

# Legislative BULLETIN

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## Gov's Budget Message: Work Cooperatively, Freeze Spending

On Wednesday afternoon this week the Legislature quickly enacted the supplemental state spending plan described in last week's *Bulletin* which bridges a \$44 million revenue gap and re-balances the state budget for the current fiscal year.

A couple of hours later, Governor John Baldacci addressed the full Legislature to overview his \$5 billion budget plan for the FY 04-05 biennium. The details of that spending plan are not yet available to the general public, so a full description of the particulars and how they will likely impact municipal government and property taxes will be provided in next week's edition of the *Bulletin*. For now we are only able to report on the broad strokes of the plan as described by the Governor in his State of the Budget Address.

For the last several months the iron frame around any discussion of the biennial budget was the \$1 billion-plus "structural gap" or "revenue shortfall" which the spending proposal would be forced to address. Although the Governor mentioned the scope of the shortfall, his presentation did not align itself with the context of cutting a billion dollars' worth of programs. Instead, he presented the budget in a positive direction – as a spending plan within available revenues, with the reality being that expenditures, generally, would have to be frozen at last year's level.

The municipally-related elements of the proposed budget are as follows.

**No new taxes.** With the exception of some yet-to-be-disclosed fee increases, and with some level of "de-

coupling" from federal income tax changes (where a complete federal conformity would further deplete state revenue), the Governor said he was dedicated to a budget that stayed within existing tax resources. The word "tax reform" was not mentioned in the address to the Legislature, which fits with an order of events the Governor insists upon, according to folks in his Office. Dealing with the budget and dealing

with tax reform should never intermingle. To mosh the two processes together, the Governor reasonably observes, could only lead to chaos.

**Homestead Exemption, "maintained but restructured".** Governor Baldacci said that the property tax rebate programs for businesses (BETR) and low income homeowners and renters (Circuit Breaker) were going to be entirely maintained in his budget. He went on to say that the Homestead Exemption was going to be maintained but "restructured". After the address MMA tried to learn the details of the proposed restructuring from the

*(continued on page 2)*

## Giving PUC Authority Over Cable

Should the Public Utilities Commission (PUC) have the authority to regulate the cable television industry? This was the topic of discussion for the Utilities and Energy Committee at the public hearing on LD 222, "*An Act Providing for Regulation of the Cable Television Industry by the Public Utilities Commission.*" Sponsor Representative Stanley Gerzofsky (Brunswick), introduced the bill after his hometown of Brunswick entered negotiations of a franchise agreement with a local cable television company. Rep. Gerzofsky told Committee members that it was his intent to provide municipalities with more leverage during these tedious negotiations.

Co-sponsor, Representative Patricia Blanchette (Bangor), spoke as a former municipal official that had lived through the frustrations of negotiating numerous cable franchises. "In cities the size of Bangor, there is not enough of a population to attract more than one cable company and with no

competition, the cable companies hold you captive."

Under state law, a municipality is considered a "franchise authority" and must negotiate franchise agreements if the municipality elects to have cable access. As a franchise authority, the municipality has a very limited capacity to negotiate rates. Under federal law, the franchise authority's ability to regulate price is restricted to the first tier of service, or "basic cable" (usually the first set of low channels, such as channels 2-21). The federal law provides that all other tiers are "deregulated."

In order for a municipality to regulate rates, it must receive certification from the Federal Communication Commission. The municipality must then adopt a local ordinance establishing the procedures for granting franchises. After jumping through these hoops, the municipality is limited to only regu-

*(continued on page 3)*

## BUDGET (cont'd)

Governor's Office, but they are not yet available. To "maintain" the program presumably means that Maine resident homeowners will continue to receive the \$7,000 property tax exemption. "Restructuring" the homestead exemption is anyone's guess. Municipal officials will have to wait until the budget gets printed to learn how the existing benefits would be delivered differently.

**General Purpose Aid to Education (GPA).** If most state agencies will be constrained to their last year's allocation, Governor Baldacci is proposing a very modest increase in the state's contribution to K-12 education. As discussed in last week's Bulletin, the FY 02 to FY 03 GPA increase ended up, after two curtailments, at \$12.5 million, or a 1.8% increase. (The property tax increase for the same year was \$53 million, representing a 5.8% increase.) Baldacci told the Legislature that going forward he would be proposing a 1% increase to GPA for FY 04 (about \$7.2 million) and a .7% (or \$5 million) increase for FY 05.

In the Governor's message he suggested that during this austere biennium, the educational bureaucracy will have time to develop and implement innovative ways to achieve the efficiencies that will buffer the impacts of near flat-funding from the state.

