Municipal Voices Speak Out in Augusta

Revenue Sharing on the Chopping Block

There was a big public hearing this week on a bill to prevent the elimination of the municipal revenue sharing program. It was a six-hour marathon before the Appropriations Committee. The formal name of the legislation is LR 2721, An Act Related to the Report of the Tax Expenditure Review Task Force Pursuant to PL 2013, c. 368, Part S.

Some municipal officials from all corners of the state made their way to the State House to plead with the Legislature to protect the revenue sharing program from elimination. Sixty-two of those municipal pilgrims stepped up to the podium to deliver spoken testimony. There hasn’t been as impressive a municipal turnout at the Capitol for a legislative initiative since the early 1990s. Perhaps it comes as no surprise that the last big turnout 25 years ago was generated by the same public policy issues: the very first, large, one-time raid on the municipal revenue sharing program, exacerbated with the enactment of myriad unfunded state mandates. The latter issue was ultimately addressed by a constitutional fix.

The quality of the municipal testimony this week was outstanding. Sincere, authentic, rich with detail, delivered professionally, a light touch of humor at times, with appropriate expressions of empathy with respect to the legislators’ task of tough governmental decision-making…overall, a class act. Regardless of the outcome of LR 2721, all elected and appointed municipal officials and all municipal employees should be very proud of the presentation made by their colleagues on Wednesday. The Legislature, on the other hand, may have a lot to answer for.

The Backstory. When the state budget was enacted last June, municipal officials had every reason to believe that the revenue sharing distributions included in the budget were reliable, but that’s not the case. In hindsight it appears that the legislative support for the revenue sharing allocation for FY2015 was not secure. In the main part of the budget it was set at $60 million, just 41% of the amount required by law. However, an additional cut of $40 million to the $60 million allocation was tucked into another part of the enacted budget. This cut was set to occur automatically unless a special Task Force accomplished the politically impossible task of generating the $40 million with alternative tax in-

(continued on page 2)
creases. It is now obvious that there was no set of recommendations that the Task Force could possibly advance that would be approved by the Legislature. It was a set-up from the jump, until now.

LR 2721 is now being advanced by the chairs of the Appropriations Committee for the purpose of making sure that the built-in, additional reduction in municipal revenue sharing does not occur. The details of the bill, which find their genesis in the special Task Force’s work, were described in last week’s edition of the Legislative Bulletin.

The hearing. There was municipal representation from towns and cities located in all 16 counties. By population, the municipalities participating ranged from 121 residents (Haynesville) to 66,000 (Portland). There were several major themes to the municipal testimony:

- **Local impacts.** The sharp reduction in the range and quality of local services that will occur if the revenue sharing program is eliminated, as well as sharp increases in property taxes.

- **Tax burden shift.** The shifting of burden from the progressive (income) and less regressive (sales) state taxes onto the most regressive property tax.

- **State-local relations.** The historical compact between the state and the municipalities, glued together by revenue sharing, and the trending deterioration of that state-local partnership.

- **Recognition of municipally provided services.** The state-level services the municipalities provide that makes them fully deserve a share of broad based tax revenue to blunt the regressivity of the property tax.

- **Fair return on economic investment.** The municipal activities and investments that nurture economic activity and makes the towns and cities fully deserve some return of the locally generated revenue.

- **Unfunded state mandates; unremitting property tax exemptions.** Unfunded state mandates and expanded property tax exemptions are being enacted without let-up. When combined with the elimination of revenue sharing, a perfect storm is created at the local level.

Merely summarizing the content of the municipal testimony fails to capture its rich texture. Here is a small sampling of excerpts from all corners of the compass.

**Michael Chasse (Councilor, Presque Isle).** “Our community is at a crisis situation due to the continual raids on revenue sharing. My message today is simple. The use of revenue sharing funds to balance the state’s budget has been unfair in its impact to Maine’s citizens, Maine’s businesses and Maine’s communities…As I’ve seen these cuts happen over the last several years it’s really making me scared that what’s so special about Presque Isle is going to get lost. As our community and other communities in the state are being forced to cut more and more services, what’s so special about our community is either going to be lost or it’s going to become so expensive that people can’t afford to live there.”

