

# Legislative BULLETIN

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## Tax Reform Headed to Special Commission

As discussed in last week's *Legislative Bulletin*, several clusters of bills regarding major tax policy issues were given their public hearing during the week of March 26.

One cluster of bills had to do with local option sales taxation. Another set of bills would establish a minimum standard of eligibility for the property tax exemption that is provided to "benevolent and charitable" institutions.

A third cluster of bills dealt with the even larger issue of reforming Maine's tax code and addressing the

degree to which broad based sales and income taxes are used to support K-12 education.

All three issues embody core tax policy changes that MMA been working on throughout the 1990s.

**Local Option.** On Tuesday this week, the Taxation Committee voted to "carry over" into the second legislative session a bill that includes the concepts of local option sales taxation and a non-local option alternative whereby some sales tax revenues would be returned to the municipal-

ity of origin.

The actual "vehicle" bill to be carried into the second legislative session was designated as LD 883, *An Act to Return a Percentage of Sales and Use Tax to Municipalities*, sponsored by Senator Ken Lemont (York Cty.). Wrapped into LD 883 is the pure local option sales tax bill, LD 82, *An Act to Allow Municipalities to Establish a Local Options Sales and Use Tax*, sponsored by Rep. Tom Bull (Freeport).

In approving this carryover action, much of the discussion among the Committee members centered around their support for, or concerns about, local option taxation whereby a municipality by referendum vote could elect to impose a sales tax on retail transactions within that municipality of up to 1% for specific capital projects involving the construction of regionally important infrastructure. As a result of that discussion, it is clear that the municipalities will be challenged between now and January of 2002 to develop a very tight and accountable local option bill if they are going to gain the support of a strong majority of the Taxation Committee.

**The Charitable Exemption.** The fate of MMA's bill that would establish some minimum standards in order to qualify for the charitable exemption is uncertain. The Taxation Committee held public hearings on three separate bills to govern this billion dollar exemption in a more accountable way.

At work session on Tuesday this week, the Committee voted two of those measures "ought not to pass" and tabled LD 1375, *An Act to Establish Minimum Standards of Eligibility for the Property Tax Exemption for Charitable Institutions*, pending further Committee deliberations. At least some of the



Senator Ken Lemont (York Cty.), a strong proponent of establishing a Tax Reform Commission to address property tax burden and educational funding.

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## TAX REFORM (cont'd)

Committee members have expressed an interest in the concept of LD 1375, both for the purposes of establishing some common minimum standards of eligibility to level the playing field, and to address the perennial dispute arising out of the wide open "charitable" tax exemption for some institutions that compete — some say unfairly — with small businesses. Those Taxation Committee members are hoping that the tabling action on LD 1375 will blossom into a carryover action so that the bill can be further developed and re-presented during the next legislative session in 2002.

**Tax Reform.** In a similar fashion, the three tax reform proposals presented to the Committee a week ago were trimmed down to a single vehicle bill on Thursday this week, when the Tax panel accepted a preliminary "ought to pass" motion on LD 970, *An Act to Limit the Use of Property Taxes to Fund Education*, sponsored by Rep. Barney McGowan (Pittsfield).

Immediately after casting the positive motion, the Committee tabled the bill and formed a subcommittee to work out the details of amending LD 970 according to some guidelines. As roughed-out by the Committee, LD 970 would create a special commission of 14 legislators, dead even along party lines, and charge that commission with developing a comprehensive package of tax reform legislation. Among the various goals of that tax reform, in addition to reducing the volatility of state tax revenues and substantively

reviewing all sales tax exemptions and exclusions (i.e., services), the reform package would be designed to provide a new method of raising revenue for education funding to create a more equal balance between property taxes and broad-based state tax revenues.

The work of the commission could very well include proposed amendments to the state Constitution, and the

entire tax reform package, according to the draft amendment, would be sent to the voters in November, 2002 for ratification if approved by the Legislature next year.

