

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Ninety-Third Legislature

OF THE

STATE OF MAINE

1947

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, March 6, 1947

The House met according to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Walter Towle of Unity.

Journal of yesterday read and approved.

Papers from the Senate

From the Senate: Bill "An Act to Permit Counties to Contribute for Advertising Resources" (S. P. 431) (L. D. 1219)

Came from the Senate referred to the Committee on Counties.

In the House, referred to the Committee on Counties in concurrence.

From the Senate: Bill "An Act to Revise the Sea and Shore Fisheries Laws" (S. P. 430) (L. D. 1218)

Came from the Senate referred to the Committee on Sea and Shore Fisheries.

In the House, referred to the Committee on Sea and Shore Fisheries in concurrence.

From the Senate: Bill "An Act relating to Limitation of the Number of Liquor Licenses" (S. P. 434) (L. D. 1220)

Came from the Senate referred to the Committee on Temperance.

In the House, referred to the Committee on Temperance in concurrence.

Senate Reports of Committees

Ought to Pass in New Draft Amended by Senate Amendment

Report of the Committee on Legal Affairs on Bill "An Act to Repeal the Incorporation of the Norway Village Corporation" (S. P. 169) (L. D. 424) reporting same in a new draft (S. P. 413) (L. D. 1162) under same title and that it "Ought to Pass"

Came from the Senate with the Report read and accepted and the new draft passed to be engrossed as amended by Senate Amendment "A."

In the House, Report read and accepted in concurrence, and the Bill was read twice.

Senate Amendment "A" read by the Clerk as follows:

Senate Amendment "A" to S. P. 413, L. D. 1162, Bill "An Act to

Repeal the Incorporation of the Norway Village Corporation."

Amend said Bill by striking out in the 1st and 2nd lines of section 4 thereof the words "upon its approval by the governor" and inserting in place thereof the following: '90 days after the adjournment of this legislature'

Senate Amendment "A" was adopted in concurrence, and the Bill was assigned for third reading tomorrow morning.

Ought to Pass with Committee Amendment

Report of the Committee on Judiciary on Bill "An Act relating to the Van Buren Municipal Court" (S. P. 203) (L. D. 590) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A."

In the House, Report read and accepted in concurrence and the Bill was read twice.

Committee Amendment "A" read by the Clerk as follows:

Committee Amendment "A" to S. P. 203, L. D. 590, Bill "An Act Relating to the Van Buren Municipal Court."

Amend said bill by inserting in the 1st line of the 2nd paragraph of that part designated as "Sec. 1" thereof, after the word "judge" the following underlined words: 'shall be a member of the bar and'

Committee Amendment "A" was adopted in concurrence, and the Bill was assigned for third reading tomorrow morning.

Report of the Committee on Legal Affairs on Bill "An Act to Incorporate the Parkman School District" (S. P. 147) (L. D. 342) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A."

In the House, Report was read and accepted in concurrence and the Bill read twice.

Committee Amendment "A" read by the Clerk as follows:

Committee Amendment "A" to S. P. 147, L. D. 342, Bill "An Act to Incorporate the Parkman School District."

Amend said bill by inserting in line 2 of section 2 thereof, after the clause, "as are herein provided," the following clause enclosed in brackets:

'(Except election of teachers who shall serve in the said schools and the fixing of their salaries, the course of study, the terms of school and all other matters pertaining to the education of pupils, which matters shall be controlled by the school board)'

Committee Amendment "A" was adopted in concurrence, and the Bill was assigned for third reading tomorrow morning.

Non-Concurrent Matter

Bill "An Act relating to Billboards" (H. P. 1390) (L. D. 1009) which was referred to the Committee on Judiciary in the House on February 19th.

Came from the Senate referred to the Committee on Maine Publicity in non-concurrence.

In the House, on motion by Mr. Rollins of Greenville, the House voted to recede from its former action whereby this Bill was referred to Committee on Judiciary, and concurred with the Senate in the reference of the Bill to the Committee on Maine Publicity.

The following Bills and Resolve transmitted by the Revisor of Statutes, pursuant to Joint Order, were received and upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Federal Relations

Bill "An Act relating to Reimbursement to the Federal Government by Reason of Certain Recoveries" (H. P. 1593) (Presented by Mr. Silsby of Aurora)

(Ordered printed)

Sent up for concurrence.

Inland Fisheries and Games

Resolve Regulating Dipping of Smelts in Lake Cobbosseecontee (H. P. 1594) (Presented by Mr. Fowler of Augusta)

(Ordered printed)

Sent up for concurrence.

Public Utilities

Tabled

Bill "An Act to Establish the Old Orchard Beach Sewage District" (H.

P. 1595) (Presented by Mr. Marshall of York by request)

(On motion by Mr. Woodworth of Fairfield, tabled pending reference and ordered printed)

Taxation

Tabled

Bill "An Act Imposing a Personal Income Tax and a Sales and Use Tax to Raise Additional Revenue and Equalize the Tax Burden" (H. P. 1596) (Presented by Mr. Elliott of Corinth)

(On motion by Mr. Lord of Camden, tabled pending reference and 2,000 copies ordered printed)

Temperance

Bill "An Act relating to Liquor Licenses in Unorganized Territory" (H. P. 1597) (Presented by Miss Longstaff of Crystal)

(Ordered printed)

Sent up for concurrence.

House Reports of Committees

Divided Report

Tabled

Majority Report of the Committee on Motor Vehicles reporting "Ought not to pass" on Bill "An Act relating to Operators' Licenses" (H. P. 934) (L. D. 551)

Report was signed by the following members:

Messrs. Cross of Kennebec
McKusick of Piscataquis
Noyes of Hancock
—of the Senate.

Plummer of Lisbon
Christensen of Calais
Thomas of Hampden
Cole of Portland
Berryman of Sidney
—of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Messrs. Allen of Portland
Brewer of Presque Isle
—of the House.

(On motion by Mr. Smith of Westbrook, the two Reports, with accompanying papers, were tabled pending acceptance of either Report)

Divided Report

Report A of the Committee on Taxation reporting "Ought to pass" on Bill "An Act Assessing a Poll-

Tax on Females" (H. P. 1224) (L. D. 79)

Report was signed by the following members:

Messrs. Haskell of Penobscot
Ela of Somerset

—of the Senate.

Jordan of Saco
Dorsey of Fort Fairfield
Morison of Wilton

—of the House.

Report B of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Messrs. Noyes of Hancock

—of the Senate.

Burton of Milo
Burgess of Limestone
Lombard of Yarmouth
Elliott of Corinth

—of the House.

(On motion by Mr. Cousins of Fort Kent, the two Reports, with accompanying papers, were tabled pending acceptance of either Report)

Leave to Withdraw

Mr. DeSanctis from the Committee on Claims on Resolve in favor of Henry A. Moulton Jr., of Biddeford (H. P. 890) (L. D. 595) reported leave to withdraw.

Same gentleman from same Committee reported same on Resolve in favor of Harlan L. Leighton of Scarborough (H. P. 1373)

Mr. Thomas from the Committee on Motor Vehicles reported same on Bill "An Act relating to Lost Number Plates" (H. P. 1197) (L. D. 852)

Reports were read and accepted.

Ought Not to Pass

Mr. Stetson from the Committee on Banks and Banking reported "Ought not to pass" on Bill "An Act relating to Industrial Banks" (H. P. 1142) (L. D. 860)

Reports were read and accepted.

Refer to the Committee on Judiciary

Mr. Williams of Topsham from the Committee on State Lands and Forest Preservation on Resolve Authorizing the Forest Commissioner to Convey the State's Interest in Certain Lands (H. P. 955) (L. D. 558) reported that same be referred to the Committee on Judiciary.

Report was read and accepted and the Resolve referred to the

Committee on Judiciary and sent up for concurrence.

Ought to Pass Printed Bills

Mr. Burgess from the Committee on Banks and Banking reported "Ought to pass" on Bill "An Act relating to Profits and Losses of Loan and Building Associations and/or Savings and Loan Associations" (H. P. 1144) (L. D. 744)

Mr. Morison from same Committee reported same on Bill "An Act relating to Capital Stock of Loan and Building Associations and/or Savings and Loan Associations" (H. P. 1145) (L. D. 745)

Mr. Allen from the Committee on Motor Vehicles reported same on Bill "An Act relating to the Excise Tax on Motor Vehicles" (H. P. 1195) (L. D. 821)

Mr. Cole from same Committee reported same on Bill "An Act relating to Inspection of Motor Vehicles" (H. P. 1193) (L. D. 781)

Mr. Berryman from the Committee on Salaries and Fees reported same on Bill "An Act to Increase the Salary of the County Attorney in Sagadahoc County" (H. P. 625) (L. D. 385)

Mr. Campbell from same Committee reported same on Bill "An Act Increasing the Salary of the Register of Deeds in Sagadahoc County" (H. P. 184) (L. D. 132)

Same gentleman from same Committee reported same on Bill "An Act to Increase the Salary of the County Attorney and Assistant County Attorney in Penobscot County" (H. P. 1203) (L. D. 823)

Same gentleman from same Committee reported same on Bill "An Act relating to Clerk Hire in County Offices in Sagadahoc County" (H. P. 185) (L. D. 133)

Mr. Collins from same Committee reported same on Bill "An Act to Increase the Salary of the Sheriff of Penobscot County" (H. P. 687) (L. D. 443)

Mr. Kent from same Committee reported same on Bill "An Act relating to the Salary of the Recorder of the Brunswick Municipal Court" (H. P. 187) (L. D. 135)

Mr. Sleeper from same Committee reported same on Bill "An Act Increasing the Salary of the Recorder of Eastport Municipal Court" (H. P. 509) (L. D. 330)

Same gentleman from same Committee reported same on Bill "An Act relative to the Salary of the Judge of the Brunswick Municipal Court" (H. P. 469) (L. D. 303)

Reports were read and accepted, and the Bills, having already been printed, were read twice under suspension of the rules and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Meloon from the Committee on Banks and Banking on Bill "An Act Authorizing Loan and Building Association and/or Savings and Loan Associations to Adopt Pensions and Retirements" (H. P. 1143) (L. D. 743) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Bill, having already been printed, was read twice under suspension of the rules.

