



LEGISLATIVE BULLETIN

A publication of the Maine Municipal Association • Vol. XLVII No. 3 • FEBRUARY 7, 2025

Budgets and Billables

This week at the state house felt a bit like the end of sessions past with members of the Appropriations and Financial Affairs Committee (AFA) spending late nights and long days listening to the public weigh in on Governor Mills' General Fund budget for FY 2026-2027. All week, AFA held public hearing sessions in conjunction with the committees of jurisdiction covering elements of the governor's proposed budget for state agencies that will be tasked with either providing services to support municipal operations, offering direct property tax relief by assuming more of the costs for providing services impacted by state policy, or administering new legislative initiatives.

Tuesday, the Department of Public Safety (DPS) and Department of Corrections (DOC) presented their budgets during a joint public hearing between AFA and the Criminal Justice and Public Safety Committee. While reading the boiler plate budget mantra all departments opened their statements with referencing balanced approaches and tight budgets across the nation in red and blue states, commissioners walked through their requests, and justified the line items before the committees in public testimony on related budget sections.

Corrections

First in the hot seat was DOC Commissioner, Randall Liberty, who testified that their increased budget needs were primarily impacted by the inflationary pressures of keeping the lights on, paying for staff, and the high costs to maintain existing contracted specialized services, which alone rose 11% over the previous supplemental budget. Those same documented pressures were submitted by the County Corrections Professional Standard Council (CCPSC) with detailed information on costs to both the DOC and Maine Department of Administrative and Financial Services (DAFS) requesting an increase in the County Jail Operations Fund appropriation line which not only covers the growing cost of the legislatively mandated medically assisted treatment (MAT) and mental and behavioral health services, but also supports the state pressures for a backlogged justice system. Unfortunately, the appropriation remained flat for the state contribution to county jail operations despite the increased costs and lack of local control to address the pressures.

Previous CCPSC budget submissions to the DOC and DAFS included real costs by counties which do not qualify for the use of opioid settlement funds to administer treatment in facilities, but also did not include those counties that received grant funds from private philanthropies to operate programs or those operating under an American Rescue Plan Act (ARPA) funded pilot. As a result, not all facilities provided cost numbers to the

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To Excise or Not...

The Taxation Committee held a public hearing on Tuesday for LD 15, *An Act to Eliminate the Excise Tax on Camper Trailers*, sponsored by Sen. James Libby (Cumberland County), which asked whether the excise tax assessed on camper trailers is appropriate.

During the hearing, the bill's two supporters expressed concerns over the costs of camper trailer excise tax when compared with other modes of transportation, specifically boats. A chart created and presented by one proponent showed a comparison of different types, ages and values of camper trailers and the costs associated with registering each. The chart also included comparisons of taxes assessed on other vehicles.

Opponents of the bill, including MMA and a local certified assessor, who explained that while eliminating an excise tax may appear to save Maine residents money, in fact the repeal simply shifts the assessment of the tax to the assessor, as personal property. Maine Revenue Services (MRS) also submitted written testimony in opposition to the bill and suggested that a shifting of tax to personal property could trigger the state's mandate reimbursement requirement of 90% for municipal administrative costs.

The assessor testifying on LD 15 provided data outlining the administrative and financial burdens the bill would cause in her specific communities, but stressed that these additional tasks and costs would be borne in all municipalities. The administration of the personal property tax has historically been limited to business personal property, although the law requires assessors to tax all tangible personal property, unless otherwise exempted by statute.

In addition to the historic focus on business personal property,

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Budgets and Billables ...cont'd

CCPSC because their costs were covered for that current budget cycle. At that time, the cost for those agencies was close to \$4 million. The ongoing cost for those programs, and the continued statutory mandate to provide the programs remain, while the philanthropic and one-time funds are evaporating and are no longer available to pay for the explosion in specialized mental and behavioral health care the facilities must contract to find. The governor's proposed budget kept both the MAT appropriation and the state contribution to offset the other areas of policy impact flat, but committed to an ongoing \$4 million for MAT annually despite not meeting the identified need. To the commissioner's credit, when asked by AFA committee member Rep. Jack Ducharme (Madison) if the program was a state mandated program and what the actual costs of the program was for the counties, he responded that it was a state mandated program and the \$4 million was well below the costs of the program submitted by CCPSC. However, when asked who pays for the shortfall, the commissioner asked if it was a rhetorical question. Rep. Ducharme pointed out that property tax assessment is filling that gap and hoped to find a path forward to address this increased burden.

