

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

**OF THE**

***One Hundred and Fifth  
Legislature***

**OF THE**

**STATE OF MAINE**

**Volume III**

**June 16, 1971 to June 24, 1971**

**Index**

**1st Special Session**

**January 24, 1972 to March 10, 1972**

**Index**

**KENNEBEC JOURNAL  
AUGUSTA, MAINE**

**Passed to Be Enacted  
Emergency Measure**

An Act Broadening the Scope of the Uniform Agricultural Cooperative Association Act (S. P. 669) (L. D. 1860)

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. 109 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 Revising the Implied Consent Law for Operators of Motor Vehicles (H. P. 1027) (L. D. 1422)

An Act to Relieve Certain Elderly Householders from the Extraordinary Impact of Property Taxes (H. P. 1400) (L. D. 1817)

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.

By unanimous consent, the preceding Enactors were ordered sent forthwith.

An Act to Encourage Improvement in Forest Growth by Creating a Method of Taxation Based upon the Productivity of Various Classes of Forest Lands (H. P. 1419) (L. D. 1837)

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

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker, I request that this item lie on the table until later in today's session.

Whereupon, Mr. Ross of Bath requested a division.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, moves that L. D. 1837 be tabled until later in today's session pending passage to be enacted. If you are in favor of that motion you will vote yes; if you are opposed you will vote no.

A vote of the House was taken.

31 having voted in the affirmative and 74 having voted in the

negative, the motion to table did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: At this point I am not sure whether or not I ought to make a motion, but maybe it is not a bad idea. The reason I asked for a tabling motion was a rather simple one. I have been informed that it is quite possible that if the Bureau of Taxation is to do the job they are going to need some staff. Now this may be a problem. It could very well be that they do not have the expertise to do it. Since this bill does not have a period as to when it is going to be effective or uneffective the Bureau has to start working on it immediately.

What I wanted to do was really to table it so that we could find out whether or not this was the case. I can assure the proponents that it was not an attempt at this point to scuttle it per se, but this may be the only way out.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: We have before us a House Amendment "B" presented by Mr. Martin of Eagle Lake and I thought he was probably going to offer that House Amendment or try to get the bill back in the proper form to offer it.

Now I have stated on the Floor of this House several times that I hold no brief for the large landholders, and although I am friendly with all of the legislative agents I do not accept on blind faith all of their highfalutin legal verbiage often used to sway people. I only want both sides to be treated fairly on the taxation of wildland.

Now this bill was redrafted twice, and most recently the House accepted House Amendment "A" and the suggestion of the State Tax Assessor to straighten out inequities. The bill as amended has been engrossed and I certainly think it should be enacted at this time.

The SPEAKER: The Chair

recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: I would agree with the gentleman from Bath, Mr. Ross. If there needs to be any money put into this thing it could be done at the time in the Omnibus Bill. Now to at this time back up this bill, which incidentally could be taken care of at the special session if the suggestion of Mr. Martin is sound, and I have no reason to believe that it isn't. But I don't think that this is the time to back up this bill, send it back to the other branch for them to back it up, and then lose the valued hours that everybody cherishes so much now.

For that reason and the reason that this could be taken care of in two ways — at the special session if needed to or through the Omnibus bill, I would support the suggestion of the gentleman from Bath, Mr. Ross, and I hope when this bill is enacted, when the vote is taken I hope it be taken by the yeas and nays.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: In further answer to the questions raised by the gentleman from Eagle Lake, Mr. Martin, I am informed that there is adequate money in the cruising fund that is allowed the Department of Taxation to take care of these added costs, and we also have a memo from Ernest Johnson to the effect that they do not need any extra money to implement this bill.

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

Mr. BUSTIN: Mr. Speaker, I would like to pose a question through the Chair to any member.

The SPEAKER: The gentleman may pose his question.

Mr. BUSTIN: The question I have is —I am a little confused not being a financial expert on these matters, but the question I would like to pose is this. What are both the immediate and the long-range effects of this bill upon the revenue sharing program? There must be some, because the

revenue sharing program is based on tax effort in part.

The SPEAKER: The gentleman from Augusta, Mr. Bustin, poses a question through the Chair to anyone who may answer if they choose.

