the Senate was had. Fourteen having voted in the affirmative and fifteen opposed, the motion did not prevail.

Thereupon, on motion by Mr. Cole of Waldo, the minority report, "Ought not to pass" was accepted. Sent down for concurrence.

#### Message from the House

Mr. PEASE, Clerk of the House: Mr. President, I was charged with a message to this Honorable Body from the House of Representatives that the House requested the return to that Body for the purpose of reconsideration, bill, "An Act to Create a Department of Development of Industry and Commerce" (H. P. 1196) (L. D. 1465).

On my own behalf I wish to advise the Senate that since leaving the House to deliver this message, the bill has come into my possession.

The PRESIDENT: The Senate has heard the message and thanks the messenger. We have enjoyed your visit and we hope you will come again.

Mr. MARTIN of Kennebec: Mr. President, may I inquire if H. P. 1242, L. D. 1534 is in the possession of the Senate?

The PRESIDENT: The Chair will state that bill, An Act to Establish the Limerick Sewage District, (H. P. 1242) (L. D. 1534) is in the possession of the Senate.

Mr. MARTIN: Mr. President, in order to correct a typographical error I would move, that the rules be suspended and the Senate reconsider its action whereby the bill was engrossed.

The motion prevailed, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed and on motion by

Mr. Martin of Kennebec, the bill was laid upon the table pending passage to be engrossed.

Mr. LOW of Knox: Mr. President, I rise to ask if L. D. 889, "An Act relating to Free Tolls of the Deer Isle-Sedgwick Bridge" is in the possession of the Senate?

The PRESIDENT: The Chair will state that L. D. 889 is in the possession of the Senate.

Mr. LOW: Mr. President, in order that we may have further discussion of this bill, and having voted with the majority, I move that the rules be suspended and that we reconsider our action of yesterday whereby we accepted the "Ought not to pass" report of the committee.

The PRESIDENT: The Senator from Knox, Senator Low, moves that the Senate reconsider its action of yesterday whereby the "Ought not to pass" report of the committee was accepted. Is this the pleasure of the Senate?

The motion prevailed and reconsideration was voted.

Mr. LOW of Knox: Mr. President, again in order to provide further opportunity for discussion I move that the bill be substituted for the report of the committee.

The PRESIDENT: The Senator from Knox, Senator Low, moves that the bill be substituted for the "Ought not to pass" report of the committee.

The Chair recognizes the Senator from Piscataquis, Senator Parker.

Mr. PARKER of Piscataquis: Mr. President and members of the Senate: I thought we gave this matter a thorough consideration yesterday. I for one have not changed my mind in any way. I believe it is a carry-over of the old Blue Laws.

In 1953 the State of Maine decided after careful consideration that this old Blue Law should be repealed. I am thoroughly convinced that we acted wisely yesterday and I certainly hope that the motion of the Senator from Knox, Senator Low, does not prevail.

Mr. WOODCOCK of Penobscot: Mr. President and members of the Senate: Mr. President, I certainly think the matter was covered thoroughly yesterday and I do not want to redebate it either. I just want to place the issue before the

Senate in as sharp a focus as I am able. There are people down there in the Deer Isle-Sedgwick area that are being directly hurt and hurt hard because of the requirement of the State of Maine that one dollar pass from those persons to the State on an over and back trip. It is inconsistent with the tradition of the State for over 132 years. If that is a blue law, I am happy that we have got a few blue laws left in the State.

Mr. DOW of Lincoln: Mr. President, I would like to inquire through the Chair if this one dollar toll is a rate fixed for everyone at each crossing, or do they have seasonal rates, block tickets and so forth?

The PRESIDENT: The Senate has heard the question, and any Senator who knows may answer.

Mr. WOODCOCK of Penobscot: Mr. President, I am not certain whether or not they do have blocks, but I believe they do not. A single passage is sixty-five cents a trip one way and there is a bargain rate of one dollar per round trip from Friday through Monday inclusive. So far as I know, that is the situation.

Mr. CRABTREE of Aroostook: Mr. President, I haven't changed my mind since yesterday at all. It simply is this: that I do not want to throw up, regardless of the cost, be it five cents or one dollar, the ability of any man, woman or child to attend the church of their choice. It seems to me that the State of Maine is lowering itself to insist on this matter. I certainly hope that the vote on the matter now before us will be favorable and that we may substitute the bill for the report.

Mr. COLE of Waldo: Mr. President and members of the Senate: In regard to the rate, I will say as the Senator from Penobscot, Senator Woodcock, stated, that they do have a rate of one dollar per round trip between Friday at 6:00 P.M. and Monday, 12:00 P.M., and also on a twenty-trip three-months period the fee is \$8.50.

Now this bridge was built at rather a fortunate time. The amount of bonds issued was not for the full amount of the cost of the bridge. The PWA grant at that time was

forty-five per cent, with the State Highway Commission issuing bonds for the balance. My thought, and I think I am speaking for the Committee, is that in order that we may amortize those bonds as quickly as possible we should have the revenue that this thing is going to cost us.

Another thing that seems unfair to me: Why should we open up this Deer Isle-Sedgwick toll bridge and leave the others intact? Why should people in the Augusta area or the Bangor-Brewer area be required to pay tolls when the citizens in this Deer Isle-Sedgwick area are not compelled to pay tolls?

Again on the matter of enforcement: I do not think that there will be anyone that would try to get away from the tolls on this particular bridge, but there again, how are you going to enforce it? They sign a slip, as the bill reads, that they are going to church. What is to hinder them from continuing on for a Sunday ride and coming back Sunday evening. It does not seem wise to me that we should lift the restrictions here.

Mr. SILSBY of Hancock: Mr. President, I have not changed my mind from my thoughts of yesterday and I had no intention of saying anything further in regard to free tolls for the good citizens of Hancock County who want to go to the church of their choice on Sunday, but my good friend, the Senator from Waldo, Senator Cole, has made a point which I would like to refute, and that is the matter of why should they have freedom from toll on Sunday when Augusta and Bangor do not. I would like to leave with you this one thought: that Augusta and Bangor and other places have free bridges: you can take your choice, but Stonington and Deer Isle people have to go over Eggemoggin Reach, so-called, they have no choice, that is the only way they can get to the mainland. They have either got to pay the toll or stay at home. I hope that you will give that consideration.

Mr. DUNHAM of Hancock: Mr. President and members of the Senate: We have had references all through this session to freedoms; we saw fit to add something to

freedoms in our statutes when I thought perhaps they were adequately covered. However, more emphasis on them won't do any harm. And here is another of the greatest of freedoms: that each in his own way can worship as he sees fit. It seems to me that to be consistent with our thinking this winter that we ought to give these people the right on Sunday to worship as they wish to. I want to go along with the Senator from Penobscot, Senator Woodcock.

