

Legislative BULLETIN

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Catching Up With The Taxation Committee

Every year the Taxation Committee is presented with a slew of bills seeking to amend the state's tax code, some by just a little bit and some through wholesale reform. This year is no different. What follows is a summary of 10 municipally-related bills that have had their public hearings, the public hearing testimony, and the Committee's response...if it has had a chance yet to work on the bill.

Current Use and Exemptions

LD 13, An Act to Amend the Definition of Agricultural Land for Taxation at its Current Use. This bill would allow lots as small as 2 acres to be enrolled in the Farmland current use taxation category, down from the current minimum farm lot size of 5 acres. On January 30, the Tax Committee was presented with this proposal by its sponsor and the House Chair of the Taxation Committee, Rep. Bonnie Green (Monmouth). Several nursery owners spoke in support of the bill, MMA spoke in opposition. A description of the public hearing was provided in the February 2 edition of the Legislative Bulletin.

At its work session on the bill, several Committee members spoke in opposition to the measure, but ultimately the Committee was convinced to make an "ought to pass" motion on the bill and then table further action, all according to a plan (apparently) that would attach LD 13 to another bill in the hopper (LD 765, developed by MMA) that would establish a municipal reimbursement system for tax revenue lost to the Farmland tax category.

LD 124, An Act to Allow for a Prorated Application of Property Tax Exemptions for Charitable and Be-

nevolent Institutions. This bill would overturn current law that requires a charitable institution to use its property "solely" for charitable purposes in order for that institution to be eligible for the property tax exemption. LD 124, if enacted, would allow for the property of a charitable (or "literary and scientific") institution to be used partly for the charitable purpose and partly for a non-charitable purpose and still remain eligible for a prorated property tax exemption. The public hearing on this bill was described in the February 2, 2001 edition of the Legislative Bulletin.

At the Committee's work session on February 6, it voted "ought not to pass" on LD 124, but it is retaining the concept to see if it might be coupled

with another bill in the hopper (no LD number yet, but developed by MMA) which would create some standards of eligibility for the charitable tax exemption.

LD 171, An Act to Require the State to Reimburse Communities and Unorganized Territories for Loss of Tax Revenue when the State Purchases 100 Acres or More of Land. Sponsored by Rep. Rod Carr (Lincoln), this bill would require the state to reimburse municipalities or the unorganized territories for the lost tax revenues sustained when the state purchases 100 acres or more in the communities after October 1, 2001 and thereby takes that property off the tax rolls. Rep. Carr

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Full Value Statewide Average Property Tax Rate*

Year	Commitment	Year	State Valuation	Full Value Mill Rate
1999	1,276,244,839	2001	77,524,796,361	16.46
1998	1,230,279,043	2000	73,259,222,917	16.79
1997	1,180,997,979	1999	69,857,250,000	16.91
1996	1,137,082,170	1998	67,847,050,000	16.76
1995	1,094,257,076	1997	66,514,400,000	16.45
1994	1,048,707,482	1996	65,420,375,900	16.03
1993	1,006,145,667	1995	64,796,300,000	15.53
1992	966,057,589	1994	64,852,700,000	14.90
1991	941,893,902	1993	66,127,500,000	14.24
1990	879,793,891	1992	66,899,450,000	13.15
1989	780,673,147	1991	63,460,800,000	12.30

*NOTE: To provide consistent comparisons from year to year, the 1998 and 1999 Commitment includes the Homestead Exemption reimbursement revenues, and the State Valuation for the recent years includes the value of property located in Tax Increment Financing Districts.

TAXATION (cont'd)

made his pitch to the Committee to protect the communities he represents from the erosion of their tax base as the state buys up public lands. At the same time, Rep. Carr told the tax panel that he recognized the issue of property tax exemption to have broader impacts and implications that the focus of his bill, and he suggested the Committee kill his bill but study the larger problem of property tax exemptions and their impacts on the host communities. MMA testified in support of LD 171, as well as Rep. Carr's analysis of the wider scope of the exemption issue, but MMA suggested that the issue had been studied to death and it is time for action. The Committee complied with Rep. Carr's suggestion and voted LD 171 "ought not to pass", with an indication that consideration would be given to the issue when LD 765 comes to the Committee. LD 765 proposes a common reimbursement strategy for "current use" tax reductions, and that principle could be applied to state-purchased lands as well.

