

Legislative BULLETIN

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Executive Committee Meets With Governor Baldacci

MMA's 12-member Executive Committee had an opportunity to meet with Governor John Baldacci this week to open up a dialogue on the most pressing issues facing state and local government.

The proposed two-year state budget, the gubernatorial approach to tax reform, and how to best invest in cost-effective ways of delivering governmental services were the major themes laid on the table.

Recognizing that the impacts of a huge budget deficit will necessarily be felt throughout all levels of government, Governor Baldacci defended his proposed budget as treating local government very fairly, all things considered.

The Governor pointed out that by fully funding the BETR program, fully funding the Circuit Breaker property tax relief program, just "tweaking" the Homestead Exemption, propping up Revenue Sharing by decoupling from federal tax changes and thus shoring up state income tax revenues, and increasing education subsidy by 1%, the local government impact of his budget proposal will be far less significant than the deep cuts to local government being implemented in some other states.

With a reminder that "we're not out of the woods yet", the Governor made reference to the just-amended projections of state revenue, creating a new \$17 million hole in the state's current year budget (FY 03) and another \$48 million shortfall over the next two years, widening that gap to a

record deficit of \$1.2 billion.

On the issue of reducing the cost of government, generally, and providing services more efficiently, the Governor repeatedly emphasized his interest in getting ideas from municipal officials. When Topsham's Town Manager Gary Brown asked if the Governor was willing to rethink the design of some burdensome state mandates, the Governor said he was very open to reviewing the structure of costly mandates...in fact he was himself working on obtaining similar flexibilities from Washington with respect to federal mandates on the

states.

Augusta City Manager Bill Bridgeo asked the Governor for assistance in making sure that state agencies keep the lines of communication open with their regional and local counterparts, specifically with respect to regionalization efforts. In order to consolidate emergency dispatching services, for example, coordinated technology at all three levels of government is key. The governor said he wanted to be kept informed about any obstacles to intergovernmental coordination that might exist at the state level.

On the issue of tax reform, the Governor insisted that comprehensive tax reform was on his agenda for 2003. The first order of business in the Governor's plan is enacting the two-

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Governor Baldacci met with MMA Executive Committee members on February 26 and discussed tax reform, the state budget, and intergovernmental collaboration.

State Budget Update

As the Appropriations Committee wades through Governor Baldacci's proposed biennial budget, designed to bridge a \$1.15 billion state revenue shortfall that grew this week to \$1.2 billion, municipal impacts in various areas come to our attention.

The February 14th issue of the *Bulletin* describes a broad range of impacts, including nearly flat-funding state support for K-12 education, reducing the homestead property tax exemption, tweaking municipal revenue sharing, eliminating the state's bureau of liquor enforcement, eliminating state-supported training for wastewater treatment plant operators, eliminating library and municipal fire warden subsidies, cut-backs on homeless shelter and low-income housing programs, etc. Here are couple more issues to add to that list.

Maine Criminal Justice Academy. Although it is not readily apparent from a reading of the budget bill, MMA was informed this week that state-level support for the Maine Criminal Justice Academy was being reduced in the budget in a way that will double the tuition for police officer training from \$1,000 to \$2,000 for the required 720-hour Academy course.

Municipal Shellfish Programs. Several program reductions and staff layoffs in the Department of Marine Resources (DMR) are apparently going to impose some serious negative impacts on what has been a very successful state-local partnership maintaining and protecting shellfish flats

and the shellfish harvesting industry. The Appropriations Committee heard about the impacts of those cuts on the municipal shellfish programs on Monday this week.

Biologists. Three DMR "area biologist" positions would be eliminated in the proposed budget, and it became quickly apparent on Monday that the municipal committees who work to keep the clam flats healthy and productive rely heavily on the technical and support services those biologists supply up and down the coast. According to materials provided by DMR, 73 municipal shellfish ordinances are in place today, and "eliminating the area biologist positions would severely reduce the expertise and efficiency in developing and maintaining the various ordinances." It is clear that if these layoffs go through, the affected municipalities will have to appropriate funds and hire the technical expertise to replace these state positions.

