

Legislative BULLETIN

A PUBLICATION OF MAINE MUNICIPAL ASSOCIATION

Vol. XXIX No. 10

March 9, 2007

Education Committee's School Reform

The Essential Programs and Services (EPS) school funding model suffers from multiple personality disorder.

It's really a shame, but shouldn't come as a surprise; EPS has had a rough childhood.

In its dominant personality, EPS acts as a *representational model* and tries to accurately identify the reasonably necessary cost of public K-12 education in the real world today. From that calculation, the state's 55% share of the total cost is determined.

In its repressed personality, EPS acts as an *aspirational model*, identifying the costs of public K-12 education as though every school in Maine was operating in the same way as the highest performing but least expensive school systems in the state.

Finally, in its disordered personality, EPS acts as a *spending limitation model* pursuant to LD 1. Proposals to amend the EPS-based spending limit are not part of the reform package but will be reviewed shortly.

As everyone knows, a school reform plan is gestating – albeit somewhat roughly – in the Legislature and the current debate under the dome at the State House is putting stress on the EPS model such that its dominant and repressed personalities are appearing and replacing each other almost by the minute. With respect to the money side of school reform plan, it will in the final analysis boil down to what the Legislature believes to be the essential role of the Essential Programs and Services school funding model.

Some legislators want to make EPS a completely aspirational model in order to influence behavioral change and, simultaneously, reduce the state's 55% obligation. After all, 55% of *aspiration*, is significantly less than 55% of *reality*.

Other legislators believe that the financial impacts of structural change should be realized — at least to some incipient degree — before the school funding model is unilaterally changed. Their legitimate concern is that if EPS strays too far from reality, it risks losing whatever integrity it currently enjoys, will be regarded as an unrealistic model on the local level which no voter should pay attention to, and for the rest of time the property taxpayers will be compelled to make up the difference between aspiration and reality.

The Education Committee reported back to the Appropriations Committee on Thursday this week, delivering its

responsive recommendations to Governor Baldacci's budget proposal to consolidate all school systems into 26 school districts and thereby save – according to the models employed by the administration – something like \$74 million in overall (state and local) school administrative costs in FY 09, translating to \$36.5 million in state savings.

The Education Committee's report can be broken into two parts: (1) the process of implementing change; and (2) money. The Education Committee's report is very different from the Governor's proposal with respect to process, but it parallels the Governor's proposal on the

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OPEGA Will Conduct Local Road Assistance Audit

The Office of Program Evaluation and Government Accountability (OPEGA) informed MMA staff this week that it will be conducting a review of the state funded municipal road assistance program known as URIP. OPEGA, directed by a Joint Legislative Committee, is responsible for ensuring that public funds are expended in the most effective, efficient and economical manner possible. To accomplish this goal OPEGA annually conducts reviews of state programs. Below is a memo from OPEGA analyst Scott Farwell, outlining the URIP audit process.

“The Legislature's Office of Program Evaluation and Government Accountability (OPEGA) is currently conducting a review of the Maine Department of Transportation's Urban Rural Initiative Program (URIP). As part

of this review OPEGA will be discussing the program with a few URIP funding recipients, and will soon be contacting those municipalities to arrange individual meetings to discuss local roads in general and URIP in particular.

OPEGA assists the Legislature in its government oversight duties by performing independent reviews of State programs, agencies and activities, including non-government entities receiving State funds. To learn more about OPEGA go to the following web site: <http://www.maine.gov/legis/opega/> Click on “Scope Statements” on the web page to learn more about the URIP review.

If you are not contacted by OPEGA but wish to provide input on the URIP program, please contact Scott Farwell, OPEGA Analyst, at 287-1956, or via e-mail at: scott.farwell@legislature.maine.gov.”

issue of money.

The process. The up-side of the Education Committee's report is that the process it is endorsing to implement structural change in the educational services delivery system hits the bull's eye. It is a model of how state and local government should work together toward a common goal, and the strong majority of the Education Committee members who endorsed the Committee plan should be commended for recognizing and supporting the importance of local voice in the decision-making process affecting public education. A key element of the Education Committee report is that local government officials, with the help of the private sector, is being given the voice, the authority and the tools to actually find those aspirational savings and deliver them.