Committee Amendment "A" read by the Clerk as follows:

Committee Amendment "A" to H. P. 1143. L. D. 743. Bill, "An Act Authorizing Loan and Building Associations and/or Savings and Loan Associations to Adopt Pensions and Retirements."

Amend that paragraph of said bill designated as "Sec. 171-A" by inserting in the first line thereof before the word "loan" the following underlined word any and by striking out in the same line the word "associations" and inserting in place thereof the underlined word association

Committee Amendment "A" was adopted and tomorrow assigned for third reading of the Bill.

Tabled

Mr. Snow from the Committee on Legal Affairs on Bill "An Act to Provide a Town Council and Manager Form of Government for the town of Old Orchard Beach" (H. P. 20) (L. D. 11) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

(Report was read and accepted, and on motion by Mr. Marshall of York, tabled pending first reading.)

On motion by Mrs. Hatch of Minot, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

Mr. Berryman from the Committee on Salaries and Fees on Bill "An Act to Increase the Salary of Sheriff in Sagadahoc County" (H. P. 626) (L. D. 386) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Bill, having already been printed, was read twice under suspension of the rules.

Committee Amendment "A" read by the Clerk as follows:

Committee Amendment "A" to H. P. 626, L. D. 386. Bill, "An Act to Increase the Salary of Sheriff in Sagadahoc County."

Amend said Bill by striking out in the fifth line thereof the figure "\$2,600," and inserting in place thereof the figure '\$2,500'.

Committee Amendment "A" was adopted, and the Bill was assigned for third reading tomorrow morning.

Mr. Collins from the Committee on Salaries and Fees on Bill "An Act relating to Salaries of Judge and Recorder of the Bath Municipal Court" (H. P. 182) (L. D. 130) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Bill, having already been printed, was read twice under suspension of the rules.

Committee Amendment "A" read by the Clerk as follows:

Committee Amendment "A" to H. P. 182, L. D. 130. Bill, "An Act Relating to Salaries of Judge and Recorder of the Bath Municipal Court."

Amend said bill by striking out in the eleventh line thereof the figure "\$1101," and inserting in place thereof the figure '\$1,900.'

Committee Amendment "A" was adopted and tomorrow assigned for third reading of the Bill.

Mr. Collins from the Committee on Salaries and Fees on Bill "An Act Increasing the Salary of the County Treasurer of Sagadahoc County" (H. P. 183) (L. D. 131) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Bill, having already been printed, was read twice under suspension of the rules.

Committee Amendment "A" read by the Clerk as follows:

Committee Amendment "A" to H. P. 183, L. D. 131, Bill "An Act Increasing the Salary of the County Treasurer of Sagadahoc County."

Amend said Bill by striking out in the fifth line the figure "\$1,000" and inserting in place thereof the figure '\$1,200'.

Committee Amendment "A" was adopted, and the Bill was assigned for third reading tomorrow morning.

Mr. Sleeper from the Committee on Salaries and Fees on Bill "An Act Increasing the Salary of the Judge of Probate in Sagadahoc County" (H. P. 623) (L. D. 388) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Bill, having already been printed, was read twice under suspension of the rules.

Committee Amendment "A" read by the clerk as follows:

Committee Amendment "A" to H. P. 628, L. D. 388, Bill "An Act Increasing the Salary of the Judge of Probate in Sagadahoc County."

Amend said Bill by striking out in the fifth line thereof the figure "2,000" and inserting in place thereof the figure '\$1,750'.

Committee Amendment "A" was adopted, and the Bill was assigned for third reading tomorrow morning.

Mr. Sleeper from the Committee on Salaries and Fees on Bill "An Act Increasing the Salary of the Register of Probate in Sagadahoc County" (H. P. 627) (L. D. 387) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Bill, having already been printed, was read twice under suspension of the rules.

Committee Amendment "A" read by the Clerk as follows:

Committee Amendment "A" to H. P. 627, L. D. 387, Bill "An Act Increasing the Salary of the Register of Probate in Sagadahoc County."

Amend said Bill by striking out in the fifth line thereof the figure "\$1,800" and inserting in place thereof the figure '\$1,500'.

Committee Amendment "A" was adopted, and the Bill was assigned

for third reading tomorrow morning.

Passed to be Engrossed

Bill "An Act relating to Gasoline and Use Fuel Tax on Maine Turnpikes" (S. P. 93) (L. D. 144)

Resolve in favor of Teacher-Pension Status of Martha O. Crosby of Benton (H. P. 1158) (L. D. 1226)

Resolve Establishing the Opening Date for Open Water Fishing in Somerset County (S. P. 106) (L. D. 239)

Resolve Opening Cushman Pond in the town of Sumner to Ice Fishing (S. P. 139) (L. D. 334)

Resolve Opening Northeast Pond in the town of Hartford to Ice Fishing (S. P. 140) (L. D. 335)

Were reported by the Committee on Bills in the Third Reading, Bill read the third time, Resolves read the second time, all passed to be engrossed and sent to the Senate.

Amended Bill

Bill "An Act relating to Commitment of Children to the Custody of Certain Officers" (H. P. 659) (L. D. 457)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended and sent to the Senate.

Passed to be Enacted Emergency Measure

An Act to Incorporate the Hartland School District (H. P. 851) (L. D. 507)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of the entire elected membership of the House being necessary, a division was had, 126 voted in favor of same and none against, and accordingly, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to be Enacted

An Act Amending the Law relative to Publication of Notice of Hearing on Applications for Liquor Licenses (S. P. 73) (L. D. 65)

An Act relating to Registration or Transfer of Securities to or by Fiduciaries or Their Nominees (S. P. 82) (L. D. 108)

An Act relating to the Board of Registration of Nurses (S. P. 125) (L. D. 290)

An Act to Provide for Plant Railroads (S. P. 133) (L. D. 282)

An Act relating to Validity of Signature of Outgoing State Controller (S. P. 142) (L. D. 337)

An Act relating to Liens on Articles of Clothing and Household or Office Goods (S. P. 143) (L. D. 338)

An Act relating to Service of Writs in Western Somerset Municipal Court (S. P. 160) (L. D. 400)

An Act Permitting Soil Conservation Districts to Acquire Surplus Property (S. P. 161) (L. D. 398)

An Act Defining and Authorizing the Use of a System of Plane Coordinates for Designating and Stating Positions of Points on the Surface of the Earth Within the State of Maine (H. P. 170) (L. D. 150)

An Act relating to Disposition of Uncollectible Accounts Due the State (H. P. 220) (L. D. 158)

An Act to Change the Name of the Maine Universalist Convention (H. P. 495) (L. D. 317)

An Act relating to System of Records and Accounting by Maine Teachers' Retirement Board (H. P. 497) (L. D. 319)

An Act relating to Duties of the Deputy Treasurer of State (H. P. 498) (L. D. 320)

An Act to Authorize the town of York to Construct Tide Water Gates (H. P. 609) (L. D. 374)

An Act Validating Certain Divorces (H. P. 920) (L. D. 544)

Resolve Designating an Expiration Date for the Civilian Defense Act (H. P. 843) (L. D. 533)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed. Bills passed to be enacted, Resolve finally passed, all signed by the Speaker and sent to the Senate.

Orders of the Day

The SPEAKER: The Chair lays before the House the first item of unfinished business, House Report "A" "Ought to pass" and House Report "B" "Ought not to pass" of the Committee on Motor Vehicles on Bill "An Act Relating to Operators Licenses." (H. P. 10) (L. D. 9), tabled on February 27th by the gentleman from Portland, Mr. Allen, pending acceptance of either report. The Clerk will read the Committee Report.

(Committee Report read by Clerk)

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Allen.

Mr. ALLEN: Mr. Speaker and Members of the House: At the end of a few remarks, I shall move the acceptance of House Report "A" "Ought to pass" on this measure.

First, may I briefly explain this measure; secondly, my reasons why I feel it is for the benefit of our people if it should receive passage by this Legislature. Legislative Document 9 provides in brief that no person shall be able to receive an operator's license to drive an automobile in the State of Maine until they are sixteen rather than the present fifteen years of age. It further provides that young people sixteen and seventeen shall be able to operate a motor vehicle in the daytime only. If the House sees fit to adopt Report "A" "Ought to pass," at the end of the second reading I shall submit an amendment, which has already been published under Filing No. 40, taking out the words "motor vehicle" and substituting the words "commercial vehicle" in order that young persons sixteen and seventeen shall not be deprived of earning a living during the summer time, especially for summer camp work, and also because many young people sixteen and seventeen are hired by small businesses and shops to drive delivery wagons.

