

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

One Hundred and Seventh Legislature

(First Special Session)

OF THE

STATE OF MAINE

1976

KENNEBEC JOURNAL
AUGUSTA, MAINE

money somewhere and do this. This is the thing that is wrong about what we are doing.

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

Mr. GOULD: Mr. Speaker, Ladies and Gentlemen of the House: I wasn't very hungry this morning. I had a dream I was eating flannel cakes and when I awoke a piece of the blanket was gone.

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

Mr. LaPOINTE: Mr. Speaker, Ladies and Gentlemen of the House: I would point out to the good gentleman from Old Town, Mr. Gould, that this is not a Type A lunch.

The SPEAKER: A roll call has been ordered. The pending question before the House is on the motion of the gentleman from Livermore Falls, Mr. Lynch, that we reconsider our action whereby the House voted to recede and concur. Those in favor will vote yes; those opposed will vote no.

The Chair recognizes the gentleman from Ellsworth, Mr. DeVane.

Mr. DeVANE: Mr. Speaker, I would like to pair with the gentleman from Dexter, Mr. Peakes. If he were here, he would be voting yes and I would be voting no.

The SPEAKER: The gentleman from Ellsworth, Mr. DeVane wishes to pair with the gentleman from Dexter, Mr. Peakes. If Mr. Peakes were here, he would be voting yes; and Mr. DeVane would be voting no.

ROLL CALL

YEA — Albert, Bachrach, Boudreau, Bowie, Burns, Bustin, Call, Carey, Carpenter, Chonko, Clark, Connolly, Cooney, Cote, Cox, Curran, P.; Davies, Doak, Dudley, Finemore, Flanagan, Goodwin, H.; Goodwin, K.; Hall, Henderson, Hobbins, Hughes, Ingegneri, Jalbert, Jensen, Joyce, Kany, Kelleher, Kennedy, Laffin, LaPointe, LeBlanc, MacEachern, Mahany, Martin, A.; Mills, Mitchell, Mulhern, Nadeau, Najarian, Norris, Pelosi, Peterson, T.; Powell, Quinn, Raymond, Rolde, Saunders, Smith, Snow, Spencer, Talbot, Tarr, Tierney, Usher, Wagner, Wilfong, Winship.

NAY — Ault, Bagley, Bennett, Berry, G. W.; Berry, P. P.; Berube, Birt, Blodgett, Byers, Carroll, Carter, Churchill, Connors, Curran, R.; Curtis, Dam, Dow, Drigotas, Durgin, Dyer, Farley, Farnham, Fenlason, Fraser, Garsoe, Gauthier, Gould, Gray, Greenlaw, Hennessey, Hewes, Higgins, Hinds, Hunter, Hutchings, Immonen, Jackson, Kauffman, Laverty, Leonard, Lewin, Lewis, Littlefield, Lizotte, Lovell, Lunt, Lynch, Mackel, Maxwell, McBreairty, McKernan, McMahon, Miskavage, Morin, Morton, Palmer, Pearson, Perkins, S.; Perkins, T.; Peterson, P.; Pierce, Post, Rideout, Rollins, Shute, Snowe, Sprowl, Strout, Stubbs, Susi, Teague, Theriault, Torrey, Tozier, Truman, Twitchell, Tyndale, Walker.

ABSENT — Faucher, Jacques, Kelley, MacLeod, Martin, R.; Silverman, Webber.

PAIRED — DeVane, Peakes.

Yes, 63; No, 78; Absent, 7; Paired, 2.

The SPEAKER: Sixty-three having voted in the affirmative and seventy-eight in the negative, with seven being absent and two paired, the motion does not prevail.

(Off Record Remarks)

Mr. Carey of Waterville was granted unanimous consent to address the House.

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: Over the last weekend, the Colby Institute for Management was held, it is an institute that is held annually. It was their 25th anniversary, as a matter of fact, and it is for top level management people within the state and they discussed several issues. The major address this year was delivered by Secretary of Treasury, William Simon, but that happened on a Friday night and

on Saturday morning there was a panel that was held. The President of the Senate, Senator Sewall was there and the Speaker of the House was invited to attend. Other commitments forced him to cancel out of this one, and the gentleman from Sabattus, Mr. Cooney replaced him. In my position as Mayor of the City, I have been annually invited to attend that seminar and I sit in, this was my fifth one, and I would like to point out to the House that Representative Cooney and Senator Sewall did an excellent job in representing the Legislature, and I thought the members of the House should know that. (Applause)

Mr. Burns of Anson was granted unanimous consent to address the House.

