

Legislative **BULLETIN**

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State & Local Update

The State and Local Government Committee has been processing bills at a fast pace. Since last Friday, the Committee has worked several bills of municipal interest, including a bill seeking authority for the "Community Preservation Advisory Committee" (CPAC) to report out after-deadline legislation and a bill that would require the State Planning Office to collect financial information from municipalities and counties.

CPAC Legislation. On Friday of last week, the Committee voted "ought not to pass" on LD 575, *An Act to Amend the Laws Governing the Community Preservation Advisory Committee*, by a margin of 6 to 4. As sponsored by Sen. Lynn Bromley of Cumberland County, the bill would have authorized the Community Preservation Advisory Committee (CPAC) to report out legislation related to its annual report by January 15th of each year.

CPAC was created by the Legislature in 2001 as a 13 member committee that develops proposed legislation affecting municipal comprehensive planning and land use regulatory obligations and authority.

Currently, any group or interested party is authorized to submit legislation, through a legislator, before the December cloture date of the first regular session. The second session cloture date is generally reserved for the submission of "emergency" legislation, although the definition of emergency is left to the Legislative Council on proposal-by-proposal basis. The authority requested in LD 575 would create a special timeframe for CPAC to submit legislation each year.

Sen. Bromly supports the legislation because she believes that CPAC is

not just another task force, but a well-established, cross-disciplinary group that has been meeting and making policy recommendations for four years. CPAC is different from other short-term task forces, because it is a permanent Committee charged with addressing significant issues of statewide concerns, including growth management, sprawl and land use. Other supporters of the bill included State Planning Office Deputy Director Sue Inches and Peter Merrill from the Maine State Housing Authority. Both supporters agreed that because of

its unique charge, CPAC should be authorized to submit legislation related to its annual report each year. The CPAC annual report is required in law to be published annually by December 1st. The December 1, 2004 report has yet to be published.

While municipal officials understand the nexus between CPAC's annual report and potential legislation, MMA provided testimony in opposition to the bill for one very important reason – the number of vacancies on CPAC. As provided for in law, CPAC is made up of thirteen members. To date, three members, one of whom is the municipal member representing rural communities, have

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LD 1 Effective Date Moved Up to June 29

On Wednesday this week the Legislature finally enacted the biennial state budget along party lines. Since the budget was not enacted by a two-third's "supermajority" vote, it cannot go into effect until 90 days after the Legislature adjourns. In order to make the two year budget effective as of the first day of the state's next fiscal year, the Legislature adjourned "sine die" its first legislative session in order to start the 90-day clock ticking. The Legislature will now be called back into a "special session" by the Governor to continue with its business.

The effect of the Legislature's adjournment is to move up the effective date of LD 1, as well. LD 1 will now become effective law on June 29, 2005.

LD 1 was originally expected to become effective law in mid-September, and since the implementation of the new \$13,000/50% reimbursed homestead exemption was linked to that effective date, there was considerable confusion on the local level about how to commit this year's taxes – which homestead exemption to base the property tax commitment on — especially if the commitment was scheduled to occur before the new homestead exemption was actually law.

That confusion is significantly abated now that the effective date of LD 1 is June 29th. Most if not all municipalities can comfortably wait until after June 29th to commit their property taxes, and so the legal cloud that might have been hanging over municipalities is lifted.

The effect of the unreimbursed homestead will not set well with many municipalities, that issue hasn't gone away. But the legality of the commitment will not be compromised as long as the commitment occurs after June 29th.

STATE & LOCAL (cont'd)

not been appointed. Since CPAC addresses many issues that have impacts on the way municipalities operate, it is imperative to municipal officials that all members, particularly the municipal members, have an opportunity to participate in the development of CPAC legislation.

During the work session on LD 575, Sen. Bromley expressed her disappointment with MMA's opposition to the bill. She stated that MMA's suggestion that CPAC's ability to report out after deadline legislation should be contingent to the appointment of all Committee members was offensive to the presiding officers responsible for making the appointments because they do not have the time to make the appointments. Although it was not the intention of MMA to offend anyone, the municipalities do not believe it is unreasonable to link a special group's unique authority to report out municipally-related legislation with a parallel authority that the municipalities be fully represented on the panel.

Municipal/County Fiscal Survey. On Wednesday of this week, the State and Local Government Committee unanimously voted to support an amended version of LD 900, *An Act to Require that Municipal and County Spending be Tracked and Analyzed by the State Planning Office*. As proposed by Sen. Peter Mills of Somerset County, the bill would have required the State Planning Office (SPO) to collect all municipal and county spending data.