The *Legislative Bulletin* will provide more detail on this blossoming opportunity for comprehensive tax reform as LD 970 is further developed in the weeks to come. (GH)

## Growth Management Update

On April 2<sup>nd</sup>, the Natural Resources Committee held public hearings on Maine's Growth Management laws. Committee members worked their way through three legislative proposals.

LD 1643, *An Act to Provide Criteria for the Municipal Use of Rate of Growth Ordinances*, sponsored by Rep. Robert Daigle (Arundel) proposes restrictions under which a municipality is able to adopt a growth rate ordinance. This would prevent municipalities from enacting "temporary" slow growth ordinances unless the ordinance was enacted for a time period not exceeding one year, and once that municipality has enacted the ordinance, it could not use another growth rate ordinance within the next five years.

Ongoing growth rate ordinances would only be allowed in limited circumstances. Municipalities would be required to have comprehensive plans that included a capital investment plan for increasing capacity with regards to municipal facilities and services. Other items required to be included in the comprehensive plan would be a consideration of the impact of the slow growth ordinance on affordable housing, and the impact of growth on neighboring communities. LD 1643 would also require the municipality to review and update its justification for the use of the growth limitation ordinance every five years.

According to the State Planning Office (SPO), these growth rate ordinances are a "crude tool" used by municipalities in an effort to deter growth. SPO conceded that the Maine Supreme

Court recently upheld a 22-year old rate of growth ordinance in the town of Eliot.

SPO asserts that slow growth ordinances are contagious, once one town enacts one, neighboring towns feel the results, and in turn, enact a comparable ordinance.

The Maine Association of Realtors testified in support of LD 1643. The realtors' lobby testified that it was "high time" the state forced municipalities into compliance with the comprehensive planning mandate, and that LD 1643 would be the vehicle to achieve that goal. In fact, the real estate professionals suggested the Committee amend the bill by removing all legal authority for a town to adopt an ongoing growth rate ordinance of any kind.

At the work session held in the afternoon, the Committee unanimously voted LD 1643 "ought not to pass." Senator John Martin (Aroostook Cty.) stated that slow growth ordinances are a municipal decision, if neighboring communities are impacted by growth ordinances, they also have the authority to adopt similar ordinances. However, as the afternoon continued, a successful motion was made to reconsider LD 1643 and "carry it over" to the next legislative session in 2002.

Another of the more detailed Growth Management bills heard by the Committee was LD 1693, *An Act to Amend the Comprehensive Planning and Land Use Regulation Laws*. Sponsored by Senator Sharon Treat

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### Legislative Bulletin

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# State Budget Impasse

As has been widely reported, the enactment of the “ Part I” or “ Current Services” biennial state budget has met an impasse. The Appropriations Committee unanimously reported out a proposed budget which was easily adopted by the House last week. That package was unacceptable to the Senate, which crafted its own approach to the budget and adopted the alternative version by a strong bipartisan supermajority.

The major difference between the budgets is how approximately 1% of the entire 2-year, \$5 billion budget is paid for. The House version relies on two tax increases, a \$.26-per-pack increase to the cigarette tax, and the so-called “ Happy Meals” tax which would increase the meals tax on food served in non-class A restaurants from 5% to 7%.

The Senate version doesn’ t utilize tax increases. Instead, the budget is balanced by tapping a \$50 million fund which was put into a reserve during the last legislative session, the interest from which was going to fund Governor King’ s program to provide laptop computers to middle school students.

Another difference is that the Senate’ s version of the budget includes a modest increase to the municipal revenue sharing allotment (from 5.1% to 5.2% of sales and income tax revenues), which implements the Revenue Sharing II policy change that the Legislature half-implemented last year.

