

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

SENATE

Friday, June 29, 1973

Senate called to order by the President.

Prayer by the Honorable Robert W. Clifford of Lewiston.

Reading of the Journal of yesterday.

**Papers From the House
Joint Order**

WHEREAS, the Legislature has enacted legislation equalizing the financial support of school units; and

WHEREAS, future costs and means of funding such legislation are uncertain and yet to be determined; and

WHEREAS, the total impact of construction and transportation under the Act, when determined, may prove to be unduly burdensome to the taxpayer; now, therefore, be it

ORDERED, the Senate concurring, that subcommittees of the Joint Standing Committees on Appropriations and Financial Affairs, Education and Taxation be formed and authorized to study the overall cost of the Act Equalizing the Financial Support of School Units as recently enacted under chapter 556 of the public laws of 1973 to determine and project as near as possible the overall long-range costs of the Act and to what extent, if any, the high costs of construction and transportation will burden the taxpayer; and be it further

ORDERED, that the Departments of Educational and Cultural Service, Taxation, Finance and Administration and such other departments and agencies as may be determined by the Committees, be authorized and respectfully directed to provide the Committees with such information, technical advice and assistance as the Committees deem necessary to carry out the purposes of this Order; and be it further

ORDERED, that said Joint Standing Committees report the findings and recommendations with any implementing legislation of their subcommittees to the next special or regular session of the Legislature; and be it further

ORDERED, that upon passage of this Order, in concurrence, that copies of this Order be transmitted forthwith to said agencies specified herein as notice of the pending study. (H. P. 1647)

Comes from the House, Read and Passed.

Which was Read.

On motion by Mr. Berry of Cumberland, placed on the Special Legislative Research Table.

Communications

State of Maine
House of Representatives
Augusta, Maine 04330

June 28, 1973

Hon. Harry N. Starbranch
Secretary of the Senate
106th Legislature

Dear Mr. Secretary:

The House voted to Insist and Join in a Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, "An Act Relating to Joint Standing Committees of the Legislature" (S. P. 560) (L. D. 1731)

Respectfully,

E. LOUISE LINCOLN, CLERK
House of Representatives

Which was Read and Ordered
Placed on File.

Orders of the Day

On motion by Mr. Berry of Cumberland,

Recessed, pending the sound of the bell.

After Recess

Called to order by the President.

Mr. Berry of Cumberland moved that the Senate reconsider its previous action whereby Bill, An Act Increasing the Gasoline Tax, (H. P. 647) (L. D. 863) Failed of Enactment.

On further motion by the same Senator, tabled, pending the motion to Reconsider.

Order

Out of order and under suspension of the rules, on motion by Mr. Berry of Cumberland,

WHEREAS, happiness in marriage is like zero in number; its importance depends on the figure it is united with; and

WHEREAS, the Secretary of the Senate being of great value himself has united with an attractive figure of even greater worth; and

WHEREAS, the sum total of this union became so great that the services of a banker were necessary to compute the interests of happiness; now, therefore, be it

ORDERED, that We, the Members of the Senate of the 106th Legislature of this great and sovereign State of Maine, pause in our deliberations to honor our Secretary of the Senate, Harry N. Starbranch and his beloved wife, Diana, and wish them every best wish for a long and happy life; and be it further

ORDERED, that a suitable copy of this Order be prepared and presented to this honored couple with our hopes and blessing that stars will branch from this joyful galaxy.

Which was Read.

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

Mr. TANOUS: Mr. President and Members of the Senate: Before the acceptance of this order, I have a little message myself:

I'd ask a question through the Chair

Who's been cutting Harry's hair

Could it be a lady fair - that he has taken for his own?

We never thought that he would do it

'Til the end, and we were through it

Though adjournment isn't due yet - now he's not alone

There was a fellow named Harry

Who vowed he would never remarry

But lo and behold

We are now being told

That his motion didn't carry.

The PRESIDENT: Is it now the pleasure of the Senate that this order receive passage?

It is a vote.

On motion by Mr. Berry of Cumberland, recessed until 2:00 o'clock this afternoon.

