

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Eighth Legislature

OF THE

STATE OF MAINE

VOLUME I

1957

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, May 2, 1957

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

Prayer by the Rev. Mr. Bruce Bowen of the Federated Church of Norridgewock.

The journal of the previous session was read and approved.

**Papers from the Senate
Senate Reports of Committees
Ought Not to Pass**

Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act relating to Inheritance Taxes on Property Passing to Brothers and Sisters" (S. P. 316) (L. D. 813)

Report of same Committee reporting same on Bill "An Act Increasing Exemptions for Certain Beneficiaries under Inheritance Tax Law" (S. P. 492) (L. D. 1400)

Came from the Senate read and accepted.

In the House, the Reports were read and accepted in concurrence.

Ought to Pass in New Draft

Report of the Committee on Liquor Control on Bill "An Act relating to Display of Maine Alcoholic Beverage Products in State Liquor Stores" (S. P. 306) (L. D. 803) reporting same in a new draft (S. P. 543) (L. D. 1525) 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.

In the House, the Report was read and accepted in concurrence, the New Draft read twice and tomorrow assigned.

**Ought to Pass with
Committee Amendment
Tabled and Assigned**

Report of the Committee on State Government on Bill "An Act relating to the Use of Public Ways and Parking Areas Maintained by the State at the Seat of Government" (S. P. 148) (L. D. 348) 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, the Report was read.

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

Mr. HAUGHN: Mr. Speaker, not having had time this morning to study this Report, I ask that it be tabled and specially assigned for tomorrow.

The SPEAKER: With respect to item four, Bill "An Act relating to the Use of Public Ways and Parking Areas Maintained by the State at the Seat of Government", the gentleman from Bridgton, Mr. Haughn, moves that this item be tabled and specially assigned for tomorrow, pending acceptance of the Report. Is this the pleasure of the House?

Will those who favor the tabling motion please say aye, those opposed, no.

A viva voce vote being taken the motion prevailed and the Report was so tabled.

Report of the Committee on State Government on Bill "An Act to Create a State Committee on Mental Health" (S. P. 534) (L. D. 1505) 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, the Report was read and accepted in concurrence and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to S. P. 534, L. D. 1505, Bill, "An Act to Create a State Committee on Mental Health."

Amend said Bill in "Sec. 1" by striking out the 4th line and inserting in place thereof the following: 'the Senate and 5 representative'.

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

Report of the Committee on State Government on Bill "An Act relating to Construction of a Building for Maine Employment Security Commission" (S. P. 538) (L. D. 1508) 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, the Report was read and accepted in concurrence and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to S. P. 538, L. D. 1508, Bill, "An Act Relating to Construction of a Building for Maine Employment Security Commission."

Amend said Bill in "Sec. 5" in the 3rd line by striking out the word "monthly".

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

New Draft Recommended

Report of the Committee on Judiciary on Bill "An Act Establishing a State Probation and Parole System" (S. P. 83) (L. D. 193) reporting same in a new draft (S. P. 552) (L. D. 1542) under title of "An Act Creating a State Administered Probation and Parole Law" and recommending that same be printed and recommitted to the Committee on Judiciary.

Came from the Senate with the Report read and accepted and the new draft recommitted to the Committee on Judiciary.

In the House, the Report was read and accepted in concurrence and the new draft recommitted to the Committee on Judiciary in concurrence.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Walsh. For what purpose does the gentleman arise?

Mr. WALSH: I would like permission to approach the rostrum briefly if I may.

The SPEAKER: The gentleman may approach the rostrum.

Non-Concurrent Matter

Bill "An Act Imposing a Tax on Dry Beans" (H. P. 486) (L. D. 730) which was passed to be engrossed as amended by Committee Amendment "A" in the House on April 18.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" and Senate Amendment "A" in non-concurrence.

In the House: On motion of Mr. Emery from Palmyra, the House voted to recede.

The SPEAKER: The Chair recognizes the gentleman from Palmyra, Mr. Emery.

Mr. EMERY: I move we adopt Senate Amendment "A".

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

SENATE AMENDMENT "A" to H. P. 486, L. D. 730, Bill, "An Act Imposing a Tax on Dry Beans."

Amend said Bill by striking out the 1st underlined sentence of that part designated "Sec. 292" and inserting in place thereof the following underlined sentence:

'The Maine Dry Bean Commission shall consist of the Commissioner of Agriculture and 4 representatives of the dry bean industry in this State, to be appointed by the Commissioner of Agriculture.'

Senate Amendment "A" was adopted in concurrence.

Mr. Emery of Palmyra then offered House Amendment "A" and moved its adoption.

House Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to H. P. 486, L. D. 730, Bill, "An Act Imposing a Tax on Dry Beans."

Amend said Bill in that part designated "Sec. 291" by striking out the underlined words "**Department of Development of Industry and Commerce**" in the 4th and 5th lines of subsection II and inserting in place thereof the underlined words "**Department of Economic Development**'

Further amend said Bill in that part designated "Sec. 292" by striking out the underlined words "**Department of Development of Industry and Commerce**" in the 8th and 9th lines and inserting in place thereof the underlined words "**Department of Economic Development**'

House Amendment "A" was adopted and the Bill passed to be engrossed as amended by Committee Amendment "A", House Amendment "A" and Senate Amendment "A" in non-concurrence and sent to the Senate.

Non-Concurrent Matter

Bill "An Act Creating the Lake Christopher Game Management Area, Oxford County" (H. P. 504) (L. D. 714) which was passed to be engrossed as amended by Conference Committee Amendment "A" in the House on April 19.

Came from the Senate passed to be engrossed as amended by Conference Committee Amendment "A" and Senate Amendment "B" in non-concurrence.

In the House: The House voted to recede and concur.

Non-Concurrent Matter Tabled and Assigned

Bill "An Act Creating a Highway Safety Committee" (H. P. 974) (L. D. 1374) which was passed to be engrossed in the House on April 17.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House: On motion of Mr. Bragdon of Perham, tabled pending further consideration and specially assigned for Friday, May 3.

Non-Concurrent Matter

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Opening Obstructions in Waters to Maintain Fish Life" (H. P. 999) (L. D. 1427) on which the House substituted the Bill for the Report and referred the Report and Bill to the Committee on Inland Fisheries and Game.

Came from the Senate with the Report accepted in non-concurrence.

In the House: On motion of Mr. Dudley of Enfield, the House voted to insist on its former action and request a Committee of Conference.

Non-Concurrent Matter

Resolve Opening Certain Brooks and Tributaries in Somerset County to Fishing (S. P. 386) (L. D. 1082)

on which the House accepted the Minority "Ought not to pass" Report of the Committee on Inland Fisheries and Game in non-concurrence.

Came from the Senate with that body voting to adhere to its former action whereby the Majority "Ought to pass" Report was accepted and the Resolve was passed to be engrossed.

In the House: On motion of Mr. Harris of Greenville, the House voted to adhere to its former action.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Walsh.

Mr. WALSH: Mr. Speaker, I would like to make a motion that we have a recess for fifteen minutes before we take up one of the most important pieces of legislation to come before this whole session if we may.

The SPEAKER: The gentleman from Brunswick, Mr. Walsh, now moves that the House recess for fifteen minutes. Is this the pleasure of the House? The Chair recognizes the gentleman from Cape Elizabeth, Mr. Beyer.

Mr. BEYER: Mr. Speaker, may I inquire of the gentleman from Brunswick, Mr. Walsh, the purpose of the recess?

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Beyer, addresses a question through the Chair to the gentleman from Brunswick, Mr. Walsh, who may answer if he so chooses.

The Chair recognizes the gentleman from Bangor, Mr. Totman.

Mr. TOTMAN: Mr. Speaker, may I be given the privilege of answering the question of the gentleman from Cape Elizabeth, Mr. Beyer?

The SPEAKER: You may.

Mr. TOTMAN: I would like to answer for the gentleman from Cape Elizabeth, Mr. Beyer, that the republican floor leadership understands the purpose of the recess and is very agreeable to go along with it.

The SPEAKER: Is it now the pleasure of the House that the House shall recess for fifteen minutes?

The motion prevailed.

Recess

Called to order by the Speaker.

On motion of the gentlewoman from Falmouth, Mrs. Smith, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Walsh.

Mr. WALSH: Mr. Speaker, I wish to thank you, Mr. Speaker, and the Members of this House for the privilege of allowing us to have this recess. I think it was done in the best interests of everybody here in the House so that all who were concerned with amendments on this thing might be heard properly and so forth, and we want to thank you very, very much.

Non-Concurrent Matter

Bill "An Act relating to Educational Aid and Reorganization of School Administrative Units" (S. P. 515) (L. D. 1478) which was passed to be engrossed as amended by Senate Amendment "A" and House Amendments "A", "B", "C", "D", "E", "F", "G" and "I" in non-concurrence in the House on April 30.

Came from the Senate passed to be engrossed as amended by Senate Amendments "A" and "B" and House Amendments "A", "B", "C" and "G" in non-concurrence.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Totman.