Water Quality Program. A fourth DMR layoff, of a "microbiologist" in the Boothbay Laboratory, is anticipated to have negative results that the towns bill not be able to solve even by picking up the state's costs and hiring a microbiologist of their own. There are two state labs that test water samples taken from shellfish beds, one in Boothbay and one in Lamoine. Certain natural events, such as a storm that dumps more than an inch of rain in the clam flat's watershed, automatically shut the clam flat down for two weeks, and the flats cannot be opened until sampling tests at the state labs prove the shellfish flats to be healthy. The federal Food and Drug Administration (FDA) controls the testing criteria, and private-sector testing isn't allowed. Maine has two people who do that testing, one in each lab, and the budget proposal would eliminate one position, requiring the remaining microbiologist to jump back and forth between the two labs to process all the sampling that needs to be done. Extensive backlogs and delays in getting the flats back in production are anticipated.

Commercial Fishing Property and "Current Use" Taxation

On Tuesday February 18, the Taxation Committee held a public hearing on a bill that would reprise the idea of amending Maine's Constitution to include commercial fishing property – land and buildings – into the categories of property that are specially assessed at their "current use" value rather than its "just value". Sponsored by Sen. Mike Brennan (Cumberland Cty.), the bill is LD 38, *Resolution, Proposing and Amendment to the Constitution of Maine to Protect the Commercial Fishing Industry*.

As a constitutional amendment, the proposal will need to garner two-third's support from both the House and the Senate, and then a majority vote of support from Maine's voters at referendum. The proposal cleared the Legislature when first introduced two years

ago, but was narrowly defeated by the voters on November 7, 2000.

Supporters of the bill included several legislators representing Portland, Coastal Enterprises, Inc., the Maine Fishermen Association, and the Island Institute. The thrust of the supportive testimony was that a "current use" approach to commercial fishing property would fill-out the state's property tax policy for natural resource-based industries; a policy that provides a property tax break for farmland and forest land, but gives no similar consideration to the commercial fishing industry. According to the bill's supporters, affordable access to the waterfront is being imperiled by the dramatically increasing value of all waterfront

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Legislative Bulletin

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

Continued Scrutiny of Land Use Planning Tools

What have become perennial bills regarding municipal rate of growth ordinances, impact fee ordinances and affordable housing strategies were heard this week before the Natural Resources Committee and the Business, Research and Economic Development Committee.

Representative Ed Suslovic (Portland) submitted two bills with the same title, “*An Act to Clarify the Use of Municipal Rate of Growth Ordinances*.” (LDs 395 and 531). According to Rep. Suslovic, a former real estate developer and lobbyist for the Maine Association of Realtors, both bills seek to limit rather than prohibit a municipality’s ability to enact a growth cap. One of the bills (LD 531) could be said to “clarify” existing law; the other actually changes it.

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. LD 395 would establish additional standards and limitations by requiring the growth rate formula to allow for the issuance of at least the average annual number of building permits issued over the last 10 years, and to expressly exempt from any limitation all affordable housing units as that term is defined by the Maine State Housing Authority. LD 531, on the other hand, would simply require the State Planning Office (SPO) to develop a coherent formula to guide the local growth rate formula.

The Maine Association of Realtors, the Maine Real Estate and Development Association, Maine Home Builders Association and the Maine State Housing Authority spoke in favor of the bills. Each interest group testified that growth caps were detrimental to the affordable housing market because the caps limit the supply of homes, thereby putting upward pressure on the demand. Growth caps were

described by the Home Builders’ Association as a “knee jerk” reaction to growth.

The State Planning Office testified in partial support of both bills. According to the SPO, caps have a “domino effect” that harm neighboring towns; once one town adopts a cap, the adjacent towns must enact one out of defense.

Olivia Atherton, Selectperson from Bremen, testified in opposition to both bills. When questioned whether her town was considering the affordable housing problem, she responded that the majority of permits issued this year under their growth cap were for affordable modular housing. She also noted that her town was fiscally sound and in no particular need of state intervention and supervision.

MMA testified in opposition to the first bill, LD 395, for two primary reasons. The bill sets the growth rate formula the municipality must adopt by requiring the municipality to issue up to the average number of permits distributed annually in the previous 10-year period. This 10-year average captures and duplicates the period of intensive growth that caused the municipality to react by adopting a cap. Forcing the municipality to accept more growth than it can afford is self-defeating.

