

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One-Hundredth Legislature

OF THE

STATE OF MAINE

VOLUME II

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SPECIAL SESSION

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DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

HOUSE

Friday, May 19, 1961

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

Prayer by the Rev. Mr. Joseph Craig of Augusta.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: Bill "An Act relating to Definition of Dependent Child under Aid to Dependent Children" (S. P. 559) (L. D. 1608)

Came from the Senate referred to the Committees on Appropriations and Financial Affairs and Welfare jointly.

In the House, referred to the Committees on Appropriations and Financial Affairs and Welfare jointly in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that Joint Order Relative to Legislative Research Committee Study of Collection of Tolls for Ferry Service for North Haven, Vinalhaven, etc., (S. P. 554) be recalled from the Legislative Files (S. P. 560)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

Senate Reports of Committees Ought Not to Pass

Report of the Committee on State Government reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution to Permit the Term of Governor to Coincide with That of the President of the United States (S. P. 360) (L. D. 1093) which was recommitted.

Came from the Senate read and accepted.

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

Ought to Pass in New Draft

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Establishing a Medical Care and Services Program" (S. P. 219) (L. D. 624) reporting same in a new draft (S.

P. 558) (L. D. 1605) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed.

In the House, the Report was read and accepted in concurrence, the New Draft read twice and assigned the next legislative day.

Tabled and Assigned

Report of the Committee on Health and Institutional Services on Bill "An Act Revising Laws Relating to Barbers and Hairdressers" (S. P. 416) (L. D. 1457) reporting same in a new draft (S. P. 556) (L. D. 1603) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed.

In the House, the Report was read.

The Speaker: Is it the pleasure of the House to accept the Committee Report?

The Chair recognizes the gentleman from Cape Elizabeth, Mr. Berry.

Mr. BERRY: Mr. Speaker and Members of the House: In looking through this L. D., it seems to me that there are many significant and important aspects of this which should receive our careful attention—which I am sure they perhaps did in committee. It would seem to concentrate considerable authority in the hands of inspectors going around the state. One item that catches my eye is that the certificate — of course everybody has got to be certified under this to cut hair — but a certificate may be lifted for malpractice and incompetency. Malpractice and incompetency in the art of cutting hair, I am not too sure just what it would be.

I do note that it is provided in here that — I suppose now that barbers don't shave quite as frequently as they used to, why that might not be too important. I notice the member of the board, in addition to getting their expenses and travel allowances, are paid twenty dollars a day for their services, which I know is quite a little bit different from some of the boards recently formed where members donate their services but

are paid for expenses. It seems to me that we have something here that might end up by putting the small barber in the country out of business.

I would like to hear some expressions of opinion from other members of the House.

The SPEAKER: The Chair recognizes the gentlewoman from Yarmouth, Mrs. Knapp.

Mrs. KNAPP: Mr. Speaker and Members of the House: This bill was reported out of committee "ought to pass." It had a very good hearing. There were probably two hundred and fifty—three hundred people there and they were not satisfied with some of the things, and we had a lot of amendments and put it through in new draft. And I talked with the legislative agent for the hairdressers and barbers and they were very satisfied that the bill was okay. I understand that there is an amendment or two to go on it. We feel that this was the best that we could do, and everybody was satisfied.

The SPEAKER: The Chair recognizes the gentleman from Raymond, Mr. Durgin.

Mr. DURGIN: Mr. Speaker and Ladies and Gentlemen of the House: There is some concern in my area for the small barbers, that this particular piece of legislation might put them out of business.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Jones.

Mr. JONES: Mr. Speaker, I believe this bill is such that it would bear a little more consideration and inspection, and therefore I move that it be tabled until a week from today.

The SPEAKER: Will the gentleman kindly approach the rostrum please.

(Conference at rostrum)

The SPEAKER: The Chair understands that the gentleman from Farmington, Mr. Jones, withdraws his original tabling motion and moves that the Bill and accompanying papers be tabled until Tuesday next pending acceptance of the Committee Report. Is this the pleasure of the House?

The motion prevailed.

Report of the Committee on State Government on Bill "An Act Creating a Constitutional and State Government Committee" (S. P. 126) (L. D. 271) reporting same in a new draft (S. P. 498) (L. D. 1498) under title of "An Act Creating a Constitutional Commission" and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed.

In the House, the Report was read and accepted in concurrence, the New Draft read twice and assigned the next legislative day.

Tabled and Assigned

Report of the Committee on Legal Affairs on Bill "An Act relating to Operating Business on Sundays" (S. P. 327) (L. D. 1002) reporting same in a new draft (S. P. 552) (L. D. 1599) under title of "An Act relating to Operating Business on the Lord's Day and Certain Holidays" and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Senate Amendment "A".

In the House, the Report was read.

The SPEAKER: The Chair recognizes the gentleman from St. Albans, Mr. Hughes.

Mr. HUGHES: Mr. Speaker, Ladies and Gentlemen of the House: This seems like a quite a ridiculous piece of business, to begin with it is not entirely blue laws because this bill also includes Memorial Day, July 4th, November 11th and Thanksgiving Day. Under this amendment S-200 with the exemptions that are listed, a long list of exemptions, they seem to have left out a few pieces of business. It would seem highly illogical that you could get up on a Sunday morning wishing to go on a fishing trip, step over to the drug store and buy a fish pole or all the fishing equipment that you might need, go on your fishing trip and in the process tear your pants that you were to wear Monday morning at work. You could not find a clothing store that would be open to buy yourself a new pair of pants to go to work Monday morning. I think they are pretty much

overstepping something here by discrimination, and I would move that this bill and all its accompanying papers be indefinitely postponed.

The SPEAKER: The question now before the House is the motion of the gentleman from St. Albans, Mr. Hughes, that this bill and the report be indefinitely postponed.

The Chair recognizes the gentleman from Bristol, Mrs. Sproul.

Mrs. SPROUL: Mr. Speaker, Ladies and Gentlemen of the House: This may look like a ridiculous piece of legislation to Mr. Hughes, all that I can say is that this is a unanimous report of the committee. We had several bills before us, we had several Sunday bills, holiday bills, and the problem that we had to face is this: there are certain places, Lewiston, Waterville, Brunswick, that are under heavy competition with stores that are staying open all day Sunday. From the viewpoint of health, it seems as though one day a week is not a bad idea. The Maine Merchants Association doesn't want to feel that every single furniture store and other stores should have to stay open on Sunday. The ministry of course is against it. One thing that touched me was that there was one of the Jewish faith that said he was used to the customs in this country, and they preferred to have Sunday off.

We on the committee don't pretend that this is the answer. The problem is a big one, either everything is going to be open on Sunday or we've got to try to hold the line. We did have one bill, which was called the Cox bill, to wipe off all Sunday laws from the books, and some of us on the committee thought that maybe we might just as well do that; but this was the last ditch attempt, shall we say, to pay a little attention to our Sunday laws. As I would say around home, if you have a better idea, we'll all be glad to listen to it. This is the best that we could come up with.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker, Ladies and Gentlemen of the House: This bill is aimed at one industry and one industry only.

That, they cannot deny. If this bill passes, it would close a firm in this state that has been operating legitimately for over fifty-odd years, namely L. L. Bean, that's a landmark in the State of Maine. The people coming to Maine, the first thing they want, they want to come to L. L. Bean. He is open twenty-four hours a day, seven days a week, and we in Freeport certainly agree and are very happy to have him operate because we consider he is doing an honest and upright business.

