

## Legislature Enacts "Current Services" State Budget

By easy "super majority" margins, the Legislature enacted a basic state budget for the next biennium on Thursday this week, setting the stage for the next major efforts on the agenda of the Legislature and Governor Baldacci – health care reform and comprehensive tax reform.

Budget issues have not been entirely erased from the Legislature's dance card with the enactment of this \$5.3 billion, keep-the-store-open state budget. A supplemental budget to bridge a \$23 million shortfall between now and June 30<sup>th</sup> has to be enacted, and the just-enacted "Part I" FY 04-05 budget will need to be adjusted in the near term to account for a recently reprojected \$48 million new shortfall over that two-year period.

There are also a lot of restorations legislators would like to make in the "Part 2" supplemental budget. Lawmakers talk about restoring some of the social services that have been cut in the budget just enacted, or the Bureau of Liquor Enforcement officers to cancel out the shift of enforcement responsibilities from state to local government, or the \$1 million accountability program put into motion last session but now moved to the back burner... a program that would constantly evaluate the value and benefits of all programs financed by state tax resources. How these restorations would be paid for is entirely unclear because the financial resources to buy back these programs appear phantom.

The municipal impacts of the new

state budget have been discussed in previous editions of the *Bulletin*. In summary, they are:

- A modest increase to General Purpose Aid to Education (GPA) for FY 04, from \$730 million (original FY 03 appropriation) to \$732 million, representing the state's contribution to a \$1.68 billion total cost. By the most conservative estimates, the property tax increase will be in the \$35 million range. Specific information regarding the actual GPA distributions to each school administrative unit is available at a web site link (<http://www.state.me.us/education/data/LeadershipRequest25Mar03.htm>). Contact Laura Veilleux at MMA if you would like a hard copy.

- A reduction in the Homestead Exemption benefit for "homesteads" with a value greater than \$125,000. The reduction in benefit will take effect for the tax year beginning on April 1, 2003. For homesteads over \$125,000 in value, the value of the exemption will drop from \$7,000 to \$5,000. For homesteads over \$250,000, the exemption will drop to \$2,500. The definition of how much land is included with the "homestead" for the determination of value was not addressed by the Legislature, even though MMA requested that definition.

- The elimination of the entire enforcement arm of the Bureau of Liquor Enforcement, including nearly 20 front-line liquor enforcement officers.

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## Jeff Austin Joins MMA Advocacy Team

A new lobbyist has joined MMA's advocacy team to complement the work of Kate Dufour and Geoff Herman, and to replace Kirsten Hebert who recently left MMA to become the Director of Government Affairs for the Maine Rural Water Association.

Jeff Austin comes to MMA from the Office of Corporate Counsel and the Assessor's Office for the City of Boston, Massachusetts. An attorney admitted to both the Maine and Massachusetts bar, Austin has deep background experience in assessing practices, property tax exemptions, affordable housing programs, and a variety of other urban or "service center" municipal issues.

Settling with his wife Meagan in the Town of Falmouth, Austin begins his advocacy for MMA on March 31.

## BUDGET (cont'd)

The enforcement task is to be picked-up by local or county (i.e., property tax based) law enforcement.

- Dozens of smaller cuts, shifts, and fee increases.

- In the smaller cuts department, the state's modest stipend to free public libraries is gone, as is its stipend to municipal fire wardens. Planning grants from the State Planning Office will be reduced and the "URIP" local road assistance grants will be slightly reduced in FY 04 because the state's overall Highway Fund budget for transportation (of which URIP is a percentage share) will be reduced.

- In the "shift" department, \$24 million over the biennium will be moved from the Highway Fund to 46 "urban compact" municipalities for very generally described transportation purposes, and every dollar those municipalities receive will be subtracted from their municipal revenue sharing, releasing those revenue sharing dollars to the state's General Fund. \$15 million over the biennium will be stripped out of the Maine State Housing Authority's low-income housing HOME program, a sum that is apparently scheduled to be replaced in the Governor's yet-to-be-released bond proposal. Also, \$1 million will be pulled from FY 05 municipal revenue sharing and then re-distributed through a set of unwritten rules to "municipalities that have demonstrated that they have adopted administrative and other service delivery practices that achieve cost savings in operating funds re-

lated to administrative services and that the money has been directed for property tax relief."

