

# 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

## SENATE

Wednesday, April 23, 1975.

Senate called to order by the President.  
Prayer by Father Laurent Patenaude of St. Francis de Sales Church, Waterville:

O God of wisdom and justice, through whom authority is rightly administered, as citizens of the State of Maine upon whom have been invested the responsibility of government, that their administration may be immensely useful to your people by encouraging due respect for virtues and religion by faithful execution of the laws in justice and charity, let the light of your divine wisdom direct their deliberations and shine forth in all their proceedings and laws. May they work to preserve peace and harmony, may they seek to increase industry, sobriety and useful knowledge, and may they seek the blessings of equal liberty for all our citizens.

We pray for the Governor of the state and also for all those who are here to deliberate and bring forth their thoughts to help all the people of our state, of our United States also, and for the whole world. We pray for the members of the legislature, both houses, and all who are appointed to guard our political welfare; that by your power and protection, and through the Holy Spirit, they may discharge their duties with honesty and ability: Amen.

Reading of the Journal of yesterday.

**Papers from the House**  
**Non-concurrent Matter**

Bill, "An Act Relating to Filing Requirements for Perfecting a Security Interest in Mobile Homes under the Uniform Commercial Code." (S. P. 297) (L. D. 1023)

In the Senate April 16, 1975, Passed to be Engrossed as Amended by Senate Amendment "A" (S-65).

Comes from the House, Bill and accompanying papers indefinitely postponed, in non-concurrence.

On motion by Mr. Clifford of Androscoggin, the Senate voted to Insist and Request a Committee of Conference.

**Joint Order**

ORDERED, the Senate concurring, that there is created a Joint Interim Committee to consist of 3 Senators to be appointed by the President of the Senate and 5 Representatives to be appointed by the Speaker of the House to make a comprehensive study of all provisions of law pertaining to the annual excise tax on railroads as provided by Title 36, section 2624 and to recommend any changes in such tax as the committee deems necessary; and be it further

ORDERED, that the Committee shall report the results of its study to the Legislature together with its recommendations and final draft of any proposed legislation by January 30, 1976; and be it further

ORDERED, that the members of the Committee shall be compensated in the same manner as members of the Legislative Council for the performance of their duties under this Order, such sums to be paid out of the Legislative Account; and be it further

ORDERED, that the Public Utilities Commission, the Department of Transportation and the Bureau of Taxation be directed to provide such technical advice and other needed assistance as the Committee deems necessary or desirable; and be it further

ORDERED, upon passage in concurrence, that suitable copies of this Order be transmitted forthwith to said agencies as notice of this directive. (H. P. 1518)

Comes from the House, Read and Passed.

Which was Read.

On motion by Mr. Speers of Kennebec, tabled, pending Passage.

**House Papers**

Bill, "An Act to Reform the State Retirement System. (H. P. 1395) (L. D. 1818).

Comes from the House referred to the Committee on Veterans and Retirement and Ordered Printed.

Which was referred to the Committee on Veterans and Retirement and Ordered Printed in concurrence.

**Committee Reports****House**

The following Ought Not to Pass report shall be placed in the legislative files without further action pursuant to Rule 17-A of the Joint Rules:

Bill, "An Act Placing Time Limits on Paid Political Advertising Prior to Primary and General Elections." (H. P. 1) (L. D. 6)

**Leave to Withdraw**

The Committee on Election Laws on, Bill, "An Act to Change the Date of Primary Elections." (H. P. 860) (L. D. 1044)

Reported that the same be granted Leave to Withdraw.

The Committee on Labor on, Bill, "An Act Relating to Certain Exemptions under the Minimum Wage Law." (H. P. 1102) (L. D. 1383)

Reported that the same be granted Leave to Withdraw.

The Committee on Labor on, Bill, "An Act to Expedite the Procedures of the Public Employees Labor Relations Board." (H. P. 1364) (L. D. 1411)

Reported that the same be granted Leave to Withdraw.

The Committee on Judiciary on, Bill, "An Act Concerning the Confidentiality of Records Held by the Department of Mental Health and Corrections, Certain Hospitals and Other Facilities." (H. P. 1130) (L. D. 1422)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the reports Read and Accepted.

Which reports were Read and Accepted in concurrence.

**Ought to Pass**

The Committee on Transportation on, Bill, "An Act Relating to Registration of Certain Vehicles under the Motor Vehicle Laws." (H. P. 813) (L. D. 984)

Reported that the same Ought to Pass.