Mr. BUTLER of Franklin: Mr. President, I rise for the purpose of inquiring as to the status, prior to the 96th Legislature, of passing and repassing over this bridge.

The PRESIDENT: The Senate has heard the question and any Senator who chooses may answer.

Mr. SILSBY of Hancock: Mr. President, the tolls for persons going to and from church were exempted prior to 1953.

Mr. PARKER of Piscataquis: Mr. President, it is not my intention to prolong this debate, but I do wish to point out that without crossing this bridge a person may attend in the town of Deer Isle a Congregational church and an Advent church, and without crossing the bridge they may go to the village of Stonington where there is a Catholic church and churches of three other denominations.

Mr. WOODCOCK of Penobscot: Mr. President, I just want to make it absolutely clear, in the light of what the Senator from Piscataquis, Senator Parker has said, that it has come to my attention directly from one clergyman and indirectly from another, that the Baptist congregation down there and the Catholic congregation down there are being hurt directly from it. It may be true, as the senator has said, that there are various churches in this community, but the way it is now those who want to go to churches of those denominations and maybe others on Sunday are being hurt directly hurt because of it, and the alternative is going way to Ellsworth or some other place during the winter months as well as in the summer.

Mr. BUTLER of Franklin: Mr. President, I still rise to inquire as



to the status of this bridge prior to 1953: was it a state-controlled bridge then or was it under private management? Did we take over this bridge at the last session of the legislature when we changed the law, or has the bridge always been constructed and maintained under our highway system?

The PRESIDENT: Out of order, the Chair would give you an affirmative answer.

The question before the Senate is on the motion of the Senator from Knox, Senator Low, that the bill be substituted for the ought not to pass report.

Mr. CHAPMAN of Cumberland: Mr. President and members of the Senate, I rise with some trepidation on this issue. I did not speak yesterday on it. I had a conviction on it yesterday which is the same today. Since the matter has been offered for consideration, I feel compelled to state my reasons as to why I voted as I did yesterday and will vote the same way today.

In the first place, an issue like this is a very sensitive and delicate one, because it deals with a religious topic and we are not debating it in public on the floor of the Senate. Because it is a religious subject and because it is so sensitive, it is awfully hard to treat it in just the right way so you won't be misconstrued. One of the first observations I would like to make is that I sympathize sincerely with the view of the people who will benefit from this and with their request of this legislature. The people who are to be benefited are the people who live on the island. They are essentially the same people who pay tolls every day when they use the bridge, and if they are to be relieved of the toll on Sunday for a particular occasion, they are merely postponing the day of payment on the other end, because they are essentially the same persons that are going to carry the freight so-called on the bridge all the way through its amortization period.

That is a somewhat practical consideration. I am going to get to the philosophical consideration in a minute. I think, however, that that is worth thinking of. In the second place I agree with the state-

ments made yesterday, that the church people who seek to use this bridge are sincere and honest people and would not misrepresent their statements at all, if they go over the bridge and back, provided we gave them the opportunity to do so. I don't have the same assurance however, about the sincerity of some other people who are not headed for church, and I am not being facetious when I say it.

If you examined the bill, you will know that the so-called recording system is pretty loose. It is very loose indeed in comparison with the normal standards accepted in regard to recording privileges and rights.

In the third place, I hope I am not perverse in saying or thinking this, but I honestly believe it. It seems to me that the people seeking this particular authority, if they reflected perhaps a little more fully, would be proud to be treated as other people and not seek a special privilege, and it is a special privilege, one of a minor hardship. I am not being perverse. I hope I am not, but I honestly feel as I interpret the religious approach to this thing that the people would be proud to be counted along with everybody else and not seek to be relieved of this particular burden.

As has been mentioned there are six churches on the island system, representing every major denomination so it is not a question of denial of access to a church of one's own choice, the only question here is the difficulty by a minor financial hardship, of access to a particular parish and that seems to me to be pretty much of a poor reason for upsetting the whole idea of what is sound in the handling of public highways and this now is a public highway owned by the State of Maine, as I understand it.

Now the last reason I would like to give and to me, the most persuasive one is the very core of the argument presented here yesterday and again today, is the matter of religious freedom itself. It seems to me if we reflect soberly, as calmly as we can, we will realize this thing which the philosophers tell us and which has been proved down through the centuries that when you start

creating special categories for religious matters, even though you attempt to apply them to all religions, in the field of public administration you open up the field of public oligarchy and the denial of freedom of religion and another thing, the next step of course would be beyond this line of proposal but it is in line with it philosophically, the free use of public conveyance or ordinary transportation to church. That is consistent with what is sought here. Free use of school busses. It is a very sensitive topic and I hesitate even to mention it but if we talk about true application of standards of religious freedom, religious philosophy and sound political government, we have an opportunity right here to draw the line on what is the soundest and best and is not really a hardship.

I sympathize in every way with them in the sincerity of their request and I know how strongly some of you feel about it but I think this is one of the unsoundest things we could possibly do in the Senate. I definitely hope, and I urge every member of the Senate to oppose the motion to substitute the bill for the report.

Mr. FARRIS of Kennebec: Mr. President, I move the previous question.

The PRESIDENT: The motion is out of order.

Mr. BOYKER of Oxford: Mr. President, I do not believe that the matter of dollars and cents should enter into this whatsoever. This is a matter of principle and never in the history of our nation has it been so important to encourage church going, to encourage our children to attend Sunday School, that our men and women should lean more toward Christianity and religion, which is something that we need.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Knox, Senator Low, that the bill be substituted for the ought not to pass report of the committee. Is the Senate ready for the question?

A division of the Senate was had.

Eighteen having voted in the affirmative and eleven opposed, the motion prevailed and under suspension of the rules, the bill was

given its two several readings and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Butler of Franklin, the Senate voted to take from the table "Resolve in Favor of Dudley Carter of Newport" (H. P. 641) (L. D. 718) tabled by that Senator earlier in today's session pending final passage.

Mr. BUTLER of Franklin: Mr. President and members of the Senate, yesterday we had a claim for a concern that was asking a compromise \$15,000 and here—that was, if you recall, for Wyman-Simpson and now we come to this one for Dudley Carter of Newport. There is no difference at all in a sense. We are asking that he be reimbursed \$975, if I am correct in my understanding of it. You will look on the bill itself, which is 718, you will see there he is asking for money not compensated by the State Highway Commission in connection with the Soucie Company Contract on Route 9 in Dixmont in the year 1952.

