

Legislative Implementation of Marijuana Initiative Gets Underway

Many unanswered questions about the initiated law

The Veterans and Legal Affairs Committee hosted a public hearing on Tuesday this week on a bill designed to provide the Legislature, in concert with the state agencies, a small amount of additional time to put into place the state's system of regulating the retail cultivation, manufacturing, testing and sale of recreational marijuana.

As adopted by the voters last November, the recreational marijuana initiative provided a 9-month period for state regulators to adopt their rules, establishing an effective adoption deadline around November 1, 2017. The bill at public hearing, LD 88, *An Act To Delay the Implementation of Certain Portions of the Marijuana Legalization Act*, would clarify the ultimate effective date of the retail components of the initiative as Feb. 1, 2018. At the public hearing, the bill was generally described as providing a 3-month extension.

Except for a few targeted amendments, LD 88 does not delay or otherwise interfere with the personal use and possession elements of the adopted initiative, although more questions are now being raised about that side of the citizens' new law than can be easily answered.

Also this week, in a parallel action, the House and Senate approved the establishment of an ad hoc, 17 member "joint select" Committee on Marijuana Legalization Implementation. This special committee is made up of legislators from six standing legislative committees: Agriculture, Conservation and Forestry; Criminal Justice and Public Safety; Health and Human Services; State and Local Government; Taxation; and Veterans and Legal Affairs. The committee is charged

with holding public hearings and work sessions on all the marijuana-related legislation referred to it and is authorized to report out its own legislation as well. Presumably, the committee's work will shape the development of the state's regulatory scheme for retail marijuana and clarify or resolve all the "personal use and possession" questions that are now being raised.

With respect to the public hearing on LD 88, the bill's sponsor, Rep. Louis Luchini of Ellsworth, presented his bill to the Committee with the following obser-

ations. The initiated bill contains several drafting errors, inadvertent loopholes or disconnected cross references with other statutes that need to be carefully reviewed and corrected. Examples include not prohibiting clearly enough the possession of recreational marijuana by juveniles and persons under the age of 21, not adequately covering the circumstance of marijuana intoxication in the workplace, not expressly prohibiting the consumption of marijuana while driving a motor vehicle, etc.

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MMA's Revenue Sharing Bill Printed

Doubts raised that restoration will reduce property tax burden

On Tuesday of this week, LD 133, *An Act to Support Lower Property Taxes by Restoring State-Municipal Revenue Sharing*, was printed. The bill, co-sponsored by Sen. Shenna Bellows of Kennebec County and Rep. John Madigan, Jr. of Rumford (as well as eight other legislators listed in an accompanying sidebar), is one of the initiatives being advanced by MMA's 70-member Legislative Policy Committee. As proposed, LD 133 seeks to restore the percentage of state sales and income tax revenue dedicated to the Local Government Fund (i.e. municipal revenue sharing) from the temporary 2% level to the historic 5% level over a three-year period, beginning in 2018. If enacted, over the next three years an additional \$30 million annually would be invested

in the program.

Although many legislators expressed interest in the initiative, not all were equally supportive. Some members of the House and Senate feel that the restoration of municipal revenue sharing will increase rather than reduce the property tax burden. These legislators believe that municipal officials will view the increase in state revenue as a windfall to be spent on already bloated local level programs and services. When pressed, they tend to suggest that their own municipality does not have a spending problem, but others do.

When taking into consideration both the Legislature's less than stellar track record with honoring funding commit-

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Rep. Luchini also noted that while the initiative places all obligations on the Department of Agriculture, Conservation and Forestry to develop the body of regulations covering the five categories of retail marijuana (cultivation facilities, manufacturing facilities, testing facilities, retail stores and retail social clubs), the nature of the task clearly requires other state agencies to be directly involved in the rule making process, including the Department of Public Safety, the Bureau of Alcoholic Beverages and Lottery Operations, Maine Revenue Services and perhaps others. Rep. Luchini expressed the belief that a modest extension to the time provided by the initiative to complete the substantial task involved, as well as resolve all the other questions being raised, is entirely warranted.

