

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

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**KENNEBEC JOURNAL
AUGUSTA, MAINE**

Bill "An Act to Create the Department of Transportation" (H. P. 1411) (L. D. 1828) (House Amendment "A" H-463 adopted.)

Tabled — June 15, by Mr. Donaghy of Lubec.

Pending — Passage to be engrossed.

On motion of Mr. Donaghy of Lubec, retabled pending passage to be engrossed and tomorrow assigned.

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

Bill "An Act to Create the Department of Human Services" (H. P. 1412) (L. D. 1829)

Tabled — June 15, by Mr. Donaghy of Lubec.

Pending — Passage to be engrossed.

On motion of Mr. Donaghy of Lubec, retabled pending passage to be engrossed and tomorrow assigned.

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

HOUSE DIVIDED REPORT — Majority (9) "Ought not to pass" — Minority (4) Ought to pass" in New Draft — Committee on Taxation on Bill "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. 1192) (L. D. 1667) — New Draft (H. P. 1419) (L. D. 1837) under same title.

Tabled — June 15, by Mr. Finemore of Bridgewater.

Pending — Motion of Mr. Ross of Bath to accept Minority Report.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: You have before you now the other wildlands tax bill that was mentioned previously. This is a redraft of L. D. 1666 and 1667. Both of those bills had in them a board set up. The redraft does away with this board and says that the administration will be in the hands of the State Tax Assessor. It has a formula, a set rate of 33 mills. It would start April 1,

1973. The details have been worked out with the Attorney General's department to straighten out all of the technicalities. It limits the value of the land in the first year whereby an increase could not be more than 10 percent. This would protect both the towns and the land holders.

Legislators have always wanted to change the wildland tax formula and to be fair to both the land-owners and the taxpayers alike. As mentioned by the gentleman from Eagle Lake, Mr. Martin, aside from the wildlands tax which we have now increased in the Part II budget from 15 to 20 mills, they also have a forest district tax, two school taxes, a county tax, a road tax, a fire protection tax, and public service tax. These would be repealed as in Mr. Martin's bill.

This has been researched. It has been researched quite thoroughly. There are some people who think it should be researched more. But I think that probably it has been researched enough, and it is estimated that the increased income under this bill would be \$500,000 a year on top of the recent estimate of 5 mills that we put in the Part II budget.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: This bill here, there has been a lot of work done on. There has been a lot of work done by the landowners, and they seem to believe that they would be satisfied with the productivity tax. They believe that it would be a fair tax. They won't say how many mills they want and they don't say how many they will get. But now with the new plan of tax evaluation through aerial photos, I believe that this bill can be worked out, and I hope you will go along with the Minority "Ought to pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Collins.

Mr. COLLINS: Mr. Speaker and Ladies and Gentlemen of the House: On the report I am listed as "ought not to pass." At the time that I signed the report, the new draft had not been completed,

and the new draft does take care of the objections that I had; namely, it transfers the authority to the State Tax Assessor, it provides that municipalities will not lose revenue, and finally and most important, it guarantees that there will be an increase of about \$500,000 per year of income. So I do now support the "Ought to pass" Report.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: Inasmuch as this bill bore my name when it was presented into this body, I feel that I should make some remarks in regard to it. I have felt from the time that I agreed to sign my name to it that it was a very logical approach to this problem. I think it will save the municipal officers in these organized towns where they have forest lands, it will set up a guideline which they can well go by, and it is going to be much more uniform than the methods that have been used in the past.

I think that if you would read the Statement of Fact, and I fear you may not, because I know your books are getting big and it is hard to dig these bills out, I think that to get as good a picture of this bill as I could give you, and since I fear that you may not read it, I am going to impose upon you by reading the Statement of Fact connected with this legislative document 1837. And in so doing I may repeat some of the things possibly that the gentleman from Bath has called attention to. However, I will risk that. And in this Statement of Fact it says:

"This bill proposes a 'Maine Tree Growth Tax Law' to assess all forest lands, in both the organized and unorganized areas, on a productivity basis. It applies to any parcel of forest land of 100 acres or more and to smaller parcels upon request of the owner.

