

# Managing and Financing the County Jail System

## Different Legislative Committees, Different Visions

As municipal officials are aware, the Legislature is considering abandoning its effort to coordinate the management of the state’s jail and correctional systems, eventually leaving property taxpayers on the hook to backfill state funding shortfalls. Particularly affected are the property taxpayers in those counties that need to board “their” prisoners in a jail located in one of the “receiving” counties. The bill that would accomplish state government’s retraction from commitments the Legislature made seven years ago is LD 186, *An Act To Reverse Jail Consolidation*. In the past week the debate over this proposal was taken up in two separate legislative committees.

By a bipartisan majority, the Criminal Justice Committee voted “ought to pass” on an amended version of LD 186 last Friday. On Monday this week, the Appropriations Committee held a public hearing on a proposal recently submitted by Governor LePage to eliminate all funding for the State Board of Corrections, totaling \$13 million over the FY 2016-2017 biennium. The proposed deappropriation is directly related to LD 186 and portends sharply reduced state financial support for county jail operations. Based on the discussion and give-and-take during these separate proceedings, it is clear that these two legislative committees are not on the same page with respect to the jail deconsolidation proposal.

**Criminal Justice Committee.** After holding numerous work sessions over a period of several months, the Criminal Justice Committee finally voted on LD 186 late last week. By a 9-4 margin, the Committee voted to support an amended version of the bill that would:

- Repeal the State Board of Cor-

- rections.
- Return responsibility for managing the jails to the counties.
- Provide funding at \$14,688,000 per year to the Community Corrections Fund with a new distribution formula.
- Lift the seven-year old cap on property taxes for correctional services so the property tax levy for jails could be increased each year by the “LD 1” growth rate, not to exceed 3% per fiscal year.
- And, Establish a maximum prisoner boarding rate in statute of \$108 per day.

This version of the bill was offered as a compromise by two Democrats on the Committee, Rep. Justin Chenette (Saco) and Rep. Catherine Nadeau (Winslow), who joined the Republicans on the Committee in endorsement of this proposal. The remaining four Democrats voted for an alternative version of LD 186 that that would retain the State Board of Corrections with some changes to its composition, and continue state financial support at its current level.

**Appropriations Committee.** Also late last week, Governor LePage submitted to the Appropriations Committee a collection of amendments he would like to make to the two-year state budget he originally submitted to the Legislature over four months ago. One line in that “change package” would eliminate all funding for the State Board of Corrections, \$6.56 million in both FY 2016 and FY 2017, to zero-out the state’s contribution to that effort. The Governor’s proposal and LD 186, as supported by the Criminal Justice Committee, both cancel-out the State Board of Corrections. The difference between the two proposals is that the state money LD 186 purports to provide to support county jail operations under the Governor’s plan gets chopped in half, and the claim that the remaining half would still be provided gets harder to make with a straight face.

At the public hearing on the Governor’s proposal, the Governor stated:  
*(continued on page 2)*

## How Effective is the Property Tax Fairness Credit?

The Revenue Forecasting Committee, which provides data that the Legislature relies on for budgeting purposes, has issued its May 2015 report. One element of that report is an explanation why income tax collections are scheduled to come in \$6 million higher than the previously projected \$1.542 billion over the current fiscal year (FY 2015).

Somewhat surprisingly, one of the reasons for the increase in revenue available for state spending is that the benefits provided to Maine homeowners and renters

under the “Property Tax Fairness Credit” are far lower than projected. Enacted in 2013 to replace the Circuitbreaker property tax relief and rent rebate program, the Property Tax Fairness Credit was estimated to provide \$35 million in property tax relief as a “refundable” income tax credit rather than a directly-issued cash benefit. A refundable income tax credit provides a cash benefit to an income tax filer who has no income tax obligation. Thus, the problem. People without an income tax

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## County by County Impacts of LD 186, Act To Repeal Jail Consolidation

