



HOUSE OF REPRESENTATIVES

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Testimony of Representative Dan Ankeles sponsoring

**LD 744, An Act to Remove Certain Wharves and Piers from the Laws Governing the
Current Use Valuation of Working Waterfront Land**

Before the Joint Standing Committee on Taxation

Senator Grohoski, Representative Cloutier and honorable members of the Joint Standing Committee on Taxation, thank you for the opportunity to come before today. I am Representative Dan Ankeles, and I serve House District 100, a central portion of Brunswick. I am here to present **LD 744, An Act to Remove Certain Wharves and Piers from the Laws Governing the Current Use Valuation of Working Waterfront Land**.

This is a bill that I would consider to be maybe one level above a technical fix to a bill I brought before you in the second regular session of the 131st. Here's the backstory. Last spring you all united across party lines to unanimously report out LD 2162 Ought to Pass as Amended.

The measure strengthened current use tax law around the working waterfront, which we needed to do because fishermen, clammers, oyster farmers, lobstermen and others have seen their access to waterfront land diminish over the years. The previous incentives simply weren't strong enough to encourage people to preserve working waterfront land or create new working waterfront land, which is a worthy goal that supports working class people in one of Maine's key heritage industries.

So, while I did get to spend the summer teaching people that the term "tax-cutting Democrat" is not in fact an oxymoron, there was a slight problem. When the bill made it to the Chief Executive's desk, her team took a second look at the language of the bill and concluded that including references to structures in a bill changing current use tax law violated the just value clause of the Maine Constitution.

Most of you remember the chaotic end to session last spring. I told the Chief Executive's team that if we recalled LD 2162 from the Governor's desk, the bill would almost certainly die as we bumped up against the politics of statutory adjournment. So, we made a deal, and I continue to be grateful for how gracious they were on this. They agreed to let the bill go into law if I agreed to put in a fix in the 132nd.

That fix is what is before you now. It takes just one sentence to explain how it works. The language goes from directly referencing structures to simply referencing different ways working waterfront land - and only land - could be used. That's it. We're taking a good change you all

made and ensuring that its constitutionality is airtight. I have no idea who might have sued us otherwise, but why find out?

Thank you for your consideration. I'm happy to answer questions or get information for the work session.