

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Ninth Legislature*

OF THE

STATE OF MAINE

1959

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Thursday, April 23, 1959

Senate called to order by the President.

Prayer by Rev. Lester Boobar of Portland.

On motion by Mr. Briggs of Aroostook, Journal of yesterday read and approved.

The PRESIDENT: The Chair would like to welcome to the Senate Chamber this morning, members of the Methodist Youth Fellowship from the Chestnut Street Methodist Church in Portland. On behalf of the Maine Senate, it is a real pleasure to welcome you young people here this morning. We trust you will have a pleasant and educational day here in the State Capitol. All of us here will certainly do our best to make it a pleasant day for you. (Applause)

Also visiting us this morning is a group from the Mercer Village School accompanied by their teachers Mrs. Violet Finnemore and Mrs. Dorothy Porter. We would like to have this group stand too so that we may recognize them. It is a real pleasure to have you folks with us this morning and we trust likewise that your day will be educational and enjoyable here in the State Capitol. (Applause)

**Papers from the House**

Bill, "An Act Relating to Steam Engineers and Firemen." (H. P. 835) (L. D. 1186)

In Senate on April 21, recommitted to the Committee on Legal Affairs in non-concurrence.

Comes from the House, that body having adhered to its former action whereby the Committee Report (ONTP) was accepted.

In the Senate, on motion by Mr. Martin of Kennebec, the Senate voted to recede and concur.

"Resolve in Favor of Ray Thompson of Prentiss." (H. P. 683) (L. D. 983)

The Senate, having accepted in non-concurrence the Majority Report of the Committee on Claims, on April 21 passed the resolve to be engrossed as amended by Com-

mittee Amendment A (Filing No. 199)

Comes from the House, that body having adhered to its former action whereby the reports and resolve were Indefinitely Postponed.

In the Senate, on motion by Mr. Parker of Piscataquis, tabled pending consideration.

"Resolve Opening Portage Lake, Aroostook County, to Ice Fishing for Smelts." (H. P. 875) (L. D. 1249)

The Senate on April 21 accepted in non-concurrence the Majority Report (ONTP) of the Committee on Inland Fisheries and Game.

Comes from the House that body having insisted upon its former action whereby the Minority Report (OTP) of the Committee was accepted and the resolve passed to be engrossed.

In the Senate, on motion by Mr. Carpenter of Somerset, tabled pending consideration.

**House Committee Reports  
Ought Not to Pass**

The Committee on Labor on Bill, "An Act Relating to Injuries Under Workmen's Compensation Act." (H. P. 587) (L. D. 834) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Definition of Occupational Disease." (H. P. 588) (L. D. 835) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Compensation for Total Incapacity Under Workmen's Compensation Law." (H. P. 590) (L. D. 837) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Deposit of Self-Insurer Employer Under Workmen's Compensation Act." (H. P. 754) (L. D. 1072) reported that the same Ought not to pass.

Which reports were severally read and accepted in concurrence.

**Ought to Pass**

The Committee on Claims on "Resolve in Favor of Wild Acres Turkey Farm of Standish." (H. P. 184) (L. D. 277)

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Fishing in Waters of

Piscataquis County." (H. P. 491) (L. D. 704) reported that the same Ought to pass.

Which reports were read and accepted in concurrence, the bill and resolve read once and tomorrow assigned for second reading.

#### Ought to Pass — N.D.

The Committee on Inland Fisheries and Game and the Committee on Sea and Shore Fisheries, jointly, on Bill, "An Act Regulating Commercial Fishing for Smelts." (H. P. 749) (L. D. 1113) reported same in New Draft (H. P. 934) (L. D. 1320) under same title, and that it Ought to pass.

The Committee on Public Utilities on Bill, "An Act Relating to Extension of Water Service in Town of Falmouth." (H. P. 611) (L. D. 871) reported same in New Draft (H. P. 932) (L. D. 1318) under same title, and that it Ought to pass.

The Committee on Sea and Shore Fisheries on "Resolve Closing Long Cove Brook, Moxie Cove Brook and Monroe Pond, Lincoln County, to Smelt Fishing." (H. P. 583) (L. D. 830) reported same in New Draft (H. P. 933) (L. D. 1319) under a new title: "Resolve Closing Long Cove Brook, Moxie Cove Brook and Monroe Brook, Lincoln County, to Smelt Fishing." and that it Ought to pass.

Which reports were severally read and accepted in concurrence, the bills and resolve in New Drafts read once and tomorrow assigned for second reading.

The Committee on Public Health on Bill, "An Act Relating to Qualified Assistant Pharmacists." (H. P. 216) (L. D. 307) reported same in New Draft (H. P. 926) (L. D. 1308) under same title, and that it Ought to pass.

In the House, report accepted and bill in new draft passed to be engrossed as amended by House Amendment A (Filing No. 206)

In the Senate, the report was read, and on motion by Mr. Cole of Waldo, the bill was laid upon the table pending acceptance of the report.

