

Governor's Proposed State Budget: Homestead Cut, Restricted GPA

The details of the proposed two-year state budget as first described by Governor Baldacci to the Legislature last week are just now emerging. In last week's *Legislative Bulletin* an attempt was made to describe the municipally-related impacts on the basis of the Governor's blueprint description, but the details reveal a somewhat more austere situation than we first projected. Here they are.

Homestead Exemption. The Governor is proposing to cut the homestead property tax exemption beginning with the impending tax year which will begin on April 1. Described as a "restructuring", all homesteads with a value of less than \$125,000 would retain the \$7,000 homestead exemption. For homesteads with a value between \$125,000 and \$250,000, the homestead exemption would drop to \$5,000. For homesteads with a value of \$250,000 or more, the homestead exemption would drop to \$2,500.

The state's "savings" from this proposal are projected to be \$4.8 million in FY 04 and \$4.95 million in FY 05. These changes represent a direct cut to property tax relief, most directly affecting areas of southern and coastal Maine where property values are outstripping the property tax capacity of many homesteaders – in many cases the same areas of the state that are going to be especially disheartened when they learn about their projected General Purpose Aid to Education subsidy (GPA) for the next fiscal year.

In addition to the untimeliness of

cutting a property tax relief program, generally, and the especially tough hit to certain geographic areas of the state where property tax pressure can be the most acute, municipal assessors are wondering about the mechanics of the proposal. How much land upon which a building sits is part of a "homestead", for example, and how will computerized assessing systems have to be re-programmed to efficiently isolate the separately-treated homesteads?

General Purpose Aid to Education. For the purpose of this biennial budget, the "base" GPA appropriation for the current fiscal year is set at \$720.8 million. The Governor's proposed budget would increase that appropriation for FY 04 by 1% (\$7.2 million) increasing GPA to a \$728 million total. Experts on education funding have observed that for several reasons the \$7 million increase will likely not be noticed in the "foundation allocation" GPA distributions that go out to the schools. State obligations to fund a diverse menu of the so-called "adjustments" will gobble-up the availability of that modest additional revenue for the conventional education subsidy. In addition, GPA subsidy retreats when there is a reduction in student population or an increase in the state valuation of a community. In many areas of the state either one or both of those factors are at play, and those communities will find it hard to believe that there was any increase at all in the state's contribution to public education. It is predicted that some of those

school systems will be seeing deep GPA reductions when the numbers are revealed.

Although no school-system-by-school-system spreadsheet is available to the general public, the projected GPA for FY 04 for each school unit has been mailed to all superintendents this week, so municipal officials should be contacting their supers for the local details.

The GPA picture for the second year of the budget (FY 05) gets even bleaker. Typically, an increase in GPA from one year to the next establishes a new base upon which the next year's GPA appropriation is measured. In Governor Baldacci's proposal, however, the FY 05 appropriation would actually drop back to the FY 03 level of \$720.8 million, representing a 1% cut of \$7.2 million. 70% of that cut, or \$5 million, would be made available outside of the GPA system to soften the blow of that reduction, but in order to access that revenue, a school system will have to demonstrate that it has adopted practices that achieve administrative savings and is investing those savings into instruction. The rules governing this efficiency reward system will be developed by the Department of Administrative and Financial Affairs.

There is another state "savings" in the budget related to the Medicaid program that will impact school budgets. The budget document identifies \$4.2 million in state savings for FY 04 and

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\$5.2 million in state savings for FY 05 from the state skimming off the top the cost-of-living Medicaid rate adjustments that the federal government would otherwise have paid to the schools under a program where the schools are treated as a reimbursable provider with respect to certain rehabilitation services that are provided to Medicaid-eligible students.

Municipal Revenue Sharing.

Among the several misreadings of the Governor's proposed budget that were made by MMA and conveyed in last week's *Bulletin* was the proposed budget's approach to municipal revenue sharing.

In his address to the Legislature, the Governor spoke about putting some contingencies on the distribution of a \$1 million annual increase to revenue sharing to reward municipalities that share resources. Here at MMA, we jumped to the conclusion that the reference was to a scheduled increase of revenue sharing from 5.1% to 5.2% of all sales and income tax revenues.