And the municipalities are going to have to back-up that message, or else the property tax burden in 2003 will reach the boil-over point. There can be no doubt that the state's responsible contribution to K-12 education is the essential ingredient of true, sustainable property tax relief. Without a fixed

and predictable state support to education, property tax relief is phantom.

**Education efficiency task force.** To assist in the development of those education efficiencies, particularly in the area of school administration, the Governor signed in front of the Legislature an executive order creating a special task force that will be charged with "doing the legwork" to identify a more cost effective delivery system.

It is unclear how this task force will integrate its charge or overlap its duties with the work of the 12-member task force the Legislature created last spring for the same essential purpose (The School Administrative Unit Organization Study Group). The makeup of the Governor's task force is also unknown at this moment because the executive order, although signed, is not yet available to the public.

**Revenue Sharing.** Two years ago, the Legislature enacted the budget for the FY 02-03 biennium and put into motion a modest increase in municipal revenue sharing, bumping the contribution to the Local Government Fund from 5.1% to 5.2% of all sales and income tax revenue. That increase was to go into effect in January 2003.

A supplemental budget bill enacted last May, in the first light of declining revenues, pushed that start-up date of revenue sharing enhancement to May 1, 2003, and a subsequent budget adjustment moved it out of the biennium altogether, to July 1, 2003.

The annual value of the increase is approximately \$2 million a year to the \$106 million revenue sharing program.

The Governor is not proposing to scuttle the increase altogether. Apparently, the budget bill will call for half of that increase to be implemented in FY 04 and the other half to be implemented in FY 05, except the second implementation would be targeted somehow to those municipalities that "demonstrate resource sharing that creates savings".

**\$70 million bond issue.** The Governor will also be proposing, in parallel with the budget bill, a \$70 million economic development bond package. 60% of the bond issue would be earmarked for research and development investments in the University of Maine and private research facilities such as

Jackson Laboratories in Bar Harbor. The bond proposal would also include money to purchase equipment for the Technical College system, "workforce" housing for areas of the state with affordable housing shortages, and match money for municipal economic development projects that have been mothballed for lack of local funding capacity.

**Summary.** None of this review covers a wide range of impacts on state government and some elements of the private sector, including the elimination of 325 state employee positions, frozen reimbursement rates to the providers of Medicaid services, close-out of the state liquor stores, consolidation of two major state departments, etc. At first blush, it appears that the Governor is not asking the towns, schools, Medicaid providers and others any more than he is asking of state government. All the same, very careful scrutiny of the actual budget document will be occupying a lot of people for the next several weeks. The Governor's presentation was a blueprint. Now the actual building begins of the new more-affordable governmental structure.

## Phone Tax for Libraries/Schools

A room full of opponents to LD 29, "An Act to Eliminate the Telephone Service Tax Dedicated to Libraries and Schools" testified on the various public benefits derived from the .05% surcharge added to telephone bills that is used to provide discounts to libraries and schools for telecommunication systems, Internet access, computers, and training.

The bill's sponsor, Representative Rosita Gagne-Friel (Buckfield) testified that the most frequent complaint she received from her constituents is the number of taxes and surcharges attached to the monthly phone bill. Her concern was that surcharge systems never seem to be sunsetted, and "if any of the state's bills needed financing, we could just add another

(continued on page 3)

### Legislative Bulletin

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# Cops Training Threshold Set

According to Maine statutes, the full-time or part-time status of a police officer determines the level of training that officer must complete. A full-time police officer is required to complete the Criminal Justice Academy's 720-hour basic law enforcement training program, while a part-time officer is required to complete the 100-hour pre-service program. Along with defining training requirements, Maine statutes also define the employment status of police officers. Any law enforcement officer earning more than \$10,000 annually qualifies for full-time status and is required to complete 720-hour basic law enforcement course.

The problem with using a specific dollar amount to determine the part-time or full-time status of a law enforcement officer is that it creates inequities across geographic areas. In urban southern Maine, the average hourly wage for a law enforcement officer is over \$16 per hour. In the larger municipalities in northern Maine, the average hourly rate is closer to \$12 per hour, and in rural Maine the average hourly rate might be \$9 per hour. Under the current system, part-time officers are authorized to work a different number of hours in different communities before being required to attend the Criminal Justice Academy's 720-hour basic training program.

On Tuesday the Criminal Justice and Public Safety Committee heard testimony on a bill that would address these inequities. LD 151, *An Act Concerning Full-time Law Enforcement and Corrections Officers*, sponsored by Sen. Paul Davis (Piscataquis County), seeks to change the definition of a full-time law enforcement officer from a wages earned to an hours worked definition. As proposed, a full-time officer would be defined as a person who has worked in law enforcement more than 1,040 hours a year.