Revenue Sharing II, which moves a larger proportion of additional revenue sharing funds to municipalities with higher than average property tax rates, was enacted on the principle that revenue sharing would be slightly expanded to make sure the policy change would not be to the financial disadvantage of the municipalities not receiving Revenue Sharing II distribution. The Legislature enacted Revenue Sharing II last year, but did not expand the revenue sharing allotment. Some legislators are now claiming that because some revenue sharing funds are being distributed according to the Revenue Sharing II formula, the program is

working. What they fail to point out is that those additional funds are coming from the pool of funds that the other

communities would have been receiving had the policy not been changed...a “ robbing Peter to pay Paul” phenomenon.

A recent editorial in the Kennebec Journal speaks to the importance of the revenue sharing proposal. (GH)

## *State budget bill’ s problem has immediate local solution*

(The following editorial was published in the Wednesday, April 4th edition of the Kennebec Journal. It is reprinted with permission)

Not that many people are getting too worried that a new Part I state budget remains unresolved in early April, but it makes sense to place at least one facet of the impasse in context.

Never mind the means by which the new budget proposal was developed. That is a process issue and lawmakers are adult enough to know that sometimes things happen that are outside their expectations.

Focus instead on the notion that the first budget offered for full legislative consideration cannot and will not be accepted. There is thus no sense clinging to that proposal because that version is gone.

The question now is what to do to assure two-thirds passage in the Senate and House of Representatives for a revised and better budget bill.

There is one place to start that should attract and unite many reluctant lawmakers, and that is on the question of municipal revenue sharing.

For several key legislators, battling the effects of sprawl in Maine and assisting the well-being of longstanding “ service center” communities is vitally important.

The first budget bill did not offer that kind of help. The second one does.

More than Gov. Angus King’ s displeasure with tapping the “ Rainy Day” fund or re-working the learning technology — laptop — endowment, municipal revenue sharing must be accounted for in the final budget.

It should be.

The recently released U.S. Census figures for Maine tell the tale. The urban centers are struggling simply because people are choosing to reside elsewhere. The strain that places on the towns and cities that are expected to provide services to the area residents must be relieved, and the most immediate and available means by which to do that is municipal revenue sharing.

One proposal is to increase the mandated percentage of revenue sharing from 5.1 percent to 5.2 percent — a change that translates into \$3 million from a \$5 billion budget and will be used to assist key communities in the state — including Portland, Bangor, Biddeford, Lewiston, Auburn, Augusta and Waterville.

Address the needs of those cities —if only by a little — and the chances for full budget agreement would be enhanced.

# Special Education Funding

Concerned about special education costs? Now is the time to contact members of the Congressional Delegation.

During recent meetings with members of Maine's congressional delegation, the Maine Municipal Association strongly urged Congress to fully fund its existing commitments before it appropriates money for any new programs (especially in education) and before it enacts a tax relief package. Instead of funding its 40% share, the federal government has been funding approximately 10% of these mandated costs, thereby shifting a \$70 million burden onto state and local taxpayers. Fully funding special education would be tax relief – equivalent to a 5% property tax reduction for Maine citizens and businesses.

Although all of the members of the Congressional Delegation expressed support for full funding, there was an important difference in their approach. Representatives Allen and Baldacci supported full funding this year. Senators Snowe and Collins took an incremental approach, with an increase in funding phased in over a several year period. The MMA Executive Committee has urged reconsideration of this incremental approach. We believe the question is clear – if the federal government has such a large surplus and is considering a sweeping tax cut package, shouldn't the federal government fully fund its existing commitments, such as special education, before creating any new programs and before enacting federal tax cuts?

As municipal officials participate in town meetings and upcoming school budget meetings, and as town and city councils begin budget deliberations, pressures on the local property tax will continue to increase. Congress has the opportunity to provide meaningful property tax relief to Maine citizens and businesses – by living up to its obligation to fully fund its share of special education this year – not in an

incremental approach over several years. We encourage municipal officials to discuss this issue with members of our Congressional Delegation. If you are concerned with the increasing property tax burden, this is an opportunity to let members of the Delegation know how important it is to the students, citizens and businesses in your community that Congress keep its word. (CGL)

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## ***GROWTH (cont'd)***

(Kennebec Cty.), LD 1693 was submitted on behalf of the State Planning Office. It appeared that the only item all interested members could agree on was that the bill and the Growth Management laws needed further investigation and study.

