

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

Volume III

June 17, 1969 to July 2, 1969

Index

1st Special Session

January 6, 1970 to February 7, 1970

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KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, January 21, 1970

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

Prayer by the Rev. Mr. Herbert Reid of Fairfield.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that Bill "An Act Adjusting Salaries of Certain Unclassified State Personnel" (S. P. 590) (L. D. 1745) be recalled from the legislative files to the Senate (S. P. 630)

Came from the Senate read and passed.

In the House, the Order was read.

The SPEAKER: A two-thirds vote is required for the passage of this Order in concurrence. All in favor of this Order receiving passage will vote yes; those opposed will vote no.

A vote of the House was taken.

96 having voted in the affirmative and 24 having voted in the negative, the Order received passage in concurrence.

Ought to Pass with Committee Amendment Passed to Be Engrossed

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Providing Additional Funds for Salaries in the Department of the Attorney General" (S. P. 594) (L. D. 1765) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, the Report was read and accepted in concurrence and the Bill read twice. Committee Amendment "A" (S-376) was read by the Clerk and adopted in concurrence.

Under suspension of the rules, the Bill was read the third time, passed to be engrossed as amended

by Committee Amendment "A" and sent to the Senate.

Non-Concurrent Matters

An Act Clarifying and Correcting an Omission in the Charter of the Town of Gorham, and the Town of Winslow (H. P. 1345) (L. D. 1674) which was passed to be enacted in the House on January 15 and passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto on January 12.

Came from the Senate with House Amendment "A" to Committee Amendment "A" indefinitely postponed 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: On motion of Mr. Carter of Winslow, the House voted to recede and concur.

Messages and Documents

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
OFFICE OF THE CLERK
AUGUSTA

January 21, 1970

Honorable David J. Kennedy
Speaker of the House
One Hundred and Fourth Legislature

Sir:

I have appointed for the Special Session the following officers to fill vacancies:

Edwina F. Bagley, Secretary to Assistant Clerk

Louise Adams Tripp, Legislative Docket Clerk

Adele S. Paganucci, Assistant Legislative Docket Clerk

Lynda May Ouellette, Journal Copy Clerk

Marie R. Savage, Amendment Clerk — Public Address Operator

Respectfully,

(Signed)

BERTHA W. JOHNSON
Clerk of the House

The Communication was read and ordered placed on file.

Orders

On motion of Mr. Ross of Bath, it was

ORDERED, that Mr. Chandler of Orono be excused from attendance because of illness in his family.

On motion of Mr. Curran of Bangor, it was

ORDERED, that Mr. Dam of Skowhegan be excused from attendance for the duration of his illness.

Tabled and Assigned

Mr. Donaghy of Lubec presented the following Joint Order and moved its passage:

WHEREAS, the State Liquor Commission has established state stores in the towns of Eastport, Machias, Milbridge and Woodland to serve the needs of the people; and

WHEREAS, the town of Lubec which is larger in terms of population and need, lacks the convenience of a State store; and

WHEREAS, the town of Lubec linked to Campobello Island, New Brunswick by the Roosevelt Memorial Bridge, serves as a popular port of entry to the United States; and

WHEREAS, the Roosevelt International Park, Quoddy Head and Cobscook State Parks attracted more than 107,640 summer tourists into the Lubec area in 1969; and

WHEREAS, the service of a State Liquor Store at Lubec is necessary and vital to the economy and needs of this fast growing tourist area; now therefore be it

ORDERED, the Senate concurring, that the State Liquor Commission be directed to allocate a portion of its working capital to establish and maintain the continuous service of a State operated liquor store in the town of Lubec; and be it further

ORDERED, that a copy of the joint order be immediately transmitted to the Chairman of the State Liquor Commission as notice of our intent.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Lund.

Mr. LUND: Mr. Speaker, Ladies and Gentlemen of the House: The Appropriations Committee, during the interim period between our regular session and this special session, devoted considerable

attention to the question of location and the number of stores, resulting in recommendations which I think have been received by all of you, and leading at least in one case to closing of stores in some areas.

This order comes as a surprise to some of us, I am sure, and I would hope that somebody would at least table this long enough for us to become acquainted with the needs in this area.

The SPEAKER: The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, I move this be tabled until later in today's session.

The SPEAKER: The gentleman from East Millinocket, Mr. Birt, moves this Order be tabled until later in today's session.