Municipal officials support LD 151 because it creates statewide uniformity in determining the part-time versus full-time status of law enforcement officers. Under the proposed defi-

nition, part-time law enforcement officers statewide would be limited to 26 forty-hour weeks or 52 twenty-hour weeks, or any other combination equaling 1,040 hours before having to complete the advance training program. Not only would the proposed change provide parity to part-time law enforcement officers statewide, but also reflect the generally accepted practice that hours worked rather than income earned determines employment status.

The Criminal Justice and Public Safety Committee is scheduled to vote-out its recommendation on this bill at its Friday, February 14<sup>th</sup> work session.

## PUC (cont'd)

lating the first tier of service.

Rep. Gerzofsky clarified that the intent of the bill was not to remove the franchise authority from the municipalities, but to create an additional layer of regulation and vest that authority in the PUC.

Patrick Scully, an attorney who has helped many municipalities through cable negotiations, spoke in favor of the bill. "The PUC could provide technical assistance to municipalities performing their duties as franchise authorities."

Representative Peter Rines (Wiscasset), a co-sponsor of the bill, noted that he agreed with the concept of the bill, but had difficulty creating regulation in a deregulated market. Rep. Rines questioned whether the PUC, acting as a central clearinghouse for cable television rates, could be of assistance to franchise authorities. Many members of the public answered that such oversight would be helpful.

Members of the Brunswick City Council appeared before the Committee describing the frustrations associated with cable negotiations, commenting that without regulation, communities are at the mercy of the cable companies.

The work session on LD 222 is scheduled for Monday, February 10 at 1:00 p.m.

## PHONE TAX (cont'd)

tax." Rep. Gagne-Friel asked the Utilities and Energy Committee to amend the bill and place the issue before the Education or Taxation Committee for further study and discussion.

As co-sponsors of the bill, Senator Rick Bennett (Oxford Cty.) and Senator Paul Davis (Piscataquis Cty.) submitted testimony supporting the bill with the caveat that the program receive continued funding.

Since there were no members of the public speaking in support of the bill, the Committee listened to hours of testimony from superintendents, teachers, librarians, various library commissions, as well as library members, all speaking in opposition to the repeal of the tax.

Librarians from across the state testified that if they were forced to absorb the costs associated with purchasing computers, Internet access and software upgrades, many would be faced with closing the doors to non-residents, charging fees, or perhaps unplugging the computers altogether.

The President of the Maine Library Trustees Association testified that in the small library shared by Hollis and Buxton, students occupied computers and used Internet access to research subjects that would otherwise be inaccessible due to the very thin library budget.

Representative Jackie Lundeen (Mars Hill) noted that she never received a constituent call on this particular surcharge. She commented that this was a valuable program and if it were a concern to her constituents, the phones would be ringing.

MMA submitted testimony in opposition to LD 29, expressing concern that the repeal of the tax would shift the costs associated with maintaining the technological infrastructure in schools and libraries to the local property tax. This is a burden that the local taxpayers simply cannot shoulder. MMA encouraged the Committee to oppose incremental approaches to tax reform and instead, squarely address the issue. Through comprehensive tax reform, "taxes" such as this surcharge system may no longer be necessary.

(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](http://www.memun.org).)

### **Agriculture, Conservation & Forestry**

LD 431 – An Act To Increase Educational Certification for Humane Agents and Animal Control Officers. (Sponsored by Sen. LaFountain of York County; additional cosponsors)

This bill would require municipal Animal Control Officers to receive a minimum of 8 hours of recertification training a year.

### **Business, Research & Economic Development**

LD 453 – An Act To Promote the Development of Affordable Housing. (Sponsored by Rep. Sullivan of Biddeford; additional cosponsors)

This bill would exempt all affordable housing from municipal impact fees, building moratoria, and building permit limitation ordinances.

LD 472 – Resolve, To Establish the Task Force To Study Regulatory Barriers to Affordable Housing. (Emergency) (Sponsored by Rep. Sullivan of Biddeford; additional cosponsors)

This resolve would establish a 22-member Task Force to Study Regulatory Barriers to Affordable Housing. The Task Force would be charged with meeting at various locations in the state for the purpose of gathering information in order to develop recommendations to reduce regulatory barriers and provide incentives for the creation and availability of affordable housing.