After Recess

Called to order by the President.

Papers from the House

Out of order and under suspension of the rules, the Senate voted to take up the following:

Non-concurrent Matter

RESOLUTION, Proposing Amendments to the Constitution to Provide for Annual Sessions of the Legislature and to Limit the Matters Which May be Considered in the Second Regular Session; to Provide for Single Member Districts in the House of Representatives, to Provide for Reduction of the Number of Representatives and Reapportionment of the House of Representatives and the Senate in 1983; to Establish the Apportionment Commission to Plan for all Reapportionments of the House of Representatives and Senate; to Abolish the Executive Council and Reassign Certain Constitutional Powers to a Legislative Council, and to Provide that Oaths and Subscriptions of Office of the Governor, Representatives and Senators shall be taken before the Chief Justice of the Supreme Judicial Court. (S. P. 673) (L. D. 2040)

In the Senate June 28, 1973, Passed to be Engrossed as Amended by House Amendment "E" (H-600) and Senate Amendment "B" (S-272).

Comes from the House, Passed to be Engrossed as Amended by Senate Amendment "B" (S-272) Senate Amendments "E" (H-600) and "F" (H-615), in non-concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to Recede and Concur.

Thereupon, under suspension of the rules, sent forthwith to the Engrossing Department.

Joint Order

Out of Order and under suspension of the rules, on motion by Mr. Berry of Cumberland.

WHEREAS, the university-wide services of the University of Maine were devised with opportunity for more efficient uses of physical plants, faculty, services and administration by consolidation; and

WHEREAS, in three years of merger, the administration at the University of Maine Portland-

Gorham has increased 60 per cent while student population and faculty only rose 14 per cent and 8 per cent respectively; and

WHEREAS, in contrast to original design; 90 percent of each educational dollar is spent on salaries while at the same time classes are being cancelled and faculty are routinely absent 20 per cent of the time; and

WHEREAS, there is growing evidence of faculty curriculum, unearned grades, poor supervision and minimum work at the Portland-Gorham, all of which is of great concern to the Legislature; now, therefore, be it

ORDERED, the House concurring, that the Legislature Research Committee be authorized and directed to conduct full inquiry into the management, curriculum and conduct of higher education provided at the University of Maine at Portland - Gorham and be it further

ORDERED, that the Board of Trustees of the University of Maine and the Department of Educational and Cultural Services and such other departments and agencies as may be determined by the committee, be authorized and respectfully directed to provide the committee with such information, technical advice and assistance as the committee deems necessary to carry out the purposes of this Order; and be it further

ORDERED, that the Legislative Research Committee report its findings, along with any implementing legislation, to the next special or regular session of the Legislature; and be it further

ORDERED, that upon passage of this Order, in concurrence, that copies of this Order be transmitted forthwith to said board and agencies specified herein as notice of the pending study. (S. P. 699)

Which was Read.

On further motion by Mr. Berry of Cumberland, placed on the Special Legislative Research Table.

(Senate at Ease)

Called to order by the President.

Papers from the House

Out of order and under suspension of the Rules, the Senate voted

to take up the following communications.

June 29, 1973

Hon. Harry N. Starbranch
Secretary of the Senate
106th Legislature

Dear Mr. Secretary:

The Speaker of the House appointed the following conferees on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Joint Standing Committees of the Legislature" (S. P. 560) (L. D. 1731):

Mr. HEWES of Cape Elizabeth

Mr. SIMPSON of Standish

Mr. MARTIN of Eagle Lake

Respectfully,

E. LOUIS LINCOLN, CLERK
House of Representatives

Which was Read and Ordered
Placed on File.