That is not the actual proposal. Already deferred by the Legislature several times over the last 9 months, the structural increase to revenue sharing would be deferred yet again in this budget for two full fiscal years, until July 1, 2005.

The actual revenue sharing proposal in the budget is to withdraw \$1 million from the June 2004 distribution to the municipalities. During the course of the subsequent fiscal year (FY 05), municipalities could apply for some part of that \$1 million from the

Department of Administrative and Financial Affairs, which is charged with establishing criteria by which a municipality may demonstrate that it has adopted "administrative and other service delivery practices that achieve cost savings in operating funds related to administrative services and that the monies have been directed for property tax relief."

At the conclusion of FY 05, the remainder of the \$1 million, if any, would be distributed "among those municipalities that have achieved savings".

BETR and Circuit Breaker. The Governor is proposing no change to the rules governing the Business Equipment Tax Reimbursement program (BETR) that rebates companies for their personal property taxes or the Circuit Breaker property tax and rent rebate program for low-income Mainers. The BETR appropriation in this current fiscal year was \$62.8 million. For FY 04 the BETR appropriation is slated to be \$68 million. The Circuit Breaker appropriation for the current year was \$21.7 million, and the program is projected to cost \$23.3 million in FY 04 and \$24.7 million in FY 05. Some of the increase for Circuit Breaker in FY 05 is based on the expectation for a greater need associated with the cut to the Homestead Exemption program.

Other Municipally-related Changes. Although the financial impacts to the property tax are concentrated in the proposed budget in the areas of school funding and the Homestead Exemption, there are dozens of other changes that will have some municipal impacts. Here's a non-exhaustive list.

- Deappropriate \$500,000 from the school construction side of the overall GPA appropriation in anticipation of saving that amount over the biennium through the "standardization of specifications related to all phases of school construction and renovation."

- Eliminate the public library stipend program, saving the state \$55,300 in FY 04 and \$96,000 in FY 05.

- Eliminate the state stipend paid to municipal fire forest wardens, saving the state \$7,000 in each year of the

biennium.

- Elimination of funding (\$40,000 per year) for the Joint Environmental Training Coordinating Committee (JETCC) which provides training programs for wastewater treatment plant operators to stay current with state and federal clean water mandates and new technologies.

- \$226,500 in cuts for FY 04 and \$244,000 in cuts for FY 05 to the State Planning Office. Some part of that cut represents a reduction in planning grants to cities and towns.

- Elimination of all 20 state liquor enforcement personnel, presumably shifting that law enforcement work to state, county and local police.

- Reductions in Local Road Assistance grants (now called "URIP" grants) to the tune of \$916,600 in FY 04 and \$850,500 in FY 05 associated with overall reductions in Highway Funds dedicated to transportation purposes. Some of the Highway Fund reductions are a one-time \$8 million transfer from the Highway Fund to the General Fund, ostensibly to pay back the General Fund for previous General Fund loans, pulling out \$42 million from the Highway and Bridge capital improvement program, with the indication that a bond will be issued for the revenue instead, and a change in the formula that funds the State Police. Currently, the State Police department gets 40% of its financial support from the General Fund and 60% from the Highway Fund. The budget would change the ratio to 34% General Fund support and 66% Highway Fund support.

- Deep cuts to the HOME program located in the Maine State Housing Authority (\$3.5 million each year of the biennium). HOME provides a variety of shelter support, short-term and longer-term housing opportunities for low-income Mainers. Several of the HOME programs interact with and support local social service and housing programs.

On that note, the budget projects the General Assistance program to stay flat over the next two years, holding the annual appropriation for the state share of GA reimbursement at a fixed \$5.1 million.

Legislative Bulletin

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Mandate Report Now Available

The term “unfunded mandate” is an all too familiar word for municipal officials. A few weeks ago, MMA circulated a survey to municipal officials asking them to identify the most expensive, cumbersome or annoying state or federal mandates that unnecessarily drive up local property taxes. A complete description of those responses as a final report is now available. What follows is a brief preview of the survey results.

Mandates come in different forms. The mandates most frequently identified fall into two categories: (1) important laws that seek to achieve appropriate goals but are either completely unfunded or significantly underfunded by the larger units of government that enact them; and (2) excessive or overly prescriptive regulatory systems that could be designed to be less expensive or intrusive with little or no detriment to the desired outcome.

