

Mark Your Calendars

Public Hearing on Revenue Sharing Bills Scheduled

The public hearing on five revenue sharing-related bills is scheduled for **Wednesday, March 22 at 1:00 p.m.** The hearing will be held before the Taxation Committee in room 127 of the State House.

A common centerpiece of the bills being heard is an element of the adopted FY 2016–FY 2017 General Fund budget, which temporarily reduced from 5% to 2% the portion of state sales and income tax revenue distributed to municipalities under the state’s Municipal Revenue Sharing Program. As enacted, the temporary reduction in the total amount of revenue distributed to municipalities will expire in FY 2020, when 5% of state sales and income tax revenue again will be shared with municipalities. With the FY 2020 date in sight, legislators are beginning to submit their suggestions on how to ease the state back into full funding of the revenue sharing program.

Restoring Revenue Sharing by Percentage (LD 133). Included in the mix of revenue sharing bills is LD 133, *An Act To Support Lower Property Taxes by Restoring State-Municipal Revenue Sharing*. Sponsored by Sen. Shenna Bellows of Kennebec County and Rep. John Madigan, Jr. of Rumford, LD 133 is being advanced on behalf of MMA’s 70-member Legislative Policy Committee. Recognizing that the one-year jump from 2% to 5% funding, an estimated \$100 million increase, might be too large of a pill for the Legislature in 2019 to swallow at once, LD 113 seeks to incrementally restore the percent of state sales and income tax revenue distributed under the program. As proposed, 3% of total sales and income tax revenue (\$99 million) would be distributed under the

revenue sharing program in FY 2018, 4% (\$136 million) in the following year, and in FY 2020 and subsequent years the full 5% (\$173 million).

Restoring Revenue Sharing by Limiting Transfers (LD 492). Crafted along similar lines, LD 492, *An Act To Restore Revenue Sharing*, sponsored by Rep. Denise Tepler of Topsham, immediately restores revenue sharing to the 5% level, but then authorizes limited amounts to be transferred to the state’s General Fund coffers for a two-year period. As proposed, in FY 18 and FY 19 the transfer from the revenue

sharing program to the state’s General Fund is set at \$51 million and \$35 million, respectively. As a result, in FY 18 the total amount of revenue distributed under the municipal/state partnership program would increase from \$67 million to \$111 million. In 2019, the municipal share would increase to \$134 million. In 2020 and subsequent fiscal years the full \$173 million would be distributed to municipalities.

Realigning Revenue Sharing (LD 74). Sponsored by Rep. Anne-Marie Mastraccio of Sanford, LD 74, *An Act* *(continued on page 2)*

School Funding and the Governor’s Budget

It is often said that the state’s two-year budget, an imposing 850 page document that seems entirely focused on numbers and money and keeping the machinery of state government operating, is in reality the most highly concentrated expression of policy that can be enacted in any legislative session.

LD 390, the proposed biennial budget submitted in early January by Governor LePage, contains 120 chapters, or “Parts,” beginning with Part A and running through the alphabet five times to Part P. The substantial policy initiatives in any biennial budget always begin at Part C, which is the chapter that details the state’s approach to funding K-12 public education for the upcoming school year. Fittingly, Part C is positioned in the policy part of the budget in prime location... a testament to the first-tier importance placed in this state on public education funding.

On Friday last week, the Education Committee joined the Appropriations Committee to hold a public hearing on Part C of LD 390. The full-throated opposition to the Governor’s approach to school funding was unanimous among those in the packed-to-overflowing Committee room.

For starters, the Governor’s proposal advanced not a single step, either in the tax chapters or in the school funding chapter, toward fulfilling the state’s obligation to provide 55% of the cost of K-12 education. The proposed budget essentially rebukes the voters of Maine who have initiated and adopted laws twice in the past 12 years to achieve that result, most recently last November.

The proposed budget would appropriate \$9.5 million less in General Purpose Aid for the next school year than was *(continued on page 2)*

Mark Your Calendars (cont'd)

To Realign the State-Municipal Revenue Sharing Distribution, is being presented to the members of the Taxation Committee as a concept draft. Because the specifics are unknown, the bill description is relied on to provide a sense of the policy change being advanced. As described, LD 74 proposes to realign the percentage of state sales and income tax revenue transferred from the General Fund with the state-municipal revenue sharing program.

Providing Relief to Property Taxpayers (LD 887). Also being submitted to the Committee in concept draft format is LD 887, *An Act To Provide Relief to Maine Property Tax Payers*, sponsored by Sen. Eric Brakey of Androscoggin County. The bill's description states that property tax relief would be provided directly to property taxpayers through a state income tax credit rather than through distributions to municipalities. The tax credit benefit provided to an individual taxpayer would be no more than 80% of the annual property tax bill and no more than 40% of the tax assessed to a corporate property taxpayer. The credit would be calculated as a percentage of the total revenue sharing funds based on a taxpayer's annual bill, the percentage of total revenue sharing funds attributable to the municipality where the taxpayer's property is located and the taxpayer's annual property tax liability as a percentage of annual property tax liability statewide.

