

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third  
Legislature*

OF THE

STATE OF MAINE

1967

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Wednesday, February 1, 1967

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

Prayer by the Rev. Mr. Roy W. Moody of Gardiner.

The journal of yesterday was read and approved.

**Papers from the Senate**

From the Senate: The following Communication: (S. P. 202)

**LETTER OF TRANSMITTAL**

January 20, 1967

To the Members of the 103rd Legislature:

The Legislative Research Committee is pleased to submit a study of Liquor Inventories.

This report shall be designated as Committee Publication No. 103-10 and contains the findings and recommendations of the Legislative Research Committee.

The Committee sincerely hopes that the information herein contained will prove of benefit to the members of the Legislature and the people of the State of Maine.

Respectfully submitted,

(Signed) LOUIS JALBERT  
Chairman  
Legislative Research Committee

Came from the Senate read and with accompanying Report ordered placed on file.

In the House, the Communication was read and with accompanying Report ordered placed on file in concurrence.

From the Senate:

Bill "An Act Providing Funds for Educational Loans for Maine Students" (S. P. 151) (L. D. 323)

Bill "An Act relating to Application of State Aid for School Construction" (S. P. 152) (L. D. 324)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Bill "An Act Authorizing Beal Business School to Confer Associate Degrees" (S. P. 154) (L. D. 325)

Bill "An Act to Authorize a Bond Issue in Amount of \$2,200,000 to Provide Funds for School Building Construction" (S. P. 155) (L. D. 326)

Came from the Senate referred to the Committee on Education.

In the House, referred to the Committee on Education in concurrence.

From the Senate:

Bill "An Act relating to Admission of Patients to State Hospitals" (S. P. 156) (L. D. 327)

Came from the Senate referred to the Committee on Health and Institutional Services.

In the House, referred to the Committee on Health and Institutional Services in concurrence.

From the Senate:

Bill "An Act relating to Tandem Trailers" (S. P. 157) (L. D. 328)

Came from the Senate referred to the Committee on Highways.

In the House, referred to the Committee on Highways in concurrence.

From the Senate:

Resolve Proposing an Amendment to the Constitution to Increase Credit of State for Guaranteed Loans for Recreational Purposes (S. P. 158) (L. D. 329)

Came from the Senate referred to the Committee on Industrial and Recreational Development.

In the House, referred to the Committee on Industrial and Recreational Development in concurrence.

From the Senate:

Bill "An Act relating to Challenges of Jurors in Criminal Cases" (S. P. 159) (L. D. 330)

Bill "An Act relating to Penalty in Prohibiting Dangerous Knives" (S. P. 160) (L. D. 331)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate:

Bill "An Act Increasing the Borrowing Capacity of the Winter Harbor School District" (S. P. 161) (L. D. 332)

Bill "An Act Increasing the Borrowing Authority of the Gouldsboro School District" (S. P. 162) (L. D. 333)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

From the Senate:

Bill "An Act relating to Sale of Liquor to Government Instrumentalities and Excise Tax on Malt Beverages Sold to Vessels of Foreign Registry" (S. P. 163) (L. D. 334)

Came from the Senate referred to the Committee on Liquor Control.

In the House, referred to the Committee on Liquor Control in concurrence.

From the Senate:

Bill "An Act Reclassifying Certain Inland Waters of the Saco River Basin" (S. P. 164) (L. D. 335)

Came from the Senate referred to the Committee on Natural Resources.

In the House, referred to the Committee on Natural Resources in concurrence.

From the Senate:

Bill "An Act Permitting Waiver of Citizenship Requirement for Technical and Professional Personnel" (S. P. 165) (L. D. 336)

Bill "An Act relating to Fallout Shelters in Public Buildings" (S. P. 166) (L. D. 337)

Bill "An Act Increasing Compensation of Members of the Legislature" (S. P. 167) (L. D. 338)

Bill "An Act relating to Reimbursement of Daily Travel Expenses in Lieu of Housing Expenses for Legislators" (S. P. 168) (L. D. 339)

Came from the Senate referred to the Committee on State Government.

In the House, referred to the Committee on State Government in concurrence.

From the Senate:

Bill "An Act Increasing Salaries of Clerk of Courts and Deputy Clerk of Courts, Penobscot County" (S. P. 169) (L. D. 340)

Came from the Senate referred to the Committee on Towns and Counties.

In the House, referred to the Committee on Towns and Counties in concurrence.

#### Senate Reports of Committees Ought to Pass

Report of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Bill "An Act relating to Open Season on Otter" (S. P. 8) (L. D. 14)

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed.

In the House, the Report was read and accepted in concurrence, the Bill read twice and tomorrow assigned.

#### Non-Concurrent Matter

Bill "An Act Appropriating Funds for Testimonials for Marking Unmarked Graves of Revolutionary War Soldiers" (H. P. 127) (L. D. 191) which was referred to the Committee on Appropriations and Financial Affairs in the House on January 19.

Came from the Senate referred to the Committee on Veterans and Military Affairs in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

#### Messages and Documents

The following Communication:

THE SENATE OF MAINE  
Augusta, Maine

January 31, 1967

Honorable Bertha W. Johnson  
Clerk of the House  
of Representatives  
of the 103rd Legislature

Madam:

I would like to inform you that the President of the Senate ap-

pointed the following Senators to serve on the Campaign Reports Committee:

Senator JOHNSON of Somerset  
Senator HARDING of Aroostook

Respectfully,

(Signed) JERROLD B. SPEERS  
Secretary of the Senate

The Communication was read and ordered placed on file.

\_\_\_\_\_

The following Communication:

STATE OF MAINE  
SUPREME JUDICIAL COURT  
AUGUSTA

January 31, 1967

Honorable Bertha W. Johnson  
Clerk, House of Representatives  
State House  
Augusta, Maine

Dear Mrs. Johnson:

There is enclosed the Answers of the Justices to the Questions of January 19, 1967.

Respectfully yours,

(Signed)

ROBERT B. WILLIAMSON

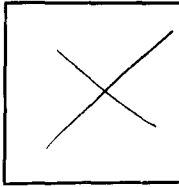
ANSWERS OF THE JUSTICES

To the Honorable House of Representatives of the State of Maine:

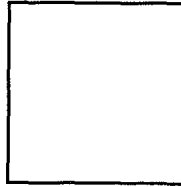
In compliance with the provisions of Section 3 of Article VI of the Constitution of Maine, we, the undersigned Justices of the Supreme Judicial Court, have the honor to submit the following answers to the questions propounded on January 19, 1967.

QUESTION NO. I: "Is ballot No. 1 a valid ballot?"

TO VOTE A STRAIGHT  
TICKET MARK A CROSS (X)  
OR A CHECK MARK (✓)  
WITHIN THIS SQUARE



TO VOTE A STRAIGHT  
TICKET MARK A CROSS (X)  
OR A CHECK MARK (✓)  
WITHIN THIS SQUARE



IF YOU DO NOT VOTE A STRAIGHT TICKET, MAKE A CROSS (X) OR A CHECK MARK (✓) IN THE SQUARE AT THE RIGHT OF THE NOMINEE FOR WHOM YOU WISH TO VOTE. FOLLOW DIRECTIONS AS TO THE NUMBERS OF NOMINEES TO BE ELECTED TO EACH OFFICE. YOU MAY VOTE FOR A PERSON WHOSE NAME DOES NOT APPEAR ON THE BALLOT BY WRITING IT IN THE PROPER BLANK SPACE AND MARKING A CROSS (X) OR A CHECK MARK (✓) IN THE PROPER SQUARE AT THE RIGHT. DO NOT ERASE NAMES.