**Christie Sirois (Town Manager, St. Agatha).** “It will come to the point that towns will need to drastically cut services and my first thought, if revenue sharing raids continue, then any services provided on behalf of the state – start cutting there. Vehicle registrations, sales tax collection, ATV, boat, unorganized territory transactions – which we do a lot of, vital records, elections. Let the state find somebody else to train for elections. Let them stay up until two or three o’clock in the morning having to deal with primary elections and tallying those things. Any business charges a fee for the services it provides. Towns are currently providing services on behalf of the state, some may include a small fee the town can collect, but the majority are considered pro bono. The towns should follow the good business practice and begin billing the state for all the services it does. I can tell you that bill is going to cost more than revenue sharing.”

**Ernest James (Selectman, Town of Charlotte).** “Historians tell us that Plantation 3, as we were formerly known, petitioned the Legislature in 1825 to be named Charlotte after the wife of King George, III of England. Regardless of our connection to royalty, Charlotte is not a rich town. We are being kept poor; in part, by laws that come from the same legislative body that gave us this distinguished name in the first place. Each city and town today will probably mention hardships that they have, but I can only tell you the predicament that Charlotte is in, and hopefully you can help relieve some of the burdens. There are 18,000 acres in Charlotte. Over 2,000 acres are in the Moosehorn National Wildlife Refuge, we have about 7,000 acres in Tree Growth, (continued on page 3)
charitable organizations in the state of Maine have several hundred acres; leaving us with less than half of the land area to bear the full tax burden...Cities and towns are not the salt of the Earth, but they are the salt of the state of Maine. We do a lot of work for you. We keep a lot of bad things from happening.”

Jim Schatz (Selectman, Blue Hill). “There seems to be a notion that local government should be able to absorb reductions in revenue sharing due to inefficiencies and waste inherent in local government. This is not time to “blame the victim”...My twenty years as a Blue Hill Selectman instructs me to assert that municipal government tends to be efficient, responsive and effective. Our Town utilizes inter-local agreements, use of volunteers, co-ventures with private and public sector entities and a budgeting process that protects an appropriately sized surplus for rainy days. Town governments should not be punished for being responsible and frugal.”

Marianne Moore (City Councilor, Calais). “This past year, due to the $102,000 loss in revenue sharing and loss in school subsidies, the City of Calais had to raise our property taxes by $200 for the average property owner. Loss of the 2014, $228,000, revenue sharing would result in an additional $150 increase in taxes to these same property owners, shifting the State’s budget issues from the State to the local property owners. These increases will have the most effect on the elderly and the poor who are barely able to make ends meet now. These people will be forced to reduce their budgets by going with less medicine, food or fuel. In many cases, they could lose their homes. This is unconscionable!

Chester Rice (Selectman, South Bristol). “I guess I am not here to complain about the amount of money that my town receives in revenue sharing because it’s very small. What I am here to say, is that the state made a commitment to the residents of the state of Maine; a commitment that should be kept. That’s all I really have to say – a promise was made and promises should be kept.”

Jean-Marie Caterina (Town Councilor, Scarborough). “The Scarborough Town Council passed a unanimous resolution in our council meeting supporting LR 2721. This was an important vote for us as a Council. As town councilors, we don’t always agree on all matters, but we agreed on this. We are tired of the lack of support from Augusta. As the local officials elected to deal daily with the concerns of our citizens and our town employees, we have had enough of the tax shifting. We are fighting back...Our mutual constituents, our people, don’t have high paid lobbyists laying in wait on the third floor (of the State House). They elected you and elected me to represent them and their interests. They are depending on us to stop this tax shift. Let’s get it done.”

John Bubier (City Manager, Biddeford). “Whether it’s Biddeford or Bangor or Portland or Sanford, Maine’s Service Centers cannot be underfunded in revenue sharing and perform. Municipalities and state governments are partners, providing services and programs to our joint citizens and the Legislature has historically been committed to funding adequate revenue sharing programs over the years. The elimination of revenue sharing in our case, as I said, would be about a million dollars and there really isn’t any way that we can raise an over-elasticized (property) tax to accommodate something upwards to 6 or 7% of the revenue line of non-tax revenue. I feel strongly that the Legislature has to act now to assure the cities and towns of Maine that there will be no more cuts to revenue sharing. Everybody is taking pledges, and one of the pledges might be no more reduction in revenue sharing... We understand that you have fiscal issues as well as the fiscal issues we face. We simply ask that you recognize the partnership, you recognize the promise made 40 years ago and that you not allow that promise to be broken.”