- In the "increased fees" department, last week's *Bulletin* budget update article reported on the Governor's proposal to increase all hunting and fishing license fees for residents by \$6 and all nonresident and alien license fees by \$10. In the final budget, that proposal was replaced with a "temporary" increase of \$3 on every license, permit, application, registration fee beginning January 1, 2004 and January 1, 2005, except that the temporary increase for ATV and snowmobile reg-

istrations is \$13 for residents and \$30 for nonresidents will begin on July 1, 2003 and July 1, 2004. All temporary license and registration fee increases are repealed on June 30, 2005. Beginning in 2005 and every biennium thereafter, 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 that *Bulletin* article we also reported on the Governor's proposal to require the registration of kayaks and canoes. That proposal was not included as part of the final budget.

## Rate of Growth Ordinances and State Planning Reviews

By a split vote in favor, the Natural Resources Committee gave a preliminary "ought to pass as amended" report to LD 531, *An Act to Clarify the Use of Municipal Rate of Growth Ordinances*.

Under current law, any municipal ordinance that limits 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. There are some narrow exceptions to that general requirement for those municipalities that are working on their growth management programs under planning grants issued by the State Planning Office (SPO).

As printed, LD 531 would have established additional standards and limitations on the municipal authority to maintain growth rate ordinances. Specifically, the bill would have allowed three types of growth rate ordinances. (1) "Temporary" growth rate ordinances, which could not be applied for periods greater than two years; (2) "Ongoing" growth rate ordinances, which could be enacted to control the number of building permits issued in a municipality's "rural", low-growth zones provided the ordinance was consistent with the municipality's com-

prehensive plan; and (3) The formula to determine the number of permits issued under "ongoing" growth rate ordinances that apply to the municipality's growth areas would be established by the SPO under the terms of the printed bill.

Before emerging from the Committee process, LD 531 went in a couple of different directions. The first focus of the Committee was the idea of creating a municipal authority to adopt temporary growth rate ordinances even if the community has not yet adopted a comprehensive plan.

Ultimately, the Committee moved away from that focus and rewrote the bill to expressly authorize municipalities to establish two different building permit limits – one rate of limitation that would apply in the municipality's designated growth area, and a more restrictive limitation to be applied in the community's rural, low-growth areas.

The motion to recommend the bill to the Legislature with that focus won the day, with just three dissenting votes among the Committee members.

**SPO Review Process.** A related bill was presented to the Natural Resources Committee on Friday last week.

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### 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.

# Pine Tree Development Zones on the Fast Track

A major component of Governor Baldacci's economic development stimulus plan was presented to the Business, Research and Economic Development Committee on Friday, March 21<sup>st</sup>.

LD 1385, *An Act to Establish the Pine Tree Development Zones Program*, seeks to encourage business development in the most economically distressed areas of Maine by creating municipally-authorized tax free zones to entice businesses to locate into those areas. The Department of Economic and Community Development (DECD) would administer the program and the tax incentives offered in the zone would be available to qualifying businesses for a ten-year period. Only for-profit financial, manufacturing or targeted technology businesses would be qualified to receive the tax benefits of locating within a zone, such as biotechnology, aquaculture, marine, composite materials, environmental, information and precision manufacturing technologies, etc. The incentives provided under the Pine Tree Development Zone Program, unless extended by a future Legislature, would end on December 31, 2018.

A maximum of eight Pine Tree Development Zones would be created statewide. Each zone would be limited to 5,000 acres and could consist of no more than twenty non-contiguous parcels of property. Qualifying businesses locating in the zones would be entitled to several tax breaks including: 1) a ten-year exemption from real estate and personal property taxes; 2) a ten-year exemption from sales taxes on equipment and building materials to construct the business; 3) a ten-year exemption from employee withholding taxes; and 4) a 100% corporate income tax exemption for the first five years the business is located in a

zone and a 50% exemption for second five-year period.