I fully appreciate that this has come through the Claims Committee, has been favorably reported by them and favorably acted upon by us up to this point and most likely will continue to be favorably acted upon. The man has had his opportunity to come in and make his speech — that wasn't done and now we are asked to pay from our highway funds \$975. I move the indefinite postponement of the bill.

Mr. SILSBY of Hancock: Mr. President and members of the Senate, I again rise to defend the judgment of the Claims Committee. Briefly I would like to analyze the facts in this particular claim of Dudley Carter. I may be a little bit disjointed because this matter was heard some time ago and I have to refer more or less to my notes. I think it was heard on March 15.

I believe that Mr. Carter in the town of Dixmont was the owner of a parcel of land which the Highway Department had surveyed and required in a road construction project. I believe there were some two or three acres of land, — let us say two and I think I am safe in that statement — that had substantial

growth on it and conferring with the officials of the department it was agreed that the land itself had a value of, fifty dollars per acre, I am not sure, and that he would give the Highway Department of the State of Maine a release deed.

Now he had cut the wood on that particular parcel of land but there was still a lot of wood still growing and maybe being not as wise as he should have been, not knowing his rights—perhaps he should have consulted an attorney, but he didn't—he had an oral agreement that this lumber that was cut off from the two acres, would be piled up so that he could take it and sell it and get, as I remember, fifteen dollars per thousand for the lumber and I think five dollars a cord for the other wood. We considered that a fair price under the circumstances. The wood was cut to be sure and the department had agreed and it was piled up but by reason of weather conditions and road construction and it was agreed by members of the department that it was impossible for him to acquire the lumber, and through no fault of his own, that we could see, he just could not get it and the road in due course was completed and it was admitted by the opponents of this bill that he could not get the lumber.

Then there came a time when he could, and he went in after it and it was gone. Someone else got there first, and I think I am correct in saying that effort was made by members who oppose the bill, to trace this wood and identify it so that the party who was responsible for taking it could be brought into court.

It further appears that the contractors went into bankruptcy and had no other course than to come here to this legislature to your Claims Committee to get a fair adjustment on what had been promised to him and for something beyond his control, through the construction of the project, he was precluded from having.

We examined the exhibits or the evidence very carefully and we found that there was and should have been, a credit. He asked for \$975 and we felt that the wood that he was entitled to was that wood

which he could not get by reason of circumstances beyond his control. Therefore we amended it from \$975 to \$669. That was according to the yardstick that we had. Considering the amount of wood that was on the property, and considering the price of the wood—and some of you people here are lumber men and you know what it is worth,—we felt it was a just claim and that he was entitled to his \$669. Those are the facts upon which we made our final decision and I will leave the result to your good judgment and wisdom as to whether or not the Claims Committee was in error.

Mr. BUTLER of Franklin: Mr. President, in view of the explanation by the Senator from Hancock, Senator Silsby, I would like permission to withdraw my motion for indefinite postponement.

The motion prevailed, and on further motion by the same Senator, the resolve was finally passed.

On motion by Mr. Butler of Franklin, the Senate voted to take from the table "Resolve Granting Master Plumber's License to Ernest L. Douglass of Bangor." (H. P. 925) (L. D. 1033) tabled by that Senator earlier in today's session pending final passage.

Mr. BUTLER of Franklin: Mr. President, here again I move indefinite postponement. I feel that we are kind of passing out plumber's licenses a little bit unnecessarily. If I recall the previous debate on this measure, there was nothing really to stop this individual from coming down but for this or that reason he didn't seem to want to do it and then out of the kindness of our hearts we felt that we should grant him that which he had previously not received. I think this is creating a bad precedent. I think it is bad legislation and I for one just don't want to go along with it. I don't expect to be successful in that motion but I make the motion for indefinite postponement and ask for a division.

A division of the Senate was had.

Three having voted in the affirmative and fourteen opposed, the motion did not prevail; and on further motion by the same Senator, the resolve was finally passed.

On motion by Mr. Dunham of Hancock, the Senate voted to take from the table Resolution from the State of Georgia Relative to School System ; tabled by that Senator on March 1 pending consideration.

Mr. DUNHAM of Hancock: Mr. President, I would like to yield to the Senator from Kennebec, Senator Reid.

Mr. REID of Kennebec: Mr. President, this is a pro-segregation Resolution from the State of Georgia and as such I am opposed to it. However, I think we would like to be polite to a southern state. May I inquire of the Chair as to what would be the proper motion to politely reject the Resolution?

The PRESIDENT: In the opinion of the Chair, the motion might be that the Communication be received and placed on file.

Mr. REID: Mr. President, I now move that this Communication be received and placed on file.

The motion prevailed.

On motion by Mr. Reid of Kennebec

Recessed until one thirty o'clock this afternoon, E.S.T.

#### After Recess

The Senate was called to order by the President.

On motion by Mr. Butler of Franklin, the Senate voted to take from the table bill "An Act Relating to Compulsory Commitment of Persons Infected with Tuberculosis" (S. P. 367) (L. D. 1063) tabled by that Senator earlier in today's session pending passage to be enacted; and on further motion by the same Senator, the bill was passed to be enacted.

On motion by Mrs. Lord of Cumberland, the Senate voted to take from the table House Report from the Committee on Public Health: "Ought to pass as Amended" on bill "An Act Relating to Instruction in Schools of Barbering." (H. P. 549) (L. D. 606); tabled by that Senator earlier in today's session pending acceptance of the report; and that Senator moved the pending question.

Thereupon, the report of the committee was accepted and the bill

read once; House Amendment A was read and adopted in concurrence; Committee Amendment A was read and adopted in concurrence; the rules were suspended and the bill read a second time and passed to be engrossed in concurrence.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table bill "An Act to Clarify the Employment Security Law" (S. P. 348) (L. D. 957) tabled by that Senator on May 11 pending passage to be enacted.

Mr. FARRIS of Kennebec: Mr. President, may I inquire how many Senate Amendments there are now on the bill?

The PRESIDENT: The bill has been passed to be engrossed as amended by Senate Amendment A and by House Amendment A.

Mr. FARRIS: Mr. President, I present Senate Amendment B and move its adoption.

The Secretary read the amendment.

Senate Amendment B to S. P. 348, L. D. 957. "Amend said bill by striking out, in the next to the last line and in the last line of the 2nd paragraph from the end of subsection VI of section 7 the underlined words 'not to exceed' and inserting in place thereof the underlined words 'of not less than 3 months nor more than'".