The top-down approach to school reform recommended by Governor Baldacci, the Department of Education, the State Board of Education, and the Brookings Institution's "Charting Maine's Future" was rejected by a strong majority of the Education Committee during the several weeks of intensive work sessions it took to develop its responsive recommendation.

In place of the 'command-and-control' philosophy, the Education Committee adopted a 'working-in-partnership' philosophy. At least in concept if not in actual words, much of the approach, tone and structure of the plan adopted by the Education Committee finds its origin in a report issued by the Maine Children's Alliance entitled "A Case for Cooperation", and legislation sponsored by Senate President Beth Edmonds (LD 804, *An Act to Ensure Responsible Governmental Spending,*

Investment and Educational Efficiency) on behalf of a coalition of interests trying to responsibly address the legitimate issues raised in last Fall's TABOR debate. That coalition includes MMA, the Maine Education Association, the Maine State Chamber of Commerce, the Maine Hospital Association and the Maine Service Centers Coalition.

What follows are the nuts and bolts of the Education Committee's plan. Anyone interested in obtaining the text of the draft language the Education Committee is working with should contact MMA's Laura Veilleux at 1-800-452-8786 or lveilleux@memun.org.

Immediate creation of Planning Alliances. The Education Committee's plan calls for the immediate creation of 26 planning alliances, one for each of the vocational education regions in the state. The Committee's plan allows for some flexible readjustments to these identified regions to accommodate those areas where an existing, functioning alliance is already in place that does not entirely conform to these prescribed regions.

Each Planning Alliance is a task force of local people within the designated regions charged by the Legislature with the responsibility of developing and advancing two very significant, far-reaching and undoubtedly controversial restructuring plans, described below.

Specifically, the Education Committee's plan calls for the membership of each Planning Alliance to include one school official representing each school administrative unit or school union (wherever multiple school systems share a central system administration) in the region and one parallel municipal official from each school system area, as well. The school representatives would get appointed by their respective boards. The municipal representatives would be similarly appointed by the municipal officers of the stand-alone municipal school systems and by a caucus of the municipal officers within the municipal school districts or school union regions. In addition, four members of the general public would be appointed to each Planning Alliance, although the method for that appointment system has yet to be fine-tuned.

It is impossible to overemphasize how critical the actual make-up of these

Planning Alliances will be, and the impact of their recommendations with respect to both administrative restructuring and school consolidation. Any municipal official who would like to play a role in this decision-making process should begin to play close attention to the Education Committee's work. Qualifications of appointment should be an absolute commitment to achieving the results, both financial and otherwise, identified as goals in the legislation, and a strong talent in the area of systems analysis.

Planning Alliance responsibilities. Under the Education Committee's preliminary plan, each Planning Alliance would be responsible for three tasks. The required result of accomplishing these tasks would be to meet the goal of reducing the state and local cost of K-12 administrative and non-instructional services within the Planning Alliance's region by 10%.

The first task is to conduct a complete evaluation and develop an administrative service restructuring plan that all schools and, to the extent applicable, municipalities in the region will participate in. The plan would have to meet certain quantifiable goals and be approved by the Commissioner of the Department of Education before being voted on and implemented locally.

The second task, which is closely related to the implementation of the restructuring plan, involves the establishment of educational service collaboratives in each of the regions. These collaboratives are simply educational services delivery vehicles authorized to provide back-office and other non-instructional services for the participating school systems and municipalities at economy-of-scale prices. The Committee's draft legislation makes the establishment of these collaboratives easy.

The third task of each Planning Alliance is the identification of recommended school consolidations. The Education Committee struggled mightily with the structure of this task, particularly with the identification of the minimum student enrollment threshold that should be served by a centralized administrative office. Some Committee mem-

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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

Editorial Staff: Geoffrey Herman, Kate Dufour, Jeff Austin, and Laura Veilleux of the State & Federal Relations staff.

bers believe that no school superintendent's office should serve less than 2,500 students. Other Committee members leaned toward a lower number – for some reason the number 1,200 came into focus — at least as a starting point.

Currently, of the 199 school unions, municipal school systems and school districts, 22 have more than 2,500 students, 34 have between 1,200 and 2,500 students, and 143 have less than 1,200 students.