David Cole (Town Manager, Gorham). “Certainly what’s been happening with state revenue sharing for the last few years as the state has taken more and more of those revenue sharing funds can hardly be called fair. I think it was done not because it was right or because it was fair. It was done simply because it was easy, and municipalities have paid dearly...LR 2721 is a good start. I think it would be a good start in restoring some of the trust between municipalities and state government. I think it might help us remember that we really all serve the same taxpayer, the same people in the state of Maine and we’re all providing important services to them – not as Republicans or Democrats – but as government employees serving the needs of our citizens.”

Mitch Berkowitz (Town Manager, Bridgton). “I want to digress for a moment. You heard earlier in testimony that the state’s bond rating is now doing so much better as a result of the rainy day fund. Yet, the municipalities before you today and those throughout the state balance their budget before and during their town meeting and approval process. When you are competing with minimal revenue sharing coming from tax dollars, operations and maintenance takes up most of that. That means there are no reserves set up for capital investment. The earlier speakers have talked about that. You are in essence sentencing municipalities to a life of debt because they can’t put the money in reserves. The service of interest on that debt is better used for kilowatts, BTUs and services.”

Peter Nielsen (Oakland’s Town Manager and MMA’s President): “The people of Maine expect certain things to be taken care of. They expect the roads to be plowed and sanded; that dialing 911 brings a prompt response; that elections will be held; that we help the needy. The State of Maine adds to that list from time to time, whether it is to require how cemeteries will be managed, how buildings will be constructed, how growth will be managed; how trash will be recycled. I’m proud to say that Maine municipalities answer the call very well. We respect the
Revenue Sharing (cont’d)

law and things get done. But where does the idea originate that these things can be done for nothing? ...There was once a shared understanding that the property tax by itself cannot provide all the services municipalities are mandated to perform."

Kathy Littlefield (Selectman, Town of Waldo). “Municipalities do try to control spending; we try to control General Assistance and still abide by the laws you passed; we try to control our spending of animal control and still abide by the laws you passed; we manage the disposal of all solid waste, conduct all the elections that put you in office, review all subdivisions, manage development in the shoreland zone, clear and maintain the roads, fight the fires, provide emergency medical services...and still try to abide by all the laws you have passed. ....Finally we come to revenue sharing...Since 2009, revenue sharing has been raided by the legislature every single year, and every year more deeply than the last. Since the “Tax Expenditure Review Task Force” failed in its charge to make the necessary recommendations to find an additional $40 million for the state budget, the revenue sharing that hasn’t yet been raided has become the last of the cookies in the cookie jar."

Matthew Pineo (Town Manager, Brownville). “In this election year, it is important that each of you speak with a clear voice for your community that put you in office. The taxpayers in this state are tired of partisan politics in Augusta and in Washington. Clearly, the property owners in this state will be made aware of your votes – last year, this year – and that information will decide if you are representing the registered voters in your region as well as the state. The agreement for revenue sharing in 1972 has been severely breached. Now is the time to repair that breach, stand strong regardless of your party involvement and send a clear message that you serve the people of the state of Maine, not party interests.”

Jerry Goss (Mayor of Brewer). “Revenue sharing is not – and I repeat – is not “municipal welfare.” It is part of a positive economic development cycle. Local businesses generate sales and income tax revenue, a small portion of which is returned to the communities to support the services and the infrastructure needed to sustain and grow those businesses. Reduction in revenue sharing simply leads to businesses and prospective residents saying “no” to Brewer and saying “no” to the state of Maine.”

Jack Clukey (Town Manager, Dover-Foxcroft). “Property taxes are just expected to pay for too much and there are tireless efforts to narrow the property tax base through new exemptions and expanded exemptions. If we’re going to rely on property taxes, we need to expand the base, not keep narrowing it. If we dislike property taxes, why do we rely almost solely on the property tax for local services?”

