



# LEGISLATIVE BULLETIN

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## Potholes & Politics

### MMA's Podcast Idling in Augusta

As the snow and legislative proposals start to accumulate in Augusta, the work shovel that is municipal government continues to diligently fill the holes of public policy with the “cold patch” that is the reality on the ground. Inexperience with the actual day-to-day operations of municipal governments can lead state policymakers to assign tasks to local partners without the necessary tools or resources, or more concerning, that direct the implementation of solutions that simply fall outside the municipal workflow.

The advocacy team at the Maine Municipal Association (MMA) is constantly sharing the realities of municipal innovation, barriers and needs with policymakers and government partners, but this effort cannot happen without municipal officials and staff sharing their hardships, successes, and challenges with us.

This summer, MMA's Advocacy & Communications department staff launched a podcast as a new way to dig deeper into municipal issues, tell municipal stories in greater detail, and provide a way to disseminate information to the wider public about the duties and pressures facing municipal government. To date, we have published several episodes of the “Potholes & Politics, Local Maine Issues from A to Z” podcast, including a bonus edition featuring interviews captured at our annual convention in Bangor this past October.

During the current legislative session, along with our weekly Legislative Bulletin, we will break down what has happened in Augusta via Potholes & Politics episodes launched every Monday. This will hopefully provide not only another way to stay in tune with the actions of state policymakers, but also another medium to share your feedback on legislative efforts with a wider audience.

We'll continue to collect your stories and pursue much longer episodes following legislative adjournment, but we hope you will subscribe to our podcast through Apple Podcast, Spotify or your favorite podcast streaming service. Send us your story suggestions and feedback at [mmapodcast@memun.org](mailto:mmapodcast@memun.org). You can also listen to the podcast from your device at any time directly through the MMA website or by going

to <https://potholesandpolitics.buzzsprout.com/>.

If this legislative session mirrors all the previous ones, after a long day of filling potholes in your communities, you may even be able to use the predictable words “unfunded mandate” and “home rule,” likely to be heard in the podcast, as an afterhours party game with your colleagues. Consider that your first podcast subscriber “easter egg.”



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## Let the Law Making Begin

### Look to the Bulletin for one-stop legislative intel.

Welcome to the first edition of the 2023 Legislative Bulletin. For those of you who are new to this subscription, the bulletin is published each Friday the Maine State Legislature is in session to keep municipal officials apprised of what is happening “under the dome.”

In each edition you will find summaries of the public hearings and work sessions held on bills of importance to local leaders, the municipal perspective on each issue, and the legislature's response to the concerns raised. Staff often uses the articles to urge “at home” advocacy efforts by calling on municipal officials to connect with elected state officials to discuss how proposals directly impact the communities and the people they represent.

Additionally, readers can find descriptions of the bills MMA is tracking in the “In The Hopper” feature, as well as a schedule of the bills slated for public hearings in the following week. Please note that since schedules are subject to change, before driving to Augusta to participate in the process, which is highly encouraged, it is important to check the information posted on the legislature's website at <http://legislature.maine.gov/calendar#Weekly/>. Information

*(continued on page 2)*

## Let the Law Making Begin...cont'd

on work sessions can also be found on the website.

After a two-year pandemic-related hiatus, the legislature will return to in-person meetings, however remote participation in committee hearings and work sessions will remain an option via the legislature's live streaming service. Please see a related article in this bulletin for more information.

With over 2,100 bills in the hopper, it is likely to be a long session. Although the public hearing process will commence in earnest at the end of January, committees are currently convening to establish hearing and work session protocols and meet the state agency liaisons and interested parties who will frequently testify before their committees.

Considering that local governments provide a variety of services from road maintenance, law enforcement, economic development, assessing, to planning, it is not surprising that each year a fair number of the printed bills have varying levels of impact on municipal operations. Of the bills published to date, roughly 30% have been identified by MMA staff as having a significant impact on municipal government.

It is important, however, to underscore that while staff identifies municipally

relevant bills, it is MMA's 70-member Legislative Policy Committee (LPC) that meets monthly when the legislature is in session to instruct staff on the positions to take on bills. As two LPC members are elected by the councils and select boards in each of Maine's Senate Districts, it is the case that the testimony offered by MMA truly reflects the interests of communities across the state.

Slated for debate throughout the 2023 session are proposals to clarify state laws allowing for the off-premises sales of adult use cannabis (LD 202), place limits on the benefits available to certain individuals under the General Assistance program (LDs 182 and 183), replace the property tax stabilization program with

a \$75,000 homestead exemption (LD 130), direct municipalities to return to a former property owner the "excess" revenue associated with the sale or retention of tax acquired property (LD 101), and require public restrooms to be equipped with diaper changing stations (LD 93).

Without a doubt it will be an interesting session.

The members of MMA's advocacy staff, which includes Kate Dufour, Rebecca Graham, Rebecca Lambert, and Laura Ellis urge you to keep up to date on the issues, reach out on matters of importance and subscribe to our Potholes & Politics podcast for weekly legislative updates.

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## Accessing the Legislature

### A 2023 How to Guide

This year, the Legislature will return to in-person committee meetings. However, a version of the hybrid contribution model will continue, reducing the geographic and logistical barriers to public participation. The committees of jurisdiction have issued the following guidance on how to provide testimony at a public hearing and watch committee work sessions.

#### Livestream (and archive) of committee meetings

Committee meetings are now livestreamed using the Legislature's streaming service (not YouTube). You may access the livestream (or archive) by going to the date of the committee meeting on the Legislature's Calendar (<https://legislature.maine.gov/Calendar/>).

