

2023 LD List
131st Legislature – First Session

January 27, 2023

[LD 283](#) *An Act to Make Technical Changes to the Maine Tax Laws* (Sponsored by Rep. Matlack of St. George) This bill makes the following technical changes to the property tax laws: (1) allows disclosure of confidential information to the State Board of Property Tax Review; (2) clarifies that a municipality's equalized tax rate is the equalized full value tax rate when calculating qualification for sudden and severe disruption assistance; (3) removes the requirement that updates to the property tax assessment manual be made by the State Tax Assessor by rule; (4) clarifies that the fixed-dollar parsonage and personal property exemptions for houses of religious worship are based on just value; (5) removes gender-specific terms in the veterans exemption statutes; (6) facilitates the repeal of the circuitbreaker program by moving definitions from that program to current provisions; and (7) clarifies that the income and asset limitations of the state property tax deferral program apply to all owners of the property.

[LD 280](#) *An Act to Make Maine Schools Safer and Healthier by Increasing the Maximum Debt Service Limit* (Sponsored by Rep. Millett of Cape Elizabeth) This bill changes the maximum debt service limit for school capital improvements for fiscal year 2024 to fiscal year 2027 from \$150 million to \$250 million.

[LD 279](#) *An Act to Protect Against Discrimination by Public Entities* (Sponsored by Speaker Talbot Ross of Portland) This bill creates a new section in the Maine Human Rights Act that states it is unlawful discrimination for a public entity to discriminate against, exclude from participation in a service, program or activity, or otherwise deny the benefits of a service, program or activity as a result of an individual's race or color, sex, sexual orientation or gender identity, age, physical or mental disability, religion, ancestry or national origin.

[LD 277](#) *An Act Regarding Perfluoroalkyl and Polyfluoroalkyl Substances* (Sponsored by Rep. Fay of Raymond) This concept draft would amend the laws regarding perfluoroalkyl and polyfluoroalkyl substances.

[LD 276](#) *An Act to Assist Municipalities in Preventing Damage from Storm Water* (Sponsored by Rep. Ankeles of Brunswick) For the purpose of protecting or restoring a great pond, current state law authorizes municipalities, subject to certain conditions, to appropriate funds to repair a private road, way, or bridge to prevent storm water runoff pollution from reaching the great pond. This bill expands that authority to include repairs necessary to protect a threatened natural resource, including coastal bluffs, sand dune systems and wetlands, significant wildlife habitat, fragile mountain areas, freshwater wetlands, community public water system primary protection areas, and great ponds, rivers, streams and brooks.

[LD 274](#) *An Act Regarding Municipal Costs for Water Used for Firefighting* (Sponsored by Rep. Ankeles of Brunswick) This bill requires a property insurance policy to include a provision for the indemnification of a municipality for the actual costs for water service, not to exceed \$3,000, incurred by the municipality for the water used in connection with extinguishing a fire. The bill also prohibits a municipality from seeking reimbursement from a resident for costs for water service incurred by the municipality for the water used in connection with extinguishing a fire at a property owned or rented by the resident.

[LD 270](#) *An Act to Help Retired Federal Employees* (Sponsored by Sen. Daughtry of Cumberland Cty.) This concept draft bill would help retired federal employees.

[LD 268](#) *An Act to Establish a 45-day Municipal Residency Requirement for General Assistance Programs* (Sponsored by Sen. Brakey) This bill establishes a 45-day residency requirement for municipal general assistance applicants.

January 26, 2023

[LD 266](#) *An Act to Increase Consumer Choice and Reduce Motor Vehicle Emissions in Maine* (Sponsored by Sen. Carney of Cumberland Cty). This concept draft bill would enhance consumers' ability to choose zero-emission motor vehicles.

[LD 262](#) *An Act to Strengthen Maine's Workforce* (Sponsored by Rep. Roberts of South Berwick) This concept draft bill would enact measures to strengthen Maine's workforce.

January 24, 2023

[LD 259](#) *An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund...for the Fiscal Years Ending June 30, 2024 and June 30, 2025* (Emergency) (Governor's Bill) (Sponsored by Rep. Sachs of Freeport) This is Governor Mills' FY 24 – FY 25 biennial Highway Fund budget proposal. Of direct municipal interest, the bill appropriates \$24.2 million in FY 24 and \$25.5 million in FY 25 for distribution to municipalities under the Local Road Assistance Program.

[LD 258](#) *An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund...for the Fiscal Years Ending June 30, 2024 and June 30, 2025* (Emergency) (Governor's Bill) (Sponsored by Rep. Sachs of Freeport) This is Governor Mills' FY 24 – FY 25 biennial General Fund budget proposal. Of municipal interest, the bill:

- **K-12 Education (Part C).** For FY 2024, calculates the total cost of K-12 education as \$2.54 billion, appropriates \$1.40 billion (55%) as the state's share, and sets the minimum mil rate expectation at 7.29.
- **GA Maximum for Temporary Housing (Part VV).** Limits General Assistance hotel or motel housing aid to the federal per diem reimbursement rate, which is currently \$98 for lodging, and to no more than 30 days, except that municipalities may extend temporary

housing assistance if individuals are receiving services that will lead to attainment of permanent housing.

- **Highway Fund Transfers (Part RRR).** In FY 24 and FY 25, transfers \$100 in unappropriated General Fund surpluses to the Highway fund, of which \$80 million is used for highway and bridge capital improvements and \$20 million for investment in multimodal programs.
- **Homestead Exemption (A-28).** Increases state reimbursement to municipalities under the homestead exemption program to 76% for the April 1, 2023 property tax year and to 79% for the 2024 property tax year. Total reimbursement in FY 24 is \$103.5 million and \$108.5 million in FY 25.
- **Property Tax Stabilization Reimbursement (A-38).** Appropriates \$15 million in FY 24 and \$31 million in FY 25 to reimburse municipalities for 100% of the property tax revenue lost due to the senior property tax stabilization program.
- **Property Tax Stabilization Mandate Reimbursement (A-38).** Appropriates \$500,000 in FY 24 and \$550,000 million in FY 25 to reimburse municipalities for the cost related to implementing the senior property tax stabilization program.
- **Revenue Sharing (A-638 & A-641).** Honors the commitment to distribute 5% of state sales and income tax revenue to municipalities via the revenue sharing program, which in FY 24 is \$252 million and \$259 million in FY 25.

January 20, 2023

[LD 250](#) *An Act to Improve Housing by Increasing Housing Options* (Sponsored by Sen. Pouliot of Kennebec Cty.) This concept draft bill would require the development and implementation of a program to increase housing options.

[LD 248](#) *An Act to Amend the State's Liquor Laws* (Sponsored by Sen. Hickman of Kennebec Cty.) This concept draft bill proposes to amend the liquor laws.

[LD 247](#) *An Act to Amend the Laws Governing Elections* (Sponsored by Sen. Hickman of Kennebec Cty.) This concept draft bill proposes to amend the laws governing elections.

[LD 246](#) *An Act to Amend the Campaign Finance Laws* (Sponsored by Sen. Hickman of Kennebec Cty.) This concept draft bill proposes to amend the campaign finance laws.

[LD 245](#) *An Act to Require a Person Receiving Unemployment Benefits to Attend Scheduled Interviews to Fulfill the Work Search Requirement* (Sponsored by Sen. Guerin of Penobscot Cty.) This bill amends the Employment Security Law to provide that an individual who refuses to appear for an employment interview scheduled with an employer for a suitable job opportunity

is disqualified from receiving unemployment benefits. The bill also requires the Department of Labor to establish an online portal for employers to report individuals who refuse to appear for scheduled interviews.

[LD 244](#) *Resolve, Directing Maine Emergency Medical Services to Convene a Stakeholder Group to Explore Emergency Medical Services Career Pathways and Educational Opportunities in the State* (Sponsored by Sen. Curry of Waldo Cty.) This resolve directs the Department of Public Safety, Maine Emergency Medical Services to convene a stakeholder group, including providers of EMS services and representatives from the Maine University and Community College systems, to explore career pathways and educational opportunities for emergency medical services providers in Maine and to submit a report to the legislature.

[LD 242](#) *An Act to Clarify That Animal Health Products Are Exempt from the Perfluoroalkyl and Polyfluoroalkyl Substances Reporting Law* (Sponsored by Sen. Baldacci of Penobscot Cty.) This bill provides that certain health products intended for animals that are regulated by federal law are exempt from the notification requirements that generally apply to products containing perfluoroalkyl and polyfluoroalkyl substances.

[LD 241](#) *An Act to Reform Education* (Sponsored by Rep. Bagshaw of Windham) This concept draft bill would reform education.