Orders

On motion by Mr. Clifford of Androscoggin,

WHEREAS, during the fiscal year ending June 30, 1972, the Bureau of Alcoholic Beverages had grown to the point where it was authorized to employ 347 employees, and

WHEREAS, the cost of goods sold during that fiscal year amounted to \$23,042,644; and

WHEREAS, added selling and administrative expenses amounting to \$3,206,728, including \$2,399,900 for salaries and wages and \$185,380 in retirement benefits were entailed, and

WHEREAS, \$19,218,651 was returned to the General Fund as net profit; and

WHEREAS, it seems highly probable that such net profit could have been substantially higher had more sophisticated operating procedures been employed; and

WHEREAS, the price of liquor to consumers may be high and the brand selection limited in comparison with neighboring states; and

WHEREAS, it seems reasonable that under a free enterprise system of private liquor sales there would be many benefits to the consumer and the State; now, therefore, be it

ORDERED, the House concurring, that the Legislative Research Committee is authorized and

directed to study the operations of and procedures employed by the Bureau of Alcoholic Beverages and analyze the possible effects of establishing private outlets for liquor sales to determine whether the present state system or a free enterprise system would best serve the interests of the citizens of the State; and be it further

ORDERED, that the Department of Finance and Administration and such other departments and agencies as may be determined by the committee, be authorized and respectfully directed to provide the committee with such information, technical advice and assistance as the committee deems necessary to carry out the purposes of this Order; and be it further

ORDERED, that the Legislative Research Committee report its findings, along with any implementing legislation, to the next special or regular session of the Legislature; and be it further

ORDERED, that upon passage of this Order, in concurrence, that copies of this Order be transmitted forthwith to said agencies specified herein as notice of the pending study. (S. P. 698)

Which was Read.

On motion by Mr. Berry of Cumberland, placed on the Special Legislative Research Table.

Papers from the House Non-concurrent Matter

Bill, "An Act to Organize the Unorganized and Deorganized Territories of the State and to Provide for Management of the Public Reserved Lands." (H. P. 1382) (L. D. 1812)

In the Senate June 28, 1973 Passed to be Engrossed as Amended by Senate Amendment "A" (S-269)

Comes from the House, Passed to be Engrossed as Amended by Senate Amendment "A", as Amended by House Amendment "A" Thereto, (H-613), in non-concurrence.

On motion by Mr. Richardson of Cumberland, the Senate voted to Recede to Concur.

Under suspension of the rules, sent forthwith to the Engrossing Department.

Joint Order

WHEREAS, on June 22, 1973, Kermit S. Nickerson, Deputy Commissioner of the Maine State Department of Educational and Cultural Services retired from office after forty-seven years of service to Maine education; and

WHEREAS, Dr. Nickerson served as a teacher, a principal and a superintendent of schools in Maine before joining the department twenty years ago and gained the respect and admiration of countless students and teachers while promoting and exemplifying the highest ideals of public education in a democratic society; and

WHEREAS, his twenty years in the department have included important periods of service as the State's Commissioner of Education when, as was true throughout his career, he encouraged improvement, provided leadership and ensured stability; and

WHEREAS, through membership in many professional national educational organizations and through authorship of books, pamphlets, articles and memoranda he has continually represented the State of Maine's public education programs in the finest manner possible

WHEREAS, his thorough and unflinching knowledge of all laws, procedures, policies and, most important, history related to Maine education, and his calm, courteous and comprehensive manner of impounding this knowledge to others has been of immeasurable benefit to Members of the Legislature, among others; now, therefore, be it

ORDERED, the Senate concurring, that We, the Members of the Senate and House of Representatives of the One Hundred and Sixth Legislature of the State of Maine, now assembled, pause in our deliberations to salute Dr. Kermit S. Nickerson who is entering retirement after a long and dedicated life of service and accomplishment and to express our hope that this merited recognition and earned applause will endure through the years to come; and be it further

ORDERED, that a copy of this Order signed by the Speaker of the House of Representatives and

the President of the Senate with the great seal of the State of Maine attached, be presented to our retiring friend in honor of the occasion. (H. P. 1648)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

Joint Order

WHEREAS, countless policy decisions are made in the course of educating students 7 to 17 years of age; and

WHEREAS, the present system of education during such ages is mandatory and preformed leaving little room for student input; and

WHEREAS, students of junior and senior high school levels are capable, if given the opportunity, of playing a greater role in such policy-making decisions and self-government; now, therefore, be it

ORDERED, that the State Department of Educational and Cultural Services is respectfully requested to provide the committee with such technical advice and other assistance as the committee deems necessary and desirable; and be it further

ORDERED, that the committee report its findings and suggestions to the next regular session of the Legislature; and be it further

ORDERED, that said Department of Educational and Cultural Services be notified accordingly upon passage of this directive. (H. P. 1643)

Comes from the House, Read and Passed as Amended by House Amendments "A" (H-610) and "B" (H-611).

