

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-First Legislature
State of Maine

Volume III

Second Special Session (Continued)
March 22, 2004 to April 30, 2004

Second Confirmation Session
August 25, 2004

Interim Appendix

Senate Legislative Sentiments

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Pages 1416 - 1812

Pending - **ENACTMENT**, in concurrence

(In House, April 13, 2004, **PASSED TO BE ENACTED**.)

(In Senate, April 30, 2004, on motion by Senator **HATCH** of Somerset, removed from the **SPECIAL HIGHWAY TABLE**. Motion by Senator **HATCH** of Somerset to **SUSPEND THE RULES**, **FAILED**.)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Out of order and under suspension of the Rules, the Senate considered the following:

ORDERS

Senate Resolution

On motion by Senator **GAGNON** of Kennebec (Cosponsored by Senator: **MAYO** of Sagadahoc), the following Senate Resolution:
S.R. 1

WHEREAS, a plurality of Maine voters have endorsed the referendum issued known as "Question 1-A," a proposal to increase education funding and reduce property taxes; and

WHEREAS, the voters will be asked to decide this issue finally in June; and

WHEREAS, both Houses of the Legislature and the Governor have been unable to reach agreement on a meaningful alternative; and

WHEREAS, the Maine Senate is concerned that property taxes in Maine are too high and pose an unfair burden on many Maine taxpayers; now, therefore, be it

RESOLVED: That the Maine Senate endorses Question 1-A and urges its passage with the following understandings:

1. If Question 1-A passes its provisions will be adjusted to incorporate the Essential Programs and Services model as passed by the Legislature as it applies to all education funding, including special education funding;
2. That the provisions of Question 1-A will be phased in equally over 2 biennial state budgets; and
3. That the increase in funding for schools required by the passage of Question 1-A will be made up by the use of surplus, growth in the State's economy, efficiencies, cuts in current programs and increased revenues.

READ.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Gagnon.

Senator **GAGNON:** Thank you, Madame President. Madame President, during your remarks you made a comment that struck home with me as I was preparing for this resolution. There are still long sought goals that remain elusive. Eight years ago, when I came to the legislature, I pleaded with the then first woman Speaker of the House, Speaker Mitchell, after serving on Taxation. My goal was to provide and to work on property tax relief, particularly in my area and for the people in the State of Maine. I have said at the beginning of this session that I thought that the planets were in alignment, that things were happening, and things were really going shake. We have a Presiding Officer in the other Body that had served on Taxation and the Presiding Officer in this Body having served on Taxation, my service on the Taxation Committee, our Chief Executive had chaired the Taxation Committee, and a variety of people here who have served on the Taxation Committee, including the good chairman who served these last two years. I really thought this would be the year. It's difficult for me to say that I'm not disappointed.

Almost every time we go up to meet with the President, when she asks for the leaders to come up, my good friend, the Senator from Franklin, Senator Woodcock, always checks the buttons on my shirt. As many of you know, since serving on the legislature eight years ago, I committed to the workers at the Hathaway Shirt Company that I would always wear one of their shirts. This is my last shirt. I only have three left and then there are no more Hathaway Shirts from my city. I don't know if you know that or not, but buttons on Hathaway Shirts only have three holes. That is what distinguishes them from all other shirts. It's been their trademark.

After eight years of service, when I normally would have been termed out, I am running again for the Senate. I would have normally been termed out after serving this many terms if I had stayed in the House. I really thought this was the time for property tax relief. We weren't able to achieve that. That is one of those long sought goals that remain elusive. Many people in this Body, particularly people in this front row, this famous and infamous front row, worked hours and hours to continue to try to find some agreement. I really thank them for that. It does remain elusive. This is what I refer to as our last potential effort. We were not able to come to an agreement with the other body. We were not able to come to an agreement with the Chief Executive.

I present this simple Senate Resolution, that has no force other than those of us who are willing and those of us who have the courage to say that there is something out there, to present the proposal and the recognition that 73% of the Maine public wants something done because 73% of the people voted for either 1A or 1B in the last election, with 1A receiving the plurality. That is what this resolution recognizes. There are also many flaws in that referendum question, as I think you are going to hear about. That is what I tried to do in this resolution and to imply our support for that question, but with three conditions. The primary one, I think, is the recognition of the work that has been done on a long sought goal that no longer remains elusive. Incredible work that was done over the last few years, attributed to my colleague from Cumberland, Senator Brennan, in establishing EPS. When we sat in the special group looking at this issue that the President and Speaker asked us to form, I learned more and