REPUBLICAN	DEMOCRATIC
<p>For United States Senator Vote for One</p> <p>MARGARET CHASE SMITH, Showbehan <input checked="" type="checkbox"/></p>	<p>For United States Senator Vote for One</p> <p>ELMER H. VIOLETTE, Van Buren <input type="checkbox"/></p>
<p>For Governor Vote for One</p> <p>JOHN H. REED, Fort Fairfield <input checked="" type="checkbox"/></p>	<p>For Governor Vote for One</p> <p>KENNETH M. CURTIS, Manchester <input type="checkbox"/></p>
<p>For Representative to Congress Vote for One</p> <p>HOWARD M. FOLEY, Bangor <input checked="" type="checkbox"/></p>	<p>For Representative to Congress Vote for One</p> <p>WILLIAM D. HATHAWAY, Auburn <input type="checkbox"/></p>
<p>For State Senators Vote for Not More Than Three</p> <p>CLYDE E. GOUDEY, Auburn <input checked="" type="checkbox"/></p> <p>NELSON M. J. PETERS, Lewiston <input checked="" type="checkbox"/></p> <p>FRANK WOOD, Webster <input checked="" type="checkbox"/></p>	<p>For State Senators Vote for Not More Than Three</p> <p>ROMEO T. BOISVERT, Lewiston <input type="checkbox"/></p> <p>ROBERT L. COUTURIER, Lewiston <input type="checkbox"/></p> <p>DONIA J. GIRARD, Lewiston <input type="checkbox"/></p>
<p>For Representatives to the Legislature Vote for Not More Than Four</p> <p>FRED R. MCGEE, Auburn <input type="checkbox"/></p> <p>CHARLES K. MEADE, Auburn <input type="checkbox"/></p> <p>FRANKLIN H. PRESCOTT, Auburn <input checked="" type="checkbox"/></p> <p>PETER T. SNOWE, Auburn <input checked="" type="checkbox"/></p>	<p>For Representatives to the Legislature Vote for Not More Than Four</p> <p>DONALD J. BERNARD, Auburn <input type="checkbox"/></p> <p>FRANK M. DRIGOTAS, Auburn <input type="checkbox"/></p> <p>ROMEO LABERGE, Auburn <input type="checkbox"/></p> <p>RICHARD B. ROCHELEAU, Auburn <input type="checkbox"/></p>
<p>For Judge of Probate Vote for One</p>	<p>For Judge of Probate Vote for One</p> <p>LAURIER T. RAYMOND, Jr., Lewiston <input type="checkbox"/></p>
<p>For Clerk of Courts Vote for One</p> <p>B. Schnitzler <input type="checkbox"/></p>	<p>For Clerk of Courts Vote for One</p> <p>ROLAND C. HOULE, Lewiston <input type="checkbox"/></p>
<p>For County Treasurer Vote for One</p> <p>WILLARD E. RILEY, Livermore Falls <input type="checkbox"/></p>	<p>For County Treasurer Vote for One</p> <p>HARRIET M. SIMPSON, Lewiston <input type="checkbox"/></p>
<p>For Register of Deeds Vote for One</p>	<p>For Register of Deeds Vote for One</p> <p>LUCIEN A. DRAPEAU, Lewiston <input type="checkbox"/></p>
<p>For Sheriff Vote for One</p> <p>WILLIAM J. SCOTT, Wales <input type="checkbox"/></p>	<p>For Sheriff Vote for One</p> <p>ROBERT W. BONENFANT, Lewiston <input type="checkbox"/></p>
<p>For County Attorney Vote for One</p> <p>C. MARTIN BERMAN, Auburn <input checked="" type="checkbox"/></p>	<p>For County Attorney Vote for One</p> <p>WILLIAM H. CLIFFORD, Jr., Lewiston <input type="checkbox"/></p>
<p>For County Commissioner Vote for One</p> <p>FRANK M. BOWIE, Durham <input checked="" type="checkbox"/></p>	<p>For County Commissioner Vote for One</p> <p>ROLAND D. LANDRY, Lewiston <input type="checkbox"/></p>

ANSWER: This ballot bears a cross (×) in the Republican Party square and check marks (√) in the squares at the right of the name of each nominee in the same column except two, in which cases the small square at the right of the nominee is blank. An office in the same column for which the name of no nominee is printed has "B. Johnson" written in, but with no symbol in the small square at the right of such written in name.

Under present laws a voter may express his preference by either a cross (×) or a check mark (√), 21 M.R.S.A. § 922 and if he wishes to vote a straight party ticket, he may place the symbol in the party square, or in the square at the right of each nominee of that party, or both. 21 M.R.S.A. § 922, subsection 1.

If a voter wishes to vote for a person whose name is not on the ballot, he may write in the name in the blank space provided for the nominee for the office in question. Such a "write in" vote may be cast in combination with a straight or split ticket. 21 M.R.S.A. § 922, subsection 3.

This ballot is valid unless the entry "B. Johnson" be held a distinguishing mark, in which case by 21 M.R.S.A. § 925, the ballot would be void.

The original voting list of the municipality involved does not carry a name "B. Johnson." The name Bessie P. Johnson appears. Paraphrasing *Libby v. English* 110 Me. 449, 457, we have no evidence whether "B. Johnson" written in was intended to refer to the Bessie P. Johnson on the voting list or not. Even if there were no name on the voting list to which "B. Johnson" could apply, the write in of this name, unless fraudulently done, does not necessarily invalidate the ballot. The voter may vote for whom he pleases and the eligibility of a candidate does not affect the validity of the ballot. The name "B. Johnson" was entered in a proper space on the ballot and indicates a purpose to vote for such person, rather than an improper purpose of making a distinguishing mark. Ballot No. 1 is a valid ballot.

QUESTION NO. II: "If the answer to question No. 1 is in the affirmative, for whom should the ballot be counted?"

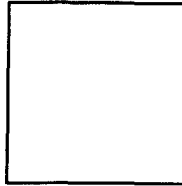
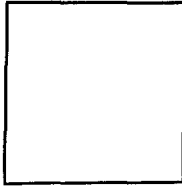
ANSWER: Ballot No. 1 should be counted for Peter T. Snowe.

QUESTION NO. III: "Is Ballot No. 2 a valid ballot?"



TO VOTE A STRAIGHT  
TICKET MARK A CROSS (X)  
OR A CHECK MARK (✓)  
WITHIN THIS SQUARE

TO VOTE A STRAIGHT  
TICKET MARK A CROSS (X)  
OR A CHECK MARK (✓)  
WITHIN THIS SQUARE



IF YOU DO NOT VOTE A STRAIGHT TICKET, MAKE A CROSS (X) OR A CHECK MARK (✓) IN THE SQUARE AT THE RIGHT OF THE NOMINEE FOR WHOM YOU WISH TO VOTE. FOLLOW DIRECTIONS AS TO THE NUMBER OF NOMINEES TO BE ELECTED TO EACH OFFICE. YOU MAY VOTE FOR A PERSON WHOSE NAME DOES NOT APPEAR ON THE BALLOT BY WRITING IT IN THE PROPER BLANK SPACE AND MARKING A CROSS (X) OR A CHECK MARK (✓) IN THE PROPER SQUARE AT THE RIGHT. DO NOT ERASE NAMES.

REPUBLICAN	DEMOCRATIC
<p><b>For United States Senator</b> Vote for One</p> <p>MARGARET CHASE SMITH, Skowhegan <input checked="" type="checkbox"/></p>	<p><b>For United States Senator</b> Vote for One</p> <p>ELMER H. VIOLETTE, Van Buren <input type="checkbox"/></p>
<p><b>For Governor</b> Vote for One</p> <p>JOHN H. REED, Fort Fairfield <input checked="" type="checkbox"/></p>	<p><b>For Governor</b> Vote for One</p> <p>KENNETH M. CURTIS, Manchester <input type="checkbox"/></p>
<p><b>For Representative to Congress</b> Vote for One</p> <p>HOWARD M. FOLEY, Bangor <input type="checkbox"/></p>	<p><b>For Representative to Congress</b> Vote for One</p> <p>WILLIAM D. HATHAWAY, Auburn <input checked="" type="checkbox"/></p>
<p><b>For State Senators</b> Vote for Not More Than Three</p> <p>CLYDE E. GOUDEY, Auburn <input type="checkbox"/></p> <p>NELSON M. J. PETERS, Lewiston <input type="checkbox"/></p> <p>FRANK WOOD, Webster <input checked="" type="checkbox"/></p>	<p><b>For State Senators</b> Vote for Not More Than Three</p> <p>ROMEO T. BOISVERT, Lewiston <input type="checkbox"/></p> <p>ROBERT L. COUTURIER, Lewiston <input checked="" type="checkbox"/></p> <p>DONIA J. GIRARD, Lewiston <input checked="" type="checkbox"/></p>
<p><b>For Representatives to the Legislature</b> Vote for Not More Than Four</p> <p>FRED R. MCGEE, Auburn <input type="checkbox"/></p> <p>CHARLES K. MEADE, Auburn <input type="checkbox"/></p> <p>FRANKLIN H. PRESCOTT, Auburn <input checked="" type="checkbox"/></p> <p>PETER T. SNOWE, Auburn <input checked="" type="checkbox"/></p>	<p><b>For Representatives to the Legislature</b> Vote for Not More Than Four</p> <p>DONALD J. BERNARD, Auburn <input type="checkbox"/></p> <p>FRANK M. DRIGOTAS, Auburn <input checked="" type="checkbox"/></p> <p>ROMEO LABERGE, Auburn <input type="checkbox"/></p> <p>RICHARD B. ROCHELEAU, Auburn <input checked="" type="checkbox"/></p>
<p><b>For Judge of Probate</b> Vote for One</p> <p><i>Anyone but</i> <input checked="" type="checkbox"/></p>	<p><b>For Judge of Probate</b> Vote for One</p> <p>LAURIER T. RAYMOND, Jr., Lewiston <input type="checkbox"/></p>
<p><b>For Clerk of Courts</b> Vote for One</p>	<p><b>For Clerk of Courts</b> Vote for One</p> <p>ROLAND C. HOULE, Lewiston <input type="checkbox"/></p> <p><i>Santa Claus</i> <input checked="" type="checkbox"/></p>
<p><b>For County Treasurer</b> Vote for One</p> <p>WILLARD E. RILEY, Livermore Falls <input type="checkbox"/></p>	<p><b>For County Treasurer</b> Vote for One</p> <p>HARRIET M. SIMPSON, Lewiston <input checked="" type="checkbox"/></p>
<p><b>For Register of Deeds</b> Vote for One</p>	<p><b>For Register of Deeds</b> Vote for One</p> <p>LUCIEN A. DRAPEAU, Lewiston <input checked="" type="checkbox"/></p>
<p><b>For Sheriff</b> Vote for One</p> <p>WILLIAM J. SCOTT, Wales <input type="checkbox"/></p>	<p><b>For Sheriff</b> Vote for One</p> <p>ROBERT W. BONENFANT, Lewiston <input checked="" type="checkbox"/></p>
<p><b>For County Attorney</b> Vote for One</p> <p>C. MARTIN BERMAN, Auburn <input type="checkbox"/></p>	<p><b>For County Attorney</b> Vote for One</p> <p>WILLIAM H. CLIFFORD, Jr., Lewiston <input checked="" type="checkbox"/></p>
<p><b>For County Commissioner</b> Vote for One</p> <p>FRANK M. BOWIE, Durham <input checked="" type="checkbox"/></p>	<p><b>For County Commissioner</b> Vote for One</p> <p>ROLAND D. LANDRY, Lewiston <input type="checkbox"/></p>

