

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Sixth
Legislature*

OF THE

STATE OF MAINE

Volume III

June 6, 1973 to July 3, 1973

Index

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Friday, June 8, 1973

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

Prayer by Pastor Joachim Webber of Ober-Breidenach, Germany. The journal of yesterday was read and approved.

Orders Out of Order

Mr. Rolde of York presented the following Order and moved its passage:

ORDERED, that Claudia and Nicolette Rolde and Deborah Carr of York be appointed Honorary Pages for today.

The Order was received out of order by unanimous consent, read and passed.

Mr. Brown of Augusta presented the following Order and moved its passage:

ORDERED, that Elaine Veillieux of Augusta be appointed Honorary Page for today.

The Order was received out of order by unanimous consent, read and passed.

**Reports of Committees
Leave to Withdraw**

Committee on Transportation on Bill "An Act to Authorize the Issuance of Bonds in the Amount of Four Million Two Hundred Thousand Dollars on Behalf of the State of Maine to Resurface Certain Highways" (S. P. 551) (L. D. 1718) reporting Leave to Withdraw.

Came from the Senate with the Report read and accepted.

In the House, the Report was read and accepted in concurrence.

**Ought to Pass with
Committee Amendment**

Committee on Business Legislation on Bill "An Act Clarifying Interest Charges on Personal Loans in Excess of \$2,000" (S. P. 383) (L. D. 1129) reporting "Ought to pass" as amended by Committee Amendment "A" (S-192)

Came from the Senate with Committee Amendment "A" (S-192) indefinitely postponed and the bill passed to be engrossed.

In the House, the Report was read and accepted in concurrence

and the Bill read once. Committee Amendment "A" (S-192) was read by the Clerk.

On motion of Mr. Trask of Milo, Committee Amendment "A" was indefinitely postponed in concurrence.

The Bill was assigned for second reading the next legislative day.

Orders

On motion of Mr. Haskell of Houlton, the House reconsidered its action whereby it voted to recede and concur with the Senate on L. D. 1077, Bill "An Act Providing Pensions for Former Governors and their Widows."

On further motion of the same gentleman, under suspension of the rules, the House reconsidered its action whereby House Amendment "A" to Committee Amendment "A" was adopted, and on further motion of the same gentleman, the Amendment was indefinitely postponed in non-concurrence.

On further motion of the same gentleman, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" as amended by House Amendment "A" thereto was adopted, and on further motion of the same gentleman, the Amendment was indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Donaghy.

Mr. DONAGHY: Mr. Speaker, I would inquire through the Chair what we are trying to do.

The SPEAKER: The gentleman from Lubec, Mr. Donaghy, poses a question through the Chair to anyone who may answer if he or she wishes.

The Chair recognizes the gentleman from Houlton, Mr. Haskell.

Mr. HASKELL: Mr. Speaker and Members of the House: This is known generally as parliamentary first aid.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Donaghy.

Mr. DONAGHY: Mr. Speaker, I was inquiring of the results.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Haskell.

Mr. HASKELL: Mr. Speaker and Members of the House: The final result is passage of the bill with Senate Amendment "C," filing number S-211.

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

Mr. ROSS: Mr. Speaker and Members of the House: At this point in the session, quite often people are doing things like that and the result generally is good. But I think that when they do it and when they indefinitely postpone an amendment, they should explain what they are indefinitely postponing. When they offer another, they should explain what that is doing and they should explain what we have done to the entire bill, because we will be voting on something that we don't know anything about if they don't.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Haskell.

Mr. HASKELL: Mr. Speaker and Members of the House: For the information of the House generally, and I concur with Mr. Ross, this is a reasonable procedure, there was a parliamentary error, as I understand it, in the other body. The bill was in the position that the only way we could correct it was by the action which has been taken here this morning.

The final result does represent the action of the House. It was to correct a parliamentary error in the other body.

The SPEAKER. The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Members of the House: I would like to pose a question through the Chair to the gentleman from Houlton, Mr. Haskell. Mr. Haskell, does this still leave it at three-eighths of the present Governor's salary?

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, poses a question through the Chair to the gentleman from Houlton, Mr. Haskell, who may answer if he wishes.

The Chair recognizes that gentleman.

Mr. HASKELL: Mr. Speaker, I believe that this is the correct figure, Mr. Finemore.

Mr. Haskell of Houlton presented the following Joint Order and moved its passage:

ORDERED, the Senate concurring, that the Committee on Appropriations and Financial Affairs is directed to report out an emergency bill for appropriations to the Department of Indian Affairs, Office of Chief Medical Examiner and the Department of Transportation, Bureau of Aeronautics for necessary expenditures for the fiscal year ending June 30, 1973. (H. P. 1592)

The Order was read and passed. By unanimous consent, ordered sent forthwith to the Senate.

House Reports of Committees Ought Not to Pass

Committee on Taxation on Bill "An Act Repealing the Personal Property Inventory and Stock in Trade Tax" (H. P. 1113) (L. D. 1449) reporting "Ought not to pass."

In accordance with Joint Rule 17-A, was placed in the legislative files.

Leave to Withdraw

Mr. Webber from the Committee on Transportation on Bill "An Act Increasing State Aid for Construction of Highways" (H. P. 671) (L. D. 876) reporting that it be granted Leave to Withdraw.

Mr. Wood from same Committee reporting same on Bill "An Act Increasing Registration Fees for Trucks" (H. P. 1137) (L. D. 1472)

Mr. Flynn from the Committee on Labor reporting same on Bill "An Act Relating to Seasonal or Casual Farm Laborers under Workmen's Compensation Act" (H. P. 1204) (L. D. 1543)

Reports were read and accepted and sent up for concurrence.

Ought to Pass with Committee Amendment Later Today Assigned

Mr. Finemore from the Committee on Taxation on Bill "An Act to Amend the Elderly Householders Tax Relief Act" (H. P. 1265) (L. D. 1641) reporting

"Ought to pass" with Committee Amendment "A" (H-528)

Report was read and accepted and the Bill read once. Committee Amendment "A" (H-528) was read by the Clerk.

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

Mr. BIRT: Mr. Speaker and Members of the House: I have some thoughts on this amendment. I haven't researched it completely, but I have just been taking a look at it. It adds in there the social security which apparently is not going to be figured in your total income, or Maine State Retirement System was receiving as a veteran any form of pension or compensation from the United States Government for total disability service connected or non-service connected.

As far as the veterans are concerned, it is my understanding, and I know I am right on this, you do have an exemption of \$3,500 evaluation on your property tax anyway.

If we are going in the Maine State Retirement System, and I appreciate state employees and their rights, but you have many state employees or many people who are retiring under the State Retirement System who are retiring with a very excellent income. In fact, I think there are some of them who are retiring probably with incomes in excess of \$10,000 a year, and I know I am right on that, and that is particularly true if both the man and wife are working under the State Retirement System.

If we go into this type of tax relief for the elderly, consideration should also be given to people retiring and receiving retirement benefits from any company that they might have worked for. And then just how far do we go in this type of situation? This adds to the cost of the bill another \$826,000. I don't know whether all of this is involved or the cost of this is in the amendment or not, but it appears that it might be.

I fail to see the reason for wanting to escalate the overall cost of this particular bill by adding all of

these exclusions to what is considered to be income in determining whether you are eligible for this form of tax relief or not.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I was kind of hoping that the young lady who presented this bill, the gentlewoman from Bath, Mrs. Goodwin, was here, because she understands this much better than I do. But I want the House to know that there has been a lot of work done on this bill. We have tried to include the people who we discriminated against in the last session, and that was quite a few people. There were a lot of people that we left out.

We added onto eight different bills this year, we added on the disabled receiving social security and even added in the ones receiving Maine Retirement. And there has been a lot added to this bill. I heard Mr. Birt say \$825,000. In our committee we decided that \$609,000 additional money would carry it on. And I want you to know that we are buying a lot for \$609,000 and it will give a lot of deserving people things that they deserve.

It is indeed too bad to have the only ones on there the ones who are social security recipients when you can shift over and give it to everyone who is disabled and, of course, you must remember the veterans' exemption, \$3,500 is taken out of this so that doesn't include — if they are getting that, why they are just getting a little additional difference.

I hope you will go along with this bill because it will be the greatest thing for both parties in this House this year to pass this bill out. I am very, very sorry that the young lady from Bath, Mrs. Goodwin, isn't here.

On motion of Mr. Bustin of Augusta, tabled pending the adoption of Committee Amendment "A" and later today assigned.

Ought to Pass in New Draft New Drafts Printed

Mr. Cooney from Committee on State Government on Bill "An Act

to Establish a State Mortgage Assistance Program" (H. P. 455) (L. D. 604) reporting "Ought to pass" in New Draft (H. P. 1586) (L. D. 2013) under same title.

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Carrier.

Mr. CARRIER: Mr. Speaker and Members of the House: I wish for you to look at this particular bill this morning. I think this is a very dangerous and ambiguous bill. I think that the intentions of what is finally accomplished is noble enough and on the other hand, if you read the bill itself, I think actually what this proposes is the same that we have now under federal law. I know the argument will be that the federal funds have been cut off, but I think this is temporary. I think that you know and I know that many people of low income have bought houses under 235. I think in the near future they will still be able to do it. However, I am very reluctant to see the State Housing Authority get involved into this particular field. I think that we have given them some money to buy mortgages and not to furnish subsidies for them.

In the first place, this bill is ambiguous, due to the fact that it does not say in this bill as to how the payments will be made. Now, like most state agencies, when payments are made they are usually made to the recipient. I would object to that very strongly because this is some of the trouble that we have with payments being made to the recipient, the recipient doesn't pay the mortgage or doesn't pay his obligation.

On the second hand, there is an unlimited amount as to what we are getting into here as to how much this is going to cost. Like I say, it is ambiguous because it says very clearly that they are subject to the Authority's receipt of sufficient funds to honor said commitments, and also with a period up to the life of the mortgage.

So in essence, I think that although the very able committee came out with this bill, I think that you had better give it good consideration because you are ac-

tually getting involved into an area here that can be very costly. I know probably there is a good deed and a lot of compassion involved here, but I think that the same thing has been done in the past with the 235 program. I think that although they are not available right at present, they should be at future. I am sure that federal government will come up with money. And in the first place, I don't think it should be the State Housing Authority to get involved in this assistance program. I think they should concentrate where they should be concentrating, on building houses and making them available to people of the state.

The SPEAKER: The Chair recognizes the gentleman from Sabattus, Mr. Cooney.