I say that this bill is discriminating against certain industries. Now this is what it allows to do on Sunday. The Lord's day, whether it's your Lord's day or my Lord's day. This section shall not apply to common contract and private carriers, taxi-cabs, these are people that will be able to operate on Sunday; airplanes, radio and television stations, newspaper publishers, hotels and motels, restaurants, garages, and motor vehicle service stations, automatic laundries, grocery stores, drug stores, they sell everything from a needle to a threshing machine — they can keep open; book stores, stores selling gifts, souvenirs, greenhouses — can keep open. If I paint my house green, I suppose under this bill how loosely written it is, I can keep open; roadside stands, which is all right, engaged in the sale of farm products, dairy products, public utilities, industries normally kept in continuous operation including but not limited to pulp and paper plants and textile plants, processing plants handling agricultural products and so on. You can have athletic events, you can have sports, you can keep a marina open; is that necessary? But they have left out one thing—a man and a woman cannot buy a piece of clothing on Sunday. If you write an insurance policy, if you write any policy at all whatever whether it's insurance or whether it is a life insurance policy, accident insurance; if you are doing business on the Lord's day, you are subject to arrest. I say, kill this bill. We have laws enough on the books, the only thing that they have got to do is enforce them. And I go along with Mr. Hughes' indefinite post-

ponement of this bill. And let's give justice where justice is due.

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

Mr. WADE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to ask through the Chair a question of Mrs. Sproul preferably, if the bill that was originally presented which had to do with the curtailment of activities on Memorial and Veterans' Days has been coupled with this so-called Lord's Day bill? May I ask that question please.

The SPEAKER: The gentleman from Skowhegan, Mr. Wade, has asked a question through the Chair of the gentlewoman from Bristol, Mrs. Sproul, who may answer if she chooses.

Mrs. SPROUL: This is coupled with Memorial Day, yes.

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

Mr. WADE: Mr. Speaker, Ladies and Gentlemen of the House: There are some of us here who are veterans of one or two or both wars, and we were seeking some kind of an enactment which would provide observation of the two days that have been set aside in memory of veterans. By some method or means, I'm not sure which, the bill has lost its identity. I heard a short time ago quite a lengthy discussion by my colleague from Portland, Mr. Kellam, in which he frequently used the word in reference to Memorial Day, as a holiday. And I am quite certain that there is not a veteran anywhere in the State of Maine who thinks of Memorial Day as a holiday. It is definitely a day of observance. Now that the distinction has been so confused in this present bill, the request of all veterans of the State of Maine has lost its identity. We are not now asking for anything that has to do with the Lord's day, we had primarily asked simply and solely for observance of two days in the State of Maine; namely, Memorial Day and Veterans' Day. And if it is going to be so confused as my good friend from Freeport, Mr. Crockett, has just pointed out then I think we would as veterans withdraw our request.

The SPEAKER: The Chair recognizes the gentlewoman from Bristol, Mrs. Sproul.

Mrs. SPROUL: I thoroughly agree and we on the committee do agree with Mr. Wade that Memorial Day is a special day, but on the other hand, we have the problem where it is the big day when people come to the State of Maine, and we do have to give them some consideration. We thoroughly sympathize with the veterans, and I for one have always observed Memorial Day and so have many of us on the committee; but we do have that problem.

The SPEAKER: The Chair recognizes the gentleman from St. Albans, Mr. Hughes.

Mr. HUGHES: Mr. Speaker, Members of the House: I would agree quite heartily with the gentlewoman from Bristol, Mrs. Sproul, that we should have one day of rest and also that it should be on Sunday. I also believe that we will never be able to legislate anybody into church. I think that if you were in my home town on a Sunday, you would find me in church, but my main point of contention is if you could show me where the line could be drawn and not show discrimination on this bill, I would certainly go along with it. Until that time, I will have to oppose it.

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

Mr. KELLAM: Mr. Speaker, Members of the House: I just want to say one thing about the inclusion of Memorial Day and these other holidays in this same bill. The Legal Affairs Committee every session gets bills on various holidays primarily from veterans' groups, service groups and quite a few merchants who wish to have the day observed as—what I call a holiday, indicating some holy significance to the day in putting it into the category with Sunday. Now the idea of putting Memorial Day in with this bill is to give it some of the characteristics of a Sunday—a day when the businesses will be suspended and the people will have an opportunity to take care of the decoration of graves and things of that type.

And it has been my understanding that that is what the groups who are working so diligently for this particular bill, they say the Veterans' Day Bill or the Memorial Day Bill, I have understood that is what they desire, and I went along with the committee on putting these into one group since they do have a certain similarity and the desirability to cut back on the commercial aspect of these particular days.

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

Mr. WELLMAN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to see what Mr. Kellam has just said. It seems to me what we're really trying to slow down here or to cut off is this large scale operation of our major department stores on these special holy days and days of observance. Now in Bangor we have a thing that particularly gripes me, and I am somewhat unhappy not to find Washington's Birthday included in here. We have a thing that they call "krazy days" on Washington's Birthday. Now that to me, I think it is just an insult, and I think people should slow down and observe once a week on these special days things that are of significance in our life. I don't think they should be made another day so that we can cut the jacked-up prices fifty percent and push a few more articles across the counter. Perhaps this bill isn't the answer, but my gracious, let's make a step in the direction of observance of these things that we feel deeply about. Thank you.

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

Mr. MINSKY: Mr. Speaker, Mr. Wade has pointed out that a bill which he introduced relative to Memorial Day and Veterans' Day was combined with this Sunday bill. A bill which I introduced dealing with Thanksgiving Day, Fourth of July and Washington's Birthday was also combined with the Sunday bill except that Washington's Birthday was stricken from the bill. I think it is unfortunate that these two matters have to be confused, the observance of patriotic holidays that

I think is a concern of this body, and Sunday bills which present an entirely different problem. It seems it has been very unpopular in late years to be patriotic, and if not unpopular, it is certainly very unbusinesslike to be patriotic.

I would like to have an opportunity to prepare an amendment which would separate the holidays from the Sunday laws, so that each can be given their proper consideration and so that one might not fail because of the presence of the other in the same bill. I would therefore ask that this matter be tabled until Tuesday next.

The SPEAKER: The question now before the House is the motion of the gentleman from Bangor, Mr. Minsky, that Bill "An Act relating to Operating Business on Sundays," Senate Paper 327, Legislative Document 1002, reporting same in a new draft, Senate Paper 552, Legislative Document 1599, under title of "An Act relating to Operating Business on the Lord's Day and Certain Holidays," be tabled and specially assigned for Tuesday, May 23. Is this the pleasure of the House?

All those in favor of the tabling motion say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

Thereupon, the Bill and accompanying papers were tabled pending the motion of the gentleman from St. Albans, Mr. Hughes, that the Bill be indefinitely postponed and specially assigned for Tuesday, May 23.

Ought to Pass with Committee Amendment

Report of the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Spencer Pond, Piscataquis County (S. P. 70) (L. D. 170) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Resolve passed to be engrossed as amended by Committee Amendment "A".

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

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to S. P. 70, L. D. 170, Resolve, Regulating Fishing in Spencer Pond, Piscataquis County.

Amend said Resolve by striking out all of the 7th, 8th and 9th lines and inserting in place thereof the following words and punctuation 'Piscataquis County.'

Committee Amendment "A" was adopted in concurrence and the Resolve assigned for second reading the next legislative day.