The public testimony on LD 88 fell largely into two camps. Supporters of the bill included Rep. Will Tuell (East Machias), the Maine Municipal Association, the Maine Medical Association, the Maine State Police, organizations that opposed the adoption of the Recreational Legalization Act, a company that operates four of the eight medical marijuana dispensaries in the state, and others. The supporters' testimony stressed that the marginal extension of time provided by LD 88 was appropriate given the scope of the task being undertaken by the state. Supporters also believe it is important to get the necessary legislative adjustments and regulatory systems in place before the retail light turns from red to green, rather than trying to patch up a poorly implemented system after the fact.

The opponents to LD 88, approximately equal in number, included the

organizations that wrote the initiative and pushed for its adoption. They argued that LD 88 undemocratically manipulates a law directly adopted by the people. They urged the Legislature to reject the additional "three month" moratorium, let the joint select committee do its work, and if by the end of this legislative session in June, it is determined that more time needs to be given to the regulatory agencies, a short-term extension could be enacted at that point in time.

The Veterans and Legal Affairs Committee conducted work sessions on LD 88 on Wednesday and Thursday this week, demonstrating an interest, if not a need, to report out the bill to the full Legislature as soon as possible.

The first part of the work session involved the committee's legal analyst carefully explaining the various regulatory development and adoption time frames established in the initiated law and how those time frames would be amended by LD 88. Several wrinkles surfaced in that discussion regarding the wording of the nine-month moratorium in the initiated law, and how that time frame intersects with the fact that the Legislature will ultimately need to approve all the adopted regulations in early 2018, outside of the nine-month window, as is the case with all "major substantive rules." The significant questions from committee members began to rapidly multiply, however, when the committee began to look at the few tweaks LD 88 would make to the "personal use and possession" elements of the initiated law, which will generally go into effect just 10 days from now.

Many of those questions were stimulated by a memo to the committee from Maine's Attorney General Janet Mills, which included issues that should be considered before the personal use and possession elements go into effect on Jan. 30 for example:

- *Definition of "marijuana" and allowable possession levels.* The initiative allows a person 21 years of age or older to possess and transport up to 2.5 ounces of marijuana, but the initiative goes on to define marijuana in a way to include resin extractions, cannabis concentrates and extracted oils that are exponentially more concentrated than leafy marijuana. How

does the 2.5 ounce allowance apply to the distilled versions of the marijuana plant?

- *Providing marijuana to a minor.* In contrast to current laws prohibiting the provision by adults of alcohol to minors, the Attorney General questions where in the initiated law it is established as an offense for an adult to provide marijuana to a minor under that person's control or in a place under that person's control.

- *Consumption and motor vehicle operation.* The initiated law allows for personal consumption to occur on or in "nonpublic places, including personal residences." The inside of a motor vehicle is presumably a "nonpublic place" yet the initiated law does not expressly prohibit consumption while in or operating a motor vehicle. In its current form, LD 88 would make that change.

- *What are non-public places?* The initiated law authorizes the personal consumption of recreational marijuana in "nonpublic places," but does not define the term and the term is nowhere else defined in Maine law. The Attorney General points out that even the term "public places" is defined differently in different statutes for different purposes. The line between public places and nonpublic places is very unclear.

- *What are public places?* The Attorney General also points out that current law in Maine restricting smoking in public places defines the term "public place" as any enclosed place (i.e., not open to the sky) to which the public is invited or allowed, with the addition of outdoor eating areas. The question is whether this is the "public place" definition to which the initiated law refers.

- *Landlord authority to restrict.* The initiated law allows for personal consumption in private residences, which could be interpreted as restricting any rights of a landlord to prohibit marijuana consumption within the landlord's apartments.

- *Workplace issues.* The initiated law maintains that an employer may not refuse to employ or otherwise penalize a person solely for that person's consuming marijuana outside of the employer's property. This language suggests that the employer may be limited with respect to taking action when an employee comes

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Legislative Implementation of Marijuana Initiative Gets Underway (cont'd)

to work under the influence of marijuana, provided it is consumed off site.