Among other changes, LD 1693

would define a minimum lot size ordinance as a zoning ordinance. The state's minimum lot size is 20,000 sq. ft. Many municipalities have adopted town-wide minimum lot sizes of one or two acres, or some square footage inbetween. By defining a town wide minimum lot size as a "zoning ordinance" (which it isn't), LD 1693 would allow those common town-wide lot size ordinances to be "voided" by the objectionable standard in Maine law that voids ordinances for lack of consistency with a comprehensive plan.

LD 1693 would also amend the section of law, but not very substantially, that will "void" municipal ordinances on January 1, 2003. LD 1693 purports to "fix" the law that reaches down and erases legitimate municipal ordinances that are not in complete parallel with Maine's Growth Management Act by creating a "severability clause" that voids only those sections of ordinance not in "consistency", rather than the whole ordinance. LD 1694 also purports to fix the "voiding" law by listing the specific municipal ordinances to be micro-managed by the law to include subdivision ordinances, site plan review ordinances, minimum lot size ordinances, zoning ordinances, growth rate ordinances, and impact fee ordinances.

The Committee unanimously voted to "carry over" LD 1693 to the next legislative session, although the Committee is also considering retaining the elements of LD 1693 that deal with the ordinance "voiding" statute. With respect to the legislation to be carried forward into the next legislative session, suggestions were made that a panel of legislators be convened to study the issues related to Growth Management.

The final bill on the calendar was LD 1478, *An Act to Amend Maine's Growth Management Law and Related Laws*. This bill was the outcome-based approach designed by the Task Force that studied the state's Growth Management issues. Senator Martin quickly entertained a motion to carry this bill over along with the other Growth Management bills, and the motion received unanimous support. (KH)

# State Prisons, County Jails

On Tuesday, April 3<sup>rd</sup> the Criminal Justice Committee voted (6 to 5) that LD 1168, *An Act Concerning the Sentencing of Persons to County Jails* “ought not to pass”. As originally proposed, the bill included a provision that would require a person whose probation is revoked be sent back to the facility where the person was serving the underlying sentence.

For example if a person is sentenced to serve ten years in a state prison with all but 5 years suspended, and while on probation that person commits a misdemeanor and is sentenced to a one-month jail term, this change would require that the person be sent back to the state facility rather than a county jail, which is current practice. Probation revocation sentencing is one factor that is crowding county jails and driving up the cost of county corrections, which is largely paid for with property tax revenues.

The Department of Corrections (DOC) opposed the bill on the basis that housing prisoners on a short-term basis for whom the state was originally responsible would drive up the cost of providing state corrections services. A representative of DOC suggested that the state would be required to develop new programs and build new facilities to meet the needs of those probation violators that would stay in the state prisons for shorter periods of time.

The Committee removed the probation-revocation section from the bill in response to the Department’s concern about state costs. MMA believes the policy change would have appropriately shifted county jail costs to the state.

**Juvenile Program Grants.** On a related note, MMA has been notified that Congress has provided \$1.767 million in grant funds to Maine under the Juvenile Accountability Incentive Block Grant program. The federal grant funds are administered by the Maine Department of Corrections. There are 12 purposes for which these funds can be used. Access to these funds require matching local funds in the 10%—

45% range depending on the program.

Several of the juvenile programs that can receive funding through these grants are:

- Programs for law enforcement referrals or programs designed to protect students and school personnel from drug, gang and youth violence
- Funding of prosecutor-led drug, gang and violence programs
- Information sharing programs
- Construction of juvenile correctional facilities
- Hiring of judges, probation officers, prosecutors, and funding of pre-trial services

- Provision of technology, equipment and training programs for prosecutors, etc.