The underling goal of Sen. Mills was to provide the US Census Bureau with accurate information on government spending. Through the survey process

currently utilized by the Census Bureau, Maine's property tax collections are overstated by a margin of \$300 million. The hope of the sponsor was to provide the Census Bureau with more accurate data, which could result in a change in the Maine's overall tax burden ranking among the other states. Maine's current tax burden ranking is second highest in the nation, but \$300 million of that burden may be overstated.

MMA opposed the bill for two reasons. First, the bill would mandate municipalities to participate in a state fiscal survey. Although municipalities have no problem undertaking the additional time and administrative costs necessary for providing the fiscal information on a voluntary basis, when they can, municipalities are concerned about being forced to participate in the survey, especially when the spending limitation systems created in LD 1 work to constrain any growth in municipal administrative budgets.

Second, municipalities are currently involved in two voluntary efforts to collect the fiscal information. The first initiative is the result of a resolve enacted last session (Resolve 2003, c. 133) directing MMA, State Planning Office (SPO), state auditor and chief information officer to work together to develop a publicly accessible site on the Internet to post municipal and county budgets. Through those discussions, MMA has agreed to provide the results of the Association's annual fiscal survey to the chief information officer for posting on the state's website. Also, as provided for in LD 1, SPO is currently working on a mechanism for collecting the municipal fiscal data. It is our understanding that the SPO mechanism will provide for voluntary participation rather than mandated participation.

At the work session on LD 900, it was clear that the State and Local Government Committee was not interested in shifting any more costs or mandates onto municipalities, but were struggling with their desire and interest in obtaining municipal fiscal data. While the Committee was made aware of MMA's fiscal survey, the 50% response rate did not meet their needs for obtaining fiscal data from all municipalities. However, Deputy State Auditor, Dick Foote, provided the

Committee with a potential solution.

According to Foote, using the municipal audit reports sent to the state auditor, municipal revenue and expenditure data could be extracted from the audit reports for the purpose of providing the Census Bureau with accurate data. Encouraged with that information, the Committee unanimously voted to amend the bill to direct the Office of the State Auditor and State Planning Office to work with interested parties to study how to use the existing resources to provide the Legislature and the Census Bureau with municipal fiscal data. MMA will be participating in that study.

Posting Roads

Municipalities are responsible for maintaining and repairing 13,900 miles of Maine's 22,600-mile road infrastructure.

One way municipalities protect the taxpayers' investment in roads is by limiting, during certain times of the year, travel over the most vulnerable local roads by posting those roads to travel. As provided for in MRSA 29-A, section 2395(4) municipalities are authorized to post roads, limit travel based on registered weight, provide for exemptions for travel on posted roads and require overweight vehicles to obtain permits for travel on posted roads.

There are two exceptions in statutes to this authority for heating fuel delivery trucks and the transportation of well-drilling equipment in times of drought. While under both of these exceptions municipalities are prevented from requiring the drivers to obtain a municipal permit to travel over posted roads, municipal officials retain some level of authority over that travel. In both circumstances, the municipal officials can place restrictions on travel, including time of day restrictions and bonding requirements to cover potential damage to the road.

On Tuesday of this week, the Transportation Committee held a public hearing on LD 1069, *An Act to Exempt the Transportation of Products Essential for Agricultural Operations from Certain*

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Legislative Bulletin

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

Natural Resources Review

The Natural Resources Committee recently reviewed two bills relating to waste management that may be of interest to municipal officials.

The first bill, LD 526, *An Act to Phase Out the Recycling Assistance Fee* would gradually eliminate the \$1 fee on tires. That tire fee currently generates approximately \$1 million per year and is deposited in the state's Solid Waste Management Fund (SWM Fund). The SWM Fund, approximately \$3.0 million in total, is used by the Department of Environmental Protection and the State Planning Office for its expenses related to solid waste. The DEP employs 24 individuals in this area, SPO six.

The tire fee, and a lead-acid battery fee, are the only items still charged a fee for "recycling assistance." Other products that were formerly charged a fee, such as white goods, were exempted from the program years ago. The fee is often viewed as a fee to abate the tire pile problem. Whether that view is rooted in legislative history is a bit of controversy. What is not controversial is that the tire pile problem is largely abated and that tire related work is a small fraction of the total program. Accordingly, keeping the tire fee as the primary source of revenue for the SWM Fund was presented as unfair.

The Natural Resources Committee was not unsympathetic to that charge of unfairness. However, the bill did not provide a solution to the removal of the fee. That is, the bill did not state whether other fees should be raised or if services (state employees) should be cut. The sponsor figured that the bill's phased five-year repeal would provide ample time to make those decisions.