The Committee on Transportation on, Resolve, to Reimburse Eugene W. Downer of Magalloway Plantation for Automobile Damage Due to Highway Construction. (H. P. 1028) (L. D. 1317)

Reported that the same Ought to Pass.

Comes from the House, the Bill and Resolve Passed to be Engrossed.

Which reports were Read and Accepted in concurrence, the Bill and Resolve Read Once and Tomorrow Assigned for Second Reading.

**Ought to Pass — As Amended**

The Committee on Labor on, Bill, "An

Act to Clarify Market and Public Opinion Research Services Under the Unemployment Compensation Law." (H. P. 383) (L. D. 476)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-178).

The Committee on Natural Resources on, Bill, "An Act to Amend the Protection and Improvement of Air Statutes." (H. P. 694) (L. D. 881)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-180).

The Committee on Local and County Government on, Bill, "An Act Creating Kennebec County Commissioner Districts." (H. P. 929) (L. D. 1174)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-179).

The Committee on State Government on, Bill, "An Act to Revise Certain Provisions of the Maine Health Facilities Authority Act." (H. P. 1027) (L. D. 1306)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-181).

Comes from the House, the Bills Passed to be Engrossed as Amended by Committee Amendments "A"

Which reports were Read and Accepted in concurrence and the Bills Read Once. Committee Amendments "A" were Read and Adopted in concurrence and the Bills, as Amended, Tomorrow Assigned for Second Reading.

**Ought to Pass in New Draft**

The Committee on Natural Resources on, Bill, "An Act to Clarify the Licensing Requirement for Structures of 60,000 Square Feet under the Site Location Act." (H. P. 92) (L. D. 117)

Reported that the same Ought to Pass in New Draft under Same Title (H. P. 1519) (L. D. 1832)

The Committee on Marine Resources on, Bill, "An Act to Amend the Alewife Fishing Laws Relating to Municipalities." (H. P. 286) (L. D. 338)

Reported that the same Ought to Pass in New Draft under Same Title (H. P. 1524) (L. D. 1837)

The Committee on Marine Resources on, Bill, "An Act Concerning Construction and Repair of Fishways." (H. P. 213) (L. D. 268)

Reported that the same Ought to Pass in New Draft under Same Title (H. P. 1523) (L. D. 1836)

The Committee on Health and Institutional Services on, Bill, "An Act to Revise the Maine Medical Laboratory Act." (H. P. 334) (L. D. 406)

Reported that the same Ought to Pass in New Draft under Same Title (H. P. 1522) (L. D. 1835)

The Committee on Natural Resources on, Bill, "An Act to Extend the Back Bay Sanctuary, Portland." (H. P. 417) (L. D. 589)

Reported that the same Ought to Pass in New Draft under Same Title (H. P. 1501) (L. D. 1824)

Comes from the House, the Bills in New Draft Passed to be Engrossed.

Which reports were Read and Accepted in concurrence, the Bills in New Draft Read Once and Tomorrow Assigned for Second Reading.

**Divided Report**

The Majority of the Committee on Taxation on, Bill, "An Act Relating to

Amount of Annual Excise Tax on Railroads." (H. P. 125) (L. D. 158)

Reported that the same Ought to Pass in New Draft under Same Title (H. P. 1494) (L. D. 1740)

Signed:

Senators:

WYMAN of Washington  
MERRILL of Cumberland

Representatives:

MAXWELL of Jay  
TWITCHELL of Norway  
DAM of Skowhegan  
COX of Brewer  
FINEMORE of Bridgewater

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:

Senator:

JACKSON of Cumberland

Representatives:

DRIGOTAS of Auburn  
MORTON of Farmington  
SUSI of Pittsfield  
IMMONEN of West Paris  
MULKERN of Portland

Comes from the House, the Bill in New Draft (H. P. 1494) (L. D. 1740), Passed to be Engrossed as Amended by House Amendments "C" (H-166) and "D" (H-177).

Which reports were Read.

Thereupon, on motion by Mr. Speers of Kennebec, Tabled and Specially Assigned for April 29, 1975, pending Acceptance of Either Committee Report.

#### Senate

The following Ought Not to Pass report shall be placed in the legislative files without further action pursuant to Rule 17-A of the Joint Rules:

Bill, "An Act Relating to Indemnification and Legal Representation of State Officers and Employees." (S. P. 325) (L. D. 1102).