LD 174, An Act to Amend the Determination of Penalty for the Tree Growth Tax Law. Presented to the Committee on February 20 by its sponsor, Rep. Walter Gooley (Farmington), this bill would reduce the financial penalty that is applied when property is removed from the Tree Growth Tax Program. Rep. Gooley told the Committee he understood the need for a financial disincentive against removing property once enrolled in a current use category, but he believed the existing penalty formula to be too severe.

Rep. Gooley said he had heard about a 97 year old forest land owner who was hit with a \$7,000 penalty for withdrawing a low value woodland parcel. If the Committee was unable to support the penalty reduction proposal, Rep. Gooley proposed a conceptual amendment that would require landowners be given 90-day notice by the municipality before a withdrawal would occur for lack of a management plan.

Representatives of the Small Woodlot Owners Association of Maine (SWOAM), the Maine Audubon Society, the Maine Forest Products Council and MMA all testified in opposition to LD 174. SWOAM and the Audubon Society said that reducing the withdrawal penalty would likely contribute to sprawl, but SWOAM liked the idea of requiring municipalities to give 90-day notice to Tree Growth enrollees of their management plan deadlines. The Forest Products Council said that on the principal of consistency they were sticking to their position to make no changes to the Tree Growth Tax Law, no matter what those changes might entail. MMA said that the current use tax program only provides a worthwhile benefit to the public when property is committed to its respective current use for extended periods of time.

The work session for LD 174 is scheduled for February 27.

Property Tax Relief

LD 120, An Act to Increase the Homestead Property Tax Exemption from \$7,000 to \$10,000, and LD 180, An Act to Increase the Homestead Property Tax Exemption. These two bills, sponsored by Rep. Gerald Davis (Falmouth) and Rep. George Bunker (Kossuth Township), respectively, were presented to the Tax Committee on February 15. Both bills would jack-up the value of the homestead property tax exemption. LD 120 would increase it from \$7,000 to \$10,000, and LD 180 would increase it to \$15,000 and continue to increase it in increments of \$1,000 until it reached a value of \$25,000.

No one is more supportive or appreciative of the Homestead exemption as are the officials in Maine's towns and cities. The municipalities believe

that the Homestead exemption is a critically important structural element of Maine's tax code, providing uniform property tax relief in a manner that helps balance the relative burden among Maine's three types of taxation (sales, income and property) and makes the property tax somewhat less regressive. That being said, MMA could not support an increase to the Homestead Exemption at this time. For the Association, it is a question of timing and priorities. There will no doubt come the time when an increase to the Homestead Exemption is warranted, but MMA has an immediate priority of implementing the more targeted Revenue Sharing II initiative that was enacted during the last legislative session (see LD 209, below).

The work session on the Homestead Exemption proposals is scheduled for February 27.

LD 261, An Act to Establish the Maine Resident Homestead Property Tax Rebate Program. Sponsored by Rep. Al Goodwin (Pembroke), this bill would also increase the value of Homestead-based property tax relief from \$7,000 to \$10,000, but it would also repeal the Homestead exemption, and replace it with a rebate program whereby the homesteaders would pay their full taxes, and then get a check in the mail for their property tax rebate from the state. In his presentation to the Committee, Rep. Goodwin indicated that throughout Washington County the Homestead exemption has not delivered the desired effect because the municipal assessors have manipulated the system so that the taxpaying citizens received no relief.

MMA testified in opposition to LD 261. It is easy for people to take pot shots at the Homestead exemption, and there is no shortage of marksmen in state government lined up at that rifle range, but there are a few fundamental facts that should be stipulated up front before the municipal officials are accused of hoodwinking their citizens out of some meaningful property tax relief.

First, the municipal tax rate is decided not by the assessors but by the municipal legislative body – either a town meeting or a town or city council.

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Legislative Bulletin

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

TAXATION (cont'd)

Mysterious cliques of people don't make these decisions in the back rooms of the town hall. The spending decisions are made through a democratic process in the light of day in an open meetings, often by the electorate directly. Legislators and other state officials who have problems with the decisions made by the direct electorate should blame their constituents directly.

