

# Legislative BULLETIN

A PUBLICATION OF MAINE MUNICIPAL ASSOCIATION

Vol. XXV No. 11

March 21, 2003

## Budget Update: IF&W Fees

Each week in the Legislative Bulletin, an attempt has been made to update municipal officials about an element of the developing FY 04-05 biennial state budget.

Political observers believe that the budget proposal will be put before the Legislature for a vote next week before a magic April 1 deadline, even if all the details on implementing the budget have not been worked out. A budget of any kind enacted by April 1, even if rudimentary in form, needs only a simple majority vote in the House and Senate in order to become law by July 1, 2003, when the next fiscal year begins. If April 1 comes and goes without a budget enactment, two-thirds support in both the Senate and the House becomes necessary to implement a budget without a 90-day delay. For whatever reason, there appears to be keen interest in having a basic, "Part I", core-services budget enacted by April 1 even if the support for that budget is not a "supermajority".

The three major municipal pieces in the proposed budget that is developing are:

- Relatively flat funding for K-12 education for FY 04 and negative funding for public schools for FY 05.

- A reduction in the value of the Homestead Exemption property tax relief program for "homestead" valued over \$125,000, with little explanation how to implement the graduated exemption system; and

- The elimination of the Bureau of Liquor Enforcement, cutting nearly 20 actual liquor enforcement officers from state government, and pushing those tasks onto other state, county and local law enforcement agencies.

One element of the budget that

hasn't yet been detailed in the Bulletin are the proposed increases in fees. What follows are Governor Baldacci's proposed increases to fees that are collected by municipal agents of the Department of Inland Fisheries and Wildlife.

As originally proposed in the Governor's budget all resident, non-resident and alien hunting and fishing license fees would have been increased by \$6. The Governor has since proposed a change, whereby the nonresident and alien hunting and fishing license fees would be increased by \$10, while the resident license fee increase would remain at \$6. The exceptions to the across-the-board resident versus nonresident fee increases would be a \$10 increase to the one-day fishing license fee and a \$6 increase to the three-day fishing license whether the short-term license was provided resi-

dents or nonresidents. The budget also includes an indexing proposal for sustaining future license fee revenue. Beginning in 2005 the Commissioner of the Department of Inland Fisheries and Wildlife would be authorized to adjust the fees by an inflation index based on the consumer price index that year.

In addition to the license fee increases, the Governor's change package includes a proposal to require the registration of kayaks and canoes. Currently only motorized watercraft are required to be registered. The proposed kayak and canoe \$6 registration fee would be deposited in the General Fund as undedicated revenue. Under existing watercraft registration statutes, municipal clerks are authorized to charge a \$1 agent fee for the registration of motorized watercraft. It is unclear from this proposal whether municipal clerks will be authorized to charge an agent fee for the registration of kayaks and canoes.

### Proposed Fee Changes for IF&W (current '03 vs. proposed '04)

License	Resident		N-Resident		Alien	
	'03	'04	'03	'04	'03	'04
Jr Hunting	\$5	\$11	\$25	\$35	\$-	\$-
Hunting	19	25	85	95	125	135
Small Game	12	18	55	65	70	80
3-Day Small Game	-	-	30	40	-	-
Combined Hunting & Fishing	36	42	123	133	176	187
Combined Archery, Hunting & Fishing	36	42	-	-	-	-
Archery	19	25	55	65	70	80
Muzzle-loading	11	17	33	44	58	68
Fishing (season)	19	25	50	60	70	80
1-Day (resident and nonresident)	9	19	9	19	-	-
3-Day (resident and nonresident)	21	27	21	27	-	-
Jr Fishing (nonresident)	-	-	7	17	-	-
7-Day (nonresident)	-	-	34	44	-	-
15-Day (nonresident)	-	-	38	48	-	-

# Municipal Officials Defend Foreclosure Practices

Selectmen, municipal finance officers, town managers and tax collectors from municipalities large and small turned out in force on Tuesday this week to oppose a bill that would interfere with the municipal tax lien foreclosure process and convert the maximum penalty for chronic non-payment of property taxes to minimal penalty.

LD 937, *An Act To Require the Net Proceeds from the Sale of a Foreclosed Property To Be Returned to the Former Owner*, was presented to the Taxation Committee by Rep. Joanne Twomey (Biddeford). The bill would require municipalities to rebate to the former owner of tax-acquired property the difference between the sale price of tax acquired property and the back taxes owed to the municipality. If the municipality does not sell the acquired property, the difference between the appraised value and back taxes would have to be returned to the former owner, who would typically still be living on the property. Under the terms of the bill, if the municipality could not find the former owner, the residual values would have to be returned to the state.

