

Public Hearings of Highest Importance Wednesday Feb. 18 and Thursday Feb. 19

Wednesday and Thursday, Feb. 18 & 19, will provide municipal officials with the only formal opportunity during the 2015 legislative session to explain to lawmakers your position on the property tax-related proposals in Governor LePage’s proposed state budget. These will be the most important public hearings of the year for local officials. Just as is the case with public hearings on the local level, these are the opportunities to show up and speak out, or forever hold your peace.

With respect to the municipal issues, the key public hearing dates next week are:

Wednesday, February 18 at 1:00 p.m.
Proposal to repeal the municipal revenue sharing program.

Thursday, February 19 at 10:00 a.m.
Proposal to make all taxable property in the BETR program exempt from taxation, and

Proposal to give telecommunications personal property to municipal tax jurisdictions.

Thursday, February 19 at 1:00 p.m.
Proposal to eliminate the Homestead property tax exemption for homesteaders under 65 years of age,

Proposal to double the value of the Homestead exemption for homesteaders 65 years of age and older, and

Proposal to apply property taxes to 50% of the value of privately owned tax exempt institutions.

All of these public hearings will be held in the Appropriations Committee room (Room 228 of the State House).

What follows are the instructions for people wishing to testify at these public hearings as provided by the staff of the Appropriations Committee.

Before turning to those instructions, municipal officials often ask about the formal “salutations” used to introduce your testimony to the legislative committees. In this case, the written salutation would be:

“Senator Hamper, Representative Rotundo, members of the Appropriations Committee, Senator McCormick, Representative Goode, members of the Taxation Committee, my name is _____ and I am testifying (in support or in opposition) to (identify the proposal) in the Governor’s proposed state budget.”

To save time in your limited 3-minute oral testimony, it would not be considered impolite to shorten the salutation to “Members of the Appropriations Committee and members of the Taxation Committee, my name is

Here are the additional instructions from the Appropriations Committee staff:

For members of the public wishing to provide oral testimony:

- Plan your testimony to be 3 minutes or less – your *written* submittal can be as

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Tax Committee Kills Local Option Real Estate Transfer Tax Bill

(But it doesn’t lose sight of revenue sharing connection)

Between 2011 and 2015 the last several Maine legislatures have authorized the transfers of over \$281 million out of the municipal revenue sharing program and into the state’s coffers, forcing municipalities to restrict the delivery of local government services and/or increase tax rates. Although prior to 2006 state lawmakers had been faithful to the commitment to share with municipalities 5% of state sales and income tax revenues, that pledge has been disregarded by lawmakers more aggressively each year. In 2015, municipalities will receive only \$60 million or 40% of the \$145 million statutorily promised to Maine’s property taxpayers. As a result, municipal officials are seeking alternative sources of revenue.

Those requests for assistance have not fallen on deaf ears and some legislators are looking for alternative ways to generate local source revenues, including Rep. Adam Goode of Bangor and Sen. Nate Libby of

Androscoggin County, the cosponsors of LD 29, *An Act to Establish a Local Option Real Estate Transfer Tax*.

LD 29, which received a public hearing on Monday of this week, would authorize municipal voters through referendum to piggyback on the state’s real estate transfer tax by applying a local transfer tax on sales of real estate of up to 1% of the transactional value. Under current law, the value of real estate transactions are taxed at a 4.4% rate, with 10% of that tax revenue accruing to the counties where the real estate transaction occurs and the remainder accruing to the state treasury. This local option tax could only be assessed if at least 20% of the voters casting ballots in the most recently held gubernatorial election participated in the authorizing referendum.

Speaking in favor of LD 29, Sen. Libby, who is also a City Councilor, illustrated

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Public Hearings (cont'd)

long as you want.

- If you want to give the committees any written materials, submit **40 copies** to the committee clerk for distribution.

- Written testimony or back-up materials should include your name.

- Fill in the sign-up sheet. The sheets will be located either at a table in the hallway outside of the committee room or at the clerk's desk inside the committee room. Sign-ups will begin at 9:00 am for the morning hearings and 12:00 noon for the afternoon hearings. There will be no sign-ups after 5:00 pm though testimony will continue until everyone who has signed up has been called upon.

- Please print your name on the sheet as neatly as possible. This makes it easier for the Chairs to pronounce your name which will make it easier to know when your name is being called.

- If you are speaking on behalf of a group of people who wish to stand at the podium with you, please note the number after your name (e.g. Jane Doe (3))

- There will be a separate sign-up for the morning and afternoon hearing blocks on the 17, and 19. Make sure you sign up on the correct sheet. There is no morning block on the 18 so there will be only an afternoon sign-up sheet on that day. There is only one hearing block on Monday the 23rd that will begin in the morning (and likely last well into the afternoon) so there will be only one sign-up sheet on that day.