Mr. COONEY: Mr. Speaker and Members of the House: I would like to just explain this briefly. All this bill does, it says that the State Housing Authority may make agreements to assist in providing low income housing if money becomes available. That is all it says, if money becomes available, they may enter into mortgage agreements to make this housing available. There is no money on it; it is here as a permissive thing so that the Housing Authority may, if funds are available, fill housing gaps left by the absence of these other programs.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Curtis.

Mr. CURTIS: Mr. Speaker, Men and Women of the House: I would like to add just a bit to what the gentleman from Sabattus has explained, and that is, if that money does become available, it would be from the federal government in the form of special revenue sharing. It was the intent of the committee to provide the language in our statute which would be needed by the Housing Authority to utilize that federal special revenue sharing money if it does become available immediately and without a special session of the legislature.

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

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the

House: I would like to pose a question to the gentleman from Orono. It is my understanding that most special revenue sharing funds, if special revenue sharing funds come forth, will have a clause right in all of them to the point that the money will go directly to the legislature for appropriation and not to any particular authority or to the Executive Branch. Could he clarify this for me, please?

The SPEAKER: The gentleman from Standish, Mr. Simpson poses a question through the Chair to anyone who may answer if he or she wishes.

The Chair recognizes the gentleman from Orono, Mr. Curtis.

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen of the House: I certainly stand to be corrected. I was unaware that the language had actually been written yet in special revenue sharing programs, and if of course that were the case and the special revenue sharing programs were written the way the gentleman just described they might be, then of course it would require special appropriations from the legislature.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would like to ask a double pronged question, What revenue sharing and when?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, poses a question through the Chair to anyone who may answer if he or she wishes.

The Chair recognizes the gentleman from Portland, Mrs. Najarian.

Mrs. NAJARIAN: Mr. Speaker and Members of the House: Well, I have talked somewhat to our city manager from Portland, and he says that they fully expect special federal revenue sharing money to become available in 1974. It will be with strings attached, as I understand it. It will specify what categories this money can be spent for.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Carrier.

Mr. CARRIER: Mr. Speaker and Members of the House: If it was the intent of the committee to say that this involved federal sharing revenue, I have no objection. The only thing is, when I said to you that the bill is ambiguous, this is exactly what I meant, and I have no objection at this time, if they are going to use federal sharing revenue. But as this thing is written right here, this is not what it says. And actually, the money that we have appropriated to the Housing Authority so far this year, according to this bill and my interpretation, they could use it even though it is not their intent. Under this bill, they could actually use it for that particular purpose, and I don't think this is what we allowed that money for.

The SPEAKER: The Chair recognizes the gentleman from Exeter, Mr. Smith.

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: This was my bill originally, and originally, it had a price tag on it, originally it intended to substitute for the moratorium on federal housing programs. But a funny thing happened on it to kill it on the way to committee and back. They decided that the state should not appropriate the money to substitute for the federal programs. However, there is all indications that there is a possibility that the federal programs will come down in the form of special revenue sharing funds. There is now no language in the Housing Authority which would permit the Housing Authority to use these funds if they came down this way. All this bill is intended to do now is to give the Housing Authority the language in which they could use these special revenue sharing funds for housing if it comes down that way. There is no money on the bill. It is just permissive in case something happens. I would urge you to accept the committee's report, even though they did take all my money off it.

Thereupon, the Report was accepted, the New Draft read once

and assigned for second reading the next legislative day.

Mr. Susi from Committee on Taxation on Bill "An Act Relating to Property Tax and Rent Relief for Disabled Persons" (H. P. 632) (L. D. 846) reporting "Ought to pass" in New Draft (H. P. 1587) (L. D. 2014) under same title.

Mr. Farley from Committee on Labor on Bill "An Act Relating to Compensation under Workmen's Compensation Law" (H. P. 1174) (L. D. 1511) reporting "Ought to pass" in New Draft (H. P. 1584) (L. D. 2011) under new title "An Act to Protect the Rights of Injured Persons under the Workmen's Compensation Law."

Reports were read and accepted, the New Drafts read once and assigned for second reading the next legislative day.

Divided Report

Tabled and Assigned

Majority Report of the Committee on Labor on Bill "An Act Relating to Severance Pay for Employees" (H. P. 228) (L. D. 308) reporting "Ought to pass" in New Draft (H. P. 1585) (L. D. 2012) under same title.

Report was signed by the following members:

Messrs. KELLEY of Aroostook
TANOUS of Penobscot
— of the Senate.
Messrs. HOBBS of Saco
ROLLINS of Dixfield
FARLEY of Biddeford
FLYNN of South Portland
Mrs. CHONKO of Topsham
— of the House.

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

Report was signed by the following members:

Mr. HUBER of Knox
— of the Senate.
Messrs. BROWN of Augusta
McNALLY of Ellsworth
McHENRY of Madawaska
GARSOE of Cumberland
BINNETTE of Old Town
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Brown.

Mr. BROWN: Mr. Speaker, I move we accept the Minority "Ought not to pass" Report.

The SPEAKER: The gentleman from Augusta, Mr. Brown, moves the House accept the Minority "Ought not to pass" Report.

On motion of Mr. Martin of Eagle Lake, tabled pending acceptance of the Minority Report and specially assigned for Monday, June 11.

Divided Report

Majority Report of the Committee on Labor on Bill "An Act Relating to Agreements under Minimum Wage Law" (H. P. 1196) (L. D. 1530) reporting "Ought not to pass."

Report was signed by the following members:

Messrs. TANOUS of Penobscot
HUBER of Knox
— of the Senate.
Mrs. CHONKO of Topsham
Messrs. FARLEY of Biddeford
ROLLINS of Dixfield
GARSOE of Cumberland
McNALLY of Ellsworth
BINNETTE of Old Town
FLYNN of South Portland
BROWN of Augusta

— of the House.

Minority Report of the same Committee on same Bill reporting "Ought to pass" as amended by Committee Amendment "A" (H-525)

Report was signed by the following members:

Mr. KELLEY of Aroostook
— of the Senate.
Messrs. HOBBS of Saco
McHENRY of Madawaska
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Brown.

Mr. BROWN: Mr. Speaker, I move we accept the Majority "Ought not to pass" Report.

The SPEAKER: The gentleman from Augusta, Mr. Brown, moves the House accept the Majority "Ought not to pass" Report.

The Chair recognizes the gentleman from Saco, Mr. Hobbins.

Mr. HOBBS: Mr. Speaker, Men and Women of the House: I would like to explain my position on this bill because there are only

three of us who signed it "ought to pass."

The purpose of this bill is to provide that certain persons exempt from the minimum wage must agree in writing in order to be exempt or work for less than the minimum wage. Now, there are certain exemptions to the minimum wage which people do not have to pay the minimum wage of the State of Maine. The three sections in this L. D. which it refers to are Sections B, E, and F. Section B, states, "Any individual employed in domestic service or in or about a private home." Section E states, "Any individual engaged in the activities of a public supported nonprofit organization or in a program controlled by an educational nonprofit organization." And the last section is section F, which is my famous minimum wage for summer camps. What the bill really entails is having the employer and the employee agree in writing that the employee can work for less than the minimum wage. I know that there could be a problem because the idea of contracts for minors and everything, but I hope this bill could get to the second reading so it could be amended to say an oral agreement instead of a written agreement.

So I hope you do not accept the majority "ought not to pass" report.

The SPEAKER: The pending question is on the motion of the gentleman from Augusta, Mr. Brown, that the House accept the Minority "Ought not to pass" Report. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

Thereupon, Mr. Hobbins of Saco 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 ex-

pressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Augusta, Mr. Brown, that the House accept the Majority "Ought not to pass" Report. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA—Ault, Baker, Berry, G. W.; Binnette, Birt, Bither, Bragdon, Brawn, Brown, Carey, Chick, Chonko, Conley, Curtis, T. S., Jr.; Davis, Donaghy, Dunn, Evans, Farnham, Ferris, Finemore, Fraser, Garsoe, Good, Hamblen, Haskell, Henley, Herrick, Huber, Hunter, Immonen, Kauffman, Kelley, Kelley, R. P.; Keyte, Knight, Lewis, E.; Lewis, J.; Lynch, MacLeod, Maxwell, McKernan, McNally, Morton, Norris, Parks, Pratt, Rollins, Shaw, Simpson, L. E.; Snowe, Sproul, Stillings, Strout, Susi, Trask, Walker, White, Willard, Wood, M. E.

NAY—Albert, Berry, P. P.; Ruben, Boudreau, Bunker, Bustin, Carrier, Carter, Churchill, Clark, Connolly, Cooney, Cote, Cottrell, Crommett, Dam, Drigotas, Emery, D. F.; Farley, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hobbins, Jacques, Jalbert, Kelleher, Kilroy, LaCharite, LaPointe, LeBlanc, Mahany, Martin, McHenry, Morin, L.; Mulkern, Murray, Najarian, Peterson, Ricker, Rolde, Ross, Silverman, Smith, D. M.; Smith, S.; Talbot, Tanguay, Theriault, Tierney, Webber, Whitzell.

ABSENT — Briggs, Cameron, Cresse, Curran, Deshaies, Dow, Dudley, Dunleavy, Dyar, Farrington, Faucher, Fecteau, Flynn, Gahagan, Gauthier, Hancock, Hoffses, Lawry, Littlefield, Maddox, McCormick, McMahon, McTeague, Merrill, Mills, Morin, V.; Murchison, O'Brien, Palmer, Perkins, Pontbriand, Santoro Sheltra, Shute, Soulas, Trumbull, Tyndale, Wheeler.

Yes, 61; No, 51; Absent, 38.

The SPEAKER: Sixty-one having voted in the affirmative and fifty-one in the negative, with thirty-eight being absent, the motion does prevail.

Sent up for concurrence.

**Divided Report
Later Today Assigned**

Majority Report of the Committee on Transportation on Bill "An Act Revising the Motor Vehicle Dealer Licensing Law" (H. P. 478) (L. D. 629) reporting "Ought to pass" as amended by Committee Amendment "A" (H-529).

Report was signed by the following members:

Messrs. GREELEY of Waldo
CIANCHETTE

of Somerset
SHUTE of Franklin
— of the Senate.

Messrs. FRASER of Mexico
WOOD of Brooks
McNALLY of Ellsworth
WEBBER of Belfast
DUNN of Poland
JACQUES of Lewiston
KEYTE of Dexter
Mrs. McCORMICK of Union
BERRY of Madison
— of the House.

Minority Report was signed by the following member:

Mr. STROUT of Corinth
— of the House.

Reports were read.

On motion of Mr. Wood of Brooks, the Majority "Ought to pass" Report was accepted and the Bill read once.

Committee Amendment "A" (H-529) was read by the Clerk.

On motion of Mr. Simpson of Standish, tabled pending the adoption of Committee Amendment "A" and later today assigned.

