

Legislative BULLETIN

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Finding the Sweet Spot

On the matter of the regionalization of school administrative services, a rational perspective suggests that the best plan is the one that will achieve tangible results. “Better” plans may exist from an ideological perspective, from a theoretical perspective, from a state budget perspective – but they aren’t “better” if they achieve their ideological, theoretical or state-budget results at the expense of achieving any tangible results.

A rational voice suggests that we don’t sacrifice the achievable “good” at the expense of the unachievable “perfect”.

Six months ago – long before Governor Baldacci unveiled his school abolishment/school consolidation plan – a coalition of interests developed a regionalization plan in order to effect structural change in the way educational administrative services are provided.

That coalition included the Maine State Chamber of Commerce, the Maine Education Association, MMA, the Maine Service Center Coalition and the Maine Hospital Association, and the plan became LD 804, *An Act To Ensure Responsible Government Spending, Investment and Educational Efficiency*, sponsored by Senate President Beth Edmonds (Cumberland Cty.).

The plan was written with one goal in mind, empowering local voters by giving them the information, direction and authority to redesign their school governance systems – flexibly suited to their geographic regions — to achieve property tax savings without impairing the quality of public education.

Right now the Legislature is trying to find the sweet spot that balances the competing approaches among at least three legislatively-developed school regionalization plans. A threshold issue

is the degree to which the empowerment of local voters, or their disenfranchisement, will characterize the Legislature’s final decision.

The three plans were unveiled this week before a subcommittee of the Appropriations panel that has been tasked with putting the final polish on the school regionalization plan before it is bolted into the state’s biennial budget bill. The three plans come from the Education Committee, which is divided into three perspectives. A fourth plan may be gestating at the Appropriations subcommit-

tee level.

There is the “no-vote” plan, the “vote-as-we-suggest-and-here’s-some-money” plan, and the “rational-process” plan. It is not possible to describe all the details of each plan in the space of this article. What follows is a snap-shot description. Anyone interested in obtaining a hard copy of the various plans should contact MMA’s Laura Veilleux at 1-800-452-8786.

No-vote plan. The no-vote plan is supported by five (or maybe six) members of the Education Committee. It requires all school systems or school unions

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Hearing on Water Level Standards Flows Over

On Tuesday afternoon this week the Natural Resources Committee took testimony from 20 interested parties until well into the evening. The issue debated was the Department of Environmental Protection’s (DEP) proposed rule adopting water quantity levels. The primary bill is LD 968, *Resolve, Regarding Legislative Review of Portions of Chapter 587: In-stream Flow and Water Level Standards, a Major Substantive Rule of the Department of Environmental Protection*. Other related bills are LD 774 and LD 1359.

The basic issue is how Maine should regulate water withdrawals by significant water users. For example, during the summer, when the water levels are lower and consumption is dramatically higher (as a result of tourist populations, lawn watering, etc.) some of the surface water bodies that supply water for our collective use can become severely impacted. The goal of the rule is prevent withdrawals from taking

“too much” water out of the water body.

The primarily impacted users are agricultural users (such as potato and blueberry growers), water utilities and bottled water companies. The rules establishing how much is “too much” are technical. The rules also establish three tracks for compliance.

The primary supporters of the bill were the DEP, the Nature Conservancy, Trout Unlimited, the Atlantic Salmon Federation, Maine Rivers, the Natural Resources Council of Maine and a Colby Professor. The primary arguments offered in support were that now is the time to act. Maine has been lucky not to have serious water shortages like many other parts of the country. Many other states have been living with rules such as these for years. Furthermore, the rulemaking has been four or five years in the making and strike the

