

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

1969

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, March 20, 1969

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

Prayer by the Rev. Mr. Thomas Caton of Lincoln.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act to Amend the Charter of the City of Portland" (S. P. 379) (L. D. 1289)

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

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

Non-Concurrent Matters

Bill "An Act relating to Exception to Plumbers Law because of Municipal Requirements" (H. P. 1001) (L. D. 1303) which was referred to the Committee on Legal Affairs in the House on March 11.

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

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

Bill "An Act relating to Persons Found Intoxicated in Liquor Licensed Premises" (H. P. 1003) (L. D. 1305) which was referred to the Committee on Liquor Control in the House on March 11.

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

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

Bill "An Act relating to Purchase of Parcels of Land by Forest Commissioner" (H. P. 45) (L. D. 46) which was passed to be engrossed as amended by Committee Amendment "A" in the House on February 11.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" as amended by Senate Amendment "A" thereto in non-concurrence.

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

Messages and Documents

The following Communications:

STATE OF MAINE

Office of the Secretary of State

March 19, 1969

To the Honorable David J. Kennedy, Speaker of the House of Representatives of the One Hundred and Fourth Legislature:

In compliance with the Constitution and Laws of the State of Maine, I have the honor to herewith report the return of votes cast for Representative to the One Hundred and Fourth Legislature in the Towns of Appleton, Thomaston, Union, Warren and Washington at a Special Election held March 17, 1969, according to a review of the returns made by the Governor and Council, to fill the vacancy caused by the death of Grevis F. Payson of Union, as follows:

Carl B. Erickson of Warren received 536 votes.

Raymond B. Pinkham, Jr. of Thomaston received 334 votes.

(Signed)

JOSEPH T. EDGAR

Secretary of State

STATE OF MAINE

Office of the Secretary of State

March 19, 1969

To Bertha W. Johnson, Clerk of the House of Representatives of the One Hundred and Fourth Legislature:

In compliance with the Constitution and Laws of the State of Maine, I hereby certify that a Special Election was held in the Towns of Appleton, Thomaston, Union, Warren and Washington on March 17, 1969 for the purpose of electing a Representative to the One Hundred and Fourth Legislature to fill the vacancy caused by the death of Grevis F. Payson of Union; that at said election Carl B. Erickson of Warren, having received a plurality of all votes cast in said election, as contained in a report submitted to the Governor and Council under date of March 19, 1969, appears to have been elected a Representative to the One Hundred and Fourth Legislature.

IN WITNESS WHEREOF, I have caused the Great Seal of the State of Maine to be hereunto affixed this nineteenth day of March in the year of our Lord one thousand nine hundred and sixty-nine and of the Independence of the United States of America, the one hundred and ninety-third.

(Seal)

(Signed) JOSEPH T. EDGAR
Secretary of State

The Communications were read and ordered placed on file.

On motion of Mr. Benson of Southwest Harbor, the following Resolution:

RESOLVED, that Carl B. Erickson of Warren is hereby declared duly elected representative to the One Hundred and Fourth Legislature.

The Resolution was received out of order by unanimous consent, read and adopted.

The Speaker announced the presence in the hall of the House of Mr. Erickson of Warren and since he had already been before the Governor and Council and had taken and subscribed the oaths necessary to qualify him as a member of the House, the Speaker assigned Seat No. 50 to him and appointed him to the Committee on Transportation to fill the vacancy caused by the death of Mr. Payson of Union.

Whereupon, Mr. Hardy of Hope escorted Mr. Erickson to his seat on the Floor of the House, amid the applause of the members.

The SPEAKER: The Chair welcomes Representative Erickson to this honorable and esteemed body and we all trust that you will enjoy your experiences here as a member of this House.

Petitions, Bills and Resolves Requiring Reference

The following Bills, approved by a majority of the Committee on Reference of Bills for appearance on House Calendar, were received and referred to the following Committees:

Education

Bill "An Act to Authorize the Town of Swan's Island to Form a School Administrative District" (H. P. 1082) (Presented by Mr. Richardson of Stonington)
(Ordered Printed)
Sent up for concurrence.

