



LEGISLATIVE BULLETIN

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Broadband Bottleneck

Although polite from start to end, the public hearing on LD 1456, *Resolve, to Study the Effect of Current Laws and Rules on the Expansion of Broadband*, was not without a few poignant shots across the bow. The amended version of the bill, sponsored by Sen. Nicole Grohoski of Hancock County, on behalf of MMA's Legislative Policy Committee, simply directs the Public Utilities Commission (PUC) to study how existing pole attachment laws and rules impact municipal-level efforts to expand broadband throughout Maine.

Some of the more cutting segments of the public hearing included an objection with MMA's use of the term "stalling" versus "bottle necking" to describe how the less than timely response to municipal requests for the make ready work on utility poles is impacting deployment of community-led broadband. As well as Consolidated Communications' opinion that if a municipality had insufficient in-house resources to keep tabs of the necessary deadlines, including when to make a request for make ready work, then they had no business running a broadband program.

Regardless, municipal leaders believe the approach advanced in LD 1456 is important as it seeks to identify the hurdles that need to be addressed to avoid exacerbating broadband access inequities among Maine residents. The lack of reliable broadband services in some communities creates a system of haves and have nots that can impact resident health via limited or no access to telehealth services, educational opportunities, and economic vitality. As often noted in these discussions, access to the internet is quickly becoming as important as access to electricity.

In its written testimony in opposition to the bill, the Maine Policy Institute suggested to the "uninitiated" that the investment in community broadband would likely result in "...duplicative systems which are wasteful at best, and distort the market for everyone else at worse."

What the Institute's argument fails to contemplate is how broadband should be provided when the expenses associated with expansion into the more rural areas of the state are too prohibitive for private developers to bear or when the residents of a community prioritize related expenses to ensure provision of the services desired. Absent a backup plan, the inequities will continue to grow.

Despite the initial differences of opinion among participants attending the public hearing, including the Maine Connectivity Authority (MCA), which supported the bill with amendments, and the PUC, which testified "neither for nor against," the interested parties coalesced around the need for study. Of note was the PUC's testimony regarding the Chapter 800 rulemaking proceeding currently underway that requires all entities to use a new electronic pole attachment management system, known as Alden One. The system is intended to modernize and accelerate the pole attachment review process.

The interested parties most familiar with the proposal believe that implementation of the electronic program coupled with a delay in the study reporting deadline will generate the data necessary to accurately pinpoint problem areas, including bottlenecks, and design informed solutions.

One of the issues to be decided by the committee at a future work session is whether to support the MCA report deadline of March 2024, the December 2024 deadline advanced by the PUC, or December 2023 approach envisioned in LD 1456.

Action Call: Got An ADU Ordinance? Fuhgeddaboutit.

Just when you thought the lack of understanding of municipal planning couldn't get more ingrained in the Legislature, two more bills, one co-sponsored by multiple members of the Joint Select Committee on Housing, just dropped. One bill seeks to preempt the need for any planning board approval for Accessory Dwelling Units (ADUs) and the other provides a housing development free-for-all.

LD 1706, *An Act to Clarify Statewide Laws Regarding Affordable Housing and Accessory Dwelling Units*, sponsored by Rep. Marc Malon of Biddeford, proposes to allow ADUs on non-conforming lots so long as they do not make that lot more non-conforming, while simultaneously providing that these ADUs are not required to submit to the local review necessary to make that determination. And worse still, the

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Action Call: Got An ADU Ordinance?...cont'd

bill allows ADUs that never received a building permit or planning review to be automatically allowed, provided the development meets state requirements.

While the rest of the existing statute requires the municipal adoption of ordinances to allow for this type building, and long before the Legislature's awareness of this housing option, communities had enacted ordinances to allow ADUs. What LD 1706 infers is that all the ordinance and planning work accomplished to date, and remaining land use requirements, are unnecessary since there would be no requirement for even a building permit or associated penalties for not applying for one, should this pass.

