

Legislative BULLETIN

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Bill Would Preempt Local Land Use Authority

A bill that would preempt locally-adopted minimum lot size and road frontage requirements has received a split report by the two legislative committees to which the legislation was submitted, with roughly half the legislators voting to override or preempt the decisions made by local town and city councils and town meetings, and the other half voting to support local decision-making with respect to neighborhood development.

After a joint public hearing (last week) and work session held this week by the Natural Resources Committee and the Business and Economic Development Committee, LD 2099, *An Act to Provide for Liveable, Affordable Neighborhoods* (Sponsor Rep. Ted

Koffman of Bar Harbor) received a vote of 8-7 "ought to pass as amended". At press time, 10 legislators had yet to cast their recommendation.

Rep. Koffman, who recently chaired a growth management study commission, praised the bill for eliminating the unnecessary costs associated with building homes in Maine. Rep. Koffman believes the unnecessary costs are the result of minimum building lot size requirements that exceed one-eighth of an acre and road frontage requirements that exceed 50 feet in those areas of a municipality that are served by water and sewer.

Specifically, LD 2099 proposes the creation of an Augusta-based planning board that would pre-approve affordable housing developments in the nine of the State's 35 labor market areas that have been identified by the Maine State Housing Authority as having an "affordable housing crisis." Within these nine labor markets, there are approximately 130 municipalities that would be impacted by the passage of LD 2099.

Developers proposing large-scale housing developments that include at least 30% affordable housing units would submit their plans to the newly-created *State Affordable Neighborhood Development Review Board*. Once this six-member board determines that the plans meet some as-of-yet undetermined guidelines for an affordable neighborhood, the developer would give the rubber stamp of approval. As soon as the development is approved in Augusta, LD 2099 would prevent

any municipality where the development is ultimately proposed (in those 130 municipalities) from requiring that a single-family house lot in that development contain more than 5,000 sq. ft. or road frontage of more than 50 feet, provided the road is served by – or could be served by – water and sewer service.

In addition to Rep. Koffman, Sen. Lynn Bromley (Cumberland Cty.), Rep. John McDonough (Portland), Rep. Christina Baker (Bangor), the Maine Association of Realtors, the Maine Real Estate and Development Association, several developers, the State Planning Office (SPO), the Maine State Housing Authority, the York County Community Action Agency, and Jackson Laboratories spoke in support of the bill. The Maine Municipal Association was

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State Budget Restorations

Governor King's proposed revisions to the supplemental state budget were presented to the Appropriations Committee this week, addressing the \$91 million in new-found state tax revenue released by the revenue forecasting group a week ago.

The release of new revenue to relieve a larger overall shortfall – a bubble of surplus within a larger deficit – can be confusing, but the Governor's original budget proposal this January already staked out the cuts he would like restored should additional revenues become available, and with a little tinkering around the edges to adjust to new information, his proposed use of the \$91 million fits into those parameters.

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Rep. Ted Koffman of Bar Harbor

PREEMPT (cont' d)

the only opponent.

On February 28, MMA's LPC cast an overwhelming vote in opposition to LD 2099.

Rep. Tom Murphy (Kennebunk) asked how this proposed Augusta template that is intended to apply throughout Maine would work within different regions of the state that may be experiencing a variety of constraints on affordable housing, such as the presence of pervasive environmental restrictions or a surge of homes being purchased as vacation properties.

The Director of SPO, Evan Richert, testified that LD 2099 is a vehicle to allow the state's nurses and police officers to live in the communities they serve, playing off a recent advertising campaign sponsored by the Maine State Housing Association with the same theme. According to SPO, affordable housing comes down to supply and demand, and supply is limited in Maine by overly restrictive local zoning and minimum lot size requirements.

Senator Tom Sawyer (Penobscot Cty.) asked whether the developments were to be taxable properties or whether they would be owned by nonprofit organizations. Richert stated that this element had not been addressed in the bill, but enforced or preemptive tax exempt subsidized housing was something the proponents were willing to discuss.

