

# MAINE STATE LEGISLATURE

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



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

LEGISLATIVE RECORD

OF THE

*Ninety-Seventh Legislature*

OF THE

STATE OF MAINE

1955

DAILY KENNEBEC JOURNAL  
Augusta, Maine

pending acceptance, and the Chair recognizes that gentleman.

Mr. ROSS: Mr. Speaker: This bill is not only the recommendation of the Maine State Police, but they consider it one of the most important of their suggested legislations. It concerns the most important penalty under the Maine Motor Vehicle Code, the suspension of licenses. A person convicted of a violation does not worry about the fine, but they certainly do worry about losing their license to drive a vehicle, and consequently now, many persons who have had their licenses taken away still drive their car because they do not feel that the courts can do anything more to them except fine them a few dollars. This bill provides for an automatic addition to suspension if they are convicted of a violation while their license was under suspension. It complies with the uniform Motor Vehicle Code, except that it does not go quite as far as that because the Uniform Motor Vehicle Code also provides a mandatory two or three day jail sentence.

I believe that this is sound legislation. Nevertheless, in our State the various lawyers and judges hesitate to approve any penalties that are mandatory regardless of any extenuating circumstances. I contacted the State Police last Friday and talked with them at some length, and they agreed after consultation with the Secretary of State, who now has the privilege of adding to the suspension although, of course, it is not mandatory, but they agreed that they would go along, that only after the unanimous report of this particular Committee which is made up of ten most competent lawyers. If conditions do not improve within the next few years, I am confident that a similar matter will be presented again, but for the time being for the reasons outlined, I now move the acceptance of the "Ought not to pass" report.

The SPEAKER: The gentleman from Bath, Mr. Ross, moves that the "Ought not to pass" report of the Committee on Judiciary on Bill "An Act relating to Penalty for Operating After Suspension of License to Operate Motor Vehicle," House Paper 598, Legislative Docu-

ment 654, be accepted. Is this the pleasure of the House?

The motion prevailed and the "Ought not to pass" Report was accepted and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the second item of unfinished business, Bill "An Act relating to Fees for Motor Vehicle Inspections," Senate Paper 235, Legislative Document 571, tabled on the 17th day of March by the gentleman from Searsmont, Mr. Knight, pending third reading, and the Chair recognizes that gentleman.

Mr. KNIGHT: Mr. Speaker and Members of the House: I have been in conference with the sponsor of this bill, the Honorable Senator Cummings, and we mutually agree that more time is needed as to introducing a further amendment. I would therefore respectfully request that this measure be tabled until Thursday, March 31.

The SPEAKER: The gentleman from Searsmont, Mr. Knight, moves that this Bill be retabled pending third reading and be specially assigned for Thursday, March 31. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled and assigned.

The SPEAKER: The Chair now lays before the House the third item of unfinished business, Resolve Proposing an Amendment to the Constitution to Change the Qualifications of Citizenship of the Governor, House Paper 432, Legislative Document 478, tabled on March 22 by the gentleman from Portland, Mr. Childs, pending motion of the gentleman from Presque Isle, Mrs. Christie, to indefinitely postpone House Amendment "A" to House Amendment "A". The motion before the House is the motion of the gentleman from Presque Isle, Mrs. Christie, that House Amendment "A" to House Amendment "A" be indefinitely postponed.

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

Mr. CHILDS: Mr. Speaker and Members of the House: As I stated the other day, I tabled this measure for the purpose of putting on

an amendment. It seemed we were running into an academic question of whether ten years was a sufficient number of years or twenty years was a sufficient number. It seemed that a compromise was in the offing, and that is what I intended to do, if the motion of the gentleman from Presque Isle, Mrs. Christie, prevails to indefinitely postpone the motion which is before us. Therefore, I hope that we will go along with the motion of the gentleman from Presque Isle, Mrs. Christie. I would offer at that time my amendment which will be a fifteen year period.

The SPEAKER: The question before the House is on the motion of the gentleman from Presque Isle, Mrs. Christie, that House Amendment "A" to House Amendment "A" be indefinitely postponed from further consideration. Is this the pleasure of the House?

The motion prevailed and House Amendment "A" to House Amendment "A" was indefinitely postponed.

Mr. Childs of Portland then offered House Amendment "B" to House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "B" TO HOUSE AMENDMENT "A" TO H. P. 432, L. D. 478, Resolve Proposing an Amendment to the Constitution to Change the Qualifications of Citizenship of the Governor.

Amend said Amendment by striking out from the last line the underlined figure "10" and inserting in place thereof the underlined figure '15'

House Amendment "B" to House Amendment "A" was then adopted.

Thereupon, House Amendment "A" as amended by House Amendment "B" thereto was adopted.

The Resolve was then given its second reading, passed to be engrossed as amended by House Amendment "A" as amended by House Amendment "B" thereto and sent to the Senate.

The SPEAKER: The Chair now lays before the House the fourth item of unfinished business, House Order relative to Special Calendar

by Members of the Committee on Appropriations and Financial Affairs, tabled on March 22 by the gentleman from Portland, Mr. Childs, pending passage, and the Chair recognizes that gentleman.

Mr. CHILDS: Mr. Speaker and Members of the House: As I stated the other day I tabled this matter for the purpose of putting on an amendment. The Order serves a very good purpose, but without any doubt, the way the Order was worded, meant that seven members of the Appropriations Committee kept complete control of bills of other Members of the House. It did seem rather too bad that a sponsor of a bill who had closely watched the bill all through legislative process and then have the bill grabbed from him and held on the table and be in the position that any one of seven men could take it off the table. I feel quite sure that it would not happen, but the authority was still there.

I have an amendment which I am going to offer which would change it so that the only person who can take this bill off the table will be the House Chairman of the Appropriations Committee, therefore sponsors of the bills will have to go to only one person to see what the status of their bill is instead of seven. I therefore offer House Amendment "A" to the House Order relative to Special Calendar by Members of the Committee on Appropriations and Financial Affairs and move its adoption.

The SPEAKER: The gentleman from Portland, Mr. Childs, offers House Amendment "A" to the House Order and moves its adoption.

The Clerk will read House Amendment "A".

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

HOUSE AMENDMENT "A" TO HOUSE ORDER relative to Special Calendar by Members of the Committee on Appropriations and Financial Affairs.

Amend said Order by striking out from the last line of the first paragraph the words "a member" and inserting in place thereof the words 'the House Chairman'

The SPEAKER: The Chair recognizes the gentleman from Raymond, Mr. Edwards.