- *Workplace issues #2.* A member of the Veterans and Legal Affairs Committee, Sen. Michael Carpenter (Aroostook Cty.), raised a related question, which is whether voluntary marijuana intoxication precludes an employee from obtaining Workers' Compensation benefits if injured as a result of that intoxication. According to Sen. Carpenter, that is the way Workers' Compensation law works with respect to alcohol intoxication, but the initiated law does not appear to expressly follow suit.

- *A law without penalties.* In her memo to the Committee, the Attorney General points out numerous prohibitions in the initiated law that merely identify the prohibited act but provide no penalty for actually doing the prohibited act. As a general observation, the Attorney General's memo suggests the initiated law has no penalties for violations of any of its provisions. (As a side note, it was pointed out during the Committee's Wednesday work session that crimes cannot be established by mere regulation, whether "major substantive rules" or otherwise.)

At the end of the Committee's second work session on Thursday this week, a slate of amendments to LD 88 had been hammered into place and the amended version received a unanimous "ought to pass as amended" report. The various amendments addressed several but not all of the identified problems with the personal-use-and-possession components of the initiated law. Committee members made it very clear they knew much more work needed to be done to resolve all the issues identified. They felt they did the best they could do in the time provided, and are looking for the joint select committee to further improve the implementation of this initiative in the weeks and months ahead.

In addition to doing what the bill originally accomplished with respect to the time frame to implement the regulations governing retail recreational marijuana, the amendments to LD 88 adopted by the Committee include:

- Expressly establishing that juveniles and persons under the age of 21 may not possess recreational marijuana, and reinstating the penalties for such possession.
- Amending the definition of "marijuana"

na" to clarify the difference between leafy marijuana and marijuana concentrates, and authorizing the levels of lawful possession at 2.5 ounces of leafy marijuana or 5 grams of marijuana concentrate.

- Changing the initiated law's permission for marijuana to be consumed in "nonpublic areas, including personal residences" to read something to the effect of "(1) a private residence including curtilage, and (2) private property not generally accessible by the public without the express permission of the owner."

- Expressly prohibiting marijuana or its concentrate to be consumed in a motor vehicle while in operation.

- Expressly prohibiting the smoking of marijuana in areas designated as allowed smoking areas for tobacco.

- Following existing law prohibiting the smoking of tobacco products in child care and babysitting centers by expressly prohibiting the consumption of marijuana (smoking or otherwise) in those facilities as well.

LD 88 with its positive report could be presented to the full Legislature as early as Tuesday next week.

MMA's Revenue Sharing Restoration Bill Printed (cont'd)

Revenue Sharing Restoration Bill (LD 133) Sponsors

On behalf of its 70-member Legislative Policy Committee, MMA thanks the sponsors of LD 133, *An Act to Support Lower Property Taxes by Restoring-Municipal Revenue Sharing*. Municipal officials from all corners of the state appreciate the opportunity to again advocate for the restoration of this important state-municipal funding partnership.

Senator Shenna Bellows, Kennebec County
Representative John Madigan, Jr., Rumford
Senator Roger Katz, Kennebec County
Senator Joyce Maker, Washington County
Senator Tom Saviello, Franklin County
Representative James Gillway, Searsport
Representative Donald Marean, Hollis
Representative Catherine Nadeau, Winslow
Representative Roger Sherman, Hodgdon
Representative Denise Tepler, Topsham

ments made to local government partners (e.g., 55% of K-12 education, county jail support and revenue sharing, etc.) and realities of local government funding, the claim of overspending appears to be based on perception rather than practice.

Total Local Government Services Funding. According to the information provided by the 189 municipalities participating in MMA's 2015 Fiscal Survey, it is projected that communities statewide spent \$3.1 billion on local government services.

School & County Government Funding. In 2015, \$1.7 billion (55% of total local government spending) was used to fund K-12 education and county services. Although spending on schools and county services accounted for a majority of local government spending, municipal legislative bodies (city/town councils and town meetings) had very limited control over those expenditures.