Judiciary

Bill "An Act Revising Probate Fees" (H. P. 1083) (Presented by Mr. Birt of East Millinocket)
(Ordered Printed)
Sent up for concurrence.

Towns and Counties

Bill "An Act Providing for Androscoggin County Funds for Child and Family Services" (H. P. 1084) (Presented by Mr. Marquis of Lewiston)
(Ordered Printed)
Sent up for concurrence.

The SPEAKER: The Chair would request the Sergeant-at-Arms to escort the gentleman from Bangor, Mr. Cox, to the rostrum to serve as Speaker pro tem.

Thereupon, Mr. Cox assumed the Chair as Speaker pro tem and Speaker Kennedy retired from the Hall.

House Reports of Committees Ought Not to Pass

Mr. Drigotas from the Committee on Taxation reported "Ought not to pass" on Bill "An Act Exempting Hearing Aids from the Sales Tax" (H. P. 183) (L. D. 222)

Same gentleman from same Committee reported same on Bill "An Act Repealing Liquor Licensee Discounts" (H. P. 747) (L. D. 965)

Reports were read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Harriman from the Committee on Taxation reported "Ought not to pass" on Bill "An Act relating to Refund for Malt Liquor Excise Taxes" (H. P. 785) (L. D. 1018)

Report was read.

(On motion of Mr. Soulas of Bangor, tabled pending acceptance of the Report and specially assigned for Tuesday, March 25.)

Mr. Susi from the Committee on Taxation reported "Ought not to pass" on Bill "An Act Allocating 25 per cent of Sales Tax Collected in City of Saco" (H. P. 873) (L. D. 1116)

Mrs. White from same Committee reported same on Bill "An Act Repealing the Refunding of Excise Taxes on Malt Liquor" (H. P. 746) (L. D. 964)

Reports were read and accepted and sent up for concurrence.

**Ought to Pass in New Draft
New Draft Printed**

Mr. Immonen from the Committee on Transportation on Bill "An Act Providing for a Statutory Agent for Foreign Domiciled Carriers Purchasing Six-year Trailer Plates" (H. P. 751) (L. D. 969) reported same in a new draft (H. P. 1085) (L. D. 1330) under same title and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and tomorrow assigned.

**Ought to Pass with
Committee Amendment**

Mr. Scott of Presque Isle from the Committee on Business Legislation on Bill "An Act relating to Compensation of Electricians Examining Board and Membership and Compensation of Oil Burner Men's Licensing Board" (H. P. 505) (L. D. 676) reported "Ought to pass" as amended by Committee Amendment "A" (H-109) submitted therewith.

Same gentleman from same Committee on Bill "An Act to Amend the Charter of the Union Mutual Life Insurance Company" (H. P. 716) (L. D. 934) reported "Ought to pass" as amended by Committee Amendment "A" (H-110) submitted therewith.

Reports were read and accepted and the Bills read twice. Committee Amendment "A" to each was read by the Clerk and adopted, and tomorrow assigned for third reading of the Bills.

Divided Report

Majority Report of the Committee on Liquor Control reporting

"Ought to pass" on Bill "An Act Concerning the Liquor Laws" (H. P. 702) (L. D. 902)

Report was signed by the following members:

Messrs. BERRY of Cumberland
BOISVERT of Androscoggin
CONLEY of Cumberland
— of the Senate.

Messrs. CHANDLER of Orono
STILLINGS of Berwick
TANGUAY of Lewiston
LEIBOWITZ of Portland
COUTURE of Lewiston
— of the House.

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

Report was signed by the following members:

Messrs. HICHENS of Eliot
FAUCHER of Solon
— of the House.

Reports were read.
On motion of Mr. MacPhail of Owls Head the Majority "Ought to pass" Report was accepted.

The Bill was read twice and assigned for third reading tomorrow.

