

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

*One Hundred and Fourth  
Legislature*

OF THE

**STATE OF MAINE**

**Volume II**

**May 9, 1969 to June 17, 1969**

**KENNEBEC JOURNAL  
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staller, Martin, McKinnon, McNally, McTeague, Mitchell, Morgan, Nadeau, Ouellette, Page, Porter, Quimby, Richardson, G. A.; Richardson, H. L.; Rocheleau, Scott, C. F.; Scott, G. W.; Sheltra, Starbird, Stillings, Susi, Tanguay, Temple, Trask, Tyndale, Vincent, Watson, Waxman, Wheeler, White, Williams.

**ABSENT** — Benson, Brennan, Coffey, D'Alfonso, Dyar, Fortier, M.; Foster, Gauthier, Giroux, Kelley, R. P.; Kilroy, Leibowitz, Lund, Mills, Ricker, Santoro, Snow, Wight.

Yes, 46; No, 86; Absent, 18.

The **SPEAKER**: Forty-six having voted in the affirmative and eighty-six in the negative, the motion does not prevail.

Thereupon, the "Ought not to pass" Report was accepted and sent up for concurrence.

The Chair laid before the House the twelfth item of Unfinished Business:

**HOUSE REPORT** — "Ought not to pass" — Committee on Taxation on Bill "An Act relating to Excise Tax on Motor Vehicles" (H. P. 841) (L. D. 1079)

Tabled — May 23, by Mr. Susi of Pittsfield.

Pending—Acceptance.

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

Mr. **LEWIN**: Mr. Speaker, I would move to substitute the Bill for the Report and speak to my motion.

The **SPEAKER**: The gentleman from Augusta, Mr. Lewin, moves that the House substitute the Bill for the "Ought not to pass" Report. The gentleman may proceed.

Mr. **LEWIN**: Mr. Speaker and Ladies and Gentlemen of the House: As you know, cities and towns throughout Maine are searching for additional sources of revenue to stabilize the ever increasing problem of the property tax. Having recently served as a City Councilman in Augusta, I share the concern of the municipalities as to where they are going to find the necessary revenues to finance local services without con-

tinuing to overburden the property tax.

It so happens that this session of the Legislature has been considering several tax bills which if enacted could result in revenue losses to the Maine communities. May I mention just one:

Exempting tax from TV sets; the loss on this bill alone would cost one city over \$16,000. Now this bill has been signed into law. With several bills being considered, and they have their merits, I believe that consideration should be given to the vehicle excise tax.

Now just what does the vehicle excise tax mean to our many communities? It furnishes a revenue vitally important to each and every one of them. If there were no excise taxes on vehicles today, no doubt there would be a personal property tax on them. A property tax is not a graduated tax. Each year the property tax is increasing although the item is getting older. But the vehicle excise tax is gradually lowered each year.

This L. D. simply calls for a one mill increase across the board. Now what does this mean? To a person buying a \$3,000 car, that's the maker's list price, not your retail price, it means he will pay \$3.00 more, or one dollar per thousand.

Now you have a paper just distributed on your desk showing the rates on cars and trucks. Let us look at those for a minute. On the sheets are figures showing the present excise tax on vehicles and the proposed one mill increase. Now for example, the Pontiac with the maker's list price of \$3,090, that's the car that sells for about \$3,700. This is not the selling price here. With the one mill increase you would pay an additional \$3.09 or 6 cents a week.

The International truck, on the second sheet, has a maker's list price of \$6,802, with an increase of \$6.85 or less than 14 cents per week. The more expensive truck listed on the sheet would pay 32 cents a week more. Now is this too much to ask of an owner of a vehicle that is wearing out our streets? I believe that this is a fair increase geared to the many types of vehicles and their respec-

tive uses. It is a good means for the communities to get some extra help.

We were sent to this Legislature, ladies and gentlemen, to represent our communities. They look to us for assistance. I feel that this is one area in which we can help. What do the people want in their respective communities? The answer is services. Our streets need constant repair being subject as they are today to heavy traffic from vehicles of all types. And whether you all know, the cost of snow removal to keep our vehicles rolling as well as the salt to melt the snow and the sand to prevent accidents, just to name a few, this all costs money.