**Divided Report
Tabled Unassigned**

Majority Report of the Committee on Taxation on Bill "An Act to Provide a Maine Homestead Property Tax Exemption Law" (H. P. 1468) (L. D. 1894) reporting "Ought not to pass."

Report was signed by the following members:

Messrs. WYMAN of Washington
COX of Penobscot
FORTIER of Oxford
— of the Senate,
Messrs. DRIGOTAS of Auburn
DAM of Skowhegan
IMMONEN of West Paris
MORTON of Farmington
SUSI of Pittsfield
FINEMORE

of Bridgewater

COTTRELL of Portland
MERRILL

of Bowdoinham
— of the House.

Minority Report of the same Committee on same Bill reporting "Ought to pass" in New Draft (H. P. 1588) (L. D. 1016).

Report was signed by the following members:

Messrs. DOW of West Gardiner
MAXWELL of Jay
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker, I move that we accept the Majority "Ought not to pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. LaCharite.

Mr. LaCHARITE: Mr. Speaker, I move this lie on the table one legislative day.

Thereupon, Mr. Simpson of Standish requested a vote on the tabling motion.

The SPEAKER: The pending question is on the motion of the gentleman from Brunswick, Mr. LaCharite, that this matter be tabled for one legislative day. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

37 having voted in the affirmative and 64 having voted in the negative, the motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. LaCharite.

Mr. LaCHARITE: Mr. Speaker, Ladies and Gentlemen of the House: This bill is one bill which I was going to put in myself that Representative McTeague did put in. He doesn't happen to be here at this time.

The bill is very important. There are tax reform proposals before us. One of them is the Education Committee's proposal. Another proposal will be one of legislative Republican leadership, and this proposal here. If the other proposals don't happen to pass — and personally I would like to see the Education Committee proposal, but this is a very good proposal that was worked on for a

very long time. Representative McTeague and myself worked on this for about six months before it was drafted. Bowdoin College Department of Economics worked on this, and it is a very feasible method of tax reform.

At this time, I would hope that you do vote not to accept the "ought not to pass" report.

Mr. SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. SUSI.

Mr. SUSI: Mr. Speaker and Members of the House: I will give you the basics of this bill. It is each homestead to a fair market value of \$5,000 exempt from real property taxation. To me, the most pertinent element of this bill is that the cost will run \$28 million per year, which is comparable to the total from our personal tax, and it is restricted totally and completely to this exempting from property taxation the first \$5,000 of the home. Now we can go on in lengthy speeches here this morning about the great benefits of this. It would be something like putting us all on pensions, but this is no more attainable than my jumping square footed over the moon, so I hope we don't waste too much time with it.

Mr. SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. McTEAGUE.

Mr. McTEAGUE: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman suggests that we be brief, and I will attempt to do that.

The idea of a homestead tax exemption bill is based on these concepts: Number one, not only are taxes too high, real estate taxes, but they are too high in particular on our homes as opposed to business property and they are too high on Maine people as opposed to out-of-staters who maybe own summer property here.

As you know, there are basically two ways to approach the morass of injustice and inequity that we suffer under, under the current system of real estate taxation as related principally to the support of education. One concept, which I understand the Education Committee has given consideration to that will be before us is the con-

cept of decreasing from the state level to the towns and the SAD the level of the educational subsidy, thereby hoping indirectly to relieve the burden of property taxation. This is a good idea, and not an idea that is in conflict with the homestead concept.

The idea that the Education Committee is pushing has the merit that addresses itself to the question of equality of educational opportunities for all the children of Maine, regardless of the accident of their town of residence. But it has in a sense the negative feature that when we shove this money back to the towns and the SAD's, we hope but do not know that taxes will go down, because the SAD directors, the selectmen, the municipal officers, might expend at least some of the money that we intend for tax relief for other local governmental purposes, and hence, the burden on the taxpayer would remain the same.

Also, when you just send money back to the towns and SAD's, you relieve the tax burden equally for all the taxpayers in the area, which means that the man from Massachusetts that has a \$35,000 summer camp in Harpswell receives more relief than the citizen of Topsham or Milo who owns a \$15,000 home. I think that is unjust and unwise.

We do have, as the gentleman suggests, a very limited amount of money to deal with. The question is, how are we going to spend it and who is going to get the benefits? If you just put more education money back in, again you have the risk that other expenses will not go down or not go down enough.

Secondly, you are not directing the relief at the homeowner, but you are spreading it out over all types of property owners.

Thirdly, you are using income tax money, in a sense, because this is where a good deal of the money will be coming from, to subsidize people who are not residents of this state and do not pay our income tax. That strikes me as very generous towards our friends from out of state, but it doesn't strike me as very prudent

or very good representation for people who are like us.

I realize the report is a heavy one and the amount on the bill is large. I know the gentleman knows that if the bill would survive and remain as a vehicle before this legislature, that we can change the amount on it, and frankly, obviously, we would have, we would have to reduce the amount.

But if this bill is killed, as I understand it, the only real vehicle before the legislature to do anything about property tax relief is on the educational side. If you believe in a balanced approach, if you had hoped that we would have the educational side taken care of in considering equality of educational opportunity, but if you want to zero in that relief on the people who need it most and the people whom all of us represent, I would ask that you consider keeping this bill alive as a possible means of working a joint system of relief.

One other feature of this bill that I would like to mention to the members of the House, because the exemption is on the first \$5,000 or it could be the first four, three or two thousand, depending on the amount of money that was decided to be appropriated, you not only give relief to the Maine resident as opposed to the out-of-stater, to the homeowner on his principal home as opposed to other property owners, but you particularly give relief to the people who need it most. Although a man who owns a \$50,000 home would have his taxes, in a sense, reduced by this bill by 10 percent, the man who owns a \$15,000 home would have his taxes reduced by this bill 33½ percent. Again, it is trying to take into account the concept of ability to pay.

Many states have this type concept in their law — I think about a dozen, Maine will have it sometime, maybe not this time, but I think it is an idea and the time has come. Test it out with your constituents, liberal, conservatives, Democrats and Republicans. The Association of Maine People, which I understand is an outgrowth originally from the attempt to de-

feat the income tax, certainly might I think be considered on the conservative side of the political spectrum, and perhaps the gentleman from Brunswick, Mr. LaCharite, and I might be considered on the moderate or liberal side of the spectrum.

There was support across the political spectrum from liberal to moderate to conservative. We think it is an idea that this legislature ought to consider and ought not to kill.

Mr. Speaker, when the vote is taken I ask for a roll call.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Silverman.

Mr. SILVERMAN: Mr. Speaker, Ladies and Gentlemen of the House: I read in the paper several weeks ago of this approach by the Representative from Brunswick. This tax relief on people who own homes appealed to me because some things are disturbing to me in what we are talking about tax reform. Now I am not talking that this bill right here today is the ideal bill for the State of Maine. But I have seen the papers, the news media, and many legislators tell the people of our state, we are going to give you tax relief on property. And then I see the program of tax relief on property go to the Committee on Education, and I see it based completely on the aspect of a better quality education, which means a more expensive cost for education to the State of Maine. I think whether you believe in this approach or not is one thing. But when you are talking tax relief to the property owner, the person who owns his own home, who has pride in that home, who hopes to live in it possibly for the rest of his life, improve it as his ideal domain — I don't think this 106th Legislature, or the approach that is being taken for property tax relief as proposed through the Committee on Education is what we are after or what our constituents are after.

How better can we serve the property owner than to give him a certain sum deduction on his valuation which is not taxable? This is an approach that can help him have less property taxes on

his residential property or his home.

The other approach that we are going to hear, and we are probably going to see the news media and the legislature tell our folks back home, this is property tax relief, it is very questionable. It is questionable in many senses that do they know, is their property tax going down? They know they will be getting more money for education dollars through subsidies, but will their home residential property tax go down? Will the businesses of this state that can well afford property tax also receive the same benefits?

Now, when I talk property taxes, as I did two years ago, I am talking property tax relief to the homeowners who want to own their own home, live in it, improve it and not have these high rates of taxation which in many communities is running \$600 to \$1,000 or more today. And now many are saying, we don't own these homes we are just renting them from the municipality, which I think is destroying a fundamental right which this country was founded on, the right of ownership of property, especially your own homestead.

Therefore, I would like to see this legislature move more in the path of the Representative of Brunswick, Mr. McTeague, to give property tax relief directly to people who want to own their own homes and are finding taxes almost making it prohibitive to own their own homes, and this approach by far in my opinion, is going to serve that purpose and move in the right direction.

I would ask you to support this bill, even though the dollar cost, the approach has to be amended. I ask you that if your are going to talk property tax relief, let's not deceive the people of the State of Maine, let's give them property tax relief, which is in dollar and cent taxes when they receive their tax bill, and this approach certainly would.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: First, I want to apologize

to the gentleman from Brunswick for interrupting his speech, I am very sorry.

But Mr. McTeague from Brunswick said there was no other bill in the legislature — I am sorry he is not in here — that would take this place. I would like to tell him that yesterday we were presented in our committee, with a new bill for tax relief right straight across the board. It has a small cost on it at \$40 million to \$55 million. It is a bill that can be worked on and it would mean tax relief right across the board.

We also in Education mentioned that it doesn't amount to much. But in Education, if I had worked on it correctly which probably I haven't — I think maybe Mr. Haskell could go a little further on it — I believe it would mean a 17 percent deduction in the town taxes. Well, all of these added together, one of them is going to go, is pretty sure to go, and it is going to mean quite a deduction.

And on this bill of Mr. McTeague's, it is a very simple bill, well written and well presented to the committee. They would have on that an amount not to exceed \$200, so I wonder which one would be the best, there are three, and they are all striving for the same thing. A homestead bill is quite a bill. It means quite a few things; it means everyone in the house they are living in or an apartment they are living in, the apartment that they maintain for themselves, is also covered under this act. So I wonder this morning which one you would rather have. I almost believe that you should accept the "ought not to pass" report on this bill and go along with these other two because they are bigger and they all have to be funded, and most of it is going to come from income tax, I will tell you that.

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Whitzell.

Mr. WHITZELL: Mr. Speaker and Members of the House: In a door to door campaign through my community of Gardiner, the number one issue that was on everybody's lips was property tax. I am talking about property tax, the tax

that they are paying on the homes that they live in.

We have a tax rate in Gardiner of \$43 a thousand. That is on a 100 percent valuation. Now, certainly under all the measures that have been proposed, that are going to be proposed to this legislature, the item which would bring the greatest relief, property tax relief to homeowners in all communities will be this homestead exemption bill.

