

Maine Town & City

The magazine of the Maine Municipal Association

AUGUST/SEPTEMBER 2023 | VOLUME 85 | ISSUE 8

Maine Municipal Association 87th Annual Convention

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- Awards Luncheon (*sponsored by Northern Light Work Health*)
- Member Appreciation Reception featuring music by Funkationland! (*sponsored by Bangor Savings Bank*)
- Over 25 educational training sessions
- Over 100 vendors
- Potholes & Politics Podcast

ALSO IN THIS ISSUE:

Recap of 2023 Legislative Session

Where in Maine...St. Agatha

Theresa Chavarie Retires

OCTOBER 4 & 5, 2023 - AUGUSTA CIVIC CENTER



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In this issue

MMA'S ANNUAL CONVENTION RETURNS TO THE AUGUSTA CIVIC CENTER ON OCTOBER 4 AND 5. The event's "Lead. Motivate. Communicate." theme and programming will inspire growth in both personal and professional aspects of local government service. **PAGE 5**

BYLAW CHANGE. During MMA's annual business meeting, held in conjunction with the first day of the MMA Convention, appointed delegates will have the opportunity to vote on an amendment to the MMA bylaws establishing who is eligible to serve on the panel responsible for advancing the slate of candidates for MMA's Executive Committee. **PAGE 11**

WHERE IN MAINE? This month, MMA's Rebecca Lambert travels to Northern Aroostook County, St. Agatha to be exact, to speak to municipal officials and discover what makes this region of Maine so special. This is the second article in the magazine's newest series shining a spotlight on various communities across the state. **PAGE 13**

LEGISLATIVE OVERVIEW. Considering the session got off to a slow start, coupled with the sheer number of bills introduced during the 2023 session, it is not entirely surprising that the members of the 131st Maine State Legislature did not finally adjourn until July 26. Despite a few setbacks, the session was not a bust for municipal leaders. **PAGE 19**

LEGISLATIVE CARRYOVER BILLS & STUDIES. Although the Legislature has adjourned, much work remains, both in the form of carryover bills that are slated for further discussion when the Legislature convenes in 2024, as well as the many studies and working groups that will meet in the fall and winter months. Look no further for a preview of what's in store. **PAGE 21**

DEPARTMENTS

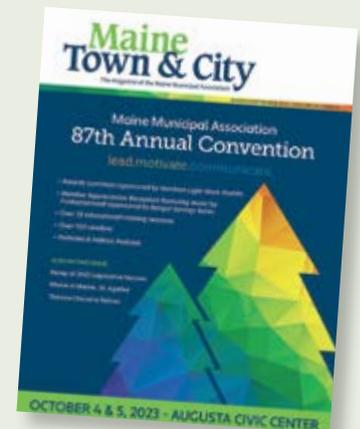
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ABOUT THE COVER
MMA is gearing up for the 87th Annual Convention!



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By Catherine M. Conlow/Executive Director



On behalf of the Maine Municipal Association, it is with great pleasure and anticipation that we prepare to welcome you to MMA's 87th Annual Convention, October 4-5 in Augusta.

It seems unreal that we are already thinking about the fall, after a painfully shortened summer. Nonetheless, it is fall that makes Maine special and here at MMA autumn is extraordinary because it presents a largescale opportunity to reconnect with our members in one location. The annual convention is our marquee event that serves as the cornerstone of the Association's training by providing our members with opportunities to connect with friends and colleagues in an environment that supports knowledge, learning and camaraderie. We are excited to have you join us for this annual celebration.

The annual convention is more than just a gathering; it is a testament to the power of shared interests and collective intelligence. As we gather under one roof, we bring together a diverse array of talents, perspectives, and backgrounds for a uniquely shared experience for Maine's appointed and elected municipal officials. It is this diversity that fuels the essence of our convention and enriches the experience for all attendees.

Our theme this year is "Lead. Motivate. Communicate." These past few years have required municipal officials to embrace change, however uncomfortable, to keep up with a rapidly changing municipal environment. The pandemic taught us that in this dynamic world, to thrive, municipal officials need to be adaptable, open-minded, and willing to embrace new ideas and innovations. As we settle back into our new routines, we can reset expectations for our staff, constituents, and communities.

MMA's education and training staff has developed a wonderful program to inspire growth in both personal and professional aspects, equipping each attendee with the tools and insights needed to excel in this post pandemic world.

As you know, the convention has always been a melting pot of ideas and inspiration, and this year's program promises an array of thought-provoking presentations,

interactive workshops, and engaging panel discussions.

Our featured speakers include Leila Brammer, from the Parrhesia Program for Public Discourse at the University of Chicago, whose session will focus on providing municipal officials the tools necessary to build capacity for effective communications and to bridge differences through productive dialogue.

Next up, Ron Holifield, Chief Executive Officer of Strategic Government Resources, will focus on how our members can use their authentic leadership abilities to rise to both the usual and extraordinary challenges facing local communities. Finally, Yellow Light Breen, President and CEO of the Maine Development Foundation, will talk about how municipal officials, regardless of the community size, can nurture innovation, sustainability, and a viable workforce. Yellow will speak about innovative approaches to heritage industries, community development and local leadership relevant to all communities in Maine.

In addition to our featured speakers, the convention offers a wide range of training topics that are designed to appeal to all our members. Whether it is nuts and bolts training like "right to know" or emergency preparedness, programming designed to help municipalities understand and access collaborative programs, or programs designed to support individual members, I promise that there is something for every municipal official.

Beyond the scheduled events, the convention provides ample opportunities for networking and forging valuable connections. We encourage you to seize every moment to engage with fellow attendees, share your experiences, and learn from your peers' trials and tribulations. Remember, the most powerful insights often emerge from casual conversations and impromptu encounters.

As you navigate through the convention, do not hesitate to explore the various exhibition booths. Here, you will find new technologies, groundbreaking products, and innovative services. Take this chance to learn about these products with the latest advancements to serve

community needs. Don't forget to interact with our vendors, who are eager to share ways in which your communities can benefit from their products.

In addition to the professional aspects, Wednesday evening's Member Appreciation Reception offers a chance to unwind, bond with your fellow attendees, and enjoy music by Funkationland! This environment is perfect for fostering meaningful connections beyond the confines of business interactions. After all, our convention is about building a strong, supportive community that continues to thrive long after the event concludes. After the reception, I encourage all of you to connect with friends and take advantage of the extraordinary dining options in downtown Augusta and Hallowell. These communities offer something for every desired dining experience.

For those who are attending for the first time, we extend an extra warm welcome. We understand that stepping into a new environment can be both exciting and daunting. Rest assured, our team and veteran attendees are here to make you feel at home. If you have any questions or need assistance, don't hesitate to approach any of the MMA staff members. We are committed to ensuring

your experience is smooth, enjoyable, and memorable.

Throughout the convention, we encourage you to share your experiences on social media using our official hashtag (#MMACON23). This allows you to connect with like-minded individuals outside the convention walls and extend the knowledge-sharing beyond the event's duration. Also, stop by the MMA Municipal Market to put a face on the voices of our talented staff, help in celebrating the Health Trust and RMS milestone anniversaries, and participate in an interview for the Potholes and Politics podcast.

Lastly, we want to express our deep appreciation to all our sponsors and partners whose support and dedication have made this event possible. Their contributions have helped shape the convention into what it is today, and we are grateful for their commitment to our shared mission.

So, without further ado, let us embark on this journey of knowledge, community, and innovation. The annual convention awaits with its doors wide open, ready to embrace each of you with open arms. Together, let us embrace change and inspire growth in ourselves and the communities we serve. 🏡

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Wednesday, October 4, 2023

Welcome & Featured Speaker (9:00 – 10:30 a.m.)

Civic Leadership and the Imperative of Effective Communication

Presenter: Leila Brammer, Director of Outreach and Instructional Development of the Parrhesia Program for Public Discourse, University of Chicago

Concurrent Session Block #1 (10:45 a.m. – Noon)

The Ins and Outs of the Legislative Process

Presenters: MMA's Advocacy Staff

Improving Your Security Posture with UMA's Maine Cyber Range

Presenters: Henry Felch, Michele Weymouth and Jenn Moody of the Maine Cyber Range, University of Maine at Augusta

OSHA Recordkeeping – A General Overview for Maine Municipalities

Presenter: Steve Laundrye, Workplace Safety & Health Division, Maine Department of Labor

Elections and CVR Updates - Sponsored by the Maine Town and City Clerks' Association (MTCCA).

Presenter: Julie Flynn, Deputy Secretary of State, Maine Secretary of State

Municipalities and Maine's Animal Laws – Sponsored by the Maine Animal Control Association (MACA).

Presenters: Rebecca Parker, Animal Control Officer, Town of Kennebunkport and President, MACA; Linda Donovan, Assistant District Attorney, York County

MMA Awards Luncheon (Noon – 1:15 p.m.)

Join MMA in honoring the recipient of the Ethel N. Kelley Memorial Award, celebrating the installation of the incoming MMA President, recognizing the MMA Executive Committee and Past Presidents, and announcing other municipal awards.

Sponsored by Northern Light Work Health

Concurrent Session Block #2 (1:15 – 2:30 p.m.)

MMA Annual Business Meeting

Join MMA President Elaine Aloes, Vice President Diane Hines and Executive Director Cathy Conlow as they shed light on MMA's upcoming priorities, tally election votes for the Executive Committee, and reflect on the events and activities in 2023. Additionally, voting members will be asked to ratify an amendment to MMA bylaws governing

the individuals appointed to the nominating committee, which is responsible for annually advancing the slate of candidates to serve on Association's Executive Committee.

Embracing Conflict: Techniques for Managers and Staff

Presenter: Danielle Abbott, Leadership Development Educator & Founder, Danielle Abbott Coaching

Healthy Aging in Community – Why Data & Values Matter

Presenters: Jess Maurer, Executive Director, Maine Council on Aging; Kat Blackstone, M-DASH Project Manager

Using Communication Tools Creatively to Improve the Civic Experience in Your Community

Presenter: Jessica Grondin, Director of Communications & Digital Services, City of Portland

Federal Funding and Grant Opportunities Through the Bipartisan Infrastructure Law (BIL) and Inflation Reduction Act (IRA) – Sponsored by the Maine Government Finance Officers' Association (MEGFOA)

Presenter: Katherine Heck, Government Finance Advisor, New Hampshire Municipal Association

Concurrent Session Block #3 (3:00 – 4:15 p.m.)

Right to Know Law Training

Presenters: Rebecca McMahon, Director, Legal Services, MMA; Garrett Corbin, Staff Attorney, Legal Services, MMA

When Do You Need a Professional Engineer?

Presenters: Brent M. Bridges, PE, Senior Engineer/Principal, Woodard & Curran; and Joyce Taylor, PE, Chief Engineer, Maine DOT

Reporting and Tracking Grants, Including ARPA Grant Compliance – Sponsored by the Maine Municipal Tax Collectors' & Treasurers' Association (MMTCTA)

Presenter: Amanda Methot-Vigue, Methot Method Consulting

Member Appreciation Reception and Entertainment (4:15 – 6:30 p.m.)

Enjoy networking with colleagues, refreshments and light appetizers, and music by Funkationland! *Sponsored by Bangor Savings Bank*



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2023 MMA Convention

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Thursday, October 5, 2023

MCAPWA Fall Meeting (7:30 a.m. – 1:00 p.m.)
Sponsored by Maine Chapter of American Public Works
Association (MCAPWA)

Welcome & Featured Speaker (9:00 – 10:15 a.m.)

It's Not About Me, It's Not About Now

Presenter: Ron Holifield, Chief Executive Officer, Strategic
Government Resources

Concurrent Session Block #4 (10:45 a.m. – Noon)

When the Worst Happens – Understanding Trauma

Presenters: Wendy Wollner, Founder & CEO, Balancing Life
Issues; and staff from MMA Risk Management Services
and the Maine Municipal Employees Health Trust

Supervisory Leadership: How Do We Manage “Self”

Presenter: Adam Gormely, Manager, Dirigo Risk
Management Services

Energy Efficiency Finance Mechanisms for Municipalities – C-PACE and Municipal Leases

Presenters: James Neal, Senior Program Manager for
Finance Initiatives, Efficiency Maine; John Simko, Director
of Government Banking, Androscoggin Bank; and Troy
Moon, Sustainability Director, City of Portland

Developing or Revamping Your Safety Program

Presenters: John Waterbury, Senior Loss Control
Consultant, and Jason Johnson, Loss Control Consultant,
MMA Risk Management Services

Stay Connected: Broadband Opportunities for Maine Communities - Sponsored by the Maine Community Development Association (MCDA).

Presenters: Clara McCool, Regional Broadband
Coordinator, Greater Portland Council of Governments;
Kendra Jo Grindle, Community & Regional Partnerships
Senior Manager, Maine Connectivity Authority; Nick
Battista, Chair, Maine Broadband Coalition & Chief
Policy Officer, Island Institute; Marci Gaglione, Affordable
Connectivity Program Manager, National Digital Equity
Center

Featured Speaker Luncheon (Noon – 1:15 p.m.)

Leading for Economic Innovation and Prosperity

Presenter: Yellow Light Breen, President & CEO, Maine
Development Foundation

Concurrent Session Block #5 (1:15 – 2:30 p.m.)

What's New With the Maine Municipal Employees' Health Trust?

Presenters: Staff from the Maine Municipal Employees
Health Trust

Municipal Internships: Engaging Fresh Perspectives in Local Government

Presenters: Jay Feyler, Town Manager, Town of Union;
Christine Landes, Town Manager, Town of Chelsea; Peggy
McKee, Internship Program Coordinator, Margaret Chase
Smith Policy Center; Danica Lamontagne, Assistant to the
City Manager, City of Biddeford; Nadia Crockett-Current,
HR/Payroll Assistant, Town of Kennebunkport; Shannon
Chisholm, Assistant City Planner, City of Saco

Addressing Common Challenges to Municipal Audits

Presenters: Marc Roy, Partner, Royer Advisors and
Accountants; Ron Smith, Managing Partner, RHR Smith &
Company; Matthew Dunlap, State Auditor, Office of the
Maine State Auditor; Paula Gravelle, Director of School
Finance, Maine Department of Education; Marcus Pratt,
Manager, Runyon Kersteen Ouellette; Bruce Miller, Chief
Credit Administrator, Androscoggin Bank

The Code Enforcement Officer as an Asset to the Community – Sponsored by the Maine Building Officials' and Inspectors' Association (MBOIA)

Presenters: Mark Stambach, Code Enforcement Officer/LPI,
Town of Lisbon, and President, MBOIA

National Incident Management System Overview

(NIMS 402 Training) (1:15 – 4:00 p.m.)
Sponsored by the Maine Fire Chiefs' Association (MFCA).
Presenter: Chief Kenneth Brilliant, Fire Chief, Town of
Brunswick and Treasurer, Maine Fire Chiefs' Association

Concurrent Session Block #6 (2:45 – 4:00 p.m.)

Collective Tools, Collateral Consideration; The Federal, State Local Landscape on Addressing The Housing Crisis

Presenters: Rebecca Graham, Senior Legislative Advocate,
MMA; Michael Wallace, Legislative Director for Housing,
Community and Economic Development, National League
of Cities; Ryan Fecteau, Senior Advisor, Governor's Office of
Policy Innovation and the Future

Tools and Tactics to Reduce Information Security Risks

Presenter: Rob Herman, Strategic Consultant, WGTech

Past, Present, and Future of the Maine Criminal Justice Academy – Sponsored by the Maine Town, City, and County Management Association (MTCMA)

Presenters: Jack Peck, Jr. Director, Maine Criminal Justice
Academy

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MMA's Nominating Committee

Bylaw changes on the agenda for MMA's annual business meeting.

By Kate Dufour, Director / Advocacy & Communications

On the afternoon of October 4, voting delegates from member communities participating in MMA's annual business meeting, held in conjunction with the annual convention, will have the opportunity to vote on an amendment to the Association's bylaws. Specifically, the proposal amends the list of members appointed to the nominating committee, which is responsible for advancing the slate of candidates to serve on the Association's Executive Committee.

The recommendation to amend those bylaws was advanced by then MMA President, Jim Bennett, who was authorized by the Executive Committee to appoint the Diversity, Equity, and Inclusion (DEI) Special Task Force. The charge at hand was to explore and recommend changes to the processes and guidelines the Association uses to attract members to serve on MMA's governing committee.

According to Bennett, the intent of the work was to implement the changes necessary to encourage a more diverse pool of candidates to consider serving on the Association's governing board. "As municipal leaders it is incumbent upon us to ensure that all perspectives are considered when decisions about the future of our communities are discussed and implemented. This applies to the Association as well. The changes advanced by the task force expand the voices around the table when the slate of candidates for MMA's governing board is selected. I appreciate the task force's work and look forward to the discussion on this amendment."

In that vein and over the course of four meetings, the task force members - listed in an accompanying sidebar - recommended amending the membership of the nominating committee by: (1) reducing from two to one participation of a past president; (2) reducing from two to one participation of an elected officer; and (3) including one representative from each of the following categories: (a) town/city manager or chief administrative official; (b) board member from an affiliate organization; (c) municipal employee or volunteer; and (d) a representative from a community-based organization representing a marginalized group.

As proposed by the task force, the amendment repeals and replaces Article V, Section 3 of the MMA bylaws, as follows:

Nomination Process

Section 3. No later than the end of February of each year, the President, with recommendations from the Executive Committee, shall appoint a five member Nominating Committee, composed of two elected officials, two Past Presidents, and one member who is either the President of an affiliate organization or is a town or city manager or chief appointed administrative official. The Chair of the Nominat-

~~ing Committee shall be the Immediate Past President. If the Immediate Past President is unable to serve as the Chair, the MMA President shall appoint another Past President to serve as the Chair.~~

No later than the end of February of each year, the President, with recommendations from the Executive Committee, shall appoint a six-member Nominating Committee.

The committee shall be composed of: (1) a Past President, other than the immediate Past President; (2) an elected municipal officer; (3) a town or city manager or chief appointed administrative official; (4) a board member of an affiliate organization; (5) a municipal employee or volunteer, appointed to serve on the committee by either the town or city manager or chief appointed administrative official, or in the absence of a manager or administrative official, the chair of the select board; and (6) a representative from a community-based organization with a legislative or governance focused mission that represents a marginalized group with lived experiences. With exception to the community-based organization representative, appointees must represent a member municipality.

The Chair of the Nominating Committee shall be the Immediate Past President, who shall vote only in the case of a tie. If the Immediate Past President is unable to serve as the Chair, the MMA President shall appoint another Past President to serve as the Chair.

Additionally, delegates will have the opportunity to vote on a second amendment seeking to expand the number of membership opportunities available to non-traditional MMA members, including students, retirees, and partner entities.

Information on both amendments will be mailed to municipal officials in September. In the meantime, if you have questions about the process or the amendments, please do not hesitate to contact Catherine Conlow at cconlow@memun.org or at 1-800-452-8786. 🏔️

2023 DEI Special Task Force Members

- Jim Bennett, MMA Past President/Manager, City of Biddeford
- Elaine Aloes, MMA President/Chair Selectboard, Town of Solon
- Ella Bowman, Manager, Town of Oakland
- Phil Crowell, Manager, City of Auburn
- Ryan Pelletier, Administrator, Aroostook County
- Dustin Ward, Selectboard, Town of New Gloucester

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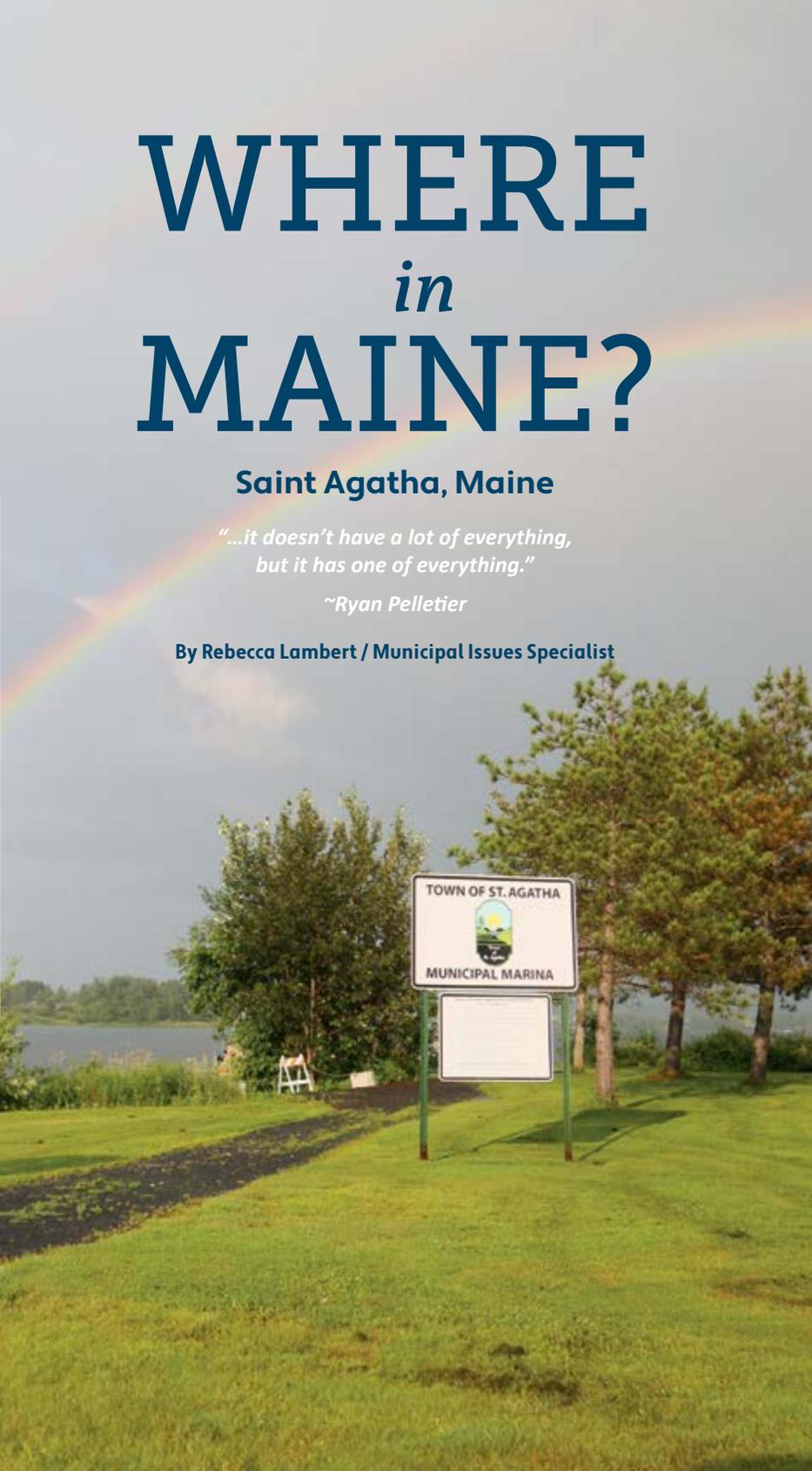
WHERE *in* MAINE?

Saint Agatha, Maine

*"...it doesn't have a lot of everything,
but it has one of everything."*

~Ryan Pelletier

By Rebecca Lambert / Municipal Issues Specialist



FOR THIS 'Where in Maine' article, the Potholes & Politics crew set out to record an episode of the podcast, while learning all there was to know about Saint Agatha. A few local officials in the area were available to meet with us to discuss issues of importance to the region and provide insight into this special part of our state. You can find that episode of Potholes & Politics: Local Maine Issues from A to Z, on your favorite podcast platform.

The "Where in Maine" series will showcase the more whimsical sides of our communities. One city or town from each of the counties in Maine will be explored focusing on their vibrant downtowns, historical landmarks, and other places, as well as the things that make each Maine town or city unique.

