

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

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

1969

KENNEBEC JOURNAL
AUGUSTA, MAINE

Mr. FARNHAM: Mr. Speaker and Members of the House: I hope that when the House considers this motion of the gentleman from Eliot, Mr. Hichens, that they will vote against it, and I would remind him that just a few years ago Memorial Day fell on Sunday, and in the northern part of the State, the area in which I am familiar with, the holiday for all the industrial concerns and the retail concerns was held on Monday. The observances in almost all of the communities in that area of the State was not held on Sunday but was held on late Monday afternoon.

I would ask you not to pay too much attention to the editorial in the Portland Press Herald because I am sure that the gentleman from Eliot, Mr. Hichens, did not agree with their editorial when they boasted Sunday sales as a means of increasing revenue to the State of Maine. I hope the motion of the gentleman from Eliot, Mr. Hichens, does not prevail.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Bath, Mr. Ross, that House Amendment "E" be indefinitely postponed. The yeas and nays have been requested, and for the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All of those desiring a roll call will vote yes; those opposed vote no. The Chair opens the vote.

A vote of the House was taken. More than one fifth having expressed the desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is the motion of the gentleman from Bath, Mr. Ross, the House Amendment "E" be indefinitely postponed. If you are in favor of House Amendment "E" being indefinitely postponed, you will vote yes; if you are opposed, you will vote no. The Chair opens the vote.

ROLL CALL

YEA — Allen, Bedard, Benson, Bernier, Binnette, Boudreau, Bourgoin, Brown, Bunker, Burnham, Carter, Chandler, Chick, Clark, H. G.; Coffey, Cottrell, Couture, Cox,

Crommett, Crosby, Croteau, Cummings, Cushing, Dam, Donaghy, Drigotas, Evans, Farnham, Faucher, Fecteau, Finemore, Fortier, A. J.; Fortier, M.; Fraser, Giroux, Good, Hall, Hardy, Haskell, Hawkens, Henley, Hunter, Jalbert, Jameson, Johnston, Kelley, K. F.; Kelley, R. P.; Keyte, Lawry, Leibowitz, LePage, Levesque, Lund, MacPhail, Marquis, Marstaller, Martin, McTeague, Millett, Mills, Moreshead, Nadeau, Norris, Noyes, Ouellette, Page, Pratt, Quimby, Rand, Richardson, G. A.; Rideout, Ross, Scott, C. F.; Shaw, Soulas, Stillings, Susi, Tanguay, Temple, Thompson, Trask, Tynedale, Vincent, Watson, Waxman, Wheeler, Williams.

NAY — Baker, Barnes, Berman, Birt, Bragdon, Buckley, Carey, Carrier, Casey, Clark, C. H.; Corson, Dudley, Durgin, Dyar, Erickson, Eustis, Foster, Gauthier, Gilbert, Hanson, Hewes, Hichens, Huber, Immonen, Kelleher, Kilroy, Lebel, Lee, Lewin, Lewis, Lincoln, McNally, Meisner, Mitchell, Morgan, Mosher, Payson, Porter, Sahagian, Scott, G. W.; Snow, Starbird, White, Wood.

ABSENT — Brennan, Cote, Curran, Curtis, D'Alfonso, Danton, Dennett, Emery, Harriman, Heselton, Jutras, Laberge, McKinnon, Richardson, H. L.; Rocheleau, Santoro, Sheltra, Wight.

Yes, 87; No, 44; Absent, 18.

The SPEAKER: The Chair will announce the vote, 87 having voted in the affirmative and 44 in the negative, the motion to indefinitely postpone does prevail.

Thereupon, the Bill was passed to be engrossed as amended by House Amendment "D" and sent to the Senate.

The Chair laid before the House the ninth item of Unfinished Business:

An Act relating to Residence of Write-in Candidates on Ballots (H. P. 889) (L. D. 1148)

Tabled — April 15, by Mr. Birt of East Millinocket.

Pending — Passage to be enacted.

On motion of Mr. Henley of Norway, under suspension of the rules, the House reconsidered its

action of April 4 whereby the Bill was passed to be engrossed.

The same gentleman then offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-216) was read by the Clerk.

The SPEAKER: The pending question is the adoption of House Amendment "A".

The Chair recognizes the gentleman from Waterville, Mr. Carey.

Mr. CAREY: Mr. Speaker, I would move the indefinite postponement of this, and would speak to my motion.

The SPEAKER: The gentleman from Waterville, Mr. Carey, moves the indefinite postponement of House Amendment "A". The gentleman may proceed.

Mr. CAREY: Mr. Speaker and Ladies and Gentlemen of the House: We, in the City of Waterville, have voting machines, and the law currently says that stickers can be used in the primaries; however, they cannot be used in the general election. To the best of my knowledge, this is the way the law is currently.

