

Legislative BULLETIN

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Reimbursement for 'Current Use' Taxation

A Woody Allen joke describes two nursing home residents grumbling about the institutional food. The first resident says, "The food here is terrible! It tastes like plastic, it's heavily salted and full of fat...it's revolting." The other resident agrees, saying, "You're so right. The food here is disgusting...and such small servings, too!"

That sums up MMA's testimony on the state's current use taxation programs (Tree Growth, Farmland and Open Space) and the partial reimbursement provided. The municipal reimbursement system, such as it is, is governed by deficient law, and there's not enough of that bad law to go around.

Rep. David Etnier (Harpowell) presented a bill to address that problem to the Taxation Committee on Monday this week. LD 765, *An Act to Establish a Municipal Reimbursement Formula for Current Use Taxation Programs*, would make two fundamental changes to the state's "current use" taxation policy.

First, it would fix the reimbursement law as it applies to Tree Growth taxation. That law makes the claim that municipalities will be reimbursed for 90% of the lost property tax revenue associated with Tree Growth reimbursement, but the vast majority of municipalities with land in the Tree Growth program are not reimbursed at anywhere near the 90% rate. According to an MMA survey on the subject, a majority of the respondent municipalities were receiving less than 50% reimbursement, and 10 of those 50 re-

spondent municipalities (20%) were recording reimbursement rates of 20% or less of their lost property tax revenue.

No matter how it is analyzed, Tree Growth reimbursement is remarkably uneven and unpredictable from town to town and year to year.

One reason for that disconnect between the law and real life is that the law arbitrarily assumes that if the land were not being enrolled in the Tree Growth program it would be assessed at the local "undeveloped acreage rate" or the county-wide "undeveloped acreage rate", whichever is less. When any property is enrolled in the program that has a higher market value than those "undeveloped acreage rates", the state's claim to reimburse at 90% does not materialize.

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5% GPA Increase???

Governor King's proposed biennial budget calls for a 5% increase to General Purpose Aid to Education (GPA) for the first year of the biennium (FY 02) and 3% for the second year (FY 03).

In dollar terms, the \$664 million state appropriation for the current fiscal year would increase to \$697 million for next year. \$2 million within that \$697 million, however, would be distributed as a hardship cushion rather than according to the dictates of the GPA formula. Technically, that represents a 4.7% increase to GPA plus a \$2 million cushion outside GPA. The hardship cushion would be designed to soften the GPA decreases some school districts would face even with the \$31 million increase, because they are losing student population or experiencing increased state valuation, or both.

Despite the fact that many legislators express an interest in providing a larger boost to the GPA appropriation, and that the Education Committee is recommending a \$4.6 million increase over a clean 5% increase (all of which would be devoted to a hardship cushion), a fiscal reality is setting in. A new \$47 million hole in the state budget as a result of a revenue reprojection (see related article) is suggesting to many that the 5% GPA increase, give or take a \$2 million cushion, is the most education subsidy that is going to get squeezed out of this budget.

The Appropriation Committee came close to moving 5%-plus-\$2 million into the budget document this week, but backed-off at the last minute and tabled the decision.

Multiple spreadsheets that show the distribution of a 5% increase according to a variety of "cushion" scenarios have been prepared by the Department of Education. Anyone interested in obtaining a copy of those spreadsheets should contact Laura Veilleux at 1-800-452-8786. (GH)

CURRENT USE (cont'd)

LD 765 would remove this “ undeveloped acreage rate” concept. The reimbursement, however it might otherwise be calculated, would be based on the municipality’ s *actual tax loss*, after factoring in the education subsidy and revenue sharing advantages that would accrue to the town because of its reduced state valuation.

The second major policy change advanced by LD 765 is that it would create a common reimbursement system for all three “ current use” programs. The farmland program and the current use program have never received a penny of state reimbursement. This failure to reimburse allows the Legislature to advance these property tax break programs for their variously-perceived statewide benefits, but it’ s the local “ full-freight” property taxpayers who actually foot the bill.