At the end of the Education Committee's debate on the subject, the majority supported a minimum threshold student population of 1,200. The task of the Planning Alliances, therefore, will be to recommend which school systems within the region should be combined to reach that goal (although there is nothing limiting the Planning Alliances from recommending larger consolidations). Those recommendations would then be advanced to the voters within the affected school systems for ratification.

Incentives. The Education Committee's report also frames-out, without complete detail as of yet, various incentives that could be offered to the consolidating school systems. One incentive would be to give special weight to proposed school construction projects that may be necessary to accomplish a school consolidation. The Committee is also suggesting direct financial incentives which, in one way or another, would financially reward the property taxpayers within the consolidating schools' region for several years during the consolidation transition.

Money. The down-side on what the Legislature is heading toward enacting in the area of school reform is that \$36.5 million will be taken out of what otherwise would be state school subsidy in the year after next (FY 09). This downward adjustment to the projected state and local cost of K-12 education, as measured by the Essential Programs and Services school funding model, is based on a theory. The theory is that given one year's notice, \$74 million in both state and local dollars can be scraped out of the administration of public education...\$36.5 million is the state share of that total budget cut. This is a crude version of what was described above as

the "aspirational" version of the EPS school funding model. Over the next couple of years, the internal switches within the EPS model would be toggled in various ways to reduce what the EPS model currently calculates as the cost of various non-instructional services (system administration, facilities operations, transportation, etc.) by 10%. For FY 09, however, there is little sophistication applied...\$36.5 million would be simply lopped off the statewide aggregate EPS value without toggling the internal switches.

There aren't too many people who truly believe that in that relatively short

time period, the level of cost reductions associated with school restructuring can actually be achieved to justify a \$36.5 million reduction to what otherwise would be the school subsidy distribution. According to this plan, the proposed school budgets to implement those cost savings – which in the real world will mean job cuts and reduced contracts with the private sector — would be in the review and finalization stage just one year from now at the local level.

The proponents of reshaping the 55% ramp argue that establishing aggressive benchmarks is what "aspiration" is all about.

Agent Fee Bills Reviewed

The Inland Fisheries and Wildlife Committee reviewed two bills dealing with agent fees this week. LD 153, *An Act to Improve the Control and Prevention of Invasive Plant Infestations* would combine two watercraft stickers into one. The two stickers, one for registration and the other for milfoil prevention and elimination, each cost \$10 today. The proposed combined sticker would cost \$20.

There are two motivations for the bill. The first is an attempt to streamline government in a way that benefits the public who buy the stickers and the agents (often municipalities) who issue them. The second motivation for the bill is the positive impact it will have on state revenues. Currently, local agents are entitled to \$1 for issuing each of the two \$10 stickers. Consequently, towns get \$2 and the state gets \$18 in connection with these two stickers. Under the bill, the towns will only get \$1 (since they are only issuing one sticker) and the state will get \$19. Local agents, including towns, will collectively lose approximately \$150,000 and the state will gain that amount. Sixty-percent of that state windfall is dedicated to the milfoil fund within the Department of Environmental Protection (DEP) and 40% will go to the Department of Inland Fisheries and Wildlife (IF&W).

There was much support and no opposition to the bill.

The Committee also heard LD 618, *An Act to Increase the Amount Retained by Agents Who Issue Hunting and Fishing Licenses*. This bill increases existing

agent fees for hunting and fishing licenses. Most of the fees in the bill were established at in 1979 at \$1. Some of the fees, but not all, were subsequently increased to \$2 in 1999.

By a simple inflationary measure, \$1 in 1979 is worth \$3 today. Also, most of the underlying hunting and fishing licenses have increased several times since 1979. The agent fees have not kept pace. If the agent fees were to have kept pace with the cost of the underlying licenses, the agent fees would be around \$2.50 today.

The only testimony in support for the increase came from the Maine Municipal Association. The only testimony in opposition came from George Smith of the Sportsman Alliance of Maine.

There is no good time to ask for an increase in fees. However, they're rarely offered either. Some agent fees haven't increased in almost 30 years and all of them are falling far behind the increase in inflation and the underlying license cost. Furthermore, the coincidental timing of this request with LD 153's removal of \$150,000 from local agents makes this as good a time as any to help cover the costs of administering the approximately 200,000 to 250,000 state licenses municipalities issue each year.