County	Inmate Boarding	Fiscal Impact
Androscoggin	Sending	Tax cap of \$4.2 mil was set when BOC was established. Will need between \$2.0 mil and \$3.2 mil depending on boarding rates.
Aroostook	Receiving	FY16 budget is \$4,199,177, plus \$50,000 for capital expenditures. Assuming the MSA/MCCA proposed funding level and distribution in an easy and equitable manner, will only need to raise the \$50,000. Impossible to say given unknowns.
Cumberland	Receiving	Additional funding of \$3.6 million from the State will be needed to avoid a tax increase. Financial status is hurt by loss of \$600,000 in federal boarding revenue. \$3.6 million from State will enable Cumberland County Jail to undertake repairs and capital improvements.
Franklin	Receiving	No need to increase tax cap if continue to receive CCA funding at current level.
Hancock	Receiving	Without change to tax cap, next year will be a struggle and additional funding will be needed. Currently \$100,000 in the red for fiscal year. Anticipate increased personnel and medical costs and other increases. Estimate needing \$200,000 to \$400,000 additional funds next year, depending on funding from State. At some point taxes will have to be raised.
Kennebec	Sending	Additional funding of \$751,866 will be needed for operational costs and \$1,642,500 for boarding. Tax increase will be required.
Knox	Sending	Will need additional \$1,001,334. This includes \$87,076 personnel services, \$464,268 boarding out, and control panel replacement estimate \$450,000.
Lincoln		See Two Bridges Regional Jail response below.
Oxford	Sending	Oxford County will not be able to fund jail operations without a significant tax increase. Estimate total jail expenditures will rise from current \$1,500,000/yr to as high as \$3,200,000/yr due to greater on-site expenses and boarding costs. Oxford County's tax is capped at \$5,400,000, of which \$1,230,000 is jail cap, or 23% of total. If county tax increases to \$7,100,000, increase in county tax is 31.48%. Property tax is 8% county related, so 32% increase in county tax translates into 2.52% overall increase in taxpayer's total bill.
Penobscot	Sending	If receive full 2015-2016 request, a 2.5% growth factor is needed to offset projected expenditures from 2014-2015. 2.5% increase is \$220,000/yr. Projected new boarding costs are \$1,200,000/yr.
Piscataquis	Receiving	Will not be able to fund the jail without a tax increase. Will need additional \$553,793.
Sagadahoc	Receiving	Based on MSA/MCCA proposal, depending on number of boarders, may not need to increase funding.
Somerset	Receiving	Can operate without a tax increase. To avoid a tax increase Somerset County Jail needs continuation of CCA funds, Operational Support funds, Government Surcharge Funds and federal boarding revenue. Somerset had to raise taxes 5% in FY 2016.
<b>Two Bridges Regional Jail</b> (Serving Lincoln and Sagadahoc Counties)	Receiving	Assuming Two Bridges Regional Jail receives at least \$2,400,000 from the County Jail Operations Fund, the jail can operate without an increase in taxes for FY2016. In subsequent years a tax increase may be needed. Any funds not used at the end of the year will be carried forward to the next year. If the above funding occurs, will not need a tax increase.
Waldo	Sending	Anticipate reentry facility charging a boarding rate, using that revenue to fund medical and capital expenditures which are not presently funded at proper levels.
Washington	Receiving	Washington County Jail budget of \$2,541,467 went through BOC process. No additional funds requested at this time. Not possible to know if additional funding is needed until know what funding jail will receive. Washington County Jail is last jail in state to receive upgrades (1988), anticipate the need for structural improvements in next few years.
York	Receiving	York County Jail has run \$200,000 to \$300,000 deficit each year due to flat funding. No ability to raise taxes because of tax cap.

nor's proposal, there appeared to be bipartisan skepticism regarding the plan to return control of the jail to the counties. Some members focused on the fact that the \$2.5 million in emergency county jail funding allocated by the Committee for the current fiscal year, which ends in just six weeks, has not been yet been distributed to the county jail systems. Related to that question was whether the sheriffs' depiction back in January of a looming financial crisis whereby jails would be closing on Apr. 1 was accurate

now that this date has come and gone without a single jail shut down.

According to the Commissioner of the Department of Corrections, Dr. Joseph Fitzpatrick, the Director of the Governor's Office of Policy and Management, Jonathan Labonte, was given control of the distribution of the emergency jail funding because he was perceived to be a neutral arbiter. The funding has not been distributed because, according to Commissioner Fitzpatrick, both he and Director Labonte have yet

to receive from the sheriffs the financial data needed to assess which jails have the greatest shortfalls in order to allocate the emergency funds appropriately.