We had a gentleman who ran as a write-in candidate four years ago when we had our machines, and unfortunately the glue that he used on the back of the stickers was ideally suited for the communities that did not have voting machines. The glue worked perfectly on the written ballot. However, when they stuck these on the voting machines — for those of you who are not aware, the City of Waterville's voting machines are the Schoppe machines, and there is a door which is provided if you want to cast a ballot for somebody who is not on the printed ballot. You slide the door open and this automatically prevents you from voting for anybody who is on the printed ballot, and now you must submit your write-in candidate either by sticker or by writing it in actually.

As the people were sticking a printed sticker on there and then they slide the door closed, then when they throw the switch which opens the curtain for them, it turns the reel on this big roller one notch and prepares it for the next person. These stickers were get-

ting jammed in the door, and at the end of the day the gentleman had 18 votes. Later on we found many stickers at the bottom of the machine and it was too late to have them counted. However, Winslow saw to it that he was put on the ballot anyway. But it does not work on voting machines, and I understand that we are currently trying to encourage communities to have voting machines.

The SPEAKER: The Chair recognizes the gentleman from Norway, Mr. Henley.

Mr. HENLEY: I am not going to take much time to particularly defend this amendment. I was asked to put in it by the Election Division of the Secretary of State.

It seemed that general elections under Title 21, Section 922, 1 B-3, allows write-in votes, and it was only felt that inasmuch as stickers were allowed in primaries in lieu of writing in, that it would be an added convenience to use it, and it also would assist in counting, because a good many times the write-ins by some people under certain circumstances, the lights aren't too good, has been not too legible. So this amendment was prepared and presented.

We use machines up home and I don't know whether that would have created any problem or not. If that is the case, I am not going to hold any brief on this amendment. I thought it would help and the Secretary of State thought it would help. So if anyone else has any questions or any knowledge on it, I would appreciate it.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Binnette.

Mr. BINNETTE: Mr. Speaker and Ladies and Gentlemen of the House: In answer to my good friend from Waterville, Mr. Carey, at the present time stickers are permissive on the primaries. Therefore, it must be you must have the same trouble in the primaries then. Now, how many machines throughout the State are identical to those used in Waterville?

The SPEAKER: The gentleman from Old Town, Mr. Binnette, poses a question through the Chair, and the Chair recognizes the

gentleman from Waterville, Mr. Carey.

Mr. CAREY: In answer to the gentleman from Old Town, Mr. Binnette, the City of Waterville has 21 machines, the City of Portland has some, and it is my understanding the City of Augusta has some, and I don't know as though Bangor may possibly have some. The problem was created in the primary election.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Waterville, Mr. Carey, for the indefinite postponement of House Amendment "A". If you are in favor of indefinite postponement, you will vote yes; if you are opposed, you will vote no. The Chair opens the vote.

A vote of the House was taken.

50 having voted in the affirmative and 36 having voted in the negative, the motion did prevail.

Thereupon, the Bill was passed to be engrossed.

The Bill was then passed to be enacted, signed by the Speaker and sent to the Senate.

The Chair laid before the House the tenth item of Unfinished Business:

Bill "An Act Creating the Winterport Water District" (H. P. 1045) (L. D. 1373)

Tabled — April 15, by Mr. Levesque of Madawaska.

Pending — Passage to be engrossed.

Mr. Cox of Bangor offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-171) was read by the Clerk and adopted, and the Bill passed to be engrossed as amended and sent to the Senate.

The Chair laid before the House the eleventh item of Unfinished Business:

HOUSE REPORT — Committee on Natural Resources on Bill "An Act relating to Regional Planning Commission" (H. P. 828) (L. D. 1067) reporting that it be referred to the Committee on Legal Affairs.

Tabled — April 16, by Mr. Martin of Eagle Lake.

Pending — Acceptance.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: This is a companion bill to L. D. 1068. These bills apparently were inadvertently referred to the Committee on Natural Resources and we have been having some trouble in getting them back to State Government, where the other bills dealing with the same type of legislation is concerned.

So, therefore, Mr. Speaker, in order to make the motion that it be referred to the Committee on State Government, I would now move that the Bill be substituted for the Report.

Thereupon, the Bill was substituted for the Report.

On further motion of the same gentleman, the Report and Bill were referred to the Committee on State Government and sent up for concurrence.

The Chair laid before the House the twelfth item of Unfinished Business:

HOUSE REPORT — "Ought not to pass" — Committee on Inland Fisheries and Game on Bill "An Act Providing for Adequate Fishways in Dams and Other Obstructions" (H. P. 857) (L. D. 1099)

Tabled — April 15, by Mr. Carey of Waterville.

Pending — Motion of Mr. Carter of Winslow to reconsider indefinite postponement.

Thereupon, on motion of Mr. Carter of Winslow, retabled pending his motion to reconsider indefinite postponement and specially assigned for Wednesday, April 23.

The Chair laid before the House the thirteenth item of Unfinished Business:

Bill "An Act relating to Length of Time in Boarding Stray and Abandoned Dogs" (H. P. 205) (L. D. 255)

Tabled—April 15, by Mr. Crommett of Millinocket.

Pending — Passage to be engrossed.

On motion of Mr. Lewis of Bristol, retabled pending passage to be