

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Ninth Legislature*

OF THE

STATE OF MAINE

VOLUME II

1959  
and  
SPECIAL SESSION  
1960

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

ORDERED, the House concurring, that the Joint Standing Highways Committee be instructed to originate a bill setting the date in 1959 on which the people will vote upon the several bond issues authorized by the 99th Legislature in regular session.

Which Order received a passage.

On motion by Mr. Stilphen of Knox, ordered sent forthwith to the House.

Mr. ROSS of Sagadahoc presented the following Order and moved its passage:

ORDERED, the House concurring, that the Joint Standing State Government Committee be instructed to originate a bill providing for the date when the amendment to the Constitution to provide continuity of government in case of enemy attack, previously passed by this Legislature, shall be voted upon.

Which Order received a passage.

On motion by Mr. Ross of Sagadahoc, ordered sent forthwith to the House.

#### Senate Report Committee of Conference

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, "An Act Relating to Fishing for White Perch." (H. P. 88) (L. D. 135) reported that they are unable to agree.

On motion by Mr. Briggs of Aroostook the report was read and accepted.

Sent down for concurrence.

#### Orders of the Day

On motion by Mr. Dow of Lincoln, the Senate voted to take from the table the 8th tabled item being House Reports from the Committee on Education: Majority Report, Ought to pass as amended by Committee Amendment B; Minority report, Ought to pass as amended by Committee Amendment A; on bill, "An Act to Authorize the Construction of Housing for the University of Maine and the Issuance of not Exceeding \$24,000,000 Bonds of the State of Maine for the Financing Thereof." (H. P. 108) (L. D. 181) tabled by that Senator on May 27 pending acceptance of either report;

and on further motion by the same Senator, the Minority report, ought to pass as amended by Committee Amendment A was accepted and the bill read once; Committee Amendment A was read and adopted, and under suspension of the rules, the bill was read a second time and passed to be engrossed in non-concurrence.

On motion by Mr. Rogerson of Aroostook, the Senate voted to take from the Special Appropriations table Bill, "An Act Establishing a Minimum Wage" (S. P. 472) (L. D. 1337) tabled previously by that Senator pending enactment; and on further motion by the same Senator, under suspension of the rules, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

On motion by Mr. Ross of Sagadahoc, under suspension of the rules, the Senate voted to reconsider its former action whereby it adopted Senate Amendment F to the bill; and on further motion by the same Senator, under suspension of the rules, the Senate voted to reconsider its former action whereby it failed to adopt Senate Amendment A to Senate Amendment F.

Mr. ROSS of Sagadahoc: Mr. President, we are talking about the minimum wage law and Senate Amendment A to Senate Amendment F. was offered two days ago, and this concerns persons attending an educational institution or on vacation therefrom. This was the language in the original bill. It was not added to "councilors" but "councilors" was added to it, and without this amendment it is my contention that many boys and girls in school at the present time will definitely be deprived of jobs in the future, so I move, without further debate, that Senate Amendment A to Senate Amendment F be adopted.

Mr. LESSARD of Androscoggin: Mr. President and members of the Senate, this is the very same question that was taken up here this past week on the same kind of amendment. You will recall that at that time I said that it would allow the exploitation of our boys and girls going to college and high school and it would be possible to get them to work at a much lesser price than

the dollar minimum. I still maintain that a boy or girl attending college, with the costs of going to college nowadays should be offered an opportunity to get a dollar an hour, and I abhor the situation whereby our high school children on their vacation time are exploited by the chain stores who pay them thirty or forty or fifty cents an hour.

I appreciate the fact that the matter has been taken up in caucus and I appreciate the fact that it has been decided to let the amendment go through. I, nevertheless, want to register my opposition to the amendment, and when the vote it taken I ask for a division.

The PRESIDENT: The pending question is on the adoption of Senate Amendment A to Senate Amendment F.

A division of the Senate was had. Nineteen having voted in the affirmative, and seven opposed, the motion prevailed, and Senate Amendment A to Senate Amendment F was adopted.

Thereupon, Senate Amendment F as amended by Senate Amendment A thereto was adopted and the bill was passed to be engrossed in non-concurrence.

On motion by Mr. Wyman of Washington, the Senate voted to take from the table the 4th tabled item being, bill, "An Act Relating to Hours, Vacations and Sick Pay for County Personnel." (H. P. 922) (L. D. 1304) tabled by that Senator on May 4 pending enactment; and on further motion by the same Senator, the bill was indefinitely postponed, in non-concurrence.

On motion by Mr. Wyman of Washington, the Senate voted to take from the table the 2nd tabled item being House Reports from the Committee on Taxation: Report A, Ought to pass; Report B, Ought not to pass, on bill, "An Act Relating to Taxation of Manufacturers' Inventories." (H. P. 509) (L. D. 722) tabled by that Senator on April 16 pending acceptance of either report.

Mr. WYMAN of Washington: Mr. President and members of the Senate: I move the indefinite postponement of this bill and both reports.

We plan on spending \$50,000 to study our tax problems. It seems to me it would be well to wait until we find out the results of this study before we attempt to change the method of assessing personal property in our municipalities.

Mr. HILLMAN of Penobscot: Mr. President and members of the Senate: The tax study would not have any effect upon this measure in any way, shape or manner. Our present law states that all personal property and real estate will be assessed and taxed as of April 1st. Most cities and towns in the State of Maine make every attempt to get industry in their towns. Most of these industries are of a manufacturing type, like shoe factories and other things like that. They carry a heavy inventory on April 1st. We know that that is unfair, so the City of Bangor and other towns throughout the State of Maine have taxed on a twelve months basis. In all fairness, there is some fault with that. For instance, if the assessors put a high valuation on personal property on any particular industry on a twelve-months basis the person being assessed cannot take it to court or cannot take it to the County Commissioners, because the city is taxing illegally. The statute says that the taxes should be assessed as of April 1st. I have a memo here from the Department of Taxation which says:

"The bill does not make taxable anything that is now exempt under the statutes. The bill simply provides that manufacturers' inventories of raw materials, unfinished and finished goods, shall be taxed on the basis of the average amount held by the taxpayer during the preceding year. At the present time such inventories are taxable, and are universally taxed; but until now have been taxed on the basis of the quantity on hand on April 1 rather than on an average.

"The bill is considered by this office to be necessary because of the effect of the decision of the Maine Law Court in the case of N. J. Gendron Lumber Company vs. Inhabitants of Hiram, 151 Me. 450.

"The foregoing decision was handed down in February of 1956. Prior to that time it was generally understood that manufacturers' inven-