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

Mr. ROSS: Of course as far as the immediate effects go there are none, because this does not become effective until 1973. But it is thought by everybody concerned that this is eventually going to be a fairer tax and it is going to produce more money, and it is not going to hurt the small towns in the unorganized territory.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: In direct answer, there is no connection whatever.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: Mr. Jalbert said there is no effect. I will agree with him to a certain extent, that there isn't. It is going to be tax effort, naturally. Because if your town values it more, therefore they raise more money, it is going to be a tax effort, naturally. It is bound to be. And I think it still wouldn't have any bearing upon the sharing because there will be that much more tax coming in. I would think that it would help the sharing program because there would be more tax coming in.

There is no question but that this is going to be a 10 percent raise each year. It isn't going to raise all at once. Then the second year there will be 10 percent more, with the change of valuation. And I might say that this is going to help Aroostook County taxwise because we have more softwood land. Softwood land is figured at \$4.50 a cord where hardwood goes to \$3.00 a cord. So therefore we are going to get more tax effort for Aroostook and I think it is a great thing and I think we need it.

The SPEAKER: The Chair

recognizes the gentleman from Livermore Falls, Mr. Lynch.

Mr. LYNCH: Mr. Speaker and Members of the House: I would like to attempt to answer in reply to Mr. Bustin's question. I think you do have a longer-range benefit to be derived from this. With a floating mill rate, as your expenses in your municipalities increase and your tax rates increase, automatically the mill rate assessed on the forest lands will increase, and I think the ultimate benefit will be that you will not have to come back here periodically and wonder whether you should raise the rate five mills or ten mills or whatever. I think with a floating mill rate you would have an advantage that you do not have now.

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

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: The present situation here in the State of Maine is wildlands taxation. We have just increased the tax five mills. I hear no hue and cry from this Legislature nor any of the state officials that we are not currently getting an accurate level of tax from the unorganized territory.

What I am trying to point out is there is no pressure from the Legislature nor from the state departments for a change in tax policy in the unorganized territories. I think this is a fact; I think we all recognize it right here and now. I made many objections the last time this was before us to this bill and how it happened to come before us, and what it provides for.

I would summarize these objections, perhaps this being my principal one, and I would quote from the debate the other day in which Mr. Cottrell said the following. "The Taxation Committee as a whole was not involved in this bill at all. We passed it out 'Ought not to pass' and the next thing we knew in a very quick executive session Representative Ross said I have a redraft. I am going to take it up to the Appropriations Committee. And we didn't even know what the redraft was and

we have never discussed it and that is a fact."

Now I believe that that is a fact. It was refuted. It raises the question which I think we should consider here today. Don't you think that we in the Legislature should become involved in the formation of a tax policy for from here on in on one half of the State of Maine? I think it warrants our attention. The statement was just made here on the floor of the House. "Everyone concerned with this believes that this is a 'better tax.'"

And I raise the question right here now to you, who is concerned? It has been firmly established that the Legislature hasn't been, that the Taxation Committee never saw it, didn't know what was in it. This has been a typical industrial lobby operation wherein a major State policy is established without the Legislature ever becoming involved in it, and we are now at the state where we are asked to rubber stamp it. I would move the indefinite postponement of the bill and all of its papers.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: You know several times that I — and I really and truly don't mean to take issue with the gentleman from Pittsfield on a personal basis at all, because I truly liked him when I first met him and I like him now. Somewhere along the line I think that we have got to pull up some way, like you know we can't go too far out. You know when you are rounding the far turn because you know it is a long stretch home. And I know the gentleman from Pittsfield knows this, but you know we keep harping about this lobby work you know and pounding away at it as if these people were just people with horns. Now from my hospital bed about ten days ago I was lobbied more for a bill that I was for anyway — the Land Use bill, and I never was lobbied since I have been a member of this Legislature. Now that suited the purpose and I didn't hear one word since about the mammoth, fantastic, successful job that this part of the lobby did.

Now these people here are members of the third branch. They are legislative agents. The law says they can register. The law says they can register for what they want to register for. If people feel the way they do about these people, let's not tear them apart to try to win or defeat a bill. Let's just put in an order or a law saying that we will outlaw them. And I am really and truly tired of seeing these people, who in my opinion are of great character, former Speakers of the House, former Presidents of the Senate, attorneys, businessmen, keep pounding away to try to put a point over.

When I was lobbied for the Violette bill I said I was for it. I was called again and I said I was for it. I was visited and I said I was for it. I didn't object to it. It is their job. They have the right to do it. The law says they have the right to do it. The law says anybody can go downstairs and register with the Secretary of State to lobby to roust me out of here. It is the law if they want to do it, and for heaven sakes let's get off their backs and keep them in here and say anything. They are not bothering me any and as far as I am concerned if I go out with one of them, for dinner or for breakfast, I could care less who picks up the tab.

