

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh
Legislature*

OF THE

STATE OF MAINE

1975

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, April 8, 1975

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

Prayer by Father Donald Jacques of Gardiner.

The journal of yesterday was read and approved.

**Papers from the Senate
THE SENATE OF MAINE
AUGUSTA**

April 7, 1975

The Honorable Edwin H. Pert
Clerk of the House
107th Legislature
Augusta, Maine
Dear Mr. Pert:

The Senate voted today to Adhere to its action whereby it accepted the Majority Ought Not to Pass report on Resolve, Providing a Minimum Service Retirement Allowance under the State Retirement Law for Bertha Cargill Rogers. (H. P. 379) (L. D. 472).

Respectfully,

Signed:

HARRY N. STARBRANCH
Secretary of the Senate

The Communication was read and ordered placed on file.

From the Senate:

Bill "An Act to Establish a Zero Base Budget for the State" (S. P. 434) (L. D. 1426)

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

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

**Report of Committee
Leave to Withdraw**

Committee on Judiciary reporting Leave to Withdraw on Bill "An Act Appointing Three Additional at Large District Judges and Requiring them to be Residents of the Northern Part of the State" (S. P. 356) (L. D. 1161)

Came from the Senate read and accepted.

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

Non-Concurrent Matter

Bill "An Act Relating to Stray Cats" (H. P. 1119) (L. D. 1399) which was referred to the Committee on Legal Affairs in the House on March 24.

Came from the Senate referred to the Committee on Agriculture in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act for the Humane Treatment of Animals in Schools Public and Private" (H. P. 457) (L. D. 561) which was passed to be engrossed as amended by House Amendment "A" (H-119) in the House on April 3.

Came from the Senate passed to be engrossed as amended by House Amendment "A" (H-119) as amended by Senate Amendment "A" (S-48) thereto in non-concurrence.

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

Messages and Documents

The following Communication: (S. P. 445)

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE
04330

April 4, 1975

Honorable Members of the 107th Legislature:

I am pleased to transmit the first Maine State Government Administrative Report covering the fiscal year 1973-1974. In accordance with legislative intent, it replaces a profusion of costly annual or biennial reports independently published by State executive departments and agencies, and it established a new accountability with respect to many agencies not previously subject to reporting requirements. It is my hope that future editions will be even more comprehensive and will result in future savings as additional reports are eliminated and that the information will result in the ability of the Legislature and the Public to better understand and deal with the departments and programs within State Government.

I wish to specifically acknowledge the role played by Senator Hayes Gahagan, who as a member of the House of Representatives in the 106th Legislature, sponsored the original legislation and the wisdom and foresight of my predecessor Governor, Kenneth M. Curtis, who authorized the implementation of the act by the Department of Finance and Administration, Bureau of the Budget.

I should also like to compliment the Bureau of the Budget and staff member, Carl T. Silsby, who edited this excellent reference volume.

Respectfully,

Signed:

JAMES B. LONGLEY
Governor

Came from the Senate read and placed on file.

In the House, the Communication was read and placed on file in concurrence.

**Petitions, Bills and Resolves
Requiring Reference**

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

Appropriations and Financial Affairs

Bill "An Act to Establish a Loan Fund for Volunteer Ambulance Corps and Volunteer Rescue Squads" (H. P. 1451) (Presented by Mr. Goodwin of South Berwick)

Bill "An Act to Establish a State Veterans Home" (H. P. 1457) (Presented by Mr. Dam of Skowhegan) (Cosponsor: Mr. Lewin of Augusta)

Bill "An Act Relating to the Sharing of State Sales Tax Revenue" (H. P. 1461) (Presented by Mrs. Morin of Old Orchard Beach)

Bill "An Act to Pay Three-fourths of the Cost of Health Insurance for State Employees" (H. P. 1462) (Presented by Mr. Palmer of Nobleboro)

(Ordered Printed)
Sent up for concurrence.

Business Legislation

Bill "An Act Pertaining to the Qualifications of Elevator Mechanics" (H. P. 1448) (Presented by Mr. Davies of Orono)

(Ordered Printed)
Sent up for concurrence.

Education

Bill "An Act Relating to School Dropouts and to Potential School Dropouts" (H. P.

1442) (Presented by Mr. Connolly of Portland)

(Ordered Printed)
Sent up for concurrence.

Election Laws

Bill "An Act Relating to Form of Referendum Question to be Voted on by the People" (H. P. 1449) (Presented by Mr. Carter of Winslow)

(Ordered Printed)
Sent up for concurrence.

Fisheries and Wildlife

Bill "An Act to Provide Complimentary Fishing and Hunting Licenses for Retired Game Wardens" (H. P. 1460) (Presented by Mr. Strout of Corinth)

(Ordered Printed)
Sent up for concurrence.

Labor

Bill "An Act to Provide Workmen's Compensation Benefits for Injured Employees with Insolvent, Inadequately Insured or Uninsured Employers" (H. P. 1454) (Presented by Mr. Usher of Westbrook)

Bill "An Act Concerning the Workmen's Compensation Act" (H. P. 1453) (Presented by Mr. Tierney of Durham)

Bill "An Act Providing for a Workmen's Compensation Insurance Fund" (H. P. 1470) (Presented by Mr. Smith of Dover-Foxcroft)

Bill "An Act to Equalize the Offset of Workmen's Compensation Benefits Against Certain Retirement and Social Security Benefits" (H. P. 1450) (Presented by Mr. Tierney of Durham)

(Ordered Printed)
Sent up for concurrence.

Fisheries and Wildlife

Bill "An Act to Require Yearly Registration of Watercraft" (H. P. 1447) (Presented by Mr. Usher of Westbrook) (Cosponsor: Mr. Spencer of Standish)

Committee on Reference of Bills suggested the Committee on Legal Affairs.

On motion of Mr. Mills of Eastport, referred to the Committee on Fisheries and Wildlife, ordered printed and sent up for concurrence.

Legal Affairs

Bill "An Act to Provide for Public Rest Room Facilities in Shopping Centers" (H. P. 1472) (Presented by Mr. Birt of East Millinocket)

Bill "An Act to Permit Individuals to Pay Fines for Minor Traffic Violations without Having to Appear in Court" (H. P. 1452) (Presented by Mr. Stubbs of Hallowell)

(Ordered Printed)
Sent up for concurrence.

Natural Resources

Bill "An Act Creating the Maine Forest Practices Act" (H. P. 1446) (Presented by Mr. Lynch of Livermore Falls)

(Ordered Printed)
Sent up for concurrence.

Performance Audit

Bill "An Act to Establish an Alternative Method of Support Enforcement" (H. P. 1468) (Presented by Mrs. Berry of Madison) (Cosponsors: Mrs. Berube of Lewiston, Mr. Garsoe of Cumberland, Mr. Carey of Waterville)

Bill "An Act Relating to Notification of Pending Applications for Aid to Families with Dependent Children" (H. P. 1466) (Presented by Mrs. Berry of Madison) (Cosponsors: Mr. Garsoe of Cumberland,

Mrs. Durgin of Kittery, Mr. Carey of Waterville)

Bill "An Act Relating to Verifying Facts Supporting the Eligibility of Applicants for Aid for Families with Dependent Children" (H. P. 1467) (Presented by Mrs. Berry of Madison) (Cosponsors: Mrs. Berube of Lewiston, Mrs. Durgin of Kittery, Mr. Carey of Waterville)

Bill "An Act Relating to Payments of Aid to Families with Dependent Children" (H. P. 1465) (Presented by Mrs. Berry of Madison) (Cosponsors: Mr. Theriault of Rumford, Mr. Carey of Waterville, Mrs. Durgin of Kittery)

(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act to Provide for the Maintenance of Neglected Dams and Existing Water Levels in Lakes Impounded by Dams" (H. P. 1459) (Presented by Mr. Cox of Brewer)

Committee on Reference of Bills suggested the Committee on Public Utilities.