#### Leave to Withdraw

Mr. Collins for the Committee on Veterans and Retirement on, Resolve, Providing a Minimum Service Retirement Allowance under the State Retirement Law for Clyde R. Chapman. (S. P. 387) (L. D. 1242)

Reported that the same be granted Leave to Withdraw.

Mr. McNally for the Committee on Labor on, Bill, "An Act Relating to Occupational Safety and Health." (S. P. 145) (L. D. 576)

Reported that the same be granted Leave to Withdraw.

Mr. Collins for the Committee on Judiciary on, Bill, "An Act Concerning the Granting of Ex Parte Temporary Injunctive Relief by the Superior and Supreme Judicial Court." (S. P. 338) (L. D. 1126)

Reported that the same be granted Leave to Withdraw.

Which reports were Read and Accepted.

Sent down for concurrence.

#### Ought to Pass

Mr. Merrill for the Committee on Judiciary on, Bill, "An Act Establishing an Annual Sentencing Institute for the Maine Criminal Courts." (S. P. 320) (L. D. 1097)

Reported that the same Ought to Pass.

Which report was Read and Accepted, the Bill Read Once and Tomorrow Assigned for Second Reading.

#### Second Readers

The Committee on Bills in the Second Reading reported the following:

#### House

Bill, "An Act Relating to Fees of Bail Commissioners." (H. P. 614) (L. D. 757)

Bill, "An Act Increasing the Maximum State Payment for Grade Sheep Killed by Dogs or Wild Animals." (H. P. 786) (L. D. 957)

Bill, "An Act Relating to the Payments of Retirement Pay of State Police Officers." (H. P. 962) (L. D. 1208)

Bill, "An Act Relating to the State Police Retirement System." (H. P. 1513) (L. D. 1830)

Which were Read a Second Time and Passed to be Engrossed, in concurrence.

#### House — As Amended

Bill, "An Act to Allow the Board of Environmental Protection to Grant Variances to Statutory Time Schedules." (H. P. 566) (L. D. 702)

Bill, "An Act Relating to Service Retirement for the Chief and Deputy Chief of State Police and Payment of Benefits to State Police Retirees." (H. P. 572) (L. D. 707)

Bill, "An Act to Establish a Cooperative Education Support Program." (H. P. 640) (L. D. 795)

Resolve, Authorizing Conveyance of State Land and Easements to City of Calais for Drainage and Road Construction Regarding the High School Project. (H. P. 917) (L. D. 1131)

Bill, "An Act Concerning School Entrance Age Requirements." (H. P. 993) (L. D. 1257)

Which were Read a Second Time and Passed to be Engrossed, as Amended, in concurrence.

#### Senate

Bill, "An Act Relating to Maternity Benefits for Unmarried Women Health Insurance Policyholders and Minor Dependents of Health Insurance Policyholders." (S. P. 121) (L. D. 407)

(On motion by Mr. Clifford of Androscoggin, tabled and Tomorrow Assigned, pending Passage to be Engrossed.)

Bill, "An Act Concerning the Definition of Child and Student under the Workmen's Compensation Statute." (S. P. 353) (L. D. 1153)

Resolve, to Refund Clyde Wardwell of Mexico a Portion of Liquor License Fee Due to Loss of Business by Fire. (S. P. 376) (L. D. 1227)

Which were Read a Second Time and except for the tabled matter, Passed to be Engrossed.

Sent down for concurrence.

#### Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

An Act Relating to Exemption of Law Enforcement Agencies and Courts under the Human Rights Act. (S. P. 283) (L. D. 997)

An Act Concerning Residence Facilities of State Patients Released into the Community. (S. P. 491) (L. D. 1738)

An Act to Exempt Nonprofit Health Care Corporations from Sales Tax on Medical Supplies and Equipment Donated to Patients. (H. P. 74) (L. D. 86)

(On motion by Mr. Huber of Cumberland, placed on the Special Appropriations Table.)

An Act to Simplify the Computation of Tree Growth Reimbursement. (H. P. 244) (L. D. 298)

An Act to Clarify the Law Relating to

Group Insurance Certificates. (H. P. 1485) (L. D. 1677)

Which, except for the tabled matter, were Passed to be Enacted and, having been signed by the President, were by the Secretary presented to the Governor for his approval.