Restructuring the Revenue Sharing Program (LD 875). The most involved revenue sharing bill in the mix is LD 875, *An Act to Reduce Prop-*

erty Taxes. This bill, sponsored by Rep. Richard Cebra of Naples, repeals and replaces the existing revenue sharing distribution model. Starting on July 1, 2018, only municipalities with full value property tax rates over 10 mills would receive any revenue sharing. Although all initially qualifying municipalities would receive revenue sharing, communities with current mill rates that are lower than the community's five-year average full value mill rate would be advantaged by the model. In a nutshell, the proposal would allow for more revenue sharing to be distributed to higher mill rate communities that generally reduce their property tax rates. The proposal also restores funding for the program to the historical 5% of state sales and income tax revenue in FY 2020.

Copies of these bills can be obtained by clicking on the LD numbers highlighted in the text of the article or by contacting Laura Ellis at lellis@memun.org or 1-800-452-8786.

Municipal officials interested in participating in the public hearing are asked to bring 25 copies of written comments. While written testimony is not required, the documents help to reorient Committee members during the work session, which at times is scheduled several weeks after the public hearing. Also, any municipal official who is unable to attend the hearing but would like to submit written comments is welcome to forward testimony to Kate Dufour at kdufour@memun.org or fax at 624-0129 or directly to the Taxation Committee.

School Funding and the Governor's Budget (cont'd)

appropriated for the current school year. The state share under of the Essential Programs and Services school funding model would be just 47%, eight percentage points below the required 55% level. (To gauge the impact, each percentage point of the EPS model's total allocation represents approximately \$21 million.) Although it may look on paper that the Governor's proposal will, at the very least, keep the required local mill rate effort essentially flat at 8.29 mills, don't be fooled. The proposed budget only accomplishes that result by artificially reducing the EPS total allocation by ripping out of the model approximately \$40 million of undeniably necessary school administration costs, which then become the 100% responsibility of the property taxpayers.

An incomplete list of other Part C proposals that drew fire from the school board members and school superintendents in the audience were:

- Increasing the student-to-teacher ratios within the EPS model by one student (e.g., from 15:1 to 16:1 for the high school level) in a public policy exchange, of sorts, with another proposal to stop reducing each school's calculated state allocation by whatever amount the school receives in Title 1 support from the federal government.

- Substantially increasing the student-to-education technician ratios within the EPS model from 100:1 to as much as 312:1 in the middle schools.

- Repealing dedicated funding from casino revenue of \$4 million each year to provide start-up funds for public pre-school programs.

- Repealing the central element of the law just adopted by the voters that dedicates income tax revenue generated by that initiative to K-12 funding.

MMA joined the chorus of objections to Part C of the proposed budget, focusing not so much on the budget's repudiation of the voters' decision last November but, instead, on its repudiation of the voters' directive as adopted in 2004.

Brief history of 55%. It was 2004 when the voters of Maine first directed the Legislature to provide 55% of the total cost of K-12 education out of the state's General Fund. The 55% standard wasn't pulled out of thin air. The Legislature on its own established the 55% standard in statute in 1984, but immediately ignored the goal and backpedaled year after year in its level of financial support for public education.

Twenty years later, in June of 2004, the voters adopted the citizens' initiative that directed the Legislature to achieve
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Legislative Bulletin

A weekly publication of the Maine Municipal Association throughout sessions of the Maine State Legislature.

Subscriptions to the *Bulletin* are available at a rate of \$20 per calendar year. Inquiries regarding subscriptions or opinions expressed in this publication should be addressed to: *Legislative Bulletin*, Maine Municipal Association, 60 Community Drive, Augusta, ME 04330. Tel: 623-8428. Website: www.memun.org

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School Funding and the Governor's Budget (cont'd)

the very goal the Legislature had itself adopted. In contrast to what some legislators have claimed, the 2004 law adopted by the voters was extremely specific with respect to the question, “55% of what?” The pertinent part of the initiated law reads as follows:

Notwithstanding any other provision of law, the Legislature each year shall provide at least 55% of the cost of the total allocation for kindergarten to grade 12 education from General Fund revenue sources.