I had dinner the other day with a man who was a former President of the Senate and since he has been a member of the lobby I have never voted for him. I consider him one of my good friends. I take this opportunity not certainly against any personalities against the gentleman from Pittsfield, Mr. Susi, he knows better than that. But this pounding and hounding away when it works both ways gets a little bit tiresome after a while.

Now this bill here could be taken care of through the Martin amendment, through the Omnibus Bill. Or it could be taken care of at a special session. I haven't been lobbied on it one way or another. I am for the bill and if I was lobbied for it it would be perfectly all right. I don't remember one session that we haven't asked or we haven't begged or we haven't been dependent upon the members of the third house to bail us out

of very, very serious situations. And I guarantee you that before we get out of here, sometime next week, it will happen again.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: Two speakers, and perhaps three now, have referred to an amendment that I was going to introduce. The fact is that I was not going to introduce that amendment, had no intention to do so and I would like to tell you why and it is interesting why everyone all of a sudden knows about an amendment. No one has ever asked me about it, and why all of a sudden it has become the big bugaboo I am not sure. I have a reason to believe I know.

The amendment that I had passed around yesterday and was thinking of offering, or the day before when this thing was being lobbied, had to do with the change, the roll back provision, that if they changed the use of the land from forest land to something else, then rather than five years back taxes, we would go to ten.

Now there is an interesting thing that you might be interested in knowing about this thing, and it appears that the roll back provision is not even workable and perhaps even unconstitutional, and so when I found that out I can assure you I had no intentions of offering it at all. But why all of a sudden, interestingly enough, someone would scream about my asking for it to be tabled until later in today's session because they feared I was trying to "roll back the bill and to get it to a position to amend it" is about as far out as I have seen since I have been here this session.

Since we are in a position of talking about the bill, let's talk about the bill. Let's take a look at it. First of all, the question of a Bureau of Taxation. Does it or does it not have enough staff and the expertise to do the job? I believe it does not. If we don't solve that problem, we are in trouble.

The question of whether or not we are reducing the valuation of

timberland in the unorganized territory of the state is not being answered. The question of whether or not the unorganized territory will pay one half the tax rate as compared to organized valuation has not been answered. The question of whether or not guidelines can be established by the State Tax Assessor in determining productivity valuations has not been answered. The question whether or not valuations could in effect cause different tax rates between counties has not been answered. The question of whether or not physical growth which is going to be based on the economic productivity of the timberland is going to be determined by the companies rather than by the State Tax Assessor's office has not been answered. Whether or not this bill is in conflict with the Maine Land Use Regulation law which is now on the books has not been answered. Whether or not we would be providing a subsidy for out-of-state seasonal residents who hold timberlands adjacent to summer homes could in fact be used to restrict public access to Maine lakes and to waterways has not been answered.

Let me also add that these questions I suspect are not going to be even attempted to be answered, and perhaps I ought not to care. I am concerned about the loss of possible revenue to some of the small towns that I represent, and no one has really effectively answered that either. Maybe the best thing to do is simply forget it all, let it become law, then we can come back and scream at one another for allowing it to become law. Maybe that is the answer. But to me that does not seem practical and I can assure you that I am not going to bore any of you again on this subject this session.

I am going to go along with the motion for indefinite postponement even though I am in favor of the system of productivity. I believe it is the proper approach. It is the system that ought to be used to preserve the wildlands of this state, but I am not going to go home knowing that I have voted for a bill that could in effect ruin the future of the State of Maine.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Several remarks have been made on the floor of this House that are not true. The Taxation Committee certainly did study this bill. We spent a great deal of time on it. First under its original L. D. 1667 and the Committee itself asked the assistance of the Tax Assessor in the redraft and we asked his assistance again in the committee amendment. It is not the bill that I hand carried to the Appropriations Committee. That was the Tax Relief for the Elderly bill, because they thought they might want to put that in the Appropriations package. They did not want to do that. They gave it back to me. So that is a misapprehension too. So I want to straighten those two things out.