- The Welcome Center has been reserved for "overflow." The Welcome Center is found on the first floor, to the right after clearing the security screening area. If the AFA committee room is full you will be asked to wait there and listen to the proceedings. *The Chairs may periodically ask those not waiting*

Legislative Bulletin

A weekly publication of the Maine Municipal Association throughout sessions of the Maine State Legislature.

Subscriptions to the *Bulletin* are available at a rate of \$20 per calendar year. Inquiries regarding subscriptions or opinions expressed in this publication should be addressed to: *Legislative Bulletin*, Maine Municipal Association, 60 Community Drive, Augusta, ME 04330. Tel: 623-8428. Website: www.memun.org

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to speak to go to the Welcome Center to listen to the proceedings. This will allow other interested parties a chance to attend the proceedings in person. Thank you, in advance, for your understanding and cooperation.

- When it's approaching your time to speak, the Chairs will call your name. *Please note that the Chairs may, at their discretion, call a name out of order to ensure that they have heard testimony all of the topics within a hearing block noted on the sign-up sheets or to accommodate special needs. If your name was called out of order and you were not able to respond, it will be re-called in its normal sequence.*

- The Chairs will periodically announce the next few speakers to give those waiting in the Welcome Center a chance to get to the committee room.

Real Estate Transfer Tax Bill (cont'd)

how over the last few years the loss of revenue sharing in the City of Lewiston had detrimentally impacted the delivery of local government services. According to state law, Lewiston is scheduled to receive \$6.4 million in revenue sharing, but only \$2.5 million has actually been distributed, causing the city to cut \$1 million out of the municipal budget and reduce its workforce by 20%. According to Sen. Libby, there are no more cuts to be made, as the city can't keep up with its winter road maintenance responsibilities or mandated code enforcement responsibilities as it is. Sen. Libby estimates that providing the taxing authority found in LD 29 will enable the City to raise \$350,000 if a 0.5% tax was authorized by the voters, and up to \$700,000 if the full 1% was assessed on the value of the property sold.

As part of his testimony, Sen. Libby also offered an amendment to the bill designed to address several of the concerns raised by the county registers of deeds who, under LD 29, would be charged with collecting and dispersing to municipalities the real estate transfer tax revenues. One of the more significant amendments would have authorized counties to retain 10% of the generated revenue to cover administrative costs, which is the amount the counties are authorized to retain to administer the existing real estate transfer tax.

The Maine Municipal Association (MMA) provided testimony in support

- When it's your turn to speak give the committee clerk any written materials you want distributed. The clerk will be to your right as you face the committee.

- **If you do not want to give oral testimony but want to express your opinion:**

Come to the 2nd floor of the State House on the day of the hearing, fill out a "Comment Sheet" and put it in the specially marked box. The box will be at the "sign-up table" outside of the committee room or the table just inside the committee room.

Or send an e-mail to marianne.macmaster@legislature.maine.gov and she will forward your comments to the committee members.

Or mail your comments to: AFA Committee, 5 State House Station, Augusta, ME 04333.

of LD 29 on behalf of its 70-member Legislative Policy Committee (LPC), touting the initiative as a voluntary way for communities to recoup some of the revenue sharing losses and reduce property taxpayer burden.

The opponents to LD 29 included the Maine Association of Realtors, the Maine Farm Bureau and several different associations within county government, generally. The Realtors raised concerns that municipalities would use the taxing authority to discourage home sales within their municipal boundaries. The Maine Farm Bureau didn't think Maine farmers could afford the increased transfer taxes. Despite the challenges and burdens facing Maine property taxpayers who annually raise an estimated \$140 million to support county government functions, the Maine County Commissioner's Association (MCCA) and a spokesman for the Cumberland County commissioners also provided testimony in opposition to the initiative.

The county commissioners described the bill as an unfunded mandate placed on the county government departments that would be required to collect and distribute the tax revenue. The commissioners expressed concerns over the complications of managing a system where different communities might adopt different transfer tax rates and the difficulty of keeping

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Governor’s Proposed GA Reimbursement Formula – A Correction

In the Jan. 30, 2015 edition of the Legislative Bulletin, MMA described the Governor’s FY 2016–2017 General Fund budget proposal seeking to amend the way in which the state would distribute General Assistance reimbursement. As proposed, municipalities would be reimbursed for 90% of the benefits provided to eligible applicants until the community distributes an amount of aid equal to 40% of its six year adjusted average. As soon as each municipality’s GA spending reaches the proposed threshold, the state’s share would drop to 10% for the remaining GA benefits issued during that fiscal year.

