

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

SECOND SPECIAL SESSION-2004

Legislative Document

No. 1930

S.P. 767

In Senate, March 16, 2004

An Act To Promote Intergovernmental Cooperation, Cost Savings and Efficiencies

Reported by Senator DAMON of Hancock for the Joint Select Committee on
Regionalization and Community Cooperation pursuant to Joint Order, S.P. 689.

Reference to the Joint Select Committee on Regionalization and Community Cooperation
suggested and ordered printed under Joint Rule 218.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

2 **Be it enacted by the People of the State of Maine as follows:**

4 **CONCEPT DRAFT**
6 **SUMMARY**

8 This bill is a concept draft pursuant to Joint Rule 208.

10 This bill proposes to do the following.

12 1. It would require that each of the state, county and
14 municipal governments pay for those services that it requires be
provided. This does not include Federal Government mandates and
mandates related to education.

16 2. It would establish the Intergovernmental Advisory Group
18 to study ways to reduce duplication and improve efficiency among
20 all 3 levels of government in the State as well as within each
22 level of government; to promote communication, cooperation and
24 efficient delivery of services; to provide state resources for
guidance, technical support and incentives to regionalize; and to
work with local and regional entities to design and implement
pilot projects that result in cost savings and improved services
through regionalization or other efficiency efforts.

26 The advisory group would have the following representation:

28 A. Five members from State Government, 3 of whom must be
30 commissioners and 2 of whom must be Legislators not of the
same political party;

32 B. Five members who must be officials representing regional
34 governments, 3 of whom must be county officials and 2 of
whom must represent regional planning agencies, councils of
government or other regional bodies; and

36 C. Five members who must be officers representing municipal
38 governments, 3 of whom must be municipal officials and 2 of
whom must represent school districts or other
40 special-purpose districts that represent 2 or more
42 municipalities.

44 3. It would encourage the adoption of a county charter by
streamlining the procedure for initiating a charter commission
and removing all statutory limits on charter powers. The changes
46 to accomplish this include the following:

48 A. Changing language in the Maine Revised Statutes, Title
50 30-A, chapter 11, subchapter 3 to remove limits on charter
powers and to provide that a county that adopts a charter
may have home rule. This provision would not change the

2 constitutional requirements regarding the election of county
sheriffs and judges and registers of probate. It also would
not exempt counties from state mandates; and

4
6 B. Removing the requirement that county residents vote to
initiate a charter commission and allowing a charter
commission to be initiated either by the county
8 commissioners or a citizens' petition. Citizens would still
be required to vote on the final adoption of the charter.

10
12 4. It would increase the real estate transfer tax from
\$2.20 per \$1,000 of property value per party to \$3.00 per \$1,000
14 of property value per party. All additional funds raised through
the real estate transfer tax as a result of this increase would
16 be deposited into a dedicated fund to provide grants to promote
regional efforts. This fund would be administered by the
18 Intergovernmental Advisory Group, as established in this bill.
Groups of municipalities, councils of government and regional
planning commissions may apply for grants. A county may also
20 apply for a grant if it adopts a charter and if it submits a plan
for regional cooperation.

22
24 5. It would create tax districts for multiple towns to join
together for the purpose of assessing and collecting taxes as a
26 single entity. A county may also serve as a tax district for
this purpose. Residents of the towns or the county must vote to
28 decide on whether to create a taxing district. The
Intergovernmental Advisory Group may provide grants to assist in
the development of a proposed taxing district.

30
32 6. It would transfer a portion of the Highway Fund that
funds State Police patrol to towns that do not have local
34 police. Those towns would then contract with the county for
sheriff patrol services. The portion of the Highway Fund to be
36 transferred for this purpose would be based on the following
funding formula for each county sheriff's patrol budget: Fifty
38 percent of the budget must be collected from the residents that
receive the benefit and 50% must be collected through the Highway
Fund.

40
42 7. It would encourage counties to work together on regional
projects, such as communications centers and regional jails, by
44 amending or clarifying statute to give all political subdivisions
of the State broad authority to work together.

46
48 8. It would tie the award of transportation funds to
municipalities to the development of coherent regional land use
policies.

50 9. It would remove statutory references to:

- 2 A. Salaries of county officials;
- 4 B. Directives on how often county boards and commissions
6 hold hearings; and
- 8 C. Involvement of the legislative delegation in the county
budget process.
- 10 10. It would create 4 pilot projects to:
- 12 A. Create municipal unions to allow multiple towns to
14 consolidate their administrative functions into a single
unit while allowing each town to retain its identity and
16 form of governance. This option would be voluntary;
- 18 B. Work with state agencies to permit towns to file joint
reports and audits when they are working together
20 administratively;
- 22 C. Promote the use of councils of governments and promote
the involvement of councils of governments and regional
24 planning commissions with counties; and
- 26 D. Assist the "Beginning with Habitat" program to make more
effective use of wildlife information across town boundaries
through a regional habitat planning pilot project.