Second, the municipal managers and municipal officers, who are responsible for developing proposed municipal budgets, are as a class the most frugal, cost-conscious bunch anyone is ever likely to run into.

Third, just because a municipality's mill rate didn't go down as a result of the Homestead exemption doesn't mean the municipality and its officials "gobbled up" the property tax relief and stole it from their citizens. Towns are all at different places with regard to their financial needs, and if the homestead exemption softened an unavoidable property tax increase rather than allow for a property tax decrease...it still provided property tax relief.

Finally, the evidence suggests that the Homestead exemption has accomplished exactly what was intended. The average full value property tax rate in Maine is calculated by dividing the total property tax commitment (the sum of money all the municipalities put together need to raise by property taxation in order to operate for a fiscal year) by the state-equalized "just value" of all the taxable property in those municipalities. The calculation of the average state wide full value mill rate used to be very simple, but the advent of Tax Increment Financing (TIF) systems and the implementation of the Homestead exemption has made the calculation more complicated. After making all the adjustments necessary to provide an "apples-to-apples" comparison of the average statewide full value mill rate over time, the results (**as depicted in the table on page 1**) demonstrate that the Homestead exemption has effectively reduced the property tax rates.

As can be seen, coincident with the implementation of the homestead ex-

emption, the 1998 statewide average full value mill rate dropped for the first time in 10 years, and dropped again in 1999, for a total 2.7% drop in average full value property tax rate between 1998 and 2000.

There are a number of factors that contribute to a decreased property tax rate. A solid increase in valuation reduces mill rate, and three years of healthy 6% increases to state education have helped reduce the local commitment, but the Homestead exemption undoubtedly played its role as well.

The Committee's work session on LD 261 is scheduled for February 27.

LD 145, An Act to Protect Senior Homeowners. Sponsored by Rep. Stavros Mendros (Lewiston), this bill would prohibit a property tax lien foreclosure on a property if the resident-owner is at least 70 years of age and the delinquent taxes are less than 50% of the assessed value of the property. The bill was presented to the Taxation Committee on February 15. MMA spoke in opposition to the measure, suggesting there were several other more straightforward ways to deal with the problem of the property tax burden as it impacts certain homeowners than frustrating the property tax collection mechanism.

The Committee's work session on LD 261 is scheduled for February 27.

LD 209, An Act to Increase the Amount Transferred through State-Municipal Revenue Sharing. The question is why some property tax rates are twice or three times as big as others.

The easy answer...the easy rationalization...is not that some towns are profligate spenders and others are very frugal. Although there are certainly some differences in spending philosophy from town to town, those differences do not begin to explain what at first glance looks to be an insane patchwork of property tax rates spread across the lay of the land.

Why does one community have a tax rate of 25 mills and another have a mill rate of 12? And what are the consequences when these two communities are next to each other, or within 20 minutes commuting distance?

LD 209 was presented to the Taxation Committee by its sponsor, Senator Ken Gagnon (Kennebec Cty.) on Feb-

ruary 15. LD 209 would structurally implement a pieces of tax policy initiated during the last legislative session that has been dubbed "Revenue Sharing II". Revenue Sharing II changes the municipal revenue sharing system by preserving traditional revenue sharing but providing that additional, above-inflation revenue that may accrue to the Local Government Fund should be distributed to Maine's towns and cities according to a formula that gives special emphasis to municipalities with higher-than-average property tax burdens.

The distribution system has already been adopted as a matter of policy. What didn't happen during the last legislative session was the enactment of a structural source of funding for Revenue Sharing II. The Legislature made a one-time-only appropriation of \$3.6 million for Revenue Sharing II for this current fiscal year (FY 01) which will be distributed in June. LD 209 would take the next step by increasing the percentage of sales and income tax revenue dedicated to the Local Government Fund from 5.1% to 5.5%, representing an annual bump to revenue sharing of \$8.5 million.

Representative David Lemoine (Old Orchard Beach), Biddeford City Manager and MMA President Bruce Benway, Portland City Councilor Nick Mavodones Jr., Augusta's Assistant City Manager Mike Lombardo, and Lewiston's Assistant City Manager Phil Nadeau all spoke in favor of LD 209, along with MMA.