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SWEET SPOT (cont'd)

in Maine to be serving at least 2,500 students beginning on July 1, 2008. That would require 177 of the 199 current school systems or school unions to “marry-up” with a sufficient number of neighboring school systems. The school committees for those 177 school systems and school unions would be required to submit their consolidation proposals to the Commissioner of the Department of Education eight months from now, by December 1 of this year. The proposal must include all of the detailed information regarding the new school systems, including the new school’s governance system, the budget voting procedures, cost sharing agreements, ownership of property, the assignment of existing labor contracts, etc. If the Commissioner approves the plan, the school union is formed. If no acceptable plan is presented to the Commissioner by the December 1, 2007 deadline, the Commissioner is authorized to unilaterally create the newly consolidated school system. The voters within these newly created school systems would have no vote on the matter. Under this plan, all of those systems would become “regional school units” and be required to adopt their school budgets under a prescribed “budget validation” process whereby the budget would be formatted in a prescribed way, adopted first at an open meeting, and then ratified at a required referendum vote administered in each participating municipality. Planning alliances made up of school, municipal, and general public representatives would be required to develop plans after those consolidations are completed to implement additional ways to regionalize school admin-

istrative services according to certain required financial goals. Union protections are built into this draft. As a matter of law, none of these consolidations could displace a current school teacher. Job cuts could only affect administrators and administrative staff.

Vote-as-we-suggest-and-here’s-some-money plan. As developed by two members of the Education Committee, this plan would require the State Board of Education to develop by August 1 of this year consolidation plans for 202 of the 226 school systems in Maine that actually operate schools. All 33 school unions in Maine would be abolished. Only municipal school systems and School Administrative Districts would be allowed, and the average size of each system would include at least 2,500 students. Without any fixed deadline, the voters within the newly organized school systems recommended by the State Board of Education would get to vote on the proposed consolidations. A variety of financial incentives would be offered to those voters to induce them to support the consolidation, including one-time cash offers of \$200 per student, a three-year period of reduced “maximum mill rate effort” under the EPS-based school funding system, and preferential treatment with respect to school construction projects. This plan was not drafted in statutory language, and it is unclear what the consequences would be if the local voters rejected the consolidation plan, except perhaps more legislative consequences in subsequent years.

Rational-process plan. The rational-process plan is supported by five members of the Education Committee. It is essentially the original 12-1 majority plan of the Education Committee, which was described in the March 9th edition of the *Legislative Bulletin*. In summary, the plan gives the task of developing and advancing the school reorganization plans to Planning Alliances that would be established throughout Maine according to the geography of the state’s 26 vocational education regions. The Planning Alliance membership would be made up of school officials, an equal number of municipal officials, and four members from the private sector/general public. The Planning Alliances would be given two tasks that upon implementation

would have to achieve specific financial and system reorganization goals. The Planning Alliances would have to formalize their recommendations with respect to both tasks by March 1, 2008.

The first task is to set up educational service collaboratives (sometimes called education service districts) which are vehicles to provide: (1) commonly used school and municipal administrative services made available on the regional level for individual school systems and towns (e.g., financial administration, back-office functions, information technology, etc.); and (2) regionally-provided specialty services for school systems (e.g., food service, special education management, unique or highly-specialized student services, etc.).

The second task of the Planning Alliances is to recommend school consolidations so that no school system (with exceptions for geographically isolated schools) would have a superintendent serving less than 1,200 students. Those recommendations of the Planning Alliances would be subject to local voter approval. The penalty for not approving the consolidation would be a reduction of state support for those school system’s superintendent offices.

The no-vote rationale. It appears that the idea of allowing no local vote with respect to the creation of each new local government educational entity rests in the interests of the Legislature to “book” savings associated with the proposed consolidation for the state’s FY 09 fiscal year. If voters are given the right to approve or reject those consolidation proposals, the Legislature’s Office of Fiscal and Program Review could not “book” the state savings that would occur in FY 09 (at least according to the Department of Education’s analysis) as a result of the consolidations because the consolidations would not be certain. Depriving the local vote helps the Legislature balance the FY 09 state budget. It is a trade-off between budget and public policy that some legislators appear comfortable with.

The historian and philosopher Hannah Arendt, in reference to another government that delegated legislative responsibilities to bureaucracies, described the result as the “Rule of the Nobody”.

