

# LEGISLATIVE BULLETIN

A publication of the Maine Municipal Association • Vol. XLV No. 8 • MARCH 10, 2023

## It's Not Greed

MMA staff appeared before the Taxation Committee Thursday afternoon to be the lone soldier to testify in support of MMA's platform bill, LD 88, *An Act to Provide Qualifying Municipalities a Percentage of Adult Use Cannabis Sales and Excise Tax Revenues*, sponsored by Rep. Sean Paulhus of Bath.

In his presentation, Rep. Paulhus noted that LD 88 would support municipal efforts to combat the negative effects that allowing adult use cannabis businesses within their borders has triggered. Of course, it contained other points as well, but some committee members couldn't see past the first two paragraphs and peppered him with questions on how municipalities have suffered and why the cannabis revenue distributed as part of the state-municipal revenue sharing program was insufficient.

While some committee members seem to favor municipalities getting a slice of the cannabis pie, others felt that local level investments are being recouped via a mix of increased revenue sharing program distributions, local level permit fees and the one-time implementation grants funded by the state. Thankfully, municipalities had committee member Rep. Joe Perry of Bangor in their corner who supports the time and energy put into local cannabis regulation, having grappled with those issues while serving on the city council in Bangor.

No one was specifically present to testify against the bill, however Rep. David Boyer of Poland rose to speak, admittedly off the cuff. While he feels the premise is worth exploring, he takes issue with the argument that this bill would help to buffer against the negative effects of implementation. He doesn't believe the costs associated with setup are burdensome and isn't surprised municipalities are looking for more money, as though offsetting the property tax burden for ongoing management tasks was suspect.

Maine continues to be the only state that has created a robust cannabis market without sharing the received revenue with local government partners either via local option sales tax or statutory sales revenue share back. Colorado has both and allows local licensing fees and Michigan shares 15% with both their county and municipal partners.

The Department of Administrative and Financial Services testified neither for nor against the bill and suggested that

an amendment be considered to include a specified date for the first transfer and a provision enabling the state to retain reasonable fees to administer the program.

Local leaders deal with many important issues daily and the cannabis conversation is losing its luster. The work session will provide more insight on the state's willingness to provide its local government partners with the requested assistance, which is currently scheduled for of the Tuesday, March 21 at 1:00 p.m. in room 127 of the State House.

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## No Reprieve from Advertising Fees?

Thursday, the State and Local Government Committee held a work session on LD 422, *An Act to Eliminate the Requirement That Municipalities Provide Public Notice in Newspapers*, sponsored by Rep. Daniel Newman of Belgrade, following a budget work session and report from the Abandoned and Discontinued Roads Commission.

As covered in the March 3 Legislative Bulletin, the bill would make the statutory use of generally circulated newspapers to provide public notice optional rather than statutory and free municipal revenue for more effective communication methods. Smaller communities away from the major service center media headquarters could then use that outsized expense for more direct options like mailings, websites, or phone notification systems which are already common in those communities for schools and capable of proving both voice and text announcements to all subscribers.

With no discussion following the analyst's summary, the committee quickly moved "ought not to pass," which was split along party lines. The minority "ought to pass as amended" report came from Rep. Randall Greenwood of Wales, who remarked in the interest of time he wouldn't continue the discussion further, but felt there was merit in the effort, and expanded the option to include counties and quasi-governmental utilities. The amendment also replaces the paid public notice with a press release requirement offering a way for the general newspapers to continue to provide

*(continued on page 2)*

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## No Reprieve from Advertising Fees?...cont'd

value to their dwindling subscribers.

While the final decision will be left to the rest of the legislature to debate, the amendment proposed in the minority report deserves exploration. If the loss of the public announcement revenue is clearly the “death of democracy” as opponents opined, and if such papers truly serve the public good they claim, then why would they not be willing to print a municipal press release in service to democracy? Those that delivered on the claims may earn their municipal advertising revenue by demonstrating the value and impact of the service.

As this is Maine, and the wood heating season is upon us, unread newspapers and distant municipal announcements will still serve a vital purpose, regardless of which report is advanced on the House floor. One thing is for certain; you won't find out when the legislature will debate the issue on the floor printed as an announcement in any newspaper.

## Hearings of The Week: Training & Elections

**Day Training Program.** The Criminal Justice & Public Safety Committee will conduct a public hearing on LD 673, *An Act to Direct the Maine Criminal Justice Academy to Develop a Nonresidential Law Enforcement Training Program*. The hearing will take place on **Monday, March 13 at 10:00 a.m.** in room 436 of the State House. The bill, sponsored by Rep. Michel Lajoie of Lewiston on behalf of MMA, requires the Board of Trustees of the Maine Criminal Justice Academy to develop and implement a nonresidential law enforcement training program as a complement to its residential program.