Rep. Lemoine made the connection between sharply disparate property tax rates and the phenomenon of "sprawl", which he has been trying to deal with as a chairperson of a Growth Management Task Force. Rep. Lemoine said that he was convinced that a significant factor driving sprawl are the mill rate differences between the service center communities and the suburban and more rural communities surrounding them.

Ed Barrett pointed out that the 69 identified regional service center communities in Maine provide the location for 75% of the jobs and 84% of sales in the state. Barrett said that the decen-

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TAXATION (cont'd)

tralization of the state's psychiatric institutions into group homes, the conversion of rental property to tax exempt status, and the enormous costs of developing a new regional civic center are some of the challenges facing Bangor that are driving its mill rate into the mid-20s compared to mill rates of half that amount in the surrounding communities.

Councilor Mavodones told the Committee that Portland is facing an extremely difficult budget year and its mill rate of 24 mills would be nearly 2 mills higher without revenue sharing. To give some context to the City's budget, Mavendiotis said that the cost of deploying the public works crew to shovel out after a snow storm is \$2,300 an hour. Cleaning up after a fairly minor snow storm on a recent weekend so that regular commercial operations would not be impeded on Monday morning cost the city's taxpayers \$53,000.

Lewiston's Phil Nadeau dispelled the myth that Maine's municipalities are working in isolation and providing redundant services by describing the high level of cooperation, shared services and infrastructure that exists between Lewiston and Auburn, but for all of that, the twin cities are still saddled with property tax rates in the range of 25 mills.

MMA provided the Committee with regional maps of Maine where the municipalities were only identified by full value mill rate, not by their name, and the Committee was challenged to make some sense out of the wildly disparate property tax rates that are splashed across the map in a seemingly incoherent pattern.

But there is a method to that madness. The correlation is remarkable. Where there is economic activity, the roads-power-water-sewer infrastructure that supports a vibrant economy, relatively dense populations and concentrations of social service agencies...in short, where you might think the state should be making investments...there you will find the most punishing property taxes.

The work session for LD 209 is scheduled for February 27.

Motor Vehicle Excise Tax

LD 86, An Act to Exclude Antique Autos from Excise Tax. The title of this bill speaks for itself. Rep. Joe Brooks (Winterport) sponsored the bill and presented it to the Committee on February 1. In his presentation, Rep. Brooks said that he introduced the bill on behalf of a constituent. Other than the sponsor, no one spoke in favor of the bill. MMA spoke in opposition to the proposal. At a subsequent work session, the Committee voted LD 86 "ought not to pass".

LD 398, An Act to Allow Municipalities to Determine the Level of Auto Excise Tax. The motor vehicle excise tax is calculated by multiplying the manufacturer's suggested retail price of the vehicle by a depreciating mill rate as the vehicle gets older (24 mills in the first year, 17.5 in the second, 13.5 in the third, 10 in the fourth, and so on). LD 398, sponsored by Sen. Marge Kilkelly (Lincoln County) would give municipalities a "local op-

tion" to set their own excise tax rates, provided those rates were not greater than the rates established in law. In other words, a downward local option.

On Tuesday of this week LD 398 had its public hearing and Sen. Kilkelly told the Committee that whether a municipality might want to lower its excise tax rates (and effectively raise its property tax rates) would be a good discussion for municipalities to have.

MMA testified in opposition to LD 398. The motor vehicle excise tax system was created expressly for the purpose of blanket uniformity across tax jurisdictions. On the day LD 398 had its public hearing, the Town of Kittery was in the news for its attempts to enforce motor vehicle registration law, where as many as several hundred residents were reportedly dodging Maine's excise tax by registering their vehicles in New Hampshire. The municipal officials in Maine are not interested in engendering that kind of intermunicipal competition to attract motor vehicle revenues.

LD 398 will be taken up at a work session on February 27. (GH)

Unanimous Support for MSRP Bill

Due to the efforts of the bill sponsor, Rep. Irvin Belanger (Caribou), and the collaboration of representatives from the Secretary of State's Office and the Maine Automobile Dealers Association, on Wednesday, February 21st the Transportation Committee voted unanimously to support an amended version of LD 74 – **An Act to List the Manufacturer's Suggested Retail Price on the Certificate of Title.** LD 74 was the first of MMA's initiated bills to receive a public hearing.