When asked whether the Maine Sheriffs Association had provided inaccurate information to the Committee earlier this year, thereby inflating the jail crisis, Commissioner Fitzpatrick answered that he could not say whether any misinformation was provided. He could only say that the sheriffs have not provided the

*(continued on page 3)*

## Property Tax Fairness Credit (cont'd)

obligation don't tend to be income tax filers and, therefore, don't receive the benefit. In any event, the newly adopted Property Tax Fairness Credit is delivering only \$16.5 million of relief, less than half of what was projected.

The two reasons attributed to the Property Tax Fairness Credit's underperformance are: (1) an overestimation of the number of property taxpayers who meet the eligible standards (i.e., the standards of the program make it too hard to receive a benefit); and (2) residents who may qualify are not taking advantage of the tax program.

This finding is particularly troubling because not only is the Property Tax Fairness Credit failing to provide the promised property tax relief right now, the Governor's budget includes a proposal to expand the program by three-fold.

In his FY 2016 – 2017 General Fund budget the Governor is proposing to eliminate the Homestead property tax exemption for residents under the age of 65 as well as the municipal revenue sharing program in the second year of the biennium (FY 2017). The savings associated with repealing revenue sharing would instead

be invested in an expanded Property Tax Fairness Credit. As proposed, funding for the program would increase by \$63 million over the FY 2016 – 2017 biennium, providing \$133 million in property relief according to budget projections. However, if current trends prevail, over the next two years less than half of that property tax relief will be delivered and \$70 million in undelivered property tax relief will be re-channeled to the state's General Fund. Although the claim might be made that significant property tax relief is being provided, the unclaimed benefits are being routed back to the state's General Fund for other spending priorities.

The chart below provides two pieces of information.

First, it shows how, when compared to the benefits provided under the Circuitbreaker program, the current Property Tax Fairness Credit program is underperforming. For tax years 2007 to 2012, the Circuitbreaker program was delivering an average of \$44 million annually in property tax and rent relief benefits. With the implementation of the Property Tax Fairness Credit, in tax years 2013 and

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## Jails (cont'd)

necessary fiscal information on which to base emergency funding allocations, and there have been no jail shut-downs.

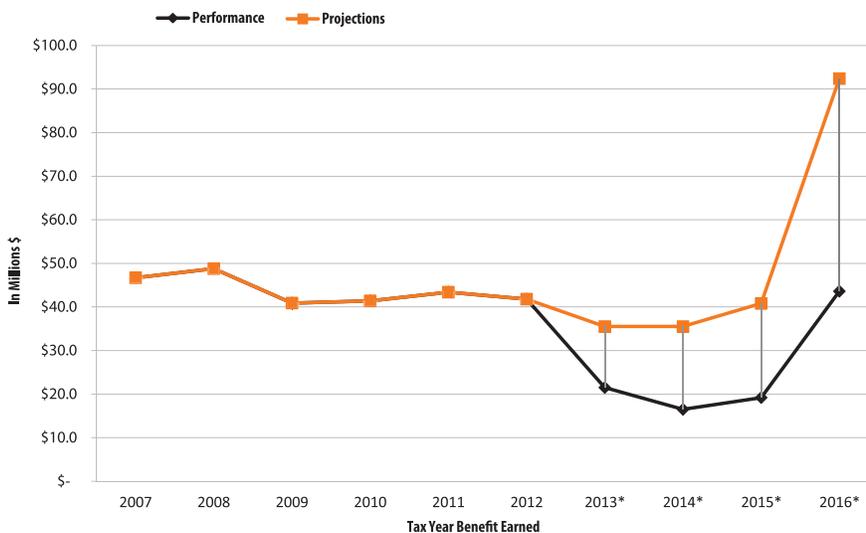
The sheriffs testified that they are fully interested in getting out of this "failed marriage." For their part, they explained their wish to do so in a way that prevents property taxpayer "sticker shock." Moreover, the sheriffs contest the allegation that they have not provided their own budget information. The specific details of each jail's fiscal needs were presented to the Appropriations Committee in testimony on Jan. 20 (available on MMA's website: <http://goo.gl/95sHts>) and it is not clear why the Department would not use those figures.

Aside from this "he said, she said" between the Administration and sheriffs, it is also unclear how the sheriffs' deep resistance to the coordinated management system squares with their commitment to the Criminal Justice Committee to work collaboratively and efficiently with one another in the future. According to both the county commissioners and sheriffs, an advisory board that reports back annually to the Legislature is the only oversight necessary.

