

More Sensible School Regionalization Plan Emerges

There are two houses in the Legislature, of course, and two major political parties, so there are automatically four groups – the House Democrats and the House Republicans and the Senate Democrats and the Senate Republicans – that regularly meet as a caucus to deliberate among themselves and develop (or try to develop) unified positions on bills before the Legislature.

But the major party caucuses are not the only caucuses in town. There are other groups of legislators who share some common attribute or sensibility that also regularly convene for the same purpose. These caucuses are often bipartisan or completely nonpartisan in nature, and are therefore sometimes extremely effective in penetrating through what some might think of as arbitrary political boundaries to stake out the common ground.

The so-called Rural Caucus has become very active recently in the school regionalization debate. After the Appropriations Subcommittee finished developing its school regionalization plan (described in detail in the April 13 edition of the *Legislative Bulletin*), the Rural Caucus began to get involved. The 20-or-so regular members of the Rural Caucus meet in the early morning two or three days a week, and over the last three weeks the members of the Rural Caucus have been articulating their concerns with the school regionalization plan as developed by the Appropriations subcommittee. After listing out those concerns, a legislator from the Education Committee, Rep. David Farrington of

Gorham, accepted the task of crafting a school regionalization plan that both addresses the concerns of the Rural Caucus and gets the job done.

The major concerns the Rural Caucus expressed with the Appropriations Subcommittee plan are that it would: (1) not allow for a local vote to ratify the creation of a new school system; (2) require the consolidation of school sys-

tems in an impossibly compressed, 14-month time frame; (3) vest too much unilateral authority to the Department of Education and State Board of Education to orchestrate and in some cases compel school consolidations; (4) establish a 2,500 student minimum requirement for all school systems that would result in some districts of enormous geographic size in rural Maine; (5) abolish the opportunity to consolidate administration through the school union structure; and (6) de-emphasize the development of educational collaboratives as a complementary way to achieve efficiencies.

In response to those concerns, Rep. Farrington assembled language from the

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Consolidating Polling Places

The members of the Legal and Veterans Affairs Committee should be commended for their quick action on LD 1871, *Resolve, Authorizing Municipalities to Consolidate Voting Districts for a Special Election*. Due to the good work of the Committee, LD 1871 is now almost completely through the legislative process.

This emergency legislation, sponsored by Rep. Patsy Crockett of Augusta, authorizes municipalities to consolidate polling places for the upcoming June 12th bond referendum. As proposed, any community interested in consolidating its multiple polling places would be authorized to do so, provided the municipal officers hold a public hearing and notify the Secretary of State of the change 35 days before the election. Under existing laws municipalities can consolidate polling places, but the decision to do so must occur 90 days before the election. Since, the June primary is just over a month away, municipal offi-

cials do not have the time necessary to undertake the consolidation process for the special bond election.

Augusta City Clerk, Barbara Wardwell, testified to the Committee that some communities did not plan for the June 2007 election and find themselves without the necessary resources to quickly prepare for a full-scale election. For example, some of the polling places normally used, especially privately owned buildings, are unavailable for the June election. In addition to space issues, the lack of time is making finding election day staff for all polling places difficult. As proposed, LD 1871 will enable municipal officials to make the decisions necessary to appropriately conduct the election.

On Thursday this week, two-thirds of both the House and Senate voted to support the bill. Once the Governor signs the bill, municipalities will be able to move forward with the polling place consolidation process.

SCHOOL (cont'd)

half-dozen school regionalization plans that have been developed thus far, both within the Education Committee and the Appropriations subcommittee. Rep. Farrington presented what he described as the “Blended Plan” to the Rural Caucus on Thursday this week.

Details of the Blended Plan

Voter Participation. Perhaps the place to start with the blended plan is the premise that the local voters deserve a say in the creation of their new local governments. It would seem to be a concept that would go without saying, but the Appropriations subcommittee’s plan dispensed with a local ratifying vote in exchange for expediency. Under Rep. Farrington’s Blended Plan, the creation of any newly created school system would be presented to the affected voters at the November 2008 general election for ratification.