Some Committee members felt those decisions should be made first and were prepared to vote against the bill. Others, such as Representative Bob Daigle (Arundel) and Senate Chair Scott Cowger (Kennebec) were prepared to push the obligation on to the municipalities by increasing the fees that apply to the solid waste stream. The purported logic was that the DEP and SPO are providing ser-

vices to the municipalities, so the municipalities should pay.

This rather hasty assessment was made with little information or analysis to justify the shift. House Chair Ted Koffman (Bar Harbor) recognized that more time was needed to in fact determine the proper source of funding and he persuaded the Committee to direct the DEP to review the issue over the summer and come back with proposals next session.

A second bill, LD 185, *An Act to Amend the Law on Mercury-added Products*, was basically well-received by members of MMA's Legislative Policy Committee. Among other amendments to the mercury laws, it would require automobile crushers to remove mercury switches from junked cars before they are crushed and empower local code enforcement officers to enforce this law. The only problem from the municipal perspective was the placement of this grant of authority.

The bill places the grant of CEO authority in Title 30-A MRSA § 4452(5). This section contains a long list of laws which CEOs are empowered to enforce (in fact this bill creates a new section "J"). Before the Committee's work on the above tire fee bill, this placement in section 4452(5) would have probably gone unnoticed. However, now that some Committee members seem determined to apportion DEP costs according to who receives the services, one must scrutinize more carefully each legislative decision regarding the DEP's time.

The problem with placing this grant of authority in section 4452(5) is that it reads "This section applies to the enforcement of land use laws and ordinances or rules which are administered and enforced primarily at the local level." Since some legislators like Representative Daigle seem eager to push more DEP costs on to municipalities, this preamble would appear to give him justification in calling the mercury switch ban a "municipal program." Yet, the program in actuality is exclusively state administered.

Thus, someone is going to have to pay for DEP's time in enforcing this law, attending public hearings on changes to the law, writing publications on the law and conducting training on the law. Yet, the municipalities have no control over if, when or how much of this work will get done by DEP.

MMA suggested that this grant of authority to CEOs be placed in another section of law to avoid confusion about who should be fiscally responsible for DEP's time. The Committee ignored this suggestion and voted to recommend that the bill ought to pass.

What had been a simple, and generally supportable grant of authority to local CEOs to help enforce the state mercury switch law may later be unfairly used to justify shifting state costs on to municipalities.

POSTED (cont'd)

Restrictions Posted on Roads, which proposes to add a third exemption to the list. As sponsored by Rep. John Piotti of Unity, the bill would exempt a vehicle delivering agricultural supplies or products from the posted road ordinances adopted by municipalities.

Several members of the agricultural community turned out to support the bill, including Dick Perkins, Charleston dairy farmer, Bruce Bell with the Maine Farm Bureau, and Galen Larrabee representing the Maine Dairy Industry. All the proponents spoke about the necessity to get products and services to farmers in a timely manner. Although it is anticipated that other farmers are having difficulty getting other agricultural products delivered, much of the testimony provided by the supporters on Tuesday was focused on the problems farmers have with the delivery of bedding, such as sawdust, over posted roads.

Maine Department of Transportation (DOT) provided testimony in opposition to the bill. DOT expressed concerns with an expansion of the exceptions in current law. DOT has the responsibility to maintain state and state aid roads and believes that providing for an additional exemption in law would make it more difficult for the state to maintain

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Utilities and Energy Review

The Utilities and Energy Committee took action this week on several bills concerning water and sewer issues.

One bill is LD 1051, *Resolve, Establishing a Study Commission to Examine Water District Fees Assessed for Fire Suppression*. Fire suppression fees or “hydrant fees” as they are often called, are charges water districts make to municipalities. The charges cover the costs to the district of providing the infrastructure necessary for fire hydrants.

A very long-standing issue has been how to calculate those “costs.” In 1961, a sub-committee of the Maine Water Utilities Association published a report on the various methods by which the costs could be calculated. The Committee recommended what appears to be a compromise position that weighed the different formulas. This compromise is the “Fire Protection Allocation Curve.” The Public Utilities Commission accepted the recommendations made in the report and the PUC incorporated the Curve into the PUC’s rules (Rule 69).

The curve sets a floor and a ceiling on how much of its total revenues a water utility may receive from a town as compensation for fire suppression charges. The floor is 6% of total revenue and the ceiling is 30%. However, very little is actually known about how the compromise Curve was established. Plus, not only is the Curve over 40-years old, but much of the work it relied upon in establishing the Curve is now 50+ years old. Given the expense of a formal rate making case, the rates established by the Curve are almost never challenged.