Proposals to expand the current use program are on the rise. A constitutional amendment went to the voters last November to add a current use category for “ commercial fishing activities” . That measure was narrowly defeated. A bill this session would allow two acre lots into the Farmland program, and another bill would create a new Open Space category for wildlife habitat which would yield a 25% reduction in the land’ s “ just value” assessment. (Although the Maine’ s Constitution requires that the state provide municipalities for at least 50% reimbursement for new property tax exemptions, the state takes the position that “ current use” taxation is an alternative assessing method rather than



Milo Town Manager Jane Jones testified before the Taxation Committee on the need for changes to "current use" reimbursement.

a partial exemption, even though it has an exemption’ s effect. No state reimbursement required.)

Accordingly, legislative proposals to expand “ current use” taxation are on the rise...proposals to create clean new property tax exemptions which would require state financial participation are on the wane.

Municipal testimony. Despite the prognostications of the news media of a once-in-a-decade blizzard, municipal officials from far-flung corners of the state came to Augusta on Monday to testify in support of LD 765.

Milo’ s Town Manager, Jane Jones, made the 4 hour round trip to deliver information to the Tax Committee about the true impact of current use taxation in Milo and several other communities in the region. Jones said that consumption of the municipal tax base by Tree Growth may be driving one near-by community into deorganization, just as Madrid’ s deorganization was attributed, at least in part, to shortcomings in Tree Growth reimbursement. Jones said that Milo is burdened with a property tax rate of 23.5 mills. If the Tree Growth program were properly reimbursed, the mill rate would drop six-tenths of a mill.

Southwest Harbor’ s assessor, Tom Edwards, presented a map of his community, the majority of which is covered by a combination of federal and state exempt lands, Tree Growth, and

Open Space classifications in the very choicest land parcels in town. According to Edwards, for FY 01 the combined effect of the Tree Growth and Open Space programs in Southwest Harbor will expose the taxpayers to a\$63,000 tax shift.

The Administrative Assistant for the Town of Sullivan, Helen Gordon, made the four-hour round trip to convey the impact of the tax shift resulting from the enrollment of 5,000 acres of that town into the Tree Growth tax bracket, and the Administrative Assistant of the Town of Leeds, Jane Wheeler, asked the Tax Committee to support LD 765 to address the impacts of Farmland enrollments in that town.

No one denies that the enrollment of land in the Legislature’ s current use tax programs has the effect of shifting the tax burden from some property owners to the remaining property taxpayers in the affected municipalities. LD 765 says that the state, with its broad-based tax revenues, should financially participate along with the local property taxpayers to pay for these partial tax exemptions the Legislature creates.

Whether the Legislature believes it has any financial responsibility for the “ current use” tax breaks it creates will be determined by the outcome of LD 765. The Tax Committee will be working on LD 765 on Monday, March 12. (GH)

Legislative Bulletin

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

Forecasting Commission Revises Revenue Projections

The State entered this 2-year budget cycle with an estimated structural deficit of \$242 million.

Last week the *Legislative Bulletin* reported that the Revenue Forecasting Commission was considering increasing that structural deficit to an even \$300 million, primarily due to sagging sales tax revenues attributable to a slump in December's spending and a slow down in automobile sales.

As a matter of law, the Revenue Forecasting Commission identifies available state revenues. The Commission's decisions create the numbers the Legislature must work with to fashion a balanced budget.

This week the Revenue Forecasting Commission met to finalize its decision, and got slightly more bullish on the economy. Instead of creating a new budget hole of \$58 million, the final decision of the Commission will increase the deficit by \$47.3 million, creating a somewhat smaller bigger hole in the developing state budget, a new hole that is almost entirely attributable to a slip in sales tax revenues in December of 2000.

The increased bullishness of the Revenue Forecasting Commission comes in contrast to a recommendation of another economic forecasting group, the Consensus Economic Forecasting Commission, which is charged with providing the Revenue Forecasting Commission a big-picture overview of projected economic conditions. The Consensus Economic Forecasting Commission last week recommended reducing the projected growth in individual tax revenues by half a point, from 5% projected annual increases to 4.5%. Because the actual individual income tax receipts received through February are over projections, the Revenue Forecasting Commission reviewed but ultimately rejected the recommendations of its forecasting counterpart.

