



# Legislative BULLETIN

MAINE MUNICIPAL ASSOCIATION

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## Fees & Regulations Flow Out of Committee

On Wednesday of this week, the Environment and Natural Resources Committee held two work sessions on bills of municipal impact. Each bill was voted out of committee with little to no opposition.

**Increased Fees.** As covered in last week's Legislative Bulletin, LD 1832, *An Act To Ensure Adequate Funding for the Maine Pollutant Discharge Elimination System and Waste Discharge Program*, proposes to increase current environmental protection related permit fees 40% above the 2019 fee schedule and new permit application fees, in some cases, by as much as 136%. These increases will impact the permits many municipal officials rely on, including fees assessed for stormwater, wastewater, snow dumps and salt and sand storage facilities.

At the public hearing and subsequent work session, Maine Department of Environmental Protection (MEDEP) staff

stressed that the program will not remain solvent unless additional revenues are provided to fill funding shortfalls caused by increases in staff salaries and benefits, decreases in federal funding, and losses in revenue paid by no longer existing large permit holders.

While expressing sympathy for the one permit holder, the Maine Auto Recyclers Association, who testified in opposition to the measure during the public hearing, the

committee nonetheless responded positively to department's needs and expressed a desire to make sure this important regulatory program continued, seeing increases in the permit fees as a reasonable way to fund operations.

Rep. Ralph Tucker of Brunswick, House chair of the committee, said he checked with this local sewer system and was told that the bump in permit fees would result in a 32 cent increase on his sewer

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## Debate Over Assessing Authority

LD 1898, *An Act Regarding Property Taxes on Certain Energy Generation Projects* received a public hearing before the Taxation Committee earlier this week. Submitted by Sen. H. Sanborn of Cumberland County on behalf of renewable energy providers, including wind, hydro and solar, the bill, in part, shifts from municipal officials to the State Tax Assessor responsibility for assessing the value of energy generation project property located in both an organized community and unorganized territory.

The municipal assessing community, represented by officials from Bath, Belfast, Madison and Rockport, turned out for the hearing and opposed the bill as an erosion of both home rule authority and the discretion existing law affords to local level professionals to ensure fair and equitable assessment of all property within community boundaries. These assessors urged the committee to direct the impacted parties to meet to discuss concerns and develop solutions, as a more constructive alternative to the provisions proposed in LD 1898.

Representatives from the Maine Chamber of Commerce, Novatus Energy, Maine Renewable Energy Association and Brook-

field Renewable lent support for the measure by testifying that state officials, rather than state trained and certified municipal assessors, have the expertise necessary to assess these complex properties in a fair, consistent and predictable manner.

The Department of Administrative and Financial Services, however, in its "neither for nor against" testimony noted that the state does not have the staff trained or certified to "effectively develop these valuations" and that a study of the related assessment practices might be a more "appropriate next step."

With this stalemate in place, the members of the committee will decide who to entrust with this assessing authority at its work session at 1 p.m. on Jan. 30.

The committee also accepted public comments on two other bills.

LD 1929, *Resolve, Establishing the Commission To Study Fair, Equitable and Competitive Tax Policy for Maine's Working Families and Small Businesses*, sponsored by Rep. Fecteau of Biddeford, creates and directs an 11-member commission to examine measures that could be implemented to level the playing field for small businesses,

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### Legislative Bulletin

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# Conservation Commissions Seek Clarity & Greater Authority

The State and Local Government Committee held a public hearing on Wednesday of this week on LD 1973, *An Act To Amend the Laws Regarding Municipal Conservation Commissions*, sponsored by Sen. Brownie Carson of Cumberland County at the request of the Maine Association of Conservation Commissions (MEACC).

As drafted, the bill expands the authority of municipally appointed conservation commissions by enabling these groups to create and direct ad hoc committees to perform specific tasks. The legislation also seeks to expand the duties of commissions to include requiring the development of open space plans, assisting in drafting or updating natural resource provisions in a municipal comprehensive plan, and conducting educational activities with the greater community on the protection and conservation of natural resources. Additionally, any state agency or municipal board conducting operations in open areas within community boundaries would have

to notify the commission, rather than local leaders, of all plans and operations within 30 days of commencing the scheduled activities.

