

Public Hearing Scheduled on Proposal to Eliminate Revenue Sharing

Plus Cutbacks on Homestead Exemption, Circuitbreaker, and the BETR-to-BETE Conversion

The Appropriations Committee has scheduled its first three weeks of hearings to get feedback from the general public on Governor LePage’s proposed state budget for the FY 2014-2015 biennium.

As municipal officials are well aware, the proposed state budget includes 7 elements that negatively affect municipal government and the property taxpayers that support local government. Many of those proposed cuts are severe, and the aggregate impact of all the proposals, when taken together, is historically unprecedented in its severity.

The Appropriations Committee with the Taxation Committee (with respect to several of the Governor’s proposals) and with the Transportation Committee (with respect to another) are the Committees charged with evaluating these proposals and developing recommendations for the full Legislature to act on. Elected and appointed municipal officials who want to express their concerns and provide impact information to these legislative committees will have the opportunity to do so next week. These are not opportunities to ignore.

On Wednesday, March 13, 2013, beginning at 1:00 p.m., the Appropriations Committee, in conjunction with the Taxation Committee, will be holding a public hearing on the following elements of Governor LePage’s proposed budget:

- Eliminating the Municipal Revenue Sharing Program;
- Making all the non-retail property in the Business Equipment Tax Reimbursement program fully exempt from taxation;
- Eliminating eligibility for the property tax Homestead exemption for all households owned by persons under

the age of 65; and

- Eliminating eligibility for “Circuitbreaker” benefits provided to lower income households to help pay their property taxes or rent for all applicants under the age of 65, and further restricting eligibility for applicants over the age of 65.

The hearings will be held in Room 228 of the State House, which is the Appropriations Committee room. (Note: The public hearing on the Governor’s proposal to amend the law on “sudden and severe disruption of valuation” will be held at 10:00a.m.)

On Thursday, March 14, 2013, beginning at 1:00 p.m., the Appropria-

tions Committee, in conjunction with the Transportation Committee, will be holding a public hearing on the Governor’s proposal to require municipalities to send to the state the locally collected motor vehicle excise tax revenue related to truck tractors.

Selectmen, councilors, budget committee members, tax collectors, municipal assessors, other municipal officials and employees, supporters of local government, members of the general public and property taxpayers are all encouraged to attend these public hearings and explain to the state’s lawmakers how the Governor’s proposals will affect their communities.

Basing the Motor Vehicle Excise Tax on the “Purchase Price”

This is a perennial, like a jonquil is a perennial, or skunk cabbage.

It’s an irreconcilable conflict etched into the collective unconscious, like a Greek tragedy.

Whatever it is, it just won’t go away.

The bill is LD 167, *An Act to Base the Motor Vehicle Excise Tax on the Purchase Price of the Motor Vehicle*. Sponsored by Senator John Patrick (Oxford Cty.), LD 167 would change the base against which the motor vehicle excise tax rates would be applied. Ever since the motor vehicle excise tax was created in 1929, the base of the excise tax has been the motor vehicle’s “list price”, also known as the Manufacturers’ Suggested Retail Price, or MSRP. The obvious purpose of using the “list price” as the base is to create taxation equity, so

identical cars will be taxed identically, no matter where they are located in the state.

To that point, the very reason for the establishment of the motor vehicle excise tax 84 years ago was to achieve perfect uniformity. Prior to 1929, automobiles were taxed on the local level as personal property, and so the tax on identical cars was different depending on each municipality’s property tax rate and determination of the “just value” of the automobile. To achieve equity, a uniform rate structure to be applied to a uniform base statewide was established.

As the bill’s title indicates, Senator Patrick’s proposal would change the excise tax base to whatever each vehicle’s actual purchase price happened to be. If implemented, the proposal would be substantially

(continued on page 3)

MMA's "Circuitbreaker" Bill Clears Tax Committee

The February 15 edition of the Legislative Bulletin included an article about a bill designed by MMA's Legislative Policy Committee that would make a stronger connection between the state's so-called "Circuitbreaker" program, which provides cash assistance to lower income property owners to help them pay their property taxes, and the actual payment of those taxes. Sponsored by Rep. Terry Hayes (Buckfield), LD 136, *An Act to Connect Benefits Provided under the Circuitbreaker Program with the Payment of Property Taxes*, received a unanimous "ought to pass as amended" report by the Taxation Committee on Friday last week.

If LD 136 is sufficiently supported by the full Legislature to clear final enactment, it would work as follows.