Rep. Twomey explained that she submitted the bill in response to a tax lien foreclosure executed by the City of Biddeford against Dorothy LaFortune. Ms. LaFortune then addressed the Committee with the claim that her property rights were violated by the oppressive and unconstitutional tax lien foreclosure law. She left a video

tape for the Committee to review to learn more about her case, and related some of the details of what appeared to be a long and complicated tax dispute with the City over a 3-unit apartment building.

Municipal officials came out solidly against the bill. Selectmen from the small towns of Knox, Acton, West Paris and Readfield joined with the Wilton town manager and the financial officers and tax collectors from Bangor, Lewiston, Auburn, Standish and Old Orchard Beach to explain to the Committee the many careful steps municipal officials take throughout the foreclosure process, bending over backwards to work with taxpayers so that they can stay in their homes.

The municipal folks explained that for every potential tax lien foreclosure there was a different reason,

and how as a general or overriding rule there had to be a significant severe penalty for non-payment of taxes to ensure prompt and efficient tax collection, just as there is a significant maximum penalty for not paying income taxes to the state.

At the same time, the municipal representatives were clearly proud of the work they do year in and year out at the local level to minimize the penalty and avoid foreclosure, when the non-payment of taxes is a matter of incapacity rather than unwillingness to contribute to the public charge.

The municipal officials went on to explain that towns do not want to own non-municipal property, or be property manager or landlords, or treated like financial institutions or forced to treat their constituents as financial institutions treat their default borrowers. Several municipal officials also explained how LD 937 would actually interfere with municipal efforts to keep taxpayers in their homes.

The work session on LD 937 is scheduled for March 24<sup>th</sup>.

## Taxation Committee Kills 3 Bills

On Thursday March 13, the Taxation Committee gave unanimous “ought not to pass” reports on two bills that would have had negative municipal consequences if enacted. 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*, would have rearranged the entire property tax billing and lien process to shift the legal responsibility to pay the current year’s property tax from the “owner of record” to the person who purchases property after the April 1<sup>st</sup> date of assessment.

An attempt was made to reduce the bill down to a simpler mandate on the municipalities to send a duplicate tax bill to everyone who purchases property after April 1<sup>st</sup> as well as to the assessed owner of record. Sen. Richard Nass (York County) argued against the mandate, saying that it is in the municipal interest to get property tax information in front of the right people, and

local tax collectors don’t need another unfunded state mandate to figure that out. The Committee ultimately killed the bill.

A related bill, LD 261, *An Act To Require Disclosure Statements Regarding Proration of Property Taxes When Real Estate is Sold*, would have addressed the issue from a different angle by improving the quality of information that is exchanged at the point of sale regarding the respective property tax obligation of the seller and buyer of real estate. The Tax Committee also killed that bill.

A perennial bill that would change the motor vehicle excise tax base from the objective and uniform manufacturer’s suggested retail price of the vehicle to the highly variable sales price (LD 204, *An Act To Require That the Excise Tax on Vehicles Be Based on the Purchase Price*) also received a unanimous “ought not to pass” report from the Committee.

### Legislative Bulletin

A weekly publication of the Maine Municipal Association throughout sessions of the Maine State Legislature.

Subscriptions to the *Bulletin* are available at a rate of \$20 per calendar year. Inquiries regarding subscriptions or opinions expressed in this publication should be addressed to: *Legislative Bulletin*, Maine Municipal Association, 60 Community Drive, Augusta, ME 04330. Tel: 623-8428. Website: [www.memun.org](http://www.memun.org)

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

# Cable Television Approval Board

Do the municipalities want or need an agency to provide assistance negotiating cable franchise agreements? Rep. Kevin Glynn (South Portland), on behalf of the Community Television Association of Maine (CTAM), believes the answer is ‘yes’ and submitted LD 947, *An Act to Create the Cable Television Franchise Board* in order to create a board that would assist municipalities in negotiating franchise agreements.

As franchise authorities, municipalities have the authority to regulate the first tier of service or “basic cable.” Federal law prohibits a franchise authority from attempting to regulate any fee or service in any of the premier channels. LD 947 would create a state-level board to oversee and regulate the franchising of cable television companies. The duties of the board would include providing technical assistance and legal guidance to municipalities, reviewing and approving all cable television applications and licensing cable companies through franchise agreements.

Rep. Glynn asked the Committee to consider carrying the bill over in order to allow MMA, CTAM, the cable companies, as well as other interested parties to further explore the issues surrounding the oversight of cable franchise agreements.