Divided Report

Majority Report of the Committee on Transportation reporting "Ought to pass" on Bill "An Act relating to Inspection of Motor Vehicles" (S. P. 309) (L. D. 897)

Report was signed by the following members:

Messrs. STILPHEN of Knox
COLE of Waldo
GILBERT of Kennebec
— of the Senate.

Messrs. DUNN of Poland
WHITNEY of Winn
BERRY of Portland
BUSSIÈRE of Lewiston
FINLEY of Washington
LINNEKIN of Limington
— of the House.

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

Report was signed by the following member:

Mr. NADEAU of Lewiston
— of the House.

Came from the Senate with the Majority Report accepted and the Bill passed to be engrossed.

In the House: Reports were read.

On motion of Mr. Finley of Washington, the Majority "Ought to pass" Report was accepted in concurrence.

Thereupon, the Bill was read twice and assigned for third reading the next legislative day.

On motion of the gentlewoman from Patten, Mrs. Harrington, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

Non-Concurrent Matter

Bill "An Act relating to Certain Standards for Nursing Homes" (H. P. 13) (L. D. 32) which was passed to be engrossed in the House on February 1.

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

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

Non-Concurrent Matter

Bill "An Act Permitting Sale of Liquor for One Hour After Midnight" (H. P. 828) (L. D. 1143) on which the House accepted the Minority "Ought not to pass" Report of the Committee on Liquor Control on March 8.

Came from the Senate with the Majority Report reporting "Ought to pass" as amended by Committee Amendment "A" accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" as amended by Senate Amendment "A" thereto in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Norway, Mr. Chapman.

Mr. CHAPMAN: Mr. Speaker and Ladies and Gentlemen: It seems to me that all the members of this House ought to be able to get as tight as they need to be by midnight, and I move that we insist and call for a Committee of Conference.

The SPEAKER: The question now before the House is the motion of the gentleman from Norway, Mr. Chapman, that the House insist and ask for a Committee of Conference.

The Chair recongizes the gentleman from Moscow, Mr. Beane.

Mr. BEANE: Mr. Speaker, I move that we recede and concur.

The SPEAKER: The gentleman from Moscow, Mr. Beane, moves that the House recede and concur with the Senate in accepting the "Ought to pass" Report. That is the prevailing motion.

Mr. Chapman of Norway then requested a division.

The SPEAKER: A division has been requested on the motion to recede and concur. All those in favor of receding and concurring, please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Fifty-one having voted in the affirmative and forty-one having voted in the negative, the motion prevailed.

The Bill was then given its two several readings.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 828, L. D. 1143, Bill, "An Act Permitting Sale of Liquor for One Hour After Midnight."

Amend said Bill by inserting at the beginning of the first line the abbreviation and figure 'Sec. 1.'

Further amend said Bill by adding at the end thereof the following:

"Sec. 2. R.S., c. 61, Sec. 27, amended. The 6th sentence of section 27 of chapter 61 of the Revised Statutes, as enacted by section 2 of chapter 403 of the public laws of 1955, is repealed and the following enacted in place thereof: 'The hours of selling or delivering above referred to shall be United States Eastern Daylight Time between the last Sunday of April and the last Sunday of October in each year and shall be United States Eastern Standard Time during the remainder of each year.'"

Senate Amendment "A" to Committee Amendment "A" was read by the Clerk as follows:

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H. P. 828, L. D. 1143, Bill, "An Act Permitting Sale of Liquor for One Hour After Midnight."

Amend said Amendment by adding after the underlined word "year" in the last line the underlined punctuation and words 'except that for private clubs, Class A restaurants and hotels, the hours of selling shall be United States Eastern Daylight Time during the entire year'

Senate Amendment "A" to Committee Amendment "A" was adopted in concurrence.

Thereupon, Committee Amendment "A" as amended by Senate

Amendment "A" thereto was adopted in concurrence and the Bill assigned for third reading the next legislative day.

Non-Concurrent Matter

Bill "An Act relating to Sunday Sales of Liquor by Hotels and Clubs" (H. P. 830) (L. D. 1145) on which the House accepted the Minority "Ought not to pass" Report of the Committee on Liquor Control on March 10.

Came from the Senate with the Majority "Ought to pass" Report accepted and the Bill passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentlewoman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker: I move that the House insist and ask for a Committee of Conference, and when the vote is taken I would ask for a division.

The SPEAKER: The question now before the House is the motion of the gentlewoman from Orrington, Mrs. Baker, that the House insist and ask for a Committee of Conference. A division has been requested.

The Chair recognizes the gentleman from Harrison, Mr. Morrill.

Mr. MORRILL: Mr. Speaker, I move that we recede and concur.

The SPEAKER: The gentleman from Harrison, Mr. Morrill, moves that the House recede and concur with the Senate in accepting the "Ought to pass" Report. That will be the prevailing motion.

Mr. Chapman of Norway requested a division.

The SPEAKER: A division has been requested. Is the House ready for the question? All those in favor of receding and concurring with the Senate in accepting the "Ought to pass" Report, please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Sixty-nine having voted in the affirmative and thirty-two having voted in the negative, the motion to recede and concur did prevail.

The Bill was then given its two several readings.

Senate Amendment "A" was read by the Clerk as follows:

SENATE AMENDMENT "A" to H. P. 830, L. D. 1145, Bill, "An Act Relating to Sunday Sales of Liquor by Hotels and Clubs."

Amend said Bill in the title by striking out the word "Clubs" and inserting in place thereof the words 'Class A Restaurants'

Further amend said Bill in the 9th, 10th, 11th, 12th and 13th lines by striking out all of the underlined sentence and inserting in place thereof the following underlined sentence:

'No liquor shall be sold in this State on Sundays, except that, subject to all the other provisions of this chapter, licensed hotels and class A restaurants may sell liquor on Sundays between the hours of 1 P.M. and 8 P.M., provided such liquor is sold only with food for which the purchaser is charged a total of \$1 or more.'

Senate Amendment "A" was adopted in concurrence and the Bill assigned for third reading the next legislative day.

The SPEAKER: The Clerk will read another Senate paper not on the advance journal.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, the Senate adjourns to meet on Monday afternoon at 4 o'clock and the House adjourns to meet at 10 o'clock on Tuesday morning.

Came from the Senate read and passed.

In the House, the Order was read.

The SPEAKER: The Chair would like to mention a word of explanation at this time. Leadership in the House has consulted with the Clerk and he sees no necessity of the House meeting on Monday, since we have no unassigned matters on our table. And the Clerk has further stated that if the Senate does meet on Monday that the Clerk's help or force will be here Monday and they will process any work that the Senate does on Monday, and we will do the work that the Senate sends us on Tuesday. So there is no necessity that the House be here on Monday since

we have no unassigned matters on our table and it would be just a waste of time to call back a hundred and fifty members of the House, to do work which we can do on Tuesday.

Is it the pleasure of the House that this Order shall receive passage?

The motion prevailed and the Order received passage in concurrence.

Petitions, Bills and Resolves Requiring Reference

The following Bill was approved by a majority of the Committee on Reference of Bills for appearance on House Calendar:

Bill "An Act relating to Number of Aides-de-Camp Appointed by Governor" (H. P. 1168) (Presented by Mr. Stevens of Portland)

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

Mr. STEVENS: Mr. Speaker, as a word of explanation I think I owe it to the House to explain part of this bill. This bill was introduced at the request of the Governor. As the matter stands now, he is entitled to nine aides-de-camp. He made a commitment during his running for office that he would appoint the Department Commander of the Purple Heart Association to his staff. When he went to fulfill that obligation he found that he was limited by statutes to only nine aides-de-camp. He requested me to put this legislation in so that he would be able to fulfill his obligation. Thank you.