When a person applies for Circuitbreaker benefits for property tax relief, a question on the application form will ask if the taxes for the previous year period have been paid in full. If the answer is 'no', the applicant's cash benefit would be issued as a check made out to both the applicant and the appropriate municipality.

The recipient of the check would then have to endorse the check over to the municipality, but the municipality's entitlement to that Circuitbreaker benefit would be limited to only the amount that was owed by the recipient with respect to the previous year's tax obligation.

The reasoning is that the recipient received the benefit for a specific tax year, and it is that specific tax obligation that establishes a limit on what the municipality can demand. The municipality is required by this bill to issue a check to the "claimant" of any remainder amount within a reasonable period of time, unless the claimant expressly approves in writing that an additional amount may be withheld from the Circuitbreaker payment to cover other outstanding tax obligations.

The several amendments to the printed bill that were included in the final version include:

- A confidentiality provision that requires a municipality receiving any information related to the administration of this program to keep that information confidential.
- An amendment to the current law that allows a municipality as a general rule to apply all tax payments received to the

oldest unpaid tax bills. The amendment reflects that these tax payments must be applied only to the unpaid taxes for the year for which the Circuitbreaker relief was requested, unless the taxpayer requests that the payment be applied to an older tax bill.

- The addition of two "preambles" to the bill, one to indicate that the bill is an emergency and the other to indicate that the bill is a state mandate. The emergency preamble is to allow the bill to be implemented in time for the 2013-2014 Circuitbreaker application period. For LD 136 to be enacted, at

least two-thirds of both the House and Senate will have to vote in the affirmative.

Finally, LD 136 is carrying a state fiscal note of about \$75,000 per year, reflecting the costs Maine Revenue Services believes will be incurred for administering the program.

Somewhere in the neighborhood of \$43 million in Circuitbreaker benefits are issued each year. \$75,000 in increased administrative costs to create a better connection between the benefits issued and the true purpose of the program seems worth it.

Municipal Disasters Protection

On Monday this week, the Criminal Justice Committee held a public hearing on LD 122, *An Act to Provide Assistance to Municipalities Recovering from a Municipally Significant Disaster*. The bill was graciously sponsored on behalf of MMA by Representative Beth Turner of Burlington.

As proposed, LD 122 provides an opportunity for the Governor to declare a municipally-significant disaster, enabling state funds to be released to the impacted communities when a natural disaster is too localized or not costly enough throughout the wider region to trigger federal aid. As proposed, a municipally-significant disaster is defined as an event that causes damage to locally maintained roads, bridges and other public facilities, the repairs of which exceed 20% of the affected municipality's total non-school related operational budget.

MMA's Legislative Policy Committee caused LD 122 to be advanced as a result of the issues raised in the aftermath of a rain event that pummeled an area of Piscataquis County. In June 2012, the town of Brownville was flooded with eight inches of rain in a single hour. During the two hour storm, Brownville's transportation infrastructure, including roads, railroads and bridges, as well as homes and businesses, sustained an estimated \$1.2 million in damages. Brownville's town manager Matthew Pineo told the Criminal Justice Committee that when the town asked for help from state and federal resources, including Maine's Emergency Management Agency, the response was the event did not meet the threshold required to

trigger a state or federal response despite the intense localized impact.

In her presentation to the Committee, Representative Turner stated that she agreed to sponsor the bill because the proposal would provide a much needed potential resource for assisting Maine's smaller and more rural communities. Taking into account the million dollar hit to the town of Brownville, Rep. Turner explained how a disaster of that magnitude would financially devastate many of the communities in her district.

Maine Emergency Management Agency (MEMA) Director Robert McAleer testified in the "neither for nor against" category. According to Director McAleer, LD 122 would provide municipalities with false expectations that assistance would be available to rebuild after a devastating event. According to McAleer, the existing Disaster Relief Fund is dry.

Despite the lack of an appropriately capitalized Disaster Assistance Fund, municipal officials believe that state and local governments should be working together to ensure that resources are made available to get communities back on solid ground after both regional and more localized disasters. LD 122 allows a platform for designing a program that makes the best use of state and local disaster relief resources, both financial and in-kind.

The fate of LD 122 is now in the hands of the Criminal Justice Committee, which will work the bill on Monday, March 11 at 1 p.m.

Excise Tax (cont'd)

more difficult to administer at the town or city hall and it would cut municipal revenue from this tax line by at least \$10 million statewide annually.