MMA asked that the committees increase the County Jail Operations line to match the needs documented, submitted, and identified by the CCPSC. While some committee members wanted an apples-to-apples comparison of the expensive monthly drugs used in some facilities against the use of daily administered offerings, much of the costs are identical when including the cost of staffing daily drug administration. Monthly injectable MAT drugs have a high per dose cost, but daily administration of cheaper alternatives require intense staff time administering, monitoring, and ensuring that oral medicines are effectively and safely delivered. Adequate staffing is a challenge for all facilities, but even more troubling is the use of county facilities to house individuals waiting to be accepted

in a mental or behavioral health unit and not a judicial trial.

Cops

The DPS budget included increased staffing for important investigative services like the computer crimes unit, and increased reimbursements to sending agencies for the use of municipal and county officers necessary to provide adequate instruction at the Maine Criminal Justice Academy, and a new software package that would aid in the issuance of concealed handgun permits.

DPS Commissioner Michael Sauschuck highlighted that the Academy was highly reliant on seasoned well trained officers on loan from municipal and county agencies to deliver training twice a year in the Basic Law Enforcement Training program—currently the stipend provided for those sending agencies was \$15,000, or roughly \$18 per hour. The employees relied on to supply the training normally hold senior roles with salaries averaging \$36 an hour in their home communities, whose property taxpayers must fill vacancies with overtime staffing, at an even higher rate, when officers are training new recruits. The budget request increased the stipend to \$30,000 to better balance the partnership.

Of additional municipal interest, the budget includes software for the The Division of Weapons and Professional Licensing within the department responsible for the issuance of concealed handgun permits. The new software will allow applicants to file for a permit online and improve search features to ease the burden of paper filings and adequate vetting of individuals seeking a permit.

MMA welcomes this increased commitment to the public safety partnership expressed through increased reimbursements for cadres and adequate support for investigative services needed and used by all policing agencies. Additionally, the association hopes the appropriation for a new handgun permit licensing program will allow communities who lack local law enforcement agencies to

conduct adequate background checks for permits, and that communities left out of the ability to contract with the state, as identified in the detailed report submitted to the legislature in 2022 will be able to be supported by the new system.

Coordination

In a somewhat lighter tone, on Wednesday the AFA committee was joined by the Housing and Economic Development Committee to listen to initiatives in the budget to support planning, housing, and economic development across the state. Key programs include funding for MaineHousing to support mobile home park purchases, affordable housing program incentives and the support for the Maine Office of Community Affairs referred to as MOCA. The acronym not only connotes a warm vision of chocolate and coffee for advocacy staff but also offers a ray of hope for municipalities. The program mission shared in testimony is to provide a genuine conduit for municipalities and state agencies to facilitate better coordinated planning, technical assistance and financial support to plan for challenges and find solutions for more resilient communities.

Much of the budget request for MOCA is to move seven existing and linked programs currently housed in seven other departments under one umbrella to be a single community facing service. Those programs include the Housing Opportunity Program, Volunteer Maine, Maine Floodplain Management Program, Maine Coastal Program, the Community Resilience Partnership and the Maine Uniform Building and Energy Code and Code Enforcement Officer Program.

While some of the proposed budget items are related to the coordination tasks of the office, which is currently staffed by one individual, other initiatives ask to make limited time positions permanent like those in the Housing Opportunities Program. Additionally, the vision for the office is to pursue and administer other grants for small communities that have no or limited staff and need technical

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HEARING SCHEDULE

For the week of February 10, 2025

Note: You should check your newspapers for Legal Notices as there may be changes in the hearing schedule. Weekly schedules for hearings and work sessions can be found on the Legislature's website at: <http://legislature.maine.gov/calendar/#Weekly/>.

MONDAY, FEBRUARY 10

Appropriations & Financial Affairs
Room 228, State House, 1:00 p.m.
Tel: 287-1635

Governor's biennial budget, with the Joint Standing Committee on Labor, in part, regarding the Workers' Compensation Board Administrative Fund.