LD 395 also exempts affordable housing development from the number of permits issued per year. The municipalities believe that the more appropriate way to address the affordable housing-growth cap relationship is through the new standards recently imposed by law. Because of the strides taken by the 120th Legislature, all growth caps ordinances, impact fee ordinances and zoning ordinances must be consistent with the comprehensive plan, which itself must be found consistent with the State’s Growth Management Act. Ordinances that are determined to be inconsistent are invalid. Therefore, municipalities are already required to address the affordable housing issue. Through

their planning process they are required to adopt growth rate ordinances consistent with the affordable housing strategies adopted in those “consistent” plans.

MMA testified “neither for nor against” the second bill, LD 531, which merely requires the State Planning Officer to create a coherent formula for the distribution of building permits issued per year. The directive to SPO to create a formula falls in line with the municipal interest in SPO creating a full-scale target of “consistency” for the towns to shoot at...a target that municipalities have had to guess at for too long.

While rate of growth ordinances were the topic of debate in the Natural Resource Committee, the Business, Research and Economic Development Committee explored a proposal to exempt affordable housing from moratoria, rate of growth ordinances and impact fees. As a member of the York County Task Force to End Homelessness, Rep. Nancy Sullivan (Biddeford) sponsored LD 453, *An Act to Promote the Development of Affordable Housing*.

The supporters of LD 453 mirrored the supporters of the growth cap bills heard by the Natural Resources Committee.

MMA submitted testimony that reflected the same concerns expressed about LD 395. By using the “consistency” requirement of current law, SPO guidelines could assure that impact fee and growth rate ordinances are implemented in concert with the affordable housing strategy in the municipality’s “consistent” comprehensive plan. LD 453 would simply impose state-determined standards instead of linking to and utilizing the home-grown comprehensive plan strategies. In addition, it is clear that exempting affordable housing units from impact fees would translate into a savings for the developer. Savings to the affordable housing homeowner through increased affordability is not as clearly guaranteed. The BRED Committee will hold the work session for LD 435 will be held on March 11th and the Natural Resource Committee will hold work sessions on LDs 395 and 531 on March 7th.

(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.)

Business, Research & Economic Development

LD 937 – An Act To Require the Net Proceeds from the Sale of a Foreclosed Property To Be Returned to the Former Owner. (Sponsored by Rep. Twomey of Biddeford; additional cosponsors)

This bill would redesign the property tax lien foreclosure process to require a municipality to return to the former property owner all proceeds of a tax lien foreclosure that exceed the back taxes, interests and costs. If the former owner does not claim the residual proceeds, the municipality must remit those proceeds to the state. The bill is retroactive to January 1, 2000.

LD 1004 – An Act To Clarify the Status of Regulated Water Utility Plumbing Permits. (Sponsored by Sen. Davis of Piscataquis County)

This bill would prohibit municipalities from enacting ordinances that are inconsistent with rules adopted by the Plumbers' Examining Board relating to the installation of water meters, related valves, or backflow prevention devices by a water utility regulated by the Public Utilities Commission.

Criminal Justice & Public Safety

LD 891 – An Act To Require the Videotaping of Police Interrogations. (Sponsored by Sen. Strimling of Cumberland County; additional cosponsors)

This bill would require all police departments and other law enforcement agencies to videotape any examination of an individual regarding the commission of a crime when that examination or interview is conducted within a police department or law enforcement facility.

Judiciary

LD 866 – An Act Concerning Recovery of Expenses under the General Assistance Laws. (Sponsored by Rep. Smith of Van Buren; additional cosponsors)

Under current General Assistance law, municipalities have a lien against workers' compensation lump sum payments when the municipality provides General Assistance to an employee pending a resolution of a workers' compensation dispute. To the extent the state has partially reimbursed the municipality for the GA expenditure, the state is also reimbursed from those lien proceeds. The state also has an agreement with the federal government that allows the state and municipalities to be repaid their respective General Assistance costs when a GA recipient receives a retroactive settlement of a Supplemental Security Income benefit and the municipality has been providing GA benefits pending the delivery of federal benefits. This bill would provide that before the state or the municipalities receive those reimbursements out of the lump sum benefits, the GA recipient's lawyer is entitled to reimbursements for reasonable attorneys fees.