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: On March 24th, I introduced a Joint Resolution commemorating the last log drive in the State of Maine. There was some confusion on this and I would like to attempt to straighten the record out now.

The last complete log drive from the head of Moosehead Lake on down to Winslow did take place last summer, so that was the last major log drive. There will be a log drive this year from Indian Pond down to Winslow and some 9,000 cord will come down.

(Off Record Remarks)

On request of Mr. Rolde of York, by unanimous consent, unless previous notice was given to the Clerk of the House by some members of his or her intention to move reconsideration, the Clerk was authorized today to send to the Senate, thirty minutes after the House recessed for lunch and also thirty minutes after the House adjourned for the day, all matters passed to be engrossed in concurrence and all matters that required Senate concurrence; and that after such matters had been so sent to the Senate by the Clerk, no motion to reconsider would be allowed.

On motion of Mr. Palmer of Nobleboro, Recessed until two o'clock in the afternoon.

After Recess

2:00 P.M.

The House was called to order by the Speaker.

Orders of the Day

The Chair laid before the House the first tabled and today assigned matter:

Bill, "An Act to Clarify the Election Laws" (Emergency) (H. P. 2293) (L. D. 2344)

Tabled — April 6 by Mrs. Boudreau of Portland.

Pending — Passage to be Engrossed.

Mrs. Boudreau of Portland offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-1230) was read by the Clerk and adopted.

Mr. Call of Lewiston offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-1232) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, would the gentleman from Lewiston, Mr. Call, please explain this amendment?

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, has posed a question through the Chair to the gentleman from Lewiston, Mr. Call, who may answer if he so desires.

The Chair recognizes that gentleman.

Mr. CALL: Mr. Speaker, Ladies and Gentlemen of the House: First, I will read the Statement of Fact and then I will explain further. "This amendment adds nomination

petitions and primary petitions to the types of election documents that are not public records and that may be inspected only in accordance with procedures under the Election Laws."

First of all, this amendment, if it passes, would prohibit the publication of names of those persons who have signed nomination papers for elections on any level and then, two, it would prohibit the publication of the names of those persons who have applied for absentee ballots. I am ready to answer any further questions, would be glad to, and ready to debate my position.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Morton.

Mr. MORTON: Mr. Speaker, I would like to ask the gentleman a question if I may. Mr. Call, under your amendment, you say they may be inspected only in accordance with this title. Under what circumstances may the petitions be inspected?

The SPEAKER: The gentleman from Farmington, Mr. Morton, has posed a question through the Chair to the gentleman from Lewiston, Mr. Call, who may respond if he so desires.

The Chair recognizes that gentleman.

Mr. CALL: Mr. Speaker, Ladies and Gentlemen of the House: In answer to the gentleman, the law is now that anybody can go to the town or city clerk and request to look at either nomination papers or absentee ballots. This, as I say, would prevent the publication in the paper, but it would not prevent people from going to the town or city clerk individually or in groups and finding out what they want to know; to wit, who had applied for absentee ballots or who voted as such and also who had signed someone's nomination papers.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I believe that anything that is public is printable, and for that reason I move the indefinite postponement of this amendment.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jacques.

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: I know why the gentleman from Lewiston, Mr. Call, is introducing this amendment. We had problems with our local newspaper. They were printing the names of the petitioners who had signed a petition and a lot of these people after that did not want to sign petitions at all and it was hard for awhile to get names on petitions. Actually, we had many, many candidates running, and they chose the candidates' names they were going to put in the newspaper and that, I think, is the reason for Mr. Call introducing this, and this could happen in your own areas.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: Again, I think anything that is public is printable and I hope you support my motion.

Mr. CALL: Mr. Speaker, Ladies and Gentlemen of the House: I might point out to the gentleman from Bangor that he does not live in the City of Lewiston.