(On motion of Mr. Cox of Brewer, tabled pending reference and specially assigned for Thursday, April 10.)

State Government

Bill "An Act Creating the Bureau of Central Computer Services within the Department of Finance and Administration" (H. P. 1440) (Presented to the House of Representatives by the Joint Standing Committee on State Government Pursuant to Joint Rule No. 3 of the Legislature)

Bill "An Act Pertaining to the Disposition of the Facilities at the Women's Correctional Center at Skowhegan" (H. P. 1441) (Presented to the House of Representatives by the Joint Standing Committee on State Government Pursuant to Joint Rule No. 3 of the Legislature)

Bill "An Act Creating the Advisory Committee on State Telecommunications" (H. P. 1443) (Presented to the House of Representatives by the Joint Standing Committee on State Government Pursuant to Joint Rule No. 3 of the Legislature)

Bill "An Act to Create the Maine Licensing and Permit Procedures Review Commission" (H. P. 1444) (Presented by Mr. Spencer of Standish) (Cosponsors: Mr. Rolde of York, Mr. Snow of Falmouth, Mr. Cooney of Sabattus)

(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act to Phase out the Present Form of County Government, Transfer its Functions to other Government Units and to Direct the State's Advisory Commission on Intergovernment Relations to Make Recommendations to the Special Session of the 107th Legislature" (H. P. 1445) (Presented by Mr. Snow of Falmouth) (Cosponsors: Mrs. Bachrach of Portland, Mr. McKernan of Bangor, Mrs. Snowe of Auburn)

Committee on Reference of Bills suggested the Committee on State Government.

(On motion of Mr. Carpenter of Houlton, tabled pending reference and specially assigned for Thursday, April 10.)

State Government cont'd.

Bill "An Act to Establish the Maine Vocational Development Commission" (Emergency) (H. P. 1458) (Presented by Mrs. Kany of Waterville) (Cosponsors:

Mrs. Mitchell of Vassalboro, Mr. Spencer of Standish, Mr. Palmer of Nobleboro)

(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act to Create the Office of Environmental Ombudsman to Advise Applicants of Project and Environmental Requirements under State Law" (H. P. 1463) (Presented by Mr. Peterson of Windham)

Committee on Reference of Bills suggested the Committee on State Government.

(On motion of Mr. Cooney of Sabattus, tabled pending reference and tomorrow assigned.)

State Government cont'd.

Bill "An Act to Create the Department of State Police" (H. P. 1469) (Presented by Mr. Greenlaw of Stonington) (Cosponsors: Mr. MacEachern of Lincoln, Mrs. Durgin of Kittery, Mr. Gould of Old Town)

Bill "An Act Creating the Maine Energy Authority" (H. P. 1471) (Presented by Mr. Davies of Orono)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act to Increase the Special Tax on Fire Insurance Premiums and Provide Payment of Part of it to Municipalities for Fire Protection Purposes" (H. P. 1439) (Presented by Mr. Ault of Wayne)

Bill "An Act Relating to Municipal Excise Taxes on Boats and Motors" (H. P. 1455) (Presented by Mr. Usher of Westbrook)

(Ordered Printed)

Sent up for concurrence.

Veterans and Retirement

Bill "An Act to Increase Accidental Death Benefits Paid to Firemen, Policemen, Wardens and State Police" (H. P. 1456) (Presented by Mr. LaPointe of Portland)

(Ordered Printed)

Sent up for concurrence.

Orders

Mrs. Morin of Old Orchard Beach presented the following Joint Resolution and moved its adoption: (H. P. 1473)

IN MEMORIAM

Having Learned Of The Death Of

MRS. ANNABEL O'LEARY

OF

BANGOR.

The Senate and House of Representatives of the State of Maine do hereby extend their sincere heartfelt condolences and sympathy to the bereaved family and friends of the deceased; and further

While duly assembled in session at the State Capitol in Augusta under the Constitution and Laws of the State of Maine, do herein direct that this official expression of sorrow be forthwith sent to the family of the deceased on behalf of the Legislature and the people of the State of Maine.

The Resolution was read.

The SPEAKER: The Chair recognizes the gentlewoman from Old Orchard Beach, Mrs. Morin.

Mrs. MORIN: Mr. Speaker, Ladies and Gentlemen of the House: Mrs. Annabel O'Leary was the mother of Edward C. O'Leary, present Bishop of the Roman Catholic Diocese of Portland. She was the widow of Attorney Cornelius O'Leary and a resident of Bangor and Old Orchard

Beach. It is particularly significant that she is the only woman in the state who has ever seen her son ordained a priest, be elevated to Monsignor and consecrated Bishop and appointed Auxiliary Bishop and then Titular Bishop of his home state.

Thereupon, the Resolution was adopted and sent up for concurrence.

House Reports of Committees

Ought Not to Pass

Mrs. Boudreau from the Committee on Election Laws on Bill "An Act Concerning Candidate Access to General Register of Voters Files and Concerning Voting Machines" (H. P. 355) (L. D. 447) reporting "Ought Not to Pass"

Was placed in the Legislative Files without further action pursuant to Joint Rule 17-A.

Leave to Withdraw

Mr. Mackel from the Committee on Election Laws on Bill "An Act to Change the Date of the Primary Election" (H. P. 188) (L. D. 222) reporting Leave to Withdraw

Mr. Tierney from the Committee on Labor on Bill "An Act to Protect Minimum Wage Standards from Inflation" (H. P. 357) (L. D. 449) reporting same.

Mr. Tierney from the Committee on Labor on Bill "An Act to Increase the Minimum Wage to \$3 an Hour" (H. P. 649) (L. D. 801) reporting same.

Reports were read and accepted and sent up for concurrence.

Ought to Pass in New Draft

New Draft Printed

Mr. Peterson from the Committee on Natural Resources on Bill "An Act to Extend Date for Closing of Open Burning Dumps" (Emergency) (H. P. 130) (L. D. 154) reporting "Ought to Pass" in New Draft under same Title (H. P. 1464) (L. D. 1502)

Report was read and accepted, the New Draft read once, and tomorrow assigned for second reading.

Ought to Pass

Printed Bills

Mr. Finemore from the Committee on Taxation on Bill "An Act to Exempt Scouting Supplies and Equipment from State Sales Tax" (H. P. 521) (L. D. 638) reporting "Ought to Pass"

Report was read and accepted, the Bill read once and tomorrow assigned for second reading.

Divided Report

Majority Report of the Committee on Taxation reporting "Ought Not to Pass" on Bill "An Act Relating to the Property Tax Exemption of Medical Equipment" (H. P. 524) (L. D. 641)

Report was signed by the following members:

Messrs. JACKSON of Cumberland
MERRILL of Cumberland
-- of the Senate.

Messrs. SUSI of Pittsfield
IMMONEN of West Paris
FINEMORE of Bridgewater
MORTON of Farmington
MULKERN of Portland
DRIGOTAS of Auburn

-- of the House.

Minority Report of the same Committee reporting "Ought to Pass" on same Bill

Report was signed by the following members:

Mr. WYMAN of Washington
-- of the Senate.
Messrs. TWITCHELL of Norway

COX of Brewer
DAM of Skowhegan
MAXWELL of Jay

— of the House.

Reports were read.

On motion of Mr. Drigotas of Auburn, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on Taxation reporting "Ought to Pass" on Bill "An Act to Provide Excise Tax Refund for Construction and Operation of Breweries within the State" (H. P. 369) (L. D. 463)

Report was signed by the following members:

Messrs. WYMAN of Washington
JACKSON of Cumberland

— of the Senate.