Thereupon, less than one-tenth of the members present objecting, the Bill was referred to the following Committee:

State Government

(Ordered printed)

Sent up for concurrence.

Orders

On motion of Mrs. Patten of Harrington, it was

ORDERED, that Mrs. Shepard of Stonington be excused from attendance today because of business.

On motion of Mr. Edwards of Stockton Springs, it was

ORDERED, that Mr. Estey of Portland be excused from attendance today because of business.

The SPEAKER: At this time the Chair will request that the Sergeant-at-Arms escort the gentleman from Greenville, Mr. Anderson, to the rostrum to serve as Speaker pro tem.

Thereupon, Mr. Anderson of Greenville assumed the Chair as Speaker pro tem, and Speaker Good retired from the Hall.

House Reports of Committees Leave to Withdraw Covered by Other Legislation

Mrs. Baker from the Committee on Towns and Counties on Bill "An Act Increasing Salaries of Judge and Associate Judge of Bangor Municipal Court" (H. P. 164) (L. D. 227) reported Leave to Withdraw, as covered by other legislation.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker, in regard to items one through forty-five, these are all leave to withdraw as covered by other legislation, and on Tuesday, the Committee of Towns and Counties expect to bring in their omnibus bills which will cover all these. Therefore any action in regard to any of these matters may be deferred until Tuesday.

Same member from same Committee reported same on Bill "An Act Increasing Salary of Register of Deeds of York County" (H. P. 213) (L. D. 308)

Same member from same Committee reported same on Bill "An Act relating to Salaries of Certain Officers of Cumberland County" (H. P. 274) (L. D. 388)

Same member from same Committee reported same on Bill "An Act Increasing Salary of Judge of Western Hancock Municipal Court" (H. P. 363) (L. D. 515)

Same member from same Committee reported same on Bill "An Act Increasing Salary of Judge and Recorder of Van Buren Municipal Court" (H. P. 368) (L. D. 520)

Same member from same Committee reported same on Bill "An

Act Increasing Salary of Judge and Recorder of Caribou Municipal Court" (H. P. 425) (L. D. 600)

Same member from same Committee reported same on Bill "An Act Increasing Salaries of County Attorney and Assistant County Attorneys of Cumberland County" (H. P. 785) (L. D. 1066)

Same member from same Committee reported same on Bill "An Act Increasing Salary of Register of Deeds of Somerset County" (H. P. 860) (L. D. 1174)

Same member from same Committee reported same on Bill "An Act Increasing Salary of Judge of Livermore Falls Municipal Court" (H. P. 1044) (L. D. 1445)

Mr. Danes from same Committee reported same on Bill "An Act Increasing Salary of Sheriff of Penobscot County" (H. P. 56) (L. D. 97)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salary of Judge of Northern Cumberland Municipal Court" (H. P. 67) (L. D. 109)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salaries of Judge and Associate Judge of Bar Harbor Municipal Court" (H. P. 171) (L. D. 234)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salaries of Judge and Recorder of Presque Isle Municipal Court" (H. P. 371) (L. D. 523)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salaries of County Officials and Judges and Recorders of Municipal Courts in Washington County" (H. P. 430) (L. D. 605)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salary of Register of Probate of Somerset County" (H. P. 556) (L. D. 753)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salary of Treasurer of Somerset County" (H. P. 559) (L. D. 756)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salary of Judge and Recorder of Houlton Municipal Court" (H. P. 715) (L. D. 914)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salaries of Androscoggin County Officials" (H. P. 1043) (L. D. 1444)

Mr. Jones from same Committee reported same on Bill "An Act Increasing Salary of Sheriff of York County" (H. P. 276) (L. D. 390)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salary of Clerk of Courts of York County" (H. P. 369) (L. D. 521)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salaries of County Officials of Penobscot County" (H. P. 426) (L. D. 601)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salaries of Judge and Associate Judge of Saco Municipal Court" (H. P. 552) (L. D. 749)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salaries of Judge and Associate Judge of Kennebunk Municipal Court" (H. P. 644) (L. D. 861)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salaries of County Officials of Sagadahoc County and Judge and Recorder of Bath Municipal Court" (H. P. 711) (L. D. 923)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salary of Associate Judge of Auburn Municipal Court" (H. P. 909) (L. D. 1243)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salaries of Cumberland County Officials and Judges and Associate Judges of Municipal Courts in Cumberland County" (H. P. 912) (L. D. 1246)

Mr. MacGregor from same Committee reported same on Bill "An Act Increasing Salary of County Treasurer of York County" (H. P. 214) (L. D. 309)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salary of Sheriff of Somerset County" (H. P. 367) (L. D. 519)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salary of Judge and

Recorder of Fort Fairfield Municipal Court" (H. P. 432) (L. D. 607)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salary of Judge and Recorder of Northern Aroostook Municipal Court" (H. P. 553) (L. D. 750)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salary of Judge of Probate of Somerset County" (H. P. 557) (L. D. 754)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salary of Sheriff of Piscataquis County" (H. P. 852) (L. D. 1166)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salaries of County Attorney and Assistant County Attorney of Penobscot County" (H. P. 854) (L. D. 1168)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salaries of Certain County Officials of Kennebec County and Judges and Associate Judges of Municipal Courts" (H. P. 858) (L. D. 1172)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salaries of County Officials of Waldo County and Judge and Recorder of Waldo County Municipal Court" (H. P. 859) (L. D. 1173)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salaries of Register of Deeds and Register of Probate of Androscoggin County" (H. P. 1041) (L. D. 1442)

Mrs. Shaw from same Committee reported same on Bill "An Act to Increase Salaries of Judge and Recorder of Town of Lincoln Municipal Court, Penobscot County" (H. P. 55) (L. D. 96)

Same member from same Committee reported same on Bill "An Act Increasing Salaries of County Commissioners of York County" (H. P. 212) (L. D. 307)

Same member from same Committee reported same on Bill "An Act Increasing Salaries of County Officials of Franklin County" (H. P. 215) (L. D. 310)

Same member from same Committee reported same on Bill "An Act Increasing Salaries of County

Attorney and Assistant County Attorney of Aroostook County" (H. P. 370) (L. D. 522)

Same member from same Committee reported same on Bill "An Act Increasing Salary of Judge and Recorder of Madawaska Municipal Court" (H. P. 555) (L. D. 752)

Same member from same Committee reported same on Bill "An Act Increasing the Salary of Clerk of Courts of Somerset County" (H. P. 558) (L. D. 755)

Same member from same Committee reported same on Bill "An Act Increasing Salary of Register of Probate of York County" (H. P. 712) (L. D. 989)

Same member from same Committee reported same on Bill "An Act Increasing Salary of Judge of Probate of Penobscot County" (H. P. 857) (L. D. 1171)

Same member from same Committee reported same on Bill "An Act Increasing Salary of Recorder of Lewiston Municipal Court" (H. P. 1042) (L. D. 1443)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass Tabled and Assigned

Mr. Drake from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve to Provide for One Additional Staff Member to the Maine Port Authority to Evaluate Existing Commercial Water Front Facilities Along the Coast of Maine (H. P. 725) (L. D. 1013)

Report was read.

