

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Sixth

Legislature

OF THE

STATE OF MAINE

1973

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an Office of Off-reservation Indian Development within the Department of Indian Affairs" (H. P. 976) (L. D. 1290)

Tabled — April 9, by Mr. Garsoe of Cumberland.

Pending — Motion of Mr. Donaghy of Lubec to indefinitely postpone.

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

Mr. HASKELL: Mr. Speaker and Ladies and Gentlemen of the House. You will find in consultation with the Attorney General that there is a constitutional problem with the bill that is going to take the Attorney General's office probably a week to ten days to resolve. I would appreciate it if somebody would table this unassigned.

Thereupon, on motion of Mr. Simpson of Standish, tabled unassigned, pending the motion of Mr. Donaghy of Lubec to indefinitely postpone.

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

Bill "An Act Regulating Water Well Construction and Pump Installation" (S. P. 173) (L. D. 428)

Tabled — April 9, by Mr. Parks of Presque Isle.

Pending — Acceptance of either Report.

On motion of Mr. Emery of Rockland, the Majority "Ought to pass" Report was accepted in concurrence and the Bill read once.

Committee Amendment "A" (S-54) was read by the Clerk and adopted in concurrence and the Bill assigned for second reading tomorrow.

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

Bill "An Act to Revise the Election Laws" (S. P. 493) (L. D. 1535)

Tabled — April 9, by Mr. Martin of Eagle Lake.

Pending — Passage to be engrossed.

Mr. Ross of Bath offered House Amendment "C" and moved its adoption.

House Amendment "C" (H-205) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Under the present law which we are operating now, section 633 allows the municipal officers to set the times for registrar of board of registration to be in session according to the needs of the municipality. In our Omnibus Bill, we crossed this out and set a uniform statewide date by section 30. This was not considered practical and so this amendment today goes back to the original times.

Now 634 said that the registrar would publish a time schedule as determined by the municipal officers. In the Omnibus Bill we also did away with this to make it uniform. But for the same reasons, we have decided to go back to the original and still let the municipal officers decide.

The second section in the amendment changes just one word, the word "time" to "hourly," so as not to confuse the registrars between days and hours. In short, we are just going back to the present law to let the municipal officers decide the times and hours when these boards are to be in session. I move the adoption of the amendment.

Thereupon, House Amendment "C" was adopted.

Mr. Ross of Bath offered House Amendment "D" and moved its adoption.

House Amendment "D" (H-206) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker and Members of the House: I would like to speak to this and then I would suggest that somebody table it for one day.

Now in the present law the registrars can accept registration on certain days but are closed for days preceding the election according to the size of the town. For instance, under 2,500 they are only closed for one business day; 2,500 to 5,000, three days; 5,000 to 10,000,

five days; 10,000 to 24,000 seven days; 24,000 or over, nine days.

In our new Omnibus Bill, I suggested an amendment allowing five closed days statewide for all cities and towns. The gentleman from Portland, Mrs. Boudreau, questioned this and said they did not have enough time for Portland, so I withdrew it. Now this amendment goes back to the original schedule with the exception that in any place, regardless of the size, they can register on election day if they do this in person.

Now there are going to be an awful lot of amendments to this bill. When we are all through with the amendments, I will attempt to explain to the House exactly what we have done with our 58 sections. But since there are more amendments to be offered, and these perhaps to be discussed, I would suggest that somebody table this for one day.

On motion of Mr. Carey of Waterville, tabled pending the adoption of House Amendment "D" and tomorrow assigned.

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

Bill "An Act Excluding Log Rafts from Carrying Life Preservers" (H. P. 1200) (L. D. 1539)

Tabled — April 9, by Mr. Snowe of Auburn.

Pending — Acceptance of either Report.

On motion of Mr. Briggs of Caribou, tabled pending acceptance of either Report and specially assigned for Tuesday, April 17.

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

Bill "An Act Relating to Definition of Cigarettes under Cigarette Tax Law" (S. P. 220) (L. D. 636)

Tabled — April 10, by Mr. Simpson of Standish.

Pending — Acceptance of either Report.

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

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: I move we accept the

"ought not to pass" report and would speak to my motion.

The SPEAKER: The gentleman from Pittsfield, Mr. Susi, moves that the House accept the Minority "Ought not to pass" Report.

The Chair recognizes that gentleman.

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: I would like to give you a little background to this bill. Several years ago there was a federal ban put on cigarette TV advertising, I think you all recall. And at that time, the tobacco industry very ingeniously, in my opinion, invented these small cigars like Winchesters and others, and you have certainly seen the advertising on TV for this type of a smoke.

Now this was done, in my opinion, to circumvent the ban. I doubt that anyone would question this. They changed the style of a cigarette somewhat by taking tobacco, as I understand it, and homogenizing it, pressing it out and making a wrapper out of it in place of paper, so that technically they call this now a small cigar, although they are in packages that are of a shape and size, and with 20 to a pack, so that in effect to the public they are cigarettes and are certainly aimed at the cigarette market.

This did enable the tobacco industry to continue with their advertising, but I understand that now Congress has or is now involved in the process of overcoming this deception so as to be able to stop the advertising on this. At what stage this effort is, I am not certain.

Now this bill is born from this background. At the time that the tobacco industry invented these little cigars, our tax division here in Maine was not deceived by this effort and did tax these smokes as cigarettes at the rate of 14 cents a pack.

Now today the tobacco industry has this bill before us which would reclassify these smokes for tax purposes as cigars. Today, these sell on the market for a retail price of around 35 cents, including a 14-cent state cigarette tax. Were this bill enacted, the tax, the state tax