**On-premises Consumption.** The Veterans & Legal Affairs Committee will conduct a public hearing on LD 839, *An Act to Allow On-premises Consumption of Adult Use Cannabis and Adult Use Cannabis Products on the Premises of Cannabis Store Licensees* on **Monday, March 13 at 11:00 a.m.** in room 437 of the State House. The bill, sponsored by Rep. Lynne Williams of Bar Harbor, authorizes the on-premises consumption of adult use cannabis and products in a separate area within the retail sales building, which is contingent on the approval of the state and municipality.

**LD 290 Fix Reminder:** As described in the March 3 edition of the Legislative Bulletin, at **1:00 p.m. on March 16** the Taxation Committee will conduct hearings on several bills seeking amendments to the Property Tax Stabilization law.

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## Speak Now...

### Or, Forever Hold Your Peace.

Members of the Veterans & Legal Affairs committee met on Wednesday to conduct a public hearing on LD 750, *An Act to Eliminate the Limits on Candidates' Speech at the Polls*, sponsored by Sen. Jim Libby of Cumberland County.

Aside from the sponsor, the only support for the bill came from Sen. Eric Brakey of Androscoggin County, who reminded committee members of the struggles candidates currently face on election day. In the senator's view, allowing candidates to state their names and the offices they are running for would eliminate those awkward conversations that currently tend to take place when candidates are present to welcome voters to the polls.

By the time election day rolls around, most voters have already established their positions on the issues before them. Furthermore, Maine has worked hard to create a safe place for citizens to cast ballots, one that is free from harassment, intimidation, or confrontation. The question remains, do the benefits associated with allowing candidates to speak freely to voters and endure some cringy conversations at the polls outweigh the possibility of increased confrontation due to opposing political views or potentially having acts of violence occur? The Secretary of

State (SOS), MMA, the Maine Town & City Clerks Association (MTCCA), and the Women League of Voters don't think so.

Deputy Secretary Joanne Batista, who testified on behalf of the SOS, stated that allowing candidates to interact with voters at the polls blows the door wide open for increased friction and disruption, ultimately eroding the sanctity of election day.

Rep. David Boyer of Poland asked Patty Dubois, MTCCA, if their membership would be supportive of banning candidates at the polls altogether. While some states do ban candidates from being present at the polling place and given that the clerks have not been asked that question directly, Dubois indicated that banning candidates would level the playing field while still maintaining the safety of the polls.

It would appear that only candidates would like the ability to interact with voters at a deeper level on election day at the polls. Time and time again election bills are presented, and the same sentiment is heard, Maine does a great job conducting fair and accurate elections. So how about we let the election officials do what they do best without also having to police the premises and degrade their safety and security.

# HEARING SCHEDULE

For the week of March 13, 2023

## MONDAY, MARCH 13

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

LD 791 – An Act to Support the Maintenance of Historic Fort George in Castine

LD 797 – Resolve, to Authorize the Conveyance of Real Property to the Capitol Area Recreation Association

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

LD 178 – An Act to Support Reentry and Reintegration into the Community

LD 673 – An Act to Direct the Maine Criminal Justice Academy to Develop a Nonresidential Law Enforcement Training Program

LD 756 – An Act to Provide Funding for Positions in the Penobscot County Sheriff's Office

LD 799 – An Act to Fund Patrol Positions for the Penobscot County Sheriff's Office

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

LD 766 – An Act Regarding the Residence of Incarcerated Persons for Voting Purposes

LD 770 – An Act to Prohibit Ballot Harvesting by Preventing a 3rd Person from Returning More than 2 Absentee Ballots per Day

LD 812 – An Act to Assist Clerks in Facilitating Elections and to Improve Access to In-person Absentee Voting for Working People by Increasing Time for Absentee Ballot Processing and In-person Voting

LD 839 – An Act to Allow On-premises Consumption of Adult Use Cannabis and Adult Use Cannabis Products on the Premises of Cannabis Store Licensees

LD 886 – An Act to Allow Clerks to Issue Absentee Ballots After the 3rd Business Day Before Election Day to Voters Who Have a Nonphysical Disability and Voters Who Support a Person with a Disability

## TUESDAY, MARCH 14

### **Energy, Utilities & Technology Room 211, Cross Building, 3:15 p.m. Tel: 287-4143**

LD 399 – An Act to Amend the Portfolio Requirements for Class II Resources

LD 437 – An Act to Eliminate the Repeal Provision on Waste-to-energy Renewable Energy Credits