[LD 240](#) *An Act to Increase Public Access to Utilities* (Sponsored by Rep. Zeigler of Montville) This concept draft bill proposes to enact measures to increase public access to utilities.

[LD 237](#) *An Act to Require a Registered Voter to Update the Registration* (Sponsored by Rep. Griffin of Levant) This bill requires a person who has registered to vote to submit a voter registration update form every four years.

[LD 236](#) *An Act to Authorize a General Fund Bond Issue to Support the Economic Development of the Fishing Industry and the Portland Harbor Dredging Project* (Sponsored by Rep. Brennan of Portland) The bond bill issues \$10 million to support the economic development of the fishing industry and the Portland harbor dredging project.

[LD 235](#) *An Act to Promote Economic Development in the Fishing Industry by Funding a Dredging Project in Portland Harbor* (Sponsored by Rep. Brennan of Portland) This bill provides a one-time General Fund appropriation of \$10 million in FY 2024 to the Department of Transportation for a dredging project in Portland Harbor.

[LD 232](#) *An Act to Amend the Laws Governing Bonding Restrictions for School Administrative Units* (Sponsored by Rep. Roberts of South Berwick) This bill extends the term of bonds issued by school administrative districts and regional school units from 25 to 30 years.

[LD 230](#) *Resolve, to Require the Maine National Guard to Sell Certain Property in Hallowell* (Sponsored by Rep. Shagoury of Hallowell) This resolve amends Resolve 2021, chapter 136 to require the Adjutant General of the Maine National Guard to sell a parcel of land to specify that the sale price may not exceed \$1.

[LD 229](#) *An Act to Compensate Tribal Governments for Basic Training for a Law Enforcement Officer Hired by Another Government Agency* (Sponsored by Rep. Dill of Old Town) This bill includes tribal governments and full-time law enforcement officers trained at the Indian police academy at the federal law enforcement training center in the laws that provide that whenever a full-time law enforcement officer trained at a police academy at the expense of a particular governmental entity is subsequently hired by another governmental entity as a full-time law enforcement officer within five years of graduation from the academy, that governmental entity must reimburse the first governmental entity according to a specified formula.

[LD 226](#) *An Act to Address Maine's Affordable Housing Crisis* (Sponsored by Rep. Millett of Cape Elizabeth) This bill provides \$100 million in one-time funds to MaineHousing in both FY 2024 and FY 2025 to increase affordable housing stock in Maine.

[LD 221](#) *An Act Regarding Airboat Noise* (Sponsored by Rep. Hepler of Woolwich) This bill extends the repeal date of the law governing airboat noise limits to September 7, 2025.

[LD 219](#) *An Act to Promote Equity in the Permitting Appeals Process* (Sponsored by Rep. Bradstreet of Vassalboro) This concept draft bill would align the deadlines for permits related to development and the appeals of decisions on those permits and would further provide that during an appeal the permit's expiration date is tolled.

[LD 217](#) *An Act to Support Manufacturers Whose Products Contain Perfluoroalkyl and Polyfluoroalkyl Substances* (Sponsored by Rep. Campbell of Orrington) This concept draft bill would require the development and implementation of a program to support manufacturers whose products contain perfluoroalkyl and polyfluoroalkyl substances.

[LD 216](#) *An Act to Amend the Laws Governing Storm Water Management to Provide an Exemption for Trails for Hiking and Other Similar Activities* (Sponsored by Rep. Bell of Yarmouth) This bill exempts from the storm water control requirements under the pollution control laws subject to the jurisdiction of the Board of Environmental Protection trails intended, constructed, and managed for use by persons walking, snowshoeing, skiing, or hiking.

[LD 215](#) *Resolve, to Require the Commissioner of Public Safety to Conduct a Study Regarding Cadet Law Enforcement Officers Who Are Injured and Law Enforcement Officers Who Leave the Sponsoring Agency* (Sponsored by Rep. Perkins of Dover-Foxcroft) This resolve directs the Commissioner of Public Safety to conduct a study regarding the number of: (1) cadet law enforcement officer injuries that resulted in lost training time, workers' compensation claims, or temporary or permanent disability claims; and (2) law enforcement officers who had their training costs paid by a sponsoring agency but left that agency within one year of completion of the basic law enforcement training at the Maine Criminal Justice Academy. The bill further directs the commissioner to submit a report to the legislature by December 6, 2023.

[LD 214](#) *An Act to Amend the Laws Regarding Zoning and Land Use Restrictions to Limit Certain Requirements to Municipalities with a Population of More than 10,000* (Emergency) (Sponsored by Rep. Campbell of Orrington) This bills makes certain provisions enacted in the

2022 housing bill (LD 2003) applicable only to municipalities with populations over 10,000, including requirements allowing up to four dwelling units per lot on lots that are either empty or served by a public water or sewer; and (2) allowing for an accessory dwelling unit on the same lot as a single-family dwelling in areas in which housing is permitted.

[LD 212](#) *An Act to Authorize a General Fund Bond Issue to Upgrade Municipal Culverts at Stream Crossings* (Sponsored by Rep. Fay of Raymond) This bond bill issues \$50 million to fund a competitive grant program that matches local funding for the upgrade of municipal culverts at stream crossings in order to enhance and restore rivers, streams and fish and wildlife habitats and to allow communities to better prepare for extreme storms and floods.

[LD 211](#) *An Act to Amend the Laws Governing Water Supply Protection Funds* (Sponsored by Rep. Fay of Raymond) This bill allows a water supply protection fund established by a consumer-owned water utility to be used by the holder of a conservation easement, as well as for the acquisition of third-party rights of enforcement of a conservation easement.

[LD 210](#) *An Act to Expand the List of Persons Exempt from the Real Estate Transfer Tax* (Sponsored by Rep. Hasenfus of Readfield) This bill adds siblings, stepchildren and step-grandchildren to the list of family members whose deeds are exempt from the real estate transfer tax.

[LD 209](#) *An Act to Authorize an Interim Use Trail on the Berlin Subdivision Rail Corridor* (Sponsored by Rep. Bell of Yarmouth) This concept draft bill would authorize interim use of a recreational trail on the Berlin Subdivision Rail Corridor.

[LD 207](#) *An Act to Transfer Responsibility for Administering the Maine Uniform Building and Energy Code from the Department of Public Safety, Office of the State Fire Marshall to the Department of Professional and Financial Regulation* (Sponsored by Rep. Morris of Turner) This bill moves responsibility for the adoption and administration of the Maine Uniform Building and Energy Code from the Department of Public Safety, Office of the State Fire Marshal to the Department of Professional and Financial Regulation.

January 17, 2023

[LD 206](#) *An Act Making Unified Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund...for the Fiscal Years Ending June 30, 2023* (Emergency) (Governor's Bill) (Sponsored by Rep. Sachs of Freeport) This is Governor Mills' FY 23 supplemental General Fund budget proposal. Of municipal interest, the bill adjusts FY 23 revenue sharing distributions by \$16 million to reflect above projection state sales and income tax revenue collections.

[LD 204](#) *An Act to Ensure Safe Access to Schools by Implementing Interlocking Door Controller Technology* (Sponsored by Sen. Stewart of Aroostook Cty.) This bill requires the state to provide funding for installing interlocking door controller technology in every elementary school and secondary school in Maine.

[LD 202](#) *An Act to Clarify the Requirements for Off-premises Sales by Cannabis Store Licensees (Emergency)* (Sponsored by Sen. Pierce of Cumberland Cty.) This bill amends the laws authorizing the off-premises sales of adult use cannabis to: (1) clarify that a special event at which sales can take place is limited to no more than 10 consecutive days or 10 occurrences for a specified event per calendar year; (2) require the permit application to include descriptions of: (a) where sales will take place; and (b) the security measures implemented to prevent unauthorized access to cannabis products, including how individuals under the age of 21 will be prevented from accessing areas where sales take place; and (3) authorize the state to revoke an event permit if a municipality revokes a permit issued for off-premises sales or a property owner revokes written consent to use the property for the sales.

January 13, 2023

[LD 193](#) *An Act to Provide Excess General Fund Revenue to the School Revolving Renovation Fund and the Education Stabilization Fund* (Sponsored by Sen. Pierce of Cumberland Cty.) This bill amends the cascade, which describes how any General Fund unappropriated surplus at the close of a fiscal year is to be distributed, by reducing from 80% to 40% the amount distributed to the Maine Budget Stabilization Fund, also known as the Rainy Day Fund, and distributing 20% to the School Revolving Renovation Fund and 20% to the Education Stabilization Fund.

[LD 191](#) *An Act to Amend the Laws Regarding Certain Business Equipment Tax Benefits* (Sponsored by Sen. Stewart of Aroostook Cty.) This bill excludes from eligibility for the business equipment tax exemption and the business equipment tax reimbursement a person that, based on third-party certifications, bans, boycotts or otherwise restricts or prevents the sale or distribution of any product that is legally produced, harvested, or grown in Maine.

