

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fifth
Legislature*

OF THE

STATE OF MAINE

Volume II

May 5, 1971 to June 15, 1971

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, May 26, 1971

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Kenneth Brooks of Augusta.

The journal of yesterday was read and approved.

**Papers from the Senate
Reports of Committees
Ought to Pass with
Committee Amendment**

Report of the Committee on Judiciary on Bill "An Act relating to Probation of Juveniles in Cumberland County" (S. P. 525) (L. D. 1565) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

In the House, the Report was read and accepted in concurrence and the Bill read twice. Committee Amendment "A" (S-200) was read by the Clerk and adopted in concurrence, and tomorrow assigned for third reading of the Bill.

**Divided Report
Tabled Later in the Day**

Majority Report of the Committee on Business Legislation reporting "Ought not to pass" on Bill "An Act to Regulate Revolving Credit Accounts" (S. P. 470) (L. D. 1528)

Report was signed by the following members:

Messrs. SCHULTEN of Sagadahoc
DANTON of York

— of the Senate.

Messrs. O'BRIEN of Portland
TRASK of Milo
CLARK of Jefferson
MADDOX of Vinalhaven
LITTLEFIELD

of North Berwick
SHELTRA of Biddeford
McKINNON

of South Portland
ROCHELEAU of Auburn
SCOTT of Wilton
PRATT of Parsonsfield

— of the House.

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

Report was signed by the following member:

Mrs. CARSWELL

of Cumberland

— of the Senate.

Came from the Senate with the Minority Report accepted and the Bill indefinitely postponed.

In the House: Reports were read. (On motion of Mr. Scott of Wilton, tabled pending acceptance of either Report and later today assigned.)

Divided Report

Majority Report of the Committee on Election Laws on Bill "An Act relating to Form of Ballots in General Elections" (I. B. 2) (L. D. 1707) recommending that no action be taken by the Legislature with reference to passing the accompanying Bill and that no competing measure be submitted; that the Initiated Bill be submitted to the electors of this State in accordance with the Constitution; that a certified copy of this report be transmitted to the Governor.

Report was signed by the following members:

Messrs. SHUTE of Franklin
MOORE of Cumberland

— of the Senate.

Messrs. MARSTALLER
of Freeport

ROSS of Bath

Mrs. BROWN of York
Messrs. BUNKER of Gouldsboro

HANSON of Gardiner

Mrs. WOOD of Castine
— of the House.

Minority Report of same Committee on same Bill recommending that this Initiated Bill be submitted to the House and Senate for debate so that the citizens of this State will be made fully aware of the merits and demerits of this proposed legislation.

Report was signed by the following members:

Mr. MARTIN of Piscataquis
— of the Senate.

Mr. BINNETTE of Old Town
Mrs. BOUDREAU of Portland

Messrs. HANCOCK of Casco
VINCENT of Portland

— of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read.

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

Mr. ROSS: Mr. Speaker, I move the acceptance of the Majority Report and would speak to my motion.

The SPEAKER: The gentleman from Bath, Mr. Ross, moves that the House accept the Majority Report in concurrence.

The gentleman may proceed.

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Never in public debate do I make disparaging remarks about the Democratic party, per se. More and more people are saying that the basic ideals of both parties are coming closer together. However, I sincerely do believe there is much more flexibility in my party. The difference lies primarily in the people and their approach to solving our mutual problems. For this reason, the best candidate should be elected to public office. Any possible action which will accomplish this purpose is certainly very worthwhile.

I would be the last person in the world to criticize the Democrats political astuteness. They are usually very alert and adept in this type of action and often even outmaneuver us.

However, in this Minority Report, I don't believe they have worded it the way they really wanted to. It only seems that they want the subject debated so the people will have an understanding of the issues.

That would have been done any way under our report. We only say that the Legislature take no action but send the question directly to the people. If I had been an opponent, I would have signed the bill "ought not to pass," or at least specified that the Legislature take positive action in both houses. Our partisan membership in both branches is so very close that they might have caught us with many Republicans absent and defeated the bill or even enacted it so that the Governor could veto it and set the election date at the next general election. I think this was a tactical error on their part because no matter what report we accept now it will go to the

people within a reasonable length of time.