It divides forest lands into softwood, hardwood, mixed wood and nonproductive types. The State Tax Assessor administers the law and is directed to determine the 100 per cent valuation per acre for each forest type based upon the

economic productivity of those forest lands.

Upon certification of this information to the respective municipal assessors for the organized areas, they will adjust the 100 per cent valuation by whatever percentage of current just value is then being applied to other property within the municipality and, commencing April 1, 1973, will apply the municipal property tax rate to those assessed values.

For the tax year starting April 1, 1973 any change in the total forest land assessments of any municipality is limited to 10 percent for the protection of all concerned." This means up or down.

"In the unorganized territory, the State Tax Assessor will adjust the 100 per cent valuation to 50 percent or by such other percentage as is then being used to determine the state valuation applicable to other property within the unorganized territory, and commencing April 1, 1973, those assessed values will be taxed at the state property tax rate.

The bill sets the state property tax at a mill rate computed by dividing the total municipal property taxes levied statewide for the previous year by twice the current state valuation of municipalities." And we are now using the figure of 33 mills.

"The other existing taxes applicable to the unorganized territory; namely, the Forest District Tax (or equivalent Forest Fire Tax), County Tax, School Operating Tax, School Capital Tax, Road Tax, Fire Protection Tax and Public Service Tax, are replaced.

The bill provides that the municipal assessors will receive the owner's forest land schedules and determine whether the land is forest land under this Act.

Forest lands may be withdrawn from under this Act subject to imposition of a penalty equal to the tax which would have been imposed over the 5 years preceding such change of use had the property been assessed at its highest and best use less all taxes paid over the preceding 5 years, with interest at the legal rate, as required by the Constitutional

Amendment approved by referendum last fall.

The purpose of this legislation is to put forest taxation throughout the State of Maine on a uniform economic productivity basis. This would have 2 major effects. It would tax forest lands on a basis calculated to motivate good forestry practice, to maximize forest growth and to maximize the economic productivity of our forest lands. It would also serve to maximize the revenues to the State. This legislation provides the foundation for a strong growing forest industry with maximum benefit to the citizens of Maine."

I hope you will give serious consideration to this tax, and I think it is in the best interest of the state to pass it at this time.

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

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: To put it very briefly and very succinctly, when we deal with this problem of how we are going to tax the unorganized territory of Maine and at what level, I think that someone other than the landowners ought to write the bill. I think you get the message.

I have been down here probably more sessions than I should have been and if I seem to get skeptical at times I hope you will excuse me but I have seen the wonders wrought in the last few hours of these sessions by the powers that be around here, and this, to me, looks like one of those operations.

One provision that has been mentioned here is the maximum 10 per cent increase. Now one of the proponents who has already spoken indicated to us on the floor here not too long ago that from his own experience that the wildlands have increased in value in the past year from five to seven times. I don't think this is much of an exaggeration. I have used the figure that they have conservatively doubled.

Now what we have here before us is a bill which will guarantee these owners that you can't increase it more than 10 per cent, regardless of the fact that it has doubled or tripled or quadrupled or whatever. Now these people weren't behind the door when the

brains were passed out. They have guaranteed us \$500,000 or a half million dollar increase. Now when I am dealing with a guy who is really sharp, he has really made it in business, and he offers me more than I am asking him, I want to go off by myself and think awhile, because that indicates just one thing to myself, that I am in a pretty stupid position. These people are offering us basically more than what we are asking. Their checks don't bounce, they are in pretty good financial shape and when they go around offering us more than we are asking, oh boy, I get leery.

It has been said that there has been a lot of work done on this by the landowners. You can bet your boots there has been. Just stop and think of all the legal talent there is around here — and again with all respect to all of our committees and our members — we are busy, we are busy with dozens of bills. Just think of the tremendous stake that these people have in what type of taxation and the level of taxation there is going to be on this land and let us figure it out, who did the work on this little lovely that we are considering here now.