ANSWER: Ballot No. 2 contains no symbol in either party square and bears distinct crosses (×) in selected small squares at the right of the names of the nominees, except as below noted, of both political designations. The total of such crosses equals only to the numbers of candidates to be elected.

There was no nominee for the office of Judge of Probate in the Republican column and in the space for the name of such nominee appeared the words "Anyone but" followed by a cross (×) in the small square at the right of such entry with an arrow going into the Democratic column pointing to the name of the Democratic nominee for that office.

In the Democratic Party column bearing the name of the nominee for the Clerk of Courts and in the open space next below the name of the nominee was entered "Santa Claus" followed by a cross (×) in the small square at the right of such entry.

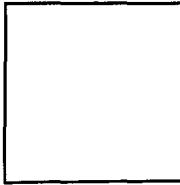
Comment on distinguishing marks was expressed in *Bartlett v. McIntire* 108 Me. 161 and repeated in Opinion of the Justices 161 Me. 32, 38, but by Section 1 of Chapter 360 P. L. 1961 (now 21 M.R.S.A. § 1) such mark is now defined as "a mark on a ballot of a type or in a place not specifically permitted by this Title, indicating the apparent intent of the voter to make his ballot distinguishable." The entry of "Anyone but" on the one hand and "Santa Claus" on the other, serves no purpose, to elevate the right of franchise or retain the integrity of the written ballot. "If a voter has placed such a mark or device or name or initials or figures upon a ballot as seem inconsistent with an honest purpose, such ballot should be rejected." *Bartlett, supra*, at page 171. Either or both of these entries falls within the definition of a distinguishing mark and we so find it. The ballot is invalid.

QUESTION NO. IV: "If the answer to question No. III is in the affirmative, for whom should the ballot be counted?"

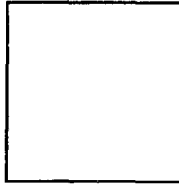
ANSWER: Ballot No. 2 is not to be counted for either candidate.

QUESTION NO. V: "Is ballot No. 3 a valid ballot?"

TO VOTE A STRAIGHT  
TICKET MARK A CROSS (X)  
OR A CHECK MARK (✓)  
WITHIN THIS SQUARE



TO VOTE A STRAIGHT  
TICKET MARK A CROSS (X)  
OR A CHECK MARK (✓)  
WITHIN THIS SQUARE



IF YOU DO NOT VOTE A STRAIGHT TICKET, MAKE A CROSS (X) OR A CHECK MARK (✓) IN THE SQUARE AT THE RIGHT OF THE NOMINEE FOR WHOM YOU WISH TO VOTE. FOLLOW DIRECTIONS AS TO THE NUMBER OF NOMINEES TO BE ELECTED TO EACH OFFICE. YOU MAY VOTE FOR A PERSON WHOSE NAME DOES NOT APPEAR ON THE BALLOT BY WRITING IT IN THE PROPER BLANK SPACE AND MARKING A CROSS (X) OR A CHECK MARK (✓) IN THE PROPER SQUARE AT THE RIGHT. DO NOT ERASE NAMES.

REPUBLICAN	DEMOCRATIC
<p style="text-align: center;">For United States Senator Vote for One</p> <p>MARGARET CHASE SMITH, Skowhegan <input checked="" type="checkbox"/></p>	<p style="text-align: center;">For United States Senator Vote for One</p> <p>ELMER H. VIOLETTE, Van Buren <input type="checkbox"/></p>
<p style="text-align: center;">For Governor Vote for One</p> <p>JOHN H. REED, Fort Fairfield <input checked="" type="checkbox"/></p>	<p style="text-align: center;">For Governor Vote for One</p> <p>KENNETH M. CURTIS, Manchester <input type="checkbox"/></p>
<p style="text-align: center;">For Representative to Congress Vote for One</p> <p>HOWARD M. FOLEY, Bangor <input checked="" type="checkbox"/></p>	<p style="text-align: center;">For Representative to Congress Vote for One</p> <p>WILLIAM D. HATHAWAY, Auburn <input type="checkbox"/></p>
<p style="text-align: center;">For State Senators Vote for Not More Than Three</p> <p>CLYDE E. GOUDEY, Auburn <input checked="" type="checkbox"/></p> <p>NELSON M. J. PETERS, Lewiston <input checked="" type="checkbox"/></p> <p>FRANK WOOD, Webster <input checked="" type="checkbox"/></p>	<p style="text-align: center;">For State Senators Vote for Not More Than Three</p> <p>ROMEO T. BOISVERT, Lewiston <input type="checkbox"/></p> <p>ROBERT L. COUTURIER, Lewiston <input type="checkbox"/></p> <p>DONIA J. GIRARD, Lewiston <input type="checkbox"/></p>
<p style="text-align: center;">For Representatives to the Legislature Vote for Not More Than Four</p> <p>FRED R. MCGEE, Auburn <input type="checkbox"/></p> <p>CHARLES K. MEADE, Auburn <input type="checkbox"/></p> <p>FRANKLIN H. PRESCOTT, Auburn <input checked="" type="checkbox"/></p> <p>PETER T. SNOWE, Auburn <input checked="" type="checkbox"/></p>	<p style="text-align: center;">For Representatives to the Legislature Vote for Not More Than Four</p> <p>DONALD J. BERNARD, Auburn <input checked="" type="checkbox"/></p> <p>FRANK M. DRIGOTAS, Auburn <input type="checkbox"/></p> <p>ROMEO LABERGE, Auburn <input type="checkbox"/></p> <p>RICHARD B. ROCHELEAU, Auburn <input type="checkbox"/></p>
<p style="text-align: center;">For Judge of Probate Vote for One</p>	<p style="text-align: center;">For Judge of Probate Vote for One</p> <p>LAURIER T. RAYMOND, Jr., Lewiston <input checked="" type="checkbox"/></p>
<p style="text-align: center;">For Clerk of Courts Vote for One</p>	<p style="text-align: center;">For Clerk of Courts Vote for One</p> <p>ROLAND C. HOULE, Lewiston <input checked="" type="checkbox"/></p>
<p style="text-align: center;">For County Treasurer Vote for One</p> <p>WILLARD E. RILEY, Livermore Falls <input type="checkbox"/></p>	<p style="text-align: center;">For County Treasurer Vote for One</p> <p>HARRIET M. SIMPSON, Lewiston <input checked="" type="checkbox"/></p>
<p style="text-align: center;">For Register of Deeds Vote for One</p>	<p style="text-align: center;">For Register of Deeds Vote for One</p> <p>LUCIEN A. DRAPEAU, Lewiston <input checked="" type="checkbox"/></p>
<p style="text-align: center;">For Sheriff Vote for One</p> <p>WILLIAM J. SCOTT, Wales <input checked="" type="checkbox"/></p>	<p style="text-align: center;">For Sheriff Vote for One</p> <p>ROBERT W. BONENFANT, Lewiston <input type="checkbox"/></p>
<p style="text-align: center;">For County Attorney Vote for One</p> <p>C. MARTIN BERMAN, Auburn <input checked="" type="checkbox"/></p>	<p style="text-align: center;">For County Attorney Vote for One</p> <p>WILLIAM H. CLIFFORD, Jr., Lewiston <input type="checkbox"/></p>
<p style="text-align: center;">For County Commissioner Vote for One</p> <p>FRANK M. BOWIE, Durham <input checked="" type="checkbox"/></p>	<p style="text-align: center;">For County Commissioner Vote for One</p> <p>ROLAND D. LANDRY, Lewiston <input type="checkbox"/></p>

ANSWER: Ballot No. 3 expresses an intention to vote a split ticket in a conventional way by entering a symbol in the small square at the right of the name of each nominee, but including candidates of both parties. The symbol, however, consisted of filling in the respective squares by a series of substantially parallel marks. Such marking could fall within the class of distinguishing marks, but the express mandate of the statute that a voter is required to indicate his preference by a cross (×) or a check mark (√) renders this ballot invalid.