Thereupon, on motion of Mr. Jalbert of Lewiston, tabled pending passage and specially assigned for tomorrow.

House Reports of Committees Leave to Withdraw Covered by Other Legislation Tabled and Assigned

Mr. Binnette from the Committee on Health and Institutional Services on Bill "An Act Exempting Volunteer Fire Department Ambulance Service from Licensing Law" (H. P. 1329) (L. D. 1658) reported "Leave to withdraw", as covered by other legislation.

Report was read.

(On motion of Mr. Dudley of Enfield, tabled pending acceptance of Report, and specially assigned for tomorrow.)

Ought to Pass in New Draft New Draft Printed Passed to Be Engrossed

Mr. Dennett from the Committee on State Government on Resolve Authorizing Forest Commissioner to Purchase Land in Penobscot County" (H. P. 1404) (L. D. 1760) reported same in a new draft (H. P. 1431) (L. D. 1803) under title of Resolve Authorizing Baxter State Park Authority to Purchase Land in Penobscot County and that it "Ought to pass"

Report was read and accepted and the New Draft read once. Under suspension of the rules, the New Draft was read the second

time, passed to be engrossed and sent to the Senate.

**Ought to Pass
Printed Bills**

Passed to Be Engrossed

Mr. Bragdon from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act Appropriating Funds to Combat the Drug Abuse" (H. P. 1365) (L. D. 1714)

Mrs. Cummings from the Committee on Education reported same on Bill "An Act Transferring Funds for Educational Subsidy" (H. P. 1323) (L. D. 1652)

Mr. Eustis from the Committee on Natural Resources reported same on Bill "An Act relating to Permits for Dredging and Erection of Causeways, Docks, etc. in Tributaries of Great Ponds" (H. P. 1414) (L. D. 1781)

Reports were read and accepted, the Bills read twice. Under suspension of the rules, the Bills were read the third time, passed to be engrossed and sent to the Senate.

**Ought to Pass with
Committee Amendment
Passed to Be Engrossed**

Mr. Jameson from the Committee on Natural Resources on Bill "An Act Clarifying the Laws Relating to Parks, Squares and Playgrounds" (H. P. 1400) (L. D. 1756) 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" (H-641) was read by the Clerk and adopted. Under suspension of the rules, the Bill was read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Divided Report

Majority Report of the Committee on Health and Institutional Services on Bill "An Act Extending the Time for Licensing of Ambulance Service, Vehicles and Personnel" (H. P. 1389) (L. D. 1738) reporting same in a new draft (H. P. 1430) (L. D. 1800) under title of "An Act relating to Licensing of Ambulance Service,

Vehicles and Personnel" and that it "Ought to pass"

Report was signed by the following members:

Messrs. STUART of Cumberland
GREELEY of Waldo
— of the Senate.

Messrs. NOYES of Limestone
SOULAS of Bangor

Mrs. PAYSON of Falmouth

Mrs. WHITE of Guilford

Messrs. BINNETTE of Old Town

CARRIER of Westbrook

FRASER of Mexico
— of the House.

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

Report was signed by the following member:

Mr. MINKOWSKY
of Androscoggin
— of the Senate.

Reports were read.

On motion of Mr. Soulas of Bangor, the Majority "Ought to pass" Report was accepted. The Bill was read twice and assigned for third reading tomorrow.

**Passed to Be Enacted
Emergency Measure**

An Act Authorizing Knox County to Raise Money for Airport and Industrial-Commercial Improvement and Development (S. P. 573) (L. D. 1700)

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. 128 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act relating to Annual Reports of Counties (H. P. 1429) (L. D. 1799)

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. 129 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.

Bond Issue

An Act to Amend Bond Issue Act as to Limitation of Interest on Bonds for York County Regional Vocational Education Center or Centers (S. P. 627) (L. D. 1798)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. In accordance with the provisions of Section 14 of Article IX of the Constitution a two-thirds vote of the House being necessary, a total was taken. 127 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 Repealing Provision for Student Tuition in Coordination of Public Higher Education (S. P. 565) (L. D. 1640)

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

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I thought I would say a few words in regard to repealing the tuition differential between the students at the Orono campus of the University of Maine, and also the other campuses designated as former state colleges.