**Divided Report
Tabled and Assigned**

Majority Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act relating to Annual Review of all Applications for Liquor Licenses" (H. P. 827) (L. D. 1066)
Report was signed by the following members:

Messrs. BERRY of Cumberland
BOISVERT of Androscoggin
CONLEY of Cumberland
— of the Senate.

Messrs. FAUCHER of Solon
CHANDLER of Orono
LEIBOWITZ of Portland
STILLINGS of Berwick
TANGUAY of Lewiston
COUTURE of Lewiston
— of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following member:

Mr. HICHENS of Eliot
— of the House.

Reports were read.

(On motion of Mr. Huber of Rockland, tabled pending acceptance of either Report and specially assigned for Tuesday, March 25.)

Divided Report

Majority Report of the Committee on Taxation reporting "Ought to pass" on Bill "An Act Exempting Sales to Certain Children Treatment Centers from the Sales Tax" (H. P. 182) (L. D. 221)

Report was signed by the following members:

Messrs. WYMAN of Washington
HANSON of Kennebec
— of the Senate.
Messrs. SUSI of Pittsfield
DRIGOTAS of Auburn
Mrs. WHITE of Guilford
Messrs. COTTRELL of Portland
FORTIER of Rumford
ROSS of Bath
— of the House.

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

Report was signed by the following members:

Mr. MARTIN of Piscataquis
— of the Senate.
Mr. HARRIMAN of Hollis
— of the House.

Reports were read.

Thereupon, the Majority "Ought to pass" Report was accepted, the Bill read twice and assigned for third reading tomorrow.

Divided Report

Report "A" of the Committee on Taxation on Bill "An Act relating to Tax on Pari-Mutuel Pools on Harness and Running Horse Racing" (H. P. 417) (L. D. 528) reporting same in a new draft (H. P. 1086) (L. D. 1331) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. WYMAN of Washington
MARTIN of Piscataquis
— of the Senate.
Messrs. HARRIMAN of Hollis
FORTIER of Rumford
ROSS of Bath
— of the House.

Report "B" of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Mr. HANSON of Kennebec
— of the Senate.

Messrs. SUSI of Pittsfield
COTTRELL of Portland
DRIGOTAS of Auburn
Mrs. WHITE of Guilford
— of the House.

Reports were read.

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

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

The SPEAKER pro tem: The gentleman from Pittsfield, Mr. Susi, now moves that we accept Committee Report "B" "Ought not to pass."

The Chair recognizes the gentleman from Hollis, Mr. Harriman.

Mr. HARRIMAN: Mr. Speaker, Ladies and Gentlemen of the House: In opposition to the motion of Mr. Susi I suggest that when the vote is taken, it be taken by roll call, and I would like to speak to the bill. I would like to speak to Report B because I believe there is about \$150,000 of tax money involved that should be returned to the taxpayers of the State, thereby lessening their already overburdened backs.

Someone during the hearing, and it was the opponent of this bill, said that this was a great big ball of wax, and I did not need any convincing after studying the complete picture; the only thing they didn't say was the kind of a ball of a wax it was. I think it was beeswax because there sure has been a lot of honey for the last eight years dripped off of this mostly to one place.

The original law called for a six per cent tax on all monies wagered to be returned to the State but in 1961 this was amended so that one sixth of the tax money — this was a nice figure — actually a sixteen and two-thirds per cent of the State take, should be returned to the operators for supplementary purses. The money which is paid to licensees—I'm a little ahead of my story here — this one-sixth of the six per cent, or sixteen and two-thirds per cent is returned to

the operators as supplementary purses.

Now the money which is paid these licensees at the end of the year is on the following basis. This is how it is split up: The total last year was \$151,598.32. Now this is divided by the number of racing days granted by the Commission, not actually the number of days that they race, and each licensee is paid for the number of racing days he has been granted by the Commission, and this is paid, as I have said, to the licensee whether or not he races. It's sort of a rain insurance you might call it.