Now the Democrats wanted this debated, they wanted the issue explained. I will attempt to explain the Republican side of the issue, since I had a bill in just about like this.

Patience and perseverance often reap their own rewards. Sixteen years ago, I first sponsored the Monday holiday bill. Last session, fourteen years later, it received passage. Fourteen years ago, I filed a bill to do away with the big box at the top of the ballot. I only hope that the same resulting action will follow today.

Many persons contend that this question is purely academic. They insist that both parties basically want only to influence voter patterns. I am not motivated by this philosophy. You must remember, I first suggested this when both legislative bodies were firmly under the control of the Republicans. I only maintain that it is a more logical way to select the best qualified people for public office.

When you just put one mark at the top of the ticket, without even reading the names, you often end up by voting for some person you would never support on their own individual merits.

Opposition to this proposed ballot reform is based primarily on three suppositions:

1. It would disenfranchise persons who want to vote for party philosophy alone.

2. It would be too time consuming and thus discourage voter participation.

3. Finally, they say it would be too confusing because they may not know the names of all the people on the ballot.

To counter the first objection, there will be a party designation after each name. All you have to do is go right straight down the ballot and check the candidate who belongs to the party you so firmly espouse.

It might take more time, but sample ballots will be printed in the newspapers before each election. Furthermore, I fail to see the logic whereby a few minutes more of our time every two years forfeits our treasured right of freedom of election.

If you do not know the names or qualifications of a candidate, leave that spot blank. This is far more responsible voting than a single check at the top which would give an affirmative vote to everyone regardless of their qualifications.

As long ago as 1964, seventeen states had this office type ballot that we propose today, and seven others also had no provision for straight voting. Since then I think six other states have adopted the office type ballot.

Our Constitution provides that a person has to be able to read from it before being registered. For some inane reason, the United States Congress has done away with all literacy requirements, so we have already passed in this session a law deleting this necessity from our statutes. But I would also like to add we have not filed a bill deleting from our Constitution; so it still is in our Constitution. I think this is ridiculous, but no doubt it will help certain parties in the several states which have symbols at the top, rather than the big box. One column has a donkey and the other an elephant. All you have to do is draw a line around the animal of your choice.

Disregarding political considerations, whenever I have asked the question "should the big box be eliminated?", the answer has always been "yes" from both Republicans and Democrats alike.

In summary, I feel that "State of Mainers" are too intelligent and independent to be led blind down the ballot by political pressures to just mark with the big "X" at the top.

Thereupon, the Majority Report was accepted in concurrence.

Divided Report

Majority Report of the Committee on Labor on Bill "An Act Amending the Minimum Wage Law" (S. P. 233) (L. D. 695) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. TANOUS of Penobscot
MARCOTTE of York
LEVINE of Kennebec
— of the Senate.

Messrs. GOOD of Westfield
SIMPSON of Millinocket
KELLEY of Machias
McTEAGUE of Brunswick
BUSTIN of Augusta
GENEST of Waterville
BEDARD of Saco

— of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Mrs. LINCOLN of Bethel

Messrs. LEE of Albion

ROLLINS of Dixfield

— of the House.

Came from the Senate with the Majority Report accepted, Committee Amendment "A" adopted and the Bill indefinitely postponed.

In the House: Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Westfield, Mr. Good.

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

The SPEAKER: The gentleman from Westfield, Mr. Good moves that the House accept the Majority "Ought to pass" Report.

The Chair recognizes the gentleman from Hope, Mr. Hardy.

Mr. HARDY: Mr. Speaker, Ladies and Gentlemen of the House: A word of explanation probably is in order. I am always up on these particular items and this one involves the boys and girls camps in the State of Maine again.

At one time in my area there were eight boys and girls camps and today there are only three left. I am strongly opposed to L. D. 695. This bill is very similar to a bill presented in the 104th Session of the Legislature, which was L. D. 1106, and the Legislature in their wisdom decided not to pass that one and it was indefinitely postponed.

This bill this year came out with a committee amendment on it which exempted — they took the hotels, the restaurants, the motels out of it and it was only directed at our boys and girls camps where these youngsters do enjoy a fine summer.

At a recent survey conducted by camp directors, they found that of 109 camps they employed 1078