As amended, LD 74 requires that after January 1, 2002 the Manufacturer's Suggested Retail Price (MSRP) be included on the title application and the title document for new vehicles. The availability of the MSRP information on the title documents will greatly improve the administration of motor vehicle excise tax administration in the years ahead. The bill also requires the MRSP to be included on the title application and document on

used vehicles only if it has previously been included on the original Maine title.

The amendments adopted by the Committee strengthen the bill. The first change, which sets the effective date for this new requirement to begin after January 1, 2002, strips the fiscal note from the bill. If the effective date had been set for 90 days after adjournment of the Legislature, the Secretary of State would have been required to waste existing supplies of title applications and documents. The delay will coordinate the timing of reordering the amended forms with the time the state would need to replenish supplies.

The bill is also strengthened by the provision to include the MSRP on both the title document and the title application. This change ensures that at some point in the future all new and used vehicle title documentation will include the manufacturer's suggested retail price. (KD)

Surety Bonds

for Utility Lines

On Tuesday, Feb 20th, the Utilities and Energy Committee held the work session for LD 288, **An Act to Clarify Access to Private Lines in a Public Way**. This bill was sponsored by Representative Richard Tracy (Rome). Under current law, an applicant seeking to install a private line across the public right of way can be required to post a surety bond before the municipality signs off on the project. LD 288 would repeal the surety bond requirement.

After posting the surety bond with the licensing authority, usually a municipality, a private individual may install a line in the private right of way. The utility company of jurisdiction is then given the authority to inspect the line to ensure compliance with the National Electric Safety Code. The line must meet these specifications prior to being energized.

The requirement of the surety bond ensures the protection of consumers. The surety bond is to be of a sufficient amount to protect the public from any claims, demands and actions arising out of the improper construction of the line.

The Committee recognized that the surety bond has been a long-standing requirement and that many municipalities treated the requirement differently. One legislator was concerned about lack of uniformity; others thought a uniform cap on these bonds would frustrate the consumer protection element of this law.

MMA testified in opposition to LD 288. There needs to be some mechanism in place to ensure consumer protection. Though the current law is not entirely clear, the removal of the surety bond would leave injured parties without an appropriately accessible recourse. Both the municipalities and the general public need some tools to ensure that private property in the public right of way remains the financial responsibility of the private property owner.

After a lengthy discussion, the Committee voted that LD 288 “ought not to pass.” (KH)



Senator Jill Goldthwait and Representative Randy Berry, chairpersons of the Appropriations Committee. Sen. Goldthwait served as a councilor for the Town of Bar Harbor from 1985-1993, and was MMA's President in 1992. Rep. Berry has been the Fire Chief in the Town of Livermore since 1994.

E-911 Implementation

In the late hours of Thursday afternoon, the Utilities and Energy Committee held a public hearing on LD 390, **An Act to Require Telephone Utility Participation in Enhanced 9-1-1**. Representative Don Berry (Belmont) sponsored the bill and provided testimony that the legislation is intended to clarify and establish an affirmative duty that all local telephone exchange carriers must provide the data necessary to furnish the E-911 Public Safety Answering Points (PSAPs) with the caller's accurate physical address. Rep. Berry stated that he has fought hard to establish and implement the E-911 service in Maine and this proposed legislation would assist in the coordination of the system.

Representative Randy Berry (Livermore) testified as a co-sponsor of the bill. As a Fire Chief, Rep. Berry provided a first hand look at the importance of having all Maine communities involved in the system. He stated that he has had difficulty with two local exchange carriers in his community and LD 390 would resolve those problems.

A member of the state's Public Safety Department testified in support of the bill. This testimony reiterated

the life-saving efforts of the E-911 system. Once put in place, the system has the potential to shave valuable minutes from the response time of the emergency services.

Also providing testimony in support of the bill, Verizon representative Dan Breton stated that the entire E-911 system should be in place by August of this year. He stated that he had not had too many difficulties with local exchange carriers, but LD 390 would provide the necessary public policy to compel phone companies to comply.

MMA also provided testimony in support of the bill. Municipalities have complied with the onerous task of naming all municipal streets and private drives. Recalcitrant companies are creating a disparity in the level of service provided by fire, police and emergency services. Those phone customers served by a cooperative company will be afforded the benefits and protections of the E-911 system, while those customers served by less cooperative companies will be denied access to the enhanced system.