For instance, in Gardiner, if you own a \$15,000 home, you are paying in the area of \$600 in property tax. Under the homestead exemption, the \$5,000 exemption, would mean that the person who is paying \$600 for property tax would now pay \$400 in property tax. That is a \$200 property tax savings to the homeowner. Now, if anybody has been hurt with taxes over the course of years, it is certainly the property taxpayer. And many of those property taxpayers—I come from a very conservative community, if you want to believe that, and the people in my community are also long-standing, older families. Most of these people at this point in Gardiner, when we ran a survey, we found that about 32 percent of the homeowners there were over 60 years of age. Their earning potential is lost. If they are taxing the potential, their taxes have increased. They are being taxed at a rate that an executive would find hard to muster in total effort to pay the community tax rate. So, for gosh sake, let's keep this bill alive. If we are going to give real tax relief, I am talking about property tax relief, which I think most of us have campaigned as an issue, and which I am sure are found in both of the party platforms, then I would say that this bill gives property tax relief.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. LaCharite.

Mr. LaCHARITE: Mr. Speaker, Ladies and Gentlemen of the House: I believe everyone that has spoken has really brought out the outstanding feature in this proposal, and that is the tax rates of the resident of Maine who owns his home.

Now, I am sure if you ask yourself this one question, then you will really support this. Would you rather pay taxes on your home or in an increase in the income tax. And I believe myself and most of us will feel that the income tax is the fairest way, not the property tax.

Mr. SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. McTeague.

Mr. McTEAGUE: Mr. Speaker and Members of the House: Several members of the House have been kind enough in the area behind the hall of the House to address some particular questions to me. I thought they were questions the answers to which might be of general interest. First of all, what about the citizen who owns a mobile home rather than conventional housing? The answer is simple and straightforward. There is no discrimination either way in this bill. A mobile home is a home to a person who lives in it, he would be entitled to the homestead break on that as well as a conventional home.

Secondly, what about the veterans who have a tax exemption, and what about the senior citizens programs? The homestead exemption would be additional rather than in place of. I want to repeat that, the homestead exemption would be additional, an extra, rather than in place of the veteran's exemption and the elderly citizen's exemption. So this in no way adversely affects the veteran, particularly the injured or the elderly veteran or any elderly citizen. As a matter of fact, I think that much of the relief would be zeroed in on these groups because ordinarily their income earning capacity is limited, and yet they want to maintain the home they have lived in all their lives.

Secondly, what about the towns and the SAD's, do they suffer any revenue loss? And the answer is no. Penny for penny, and dollar for dollar, whatever the exemption is for the homeowner is paid in real property tax, so that the state refunds back to that town the exact amount.

This is a bill where we don't have to get into arguments be-

tween "rich towns and poor towns." Every town is treated the same; there is no discrimination either way in the bill.

There is the possibility of changing not only the figures in the bill but changing one of the concepts. We have a concept originally in the bill of the first \$5,000 in market valuation being exempt from taxation. There might be certain administrative difficulties with that, with the cooperation of the Bureau of Taxation and the Legislative Finance Office. We have come up with an alternative plan which set up something like the following: of the first \$400, let's say, of taxation, 30 percent exempt. This would achieve about the same end. It probably would be easier from the point of view of administration.

The comments of the gentleman from Calais, Mr. Silverman, were very much appreciated but unsolicited. I think what we have seen on the floor of this House from the few people who have talked for the bill is that we have seen broad-base support, Republicans, Democrats, conservatives and liberals. I think the concern, if I may attempt to guess the thought in their minds, of some of the members of the tax committee was for the total cost involved. We can control that. You can fund a bill like this — and, by the way, I have been given later figures that indicate that 28 is not the figure, it is 24 by Mr. Garside of Legislative Finance — we could fund something that would be worthwhile starting for perhaps a third of that, but if the idea is killed here today, we, as elected representatives in this session, lose our option in that regard.

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

Mr. COTTRELL: Mr. Speaker, Members of the House: I wish you would notice the committee report, and I also wish that Representative McTeague had been on one of the three interim taxation committees that had been studying this whole business. Now, we all recognize that a homestead exemption is a possible, good tool,

but I think at this point we can forget about it. If it should develop — in our discussion of the big property tax comprehensive plans that are coming up, if it should develop that we need this tool, we can get it very easily. The committee can order out another bill.

I think we are just wasting time at this point, and I hope we dispose of this.

Mr. SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BRAWN: Mr. Speaker, Ladies and Gentlemen of the House: One of the places I represent has over 2,000 pieces of property that is taxable. Now, if we exempt \$5,000 on each one of these 2,000 pieces of property, there is \$100,000 loss of valuation and revenue. When you go to town meeting as Mr. Carey and many of us know who are on the inside, you appropriate money for your highways, for your schools, for your fire, for your poor and many other necessary things. This money has got to be paid. I would like to know where you think this money is coming from. They say it is going to come from the state. Who is the state? It is you and I.

I remember just a short time ago when I was first on the board that started assessing, many Civil War veterans were exempt from taxation. What did they do? They took their sons and they took their grandsons and families who lived with them so they didn't pay any tax. Then when he died, the widow took it over until finally they died out.

Now, this is coming to the point where everyone wants an exemption. I lived in the State of Florida where we had a \$5,000 exemption if you lived there over six months. I did not live there over six months, because I did not want to pay the intangible inheritance tax of 1 percent. So I had to pay the full amount of tax. My wife and I paid more on one house on Palfax Street than all the houses on three streets adjoining us by the people who lived there. So someone has got to pay this tax.

Now, everyone here today wants a 5 percent raise in their pay. The teachers want it, all your workers want it but nobody wants to pay it. Now, everyone is going to save money here this morning, I have heard about it, but how are you going to save it? I have heard it all my life, we are going to save money on taxes but every year I get my tax bill; it is more and more and more. So your theory does not hold up, and I hope you go along with the majority report this morning.

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

Mr. ROSS: Mr. Speaker and Members of the House: I rather favor this approach. However, we do have three bills. The others are much more complicated and maybe in the end, local taxes will be reduced and maybe they will not. I surely think we should keep this alive until we can study it along with the others and debate the others.

Now, I had a bill in my file rather like this but directly tying into an income tax increase, but I decided this might not be a very good idea this session to tie both of these together.

The gentleman from Portland, Mr. Cottrell, said it was too bad the gentleman from Brunswick, Mr. McTeague, was not on a certain committee. I was on the Taxation Study Committee, and as he knows, I mentioned this approach and some thought it might not be a bad idea. But I think we should vote for this bill to keep it alive so we can study them altogether.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Farley.

Mr. FARLEY: Mr. Speaker, Members of the House: I would like to pose a question to the gentleman from Brunswick. How is this loss of revenue to the municipalities and the cities and towns going to be — how are they going to be reimbursed?

The SPEAKER: The gentleman from Biddeford, Mr. Farley, poses a question through the Chair to anyone who may answer if he or she wishes.

The Chair recognizes the gentleman from Brunswick, Mr. McTeague.

Mr. McTEAGUE: Mr. Speaker, Members of the House: In response to the question of the gentleman from Biddeford, Mr. Farley, the towns and SAD's would be reimbursed on an annual basis on a dollar for dollar basis so that, as I understand the bill — and I hope I understand it fairly well, I drafted it if that would help, and I did read the Florida law and study it and read several articles on the administration of it and have had some fine help from the Bureau of Taxation on the bill.

The revenue must be produced from somewhere, this is very true. The reason that we are in this session able to consider the possibility of doing something hopefully to relieve taxes and on the other hand, hopefully to help out education too is that a combination of revenue sharing and the revenues that we have produced give us some degree of flexibility, and we have the time and all of these bills are based on this concept. We, in a sense, have a session to break in. Ultimately, though, this is a program that costs and some we have to pay for.

The idea, basically, is that ultimately although there is no need this session to do it, it would probably have an effect on the income tax. Again, the groups that are favored under this is the fellow that stays in Maine not only in the summertime but in the wintertime, the property tax owner. Think of the people you represent, the average fellow who makes five, six, seven, eight thousand dollars a year, owns a small bungalow or cape cod and think how much it would mean to him.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Farley.

Mr. FARLEY: Mr. Speaker, Members of the House: Well, I assumed it was going to be the income tax, so let me say what I have to say.

At the present time a gentleman owning a \$75,000 home, he is paying property taxes on \$75,000. Un-

der our income tax form in the State of Maine, we are still tied onto the federal plan. Based on income, that man has deductions, no matter what his income, to bring it down to the poor little man who is still going to get hurt under the income tax or the property tax. So, I would vote against this measure.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: I certainly have a degree of common interest with those who support this legislation. I believe that they feel and I certainly feel that there is probably no problem in the State of Maine with any greater urgency than the need to readjust our property taxes in the State of Maine. I think that you all realize how I feel about the urgency of doing something in this session of the legislature on property tax reform. This bill does deal with one portion of it.

I think that you would all agree it is a complex problem. It has many sides to it, and this is as it has been represented to be, a very simple bill. It does just what in a very few words I have stated earlier, it exempts \$5,000 from a homestead, and I don't believe that you can effectively deal with a problem as complex as property taxes with such a simple approach. However, if right at this moment we had nothing else available to us, I would support this inasmuch as I think any sort of medicine for this sickness is better than letting it go untreated.

What I am hoping is that we can narrow our effort and our support to what appears to be the most reasonable approach to this problem and accomplish property tax reform in this session. If we start splitting up at this stage, some supporting one approach, some supporting another, we will be diffusing what support we have here so that those who are opposing so rigorously any property tax reform will be the victors in this situation. We will go home accomplishing nothing in property tax reform which is just what the opponents want.

I don't believe that this bill that we have before us is comprehensive enough. I don't think it is the one that we want to work on. I hope that you set it aside and then just break your back in attempting to accomplish property tax reform of a more comprehensive nature later.

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

Mr. COTTRELL: Mr. Speaker and Members of the House: We have already started in the works what is to me one of the great possible reforms in taxation, and that is proper assessment of property which now are so inequitable. Every veteran has an exemption, a property exemption of \$3,500, three and a half thousand times the tax rate in his particular locality. Now, our tax rates run from \$15 a thousand to over \$200 a thousand in the 416 municipalities in the state. So a veteran in this town where the tax rate is \$15 gets three and a half times \$15 which is \$52.50, and a veteran in another town where the tax rate is \$50 or \$100 we will say, he gets \$3,500 tax exemption.