I move the indefinite postponement of this bill and all of its accompanying papers.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I am, to say the least, somewhat upset and disturbed by the remarks of our honorable floorleader.

I recognize that he has every right to his opinion and every right to make his remarks, just as you or I and everybody else in this House has. It bothers me and it has bothered me many times this session, why he somehow feels, and I am sure he can answer me, why he somehow feels that he has to have a personal feud with the largest industry in the State of Maine; the one that represents more dollars and more jobs now than any other thing. We have fought about the methods of the landowners and cutting practices. We have fought about this and we

have fought about that. For a number of years we have looked forward to coming up with some kind of a reasonable, sensible method of taxing these forest lands, and the gentleman from Pittsfield knows that we do not now have it.

I do feel that this bill was a sincere and honest attempt to come up with a practical method of taxing these lands so that you won't over tax them and require people to sell them, so that we can have a continuing healthy forest industry in the State of Maine. I wonder why, if the gentleman is so upset about an honest attempt to accomplish this, why he has not attempted to hire some attorney or come up with a bill of his own which is the kind of a bill that he would want to present to this Legislature to accomplish this purpose.

I feel the landowners are honest men and that they have come up with an honest proposal. You will have to judge it in your own way. We have criticized their methods of cutting. I know a lot about forest land. I went into the woods with my father when I was probably 14 years old and used to drive the horses to yard out timber. If I could suggest to you that we go back to those days and cut our timber and get it out, then I could propose to you a practical method of what you fellows, you environmentalists, refer to as selective cutting. I know that it is desirable.

Here a few years ago I had the opportunity to visit the cuttings of the International Paper Company up at Clayton Lake. At that time they were using horses in the woods. They were yarding their timber out and they were leaving everything that wasn't — I believe they were cutting to twelve inches, which is practical. If you cut below twelve inches you might just as well clean the ground because everything else is going to blow down if it is left. It is just that practical.

We also in this thing — I will enlarge a little further on this. I don't think we are ever going back. We don't do that. If we could go back to the horse days in the woods

we would accomplish a lot of these things that we all would desire. I think that I am probably as much of an environmentalist as many of you people here. I deplore some of these practices, but it is the labor problem mainly, and we and you in this Legislature have aggravated this by some of the things that you have passed with regard to labor legislation.

The men who have this timber, the men who have to supply these mills are forced to use methods to cut this timber that they probably, in their own mind, do not really approve of, but there is no other way. You are not going back to the days when you could do selective cutting with the horse that I am talking about. It would be desirable if you could. Maybe I could look forward perhaps to the time when this war is over — and I am not sure this is practical but I am going to explore it with you.

If you could put a crew in the woods and cut your timber, your pulp, and pile it up in piles, if you could hover over it with these giant helicopters that they are now using in Vietnam, you could take that out and you could load it on the trucks and you wouldn't have to make these great wide roads in the woods that take up so much land. You wouldn't have to use these skidders that run six feet wide and they use summer and winter whether it is muddy or not and once they go through and cut with this kind of equipment you might just as well clean the land and face the fact that we are talking then about a crop that is not again going to be available for 50 or 75 years.

I have pointed out this to those who talk about the fact that the land is not properly taxed; but when you consider that if you cut a crop of trees off, a man now living is not probably going to cut it again. It is a 50 or 75 year proposition. You have got to consider that when you consider what is a logical tax for forest land. I feel that I have a much better picture of the realities of this situation perhaps than even Mr. Susi himself, and I feel that he should have much better knowledge of this

problem than he has indicated by some of his remarks and some of his attacks against the greatest industry in the State of Maine.

I just can't understand his position. I grant his right to it, but I have to defend these people because I feel that they are forced to do the things that they are doing of necessity. I don't know whether I can make or get my message any clearer than I have done it. They would much rather do a selective cutting if the kind of labor could be had to do this this way. They are not doing this from choice. So I hope that people like Mr. Susi will get better informed, and I would include some of the other environmentalists in this House. Before they attack these people and the methods they are using, that they would get better informed of what can be done and I am sure we would all like to do it.