#### Ought to Pass — as amended

The Committee on Highways on Bill, "An Act Relating to Permits

for Outdoor Advertising." (H. P. 84) (L. D. 131) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 200)

The Committee on Public Utilities on Bill, "An Act Creating the Lewiston-Auburn Transit Authority." (H. P. 881) (L. D. 1255) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 221)

The same Committee on Bill, "An Act to Incorporate the Jay Village Water District." (H. P. 667) (L. D. 959) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 220)

The Committee on Sea and Shore Fisheries on recommitted Bill, "An Act Relating to Protection of Weirs." (H. P. 366) (L. D. 525) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 222)

Which reports were severally read and accepted in concurrence and the bills read once. Committee Amendments A were read and adopted in concurrence and the bills as so amended were tomorrow assigned for second reading.

#### Majority — OTP

#### Minority — ONTP

The Majority of the Committee on Inland Fisheries and Game on Recommended Bill, "An Act Relating to Free Hunting, Trapping and Fishing Licenses for Indians." (H. P. 639) (L. D. 930) reported that the same Ought to pass.

(Signed)

Senator:

HILLMAN of Penobscot

Representatives:

DUDLEY of Enfield

MOORE of Casco

DODGE of Guilford

HARRIS of Greenville

MONROE of Monroe

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

(Signed)

Senators:

BRIGGS of Aroostook

CARPENTER of Somerset

Representatives:

CARVILLE of Eustis

WHEATON of Princeton

In House Majority Report Accepted and Bill passed to be engrossed. In the Senate:

Mr. HILLMAN of Penobscot: Mr. President, I have talked this matter over with the Senator from Somerset, Senator Carpenter, the Chairman of the Inland Fisheries and Game Committee, and I now move the acceptance of the Ought to pass Report of the Committee.

The motion prevailed and the Majority Report "Ought to pass" was accepted in concurrence, the bill read once and tomorrow assigned for second reading.

**Report A—Ought to Be Adopted  
Report B—Ought Not to Be Adopted**

Five members of the Committee on Labor on Joint Resolution Memorializing Congress to Equalize Wage Rates Between Boston and Kittery - Portsmouth Naval Shipyards. (H. P. 913) (L. D. 1287) reported (Report A) that the same Ought to be adopted. (Signed)

- Senator:  
MacDONALD of Oxford
- Representatives:  
LETOURNEAU of Sanford  
KARKOS, Sr. of Lisbon  
WINCHENPAW of Friend-  
ship  
MILLER of Portland

And five members of the same Committee on the same subject matter reported (Report B) that the same Ought not to be adopted. (Signed)

- Senators:  
ROSS of Sagadahoc  
BATES of Penobscot
- Representatives:  
TREWORGY of Orono  
HARDY of Hope  
HANCOCK of Nobleboro

In House Report A accepted and Memorial adopted.

In the Senate, on motion by Mr. Bates of Penobscot, the bill and accompanying papers were laid upon the table pending acceptance of either report.

The PRESIDENT: The Chair recognizes in the Senate Chamber the presence of a former distinguished member of this Body, and

also a fellow citizen of Aroostook County and the Chair at this time would ask the Sergeant-at-Arms to escort the Honorable George Barnes to the rostrum. (Applause, members rising.)

**Majority — OTP in New Draft  
Minority — ONTP**

The Majority of the Committee on Sea and Shore Fisheries on Bill, "An Act Relating to Use of Draggers in Part of Penobscot Bay." (H. P. 406) (L. D. 590) reported that the same Ought to pass in New Draft, same title (H. P. 916) (L. D. 1294) (Signed)

- Senators:  
COFFIN of Cumberland  
BROWN of Washington
- Representatives:  
MADDOX of Vinalhaven  
DENNISON of East  
Machias  
RANKIN, Jr. of Southport  
DANES of South Portland

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

- Senator:  
DOW of Lincoln
- Representatives:  
LOWERY of Brunswick  
BOONE of Eastport  
YOUNG of Gouldsboro

In House Majority Report accepted and bill passed to be engrossed.

In the Senate, on motion by Mr. Coffin of Cumberland, the Majority Report "Ought to pass" was accepted in concurrence, the bill read once and on further motion by the same Senator, the bill was laid upon the table pending second reading and was especially assigned for Wednesday next.

**Majority — ONTP  
Minority — OTP**

The Majority of the Committee on State Government on "Resolve Proposing an Amendment to the Constitution to Reduce the Voting Age to Nineteen Years." (H. P. 882) (L. D. 1256) reported that the same Ought not to pass. (Signed)

- Senators:  
HILLMAN of Penobscot

ROSS of Sagadahoc  
LESSARD of Androscoggin

Representatives:

SMITH of Exeter  
DENNETT of Kittery  
SANBORN of Gorham  
BARNETT of Augusta  
WADE of Auburn  
COYNE of Waterville

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

(Signed)

Representative:

PLANTE of Old Orchard  
Beach

In House, Majority Report accepted.

In the Senate, on motion by Mr. Hillman of Penobscot, the Majority Report "Ought not to pass" was accepted in concurrence.

#### Report A — OTP

#### Report B — ONTP

Five members of the Committee on Taxation on Bill, "An Act Exempting Certain Fraternal Associations from Property Taxation." (H. P. 323) (L. D. 470) reported (Report A) that the same Ought to pass.