LD 886 – An Act To Require State Reimbursement When Laws or Rules Devalue Private Property. (Sponsored by Rep. Joy of Crystal; additional cosponsors)

This bill would entitle a property owner to state reimbursement whenever a law, rule, ordinance or regulation directly or indirectly affects the value of the property and reduces the fair market value by at least 25% of its "preregulatory" fair market value.

LD 999 – An Act To Ensure Fairness in Payment of Superior Court Witness Fees by Counties. (Sponsored by Sen. Savage of Knox County)

This bill would provide a \$50-per-day reimbursement to the employer of a law enforcement officer who testifies in Superior Court in a pretrial hearing for a Class D or Class E crime.

Legal & Veterans Affairs

LD 859 – An Act To Require That the Costs Associated with Enacting a Direct Initiative Appear on the Ballot. (Sponsored by Rep. Shields of Auburn)

This bill would require that the ballot of any citizen initiative that goes before the voters contain a statement of the fiscal impact of the citizen-initiated proposal.

Natural Resources

LD 948 – An Act To Ensure Clean Air in Communities Affected by Privately Owned Incinerator Facilities. (Sponsored by Rep. Lemoine of Old Orchard Beach)

This bill would make a number of changes to environmental law regarding trash-to-energy incinerators and the municipalities that host them and surround them. Among other changes, this bill would:

- 1) Define air pollutants;
- 2) Require MSW incinerators to install continuing emissions monitoring equipment;
- 3) Require MSW incinerators to meet the lowest achievable emissions rate;
- 4) Require the Department of Environmental Protection to evaluate every seven years the environmental impacts of the MSW incinerator on a municipality adjacent to the host municipality;
- 5) Prohibit the issuance of a license to a privately owned MSW incinerator unless the DEP analysis shows that the incinerator is not posing a verifiable health threat to an adjacent municipality;
- 6) Limit home rule authority with respect to municipal air emission ordinances to prohibit local standards that are stricter than standards established by state law or regulation, except that existing municipal air emissions ordinances would be "grandfathered";
- 7) Establish local authority to adopt rules governing the transportation of solid waste through the community; and
- 8) Add five issues to the list of issues that need to be negotiated between the operator of a MSW incinerator and the host community.

State & Local Government

LD 1012 – Resolution, Proposing Amendments to the Constitution of Maine To Require the Appointment of County Sheriffs, Judges and Registers of Probate. (Sponsored by Rep. Bull of Freeport)

This bill would send out to the voters a proposed constitutional amendment that would require the appointment, rather than the election, of county sheriffs, judges and registers of probate.

Taxation

LD 916 – Resolution, Proposing an Amendment to the Constitution of Maine To Limit Present-home Property Taxes. (Sponsored by Rep. Davis of Falmouth; additional cosponsors)

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This resolve would send out to the voters a proposed constitutional amendment that if adopted by the voters would establish an annual property tax cap for all homeowners in Maine. The property tax cap would be last year's property taxes, adjusted by no more than the rate of inflation, as long as the homeowner resided in the property for the previous year.

LD 938 – Resolution, Proposing an Amendment to the Constitution of Maine To Change the Assessment of Lands Used for Long-term Ownership. (Sponsored by Rep. Percy of Phippsburg; additional cosponsors)

This resolution would send out to the voters a proposed constitutional amendment that would create a new “current use” tax category to add to the three existing categories (farm land, forest land, and open space). The new category would be land used for long-term ownership. The details of implementing this category are not provided in the resolution, except that the withdrawal penalty would be triggered by “a transfer outside the immediate family or by other than a designated bequest”. This constitutional amendment would presumably be implemented by LD 951 (the “Land Bank” program).

LD 940 – Resolution, Proposing an Amendment to the Constitution of Maine To Cap the Property Taxes on Homes That Have Been in the Same Family for 4 Generations. (Sponsored by Rep. McNeil of Rockland; additional cosponsor) (By Request)

This resolution would send out to the voters a proposed amendment to the constitution that would direct the Legislature to fix or cap the property tax rates that are imposed by municipalities on the property of homeowners whose property has been in the same family for four or more generations.