The accompanying list of county-by-county impacts is excerpted from a document (the full version of which is available on MMA's website: <http://goo.gl/ohbE8w>) provided to the Criminal Justice Committee on May 6. The information was compiled by the respective county officials in response to the Committee's inquiry into whether the counties would need additional funding from either property taxes or the state if the Board of Corrections was discontinued and the full management of each jail was returned to the counties with the property tax cap still in place and the state providing its existing statutorily required level of contribution.

Although LD 186 has been voted on by the Criminal Justice Committee, the actual language of the various elements of the bill needs to be drafted by the Committee's analyst and given a Committee review before it is released to the full Legislature with the "ought to pass" recommendation. That "language review" work session has not been scheduled.

### Direct Property Tax Relief - Circuit Breaker vs. Property Tax Fairness Credit



2007 – 2012 represents the actual relief provided under the Circuitbreaker program.

2013-2014 represents projected relief provided under the Property Tax Fairness Credit compared to actual relief (performance) provided under that program.

2015-2016 represents Governor's proposed funding expansion for the Property Tax Fairness Credit compared to projections of actual relief provided based on recent performance trends.

# Proposed Changes to Tree Growth Tax Program

## Moving Away from Accountability

Because the Governor is required to submit a proposed state budget almost immediately after the Legislature convenes in January, it is well recognized that several months into the legislative session, when the proposed budget is being substantively reviewed by the Appropriations Committee, the Governor may want to adjust the original recommendations and an opportunity to do so is provided. The update is submitted as a “change package”. Governor LePage submitted his proposed change package to the Appropriations Committee last week, and a public hearing on its various elements was held on Monday this week.

One element of the change package deappropriated \$13 million over the biennium to completely dismantle the State Board of Corrections, which is the subject of another article in this edition of the Legislative Bulletin.

Another element of the change package rewrote the proposed amendments to the Tree Growth tax program. In the budget as originally proposed, those amendments were clearly designed to improve that program’s overall accountability. The change package, however, does a complete about-face and proposes amendments to the Tree Growth system that effectively remove the obligation for landowners to manage their woodland in compliance with their forest management plans.

Accordingly, MMA’s position on the Tree Growth section of the proposed state budget (“Part BB” of the budget document), shifted from support for the original proposal to opposition to the “change package” version.

That original Part BB of the proposed state budget increased the accountability of the Tree Growth tax program by:

- Requiring the Tree Growth landowner’s forest management plan to specifically identify the type, nature and timing of the forest management activities recommended by the forester,
- Requiring Tree Growth landowners to have a copy of the plan in their possession for auditing purposes,

- Allowing Maine Forest Services to continue its auditing program of randomly selected parcels, which was initiated as a pilot program in 2012,

- Allowing Maine Forest Services, when conducting its audits, to inform the municipal assessor that a Tree Growth enrollment is not in compliance with the program and must be withdrawn,

- Establishing municipal penalties of at least \$5,000 in the form of reduced Tree Growth reimbursement if the municipality fails to provide timely reports to Maine Forest Services or fails to act in response to Maine Forest Services’ recommendations to withdraw noncompliant parcels, and

- Establishing a landowner penalty to cover the circumstance of parcels being withdrawn from the program by Maine Forest Services’ post-audit recommendations, which would be a 10-year “back taxes” penalty; that is, the difference between what the landowner would have paid in taxes over the last 10 years if the property had not been enrolled and the amount of Tree Growth taxes actually paid.

MMA’s Legislative Policy Committee supported that original package of changes because they led to a greater accountability in a tax program that lacks accountability, particularly in the circumstance of small residential and recreational enrollments on waterfront lots enjoying the Tree Growth program as a tax dodge.

In contrast to what was first proposed, Part BB in the change package ushers in sizable loopholes to the program’s current standards so that no enrollee ever has to worry about being noncompliant with a forest management plan. Specifically, the “change package” amendment to Part BB of the proposed state budget would accomplish the following.

- For three decades the Tree Growth tax law has required landowners to comply with their forest management plans. The change package would change that

law to say only that those landowners should make “reasonable efforts” to comply with the plan. As anyone in the business of enforcing a tax law knows, “making reasonable efforts” is an entirely unenforceable standard.