Our description of the calculation of the state share was nearly accurate, but not quite.

We thought the proposal would require the state to reimburse municipal GA expenditures at the rate of 90% until the municipal GA expenditures reached 40% of the town or city’s six-year average, at which point the reimbursement rate would drop to 10%.

The Department of Health and Human Services (DHHS) is saying that the proposal will require the state to reimburse municipalities for their GA expenditures,

at a 90% reimbursement rate, until the amount of state reimbursement reaches 40% of the municipality’s six-year average. At that point, the reimbursement rate would drop to 10% of all additional GA expenditures.

The DHHS explanation of the proposed reimbursement formula changes the impacts we originally projected, albeit in a generally modest way.

In the example printed as part of the Jan. 30 budget article, it was assumed that for a community with an average annual GA expenditure of \$10,000, which continues to provide \$10,000 in benefits, the state would be obligated to reimburse municipalities \$0.90 on every dollar of aid provided on the first \$4,000 and \$0.10 for every dollar expended thereafter, for total state reimbursement of \$4,200, or 42% of total expenditure. However, according to DHHS staff, in this example the community could issue up to \$4,444 in total GA benefits before the state’s share of the GA expenditures is reduced to \$0.10 for each dollar of aid provided. Under the DHHS’s calculation, this “status quo” community would receive \$4,556 in reimbursement, or nearly 46%, rather than \$5,000 under

the current 50% reimbursement law.

The table found below walks through the reimbursement calculation that would be used by the Department if the Governor’s GA funding formula is enacted. Although the impacts are less municipally detrimental than originally estimated, the funding formula still disproportionately affects the major urban centers that play host to a majority of the GA clients state-wide. There are three scenarios presented in the table, as well as the actual impacts for the City of Lewiston. With respect to the scenarios, it is assumed that in each case the calculated six year average GA expenditure is \$10,000. One community in these examples spends below the average, the second provides aid equal to the average and the third spends above the average.

In the first scenario the community distributes only \$8,000 and receives \$4,356 in state aid, 54% of total GA expenditures. Under the existing formula, this community would receive \$4,000.

In the second scenario the community provides its six-year average of \$10,000 in total GA benefits and receives \$4,556 in state reimbursement, or nearly 46% of

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Governor’s Proposed GA Reimbursement				
	Below Average Expenditures	Average Expenditures	Above Average Expenditures	City of Lewiston
Total Average Annual GA Expenditures	\$10,000	\$10,000	\$10,000	\$825,037
40% of Total Average Expenditures	\$4,000	\$4,000	\$4,000	\$330,015
Total Aid Actually Provided	\$8,000	\$10,000	\$12,000	\$767,277
Total Aid Qualifying for 90% Reimbursement	\$4,444	\$4,444	\$4,444	\$366,683
Total Aid Qualifying for 10% Reimbursement	\$3,556	\$5,556	\$7,556	\$400,594
State Aid Provided @ 90% Level	\$4,000	\$4,000	\$4,000	\$330,015
State Aid Provided @10% Level	\$356	\$556	\$756	\$40,059
Total State Aid - Proposed	\$4,356	\$4,556	\$4,756	\$370,074
Total State Aid - Current	\$4,000	\$5,000	\$6,000	\$422,002
Impact on State Aid	\$356	\$(444)	\$(1,244)	\$(51,928)
% of Reimbursement - Proposed	54%	46%	40%	48%
% of Reimbursement - Current	50%	50%	50%	55%

MMA's Teacher Retirement Funding Bill Heard

As the 70 members of the Maine Municipal Association's (MMA) Legislative Policy Committee (LPC) convened in Augusta on Thursday this week to take positions on 50 bills of municipal significance, the Education and Cultural Affairs Committee held a public hearing on LD 60, *An Act to Ensure Proper Funding for Teacher Retirement*. LD 60, which shifts back to the state the obligation to pay the "normal costs" of the school teachers' retirement premium, was advanced by the LPC as one of the planks of the Association's 2015–2016 legislative agenda.

As proposed, LD 60 would return to the state the responsibility for funding the "normal costs" of teacher retirement. In 2013, the funding policy was amended and the property taxpayers became responsible for paying nearly \$30 million in new K-12 education costs. In FY 2015, the local burden associated with teacher retirement is projected to increase to \$37 million, a 24% increase.

Municipal officials advanced the proposal as a means of controlling property tax increases for K-12 education spending. The control measure is of particular importance to the municipal community as the state continues to back away from its statutory requirement to fund 55% of the cost of public education. Municipal officials also support the bill on the principle that those who establish and provide the retirement benefits should pay the premiums.