Four of the zones would be located in predetermined areas of the state including Aroostook County, Androscoggin Valley region, Penobscot Valley region and the Washington County/Downeast region. The remaining four zones would be awarded on a competitive basis in any area of the state as long as a municipality or group of municipalities applying for the zone illustrated economic need and presented a development plan outlining how the zone would be administered. The Commissioner of DECD would be responsible for reviewing applications and awarding zones on the basis of the severity of economic distress in the region and the viability of the proposed development plan.

All Pine Tree Development Zones would be ultimately created by a vote of the local legislative body (town meeting or town or city council) in conjunction with other participating municipalities. Participating municipalities would also be required to provide at least one pre-permitted construction or development site in the zone at all times.

At the public hearing several members of the Legislature, including bill sponsor Sen. Lynn Bromley (Cumberland Cty.), and members of the business lobby and economic development community testified in support of the bill. Much of the testimony was general in nature, focusing on need to foster economic development in distressed areas of Maine.

MMA testified "neither for nor against" the bill.

On the plus side, municipal officials certainly understand the need for new economic development in the state and appreciate the fact that the new jobs created by the targeted

development would have to include a certain level of employee benefits. The tax-free zones could be created only through the voluntary actions of a municipality or group of municipalities, so the creation of the zones depend on community buy-in. The 10-year, 100% property tax exemption is entirely straightforward so that municipalities will only participate with their eyes wide open about the tax consequences.

On the other side of the proposal, municipalities are concerned that the proposal will pit community against community in an effort to entice new businesses. The towns and cities located outside the boundaries of the development zones will feel the pressure to increase Tax Increment Financing (TIF) activities in order to keep or attract businesses. Although language in the bill would discourage the benefits of the Pine Tree Zones from serving to relocate businesses within Maine, relocation activity is not strictly prohibited.

Municipal officials are also concerned that the proposal doesn't get to the root of the problem. It is clearly the case that the proponents of the tax-free zones believe that Maine's existing tax structure is impeding development. Municipal officials believe that a structural, long-term solution is needed to stimulate economic development. By examining the entire property, sales and income tax structure and making comprehensive changes to the existing tax code, municipalities believe a long-term and more holistic solution could be developed.

Wasting no time, after the public hearing the Committee immediately held a work session on the bill. Although a fair amount of Committee discussion focused on the concern over the speed with which the bill was moving forward, the Committee ultimately supported the bill by a margin of 9:2. LD 1385 was reconsidered on Tuesday this week, and at that time received the unanimous endorsement of the members the Business, Research and Economic Development Committee.

(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).)

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

LD 1025 – An Act To Ensure Uniform Code Compliance and Efficient Oversight of Construction in the State. (Sponsored by Sen. Hall of Lincoln County; additional cosponsor)

This bill would establish the Office of Building Codes within the Department of Professional and Financial Services. The new Office would be responsible for licensing all building inspectors who may or may not be municipal or state employees. All residential and commercial buildings constructed in the state would have to be inspected by an inspector licensed by the Office to ensure that the buildings were constructed according to the applicable municipal and state building codes. Municipalities are authorized but not required to provide the building inspection service under this bill.

### **Legal & Veterans Affairs**

LD 486 – An Act To Protect Communities Affected by Casino Gambling Operations. (Sponsored by Rep. Lemoine of Old Orchard Beach)

This bill is a "concept draft" that proposes to require a portion of the revenue received by the State and the community in which a casino is located, in the event casino gambling is allowed by the State, to be allocated to the towns surrounding the host community to offset the impacts of the casino.

LD 1201 – An Act To Require the Owner or Operator of a Casino To Improve or Replace Utilities and Infrastructure in the Vicinity of the Casino. (Sponsored by Rep. Collins of Wells; additional cosponsors)

This bill would obligate the owner or operator of a gambling casino to certain water, sewer, utility and road construction and repair responsibilities within 25 miles of the casino.

LD 1242 – An Act To Recognize the Regional Impact of Casino-style Gambling Facilities. (Sponsored by Rep. Lemoine of Old Orchard Beach)

This bill would require that before any gambling casino can be operated, the legislative body of the host community and the legislative body of all abutting municipalities must approve the casino's operation.