- Any landowner who is found to be noncompliant (either reasonably or unreasonably) with his or her forest management plan must be provided a one-year (or longer) opportunity to become compliant; no penalty, just a “probationary” period. The Maine Forest Service rather than the municipal assessor would have the authority to determine if the “probationary period” should be extended beyond the first “probation” year.

- Because the concept of landowner noncompliance with the forest management plan is effectively eliminated in the change-order proposal, the landowner penalty associated with being withdrawn from the Tree Growth tax program by the Maine Forest Service is also eliminated.

- Also as a result of eliminating the concept of landowner noncompliance with the forest management plan, the authority of Maine Forest Service to recommend and effectively require a landowner’s withdrawal from the program for noncompliance is eliminated in the change package. Incongruously, the change package retains a minimum \$5,000 financial penalty on any municipality that fails to follow the Maine Forest Services’ recommendation to withdraw a landowner from the program. In short, the change package creates a municipal penalty that appears to be imposed for no other reason than to levy a financial penalty on municipal government.

- At the public hearing on the Tree Growth elements in the change package, MMA asked the Appropriations Committee to either adopt the original version of Part BB or make no changes to the Tree Growth tax program at all. What is being proposed in the change package, from the perspective of programmatic accountability, is far worse than the level of unaccountability in current law.

# Formalizing the Review of Unfunded State Mandates

On Monday this week the State and Local Government Committee held a public hearing on LD 1377, *Resolve, To Establish the Commission To Study the Reduction of Unfunded and Outdated Municipal Mandates*. Sponsored by Senate President Michael Thibodeau (Waldo Cty.), this resolve creates a 10-member commission charged with meeting at least twice annually to review unfunded and outdated mandates placed on local government by the Legislature or state agency rules. The commission must provide its recommendations to the Legislature no later than Dec. 31, 2017. Membership of the Commission includes two legislators, one representative each from the Governor’s Office, Maine Municipal Association, Maine Town and City Clerks’ Association, and Maine County Commissioners Association, and seven representatives of municipalities of various population sizes.

Some members of the State and Local Government Committee questioned whether more than two representatives, as provided for in the resolve, would be warranted for towns and plantations with populations of less than 2,000 residents given that over 300 of Maine’s 492 municipalities are of that size. Also worthy of consideration, in the view of some members, would be the state’s lack of funding of 55% of education costs and revenue sharing.

No one testified in opposition to the resolve. MMA, the Mayors’ Coalition and the first selectperson of the Town of Waldo, Kathy Littlefield, testified in

support. Kathy told the Committee she thought LD 1377 was a no-brainer. In her 42 years of service to her town – going back to a burst of unfunded state mandates enacted in the early 1970s – she has seen the mandates come out of Augusta without let-up, almost all without any state funding. Revenue sharing used to help address the unfairness of unfunded state mandates, but that program has suffered major cutbacks over the last six years. Kathy broke mandates down into what she viewed as four categories: collective mandates (mandates that seem small when considered individually, but which become costly when added together), mandates established by state agency rulemaking, unlabeled mandates (as described below), and mandates embedded in state budgets (e.g., school consolidation).

According to one Committee chair, Ms. Littlefield gave new meaning to the term “wearing many hats” when she responded to an inquiry to describe the variety of functions she performs as a selectperson. From dog catcher to health officer, Kathy told the Committee, “you name it, we do everything.” After describing how she is the Town Office janitor and chief shoveler of snow, she did clarify that she does not vacuum. The town clerk does that.

MMA’s testimony suggested an additional charge for the Commission, which would be examining mandate laws that were not properly acknowledged as a mandate by the Legislature before passage. Kathy Littlefield described these

as “unlabeled mandates.” There seems to be a growing perception within the Legislature that there are three options as to how to deal with legislation that would impose a new unfunded state mandate, two of which are the options provided in law and the third of which end-runs the mandate law.

The three options are (1) amend the bill to fund the mandate (condoned by the mandate law); (2) place the required “mandate preamble” on the bill to give the Legislature the opportunity to override the mandate funding requirement with a 2/3 vote in both the House and Senate (condoned by the mandate law); or (3) do neither, and simply enact the requirement as though it was not a mandate (an action not condoned by the mandate law).