LD 501 – An Act To Allow Local Plumbing Inspectors To Assist the Plumbers' Examining Board in Establishing the State Plumbing Code. (Sponsored by Rep. Kane of Saco; additional cosponsors)

This bill would require the Plumbers Examining Board to solicit input from Local Plumbing Inspectors in the process of adopting a minimum statewide plumbing code.

### **Criminal Justice & Public Safety**

LD 469 – An Act To Clarify Arrest Powers of Law Enforcement Officers. (Sponsored by Rep. Gerzofsky of Brunswick; additional cosponsors)

This bill would provide automatic, statewide arrest authority to any law enforcement officer, regardless of his or her municipal or county jurisdiction, if that officer has received the 720-hour, "full time" officer training at the Maine Criminal Justice Academy.

LD 475 – An Act To Improve Conditions for Inmates with Mental Illness. (Sponsored by Rep. Gerzofsky of Brunswick; additional cosponsors)

This bill would appropriate \$300,000 for the purpose of providing competitive grants to three county correctional facilities to fund jail diversion programs, discharge planning and mental health services to inmates with mental illness. The bill would also require the county commissioners who oversee each county correctional facility to appoint a 5-member "board of visitors" which is charged with regularly inspecting the county jail facilities and make recommendations regarding the management of those facilities.

The bill would also mandate that if an inmate in a county jail has been determined by an appropriate medical or mental health professional to need inpatient treatment because the inmate is a danger to self or others or at imminent risk of harm, the county would be responsible for placing the inmate in a forensic hospital and no other setting.

### **Education & Cultural Affairs**

LD 442 – Resolve, Directing the President of Each University Campus to Meet With Local Municipal Officers To Negotiate Reasonable and Appropriate Financial Support for Municipal Services Provided. (Sponsored by Sen. Kneeland of Aroostook County; additional cosponsors)

This resolve would require the president of each campus of the University of Maine system to meet with the municipal officers of the community where the campus is located in order to negotiate reasonable and appropriate financial support for municipal services provided to the campus.

### **Health & Human Services**

LD 519 – An Act To Provide Testing for a Public Safety or Health Care Employee Exposed to Body Fluids in the Course of Employment. (Sponsored by Rep. Maietta of South Portland; additional cosponsors)

This bill would require an employer to ensure that a blood test is performed on any public safety or health care employee who is exposed to the blood or body fluids of another person in the course of employment.

### **Inland Fisheries & Wildlife**

LD 474 – An Act To Strengthen the ATV Laws of the State. (Sponsored by Rep. Trahan of Waldoboro; additional cosponsors)

This bill would raise the ATV registration fee from \$17 (resident) and \$35 (nonresident) to a flat \$50, and dedicates the increased revenue to ATV enforcement and safety education. The bill would also require the development of conspicuous ATV registration plates, repeal ATV "reciprocity" with other states, require ATV operators to get written permission to operate an ATV on another person's land, and provide treble damages to a property owner whose property is damaged by the use of an ATV.

### **Insurance & Financial Affairs**

LD 435 – An Act To Restrict the Cancellation of Health Insurance Coverage During an Enrollee's Period of Incarceration. (Sponsored by Sen. Kneeland of Aroostook County; additional cosponsors)

This bill would prohibit a health insurance carrier from canceling coverage for enrollees who are incarcerated in county jail facilities solely on the basis of the enrollee's incarceration.

### **Labor**

LD 523 – An Act To Hold Supervisors Personally Liable for Discrimination in the Workplace. (Sponsored by Rep. Simpson of Auburn; additional cosponsors)

This bill would provide that an individual acting as an agent of, or in the interest of, an employer can be held personally liable for unlawful employment discrimination, in addition to the employer's liability.

LD 561 – An Act To Improve Standards for Public Assistance to Employers in the State. (Sponsored by Rep. Hutton of Bowdoinham; additional cosponsors)

This bill would require that all employers receiving a variety of

*(continued on page 5)*

## **HOPPER (cont'd)**

economic development incentives, including BETR and TIF benefits, must provide their employees a “living wage” and, at a minimum, certain levels of retirement and health insurance benefits.

### **Legal & Veterans Affairs**

LD 426 – An Act To Preserve the Integrity of the Voting Process. (Sponsored by Rep. Thomas of Orono; additional cosponsors)

This bill would make a number of changes regarding election law procedures including: (1) allowing persons to monitor other persons registering to vote at the polls; (2) requiring a person challenging another person’s right to vote to file an affidavit listing the reason for the challenge; (3) requiring voting by others to continue while a challenge is pending; and (4) making it a Class E crime to challenge a qualified voter for the purpose of annoying or delaying that voter.