Rep. Walter Kumiega of Deer Isle, the bill's primary sponsor, stressed that if the Legislature reversed its decision on the funding of teacher retirement it would send the message that the shortfalls in state revenues do not automatically result in increased property taxpayer burdens. A cosponsor of the bill, Rep. Paul Stearns of Guilford, honed in on the fact that since 1942, for purpose of the state retirement system only, teachers are state employees. As such, the cost of funding the benefits provided to that group of employees should be borne by the state as the employer.

In addition to MMA, the Mayor's Coalition, Maine School Boards and Superintendents' Association and the Maine Principals' Association, provided

testimony in support of LD 60. The proponents all focused on the need for the state to relieve the property taxpayers of this burden by honoring its longstanding obligation to fund the normal costs of teacher retirement.

The only opponent to the bill was a representative of the Department of Education. The Department believes that the normal costs of teacher retirement benefits should be calculated as a component

Real Estate (cont'd)

track and making the correct payments. The commissioners expressed the belief that there are less onerous ways to generate local level revenues. When asked to provide examples of other local revenue generating options, the MCCA representative stressed the importance of the revenue sharing program.

Bill Whitten, representing the Cumberland County Commissioners, characterized the administrative task placed on county government as "horrible," with an estimated administrative cost of \$15,000. As an alternative, Mr. Whitten suggested that municipalities consolidate the delivery of services with other municipalities or the county. He questioned whether every municipality needed a public works department, describing the municipalities' equipment used to plow snow and maintain town and city roads as an ever expanding collection of Tonka toys.

Suzan Bulay, Penobscot County Register of Deeds, spoke "neither for nor against" LD 29 on behalf of the Maine Registers of Deeds Association. Although admitting that the 10% administration fee would help cover the counties' cost, the association of county registrars expressed concerns with the logistics and administration of the tax, primarily the challenges and costs associated with designing the computer software programs necessary to keep track of each community's adopted tax rate.

At the Committee's work session on LD 29, held on Wednesday of this week, Rep. Dianne Russell of Portland suggested that the bill could be made more palatable by allowing the counties to retain the

essential to providing K-12 education services and the expenses therefore should be shared between the state and the school districts. The Department also stated that since the districts set the teacher salaries on which the cost of retirement is based, the districts already have a say in determining retirement benefits costs. That is, a school system's exposure to the retirement costs is directly related to the teacher salaries the school system is willing to pay.

The fate of LD 60 is now in the hands of the Education Committee, which is scheduled to vote out its recommendation on the bill later this month.

transfer tax revenue with the direction to use the revenues to help provide or regionalize municipal services.

As the work session concluded, Sen. Nate Libby, a cosponsor of the bill, moved "ought not to pass" on LD 29 explaining that the bill was not yet ready for prime time. In their closing comments, Sen. Libby and Rep. Goode pointed out that if municipalities were to lose revenue sharing, then measures such as those found in LD 29 would become absolutely necessary. Both legislators believe that revenue sharing is the fairest way to relieve the burdens currently placed on the provision of local government services and the state's property taxpayers.

The Taxation Committee unanimously voted "ought not to pass" on LD 29.

GA Reimbursement (cont'd)

the total aid provided. Under the existing formula, this community would receive \$5,000.

Finally, the third community provides \$12,000 in total GA benefits and receives \$4,756 in state reimbursement, 40% of the total aid provided. Under the existing formula this community would receive \$6,000.

The last column in the table shows that under the proposed formula the City of Lewiston would receive \$370,074 in state reimbursement, 48% of its total expenditures. Under the existing reimbursement formula, the City receives \$422,002, 55% of the total spending. If the Governor's proposal is enacted as is, Lewiston is expected to lose nearly \$52,000 each year in state reimbursement.

LEGISLATIVE HEARINGS

Note: You should check your newspapers for Legal Notices as there may be changes in the hearing schedule. For the Legislative Events Calendar, see the Legislature's web site at <http://www.mainelegislature.org/legis/calendar/>. If you wish to look up schedules by Committee, go to <http://www.mainelegislature.org/legis/bills/phwkSched.html>.

Monday, February 16 – HOLIDAY

Tuesday, February 17

Transportation

Room 126, State House, 9:30 a.m.

Tel: 287-4148

LD 171 – An Act To Provide a License Plate Decal for Emergency Medical Service Providers.

1:00 p.m.

LD 28 – An Act To Return Fifty Percent of the Fine for a Violation of the Motor Vehicle Laws to the Municipality in Which the Violation Occurred.

LD 78 – An Act Regarding Limitations on Certain Storm Water Fees.

Wednesday, February 18

Appropriations & Financial Affairs in conjunction with the Taxation Committee

Room 228, State House, 1:00 p.m.