Time Frame. Allowing the voters to have a say in the creation of their new school systems slightly decompresses the decision-making process. Under the Appropriations Committee plan, the new school systems would allegedly be up-and-running 14 months from now, by July 1, 2008. Under the Blended Plan, an aggressive but somewhat more rational time frame would look like this:

- The Regional Planning Committees (see below) will be established by September 30, 2007.
- Initial reorganization plans will be submitted by March 1, 2008.
- Final reorganization plans will be submitted by June 30, 2008.
- The local vote on the plan will be held on the general election in Novem-

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ber 2008.

- The new school systems will be up-and-running on July 1, 2009.

Who develops the reorganization plans? Under the Appropriations subcommittee plan, the so-called “convener” – the entity that brings the various school committees together within larger regions and recommends consolidations – was the Department of Education. In fact, the Department and the State Board of Education were provided unilateral powers to force consolidations in some circumstances. The Blended Plan creates Reorganization Planning Committees (RPCs) made up equally of school officials, municipal officials and the general public for the purpose of convening the school boards/general public in the larger regions and developing reorganization plans. The RPCs would be provided data and other supportive assistance from the Department of Education.

Minimum school system size. In response to the concerns expressed by the Rural Caucus, the Blended Plan truly blends the minimum-size standards in the various reports by setting the following standards. By July 1, 2009 all municipal school systems, school districts or school unions should be serving at least 2,500 students in York and Cumberland counties and at least 1,200 students throughout the rest of the state.

Exceptions. As is the case with every plan developed thus far, there would be some exceptions to the minimum size requirements. One exception would be island-schools not connected to the mainland by road or bridge. Another area of exception created in the Blended Plan would be regions of the state with a very low population density. The purpose of creating the population density standard is to objectively define the circumstance of “geographic isolation” on the mainland. In the Blended Plan, that density threshold is pegged at less than 30 inhabitants per square mile, according to U.S. Census data.

Consequences for “opting out”. Because the Blended Plan respects the right of the local voters to ultimately ratify or reject the proposed consolidated school systems, it creates a financial penalty for “opting out” of a proposed consolidated system. That consequence would be a 50% reduction in state sup-

port for school system administration.

Collaboration. Because the Blended Plan does not require the consolidated school systems to be up-and-running until July 1, 2009, it also thoroughly develops a complementary way to achieve savings more immediately by establishing a way for all school systems – large and small – to easily join educational service collaboratives to support the achievement of the FY 09 local cost saving requirements. Educational Service Collaboratives are simply service delivery vehicles, like Councils of Governments on the municipal level, that would make it easy for many school systems to share common personnel.

State and local savings. The Blended Plan achieves the same level of state savings in the upcoming biennium — \$36.5 million — as most of the other plans developed thus far, including Governor Baldacci’s original consolidation proposal. It achieves that result by adjusting the Essential Programs and Services school funding model for FY 09 to reflect non-instructional cost savings attributable to both the required school system cost reduction plans and reduced allocations for “system administration” (a term that means “superintendent offices”). The Blended Plan would require all school systems — large and small and whether reorganized or not — to plan for reductions in local non-instructional costs that parallel the EPS-based reductions on the state level. In the first year, the utilization of the Educational Services Collaboratives, as described above, would be the tool to implement those plans.

Budget transparency. Similar to the approach in the Appropriations subcommittee plan, the Blended Plan establishes a uniform school budget format for all school systems to follow when presenting their budget to the voters. The format breaks down the proposed budget into eight major cost-center categories and allows for a comparison of the proposed budget in each category with the corresponding amount for that school system according to the Essential Programs and Services (EPS) school funding model.

Other elements. The Blended Plan also:

- Preserves school choice

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Tax Committee Returns to Reform

Action on excise taxes, property tax exemptions slows down

The Taxation Committee postponed its regular schedule for much of this week in order to return to its comprehensive tax reform package, which was described in some detail in the April 6 issue of the *Legislative Bulletin*, but has been on the shelf since then.

Before shifting back to the tax reform project, however, the Committee sharpened its focus to some degree on the motor vehicle excise tax and gave public hearing to a bill that would expand the tax exemption for personal property even before the exemption goes into effect next year.

Over the last several years, the Legislature's propensity to exempt taxes (especially those it does not rely on) has grown to historic proportions. Two of the largest property tax exemptions ever contemplated by any Maine Legislature – the personal property tax exemption and the unreimbursed homestead exemption – were enacted into law in 2005 and 2006.

