



Maine Municipal Association

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To: MMA's Legislative Policy Committee

From: Mark Green, Chair

Re: Notice and Agenda of the January 21, 2010 LPC meeting

Date: January 14, 2010

The next meeting of the Legislative Policy Committee is scheduled for:

Thursday, January 21, 2010
10:00 a.m. – Noon – Subcommittee Meetings
Noon – 1:00 p.m. Lunch
1:00 – 3:30 p.m. – Business Meeting
Maine Municipal Association

The 2010 legislative session has begun in earnest and it promises to be a tough, jam-packed session. The impacts of the developing supplemental state budget on municipal programs, and the pressure the budget outcome will place on the property tax burden over the next several years, will undoubtedly dominate this “short” legislative session from the municipal perspective. The January meeting of the Legislative Policy Committee will be the primary opportunity we will have to convene, fully deliberate, and attempt to influence the decisions that are made in Augusta before the opportunity closes.

Agenda

- I. **Housekeeping.**
 - A. **Introductions**
 - B. **Welcome to the new LPC meeting space in the new addition**
 - C. **Invitation to use the meeting space for get-togethers with your legislators.** LPC members are encouraged to think about using the newly created meeting space at MMA for the purpose of getting together with their legislators regarding issues of local or regional importance. For example, the municipal officials within a certain county might want to have a meeting with their “county delegation”. Municipal officials on the coast might want to meet with the “coastal caucus”, or those with special energy interests such as wind power might want to meet with legislators who are advancing legislation on that topic. The idea is to create an opportunity for legislators to meet

with their municipal constituents here in Augusta but within a municipal environment. MMA's advocacy staff would be glad to assist in organizing these meetings if there is any interest.

D. Comments on the draft "Open Letter to Gubernatorial Candidates" (Attachment #1) Geoff Herman will explain the effort to engage the candidates for Governor in a meaningful dialogue early in the election season in order to increase the chances of having a productive and mutually respectful relationship with the Blaine House over the next four-to-eight years.

II. Budget proposal. Geoff Herman will provide an update on Governor Baldacci's proposed supplemental budget and seek input from the full Policy Committee on budget-related issues for which municipal feedback is being sought.

A. Telco taxation. The Taxation Committee is attempting to restructure the system of taxing telecommunications providers. One element of that restructuring involves repealing the state property tax on "interactive" telecommunications property and giving that property over to the towns to tax as non-exempt personal property. To make the deal work financially, the state is looking for something of a trade. The question to the LPC is whether we want to trade anything for the additional \$850 million worth of taxable property?

B. Program drill-down. On a staff level, we are looking for opportunities provided because of the cuts to local government to get inside existing state-local programs and tighten them up in a responsible way in order to save some dollars. To that end, we are considering advancing the following proposals: (1) stop providing Circuit Breaker benefits to people whose property taxes are abated at the local level and linking Circuit Breaker rebates to the actual payment of the tax; (2) tightening up the Tree Growth standards for smaller parcels located in waterfront areas (**see Attachment #2**); and (3) infusing a little more accountability into the General Assistance standards. Now is the time for municipal officials to come forward with all the program-restructuring ideas they may have considered in the past – large or small -- because there is at least a chance we can get some of those ideas into the budget bill.

C. Local Option. We surveyed the LPC on the question of local option taxation, and received fairly strong support for the advancement of a traditional local option bill this session. This is the opportunity to have a full LPC discussion on the topic.

D. Revenue Question. A group of legislators is clearly interested in proposing a revenue increase to offset some of the proposed cuts in the Governor's budget. We believe the proposal will be a repeat of the temporary sales tax increase of 1991. In that case, the sales tax was increased to 6%, and the rate was scheduled to go down by .5% in any year where sales tax revenue increased the previous year's revenue by a certain percentage. The legislators developing this proposal are fully

aware that the Governor has promised to veto the measure if it is passed, and that the tax increase proponents do not have enough support to override the veto. There should be a discussion at the LPC level about the initial municipal reaction to this proposal or any alternative “revenue” proposals.

III. Proposed Legislation. A summary description of each bill subject to LPC review is provided in MMA’s “LD List 2010” (**Attachment #3**).

A. The LPC Subcommittee on Taxation and Education will provide recommendations for full LPC consideration on the following legislative initiatives.

i. Consent agenda items, if any.

ii. Agriculture, Conservation & Forestry-related legislation.

1. LD 1587 – An Act To Amend the Animal Welfare Laws.

2. LD 1684 – An Act To Amend the Laws That Provide an Exemption for Agricultural Guard Dogs from Municipal Ordinances Governing Barking Dogs.

3. LD 1698 – An Act To Prevent the Spread of Eastern Equine Encephalitis.

4. ... Plus legislation that was printed after this agenda was distributed.

iii. Education & Cultural Affairs-related legislation.

1. LD 1686 – An Act To Allow Minor Capital School Improvement Projects To Be Permitted Costs under Essential Programs and Services.

2. LD 1732 – An Act To Allow a Municipality To Withdraw from a Regional School Unit.

3. LD 1733 – An Act To Exempt from Penalties School Administrative Units That Would Lose Subsidy as a Result of Reorganization.

4. LD 1734 – An Act To Require the Department of Education To Calculate Subsidy on the Basis of Membership in a Regional School Unit or an Alternative Organizational Structure and as if the School Administrative Unit Had Not Reorganized as of 2009.

5. LD 1735 – An Act To Waive Certain Penalties Imposed against School Administrative Units if the State Has Not Fulfilled Its Goal of Paying 55% of Costs.
6. ... Plus legislation that was printed after this agenda was distributed.

iv. Taxation-related legislation.