Tel: 287-1316

Proposal to repeal Revenue Sharing component of Governor's proposed biennial state budget

Taxation

Room 127, State House, 10:00 a.m.

Tel: 287-1552

LD 64 – An Act To Reduce the Time within Which a Challenge to a Tax Lien Foreclosure May Be Filed.

LD 170 – An Act To Remove the 180-day Active Duty Requirement

for the Property Tax Exemption for Vietnam Veterans.

LD 191 – An Act To Require the Transfer of a Forest Management and Harvest Plan upon the Transfer of Land in the Tree Growth Tax Program.

Thursday, February 19

Appropriations & Financial Affairs in conjunction with the Taxation Committee

Room 228, State House, 10:00 a.m.

Tel: 287-1316

Biennial state budget proposal to make all taxable property in the BETR program exempt from taxation.

Biennial state budget proposal to give telecommunications personal property to municipal tax jurisdictions.

1:00 p.m.

Biennial state budget proposal to eliminate the Homestead property tax exemption for homesteaders under 65 years of age.

Biennial state budget proposal to double the value of the Homestead exemption for homesteaders 65 years of age and older.

Biennial state budget proposal to apply property taxes to 50% of the value of privately owned tax exempt institutions.

Health & Human Services

Room 209, Cross State Office Building, 9:30 a.m.

Tel: 287-1317

LD 139 – An Act To Allow the Electronic Transfer of Marriage Certificates.

IN THE HOPPER

(The bill summaries are written by MMA staff and are not necessarily the bill's summary statement or an excerpt from that summary statement. During the course of the legislative session, many more bills of municipal interest will be printed than there is space in the *Legislative Bulletin* to describe. Our attempt is to provide a description of what would appear to be the bills of most significance to local government, but we would advise municipal officials to also review the comprehensive list of LDs of municipal interest that can be found on MMA's website, www.memun.org.)

Appropriations & Financial Affairs

LD 235 – An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of the Department of Education, the Maine Arts Commission and the Maine State Museum and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2015. (Emergency) (Governor's Bill) (Sponsored by Rep. Rotundo of Lewiston; additional cosponsor.)

This is one of several supplemental state budget bills designed to balance the state budget for the current fiscal year (FY 2015). This bill is focused on the state budget associated with the Department of Education. Among the various appropriations, allocations and financial adjustments, this bill also establishes the system, beginning with FY 2016, whereby all of the public funding for public charter schools will be provided by state government, rather than shared contributions between the state and the local school system where the public charter school student resides.

Education & Cultural Affairs

LD 231 – An Act To Ensure That Schoolchildren with Dyslexia Receive the Assistance Needed. (Sponsored by Rep. Morrison of

South Portland; additional cosponsors.)

This bill requires public school systems to conduct screenings of students from Kindergarten to grade 2 for dyslexia, as well as transfer students who have never been screened and students in grades 3 through grades 12 who have difficulty with a range of six tasks listed in the bill. The bill also creates the position of dyslexia consultant within the Department of Education to serve as the primary source of information and support for local school systems addressing the needs of students with dyslexia.

LD 265 – An Act To Require the State To Fund Public Charter Schools. (Sponsored by Rep. Higgins of Dover-Foxcroft; additional cosponsors.)

This bill requires the state to provide full funding of public charter schools rather than the current system, which shares the funding requirement between the state and the local school system that the student would be attending if not attending the public charter school.

LD 306 – Resolve, To Prevent Overpayment for Virtual Education. (Emergency) (Sponsored by Sen. Johnson of Lincoln Cty; additional cosponsors.)

This emergency resolve directs the Department of Education,
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HOPPER (cont.)

in conjunction with the Maine Education Policy Research Institute, to design an “essential programs and services” (EPS) funding model for virtual public charter schools and present its report to the Legislature by June 1, 2015 for further legislative consideration. The special EPS model for virtual charter schools must reflect evidence-based, appropriate costs, such as current staffing ratios, to determine the properly calculated per-pupil funding formulas.

LD 311 – An Act To Improve Attendance at Public Elementary Schools. (Sponsored by Sen. Libby of Androscoggin Cty; additional cosponsors.)

This bill gives school boards the authority to establish a younger compulsory age to attend public school, to as young as 5 years of age, and amends the laws governing truancy to allow for the enforcement of that compulsory age requirement if established.

Energy, Utilities & Technology

LD 273 – An Act To Encourage and Enhance the Future of Waste-to-energy Facilities by Establishing a Portfolio Requirement for Electricity from Waste Energy Resources. (Sponsored by Rep. Campbell of Orrington; additional cosponsors.)