(Signed)

Senators:

WILLEY of Hancock  
WYMAN of Washington

Representatives:

BAXTER of Pittsfield  
ROLLINS of Belfast  
MAXWELL of Jay

Five members of the same Committee on the same subject matter, reported (Report B) that the bill Ought not to pass.

(Signed)

Senator:

FOURNIER of York

Representatives:

CYR of Augusta  
PARSONS of Hartford  
COUSINS of Bangor  
WALSH of Verona

In House, reports and bill indefinitely postponed.

In the Senate, on motion by Mr. Bates of Penobscot, the bill was indefinitely postponed in concurrence.

Mr. MARTIN of Kennebec: Mr. President, I ask unanimous consent to present a bill and I would like to speak on it very briefly before the title is read. This is a bill affecting Kennebec County only. The delegation voted unanimously to have it introduced. It applies to the increase in temporary loans in Kennebec County in anticipation of taxes. As I said, it applies only to Kennebec County. I have checked with the Senator from Washington, Senator Wyman who stated that in his opinion it will not delay the session one bit.

There being no objection, Bill, "An Act Relating to Increases in Temporary Loans for the County of Kennebec" was received and on further motion by the same Senator, the bill was ordered printed and referred to the Committee on Towns and Counties.

Sent down for concurrence.

The PRESIDENT: At this time the Chair recognizes in the Senate Chamber a group of members from the Girl Scout Troop 70 of Fairfield, accompanied by Mrs. Maxine Scribner. On behalf of the entire membership of the Maine State Senate, it is a real pleasure to welcome you young people here this morning and we trust you will enjoy your day here in the State Capitol. I assure you that each of us will do all we can to make it an enjoyable and pleasant experience for you. A hearty welcome. (Applause)

#### Senate Committee Reports Leave to Withdraw

Mr. Coffin from the Committee on Education on Bill, "An Act to Authorize the Municipalities of Bremen, Waldoboro and Washington to Form a School Administrative District." (S. P. 286) (L. D. 748) reported that same be granted Leave to withdraw.

Mr. Hillman from the Committee on State Government on Bill, "An Act Conferring Upon Others the Powers Now Vested in the Executive Council." (S. P. 427) (L. D. 1245) reported that same be granted Leave to withdraw.

Which reports were read and accepted.

Sent down for concurrence.

**Ought to Pass**

Mr. Hillman from the Committee on State Government on Bill, "An Act Increasing the Salary of the Governor." (S. P. 384) (L. D. 1110) reported that the same Ought to pass.

Which report was read and accepted, the bill read once and tomorrow assigned for second reading.

**Ought to Pass — N.D.**

Mrs. Lord from the Committee on Towns and Counties on Bill, "An Act Relating to Duties of Municipalities Concerning Dutch Elm Disease." (S. P. 350) (L. D. 977) reported same in New Draft (S. P. 464) (L. D. 1328) under same title, and that it Ought to pass.

**Ought to Pass — as amended**

Mr. Ross from the Committee on Labor on Bill, "An Act Relating to Hearing Injuries Under Workmen's Compensation Law." (S. P. 216) (L. D. 555) reported that the same Ought to pass with Committee Amendment A.

The same Senator from the same Committee on Bill, "An Act Providing Special Disability Compensation for Members of Organized Police Departments." (S. P. 234) (L. D. 617) reported that the same Ought to pass with Committee Amendment A.

Mr. Lessard from the Committee on State Government on Bill, "An Act Increasing Salary of Official Court Reporters." (S. P. 259) (L. D. 672) reported that the same Ought to pass as amended by Committee Amendment A.

Which reports were severally read and accepted and the bills read once. Committee Amendments A were read and adopted, and the bills as so amended were tomorrow assigned for second reading.

**Second Readers**

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

**House**

Bill, "An Act Revising Laws Relating to Slaughterhouses." (H. P. 636) (L. D. 979)

Bill, "An Act Providing for Uniform Act for Simplification of Fiduciary Security Transfers." (H. P. 750) (L. D. 1068)

Bill, "An Act Relating to Appeal from County Commissioners in Eminent Domain for Location of Schools." (H. P. 810) (L. D. 1148)

"Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans." (H. P. 135) (L. D. 193)

"Resolve to Reimburse Old Town School Department for Tuition for Children Living on Indian Island." (H. P. 435) (L. D. 641)

"Resolve Authorizing the Maine Defense Commission to Convey Certain Land in Fort Kent." (H. P. 817) (L. D. 1155)

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

**House — as amended**

Bill, "An Act to Authorize the Issuance of Bonds in the Amount of Thirteen Million Dollars on Behalf of the State of Maine for the Purpose of Building State Highways." (H. P. 418) (L. D. 602)

Bill, "An Act Relating to Awarding Contracts for State Construction." (H. P. 905) (L. D. 1274)

(On motion by Mr. Hillman of Penobscot, tabled pending passage to be engrossed)

"Resolve to Aid Settlement of Refugees in Maine." (H. P. 105) (L. D. 161)

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

**Senate**

Bill, "An Act Relating to Covered Bridges." (S. P. 463) (L. D. 1322)

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

Sent down for concurrence.