Existing exemptions breed spin-off exemptions at a pace that would make rabbits blush, and the businesses and nonprofits are lining up this session to be forgiven from their obligations to contribute to the local public charge.

LD 528. Expanding the personal property tax exemption. The exemption granted last year to non-retail business personal property was marketed as: (1) a purely “going-forward” exemption that would not in any way affect the existing property tax base; and (2) an exemption designed to create an incentive for Maine's businesses to invest in new, modern and more efficient manufacturing and processing equipment.

LD 528, *An Act to Improve the Business Equipment Tax Exemption*, would expand the personal property exemption

to include pre-existing personal property as long as it was being taxed to a “new owner”.

LD 528 seems to recognize how easy it is to create a “new” business owner by merely shifting declared ownership within a family or business consortium, or by creating a corporation for the purpose of ownership. That recognition is evident because the bill requires the municipal assessor to make a finding prior to determining eligibility that the primary motive behind the acquisition of the used property by the new owner was something other than making the property eligible for the tax exemption.

Even though the Maine State Chamber of Commerce was most vociferous last year that the personal property tax exemption was a purely “going forward” exemption and specifically designed to reward the purchase of new, efficient equipment, the State Chamber now supports LD 528, which completely contradicts both of those assertions. The most gracious way to explain the about-face is that the Maine State Chamber must possess an extremely short memory.

Also testifying in support of LD 528 was the Maine Farm Bureau because farmers believe they pay too much in taxes (even though they enjoy a “current use” property tax break), the Maine Aquaculture Association because the fish and shellfish farmers believe they pay too much in property taxes, and the National Federation of Independent Businesses (NFIB) because small businesses believe they pay too much in property taxes.

When the Business Equipment Tax Reimbursement program was created in 1995, the Legislature made sure it would be a purely prospective program by not allowing used property to be recycled into the world of BETR benefits. That same, going-forward approach was promised to the municipalities by the Administration, the Legislature and the Maine State Chamber of Commerce when the BETR program was converted into an exemption.

Less than a year later, the Maine State Chamber has already changed its tune. We'll have to see if the Legislature

and the Administration share the Chamber's remarkable memory loss.

Motor vehicle excise taxes. Over the past several weeks, the Tax Committee has held public hearings on a slew of bills designed to reduce the motor vehicle excise tax. The predominant theme that runs through that legislation is to reduce the excise tax mill rate on the new vehicles, in their first and second years of registration. Most of the bills simply did that....reduced the excise tax rate for new vehicles and made the municipalities eat the revenue loss. A couple of bills made a stab at revenue neutrality by reducing the rate on the newer vehicles and increasing the rates (or decreasing the reduction in the excise tax rate over time more slowly) for the older vehicles.

On Friday last week the Committee organized its approach to the subject by killing most of the bills and retaining as a “vehicle” bill only one LD on the direct issue of motor vehicle excise tax rates. That bill – LD 789, *An Act to Decrease the Excise Tax Imposed on Motor Vehicles* – is sponsored by Rep. Larry Sirois of Turner. LD 789 would drop the tax rate in the first year from 24 mills to 20 mills and in the second year from 17.5 mills to 16.5 mills. The statewide financial impact of LD 789 is a \$12 million annual loss in municipal revenue. Presumably, that is not what the Tax Committee is ultimately going to support, but we'll have to stay tuned.

The Committee also gave preliminary support to a bill that would create an excise tax exemption for Maine residents who are military personnel permanently stationed at a military or naval post, station or base in Maine. The bill is LD 893, *An Act to Exempt from Excise Tax Maine Military Personnel Who Are Serving Their Tours of Duty in Maine*. The exemption is provided under federal law for military personnel who are non-residents, and the excise tax collector in Winthrop is urging the Legislature to create a parallel exemption for Maine residents. A majority of the Committee is supporting this exemption, but the final vote has been postponed until the Committee can get a clear estimate of the fiscal impact to municipalities. If the impact is significant, the support for the bill will falter.

Informed Growth and Large Retail Development

On Friday last week, the State and Local Government Committee heard over four hours of testimony on LD 1810, *An Act to Enact the Informed Growth Act*. The bill, sponsored by Rep. Chris Barstow of Gorham, would require all developers of retail development projects of 75,000 square feet or more to pay for a comprehensive impact study.