QUESTION NO. VI: "If the answer to question No. V is in the affirmative, for whom should the ballot be counted?"

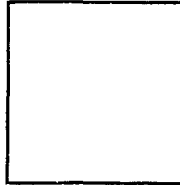
ANSWER: Ballot No. 3 is not to be counted for either candidate.

QUESTION NO. VII: "Is ballot No. 4 a valid ballot?"

TO VOTE A STRAIGHT  
TICKET MARK A CROSS (X)  
OR A CHECK MARK (✓)  
WITHIN THIS SQUARE



TO VOTE A STRAIGHT  
TICKET MARK A CROSS (X)  
OR A CHECK MARK (✓)  
WITHIN THIS SQUARE



IF YOU DO NOT VOTE A STRAIGHT TICKET, MAKE A CROSS (X) OR A CHECK MARK (✓) IN THE SQUARE AT THE RIGHT OF THE NOMINEE FOR WHOM YOU WISH TO VOTE. FOLLOW DIRECTIONS AS TO THE NUMBER OF NOMINEES TO BE ELECTED TO EACH OFFICE. YOU MAY VOTE FOR A PERSON WHOSE NAME DOES NOT APPEAR ON THE BALLOT BY WRITING IT IN THE PROPER BLANK SPACE AND MARKING A CROSS (X) OR A CHECK MARK (✓) IN THE PROPER SQUARE AT THE RIGHT. DO NOT ERASE NAMES.

REPUBLICAN	DEMOCRATIC
<p style="text-align: center;">For United States Senator Vote for One</p> <p>MARGARET CHASE SMITH, Skowhegan <input type="checkbox"/></p>	<p style="text-align: center;">For United States Senator Vote for One</p> <p>ELMER H. VIOLETTE, Van Buren <input checked="" type="checkbox"/></p>
<p style="text-align: center;">For Governor Vote for One</p> <p>JOHN H. REED, Fort Fairfield <input type="checkbox"/></p>	<p style="text-align: center;">For Governor Vote for One</p> <p>KENNETH M. CURTIS, Manchester <input checked="" type="checkbox"/></p>
<p style="text-align: center;">For Representative to Congress Vote for One</p> <p>HOWARD M. FOLEY, Bangor <input type="checkbox"/></p>	<p style="text-align: center;">For Representative to Congress Vote for One</p> <p>WILLIAM D. HATHAWAY, Auburn <input checked="" type="checkbox"/></p>
<p style="text-align: center;">For State Senators Vote for Not More Than Three</p> <p>CLYDE E. GOUDEY, Auburn <input type="checkbox"/></p> <p>NELSON M. J. PETERS, Lewiston <input type="checkbox"/></p> <p>FRANK WOOD, Webster <input type="checkbox"/></p>	<p style="text-align: center;">For State Senators Vote for Not More Than Three</p> <p>ROMEO T. BOISVERT, Lewiston <input checked="" type="checkbox"/></p> <p>ROBERT L. COUTURIER, Lewiston <input checked="" type="checkbox"/></p> <p>DONIA J. GIRARD, Lewiston <input checked="" type="checkbox"/></p>
<p style="text-align: center;">For Representatives to the Legislature Vote for Not More Than Four</p> <p>FRED R. MCGEE, Auburn <input type="checkbox"/></p> <p>CHARLES K. MEADE, Auburn <input type="checkbox"/></p> <p>FRANKLIN H. PRESCOTT, Auburn <input type="checkbox"/></p> <p>PETER T. SNOWE, Auburn <input type="checkbox"/></p>	<p style="text-align: center;">For Representatives to the Legislature Vote for Not More Than Four</p> <p>DONALD J. BERNARD, Auburn <input checked="" type="checkbox"/></p> <p>FRANK M. DRIGOTAS, Auburn <input checked="" type="checkbox"/></p> <p>ROMEO LABERGE, Auburn <input type="checkbox"/></p> <p>RICHARD B. ROCHELEAU, Auburn <input type="checkbox"/></p>
<p style="text-align: center;">For Judge of Probate Vote for One</p>	<p style="text-align: center;">For Judge of Probate Vote for One</p> <p>LAURIER T. RAYMOND, Jr., Lewiston <input checked="" type="checkbox"/></p>
<p style="text-align: center;">For Clerk of Courts Vote for One</p>	<p style="text-align: center;">For Clerk of Courts Vote for One</p> <p>ROLAND C. HOULE, Lewiston <input checked="" type="checkbox"/></p>
<p style="text-align: center;">For County Treasurer Vote for One</p> <p>WILLARD E. RILEY, Livermore Falls <input type="checkbox"/></p>	<p style="text-align: center;">For County Treasurer Vote for One</p> <p>HARRIET M. SIMPSON, Lewiston <input checked="" type="checkbox"/></p>
<p style="text-align: center;">For Register of Deeds Vote for One</p>	<p style="text-align: center;">For Register of Deeds Vote for One</p> <p>LUCIEN A. DRAPEAU, Lewiston <input checked="" type="checkbox"/></p>
<p style="text-align: center;">For Sheriff Vote for One</p> <p>WILLIAM J. SCOTT, Wales <input type="checkbox"/></p>	<p style="text-align: center;">For Sheriff Vote for One</p> <p>ROBERT W. BONENFANT, Lewiston <input checked="" type="checkbox"/></p>
<p style="text-align: center;">For County Attorney Vote for One</p> <p>C. MARTIN BERMAN, Auburn <input type="checkbox"/></p>	<p style="text-align: center;">For County Attorney Vote for One</p> <p>WILLIAM H. CLIFFORD, Jr., Lewiston <input checked="" type="checkbox"/></p>
<p style="text-align: center;">For County Commissioner Vote for One</p> <p>FRANK M. BOWIE, Durham <input type="checkbox"/></p>	<p style="text-align: center;">For County Commissioner Vote for One</p> <p>ROLAND D. LANDRY, Lewiston <input checked="" type="checkbox"/></p>

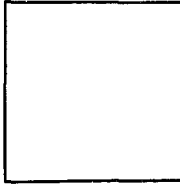
ANSWER: Ballot No. 4 bears check marks (✓) in the small squares at the right of the names of the nominees, with exceptions noted below, and manifests an intention to vote a straight ticket without the cross (×) in the party square. The reference exceptions are to three of four candidates for Representatives to the Legislature in which the symbols are neither a cross (×) nor a check mark (✓), but a diagonal line. "It might be said with much force that the intention of the voter is as apparent when he places a circle as when he places a cross in the square, but the intention is not expressed as the statute demands and therefore such a ballot would be fatally defective." **Bartlett, supra**, at page 167. The voter did not meet the statutory requirement as to marking and as to these three nominees, one of whom is Mr. Laberge, the ballot is defective.

QUESTION NO. VIII: "If the answer to question No. VII is in the affirmative, for whom should the ballot be counted?"

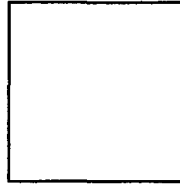
ANSWER: Ballot No. 4 is not to be counted for either candidate.

QUESTION NO. IX: "Is ballot No. 5 a valid ballot?"

TO VOTE A STRAIGHT  
TICKET MARK A CROSS (X)  
OR A CHECK MARK (✓)  
WITHIN THIS SQUARE



TO VOTE A STRAIGHT  
TICKET MARK A CROSS (X)  
OR A CHECK MARK (✓)  
WITHIN THIS SQUARE



IF YOU DO NOT VOTE A STRAIGHT TICKET, MAKE A CROSS (X) OR A CHECK MARK (✓) IN THE SQUARE AT THE RIGHT OF THE NOMINEE FOR WHOM YOU WISH TO VOTE. FOLLOW DIRECTIONS AS TO THE NUMBER OF NOMINEES TO BE ELECTED TO EACH OFFICE. YOU MAY VOTE FOR A PERSON WHOSE NAME DOES NOT APPEAR ON THE BALLOT BY WRITING IT IN THE PROPER BLANK SPACE AND MARKING A CROSS (X) OR A CHECK MARK (✓) IN THE PROPER SQUARE AT THE RIGHT. DO NOT ERASE NAMES.