Now, the basic thing that is wrong with our whole property taxation is inequitable assessment, and we have the bill that would, by—I have forgotten the day but it is a plan where we have a separate property tax division in our taxation bureau where we are going to train assessors where they are going to be certified, and in the course of three or four years, we will have more equitable assessment all through the state.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: After listening to the remarks of my good friend from Pittsfield, Mr. Susi, I would suggest that we do not set this bill aside, that we keep it alive and we see what the other reform packages are. I know that this legislature, when we came here in January, we were committed supposedly for some type of a tax reform program, and we have set other bill aside that can keep

them alive here in this session. I cannot see any reason why we wouldn't keep this one alive to see what the other reform packages are. If we are going to do anything on tax reform, at least we should have some options open to us, and we are not sure what type reform a tax package we will be able to finally vote on. But I think we would be shortening our own options by accepting the majority report here this morning.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Silverman.

Mr. SILVERMAN: Mr. Speaker, Members of the House: There is one fundamental concept which I would like to try to get over to this House on this approach. Number one, the opposition here today is saying if we reduce the property tax, then the income tax is going to increase. Of course it is going to be increased. We all know this, and you are going to get a property tax package, if not in this session, in the special session, to do this. So if you are against taking it off the property tax and putting it on the income tax, you would not only vote against this, you would vote against the property tax package that will be presented to you, if not in this session at the special session.

This isn't what I am trying to say. What I am trying to say is this: if you are going to have a property tax package, then I think it should benefit most of the homeowners, the residential property owner. This should be where the emphasis is on reducing taxes, and what I mean by this is if you have a \$20,000 home in the State of Maine, you are taxed at 40 mills say. Then you are going to pay \$800 a year taxes. If their property tax package comes through and they say, well, we will reduce it by 20 percent, you are going to get \$160 off your taxes. If you have a \$10,000 home, at 40 mills, that is 400 a year and 20 percent of that is \$80. That is the approach that is being taken by the package for property taxes which I am against.

Now, you look at Mr. McTeague's bill, and you deduct 5,000, if that is an appropriate figure according

to what we can afford from every home, then that \$10,000 home will be taxed at \$5,000 which is \$200 and would be a savings of \$200 to the low income person or the person owning a \$10,000 home which would be a much bigger savings at the low income and much more of an expense to the higher income, because 20 cents all across the board favors the person in the more expensive home by considerable several hundred dollars.

Now, if you are thinking of property tax relief in the State of Maine — and my approach is so ordinary citizens of ordinary incomes who want to own their own homes get relief so they can — you would go to the approach of the homestead bill.

I don't know if I have made myself clear, but I am quite certain if figured out properly, you would see that a property tax relief to the homeowner was done in this approach, as Mr. McTeague suggested, he could well afford the taxes on his home. If you are going to take a 20 percent cut all the way, then the savings will be some to the moderate priced home, but by nowhere the savings it would be if you took Mr. McTeague's approach.

A second point is, also, if you put the emphasis on reducing the taxes on property homeowners and keep the emphasis on taxation of business, then of course they are going to absorb a large portion of that tax dollar which, in most cases, especially the big business of this state, can well afford, and in the package that they will be giving you, they are going to be getting a lot, lot less — and this going into I would say millions of dollars — a lot less taxation on their property. And I hope you will keep this bill alive in hopes that when we give property tax relief in the State of Maine, it will be on the first primary priority emphasis, to the property residential homeowner.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Norris.

Mr. NORRIS: Mr. Speaker and Ladies and Gentlemen of the House: Very, very briefly. I concur with my good friend Mr. Kelleher and Mr. Ross, Mr. Silverman.

Certainly my people don't want relief three or four years in the future, and I submit to you this morning that any tax reform plan that you have — any is going to cost you money. Just because you pick a different method doesn't mean that it isn't going to have to be paid for. It certainly is going to have to be paid for, any plan that you accept.

So I would hope that we go along with accepting the minority report this morning and carry this bill along so that we can compare it with the other vehicles as they come down and give us a broad look and we can study it and then make up our minds.

Mr. Farley was granted permission to speak a third time.

Mr. FARLEY: Mr. Speaker and Ladies and Gentlemen of the House: Let me go on record as saying that I am not against property tax relief. However, until we change our income tax formula here on the state level, this is not going to help the small property owner at all. He is going to make up that difference somewhere. But those exemptions for those people on top of the ladder are still there under the income tax. I wouldn't support any tax reform bill under the circumstances.

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

Mr. ROSS: Mr. Speaker, I move this item be placed on the table unassigned.

Thereupon, Mr. Birt of East Milinocket requested a vote on the motion.

Mr. NORRIS of Brewer 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 pending question is on the motion of the gentleman from Bath, Mr. Ross,

that this matter be tabled unassigned pending the motion of Mr. Susi of Pittsfield to accept the Majority Report. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Berry, P. P.; Berube, Binnette, Bither, Boudreau, Brawn, Brown, Bustin, Carey, Carter, Chick, Chonko, Churchill, Clark, Connolly, Cooney, Cote, Crommett, Dam, Davis, Dow, Drigotas, Dyar, Emery, D. F.; Farley, Faucher, Ferris, Fine-more, Fraser, Gahagan, Garsoe, Genest, Good, Goodwin, H.; Goodwin K.; Greenlaw, Hamblen, Haskell, Henley, Herrick, Hobbins, Jalbert, Kauffman, Kelleher, Keyte, Kilroy, LaCharite, Lawry, LeBlanc, Lewis, E.; Lewis, J.; Lynch, Mahany, Martin, Maxwell, McHenry, McKernan, McTeague, Mills, Morin, L.; Mulkern, Murray, Najarian, Norris, O'Brien, Parks, Peterson, Pontbriand, Rolde, Rollins, Ross, Shute, Silverman, Smith, D. M.; Smith, S.; Soulas, Strout, Talbot, Tanguay, Theriault, Tierney, Walker, Weber, Whitzell, Willard, Wood, M. E.

NAY — Baker, Berry, G. W.; Birt, Bragdon, Briggs, Bunker, Conley, Cottrell, Curtis, T. S., Jr.; Donaghy, Dunn, Farnham, Farrington, Hoffses, Huber, Hunter, Jackson, Kelley, Knight, MacLeod, McCormick, Morton, Shaw, Simpson, L. E.; Snowe, Sproul, Stillings, Susi, Trask, The Speaker.

ABSENT — Albert, Cameron, Carrier, Cressey, Curran, Deshaies, Dudley, Dunleavy, Evans, Fecteau, Flynn, Gauthier, Hancock, Immonen, Jacques, Kelley, R. P.; LaPointe, Littlefield, Maddox, McMahon, McNally, Merrill, Morin, V.; Murchison, Palmer, Perkins, Ricker, Santoro, Sheltra, Trumbull, Tyndale, Wheeler, White.

Yes, 88; No, 30; Absent, 33.

The SPEAKER: Eighty - eight having voted in the affirmative and thirty in the negative, with thirty-three being absent, the motion does prevail.

Consent Calendar

First Day

(H. P. 1345) (L. D. 1779) Bill "An Act to Allow Group Self-Insurance

Under Maine's Workmen's Compensation Law" — Committee on Labor reporting "Ought to pass" as amended by Committee Amendment "A" (H-524).

(H. P. 1421) (L. D. 1857) Bill "An Act to Clarify and Improve the Enforcement of Decisions of the Public Employees Labor Relations Board" — Committee on Labor reporting "Ought to pass" as amended by Committee Amendment "A" (H-527).

(H. P. 1533) (L. D. 1966) Resolve Authorizing the Commissioner of Mental Health and Corrections to Convey Land at the Augusta State Hospital to the Augusta Sanitary District — Committee on State Government reporting "Ought to pass."

(H. P. 1547) (L. D. 1981) Resolve Authorizing the County Commissioners of Sagadahoc County to Pay Certain Claims — Committee on County Government reporting "Ought to pass" as amended by Committee Amendment "A" (H-526).

No objection having been noted, were assigned to the Consent Calendar's Second Day list tomorrow.

Consent Calendar Second Day

(H. P. 904) (L. D. 1192) Bill "An Act Declaring Maine's Sovereignty for 200 Miles Seaward from its Boundaries" (C. "A" H-517)

(H. P. 907) (L. D. 1195) Bill "An Act Authorizing Plus New England Service of Maine, Inc., to Confer Associate Degrees"

(H. P. 1548) (L. D. 1982) Bill "An Act Relating to Tuition Contracts in School Administrative District No. 68"

No objection having been noted, were passed to be engrossed and sent to the Senate.

Passed to Be Engrossed

Bill "An Act Relating to Liquor Purchased from State Liquor Stores" (S. P. 387) (L. D. 1133) (S. "A" S-212).

Was reported by the Committee on Bills in the Second Reading and read the second time.

The SPEAKER: The Chair recognizes the gentleman from Berwick, Mr. Stillings.

Mr. STILLINGS: Mr. Speaker and Ladies and Gentlemen of the House: The day before yesterday this House killed the bill that would have lowered prices in the Sanford liquor store to the level that is anticipated being charged in the Kittery store. Justification for this was the loss of revenue, the fact that the Kittery store was an experimental measure and the House apparently felt that we ought to give it an opportunity, a trial period before we did too much about it. This bill also deals with the lowering of liquor prices, but not for Maine citizens, only for licensees of the Liquor Commission.

Under existing law, licensees already get a 10 percent discount. This bill would allow licensees to buy liquor at about 40 percent below the retail price all over the state while other citizens pay the full price. For those who felt the other bill was discriminatory, you must certainly feel that way about this one, I don't believe that is what this House wants. I move that this bill and all its accompanying papers be indefinitely postponed.

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

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: The statements that the House Chairman of Liquor Control has just presented to you are quite accurate to some extent. The licensees across the state do get a 10 percent rebate of the purchase of liquor at the state liquor stores, and if I could say, I would say that there is an amendment in the other body that would be eliminating this 10 percent. The reason that I voted the bill out of committee, the justification for it was fair and equal treatment for everyone and I am sure that is what Representative Stillings wants and the other members of this House.

I was going to put an amendment on the bill this morning so that the consumers in the Bangor area could buy liquor at a reduced price as they do or are going to be able to do in the southern part of York County.

Now my suggestion to the House this morning is that you do not

vote for indefinite postponement. If you want to do the individuals that like to take a part in the beverage in moderation, or whatever the case may be, I would later on present a motion to table this for one day so that we could either put a raft of amendments on the bill to make it fair for everyone or we could let — someone that I know in the House stated to me the other day that we could put an amendment on for the whole state, which would probably save a lot of work in the document room.

So I ask the House not to vote for indefinite postponement. Let's be fair and equal about it. We perhaps made a mistake two years ago. I know I did in voting for the store down there in southern York County and I want to have an opportunity to make it fair for the people in Aroostook and Washington and the northern counties, Kennebec, Penobscot and Hancock and wherever else the state has these power stores.

I would suggest you vote against the gentleman's motion and then perhaps we could put a tabled motion in and put some real decent amendments on the bill.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Farley.