Messrs. DRIGOTAS of Auburn
MORTON of Farmington
FINEMORE of Bridgewater
IMMONEN of West Paris
SUSI of Pittsfield
TWITCHELL of Norway
MAXWELL of Jay
MULKERN of Portland
DAM of Skowhegan

— of the House.

Minority Report of the same Committee reporting "Ought Not to Pass" on same Bill.

Report was signed by the following members:

Mr. MERRILL of Cumberland

— of the Senate.

Mr. COX of Brewer

— of the House.

Reports were read.

On motion of Mr. Drigotas of Auburn, the Majority "Ought to pass" Report was accepted. The Bill was read once and assigned for second reading tomorrow.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I move that we reconsider our action on item 7, page 6, in accepting the "ought not to pass" report, and I ask the House to vote against my motion.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, moves that the House reconsider its action of earlier whereby it accepted the Majority "Ought not to pass" Report on Bill "An Act Relating to the Property Tax Exemption of Medical Equipment," House Paper 524, L.D. 641.

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

Mr. HENDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I would hope that you would vote to reconsider this matter. I was going to ask that a little bit later. It came a bit quick for me, and I thought someone else was going to speak and it went under the hammer before I had a chance to speak on it.

I hope you would vote to reconsider this matter, and if you do, I would hope we would table it one day.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Dam.

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I would hope that you would vote not to reconsider. This may sound strange to you, but last Friday I was not here, I was sick, tied up in Skowhegan. I did come down late in the afternoon to sign a bill, but that is all. Monday, the clerk of the Taxation Committee met me at the door and asked me to sign a report. I signed, and again I am on the wrong

report. I understand also that a member of the other body is on the other side, on the wrong side, because I have checked with him, and another member of this body is on the wrong side, because I have checked with him. Sometimes when you are signing these reports at the back door, you get on the wrong side. So this report is not as lopsided as it shows here. It's really only a minority of two that is on the "ought to pass" side.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I wholeheartedly agree with what the gentleman from Skowhegan, Mr. Dam, has said. This bill was given leave to withdraw and later it was changed over because one member wanted to get it on the floor, which is perfectly all right. I admire him for doing so. But my understanding is just the same as Mr. Dam's, that there was a member of the House and a member of the other body who has signed on the wrong side.

I hope you will go along with the move to reconsider.

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

Mr. HENDERSON: Mr. Speaker and Members of the House: As Mr. Finemore has said, one of the reasons that there was a signature, at least one, that this didn't get a 17-A, was that it was going to come out on the floor so there could be some discussion. That is all I am asking for.

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

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: We have been talking about whether or not we should reconsider it, and I doubt that most of you have become acquainted with the bill to know what the bill contains.

At the present time, medical equipment facilities that are owned by hospitals are exempt from the property tax. This is the result of legislation that was passed in the 106th Legislature, and that legislation was necessitated by the fact that the equipment used by hospitals was becoming more and more sophisticated, more and more expensive and it was getting beyond the reach of hospitals to raise the kind of money it took to buy this equipment, such things as computers and lots of technological X-ray stuff and a lot that I don't understand but the price tags on them are extremely high. So, hospitals were in the position that if they have the use of these machines that were so expensive, it became necessary to get them some other way than buying them, and they have been leasing them from some of the largest companies in the country that lease computers and all this sophisticated stuff to the hospitals. The bill that we passed in the 106th made this leased equipment property tax exempt just as though it were owned by the hospitals.

Something that concerns the Taxation Committee very much was whether this exemption that was granted under the legislation that we were considering two years ago would actually accrue to the hospital or would it be a benefit that we would be giving to the owner of the equipment, and we learned that nearly all of the leases are drawn in such a way that any property tax exemption that we give on this type property does, in fact, passed through the lease to the — what would it

be the lessee — but the hospital at any rate.

I hope that you do vote against reconsideration. I think it would be a mistake to repeal the legislation that we put through in the 106th, which I think was good legislation.

The SPEAKER: The Chair recognizes the gentlewoman from Auburn, Mrs. Lewis.

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I was here in the 106th and I was opposed to this legislation two years ago because of the erosion that occurs to the tax base of the various cities.

Now, Representative Susi has just told us that the saving is passed to the institutions, but two years ago, I wondered if that saving would then be passed to the patients in the hospitals and maybe it has, but I think all of us here will agree that hospital costs have risen probably higher than almost any other costs, so if the hospital is saving money, I wonder why this isn't being passed on to the patients.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Drigotas.

Mr. DRIGOTAS: Mr. Speaker, Ladies and Gentlemen of the House: This bill proposes to erode substantially the ability of hospitals to maintain flexibility in the purchase or leasing of property and equipment. Two years ago, the now present president of the other body, sponsored legislation to permit hospitals to have a tax exemption on property and equipment they leased. This was felt necessary, since the purchase of such items is, on many occasions, more expensive to the patient than the lease arrangement. This bill would erode that flexibility and would extend the exemption only to medical equipment, a term that is not defined in the bill.

This bill is a great step backward for the health care cost to the patients of hospitals in the State of Maine. Passage of the bill would only require hospitals to purchase instead of lease in order to maintain the exemption which is for the benefit of the Maine citizens who are unfortunate in having to utilize these hospitals.

I urge that you vote against the motion to reconsider.

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 made by Mr. Finemore and Mr. Susi and Mr. Drigotas, I certainly do hope that you vote against my motion to reconsider.

Mr. Henderson of Bangor was granted permission to speak a third time.

Mr. HENDERSON: Mr. Speaker, Ladies and Gentlemen of the House: The points that I would like to make with this respect are two in general. One is, yes, we ought to provide relief to hospitals that are in need and the question is, how should we do it? Should we require the property taxpayer in that town to provide that relief or should we provide it up front with some kind of an outright subsidy? It seems to me that the latter is more likely, the fairer way to go about subsidizing hospitals if that is the extent we ought to do it.

In addition, hospitals usually serve a very large area, but it is the city in which it happens to be located that is bearing the burden of this exemption, even though the people just over the line in another town are getting exactly the same benefits virtually, with fractions of a second longer as far as distance is concerned, but this

might make sense even so, after all that, for medical equipment clearly related to the medical practice. The problem is, as the current law reads right now, a private developer, as I understand it, someone can erect me on the other side if this is not true, could erect a building, an office building, could lease it to that hospital and not pay one cent of property tax on that building. Now, that is a very substantial item, and that is the kind of thing that is trying to be dealt with by this particular bill. It is not a question, I think, of whether we ought to subsidize hospitals or not, but what is the equitable method of doing that, not through the property tax and not through a small group of citizens but by all those who share the benefit of that hospital.

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

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question through the Chair. Is this any reflection on the tax that the patient has to pay any added tax or anything so that I can be brought up to this.

The SPEAKER: The gentleman from Westbrook, Mr. Laffin, poses a question through the Chair to anyone who may care to answer.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: No, there is no tax to the patient. This is a tax — I will explain it a little further, if I may, Mr. Speaker. This tax is a municipal loss of taxes; it is not a state loss. The municipalities would lose a little tax on these and would increase maybe a fraction of a mill in the cities.

The city most interested in this bill and the one that appeared before our committee, not only last year to oppose the bill but this year as a proponent of this bill, is the city of Bangor, their assessor appears and always works against it. I realize that there is a tax loss in Bangor due to this, but we feel as though it is passed on to the patient. And as far as the gentwoman, Mrs. Lewis, has mentioned, she wonders if it is passed on — I believe that it is passed on to the patient and I think that the cost to the hospitals as it increases, everything they use in the hospital has gone up so that naturally the cost to the patient has gone up, although it hasn't gone up as much as some other things.