The Committee will hold a work session for LD 390 on February 27th at 9:30 in the State Office Building, Room 209. (KH)

(The bill summaries are written by MMA staff and are not necessarily the bill's summary statement or an excerpt from that summary statement. There are many more bills of municipal interest being printed than there is space in the Legislative Bulletin for their description. 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.)

Education and Cultural Affairs

LD 994 – An Act to Establish Equity in the School Funding Formula. (Sponsored by Sen. Martin of Aroostook County)

This bill would prohibit any method of assessing the local costs of a School Administrative District (SAD) among the municipalities within the district in such a way that would result in a per-pupil cost disparity greater than 25% between two member municipalities.

LD 1089 – An Act to Improve Taxpayer Equity in School Funding. (Sponsored by Sen. Abromson of Cumberland; additional cosponsors)

This bill would change the formula for distributing General Purpose Aid to Education by increasing the weight of the income factor in the formula from 15% to 25% and reintroducing the annual adjustments of the cost-of-living factor to the median income calculation system.

LD 1100 – An Act to Allow Municipal Officers to Negotiate Employment contracts with School Employees. (Sponsored by Rep. Schneider of Durham)

This bill would authorize the municipal officers of a municipality, by a majority vote, to elect to negotiate employment contracts with employees of a municipal school unit, effectively replacing the school board in that task.

Judiciary

LD 1064 – An Act Regarding Property Tax Liens. (Sponsored by Rep. Murphy of Berwick)

This bill would require that the property tax lien placed on a property under the owner's name be re-placed on the property under the new owner's name if the municipality receives written notice that the property has changed ownership.

State and Local Government

LD 796 – An Act to Amend the Laws Governing Municipal Citizen Initiatives and Referenda. (Sponsored by Sen. Daggett of Kennebec County; additional cosponsor)

This bill would prohibit a municipal ordinance adopted by means of a citizen-initiated referendum from invalidating, revoking or modifying any land use permit obtained before the ordinance is adopted.

LD 1054 – An Act to Ensure Independent Decision Making in Appeals of Denials of Abatement of Property Taxes. (Sponsored by Sen. Kilkelly of Lincoln; additional cosponsors)

This bill would strip municipalities where the selectmen serve as the board of assessors of the right to establish a local Board of Assessment Review to hear property tax assessment appeals.

Taxation

LD 944 – An Act to Provide Equity in the Payment of Excise Tax on Rented Equipment. (Sponsored by Rep. Bumps of China)

Under current law, when large pieces of self-propelled motor vehicle equipment not designed for passenger transport (such as road construction machinery, ditch-digging apparatus, stone crushers, etc.) is rented to construction companies, the construction companies are supposed to pay the motor vehicle excise tax on that equipment. This bill would allow the construction companies to pay 50% of the excise tax normally required when the term of the lease is 4 months or less.

LD 949 – An Act to Fairly Distribute the Payment of Real Estate Transfer Taxes. (Sponsored by Rep. Green of Monmouth; additional cosponsors)

This bill would gradually raise over 5 years the percentage of the Real Estate Transfer Tax that is remitted to the county where the tax is initially collected from the current percentage of 10% to 25% by 2006. The distribution of the remainder of the Real Estate Transfer Tax revenue would also be amended by this bill so that the Housing Opportunities for Maine Fund (HOME), as administered by the Maine State Housing Authority, would not be financially affected by the increased allocation to the counties; instead, the state General Fund would absorb the reduction in state revenue associated with the counties' increased allocation.

LD 970 – An Act to Limit the Use of Property Taxes to Fund Education. (Sponsored by Rep. McGowan of Pittsfield; additional cosponsors)

This bill is a "concept draft" that proposes to cap the mill rate on property taxes earmarked for public education at 4 mills for primary residences and business properties. All other properties would not be subject to a cap on mill rate associated with education. The revenues lost by establishing this cap would be made up by increasing the sales tax and eliminating selected sales tax exemptions, or an alternative recommendation crafted by the Taxation Committee. The change would be phased in over a 3-year period.