### **Innovation, Development, Economic Advancement & Business Room 202, Cross Building, 1:00 p.m. Tel: 287-4880**

LD 583 – An Act to Provide for Municipalities to Allow Grocery Stores up to 10,000 Square Feet to Open on Easter, Thanksgiving and Christmas

LD 648 – An Act to Address Staffing Shortages in Critical Public Safety Jobs Through Economic Incentives

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

LD 827 – An Act to Allow Employees to Request Flexible Work Schedules

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

LD 670 – An Act to Protect Birds and Wildlife in the Construction and Maintenance of Public Buildings

LD 671 – An Act to Factor Conservative Projections of Sea Level Rise into State Planning on Climate Change

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

LD 517 – An Act to Allow Maine Families to Deduct Vehicle Excise Taxes on State Income Tax Returns

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

LD 413 – An Act to Require the Department of Transportation to Upgrade Route 1 from Fort Kent to Van Buren

LD 528 – An Act to Improve Road Safety for Waste and Recycling Collection Employees

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

LD 607 – Resolve, to Direct the Department of Transportation to Examine the Feasibility of Extending Interstate 95 to the St. John Valley

LD 652 – An Act to Allow the Reinstatement of Certain Commercial Driver's Licenses

## WEDNESDAY, MARCH 15

### **Environment & Natural Resources Room 216, Cross Building, 9:00 a.m. Tel: 287-4149**

LD 27 – An Act to Align Maine's Lead Abatement Law with Federal Definitions and to Clarify Lead Abatement Licensing and Certification Requirements

LD 826 – An Act to Prohibit the Disposal of Certain Solar Panels in the State and to Require Bonds to Cover Disposal Costs

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

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

LD 474 – An Act to Improve Collaboration Between Mandatory Reporters and Law Enforcement in the Investigation of Alleged Child Abuse and Neglect

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

LD 336 – An Act Regarding State Recognition of Native American Tribes

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# HEARING SCHEDULE

For the week of March 13, 2023

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## Veterans & Legal Affairs

Room 437, State House, 10:00 a.m.

Tel: 287-1310

LD 768 – An Act to Authorize State Political Parties to Opt Out of Ranked-choice Voting for Primary Elections

11:00 a.m.

LD 879 – An Act to Place Restrictions on Candidate Speech and Clothing, Buttons and Other Items at Voting Places

## THURSDAY, MARCH 16

### Energy, Utilities & Technology

Room 211, Cross Building, 1:00 p.m.

Tel: 287-4143

LD 496 – An Act to Address Solar Energy Development Decommissioning

### Labor & Housing

Room 202, Cross Building, 1:00 p.m.

Tel: 287-1331

LD 891 – An Act to Protect Due Process for Certain Public Sector Employees

## Marine Resources

Room 206, Cross Building, 1:00 p.m.

Tel: 287-1337

LD 487 – Act to Establish Coastal Waters and Submerged Lands Regional Planning Commissions

## State & Local Government

Room 214, Cross Building, 1:00 p.m.

Tel: 287-1330

LD 620 – An Act to Promote Free Trade by Preventing Municipalities from Prohibiting the Sale of Legal Goods

LD 662 – An Act to Prohibit Municipal Flavored Tobacco Product Bans on State-licensed Tobacco Retailers

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

LD 894 – An Act to Preserve Heating and Energy Choice by Prohibiting a Municipality from Prohibiting a Particular Energy System or Energy Distributor

## Taxation

Room 127, State House, 1:30 p.m.

Tel: 287-1552

LD 37 – An Act to Amend the Laws Governing Property Tax Stabilization for Senior Citizens to Eliminate the Requirement for an Annual Application

LD 89 – An Act to Clarify Eligibility for Property Tax Stabilization for Individuals 65 Years of Age or Older

LD 130 – An Act to Eliminate Senior Citizen Property Tax Stabilization and Expand the Homestead Property Tax Exemption

LD 529 – An Act to Remove the Annual Filing Requirement in the Property Tax Stabilization Laws

## Transportation

Room 126, State House, 1:00 p.m.

Tel: 287-4148

LD 560 – An Act Regarding County Sheriff Vehicle Registration Plates

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## How Much is too Much?

On Friday, members of the Veterans & Legal Affairs committee were scheduled to rip through four work sessions and three public hearings on bills up for consideration this session. Of municipal interest were hearings on three bills relating to cannabis.