REPUBLICAN	DEMOCRATIC
<p><b>For United States Senator</b> Vote for One</p> <p>MARGARET CHASE SMITH, Skowhegan <input checked="" type="checkbox"/></p>	<p><b>For United States Senator</b> Vote for One</p> <p>ELMER H. VIOLETTE, Van Buren <input type="checkbox"/></p>
<p><b>For Governor</b> Vote for One</p> <p>JOHN H. REED, Fort Fairfield <input checked="" type="checkbox"/></p>	<p><b>For Governor</b> Vote for One</p> <p>KENNETH M. CURTIS, Manchester <input type="checkbox"/></p>
<p><b>For Representative to Congress</b> Vote for One</p> <p>HOWARD M. FOLEY, Bangor <input type="checkbox"/></p>	<p><b>For Representative to Congress</b> Vote for One</p> <p>WILLIAM D. HATHAWAY, Auburn <input checked="" type="checkbox"/></p>
<p><b>For State Senators</b> Vote for Not More Than Three</p> <p>CLYDE E. GOUDEY, Auburn <input checked="" type="checkbox"/></p> <p>NELSON M. J. PETERS, Lewiston <input checked="" type="checkbox"/></p> <p>FRANK WOOD, Webster <input checked="" type="checkbox"/></p>	<p><b>For State Senators</b> Vote for Not More Than Three</p> <p>ROMEO T. BOISVERT, Lewiston <input type="checkbox"/></p> <p>ROBERT L. COUTURIER, Lewiston <input type="checkbox"/></p> <p>DONIA J. GIRARD, Lewiston <input type="checkbox"/></p>
<p><b>For Representatives to the Legislature</b> Vote for Not More Than Four</p> <p>FRED R. MCGEE, Auburn <input type="checkbox"/></p> <p>CHARLES K. MEADE, Auburn <input type="checkbox"/></p> <p>FRANKLIN H. PRESCOTT, Auburn <input type="checkbox"/></p> <p>PETER T. SNOWE, Auburn <input type="checkbox"/></p>	<p><b>For Representatives to the Legislature</b> Vote for Not More Than Four</p> <p>DONALD J. BERNARD, Auburn <input checked="" type="checkbox"/></p> <p>FRANK M. DRIGOTAS, Auburn <input checked="" type="checkbox"/></p> <p>ROMEO LABERGE, Auburn <input checked="" type="checkbox"/></p> <p>RICHARD B. ROCHELEAU, Auburn <input checked="" type="checkbox"/></p>
<p><b>For Judge of Probate</b> Vote for One</p>	<p><b>For Judge of Probate</b> Vote for One</p> <p>LAURIER T. RAYMOND, Jr., Lewiston <input checked="" type="checkbox"/></p>
<p><b>For Clerk of Courts</b> Vote for One</p>	<p><b>For Clerk of Courts</b> Vote for One</p> <p>ROLAND C. HOULE, Lewiston <input checked="" type="checkbox"/></p>
<p><b>For County Treasurer</b> Vote for One</p> <p>WILLARD E. RILEY, Livermore Falls <input type="checkbox"/></p>	<p><b>For County Treasurer</b> Vote for One</p> <p>HARRIET M. SIMPSON, Lewiston <input checked="" type="checkbox"/></p>
<p><b>For Register of Deeds</b> Vote for One</p>	<p><b>For Register of Deeds</b> Vote for One</p> <p>LUCIEN A. DRAPEAU, Lewiston <input checked="" type="checkbox"/></p>
<p><b>For Sheriff</b> Vote for One</p> <p>WILLIAM J. SCOTT, Wales <input type="checkbox"/></p>	<p><b>For Sheriff</b> Vote for One</p> <p>ROBERT W. BONENFANT, Lewiston <input checked="" type="checkbox"/></p>
<p><b>For County Attorney</b> Vote for One</p> <p>J. MARTIN BERMAN, Auburn <input type="checkbox"/></p>	<p><b>For County Attorney</b> Vote for One</p> <p>WILLIAM H. CLIFFORD, Jr., Lewiston <input checked="" type="checkbox"/></p>
<p><b>For County Commissioner</b> Vote for One</p> <p>FRANK M. BOWIE, Durham <input type="checkbox"/></p>	<p><b>For County Commissioner</b> Vote for One</p> <p>ROLAND D. LANDRY, Lewiston <input checked="" type="checkbox"/></p>

ANSWER: Ballot No. 5 manifests, except as noted below, an intention to vote a split ticket by the placing of a cross (X) in the small squares at the right of the names of nominees of both parties. The symbols entered for the first six candidates beginning at the top of the ticket were entered by pen and overmarked by a red pencil, the remainder of the ballot was marked in red pencil. The four nominees on the Democratic ticket for Representatives to the Legislature had crosses (X) in the small squares at the right of each name overmarked by a long cross (X) beginning at the top of the upper square and ending at the bottom of the fourth and lower square. Such large cross (X) could be intended as emphasizing the four underlying smaller crosses (X), or could exhibit an intention to strike out the four crosses (X) previously entered. If the large cross (X) were made first exhibiting an intention to vote for the four candidates, followed by entry of four separate crosses (X), it would indicate an intention to more specifically follow the voting requirement. It is impossible to determine the intent of the voter and the ballot is invalid for the office concerned. 21 M.R.S.A. § 925, subsection 2, Paragraph B.

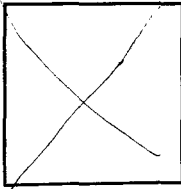
QUESTION NO. X: "If the answer to question No. IX is in the affirmative, for whom should the ballot be counted?"

ANSWER: Ballot No. 5 is not to be counted for either candidate.

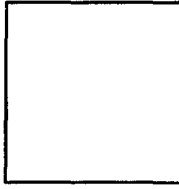
QUESTION NO. XI: "Is ballot No. 6 a valid ballot?"



TO VOTE A STRAIGHT  
TICKET MAKE A CROSS (X)  
OR A CHECK MARK (✓)  
WITHIN THIS SQUARE



TO VOTE A STRAIGHT  
TICKET MAKE A CROSS (X)  
OR A CHECK MARK (✓)  
WITHIN THIS SQUARE



IF YOU DO NOT VOTE A STRAIGHT TICKET MAKE A CROSS (X) OR A CHECK MARK (✓) IN THE SQUARE AT THE RIGHT OF THE NOMINEE FOR WHOM YOU WISH TO VOTE. FOLLOW DIRECTIONS AS TO THE NUMBER OF NOMINEES TO BE ELECTED TO EACH OFFICE. YOU MAY VOTE FOR A PERSON WHOSE NAME DOES NOT APPEAR ON THE BALLOT BY WRITING IT IN THE PROPER BLANK SPACE AND MARKING A CROSS (X) OR A CHECK MARK (✓) IN THE PROPER SQUARE AT THE RIGHT. DO NOT ERASE NAMES.

