

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eighth  
Legislature***

OF THE

STATE OF MAINE

**Volume II**

**May 26, 1977 to July 25, 1977**

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**Senate Confirmation Session  
September 16, 1977**

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The SPEAKER: The pending question is the adoption of Committee Amendment "A" as amended by House Amendment "B", so the motion to indefinitely postpone would not be in order at this time.

Thereupon, on motion of Mr. Tierney of Lisbon Falls, tabled pending the adoption of Committee Amendment "A" as amended by House Amendments "A" and "B" thereto in non-concurrence and tomorrow assigned.

The Chair laid before the House the following matter:

"An Act to Clarify Election Related Laws" (H. P. 1734) (L. D. 1887) which was tabled earlier in the day and later today assigned pending the motion of Mrs. Boudreau of Portland to indefinitely postpone House Amendment "B".

Thereupon, Mrs. Boudreau of Portland withdrew her motion to indefinitely postpone House Amendment "B".

Thereupon, House Amendment "B" was adopted.

The Bill was passed to be engrossed as amended by House Amendments "A" and "B".

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

The Chair laid before the House the following matter:

RESOLUTION, Proposing an Amendment to the Constitution to Require the State to Reimburse Municipalities for at least 50% of Property Tax Exemption Losses and Credit Losses Enacted after April 1, 1978 (S. P. 366) (L. D. 1227) (S. "A" S-332 to H. "B" 817) which was tabled earlier in the day and later today assigned pending passage to be enacted.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Ms. Bachrach.

Ms. BACHRACH: Mr. Speaker, Men and Women of the House: I have now the amendment which provides that the State will reimburse the municipalities for at least 50 percent of loss from property tax exemptions and credits, which is what the title of the bill says and which I feel the bill should do.

Before I present this amendment, though, I must dispose of the two amendments that are on the bill which provide different ways.

On motion of Ms. Bachrach of Brunswick, under suspension of the rules, the House reconsidered its action whereby the Bill was passed to be engrossed.

The rules were suspended for the purpose of further reconsideration.

Thereupon, Ms. Bachrach moved that the House reconsider its action whereby House Amendment "B" as amended by Senate Amendment "A" was adopted.

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

Mr. CURRAN: Mr. Speaker, I object to that and would ask for a division on the motion.

Ladies and gentlemen, I have discussed the proposed amendment with the gentleman from Brunswick and I really feel this amendment that she is going to put on this particular L. D. will eventually mean its demise. I think we have in the present bill with its Senate Amendment and its House Amendment the language and the flexibility that there needs to be within the Constitution, and I hope you would oppose the indefinite postponement of either of those amendments.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Ms. Bachrach.

Ms. BACHRACH: Mr. Speaker and Members of the House: My feeling about these two amendments, and I hate to talk to you so late in the day, but I will be very brief, is that it doesn't honestly do what it says it will do in the title of the bill, which is to have the state reimburse the municipalities for 50 percent of property tax exemption losses in new exemp-

tions or credits which are granted by the state.

The purpose of this bill was, in fact, to make the people up here think twice about granting new exemptions and credits. If you are to give the municipalities other means of raising revenue, which is what this amendment does, that will raise the amount of money that the state would have reimbursed to them. You are, in fact, not obligating the state to anything except passage of this particular permission to raise money and, therefore, the state is not at all required under these amendments to think about granting exemptions and credits. They can get right out from under by saying you can raise the 50 percent by other means in your local municipality. I feel that this is a deception which really doesn't carry out the intent of the bill.

If you don't mind if the state passes lots more credits and exemptions that will be picked up by the local taxpayers, why, okay, that is how this can go.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Carey.

Mr. CAREY: Mr. Speaker and Members of the House: I know that the gentledady from Brunswick, Ms. Bachrach, speaks as a municipal official, and I would stand here this evening and also speak as a municipal official and would point out that unless we go back to doing exactly what Ms. Bachrach is talking about, then we are getting ourselves into the position where we can have a local income tax, a local sales tax, and if you are going to start giving exemptions away, then I think you are going to have to face the responsibility that we are going to have to pay for them.

I have sat here on the Taxation Committee and I have voted for exemptions knowing full well that I am going to have to pay the brunt of it back home on the property exemption, but we are at the point where we have some 16,000 veterans coming up, World War II veterans, they are right around the corner. What is going to happen to us is, these exemptions that we are speaking about now are going to be granted by the state because of the pressure that the veterans put on us and yet we are going to be telling the municipality, fine, we simply don't have the money to give you for that thing so we are authorizing you to go ahead and we are going to let you put in that local income tax or we are going to let you put in that local sales tax. And don't forget, when you grant property tax exemptions, they are not to individual communities, they are to 495 different communities throughout the state. So in effect, you would not have the equity that you are looking for with the constitutional change that is being offered by the committee.

I would certainly urge you to give serious consideration to the gentledady from Brunswick, Ms. Bachrach's recommendations.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mrs. Kany.

Mrs. KANY: Mr. Speaker and Members of the House: I, too, have gone along with all the amendments on the resolution up until now, but I do think that Representative Bachrach has tightened up the language and I really hope that you will go along with this. It is a big improvement and the state must pay, which, indeed, will discourage us from passing further property tax exemptions, and the state should be the one to pay if we decide to do that.

The SPEAKER: The pending question is on the motion of the gentleman from Brunswick, Ms. Bachrach, that the House reconsider its action whereby House Amendment "B" as amended by Senate Amendment "A" thereto was adopted. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

81 having voted in the affirmative and 10 having voted in the negative, the motion did prevail.

Thereupon, on motion of Ms. Bachrach of Brunswick, House Amendment "B" was indefinitely postponed in non-concurrence.

On further motion of the same gentlewoman, under suspension of the rules, the House reconsidered its action whereby Senate Amendment "A" to House Amendment "B" was adopted, and on further motion of the same gentlewoman, the Amendment was indefinitely postponed in non-concurrence.

Ms. Bachrach of Brunswick offered House Amendment "C" and moved its adoption.

House Amendment "C" (H-884) was read by the Clerk and adopted.

The Resolution was passed to be engrossed as amended by House Amendment "C" in non-concurrence and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

The SPEAKER: The Chair would like to congratulate all of you for working so hard today, because I think what we have done today will mean one big difference when we come back on Wednesday. We have managed to engross most of the bills that are left. There will be a few non-con's, etc. that we will have to deal with, but I think we are in great shape and I certainly would congratulate you for the amount of work that you have done today.

(Off Record Remarks)

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

Mr. McHENRY: Mr. Speaker, Ladies and Gentlemen of the House: Yesterday, I mentioned that big brother had stopped me from putting in the amendment on a bill, 1012. I did not mean the Speaker, I meant the federal government rules and regulations.

On motion of Mr. Gould of Old Town, Adjourned until Wednesday, July 6, at 9:30 in the morning.