Mr. TOTMAN: Mr. Speaker and Members of the House: This bill before us needs no comment as to its importance. I think that we are all in accord with the fact that the various amendment actions of the two branches require our mutual careful consideration. Quite obviously this morning we have had a change of strategy conferences, and I think the net result is for the benefit of the bill and is particularly for the benefit of those members who wish an unhurried opportunity to have their feelings on the amendments discussed fully.

Therefore, I wish to make the motion that the House insist on its previous action, that we request a special committee of conference

composed of six members of the House and six members of the Senate, and that this committee meet this afternoon—the House Committee meet this afternoon to meld together its thinking and its amendments and if possible this Committee meet with the Senate counterpart tonight in order, after I make the motion that the bill be sent forthwith to the Senate, that we may possibly have an opportunity tomorrow to take final action on the bill. That is simply a possibility. Therefore, I would like to make this first motion, that the House insist on its former action and appoint a special committee of conference.

The SPEAKER: The Chair understands that the first motion before the House is the motion of the gentleman from Bangor, Mr. Totman, that under suspension of the rules the House insist upon its former action. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair before putting the next motion will read Rule 13 of the Joint Rules: "Committees of conference shall consist of three members on the part of each house, representing its vote, and their report, if agreed to by a majority of each committee, shall be made to the branch asking the conference, and may be either accepted or rejected; but no other action shall be had, except through another committee of conference."

The Chair reads that merely to point out the fact that the motion of the gentleman from Bangor, Mr. Totman, which the Chair now puts before the House, that the House appoint a special committee of conference consisting of six members from the House and requesting a similar sized group from the Senate, must be done under suspension of the rules.

Is it now the pleasure of the House that the House request a committee of conference under suspension of the rules, the committee on the part of the House to consist of six members?

The motion prevailed.

The SPEAKER: Pursuant to the vote just taken a moment ago relative to the appointment of a special committee of conference, the Chair at this time will appoint as House

Members of that committee the gentleman from South Portland, Mr. Fuller, the gentlewoman from Rumford, Miss Cormier, the gentleman from Portland, Mr. Maynard, the gentleman from York, Mr. Hancock, the gentleman from Wiscasset, Mr. Farmer, and the gentleman from Perham, Mr. Bragdon.

The Chair recognizes the gentleman from Bangor, Mr. Totman.

Mr. TOTMAN: Mr. Speaker and Members of the House: I now move that the House send a message to the Senate requesting that under suspension of the joint rules and in non-concurrence a special committee of conference is requested in conformity with the six members from the House.

The SPEAKER: The gentleman from Bangor, Mr. Totman, now moves that a message be sent to the Senate forthwith advising the Senate of the action of the House. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Clerk will convey the message to the Senate.

The SPEAKER: At this time the Chair would recognize the presence in the gallery of the House of a group of seventh and eighth grade pupils from Broad Cove School of Bremen accompanied by Mr. George Farnsworth, and the senior class of the Farmington High School accompanied by Mildred Ross and Walter Reed. On behalf of the House the Chair extends to you ladies and gentlemen a most hearty and cordial welcome and we hope you will enjoy your visit here today. (Applause)

House at Ease

Called to order by the Speaker.

The Clerk subsequently reported that he had discharged the duty assigned him.

Orders

Mr. Hathaway of Columbia Falls presented the following Order and moved its passage:

WHEREAS, the members of the House have learned that yesterday there was a great event in the life of Mr. Bruce of Buxton when he received word of the birth of his

seventh grandchild, his sixth grandson,

NOW THEREFORE BE IT ORDERED, that the members of the House extend their congratulations to Mr. Bruce, with their hopes that he will eventually exceed the championship record attained by Mr. Hilton of Anson.

The Order received passage.

On motion of Mr. Brockway of Milo, it was

ORDERED, the Senate concurring, that Bill "An Act Creating the Maine Commercial Feed Law" (H. P. 254) (L. D. 352) be recalled from the Engrossing Department to the House for the purpose of reconsideration. (H. P. 1079)

At this point, a message came from the Senate borne by Secretary Winslow of that body to inform the House that the Senate joins in a special committee of conference on L. D. 1478, Bill "An Act relating to Educational Aid and Reorganization of School Administrative Units", and that the President had appointed on the part of the Senate, Senators Low of Knox, Sinclair of Somerset, Farley of York, Parker of Piscataquis, Reed of Aroostook and Carpenter of Somerset.

The gentleman from Bangor, Mr. Totman, was granted unanimous consent to address the House.

Mr. TOTMAN: Mr. Speaker and Members of the House: In view of the message we have just received from the other body, may I repeat the suggested course of action, that this special committee of conference, the House Members only, meet this afternoon at their convenience to put together both the amendments and their arguments, and that if possible to try to meet tonight with the other body in a general committee of conference session with the hope we will be able to act upon the bill tomorrow.

Senate Paper Out of Order

From the Senate: The following Order out of order:

ORDERED, the House concurring, that (S. P. 281) (L. D. 740) Bill, "An Act Relating to Closed Time on Deer in Certain Counties" be re-

called to the Senate from the Legislative files. (S. P. 553)

The Order received passage in concurrence.

The SPEAKER: At this time the Chair will announce three committees of conference which were requested by the House yesterday.

The following Committee to confer with the Senate on the disagreeing action of the two branches on Legislative Document 906, Bill "An Act relating to Salaries of Superintendents of Schools." The members appointed to this Committee to represent the House are: the gentleman from South Portland, Mr. Fuller; the gentleman from Montville, Mr. Mathieson, and the gentlewoman from Rumford, Miss Cormier.

The Chair will appoint the following conference committee to confer with the Senate on the disagreeing action of the two branches on Legislative Document 274, Bill "An Act relating to Apprentice Lobster Fishing Licenses". That Committee will consist of the gentleman from North Haven, Mr. Baird; the gentleman from Jonesboro, Mr. Andrews, and the gentleman from Wells, Mr. Brewster.

The Chair will appoint the following conference committee to confer with the Senate on the disagreeing action of the two branches on Legislative Document 739, Bill "An Act relating to Closed Time on Deer in Certain Counties". To represent the House on that Committee the Chair will appoint the following: The gentleman from Eustis, Mr. Carville, the gentleman from Brownville, Mr. Ross, and the gentleman from Greenville, Mr. Harris.

The SPEAKER: At this time the Chair will request the Sergeant-at-Arms to escort to the rostrum the gentleman from Kennebunk, Mr. Emmons, to serve as Speaker pro tem.

Thereupon, Mr. Emmons assumed the Chair as Speaker pro tem amid the applause of the House and Speaker Edgar retired from the Hall.

House Reports of Committees Leave to Withdraw

Mr. Bean from the Committee on Appropriations and Financial Affairs on Resolve in favor of Knox Memorial Association, Inc. for Support and Maintenance of "Montpelier" (H. P. 28) (L. D. 41) reported Leave to Withdraw.

Mr. Needham from the Committee on Judiciary reported same on Bill "An Act relating to Appeals from Decisions of Municipal Planning and Zoning Boards" (H. P. 875) (L. D. 1243) as it is covered by other legislation.

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Hutchinson from the Committee on Claims reported "Ought not to pass" on Resolve in favor of John W. Parker of Braintree, Massachusetts (H. P. 500) (L. D. 712)

Mr. Browne from the Committee on Judiciary reported same on Bill "An Act to Apportion Damages Due to Contributory Negligence" (H. P. 607) (L. D. 854)

Reports were read and accepted and sent up for concurrence.

Indefinitely Postponed

Mr. Hancock from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Consents in Adoptions" (H. P. 776) (L. D. 1109)

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Portland, Mrs. Hendricks.

Mrs. HENDRICKS: Mr. Speaker, I move that the bill be substituted for the committee report. This is a good bill. The Department of Health and Welfare wants the bill. It will eliminate the element of haste in adoptions, and I request a division on this.

The SPEAKER: The gentlewoman from Portland, Mrs. Hendricks, on Item number five moves the substitution of the Bill for the Report.

The SPEAKER pro tem: The Chair recognizes the gentleman from York, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker, the Judiciary Committee gave this particular subject and a companion bill a great deal of thought. In fact, we

spent a whole afternoon discussing the adoption laws of the State of Maine. This bill would require the consenting parents to go before a Judge of Probate for acknowledgment of that consent. At the present time, that acknowledgment is taken before a justice of the peace or a notary public. We realize that the Health and Welfare Department wanted this bill, but with all due consideration it would be, we feel, not necessarily—slow down the process of adoption as such. There are certain phases that would, for instance, an out of state consenting party, would in many cases be unable to have that consent acknowledged. In a sense, it is a slap at the attorneys who are mostly a justice of the peace or a notary public in that we would in any way not take the proper acknowledgment of a consenting party. I do not believe that the Bar of the State of Maine would go for the bill at all and as you know we're all lawyers on that particular committee. This was not brushed over. This was given a great deal of thought. I, therefore, move the indefinite postponement of the bill and accompanying papers.