In 1968 the City of Augusta paid nearly \$100,000 for snow removal alone. We know if we are to have services, we must have money to pay for them, and each year these services are getting more costly. This is not for one community that I am speaking this morning, but all communities in our state.

May I simply state one example? If this L. D. receives favorable consideration, a community having 13,000 persons paying vehicle excise taxes will get an extra \$20,000 to \$25,000. I believe that this L. D. is fair, it is timely and it is necessary to help the many Maine communities and I move its passage.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Chandler.

Mr. CHANDLER: Mr. Speaker and Ladies and Gentlemen of the House: We have heard several tax bills and there are more to come to bring funds to the state. We are talking today about money to stay in the town or city to be used for services. Someone has stated, "Why not give the excise tax on vehicles to the state?" This would not be a bad idea if, I repeat if, the State would take over the maintenance of all of our streets and roads, but we know that this is impractical and impossible.

This excise tax increase of one mill is not excessive. There has been no increase in the rate in thirty years, and the extra money is certainly needed as costs are increasing. I hope that you will go along with this L. D.

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

Mr. SUSI: Mr. Speaker and Members of the House: I believe that our Taxation Committee may have, to some extent through, perhaps, faulty procedures, discriminated against this bill that we have before us now. What happened was this. In our single or congested session we passed out a number of bills which were of considerable substance in a very hurried atmosphere. In that session we considered the increase in the gasoline tax; we considered a bill which would provide for increase in the registration fees and a feeling that there was a case for both of those, we reported those out favorably, one unanimously and the other in a split report, and we did both these things prior to the consideration of this bill which provides for an increase of the excise taxes at the municipal level.

Now I believe that the observations of the sponsor, Representative Lewin, are legitimate to a considerable extent. I believe that while we are in the Legislature, even though we are aware of the problems of municipal taxation, we are apt to get submerged in the problems of financing state affairs. But when I can separate myself from the problems of state finance and look at the problems of both, namely municipal and state, I am of the opinion that the problems of municipal finance are so much greater than the problems we face down here that there is absolutely no comparison. We have options down here, we're picking and choosing. We're discarding possible sources of revenue. At the municipal level, practically speaking, they have just one single source which has been applied to the extent that it is a distress situation.

And in this bill before us here today there is, as has been pointed out by the sponsor of this bill, an opportunity for us to give the chance to municipalities to a slight degree to relieve their tremendous problem and I would like to change my position on this bill and support the sponsor today in hopes that you will go along with him.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Also as a member of the Taxation Committee, I agree with the Chairman, the gentleman from Pittsfield, Mr. Susi. Now aside from reporting out "ought to pass" the increase in registration and the increase in gasoline tax, another reason was that we had just passed and it was signed into law the auto trade-in. So the committee felt that we were hitting auto owners hard enough, but as has been mentioned two or three times the excise tax does go to the towns. They surely need relief and I, as one of the members of Taxation, am also willing to go along and substitute the Bill for the Report.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I have a couple of brief remarks in relation to this subject. Number one, the excise tax does go up considerably every year because the cost of vehicles goes up and it is based on the cost of the vehicle. So each town — and my community is one of them, receives several thousand dollars more each year from excise tax because the cost of the vehicle at the manufacturer's level does change every year considerably, and so the people are being hit from this angle very hard because there is a big change each year. I wanted to point that out.

Now the other thing I would like to point out to this House is that the Committee on Highways has given some relief to these towns and cities and it comes from the taxpayers' pocket also — namely, registrations — when we did away with the nine months thing on registrations. We require enough money from that to pay for the change in the snowplow accounts. Now the larger part of the municipalities was getting reimbursed about \$35 a mile and now they will get reimbursed \$100 per mile of road in their state. There is a schedule. This doesn't affect all towns but this is one of the greater amounts. There is a schedule

but they all get an increase so to speak. So we are taking from registrations some money and diverting it back to the local level. So they are getting some relief and it is coming from registration fees in the sense of the word because they are going to get it on the snowplow accounts.