Photos in this series by Rebecca Lambert, MMA

Congratulations to the Recent Maine Town & School Funding Recipients



The following Maine towns and schools have received incentives from Efficiency Maine for energy efficiency upgrades:

- **The Town of Carthage**
- **The Town of Glenburn**
- **The Town of Greenwood**
- **The Town of Norridgewock**
- **The Town of Tremont**
- **Belfast High School**
- **Elm Street School**
- **Hall Dale School**
- **Hussey Elementary School**
- **Mount Desert Island High School**

Congratulations to the recipients! Through funding from Efficiency Maine, these towns and schools have installed new heat pumps, variable refrigerant flow (VRF) systems, LED lighting and more, and are now increasing comfort and reducing energy costs for years to come.

If your town or city is interested in upgrading to energy efficient technology, visit the URL below to learn about our current incentives for Maine towns and schools.



For more information, visit
efficiencymaine.com/at-work/municipal/



St. Agatha Parish (Photo by Rebecca Lambert)

Have you ever been traveling and wind up chatting with a stranger, only to realize you share a connection to Maine. The conversation will quickly turn to where in Maine, who they know, and often these strangers find additional connections, bringing meaning to the old saying, "Maine is just one big, small town."

Small towns like Saint Agatha, a picturesque town in northern Maine, sitting a short 14-ish miles from our Canadian neighbors. It boasts a year-round population of 730 (2020 U.S. Census) that swells both in the summer and the winter with seasonal residents and tourists due to the easy access to snowmobiling and ATV trails, along with the attraction of Long Lake. As its name implies, the lake is twelve miles in length, to be exact, covers over 6,000 acres, and hosts two public boat launches and one marina.

Most Mainers know there is a stark difference between the northern and southern part of our state but until you take a trip to "The County," you just can't understand the magic of the St. John Valley. Being in Saint Agatha felt like time slowed down a bit. The traffic is limited, the birds seem to chirp louder, the sunrises are spectacular, and the people are warm and friendly.

On a recent summer evening, I listened to the loons singing their melancholy song, carrying over the vast lake, and for a moment I forgot about the cold winters and snow and understood why people from here always seem to come back. Much like the staff person working at the Long Lake Motor Inn who was born and raised in Saint

Agatha, moved to Connecticut, and wanted to come home "after raising her children. It just felt right" to her, and I can see why.

At the local convenience store, people are greeted by name and catch up by the coffee station. Of course, those "from away" will stand out immediately, but a major economic driver for this region is tourism and those "flatlanders" are welcomed and treated as warmly as if they were one of the family. A booming metropolis is not what you will find in Saint Agatha, but the town is a haven for recreational enthusiasts in all seasons and is the soul of the region.

As mentioned, the snowmobile and ATV trails are sublime in this area making it a vacation destination for all seasons. They even have trails that run along the Maine-Canada border that allows for some silly photo opportunities of people with one foot in each country. Thankfully, the border patrol is lenient and has a sense of humor in these circumstances.

If fishing is what you love, Long Lake is known for its landlocked salmon, brook and brown trout, smelt, and carp. Just down the road from the church is a small boat marina. This provides an opportunity for anyone to go to the town office and pay a fee to moor a fishing boat. Spaces are limited and are available on a first come first served basis.

Incorporated in 1899, the town was settled by the Acadians, as they traveled up the St. John River to flee from the British and French. Originally part of Frenchville, a Catholic church was established and named after a martyred saint, Agatha, who was put to death for her Christian beliefs. Saint Agatha eventually became the namesake of the town when it broke away from the town of Frenchville. A fire destroyed the church in the 1940s, however it was rebuilt and still stands today.

One story that was shared with me was about a local resident who goes for a daily walk past the church very early in the morning. As he walked one day, he strolled around the church for some reason and discovered the smell of smoke. He alerted the fire department who came and were able to prevent an electrical fire from occurring and potentially destroying the church for a second time.

Thank goodness for small town heroes!

Speaking of small-town heroes, Gary Picard, Town Manager of Madawaska, was unable to meet with the rest of the group to record a conversation for the podcast but made the time to meet the dynamic duo –Rebecca Graham and Rebecca Lambert – for an evening chat. Much like with all municipal leaders, conversation flowed easily about everything from shoreland zoning to solid waste and economic development. Time was also afforded for conversation about the absurdity that often lies in between the layers of local government.

In his former role as the manager of Saint Agatha, Gary

played a large part in securing a grant that helped to fund the development of the Saint Agatha Marina. This project met some resistance at first but has become an asset for the community. Not only does it provide the town with additional revenue, but it also increases the use of Long Lake, which many locals noted doesn't get used as much as it could be.

Other than a short-term rental or camping, the Long Lake Motor Inn is the only place to stay in Saint Agatha. It is a small two-story motel overlooking Long Lake. Upon checking in, and to my amusement, I was handed a real key for my assigned room as well as the tv remote control. The bed was comfortable, the sheets and towels smelled like fresh laundry, and the entire place was incredibly clean.

Once again, it felt like being home.

I rose early the next morning and went down to the breakfast nook for a cup of coffee. Not normally a morning person, I found myself easily starting conversation with staff, even before the first sip of joe passed my lips. I arrived downstairs, camera in hand, just before the sun rose but with perfect timing to catch a bright orange sliver rising over the horizon. I was told the sunrises have been amazing, and they were not wrong. It was spectacular and a reminder of how quickly a moment passes by.

While watching the sunrise I asked if there were any spots that I should check out before leaving the area. I was pointed in the direction of what looked like the other shore of the lake, but come to find out, it was an island, with a working farm at its center. When asking for directions, I smiled when I got a very Maine response that I should take the first right after the church, go down that road a bit until you get to around the bend there, and then you will see the sign that says Pelletier Island Road.

Sounds good; so, Rebecca and I jumped in her Mini and we were off.

We took the road on the right and drove until we reached a hairpin turn, this must be the bend that was referred to in the directions. We passed beautiful homes with perfectly manicured lawns and the occasional statue of the Virgin Mary. After rounding a corner, we saw the sign, and wouldn't you know it, at the end of the Pelletier Island Road we bumped into Ryan Pelletier—not the namesake of the island by the way.

After greeting him, Ryan assured us we were on the right path, and we continued down the road. We came to a causeway, just large enough for two cars to pass each other, which led to the island. We slowly followed the road around the island looking at the houses and campers that graced the shores of Long Lake. The farmland in the center of the island is a snapshot example of how throughout Aroostook County history mingles with the present day.

Though variety is lacking in this region, you will likely be able to find what you need since there is one of everything, in terms of retail goods, scattered about. In the words of Ryan Pelletier, Aroostook County Administrator who also calls this small-town home, "Saint Agatha doesn't have a lot of everything, but it has one of everything."

He's not wrong either. There is one motel, one campground, one furniture store, one hardware store, one restaurant....but, several churches. This makes sense since



Lakeview Restaurant (Photo by Rebecca Lambert)

historically, churches are the heart of a community and a place for all to gather and celebrate for any reason. It also speaks to the importance that religion plays to the people of this region.

In recent years if you live or do business in the area, you have likely celebrated a special event or had a meeting at the Lakeview Restaurant. Not only is it the only full-service restaurant in town, but the birds eye view of the lake is breathtaking and something to experience.

However, the Lakeview wasn't always a restaurant. From what I understand, the restaurant started as a family home with a fantastic view. People would come to enjoy the view and they started selling burgers to the visitors. Over the years, the business grew, in turn shrinking the family's living space. Eventually, the restaurant claimed the entire building and the family moved elsewhere.

The restaurant now operates a full-service bar and restaurant with a banquet room, and a clean campground with amenities like hot showers, laundry, propane, and a dumping station. The weekend before Rebecca and I arrived, the Lakeside celebrated its 40th anniversary. The celebration featured bounce houses, cornhole and wing eating competitions, and live music. Despite the weather not cooperating, the event was well attended and a great time for the close-knit community.

I mean really though, who doesn't love a good bounce

house with live music?

Michelle Bernier, manager of Saint Agatha, David Cyr, manager of Frenchville, and Ryan Pelletier took time out of their busy schedules to meet with us to discuss important municipal issues for their respective areas. Like the night before with Gary Picard, conversation flowed freely in part because municipal officials love to chat about their communities. These conversations are essential to understanding the needs of our members, particularly in the rural, less populated, and sometimes “forgotten” areas of our state.

Physical distance is a barrier to their advocacy efforts in Augusta since the travel itself takes most of a day. To put it in perspective, if someone from Portland wants to testify in Augusta, it takes them an hour or so to get there. If you are coming from Saint Agatha, that same trip will take you almost five hours!

That reminds me of another classic Maine saying, “You can’t get there from here.” (Said in your best Maine accent.)

One might think it should be easy to collaborate with other small towns in the area to pool resources for certain projects that could benefit both communities. In one sense this is correct, however it can also be challenging when historic rivalries come into play. Sometimes these rivalries have been rooted in the local governing authority of the town for generations, like in the case of Saint Agatha and Frenchville. Luckily, civic minded, collaborative leaders currently manage these two towns and are actively working together to pave a path forward that will work for both

communities and all residents and stakeholders involved.

So why are people not flocking to move to this little slice of heaven? Well, to answer in one word, winter. The winters that grace the atmosphere here are harsh to say the least. When other areas of the state are lacking in snowfall, the locals in Saint Agatha and surrounding communities can enjoy snowmobiling on a solidly packed base of snow, that will at times reach the tops of the telephone poles by the end of winter.

I have not personally experienced a winter in Saint Agatha, but I’m going to assume that with appropriate outdoor gear on, it can’t be that bad...right?

Regardless, the people who live here year-round are tough and resilient, both mentally and physically, and are also some of the kindest, most helpful people you will ever have the pleasure of meeting.

If you’re in need of a vacation, consider visiting this serene location situated along the shores of Long Lake, where time slows down. While there you can take a deep breath, be present in that very moment, and savor the beauty that Aroostook County in rural Maine has to offer.

Go on, you deserve it! 🏔️

Correction: The July edition of the magazine featured the ‘Where in Maine’ article series where it was mentioned that Wayne has held its Strawberry Festival for 20 years, when in fact the first event took place in 2019.

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2023 Legislative Overview

It's been a doozey.

By Kate Dufour, Director / Advocacy & Communications

While it is true that all sessions and Legislatures have their own idiosyncrasies, this session has left its mark. Considering the session got off to a slow start, coupled with the sheer number of bills introduced during the 2023 session, including an above average number of concept draft bills, it is not entirely surprising that the members of the 131st Maine State Legislature did not finally adjourn until July 26.

However, ask anyone with a few years of advocacy experience under their belts, and the message is similar; it was not a “normal” session. Perhaps due to the lingering impacts of the pandemic and the remote nature of the previous sessions, more than usual, conversations about tough policy matters seemed to take place behind closed doors and in the silos of partisan caucuses. While final decisions were indeed made in committee rooms and chambers, often the public was left in the dark with respect to why a particular policy was or was not being advanced.

At times it felt as though municipal government leaders were to blame for many of the ills currently plaguing society, from climate change to the national housing crisis to homelessness. Bills seeking to preempt local decision-making authority on issues abounded, attempts to provide avenues for recalling elected municipal and school officials were popular, as were attempts to push additional training and educational mandates onto local officials, especially law enforcement officers. To the causal observer, it became clear that there is confusion over the role of local governments in the intergovernmental system.

However, all was not lost as feedback from local leaders was heard and taken into consideration.

For example, the effective date of the affordable housing mandates, slated to fall upon municipalities as of July 1, 2023 – without the state aid, technical assistance, and guidance promised to municipalities – was postponed.

While MMA’s Legislative Policy Committee (LPC) advocated for a 24-month delay, town meeting com-

munities will have until January 1, 2024 to adopt necessary ordinances, with council communities having until the end of this year (2023) to implement the state’s housing policies. Considering legislators are rumored to have depicted the municipal leaders, planners, and volunteers who advocated for extending the timeline by two years, as lazy liars, the shorter delays adopted in LD 1706 represent a bittersweet win.

In the same vein, the repeal of the Property Tax Stabilization Act, enacted in the supplemental FY 2024 – FY 2025 General Fund budget (LD 258), was accompanied by an initiative to cap at 76% the level of reimbursement for the lost property tax revenue associated with the homestead exemption. Prior to the adoption of the budget, the rate of reimbursement was to increase by 3% annually, until the state was reimbursing 100%.

However, the repeal puts to rest consternation over the question as to whether future legislatures would reimburse municipalities for 100% of the lost property tax revenues in perpetuity or revert to the 50% minimum guaranteed in Maine’s constitution. In its place, the adopted budget includes amendments to the state funded and administered Property Tax Fairness Credit and Senior Property Tax Deferral programs to direct property tax relief to Maine homeowners who are most in need. It is important to note that while early in the conversations an increase to the value of the homestead exemption was in play, that amendment did not make the cut. As a result, the value of the homestead exemption is still \$25,000.

Additionally, other LPC priority policy initiatives will live to see another day, by being carried over into the 2024 session for more debate.

Those bills include initiatives authorizing the use of TIF revenues to incentivize the development of affordable and workforce housing (LD 1493); increasing General Assistance reimbursement from 70% to 90% (LD 1664); and funding health and wellness grant programs targeted at ensuring first responders receive

specialized care necessary to appropriately monitor the health of those who routinely operate in stressful environments (LD 1857).

The three bills listed above represent but a mere sampling of the list of carryover bills, which are described in a separate article gracing the pages of this edition of the Maine Town & City magazine.

In the coming months, MMA's advocacy team will participate and monitor the many working groups and task forces that will soon begin to convene. These groups will study the use of pre-designed models to encourage the development of accessory dwelling units, review the process for disposing of tax acquired property and the return of calculated excess sales revenue to previous owners, and the security of polling places, particularly those located in K-12 schools.

Also found among the pages of this magazine are descriptions of the most municipally significant

bills enacted this session. Please keep in mind that because the Legislature adjourned once in March and again in July, there are two effective dates for non-emergency legislation. For initiatives enacted on or prior to March 30, the effective date was June 29, 2023, and is noted after the citation. For all other laws, the effective date is October 25, 2023.

On behalf of MMA's advocacy team – Rebecca Graham, Rebecca Lambert, Laura Ellis, and our newest member, Amanda Campbell – I thank the members of the LPC and municipal leaders across the state for supporting us throughout the session. Although we've said it a thousand times, it warrants repeating...your willingness to connect with members of the House and Senate and share your experiences and expertise is a vital element of our success.

Thank you. 🏡

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The Legislature's Unfinished Business

By Rebecca Graham, Senior Legislative Advocate, MMA



Parents of a certain age may be plagued with a familiar memory of the closing theme song from *Lamb Chop's Play-Along*, sung by the late puppeteer Shari Lewis. Like the earworm's "Song That Never Ends" theme, the 131st Legislature kept the public at large thinking the session would never end, as bills were being printed even on the day of final adjournment. Rumors in the halls abounded of an intended recess that would allow lawmakers to rest and return in September to deal with remaining work to the dismay of exhausted advocates.

While 2,019 bills were sent to the Revisor's Office, not including subsequent amendments staff managed to print in the flurry of the end of session floor debates, the Legislature will still start the 2024 session with 483 bills carried over for deeper review, including three of MMA's platform initiatives. What follows is a breakdown of some of the more important pieces of legislation lawmakers will now return to in January.

Additionally, the article ends with a breakdown of the legislative studies of municipal interest that were enacted often with the power to introduce legislation on further recommendations next session. With an effective date of October 25, 2023, for many of these studies, it's questionable how robustly the efforts will solicit collective stakeholder input to meet their December and January reporting deadlines.

MMA Initiatives

Two key carryover bills are tied together with one as a planned carryover. While first responders across the state hoped that **LD 1857**, *An Act to Create the Public Safety Health and Wellness Reimbursement Fund to Benefit Public Safety Workers and Volunteers*, sponsored by Rep. Lynn Copeland of Saco, would be unanimously supported in the face of the well-known statewide crisis in recruitment and retention of public safety professionals, the Legislature unanimously passed an amended version of the bill instead. Specifically, the bill sought to fund a program to provide access to the unique physical and mental health services needed by Maine's first responders.

The amended bill, retitled *Resolve, to Establish a Public Safety Health and Wellness Grant Pilot Program*, turned the ongoing reimbursement program into a one-time grant administered by the Department of Public Safety. The amended version also replaced the 5% ongoing funding for the

program from the Adult-Use Cannabis Sales Revenue fund, projected to be \$1.7 million this year, into a one-time \$2 million appropriation from the general fund. A move that would guarantee the bill would sit on the appropriations table unfunded and carried over until the second session for further consideration. Eligible first responders who could benefit include law enforcement officers, corrections officers, firefighters, EMS, and dispatchers, regardless of their agency structure or employment status.

To put the appropriation into perspective, the replacement cost for one 17-foot, engineered scope to

replace a bottomless culvert for fish passage that recently washed out in a tidal wetland costs \$2 million. However, that same \$2 million appropriation through LD 1857 could provide basic screening for known health risks and wellness support for up to nearly 4,000 first responders whether they were volunteers or fulltime employees.

LD 444, *An Act to Designate First Responders and Other Public Safety Professionals as a Special Risk Population for the Purposes of Improving Insurance Coverage for the Effects of Trauma*, sponsored by Sen. Donna Bailey of York County, is another approach that would require all insurance carriers to cover the costs of inflammatory screenings to catch cardiac blockages more frequently found in the first responder population before a cardiac event occurs. Counseling coverage would also include family sessions not currently provided in many plans, but key to mitigating the broader personal impact of first responder exposure to repeated traumatic events.

While all first responders willingly accept the call to duty, their health is significantly impacted regardless of employment status and the preventive measures in LD 1857 are an inexpensive and important investment in the health of our first responders that would otherwise be unattainable by many volunteer services. It also provides an opportunity for legislators to deliver something tangible to offset the threats they universally acknowledge impact first responders by passing cancer, post-traumatic stress disorder, and cardiac presumptions for workers' compensation claims. This requires local resources to be dedicated to the much more expensive long-term harm, even when volunteers have outside insurance and municipalities cannot control how private insurers incentivize or provide coverage for

preventative screenings which are usually based on a civilian risk model. Many rural services struggle to afford the required workers' compensation coverage, and protective fire gear, let alone provide additional benefits to members.

The preventions offered through first responder specific screenings and culturally informed counseling, are affordable, protect all volunteers, career professionals, and signal a statewide value for public service that just may increase the employee ranks.

MMA Local Housing Policy

In addition to preventative care for first responders, other MMA initiatives also sit on the appropriations table awaiting funding. **LD 1493, An Act to Increase Affordable Housing by Expanding Tax Increment Financing**, sponsored by Rep. Raegan LaRochelle of Augusta, carries a small fiscal note for a perceived need to increase staffing within the Department of Economic and Community Development (DECD).

As enacted, LD 1493 would expand the allowable use of funds retained from community tax increment financing zones (TIFs) to protect existing multi-unit dwellings and affordable housing anywhere in the community by the creation of an overlay area called "Chickadee Zones." Municipalities, at the direction of their residents, could provide a fiscal benefit for an owner or redeveloper of multi-unit dwellings to rehab or construct dwellings in exchange for a commitment to keep the units at a locally affordable rent.

The retained value for affordable housing TIFs, which

accrues at a much lower rate than their economic development cousin, could also be used to bond for projects outside the TIF district directly related to the needs of the zone such as wastewater or stormwater upgrades to service denser development. This would speed up affordable housing projects that otherwise need to wait until the retained value accrues to the level necessary for that infrastructure project.

More importantly the program, which only uses local revenue at the direction of municipal residents, could be used more creatively to meet unique community needs for additional housing. In more rural areas, municipalities may be able to use funds to support mobile home park residents transition to park ownership or build attainable workforce housing on municipally owned land protected from market-based pressures.

LD 1664, An Act to Increase Reimbursement Under the General Assistance Program, sponsored by Sen. Marianne Moore of Washington County, would increase to 90% the reimbursement for the assistance municipalities provide to residents under the General Assistance program.

Currently, the state only returns 70% of the actual costs to the municipality for providing housing, food, fuel, utilities, medical or burial costs for residents who are unable to meet their own basic needs due to lack of income or resources. While the cost of rent has skyrocketed, so too have the costs on municipalities to find housing for needy residents. The 70% reimbursement from the state does not cover the cost of the administering the program, which in

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many communities falls on the local governing authority to manage.

All municipalities, whether they have a dedicated General Assistance (GA) office, or a volunteer board must provide this emergency service to residents and issue written decisions or issue vouchers for support within 24 hours of receiving an application. The written decisions also include requirements for future eligibility, all of which require unreimbursed additional administrative time to manage. Without following proper procedures, municipalities risk losing out on reimbursement. If an applicant skips over the municipality and applies directly to the state office for GA regardless of local knowledge of the application, the community is billed not only for the benefit provided, but also for the costs of the state's administrative time.

Carryovers of Municipal Concern

Along with the problem-solving MMA initiatives carried over until the next session, an abundance of the remaining 483 bills could adversely impact municipal operations or limit the use of resident informed tools to address local needs. Unfortunately, few assist municipal challenges. What follows is a description of the municipally significant bills to watch in the next session. For a complete list, please visit the Legislature's website at <https://legislature.maine.gov>.

Appropriations & Financial Affairs

Several bond issues and two bills aimed at funding cli-

mate-related service work, rural service programming and promoting volunteerism that could potentially assist municipal operations have been carried over. These initiatives include **LD 212**, *An Act to Authorize a General Fund Bond Issue to Upgrade Municipal Culverts at Stream Crossings*, sponsored by Rep. Jessica Fay of Raymond; **LD 1185**, *An Act to Authorize a General Fund Bond Issue to Recapitalize the School Revolving Renovation Fund*, sponsored by Sen. Henry Ingwersen of York County; **LD 1074**, *An Act to Authorize a General Fund Bond Issue to Fund New Affordable Housing for Low-income Households*, sponsored by Sen. Matthea Daughtry of Cumberland County; **LD 912**, *An Act to Authorize a General Fund Bond Issue to Restore Historic Community Buildings*, sponsored by Rep. Sawin Millett of Waterford; **LD 142**, *An Act to Fund Climate-related Service Work*, and **LD 143**, *An Act to Support Rural Service Programming and Promote Volunteerism*, both sponsored by Rep. Morgan Rielly of Westbrook.

Criminal Justice and Public Safety (CJPS)

Concept draft bills still languish without language in the CJPS Committee but with titles that hint of potential municipal impact or could either assist or disrupt community desired programs based on future language. **LD 179**, *An Act to Provide Support for Restorative Justice Practices in Maine*, sponsored by Sen. Pinney Beebe-Center of Knox County; **LD 913**, *An Act to Provide Support for Restorative Justice Practices in Maine*, sponsored by Rep. Maureen Terry of Gorham;



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LD 1515, *An Act to Fund Delivery of Emergency Medical Services*, sponsored by Speaker Rachel Talbot Ross of Portland; **LD 911**, *An Act to Amend the Laws Regarding Certain Law Enforcement Interactions and Tools for Determining Residency During Conflict Resolution*, sponsored by Rep. Rachel Henderson of Rumford; and **LD 630**, *An Act to Ensure Rural Law Enforcement Services in Maine*, sponsored by Rep. Anne Graham, of North Yarmouth round out the bills still needing language but with clear municipal input necessary based on subject matter.

Others are reboots of problematic proposals from the 130th legislative session, printed without addressing previously identified issues such as **LD 1742**, *An Act to Enhance the Use of Critical Incident Stress Management Teams and to Require Peer Team Support*, sponsored by Rep. Lori Gramlich of Old Orchard Beach.