Ed Suslovic, representing the Maine Association of Realtors, testified in support of the bill by stating that municipal home rule should only be preempted in instances such as this

where local control has failed the citizens of Maine. Suslovic said that the service center communities supported the initiative; in point of fact, the Service Center Coalition took no position on the legislation.

The representative of Jackson Laboratories in Bar Harbor testified in favor of the bill stating that, as Hancock County's top employer, recruitment is hindered due to the excessive cost of living in that area.

As the sole opponent to LD 2099, MMA testified that the proposed review board would hold municipal legislative bodies captive to the Board's approval of a precertified development. Once the Board finds that the proposed development achieves certain as-yet-undefined standards, the developer can then trump the local minimum lot size standards, minimum frontage standards, and certain standards regarding multifamily housing. It is clearly in the interests of the real estate development industry to be able to ignore the minimum lot size requirements upon which the orderly and predictable development of neighborhoods is based; the interests of the State Planning Office and the Maine State Housing Authority in stepping on the ordinances that are largely based on models created by SPO and the regional planning councils over the years is less clear and more disturbing.

MMA is aware of published reports that suggest many suburban municipalities require two acre lot sizes thereby driving up the cost of housing and contributing to the problem of sprawl and housing unaffordability. A review of the suburban ordinances paints a different picture. It is true that larger acreage requirements are typical in zones designated as "rural", thus the larger lot requirements are a disincentive to locate in the resource protection zones and the rural zones thus directing growth towards those zones with public water and sewer. These minimum lot size thresholds are actually the result of recommendations, or model ordinances, previously developed by the regional planning agencies, under the general supervision of the SPO. At the same time, the "urban zone", village or downtown minimum

lot sizes in these suburban communities are typically scaled down into sub-acre minimum lot sizes.

No one suggested that before preempting municipal home rule authority with respect to local zoning, it might be helpful and less disruptive for the State Planning Office to offer new zoning models for the municipalities to incorporate into their regulatory structure. MMA has repeatedly asked the Planning Office to develop and distribute the model regulation the Office believes should replace the previous models, but none have been provided, at least to MMA. For the Real Estate lobby, MSHA, and the SPO, command-and-control seems to be much more effective than education and technical assistance.

As Co-Chair of the Joint Study Commission to Study Growth Management, Senator Lynn Bromley (Cumberland) stated that LD 2099 was an "incremental approach" to resolving the issues surrounding growth management. Sen. Bromley said the growth management study commission put this bill forward to remedy failed local control, and she asked both Committees to support the bill.

Representative Baker (Bangor) described LD 2099 as a wonderful bill because it would create communities like those in Bangor that allow the residents of the community to know one another, the children can play together and the families can stay together longer. Rep. Baker also said that these communities do not burden a municipality's infrastructure.

During the work session, Rep. Murphy asked the representative from MSHA to explain the status of the bond money appropriated for affordable housing. Rep. Murphy expressed his frustration that there is bond money that is available and yet MSHA has no plan in place to make homes affordable other than this proposal of centralized planning and the preemption of local control.

Anyone who would like the final list of the legislators from the two committees who voted to support or oppose LD 2099 should contact MMA's Laura Veilleux at 1-800-452-8786. (KH).

Legislative Bulletin

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

Growth Management Bills Move Forward

The Natural Resource Committee hammered its way this week through the recommendations put forward by the Joint Study Committee to Study Growth Management.

LD 2062, *An Act to Clarify the Use of Municipal Rate of Growth Ordinances*, received the green light from the Committee. As printed, the legislative proposal would have prohibited municipalities from enacting a permanent growth cap in any area other than a designated "rural area." The bill would also requires the municipality's comprehensive plan to justify the need for a growth cap, which is current law. LD 2062 would also have permitted a temporary growth cap for a duration not to exceed two years. The municipality would have been limited to the use of one cap in a ten-year period.

During the public hearing, Senator John Martin (Aroostook Cty.) asked MMA to provide information that would show municipalities that have effectively managed growth. Dwayne Morin, Town Manager of North Berwick, and George Theborge, Falmouth Town Planner, attended the work session and presented a realistic view as to why growth caps can be a necessary and legitimate tool to manage growth.