LD 466 – An Act Concerning the Issuance of a Temporary Liquor License. (Sponsored by Rep. Cowger of Hallowell; additional cosponsors)

Current law requires municipalities to give initial approval for a “on premises” liquor license application. This bill would create an exception by allowing the Bureau of Alcoholic Beverages to issue a temporary 60-day liquor license in the case of a transfer of ownership of an existing on-premises licensee. The Bureau would have to notify the municipal officers prior to issuing the temporary license.

### **Natural Resources**

LD 517 – An Act To Ensure Legislative Oversight of Major Environmental Policy Proposals. (Sponsored by Rep. Daigle of Arundel; additional cosponsors)

This bill would require any rule promulgated by the Department of Environmental Protection that is anticipated to be more stringent than a federal standard to be processed as a “major substantive” rule, ultimately requiring legislative approval.

LD 525 – An Act To Encourage Open Space Preservation. (Sponsored by Rep. Daigle of Arundel; additional cosponsors)

This bill is a “concept draft” that proposes to authorize municipalities and property owners to negotiate agreements under which a property owner would receive a reduction in property taxes in return for the property owner’s agreement to use the property in a manner benefiting the municipality in some manner for a period of 10 years.

### **State & Local Government**

LD 283 – An Act To Clarify the Law on County Capital Expenditure Accounts. (Sponsored by Rep. McLaughlin of Cape Elizabeth; additional cosponsors)

This bill would permit the county commissioners to lapse the funds in any capital expenditure account.

LD 416 – An Act To Amend the County Contingent Fund. (Sponsored by Rep. McLaughlin of Cape Elizabeth; additional cosponsors)

Current law authorizes a county to establish a contingency fund up to \$50,000 to be used by vote of the commissioners for emergency purposes. This bill would amend that authorization to allow county contingency accounts up to the lesser of 4% of the county’s annual budget or \$100,000.

LD 417 – An Act To Provide Cumberland County Budget Advisory Committee with Final Budget Approval Authority. (Sponsored by Rep. McLaughlin of Cape Elizabeth; additional cosponsors)

This bill would give final authority for approving the Cumberland County budget to the Cumberland County Budget Advisory

Committee.

LD 418 – An Act to Limit the Undesignated Surplus of counties to a 15% of the Annual Operating Budget. (Sponsored by Rep. McLaughlin of Cape Elizabeth; additional cosponsors)

Under current law, a county is required to take the following action in the preparation of the tax commitment it assesses against its municipalities:

A. Identify its unencumbered surplus at the close of the fiscal year;

B. Identify 15% (for 2002), 18% (for 2003), and 20% (for 2004 and thereafter) of the amount of the county budget to be raised by taxation for the subsequent fiscal year.

C. Subtract no more than B from A and use the remainder of that unencumbered surplus to reduce its property tax commitment.

D. Use the retained funds for certain prescribed purposes.

This bill would freeze the maximum percentage of the county’s initial total commitment that can be retained out of its unencumbered surplus at 15%.

LD 419 – An Act To Repeal Outdated and Unfunded Municipal and Educational Mandates. (Sponsored by Rep. Millett of Waterford; additional cosponsors)

This bill is a “concept draft” that proposes to repeal outdated and unfunded state mandates that pertain to municipalities or school systems.

LD 522 – An Act To Expand the Duties of the Community Preservation Advisory Committee. (Sponsored by Rep. Suslovic of Portland; additional cosponsors)

This bill would expand the duties of the Community Preservation Advisory Committee by directing it to conduct a study of methods for redrawing county boundaries and a study of the structure of county government, including the mix of at-large commissioners and elected-versus-appointed county positions.

LD 531 – An Act To Clarify the Use of Municipal Rate of Growth Ordinances. (Sponsored by Rep. Suslovic of Portland)

Under current law, all growth rate ordinances that limit the number of building permits that can be issued in a year must be consistent with the municipality’s comprehensive plan which must be itself consistent with the state’s Growth Management Act. This bill would establish additional standards and limitations. Specifically, this bill would allow three types of growth rate ordinances. (1) “Temporary” growth rate ordinances could not be applied for periods greater than two years, and no municipality could have more than one “temporary” growth rate ordinance in any 10-year period. (2) Ongoing or permanent growth rate ordinances could be enacted that control the number of building permits issued in a municipality’s rural areas provided the ordinance was consistent with the municipality’s comprehensive plan. (3) Ongoing growth rate ordinances that apply to the municipality’s growth areas would have to allow the issuance of a number of permits according to a formula adopted as a rule by the State Planning Office.