First of all, let us examine why this bill is introduced. I think each of us is well aware of the reason. It was presented by me as a public safety measure and I make no apology to any group or to any individual for filing a measure which I feel will save the lives of people in this state.

Two years ago in the Legislature we had a bill regarding lights on snowplows and sanding trucks and there was a great deal of opposition in the House because primarily the lights were hard to obtain and it cost \$29.50 to put those lights on. The Legislature passed that bill and today in going down the highways you will see the blue and red blinking lights on sanding trucks and snowplows. That also was a public safety measure. The State Police tell me that accidents from that cause have been eliminated practically one hundred per cent.

Now these measures are not popular. These measures cause a great deal of inconvenience. This measure which I have here before you today will obviously hinder young people of high school age. I think the facts warrant, however, the passage of this bill. Here is a newspaper clipping. It is in the middle of the back page and what does it say: "Appleton, Iowa, February 2nd (P) Five teen-agers were killed today when the automobile in which they were returning from a dance collided with an Illinois Central railroad train at a crossing in this north central Iowa town." That does not mean much to us. You say, "It is just too bad." We do not know the individuals. But we might be members of the family. Those five people are five of the forty thousand in the United States who are killed annually in a slaughter which Americans take for granted until it hits home; until it hits a member of your family; your son, your daughter, your brother, your sister, your mother or your father. The fact that half a million Americans are injured, some crippled for life, should mean something to all of us. America has done nothing. America has done nothing to eliminate the cause of its great number of accidents and deaths. More people are killed in automobiles in the United States than any war the country has taken part in. And what do we do? Very little. The National Safety Council puts out a few pamphlets. We pick up our newspaper, the Kennebec Journal, or the Portland Press Herald, or the Bangor Daily News, and we read of an accident in Portland, Houlton or Fort Kent or across the country, and we take it for granted like we take it for granted we will see the weather report the next morning.

For selfish reasons, it might be wise to kill this bill. It will affect me. Certainly I have people fifteen or sixteen driving one or two of my trucks. It will affect somebody in Aroostook County and it will affect somebody down in York. If we want to be selfish about this thing, any public safety measure should be killed, but I say it is time that the people in this state and the people in this nation to reduce this toll of American life and American property.

The young people are good drivers. I had two approach me in

Portland about this bill. They debated it at the radio station. They said, "We are good drivers. What is the matter? What are you trying to put us off the road for?" I said, "Of course you are good drivers. Your eyesight is better than mine and your hearing is better than mine. Your reactions and your reflexes are faster." Probably the best drivers in America are young people, but gentlemen, their judgment is not the best. If their judgment is best, why is it when I went across the river to State Police Headquarters I found that ages fifteen, sixteen and seventeen year old drivers, that classification of three years had the highest accident toll of any group for any age?

Why was it that the National Safety Council records and the records of the American Association of Police show that the young people under twenty have an accident rate 89% higher than any other group?

Certainly there are a lot of accidents caused by people twenty-five, thirty and thirty-five. It is a little difficult, however, you will admit, once you have given a license to somebody to take it away from them. What can we do? We can do nothing except at both ends take the licenses away from the very oldest persons and not give the young people their licenses until they reach an age which we think they are more capable and their judgment is better to operate on the highways, where every day and every week persons are killed and where six hundred individuals will die the next week in the United States. It is something to consider.

What about junior operators' licenses? It is something which to my knowledge has not been broached before in the State Legislature in Maine. During the two sessions I have been in the Legislature I have been very much interested as a member of the Committee on Motor Vehicles, and as House Chairman this year, in motor vehicle legislation and public safety legislation.

When I started investigating the possibility of raising the age, because I felt that fifteen was too young to drive a motor vehicle in Maine, or any place else, I looked up to see what other states were doing. I found that quite a few states today have this so-called junior operators' license, which permits the young people to drive in the

daytime only. Some of the states have various regulations. In Maine you could drive only in the daytime. Would it not break these young people in to drive a motor vehicle so that when they become eighteen they would be better drivers than we are? The House approved last week, I believe, a report offered by Representative Bird providing for driver education in secondary schools. That is the fundamental issue in teaching them how to drive. It might be interesting to note the State Police say in their experiment in Rockland High School, for example, they put in just as much time with the students in the class room as they do on the road. I am trying to show here this morning that the young people have not the judgment nor the aptitude even though they have the skill.

Other states are moving in this direction. As a matter of fact only eleven states out of the forty-eight permit young people to drive at fifteen years of age, as does the State of Maine. Most of them are sixteen, seventeen or eighteen before they can drive a motor vehicle.

Junior operators' licenses are in effect in some states. Arkansas, California, Florida, Iowa, Indiana, Kansas, New York, North Dakota, Texas, Tennessee, Pennsylvania, Oregon, Oklahoma, and Ohio. Other states are realizing that the state must do something to cut down this accident rate. President Truman called a safety council a few months ago in Washington. Gentlemen, if we want to be selfish about this thing, if you want to think how it affects you or how it affects me, if you want to say it might inconvenience some because they could not let a fifteen year old boy drive down to the village corner in the nighttime, o. k., but I think in America we have to consider everybody, and I say that this bill will help to cut down the accident rate in this state and in this nation. This bill is offered as a public safety measure.

Members, I certainly hope this measure passes. I urge the acceptance of the House Report "Ought to pass."

The SPEAKER: The question before the House is on the motion of the gentleman from Portland (Mr. Allen) that the House accept the "Ought to pass" report of the committee.

The Chair recognizes the gentleman from Calais, Mr. Christensen.

Mr. CHRISTENSEN: Mr. Speaker and Members of the House: I signed Report "B," "Ought not to pass," because of several reasons. I do not agree with Mr. Allen on all his reasons for that bill. I believe if a young fellow has a license at all and is able to drive in the daytime he should be allowed to drive at any time or else he should not be granted a license at all. Another reason: I believe your danger is in the young fellows from eighteen to twenty-one or twenty-two. I noticed that Mr. Allen, when he gave his accident report, went up to the age of twenty with his accident figures. If he had gone to eighteen, his figures would probably have been much lower. I think a young fellow starting to drive is much more careful than he is after he gets confidence in himself. Another reason: Up where I live we have several outlying districts where there is no school bus. If a man is raising a family today and wishes to give his children a high school education, his children have to come to Calais High School and they have to go home in the dark. If Mr. Allen's bill passes it will deprive these young fellows of a high school education. That is another thing I do not believe in.

Another thing, there are hundreds of fathers who have young fellows growing up who need them in the summer time, in fact they can use them all the year round off and on, but if we put this restriction on they cannot use them but will have to hire a man. The young fellow would not be much good in the field or store or shop, but he can take a man's place behind the wheel and do a good chore for his father. I therefore hope that Mr. Allen's motion does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Fowler.

Mr. FOWLER: Mr. Speaker and Members of the House: Whenever I see a bill that affects the father or the youngster, it causes me to prick up my ears and generally pay attention.

This bill, L. D. 9, raises the age of the operator from fifteen to sixteen when he may obtain a junior license, and to obtain a regular license he must be eighteen. I am very much against this bill.

At the present time a youngster may obtain a license at the age of fifteen.

As we go back into the records a bit, I believe in 1905 the first operator's license law was enacted. It was under the reign of Byron Boyd, who was then Secretary of State in Augusta. At that time the fee for an operator's license was two dollars, the same as it is today. That license was good indefinitely: you did not need to renew it. A car registration at that time was also two dollars and was good until the car was sold. It was my privilege, or I might say I was sentenced to give one of the first driving tests in this State. At that time I was assigned with Secretary of State Frank W. Ball, who was Secretary from 1917 to 1927. A great many of you members will recall Frank Ball.

When the test was given we started from the back entrance of the State House. That was in 1923. The gentleman's name was Edward Hall and he lived in the town of Monmouth. I happened to know Mr. Hall at that time. He drove up here with another party, and, if my recollection serves me correctly he had an old 19 — I won't give the age of the car, but it was an old two-lunged Buick. I do not know as anyone of you ever rode in one. I can well recall walking out that morning to that old car. Ed was in it, and it was shaking like a trembling dog, bucking back and forth, coughing and spitting. I asked Ed: "How is everything?" "Fine, fine." "How are your brakes?" "Good, good; perfect, perfect." We started off. If you recall those old cars, you know you would shoot ahead a couple of feet and get a rebound every time the second cylinder went off. We loped downhill into the street opposite the Governor's mansion. The top was down on the car. Then we began to roll and we shot across State St. Ed threw the wheel over, and the only thing I could grab was the old rubber bulb. We went through hedges and bushes and ended up in an elm tree.

That was my first experience with an operator's test, and that gentleman was not a boy fifteen years old but a man seventy-two years old.