I think most of the members of the House, and probably of the other branch, are aware that if we tie the hands of the Board of Trustees, and also the chancellor of the University system, this may not be of the best interest to the people of Maine. However, I think some legislative guidelines, or intents, are in order as to how the members of the House and the other branch feel regarding the present margin of four to one as tuition for the University of the State of Maine system.

I think the chancellor of the system has indicated to me, and probably to several other members of the House and of the Senate, that there could very well be a decrease in tuition on some of the state college campuses if the

trustees and the chancellor were allowed to draw a line as to what the needs of the system were. Now this to me means that there could be a possibility that the inequities built into the system by the act that was passed several years ago of a four to one margin has built in these inequities that could very well be eliminated by the Board of Trustees and the chancellor.

It is my intent that this document here will provide the Board of Trustees and the chancellor of the University of the State of Maine system an avenue by which they can determine what is a fair percentage of tuition between all the different campuses, and the university at Orono, acceptable that there are discrepancies now at the four to one ratio. It is my intent certainly that the trustees will use this very cautiously, and very diligently.

The margin now is wrong, so we are very much in hope that the trustees and the chancellor, if they see that the university system gets to be crowded in one area, that the adjustment of the tuition will be on a fair and equitable basis. And this could mean that the tuition may be adjusted in these different campuses to allow for the progress and the growth of these campuses.

And I think the indications are, right now, from all the people at the university that are entrusted with certainly carrying out the intent of the law, as well as the basic law itself, will do this system justice. And I think the present trustees, given the right chance and opportunity to do this, will do well by the legislative intent.

And I think that the indication that was given by the general public to the university last fall serves as a very good guideline for the trustees and the chancellor, and all those that are in the administrative capacity in the university system will have set a very high rate of priority for the system. I think if this is done that the trustees and the chancellor will see the system grow, and it will grow because they have established a reasonable priority for its growth and its allocation.

I don't think anybody in the State of Maine wants to see any negative

attitude presented in any state department, and much less the university, which provides higher education for the people of the State of Maine. So I think the trustees know what this intent is, they know what the people of the State of Maine want, and now that they are establishing their first year, or at least the chancellor's first year in office is a productive one, I hope that it will continue to be productive, and very strongly urge that a provision in the Board of Trustees and the chancellor is that they will use a very high priority system in establishing needs for the university system at all campuses in the State of Maine.

And Mr. Speaker and ladies and gentlemen of the House, I thought I would bring this forth for your observation this morning, because I think the university system is in for some growth, some very expanding growth in the very near future, and I wish the trustees and the university the best of luck in the very near future.

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

An Act Authorizing the Commissioner of Mental Health and Corrections to Convey Interest in Real Estate Devised to the Pine-land Hospital and Training Center by the Will of Henrietta K. Allen, Late of Portland (H. P. 1386) (L. D. 1735)

Finally Passed

Resolve Authorizing Henry Perley to Bring Civil Action Against the State of Maine (S. P. 571) (L. D. 1698)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bill passed to be enacted, Resolve finally passed, signed by the Speaker and sent to the Senate.

By unanimous consent, the foregoing matters were ordered sent forthwith to the Senate.

Orders of the Day

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

SENATE REPORT — Committee on Appropriations and Finan-

cial Affairs on Bill "An Act to Provide Protection for the Consumer Against Unfair Trade Practices" (S. P. 578) (L. D. 1705) reporting "Ought to pass" as amended by Committee Amendment "A" (S-374) (In Senate, accepted and Bill passed to be engrossed as amended by Committee Amendment "A")

Tabled — January 20, by Mrs. Coffey of Topsham.

Pending — Acceptance in concurrence.

The SPEAKER: The Chair recognizes the gentlewoman from Topsham, Mrs. Coffey.

Mrs. COFFEY: Mr. Speaker and Members of the House: I want to make very clear that I do support L. D. 1705. It is extremely important that the consumers of this state be protected by an unfair trade practices act, which provides for enforcement by the Attorney General.

However, I think that it is equally important that the consumers' interest be protected by a council, consumers' council, which can advise the Executive and Legislative branches on matters affecting consumer interest, and which can check on the enforcement activities of state agencies with consumer protective responsibilities.

The bill that I am sponsoring, L. D. 1761, would establish this council. I hope that this bill, when it is reported out of committee, will receive the same favorable consideration I am urging for the unfair trade practices bill before you. Together, these bills would provide a meaningful advance for the protection of the consumers' interest in the State of Maine.