The tally sheet on the budget is as follows:

	(Gap in millions)
Original Structural Gap	\$242
Governor's Proposed Budget	(balanced)
Leg. Review of Gov' s Budget	\$161.5
Downward Revenue Projection	\$47
Overall Biennial Deficit	\$289
Governor needs to balance	\$47
Legislature needs to balance	\$208.5

Just as the snowstorm on Tuesday slowed things down in the Capitol City, this new information on the size of the budget deficit is making the wheels spin without much traction at the Appropriations Committee level. Senate Chair of that Committee, Senator Jill

Goldthwait (Hancock Cty.) urged her colleagues on the finance panel to move the process along by making some decisions and constructing a budget on paper for the Legislature to react to. Senator Goldthwait's colleagues, at least for the most part, seem more inclined to hang back, wait for the Governor's proposed "change package" to be delivered and move the decision making process more slowly.

With less than a week to go, it appears that the March 15 statutory deadline for the Legislature to establish the General Purpose Aid to Education (GPA) subsidy will go by the way side (see 20-A MRSA §15607). It is certainly the case that throughout the last decade the statutory requirement for the Legislature to adopt the educational subsidy in a timely manner — so that the schools and the municipalities can then make their budget decisions — has been disregarded far more often than it has been adhered to. (GH)

Signatures for Citizen Initiatives

At last count, it appeared as though the Legal and Veterans Affairs Committee would be addressing over thirty bills aimed at amending, repairing or enhancing Maine's election laws. On Thursday, March 8th the Committee took action on three election bills of municipal interest.

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. Arthur Mayo (Bath), LD 59 would ask the voters of Maine to decide whether or not the state's Constitution should be amended to increase the number of signatures necessary to send a citizens' initiated petition to the voters. As proposed, the number of signatures necessary would increase from 10% to 15% of the total number of persons voting in the previous gubernatorial election. The Committee unanimously voted LD 59 "ought not to pass."

LD 123, *RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require Signatures From All Counties on Direct Initiative Petitions*. Sponsored by Rep. Arthur Mayo (Bath), LD 123 would ask the voters of Maine to decide whether or not the state's Constitution should be amended to require that 5% of the necessary signatures be collected from voters in each of Maine's sixteen counties. The Committee voted (9-2) that LD 123 "ought to pass as amended". First, the amendment would make the changes to signature collection law in statute rather than sending forth a proposed constitutional amendment. Second, the amendment specifies that the minimum number of signatures to be collected from a county is 5% of the number of votes cast *in that county* in the last gubernatorial election. Finally, the bill was amended to establish that the minimum signature requirement be applied to 10 of the 16 counties rather than all counties.

LD 238, *An Act to Require Proof of Identity in Order to Vote*. Sponsored by Rep. Harold Clough (Scarborough), LD 238 would require a person wishing to vote in an election to provide proof of identity by show-

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Transportation Update

Thus far this session the Transportation Committee has held public hearings and work sessions on an eclectic collection of bills aimed at addressing handicapped parking enforcement, municipal reimbursement for sand/salt storage facilities and the funding public transportation. On Thursday, March 8th, the Committee made decisions on several bills of municipal interest.

LD 378, *An Act to Allow Individuals with Disability Registration Plates or Placards to Park Where There is a Parking Meter Without Charge*. Sponsored by Rep. Mary Andrews (York), this bill would exempt motorists that display special disability plates or placards from paying parking meter fees. The bill would also allow a person using a reserved space to park for an indefinite period of time. Municipalities are already preempted from charging disabled motorists parking meter fees for a parking duration of twice the maximum metered time. The Committee unanimously voted that LD 378 "ought to pass as amended." As amended the bill would merely copy the current standard found in municipal law and paste it into motor vehicle law as well.

LD 443, *An Act to Amend the Laws Governing Placards for Handicapped Motor Vehicle Operators*. Sponsored by Rep. Harold Clough (Scarborough), LD 443 would require that a person's name be included on the disability placards issued by the Secretary of State. The intent of the bill was to end the abuse of the placards to ensure that only the person authorized to utilize the placard would park in a handicapped space. While MMA did not originally track the bill, as amended and unanimously supported by the Committee, the bill is now municipally relevant. As amended the bill increases the fines for illegally parking in a handicapped parking space from \$100 to "no less than \$100 and no greater than \$500". For the purposes of better enforcement, the Committee also directed the Secretary of State to alert municipal and state law enforcement officers to the fact that the expiration date on

the placard includes the person's date of birth. By requesting a driver's license, a law enforcement officer could ensure that the authorized person is using the parking space.