Criminal Justice & Public Safety
Room 436, State House, 10:30 a.m.
Tel: 287-1122

LD 176 - *An Act to Establish a Regional Ambulance Service in Southern Penobscot County*

LD 245 - *An Act to Implement the Recommendations of the Blue Ribbon Commission to Study Emergency Medical Services in the State*

1:00 p.m.

LD 96 - *An Act to Amend the Motor Vehicles and Traffic Law Governing Mandatory Driver's License Suspension for Refusing Testing for Drugs or a Combination of Drugs and Alcohol*

LD 244 - *An Act to Provide Safe, Short-term Housing to Indigent Individuals Recently Released from Correctional Facilities*

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

LD 153 - *An Act to Prohibit the Unauthorized Mooring of Watercraft*

LD 173 - *An Act to Exempt Certain Watercraft from Registration Requirements*

State & Local Government
Room 214, Cross Building, 10:00 a.m.
Tel: 287-1330

LD 50 - *An Act to Provide the Right of First Refusal to Towns in Which the*

University of Maine System and Similar Quasi-independent State Entities Are Selling Property

LD 53 - *An Act to Establish the November General Election Day as a State Holiday*

Veterans & Legal Affairs
Room 437, State House, 11:00 a.m.
Tel: 287-1310

LD 309 - *An Act to Allow a Political Party to Determine How that Party's Nominee is Selected in a Primary Election*

LD 313 - *An Act to Improve Voter Confidence in Electronic Ballot Counting by Requiring Ballots to Contain Unique Identifiers*

LD 349 - *An Act to Repeal the Laws That Allow Same-day Voter Registration*

TUESDAY, FEBRUARY 11

Agriculture, Conservation & Forestry
Room 214, Cross Building, 1:00 p.m.
Tel: 287-1312

LD 124 - *An Act to Protect the Right to Food*

LD 261 - *An Act Regarding the Authority of Municipalities to Regulate Timber Harvesting*

Appropriations & Financial Affairs
Room 228, State House, 1:00 p.m.
Tel: 287-1635

Governor's biennial budget, with the Joint Standing Committee on Judiciary

3:00 p.m. with the Joint Standing Committee on Health & Human Services

Housing & Economic Development
Room 206, Cross Building, 1:00 p.m.
Tel: 287-4880

LD 1 - *An Act to Increase Storm Preparedness for Maine's Communities, Homes and Infrastructure*

Labor
Room 202, Cross Building, 1:00 p.m.
Tel: 287-1331

LD 82 - *An Act to Amend the Workers' Compensation Laws by Extending Indefinitely the Presumption Applying to Law Enforcement Officers, Corrections Officers, E-9-1-1 Dispatchers, Firefighters and Emergency Medical Services Persons Diagnosed with Posttraumatic Stress Disorder*

Taxation
Room 127, State House, 1:00 p.m.
Tel: 287-1552

LD 283 - *An Act to Expand Local Revenues by Including Meals and Lodging Sales Tax Revenue Under the State-Municipal Revenue Sharing Program*

LD 326 - *An Act to Increase the Property Tax Exemption Provided to Individuals Who Are Legally Blind*

WEDNESDAY, FEBRUARY 12

Appropriations & Financial Affairs
Room 228, State House, 10:00 a.m.
Tel: 287-1635

Governor's biennial budget, with the Joint Standing Committee on Health & Human Services

Environment & Natural Resources
Room 216, Cross Building, 10:00 a.m.
Tel: 287-4149

LD 296 - *An Act to Appropriate Funds to the Department of Environmental Protection, Lake Water Quality Restoration and Protection Fund*

Judiciary
Room 438, State House, 9:30 a.m.
Tel: 287-1327

LD 184 - *Resolve, Establishing the Commission to Study the Foreclosure Process*

LD 259 - *An Act to Establish the Criminal Records Review Commission in Statute*

LD 353 - *Resolve, to Establish the Commission to Recommend Methods for Preventing Deed Fraud in the State*

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Budgets and Billables ...cont'd

assistance to be successful.