In 1949, we had a city election and the newspaper, one of them, printed the names of people who had signed the nomination papers for the two candidates who were in the runoff election, and as a result of that, as has been stated by my colleague, Mr. Jacques, there are people who since that time have not signed nomination papers. They felt as I do, that it was an invasion of privacy. What happened in the instance was that they wanted to shame these

people who had signed the nomination paper of the person they were not supporting. That was in 1949 and we did not have it again until the last election.

All right, I think everybody in this chamber knows as I do, that when anybody signs a nomination paper, he is merely saying it is all right with me if this candidate seeks office. He may not vote for the candidate but he can sign his paper and endorse his candidacy, but when a name is in the paper, too many people might assume that the persons who signed the candidate's nomination paper is with him 100 percent, and that is not so. An illusion is formed that is just that, an illusion, unrealistic and misleading.

As to absentee ballots, the city clerk in Lewiston told the Elections Laws Committee, of which I am a member, during one of the sessions, just what happened in Lewiston, which I know about and which I saw in the newspaper.

There had been a lot of conversation to the effect that some people were telling people to vote absentee regardless, even if they had no infirmities whatsoever and would be perfectly mobile on election day. Whether or not there is truth to that, I don't know, but it was a pretty strong and persistent rumor. So as a result of that rumor, the newspaper printed a whole list of names of people who had made application for absentee ballots. The police department was swamped with calls, the police chief called an official of the newspaper over and he said, this is bad, people are scared to death, some of them had their suitcases all packed and were ready to go away and now they don't dare to because they had their names in the paper, both the man and his wife, absentee ballot, and the burglars will know that they are going to be away from home and it is an invitation for thieves to at least go to that residence and look around.

To return to the nomination papers, when they are published there is an ulterior motive there, strictly political, and not in the best public interest. That is all I have to say at this time.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Morton.

Mr. MORTON: Mr. Speaker, I would like to pose a question through the Chair to the gentleman from Lewiston, Mr. Call. You mentioned municipal papers, does the same thing apply to petitions on file in the Secretary of State's Office under that title?

The SPEAKER: The gentleman from Farmington, Mr. Morton, has posed a question through the Chair to the gentleman from Lewiston, Mr. Call, who may respond if he so desires.

The Chair recognizes that gentleman.

Mr. CALL: Mr. Speaker, I think that it calls for all papers but the intent was for — if the gentleman means nomination papers that are going to end up in the Secretary of State's Office, of course, any nomination papers.

I would request a roll call.

The SPEAKER: The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, I move that this lie on the table until later in today's session.

The SPEAKER: The Chair recognizes the gentleman from Solon, Mr. Faucher.

Mr. FAUCHER: Mr. Speaker, Ladies and Gentlemen of the House: I would ask for a vote on the tabling motion.

The SPEAKER: The pending question before the House is on the motion of Mr. Birt of East Millinocket to table until later today. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

17 having voted in the affirmative and 59 in the negative, the motion did not prevail.

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

Mr. PEARSON: Mr. Speaker, I would like to pose

a question through the Chair to the gentleman from Lewiston, Mr. Call. Does this also apply to recall petitions?

The SPEAKER: The gentleman from Old Town, Mr. Pearson, has posed a question through the Chair to the gentleman from Lewiston, Mr. Call, who may respond if he so desires.

The Chair recognizes the gentleman.

Mr. CALL: Mr. Speaker, I am pretty certain that as it stands now, it calls for all signatures.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mrs. Martin.

Mrs. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I am not an Independent but I am all for Mr. Call because it is an invitation to burglary if you publish your name in the paper.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

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

The SPEAKER: The pending question before the House is on the motion of the gentleman from Bangor, Mr. Kelleher, that House Amendment "B" be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Bachrach, Birt, Blodgett, Burns, Carpenter, Clark, Cooney, Cox, Dam, DeVane, Doak, Dyer, Garsoe, Greenlaw, Hall, Henderson, Hennessey, Higgins, Hughes, Hunter, Ingegneri, Jackson, Kany, Kelleher, Laverty, Mackel, Mahany, McKernan, Mills, Morton, Perkins, S.; Peterson, T.; Pierce, Powell, Quinn, Rideout, Saunders, Shute, Snowe, Sprowl, Strout, Susi, Tarr, Tyndale, Wagner, Wilfong.