School Mandates. The unfunded mandates that drew the most attention were those pertaining to our system of education. At the top of the list is the federal “No Child Left Behind” mandate. While the goal of educating all the children of the nation to the highest of standards is laudable, the underlying problem with this mandate is the failure of the federal government to provide the appropriate financial resources to achieve the level of proficiency the educational standards dictate.

Much like its federal counterpart, Maine is not recognizing the real costs of educating all public school students to the Legislature’s mandated level of proficiency. The state system of “Learning Results” requires all students to meet the desired level of proficiency prior to graduating. In addition to the lack of funding for either the federal or state program, there is also a pronounced lack of coordination between the two mandated systems. The federal program requires a formalized student assessment annually and the state system, though testing annually, only re-

quires a formalized assessment in grades 4, 8 and 11. Maintaining dual systems to manage both uncoordinated mandates should not be necessary.

Special education is the classic unfunded federal mandate, and municipal officials are only too familiar with the escalating costs of special ed. Not only has the federal and, to some extent, the state government shirked their financial obligation, but there are also no clear guidelines establishing which students should be receiving special educational services and which should not be identified for those services. School administrative units are left with vague guidelines that are ultimately subject to expensive litigation. Municipalities and school districts should not be put into the position of litigating over the gray areas of the special education entitlement.

The required “Comprehensive Education Plan” is an example of the second type of mandate...over prescription. State rules require each individual school administrative unit to develop and adopt an educational plan that focuses on improving student needs and services, creating methods of identifying at-risk students, developing strategies for recruiting and maintaining staff, and identifying resources and instructional materials that should be purchased or replaced. All of those planning requirements make sense, but the requirement can be met without the rule-driven creation of excessive bureaucracy on both the state and local level.

Environmental mandates. The rigidity of many environmental mandates identified by municipal officials result in significant financial pressures on municipal budgets. For instance, the DEP characterizes tree stumps as “solid waste.” Such characterization mandates that municipalities close “stump dumps” in almost the same manner that real solid waste landfills are closed. The cost associated with DEP’s exaggerated regulation is not in synch with the potential environmen-

tal harm. The same issue arises with respect to salt and sand sheds. There are extensive siting regulations that effectively remove these sheds, which are designed to be environmentally benign, from many potentially suitable locations.

One of the highest profile environmental mandates at the moment is the clutch of requirements under the new storm water “phase II” regulations. While the regulations will require all municipalities to adhere to new standards, the regulations will prove particularly hard-hitting for 28 municipalities specially designated as Municipal Separate Storm Sewer Systems (MS4s). Among other requirements, these municipalities will likely have to hire private consultants to map every “outfall” or culvert in town that is 18 inches or greater along with the watershed of that outfall to the immediate receiving body of water.

Public Safety, Paperwork and Miscellaneous Mandates. Another cluster of identified mandates includes those associated with firefighters and public safety. Although everyone is committed to ensuring the health and safety of firefighters, an exhausting array of federal and state mandates is threatening the municipal capacity to provide volunteer fire service. The cost of mandated training, gear specifications, medical evaluations and other requirements of certification is breaking the back of the volunteer ethic.

The mandate report groups a wide variety of burdensome mandates identified by the municipal officials into a miscellaneous category. Purgng a name from a voting list can be a very extensive process. Also in the area of election law, the significant costs associated with conducting a presidential primary election seems, from the municipal perspective and compared to the caucusing process, to easily outweigh whatever might be gained from that election procedure.

Other identified mandates include increased county jail costs whenever a state prisoner serves out part of his prison time in a county jail because of a probation violation. State law requires the local Animal Control Office-

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(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 582 – An Act To Authorize a General Fund Bond Issue in the Amount of \$50,000,000 To Fund Renovating or Replacing Civic Centers Statewide. (Sponsored by Rep. Bull of Freeport; additional cosponsors)

This bill would send out to the voters a proposed \$50 million bond issue for the purpose of renovating and replacing civic centers throughout the state.