Which amendment was adopted, and the bill as amended by House Amendment A and Senate Amendment A and Senate Amendment B was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Martin of Kennebec, the Senate voted to take from the table House Report from the Committee on Legal Affairs: "Ought to pass in 2nd new draft" (H. P. 1235) (L. D. 1525) and new title "An Act Relating to Boilers and Unfired Steam Pressure Vessels" on Bill "An Act Relating to Definition of Schoolhouses in Laws Relating to Boilers and Unfired Steam Pressure Vessels" (H. P. 727) (L. D. 764); tabled by that Senator pending acceptance of the report; and on further motion by

the same Senator, the report was accepted and the bill read once.

On motion by Mr. Martin of Kennebec, House Amendment B was indefinitely postponed in non-concurrence.

Mr. Martin of Kennebec presented Senate Amendment A and moved its adoption.

The Secretary read Senate Amendment A.

SENATE AMENDMENT "A" to H. P. 1235, L. D. 1525, Bill "An Act relating to Boilers and Unfired Steam Pressure Vessels."

Amend said Bill by adding at the end the following section:

Sec. 3. R. S., c. 30, Sec. 83, amended. The 1st sentence of section 83 of chapter 30 of the revised statutes is hereby amended to read as follows:

'No steam boiler or unfired steam pressure vessel that has been condemned for further use in this or any other state by an authorized boiler inspector employed by an insurance company or by an inspector authorized to inspect boilers by a state or the Federal Government shall be operated in this State at a gauge pressure of over 15 pounds.

Provided further that each steam boiler, unfired steam pressure vessel, or hot water heating boilers located in a schoolhouse, if condemned, shall not be operated.'

Which amendment was adopted and under suspension of the rules the bill was read a second time and passed to be engrossed in non-concurrence.

Sent down for concurrence.

Mr. COLLINS of Aroostook: Mr. President, may I inquire if bill "An Act Relating to Official Court Reports" (S. P. 109) (L. D. 270) is still in the possession of the Senate?

The PRESIDENT: The Chair will state that it is, having been passed to be engrossed as amended by Committee Amendment A earlier in today's session.

Thereupon, on motion by Mr. Collins of Aroostook, the Senate voted to reconsider its action whereby the bill was passed to be engrossed; and that Senator presented Senate Amendment A and moved its adoption.

The Secretary read Senate Amendment A.

Senate Amendment A to L. D. 270: "Amend said bill by striking out the underlined figure '\$6,500' in the next to the last line and inserting in place thereof the underlined figure '\$5,750'."

Which amendment was adopted and the bill as amended was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table bill "An Act Declaring the Communist Party Illegal and Unlawful" (S. P. 444) (L. D. 1236) tabled by that Senator earlier in today's session pending motion by the Senator from Oxford, Senator Boyker that the Senate accept the Minority Report "Ought to pass".

Mr. FARRIS of Kennebec: Mr. President and members of the Senate: I have not had an opportunity, as I was asked to do, to prepare an amendment, and it may not be necessary as a matter of fact; but I can assure this body that if the minority report is accepted that I will offer an amendment before this bill is engrossed so that we can teach the subject of Communism as an approved study or course in any educational institution. I am certain that it is not the intent in this bill to deprive the citizens of Maine of the opportunity of studying Communism and its history, and I for one certainly believe that it is a study which should be engaged in and taught objectively and constructively, but I certainly cannot agree with my colleague, the Senator from Kennebec, when he describes this bit of legislation as ostrich legislation.

This bill lays the issue flatly upon the line: either you wish to have the Communist party legally recognized or to have it outlawed. Now there is certainly nothing ostrich about that. I think the ostriches are more apt to be people who say we cannot tolerate the Communist party and should not put up with the Communist party but are not willing to declare it unlawful or illegal.

Now I certainly have had my experience with the Communist party

and the Communist leadership in Europe, and I spent several years during the war when Russia was our ally and we had to tread softly and when Germany was our enemy, and here in the State of Maine I had occasion for five months to investigate Communist activities, and we had many more investigations under the War Department pertaining to the Communist Party activities and the actions of subversives of a communist nature than we ever did in regard to Nazi plotters. Now certainly when our United States Senate votes 85 to 0 to outlaw the Communist party we cannot say that this is ostrich legislation, I feel it is very good legislation. I for one am certainly willing to stand up and be counted as one of those willing to declare the Communist party illegal. I see nothing wrong in doing it and I certainly am heartily in favor of it.

This bill merely goes on and in addition to declaring it unlawful it goes one step further than the general statute which the good Senator from Kennebec, Senator Reid, quoted you this morning. This carries on to the extent that any organization that is incorporated in the state that is of a communist nature may have its property taken away from it and its property would escheat to the state. There is certainly nothing wrong with that. It goes one step further and says, "Any person who is convicted of violating any of the provisions of this bill will be forever barred from holding public office."

Now certainly I can have no sympathy for any American who has been convicted of subversive activities being precluded from holding elective or appointive public office, because I feel that we have plenty of Americans who are able to fill those offices and Americans who are willing to support the Constitution of the United States. A Communist might stand up and take the oath that he would support the Constitution of the United States and the Constitution of Maine, but we all know that it would be an insincere oath and a meaningless oath because he is already dedicated to the overthrow of our form of government by the communist form of

government by force and violence if necessary.

Now certainly when our great patriotic organizations like the American Legion, Veterans of Foreign Wars, the Daughters of the American Revolution and their counsel have given this many, many years of study and are willing to support this type of legislation I do not feel that it is un-American legislation or that we are being un-American in the State of Maine or imposing any undue hardship or burden upon anyone who does not deserve to have the burden imposed upon them that this law would impose. I am very happy to support the motion of the Senator from Oxford, Senator Boyker, that the minority report "Ought to pass" be accepted.

Mr. REID of Kennebec: Mr. President, before making up my mind on this issue I went to the Attorney General's office of the State of Maine and asked what experience in Maine they have had with communists. They said, speaking of the last four years, they had no indication of any communist efforts in the State of Maine with one exception, and that one exception shortly after the incident occurred was committed to the State Hospital.

I sincerely believe that we do not have this problem in the State of Maine even though it may exist elsewhere in the country. The passage of this type of bill will be misleading as indicating to people outside the state that Maine does have a communist problem. I again reiterate that I sincerely believe that this is at least indirectly a curtailment of the right to teach, and I hope that the bill does not receive passage.

Mr. BOYKER of Oxford: Mr. President, I want to say this: that when my nomination papers were being sent out for signatures three different persons said this — these are not the exact words—"I am a communist but I am going to sign Senator Boyker's papers." So there are three.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Oxford, Senator Boyker, that the Senate accept the minority "Ought to pass" report of

the committee. Is the Senate ready for the question?

