

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eighth
Legislature***

OF THE

STATE OF MAINE

Volume II

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**Senate Confirmation Session
September 16, 1977**

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because all of us are very concerned about doing something about the abuse in the unemployment program, I feel that I have an obligation because I stated that I was interested in getting some kind of bill through the Legislature that dealt with the problem to some extent. I will support this measure and I felt that it was important for me to state on the Record that I do so with the greatest degree of reluctance and I feel that this bill is really going to have the effect of harming some of our working people in certain instances. It is not the best that I had hoped for, and I am not sure in my own mind that it is preferable to the current situation. However, I feel I have an obligation because of the seriousness of this problem to reach out and to make an attempt with this bill to try to do something about the abuse in the unemployment program. But I wanted to say, Mr. Speaker and Ladies and Gentlemen, as far as I am concerned, I vote for this with the greatest reluctance.

The SPEAKER: A roll call has been ordered. The pending question is on passage to be enacted. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Aloupis, Ault, Austin, Bennett, Benoit, Berry, Berube, Biron, Birt, Blodgett, Boudreau, A.; Boudreau, P.; Brown, K. L.; Brown, K. C.; Bunker, Burns, Carey, Carrier, Carroll, Carter, D.; Carter, F.; Clark, Conners, Cote, Cunningham, Dexter, Diamond, Dow, Drinkwater, Durgin, Dutremble, Elias, Fenlason, Fowlie, Gill, Gillis, Goodwin, H.; Goodwin, K.; Gould, Gray, Green, Greenlaw, Hall, Henderson, Higgins, Huber, Hunter, Hutchings, Immonen, Jackson, Jacques, Joyce, Kane, Kany, Kelleher, LaPlante, Lewis, Littlefield, Lizotte, Locke, Lougee, Lunt, Lynch, MacEachern, Mackel, Marshall, Martin, A.; Masterman, Masterton, Maxwell, McBreairty, McKean, McMahon, McPherson, Mitchell, Moody, Morton, Nadeau, Najarian, Nelson, M.; Nelson, N.; Norris, Palmer, Peakes, Pearson, Peltier, Perkins, Peterson, Plourde, Post, Prescott, Raymond, Rideout, Rollins, Sewall, Shute, Silsby, Smith, Spencer, Sprowl, Stover, Strout, Stubbs, Tarbell, Tarr, Teague, Theriault, Tierney, Torrey, Tozier, Trafton, Twitchell, Valentine, Whittemore, Wilfong, Wood, Wyman, The Speaker.

NAY — Bachrach, Beaulieu, Brennerman, Bustin, Connolly, Cox, Curran, Davies, Flanagan, Hickey, Howe, Kilcoyne, Laffin, McHenry.

ABSENT — Bagley, Chonko, Churchill, Devoe, Dudley, Garsoe, Gauthier, Hobbins, Hughes, Jalbert, Jensen, Kerry, LeBlanc, Mahany, Mills, Quinn, Talbot, Truman, Tyndale.

Yes, 118; No, 14; Absent, 19.

The SPEAKER: One hundred eighteen having voted in the affirmative and fourteen in the negative, with nineteen being absent, the bill is passed to be enacted.

Signed by the Speaker and sent to the Senate.

Constitutional Amendment Later Today Assigned

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" H-817)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

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

Ms. BACHRACH: Mr. Speaker, Ladies and Gentlemen of the House: I apologize for not speaking on this last night but it was late and I was a little puzzled about the effect of this amendment.

I would just like to direct your attention at

this time. This is a bill which appeared before us with a price tag of about \$30 million, and at first I thought it was intended humorously almost. After it was amended, it stated that the state would reimburse the municipalities for at least 50 percent of property tax exemption losses only in what exemptions or other types of reversals that would take place after April 1, 1978. At that point, I interpreted this to mean that the bill would put the state on notice that they had better not give out property tax exemptions so freely without considering the effect that they were going to have on municipalities. In that posture, I voted in favor of the amendment, thinking it would be good to have a handle on new exemptions being given out and that we should proceed in that manner.

Subsequently to that, there were two amendments offered which in effect say that the state may escape its obligation to reimburse municipalities by means of allowing the municipalities to raise the money through revenue sources other than property taxes, only if the revenue sources are sufficient to yield the full amount of the annual reimbursement of 50 percent of the property tax revenue loss. Well, to me, this absolutely destroys the intent of the bill because, obviously, the state will not be put on notice not to give out new property tax exemptions if they can, in fact, put the burden onto the municipality in some way by having them, in fact, raise the money.

I have in the works at this time an amendment which will restore the responsibility of the state to do this reimbursement in case they allow additional property tax exemptions and I would hope that somebody would table this until my amendment comes out of the works.

Thereupon, on motion of Mrs. Kany of Waterville, tabled pending passage to be enacted and later today assigned.