Does your community have historic preservation and character requirements for residential units? No need to comply. Areas of scenic byways, or archaeological protection requiring a permit by rule? No need to comply. But what about the prohibited uses within the Resource Protection District which include structures designed for human habitation? LD 1706 doesn't care.

Yet another bill to be heard the same day, LD 1593, *An Act to Increase Affordable Housing Development*, sponsored by Sen. Ben Chipman of Cumberland County, flushes away wastewater standards for multi-unit dwellings requiring only single residential capacity on the lot. Have a two-bedroom septic on a residential lot and want to add a multi-unit dwelling? Have a historic connection in a single residential zone still connected to a combined sewer and stormwater overflow usually required to be separated with new devel-

opment? You won't need additional septic requirements, or line capacity for municipal wastewater conveyance under this legislative proposal.

What could possibly go wrong?

To answer the question, one needs only to look at the city of London with historic infrastructure built to handle the waste of a population of over two million now collapsing into the Thames Estuary under the strain of a population of over nine million and historic connected conveyances. In New England and Maine, many communities continue to struggle to separate stormwater from the wastewater systems. Extreme rain events that lead to overflows of both storm and wastewater where systems have not been decoupled (usually required as a condition of additional development) will continue to dump directly into areas like Casco Bay.

Federal stormwater, Clean Water Act requirements and common sense be damned!

To add needed informed dialogue on these bills, municipal officials are urged to show up in **room 216 of the Cross Building on Tuesday April 25, at 1:30 p.m.** with hip waders or register to participate via Zoom or submit their testimony online here: <https://www.mainelegislature.org/testimony/>. Please note that at the time this edition of the bulletin went to print, the testimony submission portal did not provide an option to submit testimony or to register to provide comments via Zoom on LD 1706. If you are interested in participating in the public hearing, please contact Laura Ellis (lellis@memun.org) for updates.

IN THE HOPPER

Agriculture, Conservation & Forestry

LD 1700—An Act to Protect Agricultural Lands by Creating a Permitting Process for Solar Development on Those Lands (Sponsored by Rep. Pluecker of Warren)

This bill establishes a process for permitting the location of ground-mounted solar infrastructure on agricultural land; directs the Department of Agriculture, Conservation, and Forestry to administer the program; and provides that a permit may only be granted if the value of the solar equipment exceeds the value of the land. The bill also allows a municipality to apply to the department for the authority to issue the permits locally.

Criminal Justice & Public Safety

LD 1087 – An Act to Remove Restrictions in the Provisions of Law Relating to No-knock Warrants (Sponsored by Rep. Cyrway of Albion)

This bill amends the laws regarding no-knock warrants by: (1) removing the provision stating that any warrant is a no-knock warrant if it is executed without waiting 20 seconds after announcement of authority; (2) adding preventing the destruction of evidence to death and bodily harm in the exceptions to the requirements of no-knock warrants; (3) changing the clothing required to identify law enforcement while executing a no-knock warrant from a uniform to an article of

(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.)

clothing that clearly identifies an officer executing the warrant as a law enforcement officer; (4) requiring law enforcement officers executing a no-knock warrant to follow the policy of the lead law enforcement agency executing the warrant as opposed to an individual officer's law enforcement agency; and (5) allowing an untrained officer to use a stun grenade, stun, distraction or other similar device during the execution of a no-knock warrant in exigent circumstances.

Education & Cultural Affairs

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

HEARING SCHEDULE

For the week of April 24, 2023

MONDAY, APRIL 24

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

LD 416 – An Act to Authorize a General Fund Bond Issue for Research and Development and Commercialization

LD 427 – An Act to Authorize a General Fund Bond Issue to Invest in Research, Development and Commercialization in Maine's Marine Technology and Aquaculture Sector

1:00 p.m.