Based on the results of a poll of the Legislative Policy Committee, MMA informed the committee that municipal officials are unclear as to why the legislation is necessary, because all of the activities prescribed in LD 1973 are currently available under existing home rule authority. If municipal officials desire to construct and provide conservation commissions a greater role in the planning functions of the community, they can already do so.

Furthermore, the provision of the bill allowing commissions to create ad-hoc committees without municipal official oversight or residency requirements strikes MMA staff as deterring the ability of elected municipal officers to direct the activities of commissions toward locally important conservation goals. The prescriptive provisions in the bill, including requiring other elected local boards to

report to a commission, may have a cooling effect on a community's willingness to appoint conservation commissions in the future.

MMA believes the advisory role currently assigned to conservation commissions works, as is evidenced by the projects highlighted in the testimony provided by the proponents of LD 1973, including Maine Audubon, MEACC, and members of conservation commissions from the communities of Monmouth, Owls Head, South Portland and Topsham.

The testimony offered by the Maine Farm Bureau Association echoed the comments shared by MMA. Farmers are deeply concerned about providing municipal conservation commissions greater authority, because it erodes the authority that is rightfully assigned to elected local leaders and further observed that if a community wants to extend greater authority to commissions they can already do so.

A work session on LD 1973 has been scheduled for Monday, Jan. 27 at 11 a.m.

## Fees & Regulations Flow Out of Committee (cont.)

bill, which he is willing to pay. While that might be the case, the assessment of impact is based only on one of the several fee increases proposed in the bill. Increases in other permit fees that are not so easily calculated, will also have fiscal impacts on communities.

Brian Kavanagh, director of MEDEP's Bureau of Water Quality informed the committee that this fee increase was just one part of a systemic department funding review planned for this year. Sen. Justin Chenette of York County stressed that the department's focus should be on providing a forward looking vision and leadership to avoid getting to the point where such a hike in fees is necessary to keep programs funded. Sen. Chenette also expressed a strong desire to see a more comprehensive approach to funding environmental protection activities.

Rep. Peter Lyford of Eddington and Rep. Chris Johansen of Monticello both

opposed the bill with all other committee members supporting the increase.

**New Regulations.** Over the strong objections of impacted stakeholders, MEDEP was provided new regulatory powers by a unanimous committee vote, of the members present, in support of an amended version of LD 1779, *An Act To Establish Standards for Operations and Maintenance for Publicly Owned Treatment Works and Municipal Satellite Collection Systems*.

As amended, the bill increases department regulatory authority over the operation and maintenance of the 162 publicly owned treatment works (POTWs) and satellite collection systems, and authorizes the creation and implementation of uniform long term asset planning and maintenance management standards.

The committee amended the bill to make sure that the department's proposed standards would be subject to the major

and substantive rulemaking process, which means the proposed regulations will return to the committee for final adoption once the rules are promulgated.

However, the committee did not include language requiring the involvement of stakeholders in the process, including operators, superintendents and the municipal officials responsible for funding the systems, because they felt it would be unnecessary and already likely to be part of the rule drafting process.

MEDEP stated that in the process of establishing the rules it would seek feedback from representatives from the three wastewater organizations that represent the system operators and engineers who maintain the systems. When asked by Sen. Justin Chenette how municipalities would be included in the stakeholder process, MEDEP said the towns would be represented by the municipal employees that are a part of those wastewater organizations.

# Hearing Schedule

## Monday, January 27

**Criminal Justice & Public Safety**  
**Room 436, State House, 10:00 a.m.**  
**Tel: 287-1122**

LD 1890 – An Act To Improve Prisoner Transport Safety by Specifically Authorizing Transport of Prisoners by Transport Officers.

**Veterans & Legal Affairs**  
**Room 437, State House, 10:00 a.m.**  
**Tel: 287-1310**

LD 999 – An Act To Allow Medical and Adult Use Marijuana Stores To Share a Common Space.

LD 1432 – An Act To Improve the Adult Use Marijuana Laws.

LD 1444 – An Act To Make the Distance to Schools for Marijuana Establishments Consistent with the Liquor Laws.

LD 1545 – An Act Regarding the Testing of Adult Use Marijuana and Marijuana Products.

LD 1621 – An Act To Allow Delivery of Adult Use Marijuana and Adult Use Marijuana Products by an Approved Marijuana Store.