Testifying as an example of the need for a 'one stop shop' to assist local government, Melissa Doane, Town Manager of Bradley in Penobscot County, provided a concrete example of the realities facing most Maine communities. Doane is more than just a town manager and President of MMA, she is also the tax collector, treasurer, General Assistance administrator, deputy clerk, and road commissioner. She is also a dedicated public servant buried in the responsibilities tied to each

of her roles, while participating in hosting several municipal events across the state, and yet only learned of the Community Resilience Partnership in September 2024. She then spent months trying to figure out how to access the program that began in early 2023.

Doane, like many municipal officials, will share that navigating state and federal governmental changes and funding opportunities is very difficult, particularly when programs are not well known between state agencies—let alone

municipalities. The combination of small staff and volunteers translates into having limited expertise in planning, housing, tax requirements, floodplain management, land use, code enforcement, and resilience. However, it is a service built with heart and dedication. MMA and municipal officials have high hopes that the office will enhance the partnership between state and local government and live up to its comforting, energy-inducing moniker. No pressure though, just full frothy steam ahead.

IN THE HOPPER

(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 261 *An Act Regarding the Authority of Municipalities to Regulate Timber Harvesting* (Sponsored by Rep. Bunker of Farmington)

This bill provides that municipal ordinances regulating timber harvesting activities are subject to review by the Bureau of Forestry and can only be implemented: (1) after the bureau has certified that the ordinance has been adopted in accordance with related state statutes; (2) a copy of the ordinance has been filed with the bureau; and (3) if the ordinance is consistent with a comprehensive plan adopted by the local legislative body. The bill also requires the clerk from a municipality that has a timber harvesting ordinance in place as of January 1, 2026, to provide copies to the bureau by April 30, 2026 and within 30 days for ordinances adopted after January 1, 2026. The bill also contains a reach back provision requiring ordinances adopted between September 1, 1990, and January 1, 2026, to meet the proposed requirements by June 30, 2029.

Criminal Justice & Public Safety

LD 96 *An Act to Amend the Motor Vehicles and Traffic Law Governing Mandatory Driver's License Suspension for Refusing Testing for Drugs or a Combination of Drugs and Alcohol* (Sponsored by Rep. Bunker of Farmington)

Under current law, a person is required to submit to a blood or urine test selected by a drug recognition expert if that drug recognition expert has probable cause to believe that the person is under the influence of a specific category of drug, a combination of specific categories of drugs or a combination of alcohol and one or more specific categories of drugs. The bill changes this provision by broadening the probable cause to include impairment caused by "a drug" or "drugs" generally, replacing "drug recognition expert" with "law enforcement officer" and modifying the requirements pertaining to the type of test or tests required under the provision. The bill also adds a provision clarifying

that the Secretary of State is required to immediately suspend the driver's license of a person who fails to submit to and complete a test under the provision of law governing drug impairment assessments in accordance with existing procedures.

LD 245 *An Act to Implement the Recommendations of the Blue Ribbon Commission to Study Emergency Medical Services in the State* (Emergency) (Sponsored by Sen. Talbot Ross of Cumberland Cty.)

This emergency bill implements recommendations of the Blue Ribbon Commission to Study Emergency Medical Services by creating and directing the 26-member Maine Emergency Services Commission to monitor and evaluate Maine's EMS system and provide recommendations on necessary changes to the system. The members of the commission include a variety of full-time and volunteer EMS providers, licensed EMS operators, and members representing statewide associations of municipalities and fire chiefs. The bill also authorizes municipal officers to adopt plans stipulating the method by which transporting EMS will be delivered within the municipality and to submit a copy of the plan to the Maine EMS Commission and authorizes an emergency medical services provider to render emergency medical services within a hospital or health care facility where the provider is a contractor of the hospital or facility. Finally, the bill directs Maine EMS to: (1) conduct a funding needs analysis of communities seeking to engage in regional collaboration or the adoption of a regional model in the delivery of emergency medical services; (2) by December 3, 2025, submit to the Joint Standing Committee on Criminal Justice and Public Safety a report, including proposed draft legislation, for the reorganization of the Emergency Medical Services' Board; and (3) no later than July 1, 2026, develop and implement a public information campaign designed to enhance the public's understanding and appreciation of the delivery of emergency medical services.