Michael Crooker (Town Manager, Glenburn). “The primary source of funding that municipalities receive for the provision of mandated services is municipal revenue sharing. It is my understanding that there are still several bills under consideration by the Legislature that would require municipalities to provide additional services without the provision of additional resources from the State of Maine in order to perform those services. If nothing is done, municipalities will be experiencing significant cuts in municipal revenue sharing funds while the legislature is still considering passing laws that will place additional responsibilities and financial obligations on the towns.”

David Nealley (City Councilor, Bangor). “I have deep political roots with the R’s and have the right to say this. It seems to me that some of the issues we’ve had on revenue sharing is based on a concept that revenue sharing is some form of welfare. It seems indeed that most R’s I know, traditionally, believe in local autonomy, not more central government, be it at D.C. or in Augusta. It seems that while they recognize that those that earn and produce should be able to keep some percentage of what they earn and produce and certainly Bangor has done its job at earning and producing significant revenues, most of which goes to Augusta and then we have some hope that with the maintenance of the revenue sharing, that we get our allotment back for these essential services that we try and maintain. My throw-out as a caveat to my party members, the Republicans, is because I have heard that there are more of them that are unlikely to allow for the maintenance of revenue sharing and again, I’m very concerned about that.”

John Simko (Town Manager, Greenville). “The Revenue Sharing program is meant to be a means to mitigate the impact of public services on property owners. The property tax is the most regressive tax as compared to the sales and income tax. The elimination of revenue sharing for Greenville feels like our community has collected $20 for the State and the State has in turn taken $20 out of our pocket and now asks for more. It is time to let this program stand on its own merit, do what it was intended to do: to reduce property taxes. This current bill may not be the best mechanism to do it, but it’s the only one under consideration. That’s why the Town of Greenville backs it. We feel strongly that revenue sharing is, philosophically, a just program to balance out these three taxes. It’s imperative that you find a way to fund it, and if not this measure then another, is our message to you.”

Patricia Johnson (Selectman, Town of Parkman). “The money received from the municipal revenue sharing program has been extremely important to this little town. Each year our education responsibility to the school district increases, last year the increase for Parkman’s share was $32,380 more than in 2012. The county tax also increases each year with an increase of $6,000 in 2013 and another increase expected for 2014. The selectmen and budget committee work hard (continued on page 5)
Dig Safe Indignity

The Energy, Utilities and Technology (EUT) Committee held its first work session on the underground excavation carryover bill LD 965, An Act To Improve Maine’s Underground Facility Damage Prevention Program, and a proposed amendment to it on Wednesday. MMA’s LPC opposed the original version of the bill last year, and voted at its January 16th meeting to oppose the amendment, both of which mandate municipal participation in either the OK-to-DIG or Dig Safe Systems, Inc., respectively. The EUT Committee’s House chair told MMA at the work session, in no uncertain terms, that if MMA opposes this unfunded state mandate, it will be forced on the municipalities nonetheless.

LD 965, in its original text favoring OK-to-DIG and in the recent amendment favoring Dig Safe, mandates municipal participation in these programs with respect to excavations that occur within the municipalities’ own right of way. Even though no other state in New England imposes mandates of this kind on the municipalities that maintain and manage the public ways at great public expense, there has been a concerted effort over the last few years, spearheaded by Maine’s for-profit utilities and contractors, as well as the Dig Safe organization itself, to require the managers of municipal right of ways to themselves be managed by the Public Utilities Commission and/or Dig Safe Systems, Inc. These same proponents are not asking for the Maine Department of Transportation or Maine Turnpike Authority to participate, nor are they asking universities and shopping malls with significant amounts of underground infrastructure to participate.

Under the current system, municipalities and public utilities are free to become members of Dig Safe. Seven Maine municipalities have joined voluntarily. It is generally understood throughout the state that if you intend to perform excavations within the municipal right of way, you have an obligation to connect directly with the affected municipality and work out a variety of details with respect to that excavation. Maine’s municipal leaders and managers have seldom heard of concerns among excavators regarding timely access to the appropriate municipal officials to guide them through the road excavation process. Maine’s towns and cities invest over $200 million each year in the maintenance and upkeep of municipal right of ways, and virtually all the utilities are advantaged by those investments, which provide open and convenient access to their utility distribution systems.

