



LEGISLATIVE BULLETIN

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DHHS Budget Initiatives Ambulance Service Provider Tax

The governor's biennial budget, presented as LD 210, includes several new initiatives intended to bolster state revenues and address an increasing budget shortfall, including \$118 million in MaineCare. One of those initiatives is a proposed 6% tax on ambulance services which was part of a work session this week with the Health and Human Services (HHS) Committee.

The initiative's language, found in Part TT of the budget, describes a tax of 6%, imposed on every ambulance service provider, on the net revenue identified in a department's fiscal audit. Department of Health and Human Services (DHHS) Deputy Commissioner Mann testified that the tax revenue essentially increases the state's eligibility for federal Medicaid funds. As proposed by the department, the increased federal reimbursement would then be used to reimburse ambulance service providers, by increasing the reimbursement rate for MaineCare patient emergency transport. A classic tax and match scenario.

The initial budget documents appeared to exclude municipal departments, but confusion has since ensued regarding the definition of "municipal ambulance service." So, who exactly is included?

Municipalities in Maine host all types of emergency services departments. Full time, on-call, volunteer, quasi-municipal, inter-local, non-profit municipally affiliated and more. While all of these vary in the manner of structure and approach to service, they all have one thing in common—municipal funding.

If the proposal should consider municipal funds as "revenue" communities would be faced with a double taxation scenario. Even if only the revenue received from emergency transport were to be taxed, communities would still be faced with the increased cost of the assessment, paid for with property taxes, and no guarantee of reimbursement.

Budget documents illustrate a revenue stream from the proposed tax totaling just over \$3 million. This new revenue stream would cause a reduction of that same amount from general fund expenses, and trigger federal match funding of approximately the same amount. When coupled with the department's \$1.6 million general fund request, MaineCare reimbursement would total \$5.3 million.

However, not only is it unclear who would be subject to the tax, DHHS cannot confirm which departments would receive the increased MaineCare reimbursements. The department did confirm that not all service providers would benefit. In addition, because the department isn't working from a list of service providers that qualify for the tax or the reimbursement, it is impossible to determine how much of the \$5.3 million would go back to service

providers and how much would go towards MaineCare operations. The potential increased reimbursement coming from the growth in the federal match is part of the selling point, but not everyone who pays to play will win.

One committee member wondered, for the record, who the losers would be.

The large number of remaining questions and uncertainty surrounding the proposal were enough to spur the committee to a bipartisan and unanimous rejection of all proposed sections of the budget related to the ambulance tax.

It will now be up to the Appropriations and Financial Affairs (AFA) committee to take the next step.

General Assistance

When the HHS committee voted in January to defer the section of the governor's FY 2025 supplemental budget relating to

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Mutual Aid for Fire and Jails?

On Monday, the Criminal Justice and Public Safety Committee (CJPS) held several public hearings seeking to improve the state and local government partnership that has long suffered from inadequate mutual investment. By Wednesday, the committee held two work sessions addressing needs for investment in rural patrol and county jails, as they debated the lines of the General Fund budget that they would move in or out of their recommendations to the Appropriations Committee on Thursday. Meanwhile, the Housing and Economic Development Committee (HED) held public hearings on a proposal to prevent fire safety decisions locally in the name of developer cost savings.

Red Lights

Two bills with public hearings held on Monday in CJPS were focused on fire service and EMS in general. The first bill, LD 679, *An Act to Increase the Funding to the Live Fire Service Training Facilities Fund*, sponsored by Sen. Curry (Waldo County), addressed the need for continued state investment in training firefighters safely and in environmentally protected facilities used by all services but largely supported only by the property taxpayers in the communities that contain the training facilities. The goal of the bill would be to provide \$1 million in funding to repair or replace aging facilities and eventually make sure there was a training facility no less than an hour away to prevent volunteers from needing to drive four hours to obtain the training. The funding would be provided to the Maine Fire Service Institute through the Maine Community College System

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ABCD...ENR?

Sometimes the scientific terms, and the corresponding acronyms used in the Environment and Natural Resources (ENR) Committee sound and feel like alphabet soup.

Public hearings and work sessions over the last two weeks have proven this point as the ENR hearing room was full of talk about per- and polyfluoroalkyl substances (PFAS) and aqueous film forming foam (AFFF).

In January 2020, the Maine PFAS Task Force, established by executive order in March 2019, released a final report which included recommendations from the Class B AFFF Working Group. Included in those recommendations was the establishment of a state level funding mechanism to execute a take-back and/or replacement program for AFFF. As part of the working group's activities, an inventory of AFFF across the state was attempted but was met with a poor response from both public and private entities.