[LD 188](#) *An Act to Require the Department of Environmental Protection to Pay for Certain Water Tests for Perfluoroalkyl and Polyfluoroalkyl Substances* (Sponsored by Sen. Libby of Cumberland Cty.) This bill amends the waste discharge licensing laws to provide that, if the Department of Environmental Protection requires a person licensed to discharge wastewater to sample the effluent discharged for perfluoroalkyl and polyfluoroalkyl substances, all costs associated with the sampling and testing must be paid by the department.

[LD 183](#) *An Act to Incorporate Time Limits on the Temporary Assistance for Needy Families Program into Municipal General Assistance Programs* (Sponsored by Sen. Brakey of Androscoggin Cty.) This bill provides that a person who has exhausted the 60-month lifetime limit on Temporary Assistance for Needy Families (TANF) program benefits is ineligible for general assistance, except for individuals who either: (1) have been ineligible for TANF for five or more years; or (2) in the process of seeking an extension of TANF benefits.

[LD 182](#) *An Act to Create a 9-month Time Limit on General Assistance Benefits for Able-bodied Adults Without Dependents* (Sponsored by Sen. Brakey of Androscoggin Cty.) This bill limits general assistance program benefits to 275 days every five years to individuals who do not have dependents and who can work.

[LD 179](#) *An Act to Provide Support for Restorative Justice Practices in Maine* (Sponsored by Rep. Beebe-Center of Knox Cty.) This concept draft bill would support restorative justice practices in Maine.

[LD 178](#) *An Act to Support Reentry and Reintegration into the Community* (Sponsored by Sen. Beebe-Center of Knox Cty.) This concept draft bill would support an individual's reentry and reintegration into the community.

[LD 175](#) *An Act to Increase the Use of Municipal Waste-to-energy Processes as a Source of Renewable Energy* (Sponsored by Rep. Campbell of Orrington) This bill amends the solid waste management hierarchy to add the incineration of waste to generate electricity to the State's solid waste management priorities. The bill also amends the definition of "renewable capacity resource" to include a source of electrical generation that relies on generators fueled by municipal solid waste in conjunction with recycling.

[LD 171](#) *An Act to Provide That All Rules Regarding Perfluoroalkyl and Polyfluoroalkyl Substances Are Major Substantive Rules* (Sponsored by Rep. Campbell of Orrington) This bill requires rules related to perfluoroalkyl and polyfluoroalkyl substances to be major substantive rules.

[LD 169](#) *An Act to Amend and Clarify the Laws Governing Perfluoroalkyl and Polyfluoroalkyl Substances and Other Harmful Chemicals* (Sponsored by Rep. Campbell of Orrington) This concept draft bill would revise the definition of perfluoroalkyl and polyfluoroalkyl substances (PFAS) to align with federal law by: (1) requiring downstream notification and allow for a safe harbor; (2) implementing a process for banning harmful chemicals that include exemptions for de minimis concentrations and replacement parts; (3) requiring the consideration of limiting access to areas contaminated by PFAS; and (4) prohibiting certain bulk chemicals, components and parts containing PFAS.

[LD 167](#) *An Act Regarding Eligibility for the Maine Resident Homestead Property Tax Exemption* (Sponsored by Rep. Bell of Yarmouth) This bill extends the homestead exemption to a person holding a life lease on a permanent resident, which by contract allows an individual to live in a home owned by another until death, provided the resident: (1) pays property taxes and utility costs; (2) carries comprehensive homeowner's insurance on the property; and (3) pays for home maintenance and repair costs.

[LD 166](#) *An Act to Provide Revenue for Property Tax Relief and Capital Infrastructure Projects* (Sponsored by Rep. Williams of Bar Harbor) This bill allows the revenue collected from parking meters to be used to provide property tax relief and to pay the costs of constructing, maintaining, and operating capital infrastructure projects.

[LD 159](#) *An Act to Facilitate the Construction of a Firehouse by Sinclair Township* (Sponsored by Rep. Albert of Madawaska) This concept draft bill would allow Sinclair Township to acquire land and construct a new firehouse.

January 12, 2023

[LD 154](#) *An Act Regarding Special Education Funding for So-called Minimum Receiver School Administration Units* (Sponsored by Rep. Mathieson of Kittery) This bill provides that, beginning in fiscal year 2023, the minimum state share of a school administrative unit's special education costs under the essential programs and services school funding formula must be 55%. The bill also requires the Department of Education to: (1) examine the methodologies used to determine when a school administrative unit is a minimum receiver; and (2) examine the trends in the units identified as minimum receivers and determine the factors that have caused any increases in the number units, the issues created for these units and methods by which those issues may be reduced or resolved. The department is further directed to report its findings and recommendations to the Joint Standing Committee on Education and Cultural Affairs no later than January 2, 2024, which is authorized to report out legislation for consideration in 2024.

[LD 153](#) *An Act to Allow Electronic Distribution of Certain Documents to Municipalities and Electronic Acknowledgment of Receipt of Certain Documents as Acceptable Communications* (Sponsored by Rep. Dodge of Belfast) This bill adds electronic mail to the list of options for notifying the clerk of each municipality of the annual estimates of proposed county taxes and the dates of public hearings on the proposed county taxes, and for the clerk to provide evidence of receipt via electronic means. The bill also repeals the requirement that mailed notices be sent by registered or certified mail.

January 10, 2023

[LD 149 Hopper \(TAX-KD\)](#) *An Act to Amend the Definition of "Homestead" Under the Homestead Property Tax Exemption Laws* (Sponsored by Sen. Bailey of York Cty.) Under current law, one of the qualifications for the homestead property tax exemption is that real property held in trust must be in a revocable living trust. This bill removes the requirement that the living trust be revocable.

[LD 145](#) *An Act to Increase the Penalties for Operation of a Motor Vehicle While Using a Handheld Electronic Device or Mobile Telephone* (Sponsored by Rep. Zeigler of Montville) This bill increases the penalty for using a handheld electronic device or mobile telephone while operating a motor vehicle from \$50 to \$500 for a first offense and from \$250 to \$1,000 for a second offense and adds revocation of the driver's license for a third or subsequent offense.

[LD 144](#) *An Act Regarding the Monitoring of Municipal Abandoned Property* (Sponsored by Rep. Sachs of Freeport) Under current law, a municipality that certifies abandoned property is required to submit the address and parcel data to the Maine State Housing Authority for use in determining opportunities for redevelopment, programs supporting first-time home buyers and similar programs and data analysis. This bill instead requires the municipality to submit such data to the Maine Redevelopment Land Bank Authority for use in determining opportunities for redevelopment.

[LD 143](#) *An Act to Support Rural Service Programming and Promote Volunteerism* (Sponsored by Rep. Rielly of Westbrook) This bill provides ongoing funds to provide compensation for 15 program fellows to participate in the Maine Service Fellows Program.

[LD 142](#) *An Act to Fund Climate-related Service Work* (Sponsored by Rep. Rielly of Westbrook) This bill provides ongoing funds to support four Maine Climate Corps Program leadership positions and 50 eligible participants of the Maine Climate Corps Program.

[LD 138](#) *An Act Regarding the Terms of Trustees of the Phippsburg Cemetery District* (Sponsored by Rep. Hepler of Woolwich) This bill reduces the term of the trustees of the Phippsburg Cemetery District from five years to three years.

[LD 135](#) *An Act to Require Manure Bags for Horse-drawn Vehicles* (Sponsored by Sen. Stewart of Aroostook Cty.) This bill requires a horse-drawn vehicle operated on a public way to be equipped with manure bags of sufficient capacity to hold the amount of manure produced by each horse in one day. It prohibits the operator of a horse-drawn vehicle from emptying a manure bag at a location other than the location where the horse is stabled.

[LD 134](#) *An Act to Increase the Handling Fee for Beverage Containers Reimbursed to Dealers and Redemption Centers* (Sponsored by Sen. Jackson of Aroostook Cty.) This bill increases the reimbursement to a dealer or redemption center for the cost of handling beverage containers by 1/2¢ to 5¢ beginning January 1, 2024.

[LD 133](#) *An Act to Include a Representative of Newspaper and Other Press Interests on the Archives Advisory Board* (Sponsored by Sen. Carney of Cumberland Cty.) This bill adds to the membership of the Archives Advisory Board one member representing newspaper and other press interests.

[LD 130](#) *An Act to Eliminate Senior Citizen Property Tax Stabilization and Expand the Homestead Property Tax Exemption* (Sponsored by Sen. Bennett of Oxford Cty.) As of April 1, 2024, this bill repeals the property tax stabilization program and extends a \$75,000 homestead to a permanent resident of Maine who is 65 year of age or older and who has resided in the homestead for at least 10 years.