Environment & Natural Resources

LD 222 *An Act to Establish a Take-back and Disposal Program for Firefighting and Fire-suppressing Foam to Which Perfluoroalkyl and Polyfluoroalkyl Substances Have Been Added* (Sponsored by Rep. Ankeles of Brunswick)

This bill directs the Department of Environmental Protection, in consultation with the Office of the State Marshal, to design and implement by July 1, 2027, a take-back and disposal program for firefighting and fire-suppressing foam to which PFAS have been

HEARING SCHEDULE (cont'd)

For the week of February 10, 2025

Labor

Room 202, Cross Building, 10:00 a.m.
Tel: 287-1331

LD 111 - *An Act to Increase the State's Share of Retired Teacher Health Insurance*

LD 187 - *An Act to Prohibit Labor Organizations from Imposing Mandatory Service Fees on Nonmembers*

State & Local Government

Room 214, Cross Building, 10:00 a.m.
Tel: 287-1330

LD 236 - *An Act to Provide Legislative Oversight of the Rule-making Petition Process*

LD 247 - *An Act Regarding Recommendations for Changing Place Names in the State*

Veterans & Legal Affairs

Room 437, State House, 11:00 a.m.
Tel: 287-1310

LD 177 - *An Act to Create Municipal Cannabis Revenue Sharing*

LD 347 - *An Act to Provide Qualifying Municipalities a Percentage of Adult Use Cannabis Sales Tax and Excise Tax Revenue*

THURSDAY, FEBRUARY 13

Appropriations & Financial Affairs
Room 228, State House, 10:00 a.m.
Tel: 287-1635

Governor's biennial budget, with the Joint Standing Committee on Health & Human Services

Energy, Utilities & Technology

Room 211, Cross Building, 9:00 a.m.
Tel: 287-4143

LD 293 - *An Act to Eliminate the Debt Limit of the Boothbay Region Water District*

Judiciary

Room 438, State House, 9:30 a.m.
Tel: 287-1327

LD 132 - *Resolve, to Establish the Commission to Study the Constitution of Maine*

1:00 p.m.

LD 251 - *An Act to Protect the Confidentiality of Information of Individual Customers of a Public Utility*

FRIDAY, FEBRUARY 14

Appropriations & Financial Affairs
Room 228, State House, 10:00 a.m.
Tel: 287-1635

Governor's biennial budget, with the Joint Standing Committee on Health & Human Services

IN THE HOPPER (cont'd)

intentionally added. The department is also authorized to contract with a third-party to implement and administer the program and may adopt rules regulating the take-back program.

Inland Fisheries & Wildlife

LD 173 *An Act to Exempt Certain Watercraft from Registration Requirements* (Sponsored by Rep. Wood of Greene)

This bill exempts canoes, kayaks and rowboats that are equipped with motors having a manufacturer's horsepower rating of less than 100 horsepower from boat registration requirements.

Judiciary

LD 132 *Resolve, to Establish the Commission to Study the Constitution of Maine* (Sponsored by Sen. Hickman of Kennebec Cty.)

This resolve establishes a 12-member Commission to Study the Constitution of Maine, which consists of eight legislators, the Secretary of State, a constitutional law scholar, and representatives of a federally recognized Indian tribe and a national civil liberties organization. The commission is tasked with reviewing the constitution and developing recommendations to: (1) strengthen Maine's Declaration of Rights, Article I of the Constitution of Maine; (2) remove procedural minutiae from the constitution that are better left to statute; (3) enable the popular election of constitutional officers; (4) establish four-year terms for Senators; (5) reduce the number of members of the Legislature;

(6) establish a unicameral Legislature; (7) allow constitutional amendments to be initiated directly by the people; and (8) examine any constitutional resolutions introduced in the 132nd Legislature. No later than November 4, 2026, the commission is required to submit its report and recommendations, including suggested amendments to the constitution, for presentation to the Joint Standing Committee on Judiciary, which is authorized to submit legislation in 2027.

LD 353 *Resolve, to Establish the Commission to Recommend Methods for Preventing Deed Fraud in the State* (Emergency) (Sponsored by Sen. Ingwersen of York Cty.)