The purpose of the study is to identify the positive and negative economic and environmental impacts a proposed large-scale retail project will have on the municipality and region. Funding for the study would come from a \$40,000 fee assessed to the developer of a qualifying project. The State Planning Office is tasked with preparing a list from which the municipality would choose a “qualified preparer” to conduct the impact study. The results of the study would be made available to the developer, municipal officials and the public.

Proponents, including the bill’s author, the Institute for Local Self-Reliance, believe the change is necessary in order to provide municipalities with the tools necessary to address large-scale development. Proponents are concerned that some of the state’s smallest communities are unprepared to address the impacts of larger scale projects and often react in a disorganized way when presented with unexpected large development. Supporters of LD 1810 believe the bill is pro-business because it provides some level of certainty as to what is expected.

In addition to pointing out that under home rule authority municipalities are free to adopt any development impact ordinance the residents deem necessary, the business community raised several concerns with the bill as printed. As drafted, the opponents believe the bill sends the message that Maine is an anti-development, anti-growth state and that distinction will have a detrimental impact on business development.

MMA provided testimony “neither for nor against” the bill. While municipi-

pal officials support the concept of providing municipalities the tools necessary to manage development within community boundaries, they are concerned with the mandatory, one-size-fits-all, application of the bill. There is nothing in existing law or rule that prevents communities from adopting this type of ord-

Sex Offender Residency

On Monday this week, the Criminal Justice Committee held public hearings on several bills seeking to regulate where convicted sex offenders can live, work and recreate. Of particular interest to municipalities is LD 815, *An Act to Amend the Laws Governing the Establishment of Residency for Convicted Sex Offenders after Release from Prison*.

Many of the proponents of the legislation were residents of Parsonsfield, who were upset with the Maine Department of Correction’s effort to provide housing for a convicted sex offender in their community. As a result of the state’s direct involvement in the placement of the offender, the community asked Sen. Richard Nass (York Cty.) to sponsor LD 815. As printed, the bill makes it illegal for a convicted sex offender to live in a community that does not provide resident law enforcement services. The bill also prohibits the state from using its financial resources to house convicted sex offenders.

MMA provided testimony in opposition to LD 815. Municipal officials oppose the bill because it places an undue burden on communities that have municipal police departments, which tend to be the state’s larger communities. While it would have been easy for Maine’s rural communities to vote to support the bill and simply shift this element of society to the more

nance now. Rather than requiring all municipalities to use the same process, municipal officials believe that a model should be made available to the local legislative body to use and amend to fit their community’s unique needs.

The work session on LD 1810 is scheduled for next Monday, May 7th. Municipal officials are encouraged to contact the members of the State and Local Government Committee and ask them to amend the bill to provide municipalities with a tool rather than a mandate.

urban communities, their commitment to addressing this problem collaboratively with urban communities prevented that response.

In addition to MMA, Kennebec/Somerset County District Attorney Evert Fowle provided testimony in opposition to the bill. DA Fowle cautioned that many of the ideas being considered by the Committee could be at cross-purposes. While LD 815 would push convicted sex offenders into the urban communities, proposals preventing offenders from living within 1,000 feet of a school or other areas where children gather would push offenders into the rural communities. If both initiatives were enacted, it is possible that sex offenders would be prohibited from residing in many Maine communities. In addition, DA Fowle suggested that the term “sex offender” as it is currently defined in statutes is too broad and changes are necessary.

The need to classify an offender by type of crime was a common theme during several of the hearings on the sex offender bills. For example, proponents of the classification system argue that there is a significant difference between an eighteen year old who had sexual relations with a sixteen-year-old girlfriend and a violent predator who assaulted a child. Supporters of the classification system believe the

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Bill Might Force Schools to Have Indoor Recess

On Tuesday, a majority of the Judiciary Committee gave tentative support to an amended version of LD 223, *An Act to Amend the Maine Tort Claims Act*. As drafted, the bill would require schools to “be insured to cover a student who is injured on a playground” during the school day. The bill as drafted also preserves any governmental immunities that currently exists under the Maine Tort Claims Act (MTCA).

The obvious question is: Why force schools to buy insurance if they are immune from lawsuit? In other words, are schools liable now for injuries on school playgrounds?

The general MTCA rule is that the government may not be sued for injuries caused by its negligence. The MTCA has created some very big exceptions to that general rule. The biggest exceptions are that governments are liable for their negligent ownership, operation or maintenance of a motor vehicle. The biggest exceptions are that governments will be liable for their negligent ownership, operation or maintenance of motor vehicles or buildings and their appurtenances.