LD 743, *An Act to Authorize Citizen-issued Citations for Violations of the Handicapped Parking Laws*. Sponsored by Rep. Harold Clough (Scarborough), this bill would authorize any person to enforce the handicapped parking laws of the state of Maine. MMA opposed the bill because the Association believes the existing municipal volunteer parking enforcement program authorized under title 30-A, section 472 is working. The Title 30-A program requires that parking enforcement volunteers be at least 18 years of age, have had a criminal history check, complete a training course and pass an examination. The Committee voted unanimously that LD 743 "ought not to pass".

LD 492, *An Act to Reimburse Communities that have Constructed Sand and Salt Sheds and are Rated Priority 1 or 2*. Sponsored by Sen. John Nutting (Androscoggin Cty.), this bill would fund \$1.1 million of the state's share of municipal sand/salt facilities program that was enacted over 15 years ago. MMA supported the bill because municipal officers believe that the state should be held accountable for funding its share of the programs it deems so necessary that it requires municipalities to fund costly construction projects. This issue is more critical today, because the Governor's Part I budget does not include any incremental funding to support this reimbursement program. The Committee voted to table the bill and address funding for the sand/salt program when it begins its Highway Fund deliberations later this month.

LD 493, *An Act to Require the Department of Transportation to Coordinate with Municipalities Regarding Landscaping and Planting*. Sponsored by Sen. Ken Gagnon (Kennebec Cty.), LD 493 requires the Department of Transportation (DOT) work with the recognized tree board or tree warden

of a municipality concerning the implementation, along state and state aid highways, of the community's beautification goals. The Committee unanimously voted that LD 493 "ought to pass as amended". The amendment defines the term "recognized tree board or tree warden" as an experienced or knowledgeable person designated by the municipal officials and listed by the Department of Conservation. The Department of Transportation developed the amendment to ensure that the municipal officers, if they chose, actually authorize the person to consult with DOT. The Department also felt that listing these individuals with the Department of Conservation would aid DOT to identify and work with those municipalities that have tree boards or tree wardens.

LD 507, *An Act to Provide Property Tax Relief from the Cost of Public Transportation*. Sponsored by Rep. Boyd Marley (Portland), LD 507 would require the state to invest 20% in 2001, 25% in 2002 and 30% in 2003 (and in subsequent years) to offset the local property tax investment in the operating costs associated with providing public transportation. The Committee voted to ask the Legislative Council to "carry over" the bill into the next legislative session (beginning in January, 2002) when a national report on public transportation demands will be available. According to the Department of Transportation, a study is currently underway to determine the unmet public transportation needs at the local and state level. The results are expected in spring of 2002. (KD)

SIGNATURES (cont'd)

ing a state-issued picture identification card. MMA's LPC voted to oppose the bill because it was not convinced that there existed a problem necessitating the change in the voting process. Furthermore municipal officials thought that the changes proposed in the bill would make the process administratively inefficient and have the unintended consequence of creating longer polling place lines and greater frustration. The Committee voted (10-1) "ought not to pass" on LD 238. (KD)

(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.)

Agriculture, Conservation & Forestry

LD 1435 – An Act to Require Licensing of Domestic Cats. (Sponsored by Rep. LaVerdiere-Boucher of Biddeford; additional cosponsors)

This bill would establish a system to license cats that is modeled after the state's dog licensing laws. Cats capable of producing young would be licensed for an annual fee of \$2.50. The annual fee would be \$1 for cats incapable of producing young, of which the municipality registering the cats would be authorized to keep \$.50.

Appropriations & Financial Affairs

LD 1319 – An Act to Authorize a General Fund Bond Issue in the Amount of \$28,000,000 to Provide Funds for Public School Renovations. (Sponsored by Senator Michaud of Penobscot County; additional cosponsors)

This bill would send out to the voters a proposed bond issue of \$28 million for school renovation projects. If adopted by the voters, the total amount appropriated by the state for this purpose over the last several years would be \$100 million.