This emergency resolve establishes and directs the 13-member Commission to Recommend Methods for Preventing Deed Fraud in the State to make recommendations for enhancing public awareness, improving identity verification requirements for real estate transactions, and strengthening civil and criminal remedies. By December 3, 2025, the commission is required to report to the Joint Standing Committee on Judiciary, which is authorized to submit legislation in 2026.

Labor

LD 406 *An Act to Repeal the Laws Providing for Paid Family and Medical Leave and to Reimburse Taxpayers* (Emergency) (Sponsored by Rep. Morris of Turner)

Retroactive to October 25, 2023, this emergency bill repeals the Paid Family and Medical Leave Act; directs the Department of Labor to

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To Excise or Not...cont'd

there is an issue with equity in personal property assessment across the state. MRS notified approximately 50 communities out of 486 in 2023 that they were in violation of the personal property tax provision, as their Municipal Valuation Returns reported zero dollars in related tax revenues. While this topic is good fodder for a future Legislative Bulletin article, it is safe to say that shifting an additional administrative burden on communities that are already stretched thin, would be significant.

Processing additional personal property declarations, from the initial mailing to the tax assessment, could require additional staff and the costs associated with those employees. In a community of 9,646 residents, the cost of this additional mailing alone would be \$7,100 annually. In the state's largest city, the cost could equal \$51,000.

The motor vehicle excise tax is calculated according to rates that depreciate over a six-year period. The rate, ranging from 24 to four mils, is applied to the vehicle's Manufacturer Suggested Retail Price and collected at the time of registration. Camper trailers are included in the same statute that guides the taxation of mobile homes (when they are mobile). When a mobile home becomes a permanent residence, it is taxed as real estate. Camper trailers, for the most part, do not become permanent, and are therefore subject to excise tax instead of real or personal property tax.

This process, while perhaps not equitable when compared across modes of transportation, is understood by registrants, and predictable, and easy by all, including the staff who must calculate it.

Additionally, since the personal property tax is tied to a community's mil rate,

camper owners may see an increase or decrease in the tax should the assessment practice shift.

Secretary Bellows submitted testimony "neither for nor against" the bill. Bureau of Motor Vehicles' (BMV) staff reported that over 14,000 camper trailers are currently registered in Maine with municipal agents collecting over \$3.2 million in excise tax revenue, a potentially significant municipal funding gap should LD 15 pass. BMV would bear additional costs to upgrade their registration systems and it is likely municipalities would also have to pay for upgrades to the computer software used for motor vehicle registrations.

Committee members asked many questions, volleyed several possible solutions, and requested information from both MRS and BMV for discussion during the yet to be scheduled work session.

IN THE HOPPER (cont'd)

refund employers for contributions made to the fund; and requires employers to return to employees related payroll deductions.

State & Local Government

LD 50 *An Act to Provide the Right of First Refusal to Towns in Which the University of Maine System and Similar Quasi-independent State Entities Are Selling Property* (Sponsored by Rep. Dodge of Belfast)

This bill provides municipalities with a first right of refusal to purchase the real property owned by a quasi-independent state entity and located in the community at the current market value as determined by an independent appraiser. The right established in the bill expires if the municipality fails to either: (1) provide notice invoking the right within 90 days of receiving written notice of the opportunity; or (2) complete the purchase of the property within three months of invoking the authority.

LD 53 *An Act to Establish the November General Election Day as a State Holiday* (Sponsored by Rep. Poirier of Skowhegan)

This bill designates the day of the November general election occurring in an even numbered year as a state holiday.

LD 247 *An Act Regarding Recommendations for Changing Place Names in the State* (Sponsored by Sen. Talbot Ross of Cumberland Cty.)

This bill establishes the Maine Board on Place Names as an advisory board directed to establish policies and procedures for naming and renaming places and of municipal note, requires municipal officers and county commissioners to notify and work with the board if a place name in a municipality or unorganized territory is found by the Maine Human Rights Commission to be offensive.

Taxation

LD 326 *An Act to Increase the Property Tax Exemption Provided to Individuals Who Are Legally Blind* (Sponsored by Rep. Bridge of Augusta)

Beginning on April 1, 2026, this bill increases from \$4,000 to \$10,000 the residential real estate property exemption for residents who are legally blind.