On Tuesday the IF&W committee voted unanimously to support LD 153 which benefits the state. On Thursday the IF&W committee voted unanimously to oppose LD 618 which would have helped the municipalities.

Candidates in the Polling Place

Just as the month of March is guaranteed to generate at least one more snowstorm, the election of a new Legislature is guaranteed to generate a number of bills seeking amendments to the way state and municipalities conduct elections. Freshly off the campaign and election trail, legislators use their experiences to offer suggestions for making the process run smoother. While municipal officials support some of the recommendations and not others, they welcome the periodic review of the election process. It is through the submission of these recommendations that the election process can be improved.

The members of the 123rd Legislature have many different recommendations for making the process better. The election bills printed to date address all types of issues, from candidate behavior in the polling place (a perennial favorite) to amending the timing of the primary election. The Legal and Veterans Affairs Committee held public hearings on Monday of this week on four election related bills of municipal interest.

Limit Candidate Polling Place Activity Of particular interest to municipal officials is LD 683, *An Act to Limit the Activities of Political Candidates at Polling Places to Voting*. Senator Bill Diamond (Cumberland Cty.) sponsored the bill to address the proliferation of candidate polling place activity he witnessed during the November 2006 election. Senator Diamond believes that the proposal address two problems. First, it provides voters a candidate-free environment in which to cast a ballot. Second, it reduces the perceived need felt by many candidates to have a presence at every polling place in order to compete with opponents.

Committee response to the bill was mixed. Committee member and cosponsor Rep. Gary Moore of Standish testified in favor of LD 683. Rep. Moore believes the change is necessary to encourage voter participation in elections.

Committee Chair, Rep. John Patrick of Rumford, suggested that more training and tougher election wardens would resolve the problem that election officials have with candidate activities within

the polling. Rep. Patrick believes that the election wardens have the power necessary to control candidate behavior in the polls and should be doing so, as do the very capable election wardens in his district. Other members of the Committee expressed concern with the message that not being at the polling place could convey to voters. According to members of the Committee, in some areas of the state the absence of the candidate in the polling place can have an impact on the outcome of the election.

Municipal officials do not disagree that election officials have the power necessary to control inappropriate candidate polling place behavior. However, election officials have many other important tasks to conduct throughout the election process. Municipal officials strongly support this bill because it allows election personnel to focus attention on other elements of the election rather than monitoring the polling place behavior of candidates

September Primary Election The title of LD 563, *An Act to Move the Primary Election from June to September*, speaks for itself. Senator Jonathan Courtney (York Cty.) sponsored the bill to address the concern that a June primary election requires the sitting members of the Legislature to spend one-quarter of their terms in campaign mode. The need to spend the time campaigning, Sen. Courtney suggests, takes time away from conducting the people's business. Sen. Courtney also mentioned that 14 other states have September primary elections and believes that Maine's election officials could easily handle the challenge.

The Maine Town and City Clerks Association (MTCCA), Secretary of State, Maine Municipal Association (MMA), and the municipal clerks for Old Orchard Beach and Portland, presented testimony in opposition to the bill. Throughout the opponents' testimony a common theme of time constraints emerged. Deputy Secretary of State, Julie Flynn, raised concerns with how the change would interact with the existing election laws and noted that several other amendments to those laws would need to be made in order to make the September election

feasible.

Portland City Clerk, Linda Cohen, raised concerns about being able to efficiently conduct both the municipal and state absentee balloting process within the two-month period. She is concerned that moving the primary election to September will delay the state absentee balloting process, which will impact the municipal process. The City combines the state and municipal absentee mailing processes in order to reduce costs. Clerk Cohen also raised a concern with finding election staff interested in working back-to-back elections.

MTCCA spokesperson and Falmouth Town Clerk, Kathleen Babeu, also provided testimony in opposition to LD 563. Clerk Babeu expressed concern with the scheduling of the primary at a time when municipal officials would be preparing for the November election or in some communities involved with collecting property taxes. Clerk Babeu also expressed concern that voter participation could be negatively impacted.

