

The University of Maine

DigitalCommons@UMaine

Maine Women's Publications - All

Publications

3-11-1977

The Maine Action no. 2 (March 11, 1977)

Maine League of Women Voters Staff

Maine League of Women Voters

Follow this and additional works at: https://digitalcommons.library.umaine.edu/maine_women_pubs_all



Part of the [Women's History Commons](#)

Repository Citation

Staff, Maine League of Women Voters, "The Maine Action no. 2 (March 11, 1977)" (1977). *Maine Women's Publications - All*. 772.

https://digitalcommons.library.umaine.edu/maine_women_pubs_all/772

This Newsletter is brought to you for free and open access by DigitalCommons@UMaine. It has been accepted for inclusion in Maine Women's Publications - All by an authorized administrator of DigitalCommons@UMaine. For more information, please contact um.library.technical.services@maine.edu.

The

MAINE ACTION

A LEGISLATIVE NEWSLETTER FOR THE LEAGUE OF WOMEN VOTERS OF MAINE
Issue #2

March 11, 1977

ENVIRONMENTAL QUALITY

Barbara R. Alexander, Environmental Quality
Chairperson

About 25 bills have been introduced to date concerning environmental quality. I have reviewed them, and recommend that we take a position on the following:

(1) L.D. 371, An Act Prohibiting the Sale of Certain Aerosol Sprays after January 1, 1979. SUPPORT on the basis of public health and air quality positions, both state and national.

(2) L.D. 475, An Act to Regulate the Dumping of Snow in Waters of the State. OPPOSE on the basis of water quality position. The bill would require every municipality to register its snow dump with DEP by May 1, 1978 and file a plan to phase out the dump by July 1, 1985. DEP would have the right to close dumps prior to that time only by proving "substantial water quality degradation or a significant harm due to sedimentation, salinity or the accumulation of trash or other refuse in the waters." Under present state and federal law, snow dumped into navigable waters from trucks is a point source of pollution and hence required to have a permit and use the "best practicable treatment". Without a permit, they are illegal. It is suspected that this snow contains salt, sediment gathered from the streets, and toxic materials from car exhausts, etc. The snow gathered on city streets and dumped into the waterways is definitely "pollution". Only in the last several weeks has DEP recognized the problem of these illegal activities. An immediate halt to the problem may be impractical, but eight years to phase out this activity seems a bit much. In addition, putting the burden of proof on DEP to show environmental harm is a dangerous precedent (which unfortunately already exists in the open burning dump laws). I would recommend that we support an amendment to the bill which would (1) require DEP to immediately start investigating the contents of these snow dumps (2) allow six months for municipalities to apply for permits and (3) grant permits for such activity next winter only if DEP testing shows insignificant pollution or the town proves the same, and in any case (4) require an end to the practice within two years.

(3) L.D. 615, An Act to Authorize General Fund Bond Issue in the Amount of \$30,000,000 for Planning, Construction and Equipment of Pollution Abatement Facilities. SUPPORT on the basis of water quality position. This bill would authorize the continuation of the program on the basis of a 15% state share (75% federal and 10% local funds).

(4) L.D. 646, would allow citizen suits to enforce environmental laws and regulations. SUPPORT on the basis of public participation and E.Q. positions.

(5) L.D. 684 reintroduces the "standing" bill which was passed by the 107th Legislature but vetoed by the Governor. It would restrict the public's right to participate fully in BEP hearings and proceedings. OPPOSE on the basis of public participation and E. Q. positions.

(6) L.D. 492 removes Plantations from the jurisdiction of LURC-- and gives them the same power to zone and subdivide presently enjoyed by municipalities. OPPOSE on the basis of land use position. The whole idea of LURC is to coordinate the development and zoning of the wildlands which of course is made impossible by this proposal.