LD 1300 – An Act Regarding the Presence of a Candidate at a Polling Place on Election Day. (Sponsored by Rep. Hutton of Bowdoinham; additional cosponsors)

Current law allows candidates for elected office to be at the polling place provided they do not solicit votes. This bill would allow candidates at the polling place only for the purpose of voting and prohibits candidates or their surrogates from loitering at the polling place or within 250 feet of it.

### **State & Local Government**

LD 1140 – An Act To Provide for the Appointment of

County Treasurers, Registers of Deeds and District Attorneys. (Sponsored by Rep. Bull of Freeport; additional cosponsors)

This bill would repeal the sections of Maine law that establish elected county treasurers, registers of deeds and district attorneys, and provide that those three positions would be appointed by the county commissioner instead.

LD 1216 – An Act To Amend the Laws Regarding County Government. (Sponsored by Rep. Barstow of Gorham; additional cosponsors)

This bill would require all the counties to adopt a charter by January, 2006 and establish the Office of District Attorney as an appointed rather than elected position. This bill would also establish residency requirements for the registers of probate and deeds, and minimum qualifications for county treasurer of a bachelor's degree in business, accounting or a related field.

LD 1289 – An Act Concerning County Treasurers. (Sponsored by Sen. Mayo of Sagadahoc County; additional cosponsors)

This bill would authorize the county commissioners, rather than the county-wide voters, to change the office of county treasurer from an elected to an appointed position.

### **Taxation**

LD 1337 – An Act To Stabilize the Maine Dairy Industry, Protect Consumers against Price Gouging on Milk and Eliminate the BETR/TIF Double Dip. (Sponsored by Rep. Mills of Cornville; additional cosponsors)

This rather eclectic bill would define and prohibit price gouging with respect to the retail sale of milk and eliminate the BETR/TIF "double dip" by blocking BETR tax reimbursements to businesses that to the extent the tax payment is being reimbursed under a TIF agreement.

LD 1338 – An Act To Reform the Tax Laws. (Sponsored by Rep. Dunlap of Old Town)

This bill would authorize a municipality to adopt by referendum a local option sales tax that replicates and replaces the state sales tax in the municipality and/or a local option income tax that replicates and replaces the state income tax in that community. The revenue generated from the application of the local option taxes would be subtracted from the municipality's school subsidy payments and any amount of local option revenue that exceeded the school subsidy would have to be used to reduce the property tax commitment.

LD 1421 – An Act To Reduce Property Taxes. (Sponsored by Sen. Brennan of Cumberland; additional cosponsors)

This bill would send out to the voters a referendum question to ratify a legislative proposal to increase the sales tax rate from 5% to 6% with the additional revenue being split between two purposes: (1) to increase the value of the homestead exemption from \$7,000 to \$20,000; and (2) to supplement (rather than supplant) the state's appropriation for General Purpose Aid to Education.

### **Transportation**

LD 1414 – An Act To Amend the Laws Regarding Storage of Sand and Salt and To Provide Funding for State and Municipal Storage Facilities. (Sponsored by Rep. Usher of Westbrook; additional cosponsor)

This bill would amend the biennial Highway Fund budget for FY 04 – 05 to provide \$3 million over the biennium to support the construction of both state and municipal sand-salt sheds. Out of that \$3 million appropriation, \$600,000 would be made available each year of the biennium for municipal facilities.