Which was Read.

On motion by Mr. Berry of Cumberland, placed on the Special Legislative Research Table.

Committee Reports House Divided Reports

The Majority of the Committee on Taxation on, Bill, "An Act to Provide a Maine Homestead Property Tax Exemption Law." (H. P. 1468) (L. D. 1894)

The Majority of the Committee on Taxation on, Bill, "An Act to Provide a Maine Homestead

Property Tax Exemption Law." (H. P. 1468) (L. D. 1894)

Reports that the same Ought Not to Pass.

Signed;

Senators:

WYMAN of Washington

COX of Penobscot

FORTIER of Oxford

Representatives:

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

The Minority of the same Committee on the same subject matter reports that the same Ought to Pass in New Draft under Same Title (H. P. 1588) (L. D. 2016)

Signed:

Representatives:

DOW of West Gardiner

MAXWELL of Jay

Comes from the House, the Minority report Read and Accepted and the Bill, in New Draft, Passed to be Engrossed as Amended by House Amendment "C" (H-612).

Which reports were Read.

Mr. Berry of Cumberland moved that the Bill and accompanying papers be Indefinitely Postponed.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Brennan.

Mr. BRENNAN: Mr. President and Members of the Senate: This bill, with the amendment that has been offered in the other body, would call for a \$2,000 homestead exemption, as far as \$2,000 in value is concerned. It would be designed only for Maine people, people who have lived in the state or have lived in that home for some period of six months. It would help most or all homeowners practically in this state. It would result in no loss whatsoever for the municipality. There would be no danger of the municipality consuming this money that they would ordinarily get for other expenditures of the town, city, and so forth.

It seems to me that this is tax relief that all of us have been talking about. I know many of us cam-

paid on tax relief promises of this nature, and I suppose the responsible question to ask is: "How is it going to be funded? With the amendment, it would cost approximately \$18 million. It could be funded by supporting the next bill on our agenda, which would result in an increase in the income tax in the State of Maine. However, that income tax increase would only affect those earning over \$15,000, and it wouldn't be a great deal until you get into the very, very high income brackets.

Personally, I think this is a very responsible method to give some tax relief to the local property owner. I would ask for a roll call.

The PRESIDENT: A roll call has been requested.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ: Mr. President, reluctantly, I oppose the passage of this bill. What it does, of course, is try to get some kind of a sense out of local assessing practices and full market value. A bill like this is going to come in for a lot of exciting debate perhaps in about four years when we get good assessing practices around the state. In the meantime, it is not an equitable bill, but it is a bill which would perpetuate inequities as they exist between communities, and within the communities between pieces of property. So I suggest that the 108th Legislature should come in with a homestead exemption after the so-called David Emery Bill has come in and we have had some good, sound, professional assessing practices all around the state for greater equity.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Fortier.

Mr. FORTIER: Mr. President and Members of the Senate: I am glad to be able to support my colleague, Senator Katz from Kennebec. This bill is a matter of \$9,600,000 per year, and there is no provision whatever that it is going to any needy people. The only requirement is that you have been in the state six months and that you are 65 years of age. I do not think that is sufficient reason for the state to spend \$9,600,000

while we still have families living on incomes of \$3,000 and \$4,000, people that are in need of medical and educational institutions, and all other types of institutions that need the money so badly. I hope you will vote against the bill.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Brennan.

Mr. BRENNAN: Mr. President and Members of the Senate: I am very reluctant to disagree with my good friend, the Senator from Oxford, Senator Fortier, but as I recall reading the Vesco Report as this being a possible vehicle to do something about tax relief, I think that report indicated that this would be most helpful to the elderly who are no longer earning the money they earned formerly. I think that report also indicated it may be most helpful to the poor, who obviously do not have the extra money to spend on high taxation. But just on the basis of that report, I don't consider this any frivolous idea.