The Committee amended LD 2062 to allow a municipality to enact a growth cap ordinance provided that the municipality systematically review the need for the cap every three years. The language of the bill still allows a municipality to enact a permanent growth cap in rural areas provided the municipality's comprehensive plan justifies the use of the cap.

The Natural Resource Committee voted LD 2049, *An Act to Authorize the Transfer of Development Rights* "ought to pass as amended" thereby allowing one municipality or a region of municipalities that agree to a system of transferable development rights to

adopt an ordinance implementing the system.

The Committee also voted LD 2070, *An Act to Establish the Community Preservation Advisory Committee* "ought to pass as amended". The bill creates an advisory committee that is charged with reviewing, assessing and recommending the coordination of state and local land use rules and regulations to permit and encourage efficient neighborhood and economic development in growth areas. As amended, the bill removes one Senate seat on the Committee and exchanges it for a member of a historical preservation organization. Since the bill had a fiscal note attached, Sen. Martin persuaded the Maine State Housing Authority (MSHA), where this semi-permanent working group would be housed, to absorb the costs of the public members, to which MSHA agreed.

LD 2061, *An Act to Establish a Pilot Project Program to Provide Incentives for a Multimunicipal Development*, was voted "ought to pass as amended". As drafted, the bill would have provided a new preference for access to the phantom Municipal Investment Trust Fund (MITF) for any municipalities willing to work together in a regional pilot project. Under the current law, the highest priority for financial assistance from the MITF is given to "service center" communities, followed by municipalities with a capital improvement program, then those with a comprehensive plan. Capital improvement projects with regional emphasis are the last tier in the preference hierarchy.

The Committee amended LD 2061 to remove the term "pilot project" and also amended Title 30-A Section 5359-D by removing the preference for service center communities and replacing this highest preference with a priority for two or more municipalities with comprehensive plans that seek finan-

cial assistance to do a regional project. It was the intent of the Committee to allow those municipalities that wanted to participate in regional planning to be able to do so without having to meet the designation of "service center" community. (KH)

BUDGET (cont'd)

Specifically, the Governor would appropriate the \$91 million as follows:

\$20 million – Restore Medicaid and other Social Service Programs to the Department of Human Services. Among many other services, this restoration would prevent the elimination of the Medicaid co-pay for senior citizen ambulance services.

\$10 million – Restore Medicaid/Social Service program to the Department of Behavioral and Developmental Services.

\$9 million – Ensure full funding of the state's obligation to reimburse schools for the special education services to "state agency clients" and wards of the state.

\$33 million – Replenish the state's Rainy Day Fund, which was almost entirely tapped-out to address the initial revenue shortfall first identified last November.

\$7 million – Implement, rather than delay, a law previously enacted that would index the income brackets in Maine's income tax code to inflation to prevent cost-of-living salary adjustments pushing taxpayers into higher income tax rate categories.

\$5 million – Bring Maine's income tax code into full conformity with the federal income tax code to avoid separate standards or definitions applying at the federal and state level.

\$2 million – Reduce the appropriation for the Circuit Breaker property tax relief program, an appropriation that is calculated in part on the basis of personal income projections.

\$2.6 million – Restore a proposed 2% cut to the University of Maine system.

\$1 million – Restore a proposed reduction in funding for research and development programs in the University system. (GH)

Excise Taxes, Posted Roads and Other Transpo Issues

In the last two weeks, the Transportation Committee has discussed and taken action on three issues of municipal interest: 1) excise tax task force recommendations; 2) posted roads; and 3) subdivision traffic review.

Excise Tax

As reported in an article published in the February 22nd edition of the *Legislative Bulletin*, the Committee met Monday, February 25th to discuss their options regarding the recommendations of the Secretary of State's task force to study the excise tax.