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

Mr. DANES: Mr. Speaker, Ladies and Gentlemen of the House: I was quite surprised to find this item appearing on today's calendar, after speaking with one of the members of the Appropriations Committee yesterday and being advised that there had been no action taken on it as yet. They hastened to apologize this morning. As a result, I am not quite prepared to talk on this item today, and would appreciate the indulgence of the House to allow me to table it until Tuesday next.

Thereupon, the Report and Bill were tabled pending acceptance of

the Committee Report and specially assigned for Tuesday, May 23.

Ought to Pass Printed Bill

Mrs. Smith from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act relating to Care and Supervision of Planes of Department of Sea and Shore Fisheries" (H. P. 1159) (L. D. 1600)

Report was read and accepted, the Bill read twice and assigned the next legislative day.

Referred to 101st Legislature

Mr. Bearce from the Committee on State Government on Bill "An Act to Reimburse Town of Thomaston for Cost of Municipal Services Provided for the State" (H. P. 705) (L. D. 983) which was recommended, reported that it be referred to the 101st Legislature.

Report was read and accepted, the Bill referred to the 101st Legislature and sent up for concurrence.

Tabled and Assigned

Mr. Haughn from the Committee on State Government on Bill "An Act to Reimburse Town of Warren for Cost of Municipal Services Provided for the State" (H. P. 901) (L. D. 1235) which was recommended, reported that it be referred to the 101st Legislature.

The SPEAKER pro tem: The Chair recognizes the gentleman from Washington, Mr. Finley.

Mr. FINLEY: Mr. Speaker, Ladies and Gentlemen of the House: May I move to have this tabled until next Wednesday?

The SPEAKER pro tem: The gentleman from Washington, Mr. Finley, has moved that this matter lie on the table until Wednesday next.

All those in favor please say aye; those opposed, no.

A viva voce vote being doubted by the Chair, a division of the House was had.

Forty-nine having voted in the affirmative and eleven having voted in the negative, the motion prevailed, the Bill was so tabled pending acceptance of the committee report and specially assigned for Wednesday, May 24.

**Ought to Pass with
Committee Amendment
Indefinitely Postponed**

Mr. Bragdon from the Committee on Appropriations and Financial Affairs on Bill "An Act Directing a Study of Property Tax Administration" (H. P. 449) (L. D. 649) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Albion, Mr. Cooper.

Mr. COOPER: Mr. Speaker, Ladies and Gentlemen of the House: I believe this bill calls for \$50,000 for this report, I haven't found the amendment H-308 in regards to it, so I am not familiar with that. However, in the 99th Legislature there was this same bill appeared here, and it called for an expenditure of \$20,000. I don't know—that bill was killed, I don't know whether the 99th Legislature had as many brains as the 100th or not, but I think they were a pretty fairly intelligent bunch of people, and this same thing was defeated; and it only called for \$20,000, this one calls for \$50,000. I would move that it be indefinitely postponed.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Albion, Mr. Cooper, that the Report and Bill be indefinitely postponed.

The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, for the information of the gentleman from Albion if he hasn't found the amendment, I haven't looked it up either; but I recall that it is amended to \$25,000, instead of the \$50,000 mentioned. In discussing this matter, the Appropriations Committee felt that this matter of an equalization of property tax is one of the very important problems that faces the municipalities of the State of Maine at the present time. Certainly we have seen tremendous indication here on the floor of this House that the very matter of equal taxation of real estate in the State of Maine is causing more trouble with the operation of our Sinclair Law than any other one thing. It was the feeling of your committee that the taxation

department could well be given this appropriation of \$25,000 to look into this matter, and certainly they're feeling that some good could come out of it, I hope you will not go along with the indefinite postponement of this bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Rockland, Mr. Knight.

Mr. KNIGHT: I noticed on the last division that there were only a total of sixty people present, I would wonder if it would be possible to ring the gong that we may have a better attendance.

The SPEAKER pro tem: The Chair recognizes the gentleman from Nobleboro, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker, I had no intention of making any remarks in regard to this L. D., but I can't help but wonder if it cost the Town of Bristol \$20,000 to make a tax study in one little town, I don't see what the state is going to accomplish by how much they can do for \$25,000.

The SPEAKER pro tem: The Chair recognizes the gentleman from Albion, Mr. Cooper.

Mr. COOPER: Mr. Speaker, Ladies and Gentlemen of the House: It just seems to me that we have had a pretty good system. I know that these valuations around through the state and various sections are not equal, and I wonder if two or three professional men over here in the adjoining building can go around through the state and do any better job in equalizing the valuations of our property than the town fathers can do at home. Now that's the way I feel about it, I think you are setting up a czaristic idea in this matter. I am opposed to it.

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

Mr. BAXTER: Mr. Speaker, I'm not familiar with the details of this bill except in general. Of course we do know that Dr. Sly felt that one of our greatest problems in Maine was the administration and application of the local property tax. Also, I feel very strongly that in Maine in which our incomes are relatively low and our property values are not particularly high, we're not heavily indus-

trialized, that it is extremely important that we carry out our taxing very efficiently, that we do a good job. We can't afford the luxury of an incompetent job, and that isn't to mean that we should tax people more or less or whatever, but merely to make the best possible use in all fairness, and fairness is what is important, of the tax source.

I think there's a distinct feeling and I think the Sly Report indicated that all is not well in this respect in the property tax field. Of course Dr. Sly recommended as you will remember that the state have assessment districts, instead of having local assessors, he recommended that towns combine into assessment districts and so there will be enough property being assessed so that professional assessors could do the job. He recognized that this would probably be a very difficult thing to persuade the towns to do, and so he recommended individual professional assessors in areas to advise the town assessors.

I have talked with several small town assessment groups recently, around the first of April, and they have said by golly we would certainly like to have that help. They said of course we can get it from the state now if we really need it, but they are very busy and more professional help with assessing would certainly relieve us of a great many headaches. I believe this bill has to do with that subject, and therefore, I hope that we will go along with the "ought to pass" report of the Appropriations and Financial Affairs Committee.

The SPEAKER pro tem: The Chair recognizes the gentleman from Ellsworth, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I would like to go on record as concurring with the gentleman from Albion, Mr. Cooper.

The SPEAKER pro tem: The Chair recognizes the gentleman from Gouldsboro, Mr. Young.

Mr. YOUNG: Mr. Speaker, Ladies and Gentlemen of the House: I personally don't think we need any professionals to assess our small towns. I think we get along pretty good right now. I have been an assessor for twelve years, may-

be we don't do the best job in the world; but I feel if we pass this bill why we just have Dr. Sly back again for — pay him \$25,000 instead of \$35,000 that's all. I don't think we need this.

The SPEAKER pro tem: The Chair recognizes the gentleman from Auburn, Mr. Turner.

Mr. TURNER: Down in my locality, the City of Auburn, we had one of those special expert assessors come in there and assess the city a few years ago, and about the only help that they did they reduced the valuation of Central Maine Power a million and one half and put it on the homeowners. So I don't believe I'd dare to vote for this. In my town they might not like it.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Wellman.

Mr. WELLMAN: I feel that this is probably one of the most important bills before this session of the Legislature. The problem of the property tax, its assessment as handled in this state and other states in the union has been a thorny and a hard question. Now I would like to clear up one thing. This bill is not going to assess anybody's property in any town or city in the state. There is a section in the statutes now that gives the state tax assessor a certain authority to establish assessment districts. Now Dr. Sly has recommended that we investigate and if correct reaffirm the principles embodied in the statutes. You are not asking for any new laws in this bill, you are suggesting that \$25,000 be appropriated to the tax assessor to do the job that's already in the books. I firmly hope that you give him the money to do the job, to let him see if there's some way out of our dilemma that we are in these property taxes, and to implement the laws that he has got now. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Sherman, Mr. Storm.