As many as are in favor of the motion of the Senator from Oxford, Senator Boyker, that the Senate accept the minority "Ought to pass" report of the committee will rise and stand until counted.

A division was had.

Eight having voted in the affirmative and twenty-one in the negative, the motion did not prevail.

On motion of Mr. Reid of Kennebec, the majority "Ought not to pass" report of the committee was accepted.

Sent down for concurrence.

Mr. DUNHAM of Hancock: Mr. President, I move that we reconsider our action whereby we accepted the minority report on "Resolve Authorizing Study of Proposed Maine-Quebec Highway."

The PRESIDENT: The Senator from Hancock, Senator Dunham, having voted on the prevailing side, moves that the Senate reconsider its action whereby it accepted the minority "Ought not to pass" report on H. P. 960, L. D. 1086, "Resolve Authorizing Study of Proposed Maine-Quebec Highway."

Mr. DUNHAM: Mr. President, in order that there may be further discussion on this bill, I move that we accept the majority report.

The PRESIDENT: The motion to reconsider has not yet been acted upon.

Is it the pleasure of the Senate that the Senate reconsider its action whereby the Senate accepted the minority "Ought not to pass" report of the committee?

The motion prevailed and reconsideration was voted.

Mr. DUNHAM of Hancock: Mr. President, I now move that we accept the majority "Ought to pass" report of the committee.

The PRESIDENT: The Senator now moves that the Senate accept the majority "Ought to pass" report of the committee.

The Chair recognizes the Senator from Aroostook, Senator Collins.

Mr. COLLINS of Aroostook: Mr. President, I think perhaps this morning in explaining this situation that the members of the Aroostook dele-

gation did not give the picture quite clearly enough.

Now this is a matter of interest to many people in Aroostook County. The various chambers of commerce had meetings last winter in Caribou, Presque Isle, Fort Fairfield, Houlton and Fort Kent and discussed this situation, and there were not only the groups of the chambers of commerce but there were people who were really of financial concern and ability. It is not just a plot to try to put something over; it is really a method to determine whether or not this road is a feasible proposition, and in order to determine that it does need some study, it is a highway matter, and for that reason I do hope that the Senate at this time, having given permission to reconsider it, will adopt the majority "Ought to pass" report.

Mr. CRABTREE of Aroostook: Mr. President and members of the Senate: I certainly want to go on record as favoring this measure, and I also want to hasten on and say that it is not a measure, as one might possibly deduct, interesting to Aroostook alone by any manner of means. Its possible and potential benefits would not accrue to any one or two counties. In fact, I am sure that the members of the Senate who are fully aware — and for reasons I do not know particularly — of the great influx of our good neighbors from the Province of Quebec to Old Orchard — they seem to have discovered Old Orchard, and Old Orchard is supported in a very large measure in the summer by our good neighbors from Quebec. Bangor and Portland and the coastal areas of our State would benefit tremendously if and when this new proposed highway could be opened up.

There is now a great network of roads up in the northern part of Aroostook, the "Garden of Maine", privately-owned which possibly could become useful in this proposed highway. I think we all recognize that it is in the future, but in the foreseeable future, but before we can make a businesslike proposal we still first have to have the survey. In other words, we have to have a sensible plan, and for the com-

paratively small amount of money that it would take to find out the potentialities of it and in view of the tremendous economic development that it would make for our state and every county in the state. I sincerely hope that the members of the Senate will go along with this measure which could benefit not only the "Garden of Maine" but the other fifteen gardens along with it in no mean measure.

Mr. PARKER of Piscataquis: Mr. President and members of the Senate: In rising in opposition to the motion what I would have to say would be more or less a reiteration of what took place this morning. This resolve authorizes a study of this proposed highway. At the hearing it was brought out that this is now in a large part logging road. It is true that some parts of it have been built, some parts of it I understand have asphalt surface. It is true it was favored by various chambers of commerce in Aroostook County. There is no question on the part of the committee but what the chambers of commerce in several of the towns and cities in Aroostook were very much in favor of this survey. It was brought out that this highway extended a distance of eighty miles; it was estimated that it would cost ten thousand dollars to make the survey. As far as I am concerned, I thought and I still think that ten thousand dollars of our highway construction money at this time could be used to better advantage for construction purposes.

Mr. JAMIESON of Aroostook: Mr. President, my good friend, the Senator from Piscataquis, Senator Parker, calls that a woods road. I think "woods road" is a misstatement, because I have been up there and seen them haul out six thousand feet of green lumber, and if I remember correctly Vaughn Daggert told us he estimated it would cost between five and ten thousand dollars but he didn't think it would cost over seven thousand. That was my impression at the hearing.

Mr. BUTLER of Franklin: Mr. President, I rise to inquire of one of the Senators from the "Garden Spot of Maine," if the Senate should accede to their request whether or

not they would be willing for an amendment to be tacked on where-by this money could be earmarked to come from this proposed one-cent increase in the gas tax so that if that didn't go through it would not otherwise come out of the general fund.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Hancock, Senator Dunham, that the Senate adopt the majority "Ought to pass" report of the committee.

As many as are in favor of the motion will rise and stand until counted.

A division was had.

Twenty-one having voted in the affirmative and fourteen in the negative, the motion prevailed. The resolve was then given its first reading. On motion by Mr. Jamieson of Aroostook, under suspension of the rules the resolve was given its second reading and passed to be engrossed in concurrence.

Mr. REID of Kennebec: Mr. President, may I inquire if item No. 2 on Page 5 is in the possession of the Senate?

The PRESIDENT: The Chair will state that L. D. 270 is in the possession of the Senate, being "An Act relating to Official Court Reporters," having been passed to be engrossed as amended by Committee Amendment "A" and Senate Amendment "A".

On motion by Mr. Reid of Kennebec, the Senate voted to reconsider its action taken earlier in today's session whereby the bill was passed to be engrossed, and on further motion by the same Senator the bill and accompanying papers were tabled pending passage to be engrossed.

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

Mr. BUTLER: Mr. President, we just passed a measure to be engrossed, namely "Resolve Authorizing Study of Proposed Maine-Quebec Highway," but that measure bears no price tag, and in view of that I am just wondering whether or not it would not be sensible for us to reconsider our action and lay it on



the table for the purpose of determining how much you wish to have the Highway Commission spend for that, and then with that amendment pass it to be engrossed. I feel as it is now we have simply passed out a measure for the Highway Commission to do something and have put no price tag on it. I move that we reconsider our action. First, however I will ask the Chairman of the Highway Committee, Senator Parker, if it is necessary in his opinion from the highway point of view that there be a price tag attached to this measure?