Mr. FARLEY: Mr. Speaker and Ladies and Gentlemen of the House: I would certainly like to concur with the gentleman from Bangor, Mr. Kelleher. I have some more information on this. Under the price system in the Kittery store, these people are going to do it anyway. I don't care where they come from the State of Maine, they will run up that tumpike and buy their liquor up there because the savings are that big. There is an amendment on there taking that 10 percent discount that the liquor licensees have now, and I think we can all envision that in the future with this happening that pretty soon we are going to have to build another warehouse up in Kittery just to take care of this thing, which has never added burden financially to the state. I would hope you would go against the motion to indefinitely postpone this thing.

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

Mr. KAUFFMAN: Mr. Speaker and Ladies and Gentlemen of the House: I believe the new store in Kittery is planning on ten employees to handle warehouse sales only. As far as my knowledge is at this particular moment, they will be open in the warehouse section until ten o'clock at night.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. LaCharite.

Mr. LaCHARITE: Mr. Speaker and Ladies and Gentlemen of the House: I have to speak as a citizen of Brunswick, who is up the coast who is not next to Kittery where a citizen from Brunswick may purchase his beverage at a lower price and I feel that just that alone, the Kittery store being able to sell at a lower price than the store in Brunswick or Bangor or Fort Kent or wherever is discriminatory. I am in favor of this bill that the wholesale price be lower than the lowest price in the state. But I also feel and concur with Mr. Kelleher from Bangor, that all prices throughout the state in the liquor stores should be the same.

Mr. Kelleher of Bangor 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 pending question is on the motion of the gentleman from Berwick, Mr. Stillings, that this Bill and all accompanying papers be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEAS — Baker, Berry, G. W.; Berry, P. P.; Birt, Bither, Brawn, Brown, Bunker, Carey, Chick,

Churchill, Cooney, Cottrell, Davis, Dow, Emery, D. F.; Evans, Farnham, Ferris, Finemore, Fraser, Gahagan, Good, Hamblen, Herrick, Hunter, Immonen, Jackson, Kauffman, Kelley, MacLeod, McCormick, Morton, Pratt, Rollins, Shaw, Shute, Smith, S.; Sproul, Stillings, Talbot, Tanguay, Trask, Walker, Webber, White, Willard, Wood, M. E.

NAYS — Ault, Berube, Binnette, Boudreau, Bragdon, Briggs, Bustin, Carter, Chonko, Clark, Conley, Connolly, Cote, Crommett, Curtis, T.S., Jr.; Dam, Donaghy, Drigotas, Farley, Farrington, Faucher, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hobbins, Huber, Jalbert, Kelleher, Kelley, R. P.; Keyte, Kilroy, Knight, LaCharite, LaPointe, Lawry, LeBlanc, Lewis, E.; Lewis, J.; Lynch, Martin, Maxwell, McHenry, McKernan, McNally, McTeague, Mills, Morin, L.; Mulkern, Murray, Najarian, Norris, O'Brien, Peterson, Pontbriand, Ricker, Rolde, Ross, Silverman, Smith, D. M.; Snowe, Strout, Susi, Theriault, Tierney.

ABSENT — Albert, Cameron, Carrier, Cressey, Curran, Deshaies, Dudley, Dunleavy, Dunn, Dyar, Fecteau, Flynn, Gansoe, Gauthier, Hancock, Haskell, Henley, Hoffses, Jacques, Littlefield, Maddox, Mahany, McMahon, Merrill, Morin, V.; Murchison, Palmer, Parks, Perkins, Santoro, Sheltra, Simpson, L. E.; Soulas, Trumbull, Tyndale, Wheeler, Whitzell.

Yes, 48; No, 65; Absent, 37.

The **SPEAKER**: Forty-eight having voted in the affirmative and sixty-five in the negative, with thirty-seven being absent, the motion does not prevail.

The Chair recognizes the gentleman from Biddeford, Mr. Farley.

Mr. **FARLEY**: Mr. Speaker, having voted on the prevailing side, I now move we reconsider our action and hope you all vote against me.

The **SPEAKER**: The gentleman from Biddeford, Mr. Farley, moves the House reconsider its action whereby it failed to indefinitely postpone this Bill. All in favor will say yes; those opposed will say no.

A viva voce vote being taken, the motion did not prevail.

Thereupon, the Bill was passed to be engrossed as amended and sent to the Senate.

Second Reader Tabled and Assigned

Bill "An Act Providing for Motor Vehicle Operator's License Classification" (S. P. 409) (L. D. 1211) (C. "A" S-201)

Was reported by the Committee on Bills in the Second Reading and read the second time.

(On motion of Mr. Martin of Eagle Lake, tabled pending passage to be engrossed and specially assigned for Monday, June 11.)

Bill "An Act to Adjust Certain Salary Provisions of State Officers and Officials" (H. P. 1581) (L. D. 2007).

Bill "An Act Increasing State, Maine Maritime Academy and Classified University of Maine Employees' Pay (H. P. 1580) (L. D. 2006).

Bill "An Act Relating to Forfeiture of All Property Used in Delivering Illegal Drugs" (H. P. 623) (L. D. 821) (C. "A" H-508).

Was reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed and sent to the Senate.

Second Reader Tabled and Assigned

Bill "An Act Giving Powers of Arrest to State House Security Officer" (H. P. 821) (L. D. 1058).

Was reported by the Committee on Bills in the Second Reading and read the second time.

The **SPEAKER**: The Chair recognizes the gentleman from Gardiner, Mr. Whitzell.

Mr. **WHITZELL**: Mr. Speaker, I would ask that this be tabled for one legislative day.

Mr. Simpson of Standish requested a vote.

The **SPEAKER**: The pending question is on the motion of the gentleman from Gardiner, Mr. Whitzell, that L. D. 1058 be tabled one legislative day. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken. 35 having voted in the affirmative and 62 having voted in the

negative, the motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Whitzell.

Mr. WHITZELL: Mr. Speaker and Members of the House: This bill is sponsored by a very good friend, Mr. Brown from Augusta. The reason I asked that the item be tabled is I was going to prepare an amendment to it, because the item deals specifically with—while the title of the bill says that it shall give powers of arrest to State House security officers, it has no provision in it for controlling firearms that these people might be carrying. Now, that I felt was the weakest part of the bill, and what I would like to do is have an opportunity to put an amendment on there that said if they were going to carry firearms, that they would be properly trained in the use of firearms.

I realize that — I was at the hearing and I listened to the bill. The committee report was not a unanimous report, and it is a question that probably arose that gave doubt to those people who signed the “ought not to pass” report was the fact that these people, if not trained in carrying firearms, are probably more dangerous than they are a help.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Brown.

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: This is a relatively simple bill for a complicated series of problems involving the City of Augusta and the State House or the State House complex or state property around the community.

There are any number of problems, some of them rather serious and some of them not. I might give you an example, they can sit over there in that monitor in the office building and see kids ransacking cars, taking cars, and everything else, and they have no way of stopping this or prohibiting it. When I got involved in this at the first of the session, I felt we could do something really constructive, and then it got so complicated I just backed up and put this gem in here.

Now, I think the thing which bothers the gentleman from Gardiner and the gentleman from Bangor over here is some of these men are not properly trained — they feel they are not properly trained, and they are hesitant to give them the powers of making arrest if they are going to be carrying sidearms. I don't know that they are carrying sidearms or are going to be carrying them. On the other hand, it is very likely that they would.

Talking with Mr LaCasse, who is in the superintendents office or he may be the superintendent, I don't want to be critical of him or anything else, but he is certainly over there in the Bureau of Public Improvement, he advised me that these people or at least one or two are having state police training. I think that is what training they are getting for police work is at the state police, with the state police or at the academy. That being the case, if they are, then the bill satisfies me. I am not this concerned about the carrying of sidearms. I certainly want them trained, I want them to know how to use sidearms, and I can't believe for a minute that we are going to be having people around here wearing sidearms that aren't going to be properly trained to handle them.

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

Mr. MCKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: I signed the “ought not to pass” report on this for the very reason that Mr. Whitzell mentioned. I would be all in favor of this bill if there were some provision to insure that the people who had these powers of arrest were going to be properly trained. And if it is proper, I would like to move that this be tabled for two legislative days.

The SPEAKER: The gentleman man not debate his motion.

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

Mr. MARTIN: Mr. Speaker, I move this item lay on the table one legislative day.

Mr. Simpson of Standish requested a vote.

The SPEAKER: The pending question is on the motion of the gentleman from Eagle Lake, Mr. Martin, that L. D. 1058 lie on the table one legislative day. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

47 having voted in the affirmative and 55 having voted in the negative, the motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Whitzell.

Mr. WHITZELL: Mr. Speaker and Members of the House: In that case I would move indefinite postponement of this bill and hope that we would reintroduce the bill in the special session and give not only arrest powers but some training to those people who are going to use sidearms.

As you know, we did talk about gun legislation this session. But I think when we are talking about someone who is enforcing the laws who has that sidearm strapped to his side, there are relative dangers to the people who are possibly creating no more than a minor disturbance in Capitol Park, and I wouldn't want to see someone committing such a simple crime to be gunned down by possibly someone who didn't use the best judgment.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Theriault.

Mr. THEREAULT: Mr. Speaker and Members of the House: I know the chief of security here. He is a former chief of police in Lewiston. I know very well that Mr. Farrin would never leave any of his men go out with sidearms unless they were properly trained to use those sidearms.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Carrier.

Mr. CARRIER: Mr. Speaker and Members of the House: I think this is a very important bill and a good one. I don't think that the bill — there is nothing mentioned here about them using sidearms. I would even at times question if

it is necessary for them to have any sidearms.

The main purpose of this thing here is the power of arrest. We considered in committee different alternatives to this bill. As a matter of fact, we considered probably the part of making them constables for the City of Augusta. This was not totally rejected, because we came out finally with what we have here, and we think this is a good bill. I don't think that you have to leave it a little bit to the discretion of whoever hires that it would seem to me they would really look back into their character and past experience before they hire them as security guards.

Therefore, I hope that you vote against the indefinite postponement, because this bill is actually trying to take care of situations which we have surrounding us here and especially at night time.

As it was said before, some of the guards at present can be out there seeing somebody steal something, and they just can't do anything about it. I think they should be able to do something about it, and this bill would just give them the very extremely limited powers. I hope you move against the motion to indefinitely postpone.