Let us look at the records a bit. I might state that the present law requiring operators' tests was en-

acted in 1937, and that required that each and every operator who had not had a license would be required to take a test before a license was issued, and after the expiration of three years if a person did not hold a license they were required to take a re-examination before a license was issued. It was my privilege to serve with Lieut. McCabe, now Warden at the Maine State Prison, who was at that time connected with the Maine State Police Safety Division, in helping to lay out the various courses in the State for driving tests. They were laid out in Sanford, Bath, Portland, Auburn, Presque Isle and Bangor, I believe. I might state that in the year 1937 the first test was given August 12th in Augusta. In that year there were 1268 tests given, and that increased up to 1940 when I severed my connection with that department, when there were 14,114 tests given.

I have checked with the department down there. I might say that my experience has shown me—I don't know as I know much about it— but in twenty-three or twenty-four years in meeting people on the road as I did when I was connected with the State Police at that time I learned quite a bit about drivers and their reactions, especially on these driving tests. I have found that it is the youngster who knows what it is all about: the clutch is let in and out smoothly, there is very little swinging of the wheel, and if you stop him on a hill he makes a very gentle getaway. The coordination of these youngsters is perfect. But when you are giving a test to a party who is from fifty years old up to sixty or seventy-two and higher, it is some times pitiful. Many of them are shaking all over and their teeth are chattering. It is really pitiful. I have sometimes had to take them out and calm them down before they could take test. I do not know as I recall a case like that where the person was fifteen years old.

As we go into the records, let us see what we find. These records are taken from the statistics of the Court Record Division relative to conviction of respondents for reckless driving in 1946. Marie Haggerman, who has been in that department fifteen years, compiled these statistics for me. What do we find? We start in with persons born in 1931. That would give them an age

of sixteen. There was one conviction for reckless driving, one in the whole year 1946 where a person was sixteen years of age. We go up to the age of seventeen, and how many convictions do we find? We find two convictions in the whole state in 1946 for reckless driving. We go to the age of eighteen, and what do we find? We find eleven convictions. We are jumping up now. There is the age where they want to grant licenses. Among persons of the age of fifteen we find one conviction, and now when we get to persons of the age of eighteen we find eleven convictions. We jump up to the age of nineteen, and what do we find? We find nineteen convictions for reckless driving. We go to the age of twenty and we find twenty-nine convictions. That runs up to a maximum at the age of twenty-three when there were forty-five convictions last year in our courts for reckless driving at the age of twenty-three. Then it tapers down from forty-five convictions at the age of twenty-three until we get up to the age of seventy-two years old, and there was convictions for reckless driving by a party seventy-two years of age.

So it is my conviction that it is not with the youngster of fifteen years of age that the trouble is; it is after they have had a license two or three years they get that cocky spirit. I suppose I had it; I suppose we all had it. That is where the trouble starts, and these figures show it to be so. At the age of eighteen there were eleven convictions, and it increases up to the age of twenty-three when there were forty-five convictions.

Last night it was my privilege to speak at Monmouth Grange, and there were two people who came to me and said, "Mr. Fowler, I hope they do not pass that bill raising the age of operators up to eighteen." One of them said, "I have a son who next year will be fifteen years old, and if he can get his operator's license he can take his sister to school and save me twenty miles of driving every day, and it will be a great help to the family."

I do not know of any bill that affects the farmer, the businessman, in one sense, more than this particular bill here. I have a son twelve years old. Two weeks ago Saturday we drove out to Cobbsseecontee. I had been doing a lit-

tle lumbering out there. I have some good-sized timber along by the shore. My son drove the car and I loosened the logs with a peavey and he dragged them down to the road with the car. I want to tell you that he did as good a job as any man in this House could do. It saved me from hiring a man, and I do not know as I could have hired one even if I could have paid him.

Let us say that this law goes through and they issue junior licenses, and suppose you are a farmer and your tractor breaks down at 3:30 in the afternoon and you want to send down to get some parts. You are busy picking things up and sorting them, so you send little Johnny down, who has obtained his junior operator's license at the age of sixteen. He starts down at 3:30 and gets down to Houlton or Presque Isle or somewhere, and is delayed. Darkness comes along early in the fall. What happens? He gets half way home and darkness overtakes him. The laws says that one-half hour before sunset the lights must be on. He is overtaken by darkness, and under this bill he would not be allowed to drive. He has to hang over there until daylight or you have to send a car after him. You not only have to send a man to drive the car down there but you have to send another man to drive back the car that he went down in. It seems to me that is quite a nuisance.

I hope that the motion made by my good friend, the gentleman from Portland, Mr. Allen, to accept the "Ought to pass" report will not prevail.

The SPEAKER: The Chair recognizes the gentlewoman from Crystal, Miss Longstaff.

Miss LONGSTAFF: Mr. Speaker, I am thinking back over the past four or five years when in Aroostook County it was almost impossible to find drivers for the trucks up there and boys fifteen and sixteen years old did a wonderful job. We did not hear of any amount of unnecessary accidents. I think it would be rather unfair to them at this time to tell them they could not drive at night after they have been doing a marvelous job at a time when we just had to have them.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Brewer.

Mr. BREWER: Mr. Speaker, I am a member of the Motor Vehicles Committee along with my colleague, Mr. Allen, but I signed the report "Ought not to pass." Now for those who have not looked over L. E. No. 9, it is short, and I would like to read it at this time:

"No license shall be issued to any person under 18 years of age except that junior operators' licenses may be issued to minors who have reached the age of 16 years, but who have not reached 18 years of age; provided, however, that such license shall entitle a licensee to operate a motor vehicle, except a commercial vehicle during the day time only."

Now when this bill came up, the gentleman from Portland, Mr. Allen, asked me what my objections were, and I said that it certainly would be disastrous to us in Aroostook County. "Well," he said, "we will amend the bill and we will exempt commercial vehicles." So far as I am concerned, this will not mean keeping the boy at home, because most farms have pick-up trucks and other trucks, and if he cannot drive a car he can get in the truck and drive it. I am thinking of that issue which Miss Longstaff has told you about. In past years these boys have been very valuable to us. We load most of our trucks mechanically. Those boys can drive between the farms and the railroad storage. In a good many cases it is long after dark before they are unloaded and are ready to come back home. Not only that, but I can visualize in my community many people who are physically handicapped who have youngsters, and these youngsters can, with their parents' permission, hold a license after they are fifteen years of age. I will say to you that these youngsters are very valuable in this work. I know of schools in our section of country where, as they have told you, these youngsters drive busses, thus saving manpower. These boys are allowed to drive these youngsters in the daytime.

I think the thought back of this bill is to keep some of these boys off the street, but I submit to this Legislature that in rural communities these youngsters are working through the daytime and it is only after supper and in the early hours of the evening that these youngsters have opportunity in a good many cases to go to places of amusement.

A good many of our wives sometimes do not like to drive an automobile. These youngsters are very valuable to us there. So I say to you, even with Mr. Allen's amendment the thing still seems to be quite out of line. I hope his motion does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Sleeper.

Mr. SLEEPER: Mr. Speaker and Members of the House: I would like to use about two minutes of your time to have you help me keep my peace at home. I had no intention of speaking on this bill, but I received this letter which came through the mail this morning and which I would like to read to the members of the House. It is addressed to Cleveland Sleeper, Jr.—it does not say anything about "Honorably Cleveland Sleeper," and that fact alone is rather ominous. It says: "Dear Pa"—and that "Pa" is rather ominous, because when he feels friendly-like he always calls me "Dad." He says:

"I see by the paper there is a move on foot in Augusta to deny a driver's license to boys until they are eighteen years of age. What are you going to do about it, and what about my job over to Grandpa's next summer?" (Signed) "Rusty."

That letter explains a lot. I do not want to be facetious about it. I am not going to bring in my personal problems, and, since this is personal with me, I really have no right to vote on the matter except that this problem probably deeply affects many youngsters all over the State. My son "Rusty" is barely sixteen, and he has been driving a car one year. He graduated from the Rockland High driving school. I won't use the corny expression and say he can drive better than I can, but I think anyone who has seen him will say that he can. He has taken a rigorous driving test and passed it. Now he writes me, "How about my job with Grandpa?" My grandfather is a farmer. He is not as fortunate as I am, because I have three boys and during the summer my boys work on the farm for Grandpa.

That brings up a point I want to mention. The reason that Rusty is so anxious to work for Grandpa this summer is because his cousin, a boy sixteen years of age, has joined the Marines, and Rusty will get the job

of driving the truck. So I say if a boy sixteen years is old enough to join the Marines and fight for his country he is certainly old enough to drive a car. As one of the previous speakers brought out, the records show they are not reckless drivers. We all know that the reckless driving starts after they reach the age of eighteen, nineteen and twenty.

So I hope, Mr. Speaker, that the motion of the gentleman from Portland, (Mr. Allen) does not prevail, for my own personal and other reasons.

The SPEAKER: Is the House ready for the question? The question is on the motion of the gentleman from Portland, Mr. Allen, that the House accept Report "A" which is "Ought to pass" on Bill, "An Act Relating to Operators Licenses" (H. P. 10) (L. D. 9)

The Chair recognizes the gentleman from Portland, Mr. Allen.

Mr. ALLEN: Mr. Speaker, when the vote is taken, I ask that it be taken by a division.

The SPEAKER: The gentleman from Portland, Mr. Allen, requests a division.