#### Public hearings

As usual, the manner in which testimony is taken during a public hearing, as well as the conduct of hearings generally, will be determined by the committee chairs.

#### Testifying before a committee:

Persons wanting to offer testimony before a committee may do so by attending the meeting in person in the committee room or by registering to testify over Zoom using the testimony submission portal (<https://www.mainelegislature.org/testimony/>). Generally, registration is required no later than 30 minutes prior to the scheduled start of that day's hearing(s). Once that registration is complete, you will receive additional information regarding acquiring a Zoom meeting link that can be used to join the meeting remotely during the public hearing. Unless otherwise specified by the chairs, such as in the case of large public hearings, no pre-registration is required for in-person hearing testimony.

#### Written testimony:

A person testifying over Zoom can submit their written testimony by uploading it through the registration portal (<https://www.mainelegislature.org/testimony/>). Although committee clerks will endeavor to provide legislators with hard copies of testimony submitted electronically prior to a hearing, such

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# HEARING SCHEDULE

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For the week of January 23, 2023

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## MONDAY, JANUARY 23

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

Governor's Supplemental Budget –  
in conjunction with the Joint Select  
Committee on Housing.

1:00 p.m. In conjunction with the Joint  
Standing Committee on State & Local  
Government

1:30 p.m. In conjunction with the Joint  
Standing Committee on Health & Human  
Services

## TUESDAY, JANUARY 24

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

Governor's Supplemental Budget – In  
conjunction with the Joint Standing  
Committee on Criminal Justice & Public  
Safety

1:30 p.m. In conjunction with the Joint  
Standing Committee on Innovation,  
Development, Economic Advancement &  
Business

2:00 p.m. In conjunction with the Joint  
Standing Committee on Veterans & Legal  
Affairs

3:00 p.m. In conjunction with the Joint  
Standing Committee on Agriculture,  
Conservation & Forestry

3:30 p.m. Heard only by the Joint Standing  
Committee on Appropriations & Financial  
Affairs

## WEDNESDAY, JANUARY 25

**Agriculture, Conservation & Forestry  
Room 214, Cross Building, 9:00 a.m.  
Tel: 287-1312**

LD 8 – An Act to Increase Support for the  
Modernization of the Board of Pesticides  
Control by Increasing the Annual Pesticide  
Registration Fee

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

Governor's Supplemental Budget – In  
conjunction with the Joint Standing  
Committee on Judiciary

1:00 p.m. In conjunction with the Joint  
Standing Committee on Education &  
Cultural Affairs

2:00 p.m. In conjunction with the Joint  
Standing Committee on Taxation

2:30 p.m. In conjunction with the Joint  
Standing Committee on Environment &  
Natural Resources

3:00 p.m. In conjunction with the Joint  
Standing Committee on Energy, Utilities &  
Technology

3:30 p.m. In conjunction with the Joint  
Standing Committee on Inland Fisheries &  
Wildlife

4:00 p.m. In conjunction with the Joint  
Standing Committee on Marine Resources

4:30 p.m. In conjunction with the Joint  
Standing Committee on Transportation

## THURSDAY, JANUARY 26

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

LD 23 – An Act to Limit Public Access to  
or Dissemination of Electronic Citation  
Information

*Note: You should check your newspapers for Legal Notices as there may be changes in the hearing schedule. Weekly schedules for hearings and work sessions can be found on the Legislature's website at: <http://legislature.maine.gov/calendar/#Weekly/>. There is also the option testify via Zoom if you register 30 minutes in advance. Persons wishing to testify over Zoom can submit their testimony by uploading it through the registration portal (<https://www.mainelegislature.org/testimony/>).*

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distribution before or during a public hearing cannot be guaranteed. A person who testifies in the committee room and has written testimony, should provide **20 printed copies** for distribution to the committee. (This testimony may be uploaded through the portal *in addition* to hard copy distribution.)

### **Work sessions and other committee meetings**

For committee work sessions and other committee meetings (e.g., committee orientation, committee briefings, etc.), persons wanting to observe such meetings may do so in person or using

the video streaming options described above. Because work sessions (and orientations, briefings and presentations) for the 131<sup>st</sup> Legislature are in-person meetings, interested parties and members of the public should plan on attending these types of committee meetings in person in the committee room or observing the meeting video live. As always, participation by interested parties and members of the public at work sessions and other committee meetings will be by invitation only and at the discretion of the chairs, including the manner of participation (in-person or electronic).

If you have questions regarding the process, please do not hesitate to contact the committee clerk or committee analyst for the committee of jurisdiction covering the topic of interest. Committee and clerk information may be found here: <https://legislature.maine.gov/committee/#Committees> Persons in need of accommodations should contact the Legislative Information Office as soon as possible at (207) 287-1692 or [lio@legislature.maine.gov](mailto:lio@legislature.maine.gov)

As always, the Advocacy staff look forward to seeing you virtually and in person in Augusta.

# MAINE MUNICIPAL ASSOCIATION SINCE 1936

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## IN THE HOPPER

### Appropriations & Financial Affairs

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.

### Environment & Natural Resources

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 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,

(The bill summaries are written by MMA staff and are not necessarily the bill’s summary statement or an excerpt from that summary statement. During the course of the legislative session, many more bills of municipal interest will be printed than there is space in the Legislative Bulletin to describe. Our attempt is to provide a description of what would appear to be the bills of most significance to local government, but we would advise municipal officials to also review the comprehensive list of LDs of municipal interest that can be found on MMA’s website, [www.memun.org](http://www.memun.org).)

which the bill specifies are routine technical rules.

### Judiciary

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.

### State & Local Government

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.