Thereupon, the Report was accepted in concurrence and the Bill read twice. Committee Amendment "A" (S-374) was read by the Clerk and adopted in concurrence. Under suspension of the rules the Bill was read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

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

HOUSE REPORT — “Ought not to pass” — Committee on Taxation on Bill “An Act relating to the Taxation of Farm Machinery” (H. P. 1360) (L. D. 1689) (In House, accepted) (In Senate, Bill substituted for the Report and the Bill passed to be engrossed)

Tabled — January 20, by Mr. Evans of Freedom.

Pending — Further consideration.

The SPEAKER: The Chair recognizes the gentleman from Durham, Mr. Hunter.

Mr. HUNTER: I would like to make a motion that we recede and concur, and I would like to speak briefly to my motion.

The SPEAKER: The gentleman from Durham, Mr. Hunter, moves that the House recede from its former action and concur with the Senate. The gentleman may proceed.

Mr. HUNTER: Mr. Speaker and Members of the House: Ever since I have been down here in Augusta, I have had this bill in. And I have talked about it so many times that I am getting bored myself. And I know that you must be getting bored about it.

When I started out it was two or three pages long, and now we have got it down to just one or two sentences. And if you go along with me and vote yes, and vote to recede, I will offer an amendment here that I will offer at the proper time that reduces the bill down to just a very few words.

And what it will do, it will take off all motorized vehicles: trucks, tractors, and things like that. And it will just mean that a poor old farmer will be exempted up to \$5,000 on walking plows, side-delivery rakes, a cultivator, a manure spreader, a hay chaffer, a potato planter, and those things that we only use once in a while.

Now my town, I don't have any selfish purpose in this, because in my town we don't tax farm machinery. Seventy-five percent of the towns don't tax farm machinery. That is why I am so brave coming in here with the bill. It doesn't affect me. But 25 percent of the towns do tax farm machinery, and it is for the pur-

pose of looking out for the poor old farmers in these other towns.

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

Mr. SUSI: Mr. Speaker and Members of the House: If I were you I would discount anything that I might have to say on this bill, about 90 percent immediately, because anyone who doesn't have any better judgment than to get up and debate a bill with the gentleman from Durham shouldn't carry too much weight.

This bill was heard before the Taxation Committee, and it did come out with a unanimous “ought not to pass.” You might come to the conclusion that the Taxation Committee is indifferent to the hardships that are imposed on farmers by the extremely high rates of property taxation that do exist around in various communities here in the State of Maine. You might also conclude that we were indifferent to the hardships that this tax imposes on our aged citizens, our young families who are having all they can do just to make ends meet, and all the others who are affected by this archaic tax.

Now generally what has been happening, and is still happening, is that here in the Legislature we pass state laws which affect the level of expenditures at the municipal level, particularly as they apply to the educational standards in our communities. And this is not an attack on our educational laws. I think our motives are excellent. But it does profoundly affect the level of expenditures, and therefore the level of taxation at the municipal level.

At the municipal level, practically, their major source, almost their only source of major funds, is the property tax. I think that the communities have attempted to conduct their affairs efficiently, and to administer their property tax laws well.

Now we all know that there are problems in that area, but not through malintent, in most cases, I believe. This inequity of administration that does occur at the local level, there will be an at-

tempt to deal with it in this session with a property tax reform bill which will shortly be before us. And anything to improve the equity of administration is certainly commendable and deserves our support.

In my way of thinking of this field, it will devise plans and methods that, followed to their conclusion, will lead to the more uniform application of pressure around the victim's neck. But I think that we will still, at the present level of property taxation get the same practical end result, namely we're going to choke the victim to death with this property tax, unless we get meaningful alleviation for it.

Basically what we are talking about in this farm machinery bill is another exemption. Any exemption as it applies to the property tax reduces the base in which the municipalities have to work on, and compounds the problem to those who are left still subject to the property tax. At the present time, there is about 30 percent of all the property in the State of Maine that is, under our present exemption laws, exempt from the property tax. If this property were subject to the property tax, it would produce about \$40 million per year here in the State of Maine, additional revenue to the municipalities. Exemptions already are a serious problem in municipalities.

The real problem in this whole area in my way of thinking is that ownership of property in this modern society that we are living in is not at all a reflection of the ability of that owner to pay. And I think this is perhaps particularly true in our farm community. We have many many farmers who are finding it very difficult to exist under this. And there is no provision in our property tax laws that would reflect ability to pay. The tax assessor is not concerned about how the owner is doing, just the fact that he owns property is all that is required to make him subject to the tax.