A related issue is the fact that not all properties in a town are within a hydrant’s zone. Thus, it appears to some to be unfair to charge all property taxpayers a fire suppression charge when the level of protection is uneven throughout the town.

The Maine Rural Water Association, the Maine Water Utility Association, the Public Advocate’s Office and the Public Utility Commission all opposed the bill. The basic message from representatives of these groups was that this was an old issue, it has been studied before and a

new study would be quite expensive and produce no new information.

However, previous studies that focused on public fire suppression charges were never identified nor presented to the Committee. Further, all those who testified against the bill agreed that the basis for the PUC’s rates is not well understood and that information is not easily accessible.

Accordingly, these groups agreed to identify and consolidate existing materials on the topic, summarize the rule and how it was established and do education and outreach to municipal officials to better explain the rule. The Committee recognized that this education and outreach effort may lead to suggestions on how to improve the rule. The Committee appreciated this pledge of effort and in turn voted the bill “ought not to pass.”

The Committee also took action on LD 1052, *An Act to Require Municipalities to Institute Sewer Service Charges*. The bill mandates that any municipal sewer department must cover all its costs with user fees rather than other municipal revenues (e.g. property taxes).

There are approximately five towns which rely on property taxes to subsidize at least a portion of the sewer costs. However, the impetus for this bill was the situation in Mount Desert Island. In that case, the town funds the entire sewer service costs from the property tax. Since not all property taxpayers have access to the public sewer system (many are on septic) this financing scheme is opposed by those not served by the system.

The counterargument is that approximately 9,000 of the system’s 10,000 users are seasonal. Accordingly, a user fee system would impose a relatively smaller amount of the costs on the seasonal property owners than would the current property tax system. Thus, while most of the users of the system benefit greatly by exporting the sewer systems costs through the property tax, a few town residents who receive no service are hurt.

The people of Mount Desert have been wrestling with this issue for 20 years and have not come across a univer-

sally satisfactory solution. The bill was an attempt to bring the issue to another venue. The Committee seemed sympathetic to the inequity suffered by the town residents who pay property taxes but receive no service. However, no universally acceptable solution was apparent to the Committee either.

There were a few general municipal concerns with the bill. First, for the five towns that would be affected, the bill is a mandate in that it directs them to change how they conduct a local function. Further, the precedent of having the state decide how local operations should be funded is unappealing. Lastly, there was no clear state policy that was implicated by the bill. Ultimately, all of these concerns, combined with the fact that a perfect solution was not forthcoming caused the Committee to recommend that the bill “ought not to pass.”

POSTED (cont'd)

its roads and monitor the process. Instead, if determined necessary, DOT would exempt the delivery of agricultural products over posted roads through the rulemaking process. Currently, under DOT rules, vehicles transporting home heating fuels, groceries, milk, feed, solid waste and medical supplies may apply for an exemption certificate to travel over posted roads. The certification process enables DOT to monitor travel over posted roads. DOT stated an interest in amending the existing rules to include bedding for farm animals to the list.

MMA provided testimony “neither for nor against” LD 1069. While municipal officials understand the importance for ensuring that deliveries can be made to Maine’s agricultural industries, the exemption provided for in the bill is too broad. MMA urged the Committee to amend the bill to provide an exception that is similar to the exceptions provided to heating fuel delivery trucks and well-drilling trucks. It is important to municipal officials that they maintain some level of authority to determine when travel will occur and whether or not the operators will post a bond to cover potential damage.

The work session on LD 1069 has been scheduled for April 8th.

Tax Bills and Tax Abatements

Two bills were submitted to the Taxation Committee this week, both of which appeared to have been sponsored for the same reason, but because the legislator sponsoring the bills was unable to attend the public hearing, the facts of the case are not completely known to MMA.

LD 1151, *An Act To Allow Citizens Who Have Been Overbilled for Property Taxes To Reduce Their Payments in Succeeding Years*, would require municipalities to reach back ten years to repay a taxpayer who was incorrectly assessed taxes for that period of time. The current reach-back period is three years.

LD 1244, *An Act To Require That Property Tax Bills Specifically Note the Amount of Land Being Taxed*, would require all property tax bills to identify the acreage of any parcel subject to taxation.

The sponsor of the bill, Rep. Deb Hutton (Bowdoinham), was unable to attend the public hearing on the two bills. No one testified in support of the legislation, MMA spoke in opposition. In subsequent discussions with Rep. Hutton, it appears that the bills were sponsored in response to the concerns of a constituent who had problems ascertaining his property tax assessment in the town of Bowdoin.