Environment & Natural Resources

LD 306, *An Act Related to Water*, and **LD 295**, *An Act Regarding Plastic Pollution*, both sponsored by Rep. Lori Gramlich of Old Orchard Beach, **LD 277**, *An Act Regarding Perfluoroalkyl and Polyfluoroalkyl Substances*, sponsored by Rep. Jessica Fay of Raymond are all concept drafts that while lack the description necessary to assess impacts, based on their titles, alone, will likely have an impact on mitigation and monitoring activities of municipal government at a minimum, while **LD 1009**, *An Act Regarding the Reduction and Recycling of Food Waste*, sponsored by Rep. Stanley Zeigler of Montville, and **LD 1418**, *An Act Concerning Single-use Disposable Water Bottles and Water Refill Stations*, sponsored by Rep. Lori Gramlich of Old Orchard Beach

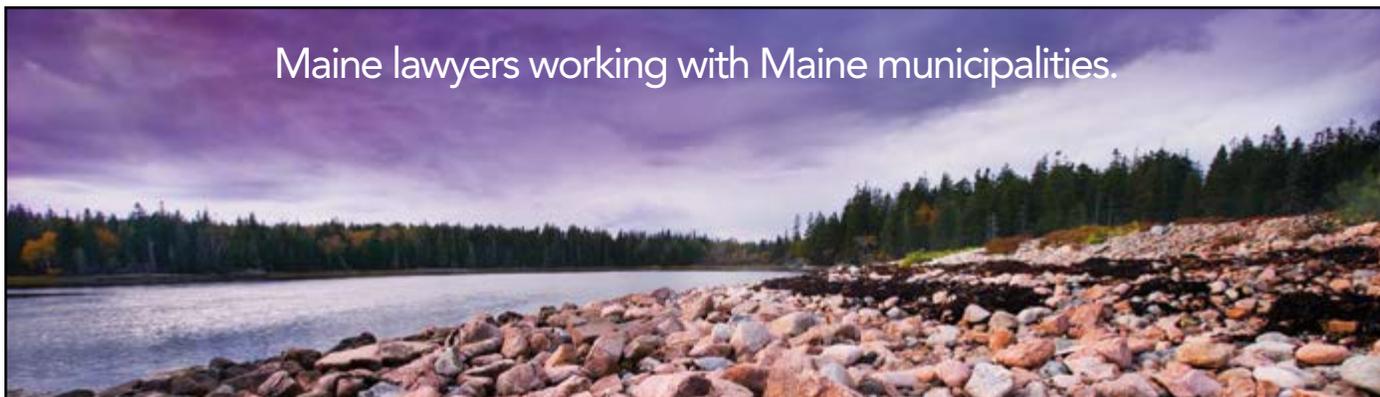
each contain provisions that require new municipal expenditures and expand waste management activity to meet state priorities without regard for available local resources or need.

Health Coverage, Insurance and Financial Services

In addition to the MMA supported first responder health bills, LD 444 and LD 1857 described above, our public safety officials have another measure in the carryover list aimed at financially supporting, and potentially sustaining, the provision of emergency medical services. **LD 1832**, *An Act to Require Reimbursement of Fees for Treatment Rendered by Public and Private Ambulance Services*, sponsored by Rep. Scott Cyrway of Albion, seeks to help address the costs of providing care at the scene of an injury that is only billable when an injured individual agrees to accept transport to an emergency room. While services include administering medicine, wound care, and stabilization, which are all billable services when provided in the emergency room, the property taxpayers are left to subsidize expenses for the uncovered medical services provided on scene when the individual refuses transport to a medical facility.

Select Committee on Housing

Twenty-two bills before the Select Committee on Housing were carried over into the next session. All but two attempt to modify, prescribe, preempt and in a select few instances support the work of municipal government housing policy and land use planning. Concept drafts like **LD 337**, *An Act to Amend the Regulations of Manufactured Housing to Increase Affordable Housing*, sponsored by Rep. Cheryl Golek



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of Harpswell, may mirror other legislation that failed last year to prohibit municipalities from charging any building permit, or sewer connection and plumbing inspection fees or could address other issues such as those experienced by Wiscasset mobile home park residents who struggle with property management companies and absentee owners to repair and replace failed water systems. Only future language drafting will illuminate the intent.

Others like **LD 1864**, *An Act to Increase Maine's Housing Supply by Prohibiting Certain Zoning Requirements in Areas Where Public Sewer and Water Infrastructure Are Available and in Designated Growth Areas*, sponsored by Rep. James Boyle of Gorham, restrict municipal ordinance requirements for road frontage, setbacks, and lot coverage anywhere water and sewer are available, regardless of the carrying capacity of the main lines. In those areas, municipalities must allow a minimum lot size of 5,000 square feet, and in designated growth areas without these services 20,000 square feet becomes the minimum lot size. This bill also restricts the application of an accepted international standard in new construction for access between separate buildings for the purposes of operational accessibility to battle structural fires and instead prohibits the municipality from implementing and enforcing a maximum setback requirement to an adjacent building of more than 20 feet, and 10 feet for front setbacks.

LD 853, *RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish a Right to Housing*, sponsored by Rep. Benjamin Collings of Portland, does as the title indicates and is still waiting for a legislative green light. Coupled with **LD 1672**, *An Act to Establish an Affordable Housing Permitting Process* sponsored by Rep. Traci Gere of Kennebunkport, if passed, will shift significant local burden to the state to provide housing and approve all local development with respect to affordable housing.

The adage that Massachusetts is taking Maine back one parcel at a time could be replaced with one state permit board at a time as LD 1672 mirrors policy there, which is

advisory not sole authority based. Aside from preemption of home rule authority, and somewhat ironically, the bill provides a seven-member committee with access to more reimbursable expenses than offered to any resident volunteering to serve on a local planning board, charges developers \$5,000 for the building application, and restricts all local fees beyond utility connection and building permits. Additional fees assessed currently in at least 40 communities include assessments for federal stormwater compliance, as well as combined sewer overflow impacts and as drafted the bill does not make allowances for low-impact development requirements placed on communities by their federal stormwater permits.

Taxation

Municipally friendly proposals in the Taxation Committee include **LD 1893**, *An Act to Allow a Municipality to Impose a Fee on Short-term Rentals for the Benefit of that Municipality*, sponsored by Rep. Tiffany Strout of Harrington, and **LD 1298**, *An Act to Allow a Local Option Sales Tax on Short-term Lodging to Fund Affordable Housing* sponsored by Rep. Charles Skold of Portland. Although both bills seek to provide municipalities with the authority to assess a local option sales tax or fee on short-term rentals, the later initiative requires the collected revenues to be dedicated to affordable housing projects in the generating municipality. While others, like **LD 2006**, *An Act to Amend the Laws Regarding Adjustments for Sudden and Severe Disruption of Municipal Valuation*, sponsored by Sen. Lisa Keim of Oxford County would prevent municipalities from being punished by a reduction in state revenue sharing when undesignated funds are used to protect the rest of community from an increase in mil rate following a sudden and severe disruption of valuation, such as a catastrophic loss of a major industry.

Studies to Watch

Those who follow legislative initiatives will know that studies are often used to kill a bad bill, while providing an

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avenue for digging into an issue more systemically to understand the policy implications. Frequently, participants on study panels feel as though the report is written before the information is collected during the process. Uniformly, studies languish on the bookshelves of the Law Library containing key policy proposals necessary to advance solutions to the issue at hand are often never pursued for a multitude of electorally related pressures.

The 131st Maine State Legislature is no exception to the shift of bills that have been turned into studies. Complicating the issue is the enactment date for many of the task forces and working groups and their subsequent reporting deadlines. State agency staff have already reached out to MMA for municipal representation on three studies. While their work cannot start until the October date, the study coordinators are lining up the stakeholders. **LD 467, Resolve, to Study Accessible Electric Vehicle Charging Stations** sponsored by Rep. Melanie Sachs of Freeport and **LD 419, Resolve, to Establish a Working Group to Study Polling Places at Schools in Order to Protect Security and Accessibility**, sponsored by Rep. Morgan Rielly of Westbrook, have received a list of municipal volunteers interested in providing the municipal perspective on these matters and to help meet the January 3, 2024, and January 1, 2024 reporting deadlines, respectively.

The third study initiative, **LD 654, Resolve, Directing the Office of Policy Innovation and the Future to Study Methods to Encourage the Development of Accessory Dwelling Units** sponsored by Sen. Matthew Pouliot of Kennebec County,

will have a little more time to study methods and develop model policy to encourage the development and construction of accessory dwelling units. The study group is directed to report their findings by March 1, 2024.

In the short intersession, several studies have been rebooted to address issues plaguing public safety. Their enactment date, coupled with short reporting deadlines may mean key municipal stakeholders are left out of the conversation or entirely ignored.

One study, **LD 207 Resolve, Directing the Commissioner of Public Safety to Establish a Stakeholder Group to Examine the Responsibilities, Fees and Duties of the Technical Building Codes and Standards Board**, Sponsored by Rep. Joshua Morris of Turner, directs the commissioner of the Department of Public Safety to convene a 15-member stakeholder group, including representatives from statewide associations of fire chiefs, building officials and municipalities, to examine the responsibilities and duties of the Technical Building Codes and Standards Board, including budget and fee revenue, timeline for adopting building codes, and legislative committee of jurisdiction, to name a few. With a reporting deadline of February 15, 2024, to submit recommendations to the Joint Standing Committee on Criminal Justice and Public Safety, the stakeholder group has one of the longer timelines to complete its work.

Two others studies, **LD 1701, Resolve, to Reestablish and Continue the Work of the Blue Ribbon Commission to Study Emergency Medical Services in the State**, sponsored by Speaker Rachel Talbot Ross of Portland, and **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. Chip Curry of Waldo County, have much tighter reporting deadlines.

The Blue-Ribbon Commission to Study Emergency Medical Services in the State, which was previously established in 2022 and is charged with examining and making recommendations on the structure, support, and delivery of emergency medical services in Maine must report no later than December 6, 2023. While enacted as an emergency with a July effective date, the work has still not begun.

LD 244 directs the Maine Emergency Medical Services to convene a stakeholder group, including EMS providers and representatives from the Maine university and community college systems, to explore career pathways and educational opportunities for emergency medical services providers in Maine no later than January 15, 2024, but cannot begin its work until after October 25, 2023.

Other working or study groups have complex policy charges to understand before they can make recommendations or should be taking deeper dives into potential cause and effect of policy recommendations with unrealistic timelines.

LD 1198, *Resolve, Directing the Commissioner of Economic and Community Development to Convene an Advisory Council to Improve the State's 10-year Economic Development Strategy*, sponsored by Rep. Sawin Millett of Waterford, directs the commissioner of the Department of Economic and Community Development to establish a 13-member advisory council to consider and develop strategies for the development of workforce skills, employee attraction and retention, creation of jobs that add economic value, access to educational opportunities that produce career-ready graduates and mechanisms to promote stability and certainty in the economic environment. With a reporting deadline of December 6, 2023, the only advisory council work that could

be accomplished when established at the end of October may be the review of an already written report, or a report that asks for legislation to extend the council.

Several others have similar deadlines that likely mean limited review of their charge or limited stakeholder input.

LD 611, *Resolve, Establishing a Working Group to Maximize Eligibility for Energy Efficiency Programs for Low-income Homeowners* sponsored by Rep. Marc Malon of Biddeford has a reporting deadline of December 1, 2023, while **LD 1479**, *Resolve, Directing the Public Utilities Commission to Convene a Stakeholder Group Regarding Liquefied Propane Gas Systems and the So-called Dig Safe Law* sponsored by Sen. Matthew Pouliot of Kennebec County, has until December 6, 2023 explore matters related to liquified propane gas.

Finally, two study bills took the long view of the necessary work involved in their charge. **LD 1456**, *Resolve, to Study the Effect of Current Laws and Rules on the Expansion of Broadband*, sponsored by Sen. Nicole Grohoski of Hancock County, and **LD 477**, *Resolve, Directing the Department of Education, Maine School Safety Center to Convene a Stakeholder Group to Develop Best Practices for Lockdown Drills and Active Shooter Drills and Allowing Parents to Opt Out of Active Shooter Drills for Their Children*, sponsored by Rep. Rebecca Millett of Cape Elizabeth, have final reporting deadlines of December 1, 2024 and January 1, 2025, respectively.

The Wrap Up

If municipal officials are experiencing a severe case of déjà vu from reading this article it's not unwarranted. Many of the bills carried over are proposals that were introduced unsuccessfully in the 130th session, with the same issues identified during past public hearings and work sessions remaining unaddressed in their reprinting. With the significant number of bills carried over priming the legislative pump, and cloture for emergency bills on the horizon, officials can rest assured there will be plenty more moments ahead for "total recall" in 2024. 🏔️

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New Laws 2023

Effective dates. Emergency legislation became effective on the date it was signed by the Governor unless otherwise noted. If the new law was an emergency measure, it is so-noted before the Public Law (PL) citation. Non-emergency legislation becomes effective 90 days after adjournment of the legislative session in which it was enacted. The effective date of non-emergency legislation enacted in the Legislature's First Regular Session was Thursday, June 29, 2023, which has been noted after the citation. The effective date for bills passed in the First Special Session, unless otherwise noted, will be Wednesday, October 25, 2023.

Mandate preamble. Legislation enacted with a "mandate preamble" contains the following language: "This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two-thirds of all the members elected to each House have determined it necessary to enact this measure." If the new law was enacted with a mandate preamble, it is so-noted along with the Public Law citation.

Agriculture, Conservation & Forestry

LD 24 – *An Act to Prohibit Certain Open Burning Under a Red Flag Warning and Regulate Recreational Campfires* (Sponsored by Sen. Curry of Waldo Cty.) **PL 2023, c. 56**

This Act prohibits the director of the Bureau of Forestry from issuing a permit or other permission for open burning in a geographic area subject to a red flag warning and provides an exception by allowing a permit to be used for a controlled burn on a commercially managed wild blueberry field. The Act requires the director or the director's delegate to revoke any permit for open burning in a geographic area in which a red flag warning is in effect; clarifies that a red flag warning is a forecast warning issued by the United States Department of Commerce, National Oceanic and Atmospheric Administration, National Weather Service in consultation with the Bureau of Forestry, and prohibits a person who kindles or uses a recreational campfire from allowing the recreational campfire to exceed three feet in diameter on the ground at the base of the fire or three feet in height, but exempts a licensed camp facility from this prohibition. Except for licensed camping facilities and state campsites, the Act prohibits open burning during the period in which a red flag warning is in effect.

LD 1881 – *An Act Regarding Compensation Fees and Related Conservation Efforts to Protect Soils and Wildlife and Fisheries Habitat from Solar and Wind Energy Development and High-impact Electric Transmission Lines Under the Site Location of Development Laws* (Sponsored by Rep. Landry of Farmington) **PL 2023, c. 448**

This Act requires developers of solar energy projects to pay a fee associated with any portion of the development that is located on high-valued agricultural land that is based on the fair market value of the developed area. All compensation collected fees must be distributed to the Department of Agriculture, Conservation and Forestry and used for farmland conservation and solar mitigation projects. In lieu of the fee, the Act provides alternative options, including the conservation of other land equal in square footage to the proposed development.

LD 1947 – *An Act to Amend the Maine Food Sovereignty Act* (Sponsored by Rep. Faulkingham of Winter Harbor) **PL 2023, c. 420**

This Act amends the Maine Food Sovereignty Act by expanding the definition of a direct producer-to-consumer transaction to include an exchange of food or food products at the site of production directly between a producer and a consumer by barter, trade or purchase on the property or premises owned, leased or rented by the food producer; at roadside stands, fundraisers, farmers' markets and community social events; or through buying clubs, deliveries or community-supported agriculture programs, herd-share agreements and other private arrangements. The Act also authorizes farmers' markets to adopt rules that are more stringent on sellers than those imposed by the law.

LD 1969 – *An Act to Expand the Use of Funds to Support Land Conservation* (Governor's Bill) (Sponsored by Sen. Pierce of Cumberland Cty.) **Emergency Enacted; PL 2023, c. 284 (6/23/23)**

This Act replaces the Land for Maine's Future Fund with the Land for Maine's Future Trust Fund charged with managing the investment of revenue to protect Maine waters, waterfront access and working farmland access. The Act also establishes the Conservation and Recreation Fund and the Conservation Land Management Fund to make capital improvements to enhance wildlife habitat protection on permanently conserved state, municipal and private conservation lands.

Appropriations & Financial Affairs

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* (Governor's Bill) (Sponsored by Rep. Sachs of Freeport) **PL 2023, c. 412**

This is Governor Mills' FY 24 – FY 25 biennial General Fund budget. As enacted and of municipal interest, the Act: (1) as of April 1, 2024, repeals the tax stabilization program and, in its place, increases eligibility and the benefits provided under the state administered and funded Senior Property Deferral and Property Tax Fairness Credit programs; (2) limits the rate of reimbursement to municipalities under the Homestead Property Tax Exemption Reimbursement program to 76% for property tax years beginning on or after April 1, 2023 instead of increasing the rate by three percentage points each subsequent year; (3) implements a mandatory paid family and medical leave benefits program, and provides up to 12 weeks of family leave and up to 12 weeks of medical leave to eligible covered individuals with no more than 12 weeks of family leave and medical leave in the aggregate may be taken in a 12-month period; (4) provides a one-time appropriation of \$16 million in FY 2024 to cover the cost of reimbursing municipalities for 70% of aid provided under the General Assistance Program; (5) directs the Department of Health and Human Services to establish a substance use disorder treatment center in either Kennebec or Washington County; (6) establishes the Housing First Program within the Department of Health and Human Services to facilitate the delivery of stabilization and support services to residents of properties established or developed to provide permanent housing to persons who are

experiencing chronic homelessness and to provide technical assistance, for the development of housing consistent with the program; (7) transfers \$15 million from the unappropriated General Fund surplus to the Maine State Housing Authority to help low-income homeowners and renters by expanding rate-payer eligibility beyond the current 75% of the federal poverty limit; and (8) transfers \$31 million in unappropriated General Fund surplus to the Emergency Medical Services Stabilization and Sustainability Program, which is established to provide financial assistance to emergency medical services (EMS) entities at immediate risk of failing and leaving their communities without access to adequate emergency medical services, as well as to assist EMS entities with long-term sustainability and resiliency planning and programming.

LD 424 – An Act Making Certain Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government (Sponsored by Rep. Sachs of Freeport) **Emergency Enacted; PL 2023, c. 17 (3/31/23)**

This Act implements the FY 2024 – FY 2025 biennial baseline General Fund budget. Of municipal interest, the Act appropriates: (1) in FY 2024 \$1.40 billion as the state’s share of K-12 education and sets the minimum mil rate expectation at \$6.97; (2) an additional \$10.4 million in General Assistance program reimbursement in each year of the biennium; (3) \$103.5 million in FY 2024 reimburse municipalities for the lost revenue under the homestead exemption program; (4) \$15 million in FY 2024 to reimburse municipalities for the lost revenue under the property tax stabilization program; (5) \$500,000 in FY 2024 for property tax stabilization program mandate reimbursement; and (6) \$233 million for FY 2024 revenue sharing distributions.

Criminal Justice & Public Safety

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) **PL 2023, c. 135**

This Act: (1) adds to the duties of the County Corrections Professional Standards Council, formally assigned to the Detention Facility Advisory Committee, providing advice to the commissioner of the Department of Correction in the process of adopting rules and standards for county jail operations; (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; and (5) renames the chief administrative officers of the Mountain View Correctional Facility and the Downeast Correctional Facility as wardens.

LD 22 – An Act to Impede the Transfer of Firearms to Prohibited Persons. (Sponsored by Sen. Carney of Cumberland Cty.) **PL 2023, c. 305**

With an exception for antique firearms, this Act provides that it is a Class D crime to knowingly or intentionally sell or transfer a firearm to a person who is prohibited from owning or possessing a firearm.

LD 47 – An Act to Amend the Law Governing Licensing Actions of the Emergency Medical Services’ Board. (Sponsored by Sen. LaFountain of Kennebec Cty.) **Emergency Enacted; PL 2023, c. 111 (6/01/23)**

This Act amends the law governing licensing actions of the Emergency Medical Services’ Board to remove a reference to the revocation of a license.

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) **PL 2023, c. 84**

This Act provides that the head of a law enforcement agency, correctional facility or county jail that conducts a background investigation or polygraph examination of a law enforcement or corrections officer, or for whom the investigation or examination was performed, is immune from civil or criminal liability for releasing information gathered during the investigation or examination to the head of the law enforcement agency, correctional facility or county or jail that employs the officer.

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) **PL 2023, c. 242**

This Act includes 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 the expense of a particular governmental entity is subsequently hired by another governmental entity within five years of graduation from the academy, that governmental entity must reimburse the first governmental entity according to a specified formula. The Act also directs the Maine Criminal Justice Academy to incorporate the Indian police academy training center into its basic training program.

LD 405 – An Act Regarding False Public Alarms or Reports and Aggravated False Public Alarms or Reports (Sponsored by Sen. Carney of Cumberland Cty.) **PL 2023, c. 430**

This Act amends the crime of false public alarm by adding emergency communications centers to the list of organizations that receive a report and further provides that a person who knowingly provides false report or alarm is guilty of a Class D crime, while a person who provides false information and causes the evacuation, shutdown or lockdown of a building, school, public square or park, place of assembly or public transportation facility is guilty of a Class C crime. “Emergency communications center” is defined as a state, county or municipal government entity that receives calls by 9-1-1, business lines, radio or other methods requesting public service or emergency response from public safety agencies and, as appropriate, dispatches requests to public safety agencies and assists in coordinating the response between agencies and other specialized professionals.

LD 429 – An Act to Reclassify Certain Offenses Under the Motor Vehicle Laws and Increase the Efficiency of the Criminal Justice System (Sponsored by Rep. Pluecker of Warren) **PL 2023, c. 362**

As of January 1, 2024, this Act reduces from a Class E crime to a traffic infraction the act of failing to surrender a driver’s license and registration plates upon suspension of a license and that of taking a vehicle without the consent of the owner. The Act also adds to the circumstances authorizing law enforcement officers to move a vehicle to a suitable parking

place, violations associated with inappropriately registered vehicles and improper attachment of license plates.

LD 439 – *An Act to Allow Death by Suicide to Be Considered a Death While in the Line of Duty* (Sponsored by Rep. Salisbury of Westbrook) **PL 2023, c. 433**

This Act requires the applicable authority, when determining whether a law enforcement officer, firefighter, emergency medical services person, Department of Corrections law enforcement officer or corrections officer has died while in the line of duty, to evaluate whether an individual who died by suicide has died as a result of events or actions experienced by the individual while in the line of duty.

LD 516 – *An Act to Reduce Cancer Among Firefighters by Providing Grants for Safety Equipment* (Sponsored by Rep. Landry of Farmington) **PL 2023, c. 437**

This Act creates the Firefighter Safety Equipment Fund and directs the Maine Fire Protection Services Commission to provide grants to fire departments for the purchase and installation of diesel vehicle exhaust systems and heavy-duty extractor washing machines and appropriates \$250,000 in FY 2025 to fund the grant program.

LD 526 – *An Act to Amend the Laws Governing the Emergency Medical Services Stabilization and Sustainability Program* (Sponsored by Speaker Talbot Ross of Portland) **PL 2023, c. 438**

This Act amends the definition of “emergency medical services entity” as a licensed ambulance service or non-transporting emergency medical service or emergency medical services training center in the laws governing the Emergency Medical Services Stabilization and Sustainability Program.

LD 588 – *An Act to Promote Public Safety and Retain Essential First Responders by Funding the Maine Length of Service*

Award Program (Sponsored by Sen. Curry of Waldo Cty.) **PL 2023, c. 439**

This Act provides a one-time \$500,000 appropriation in FY 2025 for the Maine Length of Service Award Program awarded to eligible volunteer firefighters and emergency medical services personnel.

LD 756 – *An Act to Provide Funding for Positions in the Penobscot County Sheriff’s Office* (Sponsored by Sen. Guerin of Penobscot Cty.) **PL 2023, c. 443**

This Act directs that beginning on January 1, 2024 and annually thereafter, the Bureau of State Police to report to the Joint Standing Committees on Criminal Justice and Public Safety, Transportation, and Appropriations and Financial Affairs information on the resource coordination agreements between the bureau and county sheriffs’ departments, including where those agreements are in place, a summary of the agreements and any changes to those agreements in the prior calendar year, as well as a summary of the services provided by the State Police throughout Maine. The Act also provides that prior to December 1, 2024, the bureau is prohibited from amending its resource coordination agreement with the Penobscot County Sheriff’s Department, unless the impacted parties agree to the changes, which must be provided in writing to the public safety, transportation, and appropriations committees.