The Maine Automobile Dealers Association spoke in support of the bill. MMA testified in opposition. Another biennial performance of the same Greek tragedy.

The Taxation Committee held a work session on LD 167 last Friday. Senator Doug Thomas (Somerset Cty.) and Rep. Gary Knight (Livermore Falls) tried to convince the Committee to support an amended version of LD 167 which would do the following:

- Base the motor vehicle excise tax on either the original purchase price of the vehicle or 90% of its original “blue book” price if the original purchase price of the vehicle was unknown.
- On the theory that this change would reduce municipal revenue by 10%,

the rate structure would be changed to “make the municipalities whole” financially. For reasons that were not entirely clear, however, the rate changes proposed by Sen. Thomas did not, generally, increase by the 10% level that would actually make the municipalities whole (see chart).

- In addition, Maine Revenue Services would be directed on a biennial basis to evaluate how much revenue this new base-and-rate structure actually generates, and adjust the rate structure as necessary every two years to keep the revenue collected on par with the revenue generated in 2013, as adjusted by the Consumer Price Index.
- And finally, municipalities would be allowed the option of establishing a lower rate structure if the local legislative body wished to do so.

The proposal triggered a discussion

Senator Thomas' Proposed Rate Structure for the Motor Vehicle Excise Tax (applied to a base of purchase price or 90% blue-book value)			
Year	Current Rate	Proposed Rate	% Rate Increase
1 (new vehicle)	24 mills	25 mills	4.2%
2	17.5 mills	18.5 mills	5.7%
3	13.5 mills	14.5 mills	7.4%
4	10 mills	11 mills	10%
5	6.5 mills	7 mills	7.8%
6 and thereafter	4 mills	4.5 mills	11.1%

Municipal Officials Oppose Registry Filing Fee Increase

On Monday of this week, the State and Local Government Committee held a public hearing on LD 559, *An Act to Change Document Filing Fees for County Registries of Deeds*, sponsored by Representative Terry Morrison of South Portland.

As printed, the bill would increase the cost of filing documents and plans in the county registries of deeds from \$15 to \$21 for the first page and shift from the Legislature to a majority of the county commissioners the authority to approve future document filing fees.

At the public hearing on the bill, two amendments were offered.

The first amendment, offered by the sponsor, proposed to authorize the Maine County Commissioners' Association,

rather than a majority of each county's commissioners, to approve future fee increases. This amendment was advanced to ensure that the fees for filing documents in the registry would be uniform throughout all counties. The second amendment, offered by Rep. Alan Casavant, on behalf of the Maine Tax Collectors and Treasurers Association, would exempt municipalities from the fee increase.

On Thursday of this week, MMA's 70-member Legislative Policy Committee (LPC) voted to oppose LD 559 both in its printed and amended forms. Municipal officials do not believe that an increase of nearly 50% for these filing fees is warranted.

that has been heard many times in the Taxation Committee room in recent years.

The proponents' pitch was that this change would improve the integrity of the excise tax by getting rid of the “fictitious” tax base of the list price, which is likely not what people actually pay for their car. Although the excise tax is a privilege tax and not a sales tax, some people think of it as a sale tax and would like it structured that way. The proponents also thought that reducing the excise tax base and rate for newer vehicles would improve car sales.

The Committee members opposing the proposal pointed out that if the true intent was to reduce the tax base by 10% and increase the rates by 10% to keep the municipalities whole financially, a person registering a car would experience zero change with respect to his or her tax obligation. Amending a law for a theoretical improvement in tax structure integrity without actually achieving any change whatsoever seems an empty gesture....a rearrangement of the chairs on the Titanic, as Senate Chair Anne Haskell described it.

The Committee members did not dwell on the elements of Senator Thomas' proposal that would clearly reduce municipal revenue or create additional administrative burdens at the local level, nor did they focus on the fact that the rate structure would be revamped in such a way to advantage the owners of brand new and newer cars and disadvantage the owners of older vehicles.

The Committee is recommending “ought not to pass” on LD 167 by a vote of 8-4. The minority report will be Senator Thomas' proposal as outlined in this article.

Legislative Bulletin

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

(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 457 – An Act To Eliminate Certain Data Collection Requirements of the Forest Health and Monitoring Program of the Division of Forestry. (Sponsored by Rep. Gifford of Lincoln; additional cosponsors.)

This bill eliminates a requirement that the Maine Forest Service monitor the implementation of recommendations it makes regarding forest insects and diseases to individuals and municipalities as part of the forest health and monitoring program.