In its opposition, MMA testified that the three-year reach-back period, which is available to both taxpayer and town alike (as an abatement in the first case or a supplemental assessment in the second), is an ample amount of time for either the assessor or assessed to discover and fix an error. A 10-year reach-back, available just to the taxpayer and not to the town, is a longer corrective period than necessary.

With respect to the requirement to publish the taxable acreage on all property tax bills, MMA testified that the issue being presented was not a matter of statewide concern that required a state mandate in response.

Many communities include the taxable acreage on their property tax bills. Some communities put all their assessing data on-line. All communities have

a complete record of all assessing information available for public inspection. If the voters in any municipality want their assessing information published more completely on the property tax bill, they can make that happen, either through

Taxation Committee Acts on Tax Lien Foreclosure Bills

The Taxation Committee has been dealing with two bills this legislative session regarding the disposition of tax foreclosed property by municipalities. The details of both bills and the testimony provided by the bills' sponsors have been reported in several previous editions of the *Legislative Bulletin*. In summary, the bills would mandate certain procedures municipalities would have to follow when disposing of tax acquired property, and the central goal of both bills would be to require municipalities to return to the former owner any proceeds the municipality receives from selling tax acquired property over and above back taxes, interests and direct costs.

The two bills are LD 320 and LD 626, and this week the Tax Panel issued its Committee recommendation with regard to the proposed legislation. First, the Committee voted unanimously "ought not to pass" on LD 320 in order to consolidate any Committee recommendation into the "vehicle" bill LD 626. By a 6 to 3 vote the Committee then voted "ought not to pass" on LD 626. Four Committee members have yet to vote on the measure.

After reviewing the complete information provided by both sides of the debate regarding municipal action in recent years relative to the disposition of tax acquired property, most Committee members felt that the elected municipal officers, who along with the local legislative bodies are responsible for making these decisions, have the tools they need to act appropriately and do not need to be given another mandate from Augusta.

the board of selectmen or at the town meeting. A state mandate is not the solution to every perceived problem.

At the request of one legislator on the Taxation Committee, MMA is conducting a quick-shot survey to determine how many municipalities already include acreage information on their property tax bills. Survey results will be available next week.

Two minority reports, supported by 3 members of the Committee, would do the following.

The first minority report, supported by Rep. Harold Clough (Scarborough), is a combination of both LD 320 and LD 626. Rep. Clough's recommendation would: (1) provide all former owners with an ongoing right to repurchase their property according to an ability-to-pay payment plan; (2) effectively require municipalities to quickly sell all tax foreclosed property within 180 days of foreclosure; (3) require municipalities to return to the former owners within 180 days of foreclosure any "excess proceeds" related to that sale, which would be any proceeds greater than the sum of all back taxes gone to lien (currently owed taxes would apparently be forgiven), fees, court costs and property disposal costs; and (4) require municipalities to pay the "excess proceeds" over to the state's General Fund if the former owner cannot be located.

The second minority report, supported by Sen. Jon Courtney (York Cty.) and Rep. Earl Bierman (Sorrento), has not been printed. As described, it would apparently replace the entire bill with a mandate that municipalities publish in the newspaper all the details of any foreclosure sale if the proceeds of the foreclosure exceed the back taxes owed on the property by \$10,000.

When the four Committee members who were not in attendance at this work session cast their votes on these reports, MMA will have a better sense of how these divided reports will be presented to the full Legislature.

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 the Legislature's web site at <http://www.state.me.us/legis/senate/Documents/hearing/ANPHFrame.htm>. If you wish to have updates to the Hearing Schedules e-mailed directly to you, sign up on the ANPH homepage listed above. Work Session schedules and hearing updates are available at the Legislative Information page at <http://janus.state.me.us/legis/session/>.

Monday, April 4

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

LD 1368 – An Act To Protect Small Forest Landowners. (Sponsored by Rep. Carr of Lincoln; additional cosponsors.)

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

LD 550 – An Act To Appropriate Matching Funds for the Construction of a Convention Center in Oxford Hills. (Emergency) (Sponsored by Rep. Millet of Waterford; additional cosponsors.)

LD 871 – An Act To Recapitalize the Municipal Investment Trust Fund. (Sponsored by Sen. Hobbins of York Cty; additional cosponsors.)

Criminal Justice & Public Safety Room 436, State House, 10:00 a.m. Tel: 287-1122

LD 384 – An Act To Allow a Person To Appeal to the State Police a Denial of a Concealed Weapons Permit. (Sponsored by Rep. Vaughan of Durham; additional cosponsors.)