After the August 19, 2024 AFFF spill at the former Brunswick Naval Air Station, Rep. Ankeles (Brunswick) brought forward a trio of bills intended to identify the statewide stock of AFFF, create a take-back and disposal program, and prohibit the continued use of the foam at the base. The Brunswick property is now owned and managed by the Midcoast Regional Redevelopment Authority (MRRRA) and operates as a quasi-state entity.

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*, directs the Department of Environmental Protection (DEP), in cooperation with the State Fire Marshal's (SFM) office, to implement a take-back and disposal plan for AFFF.

LD 400, *Resolve, Directing the Department of Public Safety, Office of the State Fire Marshal to Compile a Statewide Inventory of Aqueous Film-forming Foam Concentrate*, proposes the creation of an inventory of existing AFFF held by both public and private entities.

Testimony from supporters of these two bills ranged from Brunswick residents impacted by the foam spill, environmental advocates, and medical professionals to volunteer and full-time firefighters.

The SFM and the Maine Fire Chiefs' As-

sociation (MFCA) both testified, initially, in opposition to LD 222, stating that until an accurate inventory of foam is in place, implementation of a take-back program would be premature. In addition, the fire marshal stated his reluctance to support an initiative without knowing the potential fiscal note, or if the office would have the capacity to implement the proposed program. However, both the SFM and MFCA fully supported LD 400 and agreed that with an inventory in place, the next logical step would be the proposed take-back program.

DEP Commissioner Lozrim estimated the cost of a take-back program at \$5 million, based on a \$100/gallon cost to dispose of the estimated 50,000 remaining gallons of AFFF statewide. An inclusion of these costs in the biennial budget was considered but didn't make the cut. Implementation of the inventory process was estimated, in a preliminary fiscal impact statement, to require an additional limited-period position in the Department of Public Safety (DPS), at a cost of \$85,732 in FY 2026 and \$86,378 in FY 2027.

During the work session for these two bills, SFM Esler confirmed to the committee his dedication to both the inventory and take-back program if the timing was adjusted and offered that his office could begin on the public entity portion of the

AFFF inventory almost immediately. The additional limited-period position would take on the private entity portion of the inventory process and other duties relevant to the project.

Despite the poor response from both public fire departments and private entities to the previous inventory attempt, the SFM was confident that through requests and directives from his office, at least 90% compliance could be achieved.

The sponsor, in conjunction with the committee analyst, proposed technical amendments to LD 400, specifying language that would require the SFM office to post the inventory on a publicly accessible website, adjusting the dates in the bill timeline, and designating authority to the ENR committee to report out legislation after receipt of the inventory report due on January 1, 2028.

LD 222 passed as "ought to pass" and LD 400 passed as "ought to pass as amended," both with bipartisan, unanimous support.

It's up to the departments now as they hold all the ingredients required for this alphabet soup recipe. So, make your list because the SFM from the DPS will be asking about your AFFF with PFAS to create a report for DEP and the ENR committee.

It's sure to be "M'm! M'm! Good!"

DHHS Budget Initiatives...cont'd

General Assistance to the biennial budget, the department indicated that such a move was acceptable and confirmed, in fact, that the initiative could have been included in either the supplement or biennial budget document.

The language in Part S of LD 209 limits GA housing assistance to three months within a 12-month period, except for temporary housing or emergency shelters. In addition, it expands the limitation on exceeding the maximum levels of assistance to 30 days within a 12-month period for all types of assistance.

Public hearings for both the supplemental and biennial budget brought testimony in opposition to the measure, citing housing instability and increased homelessness as consequences of the change. MMA's testimony pointed out that the initiative would simply shift the burden of responsibility from the GA program to hospitals, home-

less shelters and law enforcement agencies, rather than realizing the perceived cost savings.

During the biennial budget work session, a motion was made to move the initiative out of the budget. That's when things got interesting. The analysts explained that since there was no official mechanism to move the item into the biennial budget, there was no way to move it out either. The motion, although seconded, failed for lack of an initiative to move. Conversely, a motion to add the language as a committee initiative also failed because there were not enough votes.

The committee report back to AFA is due next Wednesday and will include a summary of the discussion indicating that the minority members wish for the original Part S language to be included in the budget and that the majority members do not.

The AFA work session for these portions of the HHS budget has not been scheduled.

HEARING SCHEDULE

For the week of March 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, MARCH 10

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

LD 639 – *An Act to Improve Training Opportunities for Law Enforcement Officers*

LD 723 – *An Act Requiring the Maine Criminal Justice Academy to Develop a Nonresidential Basic Law Enforcement Training Program*

1:00 p.m.