The PRESIDENT: At this time the Chair would like to welcome another group of visitors here this morning. We have with us the sister-in-law of the Senator from Penobscot, Senator Woodcock, Mrs. John Woodcock of Bangor and also her daughter Mary and her daughter's friends Miss Eaton, Miss Turner and Miss McCluskey. We would like to have you folks stand so that

the Senate can properly welcome you here this morning. It is a real pleasure to have you with us and I am sure that the entire Senate Body joins me in welcoming you. (Applause)

### Enactors

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

Bill, "An Act Relating to Lights on Rear of Certain Trucks." (H. P. 228) (L. D. 318)

Bill, "An Act to Clarify the Inheritance Tax Law." (H. P. 244) (L. D. 355)

Bill, "An Act to Incorporate the Eastport Water District." (H. P. 315) (L. D. 462)

Bill, "An Act Relating to Vehicle Entering Stop Intersection." (H. P. 396) (L. D. 579)

Bill, "An Act Defining Agricultural Labor Under Employment Security Law." (H. P. 443) (L. D. 649)

Bill, "An Act Relating to Powers of Community School District Trustees." (H. P. 540) (L. D. 775)

Bill, "An Act Establishing a Representative Town Government in Town of Scarborough." (H. P. 591) (L. D. 845)

Bill, "An Act Relating to Salary of Representatives of Indian Tribes at the Legislature." (H. P. 596) (L. D. 842)

Bill, "An Act Relating to Negotiable Notes." (H. P. 641) (L. D. 932)

Bill, "An Act Relating to Legislative Jurisdiction over Federal Lands Within the State." (H. P. 643) (L. D. 934)

Bill, "An Act Relating to Isolated Motor Vehicle Transactions Under Sales Tax Law." (H. P. 674) (L. D. 966)

(On motion by Mr. Rogerson of Aroostook, placed on the Special Appropriations Table pending passage to be enacted.)

Bill, "An Act to Create the Bureau of Maine Archives." (H. P. 785) (L. D. 1117)

(On motion by Mr. Rogerson of Aroostook, placed on the Special Appropriations Table pending passage to be enacted.)

Bill, "An Act Relating to Powers of York Beach Village Corporation." (H. P. 863) (L. D. 1231)

Bill, "An Act Relating to Payments by Town of York to York Beach Village Corporation." (H. P. 868) (L. D. 1236)

Bill, "An Act Relating to Records of the State Police and Certain Other Agencies." (H. P. 920) (L. D. 1298)

Bill, "An Act Repealing the York Beach Village Corporation." (H. P. 921) (L. D. 1299)

Bill, "An Act Pertaining to Freedom of Access to Public Records and Proceedings." (S. P. 26) (L. D. 6)

Bill, "An Act Regulating Open Season on Deer by Zones." (S. P. 92) (L. D. 210)

Bill, "An Act Relating to Confering Degrees by Thomas Junior College." (S. P. 111) (L. D. 261)

Bill, "An Act Relating to the Suspension and Revocation of Liquor Licenses." (S. P. 164) (L. D. 385)

Bill, "An Act Relating to Driver Education." (S. P. 185) (L. D. 428)

Bill, "An Act Relating to Trading Stamp Companies." (S. P. 306) (L. D. 852)

(On motion by Mr. Rogerson of Aroostook, placed on the Special Appropriations Table pending passage to be enacted.)

Bill, "An Act Relating to Powers of Maine Fidelity Life Insurance Company." (S. P. 324) (L. D. 900)

Bill, "An Act Relating to Capital Shares of Insurance Corporations." (S. P. 363) (L. D. 1046)

Bill, "An Act to Enlarge Powers and Purposes of Trustees of Diocesan Funds in Episcopal Diocese of Maine." (S. P. 447) (L. D. 1300)

Which bills were severally passed to be enacted.

"Resolve Charging Off Funds Advanced for the Purchase, Stocking and Equipping of the Blueberry Experimental Farm." (H. P. 60) (L. D. 98)

"Resolve Authorizing Use of Passamaquoddy Trust Funds for Housing." (H. P. 233) (L. D. 344)

"Resolve in Favor of Lloyd Moore of Gouldsboro." (H. P. 538) (L. D. 773)

(On motion by Mr. Parker of Piscataquis, by request, the resolve was laid upon the table pending final passage.)



“Resolve Authorizing Flora Bur-rill Tibbetts to Bring Suit at Law Against the State of Maine.” (H. P. 919) (L. D. 1297)

Which resolves were finally passed.

**Emergency**

Bill, “An Act to Authorize the Addition of the Towns of Cushing, Rockport, St. George, Thomaston and Warren to School Administrative District No. 5.” (S. P. 291) (L. D. 815)

(On motion by Mr. Rogerson of Aroostook, placed on the Special Appropriations Table pending passage to be enacted.)

**Emergency**

Bill, “An Act Relating to Powers of Ricker Classical Institute and Ricker College.” (S. P. 325) (L. D. 901)

Which bill, being an emergency measure, and having received the affirmative vote of 27 members of the Senate, was passed to be enacted.