# 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 31**

### **Appropriations & Financial Affairs**

**Room 228, Cross State Office Building, 1:00 p.m.**

**Tel: 287-1635**

LD 749 – Resolution, Proposing an Amendment to the Constitution of Maine To Control State Spending Based on Certain Guidelines. (Sponsored by Rep. Andrews of York; additional cosponsors)

LD 1307 – Resolution, Proposing an Amendment to the Constitution of Maine To Create the Maine Economic Stabilization and Endowment Fund. (Sponsored by Rep. Woodbury of Yarmouth; additional cosponsors)

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

### **Education & Cultural Affairs**

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

**Tel: 287-3125**

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)

LD 1205 – Resolve, Regarding the Effect of the Income Factor on General Purpose Aid for Local Schools. (Sponsored by Rep. Mills of Cornville; additional cosponsors)

LD 1112 – An Act To Restore an Annual Adjustment for Costs to the School Funding Formula. (Sponsored by Rep. Collins of Wells; additional cosponsors)

LD 1303 – An Act To Provide for Full State Funding for Special Education Costs. (Sponsored by Rep. Lemoine of Old Orchard Beach; additional cosponsors)

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)

**3:00 p.m.**

LD 931 – An Act To Provide Certain Health Emergency Training to High School Seniors. (Sponsored by Rep. Blanchette of Bangor; additional cosponsors)

### **State & Local Government**

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

**Tel: 287-1330**

LD 1140 – An Act To Provide for the Appointment of County Treasurers, Registers of Deeds and District Attorneys. (Sponsored by Rep. Bull of Freeport; additional cosponsors)

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)

LD 1216 – An Act To Amend the Laws Regarding County Government. (Sponsored by Rep. Barstow of Gorham; additional cosponsors)

LD 1289 – An Act Concerning County Treasurers. (Sponsored by Sen. Mayo of Sagadahoc County; additional cosponsors)

**3:00 p.m.**

LD 1290 – An Act To Provide Requirements for Towns To Deorganize. (Sponsored by Sen. Kneeland of Aroostook County)

## **Tuesday, April 1**

### **Appropriations & Financial Affairs**

**Room 228, Cross State Office Building, 1:00 p.m.**

**Tel: 287-1635**

LD 459 – An Act To Appropriate Funds for the Millinocket Area Growth and Investment Council. (Sponsored by Rep. Duprey of Medway; additional cosponsors)

LD 509 – Resolution, Proposing an Amendment to the Constitution of Maine To Provide That the State Fund 100 Percent of Education for Students from Kindergarten to Postsecondary School. (Sponsored by Rep. Goodwin of Pembroke)

LD 1002 – Resolve, To Provide Emergency Relief for the Schools in East Millinocket. (After Deadline) (Emergency) (Sponsored by Sen. Stanley of Penobscot County; additional cosponsors)

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

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

**Tel: 287-1122**

LD 1244 – An Act To Increase the Penalties for a Person Who Vandalizes Cemetery Property. (Sponsored by Rep. Snow-Mello of Poland; additional cosponsors)

### **Health & Human Services**

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

**Tel: 287-1317**

LD 1066 – An Act to Address the Temporary Maximum Levels of Assistance for General Assistance Established in 1991. (Sponsored by Rep. Dudley of Portland; additional cosponsors)

### **Judiciary**

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

**Tel: 287-1327**

LD 1306 – An Act Relating to the Use and Disposal of Personal Information by Certain Commercial, Governmental and Other Entities. (Sponsored by Rep. Goodwin of Pembroke)

### **Labor**

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

**Tel: 287-1122**

LD 718 – An Act To Create a New Pension System for Newly Hired Teachers and State Employees. (Sponsored by Rep. Mills of Cornville)

LD 1343 – Resolve, To Create the Task Force To Study Parity and Portability of Retirement Benefits for State Law Enforcement Officers, Municipal Law Enforcement Officers and Firefighters. (Emergency) (Sponsored by Rep. Richardson of Brunswick; additional cosponsors)

LD 1352 – An Act To Amend the Benefit for Accidental Death in the Line of Duty for Law Enforcement Officers. (Sponsored by Rep. Richardson of Brunswick; additional cosponsors)

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## **Natural Resources**

**Room 437, State House, 1:30 p.m.**

**Tel: 287-4149**

LD 853 – An Act To Promote Livable, Affordable Neighborhoods. (Sponsored by Rep. Suslovic of Portland; additional cosponsors)

LD 1084 – An Act To Provide Incentives for Affordable Neighborhood Developments. (Sponsored by Rep. Koffman of Bar Harbor; additional cosponsors)

