

# 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-Eighth Legislature*

OF THE

STATE OF MAINE

VOLUME II

1957

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

Mr. TOTMAN: Mr. Speaker, at this time I request permission to approach the rostrum.

The SPEAKER: The gentleman may approach the rostrum.

(Conference at the rostrum)

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

Mr. TOTMAN: Mr. Speaker, I move we recess for fifteen minutes.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves that the House recess for fifteen minutes. Is this the pleasure of the House?

The motion prevailed.

#### After Recess

Called to order by the Speaker.

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

Mr. CHILDS: Mr. Speaker, may I inquire from the Clerk if he has in his possession an amendment to the Constitution relating to the four year term for Governor?

The SPEAKER: The Chair would advise the gentleman that that matter is in the possession of the House.

Mr. CHILDS: I will now move Mr. Speaker, that we reconsider our action whereby this amendment failed passage yesterday and I will at the same time now move that this matter lie upon the table and be specially assigned for next Tuesday.

The SPEAKER: The question before the House is the motion of the gentleman from Portland, Mr. Childs, that the House reconsider its action on 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, whereby the measure failed of passage, and the gentleman moves that the motion to reconsider be tabled and specially assigned for Tuesday pending reconsideration. The Chair is going to order a division on this question.

The question before the House is the question of tabling the motion to reconsider. Will those who favor tabling the motion to reconsider please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Twelve having voted in the affirmative and one hundred and ten having voted in the negative, the motion to table the motion to reconsider did not prevail.

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

Mr. CHILDS: Mr. Speaker, I now withdraw my motion to reconsider.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Rowe.

Mr. ROWE: Mr. Speaker, I move that we reconsider our action of yesterday.

The SPEAKER: The question before the House is the motion of the gentleman from Limerick, Mr. Rowe, that the House now reconsider its action of yesterday whereby Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of the Governor to Four-Year Terms failed of passage. The Chair recognizes the gentleman from Bangor, Mr. Quinn.

Mr. QUINN: Mr. Speaker, I would inquire how Mr. Rowe voted yesterday, the gentleman who asked for reconsideration.

The SPEAKER: The Chair is advised that the gentleman voted "no" and is entitled to make his motion. The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of the House: I am opposed to this motion. I think I would like to get out of here in time for haying, and if we reconsider and reconsider — everybody had a chance to vote on a roll call the other day. The House had a good attendance and I see no reason why we should go on with this, we could be here until next September. Now I consider the item settled and let's go on from here with the new items.

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

Mr. TOTMAN: Mr. Speaker, when the motion to reconsider is taken, I ask for a roll call vote.

The SPEAKER: The question before the House is the motion of the gentleman from Limerick, Mr. Rowe, that the House reconsider its action of yesterday whereby it failed to pass Resolve Proposing an Amendment to the Constitution Changing

the Tenure of Office of the Governor to Four-Year Terms and a roll call vote has been requested.

Will those who desire a roll call vote please rise and remain standing until the monitors have made and returned the count.

Obviously more than one-fifth having expressed a desire for a roll call vote a roll call is ordered. The Chair recognizes the gentleman from Kennebunk, Mr. Emmons, but must remind the gentleman that debate is not in order.

Mr. EMMONS: Mr. Speaker, point of information, on a motion to reconsider, may I ask whether it is a majority or two-thirds?

The SPEAKER: A motion to reconsider requires a simple majority. The Chair will restate the question.

The question before the House is that the House reconsider its action of yesterday whereby it failed to pass the Constitutional Amendment Changing the Tenure of Office of the Governor to Four-Year Terms. The House will please be in order. Those who favor reconsidering the action of yesterday will please say "yes" when their name is called. Those who oppose the motion to reconsider will please say "no". The Clerk will call the roll.

#### ROLL CALL

YEA—Andrews, Babineau, Baird, Bartlett, Bean, Winterport; Beane, Augusta; Beyer, Blanchard, Bragdon, Brewer, Brockway, Broderick, Brown, Ellsworth; Bruce, Carey, Carter, Newport; Carville, Caswell, Childs, Christie, Cole, Cormier, Cote, Couture, Bath; Coyne, Cyr, Davis, Westbrook; Denbow, Desmarais, Dostie, Dumais, Duquette, Earles, Edgerly, Edwards, Elwell, Emmons, Ervin, Farmer, Frazier, Frost, Fuller, Gallant, Graves, Hancock, Hanson, Harriman, Harrington, Harris, Hatch, Hathaway, Heald, Hendricks, Hendsbee, Hersey, Hickey, Hilton, Jack, Jacques, Jalbert, Johnson, Jones, Karkos, Knapp, Latno, Leathers, Letourneau, Mann, Maxwell, Maynard, Miller, Nadeau, Nedham, Pierce, Plante, Porell, Prue, Quinn, Rancourt, Rankin, Rollins, Ross, Bath; Ross, Brownville; Rowe, Limerick; Rowe, Madawaska; Roy, Saunders, Shaw, Shepard, Smith, Falmouth; Smith, Portland; Stanley,