I hope you will go along and vote against the reconsideration, because this bill would really hurt the hospitals in the State of Maine. A lot of the hospitals in the State of Maine are in the red, in fact most of them are in the red, and let's try to keep them out of it as much as we can by doing some small thing like this to help them.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Bangor, Mr. Kelleher, that the House reconsider its action whereby it accepted the Majority "Ought not to pass" Report. If you are in favor of reconsideration, you will vote yes; those opposed will vote no.

A vote of the House was taken. 9 having voted in the affirmative and 116 in the negative, the motion did not prevail.

Consent Calendar First Day

In accordance with House Rule 49-A, the following items appear on the Consent Calendar for the First Day:

(S. P. 262) (L. D. 859) Bill "An Act to

Abolish Certain Filing Requirements for Out-of-State Nurserymen and Dealers Doing Business with this State"

Committee on Business Legislation reporting "Ought to Pass"

(H. P. 13) (L. D. 21) Bill "An Act Relating to Voter Registration of Persons Born United States Citizens in a Foreign Country" Committee on Election Laws reporting "Ought to Pass"

No objections being noted the above items were ordered to appear on the Consent Calendar of April 9, under listing of the Second Day.

Consent Calendar Second Day

In accordance with House Rule 49-A, the following items appear on the Consent Calendar for the Second Day:

(H. P. 207) (L. D. 252) Bill "An Act Relating to Action or Claim of Insured against Insurer under a Policy of Insurance"

(H. P. 574) (L. D. 709) Bill "An Act to Amend the Maine Securities Act"

(H. P. 594) (L. D. 733) Bill "An Act to Provide for Multiple Initial Licenses and Clarification of License Category under the Insurance Code"

(H. P. 665) (L. D. 839) Bill "An Act to Provide a Right to Examine and Return Life Insurance Policies"

(H. P. 679) (L. D. 868) Bill "An Act to Authorize the Real Estate Commission to Administer Oaths and Affirmations at Hearings"

(S. P. 93) (L. D. 264) Bill "An Act to Authorize the Treasurer and County Commissioners of Waldo County to Procure a Loan to Build a Detention Center"

(H. P. 318) (L. D. 387) Resolve, Authorizing Sherman Collins, Francis Fitzmaurice, the Estate of Durward G. Turner, Durward G. Turner, Jr., David G. Turner and Ellen S. Turner to Bring Civil Action against the State of Maine" (Emergency) (C. "A" H-126)

No objection being noted at the end of the Second-Legislative-Day, the Senate Paper was passed to be engrossed in concurrence and the House Papers were passed to be engrossed and sent up for concurrence.

Second Reader Tabled and Assigned

Bill "An Act to Fund Public School Education" (Emergency) (H. P. 1437) (L. D. 1452)

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

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Lynch.

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: There are a few amendments being prepared on L.D. 1452. They should be on your desks tomorrow morning. They represent opposing viewpoints, and I think it ought to be tabled.

Thereupon, on motion of Mr. Rolde of York, tabled pending passage to be engrossed and tomorrow assigned.

Passed to Be Engrossed

Bill "An Act Relating to the Disposition of Fines and Penalties Resulting From Criminal Prosecutions by Wardens" (H. P. 405) (L. D. 494)

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

Bill "An Act to Aid Municipalities in the Purchase of Surplus State Property" (H. P. 643) (L. D. 796)

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

Mr. Dam of Skowhegan offered House Amendment "A" and moved its adoption.

House Amendment "A" (H 134) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended and sent up for concurrence.

Passed to Be Enacted Emergency Measure

An Act Relating to the Borrowing Capacity of School Administrative District No. 43 (H. P. 755) (L. D. 925)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary a total was taken. 126 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act to Establish County Commissioner Districts in Penobscot County (H. P. 56) (L. D. 68)

An Act Relating to Education and Training under the Laws of Barbering (H. P. 437) (L. D. 545)

An Act to Increase the Maximum Permitted Compensation of Directors of School Administrative Districts (H. P. 570) (L. D. 706)

An Act to Create a Nongeographic School Administrative Unit for the Bureau of Corrections (H. P. 645) (L. D. 797)

An Act Providing Funds for Payment to Residential Schools as an Alternative to Incarceration of Juvenile Offenders (H. P. 655) (L. D. 809)

An Act to Increase the Fee for Registration of Teachers (H. P. 781) (L. D. 952)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, 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 Relating to Liability of Natural Gas Distributors" (S. P. 419) (L. D. 1267) — In Senate, Passed to be Engrossed.

Tabled — April 4, by Mr. Hewes of Cape Elizabeth.

Pending — Motion of Mr. Spencer of Standish to adopt House Amendment "A" (H-125).

On motion of Mr. Rolde of York, retabled pending the motion of Mr. Spencer from Standish to adopt House Amendment "A" and tomorrow assigned.

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

SENATE DIVIDED REPORT — Majority (12) "Ought to Pass" — Minority (1) "Ought Not to Pass" — Committee on Judiciary on Bill "An Act Increasing the Number of Associate Justices of the Supreme Judicial Court" (S. P. 147) (L. D. 510)

Tabled — April 7, by Mr. Kelleher of Bangor.

Pending — Acceptance of Either Report. On motion of Mr. Gauthier of Sanford,

retabled pending the acceptance of either Report and tomorrow assigned.

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

Bill "An Act to Provide for the Selection of Architectural and Engineering Services by the State" (H. P. 1419) (Committee on Reference of Bills suggested Committee on State Government)

Tabled — April 7, by Mr. Carter of Winslow.

Pending — Reference.

The SPEAKER: The Chair recognizes the gentleman from Winslow, Mr. Carter.

Mr. CARTER: Mr. Speaker, I have a similar bill that was referred to the Legal Affairs Committee, and I would move that this bill be referred to the Legal Affairs Committee in order that we may remain consistent.

Thereupon, on motion of Mr. Carter of Winslow, referred to the Committee on Legal Affairs, ordered printed and sent up for concurrence.

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

Bill "An Act Relating to Dealers in Used Personal Property" (H. P. 502) (L. D. 618) — In House, Amended by H "C" (H-124) as Amended by H "A" (H-129) and H "B" (H-130) Thereto

Tabled — April 7, by Mr. Jalbert of Lewiston.

Pending — Motion of Mr. Farley of Biddeford to Indefinitely Postpone Bill and Accompanying Papers.

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

Mr. FARLEY: Mr. Speaker, Ladies and Gentlemen of the House: My objection to this bill, I find out now it has been resolved. I don't have any problems with it at all and at this time I withdraw my motion.

Thereupon, Mr. Farley of Biddeford was granted permission to withdraw his motion for indefinite postponement.

Thereupon, the Bill was passed to be engrossed as amended and sent up for concurrence.

(Off Record Remarks)

On motion of Mrs. Najarian of Portland, the House reconsidered its action whereby Bill "An Act Concerning the Landlord-Tenant Relationship in Mobile Home Parks," (S. P. 432) (L. D. 1418) was referred to the Committee on Legal Affairs in non-concurrence.

The SPEAKER: The Chair recognizes the same gentlewoman.

Mrs. NAJARIAN: Mr. Speaker, Ladies and Gentlemen of the House: There are four other bills relating to landlord-tenant relationship that have been referred to the Judiciary Committee, and I think it would be appropriate if we sent this particular landlord-tenant bill to that committee also. So I move it be referred to the Committee on Judiciary.

Thereupon, on motion of Mrs. Najarian of Portland, was referred to the Committee on Judiciary in concurrence.

