

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Fifth Legislature*

OF THE

STATE OF MAINE

VOLUME II

1951

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

On motion of Mrs. Moffatt of Bath, Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

### House Reports of Committees

#### Divided Report

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution relating to Absent Voting" (H. P. 105) (L. D. 52)

Report was signed by the following members:

Messrs. HASKELL of Cumberland  
WARD of Penobscot  
BARNES of Aroostook  
—of the Senate.  
McGLAUFILIN of Portland  
HARDING of Rockland  
DELAHANTY of Lewiston  
—of the House.

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

Report was signed by the following members:

Messrs. HAYES of Dover-Foxcroft  
WOODWORTH of Fairfield  
FULLER of Bangor  
Mrs. FAY of Portland  
—of the House.

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE: Mr. Speaker, it is not quite clear to me which report is favorable to the resolve. It is my resolve and I would like to speak on it, but it was my impression that the "Ought to pass" report was otherwise signed.

The SPEAKER: The Chair would inform the gentleman that according to the record it appears that the minority report is the "Ought to pass" report, and the majority report is the "Ought not to pass" report.

Mr. CHASE: Mr. Speaker, may I ask who signed the "Ought to pass" report?

The SPEAKER: The Clerk will read the names of the signers.

The CLERK: The "Ought to pass" report on the Resolve was signed by the gentleman from Dover-Foxcroft, Mr. Hayes, the gentleman from Fairfield, Mr. Woodworth, the gentleman from Bangor,

Mr. Fuller, and the gentlewoman from Portland, Mrs. Fay.

Mr. CHASE: Mr. Speaker, I move the acceptance of the minority "Ought to pass" report. Now some may think that this is not a very important matter. The sole purpose of this resolve is to eliminate from the Constitution more than one entire page which relates to nothing except voting by troops in the field during the Civil War.

Now there are two reasons which I think should be controlling that this ought to pass. I regret very much the absence of Representative Jalbert and Representative Delahanty because one of these reasons is very important to the Democratic party. This is the section of the Constitution which fixes the election date in September, and I should think it would very much encourage the Democrats because if this section can be changed in one respect, they might have ground for hope that some day it could be changed in another. (Laughter)

Now, furthermore, and this is the reason which should appeal to the entire House, if we can eliminate from the Constitution this more than one page which begins on page 4, then the next reprint of the Constitution which will be made in the statutes to be revised at the next session would move over onto page 4 the provisions of the Constitution relating to the apportionment of Representatives, which might make it more likely that the members of the Legislature would read the Constitution up to that point some day. (Laughter)

Now for those reasons, which it seems to me ought to be compelling, I move the acceptance of the minority "Ought to pass" report.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that the House accept the minority "Ought to pass" report on Resolve Proposing an Amendment to the Constitution relating to Absent Voting." Is this the pleasure of the House?

The motion prevailed, and the Resolve, having already been printed, was read once under suspension of the rules.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE: Mr. Speaker, it appears that there is with the papers a new draft which changes this resolve in order to make it apply to the codified Constitution which has since been adopted by the Legislature, and I offer this new draft as an amendment.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, offers a substitute resolve, Resolve Proposing an Amendment to the Constitution Relating to Voting by Citizens in the Armed Forces and Others Absent or Physically Incapacitated. (H. P. 1813). Is it the pleasure of the House that the Resolve be received?

The substitute resolve was received, and on further motion of Mr. Chase, was tabled pending adoption, ordered printed, and specially assigned for Monday, May 14th.

#### Divided Report Tabled and Assigned

Majority Report of the Committee on Judiciary reporting "Ought to be Adopted" on Memorial to Congress Joint Resolution Making Application to the Congress of the United States for the Calling of a Convention to Propose an Amendment to the Constitution of the United States (H. P. 1775) (L. D. 1315)

Report was signed by the following members:

Messrs. HASKELL of Cumberland  
WARD of Penobscot  
BARNES of Aroostook  
—of the Senate.  
Mrs. FAY of Portland  
Messrs. HARDING of Rockland  
WOODWORTH of Fairfield  
HAYES of Dover-Foxcroft  
FULLER of Bangor  
—of the House.

Minority Report of the same Committee reporting "Ought not to be adopted" on same Memorial:

Report was signed by the following members:

Messrs. McGLAUFNIN of Portland  
DELAHANTY of Lewiston  
—of the House.

Report was read.

The SPEAKER: The Chair rec-

ognizes the gentleman from Wayne, Mr. Brown.

Mr. BROWN: Mr. Speaker, I move that the House accept the majority report of the Committee on Judiciary on Memorial to Congress Joint Resolution Making Application to the Congress of the United States for the Calling of a Convention to Propose an Amendment to the Constitution of the United States, being House Paper 1775, Legislative Document 1315.

The SPEAKER: The gentleman from Wayne, Mr. Brown, moves that the House accept the majority report.

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

Mr. McGLAUFNIN: Mr. Speaker, I move that this item be laid on the table and specially assigned for Tuesday next.

The SPEAKER: The gentleman from Portland, Mr. McGlauffin, moves that the two reports, with accompanying papers, lie on the table and be specially assigned for Tuesday, May 15. Is this the pleasure of the House?

All those in favor of the motion will say aye; those opposed will say no.

A viva voce vote being taken, the motion prevailed, and the matter was so tabled and so assigned.

#### Ought to Pass in New Draft

Mr. Jacobs from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to the Post-Audit of Maine Forestry District" (H. P. 1165) (L. D. 729) reported same in a new draft (H. P. 1806) (L. D. 1383) under title of "An Act relating to the Post-Audit of Maine Forestry District and Maine Port Authority" and that it "Ought to pass"

Mr. Gay from the Committee on Claims on Resolve to Reimburse Robert Ballard of Hallowell (H. P. 1573) reported same in a new draft (H. P. 1808) (L. D. 1385) under same title and that it "Ought to pass"

Mr. Robbins from the Committee on Highways on Bill "An Act to Increase the Salaries of Members of the State Police" (H. P. 968) (L. D. 561) reported same in a new draft (H. P. 1809) (L. D. 1386) under