First up for discussion was LD 355, *An Act to Refocus the Purpose and Duties of the Cannabis Advisory Commission* (CAC), sponsored by Sen. Craig Hickman of Kennebec County. Speaking to the concept draft, Sen. Hickman admitted that he presented the draft to spark stakeholder and public comment relating to the future of this commission. An amendment to abolish the CAC has been prepared, however, Sen. Hickman feels it is important to know how stakeholders and members of the public feel about such an action.

With concept drafts, it is nearly

impossible to determine the intent of the bill when writing testimony. This resulted in varied testimony in support for LD 355 and against, even though several had the same reasoning but chose opposing positions.

Susan Meehan from the Maine Cannabis Coalition and the Cannabis Council of Maine provided testimony in support of the bill along with a two-part proposal that would dissolve the commission as it currently stands and replace it with one comprised of more pertinent stakeholders. Other testimony provided by the Maine Craft Cannabis Association also supported a measure that would involve replacing the commission with one that is more appropriately comprised of stakeholders.

Questions from committee members led the hearing off track a bit, but Sen. Hickman quickly brought the discus-

sion back to the first part of Meehan's proposal to abolish the current commission, since establishing a new cannabis group would require a public hearing for that measure.

Maine Public Health Association is opposed to abolishing the commission since they feel the current commission membership represents a diverse perspective on cannabis policy, essential for a thoughtful approach to policy making.

MMA, like most individuals testifying at the public hearing on LD 365, *An Act to Support Compliance and Establish Graduated Sanctions Under the Maine Medical Use of Cannabis Act* sponsored by Sen. Ben Chipman of Cumberland County, were in support of the establishment of graduated enforcement measures based proportionally on the nature of the infraction

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## How Much is too Much?...cont'd

that has occurred.

Andelena Henderson, owner of West Paris Provisions Medical Dispensary, testified in support of graduated sanctions. Henderson's testimony described an incident where a former employee sold a \$5 preroll to an undercover Office of Cannabis Policy (OCP) employee performing a sting operation, who did not possess a medical card. This action was brought to Henderson's attention nine months after the incident took place and caused her license to be revoked with no opportunity to correct the situation.

While Henderson acknowledged her employee was in the wrong, she is claiming an overreach by the OCP for performing sting operations around the state and trying to entrap businesses into breaking one of the cannabis regulations, in this case, selling medical cannabis to an individual who does not possess a medical card.

Two other employees of West Paris Provisions submitted testimony citing the same incident, claimed OCP overreach, and supported the measure to establish a set of graduated sanctions proportional to the infraction.

Opposition to LD 365 came from Vern Malloch, Deputy Director for Operations at OCP, who oversees compliance for the program. The OCP welcomes the opportunity to discuss enforcement issues and the lack of compliance in the medical program but feels the bill does not provide for those conversations to happen in a meaningful way. Currently, liquor inspectors can conduct compliance checks and OCP would like to see a similar program for cannabis compliance.

OCP inspectors do not have the ability to write a ticket for noncompliance and the only enforcement action they currently have, for an infraction such as the West Paris Provisions one, is to revoke the license of that business. It was mentioned that when a sting opera-

tion is successful, an OCP inspector will go back to the business a few times to see if it was a one-time occurrence or if there is a pattern.

No one testified neither for nor against the bill.

How much is too much? That was seemingly the question of the day when discussing LD 555, *An Act to Increase the Number of Mature Plants Allowed for the Home Cultivation of Cannabis* sponsored by Rep. David Boyer of Poland.

With the exception of MMA, testimony heard at the public hearing was in favor of increasing the number of mature cannabis plants allowable for home cultivation. Generally speaking, those in favor, who included several medical cannabis caregivers and representatives from the Maine Craft Cannabis Association and the Maine Cannabis Union, reasoned that unless someone is growing cannabis professionally, the likelihood that three plants would produce an amount sufficient for an individual to use as they see fit, is quite low.

When presenting the bill to the committee, Rep. Boyer admitted there have been some neighborly squabbles, but that the sky hasn't fallen as predicted. However, the members of MMA's policy committee would argue that those squabbles are a large part of the reason why municipal officials do not want to increase the number of mature plants allowed for home cultivation. These squabbles, though insignificant at the

state level, can be time consuming and take away from the important work that goes on at the local government level.

While ruminating on why the limit was originally set at three plants, committee members remembered that the limit was set as a political maneuver to get the measure to pass.

Rep. Walter Riseman of Harrison asked the sponsor if he knew how much cannabis six plants would produce. Lucky for him, MMA provided testimony that found data indicating an estimated production of cannabis from one healthy mature plant grown outside is ½ pound or 8 ounces of cannabis flower or if grown indoors can potentially produce a ¼ pound or 4 ounces.