LD 951 – An Act To Establish the Maine Land Bank and Community Preservation Program. (Sponsored by Rep. Percy of Phippsburg; additional cosponsors)

This bill would implement the “Land Bank and Community Preservation Program” which is presumably the implementing legislation for the constitutional amendment proposed by LD 938. The “Land Bank” program would allow any landowner in Maine to enroll his or her land in the program, and upon enrollment the assessed value of the land (excluding all structural property upon it) could not increase year-to-year more than either 2% or the annual Consumers’ Price Index, whichever value is smaller. Development activity on the land would not restrict ongoing eligibility. When the land is transferred (unless to relatives or willed as a bequest), a withdrawal penalty would have to be paid which is identical to the Tree Growth withdrawal penalty; i.e., 30% (sliding down to 20%) of the difference between the just value of property at time of withdrawal and its “Land Bank” assessment, or 5-year “back taxes” value, whichever is greater.

LD 975 – An Act To Improve the Business Equipment Tax Reimbursement Program. (Sponsored by Sen. Strimling of Cumberland County; additional cosponsors)

This bill would eliminate the so-called BETR-TIF “double dip” by prohibiting a BETR reimbursement if the property taxes are also being effectively reimbursed under a municipal Tax Increment Financing agreement.

LD 983 – An Act To Phase Out the Tax on Business Equipment. (Sponsored by Sen. Blais of Kennebec County; additional cosponsors)

This bill would phase-out the personal property tax on business equipment and machinery over a 5-year period by reducing the assessed value of that property by 20% per year during the 2005 – 2010 time period. The bill also calls for the state to reimburse municipalities for the lost tax revenue.

LD 996 – An Act Allowing Municipalities To Retain a Percentage of Any Increase in the Sales and Use Tax. (Sponsored by Sen. Lemont of York County; additional cosponsors)

This bill would require the State Tax Assessor to remit back to the municipalities hosting retailers 10% of the year-to-year growth in sales tax revenue collected by retailers in those municipalities.

LD 997 – An Act Allowing Municipalities to Create Property Tax Circuit Breaker Programs. (Sponsored by Sen. Lemont of York County; additional cosponsors)

This bill would provide express authorization for municipalities to establish local “Circuit Breaker” property tax rebate programs to certain age-eligible or income-eligible applicants.

LD 1019 – Resolve, To Create the Industrial Property Assessing Methods Group. (Emergency) (Sponsored by Rep. Fletcher of Winslow; additional cosponsors)

This bill would establish a 5-member panel charged with developing a commonly accepted methodology for assessing industrial property. The panel would include the State Tax Assessor, a representative of the Maine Chapter of the International Association of Assessing Officers, a representative of the Maine Association of Assessing Officers, a representative of the Maine State Chamber of Commerce and a representative of the state’s 5 largest industrial corporations.

Utilities & Energy

LD 947 – An Act To Create the Cable Television Franchise Board. (Sponsored by Rep. Glynn of South Portland; additional cosponsors)

This bill would create the 7-member Cable Television Franchise Board, including three municipal representatives. The Board would be responsible for:

- 1) Establishing a uniform procedure for municipalities to follow in granting, renewing and transferring cable T.V. franchises;
- 2) Providing technical assistance and legal guidance to municipalities regarding cable T.V. franchising;
- 3) Reviewing and approving all cable T.V. applications for a franchise, franchise renewal, or franchise transfer; and
- 4) Licensing all cable television companies.

The bill also provides the standards the Board would implement when renewing a cable T.V. franchise application. The bill also provides a system to assess the cable T.V. providers an aggregate sum not to exceed \$200,000 annually to provide the resources necessary for the Board to conduct its functions.

HEARINGS (cont'd from page 7)

Transportation

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

Tel: 287-4148

LD 637 – An Act To Enhance the Visibility of Pedestrian Crosswalks. (Sponsored by Rep. Usher of Westbrook; additional cosponsors)

LD 422 – An Act To Honor Purple Heart Award Recipients. (Sponsored by Rep. Norbert of Portland [by request])

LD 424 – An Act To Increase the Availability of Handicapped Parking Spaces for People with Disabilities. (Sponsored by Rep. Marley of Portland)

LD 221 – An Act to Amend the Method of Establishing Evidence of Insurance. (Sponsored by Rep. Gerzofsky of Brunswick; additional cosponsors)

Friday, March 7

Appropriations & Financial Affairs

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

Tel: 287-1635

FY 04-05 State Budget Bill.