For the purpose of this chapter, and until such time as the Legislature may implement an alternative school funding system, “total allocation” means the foundation allocation for a year, the debt service allocation for that year, the sum of all adjustments for that year and the total of the additional local appropriations for the prior year. In the event the Legislature implements an alternative school funding model that alters the meaning of the terms used in this Title or otherwise makes obsolete the system of allocations and local appropriations established by this Title, the term “total allocation” as it applies to the mandatory appropriation required by this section means the amount reasonably calculated as the equivalent of this definition.

When the Legislature assembled in 2005 to implement the citizens’ initiative, an agreement was struck between the municipal/school proponents of the 55% initiative and the 2005 Legislature and Administration. It was a balanced give-and-take agreement that was codified into the implementing legislation, known at the time as “LD 1.”

Which brings the history up to the present. The core municipal objection to Part C in the Governor’s proposed biennial budget is that it abrogates both the “quid” and the “pro quo” elements of that agreement. If enacted as proposed, the proof would be well established that agreements with the Legislature are certainly ill-advised.

The quid. The element of the agreement that was not to the municipalities’ or property taxpayers’ advantage was that instead of the 55% standard covering what was then the “foundation” school funding system plus all additional lo-

cal spending, as the 2004 initiative was worded, the 55% standard codified into law would be applied only to the EPS model’s total allocation and would not include any level of local spending over the model. That part of the agreement was placed in the law in the form of a statutory subsection that annually tracks the degree to which the Legislature meets its 55% requirement (which the statute artfully calls a “target”). What follows is how that statute currently reads. As can be easily seen, there was an attempt made in the earliest years after the 2004 initiative was adopted to “ramp up” to the 55% funding standard, but that attempt teetered into collapse nearly a decade ago. (Again, each percentage point that the state falls short of the 55% funding standard represents approximately \$21 million.)

20-A MRSA, Section 15671, subsection 7(B) reads as follows:

The annual targets for the state share percentage of the statewide adjusted total cost of the components of essential programs and services are as follows.

*For fiscal year 2005-06, the target is 52.6%.
For fiscal year 2006-07, the target is 53.86%.
For fiscal year 2007-08, the target is 53.51%.
For fiscal year 2008-09, the target is 52.52%.
For fiscal year 2009-10, the target is 48.93%.
For fiscal year 2010-11, the target is 45.84%.
For fiscal year 2011-12, the target is 46.02%.
For fiscal year 2012-13, the target is 45.87%.
For fiscal year 2013-14, the target is 47.29%.
For fiscal year 2014-15, the target is 46.80%.
For fiscal year 2015-16, the target is 47.54%.
For fiscal year 2016-17, the target is 48.14%.*

The Anti-quid. The Governor’s proposed budget repeals this subsection of law so that there will be no transparent accounting of the state’s contribution toward the EPS total allocation. In addition, the historical 55% standard is replaced with an alternative “55%” state funding standard that sweeps in a massive annual payment the state is required to make in order to reduce its unfunded actuarial liability (UAL) associated with the Maine Public Employees Retirement System, presumably as that liability applies to school teachers in the System. The unfunded retirement liability was created as a result of retirement system funding decisions made by Maine Legislatures in

the deep past and has nothing to do with the EPS school funding model today. By including the state’s UAL payment within the new 55% requirement, it becomes guaranteed that the Legislature will not be statutorily required to actually cover 55% of the EPS total allocation. With the local share set by statute at 45% of the total EPS allocation and the state share being 55% of a different base much larger than the EPS total allocation, a very sizable “orphaned share” of the EPS allocation becomes stranded as no one’s financial obligation. In real life, of course, that stranded share falls to the property taxpayers.

To sum it up, Part C of the budget effectively guarantees that the Legislature will not be obliged to cover 55% of the total EPS allocation.

The pro-quo. The Legislature’s side of the 2005 agreement was to maintain the integrity of the EPS model. To that end, an entire chapter of state law was enacted that governs all the steps in the process to annually calculate the total amount of state and local tax dollars to provide an adequate K-12 education, both statewide and for each school administrative unit. EPS is a model that has dozens of toggle switches inside of it that affect the various bottom-lines that it produces, but those toggle switches, at least until this budget, are all in plain sight.

The Anti-pro-quo. The Governor’s budget, for the first time since the EPS statute was enacted, proposes to amend the model to deliberately exclude an unarguably necessary component of the overall cost of K-12 education – system administration – calculated to cost the school systems statewide over \$40 million a year.

If the school funding model is redesigned so as not to identify and calculate the reasonably necessary costs of public education, and the state’s 55% obligation is shifted to a new base in such a way that the Legislature no longer needs to cover 55% of the EPS model, there is no longer any solid ground on which to stand. The effort to rationalize school funding from a tax resource perspective, begun by the Legislature 33 years ago and fortified by no less than two laws enacted by the voters of Maine, will have failed.