[LD 128](#) *An Act to Increase the Limit on Sets of Special Veterans Registration Plates from 3 Sets to 4 Sets* (Sponsored by Sen. Baldacci of Penobscot Cty.) This bill increases from three to four the number of motor vehicles and the number of motorcycles for which a veteran may request special veterans' registration plates.

January 9, 2023

[LD 127](#) *An Act to Eliminate Television Recycling Fees for Charitable Entities* (Sponsored by Sen. Stewart of Aroostook Cty.) This bill prohibits a municipality or consolidator that accepts electronic waste for recycling from charging a television recycling fee to a nonprofit organization exempt from taxation that employs 100 or fewer individuals.

[LD 124](#) *An Act to Ensure the Maintenance of Circular Intersections on State and State Aid Highways* (Sponsored by Sen. Libby of Cumberland Cty.) This bill requires the Department of Transportation to maintain the right-of-way of rotaries, roundabouts and traffic circles including

the center traffic island and the perimeter of the circular intersections on all state and state aid highways.

[LD 122](#) *An Act to Authorize the Efficiency Maine Trust to Establish a Program to Support the Uptake of Medium-duty and Heavy-duty Zero-emission Vehicles by Maine Businesses and to Establish a Medium-duty and Heavy-duty Zero-emission Vehicle-to-grid Pilot Project* (Sponsored by Sen. Ingwersen of York Cty.) This concept draft bill authorizes the Efficiency Maine Trust to: (1) establish a incentive program using federal or other funding sources to support the uptake of medium-duty and heavy-duty zero-emission vehicles by businesses in the Maine; and (2) establish a vehicle-to-grid pilot project to evaluate the benefits of using battery electric medium-duty and heavy-duty zero-emission vehicles, such as electric school buses and freight trucks, as energy storage resources that can deliver electricity to the grid when the vehicles are not being used for their primary purpose.

[LD 119](#) *An Act to Clarify the Boundary Between Waldo and Knox Counties in Penobscot Bay* (Sponsored by Sen. Curry of Waldo Cty.) This bill clarifies and describes a portion of the common boundary between Waldo County and Knox County in Penobscot Bay to address a discrepancy between recent maps and the legislative history of the boundary line.

[LD 109](#) *An Act to Improve Safety for Individuals Living in Recovery Residences* (Sponsored by Rep. Landry of Farmington) Current law provides that a certified substance use disorder recovery residence is treated as a family residence for the purposes of life safety code requirements, regardless of its size, layout, or number of residents. This bill repeals that provision to require such recovery residences to meet the life safety code requirements for similarly situated buildings and housing establishments.

[LD 108](#) *An Act to Establish a Logger Relations Advocate Within the Maine Forest Service* (Sponsored by Rep. Landry of Farmington) This bill requires the Department of Agriculture, Conservation and Forestry, Bureau of Forestry to establish a logger relations advocate to serve as a liaison to the public.

[LD 107](#) *An Act Regarding Municipal Efforts to Avert Evictions and Heating Shut offs During Winter* (Emergency) (Sponsored by Rep. Ankeles of Brunswick) This bill requires the state to reimburse municipalities for 100% of the expenses incurred December 1, 2022 and March 31, 2023 that was associated with preventing an eviction or the shut off of a utility service.

[LD 104](#) *An Act to Make It a Crime Not to Report a Death* (Sponsored by Rep. Babin of Fort Fairfield) This concept draft bill would make it a crime not to report a death.

[LD 103](#) *An Act to Provide Incentives to Employers to Provide On-site Child Care* (Sponsored by Rep. Jauch of Topsham). This concept draft bill would provide incentives, including grants, to large employers that have a base in this State to provide subsidized, on-site childcare for employees. The bill would require large employers that receive tax credits or other state money to provide on-site childcare for employees to continue receiving the tax credit or state money. The bill would allow smaller employers to participate in the on-site childcare paid for by the incentives by means of a sharing agreement. The bill would also make the incentives available to

a large employer that is unable to provide on-site childcare that pays at least 50% of the cost of its employees' expenses for childcare obtained from a childcare center in the community.

[LD 102](#) *An Act to Increase the Length of Registration for Antique Autos* (Sponsored by Rep. Hepler of Woolwich) This bill increases the registration period for antique automobiles from one year to two years and the registration fee from \$30 to \$60.

[LD 101](#) *An Act to Return to the Former Owner Any Excess Funds Remaining After the Sale of Foreclosed Property* (Sponsored by Rep. Perkins of Dover-Foxcroft) This bill requires municipalities to provide notice of the availability of the excess funds associated the disposal or retention of foreclosed property. If within 180 days of the foreclosure the municipality sells the property, the excess is calculated by subtracting from the revenue generated by the sale: (1) all taxes and interest owed on the property and the amount of taxes and interest that would have been assessed had the property not been acquired by the municipality; (2) the cost of the lien and foreclosure process; (3) the cost of maintaining and disposing of the property; (4) unpaid sewer, water or other charges and fees imposed by the municipality or a quasi-governmental authority; and (5) cost of mailing notices regarding the property. If the property is not sold within 180 days, the excess is calculated by subtracting from the fair market value of the property the expenses listed above. Within 30 days of the sale of the property or 180 days after the foreclosure, the municipality must notify via certified mail the owner, including an itemized statement showing the revenues owed, as well as instructions on how to redeem the funds, which must be kept in a segregated escrow account. If the former owner fails to claim the excess funds in person within 90 days after receipt of the notice, the municipality is allowed to retain the excess funds. If the former owner or the former owner's representative notifies the municipality within 90 days after receipt of the notice, the municipality must negotiate with the former owner over the return of the excess funds. If the former owner is dissatisfied with the municipality's offer, the former owner may seek binding arbitration for resolution of the matter.

[LD 98](#) *An Act to Update the Special Education Laws* (Sponsored by Rep. Brennan of Portland) This bill clarifies that providing equal opportunities for education for children with disabilities means providing equal opportunities for an appropriate education. The bill changes the age of eligibility for special education and for participation in career and technical education courses by adults who are enrolled in special education from under 20 to under 22. The bill replaces the term "pupil evaluation team" with "individualized education program team" and updates references to deafness and blindness.

[LD 96](#) *An Act to Ensure Release of Relevant Background Investigation Material to Current Employers of Law Enforcement and Corrections Officers.* (Sponsored by Rep. Cyrway of Albion) This bill requires a law enforcement agency, correctional facility or county or regional jail that performs a background investigation on a law enforcement officer or corrections officer to notify the head of the agency, facility or jail that employs the officer if the results indicate probable cause to believe that the officer is or has been involved in criminal activity.

[LD 93](#) *An Act to Ensure Access for All Caregivers to Diaper Changing Stations in Public Restrooms.* (Sponsored by Rep. Collamore of Pittsfield) With some exceptions, this bill requires all public restrooms to be equipped with a safe, sanitary and appropriate diaper changing station

that is accessible to individuals with disabilities. Exemptions include public restrooms that: (1) have conspicuous signage providing direction to another restroom on the same floor with a changing station; or (2) would require construction to install the station and at a cost that is not feasible. The Department of Health and Human Services is directed to adopt the routine technical rules necessary to implement the mandate.

[LD 92](#) *An Act to Minimize the Propagation of Invasive Aquatic Plants.* (Emergency) (Sponsored by Rep. Riseman of Harrison) This bill requires a person when removing a vessel from an inland water body to drain the vessel and other equipment and to remove or open drain plugs, bailers, valves, and other devices to drain the water before that vessel is transported. Emergency response vessels are exempted from these requirements.

[LD 91](#) *An Act to Adopt the National 2022 Amendments to the Uniform Commercial Code.* (Sponsored by Rep. Moriarty of Cumberland) This concept draft bill seeks to update the Uniform Commercial Code with the national 2022 revisions by: (1) creating a new Uniform Commercial Code Article on Controllable Electronic Records; (2) updating Article 9 to allow perfection of security interests in digital assets; (3) promoting new rules for mixed transactions involving both goods and services; (4) updating rules for electronic negotiable instruments; and (5) updating terminology to account for electronic signatures and documents.

[LD 89](#) *An Act to Clarify Eligibility for Property Tax Stabilization for Individuals 65 Years of Age or Older.* (Sponsored by Rep. Moriarty of Cumberland) For property tax years beginning on or after April 1, 2024, this bill expands eligibility for the property tax stabilization program to the surviving spouse of an eligible individual provided as they were married for at least 10 years before the eligible individual's death.