The community's minimum contribution to K-12 education is determined by the state, through the Essential Programs and Services (EPS) model. Additional school spending, above the EPS model is established by the school district's voters.

Decisions regarding county budgets are made by county budget committees and commissioners.

Municipal Services Funding. In that same year, \$1.4 billion, 45% of total local government spending, was used to fund eight core municipal government services. In 2015 the cost of providing public safety services, including police, fire/EMS (\$334 million) and road maintenance and repairs (\$279 million) alone accounted for nearly 50% of total municipal services expenditures. Municipal statewide also spent:

- \$195 million on "other public works" services, including solid waste management and recycling, water and

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sewer services.

- \$175 million on employee benefits, including employer contributions to Social Security, the Maine State Retirement System, and other retirement investment accounts (401K, IRA, etc.), the municipal share of dental and health insurance premiums, and contributions to the unemployment and workers' compensation funds.

- \$152 million on "front office" services (e.g., selling hunting and fishing licenses, collecting property and excise taxes, registering of motor vehicles, snowmobiles and ATVs, issuing dog licenses, etc.).

- \$90 million on parks and recreation programs, libraries and other cultural activities.

- \$68 million to attract and enhance business activities within the community's boundaries.

- \$47 million to enforce codes, administer and provide direct benefits to eligible applicants under the General Assistance (GA) program, and support local social service agencies.

Per Capita Spending. Although the \$1.4 billion in total municipal services spending could be interpreted as too large of an investment, the per capita spending data provides the appropriate context.

As shown in the accompanying table, in 2015 municipalities expended roughly \$1,000 per person to provide a full array of municipal government services. The

2015 Projected Municipal Services Expenditures

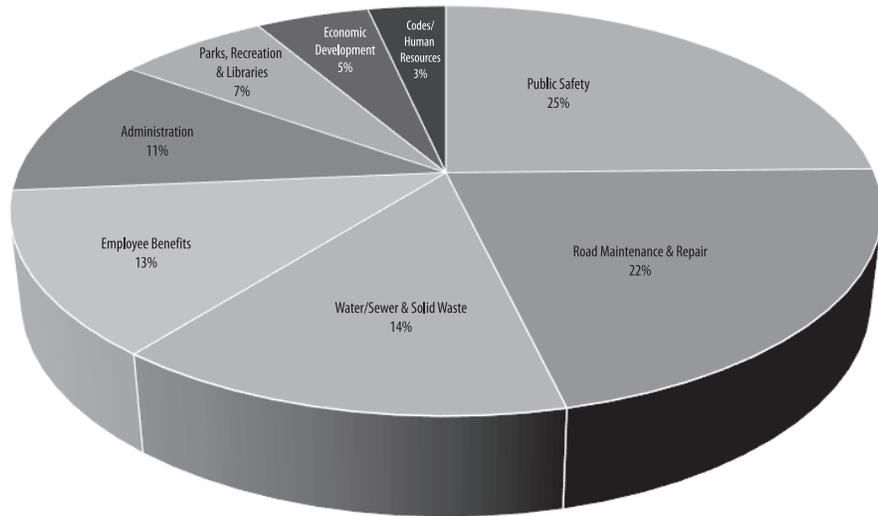


table also shows the special financial burdens placed on the highest population (service center) communities and, perhaps more surprisingly, the most rural communities as well.

Communities with populations greater than 10,000, many of which are identified as regional service center communities, play host to several nonprofit institutions, including hospitals, colleges, state agencies and other social service providers. Not only are these institutions exempt from property taxes, they attract daytime populations that exceed the resident population. As a result, the few (e.g. businesses and property taxpayers)

in these communities fund the services necessary to accommodate the many (e.g., daytime population commuting to these communities for work, services and entertainment).

In communities with populations under 1,000, it is the need to spread the cost of basic governmental services over relatively few resident property taxpayers that drives up the per capita costs. As shown in the table, most of the expenditures in these communities are for road maintenance and repair, public safety and the administration of front office services.