Kim McLaughlin, Old Orchard Beach town clerk, raised an interesting bond-related issue. In her testimony, Clerk McLaughlin noted a legislative interest in scheduling bond referendum elections in June, which under LD 563 would have a sharp fiscal impact on municipalities. Her concern with moving the primary to September is that in even-numbered years municipalities would be held financially accountable for funding three elections: 1) June bond election; 2) September primary election; and 3) November general election. According to an MMA study conducted in July of 2006, municipalities spend about a million dollars to conduct a statewide election.

Absentee Ballot Procedures LD 663, *An Act to Update Absentee Ballot Procedures*, sponsored by Rep. Christopher Barstow of Gorham, would to amend the definition of an "immediate family" member authorized to request an absentee ballot on behalf of another voter to include a domestic partner, as defined by the state's Domestic Partner Registry

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Animal Control Officers Would Be Mandatory Reporters

Each session there are a few bills which divide municipal officials into two camps. These bills generally have a couple of common elements – an important underlying state policy issue and a seemingly small municipal mandate. The policy committee discussions of these bills are very good at illuminating a challenge of municipal lobbying.

One bill which fits that description this year is LD 584, *An Act Concerning Animal Control Officers as Mandated Reporters*. Under current law, there are 23 job categories that are “mandatory reporters” of elder abuse and there are 29 mandatory reporters of child abuse. These workers must immediately report to the Department of Health and Human Services when they have “reasonable cause” to suspect that an elder has been abused or is “at substantial risk of abuse, neglect and exploitation”; or that a child has been abused or is “likely to be abused or neglected.”

The vast majority of mandatory reporters are medical professionals (doctors, nurses, dentists, pharmacists, etc.). Some other job categories include law enforcement, education and social work.

The policy behind the mandatory reporter statutes is understandable. Some workers are more likely than others to encounter situations of abuse in the course of their jobs. And as a matter of policy, the state will not rely on these individuals to be good Samaritans and voluntarily report suspected abuse (which is permitted).

Furthermore, for many of the mandatory reporters there are confidentiality obligations which would prohibit disclosure of this information, such as the doctor-patient privilege. The reporter statutes give legal immunity from any civil liability stemming from the violation of these privileges.

The Judiciary Committee took testimony this week on LD 584 which extends mandatory reporter status to

animal control officers. Testimony in support came from advocates in the fields of both animal welfare and child abuse. Their testimony highlighted the link between animal abuse and human abuse. Since animal control officers encounter animal abuse more than the average citizen they would be more likely to discover cases of the abuse of humans. Therefore, it is justifiable to add ACOs specifically to the list of mandatory reporters.

Furthermore, they argued, the obligation to report is not an intensive obligation and while the policy is to mandate reporting, none of those who testified were aware of a mandatory reporter who was ever punished for not reporting.

Some members of MMA’s policy committee made similar arguments and urged support for the bill at the MMA policy committee meeting.

But there were other municipal perspectives. The primary objection to the bill is that it would make an already tough task – finding someone who is willing to serve as the local ACO – even tougher. The ACO, a state-mandated position, is one of the most difficult to fill. It basically requires someone to be on-call 24-hours a day, seven days a week. And for the most part, pay is very limited.

Most of the ACO positions are part-time, per diem or stipend based. For some, the ACO is a full-time professional and even some are law enforcement officers (and as such, they are already mandatory reporters). But for most towns, it’s a challenge to fill this underpaid and often underappreciated role. Some municipal officials would like to have their ACOs left alone and not be given even further assignments from the state.

Other objections were rooted in the seemingly open-ended policy this bill represents. That is, the list of mandatory reporters seemed to focus on health professionals and those with

some professional training or skill with children and elders (law enforcement, clergy, teachers, social workers). A few years ago, code enforcement officers and fire inspectors were added. Now animal control officers are sought to be included. While there are certainly reasons to distinguish these jobs from the average citizen, it appears that the state is simply including any government employee who has occasion to visit residential property on the list. Why not add others who routinely visit residential property and may come upon reasons to suspect abuse?

Lastly, the specter of TABOR looms large within MMA’s policy committee discussions. MMA has adopted as part of its legislative platform tougher state-imposed override procedures for the “LD 1” spending limits. Municipal officials are not simply “accepting” these things, they are drafting and promoting them. Such self-created intrusions on local control are seen as necessary to convince the public that municipal officials understand that many citizens feel they are at the breaking point when it comes to tax burden.