The federal grant requires that 75% of the fund be provided to local units of government, but states may request a waiver to this requirement if the state bears more than 50% of the cost of juvenile functions. The Department of Corrections intends to seek such a waiver unless the municipalities and counties indicate a strong interest in the use of these funds. The comment period on the Department’s request for a waiver from the requirement to provide these grants to local government runs until April 20, 2001. For more information, contact Geoff Herman at 1-800-452-8786. (KD)

## Retainage is Back . . .

On Wednesday, April 5<sup>th</sup> the State and Local Government Committee held a work session on LD 1633, *An Act to Clarify Rights of Retainage in Public Construction Contracts*. The concern over the use of retainage for school construction projects has been a perennial issue pitting the owners of the schools against the contractors hired to build the schools.

“Retainage” refers to the limited right under state law for the schools to hold back on the payout of 5% of the contract costs for a school construction project until the project has been successfully completed. Retainage legislation submitted over the last four years has been extremely complicated and designed, from the municipal perspective, to seriously erode the public “owner’s” ability to hold payments on a portion of the contract costs to ensure satisfactory work.

Although MMA has strongly opposed the retainage proposals in the past, LD 1633 is much more targeted than those earlier versions, does not limit the owner’s capacity to retain 5% of the contract costs, and focuses only on the process of releasing the retained funds at the point of substantial completion and during the “punch list” phase.

At its public hearing, both proponents (general contractors) and opponents (school superintendents) of the bill provided similar testimony. MMA told the Committee that it would like a better understanding of the specific school construction projects that seem to be driving retainage legislation like LD 1633. If the schools and municipalities could be given actual examples where retainage funds were inappropriately withheld, some investigation and verification could be done and a better judgment could be formed with respect to the need for a legislative change and what the substance of that change should be.

One concern MMA has with the printed bill is the role under LD 1633 that the architect would play as an arbiter between the owner of the project and the general contractor with respect to when a project is deemed substantially complete, finally complete, and the substance and value of the punch list.

If the owner can’t decide if the project is fit for occupancy, it seems like the owner doesn’t really own the project anymore.

The work session on LD 1633 is scheduled for April 11. (KD)

The following bills have been reported out of their respective committees with unanimous “ Ought Not to Pass” reports, which all but guarantees a final rejection by the full Legislature, or have been finally rejected by the full Legislature (final ONTP).

### ***Agriculture, Conservation and Forestry***

LD 16 – An Act to Eliminate Fees for the Use of State Parks by Residents of the Municipalities in Which Those Parks Are Located. (Sponsored by Rep. Pinkham of Lamoine) (final ONTP)

LD 515 – An Act to Eliminate the Maine Land Use Regulation Commission. (Sponsored by Clark of Millinocket) (final ONTP)

### ***Criminal Justice***

LD 649 – An Act Concerning the Obligation of County Taxpayers to Pay for Medical Care for County Jail Inmates. (Sponsored by Rep. Wheeler of Bridgwater) (final ONTP)

LD 941 – An Act to Create a Uniform Standard for Disposal of Property Seized by Law Enforcement Agencies. (Sponsored by Rep. Usher of Westbrook) (final ONTP)

### ***Education & Cultural Affairs***

LD 215 – An Act Regarding Out-of-district Placement. (Sponsored by Sen. Ferguson of Oxford Cty.) (final ONTP)

LD 337 – Resolve, to Create a Study Commission on the Problems Created By Inadequate Funding for Special Education Services. (Sponsored by Sen. Kilkelly of Lincoln Cty.) (final ONTP)

LD 621 – An Act to Protect a Child’s Right to Bike and Walk to School. (Sponsored by Rep. Cowger of Hallowell) (final ONTP)