I think, again, it has got to be taken in conjunction with the next bill, and we would have to face head-on an increase in the income tax. Again though, that income tax would focus in on those with the most ability to pay. It would only hit those in the income brackets above \$15,000. So, again, I hope you would vote against the motion to indefinitely postpone this bill.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY: Mr. President and Members of the Senate: Perhaps Senator Brennan has not read L. D. 1105, but the taxable income starts receiving his surcharge at \$2,000. And \$2,000 I think, by any standard, is a starvation wage. So this bill which Senator Brennan is such an exponent of would hit these poor people that he seems to be thinking will get home scot-free.

Also, L. D. 1894 has as its fiscal note: "It is estimated the first year will result in a loss of \$28,000,000 in tax revenue to the state." I think this is really stretching even campaign rhetoric a little bit too far to expound something like this.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Brennan.

Mr. BRENNAN: Mr. President and Members of the Senate: In regard to the homestead tax relief bill, there is an amendment that was adopted in the other body. That amendment reduces the cost of the bill from \$28 million to \$10 million, and that is what we are talking about here.

In regard to the next bill on the calendar, I would direct you to the statement of fact. Assuming that to be accurate, it says: "Taxable income \$15,000. Under the present rate, taxes \$430. Tax under this table, the new rate, \$430." Now, assuming the statement of fact and the figures placed in there to be accurate, there would be no increase for those with a taxable income of under \$15,000. Again, this tax proposal in the very next bill is based on the ability to pay principle, and I still think that is the most sound principle to use when we are considering taxation. But I would like to reiterate, the original bill has been amended from a \$5,000 exemption to a \$2,000 exemption, and consequently from \$28 million, which was recomputed to be \$24 million, and ultimately down to \$10 million, and that is what we are talking about.

The PRESIDENT: The pending question before the Senate is the motion of the Senator from Cumberland, Senator Berry, that Bill, "An Act to Provide a Maine Homestead Property Tax Exemption Law", be indefinitely postponed in non-concurrence. A roll call has been requested. Under the Constitution, in order for the Chair to order a roll call, it requires the affirmative vote of at least one-fifth of those Senators present and voting. Will all those Senators in favor of ordering a roll call please rise and remain standing until counted.

Obviously more than one-fifth having arisen, a roll call is ordered. The pending motion before the Senate is the motion of the Senator from Cumberland, Senator Berry, that Bill, "An Act to Provide a Maine Homestead Property Tax Exemption Law", Legislative Document 1894, be indefinitely

postponed in non-concurrence. A "Yes" vote will be in favor of indefinite postponement; a "No" vote will be opposed.

The Secretary will call the roll.

ROLL CALL

YEAS: Senators Berry, Cox, Fortier, Graffam, Hichens, Huber, Joly, Katz, Peabody, Roberts, Sewall, Shute, Wyman, MacLeod.

NAYS: Senators Aldrich, Brennan, Cianchette, Clifford, Conley, Cummings, Cyr, Danton, Kelley, Marcotte, Minkowsky, Morrrell, Richardson, Schulten, Speers, Tanous.

ABSENT: Senators Anderson, Greeley, Olfene.

A roll call was had. 14 Senators having voted in the affirmative, and 16 Senators having voted in the negative, with three Senators being absent, the motion did not prevail.

Mr. Katz of Kennebec then moved that the Senate Accept the Majority Ought Not to Pass Report of the Committee.

The PRESIDENT: The Senator has the floor.

Mr. KATZ: Mr. President, in the debate a moment ago perhaps I was completely inept in my presentation. What you are doing by accepting homestead exemption at this time, before the Emery Bill gets in our books, and it hasn't been enacted yet, and before it is implemented with professional assessing districts, is that you are piling another inequity on top of inequities that exist in our property tax law — not our law but in our practice. Right now there just simply is not equity in either tax abatements or tax forgiveness or, indeed, property taxation statewide. This so-called Emery Bill, which I hope we will be passing in the next day or two, will give us professional assessing practices, so when you give this homestead relief, you are giving it on a fair basis as between neighbors in the same town and between neighbors in different towns.