I started out to say that I think I am probably as much of an environmentalist as anyone here. A number of years ago I had the opportunity to tour the west coast, and I went up through the coast redwoods. If there are any of you here who have seen the coast redwoods you will know what I am talking about. I was out and I saw them haul those giant trees that girth eight or ten feet. They were here before the birth of Christ, they tell us. I have as much regret when I see one of those trees fall as any of the environmentalists here.

I stood under these trees and I felt like a mosquito as I looked up to those giant things that have stood there since the beginning of the Christian era, and I certainly hate to see them cut down. Through the efforts of environmentalists for you and your children who have not seen them there are groves of them there, and I certainly recommend that it is worth a trip to the west coast to stand under them as I have done.

But I recognize the practical application of our problem here in the State of Maine. We are going to maintain these mills; we are going to cut the timber. If somebody can come up with a better method than we are using, more

power to them. I know that these companies would all like to do this the best way possible and I think they are doing it the best way possible.

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BRAWN: Mr. Speaker and Members of the House: As I read this bill here I think there is something they have left out. The bill, the purpose of the Maine Tree Growth Tax law, to assess all forest lands in both organized and unorganized areas on a productive basis. It applies to parcels of forest land 100 acres or more and to smaller parcels upon the request of the owner. Now, if it is you and I, that is us together, it doesn't say or, so you cannot tax this if it is not requested by the owner according to this bill right here.

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

Mr. CYR: Mr. Speaker and Ladies and Gentlemen of the House: I share the views and the suspicion of the Majority Leader, Mr. Susi. I don't believe that anyone is in disagreement with the productivity formula in these two bills; in this bill as well as in 1666.

I shall compare this bill with the one that we defeated before, 1666. 1666 was the Governor's committee bill, and 1667 was the industry bill. Now both of these bills had the same productivity formula. They used the same rate, but the industry bill you had to cut the valuation down from 100% to 50%, while in the Governor's committee bill you maintain it at 100%. I raised the question at the hearing. Either the Governor's bill was over assessing these lands, or else the industry bill we were giving them a tax exemption.

Now I question very much this bill. First of all it was told to us by Mr. Bragdon, himself, that the same formula being used for the organized territory, and yet in the organized territory they suggest to use 100% valuation. Now why should you assess differently the forest land in organized terri-

tory than you do in unorganized territory.

Now something is wrong somewhere, and it is inconceivable for me to have the industry work on a legislation that they will voluntarily increase their taxes and try to sell you that program. That is why I share the same suspicions as Mr. Susi on this. I will even go further. We increased the rate last week by five mills on this unorganized territory land. And yet they tell us, providing we are willing to increase our valuation, providing that you don't increase more than ten percent. Right now they are paying 28 mills, the average on unorganized territories is 28 mills. The five mills that we put on last week brings them to 33 mills, which is more than ten percent. Ten percent of 28, if my arithmetic is correct, is 2.8. So be careful if you accept this bill that you don't find yourself in the position where we didn't raise this five mills, but we raised it 2.8 mills.

Now it was suggested at the hearing that these two bills should go to Legislative Research, and possibly be married together. And I think that that is where it should go. It should go to Legislative Research. There are too many unknowns in this. Nobody was able to tell us if the taxes for unorganized territory were going to be increased or decreased, if the State of Maine was going to lose money or make money out of this deal. There are too many unknowns. We suggested to them that they should take one or two or more townships and run a study on those to see just what effect this would have. We are changing completely the concept of taxation in the unorganized territory, and we are taking this serious step with all of these questions unanswered.

I say we are going too fast in this. It should go to Legislative Research. I think possibly the idea of productivity is good. We should base our taxation on that. It is the fairest way. But at the same time we should also scrutinize very closely the Board that is going to set the valuation on these. Right now, the Boards are stacked with people that are con-

cerned and involved, and I say that we should scrutinize that very carefully before we accept it.