Stilphen, Storm, Tevanian, Thackeray, Totman, Vaughan, Wade, Walker, Walsh, Walter, Warren, Wheaton, Whiting, Winchenpaw.

NAY — Allen, Besse, Brewster, Burnham, Call, Carter, Etna; Crockett, Curtis, Dudley, Emerson, Flynn, Foss, Hatfield, Haughn, Hughes, Hutchinson, Jewell, LaCasce, Libby, Lindsay, Mathieson, Morrill, Rich, Roberts, Sanborn, Tarbox, Turner, Webber, Wood.

ABSENT—Anthoine, Browne, Bangor; Couture, Lewiston; Davis, Calais; Day, Emery, Hanscomb, Higgins, Hoyt, Kelly, Kinch, Lane, Morway, Violette, Williams.

Yes: 106, No: 29, Absent: 15.

The SPEAKER: One hundred and six having voted yes, twenty-nine no, and fifteen absent, the motion to reconsider does prevail. The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker, I now move that this Resolve be finally passed and I request another roll call.

The SPEAKER: The pending question is the motion of the gentleman from Bath, Mr. Ross, that Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of the Governor to Four-Year Terms be finally passed. The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker I surely don't want to throw any monkey wrenches in the machinery. This thing has happened so fast, I think it would be—it might not change the vote on anything—but I think it would be well if we could table it for a little while, and I so move that this be tabled and taken up later.

The SPEAKER: The House will be in order. The question now before the House is the motion of the gentleman from Bowdoinham, Mr. Curtis, that this Resolve be tabled and specially assigned for later in the day, pending the motion of the gentleman from Bath, Mr. Ross, that the Resolve be finally passed.

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

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

The SPEAKER: The Chair recognizes the gentleman from Columbia Falls, Mr. Hathaway.

Mr. HATHAWAY: Mr. Speaker, I move we adjourn until one o'clock. (Cries of "no")

The SPEAKER: The House will be in order. The gentleman from Columbia Falls, Mr. Hathaway, has moved adjournment. Will those who favor the motion to adjourn please say aye, those opposed, no.

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

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Portland, Mr. Childs.

Mr. CHILDS: Mr. Speaker and Members of the House: Yesterday when the vote was taken on a four year term for Governor, when it came to final passage, I voted "no". Yesterday I voted my convictions what I thought was for the best interests of the people of the State of Maine. Today I shall vote "yes" on the matter, and the reason I shall vote "yes" today is that I shall give the people of this state an opportunity to vote on the measure. I certainly am not an obstructionist, and I know that many members of the Republican party yesterday who voted "no" on this matter are not obstructionists. We voted our convictions, we did not vote as a solid block, we voted as each and every one thought was right for the people of the State of Maine. I shall do everything in my power when this goes before the people if we pass it today to defeat this measure on referendum, because I still am of the opinion that it is not for the best interests of the State of Maine. But I think it is time, if there is this swell for it, this so-called desire to vote on it, let the people vote on it once and for all, and I hope they give it a sound licking at the polls.

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

Mr. BRODERICK: Mr. Speaker, I think my brother, the gentleman from Portland, Mr. Childs, should be commended on his stand, and I am happy to see that his ear is finally tuned to the cry of the people.

The SPEAKER: The question before the House is the motion of the gentleman from Bath, Mr. Ross, that Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of the Governor to Four-Year Terms shall be finally passed. A roll call has been requested. Will those who desire a roll call please rise and remain standing until the monitors have made and returned the count.

Obviously more than one-fifth having expressed a desire for a roll call, it is so ordered.

The motion is that the House finally pass 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. Those who favor the final passage of this Resolve will say "yes" when their name is called. Those who oppose its final passage will say "no". The Clerk will call the roll.