LD 652 – An Act To Authorize a General Fund Bond Issue in the Amount of \$15,000,000 for Economic Development. (Sponsored by Rep. Brannigan of Portland; additional cosponsors)

This bill would send out to the voters a proposed \$15 million economic development bond issue that would provide grants to municipalities to promote economic development by improving such public infrastructure as public roads, utilities, parking garages, and transportation and cargo facilities.

Business, Research & Economic Development

LD 663 – An Act To Create Economic Development Zones. (Emergency) (Sponsored by Rep. Clark of Millinocket; additional cosponsors)

This bill would create the Economic Development Zone program within the Department of Economic and Community Development. The economic development zones would be designated in those areas of the state with high unemployment, and the bill would require that at least 45% of the department's economic development expenditures be dedicated toward the economic development zones.

Criminal Justice & Public Safety

LD 618 – An Act To Allow Municipalities To Hire Full-time Humane Law Enforcement Officers. (Sponsored by Sen. LaFountain of York County; additional cosponsors)

This bill would allow municipalities to appoint or employ a "Humane Law Enforcement Officer" which would be an animal control officer with the same minimal level of law enforcement training that is now required of harbor masters and shellfish conservation wardens. With the appropriate level of training, the humane law enforcement officer would be authorized to serve summons, make arrests and carry firearms.

Education & Cultural Affairs

LD 624 – Resolve, Directing the Department of Education to Use Money for School Transportation Costs for Payment of School Crossing Guards. (Sponsored by Rep. Suslovic of Portland; additional cosponsors)

This resolve would require the Department of Education to develop "major substantive" rules that would apportion some of the transportation-related subsidy in the General Purpose Aid to Education formula (GPA) to schools to cover the costs of paying for school crossing guards.

LD 628 – Resolve, Directing the Department of Education To Develop Standards for Outdoor Playground Surfaces. (Sponsored by Rep. Trahan of Waldoboro; additional cosponsors)

This resolve would require the Department of Education to adopt routine technical rules that would govern outdoor playground surfaces at public schools.

Health & Human Services

LD 619 – An Act Making Substantive and Technical Changes to the General Assistance Laws. (Sponsored by Sen. Rotundo of Androscoggin County)

This bill sweeps through General Assistance law and makes the following changes: 1) amends the determination of "residency" which determines the municipality of responsibility for providing General Assistance to persons in institutions and places of temporary lodging, all for the stated purpose of clarifying the application of the existing standard, except the "intention to return" standard would be repealed effecting a substantive change to current law; 2) allows municipalities to ignore the financial capacity of legally liable relatives with respect to funeral expenses when those legally liable relatives were estranged from the deceased; 3) establishes that the municipal payment of funeral expenses shall be accepted by the funeral director as payment-in-full for the burial or cremation; 4) expressly authorizes the municipality to make decisions regarding the disposition of the body of a deceased indigent person when there are no known next-of-kin to make those decisions; 5) removes the standard of General Assistance fraud which requires false statements to be "knowing and willful"; and 6) establishes a list of possible "just cause" reasons that would serve to excuse a General Assistance recipient from failing to attend a General Assistance fair hearing.

Judiciary

LD 600 – An Act To Change the Filing Dates on Real Estate Liens. (Sponsored by Sen. LaFountain of York County; additional cosponsors)

For all municipalities with a July 1 – June 30 fiscal year, this bill would require the property tax lien notices to be sent to the person owning the property as of the July 1 of the particular tax year rather than the "owner of record" who owned the property on the April 1 date of assessment.

Labor

LD 575 – An Act To Encourage Workers' Compensation Dispute Resolutions. (Sponsored by Rep. Smith of Van Buren; additional cosponsors)

This bill would establish surcharges to be assessed against employers when a workers' compensation mediation or hearing officer decision results in the award of benefits to the employee that is greater than what the employer offered prior to the mediation or trial before the hearing officer. When the mediation results in benefits that exceed the employer's offer, the surcharge is \$500. When a hearing officer decision results in the higher benefits, the surcharge is \$1,500. The proceeds from the surcharge would be dedicated to a fund to defray the costs of the workers' compensation advocate program.