In arriving at taxation, I mentioned to you just a while ago, you have to face valuation, and you have to face rate. And it is very easy to juggle one at the expense of the other. I mean, let's not fool ourselves. These people will not accept an increase of taxes voluntarily, and particularly try to lobby to try to get that bill through.

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

Mr. COTTRELL: Mr. Speaker, Members of the House: I hope I can speak unemotionally and most deliberately and most unvindictively. I would just simply like to report what happened at the Taxation Committee. We had about a three and a half hour hearing. It was most interesting. We had the head of the Forestry Department of Yale University there, and he introduced us to this new idea of basing our wildlands tax, in organized territories too, on the productivity principle. And I certainly was intrigued, and I think it has great possibilities.

But as other speakers said, we could not come out with an "ought to pass" report—nine to four "ought not to pass"—because there were no figures on what this tax might produce, whether it would be more than the present tax, or less. And we are faced with budgetary problems. We have already passed our tax on the forest land, and I think this bill, along with the suggestion, I think, of the bill originally introduced by Senator Martin, and reintroduced by Representative Martin, both have terms of good ideas.

I think that the great thing that we can praise ourselves for in this Legislature is that we have been brought up to great realization of the need of property tax reform. And I certainly hope that at this time—because we have a special session, we have another session—I hope that you will go along at this time when we are getting at the end of the race, and most of us are out of breath and our minds are not working too

clearly, and we would like to settle the regular business without introducing a whole brand new taxation program.

This tax has been tried in only one other state, Minnesota. And from the results there we couldn't get any results that were practical or workable. So at this time I hope you go along with the motion to indefinitely postpone.

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

Mr. BRAGDON: Mr. Speaker, Members of the House: I want to assure the members of this House that I am not out of breath, and I am not at all played out. I rise mainly to answer some of the remarks of the last two speakers, Mr. Cyr and the gentleman from Portland. They raised the question which I raised, and which John Salisbury raised, and we had information on it that satisfied me and satisfied John Salisbury, who represents the Municipal—I guess the association, the Tax Assessors in the organized territories of the state.

They questioned whether or not we knew what the effect was going to be regarding the setting up of this tax relative to what the towns were presently taxing this kind of property. And don't think, I wasn't born yesterday, and when I presented this bill I anticipated this very thing. I certainly didn't want to be named as the father of a bill, and then go back to my towns and find that this bill was not yielding as much revenue as the local tax assessors had been getting from that property in the past.

So we ran tests in various towns, and I think the towns in my district are very good average probably, and I think there were some other tests run for the satisfaction of Mr. Salisbury and others who raised this very question as to how this bill, as now set up, would compare with the present amount of money that the municipalities, the organized towns I am talking about, would get out of this.

As far as I am concerned, I was satisfied when I saw the results of those tests that the selectmen in my towns had no worry, that un-

der this bill they would probably get more than they have been taxing these lands presently. Now there may be instances where some towns have—we may have been reasonable—these towns may have been reasonable in the amount of taxes they were assessing. If there are towns that have been unreasonable and said because these are rich people, let's soak them, and had a really high rate, then this thing that I am saying may not apply.

But I think with the reasonable—what I would look upon and you would look upon as a reasonable tax rate in the past by the municipal officers, I think that I am satisfied personally, and I don't speak for John Salisbury, but he assured me that he was satisfied that this would yield in most instances more money than the assessors are presently getting out of this wildland.

Mr. Ross of Bath requested a roll call vote.

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

Mr. DONAGHY: Mr. Speaker, Ladies and Gentlemen of the House: I don't know, it seem as though there is a virus hit the corner down here, and I hope it doesn't get over on me. I came over here last session and I pleaded with the Taxation Committee, and Mr. Susi at that time was House Chairman, to do something to make it equitable in the unorganized townships as far as the tax rate that many of the people had to pay. This fell on deaf ears. I brought it into the House and pleaded here on the Floor of the House. Again I lost. And this isn't the first time, probably not the last.