In neither case is above average per
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2015 Per Capita Spending on Municipal Services (by Population Group and Total)

	Population Category						Total
	Over 10,000	5,000-9,999	3,500-4,999	2,000-3,499	1,000-1,999	Under 1,000	
Public Safety	\$394	\$284	\$137	\$137	\$110	\$169	\$253
Road Maintenance & Repair	216	205	161	220	248	372	222
Water/Sewer & Solid Waste	225	156	73	72	110	97	148
Employee Benefits	224	147	68	60	40	71	133
Administration	120	112	83	95	120	195	115
Parks, Recreation & Libraries	105	97	37	30	18	22	69
Economic Development	75	21	11	17	13	18	36
Codes/Human Services	97	57	19	6	32	2	52
Total	\$1,455	\$1,079	\$589	\$637	\$692	\$946	\$1,026

A Preview of Legislative Priorities, by Title Only

Since the newly elected members of the House and Senate were convened in early January, only 200 bills have been printed. This slow roll-out makes a first glance assessment of legislators' priorities in this 2017-2018 session difficult, though not impossible.

In January of each odd-numbered year, a preliminary list of the bill titles submitted by members of the Legislature is released for public review. Based on this list, it is expected that over the next two years the Legislature will be asked to review, process and vote on over 1,800 pieces of legislation. If the best predictor of the future is the past, this means over 450 of these submissions would have an impact on local government, if enacted.

Of course, like a book, one cannot judge a bill by its title alone. The devils, or angels, lie in the details of each piece of legislation. The specific language must be carefully reviewed before reaching any reliable conclusions about whether the initiative will be helpful or harmful to the task of operating local government.

With that in mind, the following preview, based only on bill titles, provides an overview of the municipally-related bill topics that will be debated in the coming months, organized by the legislative committee of jurisdiction.

Criminal Justice and Public Safety (CJPS). Of the 189 bills assigned to the CJPS Committee, 27 bills include the word "marijuana" in the title (with even more delegated to other committees). The bills seek to implement restrictions on the use of recreational marijuana near houses of worship, public and private schools, postsecondary institutions, and in motor vehicles. A fistful of bills are targeted to the use of Naloxone, including allowing law enforcement agencies to seek reimbursement from the recipient of this lifesaving medication. The firearms related bills are also popular, including initiatives to prohibit the creation of a firearms owner registry, require background checks on all private sales of firearms and increase firearms safety.

Education and Cultural Affairs (EDU). As would be expected, a high percentage of this Committee's nearly 150 bills are of municipal import. This

year, over a dozen legislators are proposing various methods of amending the implementation of last year's education funding initiative, Question 2, as well as addressing how new revenue will be allocated through the state's Essential Programs and Services distribution formula. Beyond school and teacher funding, particular areas of interest include schools' infrastructure needs as well as how schools are either brought into or withdrawn from school administrative units throughout the state.

Environment and Natural Resources (ENR). While waste management continues to be important to this Committee in a variety of ways, the title list shows a deluge of bills focusing one way or another on water. From the prospect of sea level rise, to (unspecified) amendments to shoreland zoning laws, to promoting fresh waterbody health and protecting drinking water, about two-dozen of these bills will likely have municipal tentacles.

Energy, Utilities and Technology (EUT). The sun and wind look to be as important to the EUT Committee as water is to the ENR Committee, with another two dozen or so bills aiming to amend state energy policy in a way that expands the use of so-called renewable sources. Very little detail is offered in these bill titles, and the same may be said for the dozen items addressing high-speed internet. With words like "extend," "increase" and "promote" in their titles, the thrust of this session with respect to broadband appears to be headed in a positive direction.

Health and Human Services (HHS). Of about two hundred bills going to the HHS Committee, two themes with municipal relevance emerge: general assistance and drug abuse. Regarding the former, nearly a dozen titles target the administration of, or eligibility for, GA and TANF. Given the way the skyrocketing opioid epidemic has overwhelmed law enforcement and health professionals, it makes sense that an extensive list of opioid prevention and treatment topics appear set to dominate much of this Committee's time.