Education & Cultural Affairs

LD 1312 – An Act to Eliminate the \$1,000,000 Cap Eligibility Requirement for the School Revolving Renovation Fund. (Sponsored by Sen. Mitchell of Penobscot County; additional cosponsors)

Under current law, there a \$1 million cap on the amount of money a school can receive for a school renovation project under the School Revolving Renovation Fund. This bill would remove that cap.

LD 1359 – An Act to Ensure Safe and Healthy Schools. (Sponsored by Sen. Treat of Kennebec County; additional cosponsors)

This bill would increase the maximum debt service limits within the General Purpose Aid to Education appropriation for school construction purposes from \$84 million in 2005 to \$88 million for that year, \$92 million for 2006 and \$96 million for 2007. This bill would also "hold harmless" school construction projects that were on the priority list but did not receive funding under existing debt service limits so that those projects will not be displaced by other projects after a new cycle of prioritization.

Legal & Veterans Affairs

LD 1356 – An Act to Exempt Municipalities from Having to Zone for Mobile Home Parks. (Sponsored by Sen. Small of Sagadahoc County)

Under Maine's Growth Management law, municipalities are required to "seek to achieve" the goal of ensuring that 10% of new residential development meets the definition of affordable housing. This bill would exempt from that standard any municipality that already has a percentage of affordable housing that exceeds the average of the percentage of affordable housing for all the municipalities of the state.

Natural Resources

LD 1308 – An Act to Implement the Recommendations of the Department of Environmental Protection an Ambient Water Quality Criteria for Mercury. (Reported by Sen. Martin for the Joint Standing Committee on Natural Resources Pursuant to Public Law 1999, chapter 500, section 6)

This emergency bill would establish rule-making authority in the Board of Environmental Protection to establish mercury discharge limits, including discharges from Publicly Owned Treatment Works. This bill would also authorize POTWs to require any users of that wastewater treatment system to institute measures to abate their contribution of mercury by requiring those users to test their effluent, institute pollution prevention practices, or evaluate raw materials, practices or products. The POTW could enforce its abatement orders directly or through municipal ordinance. This bill would also prohibit any person from directly or indirectly discharging to a POTW any concentration of mercury that contributes to a failure of the POTW to comply with the mercury water quality limits.

LD 1331 – An Act to Establish the Maine Building Rehabilitation Code. (Sponsored by Rep. Koffman of Bar Harbor; additional cosponsors)

This bill would establish the Maine Building Rehabilitation Code and the Code's advisory council. The Code would be designed to augment existing fire and life safety codes in a way to be more flexible with respect to the rehabilitation of existing buildings. The advisory council would be made up of 15 members, with two representatives of municipal government, and charged with advising the State Planning Office on the development of the code, providing technical advice on the interpretation of the code to all interested parties, developing the code to avoid increased local costs related to implementation, and overseeing training on the use of the code.

LD 1348 – An Act to Ensure the Financial Stability and Effectiveness of Certain Pollution Abatement Programs Administered by the Department of Environmental Protection. (Sponsored by Rep. Twomey of Biddeford; additional cosponsors)

This bill would increase the annual license fees for overboard discharges throughout the state. The base fee and maximum fee is increased for almost all overboard discharges, categorized according to volume, and the discharge fee per gallon is increased from 2 cents to 5 cents per gallon.

LD 1408 – An Act to Pay for Cleanup of Contamination at a Waste Oil Disposal Site in Plymouth. (Sponsored by Rep. Stanley of Medway; additional cosponsors)

This bill would expand the reimbursements available to the designated "responsible parties" associated with the contamination at the waste oil disposal site in Plymouth. The costs of the expanded reimbursements, to businesses, municipalities, school districts and state agencies, would be \$7.5 million, \$3.2 million of which has already been set aside in the Waste Oil Clean-up Fund. The remaining \$4.3 million would be transferred to the fund under this bill from Maine's Rainy Day Fund.

LD 1449 – An Act to Ensure Municipal Authority over Sludge and Septage Land Spreading Sites. (Sponsored by Rep. Cowger of Hallowell; additional cosponsors)

This bill would allow municipalities to adopt sludge or septage spreading ordinances that employ standards that are stricter than those in Maine law and regulation provided the municipality has provided for alternative disposal of all sludge and septage generated within that municipality.

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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 12

Banking & Insurance

Room 427, State House, 10:00 a.m.