Does LD 584 add such a burden that local property taxes will go up causing the next TABOR to pass? Hardly. However, no single bill ever appears to be too much. So many bills just ask for a little more and for a good cause: a small increase in the veterans’ property tax exemption, one more quick inspection by a code enforcement officer, develop a plan in case of a terrorist attack.

Municipal officials narrowly voted to oppose LD 584. MMA will likely not fight this bill. It’s neither easy nor enjoyable to say ‘no’ to bills which propose doing just a little more on important topics like this. But if we don’t say no to these trickle of mandates, seemingly small and for good causes, are we just feeding the fire behind the Palesky Tax Cap or TABOR.

This article opened by suggesting that LD 584 divided municipal officials into two camps. Maybe there is a third. Most municipal officials believe we can simply trust these overworked and underpaid volunteers who have reason to suspect that something is wrong to do the right thing.

LEGISLATIVE HEARINGS

NOTE: You should check your newspapers for Legal Notices as there may be changes in the hearing schedule. Weekly schedules and supplements are available at the Senate Office at the State House and the Legislature's web site at <http://www.state.me.us/legis/senate/Documents/hearing/ANPHFrame.htm>. If you wish to have updates to the Hearing Schedules e-mailed directly to you, sign up on the ANPH homepage listed above. Work Session schedules and hearing updates are available at the Legislative Information page at <http://www.state.me.us/legis/>.

Monday, March 12

Criminal Justice & Public Safety Rm. 436, State House, 11:00 a.m. Tel: 287-1122

LD 697 – An Act To Amend the Laws Relating to Department of Corrections Facilities.

LD 606 – An Act To Protect Licensed Pawnbrokers.

Legal & Veterans Affairs Room 437, State House, 1:00 p.m. Tel: 287-1310

LD 585 – An Act To Establish Instant Run-off Voting for Gubernatorial Races.

State & Local Government Room 216, Cross State Office Building, 10:00 a.m. Tel: 287-1330

LD 601 – Resolve, To Direct the Bureau of General Services To Develop a Purchasing Pool for Political Subdivisions of the State and School Administrative Units.

1:00 p.m.

LD 430 – An Act To Enable Unorganized Territory Townships To Become a Municipality.

LD 523 – An Act To Provide for Enforcement of Land Use Limitations Relating to Cemeteries.

LD 702 – An Act To Allow Municipalities To Establish Foundations To Support Education.

Taxation Room 127, State House, 10:00 a.m. Tel: 287-1552

LD 132 – An Act To Reform the Maine Tax Code.

LD 690 – An Act Regarding the Sales Tax.

LD 786 – An Act To Establish the Maine Land Bank and Community Preservation Program.

LD 787 – Resolution, Proposing an Amendment to the Constitution of Maine To Change the Assessment of Lands Used for Long-term Ownership.

LD 276 – Resolution, Proposing an Amendment to the Constitution of Maine To Require the Legislature To Freeze the Valuation of Maine Primary Residence Land.

LD 850 – An Act To Reduce Taxes.

Tuesday, March 13th

Business, Research & Economic Development Room 208, Cross State Office Building, 1:00 p.m. Tel: 287-1331

LD 451 – An Act To Support the Creative Economy Effort.

LD 790 – An Act To Strengthen Rural Community Investment.

Education & Cultural Affairs Room 202, Cross State Office Building, 1:00 p.m. Tel: 287-3125

LD 470 – An Act To Add Ten Days to the School Year.

LD 468 – An Act To Amend the Laws Governing Compulsory School Attendance.

3:00 p.m.

LD 465 – An Act To Prohibit School Administrative Units from Advocating in Political Activity.

LD 791 – An Act To Ensure Equitable Geographic Representation on the State Board of Education.

Insurance & Financial Services Room 427, State House, 1:00 p.m. Tel: 287-1314

LD 682 – An Act To Allow Schools in the State to Self-insure for Fire, Property and Theft Insurance.

Taxation Room 127, State House, 1:00 p.m. Tel: 287-1552

LD 600 – An Act To Improve Revenue Sharing.

LD 288 – An Act To Increase the State Share of the Homestead Exemption to 70%.

LD 624 – An Act To Increase the Maine Resident Homestead Property Tax Exemption Amount to \$25,000.