## Tuesday, January 28

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

LD 2021 – An Act To Provide Funding for Broadband Internet Infrastructure in Unserved and Underserved Areas.

LD 2031 – An Act To Require a Cable System Operator To Provide a Pro Rata Credit When Service Is Cancelled by a Subscriber.

LD 2032 – An Act To Reduce Financial Burdens on Small Water Utilities.

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

LD 2025 – An Act To Authorize Emergency Medical Services Personnel To Provide Treatment within Their Scope of Practice in

a Hospital Setting with the Permission of the Hospital.

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

LD 2008 – An Act Making Technical Changes to the Maine Tax Laws.

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

LD 2005 – An Act To Amend the Law Governing Maximum Length Limits for Truck Tractor Semitrailers.

## Wednesday, January 29

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

LD 2024 – An Act To Remove from the Calculation of the Cost of Education the Maine Public Employees Retirement System Teacher Plan Unfunded Actuarial Liability.

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

LD 1963 – An Act To Preserve the Value of Abandoned Properties by Allowing Entry by Mortgagees.

LD 1967 – Resolve, Authorizing the Establishment of Prosecutorial Districts in Downeast Maine.

**1:30 p.m.**

LD 1960 – An Act To Protect Communications between Bargaining Agents and Bargaining Unit Members.

**Labor & Housing**  
**Room 202, Cross Building, 9:00 a.m.**  
**Tel: 287-1331**

LD 1965 – An Act To Set a Minimum Wage for School Support Staff.

LD 1976 – An Act To Help Retain School Bus Drivers.

LD 2015 – An Act To Provide for Leave from Work for Victims of Domestic Violence, Sexual Assault or Stalking.

**1:00 p.m.**

LD 1959 – An Act To Include within the Definition of “Public Employee” Those Who Have Been Employed Less than 6 Months.

LD 2019 – An Act To Extend to Other Public Sector Employees the Same Protections Provided to State Employees upon the Expiration of Contracts.

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

LD 1733 – An Act To Ensure Comprehensive Interdepartmental Planning, Coordination and Collaboration on Aging Policy.

## Thursday, January 30

**Environment & Natural Resources**  
**Room 216, Cross Building, 1:00 p.m.**  
**Tel: 287-4149**

LD 1942 – An Act To Protect Water Quality by Prohibiting Consumer Fireworks in the Shoreland Zone.

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

LD 1966 – An Act To Amend the Laws Regarding Parking for Vehicles with Disability Placards and Plates.

LD 1981 – An Act Regarding the Regulation of Tiny Homes.

## Friday, January 31

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

LD 2006 – An Act To Amend the Laws Governing Waste Discharge Analysis by Laboratories Operated by Waste Discharge Facilities.

LD 2033 – An Act To Ensure Proper Closure of Oil Terminal Facilities.

*Note: You should check your newspapers for Legal Notices and 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/2020-01-12>.*

## Assessing (cont.)

provide aid to entrepreneurs, and adequately fund important state and local government services.

Although there were several pieces of testimony submitted in advance of the hearing, both in support of and in opposition to LD 1929, only the Maine Chamber of Commerce, Maine Farm Bureau Association and Maine Municipal Association testified at the public hearing.

While the Chamber listed several rea-

sons for opposing the bill, including the study's focus on the interests of small businesses rather than all businesses, MMA and the Farm Bureau both provided testimony “neither for nor against” the bill advocating for the expansion of the commission's membership to include the voices of farmers and municipal officials.

LD 1958, *An Act To Expand Tax Increment Financing To Include Adult Care Facilities and Services and Certain Child Care Facilities*, sponsored by Rep. Meyer of Eliot, also received a public hearing.

The bill, as the title implies, makes investments in child and adult care facilities TIF eligible expenditures. Based on the results of an informal poll of the Legislative Policy Committee, MMA provided “neither for nor against” testimony noting that the changes proposed in LD 1958 could help abate the workforce recruitment challenges faced by many municipalities. There was no opposition to the bill.

Both LD 1929 and LD 1958 will also be worked by the committee starting at 1 p.m. next Thursday.

## IN THE HOPPER

(The bill summaries are written by MMA staff and are not necessarily the bill's official 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](http://www.memun.org).)