If we, right now, were to impose tens of millions of dollars in additional state taxes that did reflect ability to pay, and committed

these funds to the relief of property taxation around our state, I believe that we would have a much more equitable tax situation than we do at this present time. And we would be making a meaningful attack on what to me is the most serious tax problem in the State of Maine today. To expand exemptions as we would do under this bill, and so many other bills that are brought before us in desperation, to me is not the answer.

I would hope that you would vote against the motion to recede and concur. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Members of the House: At the present time practically all of our selectmen in these towns are really breaking their oath that they take when they take office by not taxing machinery. As the gentleman from Durham, Mr. Hunter, has said, 75 percent of the towns aren't taxing machinery. Well, last year, in 1969, before we made our commitment, one of the State assessors called on us and told us that we had to tax machinery, which we hadn't been doing. Well, our selectmen did take ahold and they taxed the combines at the valuation of \$1,000, which is a very small valuation. And some other towns followed in the same line that we did, although they objected to it.

Well, now this law here, the only thing it would do, it would really make it legal for the selectmen to do what they are doing now and when they are breaking the law and their oath of office. And most of the machinery that would be included under this, because as Mr. Hunter has said, the amendment to this bill will take off all motor propelled vehicles. And the reason for this was we thought that the towns, most towns, are excising tractors. And now in my town, it's only a million valuation, a low million valuation, we are carrying over \$100,000 tax value on tractors that are under excise. And it is very easily collected.

So therefore, we aren't hurting the towns. We are helping the towns as well as the taxpayers and

making the selectmen—the selectmen also are not violating their oath of office. And I hope when the vote is taken you will go along with Mr. Hunter's motion and recede and concur with the Senate.

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

Mr. HASKELL: Mr. Speaker and Ladies and Gentlemen of the House: This proposal, I would like to point out, does have an unequal effect, depending upon the assessment procedure of the town involved. In the northern part of the state we do have, in addition to the list of farm machinery enumerated by Mr. Hunter, we do get into some more sophisticated and more expensive pieces of farm machinery, namely potato harvesters, beet harvesters, and so forth, that run into substantial amounts of money. And as Mr. Finemore has pointed out, there is a wide variation in the way the towns assess in this field.

It seems to me that the net result probably would be that any tax relief that might be granted to a farmer under this act in the long run, if the income of the town, a good percentage of it does come from this source, in the long run the farmer is only going to find that the tax impact is going to come back to him in an increased value of his other property. So that overall, for my point of view, it would seem to me that it would be a mistake to grant additional exemptions in this area because of the fact that the tax impact is going to be widely inequitable, and that it simply further complicates the problem of property taxation. So I would join Representative Susi in urging that you vote against the motion.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: The very legitimate questions that have been brought before the House this morning have troubled me for some time, and they troubled me even some more when we tried to create special exemptions into our tax structure.

Although I would like very much to see some of the farming community become a part of these exemptions, because of hardship purposes, and as the gentleman from Durham, Mr. Hunter, has pointed out, when you find that 25 percent of the communities are taxing this equipment, and 75 percent are not taxing this equipment, this built-in inequity between municipalities is something that I don't know just how long the state should have to live with.

Again, we are going to create exemptions in the communities where they are taxing farm machinery on an unequal basis. One might establish the price of a combine at \$1,000, the other one might establish the price of a combine at \$400. When the tax rate, or mill is established, the amount of actual money that is going to be paid to the community is still going to be a very big question as to which is equitable. Whether you establish the price at \$1,000 or \$400, and yet you use a different mill system in each town to get the amount of taxes needed.

As sympathetic as I feel for this type of legislation, it still behooves me to think of the elderly people in a community that are being taxed on an equal basis with other residents in the community, no matter what kind of money they are making. Assuming that an elderly couple is receiving \$2,000 or \$3,000 a year combined income, I don't know that there are too many assessors in the municipalities that are too receptive in making exemptions for them. Or maybe in some areas, depending on whom you know on the Board of Selectmen or the Board of Assessors will determine what tax rate you are going to be based on.

These are very serious inequities that the people of Maine are asking each other now, that the system of taxation in the State of Maine is absolutely unbelievable. The inequities built into the system are almost unforgivable in a lot of areas.