With the Joint Standing Committee on Legal & Veterans Affairs

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, March 3

Agriculture, Conservation & Forestry
Room 206, Cross State Office Building, 9:00 a.m.
Tel: 287-1312

LD 297 – An Act to Provide for Proper Identification of Stray Cats by Animal Shelters. (Sponsored by Rep. McKee of Wayne; additional cosponsors)

LD 360 – An Act To Strengthen the Animal Control Laws. (Sponsored by Rep. Hutton of Bowdoinham; additional cosponsors)

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

LD 702 – An Act To Amend the Animal Welfare Laws. (Sponsored by Rep. McKee of Wayne; additional cosponsors)

Appropriations & Financial Affairs
Room 228, State House, 9:00 a.m. & 1:00 p.m.
Tel: 287-1635
FY 04-05 State Budget Bill.

With the Joint Standing Committee on Education and Cultural Affairs (not including GPA discussion)

Criminal Justice & Public Safety
Rm. 211, Cross State Office Building, 10:00 a.m.
Tel: 287-1122

LD 529 – An Act To Clearly Define the State Fire Marshall's Powers. (Sponsored by Rep. Cressey of Baldwin)

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

State & Local Government
Room 216, Cross State Office Building, 9:15 a.m.
Tel: 287-1330

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)

LD 719 – An Act To Protect and Encourage Firearms Shooting Ranges Throughout the State. (Sponsored by Rep. Dunlap of Old Town; additional cosponsors)

LD 742 – An Act To Establish a System of Self-governance for Unorganized Areas. (Sponsored by Rep. Joy of Crystal; additional cosponsors)

1:00 p.m.

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)

LD 683 – An Act To Require the State To Assume All Costs for Corrections Currently Paid by Local Taxpayers. (Sponsored by Rep. Blanchette of Bangor; additional cosponsors)

LD 700 – Resolve, To Create the Task Force To Study County Government Efficiency. (Emergency) (Sponsored by Rep. Barstow of Gorham; additional cosponsors)

Tuesday, March 4

Appropriations & Financial Affairs
Room 228, State House, 1:00 p.m.
Tel: 287-1635
FY 04-05 State Budget Bill.

With the Joint Standing Committee on Education and Cultural Affairs

(Department of Education – General Purpose Aid for Local Schools)

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

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)

Inland Fisheries & Wildlife
Room 206, Cross State Office Building, 1:00 p.m.
Tel: 287-1338

LD 158 – An Act to Limit Agent Fees to the Number of Transactions. (Sponsored by Sen. Bryant of Oxford County; additional cosponsors)

Judiciary
Room 438, State House, 1:30 p.m.
Tel: 287-1327

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)

Labor
Room 220, Cross State Office Building, 1:30 p.m.
Tel: 287-1333

LD 35 – An Act to Increase the Assessment on Workers' Compensation Insurance To Fund the Workers' Compensation Board Administrative Fund. (Reported by Sen. Edmonds of Cumberland County pursuant to the Maine Revised Statutes, Title 39-A, section 152, subsection 11.)

Legal & Veterans Affairs
Room 436, State House, 1:00 p.m.
Tel: 287-1310

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

Natural Resources
Room 437, State House, 2:00 p.m.
Tel: 287-4149

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

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

LD 695 – An Act To Amend the Laws Governing Minimum Lot Size. (Sponsored by Rep. McNeil of Rockland; additional cosponsors)

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HEARINGS (cont'd)

LD 745 – An Act To Allow Municipalities To Assess a Surcharge on New Construction That Is Not in a Designated Growth Area. (Sponsored by Rep. Lemoine of Old Orchard Beach)

Taxation

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

Tel: 287-1552

LD 542 – Resolve, To Reduce the State Valuation for the Town of Hermon. (Sponsored by Sen. Mitchell of Penobscot County; additional cosponsors)

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)

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

LD 572 – An Act To Restrict a School District from the Wholesale Attachment of Personal Property if a Town Defaults on Its School Commitment. (Sponsored by Rep. Bunker of Kossuth Township; additional cosponsor)

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)

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

Transportation

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

Tel: 287-4148

LD 406 – Resolve, To Designate Route 201 as Part of the East-West Highway. (Sponsored by Sen. Hatch of Somerset County)

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)

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

Wednesday, March 5

Agriculture, Conservation & Forestry

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

Tel: 287-1312

LD 338 – An Act to Stabilize the Maine Dairy Industry. (Emergency) (Sponsored by Sen. Gagnon of Kennebec County; additional cosponsors)

Appropriations & Financial Affairs

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

Tel: 287-1635

FY 04-05 State Budget Bill.