LD 484 – An Act To Revise the Animal Welfare Laws. (Sponsored by Rep. Gifford of Lincoln; additional cosponsors.)

This bill makes several changes to the animal welfare laws. The bill defines the term “small animals” and includes small animals under the laws relating to animal shelters and animal control officers and provides guidelines for the disposition of small animals. The bill provides standard to permit the humane trapping of animals by animal control officers and clarifies that humane trapping of domestic animals for population control or animal control is excluded from the crime of cruelty to animals. The bill provides that laws relating to abandoned dogs apply to all abandoned animals including animals that are part of a population control program. The bill also creates the term “dog licensing agent” to mean the animal shelters or veterinarians already authorized under current law to issue dog licenses along with municipal clerks.

LD 745 – An Act To Promote Sustainable Food Policies. (Sponsored by Sen. Alfond of Cumberland Cty; additional cosponsors.)

This bill appropriates \$1.1 million for FY 14 and for FY 15 for the purpose of funding sustainable food practices. Most of those resources (\$1 million per year) would be used to provide grants to municipalities for that purpose.

Criminal Justice & Public Safety

LD 478 – An Act To Require a Local Permit for the Use of Fireworks. (Sponsored by Rep. Plante of Berwick; additional cosponsors.)

This bill requires anyone who intends to use consumer fireworks to first obtain a permit from the governmental entity, most often the municipality, that also issues open burning permits. The permitting standards for the use of consumer fireworks and open burning are the same.

LD 749 – An Act To Prohibit the Taking or Possession of a Natural Resource That Is on the Land of Another. (Sponsored by Rep. Kumiega of Deer Isle; additional cosponsors.)

This bill makes it a civil offense to take, remove or possess a natural resource from the property of another without written permission from the owner a civil violation. If the value of the resource taken exceeds \$100, the act would be a Class E crime.

Education & Cultural Affairs

LD 481 – An Act To Amend the Laws Governing Virtual Public Charter Schools. (Sponsored by Rep. MacDonald of Boothbay; additional cosponsors.)

This bill establishes four standards with respect to the operation of virtual public charter schools: (1) the entity authorizing the establishment of such a school must review and approve the courses and curricula of the school prior to the beginning of each school year; (2) the education personnel must hold valid Maine teacher certification; (3) each virtual public charter school student must receive at least two personal visits

from a teacher during each school year; and (4) only 20% of the per-pupil allocation of state and local operating funds can be allocated to the virtual public charter school.

LD 533 – An Act To Eliminate the Requirement That Local Funding Follow a Pupil to a Charter School. (Sponsored by Rep. MacDonald of Boothbay; additional cosponsors.)

With an exception for public charter schools established solely to address the needs of at-risk pupils, this bill eliminates the requirement that a school administrative unit's local contribution to the per-pupil allocation follow a student to a public charter school and instead requires only that the state's contribution follow that student. The bill also limits to 20% the state's contribution to the per-pupil allocation that follows a student to a virtual public charter school.

LD 609 – An Act to Increase Suicide Awareness and Prevention in Maine Public Schools. (Sponsored by Rep. Gilbert of Jay; additional cosponsors.)

This bill requires the Department of Education to adopt standards for school systems to follow with respect to suicide prevention education, training and intervention. The suicide prevention training and education program must include all school personnel and the suicide prevention and intervention training must include a minimum of 2 staff persons per school district, and a larger number of specially trained personnel depending on the size of the school up to a minimum of 16 staff persons for the largest school systems.

LD 615 – An Act To Protect School Administrative Units from a Sudden Decrease in Funding due to Reduced Enrollments. (Sponsored by Rep. McCabe of Skowhegan; additional cosponsor.)

This bill creates a system for schools to obtain reimbursement for their funding losses due to a “sudden and severe” reduction in enrollment because 10 or more resident students have elected to attend public charter schools. Upon the submission of the appropriate documentation, the Commissioner of the Department of Education would have to provide the petitioning school system with 75% of the of the total amount of per-pupil allocations that follow the resident students to the public charter school in the first year of impact and 40% of those allocations in the second year of impact.

LD 665 – An Act To Facilitate the Transition to a Standards-based Educational System. (Sponsored by Rep. Kusiak of Fairfield.)

This bill delays the full implementation of the law requiring schools to graduate students on a proficiency based system until the state provides 55% of the cost of public education as measured by the Essential Programs and Services school funding model (EPS). Current law delays the full implementation on a year-by-year basis if and when the Department of Education is unable to provide annual transition grants in the amount of 1/10 of 1% of the school systems total cost of education as measured by EPS.