LD 1253 – An Act to Ensure Playground Safety. (Sponsored by Rep. Trahan of Waldoboro; additional cosponsors)

LD 1309 – An Act To Protect Public Health by Reducing Human Exposure to Arsenic. (Sponsored by Rep. Cowger of Hallowell; additional cosponsors)

LD 1067 – An Act To Abolish the State Planning Office. (Sponsored by Rep. Joy of Crystal; additional cosponsors)

## **State & Local Government**

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

**Tel: 287-1330**

LD 1357 – An Act To Encourage Economic Development in Piscataquis County. (After Deadline) (Emergency) (Sponsored by Sen. Davis of Piscataquis County; additional cosponsors)

## **Transportation**

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

**Tel: 287-4148**

LD 1221 – An Act To Prohibit Skateboarding on State Highways. (Sponsored by Rep. Treadwell of Carmel [by request])

## *Wednesday, April 2*

### **Education & Cultural Affairs**

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

**Tel: 287-3125**

LD 1202 – An Act To Require Consistency in the School Budget Process. (Sponsored by Rep. Ash of Belfast; additional cosponsors)

**3:00 p.m.**

LD 1229 – An Act To Provide School Vouchers to Students in Overcrowded Schools. (Sponsored by Rep. Cressey of Baldwin)

### **Labor**

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

**Tel: 287-1122**

LD 919 – An Act To Require Public Improvement Projects Contractors and Subcontractors To Meet Certain Criteria. (Sponsored by Rep. Duplessie of Westbrook; additional cosponsors)

LD 823 – An Act To Distribute Costs for the Funding of Pensions and Health Insurance for Retired Teachers. (Sponsored by Rep. Mills of Cornville)

### **State & Local Government**

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

**Tel: 287-1330**

LD 211 – An Act to Modify the County Budget Procedures for Sagadahoc County. (Sponsored by Rep. Lessard of Topsham; additional cosponsors)

LD 898 – An Act To Amend the Laws Governing Sagadahoc County Commissioner Elections and Budget Hearings. (Sponsored by Sen. Mayo of Sagadahoc County; additional cosponsors)

LD 1199 – An Act To Establish the Lincoln and Sagadahoc Multicounty Jail Authority. (Emergency) (Sponsored by Sen. Mayo of Sagadahoc County; additional cosponsors)

LD 308 – An Act to Streamline Maine's Planning Process. (Emergency) (Sponsored by Rep. Glynn of South Portland; additional cosponsors)

## **Taxation**

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

**Tel: 287-1552**

LD 347 – An Act to Amend School Administrative District Cost-sharing and County Tax Apportionments to Recognize the Value of Property in Municipal Tax Increment Financing Districts. (Sponsored by Sen. Mitchell of Penobscot County; additional cosponsors)

LD 1320 – An Act To Extend Tax Increment Financing Zones To Include the Development of Large-scale Affordable Housing. (Sponsored by Rep. Eder of Portland)

## *Thursday, April 3*

### **Appropriations & Financial Affairs**

**Room 228, Cross State Office Building, 9:00 a.m.**

**Tel: 287-1635**

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)

LD 165 – An Act To Authorize a General Fund Bond Issue in the Amount of \$1,200,000 To Provide Economic Development in Western Maine. (Sponsored by Sen. Bryant of Oxford County; additional cosponsors)

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)

LD 740 – An Act to Authorize a General Fund Bond Issue in the Amount of \$8,200,000 for Use in Implementing the Maine Library of Geographic Information. (Sponsored by Rep. Suslovic of Portland; additional cosponsors)

LD 885 – An Act To Authorize a General Fund Bond Issue in the Amount of \$50,000,000 to Promote Revitalization of Service Center Communities through Infrastructure Improvements. (Sponsored by Rep. Lerman of Augusta; additional cosponsors)

LD 908 – An Act To Authorize a General Fund Bond Issue in the Amount of \$1,000,000 To Provide Funds to Riverfront Municipalities To Develop Riverfront Cultural Heritage Centers. (Sponsored by Sen. Gagnon of Kennebec County; additional cosponsors)