NAY — Albert, Ault, Bagley, Berry, P. P.; Berube, Boudreau, Byers, Call, Carey, Carroll, Carter, Chouko, Churchill, Connors, Connolly, Cote, Curran, P.; Curran, R.; Curtis, Davies, Dow, Dudley, Durgin, Farnham, Faucher, Fenlason, Finemore, Flanagan, Fraser, Gauthier, Goodwin, H.; Goodwin, K.; Gould, Gray, Hewes, Hobbins, Jacques, Jensen, Joyce, Kauffman, Kelley, Kennedy, Laffin, LaPointe, Leonard, Lewin, Lewis, Littlefield, Lizotte, Lovell, Lunt, Lynch, MacEachern, Martin, A.; Martin, R.; Maxwell, McBrearty, McMahon, Miskavage, Mitchell, Morin, Mulkern, Nadeau, Norris, Pearson, Pelosi, Peterson, P.; Post, Raymond, Rolde, Rollins, Silverman, Snow, Spencer, Stubbs, Teague, Theriault, Torrey, Tozier, Truman, Usher, Walker.

ABSENT — Bennett, Bowie, Bustin, Drigotas, Farley, Hinds, Hutchings, Immonen, Jalbert, LeBlanc, MacLeod, Najarian, Palmer, Peakes, Perkins, T.; Smith, Talbot, Tierney, Webber, Winship.

Yes, 46; No, 84; Absent 20.

The SPEAKER: Forty-six having voted in the affirmative and eighty-four in the negative, with twenty being absent, the motion does not prevail.

The pending question before the House is adoption of House Amendment "B".

The Chair recognizes the gentleman from Scarborough, Mr. Higgins.

Mr. HIGGINS: Mr. Speaker and Members of the House: I would ask for a vote on the adoption of the amendment.

First of all, it seems to me that this amendment is a local issue, similar to the one that we had this morning on Portland. But I would like to address a question or an observation, it occurred to me that the amendment seems to be a bit contradictory in the fact that you are saying that it is public for an individual to go in there and get those and yet it is not public knowledge,

and I don't quite get the distinction between myself being able to go down and inspect ballots and then maybe taking the names that are on the petitions. I might copy them down myself, and take them to a newspaper and publishing them or taking out an ad or something like that.

It is my assumption that people, at any rate in the Portland paper, it is my understanding that, people have to sign a release to have their name in the paper. We have been through this in the past and anybody who had their name endorsing a candidate in the newspaper, or at least if it appeared in print, that they had to give a waiver, or their approval, and I don't understand why it is not applicable to Lewiston, but I would pose that question or observation that this amendment does seem quite contradictory to me. It is public, it is public, and if it is not, it's not.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Spencer.

Mr. SPENCER: Mr. Speaker and Members of the House: I rise to oppose this amendment. I find it hard to conceive of this legislature passing a law which says that a signature on a candidate's petition is not public information which can be published in the newspaper. I think the first amendment problems with this bill are beyond belief. I can't imagine that we can say that the newspaper can't publish the names of the people who sign a candidate's petition. It is absolutely 'incredible' to me, to borrow a word from the Representative of Freeport who helped me out when I could not think of the word to describe it.

I can't see that you can prohibit the newspaper from publishing a public record. It is like saying that they can't publish the names of the candidates who are running for office. It just staggers my imagination that that vote would have been so overwhelming and I voted — and I would like to put this on the record — I voted against indefinite postponement so that I could stand up to move reconsideration, because I thought that the body could not have reflected fully on this subject. But I would ask you to vote against the adoption of this amendment.

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

Mr. PERKINS: Mr. Speaker, Ladies and Gentlemen of the House: I would like to inquire as to how it is possible to have a nomination petition open for signatures and it not be a public record? How is it possible that you can carry around a petition in your hands and ask me to sign it and yet it is not a matter of public record? In fact, the person who signed just before me could force you not to.

It is completely self-defeating and somebody is going to end up in court just by virtue of passing around a nomination paper. If the good gentleman, Representative Call, wishes to get to the press, then I would have suggested that the amendment so state that, that any petition, ballots, or what have you, information thereon, not be disseminated by the press and I would dare say that that would have a mighty tough row to hoe.

The SPEAKER: The Chair recognizes the gentleman from Stockton Springs, Mr. Shute.