LD 193 – An Act to Provide Excess General Fund Revenue to the School Revolving Renovation Fund and the Education Stabilization Fund

LD 734 – An Act to Authorize the Treasurer of State and Municipalities to Invest in Gold, Silver and Other Precious Metals

Criminal Justice & Public Safety
Room 436, State House, 9 a.m.
Tel: 287-1122

LD 1119 – An Act to Clarify the Criminal Statutes with Regard to Assaults on Emergency Medical Services Persons

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

LD 1621 – An Act Regarding Environmental Justice

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

LD 601 – An Act to Reduce the Shortage of Municipal Emergency Medical Services Personnel by Removing Certain Vaccination Requirements

Inland Fisheries & Wildlife
Room 206, Cross Building, 1:00 a.m.
Tel: 287-1338

LD 296 – An Act to Ensure Municipalities Receive a Higher Percentage of All-terrain Vehicle Registration Fees to Cover Increased Expenses

Judiciary
Room 438, State House, 9:00 a.m.
Tel: 287-1327

LD 1412 – RESOLUTION, Proposing an Amendment to the Constitution of Maine Establishing That All Maine Residents Have Equal Rights Under the Law

LD 1647 – An Act to Prohibit Discrimination Against Cannabis Establishment Owners and Employees and Cannabis Users

Veterans & Legal Affairs
Room 437, State House, 9:15
Tel: 287-1310

LD 1686 – An Act to Eliminate Unconstitutional Restrictions on Access to Cannabis by Removing Certain Restrictions on Medical Use and Personal Use and to Recognize Cannabis and Hemp as Food Protected as a Right Under the Constitution of Maine

LD 1691 – An Act to Provide Parity in State Energy Rate Relief Payments and Tax Exemptions for Maine Cannabis Businesses

LD 1680 – An Act to Allow Cannabis Advertising and to Allow Cannabis Delivery

TUESDAY, APRIL 25

Criminal Justice & Public Safety
Room 436, State House, 1:00 p.m.
Tel: 287-1122

LD 1514 – An Act to Provide Safe, Short-term Housing to Individuals Recently Released from Correctional Facilities

LD 1543 – Resolve, to Establish the Commission to Recommend Cost-effective, Safe, Administrable and Healthful Programs to Reduce Violence in Prisons and Jails

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

LD 1174 – An Act to Prohibit the Sale of Flavored Tobacco Products

LD 1215 – An Act to End the Sale of Flavored Tobacco Products

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

LD 1396 – An Act to Clarify the Laws Regarding Delegating Authority for Services Performed by Emergency Medical Services Personnel or Others as Medical Assistant

Joint Select Committee on Housing
Room 216, Cross Building, 1:00 p.m.
Tel: 287-4149

LD 1593 – An Act to Increase Affordable Housing Development

LD 1706 – An Act to Clarify Statewide Laws Regarding Affordable Housing and Accessory Dwelling Units

Note: As of now, the legislative presiding officers have waived the requirement that bills be advertised for public hearing two weeks in advance; therefore, you should check your newspapers for Legal Notices as there may be changes in the hearing schedule. It is not uncommon at this time of the session to have a bill printed one day and a public hearing within a few days. Weekly schedules for hearings and work sessions can be found on the Legislature's website at: <http://legislature.maine.gov/calendar/#Weekly/>.

Labor & Housing
Room 202, Cross Building, 1:00 p.m.
Tel: 287-1331

LD 513 – An Act Regarding Overtime Protections for Certain Maine Workers

LD 1116 – An Act to Provide Rural Sober Living Housing for Mothers

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

LD 380 – An Act Regarding Monhegan Plantation

LD 1356 – An Act to Improve the Local Referendum Process by Increasing the Percentage of the Population Required to Submit a Local Referendum Question

LD 1409 – An Act to Require Reimbursement When a Municipality Hires First Responders Whose Training Costs Were Incurred by Another Municipality

LD 1432 – An Act to Amend the Law Governing Racial Impact Statements

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

LD 1650 – An Act to Create a Tiered Senior Resident Homestead Exemption

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

LD 1177 – An Act to Assess a Slip Fee on Megayachts Registered in Overseas Tax Havens

LD 1559 – An Act to Advance the State's Public Transit Systems by Reinvigorating the Public Transit Advisory Council and Increasing Funding