LD 1007 – An Act to Amend the Laws on Current Use Taxation to Exclude Property that is Subdivided After Classification. (Sponsored by Sen. Pendleton of Cumberland County)

This bill would exclude from any current use tax classification (tree growth, farmland or open space) any portion of the enrolled property included in a subdivision that is approved on or after April 1, 2002.

LD 1057 – An Act to Clarify the Definition of "Charitable Institution" for Purposes of Property Tax Exemption. (Sponsored by Sen. Kneeland of Aroostook County; additional cosponsors)

This bill would amend the law governing the property tax exemption for charitable institutions by establishing that to be eligible all the institution has to do is obtain 501 (c) (3) status under the IRS code. This bill would also overturn current law and all charitable institutions to use any amount of their property for non-charitable purposes and still receive a pro-rated property tax exemption.

LD 1109 – An Act to Clarify Conditions of Eligibility for Property Tax Exemptions for Benevolent and Charitable Institutions. (Sponsored by Rep. Glynn of South Portland)

This bill would establish a new standard of eligibility for a charitable institution to obtain its tax exemption. The charitable institution would have to either provide a significant portion of its services to a substantial class of persons who are the legitimate subjects of charity or otherwise relieve the government of its burden to care for or advance the interests of its citizens.

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, February 26

Inland Fisheries & Wildlife
Room 206, Cross State Office Building, 1:30 p.m.
Tel. 287-1338

LD 227 – An Act to Amend the Laws Pertaining to the Discharge of Firearms Near Certain Buildings. (Sponsor: DUNLAP) (DEPARTMENT BILL) (Submitted by the Department of Inland Fisheries & Wildlife)

State & Local Government
Room 216, Cross State Office Building, 9:00 a.m.
Tel. 287-1330
LD 471 – An Act to Provide a Local Option on Display of the State Flag. (Sponsor: BROOKS)

Tuesday, February 27

Agriculture, Conservation & Forestry
Room 206, Cross State Office Building, 1:30 p.m.
Tel. 287-1312

LD 515 – An Act to Eliminate the Maine Land Use Regulation Commission. (Sponsor: Clark)

Business & Economic Development
Room 208, Cross State Office Building, 10:00 a.m.
Tel. 287-1331

LD 547 – An Act to Provide support for Impoverished Communities for Economic Development. (Sponsor: McGlocklin)

Legal & Veterans Affairs
Room 436, State House, 1:30 p.m.
Tel. 287-1310

LD 279 – An Act to Amend the Time the Registrar is Required to be at a Municipal Caucus. (Sponsor: Cressey)

Marine Resources
Room 437, State House, 1:30 p.m.
Tel. 287-1337

LD 502 – An Act to Create the Right to Fish. (Sponsor: Goldthwait)

Wednesday, February 28

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

LD 649 – An Act Concerning the Obligation of County Taxpayers to Pay for Medical Care for County Jail Inmates. (Sponsor: Wheeler, E)

Inland Fisheries & Wildlife
Room 206, Cross State Office Building, 1:30 p.m.
Tel. 287-1338

LD 335 – An Act to Change the Snowmobile Registration Laws. (Sponsor: Kilkelly)

Natural Resources
Room 437, State House, 1:30 p.m.
Tel. 287-4149

LD 179 – An Act to Protect Sensitive Geologic Areas from Oil Contamination. (Sponsor: Cowger) (DEPARTMENT BILL)

(Submitted by the Department of Environmental Protection)

LD 481 – An Act to Modify the Dam Repair and Reconstruction Fund. (Sponsor: Winsor)

State & Local Government
Room 216, Cross State Office Building, 1:30 p.m.
Tel. 287-1330

LD 494 – An Act to Authorize a Major Medical Insurance Program for Prisoners Incarcerated in County Jails. (Sponsor: Mills)

LD 500 – An Act to Clarify the Act of Separation of Frye Island from the Town of Standish. (Sponsor: O' Gara)

LD 518 – An Act to Promote Affordable Housing for the Elderly. (Sponsor: Lewin)

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

LD 576 – Resolution, to Amend the Constitution of Maine to Dedicate Funds for the Protection of Maine's Fish and Wildlife Resources. (Sponsor: Savage, W)

Transportation
Room 126, State House, 1:30 p.m.
Tel. 287-4148

LD 332 – An Act to Require Seat Belts on School Busses. (Sponsor: Pendelton)