LD 847 – *Resolve, to Study Implementation of a Program to Provide Trauma-informed Training for Law Enforcement Officers at the Maine Criminal Justice Academy* (Sponsored by Rep. Gramlich of Old Orchard Beach) **Resolves 2023, c. 37**

This Resolve directs the Board of Trustees of the Maine Criminal Justice Academy, in consultation with behavioral health providers, to conduct a study and develop recommendations



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for providing trauma-informed training to law enforcement officers. For purposes of the study, the Resolve defines “trauma-informed training” as training to recognize the presence of trauma symptoms and to acknowledge the role that trauma can play in people’s lives, including by engaging with individuals with histories of trauma. No later than February 15, 2024, the board must submit a report to the Joint Standing Committee on Criminal Justice and Public Safety, which is authorized to report out legislation in 2024.

LD 919 – *An Act Regarding Licensure in the Field of Emergency Medical Services* (Sponsored by Sen. Grohoski of Hancock Cty.) **PL 2023, c. 166**

This Act amends the Maine Emergency Medical Services Act of 1982 to provide that the Emergency Medical Services’ Board may, by rule, establish appropriate licensure levels and qualifications for all emergency medical services, including providers, dispatchers, educators, dispatch centers, training centers, ambulance services and non-transporting emergency medical services.

LD 981 – *An Act to Require All Emergency Medical Services Persons to Be Trained to Administer and Dispense Naloxone Hydrochloride* (Sponsored by Sen. Baldacci of Penobscot Cty.) **PL 2023, c. 92**

As of July 1, 2024, this Act requires licensed emergency medical services providers to administer and dispense naloxone hydrochloride in compliance with protocols and training.

LD 1036 – *An Act to Require All Uniformed Patrol Officers to Carry Naloxone Hydrochloride When on Duty* (Sponsored by Rep. Milliken of Blue Hill) **PL 2023, c. 153**

As of January 1, 2024, this Act requires law enforcement officers who perform duties as uniformed patrol officers to carry naloxone hydrochloride while on duty, obtain medical training in accordance with protocols adopted by the Medical Direction and Practices Board and administer or dispense intranasal naloxone hydrochloride as clinically indicated.

LD 1103 – *An Act to Allow Persons Who Lawfully Use or Possess Cannabis to Own or Possess Firearms or Ammunition* (Sponsored by Rep. Boyer of Poland) **PL 2023, c. 381**

This Act provides that a person who uses, possesses, or transports cannabis pursuant to the Cannabis Legalization Act or the Maine Medical Use of Cannabis Act is exempt from the prohibition on the possession of a firearm pursuant to Title 22, chapter 558-C or Title 28-B.

LD 1119 – *An Act to Clarify the Criminal Statutes with Regard to Assaults on Emergency Medical Services Persons* (Sponsored by Sen. Bennett of Oxford Cty.) **PL 2023, c. 455**

This Act extends the provision of statute that makes assaulting an emergency medical care provider, while administering care, a Class C crime to persons licensed under the Medical Services Act of 1982, as well as to a person employed or contracted by a hospital when the assault occurs in the emergency room.

LD 1280 – *An Act to Invest in Maine’s Fire Service Training Facilities* (Sponsored by Sen. Curry of Waldo) **PL 2023, c. 459**

This Act provides a \$1.5 million one-time appropriation in FY 2025 for fire service training facilities.

LD 1353 – *An Act to Require the Technical Building Codes and Standards Board to Adopt the Canadian Standards Association Standard for Residential Mechanical Ventilation Systems as an Alternative Standard Under the Maine Uniform Building*

and Energy Code (Sponsored by Rep. Kessler of South Portland) **PL 2023, c. 292**

No later than December 1, 2023 this Act requires the Department of Public Safety, Office of the State Fire Marshal, Technical Building Codes and Standards Board to adopt the standards for indoor ventilation set forth in the Canadian Standards Association Standard for Residential Mechanical Ventilation Systems, CAN/CSA-F326-M91, as an alternative path to comply with the ASHRAE Standard 62.2 Ventilation and Acceptable Indoor Air Quality in Low-Rise Residential Buildings under the Maine Uniform Building and Energy Code.

LD 1364 – *Resolve, to Study Methods of Preventing Opioid Overdose Deaths by Authorizing Harm Reduction Health Centers* (Sponsored by Rep. Lookner of Portland) **Resolves 2023, c. 120**

This Act directs the Governor’s Office of Policy Innovation and the Future to convene a working group, including a municipal representative, to identify barriers and develop findings and recommendations regarding the prevention of opioid overdose deaths by establishing harm reduction health centers in the State. On or before February 15, 2025, the office is required to submit a report including findings to the Joint Standing Committee on Criminal Justice and Public Safety, which is authorized to report out legislation in 2025.

LD 1438 – *An Act to Require Standard Procedures to Protect Stalking Victims and Access to Certain Criminal Complaints* (Sponsored by Rep. Warren of Scarborough) **PL 2023, c. 235**

This Act adds to the exceptions for the dissemination of a record that is or contains intelligence and investigative information to include: (1) another criminal justice agency; (2) a person involved in the administration of criminal or civil justice within the agency, Department of the Attorney General’s Office or a district attorney’s office; (3) a person, or that person’s agent or attorney, for trial and sentencing purposes; (4) a federal, District Court, Superior Court or Supreme Judicial Court or equivalent in another state; (5) a person or entity expressly authorized to receive the intelligence via statute, executive order, or court rule, decision or order; or (6) the Secretary of State for use in determining and issuing a driver’s license suspension. A copy of the intelligence and investigative record must be provided free of charge to the victim or victim’s agent or attorney. The Act also requires all law enforcement agencies to adopt written policies regarding standard procedures to ensure protection from stalkers.

LD 1632 – *An Act to Require Proper Storage of Forensic Exam Evidence* (Sponsored by Sen. Bailey of York Cty.) **PL 2023, c. 236**

This Act directs a law enforcement agency to collect and transport anonymously collected forensic evidence from strangulation exams. The Act also changes the required time that a law enforcement agency must store a forensic examination kit for sexual assault from eight years to 20 years and requires that a law enforcement agency store a forensic examination kit involving only strangulation for six years.

LD 1802 – *An Act to Include Certain Volunteer Firefighters in the Tax Credit for Employers of Individuals Who Are Volunteer Firefighters or Volunteer Municipal Emergency Medical Services Persons* (Sponsored by Sen. Stewart of Aroostook Cty.) **PL 2023, c. 478**

This Act expands the law providing an income tax credit to employers who permit volunteer firefighters or volunteer municipal emergency medical services persons to respond to emergency calls while at work, to include volunteer municipal

firefighters. The amendment also defines “volunteer municipal firefighter” as a part-time or on-call municipal firefighter who receives up to 20% of the compensation of a full-time municipal firefighter and who may receive injury and death benefits.

Education & Cultural Affairs

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) **PL 2023, c. 449**

This Act 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 Act 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 98 – *An Act to Update the Special Education Laws* (Sponsored by Rep. Brennan of Portland) **PL 2023, c. 450**

This Act increases from 20 to under 22 the age of eligibility for special education and participation in career and technical education courses by adults and replaces the terms “hearing impairment” with “deafness” and “serious emotional disturbance” with “emotional disability.”

LD 204 – *An Act to Ensure Safe Access to Schools by Implementing Interlocking Door Controller Technology* (Sponsored by Sen. Stewart of Aroostook Cty.) **PL 2023, c. 452**

This Act requires the State to provide the funds necessary to equip a newly constructed or renovated elementary or secondary school with interlocking door controller technology. “Interlocking door controller technology” is defined as an area in between two doors separating the interior of a school from the exterior and where both doors cannot be opened at the same time.

LD 232 – *An Act to Amend the Laws Governing Bonding Restrictions for School Administrative Units* (Sponsored by Rep. Roberts of South Berwick) **PL 2023, c. 210**

This Act extends the term of bonds issued by school administrative districts and regional school units from 25 to 30 years.

LD 892 – *An Act to Improve School Safety and Preparedness Through Comprehensive Health and Safety and Emergency Management Planning* (Sponsored by Sen. Daughtry of Cumberland Cty.) **PL 2023, c. 254**

This Act amends existing law by requiring that a school comprehensive health and safety and emergency management plan approved by a school board meet nationally recognized practices and be developed collaboratively with appropriate stakeholders. It also requires that any steering committee formed by the school board as part of the plan update approval process that includes a school employee designated by that employee’s school as having oversight regarding school safety.

LD 1160 – *Resolve, Directing the Department of Education to Analyze Data on the Essential Programs and Services Funding Formula and Allocation Methodology* (Sponsored by Rep. Geiger of Rockland) **Resolves 2023, c. 118**

This Resolve directs the Department of Education, in conjunction with the Maine Education Policy Research Institute (MEPRI), to identify and analyze relevant school funding data and reports and make recommendations on transportation costs, the ability of municipalities to contribute to school funding through the calculation of property fiscal capacity and the effect of the current essential programs and service allocation model and the per-pupil rate. No later than January 15, 2024, the department is required to submit a final report to the Joint Standing Committee on Education and Cultural Affairs, which is authorized to report out legislation in 2024.

LD 1420 – *An Act to Strengthen Maine’s Elementary and Secondary Education System by Clarifying Purposes and Procedures for Reviews of Schools* (Sponsored by Rep. Millett of Cape Elizabeth) **PL 2023, c. 397**

This Act requires the Commissioner of Education to inspect private schools approved for tuition purposes that enroll 60% or more publicly funded students in the same manner as schools and school administrative units upon petition of a school’s parents, request of the school board or superintendent of the sending school or petition of 20% of the voters of the sending school. Beginning in the 2024-2025 school year, and every two years thereafter, the commissioner is further directed to conduct a comprehensive review of five public or private schools and well as to periodically review all public and private schools that receive public funds to determine their compliance with the applicable provisions of the Maine Human Rights Act.

LD 1528 – *Resolve, to Establish a Pilot Program and Convene a Work Group Regarding the Provision of Services by the Child Development Services System* (Sponsored by Rep. Brennan of Portland) **Resolves 2023, c. 82**

No later than February 15, 2024 the Department of Education is directed to submit a report to the Joint Standing Committee on Education and Cultural Affairs regarding services provided by the Child Development Services system. The report must include a description of successful delivery models and address the development and implementation of partnerships with private providers; funding models and budgets; responsibility for free, appropriate public education; transportation; employment and staffing; programs, enrollment and children served; and infrastructure and material needs. The committee is authorized to report out legislation in 2024.

LD 1799 – *An Act to Expand Maine’s High-quality Early Learning and Care for Children by Increasing Public Preschool Opportunities in Communities* (Sen. Vitelli of Sagadahoc Cty.) **PL 2023, c. 477**

This Act requires the commissioner of the Department of Education to annually generate a report describing the incentives in place and progress being made to expand public preschool programs and requires that by the 2026-2027 school year all public schools provide an equitable, mixed-delivery public preschool program. The Act also creates a 15-member commission to explore options to provide full-day preschool and pathways for publicly funded early care and education programs. No later than December 6, 2023, the commission is further directed to submit a report to the Joint Standing Committee on Education and Cultural Affairs, which is authorized to report out legislation in 2024.

Energy, Utilities & Technology

LD 211 – *An Act to Amend the Laws Governing Water Supply*

Protection Funds (Sponsored by Rep. Fay of Raymond) **PL 2023, c. 137**

This Act provides that a consumer-owned water utility may use water supply protection funds to assist a holder to acquire interests in real property if that acquisition is reasonably likely to result in or contribute to the protection of a public water supply. If a consumer-owned water utility assists in acquiring a conservation easement and the utility does not acquire through the transaction a fee interest in the property, the amendment requires the utility to obtain a third-party right of enforcement with respect to that easement. If a consumer-owned water utility assists a holder in acquiring a fee interest in real property, the utility must acquire a conservation easement unless the holder conveys a conservation easement to another holder, in which case the utility must obtain a third-party right of enforcement with respect to that conservation easement.

LD 399 – *An Act to Amend the Portfolio Requirements for Class II Resources and Require Money Collected from Alternative Compliance Payments to Be Used for Financial Assistance* (Sponsored by Rep. Boyle of Gorham) **PL 2023, c. 361**

This Act extends the repeal date to 2027 for the law that adds a 300% multiplier to the output of licensed power generators fueled by municipal solid waste in conjunction with recycling for the purposes of meeting portfolio requirements for Class II resources. The Act also directs the Public Utilities Commission to establish by major substantive rule an alternative compliance payment rate for Class II resources of not greater than \$10.

LD 496 – *An Act to Address Battery Storage System Decommissioning and Clarify Solar Energy Development Decommissioning* (Sponsored by Rep. Boyle of Gorham) **PL 2023, c. 215**

This Act prohibits a person from constructing, causing to be constructed or operating a battery storage system development with a capacity of two megawatts or more without first obtaining approval of a decommissioning plan from an environmental permitting entity and establishes the requirements for a decommissioning plan to include the removal of the battery storage system components, the recycling of the waste components that are recyclable and regrading and revegetation of all earth disturbed during construction and decommissioning. The plan must also include a demonstration of current and future financial capacity to fully fund the decommissioning plan.

LD 519 – *Resolve, to Evaluate a Vehicle-to-grid Pilot Project Using Electric School Buses* (Sponsored by Rep. Runte of York) **Resolves 2023, c. 32**

This Resolve directs the Efficiency Maine Trust to assess the feasibility of establishing a vehicle-to-grid pilot project operated at the Wells-Ogunquit Community School District demonstrating the use of electric school buses to store energy from the electric grid during times of low demand and discharge the stored energy to the grid during times of high demand. The trust is required to report results, including a recommendation as to whether or not a pilot project would be feasible and, if it recommends implementing a pilot project, a proposed project design and budget.

LD 1223 – *An Act to Clarify Insurance in the Joint Use of Public Utility Equipment* (Sponsored by Sen. Grohoski of Hancock Cty.) **PL 2023, c. 313**

This Act provides that a shared-use pole owner may not require a municipality, as a condition of the municipality's

attachment to the pole, to purchase and maintain a general liability insurance policy with a limit in excess of \$5 million per occurrence. The Act also provides that if the limits in the policy are in excess of the provisions of the Maine Tort Claims Act, the limits in the policy prevail and if the municipality is otherwise immune from liability, the municipality is liable up to the limits of the insurance policy. The amendment includes a repeal date of October 1, 2028.

LD 1408 – *An Act to Reduce Maine's Dependence on Fossil Fuels and Carbon Footprint for Energy Production Using Waste Wood Fuel* (Sponsored by Rep. Theriault of Fort Kent) **PL 2023, c. 353**

This Act amends the definition of net generating capacity for the purposes of the combined heat and power program to: (1) exclude energy provided behind the meter to facilities adjacent to an electric generating facility; (2) increase the allowable net generating capacity of a combined heat and power program participant from no more than 10 megawatts to no more than 15 megawatts and increases the total net generating capacity for all combined heat and power program participants to no more than 30 megawatts; (3) require the Public Utilities Commission to evaluate combined heat and power projects on a technology-specific basis when determining whether a project is highly efficient; (4) limit the combined heat and power program to contracts for only energy instead of energy, capacity resources and renewable energy credits; and (5) establish criteria to allow a program participant located in the service territory of a consumer-owned transmission and distribution utility to provide energy to an investor owned transmission and distribution utility pursuant to a long-term contract under the program.

LD 1456 – *Resolve, to Study the Effect of Current Laws and Rules on the Expansion of Broadband* (Sponsored by Sen. Grohoski of Hancock Cty.) **Resolves 2023, c. 81**

This Resolve directs the Public Utilities Commission to study current pole attachment laws and rules' effect on municipal broadband expansion. The study must include a review of each stage of the pole make-ready process, an estimate of the number of utility poles statewide that could accommodate municipal facility attachments without the need to replace the pole, an assessment of the commission's enforcement practices and related laws applicable to utility poles and a review of the commission's current educational resources related to pole attachments and the effectiveness of those resources. The amendment requires the commission to submit an initial report by February 15, 2024, and a final report by December 1, 2024, to the Joint Standing Committee on Energy, Utilities and Technology, which is authorized to report out legislation in 2025.

LD 1828 – *An Act Regarding Enhanced 9-1-1 Public Safety Answering Points* (Sponsored by Sen. LaFountain of Kennebec Cty.) **Emergency Enacted; PL 2023, c. 186 (6/15/23)**

This Act: (1) requires a public safety answering point (PSAP) to provide the Public Utilities Commission, Emergency Services Communication Bureau notice at least one year prior to discontinuing service to a municipality, unless the bureau finds reasonable grounds to authorize a shorter period for notification; (2) authorizes the bureau to establish an additional PSAP on a determination that it is necessary to ensure public safety and access to E-9-1-1 services; and (3) requires the bureau to conduct a study assessing whether the PSAP can be more efficiently managed to ensure stability of the system.

LD 1850 – *An Act Relating to Energy Storage and the State’s Energy Goals* (Sponsored by Sen. Vitelli of Sagadahoc Cty.) **PL 2023, c. 374**

This Act: (1) modifies the state goal for energy storage system development to at least 300 megawatts of installed capacity by December 31, 2025 and at least 400 megawatts by December 31, 2030; (2) directs the Governor’s Energy Office (GEO), in consultation with the Public Utilities Commission (PUC), to evaluate designs for and recommend a program to procure commercially available utility-scale energy storage systems connected to the transmission and distribution system; (3) directs the PUC to solicit stakeholder input on whether, at what cost, and under what conditions an investor-owned transmission and distribution utility may own, have a financial interest in or otherwise control an energy storage system, in order to perform its obligations as a transmission and distribution utility in an effective, prudent and efficient manner; and (4) directs the GEO to study long-duration energy storage.

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) **PL 2023, c. 45**

This Act exempts permit by rule applications under the site location of development laws from the 20-day processing requirement under current law and instead requires the commissioner of the Department of Environmental Protection to decide whether such an application meets applicable permit by rule requirements within 90 calendar days of notifying the applicant that the application has been accepted unless the commissioner establishes a different time period for the decision.

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.) **PL 2023, c. 28**

This Act 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 Act 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 Act 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 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.) **PL 2023, c. 57**

This Act authorizes the Board of Environmental Protection to adopt or amend rules related to the beneficial use of solid waste, which are, major substantive and subject to legislative review, except that beneficial use rules based on U.S. Environmental Protection Agency’s standards are routine technical.

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) **PL 2023, c. 8** (effective 6/29/23)

This Act 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 217 – *An Act to Support Manufacturers Whose Products Contain Perfluoroalkyl and Polyfluoroalkyl Substances* (Sponsored by Rep. Campbell of Orrington) **PL 2023, c. 138**

This Act extends from January 1, 2023 to January 1, 2025 the deadline for reporting the use PFAS in products for sale; authorizes reporting the amount of total organic fluorine if the amount of each PFAS compound is not known; allows the amount PFAS to be reported based on information provided by a supplier rather than testing; and makes other technical clarifications to PFAS reporting requirements. The changes are retroactive to January 1, 2023.

LD 276 – *An Act to Assist Municipalities in Preventing Damage from Storm Water* (Sponsored by Rep. Ankeles of Brunswick) **PL 2023, c. 65**

This Act authorizes a municipality or a regional community and economic development organization to appropriate funds to repair a private road, way, bridge, or storm water management system for the purpose of protecting or restoring a protected natural resource by preventing storm water runoff pollution from reaching the protected natural resource.

LD 319 – *An Act to Amend Maine’s Underground Oil Storage Tank Laws* (Sponsored by Sen. Timberlake of Androscoggin Cty.) **PL 2023, c. 16** (effective 6/29/23)

Under current law, upon the expiration date of a manufacturer’s warranty for certain underground oil storage tanks, the tank and its associated piping must be removed from service and properly abandoned, except that a double-walled underground oil storage tank may continue in service up to 10 years beyond the expiration of the warranty if certain testing is conducted to verify the integrity of the tank. This Act removes the 10-year limitation, thereby allowing such double-walled tanks to continue in service indefinitely provided the same testing requirements are satisfied.

LD 400 – *Resolve, Directing the Department of Environmental Protection to Examine Regulatory Requirements for Outdoor Wood Boilers* (Sponsored by Sen. Black of Franklin Cty.) **Resolves 2023, c. 13**

This this Resolve directs the Department of Environmental Protection to review the laws and rules governing outdoor wood boilers and by January 5, 2024, submit a report to the Joint Standing Committee on Environment and Natural Resources, which is authorized to report out legislation in 2024.

LD 466 – *Resolve, to Evaluate Options for recycling of Solar Panels and Wind Turbine Blades* (Sponsored by Rep. Woodsome of Waterboro) **Resolves 2023, c. 52**

This Resolve directs the Department of Environmental Protection to evaluate whether solar panels and wind turbine blades are eligible for inclusion in the product stewardship program. The evaluation must include collection of information regarding facilities operating or planned for operation in the eastern United States that can recycle solar panels or wind turbine blades and identification of the recycling costs for those materials for customers of those facilities. The depart-

ment is directed to include its findings from the evaluation in its annual stewardship report.

LD 478 – An Act to Improve Coastal Sand Dune Restoration Projects (Sponsored by Rep. Gramlich of Old Orchard Beach) **PL 2023, c. 97**

This Act amends the Natural Resources Protection Act to authorize the Department of Environmental Protection, via permit or permit by rule, to allow a coastal sand dune system restoration project that uses acceptable stabilization materials for the planting of native dune vegetation if the project meets certain statutory requirements and satisfies all other applicable requirements for the permit or permit by rule. “Allowable stabilization materials” is defined as natural, plant based biodegradable or compostable fabrics, erosion control blankets, logs or rolls made from coir, jute, straw, polylactic acid polymers or other similar materials, including such materials that contain or use gravel or cobble, discarded holiday trees, other trees fallen or washed up in proximity to the site and stakes or anchors used to secure any of these materials.

LD 508 – Resolve, Directing the Department of Environmental Protection to Review Regulation of Waste Discharge from Finfish Aquaculture Facilities (Sponsored by Sen. Grohoski of Hancock Cty.) **Resolves 2023, c. 59**

This Resolve directs the Department of Environmental Protection to conduct a review of applicable state laws and rules regulating the licensing of waste discharge from proposed finfish aquaculture facilities, including any waste discharge modeling requirements or standards, and of prior and current waste discharge monitoring requirements imposed on licensed finfish aquaculture facilities in the State since 2004, including identification of any monitoring requirements imposed on those facilities that were subsequently removed and the basis for the removal. On or before January 15, 2024, the department is also directed to submit a report summarizing its review to the Joint Standing Committee on Environment and Natural Resources, which is authorized to report out legislation in 2024.

LD 596 – An Act to Exempt Certain Conservation Lots from Municipal Subdivision Review (Sponsored by Sen. Pierce of Cumberland Cty.) **PL 2023, c. 79**

This Act amends the laws governing subdivisions to provide that, unless the intent of a transferor is to avoid the objectives of those laws, the division of a tract or parcel of land accomplished by the transfer of any interest in the land to a holder does not create a lot or lots provided the transferred interest, as expressed by conservation easement, binding agreement, declaration of trust or otherwise, is to be permanently held for conservation purposes, including: (1) retaining or protecting the natural, scenic or open space; (2) ensuring the availability of the land for agricultural, forest, recreational or open space use; (3) protecting natural resources; or (4) maintaining or enhancing air quality or water quality. Under the terms of the Act, a “holder” means a governmental body empowered to hold an interest in real property or a nonprofit corporation or charitable trust with related natural resources protection purposes or powers.