REPUBLICAN	DEMOCRATIC
<p style="text-align: center; margin: 0;"><b>For United States Senator</b> Vote for One</p> <p>MARGARET CHASE SMITH, Skowhegan <input type="checkbox"/></p>	<p style="text-align: center; margin: 0;"><b>For United States Senator</b> Vote for One</p> <p>ELMER H. VIOLETTE, Van Buren <input type="checkbox"/></p>
<p style="text-align: center; margin: 0;"><b>For Governor</b> Vote for One</p> <p>JOHN H. REED, Fort Fairfield <input type="checkbox"/></p>	<p style="text-align: center; margin: 0;"><b>For Governor</b> Vote for One</p> <p>KENNETH M. CURTIS, Manchester <input type="checkbox"/></p>
<p style="text-align: center; margin: 0;"><b>For Representative to Congress</b> Vote for One</p> <p>HOWARD M. FOLEY, Bangor <input type="checkbox"/></p>	<p style="text-align: center; margin: 0;"><b>For Representative to Congress</b> Vote for One</p> <p>WILLIAM D. HATHAWAY, Auburn <input type="checkbox"/></p>
<p style="text-align: center; margin: 0;"><b>For State Senators</b> Vote for Not More Than Three</p> <p>CLYDE E. GOUDRY, Auburn <input type="checkbox"/></p> <p>NELSON M. J. PETERS, Lewiston <input type="checkbox"/></p> <p>FRANK WOOD, Webster <input type="checkbox"/></p>	<p style="text-align: center; margin: 0;"><b>For State Senators</b> Vote for Not More Than Three</p> <p>ROMEO T. BOISVERT, Lewiston <input type="checkbox"/></p> <p>ROBERT L. COUTURIER, Lewiston <input type="checkbox"/></p> <p>DONIA J. GIRARD, Lewiston <input type="checkbox"/></p>
<p style="text-align: center; margin: 0;"><b>For Representatives to the Legislature</b> Vote for Not More Than Four</p> <p>FRED R. MCGEE, Auburn <input type="checkbox"/></p> <p>CHARLES K. MEADE, Auburn <input type="checkbox"/></p> <p>FRANKLIN H. PRESCOTT, Auburn <input type="checkbox"/></p> <p>PETER T. SNOWE, Auburn <input type="checkbox"/></p>	<p style="text-align: center; margin: 0;"><b>For Representatives to the Legislature</b> Vote for Not More Than Four</p> <p>DONALD J. BERNARD, Auburn <input type="checkbox"/></p> <p>FRANK M. DRIGOTAS, Auburn <input type="checkbox"/></p> <p>ROMEO LABERGE, Auburn <input type="checkbox"/></p> <p>RICHARD B. ROCHELEAU, Auburn <input type="checkbox"/></p>
<p style="text-align: center; margin: 0;"><b>For Judge of Probate</b> Vote for One</p>	<p style="text-align: center; margin: 0;"><b>For Judge of Probate</b> Vote for One</p> <p>LAURIER T. RAYMOND, Jr., Lewiston <input type="checkbox"/></p>
<p style="text-align: center; margin: 0;"><b>For Clerk of Courts</b> Vote for One</p>	<p style="text-align: center; margin: 0;"><b>For Clerk of Courts</b> Vote for One</p> <p>ROLAND C. HOULE, Lewiston <input type="checkbox"/></p>
<p style="text-align: center; margin: 0;"><b>For County Treasurer</b> Vote for One</p> <p>WILLARD E. RILEY, Livermore Falls <input type="checkbox"/></p>	<p style="text-align: center; margin: 0;"><b>For County Treasurer</b> Vote for One</p> <p>HARRIET M. SIMPSON, Lewiston <input type="checkbox"/></p>
<p style="text-align: center; margin: 0;"><b>For Register of Deeds</b> Vote for One</p>	<p style="text-align: center; margin: 0;"><b>For Register of Deeds</b> Vote for One</p> <p>LUCIEN A. DRAPEAU, Lewiston <input type="checkbox"/></p>
<p style="text-align: center; margin: 0;"><b>For Sheriff</b> Vote for One</p> <p>WILLIAM J. SCOTT, Wales <input type="checkbox"/></p>	<p style="text-align: center; margin: 0;"><b>For Sheriff</b> Vote for One</p> <p>ROBERT W. BONENFANT, Lewiston <input type="checkbox"/></p>
<p style="text-align: center; margin: 0;"><b>For County Attorney</b> Vote for One</p> <p>C. MARTIN BERMAN, Auburn <input type="checkbox"/></p>	<p style="text-align: center; margin: 0;"><b>For County Attorney</b> Vote for One</p> <p>WILLIAM H. CLIFFORD, Jr., Lewiston <input type="checkbox"/></p>
<p style="text-align: center; margin: 0;"><b>For County Commissioner</b> Vote for One</p> <p>FRANK M. BOWIE, Durham <input type="checkbox"/></p>	<p style="text-align: center; margin: 0;"><b>For County Commissioner</b> Vote for One</p> <p>ROLAND D. LANDRY, Lewiston <input type="checkbox"/></p>

ANSWER: Ballot No. 6 bears a cross (×) in the Republican Party square with a cross (×) in the squares at the right of the candidate for United States Senate and for the third candidate for the State Senate, but in each case on the line next below the name of the nominee.

In the Democratic column is a cross (×) in the small square at the right for the candidate for Governor, but on the line next below the nominee's name, and a cross (×) in the small square at the right of the name of Richard B. Rocheleau the fourth and last candidate for Representatives to the Legislature, but on the fourth line below the name of such nominee. Accepting the holding in **Frothingham v. Woodside** 122 Me. 525, 531 and Opinion of the Justices 124 Me. 453, 491 and apart from the cross (×) in the Republican Party square, the small cross (×) in the square below the nominee's names would be counted as votes for the name appearing next above the line on which the cross (×) appears. In this ballot, however, is the cross (×) voting a straight Republican ticket, and an intention to vote for Mr. Rocheleau as Representative to the Legislature on the Democratic ticket. This results in an attempt to vote for five candidates to fill four offices, which by 21 M.R.S.A. § 925, subsection 2, Paragraph A, invalidates the vote for such office.

QUESTION NO. XII: "If the answer to question No. XI is in the affirmative, for whom should the ballot be counted?"

ANSWER: The ballot is not to be counted for either candidate.

QUESTION NO. XIII: "Is ballot No. 7 a valid ballot?"

TO VOTE A STRAIGHT  
TICKET MARK A CROSS (X)  
OR A CHECK MARK (✓)  
WITHIN THIS SQUARE

TO VOTE A STRAIGHT  
TICKET MARK A CROSS (X)  
OR A CHECK MARK (✓)  
WITHIN THIS SQUARE

IF YOU DO NOT VOTE A STRAIGHT TICKET, MAKE A CROSS (X) OR A CHECK MARK (✓) IN THE SQUARE AT THE RIGHT OF THE NOMINEE FOR WHOM YOU WISH TO VOTE. FOLLOW DIRECTIONS AS TO THE NUMBER OF NOMINEES TO BE ELECTED TO EACH OFFICE. YOU MAY VOTE FOR A PERSON WHOSE NAME DOES NOT APPEAR ON THE BALLOT BY WRITING IT IN THE PROPER BLANK SPACE AND MARKING A CROSS (X) OR A CHECK MARK (✓) IN THE PROPER SQUARE AT THE RIGHT. DO NOT ERASE NAMES.

REPUBLICAN	DEMOCRATIC
<b>For United States Senator</b> Vote for One	<b>For United States Senator</b> Vote for One
MARGARET CHASE SMITH, Skowhegan <input type="checkbox"/>	ELMER H. VIOLETTE, Van Buren <input checked="" type="checkbox"/>
<b>For Governor</b> Vote for One	<b>For Governor</b> Vote for One
JOHN H. REED, Fort Fairfield <input type="checkbox"/>	KENNETH M. CURTIS, Manchester <input checked="" type="checkbox"/>
<b>For Representative to Congress</b> Vote for One	<b>For Representative to Congress</b> Vote for One
HOWARD M. FOLEY, Bangor <input type="checkbox"/>	WILLIAM D. HATHAWAY, Auburn <input checked="" type="checkbox"/>
<b>For State Senators</b> Vote for Not More Than Three	<b>For State Senators</b> Vote for Not More Than Three
CLYDE E. GOUDEY, Auburn <input type="checkbox"/>	ROMEO T. BOISVERT, Lewiston <input checked="" type="checkbox"/>
NELSON M. J. PETERS, Lewiston <input type="checkbox"/>	ROBERT L. COUTURIER, Lewiston <input checked="" type="checkbox"/>
FRANK WOOD, Webster <input type="checkbox"/>	DONIA J. GIRARD, Lewiston <input type="checkbox"/>
<b>For Representatives to the Legislature</b> Vote for Not More Than Four	<b>For Representatives to the Legislature</b> Vote for Not More Than Four
FRED R. MCGEE, Auburn <input type="checkbox"/>	DONALD J. BERNARD, Auburn <input type="checkbox"/>
CHARLES K. MEADE, Auburn <input type="checkbox"/>	FRANK M. DRIGOTAS, Auburn <input type="checkbox"/>
FRANKLIN H. PRESCOTT, Auburn <input type="checkbox"/>	ROMEO LABERGE, Auburn <input checked="" type="checkbox"/>
PETER T. SNOWE, Auburn <input type="checkbox"/>	RICHARD B. ROCHELEAU, Auburn <input type="checkbox"/>
<b>For Judge of Probate</b> Vote for One	<b>For Judge of Probate</b> Vote for One
<input type="checkbox"/>	LAURIER T. RAYMOND, Jr., Lewiston <input type="checkbox"/>
<b>For Clerk of Courts</b> Vote for One	<b>For Clerk of Courts</b> Vote for One
<input type="checkbox"/>	ROLAND C. HOULE, Lewiston <input type="checkbox"/>
<b>For County Treasurer</b> Vote for One	<b>For County Treasurer</b> Vote for One
WILLARD E. RILEY, Livermore Falls <input type="checkbox"/>	HARRIET M. SIMPSON, Lewiston <input type="checkbox"/>
<b>For Register of Deeds</b> Vote for One	<b>For Register of Deeds</b> Vote for One
<input type="checkbox"/>	LUCIEN A. DRAPEAU, Lewiston <input type="checkbox"/>
<b>For Sheriff</b> Vote for One	<b>For Sheriff</b> Vote for One
WILLIAM J. SCOTT, Wales <input type="checkbox"/>	ROBERT W. BONENFANT, Lewiston <input type="checkbox"/>
<b>For County Attorney</b> Vote for One	<b>For County Attorney</b> Vote for One
C. MARTIN BERMAN, Auburn <input type="checkbox"/>	WILLIAM H. CLIFFORD, Jr., Lewiston <input type="checkbox"/>
<b>For County Commissioner</b> Vote for One	<b>For County Commissioner</b> Vote for One
FRANK M. BOWIE, Durham <input type="checkbox"/>	ROLAND D. LANDRY, Lewiston <input type="checkbox"/>

ANSWER: Ballot No. 7 indicates an intention of the voter to vote selectively for candidates in the Democratic Party column. A symbol acceptable as a cross (×) or check mark (√) appears in the small square at the right of the nominees for United States Senate, Governor, Representative to Congress, and Mr. Rocheleau as Representative to the Legislature. After the names of two of the nominees for State Senate appears to have been made a cross (×) overmarked by what is best described as a scribble, and on the small cross (×) at the right of Mr. Laberge's name as nominee, the same appears. The intent of the voter cannot be determined and if the scribble was intended to delete the cross (×) no cross (×) remains. See **Pease v. Ballou** 108 Me. 177, 179.