Mr. STORM: I also have been a local tax assessor for a number of years, and I certainly feel that we need some improvement in our assessment system. During this session of the Legislature at different

times, we've heard a great deal of criticism of the Sly Report and reference made to the fact that whatever we paid Dr. Sly for his investigation was money wasted and thrown down the drain. Of course it's wasted and thrown down the drain if we don't make some use of his recommendations, at least after spending that money. Let's before we scrap the whole thing, try out some of the things that he suggested and study them a little further. I certainly hope that this present question is approved.

The SPEAKER pro tem: The Chair recognizes the gentleman from Etna, Mr. Carter.

Mr. CARTER: In our small town, we have got some very good help and I think they are very efficient men from our taxation bureau over here, and I will go along with the motion to indefinitely postpone.

The SPEAKER pro tem: The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker, I, too, have been an assessor in my community for some years, and I concur with the remarks of the gentleman from Gouldsboro, Mr. Young. Now I don't oppose the program of Dr. Sly, but \$25,000 isn't going to be much help to the State of Maine. The state tax assessors and all those who represent small communities and have been on the assessing boards know that the department already does hold schools in the counties to assist the local tax assessors to the best of their ability. But of course the whole thing lies with the local community in the authority vested in them. Now if this was a half a million dollars and the state could afford it, I think I would go along with it; but this \$25,000 price tag to me is ridiculous. And I certainly will vote against it.

The SPEAKER pro tem: The Chair recognizes the gentleman from Brunswick, Mr. Lowery.

Mr. LOWERY: Mr. Speaker, speaking as a representative of the Town of Brunswick, we have had this experience with professionals coming in from outside reassessing and although we had some difficulty after the reassessment or re-

valuation, we have found that it works exceptionally well with us. I feel that this is the one point of the Sly Report that I could go along with. I will admit that most of the Sly Report I couldn't, but this is one part of the Sly Report that I can go along with, and I think it is a good piece of legislation.

The SPEAKER pro tem: The Chair recognizes the gentleman from York, Mr. Rust.

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of this particular L. D. for a very simple reason. You all noted in many of our communities the assessors have a particular difficult problem with trailers. Now trailers can be taxed in one of three ways: real estate, personal property, or any excise tax laws. Now the way trailers are creeping into the communities today, they are bringing to these communities a very serious tax situation, because if they are taxed as personal property or as excise, they bring in a very small revenue whereas if they are taxed as real estate, they will bring in a bigger proportion of revenue and support to services which are necessary for their facilities. And if this report or study will help the local assessors come to a better determination of when these trailers are real estate and can be taxed in that category, this \$25,000 will more than pay up for itself, and I support the motion on that basis.

The SPEAKER pro tem: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Plante.

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: In support of the unanimous report of the Appropriations Committee, I sincerely feel that the days of window assessing, that is going by in a car and naming a price on a piece of property, and what the tax should be is a thing of the past. I think it is time that we have some uniformity and particularly with all of the exemptions that we have on property taxes, and the property tax being the principal source of revenue for communities, I think it is very important that we offer the best tools

to our local assessors. Many of them do not have the time to thoroughly study the present laws, and I think that if they could have some code or some guide lines to assist them in doing the job which I feel many of them want to do and to do well, I think we should give them the tools to do so.

The SPEAKER pro tem: Is the House ready for the question?

The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: May I pose a question through the Chair to any member who cares to answer it, as to just what this \$25,000 will do for the communities?

The SPEAKER pro tem: The gentleman from Milbridge, Mr. Kennedy, has asked a question through the Chair of anyone who may choose to answer.

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

Mr. WELLMAN: Mr. Speaker, Ladies and Gentlemen of the House: In answer to the question, what this bill will do is to give him the money with which he can re-examine that part of the statutes which allows him to establish assessing districts. Now the goal of the statute as it now exists is, as we have heard discussed here, to give more uniformity, more forward or more scientific methods of going at the problem of assessing. It will help the towns in that it will lay a base for either removing from the statutes this section saying they are no good, finding another way to get at this basic problem; or it will tell the next legislature that this is a good idea, go ahead, set up your districts, the districts will be formed in such and such a manner, and so on and so forth.

The SPEAKER pro tem: The Chair recognizes the gentleman from Farmington, Mr. Jones.

Mr. JONES: Mr. Speaker, it almost looks as though this is a pretty good bill, and the way the discussion is going on here and what has taken place in the past, it almost looks as though we should give up the towns and we should give up the counties and let their actions be taken over by the state here. We would have no more towns

and counties because the people do not know how to run them.

The SPEAKER pro tem: The Chair recognizes the gentleman from Milbridge, Mr. Kennedy, who asks unanimous consent to address the House the third time.

Mr. KENNEDY: Of course I take some exception and it would be debatable and be very lengthy; but representing ten small communities, I am aware of their problems, I am aware of their assessing problem and I would like to help them; and perhaps a district system would be feasible, perhaps they would get a more equitable assessment if they had professionals in a district system. I just question whether \$25,000 is going to accomplish this. If \$25,000 is going to be spent in determining whether the present statutes are feasible for assessment, or whether they are not, it seems to me an expensive evaluation of this statute that we have now. I'm in doubt as to the merits of this bill, very much in doubt. I'm afraid that if we spend \$25,000, we will come back in the next Legislature and perhaps have a — I don't know whether it will be an appropriations district like we have a Sinclair Bill of administrative districts or what we will be faced with, but I am afraid it's going to be very expensive. We have a problem but I don't think that this is the answer to it, and I still will be voting for it and I hope the members of the small communities will be along with me.

Now the people who have spoken in favor of this bill are representing large communities that I doubt and question if they've had any experience with assessing.

The SPEAKER pro tem: The Chair recognizes the gentleman from Sherman, Mr. Storm.

Mr. STORM: Mr. Speaker, I am one of the men that spoke in favor of this thing, and I represent the small community, and I represent eleven small communities. I am an assessor in one of them. I am not satisfied with the job of assessing that we're doing in our own town. I don't think they are doing a bit better in any of the other eleven towns, and I think there is a lot of merit in this thing and I hope

that we go along with it and defeat the motion to indefinitely postpone.

The SPEAKER pro tem: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Plante.

Mr. PLANTE: Mr. Speaker, Ladies, and Gentlemen of the House: When I voted for this in committee, I sincerely felt that the purpose of the act would be primarily to help the small towns. Old Orchard Beach is a small community and the other community which I represent, Arundel, is a very small community, and it was my sincere belief that it was not the big fellow that we were helping because they have professionals there. I sincerely felt that it was helping the individual who has to work eight hours a day and serves as a selectman or assessor in his town and needs additional aid, and this is why I supported the bill. I certainly hope that those of you who represent small communities give this some serious thought.

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

Mr. BAXTER: Mr. Speaker, I also have spoken on this and I also represent two small towns and have frequent contact with assessors in other small towns. We have heard here that the small towns and counties and the cities and everything are going to go down the drain today if we pass this particular bill. Just as a matter of clarification, I would like to read what this bill says, because there seems to have been some confusion. "The State Tax Assessor is directed to make a study of the administration of the property tax in this State, including administration at both state and local levels, and the relationship between the State Bureau of Taxation and the local assessing officers; and to report to the 101st Legislature the results of such study, together with recommendations for improvement in the administration of such taxes and for amendments and additions to existing statutes intended to facilitate such improvement in administration."