Legal & Veterans Affairs

LD 640 – Resolution, Proposing an Amendment to the Constitution of Maine To Reduce Voting Age Qualifications by 12 Months. (Sponsored by Rep. Cummings of Portland; additional cosponsors)

This resolution would send out to the voters a proposed

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amendment to the state's Constitution that would reduce the minimum voting age from 18 years of age to 17 years of age.

Marine Resources

LD 648 – An Act Clarifying Municipalities' Authority to Assign Mooring Permits. (Sponsored by Rep. Eder of Portland; additional cosponsors)

This bill would add aquaculture facilities to the list of activities that require mooring permits from municipal harbor masters and establishes an exclusive municipal authority to assign mooring permits within waters under the harbor master jurisdiction.

Natural Resources

LD 590 – An Act To Regulate the Disposal of Computers and Related Equipment. (Sponsored by Sen. Martin of Aroostook County; additional cosponsors)

This bill would ban the disposal of cathode ray tubes, which are the video display component of televisions and computers, in landfills or incinerators in Maine.

LD 623 – An Act To Amend Shoreline Zoning. (Sponsored by Rep. Saviello of Wilton; additional cosponsors)

This bill would prohibit state or municipal regulation from prohibiting the thinning or pruning of vegetation within railroad rights-of-way that may exist within shoreland zones.

LD 632 – An Act to Establish a Process to Classify Water Bodies as Impaired. (Sponsored by Rep. McLaughlin of Cape Elizabeth; additional cosponsors)

This bill would create a process to be followed by the Board of Environmental Protection before designating waterbodies as "impaired" or having reached "nonattainment", a designation which has an impact with respect to the control and regulation of development that occurs in the watershed of those waterbodies. The bill would require the Board to include in its findings a determination that the designation will not contribute to sprawling patterns of development and will not have an unreasonable impact on the local economy.

LD 633 – An Act To Provide for Local Approval of Existing or Former Hydropower Projects To Enable Prioritization of Renewable Indigenous Energy Generation in Maine. (Sponsored by Rep. Fletcher of Winslow; additional cosponsor)

This bill would provide municipalities with the authority to override a decision made by the Department of Environmental Protection regarding construction or reconstruction of a hydropower project.

State & Local Government

LD 568 – Resolve, To Study the Impact of a Statewide System for the Electronic Filing of Deeds. (Sponsored by Rep. McLaughlin of Cape Elizabeth; additional cosponsors)

This resolve is a "concept draft" that would establish a study group to evaluate the short-term and long-term impacts of a statewide system for the electronic filing of deeds, including the immediate costs of developing such a system to the state and the communities.

LD 631 – An Act Concerning the Status of the Maine County Commissioners' Association and the Maine Sheriffs' Association as County Advisory Organizations. (Sponsored by Rep. McLaughlin; additional cosponsors)

This bill would allow county government to expend funds for the support of the Maine County Commissioners Association and the Maine Sheriff's Association and formally recognize those two organizations as "instrumentalities of the counties".

Taxation

LD 567 – An Act To Prohibit Government-subsidized Competition with Lodging Establishments. (Sponsored by Rep. McLaughlin of Cape Elizabeth; additional cosponsors)

This bill would prohibit the municipal use of tax increment financing with regard to hotels, motels or other lodging facilities.

LD 573 – An Act To Provide Property Tax Relief to Elderly Maine Citizens. (Sponsored by Rep. Cowger of Hallowell; additional cosponsors)

This bill would expand the value of the homestead exemption to Maine residents, 65 years old or older, who have resided in their homestead for at least 25 years. The increased value of the homestead exemption for those residents, beyond the \$7,000 value of the general homestead exemption, would be 1,000 additional dollars for each year beyond 25 years that the person continued to reside in the homestead.

LD 579 – An Act To Provide a Property Tax Exemption for Parents Whose Children Attend a Private Elementary or Secondary School. (Sponsored by Rep. Collins of Wells; additional cosponsors)

This bill would create a property tax exemption for those households who send their child or children to a private elementary or secondary school and those children would otherwise be entitled to a locally-provided public education. The value of the exemption would be the value of the tuition paid by the household or the value of the household's property tax payment related to public education, whichever is less.

