

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

VOLUME II

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and

SPECIAL SESSION

JAN. 6 - JAN. 17, 1964

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ferences of the National Legislative Conference, and that he be reimbursed for his necessary traveling expenses. (H. P. 1119)

The Order received passage and was sent up for concurrence.

**House Report of Committee
Divided Report
Tabled Until Later in
in Today's Session**

Majority Report of the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve Proposing an Amendment to the Constitution Affecting the Election, Powers and Apportionment of the House of Representatives (H. P. 1030) (L. D. 1495) reporting same in new draft "A" (H. P. 1116) (L. D. 1599) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. PORTEOUS of Cumberland
FARRIS of Kennebec
— of the Senate.

Messrs. VILES of Anson
BERMAN of Houlton
PEASE of Wiscasset
DENNETT of Kittery
SMITH of Strong
SMITH of Bar Harbor
WATKINS of Windham
— of the House.

Minority Report of same Committee on same Resolve reporting same in new draft "B" (H. P. 1117) (L. D. 1600) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. JACQUES of Androscoggin
EDMUNDS of Aroostook
NOYES of Franklin
— of the Senate.

Messrs. PLANTE
of Old Orchard Beach
COTTRELL of Portland
CARTIER of Biddeford
— of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Houlton, Mr. Berman.

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

Thereupon, on motion of Mr. Wellman of Bangor, both reports and

Bill were tabled pending the motion to accept the Majority Report and specially assigned for later in today's session.

**Passed to Be Engrossed
Amended**

Resolve Appropriating Moneys for Vocational Educational Institute in Androscoggin County Area (H. P. 1113) (L. D. 1596)

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

Mr. Jalbert of Lewiston offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1113, L. D. 1596, Resolve, Appropriating Moneys for Vocational Institute in Androscoggin County Area.

Amend said Resolve in the 3rd paragraph by striking out in the 2nd line the figures and words "\$640,000 for the fiscal year ending June 30, 1964 and"

Further amend said Resolve by striking out all of the last 4 lines and inserting in place thereof the following:

	'1964-65
Personal Services	(14) 77,222
All Other	62,500'

The SPEAKER pro tem: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: This amendment would strike the capital out of the bill and leave the second year of the biennium for operating costs as I stated I would do yesterday.

Later, when the bond issue comes before us, I will present the second amendment which will include the capital costs in the bond issue. I now move the adoption of House Amendment "A."

Thereupon, House Amendment "A" was adopted, the Resolve passed to be engrossed as amended by House Amendment "A", and sent to the Senate.

**Finally Passed
Constitutional Amendment**

Resolve Proposing an Amendment to the Constitution to Re-

wise Article VI Relating to the Judicial Power (S. P. 529) (L. D. 1450)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

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

Mr. RUST: Mr. Speaker, I would direct an inquiry through the Chair to any member of the Constitutional Committee who would care to answer, and I would like to know if this proposed amendment to the Constitution would eliminate from our county campaigns and our county elections, the office of judge of probate?

The SPEAKER pro tem: The gentleman from York, Mr. Rust, poses a question through the Chair to some member of the Constitutional Amendments and Legislative Reapportionment Committee, who may answer if he chooses.

The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker, Members of the House: As Chairman of that Committee, it is my understanding that this does not eliminate the election of judges of probate. This does eliminate the present situation with respect to notary publics and justices of the peace where they have to go through that faldral of having to appear before the Governor and Council for their—that the notices have to appear for their appointment. And I would also direct an inquiry as to whether the engrossed bill is amended so that the judges of probate are still elected.

The SPEAKER pro tem: Does the gentleman from York, Mr. Rust, consider his question answered?

Mr. RUST of York: No.

The SPEAKER pro tem: Does the House desire the Chair to order the Clerk to read Section 6 of Article VI as proposed in the Resolve?

The Clerk will read Section 6.

Thereupon, Section 6 of Article VI was read by the Clerk.

The SPEAKER pro tem: The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker, I am pleased that this has been read. It certainly concurs with the decision of the committee that the judges of probate and the registers should remain elected.

Thereupon, this being a Constitutional Amendment and a two-thirds vote of the House being necessary, a division was had. 104 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act Amending Certain Provisions of the Employment Security Law (S. P. 453) (L. D. 1345)

An Act to Correct Errors and Inconsistencies in the Education Laws (H. P. 960) (L. D. 1306)

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.

An Act to Provide for Longevity Pay for State Employees (H. P. 1108) (L. D. 1590)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER pro tem: With reference to item four, the Chair recognizes the gentleman from Fairfield, Mr. Brown.

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I move that item four be indefinitely postponed. I have no illusions that my motion will carry because of the magnitude of the opposition including the front office. However, I do feel as though the taxpayers in the State of Maine are entitled to some consideration on an item which costs some \$650,000. This bill has been termed the other day as corrective language, and so forth, but it is more than that. It establishes a principle. Now if we should, by some miracle, fail to enact the sales tax, and reduce the Supplemental Budget to lesser amounts, should we pass this law as it is written? It could then be pointed to as saying this is an act of Legislature, and funds through some means would be made available for it, either through