With the Joint Standing Committee on Labor

2:00 p.m.

With the Joint Standing Committee on Education and Cultural Affairs

Health & Human Services

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

Tel: 287-1317

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

Utilities & Energy

Room 209, Cross State Office Building, 1:00 p.m.

Tel: 287-4143

LD 437 – An Act To Ensure Opportunity for Public Comment at Meetings of Sanitary Districts. (Sponsored by Sen. Bromley of Cumberland County; additional cosponsor)

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

Thursday, March 6

Appropriations & Financial Affairs

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

Tel: 287-1635

FY 04-05 State Budget Bill.

With the Joint Standing Committee on Education and Cultural Affairs

Judiciary

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

Tel: 287-1327

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

Labor

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

Tel: 287-1333

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

Natural Resources

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

Tel: 287-4149

LD 645 – An Act to Provide Additional Financing for Costs Associated with the Remediation of a Waste Oil Site in Plymouth. (Sponsored by Rep. Carr of Lincoln; additional cosponsors)

LD 188 – An Act To Amend the Waste Management Laws Regarding the Spreading of Sludge on Land. (Sponsored by Rep. Rines of Wiscasset; additional cosponsors)

LD 670 – An Act Regarding the Disposal of Sludge. (Sponsored by Sen. Hall of Lincoln County; additional cosponsors)

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

LD 743 – An Act To Protect Health and the Environment through the Collection and Recycling of Electronic Waste. (Sponsored by Rep. Thompson of China; additional cosponsors)

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)

LD 709 – An Act To Require Public Hearings prior to State Agreements for Dam Removal. (Emergency) (Sponsored by Sen. Gagnon of Kennebec County; additional cosponsors)

Taxation

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

Tel: 287-1552

LD 1 – An Act to Increase the Property Tax Exemption for Veterans. (Sponsored by Rep. Pineau of Jay)

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)

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EXECUTIVE (cont'd)

year state budget on the basis of existing tax revenues. The second order of business is health care reform. The third task on Governor Baldacci's 2003 agenda is comprehensive tax reform, and he expects that process to extend past the First Regular Session of the Legislature and require a special legislative session in the summer or early fall.

The Governor told the Executive Committee that he intends to convene a small group working out of his Office to develop the Administration's recommended tax reform package. Expressing some understanding of what drove MMA to initiate a citizens' initiative to compel tax reform, the Governor said he didn't agree with the centerpiece of the proposal because to require the state to pay 55% of the cost of education would, in his view, "bankrupt the state". Solon Selectman Elaine Aloes pointed out that 100% of the costs of education were already being

paid by the taxpayers of the state, and the citizen initiative was not proposing to add a penny to that burden – just to more fairly apportion the costs among the tax resources.

COMMERCIAL (cont'd)

property, pushing fishermen out of their coastline properties and precipitating a range of impacts, including dramatically transformed coastal communities and increased pressure to create publicly-funded commercial fishing access points. Some of the bill's supporters indicated that the intention was to amend the bill to exclude buildings and structures from the "current use" analysis so that the proposal would affect taxable land values only. Many of the bill's supporters also suggested that the proposal clearly belongs in a comprehensive tax reform package if that was a better strategy than running the bill in isolation.

MMA testified in opposition to LD 38 on that very point. Incremental changes to the tax code that give spe-

cial tax breaks to narrow constituencies and shift the burden to the remaining population have resulted in a system of taxation that is in obvious need of comprehensive reform. If the commercial fishing industry is in need of a tax break, that should not come at the disadvantage of residential taxpayers in the affected communities who are themselves struggling to pay their property taxes.

From the two-year budget bill being scrutinized by the Appropriations Committee to the bills seeking new property and sales tax exemptions to the new revenue shortfalls projected just this week by the Revenue Forecasting Committee to the bills that attempt to weaken the property tax collection process...it seems like there is very little happening under the State House in Augusta that is not tied directly to the issue of comprehensive tax reform.

The work session on LD 38 is scheduled for Monday, March 3d in the Taxation Committee room.