LD 693 – Resolution, Proposing an Amendment to the Constitution of Maine To Authorize the Legislature to Allow Municipalities To Exempt from Property Tax a Portion of the Value of Homesteads.

LD 79 – An Act To Repeal the Excise Tax on New Motor Vehicles.

LD 459 – An Act To Reduce the Excise Tax on New Vehicles.

LD 558 – An Act To Create Fairness in the Motor Vehicle Excise Tax by Implementing the Recommendations of the Secretary of State's Task Force on Registration Fees.

Utilities & Energy Room 211, Cross State Office Building, 1:30 p.m. Tel: 287-4143

LD 547 – An Act To Create Fairness in E-9-1-1 Funding.

LD 710 – An Act To Promote Rural Broadband Access.

Wednesday, March 14th

Criminal Justice & Public Safety Rm. 436, State House, 9:00 a.m. Tel: 287-1122

LD 832 – Resolve, Directing the Department of Public Safety To Convene a Working Group To Review the Functioning of College and University Law Enforcement Departments.

LD 864 – An Act To Protect Local Police Departments.

Education & Cultural Affairs Room 202, Cross State Office Building, 9:00 a.m. Tel: 287-3125

LD 221 – Resolve, Requiring the Maine Community College System To Return Real Property and Buildings to the City of Eastport.

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HEARINGS (cont'd)

1:00 p.m.

LD 910 – An Act To Support Regionalization of Public Schools and Achieve Efficiency and Improve Quality.

LD 976 – An Act To Encourage Cost Efficiency in Administration of and Contribution to Tax Burden Reduction by School Districts.

LD 484 – An Act To Adjust the School Funding Formula with Regard to Unorganized Territories.

Labor

Room 220, Cross State Office Building, 1:00 p.m.

Tel: 287-1333

LD 845 – An Act To Tie the Percentage of Health Insurance Benefits for Retired Teachers to That of Retired Legislators.

Thursday, March 15th

Education & Cultural Affairs

Room 202, Cross State Office Building, 1:00 p.m.

Tel: 287-3125

LD 834 – Resolve, To Create a Study Commission to Review and Report on the Possibility of Making All Public School Teachers in Maine Employees of the State.

Natural Resources

Room 214, Cross State Office Building, 1:00 p.m.

Tel: 287-4149

LD 848 – An Act To Encourage Greater Public Input into the State Environmental Licensing Process.

Taxation

Room 127, State House, 1:00 p.m.

Tel: 287-1552

LD 26 – An Act To Fund Transportation Projects.

LD 158 – An Act To Allow a Local Option Sales Tax.

LD 207 – An Act To Reduce the Meals and Lodging Tax.

LD 263 – An Act To Reduce the Property Tax Burden.

LD 761 – An Act To Enable Municipalities To Establish Municipal Land Banks Funded by Local Option Real Estate Transfer Taxes.

LD 762 – An Act To Enhance a Community's Capacity to Support Affordable Housing.

LD 174 – An Act To Increase the County Share of the Real Estate Transfer Tax.

Friday, March 16th

Education & Cultural Affairs

Room 202, Cross State Office Building, 9:00 a.m.

Tel: 287-3125

LD 20 – Resolve, Prohibiting the Use of Carpeting in Schools.

LD 222 – An Act To Ensure the Integrity of School Crisis Response Plans.

Transportation

Room 126, State House, 9:00 a.m.

Tel: 287-4148

LD 328 – Resolve, To Require an Engineering Study To Determine the Cost of Extending Rail Service from Portland to Fryeburg.

LD 533 – An Act To Establish "Clean Air – No Idling" Zones.

LD 9 – An Act To Continue the Axle Weight Law Changes Beyond September 15, 2007.

LD 535 – An Act To Create a Retired Firefighter Registration Plate.

CANDIDATES (cont'd)

program. At the public hearing, Rep. Barstow recommended amending the bill to link the definition of domestic partner to the one found in the insurance statutes. As defined in Title 24, 2319-A, domestic partners are mentally competent adults who are not legally married or separated, and that have lived together for at least 12 months and are jointly responsible for each other.