Legislative Bulletin

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

Candidates in the Polling Place

What last week looked like a failed effort, turned out to be a winning idea as the Legal and Veterans Affairs Committee voted “ought to pass as amended” on LD 683, *An Act to Limit the Activities of Political Candidates at Polling Places to Voting*, by a margin of 9 to 4.

As proposed by Sen. Bill Diamond (Cumberland Cty.), the bill seeks to address a concern voters have raised with having to run the gauntlet of candidates at the polling place when casting a ballot on election day. The intent of the bill was to provide all voters a “candidate free” environment in which to cast a vote by limiting the presence of a candidate in a polling place to just voting.

When the Committee began its deliberations on LD 683 on March 14th, the discussion to address the polling place activities of candidates quickly shifted to a discussion on the ability of municipal wardens to do their jobs adequately. Some members of the Committee raised the concern that municipalities are relying on unqualified staff to help run elections. As result of that sentiment, the first motion on the bill was “ought not to pass” with a recommendation that the wardens of the state receive a letter reminding them of their election day enforcement responsibilities.

However, that motion did not resonate with all members of the Committee. Rep. Gary Moore of Standish challenged the assertion by stating that candidates, rather than the wardens, were the problem. Rep. Moore believes that wardens are doing their jobs and it is the candidates that need to be reminded of their responsibilities. Other members of the Committee sympathized with the proposal, stating that their polling places can become overcrowded due to the number of candidates in the polling place.

Based on this division among the Committee members, the bill was tabled last week to provide members more time to think about bill. The time-out

has had a positive impact, as a majority of Committee quickly disposed of the previously tabled bill by supporting an amended version.

The amendment to LD 683 is merely technical. The bill will go out to the full Legislature with the recom-

mendation that political candidates will be treated like every other voter in the polling place and shall have no special rights to linger within the polling area during the election process. The municipal election clerks have enough to do in their oversight of the proper conduct of an election, and they hope municipal officials will urge their legislators to support the majority “ought to pass” report on LD 683.

LPC Defines Borrowing Priorities

Republican leadership has gone on record supporting a proposed \$200 million bond package to go out to the voters in June, with \$180 million for transportation projects and \$20 million dedicated to wastewater treatment infrastructure and other environmental projects.

Governor Baldacci released his proposed bond package this week which doubles the Republican bid, proposing nearly \$400 million in borrowing to be presented to the voters in both June (\$151 million) and November (\$246 million). The Governor’s proposal covers a broad range of projects in four major categories: transportation, environment and “quality places”, education, and research and development.

After reviewing the Governor’s proposal, as well as all the printed bond proposals submitted by legislators thus far in the legislative session, MMA’s Legislative Policy Committee (LPC) identified both the size of the borrowing proposal and the specific priorities within the package that seems appropriate from the municipal perspective.

The LPC joined Governor Baldacci with respect to the overall size of the borrowing package. Capital investments have been depressed for too long as a result of political infighting, and the backlog in transportation investment demands a bold investment strategy over the next biennium. As will be noted in the following side-by-side, the LPC’s priorities within the overall bond package generally share the same categories as the Governor’s proposal, but seek stronger investments in the areas of transportation, affordable housing and generalized economic development, and somewhat scaled-back support in the areas of research and development, University infrastructure and the Land for Maine’s Future program.

	Governor’s	Republican’s	LPC
Transportation	\$131.1 million	\$180 million	\$210 million
Public Infrastructure / Environment	\$32.4 million	\$20 million	\$35 million
Natural Resources / Environment	\$14.9 million		\$21 million
Research & Development	\$125 million		\$54 million
Education (non-R&D)	\$38 million		\$26 million
Affordable Housing			\$22 million
Economic Development (non-R&D)	\$11 million		\$20 million
Public Access/Land for Maine’s Future	\$45 million	\$10 million	
Total	\$397.4 million	\$200 million	\$398 million

Charitable Gambling

On Monday this week, the Legal and Veterans Affairs Committee held public hearings on several bills seeking amendments to Maine's gambling laws. Of particular interest to municipal officials is LD 890, *An Act to Allow the Awarding of Prize Money from Gambling Machines Run by Nonprofit Organizations*, sponsored by Rep. John Patrick of Rumford.

