

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
One Hundred and Twelfth
Legislature
OF THE
STATE OF MAINE

VOLUME I
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what they consider to be a city slicker type plan. They are not easily taken over. I think that kind of cautiousness is good. I know I have just gotten the people in my district convinced on the merits of the "bucks only" and now we are looking at another change regarding that. The people in my district are very cautious, they are very bright, and sometimes they don't have a lot of faith in the biologists in this state. I think it will take time for them to come around. I think the biologists have to convince them that what they are doing is best for all the people involved, I am talking about the people who pay the bills, the people that Representative Smith was talking about.

I want everybody to understand that I do support a doe permit system and I will be supporting it very strongly, should my people decide to reelect me in the next session. But at this particular time, I feel there is no major problem with delaying it.

Deputy Commissioner Trask did tell us that it would not be the end of the world. Obviously, they would like to start it right away but there are a lot of things we would like to do and we always can't do everything that we want to do exactly when we want to do it.

Hopefully, these biologists will be out in the State of Maine this summer, they will be letting people know what their plans are, not just the people that go to the so-called hearings but all the people of the state.

I have said it before, people in this state do things a lot better when they like the idea than when it is forced on them. We have cooperation on the "bucks only" now. I think anybody you talk to, wardens, biologists, will tell you we have that cooperation, it took some time, it took some education and people are now familiar with the process. If we can continue to do that, I think that some time the doe permit system will be there. In a very few years, we will be worrying about too many deer, not enough deer. That is why I hope you go along with the Majority Report and give the biologists the time to do the job that they can do and they usually do the best.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Duffy.

Representative DUFFY: Mr. Speaker, Ladies and Gentlemen of the House: One of the letters on your desk is a letter from the Wildlife Federation supporting the implementation this year, which is made up of mostly professionals and biologists.

The other point I wanted to make, there were 289 people at those hearings who were fairly intelligent too and voted for it and they seemed to understand the permit system.

The other thing I want to mention is that at the hearing to delay this bill were most of the people that I had seen -- I had seen a few of them before -- but most of them came up to testify against the whole permit system. They didn't care whether we delayed or killed it completely, but if it was just the delay, that was good enough for them so that it would give them time to spend another year trying to kill the program. I think our committee is unanimous in supporting this system itself.

Again, I will get back to the question of delay. I would hate to see that a delay to February of next year or to June of next year would cause this program and the people that have devised and worked on it, not to allow them to implement it at all.

The SPEAKER: The Chair recognizes the Representative from Franklin, Representative Conners.

Representative CONNERS: Mr. Speaker, Ladies and Gentlemen of the House: I hope you will support this bill that is in front of you today. In talking with the department, they admit that this system that they have now is working and there are more deer showing up in most places. Where they aren't showing up in any abundance is where the bulk of your coyotes are. As long as those coyotes are present, they will not show in those areas.

Regardless of what they say, permits would concentrate hunters where the most does are in one of those 17 areas. The line between two zones runs right through the center of the town I live in. I understand that there will be approximately 50 permits issued on one side of the highway and 100 permits will be issued on the other side.

There are other alternatives to this doe permit system. I think that those should be explored.

We have had a three week season in the central zone and then one week of either sex. The department admits there are more deer in that central zone than there was when they put this system into effect. There are other alternatives to look at. Let's support this bill and take a good long look at them.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of more than one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question before the House is the motion of Representative Jacques of Waterville that the House accept the Majority "Ought to Pass" Report. Those in favor will vote yes; those opposed will vote no.

111 having voted in the affirmative and 28 in the negative with 12 being absent, the motion did prevail.

(See Roll Call No. 276)

Subsequently, the Bill was read once.

Committee Amendment "A" (H-630) was read by the Clerk and adopted and the bill assigned for second reading Thursday, April 3, 1986.

The Chair laid before the House the following matter: Bill "An Act Providing for the Lease of Unused Space or Facilities Owned by the State" (S.P. 917) (L.D. 2291) which was tabled earlier in the day and later today assigned pending passage to be engrossed.

Representative Crowley of Stockton Springs offered House Amendment "A" (H-636) and moved its adoption.

House Amendment "A" (H-636) was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Stockton Springs, Representative Crowley.

Representative CROWLEY: Mr. Speaker, Ladies and Gentlemen of the House: Just an attempt to explain this amendment -- this bill is a very involved bill

on the lease of unused space or facilities in the state. In one section, on Page 4, -- the length of the lease is not to exceed two years. This amendment will change this and make an exception just to this one section. The exception will be when the director, with the approval of the commissioner and the directors of agencies of jurisdiction, finds that a longer term lease will accrue to benefit the state.