QUESTION NO. XIV: "If the answer to question No. XIII is in the affirmative, for whom should the ballot be counted?"

ANSWER: Ballot No. 7 is not to be counted for either candidate.

The original ballots and the original voting list of the City of Auburn supplied to us by the Clerk of the House are herewith returned.

Dated at Augusta, Maine, this 31st day of January, 1967.

Respectfully submitted,

ROBERT B. WILLIAMSON

WALTER M. TAPLEY, Jr.

(Signed)

HAROLD C. MARDEN

ARMAND A. DUFRESNE, Jr.

RANDOLPH A. WEATHERBEE

Mr. Justice Webber has respectfully requested that he be excused from answering the question for the reason that as a citizen of Auburn he participated in the election.

(Signed)

DONALD W. WEBBER

The Communication was read and ordered placed on file.

(Presented by Mr. Robertson of Brewer)

(Ordered Printed)  
Sent up for concurrence.

**Petitions, Bills and Resolves Requiring Reference**

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

**Agriculture**

Bill "An Act relating to Membership on the Maine Milk Commission" (H. P. 339) (Presented by Mr. Hanson of Solon)

(Ordered Printed)

Bill "An Act Controlling the Marketing, Grading and Labeling of Maple Products" (H. P. 340) (Presented by Mr. Watts of Machias)

(Ordered Printed)

Sent up for concurrence.

**Appropriations and Financial Affairs**

Bill "An Act Appropriating Funds for Operating Expenses for Maine Maritime Academy" (H. P. 341) (Presented by Mr. Birt of East Millinocket)

(Ordered Printed)

Bill "An Act relating to Advertising and Promotion of Tourism into the New England Region" (H. P. 342) (Presented by Mr. Farrington of China)

(Ordered Printed)

Bill "An Act to Authorize a Bond Issue in Amount of Seven Hundred and Fifty Thousand Dollars for Construction of a Dormitory at Maine Maritime Academy" (H. P. 343) (Presented by Mr. Richardson of Stonington)

(Ordered Printed)

Bill "An Act Providing for Minor Improvements and Repairs at Maine Maritime Academy" (H. P. 344) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

**Business Legislation**

Bill "An Act Establishing Maximum Legal Interest Rate on Personal Loans in Excess of One Thousand Dollars" (H. P. 345)

**Education**

Bill "An Act to Create a School Administrative District in the Town of Scarborough" (H. P. 346) (Presented by Mr. Jannelle of Scarborough)

(Ordered Printed)

Sent up for concurrence.

**Election Laws**

Bill "An Act Establishing the Closing Time for Polls" (H. P. 347) (Presented by Mr. Dunn of Denmark)

(Ordered Printed)

Sent up for concurrence.

**Health and Institutional Services**

Bill "An Act relating to the Practice of Hairdressing and Beauty Culture" (H. P. 348) (Presented by Mr. Brown of Augusta)

(Ordered Printed)

Sent up for concurrence.

**Highways**

Bill "An Act Removing Tolls from Augusta Memorial Bridge" (H. P. 349) (Presented by Mr. Brown of Augusta)

(Ordered Printed)

Bill "An Act relating to Relocation Assistance in Municipal Highway Projects" (H. P. 350) (Presented by Mr. D'Alfonso of Portland)

(Ordered Printed)

Bill "An Act to Authorize the Construction of a Bridge Across the Androscoggin River Between the Cities of Auburn and Lewiston" (H. P. 351) (Presented by Mr. Jalbert of Lewiston)

(Ordered Printed)

Sent up for concurrence.

**Inland Fisheries and Game**

Bill "An Act Repealing Permits to Transport Fish and Game by Aircraft" (H. P. 352) (Presented by Mr. Crommett of Millinocket)

(Ordered Printed)

Bill "An Act relating to Guides Under Fish and Game Laws" (H. P. 353) (Presented by Mr. Gaudreau of Lewiston)

(Ordered Printed)

Bill "An Act Prohibiting the Sale of Bear" (H. P. 354) (Presented by Mr. Haynes of Camden) (Ordered Printed)

Bill "An Act relating to Closed Season on Bear" (H. P. 355) (Presented by same gentleman) (Ordered Printed)

Bill "An Act Revising the Laws Relating to Guides under Fish and Game Laws" (H. P. 356) (Presented by Mr. Kennedy of Mil-bridge)

(Ordered Printed)

Bill "An Act relating to Firearms in Camps under Fish and Game Laws" (H. P. 357) (Presented by Mr. Rackliff of Easton)

(Ordered Printed)

Bill "An Act to Create Uniform Fishing Relations on all Boundary Waters between State of Maine and Province of New Brunswick" (H. P. 358) (Presented by Mr. Thompson of Belfast)

(Ordered Printed)

Bill "An Act relating to Definition of Sporting Camp under Fish and Game Laws" (H. P. 359) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Charges by Camp Owners under Fish and Game Laws to Hunters or Fishermen" (H. P. 360) (Presented by same gentleman)

(Ordered Printed)

Resolve Regulating Ice Fishing in Certain Waters in Tomhegan, T. 1, R. 2, Somerset County (H. P. 361) (Presented by Mr. Brown of Augusta)

(Ordered Printed)

Resolve Closing to Fishing that Portion of the Thoroughfare, So Called, between Nesowadnehunk (Sourdnahunk) Lake and Outlet Dam, Piscataquis County (H. P. 362) (Presented by Mr. Crommett of Millinocket)

(Ordered Printed)

Sent up for concurrence.

#### Judiciary

Bill "An Act relating to Speed of Motor Vehicles Measured by Radar" (H. P. 363) (Presented by Mr. Buck of Southport)

(Ordered Printed)

Bill "An Act relating to Appeal by Municipalities from Valuations of Board of Equalization" (H. P.

364) (Presented by Mr. Farrington of China)

(Ordered Printed)

Bill "An Act relating to a Power of Sale in a Mortgage and Sale Under a Power in a Mortgage" (H. P. 365) (Presented by Mr. Roy of Winslow)

(Ordered Printed)

Bill "An Act relating to Creation of Professional Service Corporations" (H. P. 366) (Presented by Mr. Soulas of Bangor)

(Ordered Printed)

Resolve Authorizing Attorney General to Convey Interest of the State in Certain Islands in Little Sebago Lake to Merton A. Look (H. P. 367) (Presented by Mr. Carrier of Westbrook)

(Ordered Printed)

Sent up for concurrence.

#### Labor

Bill "An Act Revising the Minimum Wage Law" (H. P. 368) (Presented by Mr. Tanguay of Lewiston)

(Ordered Printed)

Sent up for concurrence.

#### Legal Affairs

Bill "An Act Prohibiting Aliens Employed in Lumber Operations to Possess Firearms" (H. P. 369) (Presented by Mr. Champagne of Fairfield)

(Ordered Printed)

Sent up for concurrence.

#### Liquor Control

Bill "An Act relating to Business Days and Hours as to Sale of Liquor on Sunday, January 1st" (H. P. 370) (Presented by Mr. Tanguay of Lewiston)

(Ordered Printed)

Bill "An Act relating to the Sunday Sale of Liquor if January 1st Falls on Sunday or Monday" (H. P. 371) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

#### Natural Resources

Bill "An Act to Authorize the State Comprehensive Planning Office to Prepare a Guide Plan of Land Uses Related to Water" (H.

P. 372) (Presented by Mr. Susi of Pittsfield)

(Ordered Printed)

Bill "An Act relating to a Comprehensive Water Resource Use Plan" (H. P. 373) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

#### Public Utilities

Bill "An Act relating to the Board of Water Commissioners of the Town of Boothbay Harbor" (H. P. 374) (Presented by Mr. Buck of Southport)

(Ordered Printed)

Bill "An Act relating to Issuance of Notes by Clinton Water District" (H. P. 375) (Presented by Mr. Drummond of Sidney)

(Ordered Printed)

Sent up for concurrence.