LD 726 – *An Act to Protect Municipalities' Investment in Law Enforcement Officers*

LD 298 – *An Act to Employ Mental Health Personnel Within the Maine State Police*

Health & Human Services
Room 209, Cross Building, 1:00 p.m.
Tel: 287-1317

LD 215 – *An Act to Establish a Program to Assist Residents of Large Recovery Residences*

Judiciary
Room 438, State House, 1:00 p.m.
Tel: 287-1327

LD 739 – *An Act to Reimburse the City of Ellsworth for an Access Road to a New Court Facility in Hancock County*

LD 847 – *An Act to Prohibit Housing Discrimination*

State & Local Government
Room 214, Cross Building, 1:00 p.m.
Tel: 287-1330

LD 551 – *An Act to Restore Balanced Emergency Powers*

Veterans & Legal Affairs
Room 437, State House, 9:30 a.m.
Tel: 287-1310

LD 266 – *An Act to Require the Updating of Voter Registration Signatures*

LD 811 – *An Act to Require a Municipal Public Hearing and Vote Before a Sports Wagering Facility May Be Established*

TUESDAY, MARCH 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*

Education & Cultural Affairs
Room 208, Cross Building, 1:00 p.m.
Tel: 287-3125

LD 470 – *An Act to Require School Administrative Units to Adopt Mentoring Programs for Teachers and to Improve Existing Programs*

LD 734 – *An Act to Promote Voter Registration for Students in Maine's High Schools*

Energy, Utilities & Technology
Room 211, Cross Building, 1:00 p.m.
Tel: 287-4143

LD 596 – *Resolve, to Provide Legislative Approval of Northern Maine Transmission Infrastructure*

LD 810 – *An Act Regarding the Approval of Transmission Lines*

Health Coverage, Insurance & Financial Services
Room 220, Cross Building, 1:00 p.m.
Tel: 287-1314

LD 742 – *An Act to Permit Telehealth Services Across State Lines Following Referral from a Primary Care Provider Based in the State*

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

LD 128 – *An Act to Support Permitting of Certain Multifamily Housing Developments Under the Site Location of Development Laws*

LD 255 – *An Act to Support Mobile Home Residents in Purchasing Their Mobile Home Parks*

LD 603 – *An Act to Ensure That the Exemption of Certain Agricultural Buildings from the Maine Uniform Building and Energy Code Includes Maple Sugarhouses*

LD 733 – *An Act to Make Changes to the Law Based on a Pilot Project Conducted by the Maine State Housing Authority Regarding Efforts to Improve Access to Credit for Low-income Renters*

LD 741 – *An Act to Increase Preparedness for Solar Power Adoption in Maine*

Transportation
Room 126, State House, 2:00 p.m.
Tel: 287-4148

LD 274 – *An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2026 and June 30, 2027*

WEDNESDAY, MARCH 12

Education & Cultural Affairs
Room 208, Cross Building, 10:00 a.m.
Tel: 287-3125

LD 512 – *An Act to Provide Educational Opportunities for Students in Secondary Schools with 200 or Fewer Students*

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

LD 226 – *An Act to Protect the Cultural Resources and Historical Heritage of Sears Island in Searsport by Extending Conservation Easement Protections*

LD 735 – *An Act to Protect Sand Dunes on Sears Island and to Establish Criteria for Legislation Regarding Land Development*

Health & Human Services
Room 209, Cross Building, 10:00 a.m.
Tel: 287-1317

LD 99 – *An Act to Clarify Information Sharing Between the Department of Health and Human Services and Schools with Respect to Investigations of Child Abuse or Neglect*

Judiciary
Room 438, State House, 1:00 p.m.
Tel: 287-1327

LD 812 – *An Act to Provide State Recognition of the Kineo St. John Tribe*

LD 813 – *An Act Regarding State Recognition of Native American Tribes*

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and administered through the Maine Fire Protection Services Commission.

Another bill sponsored by Sen. Curry, LD 583, *An Act to Support Informed Community Self-determination in Emergency Medical Services Planning*, also received a public hearing. LD 583 seeks to provide continued funding for the community grant program that provides the subject matter expert facilitation necessary to guide community discussions and informed decision making around existing EMS realities, and how to collaborate and continue service provision in a multi-municipal area. The original program, which received wide support from municipalities, was passed in 2022 with funding. However, the MaineEMS rulemaking process needed to implement the grant program took two years to complete, and as a result the funds only became available last month.