### ***Inland Fisheries and Wildlife***

LD 227 – An Act to Amend the Laws Pertaining to the Discharge of Firearms Near Certain Buildings. (Sponsored by Rep. Dunlap of Old Town) (final ONTP)

### ***Judiciary***

LD 307 – An Act to Clarify Arrest Powers under Certain Bench Warrants. (Sponsored by Rep. Bouffard of Lewiston) (final ONTP)

### ***Legal and Veterans Affairs***

LD 575 – Resolution, Proposing an Amendment to the Constitution of Maine to Allow Maine Citizens to Propose Constitutional Amendments by Initiative. (Sponsored by Rep. Michael of Auburn) (final ONTP)

LD 9 – An Act to Regulate Exit Polling. (Sponsored by Rep. Glynn of South Portland) (final ONTP)

LD 59 – Resolution, Proposing an Amendment to the Constitution of Maine to Increase the Number of Signatures Required on Direct Initiative Petitions. (Sponsored by Rep. Mayo of Bath) (final ONTP)

LD 199 – Resolution, Proposing an Amendment to the Constitution of Maine to Restrict Reintroduction of Previously Failed Citizen Initiatives. (Sponsored by Rep. Gooley of Farmington) (final ONTP)

LD 563 – An Act to Require Towns to Process Initiative and Referendum Petitions within One Week of Delivery. (Sponsored by Rep. Michael of Auburn) (final ONTP)

LD 564 – An Act to Encourage Indelible Ballot Markings. (Sponsored by Rep. Michael of Auburn) (final ONTP)

LD 569 – An Act to Preserve the Integrity of the Polling Place by Limiting the Physical Presence of Candidates. (Sponsored by Rep. Michael of Auburn) (final ONTP)

LD 574 – Resolution, Proposing an Amendment to the Constitution of Maine to Reduce the Number of Signatures Required for Citizen Initiatives. (Sponsored by Rep. Michael of Auburn) (final ONTP)

LD 575 – Resolution, Proposing an Amendment to the Constitution of Maine to Allow Maine Citizens to Propose Constitutional Amendments by Initiative. (Sponsored by Rep. Michael of Auburn) (final ONTP)

LD 580 – An Act to Prohibit Collection of Referendum Signatures on the Day of State Elections. (Sponsored by Rep. Stanley of Medway) (final ONTP)

### ***Natural Resources***

LD 239 – An Act to Amend the Laws Concerning Wetlands Use. (Sponsored by Rep. Ash of Belfast) (final ONTP)

LD 828 – An Act to Encourage Proper Disposal of Propane Tanks. (Sponsored by Rep. O’ Neil of Saco) (final ONTP)

LD 1031 – An Act to Fund the Cleanup of Illegal Dumping Sites. (Sponsored by Rep. Dunlap of Old Town) (final ONTP)

LD 1105 – An Act to Reduce the Cost of Disposal for Municipalities and Encourage the Recycling of Electronic Equipment. (Sponsored by Rep. Hawes of Standish) (final ONTP)

### ***Transportation***

LD 44 – An Act to Prohibit the Removal or Destruction of Street Signs. (Sponsored by Rep. Heindrich of Oxford) (final ONTP)

LD 78 – An Act to Clarify the Authority of Counties and Municipalities to Restrict Travel Over Local Roads Based on Gross Registered Vehicle Weight. (Sponsored by Rep. Pineau of Jay) (final ONTP)

LD 140 – An Act to Require the Commissioner of Transportation to Accelerate Repairs that Improve Access Roads to Rural Areas of the State. (Sponsored by Rep. Bunker of Kossuth Township) (final ONTP)

LD 155 – Resolve, Requiring the State to Reimburse Towns for the Construction of Sand and Sand Storage Facilities. (Sponsored by Rep. Rines of Wiscasset) (final ONTP)

LD 332 – An Act to Require Seat Belts on School Buses. (Sponsored by Sen. Pendleton of Cumberland County) (final ONTP)

