

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2010 to April 12, 2010

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 12, 2010

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2010

utes, Title 5, chapter 375, subchapter 2-A, is authorized.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective March 29, 2010.

CHAPTER 181

H.P. 60 - L.D. 71

Resolve, To Create a Working Group To Review the Property Tax Exemption for Veterans

Sec. 1. Convene working group. Resolved: That the Department of Administrative and Financial Services, Bureau of Revenue Services shall convene a working group to review the current property tax exemption for veterans and make recommendations for changes that will increase the property tax exemption for qualified post-World War I veterans. The working group must include representatives of the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services. The Department of Administrative and Financial Services, Bureau of Revenue Services shall invite the participation of the Maine Municipal Association and other interested stakeholders; and be it further

Sec. 2. Duties of working group. Resolved: That the working group under section 1 shall review alternatives for increasing the property tax exemption for qualified post-World War I veterans. The alternatives must include, but are not limited to, an increase on a one-time basis, an increase over time through indexing to the Consumer Price Index or a 5% annual increase. The working group shall review the financial and administrative impact on state and local government as well as the benefit to veterans; and be it further

Sec. 3. Report recommendations. Resolved: That, by January 15, 2011, the Department of Administrative and Financial Services, Bureau of Revenue Services shall report to the joint standing committee of the Legislature having jurisdiction over taxation matters the findings and recommendations of the working group under section 1.

See title page for effective date.

CHAPTER 182

H.P. 1187 - L.D. 1686

Resolve, To Clarify the Reporting of Debt Service Costs and the Allowance of Minor Capital School Improvement Projects Costs under Essential Programs and Services

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, many school administrative units have an immediate need to submit proposals for approval under the school funding formula for recognition of non-state-funded debt service expenditures incurred for minor capital school improvement projects; and

Whereas, it may be necessary to change the law to allow for reimbursement for these non-state-funded debt service expenditures; and

Whereas, a review of current law and state policy pertaining to the funding and reporting requirements for these projects must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Review of essential programs and services requirements for non-state-funded debt service expenditures incurred for minor capital school improvement projects. Resolved: That the Commissioner of Education shall convene a stakeholder group to review current state law related to recognizing, funding and approving non-state-funded debt service costs incurred for minor capital school improvement projects; and be it further

Sec. 2. Stakeholder group. Resolved: That the Commissioner of Education or the commissioner's designee is a member of the stakeholder group. The Commissioner of Education shall invite the participation of representatives of the following educational associations:

1. The Maine School Superintendents Association;

2. The Maine Association of School Business Officials; and

3. The Maine School Boards Association.

The commissioner may invite any other person the commissioner determines will contribute to the development of effective policies related to the issues to be reviewed by the stakeholder group; and be it further

Sec. 3. Duties. Resolved: That the Commissioner of Education and the stakeholder group shall review the provisions of the Essential Programs and Services Funding Act pertaining to funding and reporting requirements for approval for reimbursement of non-state-funded debt service costs incurred for minor capital school improvement projects. The stakeholder group shall develop recommendations to change, as necessary, relevant provisions in the school funding formula to appropriately address these local expenditures. The recommendations must include, but are not limited to, recommendations relating to:

1. How school administrative unit expenditures for non-state-funded debt service costs incurred for minor capital school improvement projects should be recognized under the Essential Programs and Services Funding Act, particularly with respect to how these expenditures should be counted towards the amount of locally raised funds that meet or exceed the local cost share expectation as defined in the Maine Revised Statutes, Title 20-A, section 15671-A, subsection 1, paragraph B;

2. The types of expenditures, including the replacement of windows, a boiler or a roof, that may be included as non-state-funded debt service costs incurred for minor capital school improvement projects that are recognized as part of the amount of locally raised funds that meet the local cost share expectation;

3. How school administrative units should report expenditures for non-state-funded debt service expenditures incurred for minor capital school improvement projects;

4. How to clarify the school funding formula requirements related to the adoption and approval of expenditures for non-state-funded debt service costs incurred for minor capital school improvement projects, including how to more effectively communicate to the public how these expenditures are reflected in the language that is included in school budget articles and explanations that are presented to the voters to adopt and approve the school budget; and

5. Any other policy issue pertaining to the recognition and funding of debt service costs that a majority of the stakeholder group determines to be necessary and useful to improving public policy related to the appropriate maintenance and improvement of school facilities in the State; and be it further

Sec. 4. Report. Resolved: That the Commissioner of Education shall present the findings and recommendations of the stakeholder group to the joint standing committee of the Legislature having jurisdiction over education matters by January 15, 2011.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective March 30, 2010.

CHAPTER 183

H.P. 1276 - L.D. 1788

Resolve, Directing the Commissioner of Agriculture, Food and Rural Resources To Examine the Collection of the Milk Handling Fee on Packaged Milk for Out-of-state Sales

Sec. 1. Commissioner of Agriculture, Food and Rural Resources to examine the milk handling fee and its impact on out-of-state sales. Resolved: That the Commissioner of Agriculture, Food and Rural Resources shall convene a group of stakeholders to examine the collection of the milk handling fee, occurrences of the fee being paid on Maine milk packaged and transported for retail sale out of state and any adverse impact of the handling fee on out-of-state sales of Maine milk. The commissioner shall report the findings and recommendations of the stakeholder group to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than October 29, 2010; and be it further

Sec. 2. Interim meeting; report to the First Regular Session of the 125th Legislature. Resolved: That, upon receiving the report of the Commissioner of Agriculture, Food and Rural Resources under section 1, the Joint Standing Committee on Agriculture, Conservation and Forestry shall discuss the report at an authorized interim meeting of the committee and develop recommendations and any legislation necessary to implement the recommendations. Prior to December 1, 2010, the Joint Standing Committee on Agriculture, Conservation and Forestry shall prepare a written summary of its recommendations including any draft legislation developed and provide for the distribution of the written materials to the joint standing committee of the Legislature having jurisdiction over agricultural matters upon the convening of that committee in the First Regular Session of the 125th Legislature.

See title page for effective date.
