



HOUSE OF REPRESENTATIVES

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Senator Baldacci, Representative Salisbury and distinguished members of the Joint Standing Committee on State and Local Government, I am Representative Gregory Swallow from House District 7 representing Houlton, Linneus, Ludlow, New Limerick and Oakfield. I am here today to introduce LD 422, An Act to Require the State to Obtain Municipal Approval Before Placing Noncitizens in the Municipality. Currently, municipalities and residents in my district and other Aroostook communities are feeling the financial strains of ever-increasing public education costs and the heightened costs of housing in both rentals and purchases. Furthermore, our communities have an elderly demographic that is struggling financially under limited resources and static incomes. Coupled with these burdens the state continues to add further weight onto our local taxpayers.

LOCAL CONTROL

This bill is not so much an immigration bill, as some have termed it, as it primarily seeks to address both local control and costs to local taxpayers

Maine is a home rule state and LD 422 is in line with the municipality's authority over local governance. Municipalities, under the Maine Constitution are granted the power to amend their charters on matters that are municipal and local in nature as long as they do not contradict either general or constitutional law. (See Maine Constitution Article VIII, Part 2, § 1). Therefore, requiring local approval prior to the state placing noncitizens within a municipality is in accordance with our constitutional principles. It's important that decisions that affect local jurisdictions remain with that populace. Municipalities may develop local ordinances barring the State from resettling refugees, illegal aliens and others in their jurisdictions; therefore, LD 422 simply avoids municipalities having to draft ordinances to accomplish what this bill achieves.

COSTS TO LOCAL TAXPAYERS

Maine's cost of elementary and secondary education has increased exponentially in the last three or four decades which has resulted in elevated property taxes. Many residents/home owners in my district are struggling to meet the financial demands of increased taxes, electric bills and many other costs. For instance, our community has already settled on a new school budget which will again drive property taxes up much further in the upcoming year. This increase coupled with revaluation recently is placing a huge strain on many local taxpayers.

Maine's public schools as compared to other states and nations are performing very poorly while at the same time remaining one of the highest cost states on a per pupil basis in the U.S. Our public education system is severely faltering and the added burden of both time and money in dealing with students and families who may not speak English

will have an effect on all students. Title VI of the Civil Rights Act of 1964 and Equal Educational Opportunities Act (EEOA) mandate translation and Interpretation services must be provided to families cost free. In addition, it's imperative that schools have a language access plan for all communications. The cost of multi-lingual services would be an additional expenditure onto an already high cost school system. Furthermore, the time that would be drawn away from traditional students, who are already falling further behind, on the part of teachers and staff would be detrimental. This would prove an inordinate burden for already struggling smaller community school systems.

The "Housing Crisis" is a further matter to consider with a concentrated move of peoples to communities. The costs of homes and rental units would be further driven up due to increased competition for the limited housing resources. Unhindered placement of noncitizens will amplify the housing shortage by increasing the demand for a limited supply of housing. One possible result being a further drain of our young people, as mentioned above Northern Maine has an inordinate elderly population.

This legislation also takes into account that the involvement and consideration of local residents in such a process will mitigate possible social tensions in the future. The sudden shock of a significant population surge thrust on communities that feel left out of the decision-making process will only serve to increase tensions. This legislation assists in alleviating this potential matter.

Local municipalities are in the best position to determine their capabilities and resources in dealing with this issue. Certainly, the local citizenry possesses greater knowledge than the state in assessing the impact such a placement of noncitizens would have on their local schools, healthcare systems, public safety and other resources. Additionally, it's appropriate for municipalities to have involvement in allowing noncitizen placement in their community since they are involved in providing general assistance and other services. Undoubtedly, local jurisdictions and its citizens are best suited to make the determination on this subject.

This bill is simply about local control in both decision-making and cost control and will result in the best outcome for all involved. As with all elected legislators, my duty is to represent the people of my district and according them the opportunity to be heard and to the extent possible, the freedom to determine their own future.

Sincerely,



Gregory L. Swallow
State Representative