Tel. 287-1314

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

Inland Fisheries & Wildlife

Room 206, Cross State Office Building, 10:00 a.m.

Tel. 287-1338

LD 675 – Resolve, to Establish Rules for On-line Sales of Hunting and Fishing Licenses and Watercraft, Snowmobile and All-terrain Vehicle Registrations. (Sponsor: Jacobs)

Natural Resources

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

Tel. 287-4149

LD 516 – An Act Regarding Prehistoric and Historic Archaeological Work Performed in the Shoreland Zone. (Sponsor: Soctomah)

LD 919 – An Act to Provide for Variance Notification in the Shoreland Zoning Law. (Sponsor: Koffman) (Department Bill) (Submitted by the Department of Environmental Protection)

State & Local Government

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

Tel. 287-1330

LD 899 – An Act to Expand the Laws Pertaining to Accessibility for Persons with Physical Disabilities. (Sponsor: Gagne)

Taxation

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

Tel. 287-1552

LD 026 – An Act to Expand the Eligibility for the Veterans' Property Tax Exemption. (Sponsor: Murphy E)

LD 064 – An Act to Increase the Veterans' Property Tax Exemptions. (Sponsor: Schneider)

LD 980 – An Act to Provide Property Tax Relief to Senior and Disabled Citizens of the State. (Sponsor: Glynn)

Transportation

Room 126, State House, 9:00 a.m.

Tel. 287-4148

LD 557 – An Act to Amend the Laws Pertaining to Pedestrians on a Public Way (Emergency). (Sponsor: Buck)

LD 552 – An Act to Improve Police Officer Safety. (Sponsor: Davis G)

1:30 p.m.

LD 591 – An Act to Ensure the Safety of Railroad Bridges. (Sponsor: President Michaud)

LD 1095 – An Act to Amend the Law on Local Bridge Reconstruction. (Sponsor: Ferguson)

Tuesday, March 13

Criminal Justice

Room 211, Cross State Office Building, 2:30 p.m.

Tel. 287-1122

LD 1123 – An Act Concerning Runaways. (Sponsor: Duprey)

LD 1060 – An Act to Relieve Counties from the Expense and Responsibility of Transporting Certain Prisoners Between Correctional Facilities and Courts. (Sponsor: Skoglund)

Legal & Veterans Affairs

Room 436, State House, 1:00 p.m.

Tel. 287-1310

LD 563 – An Act to Require Towns to Process Initiative and Referendum Petitions within One Week of Delivery. (Sponsor: Michael)

LD 569 – An Act to Preserve the Integrity of the Polling Place by Limiting the Physical Presence of Candidates. (Sponsor: Michael)

LD 574 – Resolution, Proposing an Amendment to the Constitution of Maine to Reduce the Number of Signatures Required for Citizen Initiatives. (Sponsor: Michael)

LD 575 – Resolution, Proposing an Amendment to the Constitution of Maine to Allow Maine Citizens to Propose Constitutional Amendments by Initiative. (Sponsor: Michael)

LD 564 – An Act to Encourage Indelible Ballot Markings. (Sponsor: Michael)

Taxation

Room 127, State House, 9:30 a.m.

Tel. 287-1552

LD 144 – An Act to Reduce the Tax on Gasoline. (Sponsor: Snowe-Mello)

LD 697 – Resolve, Decreasing the Gasoline Tax by 10 Cents Per Gallon. (Emergency) (Sponsor: Cressey)

LD 577 – An Act to Create Equitable Taxation of Leased Property. (Sponsor: Colwell)

Wednesday, March 14

Criminal Justice

Room 211, Cross State Office Building, 9:30 a.m.