### Agriculture, Conservation and Forestry

LD 1888 – An Act To Protect Children from Toxic Chemicals. (Sponsored by Rep. Gramlich of Old Orchard Beach)

This bill bans the use of nonselective herbicides, including but not limited, to glyphosate, within 75 feet of school grounds, public playgrounds and child care centers.

### Criminal Justice and Public Safety

LD 1971 – An Act To Allow Certain Retired Law Enforcement Officers and Trained Law Enforcement Officers To Serve as School Security Officers. (Sponsored by Sen. Dill of Penobscot Cty.)

This bill allows schools to employ as a school security officer a trained law enforcement officer, a person who meets the Maine Criminal Justice Academy law enforcement officer qualifications, or a state, county, municipal or federal law enforcement officer who retired in good standing.

LD 1982 – Resolve, Directing the Department of Public Safety To Conduct a Study To Develop Best Practices for Improving the Security of Municipal Properties. (Sponsored by Sen. Deschambault of York Cty.)

This resolve directs the Department of Public Safety to conduct a study to develop best practices that municipalities may implement to improve the security of municipal properties and requires the department to submit a report of the study to the Criminal Justice Committee by Dec. 31, 2020.

LD 1983 – An Act To Amend Certain Record-keeping and Reporting Requirements Imposed on State and Local Law Enforcement Agencies and the Department of Public Safety. (Sponsored by Sen. Deschambault of York Cty.)

This bill amends the asset forfeiture-related recordkeeping laws in the following ways: (1) Clarifies that law enforcement agencies are responsible for maintaining reports of the forfeited property in their possession; (2) Changes the specific information that must be included in those records and authorizes public inspection of related records; and (3) Requires reports concerning the transfer of property held by the Department of Public Safety and forfeited to another governmental entity be provided, upon request, to the Department of Administrative and Financial Services and the Office of Fiscal and Program Review.

### Energy, Utilities and Technology

LD 1748 – An Act To Allow for the Establishment Property Assessed Clean Energy Programs. (Sponsored by Sen. Heather Sanborn of Cumberland Cty.)

This bill allows the Efficiency Maine Trust or a municipality to establish a commercial property assessed clean energy program to finance energy savings improvements on qualifying property.

### Environment and Natural Resources

LD 1915 – Resolve, Directing the Department of Environmental Protection To Evaluate Emissions from Heated Aboveground Petroleum Storage Tanks. (Sponsored by Sen. Millett of Cumberland Cty.)

This resolve directs the Department of Environmental Protection to study methods to measure and estimate air emissions from fixed-roof, heated aboveground petroleum storage tanks and methods to control odor and other air emissions from emission sources at oil terminal facilities. The department is further required to submit a report by Jan. 1, 2021 to the committee of the Legislature having jurisdiction over environment and natural resources matters, which in turn may submit legislation in 2021.

LD 2033 – An Act To Ensure Proper Closure of Oil Terminal Facilities. (Sponsored by Rep. Carney of Cape Elizabeth)

This bill ensures proper closure of oil terminal facilities by establishing financial assurance and facility closure requirements. It develops a process for assessing the costs of decommissioning oil terminal facilities and infrastructure and establishing financial responsibility for closure costs. It requires, upon closure, removal of facilities and appurtenances and remediation of the site to an unrestricted use standard or the most protective use standard determined by the Department of Environmental Protection to be practicable. It also requires facilities not in use for 10 years to file a closure plan. The bill also requires oil terminal facilities to provide evidence of financial ability to satisfy liability under existing law.

### Health and Human Services

LD 2040 – An Act To Eliminate the Requirement That Municipalities Retain Paper Copies of Certain Vital Statistics Records. (Sponsored by Rep. Bailey of Saco)

This bill requires municipal clerks to maintain a record of disposition permits using the electronic death registration system maintained by the State Registrar of Vital Statistics and to make copies of the records available upon request.

LD 2056 – Resolve, To Create the Frequent Users System Engagement Collaborative. (Sponsored by Rep. Morales of South Portland)

This resolve establishes the Frequent Users System Engagement Collaborative which includes the director of the Maine State Housing Authority (MSHA), the commissioners from the Departments of Health and Human Services and Corrections, representatives from the Statewide Homeless Council, Maine Sheriffs' Association and providers of emergency health services and any other member the MSHA director determines has relevant expertise. The collaborative is directed to develop a plan to provide stable housing and community services to 200 persons who are homeless or at risk of homelessness who are the most frequent consumer of high-cost services, such as psychiatric hospitals, emergency shelters, emergency rooms, police, jails and prisons. The collaboration is further directed to submit its report to the Health and Human Services Committee by Jan. 1, 2021 which is in turn authorized to report out a bill in 2021.