Speaking in favor of the bill, South Portland’s cable t.v. expert Tony Vigue, a member of CTAM’s legislative review committee, explained to the Committee that the proposed board would offer municipalities the education necessary to negotiate franchise agreements. According to Vigue, many municipalities are unaware of the services that can be negotiated in the franchise agreement. As an example, municipalities could negotiate services such as senior citizen discounts, or place financial penalties in the contract that are triggered by the failure to restore service within a specified time period after a power failure.

MMA opposed the bill as written because it was unclear whether the pro-

posed board would either directly or indirectly remove cable t.v. franchise authority from the municipalities and transfer that authority to the board. MMA also opposed the funding source established in the bill. LD 947 proposes that \$200,000 be collected annually from Maine’s big cable t.v. companies. MMA is concerned that an annual assessment of this magnitude would ultimately diminish the revenue municipalities individually receive in franchise fees.

The attorney representing the City of Biddeford and Jim Grattelo, Biddeford City Councilor, testified in

opposition to LD 947, stating that the bill was unnecessary since federal law preempts regulation of all but the first tier of service. Concerns were expressed that increased cable t.v. rates to finance a board that some municipalities would not utilize would not be well received by cable ratepayers.

After speaking with Rep. Glynn and CTAM, MMA agreed to sponsor an interested parties group that would analyze the issues surrounding the usefulness of the proposed board. The common needs of all municipalities must be determined, as well as the desire for a state-level agency with oversight responsibilities.

The work session on LD 947 is scheduled for March 26<sup>th</sup>.

## LPC Adopts “Learning Results” Resolution

MMA’s Legislative Policy Committee (LPC) convened on Wednesday this week to stake out the Association’s position on 92 separate legislative proposals ranging from casino gambling to tax reform, animal welfare to video traffic control, bond proposals to regionalization studies.

The very first action of the LPC when it convened on Wednesday was to take up a resolution regarding the State’s “Learning Results” system. Put into motion by the Legislature and the Department of Education in 1997, “Learning Results” is a system of guiding, measuring, and upgrading the educational performance of Maine’s 210,000 kindergarten through grade 12 public school students. Although the goals of Learning Results are widely respected, it has become increasingly clear that Learning Results is yet another unfunded state mandate that is very quickly jacking-up the property tax burden in Maine. After its review, the LPC unanimously adopted the following resolution.

### Resolution Regarding the Implementation of Learning Results

**Whereas**, the municipalities in Maine find the state’s financial contribution to the cost of kindergarten through grade 12 public education to be seriously inadequate; and

**Whereas**, the municipalities find the Learning Results system as designed and imposed on the school administrative units by state law and regulation to be an unfunded state mandate in every normal and realistic sense of that term; and

**Whereas**, the municipalities respect the public policy goals of the Learning Results system but strenuously object to the legislative dynamic of passing down costly obligations on the schools and municipalities in a manner that effectively allows the state and federal government to directly appropriate property tax resources, and

**Whereas**, the property tax in Maine is seriously overburdened.

**Now, therefore, be it resolved that:**

The municipalities in Maine, acting through their collective membership in the Maine Municipal Association, urge the Maine State Legislature to take steps to actively delay the implementation of the Learning Results system until such a time that the Legislature is providing a responsible and appropriate level of financial support for kindergarten through grade 12 public education, including the costs of implementing the Learning Results system.

(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).)

### Appropriations & Financial Affairs

LD 1383 – An Act To Limit the Growth of Government Spending. (Sponsored by Sen. Turner of Cumberland County; additional cosponsors)

This bill would establish an expenditure cap on state, county and local governments that would allow year-to-year expenditure increases to be no more than the previous year's expenditures indexed for inflation and the percentage change in state population in the prior year. The Legislature or the legislative body of the county or local governments could exceed that limit by a 2/3 vote of the governing body. If the state, county or local governments collect revenue that exceeds the expenditure limits (unless approved by the super-majority vote), that excess revenue would have to be placed in a specially-created emergency reserve fund, which could only be accessed by a 2/3 vote of the governing body. The maximum capacity of the emergency reserve fund would be 3 month's worth of operating revenue. Any captured revenue that exceeds the emergency reserve fund limit would have to be returned to the taxpayers. According to the bill, the entire proposal would be sent out to the statewide voters for ratification.