LD 890 would allow any nonprofit organization that is licensed to conduct beano to operate five slot machines within their organizations. In addition to the beano license standard, a qualifying nonprofit would be required to apply to the state for the slot machine license and receive municipal approval before operating the machines. The bill also dedicates 10% of the slot machine revenue to the host municipality.

Several nonprofit organizations representing fraternal and veterans' organizations provided testimony in support of LD 890. The proponents believe that the changes proposed in the bill will enable these organizations to continue their good work. Without the additional revenues that would be generated through the operation of slot machines, the representatives of these charitable organizations believe that they will be unable to continue to financially support many community initiatives, including supporting programs that benefit Maine's children, the elderly and the sick.

The State Police provided testimony in opposition, explaining that the Baldacci Administration opposes any initiative that seeks to expand gambling opportunities in Maine.

MMA provided testimony "neither for nor against" LD 890 because the Legislative Policy Committee (LPC) had not yet taken a position on the bill. Although the official LPC position on the bill was not available at the public hearing, based on historical positions on similar bills MMA staff indicated that it was likely that municipal officials would oppose the legislation.

There are two reasons for the municipal opposition to LD 890. First, while municipal officials acknowledge that charitable organizations are an impor-

tant part of their communities, they believe that the property tax exemptions provided to these nonprofit organizations effectively recognize their good deeds. According to the 2005 data collected by Maine Revenue Services, veterans' and fraternal organizations received a property tax exemption of \$129 million in real estate value. Applying a statewide full value mill rate of \$11.77, these organizations were relieved of \$1.5 million in property tax payments which were shifted to all other property taxpayers in the community. In addition, municipal officials believe that standards of eligibility for property tax exemption status for charitable organizations are lacking in Maine law, and that lack of a clear relationship between the property tax exemption and the use to which the exempt property is put would only be exacerbated if these organizations were allowed to operate gambling activities in tax exempt facilities.

Second, municipal officials are concerned about the pressure this type of gambling would place on municipal services, particularly the demands that would be placed on law enforcement services. While municipal officials understand that the legislation dedicates 10% of the revenues to the host community, they believe the public welfare costs associated with this type of gambling outweigh the benefits of the revenue.

That historical position was upheld on Thursday this week when the LPC voted to oppose the bill.

The work session on LD 890 is scheduled for Wednesday, March 28th.

WATER LEVEL (cont'd)

appropriate compromise between the need for users and the need for the environment.

Opponents of the bill included agricultural groups (potato and blueberry growers), water utilities (Maine Rural Water Association, Maine Water Utilities Association, Aqua Maine, York, Bar Harbor, Kennebunk and Great Salt Bay water utilities) and five legislators. Opposition ranged from those who opposed specific issues, to those who opposed the entire effort.

The general theme of all the testimony was that adopting rules regulating major withdrawals is sensible, and the proposed rule is well fashioned in many of its technical aspects. However, several specific criticisms were raised. Two were raised consistently and quite pointedly.

First, as proposed, the rule would become part of Maine's implementation of the federal Clean Water Act. However, EPA is not requiring this rule. EPA has suggested its adoption, but adoption is not mandatory. If Maine folds this rule into its Clean Water Act regulatory system, the federal EPA could insert itself into the management of the law. In addition, Clean Water Act adoption could create a potential that third-party interest groups might be able to successfully file enforcement lawsuits in order to get the law applied as they see fit.

When asked what Maine had to gain from including the rule under the federal framework, proponents could offer no substantive reason.

The second issue consistently raised by opponents was how to insure DEP flexibility in managing the rule. At the hearing, DEP earnestly pledged to manage the rule in such a way that no water utility would be obligated to spend unreasonable sums of money to comply with the flow standards. Opponents were appreciative; however, there was widespread concern that the actual rule language doesn't seem to mirror the level of flexibility that was pledged.