### Labor and Housing

LD 1572 – An Act To Increase the Portion of Retirement Benefits to Which the Cost-of-living Adjustment Applies. (Sponsored by Rep. Talbot Ross of Portland)

This bill establishes the Maine Fair Chance Housing Act, the purpose of which is to ensure that a person is not denied housing based solely on the existence of a history of criminal convictions. This bill prohibits a housing provider from considering an applicant's criminal history until after the housing provider determines that the applicant meets all other qualifications for tenancy. A person who is aggrieved by a violation of the Maine Fair Chance Housing Act by a housing provider may file a grievance with the Maine Human Rights Commission and, if it is a violation by a private housing provider, may bring a civil action in court.

LD 1639 – An Act To Require Comprehensive Responsible Contracting Practices for Public Construction Projects. (Sponsored by Sen. Jackson of Aroostook Cty.)

Part A of the bill establishes contractor requirements for publicly funded construction projects that receive state funds and requires the Department of Administrative and Financial Services, Bureau of General Services to administer the certification process. The bill amends the method of determining the prevailing wage and benefits rate paid in the construction industry by requiring the Department of Labor, Bureau of Labor Standards to determine the applicable wage and benefit rates established in collective bargaining agreements in private construction, including the benefits and wages paid to apprentices in programs registered with the department. Part B requires the Executive Director of the Workers' Compensation Board to immediately issue a stop-work order to an employer who fails to procure workers' compensation insurance coverage, or knowingly misrepresents employees as independent contractors or provides false, incomplete or misleading information to an insurance company on the numbers of employees the employer has for the purpose of paying a lower payment. Part C encourages the state to use project labor agreements for large-scale state-funded construction projects of \$10 million or more. A project labor agreement is a prehire collective bargaining agreement with one or more labor unions that establishes the terms and conditions of employment for a specific construction project. Part D requires an employer with a public works contract with the state of \$50,000 or more to provide to all employees who will be on the construction work site a safety training program that uses a curriculum approved by the United States Department of Labor, Occupational Safety and Health Administration and that is at least 10 hours in duration. Flaggers, security workers and certain other employees not considered to be on the work site are exempt from this requirement. A contractor that violates this safety training program requirement may be assessed a fine of up to \$2,500 and an additional fine of \$100 per employee for each day of noncompliance. Part E provides that for public works construction contracts that involve funding from the federal government the prevailing wage requirements in state law apply unless the prevailing wage requirements that would otherwise apply under the federal Davis-Bacon Act would result in higher total wages under the contract. An exception is provided for funds received under the United States Housing Act of 1937 if the application of a state prevailing wage is expressly preempted by federal law.

LD 1956 – Resolve, To Establish a Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions. (Emergency) (Sponsored by Rep. Fecteau of Biddeford)

This emergency bill establishes the 10-member Commission To Increase Housing Opportunities by Studying Zoning and Land Use

Restrictions, which includes members of the Maine House and Senate and representatives from the Maine State Housing Authority, Governor's Office, a statewide municipal association, statewide organization that advocates for affordable housing, regional planning association and the real estate industry. The commission is authorized to meet six times and directed to review data on housing shortages for low and middle income households, state laws that affect local regulation of housing, efforts in other states to address housing shortages via zoning and land use restriction changes, and consider measures to encourage increased housing options in Maine. The commission is required to submit its report and findings no later than Nov. 4, 2020, including legislation for presentation to the members of the 130<sup>th</sup> Legislature when convened in 2021.

LD 1959 – An Act To Include within the Definition of "Public Employee" Those Who Have Been Employed Less than 6 Months. (Emergency) (Sponsored by Rep. Sylvester of Portland)

This emergency bill repeals the provision in public employee labor relations law prohibiting a state or other public employee, including municipal, county and school employees, from joining a labor organization within the first six months of employment.

LD 2019 – An Act To Extend to Other Public Sector Employees the Same Protections Provided to State Employees upon the Expiration of Contracts. (Sponsored by Sen. Claxton of Androscoggin Cty.)