### Business, Research & Economic Development

LD 1385 – An Act To Establish the Pine Tree Development Zones Program. (Governor's Bill) (Sponsored by Sen. Bromley of Cumberland County; additional cosponsors)

This bill would create the Pine Tree Development Zone program. The program would be administered by the Department of Economic and Community Development. Up to 8 Pine Tree Development Zones would be created statewide, four in already-determined locations (Aroostook County, Androscoggin Valley region, Penobscot Valley region, and the Washington County-downeast region) and four in other locations that meet certain criteria. For each Pine Tree Development Zone, the legislative body or bodies of a municipality or a group of municipalities would have to vote to designate the zone within their respective jurisdictions. If adopted by the municipality or multi-municipal groups, certain qualified businesses in the manufacturing, technology and financial services sectors would be entitled to a cluster of tax breaks if they establish themselves within the designated zones. Generally, the tax breaks would run for a 10-year period. Those tax breaks would be: Tax Increment Financing (TIF) benefits for at least 10 years that equal 100% of the real property taxes they would otherwise pay to the municipality, a permanent 100% exemption on all personal property taxes, state-level employment tax increment financing equal to 100% of qualified employees' state income tax withholdings for a period of 10 years, and a tax credit equal to 100% of the business' state income tax obligations for the first 5 years and 50% of that tax obligation for the second 5 years.

### Education & Cultural Affairs

LD 1355 – An Act To Increase State Funding for

Renovation, Repair and Replacement of Schools for Local Communities by Limiting the State's Debt Limit for New School Construction. (Sponsored by Sen. Bromley of Cumberland County; additional cosponsors)

This bill would freeze the school construction debt service element of the overall General Purpose Aid to Education Appropriation (GPA) appropriation at its FY 03 \$80 million level, and redistribute all revenue over that amount to: (1) the GPA "foundation allocation" in order to provide more support for special education; and (2) the school renovation revolving loan program.

### State & Local Government

LD 1367 – An Act To Amend the Laws Regarding Junkyards, Automobile Graveyards and Automobile Recycling Businesses. (Sponsored by Rep. Hutton of Bowdoinham; additional cosponsors)

This bill would amend the state's junkyard statutes in several ways for the purpose of improving the ability of municipalities to appropriately license junkyards, automobile recycling businesses and automobile graveyards. This bill would change the standard that defines an automobile graveyard from 3 or more "unserviceable" motor vehicles to 3 or more uninspected or unregistered motor vehicles and provides exemptions from regulation for automobile hobbyists, areas used for temporary storage and areas used for temporary storage of operational farm tractors.

This bill would also establish basic operational standards for all junkyards, automobile graveyards and automobile recycling businesses to provide minimal environmental protection. The bill would create a 100-foot setback from bodies of water for the placement of junked automobiles that contain fluids and increases from 100 feet to 300 feet the setback of newly licensed facilities from public or private drinking water supplies. This bill would also establish a process to notify abutters of the public hearing held prior to the issuance of any new junkyard's, automobile graveyard's or automobile recycling business's first license and incorporates into statute fencing and screening standards previously located in the Department of Transportation regulations.

This bill would also clarify the ability of municipalities to enforce the provisions of the state's junkyard law and effect the abatement of junkyard nuisances. The bill specifies that a municipality has 3 available methods to recover the costs of prosecuting a junkyard violation: a civil action, a lien on the real estate or a special tax assessment as municipalities are currently authorized to recover the costs of abating a failed septic system.

### Taxation

LD 1370 – An Act To Enact the Maine Tribal Gaming Act. (Transmitted to the Clerk of the 121<sup>st</sup> Maine Legislature by the Secretary of State on February 26, 2003 and ordered printed)

This bill is the citizen-initiated Act to Enact the Maine Tribal Gaming Act, which would authorize the Passamaquoddy Tribe and the Penobscot Nation to establish a gambling casino in Maine. According to the bill, the legislative body of a municipality in which the site is located must approve the casino gambling site. The operator of the casino must pay the state an annual fee equal to 25% of the gross revenues of the video gaming "facsimiles", 50% of which would be deposited into the Local Government Fund from which municipal revenue sharing is distributed, 40% of which would be go to supplement the state's appropriation for General Purpose Aid to Education, and 10% would be provided in several ways as

(continued on page 5)

grants to students in Maine seeking higher education.

LD 1372 – An Act To Enact the School Finance Act of 2003. (Transmitted to the Clerk of the 121<sup>st</sup> Maine Legislature by the Secretary of State on February 19, 2003 and ordered printed)

This bill is the citizen-initiated School Finance and Tax Reform Act of 2003. In a nutshell, this initiative would compel tax reform, create investments in structural changes to achieve efficiencies in the delivery of governmental services, and accomplish the development of a comprehensive plan to address Maine's overall tax burden. This plan would:

- Reduce local property taxes statewide by requiring the state to provide 55% of the total cost of kindergarten through grade 12 public education in Maine. Within that 55% obligation, the state would be required to provide 100% of the cost of special education services mandated by federal and state law.