LD 718 – An Act to Facilitate the Management of Wastewater Treatment Plant Sludge at the State-owned Juniper Ridge Landfill (Sponsored by Sen. Black of Franklin Cty.) **Emergency Enacted; PL 2023, c. 283 (6/23/23)**

This Act provides that for the period between the legislation’s effective date and July 1, 2025, if in any 12-month period

the total weight of the residue generated by a solid waste processing facility and disposed of or otherwise placed in a solid waste landfill exceeds the total weight of the solid waste initially generated within the State that was processed by the facility in that 12-month period, such excess residue, not to exceed 25,000 tons in that 12-month period, is deemed to be waste generated within the State as long as that excess residue is composed of oversized bulky waste and is disposed of or otherwise placed in a state-owned solid waste landfill. Any other excess residue generated by the facility in that 12-month period is deemed not to be waste generated within the State. The Act also directs the Department of Environmental Protection, in consultation with the Public Utilities Commission, to evaluate options for and develop recommendations regarding state regulation of the transportation, landfill disposal and other management of sludge generated from wastewater treatment plants as the activities of a public utility and regarding state regulation of the operation of state-owned solid waste landfills as a public utility. On or before January 15, 2024, the department is required to submit a report outlining the results of the study to the Joint Standing Committee on Environment and Natural Resources, which is authorized to report out legislation in 2024.

LD 826 – An Act to Provide for the Management of the Waste Components of a Solar Energy Development upon Decommissioning (Sponsored by Rep. Lemelin of Chelsea) **PL 2023, c. 300**

This Act amends the laws regulating the decommissioning of solar energy developments to provide that decommissioning includes providing for the recycling of the waste components of the solar energy development that are recyclable, including, but not limited to, the solar panels, by a facility authorized to accept such materials for recycling and providing for the disposal of waste components that are not recyclable by a facility authorized to accept such materials for disposal.

LD 1172 – An Act to Reestablish Annual Reporting on Solid Waste in Maine (Sponsored by Rep. Bell of Yarmouth) **PL 2023, c. 331**

Beginning in 2026, the Department of Environmental Protection is required to annually, instead of biennially, provide the Legislature with information on statewide generation of solid waste, statewide recycling rates and available disposal capacity for solid waste. The Act also directs the department to take all actions necessary to modernize, streamline and improve the efficiency of the data collection, consolidation and reporting systems, procedures and processes it uses or intends to use to satisfy that reporting requirement.

LD 1246 – An Act to Include Endangered and Threatened Species Habitat in the Definition of “Significant Wildlife Habitat” Under the Natural Resources Protection Act (Sponsored by Rep. Gramlich of Old Orchard Beach) **PL 2023, c. 156**

This Act amends the Natural Resources Protection Act by adding to the definition of “significant wildlife habitat” the habitat for state endangered and threatened species listed under Title 12, section 12803, subsection 3 that is within another protected natural resource area or that is located wholly or partly within the boundaries of a proposed project site that requires approval from either the Department Inland Fisheries and Wildlife, except for activity or development on a residential lot that is not part of a proposed multi lot housing development, or the Maine Land Use Planning Commission. This Act also requires the department define “habitat for state endangered and state threatened species” by major substantive rules.

LD 1473 – *An Act to Protect Certain Unfiltered Drinking Water Sources* (Sponsored by Sen. Rotundo of Androscoggin Cty.) **PL 2023, c. 264**

This Act provides that only those lots or portions of lots that are within the watershed of a water source that is located in the cities of Lewiston or Auburn and that is used to provide drinking water by a water utility that has received a waiver from filtration pursuant to federal regulations are exempt from certain restrictions related to affordable housing density, the allowed number of dwelling units, and accessory dwelling units. The amendment also directs the drinking water program within the Department of Health and Human Services, Maine Center for Disease Control and Prevention, in coordination with the Department of Environmental Protection, to evaluate state law and rules designed to protect the water quality of water sources and their related watersheds that are used to provide drinking water by a water utility that has received a waiver from filtration and to identify any necessary changes to state law or rules or any other actions that can be implemented to strengthen the protections for those water sources and watersheds. On or before January 15, 2024, the department must submit a report summarizing its evaluation and providing any recommendations, resulting from the evaluation, to the Joint Standing Committee on Environment and Natural Resources, which is authorized to report out legislation.

LD 1926 – *An Act to Impose a Moratorium on New Point Source Waste Discharge Licenses on the Lower Presumpscot River* (Sponsored by Rep. Bell of Yarmouth) **PL 2023, c. 295**

For the period beginning October 15, 2023 and ending January 1, 2028, this Act imposes a moratorium on the issuance of waste discharge licenses for new waste discharges to the Presumpscot River from Saccarappa Falls to tidewater.

Health & Human Services

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.) **PL 2023, c. 36**

This Act 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 81 – *An Act to Address Recovery Residence Participation in the Municipal General Assistance Program*. (Sponsored by Rep. Meyer of Eliot) **Emergency Enacted; PL 2023, c. 133 (6/08/23)**

This Act 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 474 – *An Act to Improve Collaboration Between Mandatory Reporters and Law Enforcement in the Investigation of Alleged Child Abuse and Neglect* (Sponsored by Rep. Meyer of Eliot) **PL 2023, c. 146**

This Act requires that a person in charge of or a member of the staff of a public or private medical institution, agency or facility who are mandatory reporters to disclose the same information reported to the Department of Health and Human Services to a law enforcement officer upon request of the officer. The Act also provides immunity for a person who makes a report of suspected abuse or neglect and who is participating

in good faith in a law enforcement investigation or criminal justice proceeding relating to suspected abuse or neglect.

LD 510 – *An Act to Protect the Public Health by Allowing the Appointment of Associate Health Officers* (Sponsored by Sen. Hickman of Kennebec Cty.) **PL 2023, c. 46**

This Act allows the municipal officers to appoint one or more associate health officers tasked with assisting the local health officer (LHO) during an actual or threatened epidemic or other public health threat. The Act further provides that the associate works under the direct supervision of the LHO and must have knowledge of the community and appropriate education, training, or experience, as prescribed by the LHO.

LD 600 – *An Act to Expand Availability of Naloxone Hydrochloride* (Sponsored by Rep. Craven of Lewiston) **PL 2023, c. 71**

This Act allows an overdose prevention program, with the express consent of a municipality, to provide and maintain naloxone hydrochloride in a visible and publicly accessible wall-mounted box or other container in municipal places to be used by a member of the public in response to an opioid-related drug overdose. The Act also provides immunity from criminal and civil liability to municipalities and overdose prevention programs for providing or maintaining the naloxone hydrochloride containers.

LD 709 – *Resolve, to develop a Home Share Pilot Program for Older Persons* (Sponsored by Rep. O’Neil of Saco) **Resolves 2023, c. 108**

This Resolve directs the Maine State Housing Authority to develop and administer, through a contracted vendor, a home share pilot program aimed at matching older persons who own homes with spare rooms with adults in need of affordable housing. The authority is directed to issue a request for proposals for the provision of a digital-based service, which must provide assistance to potential renters, collect and process rental payments, and conduct background checks on hosts and renters. No later than January 1, 2025, the authority must submit a report regarding the program to the Joint Standing Committees on Health and Human Services and Labor and Housing.

LD 775 – *An Act to Require and Standardize Labeling of Water Treatment Equipment* (Sponsored by Sen. Pouliot of Kennebec Cty.) **PL 2023, c. 164**

This Act requires that for equipment installed on or after July 1, 2024, that water treatment company employees place a label on equipment that includes the name of the company, name of the employee installing the equipment, date of installation, plumbing permit number, condition of water to be treated, any safety precaution or warnings, and documentation of subsequent service-related calls. A water treatment company that fails to comply with this section is in violation of the Maine Unfair Trade Practices Act.

LD 1204 – *An Act to Improve the Health of Maine Residents by Closing Coverage Gaps in the MaineCare Program for Incarcerated Persons* (Sponsored by Rep. Talbot Ross of Portland) **PL 2023, c. 458**

This Act requires that during the 90-day period prior to the release of a resident from a correctional facility or county or regional jail, the Department of Health and Human Services to provide reimbursement under the MaineCare program for services that can be provided under the program to individuals who are incarcerated and facilitate an individual’s transition back into the community. The Act requires that no later than January 1, 2024, the department to submit a report to

the Joint Standing Committee on Health and Human Services that outlines the progress made towards a memorandum of understanding with counties to assist incarcerated individuals with applying for benefits under the MaineCare program.

Health Coverage, Insurance & Financial Services

LD 362 – *An Act to Clarify Coverage for Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Under the State Employer Group Health Plan* (Sponsored by Sen. Baldacci of Penobscot Cty.) **PL 2023, c. 20**

This Act clarifies that a retired county or municipal law enforcement officer or retired municipal firefighter is eligible to enroll in the group health plan offered to state employees if the officer or firefighter meets the requirements for the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program.

LD 1396 – *An Act to Clarify the Laws Regarding Delegating Authority for Services Performed by Emergency Medical Services Personnel or Others as Medical Assistant.* (Reported by Sen. Bailey of York for the Joint Standing Committee on Health Coverage, Insurance & Financial Services) **PL 2023, c. 132**

This Act, in part, clarifies that a licensed emergency medical services person may not simultaneously act as an assistant performing medical services delegated by a physician or physician assistant.

LD 1602 – *An Act to Implement the Recommendations of the Stakeholder Group Convened by the Emergency Medical Services' Board on Financial Health of Ambulance Services* (Reported by Sen. Bailey of York Cty.) **PL 2023, c. 468**

This Act implements recommendations from the Emergency Medical Services' Board stakeholder group report, by: (1) removing the repeal date related to the rate of reimbursement health insurance carriers are required to pay for covered emergency services provided by an ambulance service provider; (2) prohibiting health insurance carriers from requiring ambulance services providers to obtain prior authorization before transporting an enrollee to a hospital, between hospitals or from a hospital to a nursing home or other health care facility and requiring carriers to reimburse for those services; (3) clarifying that a carrier is not required to reimburse at the established rates for covered services delivered through community paramedicine and may require the provider to obtain prior authorization before rendering services; and (4) beginning with health plans effective on or after January 1, 2024, establishing a reimbursement schedule requiring carriers to reimburse for the services provided at the scene when an enrollee refuses transfer.

Housing

LD 611 – *Resolve, Establishing a Working Group to Maximize Eligibility for Energy Efficiency Programs for Low-income Homeowners* (Sponsored by Rep. Malon of Biddeford) **Resolves 2023, c. 74**

This Resolve directs the Maine State Housing Authority to convene a working group to design a program to provide financial assistance to low-income homeowners to make the improvements necessary to meet the eligibility requirements for home energy assistance programs. No later than December 1, 2023, the working group must submit a report to the Joint Select Committee on Housing proposing a program that includes a provision to evaluate if the amount of financial assistance necessary is reasonable relative to the anticipated benefit from the home energy assistance program and if the

overall suitability of the home makes the weatherization or repair a worthwhile investment. The proposal must be designed to serve residential housing units with household incomes up to 100% of the area median income and serve as a complement to, not a substitute for, weatherization assistance paid for using federal funds, including the Housing Opportunities for Maine Fund.

LD 1706 – *An Act to Clarify Statewide Laws Regarding Affordable Housing and Accessory Dwelling Units* (Sponsored by Rep. Malon of Biddeford) **Emergency Enacted; PL 2023, c. 192 (6/16/23)**

This Act postpones the date by which municipalities must have ordinances in place to implement the State's housing goals and priorities from July 1, 2023 to January 1, 2024 in municipalities where the municipal officers adopt ordinances and to July 1, 2024 for all other municipalities. The Act authorizes the existence of accessory dwelling units that either: (1) were constructed on a lot that does not conform to municipal zoning, provided the unit does not further increase nonconformity; or (2) did not receive municipal approval prior to construction, but otherwise meets statutory requirements. The amendment defines "affordable housing development" in the laws governing housing density as a development in which a household whose income does not exceed certain levels can afford 51% or more of the units in the development without spending more than 30% of the household's monthly income on housing costs.

LD 1844 – *An Act to Support Emergency Housing Facility Construction, Renovation and Acquisition Statewide by Creating a Matching Grant Program* (Sponsored by Rep. Arford of Brunswick) **PL 2023, c. 479**

This Act directs the Maine State Housing Authority to establish the Emergency Housing Matching Grant Program to provide grants to service providers to construct, acquire, renovate, or lease buildings for emergency housing and shelter services. Applicants must demonstrate that they can provide housing and navigation services 24 hours each day and for requests greater than \$100,000 provide funding from a source other than the state to match the amount of the grant requested on a one-to-one basis. In the process of scoring applications, the authority is required to award favorable points to proposals providing services in underserved areas and where the provision of services could potentially reduce demand for emergency housing and shelter services located in service center communities.

Inland Fisheries & Wildlife

LD 92 – *An Act to Minimize the Propagation of Invasive Aquatic Plants.* (Sponsored by Rep. Riseman of Harrison) **Emergency Enacted; PL 2023, c. 190 (6/16/23)**

This Act requires a person, when removing a watercraft from an inland water body, to drain the watercraft and other equipment and to remove or open drain plugs, bailers, valves, and other devices to drain the water before that watercraft is transported. The amendment exempts emergency response watercraft from these requirements and prohibits water held on or within a watercraft from entering any inland water body of the State if the water in the watercraft is from a different water source.

LD 221 – *An Act Regarding Airboat Noise* (Sponsored by Rep. Hepler of Woolwich) **PL 2023, c. 209**

This Act extends the repeal date of the law governing airboat noise limits to September 7, 2025, and directs the com-

missioners of the Departments of Maine Resources and Inland Fisheries and Wildlife to reconvene the 2021 stakeholder group, which includes two municipal marine shellfish officers and two coastal municipal administrators, to discuss issues related to air boat noise. No later than January 15, 2025, the commissioners are directed to submit recommendations to the Joint Standing Committees on Marine Resources and Inland Fisheries and Wildlife, which are authorized to report out legislation in 2025.

LD 296 – *An Act to Ensure Municipalities Receive a Higher Percentage of All-terrain Vehicle and Snowmobile Registration Fees to Cover Increased Expenses* (Sponsored by Rep. Newman of Belgrade) **PL 2023, c. 213**

This Act increases the service fee an agent may charge for issuing a registration or renewal registration for a snowmobile or all-terrain vehicle to not more than \$5.

LD 379 – *Resolve, Directing the Department of Inland Fisheries and Wildlife to Study the Effects of Wake Boats on Shoreline Property and the Environment* (Sponsored by Rep. Landry of Farmington) **Resolves 2023, c. 33**

This Resolve directs the Department of Inland Fisheries and Wildlife to establish a stakeholder group to review completed studies relating to wake boats and their effects on shoreline property and the environment, including an assessment of the types of boats used, the appropriate distance from the shoreline and depth of the body of water, enforcement mechanisms and fines, and the definition of a “wake boat.”

LD 491 – *Resolve, to Require the Department of Inland Fisheries and Wildlife to Develop a Plan for Communication Regarding Certain Municipal Regulation* (Sponsored by Rep. Wood of Greene) **Resolves 2023, c. 26**

This Resolve directs the Department of Inland Fisheries and Wildlife to develop a plan to inform municipalities of the limits on the local regulation of hunting, fishing, and trapping and the operation of watercraft, snowmobiles, and ATVs and to coordinate with a statewide organization representing municipalities on a plan for disseminating the information. The department is required to submit a report to the Joint Standing Committee on Inland Fisheries and Wildlife by January 1, 2024, which is authorized to report out legislation in 2024.

Innovation, Development, Economic Advancement & Business

LD 103 – *Resolve, Directing the Maine Children’s Cabinet Early Childhood Advisory Council to Study Incentives for the Provision of Child Care in Maine* (Sponsored by Rep. Jauch of Topsham) **Resolves 2023, c. 28**

This Resolve directs the Maine Children’s Cabinet Early Childhood Advisory Council to identify obstacles regarding the availability of childcare in this State, examine mechanisms for overcoming identified obstacles, and conduct a review of other states that have faced childcare obstacles similar to those in this State, identify the measures taken by those states to address the obstacles and determine whether similar measures may be effectively implemented. No later than January 15, 2024, the council is required to submit a report to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business, which is authorized to report out legislation in 2024.

LD 675 – *Resolve, to Improve the Convenience of Public Restrooms* (Sponsored by Rep. Zager of Portland) **Resolves 2023, c. 65**

This Resolve requires the Plumbers’ Examining Board to update Maine’s plumbing code to ensure consistency with the provisions of the 2024 Uniform Plumbing Code that relate to the minimum number of required fixtures in public restrooms.

LD 975 – *An Act to Align Maine’s Elevator Safety Laws with Maine Uniform Building and Energy Code Standards* (Sponsored by Rep. Crockett of Portland) **Emergency Enacted; PL 2023, c. 149 (6/12/23)**

This Act requires that whenever a passenger elevator is installed in a building being newly constructed or in a new addition that extends beyond the exterior walls of an existing building, at least one passenger elevator must reach every story within the building and be of sufficient size to allow the transport of a person on an ambulance stretcher in the fully supine position, without having to raise, lower or bend the stretcher in any way.

Judiciary

LD 23 – *An Act to Limit Public Access to or Dissemination of Electronic Citation and Electronic Warning Information* (Sponsored by Sen. Carney of Cumberland Cty.) **PL 2023, c. 55**

This Act provides that personally identifying information that is contained in the electronic citation or the electronic warning database maintained, administered, or contributed to by the Department of Public Safety, Bureau of State Police is confidential, except that personally identifying information that is contained in these databases may be shared with other criminal justice agencies. The amendment also defines “personally identifying information” as an individual’s name, residential and post office mailing addresses, date of birth and driver’s license number, a vehicle registration plate number and any other information contained in a data field that may be used to identify a person.

LD 347 – *An Act Regarding In-court Appearance Requirements for Persons Authorized to Serve Eviction Notices* (Sponsored by Rep. Cyrway of Albion) **PL 2023, c. 386**

This Act allows a sheriff, deputy or constable who provided service in connection with an eviction and is required to testify to attend the court hearing remotely and allows the delivered notice to be admissible as evidence for the purpose of proving service occurred.

LD 443 – *An Act to Prohibit Marriage of Any Person Under 18 Years of Age* (Sponsored by Rep. O’Connell of Brewer) **PL 2023, c. 116**

This Act increases the legal age of marriage from 16 to 17 years and reduces from 18 to 17 years the age at which persons may be issued a marriage license without the written consent of their parents or guardians.

LD 609 – *An Act Regarding Guidelines for Free Telephone Calls by Individuals Incarcerated in Department of Corrections Facilities* (Sponsored by Rep. Hasenfus of Readfield) **PL 2023, c. 217**

This Act requires the chief administrative officer of each state prison to draft, publish, and implement guidelines providing a resident of a state correctional facility who has less than \$10 in a facility account a free telephone call allowance for 30 minutes per week to family and friends and for calls protected by the attorney-client privilege.

LD 679 – *An Act Regarding Animals Abandoned by Tenants* (Sponsored by Rep. Dodge of Belfast) **PL 2023, c. 336**

This Act authorizes a landlord to require a tenant to provide

information about any animal present in a rental unit and request contact information of a person the tenant authorizes to enter the property to retrieve or care for the animal in the event the tenant abandons the animal or is unable to care for the animal as a result of death or disability. The amendment also allows the landlord to require permission, as a condition of tenancy, to enter the rental unit in an emergency in order to determine whether the animal is in need of care and establishes a process through which the landlord may remove an animal in the event the animal has been abandoned or the tenant is unable to care for the animal due to death or disability.

LD 962 – *An Act Regarding the Transfer of Seized Currency to the Federal Government for Criminal Asset Forfeiture* (Sponsored by Rep. Campbell of Orrington) **PL 2023, c. 91**

This Act eliminates the requirement that seized currency exceed a certain amount before a state governmental agency, county or municipality may enter into an agreement to transfer or refer the seized currency to a federal agency and replaces it with a requirement that seized currency only be transferred or referred to a federal agency in conjunction with a federal criminal case.

LD 1034 – *An Act to Require That Service of a Temporary Protection Order Be Attempted Within 48 Hours from the Issuance of the Order* (Sponsored by Rep. Smith of Palermo) **PL 2023, c. 75**

This Act requires every law enforcement agency to adopt a written policy requiring that service of every temporary, emergency, or interim protection from abuse order be attempted within 48 hours after the agency receives notice of that order from the court.

LD 1208 – *An Act to Implement the Recommendations of the Right To Know Advisory Committee Concerning Time Estimates for Responding to Public Records Requests* (Reported by Rep. Moonen of Portland) **PL 2023, c. 155**

This Act clarifies that an agency or official must specify the estimated timeframe within which the entity will comply with a request for public records, authorizes the entity to assess a fee for the actual cost of the device used to store the public record when provided to the requester, and increases the cost threshold for when an agency or official must inform a requester of the estimate cost before proceeding with a request from \$30 to \$50.

LD 1251 – *An Act to Clarify Immunity from Liability for Municipalities Engaged in Recycling Activities* (Sponsored by Rep. Hasenfus of Readfield) **PL 2023, c. 350**

This Act clarifies that municipalities are immune from liability for personal injury, property damage or death, including a member of the public, caused by recycling activities of the municipality on property owned by the municipality or on the premises of another person, provided the municipality has adopted and regularly enforces a written policy establishing reasonable safety standards applicable to the premises where the municipality performs recycling activities. A written policy adopted under this subsection must be developed by a credentialed industrial hygienist and must comply with United States Department of Labor, Occupational Safety and Health Administration requirements.

LD 1322 – *An Act to Implement the Recommendations of the Right To Know Advisory Committee Concerning Remote Participation* (Reported by Rep. Moonen of Portland) **PL 2023, c. 158**

This Act amends the remote meeting law to clarify that

both members of the public body and the public are allowed to participate in a proceeding via remote methods. This Act also clarifies that the remote participation policy adopted by county commissioners, municipal officers or the officers of a regional entity applies to all public bodies within the jurisdiction of the county, municipality or regional entity, respectively, unless the county commissioners, municipal officers or other officers of the regional entity specifically authorize a subordinate public body to adopt its own remote participation policy. The Act also specifies that the school board retains the right to decide to adopt or not adopt a remote participation policy.

LD 1343 – *An Act to Protect the Reproductive Freedom of Maine People by Preempting the Field of Abortion Regulation* (Sponsored by Rep. Supica of Bangor) **PL 2023, c. 352**

This Act reserves for the State exclusively regulation of a person's decision to terminate a pregnancy and legislation concerning the provision of abortion, and further prohibits municipalities and counties from adopting any related order, ordinance, rule, or regulation.

LD 1397 – *An Act to Implement the Recommendations of the Right To Know Advisory Committee Concerning Records of Disciplinary Actions Against Public Employees*. (Reported by Rep. Moonen of Portland for the Joint Standing Committee on Judiciary) **PL 2023, c. 159**

This Act requires that when a disciplinary action is imposed on a state or county employee the final written decision describes the conduct on which the disciplinary action is being imposed and the reasons for the action, which aligns with current municipal practices.

LD 1425 – *An Act to Strengthen Freedom of Access Protections by Allowing Remote Meetings to Be Recorded* (Sponsored by Rep. Perkins of Dover-Foxcroft) **PL 2023, c. 185**

This Act allows members of the public to record remote public meetings using the platform used to conduct the meeting provided that: (1) additional costs are not incurred by the public body; (2) the electronic platform allows participants other than the host to record the proceeding; and (3) the recording does not interfere with the orderly conduct of the proceeding.

LD 1435 – *An Act to Reduce Commercial Sexual Exploitation* (Sponsored by Rep. Reckitt of South Portland) **PL 2023, c. 316**

This Act: (1) eliminates the crime of engaging in prostitution; (2) describes the act of engaging a minor or a person with a mental disability in a sexual act as a commercial sexual exploitation; (2) changes from Class D to Class C the crime of commercial sexual exploitation of a child and solicitation of a child for commercial sexual exploitation; (3) allows as a defense to prosecution for conspiracy to commit the crime of engaging in a person for prostitution if the defendant's participation was engaging or agreeing to engage in a sexual act with the person; and (4) allows as a defense to sex trafficking that the actor was soliciting a patron to engage in sex only with the actor.