LD 666 – An Act To Limit the Amount a School Administrative Unit May Spend without Voter Approval. (Sponsored by Rep. Gifford of Lincoln; additional cosponsors.)

This bill requires local approval by referendum vote before any school system can expend more than \$2 million on a school construction project other than a “small scale” school construction project as that term is defined in law.

LD 667 – An Act To Increase Funding to Schools. (Emergency) (Sponsored by Rep. Maker of Calais; additional cosponsors.)

This bill provides a three year transition period to phase out the

HOPPER (cont.)

law that allows a school system to raise less than its required local share to leverage full state subsidy provided the lesser amount is not proportionately less, as a matter of percentage, than the state's failure to provide a full 55% of the cost of K-12 education. For the next school fiscal year (FY 14), the schools would be allowed to leverage full school subsidy by at least matching on a percentage basis the state's shortfall toward meeting the 55% funding obligation (approximately 82%). For FY 15, the schools would have to match the state's shortfall by that state percentage plus raise 33% of the difference between that amount of local contribution and the fully required local contribution. For FY 16, the schools would have to match the state's shortfall by that state percentage plus raise 66% of the difference between that amount of local contribution and the fully required local contribution. For FY 17 and thereafter, full funding of the local contribution would be required.

LD 668 – An Act To Make Agricultural Studies a Part of Maine Curriculum. (Sponsored by Rep. Daughtry of Brunswick; additional cosponsors.)

This bill requires that public elementary and secondary schools include courses in agricultural studies in the common core curriculum, including the importance of agriculture in the state's history, the connections between the farm and daily life, and the economics of agriculture and its importance to the state's economy.

LD 742 – An Act To Amend the Regional School Unit Budget Validation Process. (Sponsored by Sen. Valentino of York Cty.)

This bill amends the law that governs what occurs when a school budget is repeatedly rejected by the voters in the "budget validation" referendum process. Under current law, there is no limit to the number of times the school board must take a budget proposal back to the open meeting process and then to a validation referendum vote, but an operational budget is put in place during that period of time, no matter how long it takes to get final voter approval. That operational budget is the school budget most recently approved at the open meeting level, even though subsequently rejected at the validation referendum. This bill would allow that same operational budget to become the actual school budget after two failed validation referendum efforts, and not further validation voting would be required.

LD 783 – An Act To Change the Voting Requirements for the Withdrawal of a Municipality from a Regional School Unit. (Emergency) (Sponsored by Rep. Malaby of Hancock; additional cosponsors.)

This emergency bill amends the law governing the process of withdrawing as a municipality from a Regional School Unit. Current law establishes special voting requirements to finally accomplish withdrawal, either a supermajority vote of at least two-thirds or a majority vote provided a certain quorum of voters participates. This bill allows for a simple majority vote without a quorum requirement. The bill also requires a facilitator to be appointed by the Commissioner of the Department of Education if the withdrawal committee charged with developing the withdrawal plan cannot reach an agreement within 90 days of formation.

LD 889 – An Act To Adjust Funding Forwarded from School Districts to Charter Schools. (Sponsored by Rep. Bennett of Kennebunk.) (By Request)

This bill reduces the amount a "sending" school system must provide a "receiving" public charter school from 100% of that student's per-pupil allocation to 50% of that allocation. The bill also provides that a school system is not required to send any funds to a public charter school for a student who did not attend the "sending" public school in the previous year because the student was either homeschooled or attended a private school.

Environment & Natural Resources

LD 596 – An Act To Help Small Businesses and Promote Tourism by Allowing the Construction of a Platform, Walkway or Deck

over a River or Marshland. (Sponsored by Rep. Parry of Arundel; additional cosponsors.)

This bill creates an exception to the requirement to obtain a permit from the Department of Environmental Protection for the construction on, over or within an area designated as significant wildlife habitat for certain types of structures being proposed by a municipal government provided the following standards were met: (1) the structures were a wooden viewing platform not to exceed 300 square feet in area or a wooden pedestrian boardwalk not to exceed 6 feet in width over a river or marshland, or the structure was an elevated wooden or metal deck not to exceed 750 square feet in area and cantilevered over a river or marshland and requiring no more than four new pilings, or the fewest number required for safety; (2) the proposed construction was part of a downtown revitalization project even if the deck would be privately owned or operated; (3) the project was approved by an affirmative vote at referendum; (4) a public hearing was held on the proposed construction before the referendum vote; and (5) the municipal officers make a finding that the project would not negatively affect any significant wildlife habitat.