Inland Fisheries and Wildlife (IFW). Perennial favorites like expanding hunting access to Sundays or prolonging

the legal hunting season are no surprise here, and the same goes for a handful of boat ramp and fish ladder bills. Another handful of public right of way access bills, specifically via all-terrain vehicles, could tread on municipal turf and will be eyed cautiously.

Labor, Commerce, Research and Economic Development (LCRED). Minimum wage continues to be a flash-point issue at this Committee, which this session will be fielding just under two hundred bills. In the municipal world, investing in economic development, both downtown and rurally, is the focus of at least ten bills that address everything from creating jobs to strengthening infrastructure. Half as many seek to expand firefighter benefits.

State and Local Government (SLG). As is commonly the case, just under half of the bills headed to the SLG Committee target state government and just over half pertain in some manner to the state-local relationship. A half dozen address boundary reorganization or complete deorganization. Out of eleven bills in the title list's "ordinances" category, five relate to marijuana, four relate to roads, and one is intriguingly titled, *An Act Regarding Issues Concerning Maine's State and Local Governments*.

Taxation (TAX). As would be expected, the Taxation Committee will debate the merits of bills addressing the income, sales and property taxes, as well as the restoration of full funding for state-municipal revenue sharing. New to this session are bills seeking to redesign the tax-side implementation of Question 1, the legalization of recreational use of marijuana, by authorizing the assessment of a local tax on the sales of recreational marijuana products.

Transportation (TRA). If there is one theme that unites public interest across the board today it is outdated infrastructure. Vehicle registrations, pedestrian improvements, port and rail authorities, and harbor master training will all be on the Transportation Committee's docket. Yet no bills of municipal import are likely to receive more attention than road and bridge maintenance. This

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MMA's Revenue Sharing Restoration Bill Printed (cont'd)

capita spending related to municipal inefficiencies. Instead communities of all sizes are providing the local services their residents and visitors need, demand and rely on.

Support LD 133. Although this primer on local government financing might help to set the record straight, the debate over local government financing is far from over. As the Legislature begins to debate the merits of Gov. LePage's FY 2018 – FY 2019 General Fund budget, some legislators will continue to question the need to share state resources with schools, counties and municipalities. For that reason, municipal officials are urged to meet with their legislators to set the record straight on their own local budgets and ask for their commitment for the restoration of municipal revenue sharing by supporting LD 133.

A Preview of Legislative Priorities, by Title Only (cont'd)

year, the question will not be whether help is needed, but how best to address the variety of looming infrastructure issues. The other theme here is safety, with a couple of bill titles seeming to lend a hand to law enforcement and public safety officials, and a half dozen targeting the use of cell phones while driving.

Veterans and Legal Affairs (VLA). Taking into consideration that during the November 2016 election the Maine electorate decided the fate of five rather polarizing citizen initiatives, it is no surprise that proposals seeking to reform that process are front and center on the VLA committee's agenda. Approximately 20 bills seek changes to the citizen initiative process, primarily to impose certain limits or restrictions. Allegations of federal and state level election fraud have also had an impact on the nature of the bills submitted. In the next six months the Maine Legislature will assess the merits of bills seeking to protect the integrity of elections by prohibiting candidates for office from being within 250 feet of the voting place and requiring potential voters to show identification prior to casting a ballot.

LEGISLATIVE HEARINGS

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

Monday, January 23

**Veterans & Legal Affairs
Room 437, State House, 1:00 p.m.
Tel: 287-1310**

LD 30 – An Act Regarding Dancing on the Premises of Certain Liquor Licensees.

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.)

Appropriations & Financial Affairs

LD 140 – An Act To Authorize a General Fund Bond Issue To Support Entrepreneurial Activity, Attract Business and Enhance Demographic In-migration by Investing in High-speed Broadband Infrastructure and To Amend the Law Governing the Municipal Gigabit Broadband Network Access Fund. (Sponsored by Rep. Higgins of Dover-Foxcroft; additional cosponsors.)