LD 588 – An Act To Expand Eligibility for the "Circuit Breaker" Program. (Sponsored by Sen. Brennan of Cumberland County; additional cosponsors)

This bill would expand the Circuit Breaker property tax and rent rebate program in two ways: (1) by increasing the value of the maximum benefit from \$1,000 to \$3,000; and (2) by increasing the threshold income eligibility to potentially qualify for the benefit from \$25,700 to \$48,189 for single-person households and from \$40,000 to \$75,000 for multi-person households.

LD 643 – An Act To Provide a Property Tax Exemption to All Veterans of the United States Armed Forces. (Sponsored by Rep. Ledwin of Holden; additional cosponsors)

This bill would expand the veteran's \$5,000 property tax exemption (and the \$47,500 exemption for specially adapted housing for paraplegic veterans) so that it would benefit all Maine veterans, whether or not they served during a federally-recognized war period.

Transportation

LD 599 – An Act To Implement the Recommendations of the Task Force on Rail Transportation. (Sponsored by Sen. Martin of Aroostook County; additional cosponsors)

This bill would create an advisory council with respect to Maine's freight transportation systems and make several changes to current law regarding rail transportation, including directing certain revenues to the Railroad Preservation and Assistance Fund. Among other changes and studies proposed by this bill, it would direct the Legislature's Taxation Committee to appoint a subcommittee to review statutory provisions for taxes that apply to companies operating railroads, consider the impact of those tax provisions, and make recommendations to improve the viability of railroads operating in the state.

LD 664 – An Act To Make Changes to the Laws Governing the Tax on Motor Fuel. (Sponsored by Rep. McKenney of Cumberland; additional cosponsor)

This bill would repeal the indexing of motor fuel tax rates and instead provide a one-time increase to the gas tax of 2 cents from 22¢ to 24¢ per gallon.

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/>.

Tuesday, February 18

Appropriations & Financial Affairs

Room 228, State House, 12:00 Noon

Tel: 287-1635

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)

Wednesday, February 19

Appropriations & Financial Affairs

Room 228, State House, 9:00 a.m.

Tel: 287-1635

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 Transportation

12:00 Noon

With the Joint Standing Committee on Business, Research & Economic Development.

Criminal Justice & Public Safety

Rm. 211, Cross State Office Building, 10:00 a.m.

Tel: 287-1122

LD 249 – An Act to Aid Law Enforcement in Complying with Maine's Freedom of Access Laws. (Sponsored by Rep. Koffman of Bar Harbor; additional cosponsors)

LD 48 – An Act to Reduce Jail Overcrowding. (Sponsored by Rep. Watson of Bath; additional cosponsors)

Health & Human Services

Room 202, Cross State Office Building, 9:30 a.m.

Tel: 287-1317

LD 147 – An Act to Allow Members of the Maine Public Drinking Water Commission to Serve More than 2 Consecutive Terms. (Sponsored by Sen. Martin of Aroostook County; additional cosponsors)

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HEARINGS (cont'd)

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)

State & Local Government

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

Tel: 287-1330

LD 267 – An Act Concerning Boards of Assessment Review. (Sponsored by Sen. Hall of Lincoln County)

LD 278 – An Act To Eliminate the Restriction on Municipal Investment of Trust Funds. (Sponsored by Rep. McLaughlin of Cape Elizabeth; additional cosponsors)

1:00 p.m.

LD 389 – An Act to amend the Laws Governing Municipal Citizen Initiatives and Referenda. (Emergency) (Sponsored by Rep. Suslovic of Portland; additional cosponsors)

Thursday, February 20

Appropriations & Financial Affairs

Room 228, State House, 12:00 Noon

Tel: 287-1635

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 Criminal Justice & Public Safety.

Judiciary

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

Tel: 287-1327

LD 286 – An Act To Title Mobile Homes, Boats, All-terrain Vehicles and Snowmobiles. (Sponsored by Rep. Norbert of Portland; additional cosponsors)

Legal & Veterans Affairs

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

Tel: 287-1310

LD 282 – An Act To Prohibit Municipal Elections within 60 Days of a Statewide Election. (Sponsored by Rep. Ash of Belfast; additional cosponsors)

LD 200 – Resolution, Proposing an Amendment to the Constitution of Maine to Revoke the Voting Privileges of Convicted Persons in Prison. (Sponsored by Rep. Andrews of York; additional cosponsors)