Resolve, Authorizing the State Director of Property Taxation to Convey by Sale the Interest of the State in Certain Lands in the Unorganized Territory. (H. P. 241) (L. D. 296)

Resolve, Confirming the Transfer of Certain Lands from the Department of Mental Health and Corrections to the Department of Conservation, Bureau of Public Lands. (H. P. 843) (L. D. 1028)

Which were Finally Passed and, having been signed by the President, were by the Secretary presented to the Governor for his approval.

#### Orders of the Day

The President laid before the Senate the first tabled and Specially Assigned matter:

Bill, "An Act Relating to Hearing for Provisional Motor Vehicle Licensee on Suspension." (H. P. 333) (L. D. 405)

Tabled — April 21, 1975 by Senator Speers of Kennebec.

Pending — Adoption of Senate Amendment "A" (S-58) to House Amendment "B" (H-107).

(In the House — Passed to be Engrossed as amended by House Amendment "B".)

On motion by Mr. Speers of Kennebec, retabled and Specially Assigned for April 25, 1975, pending Adoption of Senate Amendment "A" to House Amendment "B".

The President laid before the Senate the second tabled and Specially Assigned matter:

House Report — from the Committee on Transportation — Bill, "An Act Relating to the Lease or Acquisition of Certain Railroad Lines by the Department of Transportation." (H. P. 809) (L. D. 982) Ought to Pass in New Draft Under Same Title. (H. P. 1514) (L. D. 1831)

Tabled — April 22, 1975 by Senator Berry of Cumberland.

Pending — Acceptance of Report.

(In the House — Passed to be Engrossed)

Thereupon, the Ought to Pass in New Draft Report of the Committee was Accepted in concurrence, the Bill in New Draft Read Once and Tomorrow Assigned for Second Reading.

The President laid before the Senate the third tabled and Specially Assigned matter:

Bill, "An Act Relating to Liability of Natural Gas Distributors." (S. P. 419) (L. D. 1267)

Tabled — April 22, 1975 by Senator Berry of Cumberland.

Pending — Motion of Senator Cianchette of Somerset to Indefinitely Postpone.

(In the House — Passed to be Enacted.)

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

Mr. CIANCHETTE: Mr. President, I have some more information and some more research on this bill. Also during the debate there was mention of a report, and I have a copy of that report coming, so I would very much appreciate it if someone would table this item for two legislative days while awaiting additional material.

The PRESIDENT: The Chair recognizes

the Senator from Aroostook, Senator Johnston.

Thereupon, on motion by Mr. Johnston of Aroostook, retabled and Specially Assigned for April 25, 1975 pending the motion by Mr. Cianchette of Somerset that the Bill be Indefinitely Postponed.

The President laid before the Senate the fourth tabled and Specially Assigned matter:

Bill, "An Act to Change Weights and Related Provisions for Commercial Vehicles." (H. P. 1223) (L. D. 1211)

Tabled — April 22, 1975 by Senator Speers of Kennebec.

Pending — Adoption of Senate Amendment "B" (S-81).

(In the House — Bill and Accompanying Papers Indefinitely Postponed)

(In the Senate — Senate Amendment "D" (S-84) Adopted)

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

Mr. BERRY: Mr. President, I am awaiting an amendment on this and I wonder if somebody might table it until later in today's session.

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

Thereupon, on motion by Mr. Speers of Kennebec, tabled until later in today's session, pending Adoption of Senate Amendment "B".

The President laid before the Senate the fifth tabled and Specially Assigned matter:

Bill, "An Act Concerning the Acquisition, Maintenance and Replacement of Multi-level Private Parking Facilities under the Municipal Securities Approval Act." (S. P. 331) (L. D. 1117)

Tabled — April 22, 1975 by Senator Corson of Somerset.

Pending — Passage to be Engrossed.

Thereupon, the Bill was Passed to be Engrossed.

Sent down for concurrence.

The President laid before the Senate the sixth tabled and Specially Assigned matter:

Bill, "An Act to Specify the Future Use of Certain Lands in the City of Portland." (H. P. 768) (L. D. 939)

Tabled — April 22, 1975 by Senator Merrill of Cumberland.

Pending — Passage to be Engrossed.

(In the House — Passed to be Engrossed)

Thereupon, the Bill was Passed to be Engrossed in concurrence.

The President laid before the Senate the seventh tabled and Specially Assigned matter:

Bill, "An Act Granting a Property Tax Exemption for Property Leased by Community Mental Health Centers." (H. P. 480) (L. D. 599)

Tabled — April 22, 1975 by Senator Reeves of Kennebec.