Mr. SHUTE: Mr. Speaker, Ladies and Gentlemen of the House: I would ask you to go against the passage of this amendment today. I know that many of you have said all session that I was right in the good gentleman from Lewiston, Representative Call's, pocket all year. Well, that isn't the case, because in this instance, I am going to have to leave my good friend and would hope that you would vote against the passage. We had this amendment in the Election Laws Committee and it was almost a unanimous consensus of the committee that this should not be adopted in our election laws bill this year.

We listened with great sympathy to the gentleman's remarks about the unscrupulous newspaper editors in Lewiston that were publishing the people on the nomination petitions, but we did feel that going along with our right-to-know laws, that it would be in the best interests of the people of the state to have these petitions available for public scrutiny. So, I would ask you to go against the passage of this amendment.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Henderson.

Mr. HENDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I find a bit of irony in this proposal when comparing it with our expungement law which we have radically revised this session. You remember, last year or prior to this session, even if you were acquitted of a crime or even if charges were dismissed against you, at least under the previous law, that would have not been a public record and now it is or will be as we proceed. If a member of the press said it was Jim Henderson arrested for stealing chickens in Lewiston on the 28th and they said, yes, but it was just a frivolous charge on the part of the gentleman, Mr. Call, they could still have published that fact — Henderson Arrested for Stealing Chickens, yet they could not point out that I had signed Mr. Call's petition, which would also probably be illegal. It just seems so ridiculous, pardon the phrase, that now we are going to be allowing the press to publish allegations and other aspects of criminal behavior, yet they can't even publish this. It just boggles the mind.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jacques.

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: It happened that we had a pretty good police chief in Lewiston, and naturally he approached the Board of Registration in the City Clerk's Office and told them that would be detrimental to some of these people's homes, because as you know, as they published it that this man would be away to Florida or so and so, and that was one of the reasons that our chief got together with the newspaper and told them that they shouldn't publish it and they didn't. But that doesn't mean it is not going to happen next year or the year after.

The SPEAKER: The Chair recognizes the gentleman from Yarmouth, Mr. Jackson.

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: I think we should nip this problem in the bud, and amend this amendment that no candidate for any office in the State of Maine will have his name mentioned in the press.

Mr. Spencer of Standish requested a roll call vote.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call vote will vote yes; those opposed will vote no.

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

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. McKernan.

Mr. McKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: I would pose one question to the gentleman from Lewiston or to anyone else who might have the answer. In a brief perusal of the election laws, I can't find any section which deals with inspecting absentee ballot applications, absentee envelopes, nomination petitions and primary petitions in accordance with this title. I am not sure that the statement by the gentleman from Lewiston that members of the public could take a look at it but it could not be printed in the press is correct. I would question how any in-

spection would take place under this amendment?

The SPEAKER: The Chair recognizes the gentleman from Portland, Mrs. Boudreau.

Mrs. BOUDREAU: Mr. Speaker, Men and Women of the House: This was one of the amendments that was presented to us when we were doing the omnibus bill. We rejected that for the very reason we thought it would be controversial. We told Mr. Call he could offer it on the floor and take his chances.

The way the amendment is written, the only person that would be able to look at these petitions and ballots and so on would be if you challenged a petition or for an inspection or a recount.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Call.

Mr. CALL: Mr. Speaker and Members of the House: I hope that you will not be swayed by what you have heard from, we will say, the opposition.

Now, let me say, like all of you, that the law is supposed to be an honorable profession, and these are honorable lawyers who have spoken against my amendment, that could be expected. I hope you have analyzed these arguments against my bill, and I certainly hope that those of you who voted against indefinite postponement will, to use an expression, stick to your guns, and I would not be unhappy if some of the others turned the other way.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. McKernan.

Mr. McKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: It does seem that a few lawyers are in fact up here wondering if this is a proper amendment or not. One of the reasons may be that we have to deal with the laws that are passed here in this body and I seriously question this amendment on two grounds. The first one is that, as the gentleman from Portland suggested, the only provision in the election laws that I could find as I said, but I would defer to her as someone who has to deal with the election laws all the time, the only section I can find on inspection is the section which deals with inspections of ballots for a recount. That says, first of all, that only a candidate can inspect the ballots and, secondly, that he can only inspect the ballots. So, there is absolutely no way to review any of these additions that Mr. Call is trying to put in based on the laws and the title on the election laws.