At the request of Rep. Gary Wheeler (Eliot), Maine Revenue Services' Larry Record presented to the committee a proposed adjustment to the existing excise tax rate schedule that would reduce the excise tax paid in the first year from 24 mills down to 20 mills, while holding municipalities "harmless" from a gross revenue perspective. As illustrated in the accompanying chart, the proposal would extend the current six-year schedule to a nine-year schedule, both of which bottom out at a rate of 4 mills. The chart also illustrates how "revenue neutrality" is achieved by demonstrating the existing and proposed excise tax rates on a \$21,500 vehicle.

At its February 28th meeting MMA's 70-member Legislative Policy Committee (LPC) voted to oppose the recommendations of the task force as well as the proposed restructured tax schedule. The LPC voted to oppose the restructured tax schedule proposal because it shifts the burden of the excise tax from car owners who are purchasing new automobiles to those that are purchasing or retaining older vehicles. Using the example in the chart above, the proposed restructured tax schedule would shift \$129 of excise tax burden from taxpayers purchasing 2002 to 2000 model vehicles to those retaining their 1999 to 1995 models. It's reverse Robin Hood.

Also, the LPC questions the

proposal's purported revenue neutrality. While on paper the proposed excise tax schedule change is revenue neutral, current trends in some communities have illustrated high turnover rates in automobiles that are less than three years old. In these communities, residents are purchasing new cars more frequently and are thereby regularly generating revenue on the higher end of the excise tax schedule. The LPC believes that a downward adjustment of the mill rate in the first three years will reduce overall excise tax revenue collections in these communities.

The Transportation Committee will be discussing this issue again on Tuesday, March 6th.

Posted Roads

On Tuesday of this week, the Transportation Committee unanimously voted to oppose LD 1982, *An Act to Reduce the Economic Impact of Seasonally Posted Roads*. Although as drafted the bill appeared harmless, the testimony provided at the public hearing by the proponents made it obvious that the legislation was targeted at restricting a municipality's authority to post and limit travel on posted roads. The Transportation Committee intends to send a letter to the MDOT and MMA encouraging the two entities to work on a posted roads education program.

Subdivision Traffic Review

On Tuesday, February 19th the Transportation Committee voted to support an amended version of LD 2082, *An Act to Amend the Subdivision Review Criteria for Traffic*. As amended the bill expands the traffic subdivision review criteria by requiring the Department of Transportation to provide documentation that a proposed driveway or entrance on a state or state aid arterial conforms to DOT statutes and rules.

Other Issues

Although legislative committee work was supposed to be completed by today (March 1), three transportation related issues have not been resolved.

LD 2092, *An Act to Make Additional Allocations from the Highway Fund and Other Funds for the Expenditures of State Government ... for the Fiscal Years Ending June 30, 2002 and June 30, 2003*. As proposed LD 2092 would authorize an additional \$2 million in expenditures in FY 02 and \$4 million in FY 03 of Highway Fund revenues by the Department of Administrative and Financial Services, Secretary of State's Office and the Department of Transportation. Of particular municipal interest is a \$195,888 FY 02-03 increase to the Urban/Rural Initiative Program (URIP). This URIP increase is due to the indexed nature of the local road assistance formula requiring 9.6% of all highway improve-

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Excise Tax On A \$21,500 Vehicle				
Year	Current Tax Rate	Proposed Tax Rate	Current Amount	Proposed Amount
2002	24.00	20.00	\$ 516.00	\$ 430.00
2001	17.50	16.00	376.25	344.00
2000	13.50	13.00	290.25	279.50
1999	10.00	10.00	215.00	215.00
1998	6.50	8.00	139.75	172.00
1997	4.00	6.00	86.00	129.00
1996	4.00	5.50	86.00	118.25
1995	4.00	5.00	86.00	107.50
1994	4.00	4.00	86.00	86.00
		Total	\$ 1,881.25	\$ 1,881.25

The Pendulum Swings In Aquaculture Debate

The Marine Resource Committee has voted HP 1570, *An Act to Make Changes to the Laws Governing Aquaculture Leasing*, "ought to pass as amended" in a 7-4 vote. Among the changes to the process governing the review and approval of aquaculture leases, the issue of the greatest municipal interest was the proposal in the printed document that provided the local municipal governing bodies (i.e., the town meeting) with a "veto" power over the review and approval of experimental and standard aquaculture lease applications.