Then 1963 came along, and the flat racing of Scarborough Downs evidently thought that if the harness racing boys get a sixth of their take back there ought to be some way they could do it. Well, they couldn't do it through purses because their purses were higher than the harness racing boys. So they got their one-sixth, or sixteen and two-thirds per cent of the State tax for, of all things, repair, maintenance, or operation of the track. The justification for this basis on refund I cannot see.

Up to 1966 the overall take of money wagered was 17 per cent. But in 1966 this was increased to 18 per cent, this increase of one per cent, or actually six per cent, all going back to the track interests and none to the State. We have returned, since 1961 through 1968, to the race interests of this State about \$900,000 in supplemental purses and about \$400,000 to Scarborough Downs, a total of about a hundred and a quarter million dollars, in addition to which, we have given them money for improvement funds of about \$800,000.

Now my bill protects the fairs as far as supplementary purses are concerned. They will get under my bill \$20 or \$25 more than they get under the present setup. But it protects them only during that time that a fair is being held. When they run extended races on the basis of making money, they have to make money on their own. They don't get any supplementary purse money.

You have been told, and I've seen about fifteen different items

go across my desk, that the racing interests would have to go out of business if my bill was passed. Now the law says that all racing interests shall file a statement of assets and liabilities with the Commission. Check them, don't take my word, although you may have to do as I did, go to the Attorney General before you can look at them. I will grant under my bill that some operators will have to pay their own income taxes rather than having them paid with State monies. I still don't think they'll go out of business.

Now, of the 230 races run last year, over fifty per cent of them were run by one-track operators as far as harness races are concerned; namely, Lewiston, Gorham, who claim they are going to be really hurt by this bill because it will cost them about \$70,000.

Now for the benefit of the House members, they have a cash inflow from depreciation of about \$69,116.40, so that isn't going to hurt them very much. Plus the fact that if you'll look below the line in '66 and '67, you'll find they made 125 or 30 thousand dollars. In addition to which it might be well if this House knew that the statements of assets and liabilities for two years were missing. That was as of five weeks ago, and as of three days ago they were still not in the files.

Now consider these figures if you will. In 1961 the gross take for the tracks before expenses, and this is the ten or eleven per cent that they take, was \$711,289.90. In 1968, with a small increase in programs, their take was \$1,667,581.52, an increase of around \$4,000 per program day. This is well over a hundred per cent; it's nearer a hundred and forty per cent. If this is during this time, even with supplementary purse money — and I'm not taking that figure into consideration, they've not gone up, the purses, anywhere near this amount. There is a breakage figure in there of another one percent which you can add to these figures.

It is my belief that we in this State need tax money badly enough

to finance our schools, our mentally retarded, our handicapped, the elderly and many other things too badly to be diverting tax funds for the promotion of races, and in some instances, in most instances, I'll put it, to pay their income tax. I believe the time has come for the State to stop being a silent partner in the racing business, and I hope that we'll get full value from our present tax loss before we attempt to enact any new ones. And again, when the vote is taken, I ask for a roll call.

The SPEAKER pro tem: The Chair recognizes the gentleman from Windham, Mr. Hall.

Mr. HALL: Mr. Speaker and Members of the House: I'd like to table this until next Tuesday pending on the acceptance of the "Ought not to pass" Report.

The SPEAKER pro tem: The gentleman now moves that this bill be tabled until Tuesday pending the acceptance of the Report.

Mr. Harriman of Hollis asked for a division on the motion to table.

The SPEAKER pro tem: The gentleman from Hollis, Mr. Harriman, has requested a division on the tabling motion. All those in favor of tabling this matter until Tuesday next will vote yes; all those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

59 having voted in the affirmative and 63 having voted in the negative, the motion did not prevail.

The SPEAKER pro tem: The question before the House is the acceptance of the Report B "Ought not to pass."

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

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: This is a very complicated subject. It is going to take time for us to get acquainted with it. I don't know as we have any choice but to get acquainted with it if we are going to vote intelligently on it.

First off, I would like to establish this on the record: I am no part of the management of any track in the State of Maine. Invariably I have been on the other side of

the fence, but I do feel that this bill would be very detrimental to the State.