This bill sends out to the voters a proposed \$10 million bond issue to financially assist municipalities and multi-municipal regions in unserved and underserved areas in the expansion and enhancement of high-speed broadband internet infrastructure.

Criminal Justice & Public Safety

LD 94 – An Act To Provide a Source of Funding for Drug Abuse Resistance Education. (Sponsored by Sen. Cyrway of Kennebec Cty; additional cosponsors.)

This bill requires all revenue raised by a law enforcement agency that auctions or sells confiscated firearms to be dedicated to educational programs taught by law enforcement officers to students in the public schools that target prevention of substance abuse, violence or high risk behaviors.

LD 101 – An Act Regarding the Transportation of Prisoners to County Jails. (Sponsored by Rep. Stewart of Presque Isle; additional cosponsors.)

This bill establishes a separate county reimbursement fund within an existing county reimbursement fund known as the Government Operations Surcharge Fund for the purpose of reimbursing county governments for transporting persons from the point of arrest to the county jail. The County Jail Transportation Reimbursement Fund is capitalized with 0.5% of the total fines, forfeitures, penalties and surcharges that are dedicated to the larger Government Operations Surcharge Fund. The bill authorizes municipal law enforcement officers having custody over a person pursuant to an arrest to request that the county sheriff transport the arrested person to the county jail. The county sheriffs are directed to honor those requests. The bill further authorizes the county sheriffs to seek reimbursement for the costs of that transportation from the arrested person. If that attempt at financial recovery is unsuccessful, the county is authorized to apply for reimbursement from the County Jail Transportation Reimbursement Fund.

LD 169 – An Act To Support Sexual Assault Survivors. (Sponsored by Rep. Madigan of Waterville; additional cosponsors.)

This bill requires prosecutors and all law enforcement agencies that have jurisdiction over an alleged or suspected gross sexual assault to provide certain written information to the alleged victim, retain the results and reports associated with a forensic examination of the victim for the duration of the statute of limitations governing the offense, and provide formal notice to the alleged victim at least 60 days before the ultimate destruction of those records. The written information to be provided to the alleged victim at the time of the allegation or suspicion of gross sexual assault includes informing the alleged victim of the right to undergo a forensic examination and the right to receive the results and any report resulting from the examination.

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Education & Cultural Affairs

LD 129 – An Act To Include Locally Funded School Construction Projects in the School Funding Formula. (Sponsored by Sen. Volk of Cumberland Cty; additional cosponsors.)

This bill amends the definition of debt service costs within the Essential Programs and Services school funding model the cost of locally funded major capital projects for school construction that are not approved by the State Board of Education.

LD 143 – An Act To Provide for Upgrades of Learning Spaces and Other Projects Funded by the School Revolving Renovation Fund. (Sponsored by Rep. Farnsworth of Portland; additional cosponsors.)

This bill appropriates from the state’s General Fund \$25 million for each year of the FY 2018-2019 biennium for the purpose of capitalizing the School Revolving Renovation Fund to be used to upgrade learning spaces in school buildings and for other necessary repairs approved by the Commissioner.

Health & Human Services

LD 105 – An Act To Create a Centralized Authority To Combat Opiate Addiction in Maine. (Sponsored by Rep. Hymanson of York; additional cosponsors.)

This bill establishes an office with the Department of Health and Human Services to coordinate the efforts of law enforcement, health care, treatment programs and education initiatives to combat opiate addiction.

LD 108 – An Act To Allow a Law Enforcement Agency That Treats a Person with Naloxone Hydrochloride To Bill That Person for That Treatment. (Sponsored by Rep. Stewart of Presque Isle; additional cosponsors.)

This bill authorizes law enforcement agencies and municipal fire departments to seek and receive cost-based reimbursement from a person to whom the agencies administered naloxone hydrochloride to prevent a fatal opioid overdose.

Judiciary

LD 146 – An Act To Protect the Confidentiality of Local Government Employees’ Private Information. (Sponsored by Rep. McCreight of Harpswell; additional cosponsors.)