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HEARING SCHEDULE *(cont'd)*

For the week of April 24, 2023

LD 1566 – Resolve, to Establish the Task Force to Recommend Strategies to Achieve the Goal of Eliminating Traffic Fatalities and Serious Injuries

LD 1572 – An Act to Ensure Proper Funding of the Highway Fund by Imposing a Surcharge on Electric Vehicle Registration

LD 1634 – An Act to Grant Municipalities the Authority to Set Certain Lower Motor Vehicle Speed Limits Without a Department of Transportation Speed Study

WEDNESDAY, APRIL 26

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

LD 1678 – Resolve, Directing the Department of Agriculture, Conservation and Forestry to Study and Report on Soil Carbon Sequestration Incentive Programs

LD 1700 – An Act to Protect Agricultural Lands by Creating a Permitting Process for Solar Development on Those Lands

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

LD 912 – An Act to Authorize a General Fund Bond Issue to Restore Historic Community Buildings

1:00 p.m.

LD 1185 – An Act to Authorize a General Fund Bond Issue to Recapitalize the School Revolving Renovation Fund

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

LD 52 – An Act to Allow Certain School Employees to Carry Firearms on School Property

LD 518 – An Act to Allow Armed Security in Schools

LD 1557 – An Act to Increase and Enhance School Safety by Allowing Individuals with Concealed Carry Permits to Possess Handguns on School Property

Energy, Utilities & Technology
Room 211, Cross Building, 10:00 a.m.
Tel: 287-4143

LD 1692 – An Act to Create the Guilford-Sangerville Utilities District

LD 1693 – An Act to Amend the Kennebunk Sewer District Charter

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

LD 217 – An Act to Support Manufacturers Whose Products Contain Perfluoroalkyl and Polyfluoroalkyl Substances

LD 304 – An Act to Establish Statewide Standards for Perfluoroalkyl and Polyfluoroalkyl Substances

LD 1214 – An Act to Clarify the Laws to Combat Perfluoroalkyl and Polyfluoroalkyl Substances Contamination

LD 1273 – An Act to Exempt Some Businesses from Certain Laws Relating to Perfluoroalkyl and Polyfluoroalkyl Substances in Accordance with the Size of the Business

LD 1537 – An Act to Amend the Laws Relating to the Prevention of Perfluoroalkyl and Polyfluoroalkyl Substances Pollution and to Provide Additional Funding

Judiciary
Room 438, State House, 9:00 a.m.
Tel: 287-1327

LD 1507 – An Act to Ensure the Accuracy of Vital Records with Respect to Gender

LD 1613 – An Act to Prohibit Profiling and to Strengthen Civil Rights in Maine

LD 1649 – An Act to Support Local Governments in Responding to Freedom of Access Act Requests

Taxation
Room 127, State House, 9:30 a.m.
Tel: 287-1552

LD 1493 – An Act to Increase Affordable Housing by Expanding Tax Increment Financing

1:00 p.m.

LD 1168 – An Act to Adjust Motor Vehicle Excise Tax Rates

LD 1381 – An Act to Create Fairness in Maine's Motor Vehicle Excise Tax by Basing the Tax on the Sale Price

LD 1486 – An Act to Exempt Tractor Trailer Trucks from the Excise Tax

LD 1524 – An Act to Eliminate the Excise Tax on Recreational Vehicles and Permit Municipal Adoption of Fees to Cover the Cost

of Municipal Services to Campgrounds and Recreational Vehicle Parks

Veterans & Legal Affairs
Room 437, State House, 9:00 a.m.
Tel: 287-1310

LD 1627 – An Act to Improve Disclosure of Lobbyist Activities

LD 1630 – An Act Regarding Campaign Finance and Lobbying Disclosure and Enforcement of Income Source Reporting Requirements

LD 1653 – RESOLUTION, Proposing an Amendment to the Constitution of Maine to Allow Persons Under Guardianship for Mental Illness to Be Electors and to Protect All Electors from Harassment and Intimidation

LD 1690 – An Act Regarding Ongoing Absentee Voting and Tracking of Absentee Ballots