I will start off while I am trying to get my thoughts collected here somewhat by reading to you a statement from the Chairman of the State Harness Racing Commission, Mr. John Weston. It is in regards to Legislative Document 528, which we are now considering. This is the statement:

"As chairman of the Maine Harness Racing Commission, I would like to point out a few facts regarding the Purse Supplement Law. The Commission, by Statute, is charged with promoting a strain of Maine bred harness horses and has attempted to do so. In 1961, it became apparent that harness racing associations could not continue to pay the purse amounts necessary to attract horsemen to race at their meets. In order to provide better purses and to present better horses at race meets, the Purse Supplement Law was enacted. Commercial meets and fairs jointly supported the proposal as they are closely tied together in many ways.

The fact that we are able to offer continuous racing from early spring through late fall keeps a large group of horsemen racing here in Maine. Approximately 1,000 horses stay in the State throughout the year. These horsemen are the life blood of Maine racing. Such a large number of horses racing in any area provides employment for an even larger group.

One of the direct results of the Purse Supplement Law has been an increase in the amount returned to the State as revenue from racing. Since its enactment, the amount wagered on harness racing has more than doubled as has the revenue receipts to the State." — and I think this is a very important point.

"Under the proposed bill, some fairs could continue to offer similar purses to these horsemen, others could not. For such tracks, removal of the Purse Supplement Law would be the deciding factor in their operation. Economically, some of the marginal meets would be forced out of business.

There are many Maine residents who enjoy owning and racing horses within the State. The more local horses that race promotes attendance at these meets and this results in more money to the State. I am sure the sponsors of Legislative Document 528 are sincere in their approach but it appears that if all factors are considered, what looks to be a saving may well result in a drop in revenue to the State. The past record shows remarkable progress in harness racing since 1961. In my opinion, if the present law is retained, the net income to the State of Maine will continue to increase steadily and substantially."

Now, this is a statement by the Chairman of your Maine Harness Racing Commission, John Weston. I'm sure that many of you know him personally and know him to be one of our fine devoted state servants. Under his tutelage I think that the harness picture here in Maine has produced a good image. There has been an absolute minimum of scandal. There has been continual increase in revenue to the State from this source, and I think we would do well to heed his advice on this.

His office also has produced for me this morning some information on exactly what has happened with and without the Purse Supplement Law that we are considering this morning. Prior to the adoption of the Purse Supplement Law, in the period from 1953 to 1960, the State's revenue went from \$239,000 to \$379,000, an increase of \$140,000. In 1962 the State's revenue was \$909,589, so that in the corresponding period, after the adoption of this Purse Supplement Law, which the bill would remove, the increase was \$529,000 against \$140,000 increase in a similar period without this Purse Supplement Law.

Now, I think it is quite obvious that there is a feeling on the part of the sponsor of this bill, my friend, Mr. Harriman, that track managements are making inordinate profits, and has attacked this problem, I believe, with this sort of motivation.

In fact, the Purse Supplement Law provides for one sixth of the revenue which the State receives

from racing to be turned back directly to horsemen for purses. This is direct to them. It would be a criminal violation if any of these funds were diverted for anything but purse supplement.

This was debated back some seven years ago or eight. It was the feeling that there was a need for this in order to keep racing going here in Maine. I personally believe that if it is taken away there will be an immediate loss in revenue to the State in considerable amounts, far more than what we are talking about here, and that it would be detrimental to the entire sport. It's an attack on the income of these horsemen.

Now, that raises a question: Do these horsemen need the additional revenue? Now, last year they raced for an average of \$526 per dash. That doesn't mean much to those of us who are not in the racing business, but that is less than one third of what horsemen in New Hampshire, just about a hundred miles away from the major tracks which race here in Maine, are getting.