The principal reason for this is that a uniform consistent approach as to all forest land, particularly the softwood stands which are now most valuable, produce revenues which are now being overlooked. So on one hand we are going to obtain tax revenues from forest land which is presently undertaxed, but on the other hand we are going to avoid taxing other forest lands beyond their economic capacity. With a sound productivity approach we remove the incentive from the landowner to strip his land of merchantable wood and reduce his taxes. This bill has been studied. It was studied by the Taxation Committee and I certainly hope that the motion to indefinitely postpone does not prevail. If the yeas and nays have not been requested, I request them.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Lynch.

Mr. LYNCH: Mr. Speaker and Ladies and Gentlemen of the House: I have not attempted to lobby anyone in this House and I have not been lobbied and I was fortunate to have about 40 years of very enjoyable and memorable association with a paper company, but that ceased a few years ago when I retired.

I recognized a long time ago that

the State of Maine did have a problem in the manner in which it taxed its forest lands. The problem is still with us and it is not only in the State of Maine. Other states have the problem, not in the same degree, because I think that Maine is unique because so much of the forest land is located so far from the municipalities that you have a different tax problem than you do in the other states.

But the other states have been approaching this problem and they have been approaching it in the same direction. In the northern tier of states, out on the west coast, even in the southern tier of states, the same approach is being made to taxing forest lands on their productiveness. I think one of the most impractical things to do is to do nothing.

I don't think you can settle all of the niceties of any program as complex as this in one session of your legislature. I am quite sure you are coming back in special session, and after giving this much thought you will have alterations that you would like to put into it. I am sure the 106th and 107th will do it too. But at least it is an approach, it is a start, the same as you have done in governmental reform.

Now there is mention made of staff. I think you can take care of that later. That doesn't have to be worked into this document at the present time. The value of the timberland, how it is going to be assessed, does not necessarily have to be spelled out immediately. The percentage of valuation, if you travel this state you will find municipalities that assess at 30, 40 percent or less of fair market value. That is not unusual. Guidelines, different tax rates, physical growth, those are all questions that do not have to be answered at the moment.

I am surprised that so many of the people in the Natural Resources Committee haven't come to bat for this particular type of legislation. This, in my opinion, will do more for the State of Maine than anything that you have done in Natural Resources. You are going to make it desirable for the owners of timberlands to get the

most productiveness out of their lands that they can possibly get. That will mean that they are paying the lowest tax rate. If they clean the thing off they are still going to pay taxes and get nothing out of it. Selective cutting and the best of forest practices will insure that over a long period of time the owners of these forests lands will pay the lowest rate, because they are getting the most out of their land. I am sure that of all the legislation that you have enacted this I think is a most direct and most needed approach at the present time.

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Dyar.

Mr. DYAR: Mr. Speaker, Members of the House: During the 104th session we were inspired and our culture was added to by the gentleman from Bath, Mr. Ross, on several occasions when he read his horoscope into the record.

Today I would like to read my horoscope into the record. Jean Dixon states: "It is your turn to stay calm while somebody else frets. A good question can set most problems in a clearer perspective."

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

Mr. COTTRELL: Mr. Speaker and Members of the House: I know we have, as human beings, different moods. Sometimes we speak with great exhortation and sometimes we — and I hope most of the time we try to speak with deliberation. The original report on this bill, and I have maintained all along that it includes a very wonderful principle, but that it has only been tried out partially in one state in our country. The original bill was turned down by unanimous report, "ought not to pass."

Now the second bill was never heard in executive session, and the report was "ought not to pass." And here are the ones that signed the "ought not to pass" bill. I am just trying to be deliberative and factual. Fortier of Oxford, Fine-more of Bridgewater, Morrell of Brunswick, Collins of Caribou, McCloskey of Bangor, Cyr of Madawaska, Dam of Skowhegan, Drigotas of Auburn, and Cottrell

of Portland. And those who wanted it to pass in the Minority Report were Wyman of Washington, Hichens of York, Ross of Bath and Trask of Milo.

Now I saw this bill a week ago last Friday, and I was — I had to figure out just what bill it was, and I didn't sign it. I signed it Monday "ought not to pass." Now my whole objection to this bill is not on many of its merits, but on the fact that it is such a revolutionary bill, which involves not only the unorganized territory but every piece of woods in our whole state. If you don't have 100 acres, and you only have a ten acre lot, you can put it under this. And a lot of us tried to get just a test run in one county to see how it would work out with the assessors and the whole thing. I thought that was the most sensible approach.

Now I know sooner or later we are going to have a productivity tax, but I thought that at this late time in the session to tackle such a revolutionary bill was not in the best interest. Now if you say that we have all fall and the special session to work out and study and come up with all kinds of amendments, and sort of currycomb it, well I think maybe I would go along with it. I don't think it is going to be defeated in the other body — excuse me, I don't want to get in a hassle at this late, late, late period. In fact, I would rather we did nothing about this at this time. That is what I would really like.