THURSDAY, APRIL 27

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

LD 212 – An Act to Authorize a General Fund Bond Issue to Upgrade Municipal Culverts at Stream Crossings

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

LD 367 – An Act to Authorize General Fund Bond Issues to Improve Highways, Bridges and Nonhighway Modes of Transportation

LD 1156 – An Act to Authorize a General Fund Bond Issue to Promote the Design, Development and Maintenance of Trails for Outdoor Recreation and Active Transportation

Criminal Justice & Public Safety
Room 436, State House, 1:00 p.m.
Tel: 287-1122

LD 1087 – An Act to Remove Restrictions in the Provisions of Law Relating to No-knock Warrants

LD 1280 – An Act to Invest in Maine's Fire Service Training Facilities

LD 1364 – An Act to Prevent Opioid Overdose Deaths by Establishing Safe Consumption Sites

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LD 1438 – Act to Require Standard Procedures to Protect Stalking Victims and Access to Certain Criminal Complaints

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

LD 1623 – An Act to Prohibit All State Subsidies for Electric Vehicles

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

LD 1622 – Resolve, to Reestablish the Criminal Records Review Committee

LD 1646 – An Act to Vacate or Adjust Sentences and Expunge Arrests, Convictions and Adjudications for Cannabis-related Offenses

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

LD 397 – An Act to Allow Sponsorship Signs at Outdoor Athletic Facilities

LD 598 – An Act to Require a Vehicle Operator to Notify an Owner or Law Enforcement Officer of an Accident Involving a Dog, a Cat or Livestock

LD 1072 – An Act Regarding the Bureau of Motor Vehicles

LD 1674 – An Act to Require and Encourage Safe and Interconnected Transportation Construction Projects

FRIDAY, APRIL 28

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

LD 75 – An Act to Establish Maximum Contaminant Levels Under the State's Drinking Water Rules to Prohibit Certain Perfluoroalkyl and Polyfluoroalkyl Substances

LD 1006 – An Act to Ensure Access to Safe Drinking Water from Household Wells in Rural Areas by Expanding Testing

**State & Local Government
Room 214, Cross Building, 9:30 a.m.
Tel: 287-1330**

LD 1553 – An Act to Mitigate So-called Forever Chemicals in Decommissioned Schools by Establishing a Fund for Mitigation Projects

LD 1669 – An Act to Require That Copies of Deeds and Survey Plans Be Provided to Municipal Assessors

**Veterans & Legal Affairs
Room 437, State House, 9:00 a.m.
Tel: 287-1310**

LD 247 – An Act to Amend the Laws Governing Elections

LD 1320 – An Act to Improve Signature Requirements for Candidates by Allowing Unenrolled Voters to Sign Petitions for Party Candidates

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Editorial Staff: Kate Dufour, Rebecca Graham, Rebecca Lambert and Laura Ellis of Advocacy & Communications.

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IN THE HOPPER (cont'd)

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 518 – An Act to Allow Armed Security in Schools (Sponsored by Rep. Andrews)

This bill allows a school board to employ or engage by contract a school resource officer, private contractor or volunteer with applicable background and experience to provide armed security at a school within the school board's school administrative unit.

LD 1557 – An Act to Increase and Enhance School Safety by Allowing Individuals with Concealed Carry Permits to Possess Handguns on School Property (Sponsored by Rep. Paul of Winterport)

This bill allows a person with a permit to carry concealed handguns to possess a firearm on public school property or the property of an approved private school.

Judiciary

LD 1649 – An Act to Support Local Governments in Responding to Freedom of Access Act Requests (Sponsored by Rep. Terry of Gorham)

This bill amends the State's freedom of access laws to increase the fee for a public records request from \$25 to \$40 per hour spent retrieving the public record. It provides that an agency or official may charge a fee for the first hour of staff time per request when the person making the public records request of that agency or official has previously made a request during the same calendar year. It requires that school personnel who are the subject of public records requests be notified and allowed to inspect records before they are released. If a school district believes a request is frivolous or designed to intimidate or harass, the school district is authorized to seek the opinion of the Public Access Ombudsman within the Department of the Attorney General regarding the request. If the Public Access Ombudsman determines that the request is part of a series of contemporaneous requests, or a pattern of requests, that are frivolous or designed to intimidate or harass and that the requests are not intended for the broad dissemination of information to the public about actual or alleged government activity, the Public Access Ombudsman is authorized to relieve the agency or official of the obligation to provide the records sought. If the requestor disagrees with the denial of a request based on these standards, the requestor may appeal to the Superior Court. It also directs the Public Access Ombudsman to create a simple, short form for public records requests. A school district may require the use of this form for any public records request.