### **Taxation**

LD 521 – An Act To Clarify That the Application Process for the Homestead Property Tax Exemption Is a One-time Process. (Sponsored by Rep. Dunlap of Old Town; additional cosponsors)

This bill would clarify that a homestead property tax exemption continues for the property owner until the municipal assessor determines that the property is no longer eligible for the exemption, and the application is therefore a one-time process.

LD 530 – An Act To Bring Equity to the Vehicle Excise Tax. (Sponsored by Rep. Cressey of Baldwin; additional cosponsors)

*(continued on page 7)*

# 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://janus.state.me.us/legis/lio/>.*

## **Monday, February 10**

### **State & Local Government**

**Room 216, Cross State Office Building, 9:00 a.m.**

**Tel: 287-1330**

LD 139 – An Act to Authorize the Town of Medway to Sell Certain Land. (Sponsored by Sen. Stanley of Penobscot County; additional cosponsors)

LD 110 – An Act to Clarify Rights of Retainage in Public Construction Contracts. (Sponsored by Rep. Mills of Cornville)

LD 86 – An Act To Amend the Charter of the Eastport Port Authority. (Sponsored by Rep. Goodwin of Pembroke)

**1:00 p.m.**

LD 252 – An Act to Require that Agency Rules be Reviewed by the Legislature. (Sponsored by Rep. Clough of Scarborough; additional cosponsors)

LD 103 – An Act to Establish the Regional County Corrections Construction Authority. (Sponsored by Rep. Snowe-Mello of Poland; additional cosponsors)

### **Taxation**

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

**Tel: 287-1552**

LD 174 – An Act to Restructure the Maine Income Tax Law. (Sponsored by Rep. Lemoine of Old Orchard Beach)

LD 179 – An Act to Restructure the Tax System and Make the Restructured System Subject to Referendum. (Sponsored by Rep. Lemoine of Old Orchard Beach; additional cosponsors)

## **Tuesday, February 11**

### **Appropriations & Financial Affairs**

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

**Tel: 287-1635**

LD 190 – An Act to Expand Funding and Services to Students of Limited Proficiency in English. (Sponsored by Rep. Cummings of Portland; additional cosponsors)

### **Inland Fisheries & Wildlife**

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

**Tel: 287-1338**

LD 128 – An Act to Provide Funding for a Full-time Warden to Monitor Brandy Pond in the Town of Naples and to Allow the Town to Enact a Noise Level Ordinance. (Sponsored by Sen. Bennett of Oxford County; additional cosponsor)

### **Judiciary**

**Room 438, State House, 1:30 p.m.**

**Tel: 287-1327**

LD 168 – An Act to Allow a Municipality To Donate Abandoned Bicycles to a Charitable Organization. (Sponsored by Rep. Fischer

of Presque Isle; additional cosponsors)

### **Labor**

**Room 220, Cross State Office Building, 1:30 p.m.**

**Tel: 287-1333**

LD 34 – An Act to Ensure that Child Labor Laws Apply to Public Sector Employers. (Sponsored by Sen. Edmonds of Cumberland County; additional cosponsors)

### **Natural Resources**

**Room 437, State House, 2:00 p.m.**

**Tel: 287-4149**

WORK SESSION: LD 30 – An Act to Appropriate Funds for Special Testing at the Norridgewock Landfill. (Sponsored by Rep. Cowger of Hallowell; additional cosponsor)

### **Taxation**

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

**Tel: 287-1552**

LD 99 – An Act to Repeal the Tax Incentive for Certain Shipbuilding Facilities. (Sponsored by Rep. Goodwin of Pembroke)

LD 204 – An Act To Require That the Excise Tax on Vehicles Be Based on the Purchase Price. (Sponsored by Rep. Glynn of South Portland)

### **Transportation**

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

**Tel: 287-4148**

LD 111 – An Act to Allow Volunteer Firefighters To Use Red Flashing Lights when Responding to a Fire. (Sponsored by Rep. Goodwin of Pembroke)

LD 150 – Resolve, Directing That a Traffic Light Be Installed at an Intersection in York. (Sponsored by Sen. Lemont of York County; additional cosponsors)

LD 155 – An Act to Allow a Business to Obtain a Municipal Permit for One Off-premises Business Advertising Sign. (Sponsored by Sen. Davis of Piscataquis; additional cosponsors)

LD 108 – Resolution, Proposing an Amendment to the Constitution of Maine to Allow Transportation Revenues to Fund a Flexible and Modern Transportation Policy. (Sponsored by Rep. Faircloth of Bangor; additional cosponsors)