LD 557 – An Act to Amend the Laws Pertaining to Pedestrians on a Public Way. (Sponsored by Rep. Buck of Yarmouth) (final ONTP)

LD 595 – Resolve, to Allocate Funds to the Department of Transportation for the Construction of a 2<sup>nd</sup> Bridge in Skowhegan. (Sponsored by Rep. Hatch of Skowhegan) (final ONTP)

LD 656 – An Act to Require a Continuing Review of Regional Transportation Problems in Northern York County and Southern Cumberland County. (Sponsored by Rep. Savage of Buxton) (final ONTP)

LD 743 – An Act to Authorize Citizen-issued Citations for Violations of the Handicapped Parking Laws. (Sponsored by Rep. Clough of Scarborough) (final ONTP)

# 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](mailto:webmaster_senate@state.me.us).*

## **Monday, April 9**

**Appropriations & Financial Affairs**  
Room 228, State House, 9:00 a.m.  
Tel. 287-1635

LD 937 – An Act to Improve Washington County's Economy by Promoting Natural, Historical and Cultural Tourism. (Sponsor: Shorey)

**Education & Cultural Affairs**  
Room 208, Cross State Office Building, 10:00 a.m.  
Tel. 287-3125

LD 1684 – An Act to Ensure Adequate Funding for School Construction Costs. (Sponsor: McGlocklin)

LD 1734 – An Act to Promote Safe Schools. (Sponsor: Dudley)  
Room 214, Cross State Office Building, 10:30 a.m.

LD 1762 – An Act to Address Maine's School Facilities Needs. (Sponsor: Desmond) (Governor's Bill)

**Inland Fisheries & Wildlife**  
Room 206, Cross State Office Building, 9:30 a.m.  
Tel. 287-1338

LD 940 – An Act to Improve Funding for Snowmobile Trail Maintenance. (Sponsor: Mills)

LD 1294 – An Act to Change the Snowmobile Registration Rates. (Sponsor: Clark)

**Judiciary**  
Room 438, State House, 9:30 a.m.  
Tel. 287-1327

LD 744 – An Act to Allow Private Maintenance of Public Easements. (Sponsor: McKee)

**Transportation**  
Room 126, State House, 9:00 a.m.  
Tel. 287-4148

LD 1626 – An Act to Make the Laws Affecting Certain Bridges Consistent with Federal Law. (Emergency) (Sponsor: Fisher) (Department Bill) (Submitted by the Department of Transportation)

## **Tuesday, April 10**

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

LD 753 – An Act to Create a Farmland and Open Space for the Community Board. (Sponsor: Hawes)

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

LD 1632 – Resolve, Directing the Maine Science and Technology Foundations to Determine the Physical Condition of Information Technology Infrastructure in the State. (Emergency) (Sponsor: Pro Tem Bennett)

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

LD 1518 – Resolution, Proposing an Amendment to the Constitution of Maine Concerning Direct Initiative of Legislation. (Sponsor: Longley)

LD 755 – An Act to Clarify Referendum Wording. (Sponsor: Shields)

LD 1337 – An Act to Hold Petition Circulators to the Same Standards as Political Candidates. (Sponsor: LaVerdiere) (Governor's Bill)

LD 1529 – An Act to Improve Elections. (Sponsor: Schneider)

LD 1619 – Resolve, to Establish a Commission to Study Maine's Election Procedures and Voting Laws. (Sponsor: Shields)

## **Wednesday, April 11**

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

LD 1750 – An Act to Authorize the Surrender of Concealed Firearms Permits of Persons Who are the Subjects of Permanent Protection Orders. (Sponsor: Kilkelly)

**Natural Resources**  
Room 437, State House, 1:00 p.m.  
Tel. 287-4149

LD 1724 – An Act to Provide for Remediation of Abandoned Landfills. (Sponsor: Daggett) (Department Bill) (Submitted by the Department of Environmental Protection)