"An Act to Amend the Powers and Duties of the Maine Committee on Aging" (H. P. 229) (L. D. 292) (Com. of Conf. "A" H-869)

"An Act Concerning the Administration of Property Tax Laws Administered by the Bureau of Taxation" (H. P. 244) (L. D. 318) (C. "A" H-822)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

"An Act Concerning Administration of the Judicial Department" (H. P. 635) (L. D. 838) (C. "A" H-698)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

Mr. Tarbell of Bangor requested a roll call vote.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call vote will vote yes; those opposed will vote no.

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

The SPEAKER: The pending question is on passage to be enacted. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Aloupis, Ault, Bachrach, Beaulieu, Bennett, Benoit, Berube, Biron, Blodgett, Boudreau, A.; Brennerman, Brown, K. L.; Brown, K. C.; Burns, Bustin, Carey, Carter, D.; Carter, F.; Clark, Connolly, Cote, Cox, Cunningham, Curran, Davies, Dexter, Diamond, Dow, Durgin, Dutremble, Elias, Fenlason, Flanagan, Fowlie, Gill, Gillis, Goodwin, H.; Goodwin, K.; Gould, Gray, Green, Hall, Henderson, Hickey, Higgins, Howe, Huber, Hutchings, Immonen, Jackson, Jacques, Jensen, Joyce, Kane, Kany, Kilcovne, Laffin,

LaPlante, Lewis, Littlefield, Lunt, Lynch, MacEachern, Marshall, Martin, A.; Maxwell, McBreairty, McKean, McMahon, McPherson, Mitchell, Morton, Nadeau, Najarian, Nelson, M.; Nelson, N.; Norris, Peltier, Perkins, Plourde, Post, Quinn, Raymond, Sewall, Shute, Silsby, Spencer, Sprowl, Stover, Tarbell, Tarr, Teague, Theriault, Tierney, Torrey, Trafton, Valentine, Whittemore, Wilfong, Wood, Wyman, The Speaker.

NAY — Austin, Berry, Birt, Boudreau, P.; Bunker, Carrier, Carroll, Conners, Drinkwater, Hunter, Kelleher, Lizotte, Locke, Lougee, Mackel, Masterman, Masterton, McHenry, Moody, Palmer, Peakes, Pearson, Peterson, Prescott, Rideout, Rollins, Smith, Strout, Stubbs, Tozier, Twitchell.

ABSENT — Bagley, Chonko, Churchill, Devoe, Dudley, Garsoe, Gauthier, Greenlaw, Hobbins, Hughes, Jalbert, Kerry, LeBlanc, Mahany, Mills, Talbot, Truman, Tyndale.

Yes, 102; No, 31; Absent, 18.

The SPEAKER: One hundred two having voted in the affirmative and thirty-one in the negative, with eighteen being absent, the motion does prevail.

Signed by the Speaker and sent to the Senate.

Later Today Assigned

"An Act Concerning Requirements for Absentee Ballots" (H. P. 1117) (L. D. 1335) (H. "A" H-850 to C. "A" H-688)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mrs. Boudreau of Portland, tabled pending passage to be enacted and later today assigned.)

"An Act to Add a Dental Hygienist to the Board of Dental Examiners" (H. P. 1168) (L. D. 1398) (C. "A" H-785)

"An Act Relating to Electric Companies' Fuel Charges" (H. P. 1179) (L. D. 1407) (S. "A" S-315; S. "B" S-323)

"An Act to Expand the Availability of Certain Social Services by Increasing Income Eligibility" (H. P. 1230) (L. D. 1475) (S. "A" S-351 to C. "A" H-672)

"An Act to Provide for the Periodic Review of Sales and Property Tax Exemptions" (H. P. 1250) (L. D. 1479) (H. "A" H-852)

"An Act Authorizing Expenditures for Health Care Alternatives" (H. P. 1268) (L. D. 1496) (C. "A" H-834)

"An Act to Provide Legislative Oversight of Appropriated Fund Transfers" (H. P. 1391) (L. D. 1618) (S. "A" S-341 to C. "A" H-680)

"An Act Concerning Dispute Resolution under the Municipal Public Employees Labor Relations Statutes" (H. P. 1422) (L. D. 1670) (C. "A" H-838)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

"An Act Relating to Charitable Solicitations" (H. P. 1451) (L. D. 1736) (H. "A" H-740 to C. "A" H-690)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Biron.

Mr. BIRON: Mr. Speaker, Ladies and Gentlemen of the House: At this time, I would like to call your attention to L. D. 1736, a bill which really hasn't been debated in this House. There was an amendment presented to the bill and that was debated, but the bill itself has not been debated, and before taking final action on this legislation, I would like to bring it to your attention because I am sure once we go home, 90 days after the session, once this bill goes into effect, each and every one of you are going to start receiving phone calls and I think you have to know how to answer those.