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

Mr. LAPOINTE: Mr. Speaker, I move we reconsider our action whereby L.D. 1172 was passed to be engrossed.

The SPEAKER: The gentleman from Portland, Mr. LaPointe, moves that we

reconsider our action whereby Bill "An Act to Increase the Veteran's Property Tax Exemption," House Paper 1174, L.D. 1172, was passed to be engrossed.

The Chair recognizes the gentleman from Jay, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, I would hope that we would not reconsider our action on this.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I would hope that at this time we would not reconsider it.

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

Mr. LAPOINTE: Mr. Speaker, Ladies and Gentlemen of the House: I hope that we would reconsider this bill so I would have an opportunity to at least put on an amendment.

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. LaPointe, that the House reconsider its action whereby this Bill was passed to be engrossed. A vote has been requested. All in favor of reconsideration will vote yes; those opposed will vote no.

A vote of the House was taken.

72 having voted in the affirmative and 54 having voted in the negative, the motion did prevail.

Mr. LaPointe of Portland offered House Amendment "B" and moved its adoption. House Amendment "B" (H-132) was read by the Clerk.

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

Mr. LAPOINTE: Mr. Speaker, Ladies and Gentlemen of the House: This is a very simple amendment. What it does is provide a mechanism whereby the state reimburses the communities for the exemption that this legislature is going to provide under the provisions of this legislation. I hope you will all take a good hard look at it. I do point out it has a fiscal note of \$3.6 million, but I think the intent of the legislation is quite clear, that if we let this bill pass, what we are doing is we are passing on a tremendous burden in somewhat of a discriminatory fashion in that it only allows for veterans who have reached a certain age to take advantage of this particular exemption.

I would like to point out that in the fiscal note, it is only for 1977. As we turn the corner on the veterans of WWII, who are about to turn '62, the increased cost for operating and providing for this exemption is going to be even more substantial than \$3.6 million.

The SPEAKER: The Chair recognizes the gentleman from Jay, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: Some of these figures were pulled out of thin air, I am sure. Actually, this was a good bill. It had a lot of conversation in here. I feel that it ought to pass as it is, without any amendments.

I would like to make the statement that I am a World War II veteran, and I am 67. I am sure there are hundreds of others in the State of Maine up over 62 years of age. So I can't see as this is any talking point at all.

Actually, the bill came out with a word in it that sets the valuation at true value. Now at true value, some veterans are going to lose money, even at \$7,000. Some veterans are going to gain, of course, in certain towns, but as these towns all come to 100

percent valuation, which they are going to have to sometime in the not too distant future, I could say at the present time they are about 50-50 across the state but as they all come to true valuation across the State of Maine, then the veterans are not going to be gaining a lot of money.

I hope that we could indefinitely postpone this amendment, and I so move.

The SPEAKER: The gentleman from Jay, Mr. Maxwell, moves that House Amendment "B" be indefinitely postponed.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: On this fiscal note, \$3.6 million, part of that is being absorbed at the present time by the municipalities, and the counties can at no time exceed over 3 percent of their total valuation. At such time as it reaches that amount, any amount over it can be reimbursed by the state at 90 percent.

By 1977 we don't have to worry too much, because there are not two veterans coming on, even at the present time, out of World War II, and when they do come on, they will come under the new valuation, as Mr. Maxwell has said, they will come on with the new valuation, 100 percent valuation. This is just value, and that just value, ladies and gentlemen, will not increase them much more than they have been. I doubt if next year you will see many cities or towns coming on. And this change in each and every town, I know some towns will get an increase, some will get a decrease, but the increase is going to be slight. It is going to be much less.

Now I went the other day to the Taxation Department — I am very sorry I haven't got them here to read some of them to you — but most towns are way under the state valuation anyway. Once we get 100 percent, this will level off. We have found towns after towns after towns, the veteran is going to get less exemption than he is now, and this is an actual fact.

I hope you will go along with the indefinite postponement of this, and when the vote is taken, I ask for the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Leonard.

Mr. LEONARD: Mr. Speaker, Ladies and Gentlemen of the House: A parliamentary inquiry on the amendment. Is this germane?

The SPEAKER: The Chair would rule that the amendment is germane, in fact that it deals with the reimbursement of veteran's exemptions and the form of reimbursement would be conducted by the state.

The Chair recognizes the gentleman from Woolwich, Mr. Leonard.

Mr. LEONARD: Mr. Speaker, perhaps the question wasn't phrased correctly. I note there is a new paragraph, one that did not exist before, amending a section of the law that we were not considering in the original bill.

The SPEAKER: The Chair would inform the gentleman that it would still apply, since we are still dealing with the same topic and the same general information and material.

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

Mr. KELLEHER: Mr. Speaker, I would like to pose a question to anyone in the House who would care to answer on this \$3.6 million. Is this coming out of the Part I or the Part II?

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, poses a question through the Chair to any member who cares to answer.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: This comes out of the municipalities. It comes out of none of our state budget. But this figure is incorrect for the simple reason that they are already losing some of that. This isn't a new loss.

I wish we had the papers here from the Taxation Department, because last year we paid back to the towns \$153,000 for two years. That is all that was reimbursed. Therefore, there isn't too much money being lost by the town or the state, either one.

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

Mr. JALBERT: Mr. Speakers and Members of the House: I would further like to answer by possibly making a statement and a question. What is Part II, and when is it coming out?

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Leonard.

Mr. LEONARD: Mr. Speaker and Members of the House: I looked at the valuation, or at least the local assessment ratio that the city of Portland has, and it is 100 percent, so I don't question the motives of the gentleman from Portland, and if he certainly will be saving the city a considerable sum of money, because under the proposed change, their town would probably be considerably hurt by this piece of legislation. However, I do look at the amendment as a move to kill the bill, at least on the Appropriations Table, because it will now mean that it is the state's responsibility to reimburse the municipalities, and certainly the state is in no position to reimburse anybody this year.

In years past, this law as it existed, placed a great deal of burden on some municipalities and on other municipalities such as the city of Portland, they were getting off with what you might call not scot free but for considerably less of a commitment toward the veterans.

The legislation, as originally presented, I spoke on it before, is just. It is valid. It is legislation that should have — it is the way the piece of legislation should have been written in the first place. And even though it might pose a hardship on some municipalities in the future. I would like to be on record as saying it posed a hardship on many other municipalities in the past, so I think that will balance out, that eventually all municipalities will be paying the same and that in the future we will have a piece of legislation that is not discriminatory and it is fair for all municipalities.

I would like, Mr. Speaker, if you could help me at this point, to move we reconsider the adoption of House Amendment "A" or have we passed Amendment "A"?

The SPEAKER: The pending question before the House is adoption of House Amendment "B" that has presently been offered by the gentleman from Portland, Mr. LaPointe. House Amendment "A" has never been presented to this body for consideration.

Mr. LEONARD: Mr. Speaker, I hope we do not adopt House Amendment "B" for, in fact, in my opinion, you will be killing

the bill and it will go back to the same unfair way that it existed in the past.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Carey.

Mr. CAREY: Mr. Speaker and Members of the House: I would hope that we would not support the motion to indefinitely postpone. I don't know whether the figure of \$3.6 million has been pulled out of the air or not, but I would point out that for the city of Waterville, based on a little over 90 percent valuation, this bill is going to cost about \$29,000.

We as a city are already going to be asked to make up the difference for the paying communities a little later on in the school funding bill. We have a problem in trying to balance our budget, just like the smaller communities. If there is anything we don't need any more of right now is tampering with exemptions. And I think what you are going to do is force those communities, whether that assessment district bill goes through or not, you are going to force those communities to go to a hundred percent valuation for their own survival.