Firefighter Workers' Comp Coverage

Tone-to-Tone Study Amendment Receives Support

On Wednesday this week, the Labor, Commerce, Research and Economic Development Committee held its work session on LD 67, *An Act to Improve Insurance Coverage for Volunteer First Responders Answering a Call to Duty*.

As originally printed, the bill would amend Workers' Compensation law, creating a "rebuttable presumption" in favor of volunteer firefighters or volunteer emergency medical services providers. The presumption would apply to the responders who sustain an injury after receiving an electronic notification of an emergency. Under this bill, those employees (and those employees alone in both the public and private sectors) would be presumed to be covered by Workers' Compensation for medical coverage and wage replacement for injuries sustained after the tone sounded, regardless of where the injury is actually sustained. The burden would be on the municipal employers to prove that any injury sustained, in the firefighter's private home for example, was not work related.

At the work session on LD 67, the bill's sponsor, Rep. Michael Devin of Newcastle, offered an amendment. That amendment, which was supported along party lines, replaces the original bill and instead directs the Workers' Compensation

Board to study "existing shortcomings" in workers' compensation coverage for emergency first responders.

The charge to the board is to develop solutions for ensuring that first responders receive workers' compensation coverage from notification to completion of duties. The study also requires investigations

into utilizing an existing state insurance program to provide such coverage and an administrative law judge review of all first responders' claims that have previously been denied. The results of this study would be reported back to the Legislature by Dec. 15 of this year.

Promoting Recyclable Bag Usage

A Unique Approach to Effecting Public Policy

LD 57, originally titled *An Act To Phase Out the Use of Single-use Plastic Shopping Bags* has been amended into *An Act To Reduce Waste by Promoting the Use of Reusable Bags and Recyclable Food Service Containers* by the Environment and Natural Resources Committee. The amendment, supported by a majority of the Committee, turns what was initially proposed as a prohibition on retailers' use of plastic bags into a state policy of promoting reusable bags and containers over plastic and styrofoam.

To support the policy, the amendment establishes a series of benchmarks requiring that by Dec. 31, 2019, at least 20 municipalities have adopted a reusable bag ordinance and a polystyrene foam food service container ordinance, 35

municipalities should have adopted such ordinances by the end of 2024, and according to the amended bill, 50 municipalities by the end of 2029.

Rather than including within the amendment any directives or recommendations to achieve this goal, or any penalties for non-achievement, the language requires a series of annual status reports by the Department of Environmental Protection to the Legislature beginning Feb. 15, 2020. The requirement would include the Department's recommendations of actions or additional legislation to support the achievement of these goals. The Department is also directed to list on its website which municipalities have adopted these ordinances as well as links, when available, to each adopted ordinance.

Good Morning Community Outreach Programs

Law enforcement officers are offering to help keep tabs on the well-being of disabled and elderly residents through the establishment of so-called "Good Morning" programs. The participants in these programs ordinarily call their local dispatch at some point during the morning to check in on a daily or weekly basis. If no call is received from the resident who enrolled in the program, an officer will go to the person's house to make sure they are alright. These programs are offered on a free and entirely voluntary basis.

On Tuesday this week, the Judiciary Committee heard LD 196, *An Act To Protect Personal Information of Participants*

in a Community Well-being Check Program. Rep. Richard Malaby of Hancock sponsored the bill to address a concern that the information participants disclose to law enforcement, such as medication details or vacation plans, will become public information under Maine's Freedom of Access Act (FOAA). The sponsor asked that LD 196 be passed in order to ensure information divulged through a Good Morning program is not a "public record" that must be released to any requestor.

MMA supported LD 196 to help clarify any confusion for municipal officials charged with complying with FOAA. Legal Services for the Elderly supported

the bill, highlighting the importance of these programs in a state with a rapidly aging population.

Rep. Chris Johansen of Monticello, a retired law enforcement officer who now serves on the Judiciary Committee, also rose to speak in favor of the bill. He described the difficulty of balancing the need to help the elderly with the importance of not intruding on residents' privacy. Based on his experience, it would be helpful to provide law enforcement with advance authorization to enter a participant's premises in the event they do not check in.

The work session on LD 196 is scheduled for Tuesday, March 14.

LEGISLATIVE HEARINGS

Note: You should check your newspapers for Legal Notices as there may be changes in the hearing schedule. Weekly schedules for hearing schedules and work sessions can be found at: <http://legislature.maine.gov/Calendar/#PHWS/>.

Monday, March 13

Appropriations & Financial Affairs
Room 228, State House, 1:00 p.m.
Tel: 287-1316

LD 409 – An Act To Amend the Laws Pertaining to the Maine Public Employees Retirement System.