But failing here, I went to the paper companies and they agreed that was inequitable the way the tax was assessed in these unorganized townships. And this is why, on page nine of this bill, that they are trying to do away with the forest district tax, the forest fire tax, the county tax, the school operating tax, the school capital tax, the road tax, the fire protection tax, the public service tax.

Now they usually talk to you and tell you about the wildlands

tax. Well, this is only a small part of it. All these other taxes are involved. And somewhere along the line we have to equalize this thing because many of these people are paying not the 20 mills or the 25 mills that the opponents of such move tell you about; some of these people are in the 90 mill bracket.

Now think what this would mean in your towns where you are paying 35 mills or 40 mills, or something like that, to be driven up to an area of 90 mills. What would this mean to you on your property at home? And this is what is being done, because someone wants to get at the paper companies. They don't want to listen to them, they don't trust them. This is wrong. You are hurting the wrong people. You are hurting the little fellow just to get at the paper companies.

Now personally, I don't see why we have to get at the paper companies. But if this is someone's gripe, if this is someone's disease, why let them have it. But please don't let this go over and kill off—kill economically at least—many of these poor people that live in the unorganized townships.

So I would hope that you would not indefinitely postpone this bill, and see if we can't—if it needs to be amended, we can amend it. If it is too late to amend it here, we can amend it at the special session or the next session. But at least let's get a start on making these taxes in the unorganized townships equitable.

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

Mr. MORRELL: Mr. Speaker and Members of the House: I don't rise in any serious criticism of the industry, although I think there perhaps is some from time to time. But I think that when a bill, particularly a very complicated one, is presented to you for your acceptance or rejection, you have every right to expect that the committee that heard it really tore it apart and put it back together again.

I say to you that as a member of the Taxation Committee we did not have this opportunity. This is not a Taxation Committee bill in the sense that we gave it all the

homework that it should have had. We didn't have the time. As a matter of fact, this redraft has not been seen by the Taxation Committee in executive session at all.

It seems to me that although there is considerable merit to certain parts of it, that the solution in this area should come at a time and under circumstances where the committee which has the responsibility does its homework. We did not do it, did not have the opportunity to do it on this particular item.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of the House: This will be brief. I support the gentleman from Perham, Mr. Bragdon, and also Mr. Donaghy, and for my area I think this would do some good. In the immediate towns around me, in three of them that I can think of I am sure we would gain taxation. Two of them had burned over in 1923 and there is nothing on them. This would help them. This would be a detriment maybe in those two cases. But I still think the time has come when we have — continually hear that I have been here raised the tax on wildland without doing anything to make it equitable. And I think this is the first time we have had a chance. I wish we sure had the same concern when were passing a bill here a few days ago that sold wildlands, we would have that same consideration today. Because this bill is a good bill, and I hope we are able to keep it alive. And I am sure that I will work with anyone and Mr. Bragdon and many others to make this a good bill.

So I hope at least today you will accept the Minority Report and at least keep it alive and see if we can't work out the things that need to be done if there is some.

The SPEAKER: The Chair recognizes the gentleman from Fort Kent, Mr. Bourgoin.

Mr. BOURGOIN: Mr. Speaker and Members of the House: I would just like to make a note here that 90 percent of nothing is still nothing.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I will attempt to be brief. I hope to give you some information that may help you make up your minds as to what we ought to do. I hope and I pray that I don't have any disease to which the gentleman from Lubec referred to. Perhaps he may think that I have and perhaps I do.

A couple of points which the gentleman from Perham, Mr. Bragdon, made ought to be commented upon. One is the question of the helicopters. Last week, or perhaps the early part of this week, there was an article — there was a TV program which showed this very thing being done in Oregon on an experimental basis. Whether or not we are going to be able to extend that to Maine is something probably that we are going to see in the future. I certainly hope that this experiment is a little bit better than the one which Scott Paper Company has used in literally destroying thousands of acres of this state. And I am talking, of course, of the operation in western Maine.