(7) L.D. 483 seeks to standardize administrative procedures and enforcement in the statutes administered by DEP. We should SUPPORT the bill generally but I have certain amendments concerning public participation which should be submitted.

continued on page 6

COUNTY GOVERNMENT
Jane Amero, Chairperson

Three bills which would strengthen county government have been introduced so far this session. The most dramatic changes would result from passage of L.D. 225, sponsored by Anne Bachrach. This bill represents the minority recommendations of the study of county government by the Joint Select Committee on County Government. The bill calls for major changes in the structure and the responsibilities of county government. L.D. 225:

1. Changes the board of county commissioners to a 7 member board, with 3 members elected from districts, 1 at-large member and 3 municipal members who are municipal officers and elected by districts. The board will be the governing and policy-making body of the county;
2. Authorize the board of county commissioners to approve the county budget, (home rule), and determine county officers' salaries;
3. Grants counties the authority to establish a planning department and provide advisory planning services if approved by referendum;
4. Grants counties the authority to coordinate and review human services provided by county and municipal funds, and
5. Provides for appointment of county treasurers and registers of deeds and for consolidation of the offices of county administrator, treasurer and clerk.

This is a comprehensive bill for reorganizing county government. Our recent LWV consensus supported a restructuring and improvement of county government so that it becomes "more efficient, accessible and flexible". However, the League was satisfied with the present 3 member Board of Commissioners and supports their election from commissioner districts. League consensus also did not support "home rule". However the last three items of L.D. 225 can be supported as a result of the League consensus which states: "Counties should provide a broader range of services on an area-wide basis and "the sheriff, treasurer, register of deeds should be appointed."

L.D. 224 proposes to implement the recommendations of the Joint

Select Committee on County Government relating to County law enforcement. It defines county law enforcement functions; defines the relationship of the county commissioners and the sheriffs; and increases the professionalism of sheriff's deputies by prohibiting certain political activities and establishing a modified civil service approach to hiring and firing including establishment of a county Personnel Board.

L.D. 223 is an act to strengthen the counties' role in human services. It provides for establishment of a County Human Services Board and Human Services Coordinator. It requires county boundaries to be considered in establishing special districts.

As of March 11, all three bills were still in committee.

ELECTION LAWS

Statement before Elections Committee, February 23, 1977
Dolores Vail

The League of Women Voters speaks in opposition to L.D. 197. We understand how difficult it is to register voters on election day--especially in great numbers. It is time-consuming and often the voter has to wait in a long line. These newly registered voters sometimes spend several hours on election day just for the opportunity to vote. If they registered earlier they could do so more conveniently. Yet for some reason they go to considerable inconvenience to register at city hall and then go to a polling place to vote.

If the highest priority is to get as many people to vote as possible--then limiting election day registration will not do this.

Voter registration exists for the citizens....

We could offer other possible ways to more efficiently register voters. Must the registration be closed the few days preceding elections? Could Notaries be at each polling place? Or is there some other constructive plan that would make it easier for the voter, Registrar and still allow unregistered people to vote on election day?

Wisconsin and Minnesota have a state law that permits voters to vote without registering--just walk up on election day, show a driver's license or other proof of age and residency. Voting participation was up over 1972. Wisconsin was 10 points over the national average and Minnesota was up over 20 points over the national average. It does not cost extra and neither state had fraudulent voting.

Citizens do want to vote as shown by the great numbers who show up on election day. You must not move in a direction which will limit participation in our governmental process.

! ! ! ! ! ! ! ! ! !

Exerpts from letter to members of the Committee on Elections,
The Honorable Bennett Katz, Chairman.

"The State of Maine should be proud, not appalled by its showing on election day. ...we ranked fourth in the nation for percentage of voting age population voting. The list of the top five with their requirements read as an endorsement for more liberal registration practices. Minnesota had the highest percentage-73-with post card registration as well as registration at the polls on election day with the proper identification. North Dakota had 71% with voting at the polls with the proper identification. Utah had 70% with registration possible up to 10 days before election. Montana tied with Maine at 66% with registration possible by mail. This is the only state in the top 5 to have registration close 30 days before federal elections. Wisconsin ranked fifth with 65%. They allow voting by showing identification at the polls. It is clear that given the chance people will vote!

"Much was said by town and city clerks in attendance about 'possible fraud'. It seems to us that we have allowed the 'fraud' of difficult registration to infringe on the right of every citizen to register and vote. Registration hours that rarely stray from business hours, registration officials who never stray from offices to register voters, less than helpful registration officials, no clear markings of where to register or where to vote, voting places located away from public transportation or in inconvenient places are just a few of these 'frauds'.