LD 1292 – An Act To Authorize a General Fund Bond Issue in the Amount of \$20,000,000 for Capital Projects and Major Maintenance at State and Municipal Parks and Historic Sites, for Acquiring Land for Coastal and Inland Waterway Access and for Capitalizing a Revolving Loan Fund for Land Trusts and Municipalities To Acquire Land and Conservation Easements for Public Access. (Sponsored by Sen. Daggett of Kennebec County; additional cosponsors)

### **Judiciary**

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

**Tel: 287-1327**

LD 1335 – An Act To Protect Public School Departments, School Committees and Superintendents from Certain Suits and Claims. (Sponsored by Rep. Snowe-Mellow of Poland. [By Request])

LD 1311 – An Act To Clarify the Filing of Municipal Personal Property Tax Liens. (Sponsored by Rep. Norbert of Portland; additional cosponsors)

### **Labor**

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

**Tel: 287-1122**

LD 752 – Resolve, Directing the Department of Labor To Develop the Family Security Fund To Implement the Recommendations of the Committee to Continue to Study the Benefits and Costs for Increasing Access to Family and Medical Leave for Maine Families. (Reported

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by Rep. Colwell of Gardiner pursuant to Resolve 2001, chapter 115)

### **Taxation**

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

**Tel: 287-1552**

LD 22 – An Act to Expand the Sales Tax. (Sponsored by Rep. Bull of Freeport)

LD 746 – An Act To Adopt a Streamlined Sales and Use Tax Agreement That Allows for Local Option Taxes. (Sponsored by Rep. Lemoine of Old Orchard Beach; additional cosponsor)

LD 1094 – An Act To Replace the Sales Tax with a Gross Receipts Tax. (Sponsored by Sen. Gagnon of Kennebec County; additional cosponsor)

LD 1145 – An Act To Create the Maine Community Preservation Fund. (Sponsored by Rep. Mills of Cornville)

### **Transportation**

**Room 126, State House, 9:30 a.m.**

**Tel: 287-4148**

LD 998 – An Act Regarding Motor Vehicle Registration and Inspection Dates. (Sponsored by Sen. Lemont of York County; additional cosponsors)

**1:30 p.m.**

LD 1375 – An Act To Delay the Fiscal Sustainability of the Highway Fund. (Sponsored by Rep. Usher of Westbrook; additional cosponsor)

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

LD 441 – An Act To Encourage the Development and Use of Domestically Produced Renewable Motor Vehicle Fuels. (Sponsored by Sen. Kneeland of Aroostook County; additional cosponsors)

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

### **Friday, April 4**

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

**Room 228, Cross State Office Building, 9:00 a.m.**

**Tel: 287-1635**

LD 228 – An Act to Authorize a General Fund Bond Issue in the Amount of \$20,000,000 To Provide Maine's 7 Technical Collages with Essential Facilities Improvements and Classroom Equipment. (Sponsored by Speaker Colwell of Gardiner; additional cosponsors)

LD 39 – An Act to Authorize a General Fund Bond Issue in the Amount of \$10,000,000 to Promote Affordable Housing. (Sponsored by Sen. Brennan of Cumberland County; additional cosponsors)

LD 164 – An Act to Authorize a General Fund Bond Issue in the Amount of \$30,000,000 To Fund Healthy Schools Through the School Revolving Renovation Fund. (Sponsored by Sen. Treat of Kennebec County; additional cosponsors)

LD 813 – An Act Concerning Multiple Item Bond Issues. (Sponsored by Rep. Clough of Scarborough)

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

**Room 436, State House, 9:30 a.m.**

**Tel: 287-1310**

LD 1300 – An Act Regarding the Presence of a Candidate at a Polling Place on Election Day. (Sponsored by Rep. Hutton of Bowdoinham; additional cosponsors)

LD 1251 – An Act To Increase Access to Information Regarding Referendum Questions. (Sponsored by Rep. Makas of Lewiston; additional cosponsors)

LD 1308 – Resolution, Proposing an Amendment to the Constitution

of Maine To Restrict the Appearance of Referenda on Ballots at General Elections. (Sponsored by Rep. Hotham of Dixfield; additional cosponsors)