All those in favor of the motion to accept Report "A," "Ought to pass," will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had. Fourteen having voted in the affirmative and one hundred and nine in the negative, the motion did not prevail.

Thereupon Report "B," "Ought not to pass" was accepted.

The SPEAKER: The Chair now lays before the House the second item of unfinished business, Bill "An Act to Provide for the Joining of Towns for the Purpose of Providing Better School Facilities" (H. P. 1511) (L. D. 1111). In the House, Committee on Reference of Bills suggested reference to Committee on Legal Affairs. Tabled on February 27th by the gentleman from Bridgton, Mr. Rankin, pending reference; and the Chair recognizes that gentleman.

Mr. RANKIN: Mr. Speaker and Members of the House: I would like to discuss this question and although I do not like the idea of changing the decision of the Committee on Reference, I think it should be done. It has been done

twice already this morning in regard to other bills. I assume that you will take favorable action upon the motion which I shall make before I sit down, that this bill be referred to the Committee on Education, because you took similar action the other day in the case of a brief bill introduced by Mr. Judkins, the gentleman from Westbrook. That was a very brief bill, but it had all the implications of my longer bill, and, after discussion and action by the Committee of Reference, you will remember that you referred this bill to the Committee on Education. Likewise, you will recall that the gentleman from Presque Isle, Mr. Brewer, referred to a bill which he said was a companion to my bill. That is correct: all three of these bills are companion bills and belong in the same class. They have the same objective precisely, but they are different in form.

Of course I am not going to anticipate what the gentleman from Presque Isle, Mr. Brewer, may say or what action he may take. His bill was likewise laid on the table. He is competent to speak for himself. I feel I must, however, make reference to some reasons for referring this bill to the Committee on Education, because I heard yesterday, from a source regarded as authentic, that there would be some opposition. I believe it should be referred to the Committee on Education because that is what that committee is for: it has to do with educational matters. Not only that, but you have three companion or coordinate bills, and surely they ought to go to the same committee, have a hearing at the same time, and have action taken by one committee. In this case, of course, that would logically be the Committee on Education, because you have already so referred one bill.

Now this bill should go before the Committee on Education because it is not merely a financial bill. It does not merely have to do with our educational structure. It is, let me say a pedagogical bill. We have a very competent committee on Education, some of the members of which are distinguished educators, and they should pass upon this bill.

I am a member of the Committee on Legal Affairs, to which this bill was referred, and naturally I might be regarded as being very partial to that committee. I am very par-

tial to it; I believe it is the best committee we have, but I am against reference of this bill to that committee because I do not believe it belongs there. I did a rather unusual thing: I polled the members of that committee, and they said, "No, we do not want it." Also, I spoke to most of the members of the Committee on Education, and all those to whom I spoke said, "Yes, it belongs to our committee; it is a measure for the Committee on Education." A similar bill two years ago was referred to that committee.

Now I suppose that the reason that the Committee on Reference of Bills proposed the Committee on Legal Affairs was because of the financial matters that appeared in my bill and in the bill of the gentleman from Presque Isle (Mr. Brewer).

We have before us a whole flood of bills which would incorporate school districts, and they are purely financial bills. They have nothing to do with the method of education, with the structure of education, the science of education; they are purely financial bills, and so properly, I assume, they come to the Committee on Legal Affairs. They might with equal propriety be given to one or two other committees. But this bill is different; this bill has financial implications, as most of our bills do, but primarily it is a teaching bill, a pedagogical bill that has to do with the structure of our education and has not to do primarily with the building of new school buildings.

Of course in every case, so far as I know, the object of the incorporation of town school districts is that the towns so districted may be authorized to raise more money with which to build school buildings. But that is not the primary purpose of this bill that is before us. So, Mr. Speaker, I move that this bill be referred to the Committee on Education.

The SPEAKER: The gentleman from Bridgeton, Mr. Rankin, moves that the bill be referred to the Committee on Education.

The Chair recognizes the gentleman from New Sweden, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker and Members of the House: I would just like to set the record straight. The gentleman from Bridgeton, Mr. Rankin, said the members of the Legal Affairs Committee said they

did not want this measure. I think, if I remember right, we said we did not care. There is a slight difference there. I do not think we have any desire one way or the other.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Sleeper.

Mr. SLEEPER: Mr. Speaker and Members of the House: I find that I now have to earn my position on the Reference of Bills Committee. The Reference of Bills Committee, as you all know, consists of the Speaker of the House, the Floor Leader, the President of the Senate, the Floor Leader of the Senate, the Secretary of the Senate and the Clerk of the House.

We are not an arbitrary Gestapolic committee. We are trying to do what we think is right. We do not get any extra pay for serving on that committee, and I have lost almost every lunch since the session started. We meet at one o'clock every day and try to guide these bills into the committee to which they should go. In many cases our judgment has not been right on the dot perhaps, but we always try to go by past methods of procedure. We had no design, no purpose, in asking that this bill should go to the Legal Affairs Committee, but the bill should go to the Legal Affairs Committee because the bill is certainly a bill that has legal angles to it.

The bill has to do with the combination of towns to provide school facilities. The title of the bill is really a school district bill. Every school district bill that this Legislature has had since the Legislature started has gone to Legal Affairs Committee. We wonder why the sponsors of this bill do not want it to go to the Legal Affairs Committee. It has to do with the organization of a community school committee; it has to do with powers and duties; it has to do with the payment of costs of operation and maintenance; it has to do with the application of the general law; it has to do with the dissolution and changes in participating towns; it has to do with transportation. The bill is very far-reaching and very important. It might put the state on a new course altogether on school districts. Certainly this bill should go to the Legal Affairs Committee and that was the opinion of your Committee.

I certainly hope the motion of the gentleman from Bridgton, Mr. Rankin, will not prevail and that this bill will go where it should go and where every bill of a similar nature has gone.

The SPEAKER: The question before the House is on the motion of the gentleman from Bridgton, Mr. Rankin, that this matter be referred to the Committee on Education. The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker and Members of the House: I agree that this bill should go to the Committee on Legal Affairs. The gentleman from Bridgton, Mr. Rankin, made the statement that most school district bills go to Legal Affairs because they involve financial matters only; that his bill involves more than that, therefore it should go to Education. I have looked through my Legislative Documents and find that L. D. 561, An Act to incorporate the Town of Lincolnville School District, as well as many others before the Legislature, was referred to Legal Affairs, and if you will turn to it, you will see that it involves more than finances. I will read just one section: "Subject to the provisions of this act, the inhabitants of the town of Lincolnville shall constitute a body politic and corporate under the name of the 'Town of Lincolnville School District' for the purpose of acquiring land within the said town for school purposes; and erecting, equipping and maintaining on said land a school building; with the right to lease or let said property to said town; all for the benefit of the inhabitants of said town."

That is only one section. There are many others. They deal section for section with this bill which the gentleman from Bridgton, Mr. Rankin, has introduced. Those bills all dealing with district schools have all been sent to Legal Affairs Committee. Therefore it would seem that there is no great difference between the bill before us now and the other bills which have been sent to the Committee on Legal Affairs. I hope that the motion of the gentleman from Bridgton, Mr. Rankin, will not prevail.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, the gentleman from Rockland, Mr.

Sleeper, seemed to feel quite strongly that I am critical of our Committee on Reference of Bills. I am not. But we have a great flood of bills, and it is natural that some error, according to our judgment, might be made, and I think that this is one of the exceptional cases where a measure might be better referred to some other committee. I again remind you that we have already, after discussion and after a committee of conference, referred a bill which has all the implications of my bill to the Committee on Education. That action was taken with deliberation, and very obviously my bill should go to the same committee at the same time.

The SPEAKER: All those in favor of the motion of the gentleman from Bridgton, Mr. Rankin, that this matter be referred to the Committee on Education will say aye; those opposed no.

A viva voce vote being taken, the motion did not prevail.

Thereupon the bill was referred to the Committee on Education, and sent up for concurrence.

The SPEAKER: The Chair lays before the House the First tabled and today assigned matter, House Majority Report "Ought not to pass" and House Minority Report "Ought to pass" Committee on Judiciary on Bill "An Act Relating to Representation of Political Parties on Committees of House of Representatives," (H. P. 442) (L. D. 261) tabled on February 25th by the gentleman from Waterville, Mr. Muskie, pending acceptance of either report. The Clerk will read the Committee Reports.

(Committee Reports read by Clerk)

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Muskie.

Mr. MUSKIE: Mr. Speaker and Members of the House: I heard a story last night that I enjoyed very much. Some of the other members of the House also heard it. I do not want to start the discussion of this question facetiously, but the story does carry a point. I think it also carries a laugh, but I think we can stand one at the moment.

It seems that four hunters went down to Merrymeeting Bay to get a few ducks. One of the gentlemen was very fond of his bottle and he took his favorite one along and imbibed quite generously before he got

to Merrymeeting Bay, in fact, to such an extent that when he reached the hunting spot he was pretty groggy. As a matter of fact he could hardly stand on his feet. The other three hunters were perturbed; they thought it was sort of dangerous to take him along with them; so they stuck him behind a blind with his bottle and gun and they took a boat and went out on the bay. They hunted all day with not a sign of a duck. Along toward late afternoon, finally across the horizon came a single lonely duck. First one fired, then another fired, then the third hunter fired, and the duck still went on its way. Suddenly from behind the blind came a shot and the duck fluttered and fell. The three were astounded; they could not imagine who had fired the lucky shot, remembering the condition of their companion. They hurried ashore and went beyond the blind and saw their companion swaying back and forth, his smoking gun in one hand and the bottle in the other. They said, "Jack, how did you do it?" He said, "Well, fellows, when a fellow fires at a flock that large, he is bound to get one."