If we do accept this exemption, could there be a possibility that we make it mandatory that all municipalities are going to tax the

remaining farm equipment on somewhat of an equal basis, or are we still going to leave the law as it is, and say, well, you can tax them if you want to, but we are going to tell you that you are going to have to, but you don't have to be in the final analysis because the Board of Assessors generally end up to be the final judge and jury as to what they are going to tax?

So these different areas are problem areas, there is no question about it. And as much as I would like to see all the farmers get this exemption, because I know that in some areas they are in dire need. But then in some areas they don't even have to bother with it because they are not being taxed at all. So these are some of the questions and reservations that I would like brought up to the members of the House for their observation and discussion if they so desire.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Like the gentleman from Pittsfield, Mr. Susi, I hate to argue with my friendly monitor counterpart, the gentleman from Durham, Mr. Hunter. But I was a member of the Taxation Committee and I signed the unanimous "ought not to pass". I felt that we certainly should not further erode the tax base. It has been stated that some towns tax and some towns don't. You know, as a matter of fact, that is like they do on boats. But I don't feel that we should prohibit those towns who feel they need this from this procedure by law. And it would place the burden upon other taxpayers.

I do not feel it is equitable statewide, and I oppose the motion of the gentleman from Durham.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I concur with the gentleman from Durham, Mr. Hunter, in his remarks, and I don't know as I can add anything that will give any strength to his argument. I am for

this bill as he proposes to amend it, because it does leave the local tax assessors a chance to use their own judgment in taxing farm machinery.

There is a terrific problem when you consider the high cost, we'll say, of what the gentleman from Houlton refers to as more sophisticated farm implements, which perhaps are only used two weeks in the run of the year. They cost a tremendous amount of money, and it seems as though there should be some method whereby local assessors could use their good judgment in reducing possibly somewhat the tax on farm machinery.

I don't worry much about some of the arguments that are made against this, because these things affect, I think, each town individually. And I don't think we need to worry if the local assessors are not doing a job that meets with the approval of the citizens in their town. They have proven time and again that they know how to get rid of them and get the kind of assessment that they want. This leaves this thing, I think, if we go along with this exemption, this leaves the local assessors again to use their good judgment. If they don't use their good judgment, we know what is going to happen to them. So I hope you will go along with the gentleman from Durham, and give us a chance for this needed relief.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Members of the House: Just briefly I would like to answer Mr. Levesque. It is mandatory now to tax machinery. There is no question. We don't need a law to do it, it is on there. But the towns just aren't doing it. And as far as the difference in value is concerned, I will agree with him on that, too. But I will explain why that happens. In our town we tax only one third of the actual value of real estate, machinery, personal property, and everything — one third value. Other towns tax at 100 per cent, and there is different ways, 50 per cent, and so on, that is taxed along the line that way.

I believe what started machinery, is quite some years ago, probably 10 or 15 years ago, when Sears, Roebuck first came into Presque Isle, they taxed them for their equipment, and their furniture and fixtures, and so on. And at that time farm machinery wasn't taxed in Presque Isle. Well, since that time, Sears, Roebuck, they have forced them into taxing it.

And so I believe we should go along and give this exemption. And at least the selectmen will have a right to exempt \$5,000 worth. And then no doubt, in answer to Mr. Levesque again, they may pick up the balance of the machinery. Every farmer has got more than \$5,000 worth if he is only raising 10 or 15 acres of potatoes. And I think they would pick up what machinery is left, and therefore it would lower the tax on the elderly rather than raising it.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. Porter.

Mr. PORTER: Mr. Speaker and Members of the House: Over the past years, through several sessions of the Legislature, we have been treated to the experience of having the gentleman from Durham expound on his pet bill. Even though we have not agreed with him, I think we have enjoyed hearing him. And I think it would be a shame to pass this bill and deprive the 105th of like situations.

The SPEAKER: The pending question is on the motion of the gentleman from Durham, Mr. Hunter, that the House recede from its former action and concur with the Senate on Bill "An Act relating to the Taxation of Farm Machinery," House Paper 1360, L. D. 1689, in substituting the Bill for the Report. All in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

71 having voted in the affirmative and 52 having voted in the negative, the motion did prevail.

The Bill was read twice. Under suspension of the rules, the Bill was read the third time.