- Create two parallel funds designed to obtain long-term efficiencies in the delivery of educational, local and regional services. 2% of the total state appropriation for General Purpose Aid to Education would be directed to a school-oriented efficiency fund and 2% of the annual municipal revenue sharing distribution would be directed to a local government efficiency fund, both of which would be designed by the Legislature to provide financial support to projects that would restructure the delivery of services in long-term, cost-effective ways.

- Direct the Legislature to develop a comprehensive plan that integrates the efforts of state, county, local governments and schools to reduce unnecessary spending, identifies cost savings in the delivery of governmental services and otherwise addresses the issue of Maine's overall tax burden.

LD 1394 – An Act To Modernize the State's Tax System. (Sponsored by Rep. Dudley of Portland; additional cosponsors)

This bill would comprehensively reform Maine's tax code in the following ways: (1) expand the Circuit Breaker property tax and rent rebate program in four ways: (a) the renter's presumed property tax payment would be increased from 18% to 25% of gross rent; (b) the maximum circuit breaker payment would increase from \$1,000 to \$6,000; (c) the threshold income eligibility levels would be increased from \$25,700 for single person households to \$45,000 and from \$40,000 for multi-person households to \$75,000, and (d) the property-tax-to-income ratio that triggers benefits would be lowered from 4% to 2.5% over a four-year period; (2) increase the percentage of sales and income tax revenue that is dedicated to municipal revenue sharing from 5.1% to 8.5%; (3) create a new 10% income tax rate category for households with an income of \$150,000 or more (the current highest marginal rate is 8.5%); (4) conform the state income tax personal exemption to the federal exemption; (5) increase the state's earned income tax credit from 5% to 30% of the federal credit and make it refundable (i.e., provided to households with zero income tax obligation); (6) expand the sales tax base to include a broad range of amusement and recreation, personal, and business and professional services; (7) increase the lodging element of the state sales tax from 7% to 10%; (8) limit the Business Equipment Tax Reimbursement (BETR) benefit to just 70% of the amount by which the taxes paid by the business exceed the amount of taxes reimbursed by the municipality through a Tax Increment Financing arrangement; and (9) exclude the property taxes on certain types of property, including retail property, from receiving BETR reimbursements.

LD 1395 – An Act for Comprehensive Reform of Maine's Tax Structure. (Sponsored by Rep. Mills of Cornville; additional cosponsors)

This bill would comprehensively reform Maine's tax code in the following ways: (1) repeal the Homestead property tax exemption; (2) expand the Circuit Breaker property tax and rent rebate program in four ways: (a) the renter's presumed property tax payment would be increased from 18% to 20% of gross rent; (b) the maximum circuit

breaker payment would increase from \$1,000 to \$3,000; (c) the threshold income eligibility levels would be eliminated, and (d) the property-tax-to-income ratio that triggers benefits would be retained at 4%, but 80% of the property taxes over that threshold would be rebated by the program rather than 50% as is the case under current law; (3) adjust all municipalities' state valuation for the purpose of municipal revenue sharing distribution and educational subsidy by an additional, theoretical property tax base that is the property tax base that would exist to generate revenue through motor vehicle and watercraft excise tax collections; (4) authorize municipalities to adopt by referendum a limited local option sales tax of 1% or 2% that would be applied to the retail sale of prepared food and lodging within the municipality, with 5.2% of the collected revenue dedicated to the state Local Government Fund and the remainder staying in the local option community, and with that local-option revenue also being calculated as additional, theoretical property tax base and added to the municipality's state valuation for the purpose of state subsidy distribution; (5) adjust the "Revenue Sharing II" formula to subtract 15 mills, rather than 10 mills, from the municipality's "property tax burden" in the revenue sharing distribution formula, and split the overall revenue sharing percentage so that 2.6% of all sales and income tax revenue would be distributed as Revenue Sharing I and 2.6% would be distributed as Revenue Sharing II, rather than a straight 5.2% to the Local Government Fund; (6) convert the 4 current income tax rates (2%, 4.5%, 7%, and 8.5%) to three rates (2%, 5%, and 8%) with corresponding adjustments to the three new rate brackets; (7) conform the state income tax personal exemption to the federal exemption; (8) increase the state's earned income tax credit from 5% to 20% of the federal credit and make it refundable (i.e., provided to households with zero income tax obligation); (9) convert the beer and wine excise tax from a cents-per-gallon assessment to cents-per-ounce-of-100% alcohol assessment; (10) create a personal property tax exemption of 70% of the assessed value of personalty that qualifies for BETR reimbursement; (11) keep the BETR program in place with respect to existing enrolled property but curtail the program for property introduced in Maine after April 1, 2003; (12) curtail all BETR reimbursements to the extent the property taxes were being simultaneously reimbursed through a local Tax Increment Financing (TIF) agreement; (13) increase the maximum size of the state's Rainy Day Fund from 6% to 10% of annual state revenue; (14) expand the sales tax base to include a broad range of amusement and recreation, personal, and business and professional services; and (15) authorize municipalities to levy service charges related to direct municipal services provided to institutions otherwise exempt from paying property taxes.