Now to compare it to another field that we might be better acquainted with, there may be carpenters working for \$2.00 an hour in some of our communities here in Maine, and it might be possible for them to move into a neighboring state and get \$5.00 an hour; and yet they stay here, and it raises the obvious question, "Well, why?" It doesn't make any more sense for the carpenter to stay or for the horseman to stay, one than the other. The only explanation apparently is that this is their home; this is where they want to live and where they want to work. But I say this — and this amounts to around \$80, the removal of this Purse Supplement Law — if you drop them back from \$526 to \$446, roughly — and the guy stays and he carpenters for you for \$2.00; but could you honestly expect him to go back to a \$1.50 and stay? I think that this would be killing racing here in Maine.

Now, if you want to kill racing, I think we should be more forthright and direct about it and have

a bill in which spells it right out that we're to kill racing. There are reasons why people might want to kill racing, on moral grounds or perhaps because each session it brings bills into the Legislature like this one which takes a lot of our time and that we are not too interested in. But if we want to kill racing, let's be direct and forthright. I think that this is the wrong tack on it, and I hope that you would support the "Ought not to pass" report. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Hollis, Mr. Harriman.

Mr. HARRIMAN: In reply to my good friend, Mr. Susi, regarding purses, increase in betting, and so forth, might I say that we are dreamers if we think we are ever going to compete with Rockingham Track or anybody else as far as purses are concerned. They bet five and six times as much money as we do, and the proportion that we pay for purses compared to them will always be heavily in their favor.

Now, insofar as the increase in money bets since 1960-61, take it wherever you will, there is a lot of factors in the picture. One is inflation; the other is more leisure time; the other is better facilities. Now they have the better facilities because they have got a lot of it out of their improvement fund. Now, if you don't think they have the facilities, you go down and look at the improvement fund down there and you will find that they spent about two million dollars for improvements. The State has kicked in between eight and nine hundred thousand dollars. Now the difference is a million one hundred thousand dollars.

Now you might say that they borrowed the money, but you would find it quite a job, if you're a director of a fair association, to go to any bank and borrow that kind of money unless you signed a paper, and I doubt if there is very many directors of fair associations who signed any notes for the fair association for one hundred thousand or two hundred thousand or for ten thousand dollars.

Now, I believe that the facilities for racing in the State of Maine are probably in the best condition they have ever been in before. I believe we have done all that we should do for racing. As a matter of fact I think we have done more than we should do for racing, and I think that it's time the money went back where it belongs, and I have no worry — there will still be racing.

As I said before, out of 230 races, 230 meets last year, 120 of them went to the same interest.

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

Mr. COTTRELL: Mr. Speaker and Members of the House: I am not prepared to speak on this really, but I feel that having signed the report as I did, I must speak.

I am not a horseman. I have never been to a trotting race here in Maine. I have been to one fair, and I have only been out to Scarborough Downs once. I am a little out of my field except that I have listened to the hearings on the race business for a number of times, and just to give a little concrete example, I understand in Portland, at Scarborough Downs, that they have had a great deal of financial trouble in trying to keep it going. It has gone through bankruptcy, and for some reason some one from the South came up here and bought Scarborough Downs for a million dollars, and he is going to try to make a success of it, and he has bought it on the supposition that the tax situation will remain the same.

This bill really doesn't cost the taxpayer anything. The State gets a percentage of the money that is spent in the pari-mutuel handle, and I know this: that, for instance at Lewiston, in order to get horses, they have tried to lengthen the season so that people can bring their horses here and get a fair amount of racing, and to do that, to lengthen the season — I think they are running over here at Lewiston now, and they have been during the wintertime — and to do it they have had to winterize their plant so that people could

sit in warm grandstands, as I understand it.

The racing business is not a profitable business. The only one that really makes a big profit out of it is the State on a percentage of the handle. It is not taking anything away from the State really. The more bettors that they can get, the more accommodations they can arrange. The more attractive that they can make the race, the more money is going to be bet, the more people are going to attend, and the more money the State is going to get. I certainly think we shouldn't change the present setup in our tax structure on this matter.

Mr. Harriman of Hollis was granted unanimous consent to speak a third time.