**Orders of the Day**

The President laid before the Senate the 1st tabled and especially assigned matter, being House Reports from the Committee on Inland Fisheries and Game: “Majority Report, Ought not to pass; Minority Report Ought to pass” on “Resolve Regulating Fishing in Inlet Brook, Oxford County.” (H. P. 718) (L. D. 1023) tabled on April 22 by the Senator from Penobscot, Senator Hillman, pending acceptance of either report; and on motion by that Senator, the Majority Report “Ought not to pass” was accepted in concurrence.

On motion by Mr. Carpenter of Somerset, the Senate voted to reconsider its action taken earlier in today’s session whereby it tomorrow assigned for second reading “Resolve in Favor of Wild Acres Turkey Farm of Standish.” (H. P. 184) (L. D. 277) and to further reconsider its former action whereby the ought to pass report was accepted in concurrence; and on further motion by the same Senator, the resolve was laid upon the table pending acceptance of the report.

On motion by Mr. Martin of Kennebec, the Senate voted to take from the table the 54th tabled matter being bill, “An Act Relating to Distribution and Sale of Publications Depicting Crime and Torture.” (S. P. 249) (L. D. 632) tabled by that Senator on April 10 pending passage to be enacted; and on further motion by the same Senator, the Senate voted to suspend the rules and to reconsider its former action whereby the bill was passed to be engrossed and the same Senator presented Senate Amendment A and moved its adoption.

The Secretary read Senate Amendment A.

Mr. MARTIN of Kennebec: Mr. President and members of the Senate: As the bill now stands without the amendment, any person who inadvertently had one of these magazines with obscene literature or pictures in it could be punished. I do not think the Senate wants any bill to pass like this. It would affect the grocery store operator who has delivered to him magazines in bundles and before he has a chance to open them a police officer walks in and he can be arrested and fined.

This amendment I think is perfectly satisfactory to the committee. I know I discussed it with the sponsor of the bill, Senator Weeks of Cumberland. This amendment simply says that if a person reasonably should know the materials contained therein then he is guilty of the crime as set forth in the bill.

I move adoption of the amendment.

Thereupon, on motion by Mr. Bates of Penobscot, the bill was laid upon the table pending motion by Mr. Martin of Kennebec to adopt Senate Amendment A.

Mr. CARPENTER of Somerset: Mr. President, I would like to inquire if L. D. 762, “An Act Relating to Standards of Quality in Egg Grading Law” is in the possession of the Senate.

The PRESIDENT: The Chair will state that it is, having been held at the request of the Senator from Somerset, Senator Carpenter.

Thereupon, on motion by Mr. Carpenter of Somerset, the Senate voted to reconsider its former ac-

tion whereby the bill was passed to be engrossed; and on further motion by the same Senator, the bill was laid upon the table pending passage to be engrossed.

On motion by Mr. Ross of Sagadahoc, the Senate voted to take from the table the 44th tabled matter, being Senate Report from the Committee on Election Laws: "Ought not to pass" on bill, "An Act to Eliminate the Straight Party Ballot in Election." (S. P. 46) (L. D. 74) tabled by that Senator on April 8 pending acceptance of the report.

Mr. ROSS of Sagadahoc: Mr. President and members of the Senate: This bill would do away not with straight party voting but it would eliminate the straight voting box at the top of the ballot.

The day I filed this piece of legislation and before any of you even saw it, one of the members of the Reference of Bills Committee came to me and said he thought this was an excellent idea and it would help his party. That was our good friend and colleague, the Senator from Androscoggin, Senator Lesnard. I am delighted that I am going to get this bipartisan support on this piece of legislation. Of course I am not surprised, because a few years ago the same type of legislation was sponsored by a member of his party, so they do favor the general idea.

Now this splendid bipartisan approach is further evidenced by the fact that the Republican State Committee voted four to one in favor of the legislation. Now what predicated my submitting this bill? There really were several reasons.

During the last campaign when I asked persons whether they were Republicans or Democrats, in either case if they were Republicans or Democrats they would tell me they were one way or the other, but of course they voted for the best man. Now this being so, and it probably should be so, why should we give opportunity for pressure groups, be they political or otherwise, to talk voters into placing one "X" at the top of the ballot in fear of spoiling their ballot or defeating any one candidate? I maintain that it is grossly unfair,

that it is giving certain candidates votes that might have gotten them in and it is depriving others of votes that they might have gotten. If we eliminated that, there are those who say they might not know everyone on the ballot. I say it is much fairer to leave both of the items blank in that case than to vote for the one person that you did not know.

Now why was this started? It was started by professional politicians who were more interested in their party, often for selfish motives, than any candidates for Governor. They determined that if they had one good man at the top of the ticket he could carry in party hopefuls. I maintain that if a man is not competent enough to garner votes for himself perhaps he should not be running in the first place.

Some of my opposition have said that I am trying to do away with the two-party form of government. This is absolutely absurd, and, as a proof, let us look at other ballots and what could have been done if this were my intention.