So, if a school bus is in an accident, the school will be held liable for the driver’s negligence. If a child gets hurt in a school building, the school will be held liable for any of its building maintenance negligence related to the injury. However, if a child gets hurt on a playground swing-set, it appears that a school will not be liable. The reason is that swing-sets are probably not an “appurtenance” to the school building. But, this is not clear.

Some members of the Judiciary Committee do not see any meaningful distinction between injuries to students inside the school versus those that occur outside on a playground. Accordingly, they are proposing to amend the bill in order to repeal the existing MTCA immunity for school playgrounds.

The amended bill language is not available so we don’t know yet how far

immunity is being proposed to be extended.

Even though some on the Committee did not immediately see a distinction between indoor injuries and outdoor injuries, those distinctions do exist.

For the most part, students indoors are walking down halls, sitting in chairs and going and up and down stairs. This is normal, non-dangerous activity. Plus, the opportunities for the school to negligently cause an injury to students engaged in these activities are limited.

The kinds of activities children engage in outdoors on playgrounds are quite different. Dodge ball, where the object of the game is to blast your fellow student with a red, rubber ball, is an activity where most people could foresee an injury occurring. Monkey bars, where young children climb, swing and do other bodily contortions, can hardly be operated without causing injury.

Recess is not gym class. It’s a time where kids run around, in unorganized activities outdoors. Bloody noses, sprained ankles and other assorted injuries are pretty commonplace.

If this bill were to pass with some broad wording, school superintendents and school boards are going to be faced with the question: Is it worth it?

Is it worth it to let kids outside on snowy days where the playground might be icy? Is it worth it to let kids outside when the basketball court hasn’t been properly swept and policed for debris? Is it worth it to buy swings, monkey bars, see-saws and other playground equipment that keep emergency rooms nationwide busy?

Some might say that there is only liability if the school was somehow negligent. Maybe so. But what is the “negligent ownership” of a playground? More importantly, there is a pretty expensive process for determining the answer – its called litigation. The costs of litigation, even when you “win”, are oftentimes enough deterrent to undertaking the activity in the first place.

For places of public recreation, the Legislature has already specifically said that there is no government liability. Why? Because no sensible government would buy a recreational mock “rock climbing wall”, invite the entire public to come and play, and then agree to be subject to lawsuits. The wall would simply be taken down.

Will recess survive this legislative session? Stay tuned.

OFFENDER (cont'd)

system needs to be refined before the residency limits proposed in the legislation are enacted. With a classification system, the limits could be targeted to the most violent offenders. Efforts to define the type sex offender are currently underway.

At the public hearing, members of the Committee asked how many municipalities provide resident law enforcement services. The answer to that question depends on the definition of law enforcement services. According to MMA resources, 126 communities have police departments. If the definition of law enforcement services includes the contracts municipalities have with counties and the state for law enforcement services, the number of communities impacted would increase. If the definition of law enforcement services were defined as a 24-hour, seven day per week law enforcement presence, then the number of communities impacted by LD 815 would decrease.

MMA was asked to provide information on the number of communities that contract with county sheriff departments and the State Police for law enforcement services. While MMA does not keep track of that data, we do want to provide the Committee with the information. If your community contracts with the county or the State Police for law enforcement services, please contact MMA’s Kate Dufour at 1-800-452-8786 or kdufour@memun.org to share information on the scope of the contract (i.e., hours per day, number of officers in community, etc.).

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://www.state.me.us/legis/>.

Monday, May 7

Criminal Justice & Public Safety

Rm. 436, State House, 9:30 a.m.

Tel: 287-1122

LD 192 – Resolve, Directing the Department of Public Safety to Make a Map Available on the Sex Offender Registry.

LD 195 – An Act To Promote the Safety of Children.

LD 294 – An Act Concerning Posting the Registry of Convicted Sex Offenders.

LD 446 – An Act To Improve the Use of Information Regarding Sex Offenders to Better Ensure Public Safety and Awareness.

LD 518 – An Act To Protect Children in Public Schools by Notifying all School Personnel of Sex Offenders Residing, Working or Attending School in the School District.