Now if you, in your judgment, think that we should go on this revolutionary, uncurried, unscrutinized bill at this time, that is your pleasure, and that is what you can do.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Morrell.

Mr. MORRELL: Mr. Speaker, Ladies and Gentlemen: As an associate of Representative Cottrell's on the Taxation Committee, I have only one thing to say about his comments. I concur wholeheartedly.

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

Mr. BUSTIN: Mr. Speaker, Ladies and Gentlemen of the House: I guess after listening to the debate here two or three times that I would have to concur with the gentleman from Portland, Mr. Cottrell, and the gentleman from Eagle Lake, Mr. Martin, the fact that there are an awful lot of unanswered questions regarding this bill.

Now I appreciated the fact that a number of the members attempted to answer my question. But I must confess that the answer which Mr. Finemore advanced made me a little bit more suspicious in regards to the relationship of this bill with the revenue sharing program. So let me assert what I may, and I confess I could be in error here, what I think may happen.

If in some of these organized towns without large population the lands are not taxed equitably, then there will be less tax effort on the part of those towns; which means that more of our money from the state level will have to go into these towns on the revenue sharing basis. Now I would suggest that on a long range basis this is going to work to the detriment of those areas in the state with larger populations, and thus defeat the purpose and the philosophy of the revenue sharing program.

I think this bill needs an awful lot more study and I would support the motion to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Lynch.

Mr. LYNCH: Mr. Speaker and Members of the House: I think most of the questions raised against this particular document are merely delaying tactics, because they are attempting to spell out in detail everything that should be worked into this thing. And I don't think any legislature can put out a bill that is perfect in all details. I think your governmental reform bills have indicated that, that you have to have a skeleton form first and then you flesh it out with further study and amendments and implementations.

I would like to recall to the members from Aroostook County — and I am sure to the Minority Leader this is probably a historical

item — in the early '20s a large part of the acreage up there was destroyed and the companies had to move in and harvest it, otherwise it would have been wasted. Now for about 40 years the owners have been paying taxes on this land and reaping nothing from it. They are only now beginning to get to a point where they will derive some economic benefit for the taxes that they have paid for the past 40 years or more.

This I think indicates one of the benefits to be derived from this particular document. It is to encourage productive forestry. This bill has had the — I think the other day when the committee on the Governor's Task Force was announced, and I underlined a few of the names, because these people contributed much of the thinking that went into this particular document. I would mention first Albert Nutting, whose experience in forestry in the State of Maine goes back a long long time as Forest Commissioner and Director of the School of Forest Resources at the University of Maine. And this particular piece of legislation is heartily endorsed by him.

It is a thing that he has dreamed of for years. I don't believe Mr. Nutting would say that this is perfect in any detail, in all its details, but I am sure he would be thrilled to see the State of Maine lead in this type of legislation.

Some of the thinking that is in this thing was contributed by Ellis T. Williams, Division of Forest Economics and Marketing Research for the United States Department of Forest Service. And there is a gentleman who is recognized from border to border and from ocean to ocean as being an outstanding man in this particular field.

This is the type of legislation that is going to come into force in the states in the United States that do have the valuable timberlands similar to our own. And we have heard mention in this chamber time and time again that the people of the State of Maine have to conserve their natural resources; that the time is fast running out when we can do something about it. This particular

document is one of the most effective ways that you can do something for your forest lands. It is a start, and I hope that you will accept it, and I hope you will give some thought to it afterwards, and make this one of the most progressive pieces of legislation ever enacted in the United States.

Mr. Norris of Brewer moved the previous question.

**The SPEAKER:** For the Chair to entertain a motion for the previous question it must have the consent of one third of the members present and voting. All those in favor of the Chair entertaining the motion for the previous question will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one third of the members present having expressed a desire for the previous question, the previous question was entertained.

**The SPEAKER:** The question now before the House is, shall the main question be put now? This is debatable with a time limit of five minutes by any one member. Is it the pleasure of the House that the main question be put now? All in favor will say yes; those opposed will say no.

A viva voce vote being taken, the main question was ordered.