[LD 88](#) *An Act to Provide Qualifying Municipalities a Percentage of Adult Use Cannabis Sales and Excise Tax Revenues.* (Sponsored by Rep. Paulhus of Bath) This bill allocates 12% of the gross sales and excise tax revenue generated by adult use cannabis establishments in Maine to the municipalities where the revenue was generated.

[LD 86](#) *An Act to Restore the Former State of Maine Flag.* (Sponsored by Rep. Paulhus of Bath) This bill replaces the current State of Maine flag with the version in use before 1909.

January 4, 2023

[LD 85](#) *Resolve, Directing the Maine Turnpike Authority to Study Adding Exits off the Maine Turnpike to Aid Economic Development.* (Sponsored by Sen. Libby of Cumberland Cty.) This resolve directs the Maine Turnpike Authority to conduct a study to evaluate the potential economic development effects of adding exits to the Maine Turnpike. The authority is required to submit a report based on its evaluation by December 6, 2023 for presentation to the Second Regular Session of the 131st Legislature.

[LD 81](#) *An Act to Address Recovery Residence Participation in the Municipal General Assistance Program.* (Sponsored by Rep. Meyer of Eliot) This bill requires a municipality to issue a general

assistance housing assistance payment to the operator of a certified recovery residence upon request by an eligible person rather than to a landlord, including a property owner.

[LD 79](#) *An Act to Ensure a High-quality Education for Students with Disabilities by Clarifying the Definition of "State Agency Client" and Who Provides Special Education Programs and Services.* (Sponsored by Rep Crafts of Newcastle) This bill clarifies the definition of "state agency client" for purposes of special education to include a child with a disability between the ages of three and 22 who requires an individualized education program to access a free and appropriate public education and who is either: (1) in the care or custody, or both, of the Department of Health and Human Services; or (2) in the custody or under the supervision of the Department of Corrections. The bill also authorizes the state to withhold finance assistance from a school administrative unit, intermediate educational unit, public school, or other public entity that fails to comply with an order to provide appropriate educational services.

[LD 76](#) *Resolve, Directing the Department of Transportation to Study the Width of Road Shoulders.* (Sponsored by Sen. Libby of Cumberland Cty.) This resolve directs the Department of Transportation to convene a study group including members representing the department and other interested parties to examine the width of road shoulders on state roads and how they may be made consistent across the state. The department is directed to submit a report to the Joint Standing Committee on Transportation no later than December 6, 2023 that includes its findings and recommendations, including suggested legislation.

[LD 75](#) *An Act to Establish Maximum Contaminant Levels Under the State's Drinking Water Rules to Prohibit Certain Perfluoroalkyl and Polyfluoroalkyl Substances.* (Sponsored by Sen. Bennett of Oxford Cty.) This bill amends the law authorizing the adoption of state drinking water rules that establish a maximum contaminant level equivalent to zero nanograms per liter for certain perfluoroalkyl and polyfluoroalkyl substances.

[LD 71](#) *Resolve, Regarding Legislative Review of Chapter 171: Control of Petroleum Storage Facilities, a Major Substantive Rule of the Department of Environmental Protection.* (Emergency) (Sponsored by Rep. Gramlich of Old Orchard Beach) This resolve provides for legislative review of Chapter 171: Control of Petroleum Storage Facilities, a major substantive rule of the Department of Environmental Protection.

[LD 63](#) *An Act to Clarify That Certain Imported Motor Vehicles Are Not Off-road Vehicles.* (Sponsored by Rep. Rudnicki of Fairfield) This bill stipulates that the definition of "off-road vehicle" in the motor vehicle laws does not include an imported motor vehicle this is at least 25 years old.

[LD 62](#) *An Act to Require Antipinch Sensors on School Bus Doors.* (Sponsored by Rep. Golek of Harpswell) This bill requires school buses to be equipped with the technology necessary to prevent a school bus door from closing on a person's limb.

[LD 60](#) *An Act to Require a 72-hour Waiting Period After the Sale of a Firearm.* (Sponsored by Rep. Craven of Lewiston) This bill requires a 72-hour waiting period between the sale of a firearm and its delivery to the purchaser and makes violation of the waiting period a civil

violation with a \$200 to \$500 fine for the first offense and a \$500 to \$1,000 fine for a subsequent violation. The bill also provides an exemption for the sale of a firearm to a law enforcement officer that is known by the seller.

[LD 54](#) *An Act to Require Compliance with Natural or Agricultural Resource Protection Ordinances.* (Sponsored by Rep. Lee of Auburn) This bill requires that a housing structure allowed under municipal zoning ordinances due to the enactment of PL 2021, c. 672 (LD 2003) and built after October 1, 2023, comply with municipal ordinances adopted before April 27, 2022, and designed to protect natural and agricultural resources.

[LD 53](#) *An Act to Ensure Accountability for Workplace Harassment and Assault by Removing Intentional Acts and Omissions from Workers' Compensation Exemptions.* (Sponsored by Rep. Lee of Auburn) This bill removes intentional acts and omissions from the exemptions from civil action related to damages sustained by an employee when an employer has secured payment of workers' compensation.

[LD 52](#) *An Act to Allow Certain School Employees to Carry Firearms on School Property.* (Sponsored by Rep. Foster of Dexter) This bill exempts a school employee from the prohibition on possessing a firearm on or discharging a firearm within 500 feet of the property of a public school or an approved private school provided the employee: (1) has successfully completed certification and training prescribed by the Maine Criminal Justice Academy; and (2) is authorized by the school board to possess or discharge a firearm for the purpose of enhancing the safety and security of the school and in defense of students, staff and members of the public on the school premises. The bill also: (1) provides that the school employee is not authorized to exercise law enforcement powers; (2) allows a school board to establish a certification standard and a training program to arm and supervise certain school employees in a manner and according to protocols as the school board determines necessary; and (3) specifies that a school board may not arm a school employee without the employee's voluntary consent and a school employee may not be censured or discriminated against for an unwillingness or refusal to carry a firearm.

[LD 51](#) *An Act to Restore Religious and Philosophical Exemptions to Immunization Requirements.* (Sponsored by Rep. Drinkwater of Milford) This bill reinstates the religious and philosophical exemptions from immunization for students in elementary, secondary, and postsecondary schools and employees of nursery schools and certain health care facilities

[LD 49](#) *An Act to Authorize the Deorganization of Drew Plantation.* (Emergency) (Sponsored by Sen. Steward of Aroostook Cty.) This bill provides for the deorganization of Drew Plantation in Penobscot County, subject to approval at a local special election.

[LD 47](#) *An Act to Amend the Law Governing Licensing Actions of the Emergency Medical Services' Board.* (Sponsored by Sen. LaFountain of Kennebec Cty.) This bill amends the law governing licensing actions of the Emergency Medical Services' Board to remove a reference to the revocation of a license.

[LD 45](#) *An Act to Prevent Retaliatory Evictions.* (Sponsored by Sen. Carney of Cumberland Cty.) This bill amends the rebuttable presumption of retaliation against a tenant under the forcible

entry and detainer statutes to include violations of notice of rent increases and limits on increases in rents of units in violation of the warranties of habitability in state statutes, as well as a municipal ordinance limiting rent increases. The bill also provides that in the process of rebutting the presumption, the owner must show by a preponderance of evidence that the reason is provided for under the existing termination of tenancy of statutes (e.g., substantial damage to the rent unit, in arrears on the payment of rent, domestic violence, unauthorized occupant, etc.) or if a violation of a lease provision is a substantial reason for bringing the action.

[LD 44](#) *Resolve, to Rename the Bridge Between Bingham and Concord Township on Route 16 the Jason Dore Memorial Bridge* (Sponsored by Sen. Black of Franklin Cty.) This resolve directs the Department of Transportation to designate Bridge 3236 on Route 16 between the Town of Bingham and Concord Township the Jason Dore Memorial Bridge.

[LD 40](#) *An Act to Amend the Cannabis Laws.* (Sponsored by Sen. Hickman of Kennebec Cty.) This concept draft bill amends the cannabis laws.

[LD 39](#) No municipal impact.

December 30, 2022

[LD 38](#) *Resolve, to Rename a Bridge in the Town of Freeport the Matthew MacMillan Memorial Bridge.* (Sponsored by Sen. Timberlake of Androscoggin Cty.) This resolve directs the Department of Transportation to designate Bridge 5720 on Desert Road in the Town of Freeport the Matthew MacMillan Memorial Bridge.

[LD 37](#) *An Act to Amend the Laws Governing Property Tax Stabilization for Senior Citizens to Eliminate the Requirement for an Annual Application.* (Sponsored by Sen. Pouliot of Kennebec Cty.) This bill amends the laws governing property tax stabilization for senior citizens to eliminate the requirement for annual application and instead provides that a new application is required when an individual establishes a new homestead in the state.