LD 723 – Resolution, Proposing an Amendment to the Constitution of Maine to Reduce Volatility in State Pension Funding Requirements Caused by the Financial Markets.

Criminal Justice & Public Safety
Rm. 436, State House, 9:00 a.m.
Tel: 287-1122

LD 569 – Resolve, Regarding Legislative Review of Chapter 5: Maine Disaster Recovery Fund, a Major Substantive Rule of the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency.

LD 588 – An Act To Allow Law Enforcement Agencies and Associations To Engage Directly in Fund-raising under Certain Circumstances.

LD 600 – Resolve, To Provide Grants to Law Enforcement Agencies To Acquire and Train Drug-detecting Dogs.

1:00 p.m.

LD 141 – An Act Regarding Certain Criminal Charges.

LD 179 – An Act To Make Creating a Police Standoff a Class E Crime.

LD 248 – An Act Regarding Law Enforcement Training for Former Military Police Officers.

Education & Cultural Affairs
Room 202, Cross State Office Building, 9:30 a.m.
Tel: 287-3125

LD 680 – An Act To Allow the Employment or Service in a School of a Spouse of a School Board or Committee Member.

LD 682 – An Act to Eliminate the Regional Adjustment for Public School Systems.

LD 736 – An Act To Create Equity in Funding of Rural Schools.

Environment & Natural Resources
Room 216, Cross State Office Building, 10:00 a.m.
Tel: 287-4149

LD 576 – An Act To Amend the Laws Governing Funding for Landfill Closure Costs.

LD 683 – An Act To Fund the Maine Solid Waste Diversion Grant Program and To Phase Out Certain Containers from the Bottle Redemption Laws.

Marine Resources
Room 206, Cross State Office Building, 1:00 p.m.
Tel: 287-1337

LD 370 – An Act To Improve Productivity in Authorized Municipal Shellfish Conservation Areas with Predation Protection Measures in Place.

LD 431 – An Act To Ensure Participation and Equity in the Shellfish Depuration Certification and Compensation Process for Municipalities.

LD 646 – An Act Regarding Municipal and Regional Shellfish Management Programs.

Wednesday, March 15

Criminal Justice & Public Safety
Rm. 436, State House, 1:00 p.m.
Tel: 287-1122

LD 217 – An Act Regarding the Place of Imprisonment of Certain Prisoners.

LD 377 – An Act to Create a County Jail Drug Rehabilitation and Treatment Grant Program.

LD 463 – An Act To Improve the Funding of County Jails.

LD 597 – An Act To Make the Reimbursement Rate for Transfers of Inmates from County Jails Equal to the Federal Reimbursement Rate.

Thursday, March 16

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

LD 275 – An Act To Expand Disabled Veteran Eligibility for Complimentary Hunting, Fishing and Trapping Licenses.

LD 693 – An Act To Clarify the Laws Governing Hunting from a Vehicle.

Friday, March 17

Criminal Justice & Public Safety
Rm. 436, State House, 9:00 a.m.
Tel: 287-1122

LD 9 – An Act To Prohibit the Creation of a Firearms Owner Registry.

LD 44 – An Act To Lower the Age Requirement To Carry a Concealed Handgun.

LD 343 – An Act To Prohibit the Discharge of a Firearm within 300 Feet of a State-owned Boat Launching Ramp.

LD 350 – An Act To Repeal Certain Requirements Concerning the Sale and Purchase of Firearms.

LD 351 – An Act To Allow Municipalities To Prohibit Weapons at Municipal Public Proceedings and Voting Places.

1:00 p.m.

LD 443 – An Act To Allow Municipally Funded Hospitals To Prohibit the Presence of Firearms on Their Property.

LD 516 – An Act To Reduce the Cost of Pretrial Detention.

LD 574 – An Act To Amend the Provision of Law Requiring Disclosure of the Possession of a Firearm under Certain Circumstances.

LD 595 – An Act Prohibiting a Law Enforcement Officer from Confiscating a Firearm under Certain Conditions.

LD 598 – An Act To Strengthen Maine Citizens' Right to Self Defense.

Marijuana Legalization Implementation
Room 216, Cross State Office Building, 9:00 a.m.
Tel: 287-4149

LD 243 – An Act To Change the Oversight Agency for Recreational Marijuana from the Department of Agriculture, Conservation and Forestry to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations and To Allocate Funds for Implementation.

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

LD 500 – An Act To Allow the Formation of Transportation Corridor Districts.

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LEGISLATIVE HEARINGS (cont.)

LD 584 – An Act To Create the Fund for Municipalities To Improve Pedestrian Safety.

LD 623 – An Act To Require Biennial State Motor Vehicle Inspections.

Veterans & Legal Affairs

Room 437, State House, 9:00 a.m.