The point I would like to draw from that story is: In this bill which I am going to urge this morning, there is only one bird. It is not a political expedient. It is not a plea on the part of the individuals who make up the minority representation in this House for recognition of themselves as individuals. That is too late. The only thing involved in this bill is the one supported by the gentleman from Farmington, Mr. Mills, yesterday on the floor when he urged the preservation of a strong minority party. The bird involved is a bird in the interest of efficient and responsible democratic government in the State of Maine.

Now I have all the respect in the world for the ability and for the sincerity of purpose of the members of the Judiciary Committee, and I would not in any way want my remarks this morning to be construed as reflecting upon those qualities. I would be proud to count them among my friends. I think that in their Majority "Ought not to pass" report they have missed the bird. I think they do not realize fully that their report is, in effect, a repudiation of the two party system of government in the State of Maine. The two party system has become fundamental in our

system of government. This principle means not only the existence of two parties; it means not only the participation of two parties in elections; it means also, and even more important, the participation of both parties in all phases of government. The minority party, interested as is the majority in the public welfare, has a duty in and of itself. It has a duty to act as a check and a restraint on the majority to force the majority to be responsible for its acts.

The two party principle acts not only to protect the minority but to protect the majority. The last fifteen years throughout the world we have seen the excesses to which an unbridged one party government can lead. I do not have to go into detail in regard to the regime of Hitler and Mussolini to point those excesses out to you. You know them.

You know as a matter of experience throughout the world that the removal of a minority party as a check on public officials tends to make them independent of public opinion and not responsible to the public will. It can lead to inefficiency, corruption, lust for power, and, ultimately, deprivation of individual liberties. It is the recognition of these facts which has caused us in the Anglo-Saxon world to hold dear the idea of a loyal opposition.

Coming to our situation in Maine, there is no question but what the two party system is not working as it should. I have heard it said, many times, that there is waste, inefficiency, irresponsibility, and even corruption in our State government. Republicans and Democrats alike sincerely believe this, and many of them believe it on the sole ground that it must be true when there is no effective minority check on the majority.

I am not accusing the State government of any of those things. I am merely pointing out that when those public attitudes prevail among our people, an unhealthy condition exists.

Why is not the minority in Maine effective? In this House we have twenty-four minority members. Those twenty-four represent 153,000 of our citizens in the districts which they represent. In addition to that, they represent forty per cent of the electorate of Maine, as reflected by the last gubernatorial vote. Certainly the minority is sufficiently

strong to act as a check on the majority, provided it is given the opportunity.

Coming to our own legislative machinery, let us see how the minority is restricted in its duty to act as a check. Of the forty-one joint standing committees, the Democrats are represented on only twenty-seven. I have searched the printed bills that have been referred to committees. Approximately 75%, three-quarters, have been referred to committees on which there is no minority representation. Five of the minority members have their only committee seats on committees to which no bills have been referred. Five other minority members have their only seats on committees to which three bills or less have been referred. None of the minority members are on the committees which admittedly will hear the most important issues raised before this session of the Legislature, namely, Taxation, Judiciary, Education, University of Maine, and Legal Affairs. Nor is there minority representation on the Committee on Claims, Motor Vehicles, Public Utilities, Ways and Bridges, to name a few more.

It is not necessary for me to tell you how important committee work is. I will venture to say that 90% of the measures reported out of committee as "Ought to pass" are approved without discussion in the House. This has the effect of being legislation without representation in so far as the minority in this State is concerned.

It is interesting to refer to the experience of other states. The principle of minority representation on all legislative committees is in force not only in Congress but in an overwhelming majority of State Legislatures. I have written to every state and received forty replies. Of those forty, twenty-nine unqualifiedly accept the principle of minority representation, and this twenty-nine includes Arkansas, which has only three Republicans out of 100 members in the House. Let me at random pick out a few. Connecticut, New Hampshire, Illinois, Massachusetts, New York, Ohio, Tennessee, West Virginia, and so on, to a total of twenty-nine. Of the remaining eleven states, five have no minority in the Legislature. As one of my correspondents puts it, "We have no minority to vex

the situation." Five other states have minorities so small they do not consider them practical to assign them to all committees.

Of the forty, only one actually repudiates the principle. I would like to quote from the letter which I received, to the end that I can urge that this House do not subscribe to the principles set out. The writer says: "Political expediency is admitted to be the test. If the opposition is inconsequential and in no way endangers the majority party's program, the chairmanships are awarded sparingly to the opposition."

There are two other principles involved in the bill before us. First, is that of proportional representation, that is, the members of the minority shall be assigned to the committees in proportion to their strength in the House.

Referring to my inquiries to other states, I find of the thirty which unqualifiedly support the principle, twelve also adopt the principle of proportional representation.

The third principle involved is that of choice by the minority on committees to which their members shall be assigned. I think this principle, if the principle of minority representation means anything, must be applied. The minority must be independent in all respects from the majority to the extent that they may distribute their strength most effectively among the committees on which they are represented.

I have taken quite a bit of your time, and I only want to take a little more to consider the objections to the bill. To date I have found only two which appear to have strong support.

The first, when I first heard it, was unbelievable to me, and the people who mentioned it were of sincere purpose. I think they just were not realizing what they were saying. They take this position: If we could always be sure that the quality of the minority would be as high as it is today, we would support the bill. The implication of this objection is so similar to the principle of the White Primary Bill in Georgia that it is startling. It presumes to say that the people in this state who subscribe to the principles of the Democratic Party are not qualified to elect their representatives to this Legislature. It presumes to say that every man

who runs on the majority party ticket is above reproach. It states, in effect, that the Democrats in this state should have a voice in their government, but only through Republican representatives. I do not think it is necessary for me to say another word with regard to that objection. I am of the sincere belief that the members of this House, upon thinking it over, will most certainly reject that type of principle.

The other objection is that anything affecting the procedure of this House should not be the subject of a statute which must be approved by the Senate. I say to you in that regard that Chapter 9 of the Revised Statutes already contains statutes covering the procedure of this House, and those statutes were presumably approved by the Senate. Section 9 outlines certain duties of the clerk, the order of election of the clerk, the assistant clerk, and other officers of the House.

Section 23, moreover, provides that the representatives on the Legislative Research Committee shall include members of this House which shall reflect the party membership in the House, the very principle we are seeking to have extended to the other committees of this House. If we are looking for precedent to support this bill, we have it in Chapter 9.

We, in this country, will always believe that the rights of individuals and minorities should be indelibly written into the law of the land that they may endure forever. After the Revolutionary War, when we had achieved the liberties for which we fought, we still insisted that our National Constitution not be adopted until the Bill of Rights was written into the Constitution, and it was.

Our own State Constitution sets out the rights of life, liberty and the pursuit of happiness, the right of religious freedom, free speech and a free press. These are all designed to protect individuals and minorities alike against tyranny, both tyranny of an individual and tyranny of a majority.

The principle of minority representation is not a matter of procedure which is subject to the whims of succeeding Legislatures, it is a fundamental right which should be written into the laws of this State.

Mr. Speaker, and Members of the

House, I move acceptance of the Minority Report, and when the vote is taken, I ask for a division.

The SPEAKER: The gentleman from Waterville, Mr. Muskie, moves acceptance of the Minority "Ought not to pass" report of the committee.

The Chair recognizes the gentleman from Portland, Mr. Mc-Glauffin.

Mr. McGLAUFFIN: Mr. Speaker and Members of the House: I was one of the Judiciary Committee who opposed this measure presented by the gentleman from Waterville, Mr. Muskie. I think, as he does, to this extent, that the minority party should be recognized. I think they should be represented on some committees, but when you come to enact into law that they are to be represented on all committees, then you have got this situation: Take the committee that I represent, the Judiciary Committee, and the same applies to the Legal Affairs Committee, we do not become attorneys until we have given long years of study to equip us to be attorneys. In my own case, I not only served my apprenticeship through a college education and a law school education, but I have had forty-four years experience in the law.

Do you think that some farmer, perhaps, that never read through any part of the law books should be put on the Judiciary Committee just because he is a Democrat? I do not. You have got to choose the men for the committees that are qualified to fill those positions, and if in so doing we can represent both parties, well and good. I go so far as to say that I do not think we should put laymen on legal committees from a Republican side when there are Democratic lawyers capable of filling those positions. I think that legal committees should be filled as far as possible by men who have a legal training. I cannot go along with this measure.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Peirce.

Mr. PEIRCE: Mr. Speaker and Members of the House: As a signer of the minority report I find myself in a position somewhat analogous to the successful hunter in Mr. Muskie's story, therefore I want to tell you just how I lined up my sights in making that shot.