The testimony submitted on both bills was unanimous in support with the only “neither for nor against” testimony submitted by the Maine Fire Marshal’s Office on LD 679, because department staff cannot advocate for items not already in the governor’s budget. However, this testimony highlighted the lack of a central fire training academy, and a 2018 gap analysis study that emphasized the need for 11 smaller more geographically diverse facilities not only providing much more cost effective facilities, but also improving safe training access in rural regions keeping the facilities within an hour’s drive for most departments.

In the alternate universe of interconnected reality, on Thursday the HED Committee held a public hearing on LD 659, *An Act to Reduce Housing Costs by Not Requiring Fire Sprinkler Systems for Single-family Homes and Duplexes*, sponsored by Rep. Crafts (Newcastle). The bill proposes to prevent any municipality from requiring the installation of sprinkler systems in single family and duplex homes, a National Fire Protection Association (NFPA) code requirement not yet adopted by rule into the Maine Uniform Building and Energy Code but used in roughly 20 densely populated developed communities.

Developers, Build Maine and housing advocates testified in support of the bill saying the costly (read reduction in profit margins) installations do little to protect life that can’t be achieved with a smoke detector, with one advocate offering private property rights as a form of social Darwinism as many home occupants fail to change their smoke detector

batteries and are also unlikely to maintain the systems. None of the proponents spoke about the impact of a fully engulfed house fire on the adjacent property owners’ rights with most of the testimony focused on the cost of building in the six most popular communities that have adopted NFPA standards.

MMA and several fire chiefs testified in opposition to the bill not only due to concerns with the preemption of local control, but also on the effectiveness of the life saving impact sprinkler systems provide to occupants and the fire responders themselves. Sprinkler systems activate long before a fire truck can respond to a structure fire allowing occupants to exit safely but also preventing the fire from spreading to adjacent rooms, units or buildings. As the fire chiefs pointed out, the cost of a sprinkler system pales in comparison to the cost of a responder who must encounter a fire death or endure long term injuries resulting from the burning furnishings inside a building, which can cost communities hundreds of thousands of dollars. The Fire Marshal’s Office also testified in opposition, but Fire Marshal Esler was unable to attend the hearing because of a fatal fire in one of the targeted communities that occurred late the night before, in an unsprinkled building that also entrapped a firefighter during the battle.

A work session on the bill has not yet been scheduled but you can bet it will be just as hot if proponents continue to weigh profits against the life costs of sensible safety.

Jail Budget Lockdowns

The CJPS committee’s next public hearing was a little more vibrant and a lot less amicable. LD 719, *An Act to Amend the Share of State Funding for the County Jail Operations Fund*, sponsored by Rep. Salisbury (Westbrook), forms the Maine County Commissioners Association platform initiative seeking to limit the impact of the uncontrollable cost to operate county jails passed on to the property tax through the municipal assessment. As drafted, the bill would require the County Jail Operations Fund, in the Department of Corrections, to annually provide 35% of the total cost of operations for county and regional jails as necessary to meet the operating standards established in rule and law.

In 2021, the Legislature placed \$20 million in statute as the minimum amount for the funding to county jails, covering the cost of mandated medically assisted treatment (MAT) and mental and behavioral health

services along with an existing number of programming requirements. At the same time, the County Corrections Professional Standards Council was established with representation from county commissioners, administrators, and sheriffs as well as municipal government with a goal of establishing the annual budget recommendation for the County Jail Operations Fund in conjunction with the Commissioner of the Department of Corrections. The goal was to have the county funding request included in the department’s biennial or supplemental budget request, and not as a standalone bill from sheriffs seeking adequate revenue to fund jail operations, to then be battled before by the committee, and again on the Appropriations Table.

In the immortal words of the Baird, Robbie Burns, “The best-laid schemes of mice and men, go oft awry, and leave us nothing...”

From 2022 until 2024, county jails received no increase in the statutory amount included in the budget despite submission by the corrections council to the DOC asking for the inflation impacts amounting to a 7% increase. In the FY 2024/FY 2025 biennial budget the Department of Corrections received a 10.7% increase to its budget and in the recently released FY 2026/FY 2027 report the department has received automatic increases of 6.6% and 1.6%, respectively. That represents a 19% increase in the department’s budget, while the portion assigned to fund county jails has remained static. State facilities and county jails face the same inflationary drivers, including labor, energy, insurance, food and medical costs.

After pointing out in 2023 that MAT was enacted as a mandate along with the other health requirements following a meeting with the Department of Administration and Financial Affairs (DAFS), an additional \$3.9 million was included to provide MAT funding exclusively in the 2024 supplemental budget. The request submitted by the council to both the DOC and DAFS was to increase the state’s contributions to county jail operations from \$21.1 million to \$34.8 million in FY 2026 and \$35.6 million in FY 2027.