Tel: 287-1310

LD 715 – Resolution, Proposing an Amendment to the Constitution of Maine To Amend the Citizen Initiative Process.

IN THE HOPPER

(The bill summaries are written by MMA staff and are not necessarily the bill’s summary statement or an excerpt from that summary statement. During the course of the legislative session, many more bills of municipal interest will be printed than there is space in the *Legislative Bulletin* to describe. 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 858 – An Act To Strengthen the Law Regarding Dangerous Dogs. (Sponsored by Rep. Nadeau of Winslow; additional cosponsors.)

This bill amends the law governing the determination and management of dangerous dogs. The bill provides that the sheriff, local law enforcement officer or animal control officer, upon an investigation of complaint, may determine that the dog subject to that complaint is dangerous and further provides that a court must take that determination into account. Under current law, a dangerous dog must be ordered euthanized by the court if it has killed, maimed or inflicted serious injury on a person. This bill requires euthanasia if that level of attack was done to a domestic animal, as well. Finally, the bill repeals an allowance in current law for a dangerous dog to be kept at the owner’s home pending the adjudication of a complaint as long as certain muzzling and tether controls on that dog are followed.

Criminal Justice & Public Safety

LD 888 – An Act To Strengthen Protections against Civil Asset Forfeiture. (Sponsored by Sen. Brakey of Androscoggin Cty; additional cosponsors.)

This bill restricts the circumstances allowing for the ultimate forfeiture of firearms or dangerous weapons when seized by law enforcement officers to when the owner of the firearm or dangerous weapon is convicted of a crime in which the particular weapon is involved. The bill also prohibits a law enforcement agency, prosecuting attorney, state agency, county or municipality from entering into an agreement to transfer or refer seized property to a federal agency directly or indirectly in a manner that might circumvent that restriction.

Education & Cultural Affairs

LD 738 – An Act To Make the School Budgeting Process a Biennial Process. (Sponsored by Rep. Fuller of Lewiston; additional cosponsors.)

This bill changes the local school budgeting approval process from an annual process to a biennial process, beginning with the FY 2019-2020 and FY 2020-2021 biennium.

LD 864 – An Act To Provide for a Statewide Contract for School Teachers. (Sponsored by Rep. Pouliot of Augusta; additional cosponsors.)

This bill puts into motion the development of a statewide school teacher contract. First, the bill establishes that beginning on January 1, 2021, a public employer acting on behalf of a school administrative unit is represented in collective bargaining by the Governor or the Governor’s designee. The bill also directs the Department of Administrative and Financial Services to develop a plan to implement statewide collective bargaining for public school teachers. The plan must be designed to: (1) permit school administrative units to maintain local control and direction of teacher employment; (2) include for all teachers a uniform compensation system that is based upon performance results that are competitive and fair across the state; and (3) maximize opportunities for certain economies of scale through the statewide negotiation of public school teacher’s benefits, including health insurance.

LD 926 – An Act To Improve Equity in State Aid to Schools. (Sponsored by Rep. Stearns of Guilford; additional cosponsors.)

This bill creates a negative “adjustment” within the Essential Programs and Services school funding model. The adjustment subtracts from the state share of the EPS allocation distributed to a “highly funded school”. A highly funded school is a school that spends in total more than 108% of the total EPS allocation for that school, and the adjustment subtracts from that school’s state distribution the difference between what it actually spends and the 108% of EPS allocation value.

Environment & Natural Resources

LD 739 – An Act To Improve Beach-cast Seaweed Management for health, Ecology and Tourism. (Sponsored by Rep. Blume of York; additional cosponsors.)

This bill adds to the list of activities for which a Natural Resources Protection Act permit is not required. The addition is the municipal removal of beach-cast seaweed from a coastal sand dune system after a large storm or tide has deposited a large amount of seaweed on the dunes.

LD 881 – An Act To Increase Wastewater Management Responsibility by Licensing Certain Municipal Sewage Collection Systems. (Sponsored by Sen. Saviello of Franklin Cty; additional cosponsor.)

This bill defines a “municipal satellite collection system” as a sewage collection system that is owned and operated by a municipality or quasi-municipal entity and that directly or indirectly conveys wastewater to a publicly owned treatment works that is owned and operated by a separate legal entity. The bill further requires the owner of a municipal satellite collection system to obtain a license from the Department of Environmental Protection for the operation of that system pursuant to rules adopted by the Department for that licensing purpose.

Judiciary

LD 871 – An Act To Require Disclosures Relating to the Sale of Residential Real Property Accessible Only by a Private Way. (Sponsored by Rep. Fay of Raymond; additional cosponsors.)

This bill requires that the seller of residential real property accessible only by a private way must disclose to any buyer the name of the person who owns the private way and the name of the person who is responsible for the maintenance and repair of the private way.