One other point that he mentioned which we ought to keep in mind, and perhaps we will never go back to the horses in terms of using them to get the pulpwood that we need to operate the mills of this state. But I had many people ask me the question — why is it, for example, the Great Northern or I.P. will pay \$21.50 or \$22.50 a cord to a purchased wood contractor to get wood to the mill, but on the same basis is willing to pay as much as \$35 — or I ought to say it costs them as much as \$35 for the same cord if they do it themselves, and a mill can't?

It often puzzled me and I have asked them that very question. And I must admit I have never gotten a satisfactory answer, except to say that they, in effect, can control the amount of wood that they are getting so much better.

I have heard in the last couple of days that we have a surplus of wood, and it is my understanding that a great deal of this wood is going to Canada. Well let me just tell you a little bit of the figures. In 1963, 6 percent of the timber that was used, excluding pulpwood, went to Canada. In 1969, the last years

for which we have figures, the percentage was up 21 percent. And you sort of realize the amount of wood that is going from western Maine, primarily from Piscataquis, Somerset, upper Franklin and Aroostook counties. There has been 38 million board feet of hardwood and 212 million board feet in soft wood that has gone to Canada, and that excludes all pulpwood. Now those are just highlights that really have nothing to do with this bill. They have been raised and they ought to have been answered.

Now the bill itself — let me very quickly say that in New Hampshire where they changed the method of taxation, the first year they changed it the communities that were affected by it lost a great deal of money. They thought and they hoped that when they had changed to a severance tax, which I realize is a little different than the type of tax we are talking here, but the average community lost money from taxes that they had previously been receiving. Now I think that that is a danger that we have to be careful that we don't succumb to. We want to make sure that the tax we pass, whatever it is, is not only fair to the paper company but it is also fair to the communities that we represent.

Most of us come from areas that do tax woodland, and I think we would be in somewhat of a fix if they were decreased in the amount of money that they receive.

I have asked the question, and I have never gotten an answer as to whether or not there would be a decrease. Everyone said that there would be a \$500,000 increase in the biennium. But the problem with this figure is that they are talking about the state revenue, that they are not talking about the effect it could possibly have upon the average communities. There is no evidence at this time.

Now what we have got to do, and I will quote none other than perhaps the best expert in this state, Al Nutting, who is the Director of Forestry at the University of Maine. He told me that about 30 years ago he had asked the legislature for money to set up a test plot, to literally run a

test of what could happen or could not happen if we change the system of taxation on wildlands. He did not get the money from either the wildland owners or from the State; for that reason it was never done. He feels, and I think I am not quoting him out of context, that before we can implement this type of a tax we have to know, and we ought to know what the effects are going to be on both the organized as well as the unorganized territory.

And so I am going to agree today to the motion of indefinite postponement because of the fear that I have. No one today has as yet given me in my hand the effects of what this bill will do.

Mr. Ross of Bath 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 members desiring the Chair to entertain 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 motion for the previous question was entertained.

The SPEAKER: The pending question now before the House is, shall the main question be put now?

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I ask the indulgence of this House to not put the question now because I did answer partially Mr. Martin's questions that he asked. I don't know whether he was out or whether if I could get to him again I could get my message across. If I could, I would suggest that there is information available. He might have a question with regard to the source of the study; he mentioned Al Nutting.

However, such a study as he has mentioned is available and if you would give me an opportunity, if you would agree to look at this information, I would hope that

we might — if this could be accomplished — we might table this until tomorrow and that would give him an opportunity to look at the studies that have been made with regard to the organized towns. I hope you give me this opportunity.

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

Mr. DAM: Mr. Speaker and Members of the House: I oppose putting the main question now. I do not have anything to speak on this bill about, but I oppose it for one reason. I dislike the idea of after any member of the House having spoken once or twice himself to jump up and move the question. I do not feel this is fair to the other members who might have something to add to this.

I feel that this is important enough that it should be debated. It is just as important as appropriating any money, and it should have a good, fair debate right here. And I oppose moving the question at this time.