LD 1391 – An Act To Focus the Use of the Sex Offender Registry Website on the Most Dangerous Offenders.

LD 1534 – An Act To Examine the Types of Sex Offenses That Require an Offender To Register with the State.

Health & Human Services

Room 209, Cross State Office Building, 9:00 a.m.

Tel: 287-1317

LD 1812 – Resolve, Regarding the role of Local Regions in Maine's Emerging Public Health Infrastructure.

Labor

Room 220, Cross State Office Building, 10:00 a.m.

Tel: 287-1333

LD 1261 – An Act To Clarify Intermittent Leave under the Family Medical Leave Laws.

LD 814 – An Act To Incorporate Binding Arbitration for Monetary Issues in Collective Bargaining for All State, County and Municipal Employees.

State & Local Government

Room 216, Cross State Office Building, 10:00 a.m.

Tel: 287-1330

LD 1515 – An Act To Require That Notaries Public Keep Records of Notarial Acts.

LD 1618 – An Act To Seek Direct Voter Approval To Exceed Government Spending Limits.

LD 1636 – An Act To Extend the Right To Vote by Absentee Ballot at an Annual Town Meeting.

LD 1705 – Resolve, To Study the Enactment Procedures for Municipal Ordinances.

LD 1776 – An Act To Strengthen Budget Caps for Counties, Municipalities and School Districts.

LD 1804 – An Act To Permit Greater Voter Participation Regarding

Municipal Expenditures.

LD 1835 – An Act To Amend the Laws Relating to Notaries Public.

Taxation

Room 127, State House, 2:00 p.m.

Tel: 287-1552

LD 1299 – An Act To Amend the Farm and Open Space Tax Law.

LD 1010 – An Act To Ensure That Military Services Members Receive Deferment of Their Property Tax Obligations.

LD 1580 – An Act To Allow Tree Growth Land Transfer to Family Members.

LD 1555 – An Act To Remove the Tax-exempt Status on Land Purchased by Nonprofit Groups for Conservation.

Tuesday, May 8

Business, Research & Economic Development

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

Tel: 287-1331

LD 662 – Resolve, To Assist Veterans in Need of Shelter.

LD 1773 – An Act To Encourage Availability of Genuinely Affordable Housing in High-cost Markets.

Transportation

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

Tel: 287-4148

LD 114 – An Act To Prohibit the Use of Handheld Cellular Telephone while Operating a Motor Vehicle.

LD 161 – An Act To Prohibit the Use of Cellular Telephones by Minors while Driving.

LD 576 – Resolve, To Investigate Cellular Telephone Use and Driver Safety.

LD 1719 – Resolve, To Improve Regional Transportation in Greater Portland.

LD 1180 – An Act To Promote Transportation Planning, Increase Efficiency and Reduce Sprawl.

LD 1720 – Resolve, Directing the Department of Transportation and the Maine Turnpike Authority To Conduct a Study of Possible Western Connector Roads to Municipal Centers in Cumberland and York Counties.

Utilities & Energy

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

Tel: 287-4143

LD 1754 – An Act To Incorporate the Greater Augusta Utility District.

LD 1221 – An Act To Amend the Charter of the Kennebunk Light and Power District.

Wednesday, May 9

Judiciary

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

Tel: 287-1327

LD 1822 – An Act To Implement the Recommendations of the Right To Know Advisory Committee.

LD 1453 – Resolve, Regarding the Privacy of Social Security Numbers.

LD 1881 – An Act To Improve Transparency and Accountability in Government.

Thursday, May 10

Education & Cultural Affairs

Room 202, Cross State Office Building, 1:00 p.m.

Tel: 287-3125

LD 1638 – Resolve, To Limit the Department of Education’s Rulemaking in the Area of Special Education to Matters Required To Align State Rules with Federal Law.

Inland Fisheries & Wildlife

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

Tel: 287-1338

LD 865 – An Act To Reduce the Cost of Hunting and Fishing Licenses for Certain Veterans and Members of the Military Service.

Natural Resources

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

Tel: 287-4149

LD 1743 – An Act To Create the Freshwater Resource Board.

LD 1417 – An Act To Assist in the Cleanup of Waste Motor Oil Disposal Sites.

LD 1887 – An Act To Provide Additional Financing for Costs Associated with the Remediation of a Waste Oil Site in Plymouth.