## Transportation

LD 1392 – An Act To Reform Highway Reconstruction Project Cost-sharing. (Sponsored by Rep. Lerman of Augusta; additional cosponsors)

This bill would establish a highway project cost-sharing program for state highway reconstruction projects on federally designated principal arterials, minor arterials, or major collector roads. The bill would allow the Department of Transportation to require a financial match from the municipality in which those reconstruction projects takes place. The municipal match would be assessed on the basis of the respective lengths of the highway being reconstructed according to the posted speed limits. The municipal match requirements would be:

2.5% of the project costs for road lengths with a posted speed between 40 mph and 45 mph; 5% for road lengths with a posted speed between 35 mph and 40 mph; 7.5% for road lengths with a posted speed between 30 mph and 35 mph; and 10% for road lengths with a posted speed less than 30 mph. No municipal charges could be assessed to highway reconstruction within urban compact areas. The maximum municipal match would be capped at 1 mill of the municipality's state valuation.

## 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 24**

#### **Agriculture, Conservation & Forestry Room 206, Cross State Office Building, 1:00 p.m. Tel: 287-1312**

LD 1194 – An Act To Improve Services of Animal Shelters. (Sponsored by Sen. Sawyer of Penobscot County; additional cosponsors)

LD 1215 – An Act To Amend the Animal Welfare Laws and Improve Funding. (Sponsored by Rep. Millett of Waterford; additional cosponsors)

#### **Criminal Justice & Public Safety Room 211, Cross State Office Building, 9:00 a.m. Tel: 287-1122**

LD 1230 - An Act To Provide Mandatory Minimum Penalties for Vandalizing a Street Sign or Traffic Control Sign. (Sponsored by Rep. Snow-Mello of Poland; additional cosponsors)

#### **Judiciary Room 438, State House, 1:00 p.m. Tel: 287-1327**

LD 1029 – An Act To Amend the Laws Governing Private Property on Which a Body Is Buried. (Sponsored by Rep. McNeil of Rockland [by request]; additional cosponsor)

LD 959 – An Act To Require the Chief Medical Examiner To Perform Tests When Public Safety or Health Care Personnel are Exposed. (Sponsored by Rep. Maietta of South Portland)

LD 1079 – Resolve, To Establish the Committee To Study Compliance with Maine's Freedom of Access Laws. (Emergency) (Sponsored by Rep. Koffman of Bar Harbor; additional cosponsors)

LD 1203 – An Act Concerning Executive Sessions of Public Bodies. (Sponsored by Rep. Glynn of South Portland)

#### **Marine Resources Room 437, State House, 10:00 a.m. Tel: 287-1337**

LD 1388 – An Act To Expand the Mission of the Marine Patrol. (Sponsored by Sen. Damon of Hancock County; additional cosponsors)

#### **State & Local Government Room 216, Cross State Office Building, 9:00 a.m. Tel: 287-1330**

LD 1128 – An Act To Amend the Town Line between Yarmouth and Cumberland. (Sponsored by McKenney of Cumberland; additional cosponsors)

LD 1126 – An Act to Ensure Consistency in the Records and Documents of State & Local Government. (Sponsored by Rep. Heidrich of Oxford; additional cosponsors)

LD 1074 – An Act To Prohibit Disbursement of Funds by the State, Municipalities and Counties to Certain Nonprofits and Require the Secretary of State To Develop a System of Registration. (Sponsored by Rep. Joy of Crystal; additional cosponsors)

#### **1:00 p.m.**

LD 1063 – An Act Concerning Municipal Firearms Discharge Ordinances. (Sponsored by Rep. Dunlap of Old Town; additional cosponsors)

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

LD 206 – An Act to Expand the Maine Residents Property Tax Program. (Sponsored by Rep. Mills of Cornville; additional cosponsor)

LD 382 – An Act To Enhance the Maine Residents Property Tax Program. (Sponsored by Rep. Richardson of Brunswick; additional cosponsors)