A very long and torturous process has led to the current position of this bill, with too many twists and turns over the last year or so to recount in detail in this article. Suffice to say, it hasn’t been pretty. The principal proponents of imposing this mandate on hundreds of towns and cities are the Director of the Dig Safe Program, Bob Finelli, the lobbyist for the telephone utilities, Ben Sanborn, the former public advocate who now appears to be prioritizing the interests of the for-profit utilities, Dick Davies, and the Senate and House Chairs of the EUT Committee, Sen. John Cleveland (Androscoggin County) and Rep. Barry Hobbins of Saco.

Their main arguments for mandatory municipal membership are that it would improve public safety and improve the efficiency of road excavations for the private sector. They are also characterizing MMA’s participation in the process as obstructionist, bordering on bad faith. MMA denies the insult of this latter claim outright. The towns and cities ought to be able to legitimately disagree with the propriety of imposing yet another unfunded state mandate without being publicly abused at work sessions by Committee chairs, before even being allowed to present their case.

As to the claim about the inefficiency of municipal road excavations without mandatory Dig Safe membership, the municipalities flatly disagree. A robust and effective communication system exists between municipal public works departments and private-sector excavators, and the municipalities that have not voluntarily joined Dig Safe are aware of no particular additional advantages that would materialize if forced to be members of an organization they do not wish to join. As to the safety claims, MMA has made repeated requests for any substantiating data (incident reports, damages, injuries, other forms of evidence) with respect to excavation-damaged wastewater and water infrastructure falling within the municipalities’ domain which would have avoided damage through mandatory Dig Safe membership. That data has never been provided to us. The small amount of data that has been discovered highlights how safety incidents pertain to gas and electric systems, not municipal infrastructure.

Despite the abuse directed at MMA by the proponents of this bill, the municipal community will continue to provide what we believe is constructive input to shape the legislation to be least injurious to local government. Presumably, that type of input from the affected general public is part of the process, although there are many proponents of LD 965 who make participation a highly unpleasant experience.

Revenue Sharing (cont’d)

each year to keep a tax rate as reasonable as possible and meet the obligations of the Town. Our infrastructure suffers the most with roads deteriorating each year. We still have many unpaved roads in this town which are expensive to maintain. The municipal budget no longer has anything that can be eliminated. We must provide fire protection, general assistance, snow removal, insurance for our buildings, care for cemeteries and provide a means for disposing of garbage. The Selectmen receive a stipend which has not increased since 2002.

2013 found an increase of tax liens, double the number of foreclosure of tax liens and just last week the treasurer received notice of two bank foreclosures of properties in this town. It is my opinion, the town of Parkman’s taxpayers will be adversely affected by not receiving municipal revenue sharing.

Is our state going to become a place where only the rich are going to be able to own their homes?”

Next steps. The Appropriations Committee began its work sessions on LR 2721 on Thursday this week, indicating the bill has been put on an unusually fast track. If the Committee undertakes its work on this bill in the same way it tackles other thorny challenges, a concerted effort will be made to reach consensus on the bill’s details among all Committee members. That process will likely take at least several days of effort.
GA Block Grant Proposal Gets Hearing

The two-year state budget enacted last June included a provision (“Part F”) directing the Governor’s Office of Policy and Management (OPM) to find $33 million in savings over the biennium, which resulted in $22.5 million in savings needing to be found for FY 2015. On Thursday of last week, the members of the Appropriations Committee held a public hearing on a recommendation found in OPM’s final report regarding the state/municipal General Assistance (GA) program. In summary, the proposal was to convert GA to a “block grant” program.

As proposed by OPM, the extent to which GA programs throughout the state would be funded would no longer be based on the actual need being met. Instead, using each municipality’s three year average share of total GA expenditures, the towns and cities would be eligible to receive a one-to-one matching grant from the state for the purpose of providing a locally designed program of assistance. Even then, funding for the program would be limited by the actual appropriation.

The size of the program would be controlled more by the Governor’s funding request, as adjusted by the Legislature, than on the actual need that is being addressed. For example, if the Governor requested and the Legislature appropriated $10 million in state funds, municipalities could raise an additional $10 million for a total statewide program of $20 million. If the request was $2 million, the statewide GA program could be as much as $4 million. If no state revenue was made available, then the communities would not be required to offer a GA program.