Mr. Hunter of Durham offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-642) was read by the Clerk and adopted and the Bill passed to be engrossed as amended in non-concurrence and sent up for concurrence.

Supplement No. 1 was taken up out of order.

**House Report of Committee
Ought to Pass with
Committee Amendment
Passed to Be Engrossed**

Mr. Hardy from the Committee on Natural Resources on Bill "An Act Reclassifying Certain Inland and Tidal Waters of York County" (H. P. 1380) (L. D. 1729) 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" (H-643) was read by the Clerk and adopted. Under suspension of the rules the Bill was read the third time, passed to be engrossed and sent to the Senate.

Supplement No. 2 was taken up out of order.

**Ought to Pass
Printed Bills
Passed to Be Engrossed**

Mr. Birt from the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Bill "An Act Appropriating Funds for Construction of Phase II of the Marine Research Laboratory at Boothbay Harbor." (H. P. 1388) (L. D. 1737) reporting "Ought to pass."

Mr. Martin from same Committee reporting same on Bill "An Act Appropriating Funds to the Department of the Attorney General." (H. P. 1364) (L. D. 1713)

Reports were read and accepted and the Bills read twice. Under suspension of the rules, the Bills were read the third time, passed to be engrossed and sent to the Senate.

Mr. Dennett of Kittery was granted unanimous consent to address the House.

Mr. DENNETT: Mr. Speaker and Ladies and Gentlemen of the House: I rise this morning to call

the attention of this House to an honor that has been bestowed upon this Legislature, and upon the State of Maine.

It appears that every year there is a conference of the national legislative leaders. This year the conference was held at Atlanta, Georgia. Also, prior to this conference, the various legislatures of the several states are invited to submit certain reports from their Legislative Research Committees, their Legislative Councils, so that they might be judged as to excellence.

This year Maine was particularly honored by being one of the six states to receive an award. Now I think it is striking also when we note the six states. There was New York, California, Ohio, Oregon, Kentucky, and Maine. Now, Maine was not last on the list, but I just simply give you the names of these states as a matter of comparison. When we think of the great states of New York, California, and Ohio, to think that we could be numbered, in our legislative reports, among those states.

These states, all of them with the exception of Maine, have large staffs. They do things, perhaps, a little differently than we do. At least we know they pay far more money. And I think it is well to call to the attention of the members of this House, what we actually do accomplish.

Now, I would like to further enlighten you as to what this report was. This was the report of the Sub-committee on Wildland Use Regulation. This was the Sub-committee of the Legislative Research Committee of the 103rd Legislature, not this present Legislature, but it was the 103rd. The illustrious members of this committee, the members of the House, the Chairman was our esteemed Floor Leader Harrison Richardson, the Vice Chairman was our Minority Leader David Benson, also members of the committee from the House were David J. Kennedy, Emelien Levesque and Raymond M. Rideout, Jr. From the other body, the representation was Carlton D. Reed, Jr., Joseph Sewall and Ex officio was both Horace A. Hildreth and Kenneth P.

MacLeod. These men on this sub-committee did more than an excellent job, a job that attracted national attention. And I certainly would, at this moment, commend them for a job well done, and here is the award for excellence which the State of Maine received. Thank you Mr. Speaker.

Mr. Richardson of Cumberland was granted unanimous consent to address the House.

Mr. RICHARDSON: Mr. Speaker and Ladies and Gentlemen of the House: Of course it would be very tempting to launch into a long description of what this report did and all of that, but I am not going to. I simply want to say that the Wildlands Bill which was passed by this Legislature marked the successful conclusion of months and months of work by the members of this committee and members of the Legislative Research Committee in total, and it is in my judgment a splendid splendid example of the kind of thing that we as Republicans and Democrats can do when we work together on a cause that is really deserving of our attention. And I mean that sincerely.

The bill received your endorsement because it was sound, constructive, progressive, well-thoughtout legislation, and I say that not because I had anything to do with it but because of the other members of the committee. And I thank you, and I thank you, Mr. Dennett, for taking the time to call this to the attention of the House. On behalf of this Sub-committee of Legislative Research and its members, thank you.

Mr. Levesque of Madawaska was granted unanimous consent to address the House.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: Certainly this is an honor that was bestowed on the State of Maine in Atlanta, Georgia this year, which is very well earned and recognized by the nation as being an outstanding sub-committee report. Not only that the report has reached the ears of the nation, but we in the minority as well as Mr. Richardson has pointed out, the minority party and the majority party working together have been able to accomplish this

type of report that received recognition nationwide, plus the fact that the members of the Legislature have seen fit to implement this into law.