LD 378 – An Act to Allow Individuals with Disability Registration Plates or Placards to Park Where There is a Parking Meter Without a Charge. (Sponsor: Andrews)

Thursday, March 1

Agriculture, Conservation & Forestry
Room 206, Cross State Office Building, 1:30 p.m.
Tel. 287-1312

LD 739 – An Act to Require That Wolf Hybrids be Tattooed and to Establish Penalties for Releasing Wolf Hybrids from Captivity. (Sponsor: Dunlap)

Education & Cultural Affairs
Room 214, Cross State Office Building, 1:00 p.m.
Tel. 287-3125

LD 889 – An Act to Establish a Mandated Minimum for Teachers' Salaries. (Sponsor: Baker)

Legal & Veterans Affairs
Room 436, State House, 1:30 p.m.
Tel. 287-1310

LD 59 – Resolution, Proposing an Amendment to the Constitution of Maine to Increase the Number of Signatures Required on Direct Initiative Petitions. (Sponsor: Mayo)

LD 123 – Resolution, Proposing an Amendment to the Constitution of Maine to Require Signatures From All Counties on Direct Initiative Petitions. (Sponsor: Mayo)

LD 199 – Resolution, Proposing An Amendment to the Constitution of Maine to Restrict Reintroduction of Previously Failed Citizen Initiatives. (Sponsor: Gooley)

LD 238 – An Act to Require Proof of Identity in Order to Vote. (Sponsor: Clough)

LD 580 – An Act to Prohibit Collection of Referendum Signatures on the Day of State Elections. (Sponsor: Stanley)

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Taxation

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

Tel. 287-1552

LD 358 – Resolution, Proposing an Amendment to the Constitution of Maine to Require a Vote of 2/3 of Each House of the Legislature to Enact or Include a Tax or License Fee. (Sponsor: Waterhouse)

Utilities & Energy

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

Tel. 287-4143

LD 503 – An Act to Authorize the Town of Bar Harbor to Acquire the Bar Harbor Water Company. (Emergency) (Sponsor: Goldthwait)

LD 570 – An Act to Remove Redundant Written Authorization Requirements. (Sponsor: Colwell)

Friday, March 2

Natural Resources

Room 437, State House, 9:30 a.m.

Tel. 287-4149

LD 131 – An Act to Extend and Amend the Requirement for Giving Prior Notice of Acquisitions of Solid Waste Businesses. (Emergency) (Sponsor: Nutting, J)

LD 504 – An Act to Establish the State's Recycling and Waste Reduction Goals. (Sponsor: Treat) (DEPARTMENT BILL) (Submitted by the State Planning Office)

LD 509 – An Act to Regulate Waste Transfer Facilities. (Sponsor: Lovett)

Monday, March 5

State & Local Government

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

Tel. 287-1330

LD 562 – An Act to Allow Municipalities to Create Capital

Improvement Districts. (Sponsor: Andrews)

LD 568 – An Act to Improve Local Government Unit Access to Bulk Purchasing. (Sponsor: Mitchell, C)

Taxation

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

Tel. 287-1552

LD 635 – Resolution, Proposing an Amendment to the Constitution of Maine to Value All Land Based on Its Current Use. (Sponsor: Foster)

LD 710 – An Act to Authorize Towns to Give Tax Breaks to Volunteer Firefighters. (Sponsor: Murphy, E)

LD 765 – An Act to Establish a Municipal Reimbursement Formula for Current Use Taxation Programs. (Sponsor: Etnier)

LD 496 – An Act to Amend the Maine Revenue-sharing Formula. (Sponsor: Lemont)

Transportation

Room 126, State House, 1:30 p.m.

Tel. 287-4148

LD 492 – An Act to Reimburse Communities that have Constructed Sand and Salt Sheds and are Rated Priority 1 or 2. (Sponsor: Nutting, J)

LD 493 – An Act to Require the Department of Transportation to Coordinate with Municipalities Regarding Landscaping and Planting. (Sponsor: Gagnon)

LD 507 – An Act to Provide Property Tax Relief from the Cost of Public Transportation. (Sponsor: Marley)

LD 595 – Resolve, to Allocate Funds to the Department of Transportation for the Construction of a 2nd Bridge in Skowhegan. (Sponsor: Hatch)