Pending — Passage to be Engrossed.

(In the House — Passed to be Engrossed)

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

Mr. GRAHAM: Mr. President and Members of the Senate: This bill would provide tax exemptions for leased

property. It is embarrassing for me to question this bill — the cause is so worthy.

I have seen here group after group receive tax exemptions. Property tax exemptions are the most serious because they are so large and so many. We have religious exemptions, educational exemptions, political exemptions. As a result, our cities are dying because they no longer have the tax base to provide the services they need. One man's exemption is another man's added tax burden.

Portland has an eight page list of people who have been forced to avoid their taxes, who have defaulted on their taxes. I cannot vote for another tax exemption, and I request a division.

The PRESIDENT: The Chair recognizes the Senator from Washington, Senator Wyman.

Mr. WYMAN: Mr. President and Members of the Senate: I have to oppose that position. I agree in general with the philosophy of the good Senator from Cumberland, but I think as a practical matter it doesn't work out that way.

Now, in recent years there has been a trend toward moving people who require mental health treatment out of state institutions, such as the Bangor and Augusta Mental Health Institutes, into a community environment closer to the patients' homes. This trend is reflected very clearly by Maine's eight community mental health centers, non-profit charitable institutions, which are located in Saco, Portland, Bath, Rockland, Lewiston, Waterville, Bangor, and Fort Fairfield. Each of the centers serve a large geographical area and each has several satellite offices within its area. People are served regardless of their ability to pay.

It is this system that has been responsible for treating 7,000 clients in 1970, and by the end of the calendar year '74 had admitted over 16,000 clients for professional consultation and treatment.

It is this system that is presently responsible for screening over 90 percent of the long-term care patients that are referred to the State institutions located in Augusta and Bangor. In addition, the combined resident population of the two state institutions has been reduced from 1220 individuals in April of 1973 to less than 800 in April of 1974. This has been accomplished because of the increasing emphasis on mental health care at the local level of government.

With the continuous increase in the demand for services, the community health centers are facing financial difficulties: a recommended decrease in state funds of \$69,000 in the biennium and an uncertainty of federal funds that will ultimately lead to a decrease in the current level of services presently provided.

The Committee on Taxation has unanimously recommended passage of L. D. 599. The purpose of this bill is to extend to property leased by our community mental health centers the same exemption from property taxation extended to property presently leased by hospitals, health maintenance organizations, and blood banks within the State of Maine.

Mental Health services offered by these benevolent, charitable, non-profit institutions are more available to all of Maine's citizens than in the past, and it is on behalf of these community centers that I am asking you to oppose the position of the Senator from Cumberland and to adopt L. D. 599, which has the unanimous approval of the committee. This will

permit a small measure of financial support for the community-based program offering a humanitarian service to the hundreds of Maine citizens who require mental health counseling and treatment.

As I said in the beginning, I agree with the philosophy of the good Senator from Cumberland, but I just think to kill this bill is worse than it is to go along this way and help these mental health centers which are doing so much for the people in the State of Maine.

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

Mr. MERRILL: Mr. President, I would like to ask the Secretary to read the Committee Report on L. D. 599.

The PRESIDENT: The Secretary will read the Committee Report.

The SECRETARY: The Majority Report: The Committee on Taxation, to which was referred the Bill, Granting a Property Tax Exemption for Property Leased by Community Mental Health Centers, House Paper 480, Legislative Document 599, have had the same under consideration and ask leave to report that the same ought to pass. Signed by Senators Wyman of Washington and Jackson of Cumberland; Representatives Morton of Farmington, Maxwell of Jay, Twitchell of Norway, Susi of Pittsfield, Finemore of Bridgewater, Immonen of West Paris, Cox of Brewer, Mulkern of Portland.

Minority Report: The Committee on Taxation, to which was referred An Act Granting a Property Tax Exemption for Property Leased by Community Mental Health Centers, House Paper 480, Legislative Document 599, have had the same under consideration and ask leave to report that the same ought not to pass. Signed by Representatives Dam of Skowhegan and Drigotas of Auburn, and Senator Merrill of Cumberland.

The PRESIDENT: The Chair recognizes the Senator from Washington, Senator Wyman.

Mr. WYMAN: Mr. President, my apologies to the good Senator from Cumberland and the other two members of this legislature who signed the Ought Not to Pass Report because my memory was a bit faulty. It has been quite a while since we head the bill.