Secondly, I would also say that we ought to really consider what we are doing here today because we have laws on the books that say that a person can sign a nomination paper only for a candidate for an office in the party to which he belongs and also for the same number of people whom that party is authorized to nominate. Therefore, I think we want to make sure we have a check on that. The best way to do it is through public inspection, people who can actually look at these nomination petitions and make sure that people have not signed more than one. I think there may have been a problem in Lewiston, and that is unfortunate, but the advantages to making sure there is public inspection of nomination petitions or absentee ballots which directly affect the public far outweighs the problems which may have occurred in Lewiston.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Spencer.

Mr. SPENCER: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose an inquiry through the Chair to the sponsor. If the petitions that are filed are not public records and cannot be inspected except when they have been challenged, would it mean that everyone who thought that there ever might be an irregularity would have to challenge the petitions before they could inspect them to in fact see if there was an irregularity and wouldn't this lead to a situation where there would really be

no public review of these petitions to see either where there would be public review or where you would have to challenge them automatically in order to see if there was any irregularity?

The SPEAKER: The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: The bill that this amendment is to, 2344, has a provision in it which covers about half of what the amendment does. Under Section 56 it says, Ballots, and then has been added absentee ballot application, and absentee ballot envelopes which is part of what this amendment is. The big debate is on whether the nomination petitions and primary petitions are or are not public records. There has been much debate as to the question of whether they are or are not.

I certainly believe that we would be in violation of a great many provisions of laws and even some of the sections of the Constitution when we forbid a nomination and primary petition from being inspected, but half of this is covered. The part that may be the area most sensitive is relative to absentee ballots and, therefore, I don't see any real need for this and I hope you do not adopt this amendment.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mrs. Kany.

Mrs. KANY: Mr. Speaker, Ladies and Gentlemen of the House: May I pose a question through the Chair to the sponsor? I would like to ask Representative Call if he considered asking the local newspaper to exercise its discretion in publishing the names of just those particular applicants who would be out of town?

The SPEAKER: The gentleman from Waterville, Mrs. Kany, poses a question through the Chair to the gentleman from Lewiston, Mr. Call, who may answer if he so desires.

The Chair recognizes that gentleman.

Mr. CALL: Mr. Speaker, Ladies and Gentlemen of the House: I might say that I don't think this whole House would be interested in the explanation that I could give to Mrs. Kany in private relative to my status with the Lewiston newspapers. Now, it is not a bad situation. In fact, last night they surprised me. For the first time in a long time, the Lewiston Sun reporter quoted what I had to say in a very important matter before the city council.

I don't feel at this point that I want to answer any questions, as I said, relative to Mrs. Kany, I would be happy to explain the situation as it exists between the Lewiston newspapers and myself and that doesn't mean that it is a poor relationship.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mrs. Berube.

Mrs. BERUBE: Mr. Speaker, Ladies and Gentlemen of the House: Just a point of clarification please? In the Errors and Inconsistencies Bill of the Election Laws, L. D. 2344, on Page 11, under Section 56, Exceptions, as I can read it and perhaps I am incorrect, but the only thing different from paragraph one under Exceptions is that Mr. Call simply adds nomination petitions and primary petitions. Now, then, the clarifying bill of Election Laws states under Exceptions: "Ballots" then they have added, the committee, "absentee ballot application and absentee envelopes are not public records and may be inspected only in accordance." I would think that perhaps all he has added are the nomination petitions.

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Burns.

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: I note there is not a fiscal note on this. Should this law be passed, it will require that each petitioner sign a separate sheet of paper. So, therefore, there would be additional cost to the Secretary of State in making up the petitions.

The SPEAKER: A roll call has been ordered.

The pending question is on the motion of the gentleman from Lewiston, Mr. Call, that House Amendment "B" be adopted. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Bagley, Berry, G. W.; Berry, P. P.; Berube, Call, Connors, Connolly, Cote, Curtis, Dow, Drigotas, Farley, Finemore, Fraser, Gould, Gray, Hall, Immonen, Jacques, Jensen, Kauffman, LaPointe, Littlefield, Lunt, MacEachern, Martin, A.; Martin, R.; Mulkern, Norris, Peterson, P.; Raymond, Rollins, Snow, Torrey, Tozier, Usher, Walker.