This bill, which tracks similar confidentiality provisions for the personal information of state employees, provides that the record or the portion of the record in the municipal employer’s possession of an employee’s age, ancestry, ethnicity, genetic information, national origin, race or skin color, marital status, mental or physical disabilities, personal contact information, personal payroll management decisions, religion, sex or sexual orientation and social security information is confidential and not a public record.

Labor, Commerce, Research & Economic Development

LD 165 – An Act To Provide Matching Funds for Federal Community Development Block Grants. (Sponsored by Rep. Madigan of Rumford; additional cosponsors.)

This bill appropriates \$3 million from the state’s General Fund in FY 2018 to provide municipalities one-time funds to match federal funding under the Community Development Block Grant program.

State & Local Government

LD 150 – An Act Regarding the Funding of Volunteer Fire Departments. (Sponsored by Rep. Theriault of China; additional cosponsors.)

Under current law governing municipal appropriations to support an incorporated volunteer fire department, the municipal officers are authorized to issue their warrant to the treasurer to pay appropriations of \$1,000 or less without itemizing or specifying the purposes of the appropriation. This bill repeals that authority.

Taxation

LD 116 – An Act To Increase Funding for Multimodal Transportation. (Sponsored by Rep. Golden of Lewiston; additional cosponsors.)

This bill increases the sales tax rate applied to the short-term rental of automobiles and light duty trucks from 10% to 15%. The title of the bill suggests the additional revenue would be used to fund multimodal transportation, but that dedication is not established in the terms of the bill.

LD 117 – An Act To Strengthen the Farm and Open Space Tax Law. (Sponsored by Rep. Alley of Beals; additional cosponsors.)

This bill amends the Farm and Open Space tax law to provide that when a person wishes to add contiguous property to his or her existing Farmland enrollment, the landowner must demonstrate to the municipal assessor that the contiguous parcel separately meets the qualifying standards for enrollment apart from the acreage to which it is to be added.

Transportation

LD 119 – An Act Regarding the Display and Content of Political Signs. (Sponsored by Rep. Espling of New Gloucester; additional cosponsors.)

This bill amends the law regarding the placement of signs in the public right of way. That law was significantly amended in 2016 to achieve “content neutrality” in order to comply with a U.S. Supreme Court decision which sharply limited the ability of governments to regulate roadside signage on the basis of sign content. Under current law, roadway “informational” signs may not be placed in the right of way for more than 6 weeks in any calendar year and each sign must include the name and address of the individual, entity or organization that placed the sign, as well as the designated time period within which the sign will be maintained in the right of way. For the purpose of accommodating political signs, this bill repeals the requirement that the sign contain information about the persons responsible for placing the sign and allows all signs to be maintained in the right of way for up to 12 weeks in a calendar year, with a maximum of 6 weeks before the event to which the signs relate.

Veterans & Legal Affairs

LD 121 – An Act To Require Photographic Identification to Vote. (Sponsored by Rep. Farrin of Norridgewock; additional cosponsors.)

This bill establishes a requirement that a person present to the municipal election clerk a photographic identification document or card issued by the state government, federal government or college or university located in the state. Persons without a photographic identification card are allowed to vote on a provisional ballot and a process is established for such a provisional ballot to be ultimately submitted if the voter can provide a photographic identification within 5 business days after the election. A temporary authority is also created (to be repealed immediately after the 2018 general election) for a municipal clerk to verify the identity of a voter by affidavit for voters who do not possess photographic identification.

LD 155 – An Act To Protect Voting Integrity by Establishing a Residency Verification Requirement for Purposes of Voting. (Sponsored by Rep. Fredette of Newport; additional cosponsors.)

This bill requires the municipal registrar of voters to verify residency when a voter registration application lists a residence address as a dormitory or domicile provide by or located on the campus of a postsecondary educational institution. Residency is considered established under the bill if the applicant’s state identification card or driver’s license lists the same address as the address on the registration application or that the applicant has a motor vehicle registered in the state or that the applicant pays personal income tax or property tax to the state.