In 26 states they have the party-column form of ballot, and that is the form of ballot that we have, with Republicans listed on one side and Democrats listed on another. Of these 26 states, I will admit that one-half of them have a provision for straight voting. Now the other eighteen states — there are others, but the other eighteen states have what they call an office type ballot. Now in this office type ballot the persons' names are listed according to the office they are running for. They are either rotated according to their party affiliations or they are listed alphabetically or they are drawn by lot. Of these eighteen states only three have any provision for straight party voting. Now evidently one-half of the states consider their voters very unenlightened, because not only do they have a chance to vote a straight ticket but they also have the symbol up at the top of the Republican elephant or Democratic donkey just in case their voters cannot read the words "Republican" or "Democrat." I maintain that the voters in Maine certainly do not fall into that category. But if we did want

to do away with the two-party system we would advocate one of two things: we would advocate having just one long list of persons running, with their names and parties intermingled, or, better still, we would do what four other states do: we would have no party designations at all.

It has been said that those four southern states do that in their effort to confuse the negro when he wants to vote for a Republican. Now if this had political connotations from the Republican Party in this State we would probably advocate something like that to confuse our good friends who might like to vote for a Democrat. But we do not feel that way. We feel that it is in the interests of good government, that it would insure good candidates, that it is fairer to all aspirants and that it would insure fewer spoiled ballots. Of course you can still vote a straight ticket. All you have to do is spend a few seconds longer and put an "X" after everyone's name all the way down. For those who say that is too complicated, I will say that I do not believe that to devote a few extra seconds for one of our most cherished possessions, the right to vote, is very complicated. We have absolutely no desire to hide any inferior candidates under the guise of one or two competent or popular candidates. In the final analysis, we believe that the people of Maine are sufficiently astute and have enough common sense so that we should not insult their intelligence by putting this box at the top of the ballot that even suggests that they be led blindly down the ballot in fear of spoiling their vote or that one candidate they want might not be elected. So I move to substitute the bill for the report, and when the vote is taken I would request a division.

Mr. WOODCOCK of Penobscot: Mr. President and members of the Senate: In response to the comments of the Senator from Sagadahoc, Senator Ross, and in support of the position that the Committee on Election Laws took in this matter, I rise to state that his bill has created a great deal of interest throughout the State. It was heard a number of weeks ago. We

had a good hearing of perhaps an hour, and eventually in executive session we thoroughly discussed it and came out with a unanimous "Ought not to pass" report.

Now with some of the arguments of the Senator from Sagadahoc, Senator Ross, I certainly agree. It seems to me that you are really not changing it a great deal because you are going to vote straight either way. As far as a few seconds go, I certainly agree there too: it would take a little longer to X-down say ten names than it would one, but the effect is precisely the same. In other words, what does this seek to accomplish?

We all know that in order to qualify to vote in the State of Maine you have to pass a test. Part of that test is that you have to be able to read. What they usually do is to refer to the prospective voter the Constitution of the State and after a few words are read by him that qualifies him as passing that test. So, so far as any use of a symbol at the top of the ballot is concerned — and Senator Ross did not say there was to be any such use — it seems to me it would not be germane, because a person has to read in order to become a voter, and if he cannot it is a violation of law which comes down to the individual case. I have never heard of one or heard one directed to my attention at least.

Senator Ross did mention that a certain Republican group took a vote. I think the vote was twelve to three, and when it was taken there were nine abstentions. Be that as it may, I do not see this in a partisan flavor at all. There may be areas in the State that would prosper or lose a little bit if this were to be enacted or otherwise. But what I wish to place before you for your consideration is the interest of the State as a whole.

I do not think that we should try to tamper with the ballot and to sectionally legislate in this important item, and that, I suggest, is what we would be doing.

There was testimony brought out at the hearing that this area or that might fare a little bit better if it were to be changed. I think it has worked out pretty well. I

am not just trying to stick to the old tried and true, but I wonder if we would not be acting a little bit hastily in this matter. To excise the big box X I do not think would accomplish very much good at all. As far as bringing candidates through on the coattails of an attractive smile, all well and good, but both parties can play at that game, if that is what it is, and I do not think that anyone is trying to bring along inferior candidates through that medium. I cannot believe that it would insure better candidates merely to take the blank big box X away from the top of the ticket. It has been tried in one state, I must say in all frankness. I remember recently reading in one of the national magazines where they assigned to that change some Republican victories. Be that as it may, in this particular State, I cannot believe that it would apply in Maine.

In closing, I just want to state one thing more: that I do not think it is a matter of party. As I say, there may be points where it would be such, but, overall, I think the entire interest of the people of the State should be paramount in this issue. Therefore I shall vote against the motion of the Senator from Sagadahoc, Senator Ross, that the bill be substituted for the report of the committee.

