

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

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Legislature*

OF THE

STATE OF MAINE

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to determine the truth and get at the truth, I think the net result would be a saving because the court system would be less cluttered. Thank you.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Joly.

Mr. JOLY: Mr. President, may I ask through the Chair, if anyone can answer, how many of these people that would be covered by this act are in practice in the State of Maine?

The PRESIDENT: The Senator from Kennebec, Senator Joly, has posed a question through the Chair which any Senator may answer if he desires.

The Chair recognizes the Senator from Cumberland, Senator Brennan.

Mr. BRENNAN: Mr. President and Members of the Senate: I am not exactly sure, but there are only seven or eight. There are not a large number of them.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President and Members of the Senate: This certainly is not the most momentous bill to come before the Committee on State Government this session, but I do feel I should comment that the reason for the unanimous Ought to Pass Report from the Committee was simply that should a polygraph examination be used in the State of Maine as it is used at the present time — it is not submitted in court as evidence, but it is used by both prosecuting and defense attorneys in a number of instances— it is the feeling of the Committee on State Government that with it being used there should be certain standards that are followed, that are to be followed, and certain qualifications that individuals must have in order to give the test.

The PRESIDENT: The pending motion before the Senate is the motion of the Senator from Hancock, Senator Anderson, that Bill, "An Act Creating a Polygraph Examiners Act", be indefinitely postponed. A "Yes" vote will be in favor of indefinite

postponement; a "No" vote will be opposed.

The Secretary will call the roll.

ROLL CALL

YEAS: Senators Anderson, Berry, Conley, Cox, Cummings, Fortier, Graffam, Greeley, Hichens, Huber, Joly, Katz, Minkowsky, Peabody, Richardson, Schulten, Sewall, Shute, Tanous, MacLeod.

NAYS: Senators Aldrich, Brennan, Cianchette, Clifford, Cyr, Danton, Kelley, Marcotte, Morrell, Roberts, Speers, Wyman.

ABSENT: Senator Olfene.

A roll call was had. 20 Senators having voted in the affirmative, and 12 Senators having voted in the negative, with one Senator being absent, the Bill was Indefinitely Postponed.

Sent down for concurrence.

The President laid before the Senate the matter tabled earlier in today's session by Mr. Shute of Franklin:

Bill, "An Act to Revise the Election Laws." (S. P. 613) (L. D. 1916)

Pending — Consideration.

On motion by Mr. Shute of Franklin, the Senate voted to Recede from its former action whereby the Bill was Passed to be Engrossed.

On further motion by the same Senator, House Amendments "A" and "B" were Adopted in concurrence.

The same Senator then presented Senate Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-139, was Read.

The PRESIDENT: The Senator has the floor.

Mr. SHUTE: Mr. President and Members of the Senate: I think the Senators deserve an explanation of what is going on with this bill. This is the second redraft of the act to revise the election laws, which has been hanging around these halls since the first of the year. Originally starting out as L. D. 556, it came up under another number presented by the Senator from Somerset, Senator Cianchette, and now comes back to us in the form of L. D. 1916.

It suffered the pain of residing on the table in the other body for

some five or six weeks, where it received 17 amendments and was referred back to the Committee on Election Laws. A lot of work has gone into this document from way back last summer. Members of both parties have contributed to it.

House Amendment "A", under Filing 377, refers to the matter of how absentee ballots shall be counted in municipalities where they have more than one voting precinct. It is permissive legislation, which the committee and other groups worked on, which would provide the opportunity in a permissive nature for absentee ballots to be counted at the city hall in the clerk's office. House Amendment "A" merely says that such person shall be named by the clerk prior to the election and the total number from the voting districts shall be as evenly divided as possible between the political parties. This is a technical area so they would clearly define the manner in which these absentee ballots shall be counted, if indeed the decision is made to count them at the city clerk's office.

The other House Amendment, "B" under filing No. H-381, merely reverts the law on distinguishing marks on ballots to its present status. We attempted to define distinguishing marks on a ballot, but this has caused some commotion, particularly in the other body, and they wish now to have the law go back to its present status.

Senate Amendment "A" was something that was overlooked in the writing of the second redraft, in that it provides the opportunity for zip code numbers to be applied to voting registration names.

This is an explanation of these three amendments, and I move the pending question.

The PRESIDENT: Is the Senate ready for the question.

Thereupon, Senate Amendment "A" was Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate the matter tabled earlier

in today's session by Mr. Berry of Cumberland:

Bill, "An Act to Establish the Saco River Corridor" (S. P. 469) (L. D. 1545).

Pending — Assignment for Second Reading.

Mr. Richardson of Cumberland then moved the pending question.

Thereupon, the Bill, as Amended, was Tomorrow Assigned for Second Reading.

Reconsidered Matter

Mr. Fortier of Oxford then moved that the Senate reconsider its action of yesterday whereby on Bill, "An Act Authorizing the Commissioner of Agriculture to Investigate Certain Farming Practices" (H. P. 1207) (L. D. 1559), the Minority Ought Not to Pass Report of the Committee was Accepted.

Thereupon, on further motion by the same Senator, tabled and Tomorrow Assigned, pending the motion by that Senator to Reconsider.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table: An Act Providing for Mandatory Retirement for Teachers. (H. P. 834) (L. D. 1093)

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Sewall.

Mr. SEWALL: Mr. President and Members of the Senate: Very briefly, this L. D. and the one I will propose to take off next are for the purposes of offering an amendment to each.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ: Mr. President and Members of the Senate: I direct the Senate's attention to L. D. 1093, An Act Providing for Mandatory Retirement for Teachers. A funny thing happened to this on the way to enactment: it ended up with a cost of \$2½ million, although it is just a small bill pertaining to just a few teachers. I now move that the Senate reconsider its action, under suspension of the rules, whereby the bill was passed to be engrossed.