LD 1507 – *An Act to Ensure the Accuracy of Vital Records with Respect to Gender* (Sponsored by Rep. Sheehan of Biddeford) **PL 2023, c. 294**

This Act requires that upon receipt of an application that meets the requirements established by Department of Health and Human Services rule, the State Registrar of Vital Statistics must issue a new marriage certificate to a person married in Maine that reflects a change of gender and, if requested at the same time, to reflect the new first and middle names of the person and further provides that the newly issued certificate

may not be marked as “amended.” The Act also directs the registrar to provide a copy of the new marriage certificate to each municipal clerk that is required to have a copy on file. All copies of the original certificate in the custody of any municipal clerk are required to be sealed from inspection and surrendered to the registrar. Additionally, the death certified for an individual must reflect the desired gender of the deceased, if the person signing the certificate is aware of that desire either through a valid living will, advance care directive or other record.

LD 1603 – *An Act to Implement the Recommendations of the Committee To Ensure Constitutionally Adequate Contact with Counsel* (Reported by Sen. Carney of Cumberland Cty.) **PL 2023, c. 394**

This Act provides that if a defendant can show in a claim of intercepted attorney-client communications that a jail or correctional facility had actual or constructive notice of the attorney’s name, and telephone number, and the communication involved the use of a telephone, the contents and existence of the communication are not admissible in a criminal proceeding, including a post-conviction review proceeding. The Act further provides that a person who viewed or listened to the communication and did not immediately discontinue doing so is disqualified from participating in an investigation of the resident and from appearing as a witness in a criminal proceeding. The Act also directs the Attorney General by January 1, 2024 to: (1) adopt policies and procedures to protect and ensure the confidentiality of attorney-client communications and processes to be followed in the event that there is a breach of attorney-client confidentiality; and (2) develop a training program for state, county and municipal law enforcement officers who, as part of a criminal investigation, inadvertently hear confidential attorney-client communications.

LD 1613 – *An Act to Prohibit Profiling and to Strengthen Civil Rights in Maine* (Sponsored by Speaker Talbot Ross of Portland) **PL 2023, c. 368**

This Act requires law enforcement agencies to: (1) select, assign, and train civil rights officers; (2) keep the Attorney General informed of the identity of the civil rights officer; and (3) make contact information for their civil rights officers publicly available. The Act also prohibits profiling by a law enforcement officer or agency based on actual or perceived race, color, sex, sexual orientation, gender identity, physical or mental disability, religion, ancestry or national origin, age, or familial status in deciding which persons to subject to a traffic or pedestrian stop or in deciding the scope or substance of law enforcement activities following a traffic or pedestrian stop. The Act changes from January 1, 2023 to January 1, 2024 the date by which the Attorney General must adopt rules for recording, retaining and reporting information regarding traffic infractions, and from January 15, 2024 to January 15, 2025 the date by which the Attorney General must begin submitting the information to the Joint Standing Committees on Judiciary and Criminal Justice and Public Safety.

LD 1622 – *Resolve, to Reestablish the Criminal Records Review Committee* (Sponsored by Speaker Talbot Ross of Portland) **Resolves 2023, c. 103**

This Resolve reestablishes the 28-member Criminal Records Review Committee, which includes a representative of the Maine Chiefs of Police Association. The committee is directed, in part, to review activities in other states that address the expunging, sealing, vacating, and otherwise limiting public

access to criminal records. The committee must submit an interim report no later than December 6, 2023, and a final report no later than November 6, 2024 to the Joint Standing Committee on Judiciary, which is authorized to report out legislation in 2024 and 2025.

Labor & Housing

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) **PL 2023, c. 52**

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 Act requires employers with more than 100 employees, including municipalities, to comply with severance pay provisions associated with a closing, substantial shutdown, or relocation of the employer.

LD 53 – *An Act to Ensure Accountability for Workplace Sexual Harassment and Sexual Assault by Removing Certain Intentional Torts from Workers’ Compensation Exemptions.* (Sponsored by Rep. Lee of Auburn) **PL 2023, c. 126**

This Act makes an employee, supervisor, officer, or director of an employer liable for sexual harassment, sexual assault or an intentional tort related to sexual harassment or sexual assault but exempts the employer from liability for those actions.

LD 1050 – *Resolve, Directing the Department of Labor to Request a Federal Waiver to Allow Presumptive Work Eligibility for Asylum Seekers* (Sponsored by Sen. Brakey of Androscoggin Cty.) **Resolves 2023, c. 14**

This Resolve directs the Commissioner of Labor to request a waiver from the United States Department of Homeland Security to allow an asylum seeker who has applied for asylum to work during the six-month period immediately after applying for asylum while awaiting a final determination and for the time period while an asylum seeker’s work permit has expired and is pending renewal by the Federal Government.

LD 1123 – *An Act to Create a Presumption Under the Maine Workers’ Compensation Act of 1992 That a Cardiovascular Injury or Disease or Pulmonary Disease Suffered by Certain Law Enforcement Officers Is in the Course of Employment* (Sponsored by Sen. Lawrence of York Cty.) **PL 2023, c. 445**

This Act establishes that a law enforcement officer’s cardiovascular or pulmonary disease is a rebuttable presumption of a workplace injury under the Maine Workers’ Compensation Act of 1992, provided the law enforcement officer was an active member of an agency for at least two years prior to the injury or disease and the disease developed, or injury or death resulted within six months of having participated in activities or training that involved law enforcement activities.

LD 1588 – *An Act to Provide Public Sector Labor Unions Reasonable Access to Information Regarding Employees* (Sponsored by Rep. Dodge of Belfast) **PL 2023, c. 467**

This Act requires upon request, but no more than quarterly, a public employer to provide the bargaining agent of a labor union with employees’ personal information (e.g., name, job title, workplace location, home address, telephone numbers, email addresses, etc.).

LD 1756 – *An Act to Protect Employee Freedom of Speech* (Sponsored by Sen. Daughtry of Cumberland Cty.) **PL 2023, c. 414**

This Act prohibits an employer, except for a religious employer, from firing, disciplining, or threatening an employee

who declines to attend an employer-sponsored meeting or receive communications that are used to disseminate the employer's opinion on religious or political matters.

Marine Resources

LD 581 – *An Act to Assist Municipal Shellfish Conservation Programs* (Sponsored by Sen. Daughtry of Cumberland Cty.) **PL 2023, c. 98**

This Act waives the application fee for limited-purpose aquaculture licenses issued to municipal shellfish management committees, as well as the application fee for the licenses issued to municipal officers for municipal projects and provides that those fees are waived only if the organisms cultured are not used for commercial purposes. The amendment also provides that the applicants who are exempt from those fees are also exempt from certain requirements to complete an educational course.

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) **PL 2023, c. 87**

This Act allows the annual estimates of proposed county taxes and dates of public hearings prepared by the county commissioners to be provided to the municipal clerk by e-mail, regular mail or in-person delivery, unless the municipal clerk requests that the notice be provided by e-mail or regular mail.

LD 166 – *An Act to Provide Revenue for Property Tax Relief and Capital Infrastructure Projects* (Sponsored by Rep. Williams of Bar Harbor) **PL 2023, c. 14** (effective 6/29/23)

This Act 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 354 – *An Act to Amend the Laws Regarding the Use of Licensed Professional Engineers on Public Works Projects over \$100,000* (Sponsored by Sen. Farrin of Somerset Cty.) **PL 2023, c. 174**

This Act amends the laws governing public works projects by providing that the services of a licensed professional engineer is not required for projects where a representative of a state or local entity engaged in the construction of a public works project issues a written determination that the life, health and property of the public will be adequately protected without the services of a licensed professional engineer and the contemplated expenditure for the completed project does not exceed \$250,000.

LD 461 – *An Act Regarding Private Ways and Private Roads* (Sponsored by Sen. Vitelli of Sagadahoc Cty.) **PL 2023, c. 387**

As enacted and of municipal interest, this Act instructs the Maine Abandoned and Discontinued Roads Commission to review the use of the terms private way, public way, private road, and public easement in Maine statutes; determine whether amendments would improve the understanding of these terms; and by January 5, 2024 include its conclusions and recommendations in a report to the Joint Standing Committee on State and Local Government.

LD 670 – *An Act to Protect Birds in the Construction, Renovation and Maintenance of Public Buildings* (Sponsored by Rep. Warren of Scarborough) **PL 2023, c. 221**

This Act directs the Department of Administrative and Fi-

ancial Services, Bureau of General Services to develop guidance regarding integration of bird collision risk management for use in construction and renovations of public improvements in which more than 50% of a building facade is substantially altered. No later than December 31, 2024, the bureau must submit a report detailing the guidance developed to the Joint Standing Committee on State and Local Government, which is authorized to submit legislation in 2025.

LD 735 – *An Act to Require the State to Hold a Public Hearing in a Municipality Before the State Constructs a Solar Project in That Municipality* (Sponsored by Sen. Pouliot of Kennebec Cty.) **PL 2023, c. 177**

This Act requires the Department of Transportation, the Maine Turnpike Authority and any state agency installing a solar energy project that disturbs more than 1,000 square feet of land area to hold a public hearing in the municipality where the project is to be located.

LD 1029 – *Resolve, to Establish a Commission to Commemorate the 250th Anniversary of the Founding of the United States* (Sponsored by Rep. Paulhus of Bath) **Resolves 2023, c. 126**

This Resolve establishes a commission, which includes a representative of local government, to develop and coordinate the commemoration of the 250th anniversary of the founding of the United States through educational and historical events, activities, and programs throughout Maine.

LD 1336 – *An Act to Increase Transparency in Municipal Ballot Referenda Expenditures* (Sponsored by Rep. Matlack of St. George) **PL 2023, c. 314**

This Act requires organizations that qualify as ballot question committees and expend more than \$5,000 to influence a municipality referendum campaign in a municipality with a population less than 15,000 to register and electronically file reports with the Maine Ethics Commission.

LD 1934 – *Resolve, to Improve the Coordination and Delivery of Planning Grants and Technical Assistance to Communities in Maine* (Sponsored by Rep. Sachs of Freeport) **Resolves 2023, c. 51**

This Resolve directs the Office of Policy Innovation and the Future to review opportunities to improve coordination and implementation of planning grants and technical assistance programs for municipalities and regional planning and development organizations and in the process consult with stakeholders including municipalities and regional planning entities, and coordinate efforts with other state agencies. No later than December 6, 2023, the office must submit its report to the Joint Standing Committees on Appropriations & Financial Affairs and State & Local Government.

Taxation

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) **Emergency Enacted; PL 2023, c. 358 (6/30/23) (MANDATE)**

In response to the U.S. Supreme Court's unanimous decision on *Tyler v. Hennepin County, Minnesota*, 143 S.Ct. 1369 (2023), this Act provides that a former owner has a right to a portion of the proceeds from the sale of tax acquired property, when excess revenues are generated. The Act heavily amends existing statute (MRS Title 36, §943-C) by requiring municipalities to send notice to the former owner, regardless of age, income, or assets, expressing the intent to sell tax acquired property

and of the former owner's right to require the municipality to sell the property according to the process prescribed in statute. Under the provisions of the Act, if the former owner submits a written demand within 90 days of receiving the notice of the intent to sell, the property must be listed with a licensed real estate broker at a price that anticipates the property selling within six months and sold via quitclaim deed at the highest price possible. Once sold, the municipality is required to return excess revenue to the former owner, which is calculated as the proceeds from the sale of the property less allowable deductions. The allowable deductions include: (1) taxes owed; (2) property taxes that would have been assessed on the property during the period following foreclosure, when in possession of the municipality; (3) cost of the lien and foreclosure process, including but not limited to, reasonable attorney's fees; (4) unpaid sewer, water or other utility charges and fees imposed by the municipality; (5) all accrued interest; (6) fees, including property listing and real estate broker's fees; and (7) any other expenses incurred by the municipality in selling or maintaining the property, including, but not limited to, an administrative fee equal to 10% of the property taxes owed and reasonable attorney's fees. The Act also provides that if the municipality is unable to list or sell the property, or if the former owner fails to require the process established in statutes to be used, then the municipality may sell the property in a manner authorized by the legislative body and return the excess proceeds, if any, to the former owner. The Act also creates a Working Group to Study Equity in the Property Tax Foreclosure Process under the oversight of the Department of Administrative and Financial Services, Bureau of Revenue Services.

LD 144 – *An Act Regarding the Monitoring of Municipal Abandoned Property* (Sponsored by Rep. Sachs of Freeport) **PL 2023, c. 26**

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 Act instead requires the municipality to submit such data to the Maine Redevelopment Land Bank Authority for use in determining opportunities for redevelopment.

LD 283 – *An Act to Make Technical Changes to the Maine Tax Laws* (Sponsored by Rep. Matlack of St. George) **PL 2023, c. 360**

This Act 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 of law; and (7) clarifies that the income and asset limitations of the state property tax deferral program apply to all owners of the property.

LD 286 – *An Act to Authorize the Use of Tax Increment Financing Funds for Constructing or Renovating Local Central Administrative Offices* (Sponsored by Rep. Carlow of Buxton) **PL 2023, c. 142**

This Act authorizes the use of tax increment financing funds for 50% of the capital costs for the construction or renovation of a central administrative office, the need for which is related to general economic development within the municipality or plantation, and provides that tax increment financing funds used for the project may not exceed 15% of the captured assessed value of the development district.

LD 1182 – *An Act to Make Revisions to the Tax Increment Financing and Development District Laws* (Sponsored by Rep. Salisbury of Westbrook) **PL 2023, c. 377**

This Act amends the laws governing tax increment financing by removing the requirement that the departments of Agriculture, Conservation and Forestry and Transportation review proposals for the designation of downtown tax increment financing districts. The Act also clarifies the approval condition related to a property being suitable for commercial or arts district uses.

LD 1644 – *An Act to Permit the Expenditure of Accumulated Tax Increment Revenues* (Sponsored by Rep. Salisbury of Westbrook) **PL 2023, c. 203**

This Act provides that tax increment financing funds that remain after the term of a development district expires, may be: (1) used to pay of debt on service bonds and notes used to fund district-related projects; (2) used to pay of approved costs described in the development program for up to three years after the expiration date; or (3) transferred to the general fund with a corresponding adjustment to the municipality's assessed value.

LD 1739 – *An Act to Extend Development District Tax Increment Financing Districts* (Sponsored by Rep. Kuhn of Fal-mouth) **PL 2023, c. 472**

This Act allows a tax increment financing district to be extended by an additional 20 years if the district uses at least 75% of state tax increment revenue for affordable housing or transit-oriented development, and provided the extension is authorized within 10 years of the adoption of this law. The Act also defines: (1) "affordable housing" as a decent, safe and sanitary dwelling, apartment or other living accommodation for a household whose income does not exceed 120% of the median income for the area; and (2) "transit oriented development" as a type of development that links land use with transit facilities by combining housing with complementary public uses, including jobs, retail or services that are located in transit-served nodes or corridors.

LD 1808 – *An Act to Amend the State Tax Laws* (Sponsored by Rep. Perry of Bangor) **Emergency Enacted; PL 2023, c. 441 (7/26/23)**

Part B of the Act amends the property tax laws by clarifying: (1) that an individual who is awarded an expeditionary medal for service in the U.S. Armed service is eligible for the veteran's property tax exemption; (2) the calculation used to determine state business equipment tax exemption reimbursement rates; and (3) the three approaches to valuation. Part D of the Act amends the statutes guiding the implementation of the senior property tax stabilization program by authorizing the Maine Revenue Services to audit municipal applications for reimbursement and providing for municipal appeal rights. Part G of the Act reverts a recent change in the penalty for withdrawing land from farmland tax classification by providing that the penalty is the recapture of the taxes that would have been paid on the land for the past five years if it had not been classified as farmland, less all taxes that were actually

paid during those five years, and interest at the rate set by the town during those five years on delinquent taxes.

Transportation

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.) **PL 2023, c. 19**

With guidance from a municipality or utility engaged in a construction project on a public way where construction workers are present, this Act 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 62 – *An Act to Require Antipinch Sensors on School Bus Doors.* (Sponsored by Rep. Golek of Harpswell) **PL 2023, c. 423**

This Act requires school buses manufactured in 2025 or later to be equipped with the technology necessary to prevent a school bus door from closing on a person's limb.

LD 128 – *An Act to Remove the Limit on Sets of Special Veterans Registration Plates* (Sponsored by Sen. Baldacci of Penobscot Cty.) **PL 2023, c. 85**

This Act removes the limit on the number of motor vehicles and motorcycles for which a veteran may request special veterans' registration plates.

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 (Governor's Bill)* (Sponsored by Rep. Sachs of Freeport)

Emergency Enacted; PL 2023, c. 189 (6/16/23)

This is Governor Mills' FY 24 – FY 25 biennial Highway Fund budget. As enacted and of municipal interest, this Act appropriates \$24.9 million and \$25.3 million in FY 24 and FY 25, respectively, for distribution to municipalities under the Local Road Assistance Program and provides that beginning on July 1, 2023, 5.5% of sales and use tax revenue collected on automobile sales be transferred to the Highway Fund after transferring the revenue distributed to municipalities under the revenue sharing program.

LD 397 – *An Act to Allow Signs at Outdoor Athletic Facilities* (Sponsored by Rep. Rielly of Westbrook) **PL 2023, c. 214**

This Act authorizes a municipality to build and maintain an advertising sign visible to the traveling public from a public way at an outdoor athletic facility as long as the sign is oriented inward to the persons visiting or using the facility; is secured to a fence, scoreboard or accessory structure; and does not exceed the height of the structure on which it is located, nor exceed 4 feet by 8 feet in size. The revenue collected from advertising fees must be used to fund the construction, maintenance, operation, or programming of the athletic facility.

LD 456 – *An Act to Support the Safe Use of Bicycles and Roller Skis* (Sponsored by Sen. Chipman of Cumberland Cty.) **PL 2023, c. 334**

This Act prohibits a person operating a motor vehicle near a person on a bicycle or roller skis and proceeding in the opposite direction from making a left turn unless the turn can be made with reasonable safety and without interfering with the safe and legal operation of the bicycle or roller skis.

LD 522 – *An Act to Require That Motor Vehicles Be Clear of Snow and Ice When Operated on Public Ways* (Sponsored by Rep. White of Waterville) **PL 2023, c. 107**

This Act requires the owner of a vehicle with a registered weight of less than 10,000 pounds to take all reasonable measures to prevent snow or ice from falling while the vehicle is operating on a public way. A violation that causes damage or injury is a traffic infraction subject to a fine of not more than \$50 for a first offense, and a fine of not less than \$150 and not more than \$250 for each subsequent offense.

LD 528 – *An Act to Improve Road Safety for Waste and Recycling Collection Employees* (Sponsored by Rep. White of Waterville) **PL 2023, c. 68**

This Act adds business vehicles used to transport refuse, garbage, compost, recycling, or trash to the law requiring individuals attempting to pass certain vehicles to do so in a nonadjacent lane when possible or at a careful and prudent speed if the vehicles are using their authorized lights. The Act also clarifies that business vehicles used to transport compost or recycling may be equipped with auxiliary lights that emit a flashing amber light.

LD 556 – *An Act to Limit the Driver's License Reinstatement Fee in Certain Circumstances* (Sponsored by Rep. Rana of Bangor) **PL 2023, c. 363**

This Act clarifies that the Secretary of State may only collect a single \$50 reinstatement fee for a license suspension, other than for an OUI or failure to submit to a sobriety test.

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* (Sponsored by Rep. Hepler of Woolwich) **PL 2023, c. 302**

This Act requires an operator of a motor vehicle that is involved in an accident that results in an injury to a dog, cat, or livestock to take reasonable steps to notify the owner, and if not found, immediately report the incident to a law enforcement officer or animal control officer.

LD 607 – *Resolve, to Direct the Department of Transportation to Examine Improving Highway Connections from Interstate 95 to the St. John Valley* (Sponsored by Rep. Albert of Madawaska) **Resolves 2023, c. 63**

This Resolve directs the Department of Transportation to convene a stakeholder group to identify and develop strategies to address highway mobility and transportation needs in northern Maine and review the previous studies analyzing the feasibility of connecting Interstate 95 to the St. John Valley and Aroostook County with a new 90-mile divided highway or with improvements to existing highways. By December 31, 2023, the department must submit a report that includes the findings to the Joint Standing Committee on Transportation, which is authorized to report out legislation in 2024.

LD 652 – *An Act to Allow the Reinstatement of Certain Commercial Driver's Licenses* (Sponsored by President Jackson of Aroostook Cty.) **PL 2023, c. 108**

As of January 1, 2025 this Act allows for the reinstatement, in accordance with federal regulations, of a commercial license of any driver who has been disqualified for life from operating a commercial motor vehicle, which includes being under the influence of alcohol or a controlled substance; having an alcohol concentration of 0.04 or greater while operating a commercial vehicle; refusing to take an alcohol test; and leaving the scene of an accident.

LD 819 – *An Act to Reduce the Penalty for Operating a Motor Vehicle Under a Suspended License in Certain Situations* (Sponsored by Rep. Ankeles of Brunswick) **PL 2023, c. 312**

This Act provides that a person commits a traffic infraction

when operating while a license is suspended if the sole basis for suspension is failure to provide proof of insurance to the Secretary of State; failure to pay child support; failure to appear in court; or failure to comply with a medical examination request from the secretary.

LD 966 – *An Act to Align the Automobile Title Requirements with Those of Antique Automobiles* (Sponsored by Rep. Greenwood of Wales) **PL 2023, c. 402**

Current law provides that vehicles with a model year prior to 1995 are not required to have a certificate of title. This Act exempts vehicles that are more than 25 years old from title requirements, except when the Secretary of State determines it is in the best interest of the State and the applicant to issue a title for the vehicle.

LD 1019 – *An Act Regarding Water Testing Related to Storage Facilities* (Sponsored by Rep. Hasenfus of Readfield) **PL 2023, c. 367**

This Act includes private water supplies that are hydrogeologically downgradient from a state-owned salt storage facility in the law governing the contamination of private water supplies adjacent to state or state aid highways. It requires the Department of Transportation to arrange for and pay the cost of testing the private water supplies for any contaminants that may derive from the department constructing, reconstructing or maintaining a state aid or state-owned highway or storing salt in a state-owned salt storage facility upon request by the landowner. It adds a definition of “hydrogeologically downgradient” to mean a location that receives groundwater from another location.

LD 1030 – *Resolve, Directing the Secretary of State to Report on the School Bus Driver Shortage* (Sponsored by Rep. Drinkwater of Milford) **Resolves, 2023, c. 40**

By January 3, 2024, this Resolve directs the Secretary of State to submit a report related to the school bus driver shortage, the efforts the Secretary of State has made to alleviate the shortage and any recommendations to the Joint Standing Committee on Transportation, which is authorized to report out legislation in 2024.

LD 1072 – *An Act Regarding the Bureau of Motor Vehicles* (Sponsored by Sen. Chipman of Cumberland Cty.) **PL 2023, c. 257**

This Act amends the motor vehicle laws to: (1) authorize the Secretary of State to waive a penalty or fee associated with a motor vehicle or traffic violation, provided the circumstances justify the waiver; (2) provide access to vehicle and driver’s licenses data as permitted under the Federal Driver’s Privacy Protection Act of 1994; (3) extend from 14 to 30 days the expiration date of a temporary registration plate; (4) issue veterans registration motor vehicle and motorcycle plates to any person who has served a minimum of 20 years in the National Guard and has been honorably discharged; (5) direct the secretary to revoke, without hearing, the commercial driver’s license of a person convicted of human trafficking in which a commercial motor vehicle was used; and (6) repeal the honorary consul license plate.

LD 1296 – *An Act to Authorize Municipalities to Allow Firefighters to Have Increased Lighting on Their Personal Vehicles* (Sponsored by Rep. Ness of Fryeburg) **PL 2023, c. 131**

Currently, state law allows an active member of a municipal or volunteer fire department to place one red light bar no more than eight inches in length on the roof of their vehicles. This Act provides that active members of a municipal

or volunteer fire department are authorized to place one red light bar no more than 12 inches in length on the roof of their vehicles.