The trend of annually appropriating roughly 20% in state revenue to fund county jails has functionally shrunk to 15% with the rest of the cost passed to the property taxpayers. Meanwhile, the cost of housing individuals awaiting trial in a backlogged state controlled judicial system has exploded with no local control for the drivers. County jails are also serving as the de facto mental

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HEARING SCHEDULE (cont'd)

For the week of March 10, 2025

Taxation

Room 127, State House, 10:00 a.m.
Tel: 287-1552

LD 744 – An Act to Remove Certain Wharves and Piers from the Laws Governing the Current Use Valuation of Working Waterfront Land

LD 745 – An Act to Allow a Municipality to Sell Tax-acquired Property in Any Manner Authorized by the Municipality's Legislative Body

LD 819 – An Act Concerning the Status of Battery Storage Systems with Regard to the Business Equipment Tax Exemption

1:00 p.m.

LD 632 – An Act to Allow a Local Option Sales Tax on Short-term Lodging to Fund Affordable Housing

LD 746 – An Act to Authorize a Local Option Sales Tax on Short-term Lodging to Fund Municipalities and Affordable Housing

2:00 p.m.

LD 225 – An Act to Reduce Property Taxes and Finance Public School Construction and Education Through a 3 Percent Sales Tax on Hotel and Lodging Place Rentals

THURSDAY, MARCH 13

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

LD 528 – An Act to Address the Rise in Rabies in Animals by Appointing Certified Rabies Vaccine Administrators

LD 593 – An Act to Extend Funding for the Land for Maine's Future Program

LD 758 – Resolve, to Update Flood Mapping in the Sandy River Watershed to Federal Emergency Management Agency Standards

Education & Cultural Affairs
Room 208, Cross Building, 10:00 a.m.
Tel: 287-3125

LD 168 – An Act to Improve Safety in Public Schools by Requiring Silent Electronic Notification Systems in Classrooms

LD 808 – An Act to Require School Boards and Governing Bodies of Approved Private

Schools to Implement Wearable Panic Alert Systems

1:00 p.m.

LD 817 – An Act to Remove Restrictions That Prohibit School Administrative Units from Making Purchases Through Cooperatives

Energy, Utilities & Technology
Room 211, Cross Building, 1:00 p.m.
Tel: 287-4143

LD 601 – An Act to Remove State-imposed Referendum Requirements Regarding Nuclear Power

Health & Human Services
Room 209, Cross Building, 1:00 p.m.
Tel: 287-1317

LD 110 – An Act to Require Reporting on the Expenditure of Opioid Settlement Funds by Certain Municipalities and County Governments

LD 591 – Resolve, Establishing the Commission to Study MaineCare Estate Recovery

Health Coverage, Insurance & Financial Services
Room 220, Cross Building, 1:00 p.m.
Tel: 287-1314

LD 697 – An Act to Direct the Maine Prescription Drug Affordability Board to Assess Strategies to Reduce Prescription Drug costs and to Take Steps to Implement Reference-based Pricing

LD 784 – An Act to Require Health Insurance Coverage for Specialized Risk Screening for First Responders

Taxation
Room 127, State House, 10:00 a.m.
Tel: 287-1552

LD 856 – An Act to Phase Out the Income Tax

LD 888 – An Act to Expand Property Tax Relief for Veterans and Survivors of Veterans

LD 892 – An Act to Expand Property Tax Relief for Veterans and Their Surviving Spouses, Minor Children and Parents

LD 909 – An Act to Expand Property Tax Relief for Veterans and Their Survivors

Transportation

Room 126, State House, 1:00 p.m.
Tel: 287-4148

LD 569 – Resolve, to Rename the Shapleigh Bridge the Shapleigh Veterans Memorial Bridge

LD 610 – Resolve, to Designate a Portion of Route 234 in the Town of New Vineyard and the Town of Anson in Honor of Corporal Andrew L. Hutchins

LD 617 – Resolve, to Rename a Bridge in the Town of Waterboro the Waterboro Veterans Memorial Bridge

LD 621 – Resolve, to Rename a Bridge in Mattawamkeag the Mattawamkeag Veterans Memorial Bridge

LD 672 – Resolve, to Rename the Salmon Falls Bridge Between Buxton and Hollis the Salmon Falls Veterans Memorial Bridge

LD 685 – Resolve, to Rename the Mill Pond Bridge the Sebago Veterans Memorial Bridge

LD 686 – Resolve, to Rename the Kezar Falls Bridge Between Porter and Parsonsfield the Kezar Falls Veterans Memorial Bridge

LD 796 – Resolve, to Rename a Bridge in Windham and Gorham the Little Falls Veterans Memorial Bridge

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Transparency Happens Behind Closed Doors?