For the purpose of encouraging the generation of renewable energy resources, current law requires each competitive electricity provider in the state to demonstrate that no less than 30% of the electricity portfolio provided to its retail customers consists of eligible renewable energy resources. This bill adds “waste energy resource” to the list of eligible types of renewable energy and establishes a 3.5% portfolio requirement for that renewable energy resource. The bill defines “waste energy resource” as electrical generation fueled by municipal solid waste in conjunction with recycling, where the total power capacity does not exceed 35 megawatts.

LD 342 – An Act To Reduce the E-9-1-1 Surcharge. (Sponsored on behalf of the PUC by Rep. Dion of Portland; additional cosponsor.)

This bill reduces the E-9-1-1 surcharge from 45 cents per line or number per month to 40 cents, beginning January 2, 2016. The prepaid wireless E-9-1-1 surcharge is also dropped from 45 cents per retail transaction to 40 cents on the same date.

Environment & Natural Resources

LD 307 – An Act To Amend the Shoreland Zoning Laws To Exempt Certain Walkways and Trails from Setback Requirements. (Sponsored by Sen. Dutremble of York Cty; additional cosponsors.)

This bill exempts from the normal shoreland zoning river setback requirements the construction of a walkway or trail if located adjacent to a segment of a river located within a downtown revitalization project approved by the legislative body of the municipality. The exemption must be expressly provided in the municipality’s shoreland zoning ordinance and is subject to several limitations with respect to elements of the design that cantilever the walkway over any river segments.

Health & Human Services

LD 199 – An Act To Improve the Reporting of Child Abuse. (Sponsored by Sen. Diamond of Cumberland Cty; additional cosponsors.)

Current law governing persons who are mandated to report suspected child abuse to the Department of Health and Human Services (DHHS) provides that a “mandatory reporter” who works as a member of a staff may either make such a report directly to DHHS or, instead, to the person in charge of the organization for which the mandatory reporter works, and the person in charge is then required to make the report to DHHS. This bill repeals that alternative and requires all mandatory reporters to report directly to DHHS. Local government officials included on the list of mandatory reporters include school teachers, guidance counselors, school officials, school bus drivers, law enforcement officers, municipal fire inspectors, and municipal code enforcement officials.

LD 266 – An Act To Allow Access for Law Enforcement Officers to the List of Registered Primary Caregivers for Medical Marijuana Patients. (Sponsored by Rep. Blume of York; additional cosponsors.)

This bill permits the disclosure to a law enforcement officer by the Department of Health and Human Services of the list of registered medical marijuana primary caregivers within the law enforcement officer’s jurisdiction in order to assist in ruling out the caregiver when verifying reports of criminal activity.

Inland Fisheries & Wildlife

LD 296 – An Act To Increase Economic Development in Rural Communities by Expanding Hunting Opportunities. (Sponsored by Sen. Burns of Washington; additional cosponsors.) (By Request)

This bill allows a person with a hunting license to hunt on Sundays during the month of November on public lands greater than 10 acres in size that are open to hunting or on private property greater than 10 acres in size with the consent of the property owner.

Insurance & Financial Services

LD 337 – An Act To Require Lienholders To Remove Liens Once Satisfied. (Sponsored by Rep. Campbell of Orrington; additional cosponsors.)

This bill requires any lien holder, including municipalities that have established liens for property tax or sewer bill delinquency, to remove the lien within 30 days of satisfaction or discharge by the debtor or owner of the property or agent of the debtor or owner. The holder of such liens must provide to any person who was provided notice of the lien at the time the lien was originally filed written notice that the lien has been discharged.

Judiciary

LD 161 – An Act To Ban the United Nations Agenda 21 in Maine. (Sponsored by Rep. Long of Sherman; additional cosponsors.)

This bill prohibits the state or any political subdivision of the state, including any municipality, plantation, county, quasi-municipal corporation or special purpose district, from adopting or implementing policies originating in the “United Nations Agenda 21” or other international laws that restrict private property rights without due process. The bill also prohibits the state or any political subdivision of the state from entering into agreements or financial arrangements with any nongovernmental or intergovernmental organization accredited or enlisted by the United Nations to assist in the implementation of policies related to “Agenda 21.”

LD 303 – An Act To Improve Communications Regarding Executive Session. (Sponsored by Sen. Brakey of Androscoggin Cty; additional cosponsors.)

This bill amends the law governing the confidentiality of certain employee records for state, county and municipal employees when the confidential records are reviewed in executive session and the employee who is the subject of the executive session publicly discloses information about the matter discussed in executive session. In that circumstance, the bill allows for the public disclosure of the records related to the executive session even though the records are otherwise confidential by law.

Labor, Commerce, Research & Economic Development

LD 250 – An Act To Amend the Laws Regarding Dealers in Secondhand Precious Metals. (Sponsored by Sen. Saviello of Franklin Cty; additional cosponsors.)