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

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: I am in favor of moving the question. Unless someone went out with an axe and cut down some wood and brought it in here, I think we have heard enough about it, and I think we should put it to a vote.

I don't believe anyone could add anything new for it, whether they are proponents or opponents.

The SPEAKER: The question before the House is, shall the main question be put now? The Chair will order a vote. All in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

73 having voted in the affirmative and 25 having voted in the negative, the main question was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Pittsfield, Mr. Susi, that both Reports and Bill be indefinitely postponed. 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 both Reports and Bill "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 1192, L. D. 1667 be indefinitely postponed. If you are in favor of that motion you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEAS — Albert, Baker, Barnes, Bartlett, Bedard, Bernier, Berry, P. P.; Binnette, Bither, Boudreau, Bourgoin, Brawn, Bustin, Call, Carey, Carrier, Carter, Clark, Clemente, Conley, Cooney, Cottrell, Cyr, Dow, Doyle, Drigotas, Dyar, Farrington, F a u c h e r, Gauthier, Gill, Goodwin, Jalbert, Jutras, Kelleher, Kelley, P. S.; Kilroy, Lebel, Lewis, Littlefield, Lizotte, Lund, Mahany, Martin, McCloskey, McCormick, Millett, Mills, Morrell, Murray, O'Brien, Orestis, Payson, Pontbriand, Santoro, Scott, Slane, Smith, D. M.; Susi, Theriault, Tynedale, Wheeler, Wood, M. E.

NAYS — Bailey, Berry, G. W.; Berube, Birt, Bragdon, Bunker, Churchill, Collins, Cote, Crosby, Cummings, Curran, Curtis, A. P.; Curtis, T. S., Jr.; Dam, Donaghy, Dudley, Emery, D. F.; Evans, Finemore, Fraser, Gagnon, Good, Hall, Hancock, Hanson, Hardy, Haskell, Hawken, Hayes, Henley, Herrick, Hewes, Hodgdon, Immonen, Kelley, K. F.; Kelley, R. P.; Keyte, Lee, Lewin, Lincoln, Lynch, MacLeod, Maddox, Manchester, Marstaller, M c N a l l y, Mosher, Norris, Page, Parks, Porter, Pratt, Rand, Rollins, Ross, Shaw, Shute, Silverman, Simpson, L. E.; Simpson, T. R.; Starbird, Stillings, Trask, White, Wight, Wood, M. W.; Woodbury.

ABSENT—Ault, Brown, Emery, E. M.; Fecteau, Genest, Lawry,

Lessard, Lucas, Marsh, McKinnon, McTeague, Rocheleau, S h e l t r a, Smith, E. H.; Tanguay, Vincent, Webber, Whitson, Williams.

Yes, 63; No, 68; Absent, 19.

The SPEAKER: Sixty-three having voted in the affirmative and sixty-eight in the negative, with nineteen being absent, the motion does not prevail.

Thereupon, the Minority "Ought to pass" Report was accepted, the New Draft read twice and tomorrow assigned.

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

Bill "An Act relating to a Department of Consumer Protection" (S. P. 637) (L. D. 1830) — In Senate, passed to be engrossed.

Tabled — June 15, by Mr. Finemore of Bridgewater.

Pending — Passage to be engrossed.

On motion of Mr. Marstaller of Freeport, retabled pending passage to be engrossed and tomorrow assigned.

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

Bill "An Act to Create the Department of Environmental Protection" (S. P. 638) (L. D. 1831) — In Senate, passed to be engrossed.

Tabled — June 15, by Mr. Marstaller of Freeport.

Pending — Passage to be engrossed.

On motion of Mr. Marstaller of Freeport, retabled pending passage to be engrossed and tomorrow assigned.

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

Bill "An Act relating to the Department of Agriculture" (S. P. 639) (L. D. 1832) — In Senate, passed to be engrossed.

Tabled — June 15, by Mr. Marstaller of Freeport.

Pending — Passage to be engrossed.

On motion of Mr. Marstaller of Freeport, retabled pending passage to be engrossed and tomorrow assigned.