So the two things I wanted you to know is that this excise tax is being increased considerably every year by one method and they are getting some relief and it's coming from these very people and I think the trade-in tax being thrown at them and it has already been signed, and I believe even this morning we are quite liable to pass a gasoline tax or a registration increase and this is hitting the same group of people that have to use their automobiles to get to and from work, and I don't think that a great many of the cars in this state are used strictly for pleasure; they are lucky if they can get a little ride on a Sunday. Most of our cars in this state, Maine licensed anyway, are used to get to and from their place of work. It's strictly not for pleasure. I would say a very small percentage of it. And for this reason I think we should take it easy. Most of these people are working for a living.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Fortier.

Mr. FORTIER: Mr. Speaker and Members of the House: Believing in the old axiom that confession is good for the soul, I too, as a member of the Taxation Committee, would like to take a position in favor of the motion of Mr. Lewin to substitute the bill for the report. I think Mr. Susi explained quite well how this unanimous report somehow or other got out of committee.

I would also like to answer to some extent the remarks of Mr. Dudley to the effect that insofar as the excise tax is based on the f.o.b. price and the cost of automobiles and trucks do increase, that the towns are getting an increase. I would like to remind this House that the valuations of real estate, and that increase continuously but that has not stopped the rates from being increased, and

that is the dilemma which the towns find themselves in today.

Again, I would like to take the same position that I have taken a number of times, pleading for our municipalities. Again, yesterday, we have abated at least two different items from which the municipalities will not get any return.

Now I have been accused by a member of this House of representing a fraternity. Now that fraternity was not exactly spelled out but if the fraternities are the 490 some odd municipalities in this state, I am proud to be their representative. I think that as far as the administration, the fiscal responsibility, they have done a magnificent job. The only place they have been lacking is in the assessment procedure where most of them do not have the professional competence that is required for that type of work. But I do think our municipalities have been fiscally responsible, I think they have been bartered and budgeted from pillar to post, and I do think that it is about time that we at least hand them a few crumbs, and for that reason I will certainly support the motion.

The SPEAKER: The Chair recognizes the gentleman from Augusta. Mr. Moreshead.

Mr. MORESHEAD: Mr. Speaker and Members of the House: I rise this morning in support of the motion of the gentleman from Augusta, Mr. Lewin. I feel that we have all heard a number of arguments regarding taxation legislation and we are all probably of the opinion that we must be quite careful in enacting and passing measures that call for increasing our taxes. But I submit to you this morning that this bill is different than most of the bills that we have heard up to this date in that the raise in taxes that this bill will bring about will go directly to our municipalities and I believe that this is where the problem lies in the area of finances and revenue.

As long as we allow our property owners to pay and pay and pay we are going to be facing a great dilemma at the local and mu-

nicipal level and I think we must take it upon ourselves as legislators to be responsible and to do something to relieve the property owner of the great burden that is being placed on him at his municipal level. So I therefore feel that this would be a much fairer tax, and it is a much fairer tax—namely the excise tax, and where this hasn't been increased for some thirty years perhaps the time has come to increase the excise tax rather than to make our municipalities year after year increase the property tax and look only to the property owners for relief for their increased costs at the municipal level. I therefore feel that a vote in favor of Mr. Lewin's motion today will be a vote in favor of relieving the property owners in the State of Maine of the great burden which they are faced with today.

Mr. Speaker, I request when the vote is taken it be taken by the yeas and nays.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Augusta, Mr. Lewin, that the House substitute the Bill for the Report. The yeas and nays have been requested. For the Chair to order a roll call vote 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. The Chair opens the vote.

A vote of the House was taken.

More than one fifth having expressed the desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is the motion of the gentleman from Augusta, Mr. Lewin, that the House substitute Bill "An Act relating to Excise Tax on Motor Vehicles," House Paper 841, L. D. 1079, for the "Ought not to pass" Report. All in favor of substituting the Bill for the Report will vote yes; those opposed will vote no. The Chair opens the vote.