Mr. HARRIMAN: Mr. Speaker and Members of the House: In reply to Representative Cottrell from Portland, may I say that the man who purchased Scarborough Downs, if we can believe in the paper, paid a million dollars. I don't think he paid a million dollars for Scarborough Downs anticipating that he was going to get any tax refund from the State of Maine. He bought it purely and selfishly without any question, as I or you would do, with the idea of making money on his own.

Now, if we are going to talk about giving tax money back, I will give you a parallel. I and many other people in this House pay twelve or fourteen thousand dollars a year sales taxes. If you want to work on the same basis, give us back sixteen and two thirds of them and we will increase our business too and you will get more in the end, but so will we. I think that it's about time we face the facts of life.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Pittsfield, Mr. Susi, that the House accept Report "B" reporting "Ought not to pass" on Bill "An Act relating to Tax on Pari-Mutuel Pools on Harness and Running Horse Racing," House Paper 417, L. D. 528. The gentleman from Hollis, Mr. Harriman has requested a roll call. For the Chair

to order a roll call it must have the expressed desire of one fifth of the members present and voting. Those desiring a roll call will vote yes; those opposed will vote no. The Chair opens the vote.

More than one fifth of the members present having expressed the desire for a roll call, a roll call was ordered.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Pittsfield, Mr. Susi, that the House accept Report "B" reporting "Ought not to pass". All those in favor of the motion will vote yes; those opposed will vote no, and the Chair opens the vote.

ROLL CALL

YES — Barnes, Benson, Bernier, Binnette, Birt, Bourgoin, Brown, Buckley, Bunker, Burnham, Carrier, Carter, Casey, Chandler, Chick, Corson, Cote, Cottrell, Couture, Crommett, Croteau, Cummings, Curtis, Cushing, D'Alfonso, Dam, Donaghy, Drigotas, Emery, Evans, Farnham, Faucher, Fecteau, Finemore, Fraser, Gaudreau, Giroux, Hall, Hanson, Haskell, Hawkens, Heselton, Hichens, Immonen, Jalbert, Jameson, Johnston, Kelleher, Kelley, R. P.; Keyte, Kilroy, Lawry, Lebel, Lee, Leibowitz, LePage, Levesque, Lewin, Lund, MacPhail, Marquis, Martin, McKinnon, Meisner, Millett, Moreshead, Morgan, Nadeau, Norris, Noyes, Ouellette, Page, Payson, M. W.; Rideout, Sahagian, Santoro, Scott, G. W., Shaw, Sheltra, Snow, Soulas, Susi, Tanguay, Thompson, Trask, Vincent, Watson, Waxman, Wheeler, White, Wood.

NO — Baker, Bedard, Berman, Bragdon, Brennan, Carey, Clark, C. H.; Clark, H. G.; Dennett, Dudley, Durgin, Dyar, Eustis, Fortier, A. J.; Foster, Gauthier, Harriman, Henley, Huber, Hunter, Jutras, Kelley, K. F.; Laberge, Lewis, Lincoln, Marsteller, McTeague, Mills, Mitchell, Mosher, Porter, Quimby, Rand, Richardson, G. A.; Richardson, H. L.; Rocheleau, Ross, Starbird, Stillings, Tyndale, Williams.

ABSENT — Allen, Boudreau, Coffey, Crosby, Curran, Danton,

Fortier, M.; Gilbert, Good, Hardy, Hewes, Kennedy, McNally, Pratt, Scott, C. F.; Temple, Wight.

Yes, 91; No, 41; Absent, 17.

The SPEAKER pro tem: Ninety-one having voted in the affirmative and forty-one having voted in the negative, Report "B" reporting "Ought not to pass" is accepted. It will be sent up for concurrence.

Passed to Be Engrossed

Bill "An Act Revising Criminal Failure to Support Minor Children" (S. P. 102) (L. D. 316)

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

Third Reader Tabled and Assigned

Bill "An Act relating to Sunday Sale of Liquor" (H. P. 289) (L. D. 365)

Was reported by the Committee on Bills in the Third Reading and read the third time.