And let me point out, if we were in Waterville at a hundred percent valuation, we had the \$3,500 exemption that is now currently on the books, the veteran will pay taxes on \$6,500 of his valuation. In the town of Oakland, which is next to Waterville, they are on a 30 percent valuation basis, a \$3,500 exemption means that the person in Oakland pays no taxes whatsoever. So the \$7,000 exemption isn't going to make any difference at all to Oakland. You could make it a \$100,000 exemption while they are at the 30 percent level, and it doesn't make any difference, they are not getting any taxes right now anyway.

What I think you are going to do is force a lot of these small communities to go to a hundred percent valuation so that they can then say we are giving you \$7,000 off on your taxes; however, your house is worth \$10,000, so we are going to send you a tax bill based on the valuation that is taxable, \$3,000. So you are not only going to hurt my community, you are going to force a lot of these veterans into a very unstable position. I just thought I might mention that to you in support of Mr. LaPointe and hope that you do defeat the motion.

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

Mr. JACQUES: Mr. Speaker, I have a question to ask. The gentleman from Portland, Mr. LaPointe, did he vote on the prevailing side?

The SPEAKER: The Chair would advise the gentleman the motion is no longer before us since it has been voted by the body. The time to question it, if there was a question, would have been at the time the motion to reconsider had been made. The Chair does not have the roll call at this time to even check.

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

Mr. JACQUES: Mr. Speaker, I happen to have the roll call in my hand here, and he didn't.

The SPEAKER: The Chair would advise the gentleman from Lewiston, Mr. Jacques, that the bill, when it was passed to be engrossed yesterday, it was passed under the hammer. So everyone present automatically voted for its passage. And the motion made by the gentleman from Portland, Mr. LaPointe, was in fact

proper. The roll call on this bill was on the motion to indefinitely postpone earlier, which was not the final motion acted upon by this body. Therefore, the motion by the gentleman from Portland, Mr. LaPointe, was proper.

The Chair recognizes the gentleman from South Berwick, Mr. Goodwin.

Mr. GOODWIN: Mr. Speaker, Ladies and Gentlemen of the House: Very briefly, I see this particular question not as one on whether or not we want to provide aid to the veterans but as one on who will pay for it, the state or the local taxpayer? The way I look at it is, anyone who is concerned with the loss of rights of the towns, such as the group that has been formed, the Freedom Riders, or whoever they are, and also with the regressiveness of the property tax, should probably support this measure because if you don't, what you are doing is putting another burden on the towns and you are also putting another burden on the local property taxpayer.

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

Mrs. NAJARIAN: Mr. Speaker, Ladies and Gentlemen of the House: There is some question as to how much of the tax loss this will be to the towns and cities, but I think it is pretty certain it will cost something.

I was talking to Representative Quinn last evening, who had just come from the Bureau of Taxation, and he was talking about a cost to the towns of \$14 million.

I think it is far too easy for us to grant tax exemptions at the local level, because that doesn't affect the State Treasury and it wins us votes, but with the added burden that the Governor's budget is going to be placing on the towns and cities, like \$1.7 million for snow removal, \$3.1 million for road improvement and add to that other costs and general assistance and adult education and who knows what more.

We have been going back to our towns and telling the people what the Governor's budget is going to cost us and I think it would be rather hypocritical for us to pass another bill which was going to cost them money, at this particular time at least.

If the bill passes, I support the amendment but I would much prefer to have the bill without an increase in the tax exemption, just to make just payments for all veterans.

The SPEAKER: The Chair recognizes the gentleman from Falmouth, Mr. Snow.

Mr. SNOW: Mr. Speaker and Members of the House: I support and endorse the sentiments of the gentlelady from Portland, Mrs. Najarian, and the gentleman from Waterville, Mr. Carey.

I represent the town of Falmouth, which would be faced with a tax loss as a result of this.

I would also like to add, which no one has up to this point mentioned, that at least in Falmouth, no veteran and no veterans' organization has expressed any interest in this exemption.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Dam.

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: When this bill had its hearing, there was a very good number of veterans that were there that represented the various veterans' organizations. We didn't question what part of the state they came from, but we do know they were veterans, they did have on their American Legion hats or VFW hats,

so we knew they were representing those two groups.

Mr. Finemore has explained this quite well to you, and it actually wouldn't make that much of a change in the vast majority of the communities when we get to the 100 percent valuation.

I would hope that we wouldn't accept this amendment, that we would vote for the indefinite postponement and at the same time, if we are so concerned about what we are doing to take away this money from the municipalities, I can think back for the older members of the legislature that are here, back to the 104th, when a representative from Portland was here named Vincent, and he had filed a bill to take away all the exemptions from these clubs that we have here in our communities and I just wonder today if a bill was before us to take away the exemptions that are being granted to all these tax exempt organizations and the fairgrounds, the race tracks, how many of us would really vote for that bill and say we want to give the money back to the municipalities?

I have been in this House and I have seen those bills die by the 17-A method. It so happens, back to the 104th I was concerned about getting a little money out of 54 acres of pine land in my town right in the residential district that is tax exempt under an agricultural association, but it went to the Agriculture Committee and 'bam-o' it came out 17-A. Over the time that I have been here the past three sessions, when one specific bill comes up, somebody gets up and they are really concerned about the towns, but if a bill came into to really return a lot of money to your town, I doubt very much if many of you would vote for that bill because we all belong to those little special clubs.

The SPEAKER: The Chair recognizes the gentleman from Buxton, Mr. Berry.

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: While I have a certain amount of sympathy for the gentleman from Skowhegan, Mr. Dam, I also am aware that the selectmen in my own town are getting just a little bit fed up with us continually giving them more to do and more to do and then taking away the money that they are able to do this with.

It goes further than that, it goes to the county commissioners who have echoed the same sentiments in a meeting which I attended with them.

I guess legislators as a whole from York County were accused one night quite loudly and clearly — you keep piling this stuff onto us but you don't give us the money to do it. The same thing happens to the State of Maine. We sat in committee this afternoon and we heard a bill that related to a similar kind of a safe water act, with a tremendous price tag on it. It is lovely for somebody to impose all of this on us, but who ends up paying for it?

I suppose this is mistake number two for me this week. Speaking against veterans bills is probably akin to speaking against the so-called "Mother Bill." I just can't see giving this type of exemption and, on the other hand, just piling more and more and more things back onto the municipal level.

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

Mr. KAUFFMAN: Mr. Speaker, Ladies and Gentlemen of the House: I rise to support House Amendment "B" and hope you will vote against the indefinite postponement.

This bill, if you are not aware of it, any

veteran 62 years of age, as of April 15th of the year, having been a resident of the State of Maine of 10 years, is allowed \$3500 exemption on this personal property tax.

Now, you have heard other speakers say that the towns get 3 percent back if their veterans exemption is within 3 percent of the valuation, they are entitled to 90 percent back. Don't be misled by that. Any of you folks right here now, go and call your selectmen and ask them what this is going to mean to your town. We have heard speakers tell you that it is going to benefit some. True, we had a lot of veterans up here, the majority of them came from Portland. I checked with them, asked them where they came from. My town is one of the hardest hit towns in the State of Maine on veteran's exemptions. We have certain advantages there, retired military personnel have the advantages of the naval hospital, the officers clubs and the P.X. and so forth. However, I personally believe that these exemptions should be based on need rather than taking an arbitrary factor such as H.

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

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: I am not 62 years old and I am not a veteran of World War II, but I support the veterans of World War II and I support them wholeheartedly. I was a member of the Westbrook City Council when one of our mills closed, Dana-Wart Mill closed down and we were going to lose \$28,000 in revenue. We didn't know where the money was going to come from, it was a real big thing. You know, we found it, the city still ran, we found it.