Mandating Mental Health Employees

Claiming that municipalities simply do not prioritize the integration of trained mental health professionals in their law enforcement budgets, Rep. Lori Gramlich of Old Orchard Beach, sponsored LD 847, *An Act to Support Law Enforcement in Interactions with Individuals with Histories of Trauma* to address that issue. As proposed, the bill requires each municipal police department to enter into a legally binding memorandum of understanding with a trauma informed mental health professional to partner with law enforcement officers when responding to potential mental health calls.

Pointing to Bangor, Biddeford, and her own community of Old Orchard Beach as outliers, Rep. Gramlich suggested that municipal law enforcement departments do not avail themselves of trauma informed services or utilize mental health professionals in law enforcement-related responses and therefore should be mandated to do so.

However, that is not entirely accurate.

Many communities have, for over 30 years, benefited from state funded programs designed to pair specifically trained mental health professionals with police officers. However, due to state-level budget decisions, some communities lost funding for those programs, while communities that have elected to continue to fund programs with property tax dollars struggle to find individuals to fill that role, and increasingly, departments are competing for their skills.

Additionally, via its support for the bill, the National Alliance on Mental Illness (NAMI) Maine testified that embedding social workers in police agencies is not, in their view, the best practice but rather having individuals on call under a 24-7 contract is a better option. NAMI understands the need for these services as social workers routinely receive com-

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Hearings of The Week: Two MMA Bills & Rumored Revenue Sharing Raid

Senior Property Tax Stabilization. The Taxation Committee will conduct a public hearing on LD 1650, *An Act to Create a Tiered Senior Resident Homestead Exemption* on **Tuesday, April 25 at 1:00 p.m.** in room 127 of the State House. The bill, sponsored on behalf of MMA by Rep. Maureen Terry of Gorham, is the municipal response to the costly and administratively burdensome Property Tax Stabilization Act for Senior Citizens, commonly referred to as LD 290, that was enacted in 2022 and freezes the tax obligations of homeowners who are at least 65 years of age. As proposed, the bill replaces the program and provides that seniors earning less than 80% of the regional median family income qualify for an additional \$25,000 homestead exemption and those earning more than 80% but less than 100% of the regional median family income qualify for an additional \$15,000 exemption. The bill also requires the State to help administer the income related provisions of the bill, as well as to reimburse municipalities for 100% of the property tax loss under the senior resident homestead exemption. The work session on LD 1650 has been scheduled for Thursday, April 27 at 1:00 p.m.

TIF for Housing. The Taxation Committee will also hold a public hearing on LD 1493, *An Act to Increase Affordable Housing by Expanding Tax Increment Financing* on **Wednesday, April 26 at 9:30 a.m.** in room 127 of the State House. The

bill, sponsored by Rep. Raegan LaRoche of Augusta, authorizes the creation of Pine Tree Housing Zones to allow retained value resulting from a tax increment financing district in a municipality to be used anywhere in the municipality for the purposes of purchasing, rehabilitating, or establishing affordable and workforce housing in the municipality. The bill also provides for a sales tax exemption for the related purchasing of goods and services and electricity for a qualified project located in a Pine Tree Housing Zone.

Rumored Revenue Sharing Raid. The Health & Human Services Committee will conduct a public hearing on LD 1174, *An Act to Prohibit the Sale of Flavored Tobacco Products* on **Tuesday, April 25 at 1:00 p.m.** in room 209 of the Cross Office Building. The bill, sponsored by Rep. Joseph Perry of Bangor, prohibits the sale and distribution of flavored tobacco products, including flavored cigars and electronic smoking devices.