The PRESIDENT: The Senator has heard the question and he may answer if he chooses.

Mr. PARKER of Piscataquis: Mr. President, it was estimated at the hearing by one of the engineers from the Highway Department that it would cost between five and ten thousand dollars to make this survey. If the bill is passed according to the action we have just taken I can see no purpose in stating the exact amount of money that will be necessary to make the survey, because if you authorize it I can see no reason to limit the funds, because it won't be over the ten thousand and it might be less.

Mr. BUTLER of Franklin: Mr. President, I withdraw my request.

The PRESIDENT: The Senator from Franklin, Senator Butler, requests permission to withdraw his motion. Is there objection? The Chair hears none and his motion is withdrawn.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table the second tabled and unassigned matter, (H. P. 302) (L. D. 313) House Reports from the Committee on Judiciary on "Resolve Proposing Amendments to the Constitution Changing the Date of the General Election and Changing the Tenure of Office of Governor to Four-Year Terms" Majority Report "Ought not to pass"; Minority Report "Ought to pass," tabled by that Senator on March 17th, pending consideration of reports.

Mr. REID of Kennebec: Mr. President, this is a combination bill which relates to changing the tenure of office of the Governor from two

to four years and also to change the date of election. There is another bill which appears as Item 3 which I propose to take from the table after disposition of this one. I do not believe anything will be gained by lengthy debate on this subject. It has been a topic of speculation for a good many years. At the hearing before the committee it appeared to me, and I think to the other members of the committee, that there was no strong sentiment to change the present law, namely the two-year tenure.

After the committee hearing I discussed it with people of my acquaintance and the consensus of opinion seemed to be they did not want the change. One gentleman from Waldo County appeared at the committee hearing and stated that being a former senator he had many times advocated it but that he had changed his mind. So, Mr. President and members of the Senate, I now move that the majority "Ought not to pass" report of the committee be accepted.

The PRESIDENT: The Senator from Kennebec, Mr. Reid, moves that the Senate accept the majority "Ought not to pass" report of the committee.

The Chair recognizes the Senator from Androscoggin, Senator Boucher.

Mr. BOUCHER: Mr. President and members of the Senate: I certainly do not want to make a long debate on this because it has been debated ever since I can remember in every session I have been here. It appears that when one party has a Governor of its kind in office they want the change and when the other party has they want the change, so naturally, the Senate being composed of twenty-seven Republicans and six Democrats, I can imagine what the result of this vote will be: it will be on strict party lines. Nevertheless I think the bill has merit, both for changing the tenure of office of Governor to four years and the change of the election date. Arguments have been made for it by both parties at different times, that the Governor should not be running a political campaign, that he should be in the front office running the affairs of state. That is about

the best argument I have heard. And on the changing of date of election, I guess all of you will admit that would be a great saving to the State of Maine, the towns and cities of the State of Maine and to the State in money expended for the special election in November. On the other hand, I have heard the argument that it is a good advertising scheme and that Maine gets a lot of free advertising through it, so there is merit to both sides of the question. But I do not want to let the bill go under the hammer without asking for a division when the vote is taken.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Reid, that the Senate accept the majority "Ought not to pass" report of the committee. Is the Senate ready for the question?

As many as are in favor of the motion will rise and stand until counted.

A division was had.

Twenty-three having voted in the affirmative and five in the negative the motion to accept the majority "Ought not to pass" report of the committee in concurrence prevailed.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table the third tabled and unassigned matter, (H. P. 361) (L. D. 399) House Reports from the Committee on Judiciary on "Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of the Governor to Four-Year Terms," Majority Report "Ought not to pass," minority report "Ought to pass," tabled by that Senator on March 17th pending consideration of reports.

Mr. REID of Kennebec: Mr. President, I move the acceptance of the majority "Ought not to pass" report of the committee.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate: My remarks on this one will be even shorter. I ask for a division when the vote is taken.

Mr. FARRIS of Kennebec: Mr. President, the reason I voted as I did on the last motion was because we had a package deal of the general election change and the four-year term for Governor in the one

bill, and I certainly do not feel it would be even a fair question to propose to our citizens by having both of these in the one bill. It certainly should be broken down.

If I recall correctly, I supported a four-year term for Governor at the Republican Convention a year ago and I still feel that this again is one of those issues which should be decided by the people and determined once and for all as to whether they want to have a two-year term or a four-year term for their elected Governor.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Reid, that the Senate accept the majority "Ought not to pass" report of the committee. The Senator from Androscoggin, Senator Boucher, has asked for a division. Is the Senate ready for the question?

As many as are in favor of the motion of the Senator from Kennebec, Senator Reid, that the Senate accept the majority "Ought not to pass" report of the committee will rise and stand until counted.

A division was had.

Nineteen having voted in the affirmative and nine in the negative, the motion to accept the majority "Ought not to pass" report of the committee in concurrence prevailed.

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

Mr. REID: Mr. President, I would like to ask unanimous consent to introduce a resolve even at this late date. In support of that request I would say that the question has arisen in the City of Portland with respect to the right of regular members of the United States Army to vote, and the reason for it is a provision in the Constitution and an amendment passed several years ago which was intended, I believe, to allow the members of the United States Army to vote. The City of Portland has questioned the efficacy of the amendment; it has been taken up with the Attorney General's department and they also question it. In order to clarify it I would introduce this resolve if I have unanimous consent.

The PRESIDENT: The Senator from Kennebec, Senator Reid, asks unanimous consent for the introduction of a resolve. The Secretary will read the resolve by title only.

The SECRETARY: "Resolve proposing an amendment to the Constitution to clarify voting by persons in military service."

The PRESIDENT: Is there objection to the introduction of the resolve? The Chair hears none and the resolve is received.

On motion by Mr. Reid of Kennebec, under suspension of the rules, the resolve was given its two several readings without reference to a committee and passed to be engrossed. Ordered printed.

On further motion by the same Senator, the resolve was ordered sent forthwith to the House.

On motion by Mr. Lessard of Androscoggin, the Senate voted to take from the table the 37th tabled and unassigned matter, (H. P. 1157) (L. D. 1375) Bill "An Act Defining and Regulating the Collection Agency Business and the Budget Planning Business," tabled by that Senator on May 11th pending assignment for second reading.

On motion by the same Senator, under suspension of the rules the bill was given its second reading and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Lessard of Androscoggin, the Senate voted to take from the table the 36th tabled and unassigned matter, (H. P. 111) (L. D. 119) House Report "Ought not to pass" from the Committee on Legal Affairs on Bill "An Act Regulating the Solicitation and Collection of Funds for Charitable Purposes," tabled by that Senator on May 11th pending acceptance of report.