Mr. LESSARD of Androscoggin: Mr. President and members of the Senate: I do recall a conversation that I had with the good Senator from Sagadahoc, Senator Ross. However, what he didn't say and what I did add was that it would be good for Androscoggin County because we have a few in Androscoggin County who just won't vote for a Democrat — just a few, I say. So I thought it would be good for the Democratic Party in Androscoggin County because we would then have them all. However, we are very happy with the system as it exists now. I think we have done very well. The Democratic Party has been fairly successful in the last few elections. We are very happy, we feel that we are making strides forward, and I think that we will continue to present to the people good candidates from top to bottom. We feel

that all the way through we have presented good, strong candidates, and we feel that the people are very capable of voting the straight ticket or of splitting it if they wish. I disagree with the Senator from Sagadahoc, Senator Ross, that there would be fewer spoiled ballots. I am afraid there will be some more spoiled if we do away with the boxes, because we are so used in Androscoggin County to voting the straight Democratic ticket.

As I say, we are very happy with the situation as it now exists. We are going forward and we anticipate greater gains. Therefore I am going to say I am against the motion of the Senator from Sagadahoc, Senator Ross.

Mr. FARLEY of York: Mr. President and members of the Senate: Representing York County, I may say, as you know, a cross section of Republican leaders almost instructed me to vote against the Senator from Sagadahoc, Senator Ross, which I am going to do, because they have people who just make a cross and stop.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Sagadahoc, Senator Ross, to substitute the bill for the ought not to pass report; and a division has been requested.

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

Thereupon, the "Ought not to pass" report of the committee was accepted.

Sent down for concurrence.

Mr. CARPENTER of Somerset: Mr. President, I would like to inquire if L. D. 785, "Resolve Permitting Ice Fishing in Certain Ponds in Androscoggin and Kennebec Counties" is in the possession of the Senate?

The PRESIDENT: The Chair will state that it is, having been held at the request of the Senator from Somerset, Senator Carpenter.

Thereupon, on motion by Mr. Carpenter of Somerset, the Senate voted to reconsider its action of yesterday whereby the resolve was passed to be engrossed; and on further motion by the same Senator, the resolve was laid upon the

table pending passage to be engrossed.

The PRESIDENT: At this time the Chair would like to welcome to the Senate Chamber, the members of Thomaston High School, specifically the members of the American History Class, accompanied by Francis Leary and Clarence Woodbury. It is a real pleasure to welcome you young people and on behalf of the Maine Senate, we trust you will have a pleasant and educational day here in the State House. A very cordial welcome to you all.

We also have another group of young folk here in the Senate gallery, the Morrill Village School students accompanied by Mrs. Nellie Blood, their teacher. It is a real pleasure to welcome you here this morning and we trust that you will spend a very pleasant day here in Augusta and at the State Capitol. (Applause)

On motion by Mr. Willey of Hancock, the Senate voted to take from the table the 83rd tabled matter, being bill, "An Act Relating to Inheritance Tax Exemptions for Husbands or Wife." (S. P. 29) (L. D. 9) tabled by that Senator on April 21 pending assignment for second reading, and on further motion by the same Senator, the bill was tomorrow assigned for second reading.

On motion by Mr. Bates of Penobscot, the Senate voted to take from the table the 51st tabled matter, being Senate Report from the Committee on Claims "Ought not to pass" on "Resolve, in Favor of Ronald and Nancy Bradstreet of Beverly, Massachusetts." (S. P. 353) (L. D. 1008) tabled by that Senator on April 10 pending acceptance of the report; and that Senator yielded to the Senator from Somerset, Senator Carpenter.

Mr. CARPENTER of Somerset: Mr. President and members of the Senate: I want to thank the Senator from Penobscot, Senator Bates, for tabling this matter while I was absent from the Senate the other day.

It so happened that Ronald and Nancy Bradstreet of Beverly, Massachusetts were touring through Maine on their honeymoon and were coming down through the Jackman region through the Carratunk valley in the month of January. At that particular time there was a lot of ice in the road and a lot of water. They went down into this particular section of the road once and had to back back. The State did have an employee there who was looking after the road conditions. In their second attempt they did get mired in the water and mud and they suffered quite a severe loss, particularly to the bride, who was on her honeymoon, through the loss of a great deal of her trousseau. It was certainly a very, very sad situation. I believe the State was negligent in permitting them to make the second attempt to go through this particular portion of the road. I am fairly familiar with it because I live near there and I have seen this occasion happen many times.

In the original bill I believe they asked for fifteen hundred dollars, and I might say that is probably too high. I will read a list of some of the articles that Mr. and Mrs. Bradstreet lost:

1 man's vest, 1 bathrobe, 1 petticoat, 2 nightgowns, 4 shirts, 1 pair slacks, 2 pairs slippers, three dresses, 1 woman's coat, 1 pair man's shoes, 1 pair woman's shoes, 1 travelling kit, 1 leather manicure set, 2 slips, 4 pair socks, 4 pairs nylon stockings, 1 girdle, 2 brasieres, 1 pair brown shoes, 1 pair black shoes, 2 jewelry cases, 2 pair gloves, 2 pairs mittens, 1 pair ski goggles, 1 pair pants, 2 shirts, 1 portable radio. Besides that there was considerable damage done to the automobile: Damage to the automobile and radio, \$255.00, damage to clothing and personal effects \$400, damage to motion picture camera and film, \$40, damage to five suitcases, \$130, charges incurred for towing, replacement of oil and gasoline, oil filter, greasing and labor \$36.85, dry cleaning charges for clothing \$41.75.