According to the sponsor, missing from printed bill is a directive to the state to reduce revenue sharing distributions to municipalities to cover the cost of the fiscal note which will be presented as an amendment to the bill. According to Rep. Perry, in the first year of implementation, roughly \$7 million would be diverted from revenue sharing to state coffers. To date, the rumored amendment has not been printed. Stay tuned.

plaints from law enforcement officers who feel that they are not adequately trained to address these issues, further pointing to a call with a naked individual who was destroying public property that in their opinion, could have been handled differently by a mental health professional, rather than resulting in the distressed individual being placed into a police cruiser in front of his children.

While any call for assistance from the public should be met with adequate resources to address the issue, law enforcement would agree that meeting an individual where they are while connecting them to needed resources typically has better outcomes than transport to emergency rooms. However, making the public, subject, and any responder safe during the event is the first priority.

In response to a separate provision of LD 847 that requires the Maine Criminal Justice Academy to deliver enhanced trauma-related training, the academy testified in opposition to the bill on the grounds that the training already exists, is simply not labeled trauma informed and is enhanced regularly.

As the bill targets only municipal police, and places an un-

funded mandate on municipal government, it fails to recognize the integrated work of all levels of law enforcement in Maine, as well as the lack of mental health providers in rural and northern communities. Simply seeking to change the way in which most agencies are already working by requiring legally binding on call contracts with service providers, who may or may not be available, instead of allowing the community and trusted police leaders to select their preferred method with locally available resources, is counter intuitive.

Municipal leaders and law enforcement officials believe the bill's goals are vital, especially since mental health calls are far more frequently impacting areas with no mental health practitioners as evidenced by consistent reports from the deadly force review panel.

However, as shown by the Waterville Police Department's original Midnight Team's construction, the only way such resources will be uniformly available for all agencies is with direct state support, not municipal mandates for contracting, especially where there is no one to answer those 24/7 calls.

IN THE HOPPER (cont'd)

State & Local Government

LD 1409 – An Act to Require Reimbursement When a Municipality Hires First Responders Whose Training Costs Were Incurred by Another Municipality (Sponsored by Rep. Fay of Raymond)

This bill establishes a formula to reimburse municipalities for the costs for training full-time first responders if the first responder is hired by another municipality within five years of the first municipality's initial incurrence of training costs.

LD 1669 – An Act to Require That Copies of Deeds and Survey Plans Be Provided to Municipal Assessors (Sponsored by Rep. Zeigler of Montville)

This bill provides that a grantee in a deed must provide a copy of the deed to the municipal assessor of the municipality in which the real estate is located and that a surveyor who completes a survey plan of real estate must provide a copy of the survey plan to the municipal assessor of the municipality in which the real estate is located.

Taxation

LD 1168 – An Act to Adjust Motor Vehicle Excise Tax Rates (Sponsored by Rep. Perry of Bangor)

This bill changes the excise tax on motor vehicles and camper trailers from a six-year phase-down of the tax from 24 mils to 4 mils to a 10-year phase-down of the tax from 35 mils to 10 mils and exempts from taxation the first \$15,000 of the vehicle's value that is used to calculate the tax.

LD 1381 – An Act to Create Fairness in Maine's Motor Vehicle Excise Tax by Basing the Tax on the Sale Price (Sponsored by Sen. Guerin of Penobscot Cty.)

This bill requires the excise tax for all motor vehicles, special mobile equipment and camper trailers be based upon the purchase price of

the vehicle, and requires the State to reimburse a municipality for the difference in the amount of excise tax that would have been collected by the municipality on each motor vehicle using the manufacturer's suggested retail price instead of the actual purchase price.

LD 1486 – An Act to Exempt Tractor Trailer Trucks from the Excise Tax (Sponsored by Sen. Stewart of Aroostook Cty.)

This bill exempts trucks and truck tractors registered for more than 26,000 pounds from the excise tax.