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

Mr. MERRILL: Mr. President and Members of the Senate: I would like to explain why I signed the Ought Not to Pass Report and thank Senator Graham for bringing this matter to the attention of the Senate. It was my recollection that I had opposed this bill, and my memory wasn't certain either. So many bills come before these committees that sometimes it is hard to recall.

I have been reluctant to stand up and make a point on this issue for a couple of reasons. I am always reluctant to oppose on matters of Taxation the Chairman of that Committee, the good Senator from Washington. We stand together on many of these issues, and I always feel a little bit more certain of my ground when we do. Also, I am somewhat reluctant to stand up and speak against doing something for such a worthy cause as community mental health centers.

However, I would feel remiss in my duties as a Senator from the City of Portland if I didn't back up what Senator Graham has said. I think if we want to fund these programs to a greater extent to help

them meet these burdens of the property tax, then that is something this legislature can do, and the generosity of the legislature will be paid for by the people who are being generous, those of us in the legislature. But to go on piling one property tax exemption on another is going to mean problems that will cost this state a lot more money than what it would cost us to take care of these little things as they come up.

The City of Portland is already overburdened with its property tax to the extent that middle class taxpayers in the City of Portland are leaving the city. The result of that exodus forced by that high property tax, which has been brought about in great part by the fact that we have so much exempt property in Portland, is to increase the problems of the suburbs that absorb those new people and the new homes and extra children they have to educate, and it is going to also destroy the tax base of the City of Portland.

I don't think we have to look too far around this nation at the problems that some of our bigger cities are having to see what the result of that is. I think also if we look to the rural areas, and we listen to what the people in the rural areas are telling us now about their property tax burdens. I think we see some more concerns. If we look to our agricultural community who pay property tax, and to whom the property tax is one of their biggest costs of doing business, I think that we become concerned about this problem.

The whole situation comes about because every one of these things is relatively minor, but when you put them all on top of each other; the cheap generosity of the legislature — and I say "cheap" because we don't have to pay for it — results in putting a burden on our communities that they just can't bear. And now with the talk going around of putting even more of a burden on the property tax base, I think that we have to stand our ground on this and just say no more exemptions from local property tax will be granted by the legislature until we come face to face with the problem that we have already put on our communities with these exemptions.

I support the Senator from Cumberland, Senator Graham, and I would hope this measure would be killed here in the Senate.

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

Mr. CURTIS: Mr. President, I would like to pose a question through the Chair to any member who might care to answer, if they know the answer. The question is that I understand there is an in-depth study being done, partly by the Maine Municipal Association and I think partly by other organizations, of the impact on municipalities of tax-exempt property, and I wonder if anybody knows what the status of that report is and when we might expect it.

The PRESIDENT: The Senator from Penobscot, Senator Curtis, poses a question through the Chair to any Senator who may care to answer.

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

Mr. MERRILL: Mr. President, I really can't add too much. I don't think they have gotten to the point yet where they can say when they are going to be available to make the report. But the Senator from Penobscot is exactly right, the matter has become such a concern to the Maine

Municipal Association that they are studying the whole problem. And I think even if the legislature thought that at some time they might want to grant this status, they might want to wait until we have got a look at the whole problem and do it after we have that look.

There certainly isn't any great emergency about this piece of legislation, and I would hope that we could kill it in this legislature and then consider it after we get a look at the whole problem, which we will get when Maine Municipal releases the results of that study.

The PRESIDENT: The Chair recognizes the Senator from Washington, Senator Wyman.

Mr. WYMAN: Mr. President and Members of the Senate: I don't want to belabor this, but apparently there has been a \$69,000 cut recommended in appropriations for these institutions. And I agree that these should stand out as open appropriations and that is the way we should do it, but obviously we are not going to because we don't have the money this time. So I would suggest that we pass this measure and then, after this study is made, it may indicate that we can handle these matters otherwise.

The PRESIDENT: The Chair would advise the Senate that there is no pending motion before the Senate at this time. The action pending is passage to be engrossed.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President and Members of the Senate: I think this is a problem that not only is of great concern to the taxpayers of the City of Portland, but certainly it has got to be a concern of every community within the state.

Both the good Senators from Cumberland, Senator Merrill and Senator Graham, have mentioned the total tax exemption within the City of Portland, and I don't know just how many exemptions each of you have in your local communities, but within Portland the total taxable property is 541 million dollars. Aside from that, we have \$116,557,075 as total tax exempt properties.