As you very well know, a lot of these Research Committee reports are made and they are accepted and put on the table, and sometimes for a short period of time then another report comes out to study the report that the report was studied by another committee and then you have numerous reports studying other reports.

This was accomplished, and we hope justly, for the people of Maine. And I also want to thank the members of the House for the support in implementing this legislative sub-committee report.

I would like at this time to correct most likely a slip of the tongue by the gentleman from Kittery, Mr. Dennett. And not that I want to wish any ill will between the present Minority Leader or the Assistant Majority Floor Leader, but so when the record is read, that Mr. Benson is not in the minority presently, but we may look forward in the next two years where he is. Thank you, Mr. Speaker.

(Off Record Remarks)

Supplement No. 3 was taken up out of order.

**Papers from the Senate
Reports of Committees
Referred to Committee on
Appropriations and
Financial Affairs**

Report of the Committee on Highways on Resolve to Reimburse Canton Water District for Costs of Relocating Pipes because of Highway Construction. (S. P. 597) (L. D. 1768) reporting that it be referred to the Committee on Appropriations and Financial Affairs.

Came from the Senate with the Report read and accepted, and the Resolve referred to the Committee on Appropriations and Financial Affairs.

In the House, the Report was read and accepted in concurrence, and the Resolve referred to the

Committee on Appropriations and Financial Affairs in concurrence.

**Ought to Pass
Passed to Be Engrossed**

Report of the Committee on Education acting by authority of Joint Order (S. P. 629), a Bill under title of "An Act to Validate Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 70" and that it "Ought to pass" (S. P. 631) (L. D. 1802)

Report of the Committee on Legal Affairs reporting same on Bill An Act relating to Election and Terms of Town Council of the Town of Lincoln." (S. P. 569) (L. D. 1696)

Report of the Committee on Natural Resources reporting same on Bill "An Act relating to Enforcement by Sea and Shore Fisheries and the Maine Mining Bureau." (S. P. 556) (L. D. 1631)

Come from the Senate with the Reports read and accepted and the Bills passed to be engrossed.

In the House, the Reports were read and accepted in concurrence and the Bills read twice. Under suspension of the rules, the Bills were read the third time, passed to be engrossed and sent to the Senate.

By unanimous consent, the foregoing matters were ordered sent forthwith to the Senate.

House at Ease
Called to order by the Speaker.

Supplement No. 4 was taken up out of order.

**Paper from the Senate
Divided Report**

Majority Report of the Committee on Highways on Bill "An Act to Authorize the Issuance of Bonds in the Amount of Nineteen Million Five Hundred Thousand Dollars on Behalf of the State of Maine to Build State Highways" (S. P. 551) (L. D. 1626) reporting same in a new draft (S. P. 626) (L. D. 1801) under same title and that it "Ought to pass"

Report was signed by the following members:

they cannot go to the people and raise money until the next annual town meeting in March, to cover this expenditure or this indebtedness you are creating against these small towns.

Now, I suspect in the cities it is different because you have this standing force, highly paid personnel that can hold the election, and the cost will not be there. But certainly it will be a great reflection on this election on a special referendum if you antagonize the people that are there.

And as I have seen it, and as I served some twenty years as selectman, I know these special elections. Who is there to vote? Generally the selectmen and those people that are tending the polls and their families, and a very few others. And this is the very group that you will be antagonizing.

And so I just hope that you are better informed, and if you want any further information, I can go into detail with you, that I would rather not take your time now. I

am sure that we will have another discussion on this at enactment stage. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. McNally.

Mr. McNALLY: Mr. Speaker and Members of the House: It has come onto my desk that we are having an executive session of the Highway Committee this afternoon at 1:30, not anticipating that this bill would be before the House at this time. And I wish somebody would table this so that we might get the information that we are now lacking on the pros and cons that you have been listening to.

Whereupon, on motion of Mr. Farnham of Hampden, tabled pending the motion of the gentleman from Brooks, Mr. Wood, to accept the Majority "Ought to pass" Report and specially assigned for tomorrow.

On motion of Mr. Temple of Portland,

Adjourned until ten o'clock tomorrow morning.