LD 1524 – An Act to Eliminate the Excise Tax on Recreational Vehicles and Permit Municipal Adoption of Fees to Cover the Cost of Municipal Services to Campgrounds and Recreational Vehicle Parks (Sponsored by Rep. Sampson of Alfred)

This bill provides an exemption from the motor vehicle excise tax for recreational vehicles that have electrical systems of at least 30 amps, water storage and graywater and blackwater holding tanks and permits municipalities to impose fees on exempt recreational vehicles and campgrounds or parks that host those recreational vehicles. The fees must be calculated to produce annual revenues that would offset the revenue lost by the municipality due to the excise tax exemption. The bill also authorizes municipalities to impose a fee on campgrounds for permission to construct or to lease land to another person or entity to use docks, floats, piers, boat lifts and riprap that occupy space that is within 100 feet from the shoreline of a great pond.

Transportation

LD 1572 – An Act to Ensure Proper Funding of the Highway Fund by Imposing a Surcharge on Electric Vehicle Registration (Sponsored by Rep. Zeigler of Montville)

This bill authorizes the Secretary of State to require the owner of an electric vehicle to pay an electric vehicle registration surcharge of \$72 per year. The money collected from the surcharge must be transmitted



IN THE HOPPER (*cont'd*)

to the Treasurer of State to be credited to the Highway Fund.

LD 1634 – An Act to Grant Municipalities the Authority to Set Certain Lower Motor Vehicle Speed Limits Without a Department of Transportation Speed Study (Sponsored by Sen. Bennett of Oxford Cty.)

This bill authorizes municipalities to change a speed limit on a single road or section of road without assuming responsibility for setting or managing speed limits on all roads within the municipality and reduce posted speed limits by up to 10 miles per hour in business, residential, compact and growth areas to no lower than 20 miles per hour and to make physical changes to a road in those areas to promote better compliance with posted speed limits. The bill also requires a municipality that has changed a speed limit to review any safety deficiencies, seek public input and report to the Legislature for a period of five years data on before and after motor vehicle speeds, pedestrian counts, and bicycle counts.

Veterans & Legal Affairs

LD 1686 – An Act to Eliminate Unconstitutional Restrictions on Access to Cannabis by Removing Certain Restrictions on Medical Use and Personal Use and to Recognize Cannabis and Hemp as Food Protected as a Right Under the Constitution of Maine (Sponsored by Sen. Brakey of Androscoggin Cty.)

This bill provides that the leaves, stems, flowers and seeds of a cannabis plant are food and therefore protected under the right to food provision in Maine's constitution adopted in 2021. The bill also removes provisions of state statute that limit the amount of cannabis

plants or seedlings a person may: (1) transfer or furnish, without remuneration, to another person; (2) possess, cultivate or transport; (3) purchase from a nursery cultivation facility or cannabis store and (4) plants that a person may cultivate.

LD 1680 – An Act to Allow Cannabis Advertising and to Allow Cannabis Delivery (Sponsored by Rep. Boyer of Poland)

This bill allows adult use cannabis and cannabis product stores, certain cultivators and products manufacturers to operate a delivery service to commercial locations, including locations operated as short-term rental properties, and allows an adult use cannabis and cannabis product licensee to advertise, market and display signs promoting the licensee's business and products in a manner no more restricted than the sale or promotion of alcohol, tobacco products or prescription drugs is restricted. The bill also allows signs for adult use cannabis and products on the exterior of motor vehicles.

LD 1690 – An Act Regarding Ongoing Absentee Voting and Tracking of Absentee Ballots (Sponsored by Sen. Daughtry of Cumberland Cty.)

This bill amends the "ongoing absentee voter status" statutes by repealing the provision that a voter must be at least 65 years of age to qualify for the status, thereby extending the privilege to all voters. The bill also amends the list of reasons a person's ongoing absentee voter statute is terminated to repeal current provisions regarding a failure to return a ballot in a general election and the designation of "inactive" in the central voter registration system. The bill also directs the Secretary of State to establish and maintain an online service allowing a voter who requests an absentee ballot to trace the status of the absentee ballot process.