On motion of Mr. Hichens of Eliot, tabled pending passage to be engrossed and specially assigned for Wednesday, March 26.)

Bill "An Act Revising the State Board of Arbitration and Conciliation Law" (H. P. 437) (L. D. 561)

Bill "An Act to Clarify the Barber Laws and Raise Certain Fees" (H. P. 464) (L. D. 601)

Bill "An Act relating to Credit for Military Service under State Retirement Law" (H. P. 576) (L. D. 762)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

Third Reader Tabled and Assigned

Bill "An Act Repealing Certain Procedure for Registration of Voters" (H. P. 628) (L. D. 816)

Was reported by the Committee on Bills in the Third Reading and read the third time.

(On motion of Mr. Dam of Skowhegan, tabled pending passage to be engrossed and specially assigned for Tuesday, March 25.)

Bill "An Act relating to Compensation of the Panel of Mediators" (H. P. 691) (L. D. 891)

Bill "An Act relating to Blood or Tissue Transfer Services" (H. P. 927) (L. D. 1188)

Bill "An Act Adding Airport Facilities to the Revenue Producing Municipal Facilities Act" (H. P. 1080) (L. D. 1313)

Resolve Making a Retroactive Adjustment in the Retirement Pension of Charles Hulbert (H. P. 781) (L. D. 1014)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolve read the second time, all passed to be engrossed and sent to the Senate.

Amended Bills

Bill "An Act relating to Weight Tolerance on Building or Construction Materials" (S. P. 78) (L. D. 240)

Bill "An Act relating to Distribution of Axle Loads on Commercial Vehicles" (S. P. 84) (L. D. 531)

Bill "An Act relating to Transfer of Funds from Maine Sardine Council to Department of Agriculture for Sardine Inspection Activities" (S. P. 199) (L. D. 608)

Bill "An Act Increasing Compensation of Members of Board of Hairdressers" (H. P. 227) (L. D. 283)

Bill "An Act to Clarify Certain Motor Vehicle Laws" (H. P. 246) (L. D. 301)

Bill "An Act relating to Report of Insurance Companies of Fire Loss Adjustments to Insurance Commissioner" (H. P. 315) (L. D. 402)

Bill "An Act relating to the City Charter of the City of Caribou, Authority of the City Council and Time of Elections in the City of Caribou" (H. P. 568) (L. D. 749)

Bill "An Act to Grant a Charter to the Town of Pittsfield" (H. P. 609) (L. D. 797)

Bill "An Act Providing for a Council-Manager Charter for the Town of Vassalboro" (H. P. 638) (L. D. 826)

Bill "An Act Extending Time for Relocating of Maine Central Railroad Tracks in Livermore Falls" (H. P. 668) (L. D. 855)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

At this point, Speaker Kennedy returned to the rostrum.

SPEAKER KENNEDY: The Chair thanks the gentleman from Bangor, Mr. Cox, for serving as Speaker pro tem. I know that it is most difficult and he did a good job under pressure, because one sitting on the Floor of the House might normally feel that this is an easy position to be in; but not being able to recognize many of the people that rise for recognition is always a problem, even for the Speaker who serves every day. So I am delighted with the performance of the gentleman and hope you have an opportunity some time later. (Applause)

**Passed to Be Enacted
Emergency Measure**

An Act relating to the Charter of the Van Buren Water District (S. P. 273) (L. D. 911)

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. 121 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.

Emergency Measure

An Act to Increase the Borrowing Capacity of Richmond Utilities District (H. P. 642) (L. D. 830)

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. 121 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 relating to Killing Rodents in Orchards (H. P. 451) (L. D. 588)

An Act Authorizing the Attorney General to Seek Dissolution of Certain Corporations (H. P. 656) (L. D. 843)

An Act relating to Venue of Certain Corporate Court Actions (H. P. 657) (L. D. 844)

An Act relating to Consolidation of Corporations with Foreign Corporations (H. P. 658) (L. D. 845)

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.

On motion of Mr. Croteau of Brunswick,

Adjourned until nine o'clock tomorrow morning.