So this obviously doesn't do anything specific except give the next Legislature information worked up by our own people here in the State of Maine knowing our own problems as to what we might do to improve the one source of revenue that our towns live by, and incidentally, as you know, there is very strong pressure for local sales taxes. This particular session we killed the local sales tax bill, but I think this has a relationship to the question of whether or not we will have local sales taxes in the future.

The SPEAKER pro tem: The Chair recognizes the gentleman from Liberty, Mr. Westerfield.

Mr. WESTERFIELD: Mr. Speaker, I certainly appreciate the fact that the gentleman from Pittsfield, Mr. Baxter, clarified this situation. I was beginning to think that this bill from the explanations previously given, I was beginning to think that the purpose of this bill was to implement a portion of the Sly Report.

Apparently, from the gentleman's explanation this does not implement the study that was made in the Sly Report in regard to these district directors, district director assessors, but actually implements a study of the situation. It appears to me that we have had a study made and we have within the Sly Report recommendations in this regard, and further along that line it seems to me that the question that should be before us now is not a question of another study but the question of whether we want to spend some money to implement these directors or not. In my mind, if we were going to spend this \$25,000 to set up one director and use that for a pilot program so that the 101st Legislature could see what had been accomplished and on the basis of that judge the validity of continuing the program, I think that I would consider that advisable, because like many members who have spoken in this House today, I feel that there is a great deal lacking in our present assessing facilities, but I don't feel that this, as it is described, is going to accomplish that job. It is so far as I can see a study to study a study, and therefore it is my mind to

support the motion for indefinite postponement.

The SPEAKER pro tem: The Chair recognizes the gentleman from Lewiston, Mr. Jalberty.

Mr. JALBERT: Mr. Speaker, as a member of the Appropriations Committee I would like to go on record as opposing the motion to indefinitely postpone.

Actually, it is the opinion of some of us on the committee that this item could have well gone into current services or the supplemental budget. It is nothing more than giving a little extra money to this Department, the Assessors Department, to do the job that we charge them to do. It means really to help the assessors in the various towns, and I would go along with the usual sound thinking of the gentleman from Milbridge, Mr. Kennedy, that maybe the price tag is not enough, if that's so let's amend it. If we leave it at \$25,000 at least we will start, and staying with the gentleman from Milbridge, Mr. Kennedy, those of us who know him, know that he is a very hard working and successful businessman, he belongs to many civic organizations, we all know he is a sound Legislator, he has told us he is an assessor, how much work can we do? We want to help him by facilitating his work, that's all, as an assessor.

The SPEAKER pro tem: The Chair recognizes the gentleman from Scarborough, Mr. Coulthard.

Mr. COULTHARD: Mr. Speaker, I am somewhat confused, Ladies and Gentlemen of the House. We went through revaluation in my town and this past year since I have been down here I have been requested a number of times to visit the Taxation Bureau for information on personal property tax by my assessors at home. And if this bill is designed to assist my people in that job, I feel it would be well worth the \$25,000.

The SPEAKER pro tem: The Chair recognizes the gentleman from Auburn, Mr. Turner.

Mr. TURNER: Mr. Speaker and Ladies and Gentlemen: Now there is a big move going on now by some of the big companies in the state, they are making their own tax adjustments. Now I was into

our tax office just the other day and my assessor told me that the Central Maine Power was making a big drive in the City of Auburn to get the valuation cut a lot more than it is today, and I understand they are making a drive in every town in the state where they have business, and the Department, Johnson advised the assessor that they have got to go along and reduce this valuation. He said it was right and it was a must, that they would have to do it. So I would hate to leave the handling of this business, this \$25,000 in the hands of our State Tax Assessor where he leans toward industry so hard. I think that if you pass this bill and it went into effect, it would be additional taxation on the homeowners.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bar Harbor, Mr. Smith.

Mr. SMITH: Mr. Speaker, I represent a town which since 1947 has had a critical problem which has not yet been solved in the assessment field. I am inclined to agree with the gentleman from Milbridge that a study involving \$25,000 will hardly more than touch the fringes of one of our central problems in taxation. But if a study, even a small study, would be of any assistance to the dilemma which the assessment program in my town finds itself, I certainly would be in favor of such a study. I have my doubts, but I certainly would favor such a study if it could help, and I'll give you just one example of some of the problems we are faced with.

Repeatedly, we find properties selling in our town at the market price and that market price is less than the assessed value. Think of that problem in terms of your own town; that happens repeatedly. We are working on it. We have had revaluations, but I point out that with a conservative, conscientious committee such as our Appropriations Committee recommending this study, I feel this House should give the benefit of any doubt to that recommendation and go along with the recommendation.

The SPEAKER pro tem: The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker, I come from a medium size town, and I am opposed to spending this money for taxes because I think that if we spend this money for taxes, we are going to be taxing money for spending, and I go along with the motion for indefinite postponement.

The SPEAKER pro tem: The Chair recognizes the gentleman from Leeds, Mr. Buckley.

Mr. BUCKLEY: Mr. Speaker, when the vote is taken I ask for a division.

The SPEAKER pro tem: A division has been requested. The question before the House is the motion of the gentleman from Albion, Mr. Cooper, that the Report and Bill "An Act Directing a Study of Property Tax Administration," L. D. 649, be indefinitely postponed. All those in favor of the motion to indefinitely postpone will rise and remain standing in their places until the monitors have made and returned their count.

A division of the House was had. Fifty-three having voted in the affirmative and fifty having voted in the negative, the motion did prevail. Sent up for concurrence.

The SPEAKER pro tem: At this time the Chair would like to note the presence in the gallery of the seventh grade from the Elm Street School of Mechanic Falls, accompanied by Mrs. Durgin and Mr. Leibowitz.

Also, the eighth grade from the Viola Rand School, Bradley, Maine, accompanied by their Principal Douglas Smith.

Also, the eighth grade from the Lewis Libby School of Milford, accompanied by their Principal, Edward DiCenso, and an eighth grade teacher, Alice Fraser and the Superintendent, Paul Kelly.

On behalf of the House the Chair extends to you a cordial welcome and hopes that you enjoy and profit by your visit with us today. (Applause)

**Ought to Pass with
Committee Amendment
(Cont'd)**

Mr. Wellman from the Committee on Appropriations and Financial Affairs on Resolve Providing Funds

for Dredging Songo River, Cumberland County (H. P. 68) (L. D. 110) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 68, L. D. 110, Resolve, Providing Funds for Dredging Songo River, Cumberland County.

Amend said Resolve by striking out the figure "\$25,000" in the 2nd line and inserting in place thereof the figure '\$5,200'

Committee Amendment "A" was adopted and the Resolve assigned for second reading the next legislative day.

Mr. Levesque from the Committee on Education on Bill "An Act to Pay School Subsidies in Certain Administrative Units on the Basis of Uniform Local Effort" (H. P. 965) (L. D. 1330) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 965, L. D. 1330, Bill, "An Act to Pay School Subsidies in Certain Administrative Units on the Basis of Uniform Local Effort."