This practice of enacting mandates without either funding them or formally overriding the funding obligation, which are the two options the Constitution would appear to require, is becoming a strategy increasingly employed by the Legislature. Just how many mandates have been enacted without being properly acknowledged as a mandate is unclear – there was a burst of them in 2009 – but merits further study, along with the issue of what to do about these unacknowledged mandates that are now on the books.

## Property Tax Fairness Credit (cont’d)

2014 an average of \$19 million in tax and rent relief was provided.

Second, the chart also shows the difference between the projected amount of aid to be issued under the Property Tax Fairness Credit and the level of benefit provided if the current “performance” trend continues into the 2015 and 2016 tax years. Assuming that the 47% performance standard will hold, it is anticipated that \$19.2 million in relief will be provided in tax year 2015 and \$ 43.6 million 2016, rather than the Governor’s proposed budget projections of \$40.8 million and \$92.4 million, respectively.

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# Reinforcing the State's Solid Waste Hierarchy

## Committee Charts Yearlong Path to Develop and Initiate Next-Step Policies

The Environment and Natural Resources Committee has had a clutch of bills in its possession this session that in various ways, some more straight-forwardly than others, attempt to encourage recycling and composting and discourage landfilling. The solid waste hierarchy in state law (see sidebar) is intoned like a mantra in that Committee room. The legislators around that horseshoe appear genuinely committed to making it possible for the towns and cities to accomplish their mandate of managing the disposal of all solid waste in the state in a way that also achieves the statutory goal of recycling or composting at least 50% of the solid waste collected. The challenge is to secure financial resources to achieve the goal. A straight General Fund appropriation is apparently not an option, which speaks to the priority of the goal.

The poster child of doing-it-right, with a gold star on its forehead, is EcoMaine in Portland and South Portland, a regional municipal consortium that uses its single-sort recycling technology to maximize the convenience of recycling for consumers along with its waste-to-energy technology to minimize landfilling. The state's other two waste-to-energy regions, served by MMWAC in Auburn and PERC in Orrington, are given solid points for waste volume reduction prior to landfilling, but they don't offer the same level of high-tech recycling, at least as of yet.

Because by some reports 40% of the solid waste collected by the towns and cities is compostable organic material, the development of effective organic waste collection and composting systems is the new frontier, and the Committee is searching for visionaries in that field from both the private and public sectors. For the task of improving compliance with the solid waste hierarchy, the more rural areas of the state are seen by the Committee members as facing the greatest challenges. Rural Maine cannot take advantage of the urban economies of scale with respect to solid waste management or make the same level of financial investment. Transportation costs are a killer.

On the plus side, there is some will-

### 38 MRS §2101. Solid waste management hierarchy

1. Priorities. It is the policy of the State to plan for and implement an integrated approach to solid waste management for solid waste generated in this State and solid waste imported into this State, which must be based on the following order of priority:

- A. Reduction of waste generated at the source, including both amount and toxicity of the waste;
- B. Reuse of waste;
- C. Recycling of waste;
- D. Composting of biodegradable waste;
- E. Waste processing that reduces the volume of waste needing land disposal, including incineration; and
- F. Land disposal of waste.

It is the policy of the State to use the order of priority in this subsection as a guiding principle in making decisions related to solid waste management.

ingness among Committee members to theorize that the state's most rural regions may have retained a composting tradition as an agricultural practice. As this theory goes, it is perhaps the case that a level of "organics management" is occurring in rural Maine more substantially than elsewhere, even without the benefit of fancy solid waste management terminology or the mesmerizing chant of the hierarchy mantra.

Against that backdrop, the Committee took up six related bills in a work session on Monday this week, two of which have been covered previously in the Legislative Bulletin when given their public hearings. LD 947, *An Act To Fund State Efforts To Reduce the Landfilling of Solid Waste*, would create a program to financially assist municipalities in their recycling/composting efforts, but the program would be funded by assessing a \$2/ton fee for the disposal of municipal solid waste in all landfills. LD 1204, *An Act to Increase Recycling and Composting by Creating the Maine Recycling Fund*, would reduce the number of beverage containers covered by the state's "bottle bill" redemption system, pushing millions of largely plastic bottles into the municipal solid waste stream on the theory that municipalities would financially benefit by selling the recycled plastic. Municipal officials weren't buying

either approach.