This bill amends the law governing dealers of second hand precious metals. Under current law, the dealers of these types of metals must obtain a permit from the municipal officers in the municipality where the business is conducted. This bill amends that requirement to make

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HOPPER (cont.)

it an act of registration rather than a permitting program.

LD 299 – An Act To Protect Children in Municipal and School Facilities by Requiring Boiler Inspections. (Sponsored by Sen. Hill of York; additional cosponsors.)

This bill re-establishes the requirement that heating boilers in schools and municipal buildings be inspected to ensure their property performance. The special requirement that municipal/school furnace inspections be reported to the state along with a per/boiler reporting fee was repealed in 2014 along with a number of old laws determined to be unnecessary state mandates.

LD 301 – An Act To Improve Insurance Coverage for First Responders Answering a Call to Duty. (Sponsored by Sen. Johnson of Lincoln Cty; additional cosponsors.)

This bill, providing so-called “tone-to-tone Workers’ Compensation coverage, establishes a rebuttable presumption in Maine’s Workers’ Compensation law that a personal injury sustained by a paid or volunteer firefighter or a paid or volunteer emergency medical services provider is a workplace-related injury if it occurs at any time after the firefighter or EMS worker receives a notice of a fire or emergency and is in the process of responding. Under current law and practice, those during-response injuries are compensable if the workers are responding and on the public way. Under this bill, the injuries would be compensable if sustained in or on the worker’s private property.

State & Local Government

LD 165 – An Act Regarding the Funding of Volunteer Fire Departments. (Sponsored by Rep. Theriault of China; additional cosponsors.)

Current law allows the municipal officers to issue their warrant to the municipal treasurer to pay the treasurer of an incorporated volunteer fire department a sum up to \$1,000 without itemizing for the purposes for which the appropriation will be spent. Conveyances of sums greater than \$1,000 to incorporated fire departments, presumably, need to be itemized. This bill repeals the authority to transfer to the fire department’s account any sum, regardless of size, without itemization.

LD 182 – An Act To Eliminate Term Limits for Legislators. (Sponsored by Rep. Martin of Eagle Lake; additional cosponsor.)

This bill repeals the law establishing term limits for state legislators.

LD 244 – An Act To Require the Use of Preapproved Subcontractors for Publicly Funded Construction Projects. (Sponsored by Rep. DeChant of Bath; additional cosponsors.)

This bill requires a contractor awarded a construction contract with the state that has a value greater than \$100,000 to choose subcontractors as may be needed to fulfill the contract to choose from a list of subcontractors pre-approved to participate in such projects by the Bureau of General Services. The requirement to use pre-approved subcontractors does not apply for any subcontract with a value of \$10,000 or less. This area of law applies only to contracts let by the state or school construction projects.

LD 258 – An Act Regarding Posting of Legal Notices and Legal Advertising. (Sponsored by Sen. Davis of Piscataquis Cty; additional cosponsors.)

This bill amends the law governing the qualifications of a newspaper that can be used to provide legally-required notice to establish that newspapers provided at no charge to the public are eligible.

Taxation

LD 169 – An Act To Amend the Laws Governing Groundwater Rights. (Sponsored by Rep. Kornfield of Bangor; additional cosponsors.)

This bill creates an excise tax of 1 cent per gallon on the extractions of groundwater or surface water in the state by a bottled water operator that extracted 1 million gallons of water in the previous calendar year and packaged that water for sale in containers of 5 gallons or less. The

revenue from the excise tax is distributed as follows: 25% to the Maine Environmental Protection Fund for use in watershed and water quality protection; 50% to the Department of Education to supplement funding for the state’s K-12 public schools; and 25% to the municipalities where the water extraction occurs.

LD 170 – An Act To Remove the 180-day Active Duty Requirement for the Property Tax Exemption for Vietnam Veterans. (Sponsored by Rep. Nadeau of Winslow; additional cosponsors.)

Current law provides the veterans’ property tax exemption to a veteran of the Vietnam War as long as the veteran serviced on active duty for at least 180 days during the period between February 27, 1961 and May 8, 1975. This bill repeals that limitation.

LD 191 – An Act To Require the Transfer of a Forest Management and Harvest Plan upon the Transfer of Land in the Tree Growth Tax Program. (Sponsored by Sen. Saviello of Franklin Cty; additional cosponsors.)

This bill provides that when land that is enrolled in the Tree Growth tax program is transferred to a new owner, the new owner may file with the municipal assessor a sworn statement indicating that a new forest management and harvest plan has been prepared. If such a sworn statement is not provided to the municipal assessor, the landowner must manage the Tree Growth parcel in accordance with the forest management plan prepared for the previous landowner or the land is considered to have been withdrawn from the program.