LD 874 – An Act To Amend the laws Governing Concealed Firearms Permits. (Sponsored by Rep. Cebra of Naples; additional cosponsors.)

LD 1254 – An Act Concerning Concealed Firearm Permits. (Sponsored by Sen. Davis of Piscataquis Cty; additional cosponsors.)

LD 1271 – An Act Regarding the Possession of an Electronic Weapon. (Sponsored by Rep. Blanchette of Bangor; additional cosponsors.) (After Deadline)

LD 1323 – An Act To Create the Crime of Producing Graffiti. (Sponsored by Rep. Bowles of Sanford; additional cosponsors.)

LD 1362 – An Act Regarding the Maine Criminal Justice Academy. (Sponsored by Rep. Blanchette of Bangor; additional cosponsors.)

Health & Human Services Room 209, Cross State Office Building, 9:00 a.m. Tel: 287-1317

LD 168 – An Act To Establish a Statewide Residency Requirement for General Assistance. (Sponsored by Rep. Browne of Vassalboro; additional cosponsors.)

LD 402 – An Act To Require Able-bodied Welfare Recipients To Seek Employment and Work or Volunteer. (Sponsored by Sen. Snow-Mello of Androscoggin Cty; additional cosponsors) (By Request)

LD 768 – An Act Regarding General Assistance under Special Circumstances. (Sponsored by Rep. Glynn of South Portland.)

Legal & Veterans Affairs Room 437, State House, 1:15 p.m. Tel: 287-1310

LD 1336 – An Act To Promote Economic Development in Commercial and Downtown Areas of the State. (Emergency) (Sponsored by Sen. Gagnon of Kennebec Cty; additional cosponsors.)

State & Local Government Room 216, Cross State Office Building, 1:00 p.m. Tel: 287-1330

LD 889 – An Act To Create the County Government Capital Improvements Revolving Loan Fund. (Sponsored by Sen. Weston of Waldo Cty; additional cosponsors.)

LD 1316 – An Act To Enable the Town of Livermore Falls To Withdraw from Androscoggin County and Join Franklin County. (Sponsored by Rep. Mills of Farmington; additional cosponsors.)

Taxation Room 127, State House, 10:00 a.m. Tel: 287-1552

LD 1094 – An Act To Adopt the Streamlined Sales and Use Tax Agreement. (Sponsored by Rep. Lerman of Augusta; additional cosponsors.)

LD 1132 – An Act To Dedicate a Portion of Sales Tax Revenue to Municipalities and Counties. (Sponsored by Sen. Perry of Penobscot Cty; additional cosponsors.)

1:00 p.m.

LD 1181 – An Act To Change the Property Tax Year for the Unorganized Territory. (Sponsored by Sen. Martin of Aroostook Cty; additional cosponsors.)

LD 1258 – An Act To Provide for Department of Labor Services and Other Services in Unorganized Territories. (Sponsored by Sen. Martin of Aroostook Cty; additional cosponsors.)

LD 1301 – An Act To Support Affordable Housing. (Sponsored by Rep. Koffman of Bar Harbor; additional cosponsors.)

LD 1328 – An Act To Amend the Maine Tree Growth Law To Encourage Public Areas. (Sponsored by Sen. Martin of Aroostook Cty; additional cosponsors.)

LD 1364 – An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2005 – 2006. (Emergency) (Reported by Rep. Woodbury of Yarmouth for the Department of Audit.)

Tuesday, April 5

Appropriations & Financial Affairs Room 228, State House, 1:00 p.m. Tel: 287-1635

LD 30 – An Act To Apply a System of Spending Limitations to State, County and Municipal Governments and School Administrative Units. (Sponsored by Rep. Carr of Lincoln; additional cosponsor.)

LD 1109 – Resolution, Proposing an Amendment to the Constitution of Maine To Restrict an Increase in the Growth of the State Budget. (Sponsored by Rep. Kaelin of Winterport; additional cosponsors.)

LD 1369 – Resolve, Directing the Department of Administrative and Financial Services, Bureau of the Budget To Review Unfunded Mandates. (Emergency) (Sponsored by Rep. Rines of Wiscasset; additional cosponsors.)

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**Business, Research & Economic Development
Room 208, Cross State Office Building, 1:00 p.m.**

Tel: 287-1331

LD 192 – An Act To Establish the Pine Tree Recreation Zone. (Sponsored by Rep. Moody of Manchester; additional cosponsors.)