At last Thursday’s hearing, officials representing municipalities, community programs, social services organizations and churches provided testimony in opposition to the GA recommendations. Representatives from the cities of Bangor and Portland were on hand to illustrate how reducing the state’s share of the program to 50% would unfairly impact the property taxpayers in Maine’s larger services center communities. Representatives of shelters and low income housing associations stressed that putting the state’s share of the GA program into question would have an adverse impact on the ability of low income residents to secure stable housing. Social service agencies testified that the policy changes proposed in the recommendations would place additional pressure on already stretched resources.

MMA also provided testimony in opposition the GA block grant proposed. The municipal officials on MMA’s Legislative Policy Committee opposed the recommendation because: (1) it radically erodes the needs-based policy that has been in effect over the last 40 years; (2) limits the ability of communities to effectively plan for the administration of a program that could change significantly from year-to-year; and (3) sets the table for shifting much if not all the responsibility for funding the state and municipal General Assistance program to just the property taxpayers.

Early Voting Bill Headed for Floor Debate

On Tuesday of this week, the Appropriations Committee voted by a party-line margin of 7 to 4 to send an amended version of LD 156, Resolution, Proposing an Amendment to the Constitution of Maine Concerning Early Voting and Voting by Absentee Ballot, back to the House and Senate for another round of debate. As amended, LD 156 would ask the voters of Maine whether the Maine Constitution should be amended to allow for early voting.

Municipal officials have long supported the concept of early voting as a mechanism for providing voters with an option to vote before the day of the election while relieving municipalities of the administratively intensive absentee balloting process. Under the existing absentee ballot process, municipal election officials are required to accept an application for the ballot, issue the ballot, log the issuance of the ballot, accept the completed ballot, log receipt of the completed ballot, file the ballot in a secure place, and then officially cast ballot on the day of the election.

In comparison, under the early voting process the ballot is officially cast the moment it is relinquished by the voter to a local election official. The election management burdens are significantly reduced.

Taking into consideration the party line vote and brief discussion on the merits of the bill, LD 156 may have difficulty receiving the two-thirds vote of both the House and Senate necessary to put this issue before the people at referendum. One member of the Committee expressed concerns that enabling voters to cast ballots before the day of the election could lead to “voter regret” problems where voters cast early ballots and then change their minds.

Although voter regret for casting a ballot early may occur from time to time, whether through early voting or by absentee ballot, municipal officials believe the voters of Maine should be entrusted to determine for themselves when and how to cast ballots on important matters of public policy and when electing the people to represent their best interests.
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/lio/.

Monday, January 27
Criminal Justice & Public Safety
Rm. 436, State House, 10:00 a.m.
Tel: 287-1122
Veterans & Legal Affairs
Room 437, State House, 10:00 a.m.
Tel: 287-1310
LD 1613 – An Act To Define “Agent” and “Candidate’s Political Committee” in the Laws Regarding Limitations on Campaign Contributions and Expenditures.
LD 1615 – An Act To Amend the Election Laws.
LD 1631 – An Act To Clarify What Constitutes a Contribution to a Candidate.
1:00 p.m.
LD 1662 – An Act To Clarify the Law Governing the Maintenance of Veterans’ Grave Sites.

Tuesday, January 28
Health & Human Services
Room 209, Cross State Office Building, 3:00 p.m.
Tel: 287-1317
LD 1592 – An Act To Improve and Modernize the Authority of Local Health Inspectors.
Inland Fisheries & Wildlife
Room 206, Cross State Office Building, 2:00 p.m.
Tel: 287-1338
LD 1695 – An Act To Allow Fishing Closer to the Fishway on Webber Pond in Vassalboro.
Labor, Commerce, Research & Economic Development
Room 208, Cross State Office Building, 2:00 p.m.
Tel: 287-1331
LD 1669 – An Act To Standardize and Simplify the Process for Employers To Provide a Drug-free Workplace.

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.)