Labor, Commerce, Research & Economic Development

LD 848 – An Act To Support Law Enforcement Officers and First Responders Diagnosed with Post-traumatic Stress Disorder. (Sponsored by Rep. Golden of Lewiston; additional cosponsors.)

This bill establishes a rebuttable presumption under the laws governing workers’ compensation that when a law enforcement officer, firefighter, corrections officer or emergency medical services worker is diagnosed by a licensed physician specializing in psychiatry or a

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licensed psychologist as having post-traumatic stress disorder, the posttraumatic stress disorder is presumed to have arisen out of and in the course of the worker's employment.

LD 970 – An Act To End Homelessness by Expanding Housing Support Services. (Sponsored by Rep. Jorgensen of Portland; additional cosponsors.)

This bill establishes the Housing First Program, administered by the Maine State Housing Authority (MSHA). The bill directs MSHA to work with emergency shelters and other crisis responders in the neediest areas of the state with respect to chronic homelessness with the goal of providing permanent housing and support services for homeless individuals and families and homeless individuals addicted to opiates. The bill appropriates \$675,000 from the General Fund for each year of the biennium, which is estimated to fund 30 housing units along with the necessary and related support services.

State & Local Government

LD 779 – An Act To Allow Aroostook County To Create Tax Increment Financing Districts. (Sponsored by Rep. Martin of Eagle Lake; additional cosponsors.)

This bill authorizes Aroostook County to act as the “municipality” for the geographic area within the County for the purpose of designating and administering economic development districts (e.g., TIF districts or special assessment improvement districts for blighted areas or areas in need of rehabilitation, etc.) in the areas the County the commissioners choose to designate. The Aroostook County commissioners are designated by the bill as both the municipality and the municipal legislative body for that purpose.

LD 876 – Resolve, To Increase Pedestrian Crosswalk Safety. (Sponsored by Rep. Fuller of Lewiston; additional cosponsors.)

This resolve requires a municipality with a residential population of 20,000 inhabitants or greater to undertake a study to determine the busiest pedestrian crosswalks and vehicular traffic areas in that municipality and to adopt a 10-year plan to address the enhancement of pedestrian crosswalk safety in that municipality through changing physical and lighting conditions.

LD 882 – An Act Prohibiting Public Entities from Contracting with and Investing in Companies That Boycott the State of Israel. (Sponsored by Sen. Mason of Androscoggin Cty; additional cosponsors.)

This bill prohibits any public entity, including municipalities and quasi-municipal entities, from boycotting the State of Israel or contracting with or giving a grant to a person that is boycotting the State of Israel and requires all contracts and grants by those public entities to expressly certify that the person awarded the contract or grant will not boycott Israel for the duration of the contract or grant.

Taxation

LD 874 – An Act To Expand the Authority of Municipalities To Implement a Property Tax Deferral Program. (Sponsored by Rep. Denno of Cumberland; additional cosponsors.)

Current law authorizes a municipality by ordinance to establish a property tax deferral program that may be provided to homeowners at least 70 years of age who have resided in the home for at least 10 years and who have a household income that does not exceed 300% of the federal poverty level. This bill authorizes the establishment of a property tax deferral system without these limiting factors provided the recipients of the deferral benefit occupy the eligible homestead and meet the age, income and asset standards provided in the municipal ordinance.

LD 904 – An Act To Require the County Commissioners To Adjust the Assessed Value of a Municipality When They Grant an Abatement Request. (Sponsored by Rep. Johansen of Monticello; additional cosponsors.)

When the county commissioners decide a property tax abatement

request in a way that reduces the assessed value of a certain property, this bill requires the commissioners to also adjust downward by an equal amount the assessed value of the municipality where the property is located as that value applies to the county's assessment of property tax revenue.

LD 915 – An Act To Lower Property Taxes. (Sponsored by Rep. Hymanson of York; additional cosponsors.)

This bill establishes a new property tax relief program under which the State Treasurer would distribute to each municipality 5% of the sales taxes collected by the state attributable to sales transacted in that municipality during the previous fiscal year. The bill prohibits the state from treating the distribution in a way to cause the reduction of other forms of state aid received by the municipality. The revenue received by the municipality must be used to reduce the municipality's property tax levy.

LD 959 – An Act To Expand Property Tax Relief for Maine Residents. (Sponsored by Sen. Chenette of York Cty; additional cosponsors.)

Under current law, at the end of each state fiscal year there is a distribution of the unappropriated surplus of the state's General Fund to recapitalize several special self insurance-based and operating capital-based reserve funds, with 80% of the remainder distributed to the state's budget stabilization or “rainy day” fund and 20% of the remainder distributed to a special fund to finance reductions to the state's income tax rates. This bill creates a new high-priority dedication of 1% of the remainder unappropriated General Fund surplus to the Property Tax Fairness Credit Fund, which would be used to finance enhanced property tax fairness credits within the state's income tax code.