[LD 35](#) *An Act to Establish Adult Protective Services Training Requirements for Professionals Mandated to Report Suspected Abuse, Neglect or Exploitation to Enhance Protection of Incapacitated and Dependent Adults.* (Sponsored by Sen. Moore of Washington Cty.) This bill requires mandatory reporters of abuse or exploitation of incapacitated and dependent adults, including law enforcement officers and emergency medical service providers, to complete related training once every four years.

[LD 34](#) *An Act to Require a Person to Show Photographic Identification for the Purpose of Voting.* (Sponsored by Sen. Pouliot of Kennebec Cty.) This bill requires a resident who elects to vote at the polling place to provide photograph identification prior to being issued a ballot. Acceptable forms of identification including a current and valid driver's license or nondriver identification card issued in this State, a United States passport, a military identification, or a permit to carry a concealed handgun issued in this Maine, if that permit includes a photograph. Identification issued by a Maine college or university may not be accepted for voter

identification. The bill also allows a person who does not possess photographic identification to request a free voter card from the Secretary of State.

[LD 33](#) *An Act to Expand Access to Career and Technical Education Opportunities for Middle School Students.* (Sponsored by Sen. Rafferty of York Cty.) This bill allows ongoing investment of state funding for career and technical education exploration programs for middle school students.

[LD 31](#) *An Act to Allow the Commissioner of Transportation to Reduce Speed Limits at Construction Sites with Input from Municipalities and Utilities.* (Sponsored by Sen. Farrin of Somerset Cty.) With guidance from a municipality or utility engaged in a construction project on a public way where construction workers are present, this bill allows the Commissioner of Transportation to temporarily reduce the posted speed limit and requires the adoption of routine technical rules, including the criteria that must be met before posted speed limit is reduced.

[LD 29](#) *An Act to Reduce Air Emissions at Petroleum Storage Facilities.* (Sponsored by Sen. Carney of Cumberland Cty.) This concept draft bill proposes to reduce air emissions at petroleum storage facilities.

[LD 28](#) *An Act to Streamline Rulemaking for Revisions to Screening Levels for the Solid Waste Beneficial Use Program.* (Sponsored by Sen. Brenner of Cumberland Cty.) This bill provides that rules of the Board of Environmental Protection relating to the beneficial use of solid waste are major substantive rules, except for certain rules amending screening levels for beneficial use, which the bill specifies are routine technical rules.

[LD 27](#) *An Act to Align Maine's Lead Abatement Law with Federal Definitions and to Clarify Lead Abatement Licensing and Certification Requirements.* (Sponsored by Sen. Pouliot of Kennebec Cty.) This bill amends the types of residential dwellings currently exempt from the lead abatement laws by *excluding*: (1) areas not used for living, sleeping, eating, cooking or sanitation, such as an unfinished basement that is not readily accessible to children under the age of six; and (2) zero-bedroom dwelling units where the living area is not separated from the sleeping area, such as hotel or other seasonal or temporary lodging facilities, if a child under six years of age regularly resides in the unit. The bill further amends the exemption to clarify that unoccupied dwelling units are exempt from the lead abatement laws only if the unoccupied building is inhabitable and posted as a lead hazard until demolished. The bill also removes the exemption that provides that a person 18 years of age or older who owns and personally occupies a dwelling unit in which a resident child has been identified as lead-poisoned need not obtain licensing and certification to perform abatement activities within that dwelling unit, as long as the person completes training required by the Department of Health and Human Services.

[LD 26](#) *An Act to Provide Postage Prepaid Return Envelopes to Voters Who Send Absentee Ballots by Mail.* (Sponsored by Sen. Carney of Cumberland Cty.) This bill requires the Secretary of State to furnish each municipality with prepaid return envelopes for voters sending absentee ballots by mail.

[LD 24](#) *An Act to Prohibit Open Burning Under a Red Flag Warning and Regulate Recreational Campfires.* (Sponsored by Sen. Curry of Waldo Cty.) This bill prohibits open burning, including recreational campfires, whether the open burning is permitted or not, during periods in which a red flag warning is in effect. The bill also limits the size of recreational campfires, including those that do not require a permit, to three feet in height and three feet in diameter.

[LD 23](#) *An Act to Limit Public Access to or Dissemination of Electronic Citation Information.* (Sponsored by Sen. Carney of Cumberland Cty.) This bill provides that information contained within the electronic citation database maintained, administered, or contributed to by the Department of Public Safety, Bureau of State Police is confidential.

[LD 22](#) *An Act to Impede the Transfer of Firearms to Prohibited Persons.* (Sponsored by Sen. Carney of Cumberland Cty.) This bill prohibits the unknowing or intentional transfer or sale of a firearm to a person prohibited from possessing the firearm, violation of which is a Class D crime.

[LD 21](#) *Resolve, Designating Maine Turnpike Approach Road in South Portland as Samantha Smith Way.* (Sponsored by Sen. Carney of Cumberland Cty.) This resolve directs the Department of Transportation to designate Maine Turnpike Approach Road from Route 1 in the City of South Portland to the Maine Turnpike the Samantha Smith Way.

[LD 20](#) *An Act to Further Protect Survivors of Economic Abuse.* (Sponsored by Rep. Fay of Raymond) This concept draft bill proposed to further protect survivors of economic abuse.

[LD 15](#) *An Act to Amend the Law Governing the State Grant Program Administered by the Maine Historic Preservation Commission.* (Sponsored by Rep. Dodge of Belfast) This bill changes the term “historic structure” to “historic property” in the law governing the state grant program administered by the director of the Maine Historic Preservation Commission.

[LD 12](#) *An Act to Amend the Laws Governing Severance Pay to Cover More Types of Employers and Include More Workers.* (Sponsored by Rep. Roeder of Bangor) Current law regarding the provision of severance pay due to the closing, substantial shutdown or relocation of a covered establishment applies only to industrial and commercial facilities. This bill removes that limitation, thereby making the severance pay requirements applicable to all sectors employing 100 or more employees. The bill also repeals a provision in existing law requiring issuance of severance pay only to individuals who have been employed for at least three years.

[LD 11](#) *An Act To Strengthen Temporary Protections for Children Living in Dwellings with Identified Lead Hazards.* (Sponsored by Rep. Cloutier of Lewiston) This bill authorizes of the Department of Health and Human Services to order and enforce the implementation of lead exposure reduction actions in dwellings and childcare facilities until lead hazards are abated or individuals, families and children are relocated to lead-safe facilities.

[LD 10](#) *An Act to Amend the Laws Governing Invasive Aquatic Plants* (Sponsored by Rep. Hasenfus of Readfield) This bill adds to the definition of "invasive aquatic plant" all *Myriophyllum* species that are nonindigenous to Maine, all *Trapa* species, all *Cabomba* species

and the plants water soldier, giant salvinia, swollen bladderwort and starry stonewort. The bill further prohibits the sale of any indigenous plant of the genus *Myriophyllum* in Maine .

[LD 9](#) *An Act To Establish Processing Time Limits for Permit by Rule Applications Under the Site Location of Development Laws.* (Sponsored by Rep. Boyle of Gorham) Under current law, the commissioner of the Department of Environmental Protection is afforded 20 days to decide whether an application meets the permit by rule provision. This bill exempts applications for site location of development from the 20-day determination deadline and instead requires the determination to be made within the applicable time period established annually by the commissioner pursuant to Title 38, section 344-B.

[LD 8](#) *An Act to Increase Support for the Modernization of the Board of Pesticides Control by Increasing the Annual Pesticide Registration Fee.* (Sponsored by Rep. Pluecker of Warren) This bill increases the fee to register a pesticide with the Board of Pesticides Control from \$160 to \$200, annually.

[LD 4](#) *An Act to Update Provisions of the Department of Corrections Laws Regarding Operation and Administration of Jails, Women’s Services and Juvenile Detention* (Sponsored by Rep. Pluecker of Warren.) This bill: (1) repeals the County and Municipal Detention Facility Advisory Committee and reassigns the tasks of advising the commissioner of the Department of Corrections (DOC) on jail related matters to the County Corrections Professional Standards Council; (2) authorizes the Bureau of Alcoholic Beverages and Lottery Operations to reduce lottery winnings by the amount owed to a victim via court order; (3) repeals and replaces language regarding the accreditation of correctional and detention facilities by requiring operations to be reviewed at least once every three years by a nationally recognized best practices reviewing body; (4) authorizes the DOC commissioner to appoint a director of women’s services as the chief administrative officer in any adult correction facility that houses women; (5) renames the chief administrative officers of the Mountain View Correctional Facility and the Downeast Correctional Facility as wardens; and (6) repeals provisions of existing law referring to the Mountain View Correctional Facility as a juvenile facility.