Mr. LESSARD of Androscoggin: Mr. President, I move the pending question, that we accept the "Ought not to pass report" of the Committee on Legal Affairs.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Lessard, that the Senate accept the "Ought not to pass" report of the committee. The Chair recog-

nizes the Senator from Androscoggin, Senator Lessard.

Mr. LESSARD: Mr. President, yesterday during the debate which was interrupted I was discussing the purpose of Section 274-C of this legislative document.

The PRESIDENT: And the Chair apologizes.

Mr. LESSARD (Continuing): At that time we had a conference and it was suggested that perhaps some amendments could be made. However, the conferees, the parties who were supposed on the part of the proponents to bring in some amendments have informed me that they still haven't got any amendments, and the ones who were supposed to prepare them say they are a little bit confused and it will take too much time to try to make this bill workable.

Now referring to Section 274-C which I was reading yesterday, it says that "No person, firm, corporation or benevolent purposes outside of the municipality where such persons reside or where such firm, corporation or association has its place of business without having in full force a written license therefor from the Department of Health and Welfare." That would require persons who solicit funds for such organizations as the Red Cross, Community Chest, Y.M.C.A., Y.W.C.A., and the Salvation Army, practically any charitable organization at all, if they were in contiguous cities and they were on a solicitation team, it would require them to go across the river or across the town line and they would have to apply for a license. You know and I know, because probably every one of us here has served from time to time on these committees and perhaps as the head of a committee have had to obtain the solicitors, and we have to ask the citizens of our town or city to be on our team and help us, and you know how many excuses they give you why they just don't have the time to do it. It is a job that is hard to do and many of us have other duties to perform and we would like to duck out. If you go to these same people now and say, "I want you to be on my team and solicit for the Y.M.C.A."—or the Red Cross or

Community Chest—and he has got a bunch of cards, and suppose he lives in the City of Lewiston and he had to go to Auburn, or suppose he is in South Portland and has to go out to Cape Elizabeth or out in Falmouth, and then you say to him, “Well now, you have got to go and get a license from the State of Maine,” what do you think his answer is going to be? You know very well he is going to be too busy then and the result would be that you wouldn’t get anyone. That is what this bill provides for.

Under 274-B it provides for exemptions. Those exemptions are “educational institutions when solicitations of contributions is confined to student body and their families, alumni, faculty and trustees.” That sounds very simple. However any educational institution in the State of Maine, be it any one of our colleges, if they solicit outside of their families and student body or alumni they have got to get a license, they have got to come up to the Department of Health and Welfare and procure a license, or if anyone of their members goes outside the municipality in which they live they have got to get a license. It is the same way with fraternal, patriotic and social organizations if they solicit outside their own membership. You know and I know that we have many social organizations, such as the Elks and others who would solicit outside their membership, and if we ask anyone to solicit for us they have got to be licensed.

Now in these exemptions there is not one single line which exempts any churches or religious organizations, no exemptions for them, they would have to come in and register. So I say to you that the impact of this bill, even though the purposes for which the proponents presented it are commendable, which is to cut out a few racketeering organizations — and I will say here that the proponents are the chambers of commerce and the better business bureaus of some of our cities — they feel it is a good bill and the purpose behind it is certainly good. But this bill as it was presented to our committee, I think that the impact of it and the damage it would do to the legitimate organi-

zation far overshadows the good it might do in taking care of racketeers who might come into Bangor or Portland or even the City of Lewiston. For that reason I hope that the report of the committee will be accepted.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate: I did not introduce this bill although I drafted it, but it appeared to be a measure strongly supported by better business bureaus and Chambers of Commer throughout the State.

On the first page of the bill there is a definition of the word “person” which reads as follows: “‘Person’ shall mean any individual, organization, group, association, partnership, corporation or any combination of them.” It is my understanding that that meant that if a group effort was to be made at solicitation that the group should obtain a license and that any member of the group without having an individual license could solicit.

Under the preamble “License,” it says, “No person, firm, corporation or association shall solicit funds without a license.” Unless I am entirely wrong, I do not find the word “person” there. Having used it under the preamble “License” it does mean that only one license would be required by any group, corporation or association.

I cannot quite understand why if the opponents of this measure agree that it has a good deal of merit it could not have been redrafted to suit everyone, but apparently it was not done. I think that I would be forced to oppose the motion to accept the majority report of the committee on the strength of the fact that in its present form it seems to be widely sponsored by better business bureaus.

Mr. MARTIN of Kennebec: Mr. President and members of the Senate: As the Senator from Androscoggin, Senator Lessard, has pointed out, both he and I, and I think I can speak for the rest of the members of the Legal Affairs Committee, are fully in sympathy with the purposes and aims of this bill. The Senator from Kennebec, Senator Reid, has spoken about a redraft, and I can tell the Senate that

for many days we asked the sponsors of the bill and others interested in the bill to sit down with us and go over the bill and allow us at least to put it in what we thought was better language. However, after Senator Reid's conference, although we were assured that certain amendments would be forthcoming none of them have ever been forthcoming and the bill now before you is in the same shape as it was before the committee.

The name of the Red Cross has been mentioned. I feel of course, that it should be exempted because it is exempted in all the other states where they have such a law as this. The Red Cross, as you may know, is a nationally-chartered organization and cannot be forced to register under any act passed by a state.

It was because of amendments such as that that the committee wanted to redraft the bill, but we were told that the bill would have to stand on its own feet as it now stands.

Again I want to say that I am for the principle of this, I know it is widely supported, but I, like the good Senator from Androscoggin, Senator Lessard, would have to vote against it.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Lessard, that the Senate accept the "Ought not to pass" report of the committee. Is the Senate ready for the question?

As many as are in favor of the motion of the Senator from Androscoggin, Senator Lessard, that the Senate accept the "Ought not to pass" report of the committee will say aye; those opposed no.

A viva voce vote being doubted, a division was had.

Twenty-three having voted in the affirmative and six in the negative, the motion prevailed and the "Ought not to pass" report of the committee was accepted in non-concurrence.

Sent down for concurrence.

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On motion by Mr. Collins of Aroostook, the Senate voted to take from the table the 33rd tabled and unassigned matter, (S. P. 53) (L. D. 43) Senate Reports from the Com-

mittee on Appropriations and Financial Affairs on Bill, "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1956 and June 30, 1957," Majority Report "Ought not to pass," Minority Report "Ought to pass in New Draft" (S. P. 569) (L. D. 1522) tabled by that Senator of May 10th pending acceptance of majority report.