Environment & Natural Resources
LD 1744 – An Act To Protect Maine Lakes. (Sponsored by Rep. McCabe of Skowhegan; additional cosponsors.)
This bill makes a number of changes to the Lakes Assessment and Protection program, including: (1) directing the commissioner of the Department of Environmental Protection (DEP) to develop partnerships with lake associations, municipalities, businesses and other interested parties to increase public understanding about the risks posed to the health and integrity of lakes and actions for reducing risks and sustaining lake water quality; (2) prohibiting the application of fertilizers, herbicides, pesticides, and soil amenders within 25 feet of fresh surface water, unless used for agricultural production and applied from April 1 to October 15; (3) setting a schedule for creating a photographic record of the shoreline of great ponds bordered by at least 10 developed lots at 50% by December 31, 2016, 70% as of December 31, 2018, and 90% by December 2020; (4) directing DEP, municipalities and the Maine Land Use Planning Commission (MLUPC) to provide leadership in achieving those inventory goals and to work with lake associations, land trusts, community groups, colleges and universities and volunteers to reduce the cost of creating photographic inventories and updating the lists in 2020 and every 5 years thereafter; (5) directing the department to develop rules requiring a municipal permitting authority to visit a proposed development site prior to final approval of a permit for development within a shoreline zone; (6) directing DEP and the Department of Agriculture, Conservation and Forestry to develop and make available to municipal officials and code enforcement officers training related to the importance of the lake water quality law and changes to shoreland zoning and municipal enforcement obligations; and (7) directing DEP to seek input from MLUPC, lake associations, municipalities, conservation organizations and other stakeholders to evaluate options and develop strategies to reduce the risks to lake water quality from camp roads, logging roads, driveways and boat launches and to submit recommendations to the Environmental and Natural Resources Committee by December 15, 2015.

Inland Fisheries & Wildlife
This emergency bill: (1) increases the registration fees for watercraft by $7 in each of the three horsepower categories and for personal watercraft for Maine residents; (2) creates non-resident watercraft registration fees of $50, $55, $67 and $76 for the three horsepower categories and for personal watercraft; (3) increases the lake and river protection sticker for watercraft not registered in the state from $20 to $35; and (4) directs the Department of Environmental Protection (DEP) to use the revenue generated by the increased fees to establish programs to eradicate and prevent the migration of invasive aquatic plants, with an immediate focus on infestations in lakes of 10,000 acres or more in size. The DEP is also directed to establish a long-term management program to prevent future infestation of invasive aquatic plants.

Labor, Commerce, Research & Economic Development
LD 1669 – An Act To Standardize and Simplify the Process for Employers To Provide a Drug-free Workplace. (Sponsored by Sen. Cushing of Penobscot Cty; additional cosponsors.)
This bill directs the Commissioner of the Department of Labor to establish a single, model policy that may be adopted by an employer to govern the employer’s practices establishing a drug-free workplace. Maine employers would have to adopt the model policy before establishing a substance abuse testing program. The bill removes the requirements that employers provide an employee assistance program and pay for half of the cost of rehabilitation beyond services provided

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through health care benefits. The bill amends the definition of “probable cause” to provide that a single work-related accident is probable cause to suspect an employee is under the influence of a substance of abuse.

**Taxation**

LD 1607 – An Act To Reinstate Statutory Authority for Local Property Tax Assistance Programs. (Emergency) (Sponsored by Rep. Carey of Lewiston; additional cosponsors.)

The biennial state budget enacted in 2013 “terminated” the state-level Circuitbreaker property tax and rent relief program. An apparently inadvertent element of that legislation also terminated all local property tax relief programs as the implementation of those programs were authorized by statute. This bill restores the municipal authority to implement locally-funded property tax relief programs.

LD 1608 – An Act To Amend the Law Governing the Collection of Minor Amounts of Property Taxes. (Sponsored by Rep. Welsh of Rockport; additional cosponsors.)

Current law allows the municipal officers to relieve the tax collector of an obligation to collect personal property taxes that are too small or burdensome to collect economically. This bill extends that authority to real estate taxes that meet the same description.

LD 1649 – An Act To Make Maine Mills More Competitive by Encouraging the Processing of Forest Products at Mills in the United States. (Sponsored by Sen. Jackson of Aroostook Cty; additional cosponsors.)

This bill provides a 100% property tax exemption to land enrolled in the Maine Tree Growth program when the forest products harvested from that land are processed at mills located within the United States.