Amend said Bill in section 1 by striking out all of the 2nd paragraph and inserting in place thereof the following:

"For each classification, except School Administrative Districts, units operating community school district schools and units operating schools with more than 300 pupils enrolled, the subsidy allocation thereafter shall be the same for each of the 2 years of the biennium and shall be the applicable percentage of the average net foundation program allowance for the preceding 2 years, as defined in section 237-D obtained from Table II below. Exceptions noted above shall be computed by using the provisions of section 237-F rather than Table II below. Subsidy for School Administrative Districts shall be computed in accordance with this section."

And further amend said Bill by striking out in the sixth line of section 2 the underlined word "high".

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

Divided Report

Majority Report of the Committee on Education reporting "Ought to pass" on Bill "An Act to Authorize the Municipalities of Etna and Plymouth to Form a School Administrative District" (H. P. 1156) (L. D. 1597)

Report was signed by the following members:

Messrs. BROOKS of Cumberland
BATES of Penobscot
SAMPSON of Somerset
— of the Senate.

Mrs. HANSON of Lebanon

Messrs. HICHBORN
of Medford Township
LEVESQUE of Madawaska
SIROIS of Rumford
CURTIS of Bowdoinham
ESTEY of Portland
— of the House.

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

Report was signed by the following member:

Mr. DURGIN of Raymond
— of the House.

Reports were read.

On motion of Mr. Carter of Etna, the Majority "Ought to pass" Report was accepted, the Bill read twice and assigned for third reading the next legislative day.

At this point, Speaker Good returned to the rostrum and resumed the Chair.

The SPEAKER: The Chair wishes to congratulate the gentleman from Greenville, Mr. Anderson, for his very excellent performance as Speaker pro tem. (Applause)

Thereupon, Mr. Anderson of Greenville was escorted to his seat on the Floor by the Sergeant-at-Arms.

The SPEAKER: At this time the Chair would like to recognize the presence in the gallery of a group of seventeen children of the Frank-

lin School of The Forks with their teacher, Mrs. Crandall.

On behalf of the House, the Chair extends to you a most hearty and cordial welcome, and we want to compliment you for making the long trip here today and we hope you will enjoy and profit by your visit with us here today. (Applause)

The SPEAKER: The Legislature has been fortunate to have a staff of newspaper men and photographers in the Legislature this year as they have in past years. We have enjoyed their association, and we are sure that they also enjoyed associating with us.

Today is the occasion of the thirty-third birthday of Henry A. Magnuson, a representative of the Maine Broadcasting System, and on behalf of the House the Chair wishes to congratulate Mr. Magnuson, the gentleman from Portland, on his birthday, and extend to him best wishes, not only for today, but for the entire year. (Applause)

The SPEAKER: The mock session committee which was to meet Monday afternoon, will not meet on Monday, but will meet Tuesday next in the afternoon immediately following the adjournment of the legislative session on next Tuesday.

Passed to Be Engrossed

Bill "An Act relating to Appointment of Director of Indian Affairs and Planning Board for the Penobscot Tribe" (H. P. 1166) (L. D. 1607)

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

Resolve Providing Funds for Thayer Hospital, Waterville, to Aid its Rehabilitation Program (S. P. 223) (L. D. 628)

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

(On motion of Mrs. Lincoln of Bethel, tabled pending passage to be engrossed and specially assigned for Tuesday, May 23.)

Resolve Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions (H. P. 1163) (L. D. 1604)

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

Emergency Measure Tabled and Assigned

An Act relating to Outdoor Advertising on the Interstate System (S. P. 417) (L. D. 1356)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. Baxter of Pittsfield, tabled pending passage to be enacted and specially assigned for Tuesday, May 23.)

Passed to Be Enacted

An Act relating to Zoning in the City of Lewiston (S. P. 295) (L. D. 906)

An Act Repealing Certain Limitations on Elliottsville Plantation (S. P. 532) (L. D. 1573)

An Act Regulating the Operation of Motor Vessels (S. P. 549) (L. D. 1595)

An Act relating to Municipal Ordinance Enactment Procedure (H. P. 247) (L. D. 361)

An Act Clarifying Electricians Licensing Law (H. P. 821) (L. D. 1136)

An Act Creating the Passenger Tramway Safety Board (H. P. 1019) (L. D. 1420)

An Act Increasing Certain Fees to Registers of Deeds (H. P. 1140) (L. D. 1569)

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.

Enactor Tabled and Assigned

An Act Classifying Certain Surface Waters in Kennebec River Basin (H. P. 1151) (L. D. 1585)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mrs. Sproul of Bristol, tabled pending passage to be enacted and specially assigned for Wednesday, May 24)

An Act relating to Transporting Liquor by Minor in Motor Vehicles (H. P. 1153) (L. D. 1587)

Was 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.

Enactor Tabled

Resolve Appropriating Funds for Publication of Civil War History in Maine (H. P. 569) (L. D. 819)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(Upon request of Mr. Bragdon of Perham, placed on Special Appropriations Calendar)

Orders of the Day

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

HOUSE REPORT — Ought to Pass in New Draft (H. P. 1165) (L. D. 1606) — Committee on Appropriations and Financial Affairs on Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1962 and June 30, 1963." (H. P. 451) (L. D. 651)

Tabled — May 17, by Mr. Baxter of Pittsfield.

Pending — Acceptance of Report.

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

Mr. BAXTER: Mr. Speaker, I will now move the acceptance of the Committee "Ought to pass" Report with the thought that on Tuesday when this is a Third Reader, I will retable it until Wednesday.

We would hope that in the meantime any amendments that people wish to present, either to increase or decrease items, could be drafted and be on the members' desks, so that on Tuesday we will be able to see what amendments there are coming forth, and perhaps be able to discuss them by each party and caucus thereafter.

So at this time I would move the acceptance of the Committee report.

Thereupon, the Committee "Ought to pass" Report was accepted, the Bill read twice and assigned for third reading the next legislative day.

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

HOUSE REPORT — Ought to Pass with Committee Amendment "A" (Filing H-300) — Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Moneys to Effectuate Compensation for State Employees." (H. P. 565) (L. D. 785)

Tabled — May 17, by Mr. Baxter of Pittsfield.

Pending — Acceptance of Report.

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

Mr. BAXTER: Mr. Speaker, since this is enabling legislation without an appropriation on it for money which may or may not be appropriated in the supplemental budget, I now move the acceptance of the Committee "Ought to pass" Report.

Thereupon, the Committee "Ought to pass" Report was accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 565, L. D. 785, Bill, "An Act Appropriating Moneys to Effectuate Compensation for State Employees."

Amend said Bill by striking out all of section 1 and inserting in place thereof the following:

'Sec. 1. Allocation for a pay plan.

There is allocated from the funds provided by the Legislature in the Supplemental Appropriation Act sufficient funds to effectuate as of the first pay period ending after July 1, 1961 a new pay plan, for classified and unclassified positions; such plan to be approved by the State Personnel Board.'

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

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

An Act Regulating Mechanical Rides by Insurance Department (S. P. 408) (L. D. 1350) — Engrossed in Both Branches.

Tabled — May 17, by Mr. Berry of Cape Elizabeth.

Pending — Passage to be Enacted.

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

Mr. BERRY: Mr. Speaker, the related legislation now having passed the House for which this has been held up, I now move passage to be enacted and thank the House for its indulgence in holding this up.

Thereupon, the Bill was passed to be enacted, signed by the Speaker, and sent to the Senate.

On motion of Mr. Baxter of Pittsfield,

Adjourned until Tuesday, May 23, at ten o'clock in the morning.