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Leonard.

Mr. LEONARD: Mr. Speaker, Ladies and Gentlemen of the House: I would hate to go on record as wanting to undermine local property taxes. I think, as you people get to know me, you will find I am as ultra conservative as there is in this House. My only support of this bill is the fact that it includes the word "just." That is a word that should have been put in that legislation way back. It should never have been passed with a blanket \$3,500 exemption because in practical terms, I can show you that, for example, in the city of Portland, which I know is 100 percent (sorry to pick on Portland so many times) but a veterans exemption there under this \$3,500 exemption clause would be blanket \$3,500 on a \$40,000 house because it is 100 percent valuation. So, his tax reduction would be minimal.

In my town and a majority of the towns I represent, our valuation hovers in the area of 10 to 30 percent. In my town, it is 20 percent, therefore, if a house is worth \$40,000 on market value, you reduce it by 20 percent or reduce it down to a 20 percent level or 20 percent times \$40,000 brings you to \$8,000. The legislation that is now in existence says that we have to give that veteran \$3,500 of taxable property exemption, \$3,500 of \$8,000. Same piece of legislation, same intent but the person in my town, the veteran in my town, is receiving nearly half of his taxes rebated on nearly half of his taxes but in the city of Portland, he is only receiving a very, very small amount. That is the problem with the legislation that now exists. That is the problem or the area that I want to see corrected. The people in the Taxation Bureau tell me that half of the towns in the State of Maine or, let's say that on the

average, the towns in the State of Maine, hover in the 50 percent area, that is an average. That means in practical terms that half of the people or half of the towns in the State of Maine are going to get hurt by this legislation, half are going to get helped. I will submit to you that the majority of the rural towns will get helped and the majority of the cities will get hurt — probably we have got more cities against us than we have towns for us. It is only fair, the exemption is \$3,500 or \$7,000 in this case and \$7,000 going from \$3,500 means that really on the average, if we are 50 percent value, the veteran is neither going to gain nor is he going to lose on the average because we are at 50 percent valuation which would increase the property exemption from \$3,500 to \$7,000 that is 100 percent increase or if you take half of this \$7,000 or 50 percent of it, you are down to \$3,500 again. So, you haven't changed a thing, the only thing you have changed is the fact that now it is going to be assessed fairly. It is going to be applied fairly to each municipality. That is all we are doing by this legislation and the move to have Amendment "B" put on this piece of legislation is a move to kill it because it will never get through the Appropriations Table. We haven't got \$3 million to give back to the municipalities and I don't want to go on record as trying to undermine the municipal tax structure. Somebody already undermined it when they gave the \$3,500 exemption back who knows when. I just want to correct it so it applies equally to every municipality in the State of Maine and that every veteran is treated equally. I am not taking a stand that I agree with the fact that veterans should be tax exempt or that they shouldn't be. I have my own thoughts on that and you will probably see legislation in years to come, if I am back here, that will show my thoughts. I don't like exemptions on any taxable property including the State House, if you want to know it, because it put a hardship on somebody but if you vote not to indefinitely postpone the motion and you accept that motion or Amendment "B", you will, in fact, be killing the bill because it will never go through the Appropriations Table. So vote for the indefinite postponement and then we will get back to the original bill — let it go through, you don't change a thing on the State level and I seriously question the fiscal note because I don't think — I think the State in general, as far as the 3 percent clause is concerned will save the state money, because it is going to make it fairer and that means that the towns that are now being burdened heavily by veteran's exemptions will in fact be less burdened in most cases. I told you that yesterday that I had done a sampling on the majority of the towns that were heavily burdened by veteran's exemptions and 15 of 19 that I sampled, will not claim as much from the State next year, if we pass this bill. So the fiscal note, in my opinion, is wrong. I think it will be less. I think the state will save money by this legislation and I also think — I know for a fact, it will be a lot fairer to veterans and fairer to communities in general in this state.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Carey.

Mr. CAREY: Mr. Speaker and Members of the House: I would like to comment on the point made by Mr. Leonard from Woolwich, that those communities that are at 50 percent valuation will not see any difference where you double the

exemption, there will be doubling of the valuation.

If I would point out that 50 percent valuation -- if a house is worth \$40,000 -- trying to go through a little course in arithmetic here and hopefully I am not wrong on it -- if a house is really worth \$40,000 and 50 percent of its value then would be \$20,000. If the exemption of \$3,500 is \$3,500 on \$20,000, so the gentleman would get a tax bill based on valuation of \$16,500. On the full valuation, that house would be worth \$40,000 but now he would have an \$7,000 exemption and he would be getting a tax bill on a \$33,000 evaluation which is somewhat apart from the \$16,000 and Mr. Leonard would only be right if the mill rate is cut in half and that is the only time he would be right.

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

Mr. CARPENTER: Mr. Seaker, Ladies and Gentlemen of the House: I rise to support the motion to indefinitely postpone Amendment "B" to this L.D. I think it is time we got these tax exemptions on the books, we have passed them here in the House since I have been here, various types of tax exemptions that are going to hurt somebody. We passed major ones yesterday in a different manner that is going to cost the State a little over a million dollars. I agree with the gentleman from Woolwich, Mr. Leonard, that the submission of this amendment is moved to kill a bill because it will die on the Appropriations Table. I think the figure is considerably higher than it really ought to be. I agree with the gentleman from Bridgewater, Mr. Finemore, that we don't have that many new veterans coming on under this, at this time, and I hope that you vote in favor of indefinite postponement of this amendment.

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

Mr. KAUFFMAN: Mr. Speaker, Ladies and Gentlemen of the House: I have heard this \$40,000 tossed around here quite a bit but there is one thing that I would like to remind you of -- I think if you will check and I just ask you now to review your own home town, town report, and you will find, I believe, that the average home is probably between \$18,000 and \$20,000. So, I don't see where they get this \$40,000 figure at all and I still am opposed to the bill and I hope you will vote for Amendment "B".

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Garsoe.

Mr. GARSOE: Mr. Speaker, I think I am at a point of confusion where I am fully ready to vote on this, but I would like to first pose a question through the Chair to the gentleman from Portland. Doesn't this amendment repeal the 3 percent that the municipalities currently bear and make the entire amount of veteran's exemptions a debt of the state, and, therefore, creating this figure?

The SPEAKER: The gentleman from Cumberland, Mr. Garsoe, poses a question through the Chair to the gentleman from Portland, Mr. LaPointe, who may answer if he so desires.

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

Mr. LAPOINTE: Mr. Speaker, I have to plead ignorance. I don't know the answer to that question.

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. If you are in favor of a roll call, you will vote yes; those opposed will vote no.

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

The SPEAKER: The pending question before the House is on the motion of the gentleman from Jay, Mr. Maxwell, that House Amendment "B" be indefinitely postponed. If you are in favor of indefinite postponement, you will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Berube, Burns, Call, Carpenter, Carroll, Carter, Churchill, Clark, Cooney, Cote, Curtis, Dam, Doak, Dyer, Finemore, Flanagan, Garsoe, Greenlaw, Hall, Hennessey, Hewes, Hunter, Hutchings, Immonen, Ingegneri, Jacques, Jalbert, Joyce, Kennedy, Laffin, Laverly, LeBlanc, Leonard, Lewin, Littlefield, Lovell, Lunt, Mackel, MacLeod, Mahany, Martin, A.; Martin, R.; Maxwell, McKernan, Mills, Morin, Mulkern, Palmer, Peakes, Pelosi, Perkins, S.; Peterson, P.; Post, Powell, Raymond, Rideout, Rolde, Saunders, Silverman, Smith, Spencer, Sprowl, Stubbs, Susi, Tarr, Teague, Torrey, Truman, Usher, Walker, Winship.