Veterans & Legal Affairs

LD 38 *An Act Requiring Photographic Identification for Voting* (Sponsored by Sen. Timberlake of Androscoggin Cty.)

This bill requires voters to present photographic identification when voting in person, which includes a Maine issued valid driver's license or nondriver identification card, a U.S. passport, a military identification, or a permit to carry a concealed handgun issued under Title 25, chapter 252 if that permit includes a photograph. An identification issued by a college or university does not qualify as eligible identification. The bill also directs the Secretary of State to provide voters with a special photograph identification card, which must be issued free of charge, and can be used to participate in an election.

LD 177 *An Act to Create Municipal Cannabis Revenue Sharing* (Sponsored by Rep. Adams of Lebanon)

This bill directs the state to equally distribute 10% of the funds transferred to the Adult Use Cannabis Public Health & Safety and Municipal Opt-in Fund to municipalities that permit the operation of some or all adult use cannabis establishments.

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Fairness—It's the Name of the Game.

The Veterans & Legal Affairs Committee met on Monday, February 3 to conduct public hearings on several bills. The first of municipal interest was LD 158, *An Act to Direct the Secretary of State to Establish a Date Each Year for Voting by Absentee Ballot*, sponsored by Rep. Wayne Perry (Arundel), who believes that voters across the state should be able to start absentee voting on the same day. This well-intended proposal seeks to have the Secretary of State's (SOS) Office annually set a date by which all municipalities would be required to start issuing absentee ballots.

Current law requires municipalities to start issuing absentee ballots once the materials are received in the municipality, a process that has been used for decades with no issues. According to previous testimony by the SOS on a different bill, there is only one printer used to produce all the ballots needed in Maine. These are distributed on a rolling basis to accommodate for the enormity of the workload. In a real-world application, this means that some municipalities receive their ballots before others.

Even though current practice has not been questioned, the current political landscape has created increased scrutiny of elections, bringing equity concerns for voters to the forefront. Rep. Marc Malon (Biddeford) pointed out, in the form of a question to the bill sponsor, the potential for perceived voter inequity by the passage of LD 158, given that the hours of operation for municipalities vary from community to community.

The bill received strong support from the League of Women Voters of Maine (League) who shared the sponsor's desire to set a standardized date to begin absentee voting, noting that current law does give some voters and jurisdictions an advantage by having extra days to conduct the absentee process. The League had one critique of the bill and suggested instead of setting a specific date, that the committee consider using 30 days prior to the day of the election to accomplish the goal and eliminate any extra work for the SOS office.

The Maine Town & City Clerks Association (MTCCA) provided testimony in opposition to LD 158, based in part that the printing and delivery of the ballot materials, is out of their control. They cited delays in the U.S. Postal Service, which could be inundated with mail if the ballots were distributed all at once, and that deadlines could increase the stress levels in an already labor intensive and stressful process.

The Maine Municipal Association (MMA) also shared their opposition to the measure and in support of municipal clerks who conduct elections utilizing current practices without issue.

Secretary of State Shenna Bellows testified "neither for nor against" the bill offering that the fate of this bill would ultimately be determined by a legislator's perspective and preference. Secretary Bellows claimed that if a legislator felt that municipalities would be better off managing their own workloads for issuing absentee ballots, they should reject this proposal. If a legislator feels that all voters should begin absentee voting on the same day, then they should support the measure.

While a simplistic view is rather refreshing, the end goal for elections is to accurately account for every vote, both in person and by absentee means.

In person voting is restricted to a one-day event and it could be argued that absentee voting offers all voters an exception. This exception provides opportunity for flexibility within the election process. Ultimately, if someone applies for and is granted an absentee ballot, they are essentially granted special circumstance to vote on a day other than the scheduled Election Day. Additionally, voters already have an ample amount of time to return absentee ballots. Clerks would also benefit from this flexibility to manage their workload throughout an entire election process.

Another public hearing held with municipal interest was for LD 199, *An Act to Change the Limits on Candidates' Communications with Voters at the Polls*, sponsored by Sen. James Libby (Cum-

berland County). This proposal aims to allow candidates to state their name and the office for which they are running, to those coming to cast their ballot at a polling location.