LD 974 – An Act To Increase the Homestead Exemption. (Sponsored by Rep. McLean of Gorham.)

This bill increases the value of the Homestead property tax exemption to \$30,000 beginning on April 1, 2018.

Transportation

LD 785 – An Act To Improve Safety and Traffic Efficiency near School Grounds. (Sponsored by Rep. Tipping of Orono; additional cosponsors.)

This bill empowers a school crossing guard to direct traffic with statutory authority provided the guard meets four qualifying criteria: (1) is 18 years of age or older; (2) is under the control of a local law enforcement agency or school administrative unit; (3) has completed training to perform traffic direction duties as prescribed by the law enforcement agency or school administrative unit; and (4) is wearing an appropriate uniform as specified by the law enforcement agency or school administrative unit.

LD 827 – An Act To Repeal the Laws Governing Truck Camper Registration. (Sponsored by Rep. Thibodeau of Waldo Cty; additional cosponsors.)

Under current law, motor vehicles, mobile homes, camp trailers and truck campers, which are the slide-in campers designed to be mounted on a truck body to provide temporary living quarters for recreational, camping and travel uses, need to be registered and, prior to being registered, proof needs to be shown that the sales taxes on those vehicles, trailers and slide-on campers have been paid. This bill repeals that requirement for truck campers.

LD 878 – An Act To Allow Municipalities To Permit the Operation of Golf Carts on Municipally Owned Streets. (Sponsored by Rep. Denno of Cumberland; additional cosponsors.)

This bill allows municipalities, the counties with respect to county roads, and the Department of Transportation with respect to state roads, after making a finding regarding the safety of operating golf carts along the extreme right hand side of certain public ways, to designate those public ways as “golf cart access routes”. Designated golf cart access

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routes must be posted conspicuously at regular intervals with highly visible signs, and the respective governmental units may require golf carts utilizing the golf car access routes to register their golf carts.

LD 905 – An Act To Authorize the Construction of a Maine Turnpike Connector to Gorham. (Sponsored by Rep. McLean of Gorham; additional cosponsors.)

This bill authorizes the construction of a connector in Cumberland County from Route 114 in South Gorham to an interchange on the Maine Turnpike provided an evaluation of reasonable alternatives, as required by the Sensible Transportation Policy Act, determines there is no reasonable alternative. The bill also authorizes the Maine Turnpike Authority to issue special obligation bonds or other evidences of indebtedness up to \$150 million to pay for the planning, design and construction of the connector.

Veterans & Legal Affairs

LD 879 – An Act To Allow Any Person To Purchase Voter Registration Lists. (Sponsored by Rep. Casás of Rockport) (By Request)

Current law allows only candidates for office, office holders, political action committees and persons or organizations involved in “get out the vote” efforts to purchase voter lists and voter registration information from the Secretary of State’s Office or the local registrar. This bill allows any person to purchase that information.

LD 883 – An Act To Establish a Minimum Payment for Signatures Gathered by Maine Citizens for Referendums. (Sponsored by Sen. Saviello of Franklin Cty; additional cosponsor.)

This bill provides that if a person is paid to circulate a petition

for a citizens’ initiative or people’s veto referendum on a per-signature basis, the person must be paid at least \$25 a signature.

LD 906 – An Act Regarding the Collection of Signatures for a Direct Initiative. (Sponsored by Rep. Timberlake of Turner; additional cosponsors.)

This bill amends the law governing the required procedures to collect signatures to advance a proposed citizens’ initiative. Under current law, the circulator must provide an opportunity for a potential petitioner to read the initiative’s summary statement and fiscal statement before signing a petition. This bill requires the circulator to provide the potential signer with the signer’s own full text of the initiative and provide the potential signer with the opportunity to read the full text before signing the petition.

LD 979 – An Act Regarding Early Voting in Person. (Sponsored by Rep. Pierce of Falmouth; additional cosponsors.)

This bill allows municipalities to provide and conduct early voting in person which is different from absentee voting in person. Early voting takes place in the municipal offices during their normal business hours and during the same period of time as absentee voting, but effectively replicates the election day polling place procedures whereby the early voter actually casts his or her ballot in the ballot box.

LD 980 – An Act To Improve Absentee Balloting. (Sponsored by Rep. Pierce of Falmouth; additional cosponsors.)

This bill amends the law governing absentee balloting to provide that when an application for an absentee ballot is rejected, the list of absentee voters must include the reason why the absentee ballot was rejected.