December 20, 2022

[LD 3](#) *An Act to Establish the Winter Energy Relief Payment Program to Aid Residents with High Heating Costs and to Finalize the COVID Pandemic Relief Payment Program.* (Emergency) (Sponsored by Rep. Talbot Ross for Portland.) **Emergency Enacted; PL 2023, c. 1 (1/4/23)**

This emergency bill transfers \$71 million from unappropriated General Fund surplus revenue to Maine Housing of which: (1) \$40 million supplements the federal Low Income Home Energy Assistance Program (LIHEAP); (2) \$10 million provides up to \$800 in emergency heating assistance to households that are either ineligible for or have exhausted LIHEAP benefits; and (3) \$21 million addresses emergency housing needs occurring between December 1, 2022 and April 30, 2023.

The bill also transfers \$398 million from unappropriated General Fund surplus revenue to the Department of Administrative and Financial Services for the implementation of the Winter

Energy Relief Payment Program providing one-time \$450 relief payments to eligible recipients. Eligible individuals must have: (1) filed a Maine income tax return as a full-year resident by October 31, 2022; (2) had federal adjusted gross income in the 2021 tax year of less than (a) \$200,000 for married individuals filing jointly; (b) \$150,000 for heads of households; and (c) \$100,000 for single individuals or married individuals filing separately; and (3) have not been claimed as a dependent on another taxpayer's return. Payments will be made no later than March 15, 2023 and are not considered income for Maine income tax purposes.

The bill authorizes the Department of Environmental Protection, without hearing, to suspend the sulfur content requirements for liquid and solid fossil fuels if expected availability of the fuel complying with the requirements is inadequate to meet the needs of residential, commercial, or industrial users and specify in writing the period during which the suspension is in play.

Finally, for the duration of FY 2023 the bill temporarily suspends the law requiring certain General Fund revenue and resources be transferred to the Maine Budget Stabilization Fund.

December 08, 2022

[LD 2](#) *An Act to Address Maine's Housing Crisis.* (Sponsored by Rep. Talbot Ross of Portland). This concept draft bill proposes to amend the laws to address Maine's housing crisis. Through adoption of joint order H.P. 3, this bill establishes the 13-member Joint Select Committee on Housing directed to hold public hearings, conduct work sessions and take votes on housing-related legislation for consideration by the entire Legislature. The committee is further authorized to submit legislation to the House and to seek information from experts on housing matters. Unless extended by joint order, the committee is terminated upon the adjournment of the second session of the 131st Legislature in 2024.

December 07, 2022

[LD 1](#) *An Act to Provide Funding for Winter Emergency Energy Relief and to Finalize the COVID Pandemic Relief Payment.* (Emergency) (Governor's Bill) (Sponsored by Sen. Jackson of Aroostook County.) This emergency bill transfers \$71 million from unappropriated General Fund surplus revenue to Maine Housing of which: (1) \$40 million supplements the federal Low Income Home Energy Assistance Program (LIHEAP); (2) \$10 million provides up to \$800 in emergency heating assistance to households that are either ineligible for or have exhausted LIHEAP benefits; and (3) \$21 million addresses emergency housing needs occurring between December 1, 2022 and April 30, 2023.

The bill also transfers \$398 million from unappropriated General Fund surplus revenue to the Department of Administrative and Financial Services for the implementation of the Winter Energy Relief Payment Program providing one-time \$450 relief payments to eligible recipients. Eligible individuals must have: (1) filed a Maine income tax return as a full-year resident by October 31, 2022; (2) had federal adjusted gross income in the 2021 tax year of less than (a) \$200,000 for married individuals filing jointly; (b) \$150,000 for heads of households; and (c)

\$100,000 for single individuals or married individuals filing separately; and (3) have not been claimed as a dependent on another taxpayer's return. Payments will be made no later than March 31, 2023 and are not considered income for Maine income tax purposes.

The bill authorizes the Department of Environmental Protection, without hearing, to suspend the sulfur content requirements for liquid and solid fossil fuels if expected availability of the fuel complying with the requirements is inadequate to meet the needs of residential, commercial, or industrial users and specify in writing the period during which the suspension is in play.

Finally, for the duration of FY 2023 the bill temporarily suspends the law requiring certain General Fund revenue and resources be transferred to the Maine Budget Stabilization Fund.

Bills Without LD Numbers

No LD #7 An Act To Empower Municipalities and Increase Affordable Housing by Authorizing a Local Option Sales Tax on Short-Term Lodging (Sponsored by Rep. Skold of Portland) This bill authorizes municipalities to impose a local option sales tax of 1% on short-term lodging that is currently subject to the sales tax, provided the authority is approved by referendum at which the total number of votes is equal to or exceeds 20% of the total votes cast in the most recent gubernatorial election. The revenue generated from the local option sales tax is: (1) collected by the State Tax Assessor; (2) distributed quarterly to the municipality imposing the tax; and (3) restricted for use in programs that support the development of affordable housing. As defined in the bill, qualifying projects include developments that are wholly or partly subsidized by municipal funds for which at least 50% of units are affordable housing units. Pursuant to the bill, affordable housing is defined as a decent, safe and sanitary unit for low- and moderate-income households.

[No LD #6](#) An Act to Amend the Laws Regarding the Use of Engineers on Public Works Projects over \$100,000 (Sponsored by Sen. Farrin of Somerset Cty.) This concept draft bill would amend the laws governing the use of engineers on public works projects that exceed \$100,000.

[No LD #2](#). *An Act To Support Municipal Franchise Agreements* (Sponsored by Rep. Melanie Sachs of Freeport) This bill provides that beginning on January 1, 2024 any new or renewed franchise agreement or contract between a municipality and a video services provider (VSP) that includes payment of a franchise fee must: (1) authorize the municipality to use the fees to offset the costs to regulate the VSP, support provision of public education and governmental (PEG) programs; offset municipal property taxes; and any other purposes identified by the municipality; (2) require franchise payments to be made no later than 45 days after the end of the each calendar quarter, with failure to do so resulting in the assessment of a 12% interest payment on unpaid fees and enabling the municipality to terminate the agreement or contract for repeated failure to pay fees; and (3) require payments to be accompanied by a financial statement, verified as correct, identifying the total amount of gross annual revenue generated by the activities of the provider and a description of the calculation used to determine the payment, which at the municipality's discretion may be subject to an audit by a qualified third party selected by the

municipality. The bill further clarifies that a municipality's acceptance of franchise fee revenue does not constitute agreement that the amount paid is correct unless the municipality has not initiated a process to challenge or audit the paid fee within 36 months of payment, or within 48 months of receipt of payment in cases where a financial statement is not provided. The bill also: (1) prohibits a VSP from offering or providing services within a municipality unless it has entered into a franchise agreement or contract with the municipality to do so; (2) grants the PUC regulatory oversight of VSP; (3) defines the terms facility support transmission equipment and PEG facility equipment program and signal; (3) replaces the term "cable system operator" with "video service providers" throughout the statute which is defined as a person that sells access to video, audio or computer generated or augmented entertainment services and owns or operates facilities located in whole or in part in public rights-of-way; (4) makes a VSP responsible for all cost for PEG equipment reasonably necessary to capture, process and deliver content and further provides that the VSP may not offset cost through the payment of a franchise fee, but provides that the VSP may recover costs from subscribers as permitted by law and negotiated by the municipality; (5) provides that a strand mile of cable is measure from the end of the current cable installation; (6) repeals the authority for municipalities to grant exclusive franchises; (7) requires the PUC to oversee and enforce the provision of the statute; and (8) authorizes the Attorney General to bring action to enforce the provisions of the law. Finally, the bill creates a dispute resolution process, authorizing the municipality or provider to petition the PUC to investigate and resolve the dispute or request binding arbitration by a mutually agreed arbiter from the Maine Association of Mediators.

No LD #1. *An Act To Amend the Growth Management Law* (Sponsored by Rep. Melanie Sachs of Freeport) This bill makes several changes to the Growth Management Act (GMA), including:

1. Defining the terms adjacent neighborhood, affordable housing, high-impact corridor, important natural resources, neighborhood standards, place-type, region, rural crossroad, rural farmstead, village center, working waterfront and workforce housing; amending the definitions of critical natural resources, downtown, growth area and rural area; and repealing the definitions of cluster development, multi-municipal region, and transitional area. (A summary of new and amended terms are included on the last page of the LD List.)

2. Amending the "purpose" section of the GMA to encourage the State to work with regional planning organizations or council of governments to develop multi-municipal growth management programs to address residential and commercial development, transit, habitat protections, and water quality.