It seems to me that the principles of this bill are far more important to democratic government in this State than are some very dubious legal technicalities. The principles of the legislation have been very ably explained by the sponsor of the bill. I believe it is a very important principal of democratic government that we should have adequate minority representation on Legislative committees. After being elected as a representative, I consider that it is my duty to represent all of the people in my constituency. In my own case there are a large number of Democratic voters in my district, and I think that their interests in personal and in general legislation are of equal importance to the interests of my Republican constituents.

In regard to the point raised by the gentleman from Portland, Mr. McGlauffin, of lay members serving on legal committees, I would like to point out that for the second time, for the second consecutive term, a lay member has been appointed to the Judiciary Committee. In my opinion, she has been a very valuable asset to that committee. It is very refreshing to attorneys to have the opinions of persons who are not so thoroughly steeped in the legal processes as are the legal members.

In voting for the motion of the gentleman from Waterville, I hope that you will not consider that you are casting any reflection on our own Speaker of the House or on any past Speakers. These gentlemen have done only what they have had to do as a matter of practical politics. It seems to me that this legislation in no way can be considered as a reflection on any of them. Therefore I hope that the motion of the gentleman from Waterville, Mr. Muskie, will prevail.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Mills.

Mr. MILLS: Mr. Speaker and Members of the House: No one in this Legislature from Farmington could stand here and let a slap go at the farmers of the State without replying. I wish to say to my colleague on the Judiciary Committee that many people feel — I do not say I fully subscribe to this — but many people feel our economy would be much better and we might even get better laws if we had more

lawyers on the farms and more farmers in the law offices.

Now it seems to me that this matter should be gone into rather carefully, this bill which has been presented. I think it is a discriminatory bill; I think it discriminates very greatly in favor of minorities and tends to cut down the influence of the majority, that is disproportionately so.

This bill says that all political parties which qualified as such under the provisions of Section 1 of Chapter 4 of the Revised Statutes and which shall be represented by members in the House of Representatives shall be entitled to representation from among such members on all committees of the House of Representatives and on all joint committees of the Senate and House of Representatives in the proportion that the representatives representing such political parties bear to the total membership of the House of Representatives; and, in no case, shall the representative of any such political party on any of such committees be less than one representative.

That is, there would be one representative on every one of our joint standing committees if there were members in this Legislature from the political party such as defined in Chapter 4, Section 1. That says that a political party in this State is declared to mean political parties as of the gubernatorial election next preceding any primary election polled at least one per cent of the entire vote cast in the State for Governor. If four or five parties arose in the State and polled at least one per cent of the vote for Governor and they sent a number of members down here, any members at all, then those members would be automatically legislated into every one of the joint standing committees of the House and Senate. Supposing they polled one per cent of the gubernatorial vote, they come down to the Legislature and they are automatically on every one of these committees. I say that is definitely discriminating in favor of the minority; it is putting the minority all out of proportion to its true weight in the Legislature. Why isn't there a proposal that forty per cent of the time we should have a Democratic Governor? Forty per cent of the vote in this State is Democratic. We want to be fair to the minority, so every two or three

terms we ought to put a Democrat in office if we want to be fair to the minority. That is not what the people of the State do. Why should we not have a bill in to say that forty per cent of the Governor's Council should be Democratic? If the people wanted a strong minority representation they would vote that way. You know it as well as I do.

What the gentleman is arguing for is this: He is arguing for a fusion or coalition government when that is not what the people voted for. We had an illustration of the fusion or coalition government when Britain was invaded. They had to declare a moratorium completely on politics during the war. That is an illustration of when such a thing is necessary, but I do not think it is necessary now for us to legislate that all political parties of the State should have automatic representation.

Furthermore, this is a matter for internal control. I do not think we should state to future Legislatures that they must set their committees up so and so. A committee of the Legislature is a pretty vital matter pertaining to the business of the Legislature. The Constitution states that the Legislature shall be the judge of their own rules, shall make their own rules. I submit that this is a matter of rule, and that is the place where it belongs.

Now in regard to the present status of the Democratic party on committees: the Democrats have 15.8 per cent of the membership of this House, if my figures are correct, and I think they are represented on twenty-six of the forty-one committees, where they have a representation of 63 per cent. I say that is fair in proportion to the membership which they have.

In closing, I wish to say that although legislatures have enacted certain provisions in regard to how the House should be conducted in certain ways, I think this is peculiarly a matter for each legislature. I think the next legislature that comes down here should adopt its own rules. I think that this legislature should set up what rules it cares to, but I think they should not be binding on every succeeding session of the Legislature.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Peirce.

Mr. PEIRCE: Mr. Speaker, when the vote is taken I move that it be taken by a division.

The SPEAKER: A division has already been requested by the gentleman from Waterville (Mr. Muskie).

Is the House ready for the question? The question is on the motion of the gentleman from Waterville, Mr. Muskie, that the House accept the minority "Ought to pass" report on Bill "An Act Relating to Representation of Political Parties on Committees of House of Representatives" (H. P. 442) (L. D. 261). The same gentleman has requested a division.

All those in favor of the motion will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had. Twenty-seven having voted in the affirmative and eighty-six in the negative, the motion did not prevail.

Thereupon the House voted to accept the majority "Ought not to pass" report of the committee.

The SPEAKER: The Chair lays before the House the second today assigned matter, House Report "Ought to pass in New Draft" (H. P. 1531) (L. D. 1114) of the Committee on Legal Affairs on Bill "An Act Relating to the Appointment, Term of Office and Removal of the City Clerk of the City of Lewiston" (H. P. 670) (L. D. 465) tabled on February 26th by the gentleman from Lewiston, Mr. Malenfant pending acceptance of report, and the Chair recognizes that gentleman.

Mr. MALENFANT: Mr. Speaker, I move indefinite postponement of this bill.

Mr. Speaker and Members of the House: This bill was presented by Representative Jalbert for political reasons. I am not a politician, but I am going to try to explain this bill just as plainly as I can.

At the present time our Lewiston City Clerk is appointed by the Mayor for a term of three years. He is on the same job for almost eight years. He is a very good man, and I want to keep him on a three-year term to keep him good. He is also a wise politician; he had many of his friends send letters to the Legal Affairs Committee in favor of this bill. He told me so himself. Do you think we are going to sacrifice the

welfare of the City of Lewiston to please the City Clerk and a few of his friends? No, we will not do so.

This bill was presented a couple of weeks before the city election in Lewiston. Mr. Jalbert had a friend who was running for mayor. Someone started a story that if his friend was elected mayor he would appoint a city clerk. To stop that story, Mr. Jalbert presented this bill. Now they want to go through with this bill because his term will be over and he will be up for appointment next year. The mayor who is going to take office the 17th of this month is a very close friend of the city clerk.

Since we adopted the new charter we have always given two terms to the mayor in Lewiston. The chances are that the mayor that is going to take office the 17th of this month is going to be elected again and he is going to have a chance to reappoint a city clerk who is his best friend. Perhaps that can be explained both ways. Perhaps the gentleman from Lewiston, Mr. Jalbert, does not want our next member to be appointed city clerk.

I call this bill one of the meanest bills that I have ever seen. He wanted to pass that over the taxpayers of Lewiston without a referendum. Ninety-five per cent of the people of Lewiston do not know this bill is before the House. Some of those that I talked with on the street asked me to try to kill this bill. I cannot do it all alone; I need the help of this House.

Perhaps I did not explain to you that the gentleman from Lewiston, Mr. Jalbert, wants to change the appointment of the city clerk from a three-year term to a life job, to be removed only for cause. If this bill goes through, two years from now the rest of the officeholders from Lewiston are going to come up here and ask to be appointed for life, and our city government will be nothing but a closed shop; it will be the biggest political racket in the State so far as candidates for city, county and state office, and, believe me, you will never see another Republican come up here.

Another very dangerous thing might happen if this bill goes through, and if the appointment of the city clerk is changed from a three-year term to a lifetime job: What might happen if the city clerk happened to resign or die? Some of our mayors might give the job to

the highest bidder, and he might appoint some man from his own family on the job.

If a city clerk is appointed for life, it is very hard to remove him. The city will have to circulate petitions, and you know in court it costs money for a lawyer and it takes time to fight a case in court. If we leave this man on a three-year appointment, if he does not do his duty it is very easy to replace him when his term is up.

Some of you gentlemen may say, "I do not live in Lewiston and I do not care what happens there. Please do not say that, because if any one of you brings in a bill for the good and the welfare of your city I am going to vote with you, and if there is anybody who brings a bill against the welfare of their city I am going to vote against the bill."

Two years from now, if this bill goes through, certain office holders from our city or your city or town may come in and ask to be appointed for life. No doubt none of you would stand for it, and I do not blame you.

No, Members. The gentleman from Lewiston, Mr. Jalbert, might say he presented this bill because he was afraid that this city clerk might be removed. It is not true. The city clerk has always been reappointed and will be reappointed as long as he does his duty. If he is appointed for life, he is going to neglect his duty. Instead of being a good, smooth politician he might become a troublemaker.

We have had experience in some departments in Lewiston. Some of these people are appointed what I call for life, to be removed only for cause. They are the biggest troublemakers in the city.

Now, Members, I cannot kill this bill alone; I need your help. I will be ashamed if this bill goes through. When I go home I want to be able to tell the people of Lewiston they have received justice from this House. I won't take up too much of your time, but I am going to ask you once more: Please support my motion.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. McGlauffin.