Funding for public education has recently been questioned for its adequacy, which sparked the Education & Cultural Affairs Committee to direct the Maine Education Policy Research Institute (MEPRI) to study the Essential Programs and Services (EPS) funding formula that is used to calculate public education funding in Maine.

On February 24, the Department of Education (DOE) provided an in-depth presentation to the committee on how the EPS formula is calculated, while MEPRI provided an update on the EPS study, whose report is due in March 2025. The results of the study will be featured in a future edition of MMA's Maine Town & City magazine.

The formula is as complicated to understand as it is to explain, yet during this meeting, DOE representatives broke the information down in a digestible way, offering both committee members and the public an intricate view of its processes. A recording of the entire DOE and MEPRI presentations can be found on the legislature's website: <https://legislature.maine.gov/committee/#Committees/EDU>, just be sure to navigate to the date of February 24.

Only a couple days later, on February 26, the committee conducted a full day of public hearings and work sessions for proposed bills impacting education-related policy, including a few bills of municipal interest. The first of note was LD 34, *An Act to Increase the Minimum Salary for Teachers*, sponsored by Sen. Pierce (Cumberland County), which aims to incrementally increase the minimum teacher salary to \$52,500, beginning in the 2026-2027 school year, with limited supplemental funding from the state.

Teachers are an important asset to a community and help shape the minds and lives of the future leaders in our society. They deserve fair and adequate compensation, plain and simple. This was evidenced by several supporters of the bill, many of whom were teachers, who shared emotional testimony on the struggles to make ends meet by those earning meager salaries.

Jeremy Ray, Biddeford Superintendent of Schools, testified that in his experience over the past five or six years, teacher recruitment and retention has been at its worst, noting that struggles are not only related to salaries but that housing issues are also playing into the crisis.

An interesting point shared during the public hearing is that creative solutions that include housing support could be considered as possibilities.

MMA and the Maine School Boards Association were both opposed to LD 34 on the basis that teacher compensation is a local decision and should not be dictated at the state level. School boards and local officials across the state are hearing loud and clear that property taxpayers simply cannot continue to bear the brunt of the increasing costs and are concerned that mandating teacher salaries at the state level will adversely affect smaller more rural communities without the resources to absorb the added costs.

Moving along, MMA testified in support of a bill similar to one on the association's 2025-2026 legislative platform, LD 71, *An Act Regarding Special Education Funding*, sponsored by Rep. Mathieson (Kittery). This bill would require the state to fund 55% of a school administrative unit's special education cost under the EPS funding formula. The bill sponsor explained that towns such as Lubec, Eastport, and Kittery are minimum receivers for education funding, meaning that while the community is rich in valuation, the median income doesn't match and enrollments are low. As a result, these communities do not benefit from state funding as much as other districts.

State support for special education funding has ranged from 30% to 80% and LD 71 would set a stable rate by which to fund special education. In his testimony, John Kosinski, Maine Education Association, reminded committee members that voters passed an initiative that would require the state to pay 100% of special education costs. However, only 84% was funded at that time and during the LePage administration, funding fell to 30%. He also cautioned the committee from immediate implementation of the proposal since schools are currently mid-budget, and having the bill take effect for the 2025-2026 school year does not make sense.

Skipping ahead to March 5, the committee members gathered yet again for work sessions on a myriad of bills. The first of municipal interest was LD 71, mentioned previously in this article. The analyst pointed out the issue with the implementation date and noted that a report from MEPRI regarding the study of the EPS funding formula was forthcoming, which may influence the committee's decision making.

Committee members questioned how this bill would affect minimum receivers, whether the increase was funded by the state, and if transportation was included for out-of-district special education placements.

In light of the implementation date issue, Sen. Libby (Cumberland County) moved that when the committee votes on the bill that the change to the implementation date be included, which was seconded, with other committee members concurring.

Rep. Sargent (York) explained that this bill is intended for all districts in Maine but would specifically help minimum receiver districts. This is because the special education part of a minimum receiver's budget is the only place where shifting additional funding requirements onto the state would result in an increase in school district funding and further requested that the committee review the MEPRI report before making a decision.