Taxation

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

Tel: 287-1552

LD 305 – An Act To Amend the Lien Procedures for Time-share Estates. (Sponsored by Rep. Collins of Wells)

Transportation

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

Tel: 287-4148

LD 362 – An Act To Rescind the Vehicle Registration of a Person Who Pays for That Registration with a Bad Check. (Sponsored by Rep. Hutton of Bowdoinham; additional cosponsors)

LD 374 – An Act To Create Animal Shelter Special Registration Plates. (Sponsored by Rep. Dunlap of Old Town; additional cosponsors)

Friday, February 21

Agriculture, Conservation & Forestry

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

Tel: 287-1312

LD 348 – An Act to Limit State Land Ownership. (Sponsored by Sen. Shorey of Washington County; additional cosponsors)

Appropriations & Financial Affairs

Room 228, State House, 9:00 a.m.

Tel: 287-1635

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 Natural Resources

12:00 Noon

With the Joint Standing Committee on Inland Fisheries and Wildlife

1:00 p.m.

With the Joint Standing Committee on Judiciary

Business, Research & Economic Development

Room 208, Cross State Office Building, 10:00 a.m.

Tel: 287-1331

LD 335 – An Act To Stimulate Economic Growth in Northern Penobscot County. (Sponsored by Sen. Cathcart of Penobscot County; additional cosponsors)

Monday, February 24

Appropriations & Financial Affairs

Room 228, State House, 9:00 a.m.

Tel: 287-1635

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 Marine Resources

10:00 a.m.

With the Joint Standing Committee on Taxation

Education & Cultural Affairs

Room 214, Cross State Office Building, 9:30 a.m.

Tel: 287-3125

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)

LD 527 – An Act To Improve the Method of Reapportionment of School Boards. (Sponsored by Rep. Nutting of Oakland; additional cosponsors)

LD 541 – An Act To Ensure Timely Responses to Requests for School Administrative District Reapportionments. (Sponsored by Sen. Mitchell of Penobscot County; additional cosponsors)

Insurance & Financial Services

Room 427, State House, 9:30 a.m.

Tel: 287-1314

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)

Opportunity to Repeal Mandate

Shortly after Maine became a state, a law was enacted requiring communities to meet periodically with officials from adjacent municipalities to walk, or “perambulate”, the boundaries of the municipality. When this law was first adopted, computer mapping, GPS systems and state of the art land surveying tools did not exist. At that time, it made sense to have municipal officials walk around the perimeter of a community to confirm the location of municipal boundaries.

With all the technological advances in mapping and record keeping, however, municipal officials believe that the requirement to walk the municipal boundaries is no longer necessary or relevant. Not only is the mandate archaic, it is costly. Some communities spend upwards of \$5,000 every five years to meet the requirements of the law.

Thanks to the efforts of Oxford

town manager, Michael Houston, and bill sponsor Rep. Ted Heidrich (Oxford), the State and Local Government Committee has an opportunity to review at least one archaic state mandate. LD 66, *An Act to Repeal the Mandate to Perambulate the Municipal Boundary Lines When There is No Boundary Dispute*, repeals the mandate to regularly perambulate the municipal boundaries as long as there is no dispute over those boundaries.

Hopefully, a long list of additional unnecessary mandates will also be reviewed in the months ahead. The bill has had its public hearing. A work session was held on Feb. 14.

REPORT (cont'd)

ers to be responsible for domesticated *and* wild animals if the animal is thought to be rabid. One of the oldest mandates in Maine is the “perambula-

tion of municipal boundaries” requirement, which is the subject of a repealing bill this session of the Legislature (see related article).

The last category of mandates includes those small but pesky and annoying reporting or accounting mandates, such as the requirement that, for no discernable reason, the fees generated from dog licenses be kept in a separate account from all other municipal accounts. There are some elements of the annual solid waste reporting process that may not be necessary, and there are municipal folks who think the law governing the preservation of municipal records could be given a strong look to reduce the management of inconsequential archives.

If you would a copy of the detailed report, which lists out the problematic mandates identified by the school and municipal officials and those mandates’ federal and state statutory origins, contact Kirsten Hebert at 1-800-452-8786 or khebert@memun.org.