#### ROLL CALL

YEA—Andrews, Babineau, Baird, Bartlett, Bean, Winterport; Beane, Augusta; Beyer, Bragdon, Brewer, Broderick, Brown, Ellsworth; Bruce, Carey, Carter, Etna; Carville, Caswell, Childs, Christie, Cole, Cormier, Cote, Couture, Bath; Coyne, Cyr, Davis, Westbrook; Denbow, Desmarais, Dostie, Dudley, Dumais, Duquette, Earles, Edwards, Elwell, Emmons, Ervin, Farmer, Frazier, Frost, Fuller, Gallant, Graves, Hancock, Hanson, Harriman, Harrington, Harris, Hatch, Heald, Hendricks, Hendsbee, Hersey, Hickey, Hilton, Hughes, Jack, Jacques, Jalbert, Johnson, Jones, Karkos, Knapp, LaCasce, Latno, Leathers, Letourneau, Libby, Mann, Maynard, Miller, Nadeau, Needham, Pierce, Plante, Porell, Prue, Rancourt, Rankin, Rollins, Ross, Bath; Ross, Brownville; Rowe, Limerick; Rowe, Madawaska; Roy, Saunders, Shaw, Shepard, Smith, Falmouth; Smith, Portland; Stanley, Stilphen, Storm, Tevanian, Thackeray, Totman, Vaughan, Wade, Walsh, Walter, Warren, Wheaton, Whiting, Winchenpaw, Speaker.

NAY: Allen, Besse, Blanchard, Brewster, Brockway, Burnham, Call, Carter, Newport; Crockett, Curtis,

Edgerly, Emerson, Flynn, Foss, Hatfield, Hathaway, Haughn, Hutchinson, Jewell, Lindsay, Mathieson, Maxwell, Morrill, Quinn, Rich, Roberts, Sanborn, Tarbox, Turner, Walker, Webber, Wood.

ABSENT: Anthoine, Browne, Bangor; Couture, Lewiston; Davis, Calais; Day, Emery, Hanscomb, Higgins, Hoyt, Kelly, Kinch, Lane, Morway, Violette, Williams.

Yes: 104. No: 32. Absent: 15.

The SPEAKER: One hundred and four having voted in the affirmative and thirty-two having voted in the negative, with fifteen absentees, the motion for final passage of the Resolve does prevail since it has acquired the necessary two-thirds.

Thereupon, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

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

Mr. CHILDS: Mr. Speaker, may I inquire if the Clerk has in his possession an amendment to the Constitution in relation to the change of election date.

The SPEAKER: The Chair would advise the gentleman that that document is in the possession of the House.

Mr. CHILDS: Mr. Speaker, I now move we reconsider our action whereby this measure failed final passage yesterday.

The SPEAKER: The question before the House is the motion of the gentleman from Portland, Mr. Childs, that the House reconsider its action of yesterday whereby Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election, House Paper 66, Legislative Document 93, failed of passage. The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: In the interest of saving time, I see no reason for calling for a roll call vote on reconsideration. I shall if it passes, move for a roll call on the final vote, and I move when we vote on the reconsideration motion we vote by division.

The SPEAKER: The question before the House is the motion of the gentleman from Portland, Mr. Childs, that the House reconsider its action of yesterday whereby Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election failed of passage. A division has been requested. Will those who favor reconsidering the action of yesterday please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred and one having voted in the affirmative and twenty-six having voted in the negative, the motion to reconsider prevailed.

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

Mr. CHILDS: Mr. Speaker, I move this Resolve receive final passage, and when the vote is taken I move that it be taken by the yeas and nays.

The SPEAKER: A roll call has been requested. Is the House ready for the question? Will those who favor a vote by roll call, please rise and remain standing until the monitors have made and returned the count.

Obviously more than one-fifth having expressed a desire for a roll call a roll call is ordered.

The Chair will restate the question. The question before the House is the motion of the gentleman from Portland, Mr. Childs, that Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election" be finally passed. Those who favor the final passage of this Resolve will say "yes" when their name is called. Those who oppose the final passage will say "no". The Clerk will call the roll.

#### ROLL CALL

YEA — Andrews, Babineau, Baird, Bartlett, Bean, Winterport; Beane, Augusta; Beyer, Blanchard, Bragdon, Broderick, Brown, Ellsworth; Browne, Bangor; Bruce, Carey, Carter, Etna; Carville, Caswell, Childs, Christie, Cole, Cormier, Cote, Couture, Bath; Coyne, Cyr, Davis, Westbrook; Denbow, Desmarais, Dostie, Dudley, Dumais, Duquette, Earles,