I might say they certainly were very fortunate because when they got out of the car they were practically knee-deep in water. It was

a wonder to me they did not die from cold, perhaps resulting in a more serious claim against the State, I do feel that the State was negligent in permitting them to go through that area where they did have a man there acting on that condition of the road. Therefore I am going to move that the bill be substituted for the "Ought not to pass" report of the committee, and if it is I will submit an amendment which I think will make them very happy and will probably make the Claims Committee happy as well as the State of Maine.

The PRESIDENT: The question is on the motion of the Senator from Somerset, Senator Carpenter, that the resolve be substituted for the report.

Mr. PARKER of Piscataquis: Mr. President and members of the Senate, I must rise to oppose the motion of my good friend, the Senator from Somerset, Senator Carpenter, for two or three reasons.

First of all let us examine briefly the cause of the accident.

The two people who were in the car, Ronald and Nancy Bradstreet of Beverly, Massachusetts were in the State of Maine on their honeymoon. They were coming down Route 201 from Jackman to Skowhegan. They approached a stretch of road that was flooded over because of an ice jam in the Kennebec River. The Highway Commission having been notified of this, had at the place a patrolman in the employ of the Highway Department to warn people, passengers in vehicles, that they should not attempt to drive over this flooded piece of road but should take a detour which had been prepared for their passage by the dangerous place in Route 201.

It seems that at about the time this car arrived, the flooding caused by the ice jam in the Kennebec River had backed up to the point where it had not only flooded the Route 201 but was beginning to seep into the detour which was only a short distance away. Now keep in mind that this car in which these two people were riding was heavily loaded with, as I would agree with Senator Carpenter, many things probably in suitcases

and so forth. Some of these things were quite heavy. At any rate this car was very heavily loaded. The by-pass or detour had been constructed I understand from the evidence at the hearing, by a bulldozer and gravelled very heavily so that it was suitable under normal conditions for passenger cars. But, because of the ice jam, the water was rising and it was beginning to be noticeable in the tracks on the detour. Water was beginning to soften up the detour, at the time the car arrived.

We had at the hearing a statement made by Mr. Donald Dwyer, the gentleman who was employed by the Highway Department and I shall attempt to quote him. It was this, that at the time the Bradstreets arrive with their heavily loaded car, he told them this: "Do not attempt to go down Route 201, take the detour. It is, we believe, satisfactory at this time but be very careful in your driving." Mr. Bradstreet who was driving, went through safely the first time he made the attempt, but as he was arriving at the very last end of the detour, because his car was heavily loaded, he found he could not make a little sharp pitch, a small hill to arrive at Route 201. At that point the employee of the Highway Commission, Mr. Donald Dwyer went down where he was and he said, "Why don't you leave your car right here. We will have it pulled out on to Route 201. I am afraid if you attempt to back up you will run into difficulty."

They talked the matter over and decided they would back up back on to Route 201, and at that point Mr. Dwyer did not offer any more advice. They backed back through the detour and again Mr. Dwyer cautioned them not to attempt to drive through it because they could not make it the first time and probably would not the second. They did not heed his advice and made the second attempt and as they got nearly through the second time exactly in the spot where they found they could not go up over this short hill they were stalled. They immediately tried to get out of their car, and at that time the water in the Kennebec had risen to a point where it was beginning

to come in there, and in attempting to back through this water did come up over the rear end of the car where most of their valuables were stored.

The whole point to consider, as I see it, is: Did the Highway Department in any way fail to do their duty in having a man at this place explaining to people who were using the highway what they should do and should not do; and because of the fact these two people were told they should not attempt to drive through this detour on the second attempt, did the Highway Department fulfil what you and I believe to be good common sense? Did they legally carry out what we consider to be the law in the State of Maine, which is, when you have a dangerous place in the road that you should have someone there at night with a light or a lantern to warn people? Or was this entirely the responsibility of Mr. and Mrs. Bradstreet who attempted to go through the second time after they had been told that they were attempting to do something that was dangerous and that they were doing it on their own responsibility? I think that is the point to be considered. It was the unanimous opinion of the committee that Mr. and Mrs. Bradstreet were attempting to go where they had been warned it was dangerous and that they should not have attempted on their second trip to make this detour. It was the

unanimous recommendation of the committee that Mr. and Mrs. Bradstreet should not receive a penny, because they were exercising their own judgment after having been warned the danger was there. I certainly hope you will give consideration to the need of our paying just debts, but something of this sort in my estimation is entirely out of any damage the Highway Department should be called upon to pay. I shall oppose the motion.

The PRESIDENT: The question is on the motion of the Senator from Somerset, Senator Carpenter, that the resolve be substituted for the ought not to pass report of the committee.

Mr. PARKER of Piscataquis: Mr. President, I ask for a division.

A division of the Senate was had.

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

Thereupon, the Ought not to pass report was accepted.

Sent down for concurrence.

The PRESIDENT: The Chair would remind the members of the Senate that the session tomorrow is at one P.M. and on Monday next it is at 4 P. M.

On motion by Mr. Dunn of Kennebec,

Adjourned until tomorrow afternoon at one o'clock.