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

Mr. HENLEY: Mr. Speaker, Ladies and Gentlemen of the House: I want to briefly approve of the statement of my friend, Mr. Carrier, of Westbrook. I will not add much to it except the fact that we have already given the same authority to the University of Maine police. I see no reason why we shouldn't consider this Capitol area just as important. I feel that because of the largeness of the area that they certainly should have that right, and I think we have got to put some trust in the chief of security, as my good friend from Rumford stated. They ought to be able to put faith enough in them so that they are going to have people they can trust.

We had quite a bit of debate on this, and there was a bit of

pro and con thrown back and forth. But to me, I really thought that they would have had power of arrest, but they did not. So I feel that you should in all conscience oppose the indefinite postponement and vote for this bill.

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

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of the House: I think it is high time that we should have some protection here for a lot of the help who are working in the office building. I have been told that many cars have been pilfered, and it is uncalled for. If we are going to have a hangup here because an officer isn't going to have a gun, let's give him a big club and let him go out with it and let him crown somebody.

So I sincerely believe that we should not indefinitely postpone this bill, I think it is a very much needed bill. It might be your car that might be opened up someday, you might have some valuables gone, then you would cry. So let's give all the protection we possibly can due to the fact that -- it is unfortunate that was not included in the bill, but let's not indefinitely postpone this bill.

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Whitzell.

Mr. WHITZELL: Mr. Speaker, I will withdraw the motion to indefinitely postpone, and we will take care of it in the other body.

Thereupon, the Bill was passed to be engrossed as amended and sent to the Senate.

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

Mr. KELLEHER: Mr. Speaker, on page 4, item 1, Bill "An Act Relating to Liquor Purchased from State Liquor Stores" (S. P. 387) (L. D. 1133), I move the House reconsider its action whereby this Bill was passed to be engrossed.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, moves the House reconsider its action whereby L. D. 1133 was passed to be engrossed. All in favor of that

motion will say yes; those opposed will say no.

A viva voce vote being taken, the motion did not prevail.

Bill "An Act Prohibiting Liquor Advertising" (H. P. 1577) (L. D. 2005)

Was reported by the Committee on Bills in the Second Reading and read a second time.

The SPEAKER: The Chair recognizes the gentleman from Berwick, Mr. Stillings.

Mr. STILLINGS: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Hampden, Mr. Farnham, earlier this morning requested that perhaps we might let this bill go on to the Senate, and I suggested to him that I should defend the committee's unanimous "ought not to pass" report as I did the previous bill, and I would say that he is probably in pretty good shape as long as I am the one who is defending it. My track record isn't so good this morning or yesterday, for that matter.

I would like to suggest, though, that this bill that prohibits liquor advertising is perhaps not appropriate in Maine. Maine geographically is on the tail end of everything. We unfortunately, do not exist in a vacuum. Half of our population or approximately half of it is served by and exposed to out-of-state newspapers, radio, television and so on. Seems to me that a bill prohibiting this kind of advertising also penalizes our small business which I am not sure we really want to do.

If we are concerned about liquor advertising and the impact it has on our people, I think we should try to educate our young people about alcohol, its use and abuse, through our existing and social institutions, the home, the church, the school. The role of these institutions should be to instill a sense of values into our people, both young and old, to make a judgment for themselves as to the use of alcohol.

I would guess that prohibiting liquor advertising would not reduce consumption of alcohol in Maine one iota, and I would move that

this bill and all its accompanying papers be indefinitely postponed.

The SPEAKER: The gentleman from Berwick, Mr. Stillings moves that L. D. 2005 and all accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Hampden, Mr. Farnham.

Mr. FARNHAM: Mr. Speaker, Ladies and Gentlemen of the House: Actually I rise to object to the motion of the gentleman from the southern part of the state, Mr. Stillings.

I would remind you that the committee report, the "ought not" report, is not the bill that is before you. The bill in new draft had no "ought not" signers on it. It was all signed "ought to pass." Admittedly, there were only four or five. There was a little game being played between the old bill and the new bill. I am quite fortunate probably to even get it out with the game that was going on.

Seems though everytime some problem comes up dealing with sales tax or any of those items, we have to go back to the border with New Hampshire and possibly the border with Quebec and New Brunswick. Certainly, the radio and TV on the other side of the line will be doing some advertising. But I told you yesterday, and I think you will all agree, that you don't see hard liquor advertising on TV, whether it is from Boston, New York or Maine. You do see advertising of beer, but you do not see anyone drinking the beer. I am sorry I can't say much about radio, because the only time I listen to the radio is when I am in my car traveling. True, in Kittery they are going to get a lot of newspapers from Portsmouth which will have some liquor advertising, not too much, because they only hit the holidays and Christmastime with their liquor advertising.

So, I would urge you to stand by your vote of yesterday, and let this bill proceed to the Senate and give that body a chance to look it over.

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Dyar.

Mr. DYAR: Mr. Speaker and Members of the House: I would like to pose a question through the chair to anyone who might answer. When my Playboy magazine comes in the mail, will the centerfold be intact and will they clip out all the liquor ads?

The SPEAKER: The gentleman from Strong, Mr. Dyar, poses a question through the chair to anyone who may answer if he or she wishes.

The Chair recognizes the gentleman from Hampden, Mr. Farnham.

Mr. FARNHAM: Mr. Speaker and Members of the House: The State of Maine cannot control the advertising in out-of-state papers or magazines. I am sure that the center section of Playboy doesn't have a bottle on it, it usually has a very charming young lady without too much clothing on.

Mr. Finemore of Bridgewater 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 pending question is on the motion of the gentleman from Berwick, Mr. Stillings, to indefinitely postpone L. D. 2005 and all accompanying papers. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Berube, Birt, Brown, Carey, Chonko, Cote, Cottrell, Donaghy, Dow, Drigotas, Dyar, Farley, Farrington, Ferris, Genest, Hamblen, Herrick, Hobbins, Hoffses, Jackson, Jacques, Jalbert, Kauffman, Kelleher, Keyte, Knight, LaCharite, LeBlanc, Lynch, MacLeod, Maxwell, McCormick, McHenry, McKernan, Morton, Najarian, Norris, O'Brien,

Pontbriand, Pratt, Ricker, Rolde, Ross, Simpson, L. E.; Snowe, Soulas, Sproul, Stillings, Tanguay, Trask.

NAY — Ault, Baker, Berry, G. W.; Berry, P. P.; Binnette, Bither, Boudreau, Bragdon, B r a w n , Briggs, Bunker, Bustin, Carter, Chick, Clark, Conley, Connolly, Cooney, Crommett, Curtis, T. S., Jr.; Dunn, Emery, D. F.; Evans, Farnham, F a u c h e r , Finemore, Fraser, Gahagan, Garsoe, Good, Goodwin, K.; Greenlaw, Henley, Huber, Hunter, Immonen, Kelley, Kelley, R. P.; LaPointe, Lawry, Lewis, E.; Lewis, J.; Mahany, Martin, McNally, McTeague, Mills, Morin, L.; Mulkern, M u r r a y , Parks, Peterson, Rollins, Shaw, Shute, Silverman, Strout, Susi, Talbot, Theriault, Tierney, Walker, Webber, White, Willard, Wood, M. E.

ABSENT — Albert, Cameron, Carrier, Churchill, Cressey, Curran, Dam, Davis, D e s h a i e s , Dudley, Dunleavy, Fecteau, Flynn, Gauthier, Goodwin, H.; Hancock, Haskell, Kilroy, Littlefield, Maddox, McMahon, Merrill, Morin, V.; Murchison, Palmer, P e r k i n s , Santoro, Sheltra, Smith, D. M.; Smith, S.; Trumbull, Tyndale, Wheeler, Whitzell.

Yes, 50; No, 66; Absent, 34.

The **SPEAKER**: Fifty having voted in the affirmative and sixty-six having voted in the negative, with thirty-four being absent, the motion does not prevail.

Thereupon, the Bill was passed to be engrossed and sent to the Senate.

**Second Reader
Tabled and Assigned**

Bill "An Act to Provide Elected District Attorneys" (S. P. 474) (L. D. 1569) (C. "A" S-183).

Was reported by the Committee on Bills in the Second Reading and read a second time.

On motion of Mr. Simpson of Standish, tabled pending passage to be engrossed and specially assigned for Tuesday, June 12.

**Second Reader
Tabled and Assigned**

Bill "An Act Providing Full-time Prosecuting Attorneys and Public

Defenders" (H. P. 1380) (L. D. 1861) (C. "A" H-484).

Was reported by the Committee on Bills in the Second Reading and read a second time.

On motion of Mr. Simpson of Standish, tabled pending passage to be engrossed and specially assigned for Tuesday, June 12.

Passed to be Enacted

An Act Relating to Educational Assistance for Widows, Wives and Children of Veterans and Wives and Children of Prisoners of War (H. P. 404) (L. D. 533).

An Act Relating to Educational Benefits for Dependents of Veterans and Prisoners of War and Missing in Action (H. P. 522) (L. D. 704).

An Act Relating to Definition of Hotel under Labor Laws (H. P. 744) (L. D. 957)

An Act to Provide Additional Requirements for Investigation of Railroad Company Accidents by the Public Utilities Commission. (H. P. 1540) (L. D. 1970)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, signed by the Speaker and sent to the Senate.

Enactor

Tabled and Assigned

An Act Relating to Possession of Marijuana, Peyote or Mescaline. (H. P. 1553) (L. D. 1986).

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Mr. Simpson of Standish, tabled pending passage to be enacted and specially assigned for Monday, June 11.

An Act Relating to the Practice of Nursing. (H. P. 1555) (L. D. 1988).

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, signed by the Speaker and sent to the Senate.

An Act to Provide Penalties for Sale of Counterfeit Substances which are not Drugs. (H. P. 1556) (L. D. 1989).

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

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

Mr. LaPOINTE: Mr. Speaker and Ladies and Gentlemen of the House: Could I ask a question on this particular bill before it is enacted. Would any member of the Judiciary Committee please be in a position to answer the following question: If a person purchased one of these so-called counterfeit substances as defined in L.D. 1989, would he be at fault with the law.

The SPEAKER: The gentleman from Portland, Mr. LaPointe, poses a question through the Chair to anyone who may answer if he or she wishes.

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

Mr. HENLEY: Mr. Speaker and Members of the House: In answer to the gentleman's question, I don't believe so, but if there is anyone else who really knows on it, my friend Mr. Perkins is not here. This came as a surprise. I haven't got the bill out or anything so possibly Mr. McKernan can answer it.

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

Mr. MCKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: I think if you take a look at the bill, it only deals with sale. It has no bearing whatsoever on possession or on buying.

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

Mr. LaPOINTE: Mr. Speaker, Ladies and Gentlemen of the House: I think it is a good consumer measure, and I move its enactment.

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

An Act Relating to Penalty for Criminal Trespass in Buildings. (H. P. 1558) (L. D. 1991).