**The SPEAKER:** The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call vote will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

**The SPEAKER:** The pending question is on the motion of the gentleman from Pittsfield, Mr. Susi, that An Act to Encourage Improvement in Forest Growth by Creating a Method of Taxation Based upon the Productivity of Various Classes of Forest Lands, House Paper 1419, L. D. 1837, be indefinitely postponed. If you are in favor of indefinite postponement you will vote yes; if you are opposed you will vote no.

**ROLL CALL**

**YEA** — Albert, Barnes, Bedard, **Berry, P. P.**; Boudreau, Bourgoin, Bustin, Call, Carter, Clemente, Cooney, Cottrell, Dam, Dow, Dyar, Faucher, Goodwin, Kelley, P. S.; **Lebel, Lucas, Lund, Mahany, Marsh, Martin, McCloskey, McCormick, McNally, McTeague, Millett, Mills, Morrell, Murray, Orestis, Scott, Slane, Susi, Vincent, Wheeler.**

**NAY** — Ault, Bailey, Baker, Bartlett, Bernier, Berry, G. W.; Berube, Birt, Bither, Bragdon, Brawn, Brown, Bunker, Carey, Carrier, Churchill, Clark, Collins, Conley, Crosby, Cummings, Curtis, A. P.; Curtis, T. S., Jr.; Donaghy, **Emery, D. F.; Emery, E. M.; Evans, Farrington, Fecteau, Finemore, Fraser, Gagnon, Gill, Good, Hall, Hancock, Hanson, Hardy, Haskell, Hawkens, Henley, Herrick, Hewes, Hodgdon, Immonen, Jalbert, Jutras, Kelleher, Kelley, K. F.; Kelley, R. P.; Keyte, Kilroy, Lawry, Lee, Lewin, Lewis, Lincoln, Littlefield, Lynch, MacLeod, Maddox, Manchester, Marsteller, Mosher, Norris, O'Brien, Page, Parks, Payson, Pontbriand, Porter, Pratt, Rocheleau, Rollins, Ross, Santoro, Shaw, Sheltra, Shute, Silverman, Simpson, L. E.; Simpson, T. R.; Starbird, Theriault, Trask, Tynedale, White, Wight, Williams, Wood, M. W.; Wood, M. E.; Woodbury.**

**ABSENT** — Binnette, Cote, Curran, Cyr, Doyle, Drigotas, Dudley, Gauthier, Genest, Hayes, Lessard, Lizotte, McKinnon, Rand, **Smith, D. M.; Smith, E. H.; Stillings, Tanguay, Webber, Whitson.**

Yes, 38; No, 92; Absent, 20.

**The SPEAKER:** Thirty-eight having voted in the affirmative, ninety-two in the negative, with twenty being absent, the motion does not prevail.

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

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

Mr. KELLEHER: Mr. Speaker, on the House Advance Journal and

Calendar on page number 5 under enactors, item 1, An Act Establishing a Human Rights Commission, I move that we reconsider our action where this bill was indefinitely postponed.

**The SPEAKER:** The gentleman from Bangor, Mr. Kelleher, moves that the House reconsider its action on item 1, L. D. 659, whereby it was indefinitely postponed.

The Chair recognizes the gentleman from Lubec, Mr. Donaghy.

Mr. DONAGHY: Mr. Speaker, I would ask for a division on this, or rather I would ask for a roll call. Is the motion debatable?

**The SPEAKER:** The motion to reconsider is debatable, and the gentleman may proceed.

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen of the House: I thought that we had buried this very deeply, by far deeper than we had last year, but I find that the corner office has decided that he has a new commission to appoint and the director and the party faithful have been rallying desperately in the back of the hall, calling on not only their own party but the Republicans. I hope you will vote against the reconsideration motion.

**The SPEAKER:** The Chair recognizes the gentlewoman from Bethel, Mrs. Lincoln.

Mrs. LINCOLN: Mr. Speaker and Members of the House: I am a little surprised because I thought Representative McTeague had said this was the last time he was going to bother us. So I am a little amazed that they are asking for reconsideration, and I certainly hope we don't go along with it.

**The SPEAKER:** The Chair recognizes the gentleman from Brunswick, Mr. McTeague.

Mr. McTEAGUE: Mr. Speaker and Members of the House: I apologize to the good gentlewoman from Bethel, Mrs. Lincoln and to the other members in the House. It appears that it is necessary for me to apologize and eat humble pie, and I hereby do so. On the other hand, I don't feel entirely guilty; perhaps we can call it a venial sin rather than a mortal because the bill has been passed by significant margins. The opponents had three swipes at it,