The crux issue is "economic feasibility." That is, in reviewing the operations of a water utility, the DEP indicated that it would only require a utility to spend money to fix a problem if it is economically "feasible." The regulated groups expressed support for this concept. They are hoping the Committee will give the rule some more specificity and clarity in this regard.

The municipal interest is indirect but not insignificant. Municipalities pay a large portion of the water utilities revenues in the form of the fire suppression fee (the "fire hydrant tax"). In many cases, the municipal share equals one-third of a water utility's budget. As a result, a good chunk of the costs that water utilities will incur in complying with the rule will get passed through to towns and then on to the property taxpayer. For obvious reasons, the calculation of "economic feasibility" is something that matters to municipalities.

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 26

Appropriations & Financial Affairs

Room 228, State House, 8:00 a.m.

Tel: 287-1316

LD 218 – An Act To Authorize a General Fund Bond Issue To Encourage Municipal High-speed Internet Access.

LD 292 – An Act To Authorize a General Fund Bond Issue to Help Construct a Recreation Center for the City of Presque Isle.

LD 335 – An Act To Authorize a General Fund Bond Issue for Research and Development to Stimulate Maine's Innovation Economy.

LD 426 – An Act To Authorize a General Fund Bond Issue for Repairs to Traditional Meetinghouses.

LD 427 – An Act To Authorize a General Fund Bond Issue for Recreational Facilities.

LD 440 – An Act To Authorize a General Fund Bond Issue to Revitalize Communities and Expand Maine's Innovative Economy through the New Century Program.

LD 445 – An Act To Authorize a General Fund Bond Issue for the Municipal Investment Trust Fund.

LD 747 – An Act To Authorize a General Fund Bond Issue for the Municipal Investment Trust Fund.

LD 801 – An Act To Authorize a General Fund Bond Issue for Infrastructure Improvements for Canton Village and To Provide Funding for the Career Center in Rumford.

LD 858 – An Act To Authorize a General Fund Bond Issue for the University of Maine for Research and Development.

LD 806 – An Act To Authorize a General Fund Bond Issue for the Maine Biomedical Research Fund to Create Jobs and Strengthen Maine's Economy.

State & Local Government

Room 216, Cross State Office Building, 1:00 p.m.

Tel: 287-1330

LD 953 – An Act to Provide for Nonpartisan Elections for Sheriffs.

LD 1135 – An Act To Allow Municipal Cost Sharing for County Services.

LD 1173 – An Act To Clarify the Application of the Definition of "Tract or Parcel of Land" under the State Subdivision Laws.

Tuesday, March 27

Appropriations & Financial Affairs

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

Tel: 287-1316

LD 357 – An Act To Authorize a General Fund Bond Issue for the Land for Maine's Future Program.

LD 450 – An Act To Authorize a General Fund Bond Issue To Support Maine's Working Waterfronts.

LD 538 – An Act To Authorize a General Fund Bond Issue to Promote Increased Research and Development Collaboration between the Environmental and Energy Technology Sector and the University of Maine System.

LD 746 – An Act To Authorize a General Fund Bond Issue To Finance the Acquisition of Land and Water Access and To Access Matching Contributions.

LD 777 – An Act To Authorize a General Fund Bond Issue for Affordable Housing.

LD 863 – An Act To Authorize a General Fund Bond Issue for Acquiring Land and Water Access through the Land for Maine's Future Program.

LD 896 – An Act To Authorize a General Fund Bond Issue for the Cleanup of Hazardous Waste Sites.

LD 1222 – An Act To Authorize a General Fund Bond Issue for Wastewater Infrastructure on the Penobscot River and to Require Testing to Publicly Owned Treatment Works.

LD 1395 – An Act to Protect Maine Rivers and To Authorize a General Fund Bond Issue.

LD 1448 – An Act To Authorize a General Fund Bond Issue for Wastewater Treatment Facilities and Water Supply Facilities.