LD 1559 – *An Act to Advance the State’s Public Transit Systems by Reinvigorating the Public Transit Advisory Council* (Sponsored by Rep. O’Neil of Saco) **PL 2023, c. 319**

This Act amends the Sensible Transportation Policy Act to include policy priorities that support public transportation systems that are accessible, affordable, and convenient for the average person’s mobility needs. The Act also amends the membership of the Public Transit Advisory Council to include four representatives from two separate public or nonprofit transit agencies, as well as one representative each from the immigrant, unhoused and youth communities.

LD 1674 – *An Act to Require and Encourage Safe and Interconnected Transportation* (Sponsored by Rep. Lee of Auburn) **PL 2023, c. 237**

This Act directs the Department of Transportation, at the request of a municipality, to perform a safety evaluation of an existing roadway or intersection that estimates potential road safety issues and identifies opportunities for improvements and provide a full report of the results of the evaluation to the municipality. The Act also directs the department to evaluate how speed limits are set and develop recommendations for changes to state, county and municipal street design standards, state laws and municipal ordinances to achieve the goal of eliminating all traffic fatalities and serious injuries by 2035 and by January 3, 2024, to report findings to the Joint Standing Committee on Transportation, which is authorized to report out legislation in 2024. The Act also directs the department to adopt rules ensuring all bicyclists, pedestrians, persons of all ages and abilities, transit users and motor vehicle users have safe and efficient access to the transportation system.

LD 1822 – *An Act to Amend the Specialty License Plate Laws and Extend the Moratorium on Approval of Specialty License Plates and Remove the Authority of Municipalities to Issue Driver’s Licenses* (Sponsored by Sen. Chipman of Cumberland Cty.) **Emergency Enacted; PL 2023, c. 271 (6/23/23)**

This Act: (1) removes language that anticipated that municipal offices would issue driver’s licenses and nondriver identification cards; (2) amends the laws regarding specialty license plates regarding fees, duplicate numbers, the preliminary approval process, and mechanisms for limiting the number of specialty license plates issued; and (3) extends the moratorium on the approvals of specialty license plate or recognition license plates until June 30, 2024.

LD 1965 – *An Act to Authorize the Secretary of State to Provide a New General Issue of License Plates* (Sponsored by Rep. Williams of Bar Harbor) **PL 2023, c. 421**

This Act directs the Secretary of State to provide for a new general issue of registration plates beginning May 1, 2025 with an illustration of the flag design for the State from 1901 to 1909 that has a buff background with a green pine tree and a blue star on the side of the plate.

Veterans & Legal Affairs

LD 202 – *An Act to Clarify the Requirements for Adult Use Cannabis Stores to Transact Sales at Specified Events* (Sponsored by Sen. Pierce of Cumberland Cty.) **PL 2023, c. 408**

This Act amends the law authorizing off-premises sales of adult use cannabis. Of municipal interest, the Act requires that

45 days prior to the event that the store submit a request to the municipality for approval to sell products at a specified event; authorizes the municipality to restrict the sale of certain products; clarifies that a municipality may authorize participation in an event even when the community has not authorized the operation of adult use cannabis businesses within the municipality; and authorizes a municipality to revoke the approval of off-premises sales. The Act also limits participation at events that are not conducted primarily for individuals under 21 years of age, and limits an event to 10 consecutive days in duration or 10 separate single day events occurring within the same calendar year; further defines a “specified event permit” as a temporary authorization for a cannabis store to conduct sales on the permitted premises during a specified event; and authorizes the Office of Cannabis Policy to assess a nonrefundable \$200 permit application fee.

LD 419 – *Resolve, to Establish a Working Group to Study Polling Places at Schools in Order to Protect Security and Accessibility* (Sponsored by Rep. Rielly of Westbrook) **Resolves 2023, c. 73**

This Resolve directs the Secretary of State to convene a working group, including a representative from the Maine Town and City Clerks’ Association, as well as MMA to: (1) identify the number of schools in Maine currently being used as a polling place; (2) examine and identify practices in other states; (3) evaluate the criteria necessary to protect the security of students, teachers, staff and voters where schools serve as polling places; and (4) identify possible changes to statute to protect voter accessibility and safeguard the security of schools used as polling places. No later than January 1, 2024, the secretary is further directed to submit a report to the Joint Standing Committee on Veterans and Legal Affairs, which is authorizing report out legislation in 2024.

LD 555 – *An Act to Increase the Number of Mature Plants Allowed for the Home Cultivation of Cannabis* (Sponsored by Rep. Boyer of Poland) **PL 2023, c. 220**

This Act increases from three to six the number of mature cannabis plants allowed for home cultivation under the adult use program.

LD 832 – *An Act to Sustain the Medical Use of Cannabis Program* (Sponsored by Rep. Boyer of Poland) **PL 2023, c. 365**

This Act amends the laws regulating the medical use of cannabis. Of interest to municipalities, the Act requires cannabis testing facilities to be accredited and for the documentation of accreditation to be shared with the municipal code enforcement office upon demand. The Act also requires by February 15, annually, the Department of Administrative and Financial Affairs to submit a report to the Joint Standing Committee on Veterans and Legal Affairs, containing information about qualifying patients, cardholders, medical providers, and the tax revenue generated from sales.

LD 879 – *An Act to Place Restrictions on Candidate Speech and Clothing, Buttons and Other Items at Voting Places* (Sponsored by Sen. Rotundo of Androscoggin Cty.) **PL 2023, c. 109**

This Act amends the laws regulating political activities at the polls on election day by clarifying that a candidate, or the candidate’s representatives, may be present at the polls to greet voters, provided the candidate or representative does not verbally communicate, wear buttons, name tags or apparel, or carry signs that displays the candidate’s name, office or that expresses support or opposition for a party, candidate or ballot question.

LD 886 – *An Act to Allow Clerks to Issue Absentee Ballots After the 3rd Business Day Before Election Day to Voters with a Physical or Mental Disability and Certain Voters’ Caregivers* (Sponsored by Rep. Osher of Orono) **PL 2023, c. 128**

This Act expands the list of persons who may receive absentee ballots after the third business day before the election to include voters who self-certified as individuals with physical or mental disabilities, as well as a voter’s caregiver, who, because of the voter’s incapacity or illness, is unable to attend the polls on the day of the election.

LD 922 – *An Act to Clarify Required Disclosure of Personally Identifying Information for Certain Nominating Petitions* (Sponsored by Sen. Rotundo of Androscoggin) **PL 2023, c. 389**

This Act allows a candidate for elected office to request in writing that the Secretary of State treat the candidate’s street name and number listed on a party primary or non-party nominating petition as confidential, provided the street name and number are not material to the candidate’s qualifications to serve.

LD 978 – *An Act to Maintain Legislative Oversight of the Maine Medical Use of Cannabis Program by Requiring Major Substantive Rulemaking* (Sponsored by Rep. Williams of Bar Harbor) **PL 2023, c. 96**

This Act retains the current requirement that major substantive provisionally adopted rules relating to the Maine Medical Use of Cannabis Act may not be finally adopted by the department unless the legislation authorizing final adoption of those rules is enacted into law. The Act also changes from routine technical to major substantive the designation of rules establishing procedures for suspending or terminating the registration of a registered dispensary or a registered caregiver.

LD 1022 – *An Act to Extend the Time Allowed Between a Regional School Unit Budget Meeting and a Budget Validation Referendum* (Sponsored by Rep. Arata of New Gloucester) **PL 2023, c. 256**

This Act extends the time allowed between a regional school unit budget meeting and the budget referendum from on or before the 30th to the 45th calendar day following the scheduled date of the regional school unit budget meeting.

LD 1477 – *RESOLUTION, Proposing an Amendment to the Constitution of Maine to Align the Proceedings for Circulating Written Petitions for People’s Vetoes and Direct Initiatives with Federal Law* (Sponsored by Sen. Hickman of Kennebec Cty.) **Constitutional Resolution 2023, c. 3**

This Resolution proposes to amend the Constitution of Maine to remove the requirement that a circulator of a citizen’s initiative or people’s veto petition be a Maine resident and registered voter.

LD 1568 – *An Act to Protect Access to Absentee Ballot Drop Boxes* (Sponsored by Rep. Roberts of South Berwick) **PL 2023, c. 320**

This Act provides that interfering with a voter attempting to cast a vote, which is a Class E crime, includes knowingly blocking or attempting to block a voter’s access to a secured drop box. It also provides that during the absentee voting period a municipality must ensure that the path to each drop box is clear of all barriers.

LD 1653 – *RESOLUTION, Proposing an Amendment to the Constitution of Maine to Allow Persons Under Guardianship for Mental Illness to Be Electors* (Sponsored by Sen. Hickman)

of Kennebec Cty.) **Constitutional Resolution 2023, c. 4**

This Resolution proposes to amend the Constitution of Maine to allow persons under guardianship to be electors of candidates for the office of Maine Governor, Senate, and House of Representatives.

LD 1690 – *An Act Regarding Ongoing Absentee Voting and Tracking of Absentee Ballots* (Sponsored by Sen. Daughtry of Cumberland Cty.) **PL 2023, c. 404**

As of December 31, 2025, this Act extends “ongoing absentee voter status” to any voter who applies and is approved for the status. The Act also repeals from the list of reasons the Secretary of State must terminate a voter’s ongoing status the failure to vote by absentee ballot in a general election.

LD 1880 – *An Act to Amend the Adult Use Cannabis Laws* (Sponsored by Rep. Supica of Bangor) **PL 2023, c. 396**

Of municipal impact, this Act provides that in addition to residential dwellings, a cannabis store may deliver to businesses or hotels, with written consent from an authorized employee, in municipalities that have not approved the operation of cannabis stores.

LD 1980 – *An Act to Improve Election Laws and Notarial Laws* (Sponsored by Sen. Hickman of Kennebec Cty.) **Emergency Enacted; PL 2023, c. 304 (6/26/23)**

This Act amends the laws that guide the conduct of elections to: (1) enable a participant in the Address Confidentiality Program to use an assigned code and designated address in the process of registering to vote; (2) by February 1, 2024 require the Secretary of State (SOS) to design an online registration application; (3) authorize municipal communities to hold caucuses remotely; (4) repeal the requirement that the registrar or municipal clerk attend biennial party caucuses; (5) require a candidate who wishes to withdraw from a race to notify the SOS; (6) require the SOS to post election results on its website as soon as the outcomes are certified; (7) require ballots secured for the purpose of conducting a recount to be retrieved only by a sworn law enforcement officer; (8) by February 1, 2024 direct the SOS to design the application allowing voters who are at least 65 years of age to apply for ongoing absentee voter status; (9) require the SOS to mail absentee

ballots for a statewide election and the clerks to mail ballots for local elections, with each ballot returned to the original sender; (10) amend from 9:00 a.m. to 7:00 a.m. the time a clerk can begin processing absentee ballots; (11) require the SOS to post the list of municipalities that will process absentee ballots before the day of the election; (12) require individuals electing to inspect absentee process to notify the clerk by 4:00 p.m. the day prior, rather than 9:00 a.m. the day of as currently required; (13) allow uniformed service or overseas voters to register or enroll by noon, rather than 5 p.m., on the day before the election with the registrar or SOS in person, by mail or email; and (14) remove the requirement that petition circulator be a registered Maine resident.

LD 1984 – *An Act to Allow Golf Courses to Obtain a License to Conduct Off-premises Catering* (Sponsored by Sen. President of Aroostook Cty.) **Emergency Enacted; PL 2023, c. 285 (6/23/23)**

This Act authorizes licensed golf courses to obtain a license to conduct off-premises sales of the same type or types of liquor that the golf course can sell on-premises. 🏌️‍♂️



Michael A. Hodgins

Land Use and Zoning Attorney

Mike represents towns in contract disputes and other general litigation, land use enforcement actions, Rule 80B appeals to Superior Court and he has participated in several appeals to the Law Court. Mike was recently recognized as a Lawyer of the Year by The Best Lawyers in America® for land use and zoning law. Mike has been recognized for his general litigation practice by New England Super Lawyers.

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Congratulations & Best Wishes *Theresa!*

With 31 years under her belt, member services aficionado, Theresa Chavarie, will retire.

After being with MMA for more than three decades, Theresa Chavarie, Manager, Executive Office & Member Relations, has announced her plans for retirement in September 2023.

Theresa has been an integral part of MMA and a staple in the executive office for over three decades. Her friendly personality and compassion for others will be missed by members and colleagues alike.

Fueled by a strong work ethic, her contributions over the years are greatly appreciated and her wealth of knowledge about all things MMA will not be easily replaced.

In May 1992, Theresa walked through the doors as the executive secretary, having 22 years of administrative experience in various positions for other organizations. During her tenure, she has met with thousands of municipal officials, attended numerous conventions and MMA events, and interacted with countless executive committee members.

Theresa has seen the organization go through many triumphs and challenges, yet throughout the many ups and downs she has been a steady hand to help steer the organization down the right path. She is incredibly compassionate towards other people, which has helped her reach success in her member relations role.

When asked what her favorite memory from working at MMA was, Theresa said the following. "For me, it's all about the people - those that work here at MMA and those that we serve. I have valued being a member of the management team and working closely with the department directors and Executive Committee members, to understand the full scope of services and values of each department."

"Although it may seem a little unusual, I think my favorite memories are the close bonds that were



experienced following the loss of our coworkers Joe Wathen and Ed McDonald, as well as the country's aftermath on 9-11. Each was so tragic but heartfelt, and the leadership here at MMA showed true compassion and understanding for what each of us was going through on a personal level."

"Another favorite on the membership side, was the experience of awarding the MMA Ethel Kelley Memorial Award to Gerald Gamage, Selectperson and Fire Chief for the Town of Southport."

"Due to COVID, the presentation was made in his hometown at the Town Hall among his family, friends, and coworkers. The whole experience was very special and rewarding. Typically, the award is bestowed on the recipient by an MMA Past President and member of the MMA Selection Panel. As the Manager of Member Relations, it was a unique opportunity for me to shine the light on a member so deserving."

In retirement, Theresa plans to experience new adventures through travel and time with her family in Texas. She is hoping to get to most, if not all, of the national parks in the United States and plans to travel to Canada, France, and Greece.

Having a set hobby isn't her jam, but Theresa would like to tap into her creative side to keep herself busy and plans to continue to nurture and love as many people in the world as possible.

Although she will miss the people, both internally and externally, she is excited to take this next step in the journey of life and will always treasure the connections she has made through MMA. Some of her best memories include MMA, and she is appreciative of the opportunity to have worked for the organization for so long.



Congratulations on your well-earned retirement, Theresa! Thank you for helping to steer the ship and keep all of us board members straight throughout the years! You have been a calm and classy professional and have represented MMA well. You will be missed! ~Linda Cohen, MMA Past President

I hope she gets time to enjoy her gardens and all of her family. Everything that we put on our “someday, when I have time” list. ~Debbie Monroe, aka, Front Desk Debbie

I had the pleasure and privilege of working with Theresa for twenty-three years. She was a key member of our senior management group, providing invaluable organizational support and working closely with our governance boards. I valued her many talents, her loyalty and commitment to MMA, and her sage counsel and wonderful disposition. I wish Theresa the very best as she completes her distinguished service to the Maine Municipal Association. ~Christopher G. Lockwood, MMA Executive Director (1979 – 2015)

I have had the privilege of working with one of the most talented, caring, courteous, and truly delightful individuals, Theresa Chavarie. I wish you all the best in retirement and I will see you in “The County.” ~Jim Gardner, Easton Town Manager, MMA Past President

Theresa was one of the first to welcome me to MMA in 2018. Her historical knowledge of the organization and the changes that have taken place over the years—and her ability to recall that information—is an incredible thing to witness! Her commitment to our members is unparalleled and I hope she enjoys every second of her deserved retirement. ~Rebecca Lambert, MMA Municipal Issues Specialist

I have always considered Theresa as the modern-day Ethel Kelly...meaning she has been the glue that keeps the organization together behind the scenes. As a former MMA President and Executive Committee member I was always impressed with her professionalism and her skill set. She certainly will be missed by all of us, and I wish her nothing but the best in her well-earned retirement. ~Ryan Pelletier, Aroostook County Administrator, MMA Past President

Congratulations Theresa on your 30 plus years of remarkable service to Maine local government, MMA and Health Trust board members, done with passion and professionalism. I had the privilege of working closely with you for most of those years. I could always turn to you for sound advice, your organizational skills, your knowledge of the MMA bylaws and governance issues and your keen sense of membership needs. We raised the bar on member visits as a team. We had a lot of fun and laughter along the way. I thank you for your support and friendship and wish you a happy retirement with lots of grandkid time. ~Steve Gove, MMA Executive Director (2015 – 2021)

Theresa has been a very dedicated MMA employee for decades and has always taken her work very seriously. She has always been very committed to MMA’s mission and making sure the needs of the member municipalities and their officials were being met. I wish her much happiness in her retirement and lots of time spent with family. ~Becky Warren Seel, Retired MMA Attorney

Congratulations on a career in making a difference in people’s lives every day! When people think of the services that MMA provides, they often think of legal services, or advocacy or insurances, but when they think of MMA as an organization they think of Theresa. Theresa has been the shining beacon that has welcomed new board members, assisted executive directors and executive teams. She is the one with the history, not just of the internal organization, but those who have served for many years in our member communities. When people don’t know where to turn or who to ask, they call Theresa! She is always there with a warm greeting, the right information, and the best contacts. Theresa will be missed greatly, but we all send her well wishes as she heads toward a well-deserved retirement. ~Laurie Smith, Kennebunkport Town Manager, MMA Past President

We have been very fortunate to have Theresa supporting MMA for so long, and the Health Trust too. She is amazingly organized and genuinely wishes to help others, whether it be an MMA member or a coworker. Her friendly, sincere and professional nature is something I always admire. Theresa, we will miss you, and I hope you enjoy making lots of memories with your family in retirement. ~Kristy Gould, MMA Health Trust Services Director

I want to thank Theresa for all the support she has shown to the organization and our members through the years. She has also been a great asset to me as I acclimated to my new role. I wish her a long and happy retirement. ~Catherine M. Conlow, MMA Executive Director

My wish for Theresa in her next chapter is to focus all her caretaking skills on herself and do what makes her happy. She has spent so many years taking care of the executive office, her family and municipal officials that focusing on what makes herself happy has been a luxury. May your next chapter be as long and as valuable as your career with MMA, and may you look back on your career with immense pride of a job well done. ~Laura Ellis, MMA Advocacy Associate

I first became a selectman and Theresa started working at MMA at about the same time. Through the years and during my time on the Executive Committee, I have gotten to know her and to see how much she loved working at MMA and promoting it to our municipalities. Theresa, enjoy your well-deserved retirement and I will really miss you. Elaine Aloes, Solon Select Board Chair, MMA President



Mead: He has tourism in his blood

By Liz Mockler



Tourists spent nearly \$9 billion in Maine last year, flocking like birds to seaside resorts and villages, interior forest land and renowned ski mountains.

After the worst June for rain in recent memory, visitors returned when July warmed up and dried off. August got off to a fair start.

Larry Mead, who managed three oceanside communities, said recently that municipalities compete for the same visitors who are looking for an “experience” as much as a vacation. Even small touches such as benches and flowers can make a difference to visitors, he said. It adds to the experience, the ambiance, which keeps them coming back.

The tourism sector represents 20% of the gross state product annually and last year created 151,000 direct jobs, up 8,000 over 2021. The overall economic impact of the industry is \$16 billion a year.

Mead has seen a lot over the years. He worked for 27 years in Portland, Maine’s largest city, the last eight as assistant manager. He moved to Kennebunkport in 2006 and managed there until 2013. His last stop was Old Orchard Beach, a historic tourism destination, where he retired in May 2021. Six months after retiring, Mead ran successfully for a town council seat.

Before starting his management career, Mead worked 13 years in recreation as a department leader and director and served as the Islands and Neighborhoods director for three years.

In a recent email exchange, Mead talked about how municipalities can get dressed up for visitors, the need for more workers and housing, and the ups and downs of short-term vacation rentals.

Q What makes a successful tourist season?

Good beach weather! The better the weather the more visitors we see, and the longer they will stay, all of which has a direct bearing on increased economic activity, employment, and business profitability. Beyond those fundamentals, however, success in the tourism industry is measured by providing an experience that makes our visitors want to return year after year. As one OOB hotel owner told me: “A successful tourist season means that

OOB continues to play a pivotal role in the lives of our visitors. The town has a historical position of being a place where families gather, people meet and fall in love, a place where people of all walks of life gather and vacation. To my way of thinking, if we achieve this goal, the financial success is sure to follow.”

Q How has the season started off?

A disappointing start. Memorial Day weekend was phenomenal, sunny and 80. Unfortunately, most of June was wet and cool and many people didn’t come, while those who did come often arrived late and/or left early. We have a short season in Maine, so every week is meaningful, especially so between late June and the third week of August.

Q What are the two biggest challenges for tourism related businesses?

Staffing and rising prices.

Labor supply is a problem for all employment sectors and that is certainly true for seasonal employers in OOB. Too often there are literally no applicants and when there are applicants their skill levels are not adequate compared to what employers need and customers want. There are fewer local people seeking seasonal employment which only heightens the demand for foreign workers. Unfortunately, the inability to adequately address immigration issues at the national level has limited the supply of these workers and also restricted the number of weeks they are able to stay here. In OOB that has resulted in businesses reducing hours of operation and even the number of weeks they stay open. Within town government the lack of qualified applicants has reduced the number of lifeguard stations on the beach from ten to four and has cut the number of seasonal police reserves from 25 to 7.

The post-pandemic inflationary environment has increased costs across the board, which affects visitors’ spending habits. People shorten their stays and look for ways to reduce spending while they are here; fewer purchases, eating out less, or even squeezing more people into hotel rooms or campsites.

Q Do vacation rentals make matters better or worse?

In my years as town manager in both OOB and Kennebunkport, and now as a town councilor, I made it a point to be mindful that attracting and retaining visitors is highly competitive. People have choices about where to vacation so it's essential to continuously improve and evolve and not get stagnant. That reality informs my thinking on vacation rentals. A large segment of our customer base prefers to stay at a vacation rental so they need to be an available component of our lodging inventory. There is a long tradition of vacation rentals in OOB, particularly in the Ocean Park neighborhood, well before Airbnb or VRBO came into existence.

However, recent dramatic growth in conversion of year-round OOB residences to short term vacation rentals is, in my view, exacerbating the lack of housing inventory, driving up the cost of buying a home, and locating what amounts to commercial lodging businesses in residential neighborhoods where traditional hotel and motel lodging is not permitted in the zoning ordinance. For that reason, vacation rentals should not be an unregulated market. The town council will this fall consider implementing ordinance changes to protect some neighborhoods from inappropriate business activities while ensuring that vacation rentals remain plentiful in those neighborhoods where commercial activities are permitted or where vacation rentals have long been active and accepted.

Q Tourism is such a money-maker for the state. How does tourism help municipalities in real ways?

The obvious benefits include job creation, higher property values, increased investment, and robust economic activity. I would add to this list community vitality, the sense of excitement, energy and vibrancy that exists when thousands of visitors are present for the purpose of finding enjoyment through their vacation experiences. That vibrancy occurs for residents as much as for visitors. It's infectious! As much as you may hear residents claiming they can't wait until things quite down in October, they also can't wait for the season to begin once again the following year.

Q Can communities do more to encourage tourism?

Of course! It's our job to make the public infrastructure attractive, clean, and inviting. Invest in street amenities such as lighting, accessible sidewalks, benches, trees, and flowers. Many tourist destinations have stepped up their game in recent years. Kennebunk and Biddeford are examples that come to mind. Make those streets, parks, and sidewalks "Disney" clean, because the competition

for visitors is fierce and people have high expectations for what constitutes a quality experience. This all takes money of course, but if we aren't moving forward in meeting visitor expectations we are falling behind.

We need to collaborate with our local businesses, be cognizant of the impact rules and regulations have on their bottom lines, and be flexible whenever possible, especially during the season when businesses are flat out busy delivering their products and services. Housing is another area where municipalities must find new solutions to address what is a critical shortage in availability and affordability for seasonal employees. That may well involve municipalities either developing housing on their own or becoming financial partners with local businesses to build seasonal workforce housing.