#### ROLL CALL

YEA — Allen, Baker, Barnes, Bedard, Benson, Boudreau, Bourgoin, Bragdon, Brown, Buckley,

Burnham, Carey, Casey, Chandler, Chick, Clark, C. H.; Clark, H. G.; Corson, Cottrell, Couture, Cox, Crommett, Croteau, Cummings, Curran, Dam, Danton, Dennett, Donaghy, Drigotas, Durgin, Erickson, Eustis, Evans, Farnham, Faucher, Fecteau, Finemore, Fortier, A. J.; Fortier, M.; Fraser, Gilbert, Giroux, Good, Hall, Hanson, Hardy, Harriman, Haskell, Hawkens, Henley, Heselton, Hewes, Hichens, Huber, Hunter, Immonen, Johnston, Kelley, K. F.; Keyte, Kilroy, Leberge, Lee, LePage, Lewin, Lewis, Lincoln, Lund, MacPhail, Marquis, McKinnon, McNally, McTeague, Meisner, Millett, Mitchell, Moreshead, Morgan, Mosher, Nadeau, Noyes, Ouellette, Page, Payson, Porter, Pratt, Quimby, Richardson, G. A.; Richardson, H. L.; Ricker, Ross, Sahagian, Scott, C. F.; Shaw, Sheltra, Soulas, Starbird, Stillings, Susi, Temple, Thompson, Trask, Vincent, Watson, Waxman, Wheeler, White, Wood.

**NAY** — Bernier, Binnette, Birt, Brennan, Bunker, Carrier, Carter, Coffey, Cote, Crosby, Curtis, Cushing, Dudley, Emery, Gauthier, Jameson, Jutras, Kelleher, Lebel, Marstaller, Martin, Norris, Rand, Rideout, Rocheleau, Scott, G. W.; Tanguay, Tyndale, Wight, Williams.

**ABSENT** — Berman, D'Alfonso, Dyar, Foster, Jalbert, Kelley, R. P.; Lawry, Leibowitz, Levesque, Mills, Santoro, Snow.

Yes, 108; No, 30; Absent, 12.

The **SPEAKER**: One hundred and eight having voted in the affirmative and thirty in the negative, the motion does prevail.

The Bill was read twice and assigned for tomorrow.

The Chair laid before the House the thirteenth item of Unfinished Business:

**MAJORITY REPORT** (8) — Committee on Education on Bill "An Act Requiring all Municipalities to Become Members in a School Administrative District" (H. P. 510) (L. D. 681) reporting "Ought to pass" in new draft (H. P. 1208) (L. D. 1535) under title of "An Act Requiring the State Board of Education to Develop a Master

Plan for School District Organization to be Submitted to Local Referendum" and **MINORITY REPORT** (2) reporting "Ought not to pass"

Tabled — May 23, by Mrs. Cummings of Newport.

Pending — Acceptance of either Report.

The **SPEAKER**: The Chair recognizes the gentleman from Stonington, Mr. Richardson.

Mr. **RICHARDSON**: Mr. Speaker, I move the acceptance of the Majority "Ought to pass" Report, and I would speak to my motion.

The **SPEAKER**: The gentleman from Stonington, Mr. Richardson, moves that the House accept the Majority "Ought to pass" Report. The gentleman may continue.

Mr. **RICHARDSON**: Mr. Speaker and Ladies and Gentlemen of the House: We have before us today the final redraft of L. D. 681. This L. D. 1535 represents the sound thinking of many of you in this House who have made suggestions to the committee and from the people of your towns who have aided the committee in their thinking. We realize that this will not be acceptable to all but I do hope that when you vote today you will be deeply concerned with education and will vote for the best interests of education in the State of Maine.

We are all concerned in this House about what taxes we will have to levy before we adjourn. I think we are all hoping that the State will make savings in areas where money can be cut out and not hurt a program. Yet even in the face of statistics some will argue that districts have raised costs. Of the 495 municipalities, 282 are already organized into 75 administrative districts and during the school year, '67 to '68, these districts expended an average of \$411.26 per pupil while non-district municipalities spent an average of \$436.89 per pupil. A ten year tax study presented by the State Board of Education in a report which you all have had on your desks shows that from 1957 to 1967 the average tax increase for school purposes in all districts was 8.8 per year while in the single town municipalities it was 12% per year. It should