NAY — Ault, Bagley, Bennett, Berry, G. W.; Berry, P. P.; Birt, Blodgett, Boudreau, Bowie, Bustin, Carey, Chonko, Connors, Cox, Curran, P.; Curran, R.; Davies, DeVane, Dow, Drigotas, Dudley, Durgin, Farley, Farnham, Faucher, Fenlason, Fraser, Gauthier, Goodwin, H.; Goodwin, K.; Gould, Henderson, Hobbins, Hughes, Jackson, Jensen, Kany, Kauffman, Kelleher, Kelley, LaPointe, Lewis, Lizotte, MacEachern, McMahon, Miskavage, Mitchell, Nadeau, Najarian, Norris, Perkins, T.; Peterson, T.; Pierce, Snow, Snowe, Talbot, Theriault, Tierney, Twitchell, Tyndale, Wagner, Wilfong.

ABSENT — Bachrach, Byers, Connolly, Gray, Higgins, Hinds, Lynch, McBairty, Morton, Quinn, Rollins, Shute, Strout, Tozier, Webber.

Yes, 72; No, 62; Absent 15.

The SPEAKER: Seventy-two having voted in the affirmative and sixty-two in the negative, with fifteen being absent, the motion does prevail.

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

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

The SPEAKER: The gentleman from Portland, Mr. Jensen, has moved that this item lay on the table for one legislative day, pending passage to be engrossed. The Chair will order a division. If you are in favor of tabling for one day you will vote yes; those opposed will vote no.

A vote of the House was taken.

55 having voted in the affirmative and 80 in the negative, the motion did not prevail.

Mr. Wagner of Orono offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-121) was read by the Clerk.

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

Mr. WAGNER: Mr. Speaker, Ladies and Gentlemen of the House: This is the first amendment I have offered in this session. I tried to be very economical.

I would hope that the House would adopt this amendment for reasons that have been expressed in the previous debate. I agree with the gentleman from Woolwich, Mr. Leonard, that the feature of the word

"just" is a very important word in this veteran's exemption matter for reasons that have been amply covered. I feel that as Mr. Finemore from Bridgewater has said, it is probably true that 50 percent of the towns in the state would benefit or would at least have to redistribute your tax burden and others would gain in the opposite way.

The way that I see it though is that most of the towns that would lose, that would have to redistribute this tax burden on a basis independent of need, that is to veterans who would have to redistribute it to low income as well as high income property owners in the towns, would be in municipalities where the valuations are a 100 percent or close to a 100 percent, usually reflecting a move toward professional assessment. Towns which have had recent evaluations, urban areas such as Portland, Bangor, smaller communities such as Orono, where I reside, at which the assessment figures are 100 percent or close to it, so these towns, in effect, would be penalized for having strived to professionalize their assessment services.

I offer this amendment to incorporate the important feature of just value but to do away with the inequity of a veteran in towns such as mine receiving maybe a quarter or a fifth property tax rebate that a veteran in a smaller town next door might receive. The amendment also would restrict the veterans exemption to World War I Veterans.

I think this is an equitable approach because I share the concern of many members in this House for hardships of veterans trying to maintain their properties. I feel that this is primarily a problem of older veterans trying to hang onto their homestead, and I think that World War I veterans really need this and as a class are not enjoying the benefits, the level of benefits of Social Security and many other benefits that younger veterans will be having.

I urge your support of this amendment. The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: If you would read the statement of fact on this House Amendment 121, presented by the gentleman who has just spoken, I believe that you would be surprised at the statement of fact.

The purpose of this amendment, under the statement of fact, is to limit an increase in the exemption of World War I Veterans. I wonder if this is what we want to do. If this is what you want to do, we will vote in favor of this amendment; if this isn't what we want to do, if we want to make it for all veterans, we will vote against it.

The SPEAKER: The Chair recognizes the gentleman from Jay, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: I know that the hour is late and I am very hungry, but I don't like this amendment any better than I liked the last one. In fact, I'm not so sure that I like it as well.

You read the statement of fact and it increases the exemption for World War I Veterans only. Now, most World War I Veterans are already dead and buried. World War II Veterans, many of us are now getting this exemption. I am 67, as I said once before. I know that I am not the only World War II veteran, certainly not somebody said I am -- but this statement

of fact says that most of the 67,000 World War II Veterans in Maine will soon become 62 years of age and eligible. I wonder how many of these veterans live in the State of Maine anymore? I wonder how many of these veterans live in the State of Maine anymore? I wonder how many are dead? I know that a lot of my good friends that were in the Army have died, World War II Veterans. I wonder how many of them own a home? And this enters into it quite a lot. You have to own a home before you get this exemption, so I would move indefinite postponement.

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

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: First off, I like this bill but I think, to my knowledge, the first time that the Maine Legislature has begun to get interested in this issue of property tax exemption for World War II veterans. Contrary to the sponsor of the bill, I believe that it is going to be a major burden on the communities very soon. I believe that there will be a large number of World War II veterans, I think there was some eight or ten million Americans who served in World War II, I am one of them, and we are coming of that age very soon, and I don't know if there has been a projection of what the cost will be to Maine communities if we give this exemption to World War II veterans or not, but I am sure in my own mind that it is going to be extremely burdensome.

I don't know whether we are ready yet to grapple with it, but I believe this, that it is going to be easier to handle now than it will be two or five or seven years from now. I think that as more and more World War II veterans get to be eligible for this benefit, then I think it will be more and more difficult for us to shut the benefit off. So, if we are going to anything about it, I know it is late in the day, we have a reputation of never dealing with anything until its right on us and we are in trouble head over heels, so perhaps we won't, but I do think that this going to be a major issue in the state and it is going to be an extreme burden and we are going to have to some day deal with it and it is up to you when.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: Would I be in order to recommit this bill and the various amendments back to committee?

The SPEAKER: The Chair would inform the gentleman that the motion would be in order.

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I would like to explain what reason I do this. After listening to the comments of the gentleman from Pittsfield, Mr. Susi, I think there have been a great many things brought it and, in fact, the amendment that has presently come in makes quite a change in the present law that has been on the books for quite some time, and the cost involved in this and the very simplifications leave me to believe that the Taxation Committee should take a look at the whole thing.

I am going to make that motion, at least to present the issue to the Floor. I move we recommit the bill to the committee.

The SPEAKER: The Chair recognizes the gentleman from Easton, Mr. Mahany.

Mr. MAHANY: Mr. Speaker, I think that is the most sensible statement we have heard on this bill.

I oppose this bill mainly because it is so unfair. I don't see anything there to take care of the veterans who don't own property. Many, many veterans have no property and they are going to struggle along by paying higher rent if this bill passes, so I think that is quite an important part. If we are going to do this, we should have the funds come so that everybody enjoys it.

The SPEAKER: The pending motion before the House is on the motion of the gentleman from East Millinocket, Mr. Birt, that this Bill be recommitted to the Committee on Taxation. Those in favor to recommit will vote yes; those opposed will vote no.

A vote of the House was taken.

117 having voted in the affirmative and 6 in the negative, the motion did prevail.

Sent up for concurrence.

(Off Record Remarks)

At this point, the Chair appointed the following members to the Joint Select Committee on Jobs:

Messrs. CONNOLLY of Portland
GOODWIN of South Berwick
CURRAN of South Portland
FLANAGAN of Portland
DAVIES of Orono
McKERNAN of Bangor
PIERCE of Waterville
Mrs. DURGIN of Kittery

On motion of Mr. Rolde of York,
Adjourned until nine-thirty tomorrow morning.