"The League has ordered copies of Administrative Obstacles to Voting--a study of voting procedures we (nationally) have completed and published in 1972. This publication outlines in greater detail some of the difficulties alluded to above. In addition we have ordered four copies of a chart of registration practices in each of the 50 states for the use of your committee.

"we urge you to keep the election process open by keeping Election Day Registration. Indeed we ask that the system become more open by simply requiring identification at a polling place in order to vote. People should not be inconvenienced by having to stand in line an hour or so to register and then go to another place to cast their vote.

"A quote from our study is appropriate: 'Citizens must no longer be forced to earn the "privilege" but rather be insured the right to vote.' "

x x x x x x x x x x x x x x x

L.D. 197 was still in committee as of March 11.

L.D. 13, An Act Amending the Constitution Reducing the Size of the House of Representatives to 99 Members and Establishing the Size of the Senate at 33 Members, on which we testified and reported last issue, is also still in committee.

TAXATION

JoAnne Babcock, Chairperson

On March 9, 1977, the Maine Supreme Court told the Legislature it could change the rate of the Uniform Property Tax (UPT). There will be a hearing soon on these bills.

L.D. 91--Jalbert of Lewiston--to strike from the Education Finance Act any future specific mill rate. The reason future mill rates are included, is that if a legislature fails to set a mill rate, in any given year, there will be a mill rate available. This year that "future" mill rate (12½ mills) will raise more than the legal limit of 50% of total education costs.

L.D. 193--Cary of Waterville--reduces the mill rate to 11¼ mills for this and future years.

L.D. 508--Blodgett of Waldoboro--reduces the mill rate to 9 mills for this and future years.

The governor has proposed either 11.66 or 10.12 UPT mill rate, depending on whether or not the UPT is used to fund only educational expenses.

The League of Women Voters Position is that property taxes should raise approximately 40% of total educational expenses. Actual expenses for school year 1975-1976 were \$267.9 million, of which 5.5% was local option, and 45% was from the UPT.

The governor has proposed a \$268.6 million budget for education for 1977-78. The Commissioner of Education has proposed \$290.6 million.

The 1977 state valuation is \$11,703,250,000, thus 1 mill will raise approximately \$11.7 million statewide. To raise 40% of the Commissioner's budget, \$116 million should be raised by property taxes. Nine mills on the state valuation will raise \$105.3 million, leaving \$11 million for local option (In 1975, \$15 million was raised locally, and districts were not required to raise 10% of special education, vocational education, and transportation costs in that year).

Property tax Exemptions

Our position on property tax exemptions is that we want the legislature to reconsider current property tax exemptions on the basis of the following criteria:

- 1) does the exemption foster inequity or special privilege?
- 2) is the exemption a veiled subsidy to private interests that would be difficult to justify as a State Budget appropriation?

We have no position on specific exemptions, but you might like to know what bills have been written so far this year:

continued next page\$

<u>L. D. #</u>	<u>Description</u>	<u>Sponsor</u>
94	Increases the property tax exemption of Veterans from the first \$4,000 of just value to \$5,000	Birt of Millinocket
314	\$7,000	Moody of Richmond
510	\$8,000	Jacques of Lewiston
117	Reimburses municipalities for property taxes lost because of Veteran's Exemptions in 1975-76 Cost: \$37,601	Mackel of Wells
34	Increases p. t. exemption on parsonages to \$50,000 from \$20,000. (\$40,000 loss in UPT)	Mackel of Wells
59	Removes the p. t. exemption the service facilities (gas stations and restaurants) along the Maine Turnpike	MaMahon of Kennebunk
119	Reimbursement to Municipalities for taxes lost due to Maine Tree Growth Law Total reimbursements \$350,807.52	Mackel of Wells
482	Increases the farm machinery p. t. exemption from \$5,000 to \$10,000	Torrey of Poland
489	Increases the p. t. exemption for legally blind persons from \$3,000 of just value to \$4,000. Also removes the eligibility limitations.	Hitchins of York
168	Replaces the personal property tax on watercraft, motors, and trailers with an excise tax	Carey of Waterville

See next issue for Sales Tax exemption bills....

\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$

E. Q., continued from pge 2-

TESTIMONY OF THE LEAGUE OF WOMEN VOTERS OF MAINE IN OPPOSITION TO L. D. 475, "An Act to Regulate the Dumping of Snow in Waters of the State", given by Barbara Alexander, Environmental Quality Chairperson March 9, 1977.