The SPEAKER pro tem: The motion before the House is now the motion of the gentleman from York, Mr. Hancock, moving for the indefinite postponement of the bill and accompanying papers.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Portland, Mrs. Hendricks.

Mrs. HENDRICKS: Mr. Speaker, I request a division on that motion.

The SPEAKER pro tem: The gentlewoman from Portland, Mrs. Hendricks, requests a division.

The SPEAKER pro tem: The Chair recognizes the gentleman from Madawaska, Mr. Rowe.

Mr. ROWE: I would like to ask a question of any member of the committee through the Chair. What reasons do they understand for the sponsorship of their bill? What do they feel is the intent of this bill? If any member would care to answer that question for the House.

The SPEAKER pro tem: As the Chair understands it, Mr. Rowe of Madawaska asks the question from any member of the committee who wishes to answer.

The SPEAKER pro tem: The Chair recognizes the gentleman from York, Mr. Hancock.

Mr. HANCOCK: If I understand the question correctly, what is the intent of the Department of Health and Welfare as to the bill? The intent as put to us was to, I suppose, delay any action in procedure for adoption. In other words, at the present time the consenting parents may consent in an adoption petition before the petition is presented to the Probate Court and they may now do it before a justice of the peace or a notary public. This bill would make them go before a Probate Judge of the particular county, which would delay the time of the consent. Now, I might explain a little bit further that in most Probate Courts in this state once a petition is filed in Probate Court, there is a waiting period before that petition is allowed for adoption. That's a matter of course and is followed pretty well and the lawyers,—there is nothing that was presented to us that would indicate that there is anything particularly wrong with our adoption procedures here. There have been no black market deals being made, so that we did not feel that this was a particular practical action to take in slowing down the adoption procedure.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Tevanian.

Mr. TEVANIAN: Mr. Speaker and Members of the House: I would like to point out that under our adoption laws every single child that is adopted must be approved by the Judge of Probate in the various counties anyway. It is merely the petition, the asking for the adoption that requires a justice of the peace or a notary public to certify the petition. Actually, this bill would serve no useful purpose as it would only add the signature of the Judge of Probate twice instead of once, one on the petition and one when he approves the adoption. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Portland, Mrs. Hendricks.

Mrs. HENDRICKS: Mr. Speaker, probably these lawyers can talk circles around me so I'm not going to

argue with them, but I do feel the Department of Health and Welfare must have had a good reason for having this bill drawn up.

The SPEAKER pro tem: The Chair recognizes the gentleman from York, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker, I might simply say to that that every single department in the State of Maine has good reasons for presenting some bills, but we certainly don't agree with all of them.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Yarmouth, Mrs. Knapp.

Mrs. KNAPP: Mr. Speaker, I talked with Dr. Fisher and I know the bill and I want to support Mrs. Hendricks.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker, I go along with the gentleman from Portland, Mr. Tevanian's idea exactly because that's—the judge has to sign it anyway and in regard to—I cannot understand the thinking behind this bill because it just simply slows down the process. Now many times—in fact I was a partner to a case not so long ago in this same connection whereby the parents and the relatives lived in different counties, and the papers had to be sent to practically four or five different counties so that they could sign, because they required that even the brothers and sisters sign. Whether that was law or not, but that was required by the Judge who put this out. Now if they have to hunt up the Judge of Probate in all these other counties it would slow it down tremendously. All this was after was the consent of these relatives that this adoption might be, then when it finally comes back to the Judge of Probate he has to approve it anyway. I can see no earthly use for this bill whatsoever.

The SPEAKER pro tem: The Chair recognizes the gentleman from Madawaska, Mr. Rowe.

Mr. ROWE: Mr. Speaker and Members of the House: For the record very briefly, these are the reasons for the Department filing this bill, quotation marks "the Department". Under natural existing law parents acknowledge consent before a justice of the peace or a

notary public. The Department believes that a Judge of Probate is in a better position to explain the meaning of the act of giving consent, and the element of haste may be eliminated. This bill is designed to get at those particular situations where for instance an unwed mother feeling stress and strain of that particular time may avoid initiating that kind of act which she may later regret, in other situations also, but those particular times when emotion and strain is felt and where initiating the action is sometimes very grossly and very sadly neglected. It would give those people that unfortunately do later regret their action to give them the time to eliminate the haste and to see that they do realize the profundity of what they are doing and what is involved.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Tevanian.

Mr. TEVANIAN: Mr. Speaker, the way adoption procedures in the State of Maine now operate, there is a period when the petition is filed in the Court, and as a matter of practice in most Probate Courts and I believe in all of them, there is a sixty-day waiting period. At the end of that sixty-day waiting period then the natural parent of the child or parents are brought before the Judge of Probate and are then and there given the opportunity to affirm or disaffirm their previous actions. There really is no need for this bill because our courts have been doing a good job and protect both the adopting parents and the natural parents. I see no necessity for this bill and the reasons given for its passage are not accurate reasons. They are born from a misunderstanding of the law and the procedures adopted by our Probate Courts. I believe if we are going to have good workable Probate laws we must let a lot of this discretion remain in the Probate Courts themselves and the Judges. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Browne.

Mr. BROWNE: Mr. Speaker, there is one point that I would like to bring out that if we do require that consent be given before the Probate Court Judge, that if there was a

diversity of residence for example, if the parent whose consent you wish to obtain lived in a different state than ours where there were no probate courts as such, what would be the resulting confusion if you wish to obtain their consent? Some of them have no interest to travel across the United States or even a few hundred miles to give their consent. It would be almost an impossibility to obtain the same.

The SPEAKER pro tem: The Chair recognizes the gentleman from Chelsea, Mr. Allen.

Mr. ALLEN: Mr. Speaker and Members of the House: I remember of reading in a popular magazine here a short time ago of a story on black market and grey market adoptions, and in each case attorneys were involved in it. In fact some of them were running it. Now this is a simple little bill that just says they should get consent from the Judge of Probate and I see no harm in it. I think it is a step in the right direction and I would like to support the bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from South Portland, Mr. Earles.

Mr. EARLES: Mr. Speaker, I am not going into specific legal ramifications, those have been gone into, but I would like to make a couple of observations. One with reference to the statement the House Chairman of the Judiciary Committee just made, with specific reference to instances where there was diversity of citizenship, there was a necessity out of state of acquiring the acknowledgment. And faced with the present bill, the department was queried how they would satisfy the necessity of a Judge of Probate where in that particular foreign jurisdiction a Judge of Probate didn't exist, and they didn't have—this is the department, the department didn't have the answer to the question.

Secondly, with a recent—in the course of the debate, a recent reference to the possibility or the potential of grey or black market. In the committee we asked the particular department head and he didn't indicate that he had any knowledge of any such in existence or any flagrant violation participated in by laymen, by hospitals or by doctors,

so at the present time there is no existing or anticipated need for this particular bill on that basis also, as well as for the other bases that have already been indicated by the various Members of the Judiciary Committee. Thank you.

The SPEAKER pro tem: The question is on item five, the motion of the gentleman from York, Mr. Hancock, for indefinite postponement of the Report and accompanying papers on Bill "An Act relating to Consents in Adoptions," House Paper 776, Legislative Document 1109. The gentlewoman from Portland, Mrs. Hendricks, has requested a division.

Will all those who favor the motion for indefinite postponement rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-six having voted in the affirmative and fifty-eight having voted in the negative, the motion prevailed and the Report and Bill were indefinitely postponed and sent up for concurrence.

Mr. Tevanian from the Committee on Claims reported "Ought not to pass" on Bill "An Act relating to Qualifications for Admission to Practice Law" (H. P. 655) (L. D. 936)

Same gentleman from same Committee reported same on Bill "An Act relating to Time for Recording Conditional Sale Agreements" (H. P. 944) (L. D. 1337)

Mr. Quinn from the Committee on Legal Affairs reported same on Bill "An Act relating to Industrial Development in City of Bangor" (H. P. 983) (L. D. 1407)

Reports were read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Walsh from the Committee on Taxation reported "Ought not to pass" on Bill "An Act Providing for a Sales Tax Across the Board" (H. P. 1017) (L. D. 1447)

Report was read.

(On motion of Mr. Caswell of New Sharon, tabled pending acceptance of Report and specially assigned for Thursday, May 9.)

Tabled and Assigned

Mr. Ervin from the Committee on Towns and Counties reported "Ought not to pass" on Bill "An Act to Create a Board of Harbor Commissioners for Penobscot Bay and River" (H. P. 1032) (L. D. 1464) which was recommitted after printing New Draft (H. P. 1059) (L. D. 1514)

Report was read.

(On motion of Mr. Rollins of Belfast, tabled pending acceptance of Report and specially assigned for Tuesday, May 7.)