### **Natural Resources**

**Room 437, State House, 9:00 a.m.**

**Tel: 287-4149**

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

### **State & Local Government**

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

**Tel: 287-1330**

LD 830 – An Act To Include Androscoggin County in the Law Governing the Use of County Surplus Funds. (Sponsored by Rep. McLaughlin of Cape Elizabeth; additional cosponsors)

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

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

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

**1:00 p.m.**

LD 774 – An Act To Require the Washington County Legislative Delegation to Review the Final Washington County Budget Estimates. (Sponsored by Rep. Goodwin of Pembroke; additional cosponsors)

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

LD 841 – An Act To Increase the Number of County Commissioners in Cumberland County. (Sponsored by Rep. McLaughlin of Cape Elizabeth; additional cosponsors)

LD 1226 – An Act To Clarify the Division of the Positions of Town Assessor and Selectman. (Sponsored by Rep. McKee of Wayne; additional cosponsors)

### **Taxation**

**Room 127, State House, 10:00 a.m.**

**Tel: 287-1552**

LD 208 – Resolution, Proposing an Amendment to the Constitution of Maine Related to the Taxation of Personal Property. (Sponsored by Rep. Lemoine of Old Orchard Beach)

LD 781 – An Act To Repeal the Reimbursement of Personal Property Tax on Business Machines and Equipment. (Sponsored by Rep. Goodwin of Pembroke)

LD 783 – An Act To Make the Business Equipment Tax Reimbursement Program a Local Option. (Sponsored by Rep. Lemoine of Old Orchard Beach)

LD 874 – An Act To Connect the BETR Program with Job Retention. (Sponsored by Rep. Clark of Millinocket; additional cosponsors)

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

LD 1169 – An Act To Phase Out the Business Equipment Tax Reimbursement. (Sponsored by Rep. Trahan of Waldoboro)

LD 1337 – An Act To Stabilize the Maine Dairy Industry, Protect Consumers against Price Gouging on Milk and Eliminate the BETR/TIF Double Dip. (Sponsored by Rep. Mills of Cornville; additional cosponsors)

## GROWTH (cont'd)

LD 1045, *An Act to Require Major Substantive Rules to Govern the State Planning Office's Review of Municipal Comprehensive Plans and Growth Management Programs for Consistency*, was presented to the Committee by Rep. Ron Collins (Wells) on behalf of his home town and other municipalities frustrated by the SPO review process.

Rep. Collins, followed by Well's Town Manager Jonathan Carter, explained how the local comprehensive planning process has been put on hold in that community while the town waits well beyond the statutory deadlines for SPO to pass judgment on the drafted comprehensive plan.

Beyond the review of comprehensive plans, state law now requires growth rate ordinances and impact fee ordi-

nances to be "consistent" with the local comprehensive plan, but there are no guidelines in the SPO rule book that even pertain to that type of consistency determination.

Beyond the obvious importance of an efficient and coherent review process, if the SPO doesn't perform the comprehensive plan or ordinance reviews in a timely manner, the affected municipalities are placed at risk of having their growth rate or impact fee ordinances challenged by real estate developers over the statutory requirement of "consistency".

LD 1045 would address these problems by giving the Legislature oversight over the SPO rules that pertain to "consistency" determinations so that the Legislature will stay on top of that important rule making process. Furthermore, LD 1045 would re-establish the statutory time frames for consistency review in such a way that if SPO

fails to meet the deadlines, the comprehensive plans or ordinances would be deemed "consistent" so that the municipality could move forward in its growth management efforts.

The State Planning Office testified in opposition to the bill, explaining both the acknowledged time delays and the absence of ordinance review standards to a lack of resources, and suggesting that its existing rules are otherwise adequate to the task of determining plan and ordinance "consistency".

On Tuesday this week, the Committee voted to "carry over" LD 1045 to next year's legislative session. In the meantime, the Committee has asked another legislatively-created panel, the *Community Preservation Advisory Committee*, to review the issues raised by the bill and develop recommendations for the Legislature to consider in 2004.