LD 449 – An Act To Make Changes to the Pine Tree Development Zones. (Sponsored by Sen. Mitchell of Kennebec Cty; additional cosponsors.)

LD 684 – An Act To Expand the Availability of Pine Tree Development Zone Benefits. (Sponsored by Sen. Woodcock of Franklin County.)

LD 737 – An Act To Ensure the Success of Pine Tree Development Zones. (Sponsored by Rep. Saviello of Wilton; additional cosponsors.)

LD 964 – Resolve, To Expand Maine’s Inland Fishing Economy by Creating Pine Tree Development Zones. (Sponsored by Rep. Moody of Manchester.)

LD 1078 – Resolve, Directing the Department of Economic and Community Development To Develop Guidelines To Create Urban Enterprise Zones. (Sponsored by Rep. Tuttle of Sanford; additional cosponsors.)

Education & Cultural Affairs

Room 202, Cross State Office Building, 3:00 p.m.

Tel: 287-3125

LD 1137 – An Act To Ensure Implementation of All Content Areas of the System of Learning Results. (Sponsored by Rep. Webster of Freeport; additional cosponsors.)

Labor

Room 220, Cross State Office Building, 1:00 p.m.

Tel: 287-1333

LD 1021 – An Act To Implement Task Force Recommendations Relating to Parity and Portability of Benefits for Law Enforcement Officers and Firefighters. (Reported by Rep. Duplessie of Westbrook for the Task Force to Study Parity and Portability of Benefits for Law Enforcement Officers and Firefighters.)

Transportation

Room 126, State House, 1:00 p.m.

Tel: 287-4148

LD 614 – An Act To Eliminate the Rebate Process for Refunding the State Gas Tax. (Sponsored by Rep. Collins of Wells; additional cosponsors.)

LD 698 – An Act To Provide for the Temporary Suspension of the Tax on Motor Fuel. (Sponsored by Sen. Nass of York County.)

Utilities & Energy

Room 211, Cross State Office Building, 1:00 p.m.

Tel: 287-4143

LD 637 – An Act To Allow Qualified Health Centers To Obtain Telecommunications Education Access Funding. (Sponsored by Rep. Bliss of South Portland; additional cosponsors.)

LD 1259 – An Act To Sustain Maine Schools and Libraries. (Sponsored by Sen. Rosen of Hancock Cty; additional cosponsors.)

LD 1128 – An Act Directing the State Planning Office To Study Municipal Capabilities To Become Providers of Internet Services. (Sponsored by Sen. Bromley of Cumberland County.)

LD 1162 – An Act To Permit the Establishment of Regional Water Councils. (Sponsored by Rep. Barstow of Gorham; additional cosponsors.)

Wednesday, April 6

Appropriations & Financial Affairs

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

Tel: 287-1635

LD 544 – An Act To Ensure Statewide Access for Schools and

Libraries to On-line Reference Materials and Periodicals. (Sponsored by President Edmonds of Cumberland Cty; additional cosponsors.)

Education & Cultural Affairs

Room 202, Cross State Office Building, 3:00 p.m.

Tel: 287-3125

LD 784 – Resolve, Directing the Department of Education To Conduct a Fiscal Analysis of State Requirements That School Administrative Units Implement Local Assessment Systems. (Sponsored by Rep. Goldman of Cape Elizabeth; additional cosponsors.)

LD 1425 – An Act To Support the Efficient Implementation of Maine’s Learning Results. (After Deadline) (Emergency) (Sponsored by Rep. Cummings of Portland; additional cosponsors.)

LD 675 – An Act To Require That Students Meet Learning Results Requirements before Entering Grade 9. (Sponsored by Sen. Nutting of Androscoggin Cty; additional cosponsors.)

Judiciary

Room 438, State House, 1:00 p.m.

Tel: 287-1327

LD 1212 – An Act To Amend the Laws Governing the Effect of Foreclosure of a Tax Lien on Time-share Estates. (Sponsored by Rep. Collins of Wells; additional cosponsors.)

LD 1297 – An Act To Provide Just Compensation for Established Business During Eminent Domain Proceedings. (Sponsored by Rep. Bryant-Deschenes of Turner; additional cosponsors.)

Labor

Room 220, Cross State Office Building, 1:00 p.m.

Tel: 287-1333

LD 943 – An Act To Amend the Laws Governing the Department of Labor’s Construction Industry Wage and Hour Survey. (Sponsored by Sen. Cowger of Kennebec Cty; additional cosponsors.)

State & Local Government

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

Tel: 287-1330

LD 773 – An Act To Allow Municipalities To Collect Debts through the Placement of Liens on Property. (Sponsored by Rep. Jacobsen of Waterboro; additional cosponsors.)