#### Retirements and Pensions

Bill "An Act Improving Payment of Benefits Under the Maine State Retirement System Law" (H. P. 376) (Presented by Mr. Birt of East Millinocket)

(Ordered Printed)

Sent up for concurrence.

#### Sea and Shore Fisheries

Bill "An Act relating to Use of Otter or Beam Trawls in Washington County" (H. P. 377) (Presented by Mr. Watts of Machias)

(Ordered Printed)

Sent up for concurrence.

#### State Government

Bill "An Act relating to Published Records of Vital Statistics Purchased by the State Library" (H. P. 378) (Presented by Mr. Drummond of Sidney)

(Ordered Printed)

Bill "An Act relating to Length of Leases by State for State Facilities" (H. P. 379) (Presented by Mr. Jalbert of Lewiston)

(Ordered Printed)

Bill "An Act to Create a Commission to Commemorate the Sesquicentennial Anniversary of the State of Maine" (H. P. 380) (Presented by the same gentleman)

(Ordered Printed)

Bill "An Act Increasing the Terms of Trustees for the Maine

Maritime Academy" (H. P. 381) (Presented by Mr. Pendergast of Kennebunkport)

(Ordered Printed)

Bill "An Act Increasing Number of Visitors for Maine Maritime Academy" (H. P. 382) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Salaries of Members of Atlantic Sea Run Salmon Commission" (H. P. 383) (Presented by Mr. Rackliff of Easton)

(Ordered Printed)

Bill "An Act Providing Additional Funds for Education by Sweepstake Races" (H. P. 384) (Presented by Mr. Roy of Winslow)

(Ordered Printed)

Bill "An Act relating to Dates for Harness Racing Meets" (H. P. 385) (Presented by Mr. Susi of Pittsfield)

(Ordered Printed)

Sent up for concurrence.

#### Taxation

Bill "An Act relating to Tax Refunds by the State" (H. P. 386) (Presented by Mr. Brown of Augusta)

(Ordered Printed)

Bill "An Act Exempting Textbooks Used in Schools of Higher Education from Sales Tax" (H. P. 387) (Presented by Mr. Drummond of Sidney)

(Ordered Printed)

Bill "An Act relating to Sales Tax Exemption for Community Mental Health Facilities" (H. P. 388) (Presented by Mr. Ross of Bath)

(Ordered Printed)

Bill "An Act relating to Taxation of Buildings on Leased Land in Unorganized Territory" (H. P. 389) (Presented by Mr. Susi of Pittsfield)

(Ordered Printed)

Sent up for concurrence.

#### Towns and Counties

Bill "An Act to Increase Payments to the Androscoggin County Law Library" (H. P. 390) (Presented by Mr. Darey of Livermore Falls)

(Ordered Printed)

Bill "An Act Increasing Salary of Judge of Probate of Kennebec

County" (H. P. 391) (Presented by Mr. Farrington of China)

(Ordered Printed)

Bill "An Act Providing for Paid Holidays for Municipal Employees of the City of Lewiston" (H. P. 392) (Presented by Mr. Gaudreau of Lewiston) (**Later Reconsidered**)

Bill "An Act Increasing Number of Medical Examiners in Washington County" (H. P. 393) (Presented by Mr. Kennedy of Milbridge)

(Ordered Printed)

Bill "An Act Permitting Town of Brunswick to Raise Money for Boarding Home" (H. P. 394) (Presented by Mr. Sawyer of Brunswick)

(Ordered Printed)

Bill "An Act relating to Clothing Allowances for Personnel of the Lewiston Police Department" (Presented by Mr. Tanguay of Lewiston) (H. P. 395) (**Later Reconsidered**)

(Ordered Printed)

Sent up for concurrence.

#### Transportation

Bill "An Act relating to the Operation of Motorcycles and Motor Driven Cycles" (H. P. 396) (Presented by Mr. Bedard of Saco)

(Ordered Printed)

Sent up for concurrence.

#### Veterans and Military Affairs

Bill "An Act relating to Maintenance and Repairs of Cemeteries" (H. P. 397) (Presented by Mr. Drummond of Sidney)

(Ordered Printed)

Sent up for concurrence.

#### Orders

On motion of Mr. Farrington of China, it was

ORDERED, that Rev. David Van Strien of China be invited to officiate as Chaplain of the House on Wednesday, February 8, 1967.

Mr. Farrington of China presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the Speaker of the House of Representatives and the President of the Senate each appoint two members of their

respective bodies to constitute a committee for consideration of the problem of the qualification, certification and examination of property tax assessors; and be it further

ORDERED, that this committee meet with the State Tax Assessor to consider the above problems. The committee is further directed, in cooperation with the State Tax Assessor, to report its findings to this Legislature to propose whatever draft legislation it feels necessary, directed to setting up standards and requirements for the qualifications, certification and examination of property tax assessors; and be it further

ORDERED, that said committee is directed to report to this Legislature on or before March 1st, 1967. (H. P. 398)

The Order received passage and was sent up for concurrence.

Thereupon, the Speaker appointed the following members on the part of the House:

Messrs. FARRINGTON of China  
ROY of Winslow

On motion of Mr. Frazer of Mexico, it was

ORDERED, that Rev. Laurant LaPlante of St. Therese Parish, Mexico, be invited to officiate as Chaplain of the House on Wednesday, February 15, 1967.

On motion of Mr. Crommett of Millinocket, it was

ORDERED, that Rev. Herbert L. Reid of Fairfield be invited to officiate as Chaplain of the House on Tuesday, February 21, 1967.

On motion of Mr. Gaudreau of Lewiston, the House voted to reconsider its action of earlier in the day whereby Bill "An Act Providing for Paid Holidays for Municipal Employees of the City of Lewiston," House Paper 392, was referred to the Committee on Towns and Counties.

On further motion of the same gentleman, referred to the Committee on Legal Affairs, ordered printed and sent up for concurrence.



### Orders of the Day

Mr. Hanson of Solon was granted unanimous consent to briefly address the House.

Mr. HANSON: Mr. Speaker and Fellow Members of the 103rd Legislature: I speak to you today regarding a problem of which I am becoming increasingly aware. This is a problem regarding the parking facilities provided here at the State Capitol. If we in the State of Maine provide a form of government which is exemplary, one which is above reproach and attracts visitors and commentaries from other areas of the country, and if we provide a very, very fine museum and a number of other attractions here at the State Capitol, I believe that we would be remiss if we did not provide adequate facilities for the parking of these visitors' vehicles.

In this regard, I believe that we should consider four alternatives or four considerations. One and foremost, would be to become aware of the problem and to project this problem into the future so that we can provide for future needs. In providing for these future needs, I believe that we should consider three means of so doing. One, which is certainly worthy of consideration, is the implementation or installation of multi-level parking structures. This has been very, very successful in other areas of the country. It eliminates several problems associated with the conventional type of parking system. It eliminates land takings, the costs of razing buildings and the elimination of income from this property. This might well be considered. Also in this type of structure, you do eliminate to some extent the maintenance costs such as snow removal.

And another area that I believe we should consider is the utilization of the air space concept. I believe that as the future needs of the State unfold and we are required to build additional structures, we might well consider the erection of these structures over some of the parking spaces that are now extant, and if this is not fea-

sible, then we might consider the incorporation within these structures of parking facilities. This is done in other parts of the country also and has several desirable attributes.

A third, and perhaps a little more unusual or radical concept that I would like to see pursued, is the possibility of establishing an underground parking system under the ground surrounding the State Capitol itself. This would have several desirable aspects. One, because of the topography of the land, entrance and exit could be gained at or nearly at street level. It would not denude the landscape around the Capitol, we could still retain the lawns and shrubbery and whatnot which certainly add to the aesthetic value of the State Capitol; a proposed underground structure of this type could be used as a central mall for easy access to and from the various State office buildings. It certainly would be very convenient for persons using this facility, the vehicles and public would be protected from the elements. You certainly would relieve part of the expense of snow removal and maintenance costs.

I must confess that I am not familiar enough with parliamentary procedure to know in which direction or what means we might employ to remedy or to incorporate this suggestion, but I would certainly hope that suggestions or criticisms might be forthcoming from the members or from the public itself to seek to find some means of implementing this suggestion. I think that in the long run in the course of events we must provide this parking and that we can provide it much better and eliminate a lot of problems if we plan accordingly now. Thank you.

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On motion of Mr. Jalbert of Lewiston, the House voted to reconsider its action of earlier in the day whereby Bill "An Act relating to Clothing Allowances for Personnel of the Lewiston Police Department," House Paper 395,

was referred to the Committee on Towns and Counties.

On further motion of the same gentleman, referred to the Committee on Legal Affairs, ordered

printed and sent up for concurrence.

On motion of Mr. Richardson of Cumberland,

Adjourned until twelve-thirty o'clock tomorrow afternoon.