This bill provides the same protections to municipal, judicial and public higher education employees that are provided to state employees upon the expiration of labor contracts by requiring that, during an interim between the expiration and the effective date of any subsequent bargaining agreement, covered employees must remain eligible and receive merit increases in accordance with the terms and conditions set forth in the expired collective bargaining agreement.

### Taxation

LD 1254 – An Act To Authorize a Local Option Sales Tax on Meals and Lodging and Provide Funding To Treat Opioid Use Disorder. (Sponsored by Rep. Sylvester of Portland)

This bill allows a municipality to impose a local option sales tax, which may be seasonal, on prepared food, not including marijuana or marijuana products, and short-term lodging of no more than 1% if approved by referendum of the voters in that municipality. Eight-five percent of the revenue collected from the local option sales tax is distributed to the generating municipality and 15% to all other municipalities. The 15% distributed to a municipality must be used by that municipality for the purposes of preventing and treating opioid use disorder in that municipality. Revenue received by a municipality may not be used to reduce or eliminate funding otherwise due the municipality under other provisions of law.

LD 2011 – An Act To Update Certain Provisions in the Income Tax and Service Provider Tax Laws. (Sponsored by Rep. Tipping of Orono)

In part, this bill subjects digital media consumer purchases to the service provider tax, and requires that a percentage of those revenues, currently 3%, are transferred to the Local Government Fund for distribution to communities via the revenue sharing program.

LD 2045 – An Act Relating to the Valuation of Certain Retail Property. (Sponsored by Rep. Tipping of Orono)

This bill provides that for property tax purposes, retail sales facilities in excess of 20,000 square feet must be valued based on their current



## Maine Municipal Association

60 COMMUNITY DRIVE  
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### **HOPPER (cont.)**

use compared to similar property in their retail market segment or, if vacant, according to their highest and best use.

#### **Transportation**

LD 1498 – An Act To Provide Equity for Commercial Vehicles on Roads and Bridges in Maine. (Sponsored by Sen. Jackson of Aroostook Cty.)

Current law allows certain commercial vehicles at Canadian weight limits that are higher than those in this state to travel from the United States-Canada border to certain points in Maine. This bill repeals that law and allows certain commercial vehicles to be operated in this state at those higher weight limits. A combination vehicle consisting of a three-axle truck tractor with a tri-axle semitrailer may be operated with a maximum gross vehicle weight of 108,900 pounds. A combination vehicle consisting of a three-axle truck tractor with a semitrailer-semitrailer combination configured as a B-train double with eight axles total may be operated with a gross vehicle weight of 137,700 pounds.

LD 2064 – An Act To Amend the Laws Governing Local Bridges. (Sponsored by Rep. McLean of Gorham)

This bill requires the Department of Transportation to notify a municipality when a bridge for which a municipality has maintenance responsibility requires a posting or closure and requires the municipality to carry out the posting or closure. Current law provides a municipality sole responsibility to determine whether such a bridge must be posted or closed. The bill provides that the department's responsibility to pay a portion of the cost of a capital improvement for a low use or redundant

bridge on a town way is subject to available funds. It provides that in order for the department to accept certain responsibilities for an improved bridge or for a new bridge, the department must approve the design of the improvements or construction before the improvements are made or the bridge is constructed. The design of the improvements or construction must meet standards set by the department and be sealed by a professional engineer. The department must inspect the bridge after it is improved or constructed. The bill also changes how often the department must prepare a list of bridges that are eligible for capital improvement from biennially to annually and removes the requirement that this list be arranged in priority order using accepted bridge management principles.

#### **Veterans and Legal Affairs**

LD 2067 – An Act To Authorize the Automatic Continuation of Absentee Voter Status until the Termination of That Status. (Sponsored by Sen. L. Sanborn of Cumberland Cty.)

This bill provides a process for a voter to request ongoing absentee voter status, which allows the voter to automatically receive an absentee ballot for each statewide election, municipal election and any other election until the status is terminated. It provides that if the clerk notes a discrepancy in signature on the return envelope of an absentee ballot, the return envelope is missing a signature or the affidavit on the return envelope is not properly completed, the clerk shall make a good faith effort to notify the voter within hours by mail, telephone or e-mail of the procedure by which the voter may cure the discrepancy, correct the missing signature or properly complete the affidavit on the return envelope. It provides an effective date of January 1, 2022.