

# MAINE STATE LEGISLATURE

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OFFICE OF  
THE GOVERNOR

NO. \_\_\_\_\_  
DATE \_\_\_\_\_

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July 16, 2004

**AN ORDER TO ADVISE THE GOVERNOR ON IMPLEMENTING THE SCHOOL  
FINANCE AND TAX REFORM ACT OF 2003**

**WHEREAS**, the electors of the state of Maine presented to the First Regular Session of the 121<sup>st</sup> Legislature an initiated bill entitled "School Finance and Tax Reform Act of 2003" (hereinafter "the Act") under the provisions of Article IV, Part Third, Section 18 of the Constitution of Maine; and

**WHEREAS**, the Act was submitted to the voters on June 8, 2004 and received a majority of the votes cast; and

**WHEREAS**, a stated goal in the Act is "to provide substantial property tax relief statewide in a manner that is sustained over time;" and

**WHEREAS**, pursuant to Article IV, Part Third, Section 19 of the Constitution of Maine, the Act will become operative 45 days after the convening of the next regular legislative session; and

**WHEREAS**, section 4 of the Act requires the next regular legislative session to address state tax revenue, a Fund for the Efficient Delivery of Educational Services, a Fund for the Efficient Delivery of Local and Regional Services, and tax burden management; and

**WHEREAS**, the Governor has the constitutional duty to execute related laws concerning school finance under the Maine Revised Statutes Annotated, Title 20-A, chapter 606-B and to submit a balanced budget to the Legislature in January 2005; and

**WHEREAS**, in fulfilling his duties, including those implicated by the Act, the Governor requires technical analysis and advice from affected parties;

**NOW, THEREFORE**, I, John E. Baldacci, Governor of the State of Maine do hereby direct the following to undertake the duties described herein: the Director of the State Planning Office or the director's designee; the Commissioner of Education or the commissioner's designee; the State Budget Officer or the State Budget Officer's designee; and the Director of the Bureau of Revenue Services within the Department of Administrative and Financial Services or the director's designee (hereinafter "the Implementation Team").

**1. Technical analysis**

The Implementation Team shall broadly analyze the provisions of the Act, relevant constitutional provisions, related statutes, state budget implications, and tax implications. The team shall develop options for implementing the Act.

**2. Consultations**

In doing the analysis and developing options the Implementation Team shall consult with parties affected by the Act to seek information or advice, as appropriate. Affected parties include, but are not limited to:

- Members of the general public
- Taxpayers' groups
- Business leaders
- Educators
- Municipal officials and employees
- Academic economists
- Legislators recommended by Democratic and Republican leadership
- The Office of the Attorney General

**3. Assistance**

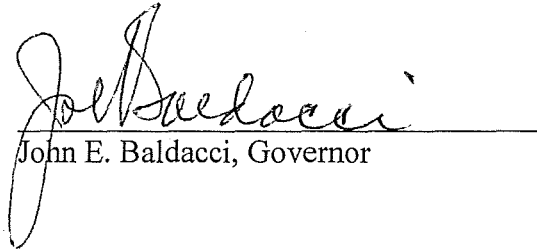
The State Planning Office, the Department of Education, and the Department of Administrative and Financial Services shall provide assistance to the Implementation Team. Members of the Implementation Team shall serve without pay, except as otherwise provided by law. Assistance shall come from existing resources. The Implementation Team shall receive legal support from the Office of the Governor.

**4. Report**

The Implementation Team shall report to the Governor by November 10, 2004. The report must include a written analysis of the provisions and implications described in section 1. The report must include options, and recommendations for any accompanying legislation, for implementing the Act.

5. Effective date

The effective date of this Executive Order is July 16, 2004. The Implementation Team shall become inactive and dissolve upon the effective date of the Act.



John E. Baldacci, Governor