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

LD 753 – An Act To Facilitate the Application Process for the Maine Residents Property Tax Program. (Sponsored by Rep. Eder of Portland; additional cosponsors)

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

#### **Utilities & Energy Room 209, Cross State Office Building, 10:30 a.m. Tel: 287-4143**

LD 7 – An Act to Address Funding of the North Jay Water District. (Emergency) (Sponsored by Rep. Pineau of Jay)

LD 655 – An Act To Revise the Charter of the Brunswick Sewer District. (Sponsored by Rep. Gerzofsky of Brunswick; additional cosponsors)

LD 678 – An Act To Amend the Charter of the Lubec Water and Electric District. (Sponsored by Sen. Shorey of Washington County)

LD 967 – An Act To Amend the Charter of the Madawaska Water District. (Sponsored by Sen. Martin of Aroostook County; additional cosponsor)

LD 1212 – An Act To Create the Bayside Utilities District. (Sponsored by Rep. Ash of Belfast; additional cosponsors)

LD 1252 – An Act To Authorize Water and Wastewater Districts To Lease Their Assets. (Sponsored by Rep. McLaughlin of Cape Elizabeth; additional cosponsors)

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)

LD 1042 – An Act To Ensure Proper Funding of the Public Utilities Commission. (Sponsored by Rep. Bliss of South Portland; additional cosponsors)

*(continued on page 7)*

*Tuesday, March 25*

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

LD 688 – An Act To Provide Incentives for Municipalities To Adopt a Building Rehabilitation Code. (Sponsored by Rep. Koffman of Bar Harbor; additional cosponsors)

**Inland Fisheries & Wildlife  
Elks Club, Augusta, 1:00 p.m.  
Tel: 287-1338**

LD 778 – An Act To Create the Snowmobile Trail Fund Advisory Council. (Sponsored by Rep. Clark of Millinocket; additional cosponsors)

LD 114 – An Act to Enhance Trail Revenue. (Sponsored by Rep. Lundeen of Mars Hill [by request]; additional cosponsors)

LD 647 – An Act To Prohibit Personal Watercraft on Lake St. George in the Town of Liberty. (Sponsored by Rep. Piotti of Unity; additional cosponsor)

**Judiciary  
Room 438, State House, 1:00 p.m.  
Tel: 287-1327**

LD 490 – An Act Concerning Citizens' Property Rights. (Sponsored by Rep. Collins of Wells; additional cosponsors)

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

LD 1183 – An Act Regarding Abandoned Rights-of-way. (Sponsored by Sen. Hall of Lincoln County; additional cosponsor)

**Transportation  
Room 126, State House, 1:00 p.m.  
Tel: 287-4148**

LD 739 – An Act To Clarify Handicapped Parking Status for Disabled Veterans. (Emergency) (Sponsored by Rep. McKee of Wayne; additional cosponsors)

LD 837 – An Act To Require Motorists To Use Caution When Approaching a Safety Zone. (Sponsored by Rep. Bull of Freeport; additional cosponsors)

LD 621 – An Act To Increase the Debt Limit of the Rockland Port District. (Sponsored by Rep. McNeil of Rockland; additional cosponsor)

*Wednesday, March 26*

**Criminal Justice & Public Safety  
Room 211, Cross State Office Building, 1:00 p.m.  
Tel: 287-1122**

LD 1110 – An Act Creating an Alternate Concealed Weapons Permit Process. (Sponsored by Rep. Glynn of South Portland)

LD 1111 – An Act To Implement Full Reciprocity of Concealed Weapons Requirements. (Sponsored by Rep. Glynn of South Portland)

LD 1125 – An Act To Eliminate the Concealed Weapons Permit. (Sponsored by Rep. Cressey of Baldwin)

LD 1164 – An Act To Allow a Victim of Domestic Violence To Carry a Firearm without a Concealed Firearm Permit. (Sponsored by Rep. Vaughan of Durham; additional cosponsors)

*Thursday, March 27*

**Criminal Justice & Public Safety  
Room 211, Cross State Office Building, 1:00 p.m.  
Tel: 287-1122**

LD 475 – An Act To Improve Conditions for Inmates with Mental

Illness. (Sponsored by Rep. Gerzofsky of Brunswick; additional cosponsors)

LD 1186 – An Act to Revise the Reimbursement by the County Jail Prisoner Support and Community Corrections Fund and To Provide Additional Support to County Jails. (Sponsored by Sen. Strimling of Cumberland County)

