

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

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OF THE

STATE OF MAINE

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recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker, I move we insist on our action and ask for another Committee of Conference.

The SPEAKER: The question before the House is the motion of the gentleman from Bridgton, Mr. Haughn, that the House insist and request another Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair now lays before the House Bill "An Act relating to Repossession of Property Subject to Conditional Sales Agreement", House Paper 418, Legislative Document 595, which earlier this afternoon was tabled and specially assigned for later this afternoon. The Chair will state that this bill was tabled by the gentleman from Portland, Mr. Tevanian, pending third reading. The Chair recognizes the gentleman from York, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker and Members of the House: I would like to thank the gentleman from Portland, Mr. Tevanian, for tabling this for me. I forgot about it. I would like now to offer House Amendment "A" and move its adoption.

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

HOUSE AMENDMENT "A" to H. P. 418, L. D. 595, Bill "An Act Relating to Repossession of Property Subject to Conditional Sales Agreement."

Amend said Bill by striking out the underlined words "**within 5 days of said sale**" in the 6th line and inserting in place thereof the underlined words '**upon request of the vendee made at any time, and within 5 days of said request**'

House Amendment "A" was adopted, the Bill given its third reading, passed to be engrossed as amended and sent to the Senate.

The SPEAKER: The Chair now lays before the House item six under unfinished business tabled this morning and assigned for later this afternoon, Bill "An Act to Revise Certain Motor Vehicle Laws" House Paper 403, Legislative Document

533, which was tabled by the gentleman from Cape Elizabeth, Mr. Beyer, pending third reading.

Mr. Beyer of Cape Elizabeth offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 403, L. D. 533, Bill, "An Act to Revise Certain Motor Vehicle Laws."

Amend said Bill by striking out all of "Sec. 6" and inserting in place thereof the following:

"Sec. 6. R. S., c. 22, § 89, amended. The last paragraph of section 89 of chapter 22 of the Revised Statutes is hereby repealed and the following paragraph enacted in place thereof:

'Any person who operates a vehicle past a "yield right of way" sign, and collides with a vehicle or pedestrian proceeding on the intersecting street shall upon conviction be guilty of a misdemeanor.'

House Amendment "A" was adopted, the Bill given its third reading, passed to be engrossed as amended and sent to the Senate.

The following paper from the Senate was taken up out of order under suspension of the rules:

The following Order:

ORDERED, the House concurring, that there be recalled to the Senate from the Engrossing Department H. P. 66, L. D. 93, Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election, and 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 (S. P. 575)

Came from the Senate read and passed.

In the House: The Order was read.

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

Mr. ROSS: Mr. Speaker, this is the order that I spoke about earlier requesting that these two papers be recalled for a change in the referendum clause making not "yes" and "no" answers, but placing X's beside "yes" and "no" if they should be sent to the people. I move the order receive passage and be sent forthwith to the Senate.

The SPEAKER: The gentleman from Bath, Mr. Ross, moves that the Order be adopted. Is this the pleasure of the House?

The motion prevailed, and on motion of the same gentleman, by unanimous consent, the Order was sent forthwith to the Senate.

On motion of the gentleman from Portland, Mr. Childs, the House voted to take from the table the fifty-fourth tabled and unassigned matter, House Divided Report, Majority "Ought to pass" and Minority "Ought not to pass" of the Committee on Constitutional Amendments on Resolve Proposing an Amendment to the Constitution to Reapportion the House of Representatives by the Superior Court if the Legislature Fails to Act", House Paper 994, Legislative Document 1422, tabled on April 26 by that gentleman pending acceptance of either Report.

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

Mr. CHILDS: Mr. Speaker, I now move the acceptance of the Majority "Ought to pass" Report.

The SPEAKER: With respect to item number fifty-four, Resolve Proposing an Amendment to the Constitution to Reapportion the House of Representatives by the Superior Court if the Legislature Fails to Act, the gentleman from Portland, Mr. Childs, now moves that the House accept the majority "Ought to pass" Report. Is this the pleasure of the House?

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

Mr. TOTMAN: Mr. Speaker, Members of the House: I frankly dislike having to arise to disagree with the majority report of the Committee. However, in this particular case, and if for no other reason than to call your attention to the motion just made because I suspect that some of you have not seen the significance of that motion. The motion was the majority "Ought to pass" on a constitutional amendment proposing that the House be reapportioned by Superior Court if the Legislature fails to act. Inasmuch as this last session, after a great deal of effort and time spent by the very able representative from

Hampden, Mr. Stanley, I feel that frankly this legislation is not particularly necessary nor am I particularly enthused speaking personally over the idea of the Superior Court reapportioning the House of Representatives. However, I think this constitutional amendment is just as much your own personal preference, is not a particularly major item to get into a long debate on, I simply call it to your attention and I hope you realize that if you let this motion go under the gavel you know what the motion is.

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

Mr. HAUGHN: Mr. Speaker, Members of the House: This is probably a hard job for me to have to do at this time because I was one who opposed this particular bill before the Committee, not being in favor of this particular type of legislation, and I believe that we under the Constitution ourselves took an obligation on a job to do, and I do not like to disagree with my good colleague and friend from Portland, Mr. Childs, because he in his wisdom believes this to be right and just; but it seems to sum down to a matter of opinion, and of course they will argue the point whereby over the years they did not perform this duty as imposed upon them by the Constitution, but I can't speak for them, but I can for myself, and the 97th Legislature where we took upon ourselves a duty and an obligation and performed it. So I assumed in the future when the required time came, that that particular legislature in session would perform their duties and obligations. There is quite a long debate could be had on this but to prevent that, not to prevent it but to bring it to a point, I move the indefinite postponement of this bill and all of its accompanying papers.

The SPEAKER: The question before the House is the motion of the gentleman from Bridgton, Mr. Haughn, that both reports be indefinitely postponed. The Chair recognizes the gentleman from Portland, Mr. Childs.

Mr. CHILDS: Mr. Speaker and Members of the House: First of all there seems to be quite a bit of