Ought to Pass in New Draft New Draft Printed

Mr. Turner from the Committee on Highways, acting by authority of Joint Order (H. P. 838) reported a Resolve (H. P. 1076) (L. D. 1546) under title of "Resolve Authorizing the Commissioner of Finance and Administration to Convey Certain Land of the State in York County" and that it "Ought to pass"

Mr. Childs from the Committee on Legal Affairs on Bill "An Act Revising Laws Relating to Boilers and Unfired Steam Pressure Vessels" (H. P. 509) (L. D. 719) reported same in a new draft (H. P. 1077) (L. D. 1547) under same title and that it "Ought to pass"

Mr. Plante from the Committee on Public Utilities on Bill "An Act Amending the Charter of the Sanford Sewerage District" (H. P. 290) (L. D. 386) reported same in a new draft (H. P. 1075) (L. D. 1544) under same title and that it "Ought to pass"

Reports were read and accepted, the New Draft of Resolve read once, the New Drafts of Bills read twice and tomorrow assigned.

Ought to Pass Printed Bills

Mr. Duquette from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Resolve relating to Moneys to Obtain Plasma (H. P. 676) (L. D. 965)

Mr. Earles from the Committee on Judiciary reported same on Bill "An Act relating to Definition of Registered Mail under Municipal Tax Laws" (H. P. 72) (L. D. 99)

Reports were read and accepted, the Bill read twice, Resolve read once and tomorrow assigned.

Mr. Leathers from the Committee on Towns and Counties reported "Ought not to pass" on Bill "An Act Increasing Number of Medical Examiners for Cumberland County" (H. P. 846) (L. D. 1200)

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Brunswick, Mr. Walsh.

Mr. WALSH: Mr. Speaker and Members of the House: The County Attorney and the Maine Medical Association, I have letters from both of them saying that they are in absolute agreement, there is absolutely no need for an increased number of medical examiners in Cumberland County. I therefore move indefinite postponement of this Report and all its accompanying papers.

The SPEAKER pro tem: The motion before the House is the motion of the gentleman from Brunswick, Mr. Walsh, on item sixteen, for the indefinite postponement of the Report and all accompanying papers.

The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker and Members of the House: It appears to me this is a county problem, one with which we within the county are familiar and have the working knowledge of what the desire and the demand is. This association from Franklin County and Kennebec County came in at the public hearing and made their stand very plain and explicit, and the Committee has heard that and come out with a unanimous "Ought to pass" Report, because of the need and desire for this particular thing.

It was also not brought out at the hearing that during the reapportionment of the State of Maine, that they did not reapportion the medical examiners accordingly for the new district that was set up during reapportionment in Cumberland County. So I will therefore submit to you that the people within the County know the needs, but the people from other counties come in and tell us what is needed, not knowing the needs and desires for

such an addition to this particular issue.

The motion of the gentleman from Brunswick, Mr. Walsh, I believe might be done on the request of them more than the needs and desires and knowledge of what is needed in Cumberland County. And I know there are other Cumberland County delegates here who feel the same as I do and I think will express themselves. And I will say this much, without naming that other branch, that that particular body representing our county is in complete accord with the thinking I am expressing here this morning. And I think it is time we in our county should be able to settle our problems without having other counties come in and tell us our needs.

The SPEAKER pro tem: The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker and Members of the House: It seems to me that this is more or less a county proposition. My colleague, the gentleman from Bridgton, Mr. Haughn, lives in the northern end of the county. He tells me that a medical examiner is needed in that section of the county. And who should be more advised on the needs up there than Mr. Haughn, who lives right there. I therefore go along with his feeling.

The SPEAKER pro tem: The Chair recognizes the gentleman from Harrison, Mr. Morrill.

Mr. MORRILL: Mr. Speaker and Members of the House: This Bill was put in in the interests of the people that live in the northern part of Cumberland County. The two towns concerned there are Harrison and Bridgton. And the reason for this Bill being put in was because last year we had at least eight very embarrassing situations, embarrassing to the town officials, fire departments and so forth. It isn't the case of the medical examiners not having anything to do in the southern part of the county, but in the northern part of the county when we need them in the summer when our population multiplies by three or four we need them. And if they are busy we can't get them. It is a hardship. I think in the case of this where we are looking out for the people in the

northern part of Cumberland County that we should have this extra medical examiner.

The SPEAKER pro tem: The Chair recognizes the gentleman from Brunswick, Mr. Walsh.

Mr. WALSH: Mr. Speaker, I would hate to have the thought conveyed to the members of this House that I gave the impression that I knew more about the medical needs than the County Attorney or the Maine Medical Association. I thought I made it clear when I stood on my feet that I expressed their opinion, not my opinion. But from the County Attorney and the Maine Medical Association, I have letters if anyone doubts my word. It is their opinion, and they are the ones that have to do the work, that there is absolutely no need for further medical examiners in Cumberland County, and I just repeat what they have told me, because I think they know more about the situation than Adam Walsh.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker, in regards to our own county attorney, Mr. Chapman, he appeared at the hearing neither for or against the Bill. I asked him personally, I have asked him in front of numerous members of our delegation how he stood. He simply expressed the conditions as they existed today and he expressed that he was not taking any stand before the public hearing. And I think there was the time to express it before the Committee who would bring it back to this Legislature. And I might say to anyone here who had a loved one lay on the street five hours without being able to obtain a medical examiner, which the local doctor had no jurisdiction over removing the body, I would like to place each one of us in that embarrassed position and see how you feel. And I might also express that there is no additional burden or cost to the county regardless if we have one or a dozen. But when the needs, demand, and desire of the people, I think that is what we are down here for, to take care of their needs, and with no additional burden on the State, County or otherwise, I can't see

where we can deny them the right to have those privileges.

The SPEAKER pro tem: The question before the House is relative to item sixteen, the motion of the gentleman from Brunswick, Mr. Walsh, for the indefinite postponement of the Report on Bill "An Act Increasing Number of Medical Examiners for Cumberland County", House Paper 846, Legislative Document 1200, and all accompanying papers.

The Chair recognizes the gentleman from Harrison, Mr. Morrill.

Mr. MORRILL: Mr. Speaker, I request a division.

The SPEAKER pro tem: The gentleman from Harrison, Mr. Morrill, requests a division.

All those in favor of indefinite postponement will please stand and remain standing until the monitors have made and returned the count.

A division of the House was had.

Three having voted in the affirmative and one hundred and one having voted in the negative, the motion to indefinitely postpone the Report did not prevail.

Thereupon, the "Ought to pass" Report was accepted, the Bill read twice and assigned for third reading tomorrow.

The SPEAKER pro tem: At this time the Chair would recognize the presence in the gallery of the House of forty-seven pupils from Canton High School, grades seven to twelve, accompanied by their Principal Edmund Gibson. We welcome you and hope you will receive some pleasure and education from your attendance here this morning. (Applause)

Ought to Pass with Committee Amendment

Mr. Edwards from the Committee on Appropriations and Financial Affairs on Resolve Appropriating Moneys for Anticipated Overdrafts in Department of Agriculture Due to Insufficient Appropriations (H. P. 980) (L. D. 1404) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 980, L. D. 1404, Resolve, Appropriating Moneys for Anticipated Overdrafts in Department of Agriculture Due to Insufficient Appropriations.

Amend said Resolve by striking out all of the Title, and inserting in place thereof the following Title: 'Resolve, Relating to Deficiency Appropriation for Department of Agriculture and to Provide Funds for Salary of Assistant County Attorney of Aroostook County.'

Further amend said Resolve by adding after the figure "\$20,000" in the 16th line, the following:

'; and be it further

Resolved:

That there be, and hereby is, appropriated from the General Fund the sum of \$625.00 for the fiscal year ending June 30, 1957 to carry out the purposes of Chapter 93 of the Public Laws of 1957.'

Committee Amendment "A" was adopted and the Resolve assigned for second reading tomorrow.

Tabled and Assigned

Mr. Hancock from the Committee on Judiciary on Bill "An Act relating to Evidence of Intoxication and Chemical Tests for Alcoholic Content of Blood of Motor Vehicle Drivers" (H. P. 507) (L. D. 717) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Hancock of York, tabled pending acceptance of Report and specially assigned for Friday, May 3.)

Mr. Beane from the Committee on Public Utilities on Bill "An Act relating to Systems of Drainage or Sewerage" (H. P. 753) (L. D. 1067) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 753, L. D. 1067, Bill, "An Act Relating to Systems of Drainage or Sewerage."

Amend said Bill by striking out all of the next to last sentence and

inserting in place thereof the underlined sentence:

'Municipalities and sewer districts shall submit to said Commission for its advice the plans and specifications for any proposed new system of drainage, sewage disposal or sewage treatment, except purely storm water systems and any alterations in existing facilities.'

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

Mr. Haughn from the Committee on Public Utilities on Bill "An Act to Incorporate the Rangeley and Eustis Light and Power District" (H. P. 907) (L. D. 1293) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Carville of Eustis, tabled pending acceptance of Report and specially assigned for Friday, May 10.)