Mr. McGLAUFFIN: Mr. Speaker and Members of the House: I am not at all interested in the politics of Lewiston, but I am interested in this measure for I think that it is a very bad precedent to establish, to

put a public official by law in a life job. The City Clerk is a public official. There is no more reason why he should be put in a job for life than there is that you should make the City Assessors job for life, the Inspector of Buildings for life, or the Chief of the fire department. In other words, you could just as logically say that the present officials of the City of Lewiston shall hold their positions the rest of their life.

Now there is not any sense in that kind of a law, and there is not any sense in this one. I say I know nothing about the politics of Lewiston, but I hope the members of this Legislature vote against establishing a man in office for life when there is no occasion for doing it.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: I presented this bill at the request of the citizens of Lewiston from all walks of life.

Taking for a moment the issue of a life job, I might point out in reading for a moment the bill itself, "Appointment, term of office and removal of city clerk. The city clerk shall be appointed by the mayor and shall not be removed except for cause"; I think there is possibly a great deal of to-do about nothing on this thing.

The fact remains that we have had in the past excellent city clerks in Lewiston, as fine city clerks as we have in the present office holder. These men have resigned their positions because of the insecurity of the job.

Now I presented a bill here, speaking of politics, if I am to be labelled a politician, two years ago that was presented by me and was passed by this House forbidding any candidate for office from soliciting funds from any city employee.

I also presented two years ago a bill that was passed giving our Chief of Police in Lewiston this same privilege. I have received letters not solicited from people in all walks of life, the Lewiston Chamber of Commerce, lawyers, bankers, laborers, members of various boards, in favor of this bill.

I may also state that I am speaking for Representative Dostie and Representative St. Pierre, two of my colleagues from Lewiston. The fact is this: We now have this clerk

appointed for three years. It has happened in the past that two candidates, two formidable candidates and good candidates, have run for office. The city clerk's appointment goes out in the ensuing year. One of the candidates wants his support; no doubt they want his support, particularly if he is popular. He immediately, so to speak, is out on the limb, and we feel at home we would possibly lose for the sake of somebody advancing his political purposes by having him side in possibly with the wrong man—not the wrong man running, but the loser—and he will suffer by it.

I would like to state again that any correspondence I received was unsolicited. I have presented this bill as an honest bill. I might state again, that if anybody who is holding a job with such a clause in it, if he does not do his work it is very easy to remove him.

As far as circulating petitions, that takes no time under our new charter at home: all you have to do is get ten names and that does it.

I am not going to take up your time reading many letters I have received from very substantial people, good citizens of Lewiston, because the hour is late. I certainly hope, Mr. Speaker and Members of the House, that the motion of the gentleman from Lewiston, Mr. Malenfant, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members of the House: It was not my intention to speak on this measure until the debate was under way and after the gentleman from Portland (Mr. McGlauffin) had spoken. However, it happens I live in the City of Auburn and practice law in Lewiston just across the street from City Hall. I therefore have reason to do business in the office of the City Clerk frequently. I come in constant contact with residents of the City of Lewiston, and, so far as I know, I assume there are some people who are opposed to this bill, but, so far as I know, the gentleman from Lewiston (Mr. Malenfant) who has spoken here, is the only one. Every person who has spoken to me — and there have been many both Democrats and Republicans, business men in the city, have spoken in favor of this measure. They have an effi-

ciently operated department; they believe that life service in a department like that where the duties are clerical and ministerial and where familiarity with the routine is helpful, they believe in such offices the parties should be continued in that particular job. I therefore believe that this bill should pass.

We have precedents for keeping men on the job in our civil service positions. In both the cities of Lewiston and Auburn, our police officers, our police chiefs and our firemen are under such laws at the present time. This is only extending it in the City of Lewiston, to what I believe to be the wish of the citizens of Lewiston, to their city clerk.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Doucette.

Mr. DOUCETTE: Mr. Speaker and Members of the House: I notice this bill says, at the bottom part of it, that the Board of Finance shall be the bosses of the job in the employment of these men. I say to you, Members, that the Board of Finance of the City of Lewiston do not have anything to do pertaining to certain jobs. In the event that a man does not perform his duties. I say they are on the job and that man will not last very long after they find out what has been going on.

I do not wish to take up much more of your time, but I would say that the committee "Ought to pass" report should be accepted.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Rankin.

Mr. RANKIN: Mr. Speaker and Members of the House: The gentleman from Portland who spoke in opposition to the bill a few moments ago failed to make a distinction which I think is important. I would quite agree with him, as I think most of us would, in the case of mayors and aldermen. They shape policies. That is not true in the case of the city clerk. This office stands on another footing, it seems to me.

The Legal Affairs Committee, after a good deal of discussion, voted that this measure ought to pass by unanimous vote.

I should like to ask for a division when the vote is taken.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Malenfant.

Mr. MALENFANT: Mr. Speaker, this gentleman here from Lewiston made a mistake. The city clerk won't be under the Finance Board. Another thing I just discovered: At the present time the chief deputy clerk in the city clerk's office usually is appointed by the Finance Board. According to this bill here, she is going to be appointed by the city clerk. That gives him more authority. I do not believe the Finance Board will stand for such a thing because the Finance Board appoints all the girls in the offices in the city building.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Doucette.

Mr. DOUCETTE: Mr. Speaker, I have here L. D. 465, and it reads that Board of Finance shall appoint the City Clerk.

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Woodworth.

Mr. WOODWORTH: Mr. Speaker, so far in this session your Legal Affairs Committee has considered fourteen bills from the City of Lewiston, all dealing with various phases of the Lewiston City Government. We have tried to give these bills fair consideration, and I will say that we have received from the people of Lewiston who have attended our meetings a great deal of cooperation.

It has at times been said that Republicans and Democrats alike apologize for being on the same side of the fence. Now it is not possible for us to please everybody. We have done our best. There are some of these bills which we have considered which were absolutely contradictory, impossible to reconcile and conceded to be such, and nobody expected us to do anything. We were expected to rewrite the charter. Later other bills and amendments were brought in.

On this particular bill, the gentleman from Lewiston, Mr. Malenfant, as he has told you, was the only man who opposed it. All the other groups present at our hearing from the City of Lewiston were in favor of it. The gentleman from Auburn, Mr. Williams, has given you that information.

Now we do not say that our work is perfect; we never expect to render perfect work. We say that in the City of Lewiston this is what they want. Their fire chief and their police chief hold their jobs under identical provisions or similar provisions; they hold office as long as they behave themselves, and that is a very good way for anybody to hold a job.

Now I further believe that if you had taken ten men or women from this House who were disinterested and told them to hear this bill, they would have reached the same conclusion that your committee reached. I hope that this House, in spite of the solitary position of the gentleman from Lewiston, that you will give thought to the position taken by your Committee on Legal Affairs.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. McGlauffin.

Mr. McGLAUFFIN: Mr. Speaker, I would just like one more word. I do not care if the whole City of Lewiston wants this bill, I still say that you are establishing a dangerous precedent, and I am still against it if I stand alone.

The SPEAKER: Is the House ready for the question? The question is on the motion of the gentleman from Lewiston, Mr. Malenfant, that the House indefinitely postpone this bill, together with the "Ought to pass in New Draft" report of the Legal Affairs Committee. The gentleman from Bridgton, Mr. Rankin, has requested a division. If the House votes in favor of the motion of the gentleman from Lewiston, Mr. Malenfant, it is in effect voting to kill the bill; if the House votes "No," it is voting in favor of the bill. All those in favor of the motion to indefinitely postpone will please rise and remain standing until counted and the monitors have made and returned their count.

A division of the House was had. Thirty-one having voted in the affirmative and fifty-two in the negative, the motion for indefinite postponement did not prevail.

Thereupon, the "Ought to pass in New Draft" report of the Committee was accepted, and the bill, hav-

ing already been printed, was read twice under suspension of the rules and assigned for third reading tomorrow morning.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Malenfant.

Mr. MALENFANT: Mr. Speaker I move that this bill lie on the table until next Thursday. I should like to offer an amendment.

The SPEAKER: The bill is already assigned for third reading tomorrow, at which time the gentleman may take up the matter.

The SPEAKER: The House is proceeding under Orders of the Day. The third today assigned matter is in order. The Chair recognizes the gentleman from Monmouth, Mr. Marsans.

Mr. MARSANS: Mr. Speaker, I realize we have three today assigned matters, but provided the gentlemen in question do not strongly object, because of the lateness of our hour and the fact that in forty-five minutes we have many important committee hearings, I move that we now adjourn.

The SPEAKER: The gentleman from Monmouth, Mr. Marsans, moves that the House now adjourn. All those in favor of the motion will say aye; those opposed no.

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

Eighty having voted in the affirmative and eighteen in the negative, the motion prevailed.

The SPEAKER: The Chair wishes to remind the members that tomorrow the first matter of unfinished business will be the third today assigned matter; the second matter of unfinished business tomorrow will be the fourth today assigned matter; and the fifth today assigned matter will be the third order of business tomorrow. Tomorrow being Friday, the Chair wishes to call the members' attention to these matters because they will come up in that order at tomorrow morning's session.

The Clerk will read the notices.

On motion by Mr. Marsans of Monmouth,

Adjourned until ten o'clock tomorrow morning.