I really strongly urge you to withhold your approval of this Homestead Relief until we have a strong foundation on which to vote this relief, and we do not presently have it today. If you are in favor of exacerbating existing in-

equities, by all means barge forward, but otherwise, withhold your support for our Homestead program until we can do it in conscience.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Brennan.

Mr. BRENNAN: Mr. President and Members of the Senate: First, I would urge the Senate to be consistent and to vote against the acceptance of the Ought Not to Pass Report. In regard to the question raised by the good Senator from Kennebec, Senator Katz, I would say that under this chapter the state tax assessor has power to promulgate reasonable rules and regulations consistent with the purpose of this chapter to encourage the equitable, speedy and efficient administration of this chapter. So I would trust that would call for equitability. Again, I would urge the Senate to remain consistent and pass this bill.

The PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Cianchette.

Mr. CIANCHETTE: Mr. President and Members of the Senate: I would like to urge you to vote no on acceptance of the Ought Not to Pass Report. We talk about equity, and I don't think that we can find any tax in the State of Maine any more inequitable than the property tax laws now. To reduce homeowners taxes at this time can only decrease inequities and not increase inequities.

Certainly I am one who campaigned on property tax reform to shift the burden to those with the ability to pay. This is what we are talking about here now. We have done an outstanding job in this legislature by passing 1994. There are problems with it, and we could have waited for equal assessment districts, we could have waited for this, we could have waited for that, and we wouldn't have had 1994. Sure it is a little bit of a venture, but we took it, and I am proud, I am glad we did. Now we are talking about another one that is going to benefit and be more healthy for a business climate and industry in Maine. We are talking about, and I hope we are able to pass, a tax

package that will benefit industry here in the State of Maine. Good, here is a chance to do something for the homeowner, and to switch the burden from the people who don't necessarily have the ability to pay to those who do.

Let's not kid ourselves, we are talking about in this next bill a tax on people with taxable incomes in excess of \$15,000. That is what we are talking about. Let's complete the package. Let's do a good job in this legislature, and let's do more. As soon as we do these things, the sooner we will have assessment districts and sooner we will get the whole picture straightened out. I urge you to vote no.

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

Mr. KATZ: Mr. President and Members of the Senate: If the Senator from Cumberland, Senator Brennan, wanted to reassure the Senate as to the equity of this law that he proposes to be passed by reading that particular section that said that the State Department of Taxation has responsibility to pursue fairness, and so forth, within the community, anyone who feels that bureaucrats in Augusta can get into the internal taxation of a specific piece of property within any community in the State of Maine just is waving a red herring in front of your nose.

With respect to the comments of the Senator from Somerset, Senator Cianchette, everything that we have done so far this session has been to increase fairness in taxation, so that the guy who lives next door to you gets the same shake you do, and perhaps in between communities we will be able to say that we have already established equity. But to pass this, on top of a shaky foundation, just doesn't do what the proponents say it is going to do.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Brennan.

Mr. BRENNAN: Mr. President and Members of the Senate; I am somewhat baffled by the remarks of the good Senator from Kennebec, Senator Katz. It is my understanding that with the amendment we will do essentially

what we have done under his bill, and that is, in a sense, that you take the local tax rate and you make adjustments to the state valuation situation. So I am rather baffled that he is concerned with this one. I am amazed at his consistency.

The PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Cianchette.

Mr. CIANCHETTE: Mr. President and Members of the Senate: In a short rebuttal to the statement of the Senator from Kennebec, Senator Katz. You know, it seems that we like to think about an equitable tax as one that taxes someone else. Well I have an idea in this case that may not fit Senator Katz of Kennebec. Let's don't get all hung up on just taxing the other guy. Let's accept it ourselves once in a while.