NAY — Albert, Ault, Bachrach, Birt, Blodgett, Boudreau, Burns, Byers, Carey, Carpenter, Carroll, Carter, Chonko, Churchill, Clark, Cooney, Cox, Curran, P.; Curran, R.; Dam, Davies, DeVane, Doak, Durgin, Dyer, Farnham, Faucher, Fenlason, Flanagan, Garsoe, Gauthier, Goodwin, H.; Goodwin, K.; Greenlaw, Henderson, Hennessey, Hewes, Higgins, Hobbins, Hughes, Hunter, Hutchings, Ingegneri, Jackson, Joyce, Kany, Kelleher, Kelley, Kennedy, Laverty, Leonard, Lewin, Lewis, Lizotte, Lovell, Lynch, Mackel, Mahany, Maxwell, McBreairty, McKernan, McMahon, Mills, Miskavage, Mitchell, Morin, Morton, Nadeau, Palmer, Peakes, Pearson, Pelosi, Perkins, S.; Pierce, Post, Powell, Quinn, Rideout, Rolde, Saunders, Shute, Silverman, Snowe, Spencer, Sprowl, Strout, Stubbs, Tarr, Theriault, Truman, Twitchell, Tyndale, Wagner, Wilfong.

ABSENT — Bennett, Bowie, Bustin, Dudley, Hinds, Jalbert, Laffin, LeBlanc, MacLeod, Najarian, Perkins, T.; Peterson, T.; Smith, Susi, Talbot, Teague, Tierney, Webber, Winship.

Yes, 37; No, 94; Absent, 19.

The SPEAKER: Thirty-seven having voted in the affirmative, and ninety-four in the negative, with nineteen being absent, the motion does not prevail.

The pending question is on passage to be enacted. The Chair will order a vote. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

Mrs. Martin of Brunswick requested a roll call vote.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call vote will vote yes; those opposed will vote no.

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

The SPEAKER: The Chair recognizes the gentlewoman from Brunswick, Mrs. Martin.

Mrs. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: May I ask Mr. Call if he would put these in two amendments instead of one, like absentee ballot applications and then the petition. I go along with the absentee ballot not being published because this is a bad thing. I will tell you what. You won't believe this, there were young boys in back of my house with B-B guns and they were shooting birds and the bees, if you want to put the bees in, and I stopped them. The next night they were in my cellar opening my windows trying to get in the house. This is what I am talking about, is that printing this absentee ballot on the day before election, people would know that they were out and their homes would be robbed. I was home and my house was trying to be robbed, so you can imagine what it is when you are not home and they try to rob your house.

If Mr. Call would make two petitions instead of one on this absentee ballot application and then his petition I wouldn't go along with the

nominating petition and primary petition because I think those should be public, but as far as the absentee ballots being public, I would go along with them not being published.

The SPEAKER: A roll call has been ordered. The pending question is on passage to be engrossed as amended by House Amendment "A". All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Bachrach, Bagley, Bennett, Berry, G. W.; Berry, P. P.; Birt, Blodgett, Boudreau, Burns, Byers, Carey, Carpenter, Carroll, Carter, Chonko, Churchill, Clark, Connors, Cooney, Cox, Curran, P.; Curran, R.; Curtis, Davies, DeVane, Dow, Dudley, Durgin, Dyer, Farley, Farnham, Faucher, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Gauthier, Goodwin, H.; Goodwin, K.; Gould, Gray, Greenlaw, Hall, Henderson, Hennessey, Hewes, Higgins, Hobbins, Hughes, Hunter, Hutchings, Immonen, Ingegneri, Jackson, Jacques, Jensen, Joyce, Kauffman, Kelley, Kennedy, Laverty, Leonard, Lewin, Lewis, Littlefield, Lizotte, Lovell, Lunt, Lynch, MacEachern, Mahany, Martin, A.; Martin, R.; McBreairty, McKernan, McMahon, Miskavage, Mitchell, Morin, Morton, Mulkern, Nadeau, Norris, Palmer, Peakes, Pearson, Pelosi, Perkins, S.; Peterson, P.; Pierce, Post, Powell, Quinn, Raymond, Rideout, Rolde, Rollins, Saunders, Shute, Silverman, Snow, Snowe, Spencer, Sprowl, Strout, Stubbs, Tarr, Theriault, Torrey, Truman, Twitchell, Tyndale, Walker, Wilfong.