Although a procedure that would allow the town meeting to approve or disapprove any aquaculture lease would certainly maximize "home rule", MMA actually spoke against the proposal because it was completely unguided, potentially violates fundamental due process and equal protection rights, and would be very difficult to administer fairly and efficiently.

MMA's preference was to improve the municipal role in the existing process in which the Department of Marine Resources (DMR) reviews and approves aquaculture leases. To the extent the Committee felt it appropriate to provide a direct municipal role in the approval of aquaculture leases, MMA suggested that the municipal decision-making process should be guided by a municipal ordinance meeting certain procedural and substantive standards.

In essence, MMA recommended a process that parallels the licensing of incompatible uses on land. In the licensing of sludge spreading operations, for example, there is a strong process connecting the DEP and the local municipal officials so that municipal concerns can be addressed. Municipalities are also authorized to adopt ordinances that govern the local approval process, although there are constraints on the scope of those ordinances.

After a lot of back-and-forth,

Marine Resource Committee amended HP 1570 to include language that provides municipalities with the option of reviewing lease applications directly. According to the amended language, the Commissioner of DMR is prohibited from issuing a permit in any municipality that has adopted an aquaculture lease siting ordinance without the consent of the municipal officers. This applies to applications for leases that are located within the municipal extended boundary and no more than 2500 feet from mean high water mark.

Representative Dave Lemoine (Old Orchard Beach) said that municipalities have the expertise to adopt the performance standards necessary for the ordinance, and will ensure that local values are maintained through the local regulation.

The bill also amends the notice and public hearing process for both standard and experimental leases. All applicants must return a form to DMR providing intent-to-file notification no less than 30 days before the aquaculture lease application is submitted. The applicant is responsible for obtaining the names of the shorefront landowners within 2500 feet of the proposed lease. Once DMR has received the notice of intent, then the Department must provide notice to the identified "riparian" landowners as well as the municipality in which the proposed lease is situated. Once the Commissioner determines that an application is complete, DMR must provide a copy of the completed application and notice of the hearing to the identified riparian landowners within 2500 feet of the proposed site. Notice of the hearing is also sent to the municipality or municipalities adjacent to the proposed lease. Municipalities may assert "intervenor" status in the lease approval process, which is also available under current law.

Throughout the work sessions on this bill, the issue of local control over

lease placement was a contentious issue. Of the eleven Committee members present on Tuesday, seven members voted for the local control in the amended version of HP 1570. Several members of the Committee stated that they believed the local harbor masters had the expertise to appropriately site the leases. Senator Beth Edmonds (Cumberland Cty.) stated that she would like harbor masters to receive any additional training necessary to make informed recommendations. Members voting against local control expressed concerns that the ocean is a resource that belongs to all Maine citizens and the determination as to lease placement should be left to DMR, which they believe best able to protect the interests of the entire state rather than the interests of just one municipality. (KH)

TRANSPO (cont'd)

ment funds provided to the Department of Transportation to be distributed to municipalities. The Committee will continue to work LD 2092 next week.

LD 2020, *An Act to Promote the Fiscal Sustainability of the Highway Fund*. As proposed this bill provides a long-term sustainable funding solution by increasing (or potentially decreasing) the fuel tax rate by the consumer price index (CPI). Although the Committee has held a work session on the bill, additional discussion is needed. It is anticipated that the Committee will work on this bill next Wednesday (March 6).

LD 2081, *An Act to Implement the Unanimous and Majority Recommendations of the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft*. Although this bill is before the Inland Fisheries & Wildlife Committee, the Transportation Committee is keeping a watchful eye on LD 2081. As proposed, the bill would divert additional fuel tax revenue from the Highway Fund to support snowmobile, ATV and

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IN THE HOPPER

(The bill summaries are written by MMA staff and are not necessarily the proposed bill's summary statement or an excerpt of that summary statement. A more comprehensive list of LDs (of municipal interest) that have been put in the Hopper can be found on MMA's website, www.memun.org)

Agriculture, Conservation & Forestry

LD 2135 – Resolve, Regarding Legislative Review of Chapter 21: Statewide Standards for Timber Harvesting in Shoreland Areas, a Major Substantive Rule of the Department of Conservation. (Emergency) (Reported by Rep. McKee for the Department of Conservation pursuant to the Maine Revised Statutes, Title 5, section 8072.)