LD 1513 – An Act To Authorize a General Fund Bond Issue To Fund Water and Wastewater Infrastructure.

LD 1531 – An Act To Authorize a General Fund Bond Issue for the Land For Maine's Future Program.

Education & Cultural Affairs

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

Tel: 287-3125

LD 196 – An Act To Modify the Maine Learning Results System.

Health & Human Services

Room 209, Cross State Office Building,

Tel: 287-1317

LD 899 – Resolve, To Establish a Committee To Examine the Impacts of the 1993 Amendments to General Assistance Program Eligibility.

LD 29 – An Act To Amend the Laws Governing Welfare.

LD 168 – An Act To End Fraud in Maine's Welfare Benefit Programs.

Natural Resources

Room 214, Cross State Office Building, 2:00 p.m.

Tel: 287-4149

LD 1270 – Resolve, To Clarify the Definition of Smart Growth.

Transportation

Room 126, State House, 1:00 p.m.

Tel: 287-4148

LD 972 – An Act To Delay the Fiscal Sustainability of the Highway Fund.

Utilities & Energy

Room 211, Cross State Office Building, 1:00 p.m.

Tel: 287-4143

LD 420 – An Act Providing for Regulation of the Cable Television Industry by the Public Utilities Commission.

LD 940 – Resolve, To Protect the Future of Sebago Lake Water Supply.

HEARINGS (cont'd)

LD 1153 – An Act To Allow Affordable Housing Discretionary Water and Sewer Fee Waivers.

LD 1205 – An Act To Amend the Laws Preventing the Pollution of Portland's Water Supply.

LD 1236 – An Act To Create the Princeton Water District.

Wednesday, March 28

Appropriations & Financial Affairs

Room 228, State House, 8:00 a.m.

Tel: 287-1316

LD 60 – An Act To Authorize a General Fund bond Issue for Maine's Roads and Bridges.

LD 188 – An Act To Authorize a General Fund Bond Issue for Public Transportation in Rural Areas.

LD 417 – An Act To Authorize the Issuance of a Highway Fund Bond Issue for Maine's Roads and Bridges.

LD 718 – An Act To Authorize a General Fund Bond Issue To Stimulate the Midcoast Economy.

1:00 p.m.

LD 1019 – An Act To Authorize a General Fund Bond Issue To Replenish the School Revolving Renovation Fund.

Education & Cultural Affairs

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

Tel: 287-3125

LD 1473 – An Act To Provide State Support for State-approved School Construction Projects in Certain Municipalities.

Labor

Room 220, Cross State Office Building,

Tel: 287-1333

LD 729 – An Act To Compensate Employees Required To Be "On-call" by Their Employers.

LD 1024 – An Act To Address Labor Practices with On-call Workers.

Marine Resources

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

Tel: 287-1337

LD 1036 – An Act to Appropriate Funds To Restore Clam Flats in

Stockton Harbor.

LD 1318 – Resolve, To Require the Department of Marine Resources and the Office of Program Evaluation and Government Accountability to Conduct an Independent Review and Audit of the Public Health Division.

State & Local Government

Room 216, Cross State Office Building,

Tel: 287-1330

LD 1021 – Resolve, To Lower the Cost of State Government.

Thursday, March 29

Business, Research & Economic Development

Room 208, Cross State Office Building, 1:00 p.m.

Tel: 287-1331

LD 719 – An Act To Encourage Manufacturing by Expanding Pine Tree Development Zones.

LD 768 – An Act To Ensure That Pine Development Zone Benefits Are Not Extended to Businesses That Compete with Existing Maine Businesses.

LD 803 – An Act To Stimulate the Economy in the St. John Valley.

Inland Fisheries & Wildlife

Room 206, Cross State Office Building, 1:00 p.m.

Tel: 287-1338

LD 356 – An Act Concerning Certain Hunting License Fees and Antlerless Deer Permits.

Judiciary

Room 438, State House, 1:00 p.m.

