

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eleventh
Legislature***

OF THE

STATE OF MAINE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

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FOURTH CONFIRMATION SESSION

(FIRST CONFIRMATION SESSION – SECOND REGULAR SESSION)

May 31, 1984

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FIFTH CONFIRMATION SESSION

(SECOND CONFIRMATION SESSION – SECOND REGULAR SESSION)

July 11, 1984

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THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

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to this program.

I just think it is a question of fair and equitable treatment, and I just hope that you, ladies and gentlemen, haven't lost sight of the forest through the trees with the debate that we have heard that the 10 largest property owners are going to get a tax advantage, benefit, of \$2.1 million—well, I say it is to the benefit of the State of Maine that we have a policy that is equitable, that we have a policy which is fair, and we have a program which is funded by the state by 100 percent.

The SPEAKER Pro Tem: The Chair recognizes the gentleman from Old Town, Mr. Paradis.

Mr. PARADIS: Mr. Speaker, Ladies and Gentlemen of the House: In answer to Mr. Kane, the question that he posed, or comment that he made in reference to the disastrous situation of our woodlots and our wood industry in the State of Maine, I would like to read a letter that I received from a forester who I am well acquainted with, Mr. Bruce Brockway. Brockway is a registered professional forester who resides in Old Town. He wrote me this letter last year in reference to some other tax matters concerning the woodlands.

He says that he was employed as a professional forester at that time with Diamond International in Old Town, he has been employed for 13 years working actively with industrial and private landowners. Over half of the forest lands is owned by private non-industrial landowners and that trend is increasing. Here is where the part comes where I will quote that directly concerns the comment that was raised.

"The cost of owning forest lands in relation to the potential income from timber harvesting makes land ownership very unattractive. Returns on investment from timber productions run 3 to 5 percent annually. As a result, there is currently on the market close to two million acres of Maine forest land. These lands are not selling simply because of the limited income potential." And he goes on to state his concern with the increased taxes, and this was prior to our putting the fire suppression tax on.

I don't believe that our forest lands can support much more and make it an investment that recognizable anyone of having any potential value.

The SPEAKER Pro Tem: The Chair recognizes the gentleman from Bethel, Mr. Mills.

Mr. MILLS: Mr. Speaker, Members of the House: One of the problems that I see with this bill that is the same problem that we had with the 100 acre limit is the fact that if I own 250 acres, 299 acres, I don't have to pay anything. I think you could run into the problem that you could also run into with the 100 acre limit, that people have 300 acres or 301 acres can sell a lot, a house lot off to their son of an acre to get underneath this limit, and you could have people doing that, it is a kind of a loophole. But the person I really feel sorry for, as Representative Kane said, is Representative Hall. Here is a man who has little woodlots all around, 80 acres, 90 acres, and he felt bad because he didn't have to pay this year because he didn't have a hundred acres, and now we are not helping Mr. Hall out at all because we are moving up to 300 acres, so Mr. Hall isn't going to be able to pay this year either. So I think to help Mr. Hall out, for the good of Mr. Hall, we should try to work out this.

Actually, I realize that it is a tough position we are in because we have to accomplish some kind of compromise, and I can understand the problem that there might be right now in that we don't have enough money in the General Fund, so I would like, if someone would from Appropriations, have someone tell us about the General Fund and if they feel that we don't have enough money, if and someone from Appropriations could speak on it, I think it would be important to hear that.

The SPEAKER Pro Tem: The gentleman from Bethel, Mr. Mills, has posed a question through the Chair to anyone who may care to respond.

The Chair recognizes the gentleman from Ban-

gor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: Aside from the \$5 million that has been set aside for property tax relief, I have no idea where you would ever find the money to fund Report A, which we really should not be talking about, we should be discussing Report B. That is the first thing.

Christmas used to come once a year, and I still think it does, on the 25th day of December, not the 29th day of March. Things used to be different in this body years ago when the large timber companies, the utilities, and the banks had their way. But in the past 15 or 16 years, but more importantly in the past 10, they haven't had their way, they can't ride roughshod over the public as they used to. You know why? You have got a two-party system in this state and you have got accountability; yes, better accountability.

The position that Mr. Higgins has offered here tonight is the lesser of two evils, but it is certainly much better than that \$5 million monstrosity that some people have been talking about. That \$5 million in property tax relief that you and I set aside should not go to 15 individuals or companies that own about 90 percent of the state. I suggest that you support the Chairman of Taxation here tonight.

The SPEAKER Pro Tem: The pending question is on the motion of Representative Higgins of Portland that the Minority "Ought to Pass" Report be accepted. All those in favor will vote yes; those opposed will vote no.

At this point, Speaker Martin resumed the Chair and Representative Gwadosky returned to his seat on the Floor.