An Act Relating to Veterans Preference in State Employment. (H. P. 1560) (L. D. 1993).

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, signed by the Speaker and sent to the Senate.

Orders of the Day

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

Bill "An Act to Reform the Methods of Computing Benefit Payments under Workmen's Compensation Act" (S. P. 427) (L. D. 1287) (C. "A" S-177).

Tabled — June 6, by Mr. Trumbull of Fryeburg.

Pending — Adoption of Senate Amendment "A" (S-207).

Thereupon, Senate Amendment "A" was adopted and the Bill assigned for second reading the next legislative day.

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

Bill "An Act Appropriating Funds for Public Housing Authorities for Operating Subsidies" (H. P. 1365) (L. D. 1821).

Tabled — June 6, by Mr. Simpson of Standish.

Pending — Motion by Mr. Curtis of Orono to Accept the Majority "Ought to pass" report.

Thereupon, the Majority "Ought to pass" Report was accepted, the Bill read once and assigned for second reading the next legislative day.

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

Bill "An Act to Increase Benefits and Reduce Waiting Period Under Workmen's Compensation" (H. P. 618) (L. D. 816) (C. "A" H-463).

Tabled — June 6, by Mr. McTeague of Brunswick.

Pending — Acceptance of the Committee Report, "Ought to pass."

On motion of Mr. Martin of Eagle Lake, tabled pending acceptance of the Committee Report and specially assigned for Tuesday, June 12.

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

Bill "An Act Relating to Medical Treatment of Persons at State Operated Facilities" (H. P. 1527) (L. D. 1957).

Tabled — June 6, by Mr. Simpson of Standish.

Pending — Passage to be Engrossed.

On motion of Mr. Simpson of Standish, tabled pending passage to be engrossed and specially assigned for Tuesday, June 12.

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

Bill "An Act Relating to Applicability of Workmen's Compensation Law to Employers" (S. P. 618) (L. D. 1934).

Tabled — June 7, by Mr. McTeague of Brunswick.

Pending — Passage to be enacted.

On motion of Mr. Garsoe of Cumberland, tabled pending passage to be enacted and specially assigned for Monday, June 11.

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

Bill "An Act Relating to Service Retirement of State Mental Institution Employees" (H. P. 181) (L. D. 223) (H. "A" H-522).

Tabled — June 7, by Mr. Simpson of Standish.

Pending — Passage to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Sproul.

Mr. SPROUL: Mr. Speaker, Ladies and Gentlemen of the House: As you know, I have some problems with this bill. I see the sponsor is over here. I don't know, he may wish to have it tabled, but I don't see any amendment on the desks this morning, and I hadn't see the sponsor when I got up. I was going to make a motion for indefinite postponement of this bill, and I will so move. I guess that still leaves it open for him for a motion if he so desires.

The SPEAKER: The gentleman from Augusta, Mr. Sproul, moves the indefinite postponement of L. D. 223 and all accompanying papers.

The Chair recognizes the gentleman from Bangor, Mr. Soulas.

Mr. SOULAS: Mr. Speaker, Ladies and Gentlemen of the

House: The major objection the gentleman from Augusta, Mr. Sproul, has is the amount of money involved. I have been over in the office of the retirement personnel, the man in charge of this, and he assures me by Monday or Tuesday he will have a definite figure on the amount of money which is involved. For that reason I hope somebody will table this for a couple more days.

On motion of Mr. Simpson of Standish, tabled pending passage to be engrossed and specially assigned for Monday, June 11.

The Chair laid before the House the following matter: Bill "An Act Providing Pensions for Former Governors and their Widows." (L. D. 1077) which was tabled earlier in the day and later today assigned:

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Haskell.

Mr. HASKELL: Mr. Speaker, Ladies and Gentlemen of the House: This material was given to me this morning about five minutes before the session opened. I discussed it with the clerk, and my understanding and her — my understanding now is that the series of motions that we have made leaves the bill entirely consistent with the action of the House.

I regret I was not able to answer Mr. Finemore's question which he asked regarding the rate, but the rate was 3-8; and in any case, the bill is now in exactly the position that it was in regarding the intent of this body after the series of amendments and the material was entirely consistent with the action of the House. So I now move that it be passed to be engrossed as amended by Senate Amendment "C".

Thereupon, the Bill was passed to be engrossed as amended and sent to the Senate.

The Chair laid before the House the following matter: Bill "An Act to Amend the Elderly Householders Tax Relief Act" (H. P. 1265) (L. D. 1641) which was tabled earlier in the day and later today assigned.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Goodwin.

Mrs. GOODWIN: Mr. Speaker, Ladies and Gentlemen of the House: I apologize to Mr. Fine-moore for leaving him all alone holding the bag earlier this morning.

L. D. 1641, which is An Act to Amend the Elderly Householder Tax Relief Act is the result of recommendations from the 1972 Blaine House conference on aging and these recommendations which were gathered at five public hearings conducted by the Maine Committee on Aging around the state, in Augusta to Bangor, Caribou, Livermore Falls and Saco. These amendments have also been endorsed by the State Council of Older People.

Basically, what the bill does is as follows: We maintain the current level of appropriations at close to \$2.8 million a year. The formula is revised so that it more equitably reflects the true burden of taxes or rent based on ability to pay. It reduces the age of eligibility of men to age 62 to agree with that for women. As sponsor of ERA, I certainly cannot discriminate against men.

We broaden the eligibility to include those under age 62 who receive social security disability, and the committee amendment also includes people under the state retirement system who receive disability. We have raised the income limit from \$4,000 to \$5,000 for a couple to \$4,500 for a single person. We have eliminated the homestead from the asset limitation, and the asset limitation is now \$20,000 instead of \$30,000, but without the homestead included, we have increased the amount granted to those who rent.

Also, the committee amendment includes an emergency preamble. The reason for this is that the tax relief program goes into effect on August 1, and this legislation would not take effect until sometime in October.

The present formula, it is estimated which is now being implemented, would cost about \$2.19 million, which is in the Part I budg-

et. The cost of this program would be an additional \$501,000, not the \$826,000 which you see on the committee amendment. I hope to have an amendment prepared to change this. I think I know how the mistake was made. This program will actually cost \$100,000 less than was appropriated in 1972.

Also, if this legislature enacts any kind of tax reform which actually reduces taxes in the municipalities, the cost of this program would be reduced. The cost of the present program would not since it is tied directly to income.

Many of you may remember two years ago that property tax relief became a political football. It has been my intention this year to keep this from happening again, I think there are members of Republican leadership in both branches and on the Taxation Committee who can bear me out.

I hoped that earlier this morning Mr. Birt was speaking as an individual and not as a Republican leader. I think that the elderly were the losers last time. I think it is time we worked together. I don't think property tax relief should become a political issue. It had been my understanding up until yesterday that both parties were committed to this program, and I hope that you will live up to that commitment.

I would now ask that somebody table this for two legislative days so that an amendment can be prepared to reduce the price tag to \$500,000.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I think the comments that I made this morning were primarily in the form of a question as to just what the intent of the amendment was. It came across the desk, I didn't understand it, I kept it to find out what it was. I don't think I made any comments relative to the bill but generally speaking as to what was intended.

I think that probably most anybody would recognize when I am speaking in that position, I am speaking in my individual capacity

as a representative from East Millinocket.

On motion of Mr. Finemore of Bridgewater, tabled pending adoption of Committee Amendment "A" and specially assigned for Tuesday, June 12.

The Chair laid before the House the following matter:

Bill "An Act Revising the Motor Vehicle Dealer Licensing Law" (H. P. 478) (L. D. 629) which was tabled earlier in the day and later today assigned.

Mr. Wood of Brooks offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee Amendment "A" (H-532) was read by the Clerk and adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted and the Bill assigned for second reading the next legislative day.

Mr. Martin of Eagle Lake was granted unanimous consent to address the House.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I assume by this time that most of you have read the articles in the Bangor Daily News on the front page, written by John Day in reference to the caucus that was held yesterday afternoon by the Democrats — I should say yesterday morning — and also the reference to the so-called decriminalization of marijuana bills. Unfortunately, John isn't here, so I can rib him a little bit about it, because I would like to see him turn red in public, but I will do that later, I guess.

I do want to make two points, however, and I do want the members of the House to be aware of them. First of all, unfortunately, this is the first caucus that John has attended, Democratic caucus, and apparently is not too sure as to how we respond and how we operate, and I wanted to assure him that we are perfectly willing and open, and we don't try to hide anything, and that is exactly what was going on at that caucus. Unfortunately, however, I have feelings that he tried to say things

that did not take place. The gentleman from Brunswick and myself this morning were trying to remember when we were attacking one another in caucus, and we couldn't quite figure out when that took place. But there were a number of things that transpired, so it left me kind of high and dry.

Unfortunately what he did not read and did say in that article was the fact that there was an awful lot of interest, an awful lot of questions that were posed about legislative reform and an awful lot of concern expressed by members of the Democratic caucus. At no time was there an attempt by members of the caucus to say that we are not willing to discuss or willing to participate in legislative reform and that we were going to operate with that in mind and that it was the intent of the caucus and the intent of the leadership of that caucus to see to it that we were going to negotiate to see what best could be written into Legislation and into the Constitution of this state. Whatever took place in terms of people expressing their views, expressing their ideas as to what they felt were their concern were really legitimate and they had every right to do just that and it should have been interpreted that way by the reporter for the Bangor Daily News.

I am just waiting to see John on Monday to give him my reactions, which I suspect that the gentleman from Lewiston, Mr. Jalbert, would point out would be much more straightforward and direct than what I am using right now.

Mr. Goodwin of South Berwick presented the following joint order and moved its passage:

WHEREAS, athletic competition develops sound minds and bodies in girls as well as boys despite any feminine mystique to the contrary; and

WHEREAS, athletic teams from various parts of the State assembled on June 2nd at Orono for the first state-wide track and field meet for girls; and

WHEREAS, the girls of Marshwood High School at Eliot persevered against all obstacles to win

the first State Class A crown; now, therefore, be it

ORDERED, the Senate concurring, that the members of the House of Representatives and Senate of the 106th Legislature of the great and sovereign State of Maine salute the members and coach of Marshwood High School track and field team on their outstanding honor and accomplishment in the field of sports and offer the best wishes of a proud Legislature to our new state champions; and be it further

ORDERED, that a suitable copy of this Order be transmitted forthwith to coach Rowell and principal Botka of Marshwood High School in honor of the occasion. (H. P. 1593)

The Order was read and passed and sent up for concurrence.

(Off Record Remarks)

On motion of M. Birt of East Millinocket,

Adjourned until Monday, June 11, at ten o'clock in the morning.