Tel. 287-1122

LD 941 – An Act to Create a Uniform Standard for Disposal of Property Seized by Law Enforcement Agencies. (Sponsor: Usher)

LD 508 – An Act to Repeal the Maine Criminal Justice Academy Certification Requirements for Sheriffs. (Sponsor: Goodwin)

LD 993 – An Act to Expand the Number of Persons Who May Be Appointed Sheriff or Become a Candidate for Sheriff. (Sponsor: Martin)

LD 936 – Resolve, Creating the State Fire and Emergency Medical Services Academy. (Sponsor: McAlevey)

LD 1048 – An Act to Establish the Maine Firefighter Training Fund. (Sponsor: Peavey)

Natural Resources

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

Tel. 287-4149

LD 346 – An Act to Provide Clarification on the Use of Impact Fees. (Sponsor: Tobin, D.) (Department Bill) (Submitted by the State Planning Office)

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LD 578 – An Act to Assist Municipalities in Developing and Using Geographic Information Systems to Track Development and Promote Smart Growth. (Sponsor: Nass) (Department Bill) (Submitted by the State Planning Office)

LD 165 – An Act to Repeal the Element of Maine’s Growth Management Laws that Voids Municipal Land Use Ordinances. (Sponsor: Tobin, D.)

LD 671 – Resolve, to Direct the State Planning Office to Provide Community Forestry Training to Towns. (Sponsor: Gagnon)

State & Local Government

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

Tel. 287-1330

LD 522 – An Act to Hold Persons Incarcerated in County Jails Accountable for Certain Costs Associated with Their Incarceration. (Sponsor: Lessard)

LD 796 – An Act to Amend the Laws Governing Municipal Citizen Initiatives and Referenda. (Emergency) (Sponsor: Daggett)

2:00 p.m.

LD 1131 – An Act to Allow Municipalities to Advertise Legal Notices in Weekly Newspapers. (Sponsor: Nass)

Thursday, March 15

Agriculture, Conservation & Forestry

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

Tel. 287-1312

LD 957 – Resolve, to Transfer State Property to the City of Bangor. (Sponsor: Perry)

Business & Economic Development

Room 208, Cross State Office Building, 1:00 p.m.

Tel. 287-1331

LD 669 – An Act to Clarify the Use of the Municipal Investment Trust Fund. (Sponsor: President Michaud) (Agency Bill) (Submitted by the State Planning Office)

LD 701 – An Act to Build Parking Garages in Service Center Municipalities. (Sponsor: Tessier)

Education & Cultural Affairs

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

Tel. 287-3125

LD 963 – An Act to Protect Occupants from Diesel Exhaust Emitted by School Busses. (Sponsor: Chick)

Labor

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

Tel. 287-1333

LD 979 – An Act to Require an Additional Labor Representative on the Board of Trustees of the Maine State Retirement System. (Sponsor: Muse, C.)

LD 1015 – An Act Regarding Health Insurance for Firefighters. (Sponsor: Tuttle)

Legal & Veterans Affairs

Room 436, State House, 1:00 p.m.

Tel. 287-1310

LD 1035 – An Act to Require Proof of Liquor Liability Insurance Upon Demand by a Municipality. (Emergency) (Sponsor: Lemoine)

Taxation

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

Tel. 287-1552

LD 839 – An Act to Allow a Property Tax Exemption to Landowners

Whose Property Abuts a Solid Waste Facility. (Sponsor: Tracy)

LD 1007 – An Act to Amend the Laws on Current Use Taxation to Exclude Property that is Subdivided After Classification. (Sponsor: Pendleton)

LD 1096 – An Act to Amend the Public Property Tax Exemption. (Sponsor: O’ Gara)

LD 1108 – An Act Regarding the Assessment and Collection of Real Estate Property Taxes. (Sponsor: Collins)

LD 949 – An Act to Fairly Distribute the Payment of Real Estate Transfer Taxes. (Sponsor: Green)

Utilities & Energy

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

Tel. 287-4143

LD 830 – An Act to Designate the Town of Topsham Communications Center as a Public Safety Answering Point. (Emergency) (Sponsor: Lessard)

LD 934 – An Act to Allow Timely Public Comment on Matters Heard Before Sanitary Districts. (Sponsor: Rand)

LD 959 – An Act to Change the Assessment for Sprinkler Systems to a Per-use basis. (Sponsor: Michael)

Friday, March 16

Criminal Justice

Room 211, Cross State Office Building, 9:30 a.m.