Health & Human Services

LD 892 – An Act Regarding Municipal General Assistance. (Sponsored by Sen. Mason of Androscoggin Cty; additional cosponsors.) (By Request)

This bill makes individuals categorically ineligible for General Assistance benefits if they have reached the 60-month lifetime limit for benefits under the state-federal Temporary Assistance for Needy Families program (TANF) or have had their TANF benefits fully terminated for noncompliance with that program.

Judiciary

LD 550 – An Act To Require Probate Judges, Registers of Probate and Registers of Deeds To Be Appointed. (Sponsored by Rep. Brooks of Winterport; additional cosponsors.)

This "concept draft" bill proposes to require: (1) probate judges to be appointed by the Governor and confirmed by the Senate, (2) registers of probate to be appointed by the county's probate judge rather than elected, and (3) registers of deeds to be appointed by the county commissioners rather than elected.

LD 619 – An act To Prohibit the Sharing of Personal Information by State Agencies. (Sponsored by Rep. Guerin of Glenburn; additional cosponsors.)

This bill requires all public entities to treat records containing an individual's name and personal information as confidential if requested by the individual. The term "personal information" is defined, non-exclusively, as the person's home address, home telephone number, home facsimile number, personal e-mail address, personal cellular telephone number and personal pager number.

LD 759 – An Act To Hold Harmless a Municipality For Volunteer or Unpaid Labor. (Sponsored by Rep. Knight of Livermore Falls.)

This bill makes a municipality immune from liability for the activity of a volunteer, unpaid employee or a person performing community service for a municipality.

LD 851 – An Act To Require the Return of Excess Funds by a Municipality That Forecloses on Real Estate. (Sponsored by Rep. Dickerson of Rockland; additional cosponsors.)

This bill requires a municipality to provide to the former owner of any real estate acquired by the municipality by a maturing tax lien all "excess funds" derived by the disposition of the acquired real estate. The excess funds are defined as all revenue obtained by disposing of the property less all taxes, administrative costs, court costs, and property disposition costs. Within 30 days of the disposition of the real estate or 180 days of foreclosure, whichever is earlier, the municipality must mail by certified mail to the former owner's last known address a notice

LEGISLATIVE HEARINGS

Note: You should check your newspapers for Legal Notices as there may be changes in the hearing schedule. Weekly "Advance Notice of Public Hearing" (ANPH) schedules and supplements are no longer available at the Senate Office at the State House and the Legislature's web site. Work Session and Hearing schedules by Committee are available at the Legislative Information page at http://www.mainelegislature.org/legis/bills/phwksched_ps.asp?PID=1456.

Monday, March 11

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

LD 111 – An Act To Restrict the Sale, Purchase and Use of Fireworks in the State.

LD 168 – An Act To Establish Reasonable Restrictions of the Use of Fireworks.

LD 456 – An Act To Protect Farm Animals from Noise from the Discharge of Fireworks or Explosives.

LD 478 – An Act To Require a Local Permit for the Use of Fireworks.
LD 663 – An Act To Change the Time Restriction on the Use of Fireworks.

Education & Cultural Affairs
Room 202, Cross State Office Building, 1:30 p.m.
Tel: 287-3125

LD 609 – An Act to Increase Suicide Awareness and Prevention in Maine Public Schools.

State & Local Government
Room 214, Cross State Office Building, 1:00 p.m.
Tel: 287-1330

LD 413 – An Act To Expand Eligible Project Costs in Development Districts.

LD 586 – An Act To Enable Municipalities To Establish Business Development Loan Programs Using Municipally Raised or Appropriated Money.

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

LD 614 – An Act To Adjust Fuel Taxes To Improve Sustainability.

Tuesday, March 12

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

LD 675 – An Act To Amend the Charter of the Veazie Sewer District To Expand Its Boundaries.

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

LD 280 – Resolve, Concerning Rights-of-way over Eastern Road in Scarborough.

LD 705 – An Act To Amend the Junior Hunting License Requirements.

LD 717 – An Act To Provide Free Fishing Licenses to Certain Children in the Custody of the Department of Health and Human Services.

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

LD 345 – An Act To Ensure the Confidentiality of Concealed Weapons Permit Holder Information.

Wednesday, March 13

Appropriations & Financial Affairs
Room 228, State House, 10:00 a.m.
Tel: 287-1316

In conjunction with the Taxation Committee:

Governor's Biennial Budget – Part "O" (relates to adjustments to state valuation for sudden and severe disruption of valuation)

1:00 p.m.