Mr. Hendsbee from the Committee on Towns and Counties on Bill "An Act relating to Number of Medical Examiners in Penobscot County" (H. P. 170) (L. D. 217) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 170, L. D. 217, Bill, "An Act Relating to Number of Medical Examiners in Penobscot County."

Amend said Bill by striking out the underlined figure "9" in the 10th line and inserting in place thereof the underlined figure "7"

Committee Amendment "A" was adopted.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Totman.

Mr. TOTMAN: Mr. Speaker, I rise simply to address a question through the Chair to either the gentlewoman from Patten, Mrs. Harrington, or any member of the Committee, to ask if this bill and the earlier one we had on Cumberland County are now in alignment? I frankly can't tell on short notice where these amendments are in

order, are not contradictory. Would they care to answer that question?

The SPEAKER pro tem: The gentleman from Bangor, Mr. Totman, has addressed a question through the Chair—. The Chair recognizes the gentleman from Houlton, Mr. Ervin.

Mr. ERVIN: Mr. Speaker and Ladies and Gentlemen of the House: These are two separate bills. It was the opinion of the Towns and Counties Committee that they should go out separately rather than one bill. It is a separate bill for Cumberland County and a separate bill for Penobscot County.

The SPEAKER pro tem: The Chair recognizes the gentleman from Lee, Mr. Frazier.

Mr. FRAZIER: Mr. Speaker, I think perhaps in answer to the question of the gentleman from Bangor, Mr. Totman, he may have wanted the number. The amendment does reduce the request of Penobscot County from nine to seven. The Cumberland bill increased theirs from six to seven, so both counties now would have seven medical examiners if that is his question.

Thereupon, the Bill was assigned for third reading tomorrow.

Divided Report Tabled and Assigned

Majority Report of the Committee on Highways reporting "Ought not to pass" on Bill "An Act to Authorize the Construction of a Causeway, Connecting Cousins Island with Littlejohns Island, and a Bridge and Causeway Connecting Littlejohns with Chebeague Island" (H. P. 19) (L. D. 24)

Report was signed by the following members:

Messrs. PARKER of Piscataquis
FERGUSON of Oxford
COLE of Waldo
— of the Senate.
Messrs. TURNER of Auburn
CARTER of Etna
GRAVES of Mount Desert
— of the House.

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

Report was signed by the following members:

Messrs. DENBOW of Lubec

HIGGINS of Scarborough
 NADEAU of Biddeford
 ELWELL of Brooks
 — of the House.

Reports were read.

(On motion of Mr. Call of Cumberland, tabled pending acceptance of either Report and specially assigned for Wednesday, May 8.)

Divided Report

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Negligently Operating a Motor Vehicle so as to Cause Death" (H. P. 366) (L. D. 496)

Report was signed by the following members:

Messrs. SILSBY of Hancock
 WOODCOCK of Penobscot
 BUTLER of Franklin
 — of the Senate.

Messrs. WALKER of Auburn
 TEVANIAN of Portland
 BRODERICK of Portland
 — of the House.

Minority Report of same Committee on same Bill reporting same in a new draft (H. P. 1078) (L. D. 1548) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. BROWNE of Bangor
 EARLES of South Portland
 NEEDHAM of Orono
 HANCOCK of York
 — of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from York, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker and Ladies and Gentlemen of the House: This Bill now before you is one of the Governor's Highway Safety Committee Bills. It is not, as you can see, in its original form. The Bill in its original form was a complete new phase of law with regard to highways and with regard to negligence. The original Bill had incorporated in it the Civil Law definition of ordinary negligence, and there was a great deal of opposition to it and I certainly could understand why.

So that I, in order to present something that would be acceptable to the attorneys of the State plus

the citizens of the State, went to the library and found the law of the State of Illinois, which was entitled Reckless Homicide. This Bill is an incorporation of that particular law.

The reason for such a bill as presented by the Governor's Highway Safety Committee is that at the present time for death resulting by automobile on the highway the enforcement officers and the prosecuting officers must resort to our present manslaughter statute, which is rather unwieldy for such particular cases as highway deaths.

This Bill would make such homicide a misdemeanor, and if you will notice in the Bill, the penalties there are the same as they are for our present "Driving under the influence" statute, of course together with a revocation of license.

Now I might just give the reasons why such a bill was presented by reading a statement from the Northwestern University Law Review, which I think ties in exactly with the reasons given by the Governor's Highway Safety Committee and Enforcement officials of this State, I quote from the Northwestern University Law Review, 1953-54. "The reckless homicide provision of the Illinois Criminal Code was probably added to enable the State to secure convictions in case of involuntary manslaughter committed by operation of a motor vehicle. There is no real difference between this crime and involuntary manslaughter. It merely reflects the public's attitude that manslaughter is too harsh a name and penalties for such conduct." That is exactly what we are trying to do with this Bill.

Those who oppose the Bill, there are many reasons why they do oppose it and you will certainly hear them, one of them is that by the mere fact that we want to procure more convictions is not a good reason for it. Actually we are doing the same thing that Illinois did, basically it is a manslaughter statute, but it brings it into the highway problem area, and making it a misdemeanor, and actually should be easier to obtain convictions in negligent driving in which death results.

I don't know the circumstances of the recent case here in Augusta,

but from all I have read about it, this statute probably would apply in that particular case.

I want simply to remind you that the penalty is—and I shall read it, “Not less than \$100 nor more than \$1000, or for imprisonment for not more than eleven months,” now, that is a discretionary penalty as to fine and to imprisonment, “and upon conviction the loss of license for three years.”

The court in this State, by the nature of their decisions has made it difficult for the obtaining of convictions for the killing or the manslaughter for the highway in the automobile field. And this court has said, in the State of Maine, “In order to convict a respondent of manslaughter based upon negligence it is incumbent on the State to establish a degree of negligence as carelessness which is denominated gross or culpable. Gross or culpable negligence in criminal law involves reckless disregard for the lives or safety of others.” This Bill spells that out exactly by giving the definition as to what the reckless disregard for the safety of others shall mean.

Now, I believe wholeheartedly that this particular Bill will work in the State of Maine, and it will be a deterrent in the sense that if you get a few convictions under it, and people realize that something can be done with those accidents on our highways from which death results, then it will become a deterrent and a good highway safety measure.

I don't want to prolong this particular debate except to say that even in new draft it is recommended and O.K.'d by the Governor's Highway Safety Committee. And I move acceptance of the Minority “Ought to pass” Report.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from York, Mr. Hancock, for the acceptance of the Minority Report as to item twenty-three.

The Chair recognizes the gentleman from Bangor, Mr. Browne.

Mr. BROWNE: Mr. Speaker and Ladies and Gentlemen of the House: I signed the Minority “Ought to pass” Report, and therefore I rise

in support of the gentleman from York, Mr. Hancock.

I do this, not because I believe the answer to our problem is more convictions. The primary reasons for the number of accidents we have on our highways is with the individuals themselves. But the prosecution officers tell us that under our present law it is almost impossible to obtain conviction for homicide as the result of an automobile accident unless there was liquor involved. There must be something to take it far out of the realm of negligence. This, I believe, will cover an area which should have protection, and I hope that the motion of the gentleman from York, Mr. Hancock, carries.

The SPEAKER pro tem: The motion before the House is the motion of the gentleman from York, Mr. Hancock, to accept the Minority “Ought to pass” Report.

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

Mr. BRODERICK: Mr. Speaker and Members of the House: I cannot follow the reasoning of my brothers. It seems to me that what they offer here is this proposition. Inasmuch as the law now reads, if we were to follow their line of reasoning, at least we should make murder or armed robbery a misdemeanor, and have that classified also as a misdemeanor.

What they are concerned with is convictions and convictions only. This Bill is not a safety measure. I cannot see where one life would be saved by its passage. If a man is driving on the highway, if he is reckless, if he is driving with disregard for rights of others, and death results, I feel he should be brought to trial under the existing law, which is a felony, and that would be involuntary manslaughter. I now move the indefinite postponement of this Bill.

The SPEAKER pro tem: The motion now before the House is the motion of the gentleman from Portland, Mr. Broderick, for the indefinite postponement of both reports and all accompanying papers.

The Chair recognizes the gentleman from Auburn, Mr. Walker.

Mr. WALKER: Mr. Speaker and Members of the House: The State of Illinois has its own problems and I

have no quarrel with their problems as such. We here in Maine have over the years adopted the thinking of the people here in Maine for the benefit of the people in Maine.

The great bulk and majority of our manslaughter cases, and the ones brought to the attention of the Committee, involve teenagers. We know that they are a serious problem to the automobile insurance industry, they are a serious problem to the various interests throughout the State. The minority that is driving recklessly and becomes involved in accidents are something that has caused all of us a great deal of concern. We cannot pass legislation to cure this evil or solve the problem. The youngsters become involved in fatalities, and I can recall recently the most serious one that happened in the Bowdoinham area was followed within two days by another serious accident in the same area. The young people unfortunately become involved in these things through their own recklessness. In my opinion it would serve no useful purpose whatsoever to levy large fines against this group, but would in effect seriously injure and cause irreparable damage to the parents of at least some of the group.