The next bill of interest that the committee worked on was LD 181, *An Act to Modify the Calculation of Pupil Counts Used for Determination of School Administrative Unit Operating Costs*, sponsored by Rep. Tuell (East Machias). As explained by the committee analyst, this bill would amend the pupil count used to determine the operating costs of a school administrative unit (SAU), to include the greater of the average of the pupil counts for the three most recent calendar years prior to the funding year or the current funding year. Additionally, the bill corrects cross-references and cleans up outdated language that is no longer used.

The analyst clarified that LD 181 uses the average pupil count for three years but will also look at the current year pupil count and use the greater of the two for the EPS funding formula. Likewise, the bill sponsor also shared with the committee that the intent of the bill was for it to be modeled after the bill introduced in the 131st Legislature, where an agreement on language had already been worked out, but never made it over the finish line.

Chugging right along through the slate of bills before them, the committee eventually landed on the final bill of interest to municipalities, LD 34, *An Act to Increase the Minimum Salary for Teachers*, also mentioned earlier in this article. The analyst reminded committee members that the bill sponsor recommended some proposed language changes.

One such change was to strike certain provisions in the bill for the cost-of-living increases, however there was some confusion for the analyst about whether the statute applied only to support staff or included all staff and offered to conduct more research if needed. Although a fiscal note was not yet available, an estimate from submitted

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Transparency...cont'd

testimony was provided.

Not convinced by the estimate, committee members discussed the best way to determine how this change would affect each SAU in Maine. Given the complexity and specific data needs of the EPS funding formula, it would seem to be impossible to know without looking at each district individually after running their specific data through the formula.

With all work sessions completed, members of the committee took a break for lunch and partisan caucuses, promising to return in an hour. Approximately two hours later the committee reconvened and commenced taking votes on the bills that were before them that day.

Interestingly, Sen. Rafferty (York County) stated his caucus had some great discussions over the break on the bills before them and were looking forward to wrapping up the votes. However, the public was not privy to those conversations, nor were any of the specifics shared. Transparency, evidently, happens behind closed doors.

With that, the committee made quick work of their tasks by casting votes in the same order as the work sessions were held. Although more time was spent debating curative writing and whether to offer a hunter's safety course in schools, a motion was made to table LD 71, *An Act Regarding Special Education Funding*, so that the committee could have time to review the MEPRI report before deciding.

Likewise, LD 181, *An Act to Modify the Calculation of Pupil Counts Used for Determination of School Administrative Unit Operating Costs*, was quickly moved and reported out with a unanimous "ought to pass" vote. While finally, LD 34, *An Act to Increase the Minimum Salary for Teachers*, was tabled with no explanation.

Stay tuned for new work session dates on the tabled bills.

Public Safety Health & Wellness Grant - Rapid Deadline!!

An online informational session regarding the Grant Funding Application for the Public Safety Health and Wellness Grant enacted in Part T of the Supplemental Budget 2024-2025 will be held by the State Fire Marshal, Shawn Esler on March 11, 2025 at 11:00 a.m. via zoom at the following link: <https://mainestate.zoom.us/j/87256680103?pwd=qsYMpKoXo50P8B8bMqBQzrePbNO5uv.1>

Mutual Aid for Fire and Jails?...cont'd

health institution as individuals too dangerous to have their needs met by inadequately staffed state hospitals are sent to county facilities until there is available space.

The narrative requesting additional hoops, unknown needs, and unmet expectations peppered the DOC's opposition to LD 719, with the commissioner recommending additional tasks for the council to complete before accepting the annual jail operations budget requests. One of these expanded tasks is to include an "unmet" obligation for the review of individual jail expenditures and make recommendations for savings, not on the list of duties for the legislatively created council to accomplish. Even more problematic is the continually denied request for state funding to cover the administrative costs associated with conducting the council's business only partially rectified in December. The extent of those costs, currently borne by the counties, will finally see the light of day in MMA's legislative platform bill, LD 852, *An Act to Reduce the Property Tax Burden by Adequately Funding County Jail Operations*, sponsored by Rep. Ducharme (Madison).

Following the testimony for LD 719, the committee then moved into the work session

on budget recommendations addressing the County Jail Operations Fund budget line that was tabled last week awaiting this hearing.

Rep. Nutting (Oakland) pointed out that the state has the authority and ability to draw multiple less regressive revenue streams, and directly controls the pressures in county facilities, which drives the costs. He moved to increase the budget amount proposed in LD 210, to meet the original request by the council. Rep. Hasenfus (Readfield) wanted more time to sort through the bills proposing a permanent fix which includes LD 719 and MMA's platform bill (LD 852). He moved the \$4 million out of the budget and proposed increasing the FY 2026 appropriation to \$7 million and no increase for the following year, hoping one of the county corrections funding bills would address future needs. The members present were divided on the approach, and with several other members not in attendance the final approach is yet to be revealed.