- Mandate-BETE-Reimbursement Municipalities
- Language (Part "J" – suspends revenue sharing for the 2014-15 biennium)
- Language (Part "K" changes eligibility under BETE, sunsets BETR and increases the municipal reimbursement rate under BETE)
- Language (Part "L" – amends the Maine Residents Property Tax Exemption a.k.a. Circuitbreaker)
- Language (Part "M" – replaces current homestead exemption with one limited to homeowners 65 or older)

Education & Cultural Affairs
Room 202, Cross State Office Building, 1:00 p.m.
Tel: 287-3125

LD 367 – An Act To Repeal the Repeal Provision in the Law That Limits the Reduction of State Subsidy for Education.

LD 667 – An Act To Increase Funding to Schools.

Environment & Natural Resources
Room 216, Cross State Office Building, 1:00 p.m.
Tel: 287-4149

LD 470 – An Act Regarding Working Waterfront Projects.

LD 596 – An Act To Help Small Businesses and Promote Tourism by Allowing the Construction of a Platform, Walkway or Deck over a River or Marshland.

LD 641 – An Act To Exempt Farmers from Certain Oversight in Shoreland Areas.

LD 642 – An Act To Exempt All-terrain Vehicle Trail Management From Storm Water Management Requirements.

Health & Human Services
Room 209, Cross State Office Building, 1:00 p.m.
Tel: 287-1317

LD 634 – An Act Regarding Permits for Final Disposition of Dead Human Bodies.

State & Local Government
Room 214, Cross State Office Building, 1:00 p.m.
Tel: 287-1330

LD 27 – An Act To Enable the Town of Livermore Falls To Withdraw from Androscoggin County and Join Franklin County.

LD 587 – An Act To Designate Election Day as an Official State Holiday.

LEGISLATIVE HEARINGS (cont.)

Transportation

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

Tel: 287-4148

LD 566 – Resolve, To Enhance and Encourage Economic Development of the Lower Penobscot River Basin by Improving Rail Transportation.

LD 655 – An Act To Amend or Repeal Outdated or Underutilized Laws Related to Transportation.

LD 712 – Resolve, Directing the Department of Transportation To Place Signs on Interstate 295 Directing Motorists to the Town of Harpswell.

Thursday, March 14

Agriculture, Conservation & Forestry

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

Tel: 287-1312

LD 457 – An Act To Eliminate Certain Data Collection Requirements of the Forest Health and Monitoring Program of the Division of Forestry.

LD 484 – An Act To Revise the Animal Welfare Laws.

Appropriations & Financial Affairs

Room 228, State House, 10:00 a.m.

Tel: 287-1316

In conjunction with the Transportation Committee:

Governor’s Biennial Budget – Language (Part “OOO” requires that an excise tax paid by a nonresident be deposited in the Highway Fund rather than the General Fund and requires that certain excise taxes collected on certain truck tractors be deposited to the Highway Fund)

Education & Cultural Affairs

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

Tel: 287-3125

LD 668 – An Act To Make Agricultural Studies a Part of Maine Curriculum.

LD 669 – An Act Requiring School Administrative Units To Adopt School Volunteer Policies.

LD 709 – An Act To Require Students To Receive Instruction in Cardiopulmonary Resuscitation and the Use of an Automated External Defibrillator prior to Graduation.

Labor, Commerce, Research & Economic Development

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

Tel: 287-1331

LD 890 – An Act To Buy American-made Products.

Friday, March 15

Transportation

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

Tel: 287-4148

LD 589 – An Act To Strengthen the Law Regarding Texting and Driving.

LD 620 – An Act To Expand the Authorized Operation of All-terrain Vehicles on Roads.

HOPPER (cont.)

that includes the calculation of the “excess funds” and instructions about how the former owner can redeem those funds. The municipality must escrow those excess funds for a period of 90 days or the conclusion of a negotiation between the municipality or the former owner with respect to the calculation of the “excess fees”. If requested by the former owner, a required binding arbitration between the municipality and the former owner must take place. If the municipality does not dispose of real estate within 180 days of foreclosure, the bill provides a way to calculate the “excess funds” through the required use of an independent appraisal.

Labor, Commerce, Research & Economic Development

LD 865 – An Act Regarding Contract Indemnification. (Sponsored by Sen. Cushing of Penobscot Cty; additional cosponsors.)