Mr. COLLINS of Aroostook: Mr. President, this is the new draft of L. D. 43, the supplemental appropriations bill of the Governor. Now in view of the fact that we have passed the other supplemental bill and this has not had an opportunity to be voted upon by the other branch, I move at this time that we accept the majority "Ought not to pass" report of the committee.

The PRESIDENT: The Senator from Aroostook, Senator Collins, moves that the Senate accept the majority "Ought not to pass" report of the committee. Is this the pleasure of the Senate?

The Chair recognizes the Senator from Androscoggin, Senator Boucher.

Mr. BOUCHER of Androscoggin: Believing apparently that this measure is dead, I still want a division on it.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Collins, that the Senator from Aroostook, Senator Collins, that the Senate accept the majority "Ought not to pass" report of the committee, and the Senator from Androscoggin, Senator Boucher, has asked for a division.

As many as are in favor of the motion of the Senator from Aroostook, Senator Collins, that the Senate accept the majority "Ought not to pass" report of the committee will rise and stand until counted.

A division was had.

Twenty-three having voted in the affirmative and five in the negative, the motion prevailed and the Majority "Ought not to pass" report of the committee was accepted.

Sent down for concurrence.

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On motion by Mr. Chapman of Cumberland, the Senate voted to

take from the table the 8th tabled and unassigned matter, (H. P. 191) (L. D. 196) Bill "An Act Repealing Statement of Contributions and Expenses by Municipal Candidates," tabled by that Senator on April 6th pending acceptance of report.

Mr. CHAPMAN of Cumberland: Mr. President and members of the Senate: It is customary when one rises to speak on a bill, if he possibly can to sell the idea to his colleagues here in the Senate that he is going to be brief. In this particular instance I am not going to mislead you. I am going to tell you that you have a rather complex but not important bill here with eight amendments under consideration, and to unravel the mess that I have on my desk probably will take a little time. I ask your indulgence and I would suggest that if you have other pressing matters to attend to in the next ten or fifteen minutes that you attend to them.

This bill, L. D. 196 is an act which purports to repeal that part of the general election law which requires candidates for municipal office to file returns of their expenses, a process of course which is familiar to all of us here because we do it in connection with our state candidacies before we come here.

This particular bill has a rather whimsical and somewhat circuitous history and I would like to trace it for you if I may. Apparently a certain person or persons residents of one of our fair large cities in the State of Maine were not in the habit of filing those expenses statements as required by law, and it was brought to their attention somewhat embarrassingly by the newspapers and they felt somewhat aggrieved and they caused this particular bill to be introduced in the legislature repealing the requirement, as we say somewhat colloquially, "to make themselves honest."

The bill was heard by the committee and the committee by virtue of the testimony that was produced before it felt there was no great pressing need to continue that requirement in regard to municipal candidates and passed the bill out "Ought to pass." So far the state

of the bill was rather simple. It was a House bill however and it was first reported back to the House and then the process began.

In the particular report in the House on the other side a number of people over there felt that this particular repealer wasn't a sound thing as applied to all cities and towns and it really should apply to just the smaller classes of towns, namely those of under 30,000 inhabitants. So House Amendment "A" was put on and adopted. After further consideration however, and after examining the text of that amendment, they found themselves a little bit confused as to just how that amendment read, so they thought it would be wise to correct it and House Amendment "B" was adopted to the bill after House Amendment "A" was indefinitely postponed.

After a little further consideration the difference between large and small towns and cities still appeared to be a matter of some importance and they thought they would move the bracket rate so-called down and House Amendment "C" was put on after House Amendment "B" was indefinitely postponed, reducing the division between towns and cities, which candidates had to file or not to file, down to 10,000. But as sometimes happens in the rush of legislative matters, there was an error in that amendment too, so that had to be corrected by House Amendment "D", in which the division was left at 10,000. The thing was fairly reasonable except that it created another confusion which I am going to try to correct here.

I might say that at this stage of the game a rather ironic thing happened. The sponsors of the bill came from cities in which the population is about thirty-nine to forty thousand, and by moving the bracket rate down to ten thousand inhabitants, those who sought to take advantage of the new repeal found themselves right back in the law as it now stands. It so happened that House Amendment "D" still had a confusion in it because it provided candidates for municipal office in cities of over ten thousand inhabitants still had to file, but those defined as candidates at large, the

district candidates so-called, didn't have to file.

But we have rather an anomalous situation down in our fair city of Portland in which we have district candidates elected at large, and we did not know what House Amendment "D" meant and neither did the Attorney General. He described it as what we call a twilight question. So Senate Amendment "A" to House Amendment "B" to the bill was prepared and I have it on my desk here, I think, ready to produce. However for some mysterious reason that I have not been quite able to understand, Senate Amendment "B" to the same House Amendment "D" also showed up mysteriously on my desk. I am not going to use that because I am not the sponsor of it, so I will cast that one aside.

But in the discussions about this bill that I had with some of the people who were interested in it, apparently the same touch of humor and whimsy caught on to some people and another amendment, supposed to be Senate Amendment "C" also appeared on my desk, as yet unsponsored, moving the bracket rate from ten thousand down to five thousand on the assumption that a city of six thousand inhabitants was a pretty fair-sized city and ought to have good, clean politics, just like those of from ten to thirty thousand and so forth.

I was getting ready to work on this bill and take it off the table some weeks ago in response to suggestion from our good President when a proposed Senate Amendment "D" was put on my desk suggesting that we move it down to one thousand and just leave the towns and plantations out of the repealer.

Now there are the eight amendments I have spoken of and it pre-

sents a pretty peculiar picture. I think you can gather than I have no great enthusiasm for this bill and if anybody else is bold enough to get up and move to postpone it indefinitely I think I will concur, but if they do not do that then I am going to present Senate Amendment "A" to House Amendment "D" to the bill and move its adoption, because I think we should at least seriously clarify that matter of whether a district candidate from Portland is a candidate at large for the purpose of this filing or whether he is not.

I now therefore move that we reconsider our action whereby we adopted House Amendment "D" in concurrence.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Chapman, that the Senate reconsider its action whereby it adopted House Amendment D in concurrence.

The motion prevailed, and the same Senator presented Senate Amendment A to House Amendment D, and moved its adoption.

Mr. LOW of Knox: Mr. President, I don't know much about this thing, but it seems to me to be getting kind of silly and I move that it be indefinitely postponed — the whole business.

Mr. CHAPMAN of Cumberland: Mr. President, I rise to support the motion of the Senator from Knox, Senator Low.

The motion prevailed and the bill and accompanying papers were indefinitely postponed.

On motion by Mr. Reid of Kennebec

Adjourned until tomorrow morning at nine o'clock, E.S.T.