Now, I concur with the thinking of both Senator Graham and Senator Merrill that you really can't afford within a community to provide services with the soaring property tax rates as they continue to go up year after year after year. I don't think we can afford really to wait for the Maine Municipal Association's study, but I think everybody is pretty knowledgeable as to what it is going to contain, and I think it is time that the legislature itself took a very hard look at the entire problem here. So I would concur with the thinking of those two gentlemen, and I will move that this bill be indefinitely postponed.

The PRESIDENT: The Chair recognizes the Senator from Washington, Senator Wyman.

Mr. WYMAN: Mr. President, I would like to have a roll call on this please.

The PRESIDENT: The Senator from Washington, Senator Wyman, has requested a roll call. In order for the Chair to order a roll call, it must be the expressed desire of more than one-fifth of those Senators present and voting. Will all those Senators in favor of a roll call please rise in their places until counted.

Obviously more than one-fifth having arisen, a roll call is ordered. The Chair will restate the question. The motion before the Senate is the motion of the Senator from Cumberland, Senator Conley, that L. D. 599, An Act Granting a Property Tax

Exemption for Property Leased by Community Mental Health Centers, together with all its accompanying papers be indefinitely postponed. A "Yes" vote will be in favor of indefinite postponement; a "No" vote will be opposed.

The Secretary will call the roll.

#### ROLLCALL

YEAS: Senators Berry, E.; Berry, R.; Carbonneau, Clifford, Conley, Cummings, Curtis, Cyr, Graham, Greeley, Hichens, Huber, Merrill, Reeves, Trozky.

NAYS: Senators Cianchette, Collins, Corson, Danton, Gahagan, Jackson, Johnston, Marcotte, McNally, O'Leary, Pray, Speers, Thomas, Wyman.

ABSENT: Senators Graffam, Katz, Roberts.

Mr. Pray of Penobscot was granted leave to change his vote from Nay to Yea.

A roll call was had. 16 Senators having voted in the affirmative, and 13 Senators having voted in the negative, with three Senators being absent, the Bill was Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate the eighth tabled and Specially Assigned matter:

Bill, "An Act Relating to the Prohibition Against Hitchhiking." (H. P. 1474) (L. D. 1564)

Tabled — April 22, 1975 by Senator Greeley of Waldo.

Pending — Adoption of Senate Amendment "B" (S-80).

(In the House — Passed to be Engrossed)

On motion of Mr. Collins of Knox, retabled and Specially Assigned for April 28, 1975 pending Adoption of Senate Amendment "B".

The President laid before the Senate the matter tabled earlier in today's session by Mr. Speers of Kennebec:

Bill, "An Act to Change Weights and Related Provisions for Commercial Vehicles." (H. P. 1223) (L. D. 1211).

Pending — Adoption of Senate Amendment "B".

Thereupon, on motion by Mr. Speers of Kennebec, retabled and Tomorrow Assigned, pending Adoption of Senate Amendment "B".

#### Papers from the House

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

#### House Paper

Bill, "An Act Extending the Time During which School Budgets may be Adopted." (H. P. 1530)

Comes from the House Passed to be Engrossed without reference to Committee.

Whereupon, under suspension of the rules, the Bill was Read Once.

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

Mr. CONLEY: Mr. President, I wonder if it would be possible for someone perhaps from the Education Committee to tell us what date this is being extended to?

The PRESIDENT: The Senator from Cumberland, Senator Conley, now poses a question through the Chair to any Senator who may care to answer.

The Chair recognizes the Senator from Androscoggin, Senator Berry.

Mr. BERRY: Mr. President, if the

Senator would look on the Supplemental Calendar, the Bill is not referred to Committee and the Committee is not aware of the date.

The PRESIDENT: Is it now the pleasure of the Senate that the rules be suspended and this bill be given its second reading at this time?

Thereupon, under suspension of the rules, the Bill was Read a Second Time.

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

Mr. CONLEY: Mr. President, just to inform the Senate, it is my understanding the date is being extended until May 30th.

The PRESIDENT: Is it now the pleasure of the Senate that this Bill be passed to be engrossed?

Thereupon, under further suspension of the rules, the Bill was Passed to be Engrossed in concurrence.

(Off Record Remarks)

On motion by Mrs. Cummings of Penobscot,

Adjourned until 10 o'clock tomorrow morning.