The bill sponsor discussed the embarrassment and awkwardness that candidates feel at the polls, when they are not allowed to state their name or the office they are seeking, as justification for amending existing practices. However, many voters find it equally as awkward to have to pass through the "gauntlet" of candidates standing at the polls and have shared feeling intimidated or are simply uncomfortable passing to cast their ballot.

Arguably, election day is for the voters and for their voice to be heard. This premise was supported by testimony provided by the SOS, MTCCA, MMA and the League, who all shared their opposition to LD 199. It was clear from testimony that a candidate currently has ample time to campaign for and earn an individual's vote, and their collective message was that election day should be just that, a time to cast a ballot without interference.

Work sessions for these two bills have not yet been scheduled but should provide more insight into how committee members feel about the merits of these bills and the direction they are heading.

LEGISLATIVE BULLETIN

A weekly publication of the Maine Municipal Association throughout sessions of the Maine State Legislature.

Subscriptions to the *Bulletin* are available at a rate of \$20 per calendar year. Inquiries regarding subscriptions or opinions expressed in this publication should be addressed to:

Legislative Bulletin

Maine Municipal Association
60 Community Drive, Augusta, ME 04330
207-623-8428 Website: www.memun.org

Editorial Staff: Kate Dufour, Rebecca Graham, Rebecca Lambert, Amanda Campbell and Laura Ellis of Advocacy & Communications.

Layout: Sue Bourdon, Advocacy & Communications



IN THE HOPPER (cont'd)

LD 309 *An Act to Allow a Political Party to Determine How That Party's Nominee Is Selected in a Primary Election* (Sponsored by Rep. Boyer of Poland)

This bill authorizes a political party convened at the state convention to determine and incorporate into party rules the method (e.g., ranked-choice voting or alternative way) the for conducting the party's primary election, and no later than October 1 prior to the primary, notify the Secretary of State that an alternate approach will be used in the following June to elect primary candidates.

LD 313 *An Act to Improve Voter Confidence in Electronic Ballot Counting by Requiring Ballots to Contain Unique Identifiers* (Sponsored by Rep. Foster of Dexter)

This bill requires each ballot prepared by the Secretary of State to contain a unique identifier and further provides that voting devices used in state elections must be able to record the identifier assigned to each ballot and any votes cast for any person or question listed on that ballot. The bill also prohibits the information from being recorded in way that connects a voter to the ballot. The clerk is required to post on the municipality's publicly accessible website, as soon as practicable after the election return is prepared, a list of votes cast, organized by unique identifier. The provision does not apply to paper ballots counted using other methods.

LD 347 *An Act to Provide Qualifying Municipalities a Percentage of Adult Use Cannabis Sales Tax and Excise Tax Revenue* (Sponsored by Rep. Lee of Auburn)

This bill establishes the Local Government Cannabis Revenue Fund and requires that 12% of the revenue generated from the sales and excise taxes assessed on adult use cannabis and related products be distributed to municipalities where cannabis establishments are operating.

LD 349 *An Act to Repeal the Laws That Allow Same-day Voter Registration* (Sponsored by rep. Bagshaw of Windham)

This bill repeals same-day voter registration authority and replaces it with a requirement that eligible residents register to vote by the close of business on the Thursday before an election.

LD 397 *An Act to Require a Voter to Show Photographic Identification* (Sponsored by Rep. Paul of Winterport)

This bill requires voters to present photographic identification when voting in person, and to include a copy of a photographic identification when submitting an absentee ballot, which includes a Maine issued valid driver's license or nondriver identification card, a U.S. passport, a military identification, or a permit to carry a concealed handgun issued under Title 25, chapter 252 provided the permit includes a photograph. An identification issued by a college or university does not qualify as eligible identification. Additionally, the use of an official document, such as a bank statement, as well as a student identification is repealed from the list of acceptable documents for verifying an applicant's identity. The bill also directs the Secretary of State to provide voters with a special photograph identification card, which must be issued free of charge, and can be used to participate in an election, as well as to develop the notice informing that a copy of a valid photographic identification must be submitted with an absentee ballot.