LD 279 – An Act Regarding Payment under the Business Equipment Tax Reimbursement Program. (Sponsored by Rep. Stanley of Medway; additional cosponsors.)

This bill requires that the reimbursement provided by the state to qualifying businesses for their property taxes paid on personal property pursuant to the Business Equipment Tax Reimbursement program (BETR) must be held by the State Tax Assessor if the business claiming the reimbursement is delinquent in actually paying the taxes to the municipality on the date of certification of eligibility. The hold on reimbursement continues until the delinquent taxes have been paid or a plan for payment has been entered into by the business and the municipality.

LD 282 – An Act To Modify the State Valuation of the Town of Madison To Reflect the Loss in Valuation of the Madison Paper Company, To Modify the State Valuation of the Town of Skowhegan To Reflect the Loss in Valuation of the S.D. Warren Company and To Amend the Law Governing School Subsidy Distribution in the Circumstance of Sudden Loss in Municipal Valuation. (Emergency) (Sponsored by Rep. McCabe of Skowhegan; additional cosponsors.)

This bill modifies the valuation of the towns of Madison and Skowhegan with respect to the 2015 state valuation of those communities to reflect the significant reduction in the assessed value of their respective paper mills. Downward adjustments to the “equalized state valuation” of the two communities accounting for the changes effected at the local level in late 2014 would not normally be reflected in the state valuation for a two-year period. A municipality’s state valuation is the primary input data in the determination of each municipality’s revenue sharing and school subsidy distributions. The bill also amends the statute governing the determination of each municipality’s “fiscal capacity” for the purpose of distributing General Purpose Aid to Education. As recently amended, that determination of fiscal capacity uses a rolling three-year average of the municipality’s state valuation. This bill amends that system when a municipality experiences a sudden decrease in total valuation of 2% or greater. In that circumstance, the most recently certified state valuation is used instead of the rolling three year average.

LD 315 – An Act To Provide a Refund of Fuel Taxes to Maine Ambulance Companies. (Sponsored by Rep. Fredette of Newport; additional cosponsors.)

This bill provides companies or associations that provide ambulance
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services to residents of the state a tax exemption for the motor fuel excise tax (so-called “gas tax” or “fuel tax”). The bill also provides those companies with a parallel entitlement to reimbursement for any fuel taxes paid in the delivery of those ambulance services.

Transportation

LD 246 – An Act To Prohibit the Handling of a Mobile Telephone While Operating a Motor Vehicle. (Sponsored by Rep. Mastraccio of Sanford; additional cosponsors.)

This bill generally prohibits the use of a handheld mobile telephone while operating a motor vehicle. Exceptions are provided for law enforcement officers, corrections officers, firefighters, drivers of authorized emergency vehicles, holders of commercial drivers licenses, physicians, municipal public works personnel, Maine Turnpike Authority personnel and state transportation personnel who are operating motor vehicles within the scope of their employment.

LD 247 – An Act To Create Corridor Districts for the Purpose of Funding Transportation and Transit Services. (Sponsored by Rep. Chipman of Portland; additional cosponsors.)

This “concept draft” bill proposes to allow the creation of multi-modal, multi-jurisdictional transportation districts along defined transportation corridors and form service sharing and revenue partnerships. The corridor districts would have the authority to issue bonds for infrastructure improvements, raise funds for operations and maintenance of facilities, purchase real estate, etc. A local referendum approving participation would be required in each municipality wishing to join the transportation district.

LD 269 – An Act To Require the Maine Turnpike Authority To Consider Certain Third-party Studies and Municipal Recommendations in Its Decision-making Process. (Sponsored by Rep. Blume of York; additional cosponsors.)

Prior to funding a significant transportation project, this bill requires the Maine Turnpike Authority to review and consider any 3rd-party study related to the project as well as the recommendations of a municipality that is within the boundaries of the project area. The recommendations of the municipality have to be expressed in a vote of the municipality’s legislative body in order to be entitled to that consideration.

Veterans & Legal Affairs

LD 224 – An Act To Limit the Information Required To Be Printed on Municipal Referenda Ballots. (Sponsored by Rep. Picchiotti of Fairfield; additional cosponsors.)

This bill establishes that only the question to the voters must be printed on a local referendum ballot and makes printing of the full text of the question and financial information optional.

LD 287 – An Act To Improve Traffic Safety during Political Campaign Seasons. (Sponsored by Rep. Devin of Newcastle; additional cosponsor.)

Current law authorizes, without any need for a permit, the placement of political signs in the right of way area running along state or municipal roadways beginning 6 weeks before a statewide general or primary election. This bill repeals that authority.