Tel: 287-1327

LD 73 – An Act To Place Land in Centerville in Trust.

LD 169 – An Act To Place Land in Township 21 in Trust.

Friday, March 30

Transportation

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

Tel: 287-4148

LD 873 – An Act To Require Economic Analysis and Public Comment for Road Construction Projects.

LD 901 – An Act To Require Legislative Review before a Road's Designation or Classification May Be Changed.

LD 1018 – An Act To Require That a State Road Be in Good Condition before Being Turned over to a Municipality.

(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 1357 – Resolve, Directing the Treasurer of State To Convene A Study Commission to Develop Recommendations To Improve the Administration of the State-Municipal Revenue Sharing Program. (Sponsored by Sen. Hobbins of York Cty; additional cosponsors.)

This resolve directs the State Treasurer to convene a working group to study the distribution of municipal revenue sharing. The particular focus of this study is the effect of changes in revenue sharing distribution on a municipality's property tax levy limit. The working group's report and any recommended legislation must be submitted to the Legislature by December 15, 2007.

LD 1358 – Resolve, To Study the Distribution of Revenue Sharing. (Sponsored by Sen. Hobbins of York Cty; additional cosponsors.)

This resolve directs the State Treasurer to convene a study commission to include state, county and municipal officials from both rural and urban municipalities for the purpose of conducting a study of the efficiency of the municipal revenue sharing system and making recommendations to improve the administration and distribution of revenue sharing funds. The study commission's report and any recommendations must be submitted to the Legislature by December 15, 2007.

Business, Research & Economic Development

LD 1007 – An Act To Promote County-based Economic Development Efforts. (Sponsored by Sen. Raye of Washington Cty; additional cosponsors.)

This bill allows any county in the state to obtain the authority through a county-wide referendum to raise, appropriate, borrow and expend money for the purposes of county-wide economic development programs.

LD 1038 – An Act To License Home Building and Improvement Contractors. (Sponsored by Rep. Hinck of Portland; additional cosponsors.)

This bill creates the Maine Home Contractor Licensing Act, which establishes a 9-member licensing board and licensing standards for residential construction contractors. The licensing board includes two public members, four home contractors, one municipal code enforcement officer, one engineer or architect, and one representative of the Maine Fire Service. The bill restricts the residential building codes that municipalities may adopt to the International Residential Building Code, either as modified and adopted by the licensing board as the "Maine Model Residential Building Code" or as tailored to the municipality's needs. According to the bill, the licensing requirements of the Act become effective one year after at least 56 of 83 specifically listed municipalities have adopted the International Residential Building Code, and the population covered by those 56-or-more municipalities represents at least 75% of the aggregate population of those 83 listed municipalities.

LD 1404 – Resolve, Directing the Establishment of a Building Contractor's License and Education Requirements

for Code Enforcement Officers. (Sponsored by Rep. Weddell of Frankfort.) (By request)

This resolve: (1) directs the Department of Professional and Financial Regulation to develop licensing requirements for building contractors; and (2) directs the State Planning Office to develop revised training, certification and continuing education requirements for municipal code enforcement officers.

Criminal Justice & Public Safety

LD 1291 – Resolve, To Create the Commission to Aid Municipalities in Consolidating Public Safety Organizations. (Sponsored by Rep. Cebra of Naples; additional cosponsors.)

This resolve establishes the 7-member Commission to Aid Municipalities in Consolidating Public Safety Organizations which is charged with studying ways to implement the consolidation of municipal public safety organizations into regional organizations. The Commission membership includes four legislators, one municipal official, one municipal public safety officer and the Commissioner of the Department of Public Safety.

Health & Human Services

LD 1252 – An Act To Amend State Funding Reimbursement under the General Assistance Program. (Sponsored by Sen. Rosen of Hancock County.)

This bill amends the General Assistance reimbursement formula in two ways: (1) it reduces the threshold of General Assistance expenditure that is necessary to shift the state reimbursement level from the 50% rate to the 90% rate; and (2) it increases the 50% reimbursement rate to 60%.