Tel. 287-1122

LD 833 – An Act to Amend the Sex Offender Registration and Notification Act of 1999. (Sponsor: Canavan)

LD 817 – An Act to Protect Maine Children. (Sponsor: Longley)

LD 1397 – An Act to Require the State to Post the Name, Picture and Location of an Individual who is Convicted of a Child Sex Crime. (Sponsor: Matthews)

LD 626 – An Act to Amend the Laws Governing Sex Offender Registration. (Sponsor: Trahan)

Labor

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

Tel. 287-1333

LD 1243 – An Act to Reform Maine’s Prevailing Wage Law. (Sponsor: Matthews)

LD 461 – An Act to Amend the Laws Governing Wage and Benefit Records Kept by Contractors Working on Public Works Projects. (Sponsor: Edmonds)

State & Local Government

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

Tel. 287-1330

LD 548 – An Act to Repeal the Requirement that the Kennebec County Budget be Approved by the Legislature. (Sponsor: Fuller)

LD 800 – An Act to Amend the Laws Governing the Kennebec County Advisory Budget Committee. (Sponsor: Matthews)

LD 982 – An Act to Promote Efficiency in County Government in the Androscoggin County Budget Process. (Sponsor: Mendros)

LD 1038 – Resolve, Requiring the Maine Municipal Association, the Maine County Commissioners Association and the Office of the Governor to Establish a Permanent Statewide Intergovernmental Advisory Commission. (Sponsor: Morrison)

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State and Local Government

LD 1388 – An Act to Protect Maine Land Titles by Bringing Finality to Zoning and Subdivision Decisions of Municipalities and the Maine Land Use Regulation Commission. (Sponsored by Rep. Richardson of Brunswick; additional cosponsor)

This bill would provide that decisions made by a local planning board on a subdivision application is a final decision and not subject to judicial review. This bill would also provide that the issuance of a building permit by a municipal code enforcement officer creates a conclusive presumption that the lot in question is not part of an unapproved subdivision after 30 days have elapsed since the issuance of the permit and provided that all abutting landowners, mortgagors and lien holders of record were provided written notice of the issuance of the permit and provided an opportunity to appeal its issuance.

LD 1444 – An Act to Enhance Local Accountability. (Sponsored by Rep. Kasprzak of Newport; additional cosponsors)

This bill would repeal the state’s Growth Management Act and further direct the State Planning Office and the Department of Economic and Community Development to prepare a list of all planning mandates imposed on municipalities by state law and regulation. The State and Local Government Committee would then be directed by this bill to report out a bill that repeals the mandates.

Taxation

LD 1375 – An Act to Establish Minimum Standards of Eligibility for the Property Tax Exemption for Charitable Institutions. (Sponsored by Rep. Gooley of Farmington; additional cosponsors)

This bill would establish a standard of eligibility for the property tax exemption that is provided to “charitable” institutions. The standard would be that the charitable institution must donate or render gratuitously a substantial portion of its services. The bill

establishes 5 alternative ways for that standard to be met.

LD 1398 – An Act to Create a Sprawl Offset Tax. (Sponsored by Rep. Lamoine of Old Orchard Beach)

This bill establishes a new tax on the installation of any new subsurface waste waster disposal system. The tax would be \$750 per toilet installed on residential property and \$1,000 per toilet or urinal installed on non-residential property. All installations within a growth area designated pursuant to a municipal comprehensive plan would be exempt. The local plumbing inspector would collect the tax and transfer it to the municipal treasurer. 10% of the revenue would be retained by the municipality for administration. The remaining 90% would be deposited in the state treasury – half to the Municipal Investment Trust Fund to provide resources to create functioning growth areas, and half to the Maine State Housing Authority’s HOME fund to create affordable housing.

LD 1441 – An Act to Provide Private Landowners Incentives for Conservation and Public Access. (Sponsored by Sen. Kilkelly of Lincoln County; additional cosponsors)

This bill would create a new category of property eligible for a special, partial property tax exemption under the “open space” current use system of taxation. The new category would be for “wildlife habitat” open space. In addition to the other categories of open space property that get a percentage-reduction off the just value assessment, this new category would get a 25% reduction. The property would have to identified by either the Department of Inland Fisheries and Wildlife or the Department of Conservation as wildlife habitat. The property would also have to be the subject of a written management agreement between the landowner and the state which is designed to protect the habitat benefits provided by the property. This bill also provides a reimbursement for municipalities for the property tax revenues lost due to the enrollment of land in the Farmland and Open Space program. The reimbursement would be the so-called 90% reimbursement formula used in the Tree Growth program.