ROLL CALL NO. 424

YEA—Ainsworth, Andrews, Beaulieu, Benoit, Brannigan, Brodeur, Brown, A.K.; Carroll, D.P.; Carter, Chonko, Connolly, Cooper, Cote, Daggett, Diamond, Erwin, Gauvreau, Gwadosky, Handy, Hayden, Hickey, Higgins, H.C.; Hobbins, Jacques, Joseph, Kane, Kelleher, Ketover, Kilcoyne, LaPlante, Lehoux, Lisnik, Locke, MacEachern, Macomber, Manning, Matthews, K.L.; Matthews, Z.E.; Mayo, McCollier, McHenry, Melendy, Michael, Mills, Mitchell, E.H.; Mitchell, J.; Murray, Nadeau, Nelson, Paradis, P.E.; Perry, Pouliot, Racine, Richard, Rolde, Soucy, Soule, Stevens, Telow, Theriault, The Speaker.

NAY—Allen, Anderson, Bell, Bonney, Bost, Bott, Brown, D.N.; Cahill, Callahan, Carroll, G.A.; Cashman, Clark, Conary, Conners, Cox, Crouse, Crowley, Curtis, Davis, Day, Dexter, Dillenback, Drinkwater, Greenlaw, Higgins, L.M.; Holloway, Ingraham, Jackson, Kelly, Kiesman, Lebowitz, MacBride, Mahany, Martin, H.C.; Masterman, Masterton, Maybury, McGowan, McPherson, Michaud, Moholland, Murphy, E.H.; Murphy, T.W.; Paradis, E.J.; Parent, Paul, Perkins, Pines, Randall, Reeves, J.W.; Ridley, Roberts, Robinson, Roderick, Rotondi, Salsbury, Scarpino, Seavey, Sherburne, Smith, C.B.; Smith, C.W.; Sproul, Stevenson, Tamaro, Tuttle, Vose, Walker, Webster, Wentworth, Weymouth, Willey, Zirnkilton.

ABSENT—Armstrong, Baker, Carrier, Dudley, Foster, Hall, Jalbert, Joyce, Livesay, Martin, A.C.; McSweeney, Norton, Reeves, P., Small, Stover, Strout, Swazey, Thompson.

61 having voted in the affirmative and 72 in the negative, with 18 being absent, the motion did not prevail.

Thereupon, the Majority "Ought to Pass" Report was accepted, the New Draft read once and assigned for second reading tomorrow.

The Chair laid before the House the following matter:

An Act to Increase Legislative Oversight of the Fiscal Affairs of the Department of Inland Fisheries and Wildlife (Emergency) (H. P. 1628) (L. D. 2143) (S. "A" S-296; S. "B" S-297) which was tabled and later today assigned pending reconsideration.

On motion of Representative Diamond of Bangor, under suspension of the rules retabbed pending reconsideration and tomorrow assigned.

The Chair laid before the House the following matter:

RESOLVE, Authorizing the Exchange of Certain Public Reserved Lands (S. P. 810) (L. D. 2168) which was tabled and later today assigned pending passage to be engrossed.

Representative Jacques of Waterville offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-619) was read by the Clerk and adopted.

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

The Chair laid before the House the following matter:

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Enable the Legislature to Establish the Extent of Insurance of Loans to Veterans (H. P. 1703) (L. D. 2256) which was tabled and later today assigned pending final passage.

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Gwadosky.

Mr. GWADOSKY: Mr. Speaker, there is an amendment being prepared for this bill and unfortunately it is not ready at this time. I would appreciate it if someone would table this one day.

Whereupon, on motion of Representative Diamond of Bangor, retabbed pending final passage and tomorrow assigned.

The Chair laid before the House the following matter:

An Act to Provide Voter Information on Ballot Questions (H. P. 1588) (L. D. 2095) (C. "A" H-568) which was tabled and later today assigned pending passage to be enacted.

On motion of Representative Nadeau of Lewiston, retabbed pending passage to be enacted and tomorrow assigned.

The following paper was taken up out of order by unanimous consent:

Bill "An Act Relating to the Issuance of Registered Bonds" (Emergency) (S. P. 885)

Came from the Senate under suspension of the rules and without reference to a Committee, the Bill read twice and passed to be engrossed.

(The Committee on Reference of Bills had suggested reference to the Committee on State Government)

Under suspension of the rules and without reference to a Committee, the Bill was read twice and passed to be engrossed in concurrence.

The following paper was taken up out of order by unanimous consent:

Non-Concurrent Matter

Bill "An Act to Reimburse the Department of Inland Fisheries and Wildlife for Duties Performed which are Mandatory Nonfish and Non-game Related" (Emergency) (H. P. 1758) (L. D. 2320) on which Report "B" "Ought to Pass" as amended by Committee Amendment "B" (H-606) of the Committee on Appropriations and Financial Affairs was read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "B" (H-606) in the House on March 29, 1984.

Came from the Senate with Report "A" "Ought to Pass" as amended by Committee Amendment "A" (H-605) of the Committee on Appropriations and Financial Affairs read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-605) in non-concurrence.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Diamond.

Mr. DIAMOND: Mr. Speaker, I move the House adhere and wish to speak to my motion.

The SPEAKER: The gentleman from Bangor, Representative Diamond, moves that the House adhere.