By the end of the work session, the Committee decided by unanimous vote to kill off all the proposals save one, the "concept draft" LD 313, *An Act To Create a Sustainable Solution to the Handling, Management and Disposal of Solid Waste in the State*. LD 313 proposes to advance a number of goals, including: (1) provide incentives for source reduction, reuse, recycling and composting in an effort to meet the 50% recycling goal; (2) achieve economic stability for the three existing waste-to-energy facilities; (3) develop a plan to minimize the need for future landfill expansion; and 4) identify additional strategies to increase the beneficial use of waste materials.

The Committee's plan is to ask for permission to "carry over" into the next legislative session LD 313 and, in the meantime, engage in efforts on at least two fronts so that the Committee will be prepared next January to replace the conceptual language in the bill with the programmatic details and recommend the bill's enactment to the full Legislature.

In the letter to legislative leadership seeking permission to carry over the bill, the Committee is suggesting a few more ideas that it intends to consider between now and next January, if it is given per-

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## LEGISLATIVE HEARINGS

*Note: You should check your newspapers for Legal Notices as there may be changes in the hearing schedule. For the Legislative Events Calendar, see the Legislature's web site at <http://www.mainelegislature.org/legis/calendar/>. If you wish to look up schedules by Committee, go to <http://www.mainelegislature.org/legis/bills/phwkSched.html>.*

### **Monday, May 18**

#### **Health & Human Services**

**Room 209, Cross State Office Building, 9:30 a.m.**

**Tel: 287-1317**

LD 1402 – An Act To Reward Work Performed by Welfare Recipients.

LD 1407 – An Act To Require Screening and Testing for Illegal Substances of Beneficiaries under the Temporary Assistance for Needy Families Program.

#### **Labor, Commerce, Research & Economic Development**

**Room 208, Cross State Office Building, 9:30 a.m.**

**Tel: 287-1331**

LD 1384 – An Act To Improve Workplace Safety by Simplifying and Improving Employers' Substance Abuse Policy Requirements.

#### **State & Local Government**

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

**Tel: 287-1330**

LD 1390 – An Act To Amend the Boundaries of the Capitol Area.

### **Tuesday, May 19**

#### **Agriculture, Conservation & Forestry**

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

**Tel: 287-1312**

LD 1408 – Resolve, Regarding Legislative Review of Portions of Chapter 21: Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas, a Late-filed Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry.

### **Wednesday, May 20**

#### **Criminal Justice & Public Safety**

**Rm. 436, State House, 1:00 p.m.**

**Tel: 287-1122**

LD 1380 – An Act To Legalize, Tax and Regulate Marijuana

LD 1401 – An Act To Allow for and Regulate the Adult Use of Cannabis.

#### **Taxation**

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

**Tel: 287-1552**

LD 1411 – An Act To Amend the Tax Laws.

## **Solid Waste (cont'd)**

mission to meet a few times this summer and fall to gather information and develop recommendations. That list of additional ideas includes:

- **Fee Structure.** Thoroughly reviewing the fee structure that applies to disposal of various types of solid waste in landfills on the theory that the current structure does not appropriately support the solid waste hierarchy.

- **Composting.** Giving particular focus to stimulating composting efforts in both the public and private sectors, and exploring whether banning the disposal of compostable organic material by large, institutional generators could stimulate private sector composting programs.

- **Municipal needs.** Engaging with municipalities to determine what programs would be most helpful to their efforts in the respective regions of the state.

- **Redemption Centers.** Exploring whether the existing bottle redemption centers could be expanded to handle other recycling functions.

- **Funding options.** Developing a plan to fund a program to incentivize recycling and composting at the municipal and private-sector level, which could include tapping lightly into the “unclaimed deposit” revenue that accrues to the state’s General Fund and/or modifying the state’s bottle bill redemption program in a way that removes some of the largest contain-

ers from the redemption program and applies a tax on the distributors of those containers instead.

Another source of information to guide the Committee in this carryover effort will come from the University of Maine’s Mitchell Center for Sustainability Solutions which has held one meeting with “stakeholders” for the purpose of gathering perspectives on the challenges and opportunities associated with the task of solid waste materials management. The Mitchell Center intends to convene additional meetings from now through July in various regions of the state to help flesh-out its report to the Committee, which will apparently be available this fall.