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

LD 533 – An Act to Improve the Business Equipment Tax Reimbursement Program. (Sponsor: Mailhot)

LD 788 – An Act to Exempt Food, Lodging, Service and Retail Property from the Business Equipment Tax Reimbursement Program. (Emergency) (Sponsor: Mills)

LD 798 – An Act to Redefine Property Subject to the Business Equipment Tax Reimbursement Program to Include Only Property Used Manufacturing and Research. (Emergency) (Sponsor: Mills)

LD 1329 – An Act to Establish Standards of Depreciation in Determining the Assessed Value of Personal Property in the Business Equipment Reimbursement Program. (Sponsor: Rosen)

LD 1552 – Resolve, to Reduce the Property Tax on Business Equipment. (Sponsor: Glynn)

LD 1713 – An Act to Return a Portion of the Tax Imposed on Lodging to the Municipality in Which the Tax was Levied. (Sponsor: Lemoine)

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

LD 1272 – An Act to Allow Fire Police Constables to use Roof-mounted Emergency Lights. (Sponsor: Usher)

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**Thursday, April 12**

**Education & Cultural Affairs**

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

**Tel. 287-3125**

LD 1747 – An Act Regarding School Funding Based on Essential Programs and Services. (Sponsor: Richard) (Department Bill) (Submitted by the Department of Education)

LD 1760 – An Act to Implement Maine’s System of Learning Results. (Sponsor: Mitchell, B.) (Department Bill) (Submitted by the Department of Education)

**Utilities & Energy**

**Room 209, Cross State Office Building, 1:30 p.m.**

**Tel. 287-4143**

LD 1618 – An Act to Review Utility Easements on a Periodic Basis. (Sponsor: Stanley)

LD 1467 – An Act to Facilitate the Implementation of the Enhanced 9-1-1 Emergency System. (Emergency) (Sponsor: Berry, D.) (Department Bill) (Submitted by the Department of Public Safety)

**Friday, April 13**

**Legal & Veterans Affairs**

**Room 436, State House, 9:00 a.m.**

**Tel. 287-1310**

LD 1058 – Resolution, Proposing an Amendment to the Constitution of Maine to Revoke Voting Rights of Convicted Felons while in Prison. (Sponsor: Pro Tem Bennett)

LD 1042 – An Act to Amend the Election Laws. (Sponsor: Tuttle)

LD 1460 – An Act to Establish a Deadline for New Voter Registrations. (Sponsor: Clough)

LD 1273 – An Act to Repeal the Presidential Preference Primary Elections. (Sponsor: Goodwin)

**Tuesday, April 17**

**Labor**

**Room 220, Cross State Office Building, 9:30 a.m.**

**Tel. 287-1333**

LD 1258 – An Act to Make the Unemployment Insurance Program More Responsive to the Needs of Today’s Workforce. (Sponsor: Matthews)

**IN THE HOPPER**

**Education and Cultural Affairs**

LD 1760 – An Act to Implement Maine’s System of Learning Results. (Sponsored by Sen. Mitchell of Penobscot County; additional cosponsors)

This bill sweeps through the statutes governing K-12 education and reinforces in over 20 separate sections of that law the mandate on the schools to plan for and implement the “ learning results” curriculum.

LD 1762 – An Act to Address Maine’s School Facility Needs. (Sponsored by Rep. Desmond of Mapleton; additional cosponsors) (Governor’s Bill)

This bill would increase the debt limit within the GPA appropriation for school construction purposes from \$84 million to \$90 million in 2006 and \$96 million in 2007. This bill would also allow school renovation funds to be used for a wider range of school repairs and improvements and the upgrade of learning spaces when \$80 million in renovation loans have been repaid to the renovation fund. This bill would also allow for some renovations to be performed on a school already rated for a major construction project without the renovation affecting the school’s rating for construction funds, and create for a rule-making that will allow for school renovation grants that exceed \$1 million.