Q Can the State Office of Tourism do more to help municipalities?

We can all do more given more resources. On the whole, the State Tourism Office has done well reaching out to municipalities to leverage funds for marketing and promotion.

Q How would you grade the state's tourism promotion efforts?

Given the size of their budget I have no complaints. Again, more funding would make a big difference in competing with other states for tourist visitation.

Q Is tourism always a consideration when the busiest tourist destinations plan local projects and new policies?

Speaking for Old Orchard Beach, definitely yes. OOB has been in the tourism business ever since the late 19th century when tourism became possible for larger numbers of Americans. When you have a natural resource like the beach, it is not something that gets lost or forgotten when developing programs or policies. Just in the past year the town, in partnership with the chamber of commerce, unveiled a new branding initiative; "OOB, Memories Start Here," including a new logo and associated product labeling. Again, in order to remain competitive, resort communities have to keep improving their game. Updating our brand is an example of that.

Q Where do you like to be a tourist in Maine?

So many possibilities! I love the mid-coast region, the ski areas, Down East and the St. John Valley. My number one destination though is Baxter State Park where I will be heading in early August for a week-long backpacking trip. It is such a gift and a timeless memorial to the vision and determination of a great Mainer, Percival P. Baxter. 🏔️



Bill Bonney

Waterville interim Police Chief **Bill Bonney** has been named to the top job permanently. Bonney joined the department 25 years ago and has served in multiple roles over the years. His career began in 1998 on the night shift, before serving as a field training officer and the city's first community policing officer. He

was promoted to detective in 2005 and sergeant in 2007. A former instructor for the Maine Criminal Justice Academy, Bonney was promoted to deputy chief in 2016. The department did not search outside of the department for a new leader. Bonney replaces **Joseph Massey**, who retired last November after 36 years with the department, the last 15 as chief.

John Brenenstuhl has been named director of the Kennebec County Emergency Management Agency (EMA). Brenenstuhl spent a career in fire and emergency medical services, beginning as a volunteer firefighter in his hometown of Poestenkill, N.Y. He worked for fire departments in Albany, N.Y., and High Point, N.C. Brenenstuhl responded to the Sept. 11, 2001, terrorist attack on New York City and also the aftermath of Hurricane Katrina on the Gulf Coast, but New Orleans in particular. The county EMA provides technical support, training and planning in support of municipal first responders.



Tim Curtis

Madison Town Manager **Tim Curtis** has been named Somerset County administrator, effective last month. Curtis joined the Madison town staff as manager in 2015, after a stint as interim manager. He previously worked as an economic development specialist for the town.

Mitchell "Mitch" Berkowitz, a former longtime Maine manager, will serve as interim manager during the search for Curtis' replacement.



Mark Dubois

Mark Dubois left his job as police chief in Braintree, Mass., to take the job as chief for the City of Portland. He was scheduled to begin his new duties on July 31. He replaces Frank Clark, who resigned in November 2021 to take a private sector job. Dubois had the unanimous support of the city council. In addition to Braintree, Dubois worked for police departments in the Massachusetts towns of Northborough, Shrewsbury, and Sutton. He earned a law degree from New England Law School and a bachelor's degree

in criminal justice from Westfield State College. He has completed training at the FBI National Academy.

Waldoboro Utility District superintendent **John Fancy** was recognized during a retirement party last month for his service since 1989. Also, four Thomaston police officers were promoted to leadership positions. They include **Earl Sutherland** to captain, and **Mike Root, J.T. O'Hare** and **Charles Adams** to lieutenant.

Former Eastport City Manager **George "Bud" Finch** will serve as the city's interim manager while the council searches for a full-time administrator. Eastport has seen six managers since 2010, when Finch retired after serving as manager from 1995 to 2010. Finch, who lives in Florida, agreed to serve on a month-to-month basis.

Interim Biddeford Police Chief **JoAnne Fisk** has been named permanent chief, effective immediately. Fisk stepped in when Chief **Roger Beaupre** retired in January. She has worked as a full-time law enforcement officer for 44 years. She began her career as a York County deputy sheriff. She has held myriad jobs over the years and was Biddeford deputy chief for 16 years of the 24 years she has worked for the department. Fisk said she welcomed the opportunity to lead the department "in the community I call home."



JoAnne Fisk

Rockland Sgt. Detective **Alex Gaylor** has been promoted to deputy police chief. He served several months as interim assistant chief, while also keeping up with his regular workload. He was named sergeant in 2017. Previously, he worked three years as a Rockland patrol officer after working three years in Vermont. Gaylor is a mentor to several juveniles and coordinates the officer/youth sporting program, among other community efforts.

Renee Davis Gray has been named Washington County administrator, effective July 6. Gray succeeded **Betsy Fitzgerald**, who retired. Gray, who grew up in Jonesport, spent her entire municipal career in Lubec beginning in 2002 as an EMT. Five years later, she moved into the town office as a clerk. In 2016, she was named town clerk and then administrator in 2017.



Renee Gray

Michael Martone has been named planner for the Twin Villages in Damariscotta and Newcastle. Both select boards unanimously approved Martone's hire last month. He replaces Isabelle Oechsle, who resigned last February. Martone worked for the Midcoast Council of Govern-

ments and was contracted to serve as acting planner after Oechsle's departure. He holds a bachelor's degree in design studies from Arizona State University and a master's degree in city and regional planning from Rutgers University. He is a nationally accredited planner.

Alan Mulherin and **Stephen Brooker** won the two open seats on the Limestone Select Board in June, garnering the most votes with 84 and 82, respectively. They defeated incumbent **Jesse Philbrick**. Former Selectperson **Fred Pelletier** did not seek re-election.

Blue Hill Town Administrator **Nicholas Nadeau** resigned for personal reasons in August after one year on the job. Nadeau was the town's second administrator, a position created in 2019 when longtime former Selectperson **Jim Schatz** retired after 24 years. Officials said they were disappointed Nadeau was leaving his job. 🏔️

Clarification: Dick Metivier and Dale Olmstead, current trustees for the Maine Municipal Employees Health Trust and members of the Trust since its inception, contributed to the July question and answer feature with Don Gerrish. Metivier retired as longtime Lewiston finance director in 2009 after 40 years and Olmstead, former town manager of Freeport, retired in 2012 after 30 years. The omission was an oversight by the writer of the article.

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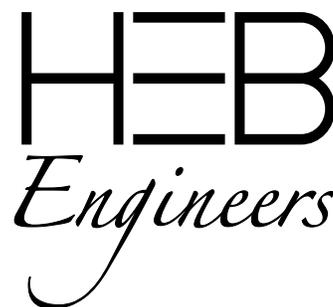
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STATEWIDE

LifeFlight of Maine has raised \$500,000 toward its \$2 million goal to finance three ambulances to augment its five helicopters operating out of Sanford, Lewiston, and Bangor. Increasingly, LifeFlight is unable to rely on municipal or regional ambulances as resources, which are being used locally, leaving the need for ambulances to transport critically ill or injured patients to a LifeFlight helicopter. The service also owns and operates an airplane. The service hopes to start its ground transport program in July 2024.

BANGOR

The city council in late July approved a \$29,000 grant to help a nonprofit hire someone to scour the city for used syringes. The money will pay to contract for someone to work part-time for a year. The Bangor Health Equity Alliance will cover the balance for a full-time “syringe waste specialist.” The vote was unanimous and is believed to be the first such position created as Maine’s drug use problems persist and worsen. The city has seen a significant increase in discarded syringes in the past few months, the council noted. The used needles are dangerous to public health as well as being a blight on the city. The funding comes from the city’s share of an opioid settlement to support measures such as the syringe project, which will require the syringe specialist to pick up used syringes from both public and private property. Residents will be able to direct the new specialist to areas where needles can be found. The city’s health department staff has worked for the last six months on strategies to collect the dirty needles. The new Alliance employee will also gather data as needles are located.

HOPE

Three midcoast towns that abut Crawford Pond have enacted 180-day moratoriums on mineral mining until the communities can develop a plan to regulate any proposed project. A Canadian mining company has indicated its interest in areas around Crawford Pond, where the company is considering a mining operation for nickel, cobalt, and copper. Joining Hope in passing mining bans are Union and Warren. Hope voters passed the temporary ban in July. Union is now in its second 180-day period. Warren was the first municipality to block mining for the time being.

MADISON

Federal, state, and municipal officials, joined by hundreds of area residents, welcomed TimberHP to town in July, announcing it would restart the shuttered Madison

Paper Industries mill to manufacture insulation. The company expects to create 100 jobs – initially half of the jobs lost when the mill was shut down in 2016. Gov. Janet Mills and U.S. Sen. Susan Collins attended the event and helped cut a ribbon to signify the new birth of the mill. Mills called the reopening an “extraordinary milestone” for Maine and Greater Madison. The new mill operation will be the first in North America to make wood fiber insulation, according to officials. TimberHP bought the mill in 2019 and has made a \$150 million investment to ready it for manufacturing. Wood-fiber insulation is used both in homes and in the small construction industry. The insulation has been made in Europe for more than 20 years, accounting for \$700 million in annual sales.

OLD TOWN

The city expects to receive just over \$100,000 from ND Paper to resolve violations connected to an October 2020 spill of pulping chemicals into the Penobscot River. An estimated 30,000 gallons of chemicals leaked into the river before being stopped. The penalty payment to the town will allow the city to finish a \$450,000 environmental project, according to a consent agreement between the mill and the Maine Department of Environmental Protection. The agreement cites a ruptured below-ground sewer line as the culprit. According to the decree, chemicals seeped into the river for a week and spilled intermittently over 56 days in 2021.

WINDHAM

The federal Environmental Protection Agency (EPA) announced in July that the polluted Keddy Mill complex will be cleaned up after languishing on a waiting list for 20 years. The EPA will spend \$17 million to raze the concrete building on the site and clean up the soil and contaminated debris that contains toxic substances, including polychlorinated biphenyls, or PCBs. The mill property has been the site of a variety of grist, pulp, and box-board manufacturing mills, as well as a steel production facility, from the mid-1700s to 1997.

WINSLOW

The town’s police department has developed an apprentice program in an effort to recruit young people to the profession. Winslow has struggled to fill open patrol jobs – a problem being confronted across Maine and the nation as Baby Boomers retire. Other departments are trying different ways to lure men and women to their ranks. The department hired its first “trainee officer” in June. Under the program – open to people 21 years of age and younger – the trainee will be sponsored by

the department for all pre-service training requirements. After a year of instruction and experience working as an emergency dispatcher, the trainee will join the department as a full-time officer. Winslow's department includes 11 full-time officers. As of late July, three openings remained vacant. Two of the three officers will be hired the traditional way.

YORK

A student petition to ban all single-use plastic items everywhere in town but at home will have to wait after the select board last month declined to move it to a vote on the November ballot. York High School students proposed the townwide plastic ban for one-use items, focusing their goal on restaurants and municipal government. The students want to ban the sale and use of single-use plastic cutlery, cups, and lids, stirring sticks and straws. The select board held a public hearing on the proposal and was met with concern and criticism from business owners. York has been progressive with plastic use; in 2015, voters endorsed a ban on single-use plastic bags and later banned polystyrene foam containers, cups, and lids. Two years later, the state imposed the same bans statewide. 🏡



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NEW SALE PROCEDURES FOR TAX-ACQUIRED PROPERTY

Last month we reported that the U.S. Supreme Court decision in *Tyler v Hennepin County, Minnesota* held that it is likely unconstitutional for a government to retain “excess” proceeds of tax-acquired property sales.

Immediately after the *Tyler* decision was issued, Maine’s Legislature enacted emergency legislation (PL 2023, c. 358) that:

- **Repealed** the special sale process for tax-acquired homestead property formerly owned by senior low-income persons (36 M.R.S. § 943-C);
- **Reformulated** 36 M.R.S. § 943-C to establish sale procedures for virtually all sales of real estate acquired via the tax lien mortgage foreclosure process in 36 M.R.S. §§ 942 - 943; and
- **Defined** excess sale proceeds and required their return to the former owner.

As of June 30, 2023, if tax-acquired real estate will be sold to someone other than the former owner, written notice on a form prepared by the State Tax Assessor must be sent to the former owner(s) at least 90 days before the property is listed for sale. Within 90 days after notice, the former owner(s) may demand that the property be sold through a licensed real estate broker.

Through a licensed broker, the municipal officers must sell the property via quitclaim deed at the highest price at which the property is able to sell or the price at which the real estate broker anticipates it to sell within 6 months after listing. Any excess sale proceeds (defined in the law) must be paid to the former owner(s).

If the municipal officers are unable to list or sell the property as described above or if the former owner does not request the special sale process, the municipal officers may sell the property in any manner authorized by the municipality’s legislative body, provided that the former owner(s) must still receive any excess proceeds after sale.

Because the law immediately applies to sales made after June 30, 2023, we advise municipalities to:

- **Review and update** existing warrant articles, ordinances, charter provisions or policies addressing disposition of tax-acquired property to ensure consistency with the new law. Although the law now requires specific sale procedures, it does not actually authorize any local sale of tax-acquired property – only the municipality’s legislative body possesses that authority. Existing municipal warrant articles, ordinances or charters may not provide any authority to use (or may conflict with) the sale procedures now required.

- **Delay sales of tax-acquired property** (to anyone other than the former owner) until the municipal officers confirm there is sufficient authority from the town’s legislative body to use the special sales process in 36 M.R.S. § 943-C.
- **Obtain required notice form(s)** available on Maine Revenue Services website (www.maine.gov/revenue/taxes/property-tax).

As noted above, the special sale process for tax-acquired homestead property formerly owned by low-income seniors has been repealed. Readers will recall that since 2018 Maine law has required notice to such owners, an opportunity to request a special sale process and an entitlement to “excess” sale proceeds (defined in the law). These requirements have been replaced with the rules described above governing the sale of all property tax-acquired pursuant to 36 M.R.S. §§ 942 – 943.

For more information on the new requirements including sample warrant articles, see our detailed guidance: “Major Changes Required for Sales of Tax-Acquired Property,” available in the Legal Services “Current Issues” section of MMA’s website (www.memun.org).

Also, look for upcoming updates to Legal Services’ materials, including a supplement to our *Guide to Municipal Liens*. (By S.F.P.).

TAX STABILIZATION PROGRAM TO SUNSET

The Property Tax Stabilization for Senior Citizens Program enacted in 2022 (36 M.R.S. § 6281) will sunset after the current tax year.

The program was terminated in July’s supplemental budget legislation (PL 2023, c. 412, § S-10) and was replaced with increased benefits for seniors under the state Deferred Collection of Homestead Property Tax Program (36 M.R.S. chapter 908) and the Property Tax Fairness Income Tax Credit (36 M.R.S. § 5219-KK).

Seniors that applied by the original deadline (December 1, 2022) and who met other eligibility criteria will still see their property tax bill(s) for the 2023 tax year (taxes committed in 2023) stabilized at the previous year’s billed amount. The state will reimburse municipalities for the difference between the full amount assessed and the “stabilized” amount billed to the taxpayer for the 2023 tax year. The deadline to apply for reimbursement is November 1, 2023.

The program ceases entirely after the current 2023 tax year, meaning property tax bills based on taxes committed in 2024 and after will not be adjusted based on a previous year’s bill.

For historical details about the program, see “Property Tax Stabilization for Seniors,” *Maine Town & City, Legal Notes*, August 2022. (By S.F.P.).

MUNICIPAL CALENDAR

BY OCTOBER 15 – Monthly/quarterly/semi-annual expenditure statement/claim for General Assistance reimbursement to be filed via online portal, faxed to (207) 287-3455, emailed to GeneralAssistance.DHHS@maine.gov, or sent to DHHS, General Assistance Unit, #11 SHS, Augusta, ME 04333-0011 (22 M.R.S. § 4311).

OCTOBER – Registrars of voters must accept registration prior to the November state election (if held) according to the schedule prescribed by 21-A M.R.S. § 122(6), and must publish the schedule in a newspaper having general circulation in the municipality at least 10-15 days before election day. In municipalities of 2,500 or less population, the schedule may be published by another means deemed sufficient by the registrar. (21-A M.R.S. § 125).

BY OCTOBER 31 – Deadline for employers required to submit quarterly withholding taxes to file a return and remit payment to the State Tax Assessor (36 M.R.S. § 5253).

CONSERVATION LOTS & SUBDIVISIONS

Effective October 25, 2023, certain conservation easements will not create a “lot” or “lots” under the Municipal Subdivision Law (30-A M.R.S. §§ 4401 - 4408).

Assuming there is no intent to avoid the objectives of the law, the exemption will apply to the transfer of any interest in land to a “holder” if the transferred interest, as expressed by conservation easement, binding agreement, declaration of trust or otherwise, is to be permanently held for one or more of the following conservation purposes:

- (a) Retaining or protecting the natural, scenic or open space values of the land;
- (b) Ensuring the availability of the land for agricultural, forest, recreational or open space use;
- (c) Protecting natural resources; or
- (d) Maintaining or enhancing air quality or water quality.

In addition, the transferred interest may not be subsequently further divided or transferred except to another “holder.” (PL 2023, c. 79, to be codified at 30-A M.R.S. § 4401(4)(J)).

“Holder” has the same definition as used in Maine’s conservation easement enabling law (33 M.R.S. § 476(2)) and includes certain governmental bodies and nonprofit corporations or charitable trusts that meet criteria listed in the statute. (By *S.F.P.*)

FOOD SOVEREIGNTY BROADENED

Maine’s Food Sovereignty Act has been amended to greatly expand the potential scope of local food sovereignty. (PL 2023, c. 420).

As readers may know, the Act (7 M.R.S. §§ 281 - 286) authorizes municipalities to adopt ordinances “regarding direct producer-to-consumer transactions,” and prohibits the state from enforcing food laws in Titles 7 and 22 otherwise applicable to transactions governed by the ordinance (except those applicable to meat and poultry). As we interpret the law, municipalities may decide the extent of local sovereignty up to the maximum allowed by the Act.

Current law allows municipalities to exempt “direct producer-to-consumer” transactions that are face-to-face transactions involving food or food products on the site where the food was produced.

Effective October 25, 2023, the definition of “direct producer-to-consumer transaction” will expand to include exchanges of food or food products directly between a food producer and a consumer by barter, trade or purchase on the property or premises owned, leased or rented by the food producer; at roadside stands, fund-

raisers, farmers’ markets and community social events; or through buying clubs, deliveries or community-supported agriculture programs, herd-share agreements and other private arrangements.

Unfortunately, the legislation includes no transitional provisions. In our view, existing food sovereignty ordinances will not be rendered void, but neither will the expanded exemption automatically apply in municipalities that have food sovereignty ordinances.

For example, where an ordinance includes the existing definition of “direct producer-to-consumer” transaction, that narrower exemption will continue to govern unless and until the municipality chooses to amend its ordinance. Moreover, even if a municipal ordinance does not define “direct consumer-to-producer transaction,” it may be necessary or advisable for the municipal legislative body to re-adopt the ordinance to approve the broader exemption (if desired). Food sovereignty is a local decision, and it cannot be assumed that local voters would approve the vast expansion allowed by the new law. Clarifying the bounds of local food sovereignty also reduces confusion for local food producers and consumers.

We recommend existing ordinances be reviewed with the assistance of legal counsel to determine if amendments are necessary.

Note that adoption of a municipal food sovereignty ordinance does not obligate the municipality to monitor, advise on or enforce said exemptions. Food producers are entirely responsible for determining, in consultation with their own legal counsel, which licenses they may or may not need and to determine where they may sell products.

See an updated Sample Food Sovereignty Ordinance and our Ordinance Enactment Information Packet on our website (www.memun.org). (By *S.F.P.*) 

TRAINING CALENDAR

Maine Municipal Association & Affiliates

SEPTEMBER

9/10-13	Sun.-Wed.	NESGFOA 76th Annual Fall Conference	Rockport - Samoset Resort	MEGFOA
9/12	Tues.	MTCCA 28th Networking Day & Annual Business Meeting	Augusta Civic Center	MTCCA
9/13	Wed.	Mental Health First Aid	Augusta - MMA	MMA
9/14	Thurs.	Verbal Judo for the Contact Professional - 1 DAY	Bangor - Hilton Garden Inn	MMA
9/19	Tues.	Becoming an Empowered Leader of DEI (this 25-person max co-hort group will meet 4 times, on 8/23, 9/19, 10/18 and 11/13; those that register must commit to the full program).	Lewiston - TBA	MMA
9/19	Tues.	MTCCA Title 21A - State Election Law	Presque Isle - Northern Maine Community College	MTCCA
9/19-9/21	Tues.-Fri	MCAPWA Supervisory Leadership in Public Works Program - Part II	Fairfield - MDOT Training Center	MCAPWA
9/21	Thurs.	MTCCA Title 21A - State Election Law	Augusta Civic Center	MTCCA
9/21	Thurs.	MBOIA September Membership Meeting & Training	Portland - Clarion Inn	MBOIA
9/22	Fri.	MWDA GA Basics	Augusta - MMA	MWDA
9/26	Tues.	MMTCTA Tax Liens Workshop	Orono - Black Bear Inn	MMTCTA
9/27-9/29	Wed.-Fri.	MAAO Fall Conference	Sebasco - Sebasco Harbor Resort	MAAO

OCTOBER

10/4-5	Wed.-Thurs.	87th Annual MMA Convention	Augusta Civic Center	MMA
10/6	Fri.	MCAPWA Golf Tournament	Cumberland - Val Halla	MCAPWA
10/12	Thurs.	Planning Board/Boards of Appeal	Augusta - MMA	MMA
10/17-18	Tues.-Wed.	MCAPWA Supervisory Leadership in Public Works Program - Part I	Fairfield - MDOT Training Center	MCAPWA
10/18	Wed.	Becoming an Empowered Leader of DEI (this 25-person max co-hort group will meet 4 times, on 8/23, 9/19, 10/18 and 11/13; those that register must commit to the full program).	Zoom Webinar	MMA
10/19	Thurs.	MMTCTA Municipal Law for Tax Collectors & Treasurers	Augusta -MMA	MMTCTA
10/20	Fri.	MWDA Advanced GA	Augusta - MMA	MWDA
10/24	Tues.	Labor & Employment Law	Augusta - MMA with Zoom Webinar	MMA
10/24	Tues.	MBOIA MUBEC Training	Portland - Clarion Inn	MBOIA
10/25	Wed.	MBOIA MUBEC Training	Brewer - Jeff's Catering	MBOIA
10/26	Thurs.	MBOIA MUBEC Training	Waterville - Waterville Elks Lodge	MBOIA
10/27	Fri.	MBOIA MUBEC Training	Waterville - Waterville Elks Lodge	MBOIA

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MAINE MUNICIPAL BOND BANK

2023 FALL BOND ISSUE SCHEDULE

Capital financing through the Bond Bank's General Bond Resolution Program allows borrowers to take advantage of the Bond Bank's high investment grade rating, low interest rates and reduced issuance and post issuance costs. Traditionally twice a year, in the spring and fall, the Bond Bank will consolidate eligible applicants and engage in a bond sale. From application to receipt of funds the bond issuance process usually lasts three to four months. Below is the schedule for the Bond Bank's Fall Issue.

August						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Tuesday, August 1st – Application Deadline

Wednesday, August 23rd – Application Approval (Board Meeting)

Wednesday, September 13th – Preliminary opinions and loan agreements due from bond counsel of each borrower

Thursday, September 14th – Last date for signing school contracts and rates in place for water district. PUC approvals due

Week of October 2nd – Maine Municipal Bond Bank Pricing

Monday, October 23rd – Final documents due from bond counsel

Wednesday, November 1st – Pre-closing

Thursday, November 2nd – Closing – Bond proceeds available (1:00pm)

If you would like to participate in or have any questions regarding the 2023 Fall Bond Issue, please contact Toni Reed at 1-800-821-1113, (207)622-9386 ext. 213 or treed@mmbb.com.



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Get to know us. We're the Municipal & Governmental Services Team.

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