There are circumstances where the long term agreements between the state agencies and nonstate agencies accrue substantial benefits to the state. The Department of Marine Resources has a number of these and so does the Department of Conservation so the purpose of this is to make these exceptions but the power will still stay with the Department of Public Improvement.

Subsequently, House Amendment "A" was adopted.

On motion of Representative Gwadosky of Fairfield, tabled pending passage to be engrossed as amended by House Amendment "A" and tomorrow assigned.

The Chair laid before the House the following matter: Bill "An Act Relating to the Passamaquoddy Indian Reservation" (H.P. 1210) (L.D. 1717) which was tabled earlier in the day and later today assigned pending passage to be engrossed.

On motion of Representative Vose of Eastport, retabled pending passage to be engrossed and tomorrow assigned.

The Chair laid before the House the following matter: SENATE DIVIDED REPORT - Majority (11) "Ought Not to Pass" - Minority (2) "Ought to Pass" as amended by Committee Amendment "A" (S-441) - Committee on Taxation on Bill "An Act to Require Legislative Review and Approval of Sales and Use Tax Exemptions Every 5 Years" (S.P. 748) (L.D. 1912) which was tabled earlier in the day and later today assigned pending the motion of Representative Cashman of Old Town to accept the Majority "Ought Not to Pass" Report.

The SPEAKER: The Chair recognizes the Representative from Old Town, Representative Cashman.

Representative CASHMAN: Mr. Speaker, Ladies and Gentlemen of the House: The title of this is a little bit misleading in that it says that it is "An Act to Require Legislative Review and Approval of Sales and Use Tax Exemptions Every 5 Years." Actually, the Taxation Committee is already charged with reviewing sales and use tax exemptions every five years.

What this bill attempts to change is -- currently as we go through that review process, and if the Taxation Committee determines that a particular sales tax exemption has outlived its usefulness, it takes a positive action on the part of the Taxation Committee to remove it. In other words, our study would have to produce a bill and the purpose of the bill would be to remove a sales tax exemption.

What this bill proposes to do is, as we go through that study process, it would require a positive action on the part of the Taxation Committee to keep a sales tax exemption so that the Taxation Committee would have to produce a bill and the purpose of the bill would be to maintain the

particular tax exemption in question.

I think the bill was put in by the sponsors because they felt that there was a rather cavalier attitude on the part of individuals that benefit from sales tax exemptions. I think they are right. We held a public hearing last July or August. As a committee, we were reviewing 20 percent of the sales and used exemptions. We held a public hearing in regard to that and the only people in attendance were our staff. I think that is unfortunate. We actually had to call and ask a chemical company in this state to come in and justify the continuance of their sales tax exemption that amounted to somewhere in the vicinity of \$350,000. You would think that that would be an important enough item to warrant their coming down to the public hearing without our asking them to be there.

To the sponsors of this bill, I was equally dismayed by this cavalier attitude. However, I think that this bill is too drastic a step to try to rectify that situation. I think if we pass this bill, it is going to create a very, very uncertain atmosphere as to state tax policies. I think that the business community in the state has to be able to plan with some degree of certainty on what state tax policy is going to be.

If we were to pass this, I think that we would cloud that to the extent that it would be injurious to the businesses in the state. I think that is pretty much the opinion of the signers of the Majority Report that includes 11 members of the Taxation Committee. This is a rather lopsided report, although we all agree that the attitude of people who enjoy these tax exemptions is not exemplary. We feel that this is too drastic an action to attempt to rectify that.

I would urge you all to support the 11 member Majority Report of "Ought Not to Pass".

The SPEAKER: The Chair recognizes the Representative from Thomaston, Representative Mayo.

Representative MAYO: Mr. Speaker, Men and Women of the House: I rise today as one of the two signers of the Minority "Ought to Pass" Report. I do so in all seriousness. Maine presently raises approximately \$300 million in sales tax and we presently provide over \$175 million worth of exemptions.

I have an interesting story to tell you. Just after I was elected to the legislature, one of my constituents was talking to me about sales taxes. He suggested to me that we ought to wipe off the books all our sales tax exemptions periodically and start fresh. I agreed with him then and I still agree with him today. I believe he is sitting in the balcony with a red boutonniere on. He was right then; he is right now.

I would encourage this House to defeat the pending motion. I request a Division so we can go on and agree with both myself and my opponent in this Fall's campaign.

The SPEAKER: The pending question before the House is the motion of Representative Cashman of Old Town that the House accept the Majority "Ought Not to Pass" Report. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

97 having voted in the affirmative and 14 in the negative, the motion did prevail.

Sent up for concurrence.