LD 205 – Resolution, Proposing an Amendment to the Constitution of Maine to Permit Funding of Public Transportation from Motor Vehicle and Motor Vehicle Fuel Revenues. (Sponsored by Rep. Mills of Cornville)

LD 33 – **CANCELLED** – An Act to Repeal the Annual Indexing of Motor Fuel Taxes. (Sponsored by Rep. Gagne-Friel of Buckfield; additional cosponsors)

## **Friday, February 14**

### **Taxation**

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

**Tel: 287-1552**

LD 109 – An Act to Exempt from Tax State-mandated Fish Passage Facilities. (Sponsored by Rep. Tardy of Newport; additional cosponsors)

LD 138 – Resolve, Directing the State Tax Assessor to Adjust the State Valuation of the Town of Ashland. (Sponsored by Sen. Martin of Aroostook County; additional cosponsor)

LD 184 – An Act to Clarify the Ability of the Maine Forest Service

*(continued on page 7)*

## HEARINGS (cont'd)

and Tax Assessors to View Private Landowners' Forest Management Plans. (Sponsored by Rep. Jodrey of Bethel; additional cosponsors)

LD 251 – An Act Concerning Tax-acquired Property. (Sponsored by Rep. Glynn of South Portland)

LD 259 – An Act to Amend the Laws Governing the Assessment of Property Taxes in the Event of a Change of Ownership of the Property. (Sponsored by Sen. Bromley of Cumberland County; additional cosponsors)

LD 261 – An Act To Require Disclosure Statements Regarding Proration of Property Taxes When Real Estate is Sold. (Sponsored by Sen. Kneeland of Aroostook County; additional cosponsors)

### *Tuesday, February 18*

#### **Appropriations & Financial Affairs**

**Room 228, State House, 12:00 p.m.**

**Tel: 287-1635**

Draft (Budget Bill) – An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2004 and June 30, 2005. (Note: no legislative document number has been assigned as yet)

With the Joint Standing Committee on Agriculture, Conservation and Forestry.

#### **Business, Research & Economic Development**

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

**Tel: 287-1331**

LD 133 – An Act to Clarify the Laws Relating to Public Water Systems. (Sponsored by Sen. Mayo of Sagadahoc County; additional sponsors)

LD 401 – An Act To Require the Plumbers' Examining Board To Adopt the Uniform Plumbing Code. (Sponsored by Sen. Damon of Hancock County; additional cosponsors)

#### **Education & Cultural Affairs**

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

**Tel: 287-3125**

LD 230 – An Act Concerning Restructuring of School Districts. (Sponsored by Sen. Martin of Aroostook County; additional cosponsors)

LD 203 – An Act to Establish the Full Right of Petition and Redress in Local School Board Decisions. (Sponsored by Rep. Glynn of South Portland; additional cosponsor)

#### **Labor**

**Room 220, Cross State Office Building, 1:30 p.m.**

**Tel: 287-1333**

LD 83 – An Act to Expand Unemployment Benefits. (Sponsored by Rep. Clark of Millinocket; additional cosponsors)

LD 117 – An Act Relating to Unemployment Compensation. (Sponsored by Sen. Bryant of Oxford County; additional cosponsors)

LD 240 – An Act to Ensure that Maine's Unemployment System is Responsive to the Needs of Today's Workforce. (Sponsored by Rep. Norton of Bangor; additional cosponsors)

#### **Legal & Veterans Affairs**

**Room 436, State House, 1:00 p.m.**

**Tel: 287-1310**

LD 212 – An Act to Establish Instant Run-off Voting. (Sponsored by Rep. Bull of Freeport; additional cosponsors)

#### **Taxation**

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

**Tel: 287-1552**

LD 141 – An Act to Increase Revenue Sharing to a Municipality by 5% of its Allocation if it Shares Fire, Police and Recreation Services with Adjoining Municipalities. (Sponsored by Sen. Martin of Aroostook County; additional cosponsors)

LD 320 – An Act Concerning Counties' Share of the Real Estate Transfer Tax. (Sponsored by Rep. Duplessie of Westbrook; additional cosponsors)

LD 38 – Resolution, Proposing an Amendment to the Constitution of Maine to Protect the Commercial Fishing Industry. (Sponsored by Sen. Brennan of Cumberland County; additional cosponsors)

#### **Transportation**

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

**Tel: 287-4148**

LD 244 – Resolve, directing the Department of Transportation To Conduct a Feasibility Study as Required by the Federal Government To Increase the Weight Limits on Interstate 95 from Augusta to Houlton, Making the Weight Limits Equivalent to Restrictions South of Augusta. (Sponsored by Rep. Marley of Portland; additional cosponsors)

LD 312 – Resolve, Directing the Department of Transportation to Perform a Regional Corridor Traffic Study. (Sponsored by Rep. Crosthwaite of Ellsworth; additional cosponsors)

## HOPPER (cont'd)

This bill would require that the excise tax for all motor vehicles and campers be based on the purchase price of the vehicle rather than the manufacturer's suggested retail price.