3. Amending established GMA goals to: (1) direct new development to growth areas to make more efficient use of public services and infrastructure, protect natural resources and related industries, and prevent sprawl and resulting traffic impacts; (2) plan for, fund and develop efficient public facilities, including public transportation, and understanding the cost associated with various development patterns and ensuring new developments generate the revenues necessary to fund ongoing infrastructure maintenance and replacement expenses; (3) ensure that municipal land use polices and ordinances encourage the sitting and construction of affordable housing located near employment and services and that comply with provisions of state law

regarding mobile home and mobile park siting and design requirements; (4) protect, maintain, and improve the water quality of each water body subject to state regulation and ensure water quality is protected from long term and cumulative increases in phosphorus in great pond watersheds and nitrogen in coastal waters; and (5) encourage municipalities to develop policies to accommodate older residents with aging in place, including appropriate housing options, transportation access and accessibility and availability of needed services.

4. Authorizes the state to adopt routine and technical rules related to the mandatory provisions of the GMA.

5. Until the inconsistency is resolved, authorizes state review of any proposed development project that is proposed within a municipality that has adopted a rate of growth, zoning or impact fee ordinance that is found inconsistent via court order or during a state completed comprehensive plan review.

6. Requires the municipal committee directed to prepare a growth management plan to: (1) create and implement a dynamic engagement strategy to bring together as many people from the community as possible through a series of public events and activities; (2) advertise a full schedule of meetings and opportunities for the community to engage in the process; and (3) share the draft plan broadly with the community, incorporate feedback, issue subsequent drafts and assist with and help champion implementation.

7. In the process of encouraging public participation in the development of the growth management plan, directs the municipality to: (1) assemble and provide key data and insight to the public in an easy to understand format at the beginning of the process to help inform the work; (2) solicit and consider a broad range of public input by holding an initial public workshop to gather big ideas and high priorities from the community; (3) conduct hands-on workshops with the public using maps to understand where residents want to protect critical natural resources and rural areas and how to focus development; (4) prepare illustrative master plans for designated growth areas where significant change is imagined by the community, with multiple alternatives and iterations generated and evaluated in response to public input and feedback, including at least two rounds of review and revision; and (5) provide multiple opportunities for the public to review and comment on draft plans, proposals and priority actions.

8. Requires municipalities to notify the state and regional planning organizations (RPO) that the comprehensive planning process has been initiated and directs the state and RPOs to work with municipalities to provide mapping for initial public workshops, including Beginning with Habitat maps and supporting resources. The state and RPO are allowed, but not required, to provide municipalities with additional useful data and mapping in response to the big ideas and high priorities identified by the public.

9. Amends the statute encouraging public access by requiring planning committees to advertise meetings through traditional and modern media channels and where possible, use hybrid meeting technology, and record meetings for viewing by individuals unable to attend scheduled meetings.

10. Amends the statutes requiring the planning committee to hold at least one public hearing prior to adopting the plan by requiring the committee to present the draft plan with an interactive portion of the meeting providing the public the opportunity to ask questions and provide feedback. Following the presentation of the plan, the committee must conduct a public comment period, after which the committee must make plan revisions and issue the next drafts. Councils and select boards are required to hold a joint public hearing with the planning board to ensure that all parties agree and to strengthen accountability and townwide ownership of the plan.

11. Requires a copy of the proposed comprehensive plan to be made available on the home page of the municipal website and in hard copies for public inspection.

12. Amends the data that may be analyzed in the process of drafting a comprehensive plan to include supplies of affordable, workforce and market rate housing, socio-economic makeup of the community and available for community networks, programs and support systems to respond to the needs of residents, and data related to the total length of road and other infrastructure liabilities to inform capital plans for the life cycle costs of existing infrastructure projected 30 years out and an understanding of the taxes necessary to pay for additional public services.

13. Requires comprehensive plans to: (1) include a description of the community's desired outcomes for critical natural areas, rural areas and designated growth areas; (2) identify and map conserved land and critical natural resources subject to formal legal protection and rural areas that deserve protection from unrestricted development; (3) identify and map designated growth areas including where development exist, where it should go and the desired pattern of development; (4) use data and maps to guide decisions on how and where to conserve and develop land and include in the comprehensive plan a variety of natural resource based maps; and (5) include an implementation plan consisting of policies and strategies to help the community achieve the plan's goals.

14. Requires adoption of land use policies and strategies that: (1) within designated growth areas reduce minimum lot areas, lots widths and unit sizes; align front and side setbacks with the development characteristics and patterns; allow for a range of multi-unit buildings types; designate use of municipal land for affordable housing; reduce or eliminate on-site parking requirements in downtowns, adjacent neighborhoods, villages and high-impact corridors; eliminate on-site open space requirements; provide clear and simple rules for accessory dwelling units; consider adoption of form-based development standards; establish timely permitting procedures; and where new growth areas are identified, require neighborhood standard to be adopted in a way that implements the community's vision; (2) support development, including affordable housing by establish programs such as TIF, low-interest revolving loans funds, life safety and façade grants, reduce impact fees in growth areas and establish local or regional land banks or community land trust; (3) create a financial plan for the maintenance and replacement of exiting public infrastructure and services over a 30-year life cycle; and (4) with rural areas discourage incompatible development by establishing a fund for land conservation, increasing minimum lot area to 10 acres, assessing impact fees on subdivisions located outside of growth areas, adopting a rate of growth or cap on building permits issued for development outside of the growth area, allowing farmstands on lots that are five acres or greater, establishing a transfer of

development rights program and adopting a policy that prohibits the municipality from assuming public ownership or maintenance of private roads located in rural areas.

15. Repeals comprehensive planning provisions that are either duplicative or in conflict with the standards established in the bill.

16. Clarifies state level review of submitted comprehensive plans must be based on adherence with the mandatory elements of the GMA.

New & Amended Definitions in *An Act To Amend the Growth Management Law*

New Definitions

Adjacent neighborhoods. Areas planned, built, and used for predominately residential activities prior to 1940 that are located within walking distance to the downtown or a high-impact corridor, include a mix of housing (single family, duplex, small apartment buildings, etc.) and are often of historical or architectural significance.

Affordable housing. Decent, safe and sanitary dwellings where the cost is no more than 30% of the family's household income and intended for households with incomes below 80% AMI for rental units and 120% for owned units.

High-impact corridor. A linear collection of contiguous parcels along a regional road that connects a downtown to outlying areas, offering potential for increases in economic activity, housing, street safety, alternative transportation options and improved quality of life.

Important natural resources. Areas important for conservation planning purposes, such as those of statewide ecological – also referred to as Beginning with Habitat – that usually contain rich concentrations of at-risk species and habitats but are not defined as critical natural resources.

Neighborhood standards. Local land use tools that support a pattern of development that is walkable and mixed-income and use that includes standards for low-speed street designs, pedestrian and bicycle connections, proximity to accessible civic spaces, orientation of buildings toward the street and setbacks that bring buildings close to the front of the lot, to name a few.

Place-type. Developed geographic areas which including buildings, streets and other elements that are familiar in Maine, defined in existing laws and proposed in the bill as downtowns, village centers, rural crossroads, high-impact corridors, adjacent neighborhoods, rural farmsteads and working waterfronts.

Region. Two or more municipalities that work collaboratively to establish a joint growth management program or independent programs that direct new development to growth areas to make efficient use of public services and infrastructure.

Rural crossroads. An area with a contiguous grouping of two or more buildings of historic or architectural significance that have formed a center of community.

Rural farmstead. A parcel of land that serves or has the potential to serve as a resource-based economic center of activity in a rural area.

Village center. An area with a loose grouping of predominantly continuous mixed-use parcels that contains multi-story buildings.

Working waterfront. An area of land that serves or has the potential to serve as a resource-based economic center of activity for commercial industries dependent on access to deep water and tidal areas, whether adjacent to a downtown or located within a rural area.

Workforce housing. Decent, safe, and sanitary dwellings where the cost is no more than 30% of the family's household income and intended for household with incomes below 120%.

Amended Definitions.

Critical natural resource. Includes wetlands, animal species, plant species, sand dunes, fragile mountain areas and natural landmarks protected under federal or state laws (e.g., Shoreland Zoning Act, Natural Protection Resources Act, Maine Natural Areas Program, Wetland and Waterbodies Protection Rules, etc.).

Downtown. Areas planned, built, and used for mixed uses prior to 1940 which include multi-story buildings, and often include structures of historical or architectural significance which are typically close together, may be attached and often adjacent to the sidewalk without a front setback.

Growth area. Place-types, identified locally as limited or intended in nature, that are common and recognized settlement patterns and are demonstrated to produce return on municipal investment including downtowns, village centers, rural crossroads, high-impact corridors, adjacent neighborhoods, rural farmsteads and working waterfronts.

Rural area. Includes public water supplies, scarce or vulnerable natural resources and open lands needed to support a vibrant rural economy to the list of areas deserving of regulatory protection from unrestricted development.