**Labor  
Room 220, Cross State Office Building, 1:30 p.m.  
Tel: 287-1122**

LD 1131 – An Act to Require that Certain Employees Be Paid on a Weekly Basis. (Sponsored by Rep. Twomey of Biddeford; additional cosponsors)

LD 1117 – An Act Regarding Wrongful Discharge. (Sponsored by Rep. Hutton of Bowdoinham; additional cosponsors)

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

LD 507 – Resolve, To Allow the Town of Dennysville To Sue the State and the Atlantic Salmon Commission for Breach of Contract. (Sponsored by Rep. Goodwin of Pembroke)

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

LD 1234 – An Act To Protect Moderate-value and High-value Bird Habitats. (Sponsored by Rep. Fiaircloth of Bangor; additional cosponsors)

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

LD 1100 – An Act To Amend the Foreclosure Process. (Sponsored by Rep. Cressey of Baldwin)

LD 1172 – An Act To Assist American Mills with Tree Growth Management Plan Products. (Sponsored by Rep. Jackson of Fort Kent; additional cosponsors)

LD 698 – An Act To Increase the Amount Transferred through State-municipal Revenue Sharing. (Sponsored by Rep. Cressey of Baldwin; additional cosponsors)

**Transportation  
Room 126, State House, 1:00 p.m.  
Tel: 287-4148**

LD 923 – Resolve, To Increase Safety in Stockton Springs. (Sponsored by Rep. Kaelin of Winterport; additional cosponsors)

LD 924 – Resolve, To Enhance Public Safety in Winterport. (Sponsored by Rep. Kaelin of Winterport; additional cosponsors)

LD 925 – Resolve, Directing the Department of Transportation To Repair Swan Lake Road in the Town of Frankfort. (Sponsored by Rep. Kaelin of Winterport; additional cosponsors)

LD 1050 – Resolve, To Establish the Task Force to Study the Feasibility of Adding an Interchange for Access to the Lakes Region Area. (Emergency) (Sponsored by Rep. Cressey of Baldwin; additional cosponsors)

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

*(continued on page 8)*

# Municipal Inspector on the Plumbers' Examining Board

During its work session on LD 682, *An Act to Expand the Membership of the Plumbers' Examining Board to Include a Local Plumbing Inspector*, House Chair Rep. Nancy Sullivan (Biddeford) persuaded the Business, Research and Economic Development Committee (BRED) to add a municipal Local Plumbing Inspector (LPI) to the Plumbers' Examining Board.

Though the Plumbers' Board has traditionally regulated the plumbing trade, in 1997 the Board became responsible for selecting and adopting a national plumbing code that would apply statewide. Rep. Chris O'Neil

(Saco) sponsored LD 682 in an attempt to expand the composition of the Plumbers' Board in response to the Board's expanded function to include a municipal LPI.

Much discussion surrounded the current composition and function of the Plumbers' Board. The Board is comprised of two master plumbers, two journeymen plumbers and one member of the public. BRED Committee members were told that one of the current members of the Board has dual representation as both a master plumber and a LPI. As amended, LD 682 ensures that a municipal LPI with a minimum of

four years experience will have a position on the Board. Upon the expiration of the term of the member with dual representation, the municipal LPI will take a seat at the table. The Board membership is adjusted by substituting one of the two positions reserved for a journeymen plumber with the municipal plumbing official.

Convinced that the adoption of certain national plumbing codes could result in an increased cost to municipalities, Rep. Sullivan made the case to her Committee to let the municipal LPI have a seat at the table and participate in the discussions of the adoption of a statewide code. Just prior to the vote, Rep. Sullivan asked BRED Committee members, "Why is it wrong to have a person on the municipal level to be at the table? It must be a fear of discussion."

## HEARINGS (cont'd)

*Friday, March 28*

**Business, Research & Economic Development  
Room 208, Cross State Office Building, 9:30 a.m.  
Tel: 287-1331**

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

**Legal & Veterans Affairs  
Room 436, State House, 9:30 a.m.  
Tel: 287-1310**

LD 820 – An Act To Prohibit a Governmental Entity from Endorsing a Political Candidate or a Referendum Issue. (Sponsored by Rep. Berry of Belmont; additional cosponsors)

LD 981 – An Act To Ensure Segregation of Spoiled Ballots. (Sponsored by Sen. Gagnon of Kennebec County; additional cosponsors)

**State & Local Government  
Room 216, Cross State Office Building, 9:00 a.m.  
Tel: 287-1330**

LD 1210 – Resolve, ~~to~~ Establish the Intergovernmental Advisory Commission. (Sponsored by Rep. Bowen of Rockport; additional cosponsors)