This resolve provides final legislative review of rules promulgated by the Department of Conservation creating statewide standards for timber harvesting in shoreland areas (Chapter 21 of the Department of Conservation's Rules).

LD 2141 – An Act to Amend the Animal Welfare Laws and Increase Funding for Animal Welfare. (Reported by Rep. McKee for the Joint Standing Committee on Agriculture, Conservation and Forestry pursuant to Public Law 2001, chapter 399, section 8.)

This bill would establish a 10% surcharge on all penalties imposed by courts for violations of Maine's animal welfare laws and directs those surcharge revenues to be placed in the state's Animal Welfare Fund. The bill also "clarifies" that the first dollar

of the license fee for a registered dog is retained by the municipal clerk as a recording fee and that the next two dollars are to be designated in the municipal Animal Welfare account. The bill also creates the position of 2 new full-time State Animal Welfare Agents, eliminates 4 of the 7 "intermittent" Humane Agent positions, and creates a new full-time Veterinarian position.

Education and Cultural Affairs

LD 2143 – An Act Regarding the Local Governance of School Administrative Units. (Reported by Sen. Mitchell for the Joint Standing Committee on Education and Cultural Affairs pursuant to Joint Order, S.P. 773.)

This bill would implement the recommendations of a Task Force on School Governance by sweeping through the statutes that describe the duties of school boards and the duties of school superintendents, blunting all direct management authority currently given to school boards into more indirect authority to establish policies, and placing direct operational responsibilities squarely with the superintendents rather than the elected boards.

Taxation

LD 2132 – An Act to Allow the Town of Lincoln to Adjust the Definition of Original Assessed Value for a Downtown Tax Increment Financing District. (Emergency) (Governor's Bill) (Sponsored by Rep. Carr of Lincoln; additional cosponsors)

This bill would ensure that the Town of Lincoln can create a tax increment financing district for its downtown using the assessed value of its downtown after the two fires the town recently suffered.

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 at the Legislature's web site at <http://janus.state.me.us/legis>. If you would like to be notified by e-mail of updates to the schedule and web page, send your name, e-mail address, and a message that includes "ANPH UPDATE" to the Senate Webmaster at webmaster_senate@state.me.us.

Monday, March 4

Appropriations & Financial Affairs

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

Tel: 287-1635

LD 2120 – An Act to Authorize a General Fund Bond Issue in the Amount of \$19,300,000 to Construct and Upgrade Water Pollution Control Facilities, to Remove Discharges, to Clean up Tire Stockpiles, to Clean up Uncontrolled Hazardous Substance Sites, to Remediate Solid Waste Landfills, to Make Drinking Water System Improvements, to Address Household Hazardous Wastes and to Promote Standardization and Use of Public Geographic Data. (Governor's Bill) (Sponsored by Sen. Michaud of Penobscot County; additional cosponsors)

LD 2128 – An Act to Authorize a General Fund Bond Issue in the Amount of \$15,000,000 to Capitalize the School Revolving Renovation Fund for Repairs and Improvements in Public School Facilities to Address Health, Safety and Compliance Deficiencies; General Renovation Needs and Learning Space Upgrades. (Governor's Bill) (Sponsored by Rep. Saxl of Portland; additional cosponsors)

LD 2129 – An Act to Authorize a General Fund Bond Issue in the Amount of \$43,000,000 to Improve Homeland Security in Maine, to Renovate a State Office Facility, to Build a New Correctional Facility in Machias and to Make Improvements to the Maine Correctional Center in South Windham. (Governor's Bill) (Sponsored by Rep. Bagley of Machias; additional cosponsors)