LD 551 – An Act To Suspend Property Tax Abatement Appeals When the Taxpayer Fails To Pay Taxes. (Emergency) (Sponsored by Sen. Stanley of Penobscot County; additional cosponsors)

This emergency bill would amend the provisions relating to appeals of property tax abatement requests in communities without a Board of Assessment Review with respect to property with a valuation of at least \$1 million. The bill would clarify that the appeal process is suspended if the taxpayer is delinquent in paying taxes due after the year that is the subject of the abatement request being appealed when the taxes are not paid by the due date or according to a payment scheduled mutually agreed to in writing by the taxpayer and the municipal officers.

LD 559 – An Act To Increase the Value of a Parsonage That is Exempt from the Property Tax. (Sponsored by Rep. Hutton of Bowdoinham; additional cosponsors)

This bill would increase the exempt value of a parsonage from the first \$20,000 to the first \$100,000, and further subject that exempt value to annual indexing according to CPI.

#### **Transportation**

LD 462 – An Act To Direct the Department of Transportation to Incorporate Regionalism into the Transit Bonus Payment Program. (Sponsored by Rep. McLaughlin of Cape Elizabeth)

This bill would direct the Department of Transportation to adopt routine technical rules regarding the transit bonus payment program to give preference to municipalities that operate a transit service that has a regional component.

LD 463 – An Act to Enhance Integration of Transportation and Land Use Planning. (Sponsored by Rep. McLaughlin of Cape Elizabeth; additional cosponsors)

This bill would direct the Department of Transportation to adopt "major substantive" rules that establish a planning process link

(continued on page 8)

## **HOPPER (cont'd)**

between the Sensible Transportation Policy Act and Maine's Growth Management Act and promote investment incentives for communities that adopt and implement land use plans that "minimize over-reliance" on the state highway network.

LD 464 – An Act To Allow Fire and Emergency Medical Services Response Vehicles To Display One Blue Light at the Rear of the Vehicle. (Sponsored by Rep. Bull of Freeport; additional cosponsors)

This bill would allow fire and emergency medical response vehicles to display one blue light at the rear of the vehicle.

LD 493 – An Act Regarding the Use of Lights and Sirens on Personal Vehicles Used by Volunteer Firefighters and Emergency Medical Services Personnel. (Sponsored by Rep. Glynn of South Portland)

This bill would allow the personal vehicles of active members of a municipal or volunteer fire department or active member of an emergency medical service to be equipped with sirens and flashing red, white and amber lights, which could be used while traveling to a fire or emergency provided the member is at least 21 years old, has 3 years experience, and has completed a state-certified training course.

LD 506 – An Act To Permit Municipalities To Erect Pedestrian Crossing Stop Signs in the Middle of the Road. (Sponsored by Rep. Cressey of Baldwin)

This bill would authorize municipalities to erect signs at pedestrian crosswalks that are not located at intersections indicating

the presence of the crosswalk and directing traffic to stop for pedestrians.

LD 511 – Resolve, To Rescind Legislative Authorization for Highway Driveway and Entrance Rules. (Sponsored by Rep. Kaelin of Winterport; additional cosponsors)

This resolve would repeal the Department of Transportation rules most recently adopted regarding highway driveway and entrances, and revert to the pertinent rules that were in effect immediately prior to that adoption.

### **Utilities & Energy**

LD 479 – An Act To Revise the Funding Formula for the Public Utilities Commission and the Public Advocate. (Sponsored by Sen. Daggett of Kennebec County; additional cosponsors)

This bill would increase the overall value of the assessments that are made against utility companies to support the Public Utilities Commission and the Public Advocate's Office and it would establish a method of assessment with respect to the several types of utilities. For water utilities, the bill would require that the assessment be based on the pro rata share of the water utility's metered water sales in thousands of gallons sold "pursuant to the percent revenue assessment determined for each respective utility group."

LD 508 – An Act To Transfer Regulation of Towers Transmitters to Municipalities. (Sponsored by Rep. Goodwin of Pembroke)

This bill would authorize municipalities to adopt an ordinance controlling the height, size, width and output of towers and transmitters of wireless telecommunication systems.