Taxation

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

Tel: 287-1552

LD 885 – An Act To Implement the Recommendations of the Commission to Study the Costs of Providing Certain Services in the Unorganized Territories.

LD 1816 – Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory.

LD 1875 – An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2007-08.

Utilities & Energy

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

Tel: 287-4143

LD 1216 – Resolve, To Establish a Study Commission to Stimulate Telecommunications Investment, Economic Development and Job Creation.

LD 1675 – An Act To Protect Network Neutrality.

LD 1767 – An Act To Encourage Community Network Development.

LD 1360 – An Act To Require Owners of Utility Facilities To Accommodate the Installation of Traffic control Signals and To Permit the University of Maine System to Construct Lines on Public Rights-of-way.

Friday, May 11

Business, Research & Economic Development

Room 208, Cross State Office Building, 10:00 a.m.

Tel: 287-1331

LD 1519 – An Act To Amend the Staffing and Reporting

Requirements for the Citizen Trade Policy Commission.

LD 1863 – An Act To Allow Pressure Boiler Inspections by National Board-certified Inspectors.

Criminal Justice & Public Safety

Rm. 436, State House, 9:30 a.m.

Tel: 287-1122

LD 1323 – Resolve, To Require the Department of Public Safety To Determine the Requirements for Regional Firefighters Concerning Assisting Other Municipalities.

LD 1733 – An Act To Provide Additional Funding for the Regional Emergency Medical Services Councils and To Establish a Study Group To Examine Funding for the Emergency Medical Services System in Maine.

LD 1841 – An Act To Improve the Efficiency of the Maine Emergency Medical Services System.

State & Local Government

Room 216, Cross State Office Building, 11:00 a.m.

Tel: 287-1330

LD 1846 – An Act To Allow Bayville Village to Separate from the Town of Boothbay Harbor and Affiliate with the Town of Boothbay.

LD 1867 – An Act To Clarify the Intergovernmental Relationship between the Town of Boothbay Harbor and Bayville Village Corporation.

LD 1878 – An Act To Generate Savings by Changing Public Notice Requirements.

LD 1191 – An Act To Authorize a Local Bond Issue for Solid Waste, Storm and Drainage Issues and Transfer Stations.

Taxation

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

Tel: 287-1552

LD 1504 – An Act To Make Minor Substantive Changes to the Tax Laws.

LD 1739 – An Act Concerning Technical Changes to the Tax Laws.

Transportation

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

Tel: 287-4148

LD 1726 – Resolution, Proposing an Amendment to the Constitution of Maine To Guarantee the Integrity of the Highway Fund.

LD 1808 – An Act to Improve Road Safety and Update Bicycling Laws.

LD 1572 – An Act To Encourage Community-oriented Campaigns for Appropriate Sign Laws.

LD 1818 – An Act To Enhance Public Safety, Facilitate the Coordination of Traffic Control Signal Systems and Promote More Equitable Use of Public Highway Rights-of-way.

LD 1847 – Resolve, Directing the Department of Transportation To Conclude Its Study of the Alternative Routes for the Wiscasset Bypass, Choose a Route and Establish a Timetable.

SCHOOL (cont'd)

- Requires a supermajority of the school district board to initiate an elementary school closure
- Requires a town referendum vote before closing an elementary school
- Requires a thorough review of all state mandates on the school with the goal of trimming those that are unnecessary or overly expensive
- Requires all newly created school systems to effectively assume the local debt associated with any school property that they take, unless otherwise negotiated

Where it all goes from here. The Appropriations Committee and legislative leadership are now in the process of putting together the state's biennial budget. The school regionalization plan is a part of the budget but by no means the only part. With respect to the school regionalization plan, it is not at all clear what happens next procedurally. After the presentation by Representative Farrington, the Rural Caucus gave an overwhelming vote of support for the Blended Plan, but the Rural Caucus is not the Appropriations Committee, which has the final say on the shape and substance of the budget proposal before

it goes to the full Legislature for debate. All municipal officials should take a strong look at the Blended Plan and give their legislators their full input.

There is finally a plan on the table that squares all the goals of the earlier consolidation proposals with the minimum standards of respect that one hopes would always be accorded the local voters and the community-based decision making process.

Anyone who wants a copy of the Blended Plan should contact MMA's Laura Veilleux at 1-800-452-8786 or lveilleux@memun.org