The PRESIDENT: The pending question before the Senate is the motion of the Senator from Kennebec, Senator Katz, that the Senate accept the Majority Ought Not to Pass Report of the Committee on Bill, "An Act to Provide a Maine Homestead Property Tax Exemption Law". The Chair will order a division. As many Senators as are in favor of the motion to accept the Majority Ought Not to Pass Report of the Committee in non-concurrence will please rise and remain standing until counted. Those opposed will please rise and remain standing until counted.

A division was had. 15 Senators having voted in the affirmative, and 15 Senators having voted in the negative, the motion did not prevail.

Thereupon, the Minority Ought to Pass Report of the Committee was Accepted in concurrence and the Bill Read Once. House Amendment "C" was Read and Adopted. Under suspension of the rules, the Bill was given its Second Reading and the Bill, as Amended, Passed to be Engrossed in concurrence.

Under suspension of the rules, sent forthwith to the Engrossing Department.

Divided Report

The Majority of the Committee on Taxation on,

Bill, "An Act Revising the Rate Tables of Tax Imposed on the Income of Individuals." (H. P. 835) (L. D. 1105)

Reports that the same Ought Not to Pass.

Signed:

Senators:

WYMAN of Washington
COX of Penobscot
FORTIER of Oxford

Representatives:

SUSI of Pittsfield
FINEMORE

of Bridgewater
MERRILL of Bowdoinham
MAXWELL of Jay
DRIGOTAS of Auburn
COTTRELL of Portland
IMMONEN of West Paris
MORTON of Farmington

The Minority of the same committee on the same Subject reports that the same Ought to Pass.

Signed:

Representatives:

DOW of West Gardiner
DAM of Skowhegan

Comes from the House, the Minority report Read and Accepted and the Bill Passed to be Engrossed.

Which reports were Read.

On motion by Mr. Brennan of Cumberland, the Minority Ought to Pass Report of the Committee was Accepted in concurrence and the Bill Read Once. Under suspension of the rules, the Bill was given its Second Reading and Passed to be Engrossed in concurrence.

Thereupon, under further suspension of the rules, sent forthwith to the Engrossing Department.

Enactors

The Committee on Engrossed Bills reports as truly and strictly engrossed the following constitutional amendment.

RESOLUTION, Proposing Amendments to the Constitution to Provide for Annual Sessions of the Legislature and to Limit the Matters Which May be Considered in the Second Regular Session; to Provide for Reduction of the Number of Representatives and Reapportionment of the House of Representatives and Senate in 1983; to Establish the Apportionment Commission to Plan for all Reappor-

tionments of the House of Representatives and Senate; to Abolish the Executive Council and Reassign Certain Constitutional Powers to Provide that Oaths and Subscriptions of Office of the Governor, Representatives and Senators shall be Taken before the Chief Justice of the Supreme Judicial Court. (S. P. 673) (L. D. 2040)

Comes from the House, Fails of Final Passage.

On motion by Mr. Berry of Cumberland, Tabled, pending Final Passage.

The PRESIDENT: There being no objection, on the record, the Chair would like to remark that a little earlier this afternoon the Speaker of the House told that body that all efforts had been made to adjourn the Legislature today but they were being held up and being objected to by the Senate.

I told the Speaker earlier that we could adjourn today, that we could adjourn 15 minutes after we were talking by preparing a joint adjournment order and having it accepted in both branches. I also told him that by doing a responsible job we could

not possibly adjourn today. There are 195 bills on the Legislative Appropriations Table pending final enactment. There are 26 bills on the Special Highway Appropriations Table. There are over 50 orders on the Special Legislative Research Table. For the Leadership not to consider these with any rationale, or any degree of priority, and not to weigh them, as they involve 71 millions of dollars and over 50 studies by special commissions and so forth, and to then make recommendations to this body, and hence to the House, as to what action to take would have been highly irresponsible, in my view.

The Senate has not delayed the adjournment of this Legislature. This Legislature would have been adjourned a week or two weeks ago if certain actions had been taken as they should have been taken in the other body. The Chair wanted to get that on the record.

On motion by Mr. Sewall of Penobscot,

Adjourned until Monday, July 2, 1973, at 10:00 o'clock in the morning.