

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh  
Legislature*

OF THE

STATE OF MAINE

1975

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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 correct 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 gentlewoman, 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. 613) (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 of 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,