LD 991 – An Act To Restore Municipal Authority To Review Development Using Flexible Standards. (Sponsored by Sen. Mills of Somerset County.)

LD 1029 – An Act To Allow Municipalities To Acquire Title to Abandoned Cemeteries. (Sponsored by Rep. Pingree of North Haven; additional cosponsors.)

LD 1040 – An Act To Prevent the Short-term Rental of Unlicensed Properties. (Sponsored by Sen. Bryant of Oxford Cty; additional cosponsor.) (By Request.)

LD 1105 – An Act To Impose Liability for the Illegal Withholding or Transfer of Public Funds or Property. (Sponsored by Rep. Trahan of Waldoboro; additional cosponsors.)

LD 1354 – An Act To Amend the Procedure for Auditing Municipalities. (After Deadline) (Emergency) (Sponsored by Rep. Kaelin of Winterport; additional cosponsor.)

Thursday, April 7

Appropriations & Financial Affairs

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

Tel: 287-1635

LD 1125 – An Act To Establish the Homeland Security Relief Fund. (Sponsored by Sen. Edmonds of Cumberland Cty; additional cosponsors.)

(continued on page 8)

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

LD 472 – An Act To Amend the Statewide Building Code. (Sponsored by Rep. Koffman of Bar Harbor; additional cosponsors.)

LD 993 – Resolve, Directing the Plumbers’ Examining Board to Update the State Plumbing Code to the Current Version of the Uniform Plumbing Code. (Sponsored by Sen. Damon of Hancock Cty; additional cosponsors.)

LD 1056 – Resolve, Directing the Plumbers’ Examining Board To Adopt the International Plumbing Code. (Sponsored by Sen. Sullivan of York Cty; additional cosponsors.)

LD 1306 – An Act To License Home Building Contractors. (Sponsored by Rep. Jackson of Fort Kent; additional cosponsors.)

**Inland Fisheries & Wildlife
Room 206, Cross State Office Building, 1:00 p.m.
Tel: 287-1338**

LD 431 – An Act To Grant Limited Reciprocity to Nonresident ATV Users. (Sponsored by Rep. Lundeen of Mars Hill; additional cosponsors.)

LD 980 – An Act To Distribute Fees from All-terrain Vehicle Registrations. (Emergency) (Sponsored by Rep. Moody of Manchester; additional cosponsor.)

LD 1041 – An Act To Create a Short-term All-terrain Vehicle Registration System. (Sponsored by Sen. Bryant of Oxford Cty; additional cosponsors.)

LD 1300 – An Act To Create the ATV Trail Advisory Council. (Sponsored by Rep. Moody of Manchester; additional cosponsor.)

**Judiciary
Room 438, State House, 1:00 p.m.
Tel: 287-1327**

LD 1079 – An Act To Require Publicly Funded Entities To Report Undocumented Illegal Aliens. (Sponsored by Rep. Jacobsen of Waterboro; additional cosponsors.)

LD 780 – An Act To Allow a Landlord To Discover Whether Sewer

and Water Bills Have Been Paid. (Sponsored by Rep. Glynn of South Portland.)

**Natural Resources
Room 214, Cross State Office Building, 1:00 p.m.
Tel: 287-4149**

LD 1268 – An Act To Amend the Law on Junkyards, Automobile Graveyards and Automobile Recycling Businesses. (Sponsored by Sen. Cowger of Kennebec Cty; additional cosponsor.)

LD 692 – An Act To Require That Hazardous Waste Be Removed from Junked Vehicles. (Sponsored by Sen. Nass of York County.)

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

LD 1159 – An Act To Promote Transportation Investments within Downtowns and Urban Compacts. (Sponsored by Rep. Fisher of Brewer; additional cosponsors.)

**Utilities & Energy
Room 211, Cross State Office Building, 1:00 p.m.
Tel: 287-4143**

LD 1377 – An Act Regarding Municipally Owned Street Lighting. (Sponsored by Sen. Woodcock of Franklin County.)

Friday, April 8

**Health & Human Services
Room 209, Cross State Office Building, 2:30 p.m.
Tel: 287-1317**

LD 182 – An Act To Provide Funding for Domestic Violence Shelters. (Sponsored by Rep. Grose of Woolwich; additional cosponsors.)

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

LD 1363 – An act To Make Supplemental Highway Allocations for the Expenditures of State Government and To Change Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2006 and June 30, 2007. (Emergency) (Governor’s Bill) (Sponsored by Rep. Marley of Portland; additional cosponsor.)