Sometime this winter it apparently came to the notice of the Department of Environmental Protection that the dumping of snow from trucks into the navigable waters is prohibited by the water quality laws without a permit and without the use of best practicable treat-

ment. No permits have been issued on a systematic basis for this pervasive winter-time activity; hence, it is illegal. The response has been to draft legislation to essentially ignore the problem for eight more years. The League opposes L.D. 475 because it overreacts to a pollution problem before we know much about the significance of the problem. The timetable for the phaseout of this activity is so long drawn out that we are afraid nothing will be done to regulate it.

The League is also opposed to the bill because it puts the burden on the DEP to prove harmful pollution rather than putting the burden on the polluter to prove safety.

The League recommends that prior to enacting legislation that in effect condones further pollution for eight years, the DEP should conduct a study of the problem: an analysis of the pollutants present in snow picked up from city and rural roads, the extent of the dumping that occurs, and an analysis of its water quality impact. Only at that point should we consider the enactment of special legislation. It is suspected that this snow contains salt, sediment picked up from streets and roads and toxic materials such as lead and asbestos from car exhaust. While it is certainly understandable that an immediate end to the practice is impractical, we are not so certain that eight more years are necessary to devise alternatives or investigate the seriousness of the pollution hazard.

We therefore urge this Committee to enact no legislation on the topic or at the very least to direct the DEP to conduct a full and complete study to be presented to the next session of the Legislature.

HUMAN RESOURCES

Veterans Preference: L.D. 586 would reinstate the 5 point veterans preference under the State Personnel System so that it would be available more than once. This would repeal the reform of 1975 which allows veterans preference to be used only once. The bill is sponsored by Senator Carpenter of Aroostook and will be heard on March 24 before the Committee on State Government. The League OPPOSES as discriminatory against women seeking equal access to employment.

ERA: According to the Kennebec Journal, Representative Maynard Connors of Franklin introduced a bill on March 10 which would require a referendum asking voters whether they go along with the Legislature's ratification of the ERA. We have not yet seen the bill, but the KJ account suggests that the intent is to rescind Maine's 1974 ratification.

Displaced Homemakers: On March 9 Representative Merle Nelson of Portland introduced a bill, referred to Human Resources and not yet printed, which would provide a pilot project to aid displaced homemakers when they must seek employment after many years as a homemaker because of death, divorce, or separation. The League SUPPORTS as a means of helping a class of women gain equal access to employment.

Pregnancy Disability: On March 10, L.D. 821 was introduced in the Senate, sponsored by Senators Katz and Speers, to "...clarify sex discrimination in the Maine Human Rights Act". The bill states that

it is illegal for an employer or employment agency or labor organization to

- 1) "Refuse to hire a woman because of pregnancy;
- 2) "Terminate a woman's employment because of her pregnancy;
- 3) "Refuse to grant a woman employee a reasonable leave of absence for disability resulting from such pregnancy;
- 4) "Deny to a woman employee who is disabled as a result of pregnancy, any compensation or privileges to which she is entitled as a result of the accumulation of disability or leave benefits accrued pursuant to plans maintained by the employer, employment agency or labor organization;
- 5) "Refuse to reinstate a woman employee, after a reasonable leave of absence consistent with subparagraph (3), to her original job or to an equivalent position with equivalent pay and accumulated seniority, retirement, fringe benefits and other service credits unless, in the case of a private employer, the employer's circumstances have so changed as to make it impossible or unreasonable to do so."

The League will SUPPORT this important piece of legislation. Hearing not yet scheduled, will be before the Human Resources Committee.

On the National level, LWVUS had the following reaction to the Supreme Court ruling in G. E. vs Gilbert: "Today's ruling marks a major setback in efforts to assure equality for women. The decision is a serious blow to civil rights and Congress would do well to take this matter up early in the session to remedy this interpretation of the Civil Rights Act which has such serious negative ramifications."

At present the labor committees of both houses of Congress are considering corrective amendments to Title VII of the 1964 Civil Rights Act, and it is anticipated that Legislation will be introduced soon which LWVUS experts expect to support.

Rebecca Sarna