1. LD 1635 – An Act To Avoid Unnecessary Removal of Land from the Maine Tree Growth Tax Law Program.
2. LD 1694 – Resolve, To Increase Transparency and Accountability and Assess the Impact of Tax Expenditure Programs.
3. ... Plus legislation that was printed after this agenda was distributed.

B. The LPC Subcommittee on Transportation and State & Local Government will provide recommendations for full LPC consideration on the following legislative initiatives.

i. Consent agenda items, if any.

ii. Criminal Justice & Public Safety-related legislation.

1. LD 1700 – An Act Concerning Statewide Communications Interoperability.
2. ... Plus legislation that was printed after this agenda was distributed.

iii. Health & Human Services-related legislation.

1. LD 1592 – An Act To Update the Laws Affecting the Maine Center for Disease Control and Prevention.
2. ... Plus legislation that was printed after this agenda was distributed.

iv. Legal & Veterans Affairs-related legislation.

1. LD 1579 – An Act To Facilitate Voting by Uniformed Service and Overseas Voters.
2. LD 1667 – An Act To Amend the Election Laws and Other Related Laws.

3. LD 1692 – Resolution, Proposing an Amendment to the Constitution of Maine To Amend the Requirements Governing Direct Initiatives.
 4. LD 1730 – An Act To Strengthen the Ballot Initiative Process.
 5. ... Plus legislation that was printed after this agenda was distributed.
- v. State & Local Government-related legislation.
1. LD 1554 – An Act Regarding Document Fees at County Registries of Deeds.
 2. LD 1569 – An Act To Clarify the Informed Growth Act.
 3. ... Plus legislation that was printed after this agenda was distributed.
- vi. Transportation-related legislation.
1. LD 1501 – An Act To Dedicate Surplus Transportation Funds to Highway Maintenance and Paving.
 2. LD 1503 – An Act To Establish Emergency Zones on Public Ways To Minimize Accidents.
 3. LD 1561 – An Act To Regulate the Use of Traffic Surveillance Cameras.
 4. LD 1641 – An Act To Direct Funds from the Highway Fund to the Highway and Bridge Light Capital Program.
 5. LD 1675 – An Act To Reduce Noise Caused by Motorcycles and Improve Public Health.
 6. LD 1728 – An Act To Make Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of State Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2010 and June 30, 2011.
 7. LD 1736 – An Act To Improve Safety on Maine’s Primary and Secondary Roads, Reduce Road Maintenance Costs and Improve the Environment and the Economy by

Allowing Certain Heavy Commercial Vehicles on the Interstate Highway System in Maine.

8. ... Plus legislation that was printed after this agenda was distributed.

C. The LPC Subcommittee on Natural Resources & Economic Development will provide recommendations for full LPC consideration on the following legislative initiatives.

- i. Consent agenda items, if any.
- ii. Business, Research & Economic Development-related legislation
 1. LD 1530 – An Act To Facilitate Recovery Zone Facility Bonds.
 2. ... Plus legislation that was printed after this agenda was distributed.
- iii. Insurance & Financial Services-related legislation.
 1. LD 1649 – Resolve, To Increase the Financial Stability of Low-income Families in Maine.
 2. ... Plus legislation that was printed after this agenda was distributed.
- iv. Judiciary-related legislation
 1. LD 1551 – An Act To Further Regulate the Communications of Members of Public Bodies.
 2. LD 1714 – An Act To Protect Information Maintained by Registers of Deeds.
 3. ... Plus legislation that was printed after this agenda was distributed.
- v. Labor-related legislation
 1. LD 1552 – An Act To Improve Employment Opportunities for Maine Workers in the Forest Industry.
 2. LD 1558 – An Act Regarding Accidental Death Benefits for Beneficiaries of Deceased Firefighters.

3. LD 1626 – An Act To Amend the Unemployment Compensation Laws Regarding Vacation Pay.
4. LD 1665 – An Act To Prevent the Spread of H1N1.
5. ... Plus legislation that was printed after this agenda was distributed.

vi. Natural Resources-related legislation.

1. LD 1538 – An Act To Close Loopholes in Environmental Laws.
2. LD 1553 – An Act To Facilitate Establishment of Watershed Districts.
3. LD 1573 – An Act To Improve Water Quality through the Phaseout of Overboard Discharges and the Improvement of the Boat Pump-out Laws.
4. LD 1603 – An Act To Amend Laws Administered by the Department of Environmental Protection.
5. LD 1631 – An Act To Provide Leadership Regarding the Responsible Recycling of Consumer Products.
6. LD 1633 – An Act To Expand Eligibility of Certain Municipal Landfills To Participate in the State’s Remediation and Closure Program.
7. LD 1699 – An Act To Update and Modernize Maine’s Floodplain Mapping.
8. LD 1716 – An Act To Expedite Rulemaking Concerning Agronomic Utilization of Sludge.
9. LD 1725 – Resolve, Regarding Legislative Review of Portions of Section 10: Stream Crossings within Chapter 305 Permit by Rule Standards, a Major Substantive Rule of the Department of Environmental Protection.
10. ... Plus legislation that was printed after this agenda was distributed.

vii. Utilities & Energy-related legislation.

1. LD 1589 – An Act To Authorize Sanitary Districts To Waive an Automatic Sanitary District Lien Foreclosure.

2. LD 1645 – An Act To Streamline Collections for Consumer-owned Consolidated Water and Wastewater Utilities.
3. LD 1697 – An Act To Protect Universal Service.
4. LD 1717 – An Act To Increase the Affordability of Clean Energy for Homeowners and Businesses.
5. ... Plus legislation that was printed after this agenda was distributed.

IV. Adjourn