This bill makes void and unenforceable provisions in any contract between an owner and a contractor that require the contractor to indemnify the owner against liability for damages related to death or bodily injury, injury to property, design defects or other loss, damage or expense arising from the negligence or willful misconduct of the owner or owner’s agents, servant or independent contractors.

State & Local Government

LD 833 – An Act To Allow Municipalities To Place Liens for Failure To Pay Storm Water Assessments. (Sponsored by Rep. Moonen of Portland; additional cosponsors.) (By Request)

This bill allows municipalities to place liens on real estate to enforce the collection of stormwater fees in the same manner as liens are allowed to enforce sewer liens.

Taxation

LD 563 – An Act To Clarify Tax Increment Financing. (Sponsored by Rep. Rochelo of Biddeford; additional cosponsors.)

This bill makes a number of clarifying, minor substantive and substantive amendments to the laws governing municipal tax increment financing (TIF) agreements. The bill: (1) establishes that the original assessed value of a TIF district is the taxable assessed value and not, for example, the value of both taxable and tax exempt property; (2) removes the \$50 million county-wide limitation on the aggregate value of general obligation indebtedness associated with TIF programs; (3) removes the requirement that all improvement within a TIF district financed by bonds be completed within eight years of the commissioner’s approval of the TIF district; (4) establishes that the 30 year life limit of a TIF agreement means 30 tax years; (5) establishes that industrial development, businesses, apartment buildings and condominiums located in tourist and resort areas are all authorized project costs; (6) allows economic development grants to be authorized project costs as well as revolving loans and investment loans as authorized under current law; (7) expands the authorized cost section that pertains to job training programs for municipal residents to include the costs of equipment related to those training programs, as well as educational scholarships and training for jobs created or retained in the municipality, whether for residents or nonresidents; (8) allows municipalities to implement the TIF agreement in the tax year following the tax year in which it is approved; (9) allows municipalities to expend TIF revenue for its designated purposes up to three years after the 30 year expiration of the TIF agreement; and (10) allows the term length of bonds issues pursuant to TIF agreements to be as long as 30 years rather than 20 years.

HOPPER (cont.)

LD 614 – An Act To Adjust Fuel Taxes To Improve Sustainability. (Sponsored by Rep. Peoples of Westbrook; additional cosponsors.)

This bill changes the excise tax applied to gasoline and distillates/low-energy motor fuels from a fixed amount per gallon, currently 29.5 cents and 30.7 cents, respectively, to roughly half those rates (15 cents and 15.6 cents, respectively) plus 5% of the retail value of the internal combustion fuel.

LD 719 – An Act To Ensure Access to Information in the Property Tax Abatement and Appeals Process. (Sponsored by Rep. Johnson of Greenville.)

Current law governing the process of seeking an abatement from a property tax assessment and appealing that decision requires decisions made by the various authorities (i.e., the municipal assessors, initially, and then the Board of Assessment Review or the county commissioners) be in writing, but if the decisions are not issued in 60 days, the application is “deemed denied” and a right to appeal the deemed denial is provided. This bill would require all written decisions to state the reason for the denial, and if the written decision is not provided within the 60 day time period, the application is “deemed approved”.

Transportation

LD 620 – An Act To Expand the Authorized Operation of All-terrain Vehicles on Roads. (Sponsored by Rep. McCabe of Skowhegan; additional cosponsors.)

This bill allows for an All Terrain Vehicle that has been properly registered for this purpose by the Secretary of State to be operated on a public way to travel from one property to another for the purpose of landscaping or property maintenance provided it is operated only on the extreme right of the traveled way, in the same direction as motor vehicle traffic.

LD 765 – An Act To Amend the Law Regarding Motorcycle Registration Expiration Dates. (Sponsored by Rep. Casavant of Biddeford; additional cosponsors.)

This bill changes the fixed registration period for motorcycles, which was established in 2011 to run from April 1 of each year to March 31 of the next year, to a registration period that runs until the last day of the month one year from the month of issuance, as is the case with the registration of all other motor vehicles.

Veterans & Legal Affairs

LD 860 – An Act To Require That the Governor, Senators and Members of the House of Representatives Be Elected by the Ranked-choice Voting Method. (Sponsored by Rep. Russell of Portland; additional cosponsors.)

This bill creates the “ranked-choice” voting method of determining winners in elections for Governor, State Senator and Representative to the Maine House. (For comparison, see LD 518.) This bill also sends out to the voters the question of whether to adopt rank choice voting for these elected offices.