A work session on LD 719 has not yet been scheduled but hopefully the State House sprinkler system has been adequately maintained when it is.

Election Day Holiday

Holidays typically generate images of family or religious celebrations, but for the State and Local Government Committee, it meant being tasked with reviewing the merits and testimony from the public hearing for LD 53, *An Act to Establish the November General Election Day as a State Holiday*, sponsored by Rep. Poirier (Skowhegan).

As you may recall from the February 14 Legislative Bulletin, a public hearing was held on February 10th with an amendment offered to LD 53 that would designate Election Day as a school holiday, instead of the originally proposed state holiday. The change was due to feedback received by the bill's sponsor regarding the financial implications the proposed holiday could have on state coffers.

At the work session, the analyst pointed out to committee members that the term polling location and voting place were used interchangeably in the draft. A voting place is defined as a building in which ballots are cast, whereas a polling location is defined as a place where voting occurs. The analyst recommended using the term polling location

in LD 53 since it seems to fit better with the intent of the bill.

Committee members seemed to favor making the change to a school holiday, and further narrowing the scope of the bill so that it only applies to those schools that are used as polling locations, much to the chagrin of the Maine School Management Association (MSMA).

However, MSMA and MMA who were both opposed to LD 53 recognized the need to keep students safe considering the increased disruption that has arisen through swatting events, which are becoming an unfortunate traumatizing trend for kids and school staff alike.

Committee members agreed, and Rep. Tuell (East Machias) put forth a motion of "ought to pass as amended" on LD 53, which includes language extending the holiday to schools used as polling locations and offering those schools the opportunity to use a remote day or professional development day in its place. The motion was voted out of committee with a divided report, with the minority report being "ought not to pass."



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.)

Taxation

LD 632 *An Act to Allow a Local Option Sales Tax on Short-term Lodging to Fund Affordable Housing* (Sponsored by Rep. Skold of Portland)

This bill authorizes municipalities to impose a 2% sales tax on taxable lodging sales for the sole purpose of funding affordable housing programs. The tax assessed is payable to the state, with 15% of the revenue transferred to the Maine State Housing Authority to fund rural housing programs and an additional 2% to cover administrative costs, before the remaining funds are remitted to the generating community monthly.

LD 744 *An Act to Remove Certain Wharves and Piers from the Laws Governing the Current Use Valuation of Working Waterfront Land* (Sponsored by Rep. Ankeles of Brunswick)

This bill amends the definition of "working waterfront land" in the laws governing the current use valuation of working waterfront land by removing from the definition wharves and piers used primarily or used predominantly by people engaged in commercial fishing activities.

LD 745 *An Act to Allow a Municipality to Sell Tax-acquired Property in Any Manner Authorized by the Municipality's Legislative Body* (Sponsored by Rep. Lemelin of Chelsea)

This bill allows a municipality to sell tax-acquired property in any manner

authorized by the municipality's legislative body after the expiration of the relevant period for commencement of a title action, provided the municipality pays the former owner any excess sale proceeds as calculated under current law.

LD 746 *An Act to Authorize a Local Option Sales Tax on Short-term Lodging to Fund Municipalities and Affordable Housing* (Sponsored by Rep. Friedmann of Bar Harbor)

This bill authorizes municipalities to impose a 2% sales tax on taxable lodging sales. The tax assessed is payable to the state, with 10% of the revenue transferred to the Maine State Housing Authority to fund rural housing programs and an additional 2% to cover administrative costs, before the remaining funds are remitted to the generating community.

LD 819 *An Act Concerning the Status of Battery Storage Systems with Regard to the Business Equipment Tax Exemption* (Sponsored by Rep. Sato of Gorham)

This bill provides that a battery storage system with a total capacity of two or more megawatts is ineligible for the business equipment tax exemption. The bill also defines a battery storage system as commercially available technology that uses chemical processes for absorbing energy and storing it for later use.

LD 888 *An Act to Expand Property Tax Relief for Veterans and Survivors of Veterans* (Sponsored by Rep. Hymes of Waldo)

For property tax years beginning on or after April 1, 2026, this bill provides that veterans are no longer required to have served during a federally recognized war period to receive the \$5,000 homestead exemption and: (1) increases to \$6,000 the exemption for veterans who are 62 years of age or older; (2) provides disabled veterans a service-connected disability rating based exemption of between \$10,000 and \$50,000; and (3) clarifies that a veteran's unremarried surviving spouse, minor child or parent remains eligible for the benefit.