I might add that not long ago we had a situation in the City of Auburn involving a teenager that chose to be an honest boy. In traveling down one of our city streets he was unfortunate enough to strike a pedestrian that had darted across the street apparently without looking. When the boy was questioned at the Auburn Police Headquarters, he admitted to the police that he was driving at a speed approaching thirty miles per hour along the city streets. Incidentally, this lad was the son of a local minister, and this particular boy was known for his veracity and telling of the truth. In my opinion, if this particular legislation became law, the officials in that particular case would have no alternative but to levy a heavy fine or possibly imprison the youngster.

If this would serve a useful purpose and act as a deterrent, then I personally would not have signed the Report indicating that the legislation was undesirable and should not pass. In view of that and in

view of the statements made by the State Police officers at the hearing I feel very strongly about this matter, and therefore would like to support the motion made to indefinitely postpone the Bill and all its papers.

The SPEAKER pro tem: The Chair recognizes the gentleman from York, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker and Members of the House: With regard to some remarks made by the last two speakers, the gentleman from Auburn, Mr. Walker, stated that the bulk of the accidents and deaths on our highways are the result of teenage driving. I don't necessarily agree to that and I don't know of any statistics that show that in particular. Granted, the teenagers of today certainly drive more than we did twenty years ago.

Along with this Bill I think that we have to have some faith in the courts of this State in handling any particular matter. If you are dealing with a fifteen year old or a fifty year old the court can take that into consideration. This first goes before the Municipal Courts in our State with the right of appeal.

Now, with regard to the statement of the gentleman from Portland, Mr. Broderick, that the present manslaughter law is satisfactory, that is the very reason for this Bill because it is not satisfactory relating to deaths by automobiles. And since the manslaughter law was enacted upon our books, the automobile has increased in speed, in number, and has become a dangerous weapon, just as an automatic rifle is. And this would be legislation, I think, moving forward in the field of highway safety, and it has been enacted in similar laws in many other states, some under the title of reckless homicide and some in dealing with reckless driving. This particular measure is the Illinois Law, and I don't think the problem of highway safety is any different in the State of Maine than it is in the State of Illinois.

The SPEAKER pro tem: The Chair recognizes the gentleman from Orono, Mr. Needham.

Mr. NEEDHAM: Mr. Speaker and Members of the House: I might present one observation that I don't think has been touched on. And that is at the hearing on this Bill, the

original Bill before our Committee, the first draft made it an offense under which a person could be found negligently guilty for causing death if the negligence involved was simply that which would support an action for civil damages. And I believe I am correct in saying that as to such a bill, such a definition of negligence, most of the Committee or the majority of the Committee was opposed to going along with that kind of a bill. But it seems very clear that in connection with the great increase in highway accidents, the number of deaths that are caused, that something has to be found that will tend to solve this problem.

Now, the first bill that was presented was unsatisfactory because I believe it went to the other extreme from our present law. Under your present law you have got to prove manslaughter a felony, which makes it possible for a person who causes death by an automobile to be sentenced to the State Prison for a long period of time. And for that reason the jury will not convict unless the case is very clear, unless there is liquor involved, or unless it is a very clear case.

And on the other hand we don't want a law such as was first brought before the Committee which made it possible for a person involved in manslaughter, a fatality, to be found guilty for just mere ordinary negligence, the type of negligence that would make it possible to recover damages. But I believe that this Bill is something in between, because in this Bill you have to prove more than mere negligence. You have to prove reckless conduct toward the party whose life is taken in the accident. And this Bill is a more sensible bill. In addition to that the offense becomes a misdemeanor. The fine is in proportion to the circumstances and type of a case. And I think that this Bill certainly is entitled to your consideration, and I hope that the motion does not prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Auburn, Mr. Walker.

Mr. WALKER: Mr. Speaker and Members of the House: Inasmuch as this Bill has been represented as a highway safety measure, I would

now inquire if the new draft has been submitted to the Committee for their endorsement, from any member of the Committee who might know the answer to that one.

The SPEAKER pro tem: The gentleman from Auburn, Mr. Walker, has asked a question of any member of the Committee. Does the gentleman from York, Mr. Hancock, rise for the purpose of answering the question?

Mr. HANCOCK: I do.

The SPEAKER pro tem: The gentleman may proceed.

Mr. HANCOCK: This Bill has not been presented to the Committee as a whole, because I think that the Committee consists of about 16,000 people now. However, the Chairman of this Committee, Mr. Jewett of Bath, has been consulted about it and he is very enthusiastic about it. And if the Committee would have accepted the prior bill, there certainly is no reason why they wouldn't accept this particular bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Tevanian.

Mr. TEVANIAN: Mr. Speaker, I would inquire through the Chair of the gentleman from York, Mr. Hancock, whether this changes the responsibility at all of the necessity of proving the same thing that we now have on our books, whether this statute changes it at all.

The SPEAKER pro tem: The gentleman from Portland, Mr. Tevanian, has asked a question through the Chair of the gentleman from York, Mr. Hancock, who may answer if he so wishes.

Mr. HANCOCK: No, I don't believe it does. But the idea, as I read from the Law Review, is the purpose of making it a misdemeanor. And one of the reasons that it is difficult for convictions under the present manslaughter law is the penalties involved, up to twenty years imprisonment. Now, as I stated before, this is manslaughter in another form relating to a particular field, which I believe and others believe, is a good highway safety measure.

The SPEAKER pro tem: The Chair recognizes the gentleman from Madison, Mr. Hendsbee.

Mr. HENSBEE: Mr. Speaker

and Members of the House: In this Bill you will notice a provision that says that the license shall be suspended during an appeal. I would have had that amended and added to the drunken driving bill had it lived that long. But it died in its infancy.

I rise to support this Bill because that is a good measure which is being used in other states now. I know of a man who was convicted the latter part of January, and he appealed and he was able to drive his automobile until the Superior Court met again in May. Consequently this Bill does away with just that. As they do in New Hampshire, if you are found guilty you surrender your license right there and then. If you file an appeal and you win it your license is restored, if not you accept the penalty as here read. I rise to support the Bill.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Portland, Mrs. Hendricks.

Mrs. HENDRICKS: Mr. Speaker and Members of the House: I am a member of the Governor's Highway Safety Committee, and I would like to go on record as being in favor of this Bill. Some of our judges in our highest courts have read this Bill and are on record as being in favor of it, and some of our county attorneys.

The SPEAKER pro tem: On item twenty-three, Bill "An Act relating to Negligently Operating a Motor Vehicle so as to Cause Death," House Paper 366, Legislative Document 496, the question is the motion of the gentleman from Portland, Mr. Broderick, to indefinitely postpone both reports and their accompanying papers. The gentleman from York, Mr. Hancock, requests a division.

Will all those in favor of indefinite postponement please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-four having voted in the affirmative and seventy-seven having voted in the negative the motion did not prevail.

The SPEAKER pro tem: The question now is on the motion of the gentleman from York, Mr. Hancock, for the acceptance of the Minority

"Ought to pass" Report. Is this the pleasure of the House?

All those in favor will please say aye; those opposed, no.

A viva voce vote being taken the Chair ruled the motion prevailed.

The SPEAKER pro tem: The judgment of the Chair is doubted and the Chair orders a division.

Will all those in favor of the acceptance of the Minority Report "Ought to pass" in new draft please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-one having voted in the affirmative and thirty-eight having voted in the negative the motion prevailed and the Minority "Ought to pass in new draft" Report was accepted.

Thereupon, the New Draft was given its first and second readings and assigned for third reading tomorrow.

Divided Report Tabled and Assigned

Majority Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act Establishing a Highway Use Tax" (H. P. 843) (L. D. 1197)

Report was signed by the following members:

Messrs. LOW of Knox

BOUCHER of Androscoggin

WYMAN of Washington

— of the Senate

Messrs. WALSH of Brunswick

BROWN of Ellsworth

HANSON of Gardiner

BESSE of Clinton

— of the House.

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

Report was signed by the following members:

Messrs. FARMER of Wiscasset

CYR of Augusta

ROLLINS of Belfast

— of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Auburn, Mr. Turner.

Mr. TURNER: Mr. Speaker, I would like to place this on the table until Thursday, May 9, pending acceptance of either report.

The SPEAKER pro tem: The gentleman from Auburn, Mr. Turner, moves that this item lie on the table and be specially assigned for May 9. Is this the pleasure of the House?

A viva voce motion was taken and the ruling of the Chair was doubted.

A division of the House was had. Seventy-two having voted in the affirmative and thirty-seven having voted in the negative, the motion prevailed and the Reports were so tabled.

Divided Report Tabled and Assigned

Majority Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act to Provide Additional Revenue by Severance Taxes on Severer of Timber or Producer of Timber Products" (H. P. 975) (L. D. 1377)

Report was signed by the following members:

Messrs. LOW of Knox
WYMAN of Washington
— of the Senate.