Inland Fisheries & Wildlife

LD 356 – An Act Concerning Certain Hunting License Fees and Antlerless Deer Permits. (Sponsored by Rep. Cebra of Naples; additional cosponsors.)

This bill makes a number of changes to hunting license fees, including providing complimentary hunting licenses and permits to residents 65 years of age or older and honorably discharged veterans if they have purchased a Maine hunting license for at least 10 years. The bill also lowers the fee for a junior resident hunting license from \$7 to \$5 if the person is under 16 years of age and purchases the license at the same time as the person's parent or guardian purchases a license.

Judiciary

LD 1335 – An Act To Minimize the Litigation Costs to Municipalities Associated with Property Tax Assessment Appeals. (Sponsored by Rep. Fletcher of Winslow.)

This bill requires a property owner to cover a municipality's litigation costs when the property owner appeals a subsequent year's assessment after the municipality's previous year's assessment has been upheld by a court.

Labor

LD 1024 – An Act To Address Labor Practices with On-call Workers. (Sponsored by Sen. Schneider of Penobscot Cty; additional cosponsors.)

This bill requires an employer to pay an on-call, part-time employee wages for at least 3 hours of work or for that employee's travel expenses if the employee is called in to work. If the employer pays for the employee's travel expenses, the employer would also have to pay the employee for the actual time spent responding to the call-to-work.

Marine Resources

LD 1318 – Resolve, To Require the Department of Marine Resources and the Office of Program Evaluation and Government Accountability to Conduct an Independent Review and Audit of the Public Health Division. (Emergency) (Sponsored by Rep. Webster of Freeport; additional cosponsors.)

This resolve directs the Office of Program Evaluation and Government Accountability (OPEGA) and the Department of Marine Resources (DMR) to facilitate the implementation of an independent review and audit of program procedures and protocols that apply to DMR’s water quality assessment functions.

Natural Resources

LD 1270 – Resolve, To Clarify the Definition of Smart Growth. (Sponsored by Rep. Cressey of Cornish.)

This resolve directs the State Planning Office to adopt rules that define “smart growth”. The definition would be required to include the reuse and rehabilitation of existing buildings.

State & Local Government

LD 1135 – An Act To Allow Municipal Cost Sharing for County Services. (Sponsored by Rep. Pingree of North Haven; additional cosponsors.)

This bill would allow geographically isolated municipalities, such as island municipalities, to enter into cost-sharing arrangements with a county in order to receive certain services. It is not entirely clear how this bill changes that authority in current law.

LD 1173 – An Act To Clarify the Application of the Definition of “Tract or Parcel of Land” under the State Subdivision Laws. (Sponsored by Rep. Millett of Waterford; additional cosponsors.)

This bill establishes that the definition of a “tract or parcel” of land under subdivision law means all contiguous land in the same ownership except for lands located on the opposite side of a public or private road, which are each considered a separate parcel unless the road was established by the owner of land on both sides of the road after September 22, 1971.

Transportation

LD 873 – An Act To Require Economic Analysis and Public Comment for Road Construction Projects. (Sponsored by Rep. Fischer of Presque Isle.)

This bill requires the Department of Transportation to complete an economic analysis of a proposed corridor for a state or state-aid highway and to submit the analysis for public comment before finally determining to location of the corridor.

LD 901 – An Act To Require Legislative Review before a Road’s Designation or Classification May Be Changed. (Emergency) (Sponsored by Sen. Martin of Aroostook Cty; additional cosponsors.)

This emergency “concept draft” bill proposes to require review by the Legislature before the designation or classification of a road may be changed.

Utilities & Energy

LD 1153 – An Act To Allow Affordable Housing Discretionary Water and Sewer Fee Waivers. (Sponsored by Rep. Chase of Wells; additional cosponsors.)

This bill would authorize the governing body of water, sewer and sanitary districts to establish lower rates, or exempt rate charges altogether, for affordable housing facilities, rather than charging all users a uniform rate.