LD 2130 – An Act to Authorize a General Fund Bond Issue in the Amount of \$31,150,000 to Stimulate Job Growth in Rural Maine. (Sponsored by Sen. Michaud of Penobscot County; additional cosponsors)

LD 2060 – An Act to Authorize a General Fund Bond Issue in the Amount of \$8,000,000 to Make Public Infrastructure Improvements. (Reported by Rep. Koffman for the Joint Study Committee to Study Growth Management pursuant to Joint Order 2001, H.P. 1330)

Tuesday, March 5

Agriculture, Conservation & Forestry

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

Tel: 287-1312

LD 2111 – An Act to Authorize County Extension Building Associations to Borrow Money. (After Deadline) (Sponsored by Rep. Skoglund of St. George; additional cosponsors)

Marine Resources

Room 437, State House, 1:00 p.m.

Tel: 287-1337

LD 2118 – An Act to Implement the Recommendations of the Committee to Study the Loss of Commercial Fishing Waterfront

Access and Other Economic Development Issues Affecting Commercial Fishing. (Reported by Rep. Lemoine for the Committee to Study the Loss of Commercial Fishing Waterfront Access and Other Economic Development Issues Affecting Commercial Fishing pursuant to Joint Order 2001, H.P. 1384.)

Taxation

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

Tel: 287-1552

LD 2110 – An Act to Establish Municipal Cost Components for Unorganized Territory Services to be Rendered in Fiscal Year 2002-2003. (Emergency) (Reported by Rep. Stanley for the Department of Audit pursuant to the Maine Revised Statutes, Title 36, section 1604)

Wednesday, March 6

Natural Resources

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

Tel: 287-4149

LD 2116 – An Act to Establish the Maine Public Library of Geographic Information. (Reported by Rep. Cowger for the Joint Standing Committee on Natural Resources pursuant to Resolve 2001, chapter 23.)

LD 2117 – Resolve, Regarding the Legislative Review of Chapter 691, Section 3-A, Siting Restrictions for New Facilities, a Major Substantive Rule of the Bureau of Remediation and Waste Management within the Department of Environmental Protection. (Emergency) (Reported by Rep. Cowger for the Department of Environmental Protection pursuant to the Maine Revised Statutes, Title 5, section 8072.)

LD 2119 – An Act Relating to Subdivision Review and Title Search Procedures. (Reported by Sen. Martin for the Joint Standing Committee on Natural Resources pursuant to Public Law 2001, chapter 359.)

Thursday, March 7

Taxation

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

Tel: 287-1552

LD 2132 – An Act to Allow the Town of Lincoln to Adjust the Definition of Original Assessed Value for a Downtown Tax Increment Financing District. (Emergency) (Governor's Bill) (Sponsored by Rep. Carr of Lincoln; additional cosponsors)

Thursday, March 14

Agriculture, Conservation & Forestry

Room 206, Cross State Office Bldg., 1:30 p.m.

Tel: 287-1312

LD 2135 – Resolve, Regarding Legislative Review of Chapter 21: Statewide Standards for Timber Harvesting in Shoreland Areas, a Major Substantive Rule of the Department of Conservation. (Emergency) (Reported by Rep. McKee for the Department of Conservation pursuant to the Maine Revised Statutes, Title 5, section 8072.)

TRANSP0 (cont ' d)

boating programs. MMA opposes the bill for three reasons. First, MMA's LPC strongly opposes any proposal that diverts Highway Fund revenues from vital transportation infrastructure programs, particularly when so many of the state's roads and bridges are in dire need of repair. Second, MMA believes that instead of diverting funds from the Highway Fund the Legislature should be working to increase the fiscal capacity of the Highway Fund to fully support the state's transportation improvement infrastructure plan. Finally, while municipal officials understand the economic benefit that the snowmobile, ATV and boating industries have on Maine's recreational economy, they believe that these types of programs are more appropriately funded with other economic development initiatives in the General Fund.

The Inland Fisheries and Wildlife Committee will be working this bill on Monday, March 4. (KD)