Messrs. HANSON of Gardiner
BROWN of Ellsworth
WALSH of Brunswick
BESSE of Clinton
— of the House.

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

Report was signed by the following members:

Mr. BOUCHER of Androscoggin
— of the Senate.

Messrs. CYR of Augusta
ROLLINS of Belfast
FARMER of Wiscasset
— of the House.

Reports were read.

(On motion of Mr. Rowe of Madawaska, tabled pending acceptance of either Report and specially assigned for Thursday, May 9.)

Divided Report Tabled and Assigned

Majority Report of the Committee on Towns and Counties reporting "Ought not to pass" on Bill "An Act relating to Expending Penobscot County Funds for Higgins Classical Institute" (H. P. 646) (L. D. 913)

Report was signed by the following members:

Messrs. WYMAN of Washington
FARLEY of York
Mrs. LORD of Cumberland
— of the Senate.

Messrs. HENDSBEE of Madison
LEATHERS of Hermon
WEBBER of China
— of the House.

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

Report was signed by the following members:

Messrs. PRUE of Ashland
ERVIN of Houlton
— of the House.

Reports were read.

(On motion of Mr. Rich of Charleston, tabled pending acceptance of either Report and specially assigned for Friday, May 3.)

At this point, Speaker Edgar returned to the rostrum.

SPEAKER EDGAR: The Chair would like to take this opportunity to thank the gentleman from Kennebunk, Mr. Emmons, for his excellent and long drawn out services as Speaker pro tem.

Thereupon, the Sergeant-at-Arms conducted the gentleman from Kennebunk, Mr. Emmons, to his seat on the Floor, amid the applause of the House, and Speaker Edgar resumed the Chair.

Passed to Be Engrossed

Bill "An Act Increasing Certain Fees of Sheriffs and their Deputies" (S. P. 226) (L. D. 569)

Bill "An Act Repealing Law Requiring Convicts to Give Notes for Fines and Costs" (S. P. 403) (L. D. 1099)

Bill "An Act relating to Registration Fees on Certain Commercial Vehicles" (S. P. 544) (L. D. 1526)

Bill "An Act Providing for Disability Retirement under State Police Retirement System" (H. P. 326) (L. D. 443)

Bill "An Act to Increase Clerk Hire for Probation Officers in Androscoggin County" (H. P. 1008) (L. D. 1434)

Bill "An Act relating to Counter-signature by Resident Agents on Insurance Policies" (H. P. 1072) (L. D. 1539)

Bill "An Act Granting a New Charter to the Town of Old Orchard Beach" (H. P. 1073) (L. D. 1538)

Bill "An Act relating to Systems of Water Supply" (H. P. 1074) (L. D. 1543)

Resolve in favor of Mabelle K. Toole of Bangor (H. P. 389) (L. D. 520)

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

Amended Bills

Bill "An Act to Correct Inconsistencies in State Prison Sentences" (S. P. 201) (L. D. 546)

Bill "An Act relating to Compensation for Eye Impairment under Workmen's Compensation Act" (S. P. 284) (L. D. 743)

Bill "An Act Clarifying the Outdoor Advertising Law" (S. P. 418) (L. D. 1177)

Bill "An Act relating to Permissive Closing of County Offices on Saturday" (H. P. 445) (L. D. 621)

Bill "An Act relating to Employer's Contribution Rate under Employment Security Law" (H. P. 815) (L. D. 1158)

Bill "An Act relating to False Report of Deposit of Bombs or Other Infernal Devices" (H. P. 938) (L. D. 1331)

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

Third Reader

Tabled and Assigned

Bill "An Act Revising Law Relating to Pharmacists" (H. P. 951) (L. D. 1352)

Was reported by the Committee on Bills in the Third Reading and read the third time.

(On motion of Mr. Emerson of Millinocket, tabled pending passage to be engrossed and specially assigned for Wednesday, May 8.)

Bill "An Act relating to Licensing of Special Insurance Brokers" (H. P. 1014) (L. D. 1444)

Was reported by the Committee on Bills in the Third Reading, read

the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Bill "An Act relating to the Appointment of a Temporary Deputy Commissioner" (S. P. 375) (L. D. 998)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" in non-concurrence and sent up for concurrence.

Bill "An Act relating to Payment of Expenses of Lewiston Municipal Court" (H. P. 152) (L. D. 190)

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

Third Reader

Tabled and Assigned

Bill "An Act to License and Regulate Operation of Trading Stamp Companies" (H. P. 895) (L. D. 1281)

Was reported by the Committee on Bills in the Third Reading.

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

Mr. CHILDS: Mr. Speaker and Members of the House: Yesterday when this matter was under debate I have to admit that the reason I did not arise on the matter that the amendment was that the tax was to be done on a mill basis. By the time that I figured out what a mill basis was and what this tax was going to be, the previous question had been ordered and the Bill was voted on. Now that I have had an opportunity to figure out what kind of a tax we are operating with, on a half a mill per stamp, I have now found out that as far as the sale of stamps are concerned, they are sold for four and a half mills to the different stores. Under that basis that means you are operating on a twenty per cent tax.

I have also inquired as to several of the larger companies, finding out how much money this could amount to. From one of the largest com-

panies, the S & H, this tax would cost them a quarter of a million dollars a year. And one of the other companies, I believe it was TV, it would cost them something like eight thousand dollars a year.

Now, I am certainly of the opinion that putting a tax on a company that is going to amount to a quarter of a million dollars a year is absolutely ridiculous, unless you are actually trying to put them out of business. Because it is a competitive business and I know that this company certainly does not operate anywhere near that margin of profit.

If it is our purpose to put them out of business, without even questioning the constitutionality of it, let me call this to your attention. We at the present time, this Legislature, is considering floating a \$20,000,000 bond issue, in other words, pledging the credit of the State of Maine for industrial development. Now, the reason for this is to attract industry to the State of Maine. Here we are on one hand attempting to attract industry, and on the other hand attempting to put industry right out of the State of Maine.

As far as the tax, the amendment, is concerned, I am strictly opposed to it because I believe it is excessive and I believe it is abusive.

Now, another aspect of the Bill which I do not like, and I would be opposed to it no matter what the tax was, it is this: I consider this a special and class legislation. Here are certain outfits who are on an operating basis, and apparently are operating good, for some unknown reason because people feel it is a nuisance, they want to put a tax on them. Now, this is nothing but a method and a form of advertising. If we put a tax on stamps why shouldn't we put a tax on stores who run tape registers, they operate exactly on the same basis. Why shouldn't we put a tax on the Fuller Brush Company who holds these parties and gives premiums for attending and so forth? Why shouldn't we put a tax on the Raleigh Cigarettes who have coupons? Why shouldn't we put a tax on Holiday Cigarettes who operate on a coupon basis, and many many others?

Now, they argue that the reason we should tax these people, the rea-

son for taxation, is because the stores are compelled to go into the stamp business. Now, first of all I say they are not compelled, nobody is compelled to go into the stamp business. Because one or two stores have it, it does not mean that others have to go into it. They argue they have to go into it on a competitive basis. Well you know and I know, when you are giving stamps and they are giving premiums and so forth, that the people are paying for them. And if the people are paying for them it is only logical that the cost is going to be greater. So if a store is operating and does not have stamps it only means that they can sell their goods cheaper. People who are not interested in stamps do not have to go to stores where they have stamps.

I am not going to talk about the people who desire this and the many, many calls that probably many of you have had. We know that in one state it went on referendum and they voted it down two to one, they wanted to keep the stamps. And the last thing, when we talk about taxation, you know on the sales tax we have exempted food. Now, a great deal of this tax of course, no matter what it is, will come from the sale of food. As you know and I know, if the trading stamp companies themselves are going to have to pay the tax they will charge more for their stamps and the consumer is going to pay more for his goods. So in the long run you are doing nothing but placing a tax primarily and basically on the people who are buying the things.

So with those objections I now move that this Bill and all its accompanying papers be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Ervin.

Mr. ERVIN: Mr. Speaker, I think we have a very good example of what this type of tax is going to do to an individual store. Yesterday in debate, the gentleman from Livermore Falls, Mr. Kinch, spoke. And I would like to read you just a couple of lines from yesterday's journal, in which he stated "There are 5,000 stamps in a book. Although I am not pleased to divulge my business to

you members of the House, we handle about twenty books a week, which would be 100,000 stamps." Now with a half a mill tax that is represented in this Bill, those 100,000 stamps would amount to a tax of \$50 a week in Mr. Kinch's store in, I believe, Livermore Falls. So you can see exactly how a twenty per cent tax is going to work. I agree with the gentleman from Portland, Mr. Childs, and hope his motion prevails.