NAY — Berube, Call, Connolly, Cote, Dam, Doak, Drigotas, Kany, Kelleher, LaPointe, Maxwell, Usher.

ABSENT — Bowie, Bustin, Hinds, Jalbert, Laffin, LeBlanc, Mackel, MacLeod, Mills, Najarian, Perkins, T.; Peterson, T.; Smith, Susi, Talbot, Teague, Tierney, Tozier, Wagner, Webber, Winship.

Yes, 117; No, 12; Absent 21.

The SPEAKER: One hundred seventeen having voted in the affirmative and twelve in the negative, with twenty-one being absent, the motion does prevail.

Sent up for concurrence.

The Chair laid before the House the second tabled and today assigned matter:

Bill "An Act Correcting Errors and Inconsistencies in Motor Vehicle Related Laws" (Emergency) (H. P. 2270) (L. D. 2337)

Tabled — April 6 by Mr. Palmer of Nobleboro.

Pending — Motion of Mr. Strout of Corinth to Indefinitely Postpone House Amendment "B" (H-1226) (Roll Call Ordered)

The SPEAKER: The Chair recognizes the gentleman from Corinth, Mr. Strout.

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: I wish to withdraw my motion.

The SPEAKER: The gentleman from Corinth, Mr. Strout now withdraws his motion to indefinitely postpone House Amendment "B".

The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: I would like to withdraw House Amendment "B".

The SPEAKER: The gentleman from Limerick, Mr. Carroll, withdraws House Amendment "B".

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I am proposing this amendment. You may notice that I have had distributed two amendments, but this is the one that I am presenting. There have been quite a few people in this state, and I have read editorials about it so I know that it covers more

areas than just my own, who haven't registered their cars when the registration time had elapsed. With the new system that we have, this staggered system, where it depends upon the last digit of your license number, many people haven't noticed it and they have been caught driving unregistered cars, and the police officers in the various towns are very strict about this. They won't allow a person even to drive home. Sometimes I think if an inspection sticker has elapsed, they will allow people to drive the cars home and then get a new sticker, but not so with the license plate.

So, rather than put in an amendment that would have to have a fiscal note, this amendment that I am proposing would say that anybody who registers a car or reregisters a car could pay an additional 25 cents, and that way that person would be assured of getting a card stating that the registration is due. It would be not more than 60 days and not less than 30 days before the registration is due. I have checked the figures and 25 cents will cover the cost of doing this. I do think it would help quite a few people in this state and I hope that you will pass it.

The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Kauffman.

Mr. KAUFFMAN: Mr. Speaker, Ladies and Gentlemen of the House: I am going to move the indefinite postponement of this amendment and will speak very briefly.

The SPEAKER: The gentleman from Kittery, Mr. Kauffman, moves the indefinite postponement of House Amendment "D".

The Chair recognizes the same gentleman.

Mr. KAUFFMAN: Mr. Speaker, Ladies and Gentlemen of the House: First, everybody has an inspection sticker. You look at your district court records and I think you will see it is probably 25 to 1 of people being summoned to court for an uninspected vehicle rather than lack of registrations. They may say that the sticker is in front of you all the time. It is not in front of you, it is up in back of your mirror. They will tell you that people don't look at their registration plates. Well, I say if anybody fills up with gas, usually they get out of the car and they see their registration plate, the tag on the plate.

Another thing, you can go to your town clerk now, or city clerk, and pick up your tags. This is going to mean additional work, additional bookkeeping and accounting on the part of the city or town clerks. I don't think it is a necessary bill. Even at the 25 cents rate, I think it will cost the State of Maine in the thousands of dollars if this is implemented.

The SPEAKER: The pending question is on the motion of the gentleman from Kittery, Mr. Kauffman, that House Amendment "D" be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. MacEachern of Lincoln requested a roll call vote.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call vote will vote yes; those opposed will vote no.

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

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker, Ladies and Gentlemen of the House: I wonder how many of you know which month your registrations expire? I see half a dozen hands, one raised twice. I think a lot of the general public do not know, and I think they are going to be asleep at the switch and their registrations are going to ex-