The Secretary of State's Office, Maine Town and City Clerks Association, Maine Municipal Association and Equality Maine all provided testimony in support of LD 663. Julie Flynn stated that the Secretary of State's Office is supportive of the concept of the bill and has included similar domestic partner language in the agency's bill. Equality Maine testified in support of the bill but indicated that they prefer the definition of domestic partner found in the insurance statutes.

Challenged Vote Process Amendment LD 731, *An Act to Preserve the Integrity of Elections by Removing the Requirement for a Challenged Affidavit*, sponsored by Rep. Ken Fletcher of Winslow, would remove from the existing standard for a challenged ballot the need for a signed affidavit. Under the current system, a challenger must include in a signed affidavit the name of the challenged voter, the reason for the challenge, the source of information used to base the challenge and a statement that the challenger understands that making a false statement is punishable under penalties of perjury. As proposed in LD 731, a challenger would merely be required to state the name of the challenged voter and the reason for the challenge.

Rep. Fletcher submitted the bill to address a concern that the existing process discourages its use. When the process was amended in 2003 to, among

other requirements, include the signing of an affidavit, he believes the change created a different problem. The fear of perjury is causing persons with legitimate reasons and concerns from challenging a voter's right to cast a ballot. While reasonable standards need to be in place, Rep. Fletcher believes the existing process is too far reaching.

The Secretary of State's Office, League of Women Voters, municipal clerks and the Maine Municipal Association provided testimony in opposition to the bill. The opponents generally believe that the existing process is appropriate and has reduced the number of frivolous challenges. Municipal officials oppose the bill because they believe that challengers should be formally accountable for their actions, especially when challenged ballots can impact the outcome of an election.

The work session on these bills have been scheduled for March 14th.

IN THE HOPPER

Business, Research & Economic Development

LD 451 – An Act To Support the Creative Economy Effort. (Sponsored by Rep. Webster of Freeport; additional cosponsors.)

This “concept draft” bill proposes to secure funding to provide a creative space or hub in towns with fewer than 10,000 residents in order to facilitate growth of small creative economy businesses and support the revitalization of the towns’ downtown centers.

Criminal Justice & Public Safety

LD 606 – An Act To Protect Licensed Pawnbrokers. (Sponsored by Sen. Rotundo of Androscoggin County.)

This bill prohibits a law enforcement officer from seizing suspected stolen property from a pawnbroker without a warrant.

LD 832 – Resolve, Directing the Department of Public Safety To Convene a Working Group To Review the Functioning of College and University Law Enforcement Departments. (Sponsored by Rep. Barstow of Gorham; additional cosponsors.)

This bill directs the Department of Public Safety to convene a working group, including law enforcement officers and the Maine Chiefs of Police Association, to review the functioning of college and university law enforcement departments.

Insurance & Financial Services

LD 682 – An Act To Allow Schools in the State to Self-insure for Fire, Property and Theft Insurance. (Sponsored by Sen. Nutting of Androscoggin County.)

This bill directs the Department of Administrative and Financial Services to develop a program to self-insure elementary and secondary schools for property, fire and theft losses.

Taxation

LD 976 – An Act To Encourage Cost Efficiency in Administration of and Contribution to Tax Burden Reduction by School Districts. (Sponsored by Rep. Woodbury of Yarmouth; additional cosponsors.)

This “concept draft” bill would create a tiered system of maximum mill rate expectations to be applied to the various school administrative units to determine each unit’s required local contribution. The way the concept bill would be designed, there would be a base-level required mill rate expectation but certain schools would enjoy smaller mill rate expectations, on a sliding scale, to the degree they were larger than other school systems in terms of the number of enrolled students and to the degree their expenditures generally conformed to the EPS school funding model.

Utilities & Energy

LD 547 – An Act To Create Fairness in E-9-1-1 Funding. (Sponsored by Rep. Fitts of Pittsfield.)

This “concept draft” bill proposes to amend the current law to require the prepaid wireless and the broadband markets of telephone service to collect funding for E-911 services.

LD 710 – An Act To Promote Rural Broadband Access. (Sponsored by Sen. Raye of Washington Cty; additional cosponsors.)

This “concept draft” bill proposes to establish an employee in state government charged with promoting the development of telecommunications infrastructure in rural areas of the state and to establish a challenge grant fund. The employee would be specifically charged with coordinating state efforts to identify needs, create options and provide support at the local level.