The SPEAKER: The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Members of the House: I wish this to be tabled because I do agree that perhaps this tax is a little larger than it should be, and there is an amendment being prepared which I think everybody will go along with. And I am just sorry that they keep hacking this thing that we are trying to drive someone out of business. It is not so. These people are in here and not paying any tax, and by their own talk here, that the gentleman from Portland, Mr. Childs, just gave you, they are taking millions of dollars out of this State without paying anything for the cost of administration and so forth. And they bringing it up that we are trying to drive them out. We are not, we are just merely asking them. And because of that we are willing to go along to make this tax, I believe, agreeable to everybody with a fair sense of value. So with that thought in mind I would like to table it until Tuesday next, pending the motion of the gentleman from Portland, Mr. Childs, for indefinite postponement, because we are preparing an amendment.

The SPEAKER: The motion now before the House is the motion of the gentleman from Bowdoinham, Mr. Curtis, on item number twenty, Bill "An Act to License and Regulate Operation of Trading Stamp Companies", House Paper 895, Legislative Document 128, who moves that this item be tabled until Tuesday next, pending the motion of the gentleman from Portland, Mr. Childs, that the Bill and all accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Portland, Mr. Childs, but

reminds him that the motion is not debatable.

Mr. CHILDS: Mr. Speaker, I request a division on the tabling motion.

The SPEAKER: The gentleman from Portland, Mr. Childs, has requested a division.

Will those who favor the motion of the gentleman from Bowdoinham, Mr. Curtis, that this item be tabled and specially assigned for Tuesday next, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Eighty-three having voted in the affirmative and thirty-four having voted in the negative, the motion prevailed and the Bill was so tabled.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Quinn.

Mr. QUINN: Mr. Speaker, on item one I would like to ask that that be tabled until Wednesday of next week with the possibility of putting an amendment on it.

The SPEAKER: With respect to item one, Bill "An Act Increasing Certain Fees of Sheriffs and their Deputies", Senate Paper 226, Legislative Document 569, the Chair understands that the gentleman from Bangor, Mr. Quinn, now moves that the House reconsider its action whereby it passed this item to be engrossed. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The gentleman from Bangor, Mr. Quinn, now moves that item number one, Bill "An Act Increasing Certain Fees of Sheriffs and their Deputies" be tabled and specially assigned for Wednesday of next week pending passage to be engrossed. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

Passed to Be Enacted Emergency Measure

An Act to Incorporate The Northport School District in Northport (H. P. 749) (L. D. 1063)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elect-

ed to the House being necessary, a division was had. 133 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 Creating an Interstate Compact on Mental Health (S. P. 127) (L. D. 340)

An Act relating to Aid to Public and Private Hospitals (H. P. 382) (L. D. 511)

An Act Providing for Short Form Record of Civil Cases (H. P. 544) (L. D. 771)

An Act relating to Repairs of Roads in Unorganized Territory and Deorganized Towns (H. P. 599) (L. D. 846)

An Act to Create the Falmouth Sewer District (H. P. 669) (L. D. 950)

An Act Repealing Certain Limitations in Hunting with Bow and Arrow (H. P. 898) (L. D. 1284)

An Act Licensing Pin Ball Machines (H. P. 904) (L. D. 1290)

An Act Creating the Mars Hill Utility District (H. P. 985) (L. D. 1409)

An Act relating to Duties of the Aeronautics Commission (H. P. 1040) (L. D. 1473)

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

Orders of the Day

The SPEAKER: Under Orders of the Day the Chair lays before the House the first item, Special Order for today, Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election, House Paper 66, Legislative Document 93, the pending question is first reading.

Thereupon the Resolve was given its first reading.

The SPEAKER: The Clerk will read Committee Amendment "A".

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

COMMITTEE AMENDMENT "A" to H. P. 66, L. D. 93, Resolve, Proposing an Amendment to the Constitution Changing the Date of the General Election.

Amend said Resolve by striking out the 2nd paragraph of that part which relates to the form of question and date when amendment shall be voted upon and inserting in place thereof the following:

"Shall the Constitution which now provides that the general election shall take place on the second Monday of September, biennially, be amended, as proposed by a resolution of the Legislature, to the Tuesday following the first Monday in November?"

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

Mr. CHILDS: Mr. Speaker, because of the lateness of the hour I will not oppose this measure today. Tomorrow I will move for indefinite postponement and express my reasons why. The Resolve will automatically be on the table tomorrow for its second reading. And therefore, I hope that the other members who plan to oppose this will go along with the gentleman from Bath, Mr. Ross, today and let this Resolve have its first reading, and tomorrow it will come up and we can debate the merits of it.

The SPEAKER: Is it the pleasure of the House that Committee Amendment "A" shall be adopted?

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

Mr. JALBERT: Mr. Speaker, I merely want to arise and ask if we are having a morning or an afternoon session tomorrow?

The SPEAKER: The session tomorrow will begin at nine-thirty.

Is it the pleasure of the House that Committee Amendment "A" shall be adopted?

Thereupon, Committee Amendment "A" was adopted and the Resolve assigned for second reading tomorrow.

The SPEAKER: Under Orders of the Day the Chair now lays before the House the second special order on the calendar, Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of the Governor to Four-Year Terms, House Paper 157, Legislative Document 204, which was made a special order of the day, and the question before the House is the first reading.

Thereupon the Resolve was given its first reading.

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

COMMITTEE AMENDMENT "A" to H. P. 157, L. D. 204, Resolve, Proposing an Amendment to the Constitution Changing the Tenure of Office of the Governor to Four-Year Terms.

Amend said Resolve by striking out the 2nd paragraph of that part which relates to form of question and date when amendment shall be voted upon and inserting in place thereof the following:

"Shall the Constitution, which now provides for a two-year term for Governor, be amended, as proposed by a resolution of the Legislature, to a four-year term and the Governor shall not be eligible to succeed himself?"

Committee Amendment "A" was adopted.

Committee Amendment "B" was read by the Clerk as follows:

COMMITTEE AMENDMENT "B" to H. P. 157, L. D. 204, Resolve, Proposing an Amendment to the Constitution Changing the Tenure of Office of the Governor to Four-Year Terms.

Amend said Resolve by striking out in the 3rd and 4th lines of that part designated "Section 2" the underlined words "and shall not be eligible to succeed himself" and inserting in place thereof the following underlined sentence:

"The person who has served two consecutive popular elective terms of office as Governor shall be ineligible to succeed himself."

Further amend said Resolve by striking out the second paragraph of that part which relates to form of question and date when amendment shall be voted upon and inserting in place thereof the following:

"Shall the Constitution, which now provides for a two-year term for Governor, be amended as proposed by a resolution of the Legislature, to a four-year term with a further limitation that he shall not succeed himself after two such successive terms."

The SPEAKER: Will the gentleman from Bath, Mr. Ross, approach the rostrum please.

Is it now the pleasure of the House that Committee Amendment "B" shall be adopted?

Committee Amendment "B" was adopted.

The SPEAKER: The Chair is advised that the Committee reported Committee Amendment "B" and not Committee Amendment "A", and for that reason Committee "A" should not have been read. It will be necessary for the House to reconsider its action whereby it accepted Committee Amendment "A", which was not reported out by the Committee.

Is it the pleasure of the House to reconsider its action whereby it adopted Committee Amendment "A"?

The motion prevailed, and the Resolve was assigned for second reading tomorrow.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: May I request unanimous consent to address the House briefly?

The SPEAKER: The gentleman may proceed.

Mr. ROSS: As some of you may realize I am more than a little bit interested in this Resolve. I was fully prepared to debate it today, but time is running out and I do not want to try your patience any more than necessary, and so I have agreed to follow the same procedure as on the last Resolve, and we will have a full fledged constitutional debate tomorrow.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Totman.

Mr. TOTMAN: Mr. Speaker, because of the lateness of the hour and the fact that there are several executive sessions this afternoon, I would move that the House now adjourn until tomorrow morning at nine-thirty.

The SPEAKER: The motion before the House is the motion of the gentleman from Bangor, Mr. Totman, that the House now adjourn and reconvene tomorrow morning at nine-thirty.

The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

The Chair is advised that the motion to adjourn is before the House and the Chair cannot recognize the gentleman until the motion has been voted upon.

Mr. WINCHENPAW: I just wanted to request unanimous consent to address the House briefly. The gentleman from Bangor, Mr. Totman, just got ahead of me, that was all.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Totman.

Mr. TOTMAN: Mr. Speaker, in courtesy to the gentleman from Friendship, Mr. Winchenpaw, if he wishes unanimous consent to address the House I will withdraw my motion.

The SPEAKER: The gentleman from Bangor, Mr. Totman, withdraws his motion to adjourn and the

Chair now recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker and Members of the House: There is a possibility that I might not be here tomorrow and I would just like to go on record as favoring home rule. It occurs to me I may be opposed to four year terms for Governor or a change in the election date, but I believe if I were here tomorrow I would vote to send those out to the people. I just merely wanted to put that on record.

On motion of Mr. Totman of Bangor,

Adjourned until nine-thirty o'clock tomorrow morning.