Arguments for the passage of LD 555 claim that a person inexperienced at growing cannabis could encounter several barriers during cultivation, from both environmental and experience related means. Considering the legal limit for adult use possession is two and a half ounces, it would seem even one plant would produce an allowable limit and would include a margin of error. Furthermore, current statute allows for an unlimited number of seedlings and twelve immature plants, allowing a continuous rotation of product.

In the end, local officials really don't care who wants to grow the devil's lettuce, but they do care about the neighborly squabbles that ensue because of the difficulties regulating this market. These bills will be worked by the committee on Monday, March 13 at 1 p.m.

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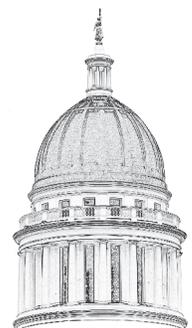
### LEGISLATIVE BULLETIN

A weekly publication of the Maine Municipal Association throughout sessions of the Maine State Legislature.

Subscriptions to the *Bulletin* are available at a rate of \$20 per calendar year. Inquiries regarding subscriptions or opinions expressed in this publication should be addressed to:

*Legislative Bulletin*, Maine Municipal Association, 60 Community Drive, Augusta, ME 04330. 207-623-8428. Website: [www.memun.org](http://www.memun.org)

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



## Augusta's Alternate Universe

Perhaps it's the winter doldrums, or just general political fatigue, but lately anyone working in service of functional public policy reading from the list of bills as they are printed probably feels like they are in an alternate universe.

While normally gubernatorial nominations for quasi-judicial bipartisan statutory boards are not controversial or matters of municipal concern, such nominations are now frequently presented in committees prior to public hearings on proposed legislation. As such, staff has had the opportunity to sit through the largely procedural processes and witnessed an increasingly partisan approach on which some nominees are grilled, and others are quickly confirmed. Almost three months into the legislative session, with few public hearings held,

1,200 printed bills and 1,100 more waiting, the act of scoring political points at the expense of nominees – well intended volunteers – is at best wasting precious time better focused on public policy.

However, judging from the most recently printed bills it may help to explain the lack of will to tackle the hard problems facing municipalities head on.

Despite an out-of-control housing market, rent increases tipped in favor of higher paying transient tenants, the plethora of sales of residential housing at above market prices to investors, and a growing unhoused population, LD 984, *An Act to Expand Access to the Homestead Property Tax Exemption* was printed last week.

As drafted, the bill seeks to apply the homestead exemption on property

with four or fewer units that is owned by a limited liability company (LLC), provided a member of that company resides there. Corporate ownership of real estate, is often used as a tax shelter for LLC members, limits personal liability for injuries incurred by occasional guests on the property, and restricts the ability for a loss of property in a monetary judgement against an individual. Perhaps more importantly, corporate ownership of property has exploded in the past five years for short-term rental ownership, especially in coastal areas where seasonal and year-round workforce housing was once in abundance.

Meanwhile, MaineHousing says its current projects are “dramatically constricted by workforce shortages and supply chain troubles,” and thus will

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## IN THE HOPPER

### Agriculture, Conservation & Forestry

LD 1048 – An Act Regarding the Authority of Municipalities to Regulate Timber Harvesting (Sponsored by Sen. Black of Franklin Cty.) The bill requires municipal timber harvesting ordinances to be certified by the Bureau of Forestry and consistent with an adopted comprehensive plan. The bill also requires municipal clerks to provide the bureau with notice and a copy of the ordinance either: (1) by April 1, 2024 in communities that have adopted a timber harvesting ordinance as of January 1, 2024; and (2) for ordinances adopted after January 1, 2024, at least seven days before the meeting of the legislative body or public hearing at which the adoption of the ordinance is considered.

### Criminal Justice & Public Safety

LD 526 – An Act to Provide Funding to Emergency Medical Services Organizations (Sponsored by Speaker Talbot Ross of Portland) This bill provides a one-time General Fund appropriation of \$25 million in FY 2024 to the Department of Public Safety targeting emergency medical services organizations at immediate risk of failing and leaving their service areas without access to adequate emergency medical services.

LD 1036 – An Act to Require All Police Officers to Carry Naloxone Hydrochloride When on Duty (Sponsored by Rep. Milliken of Blue Hill) This bill requires law enforcement officers to obtain medical training in the dispensing of naloxone hydrochloride and to carry naloxone hydrochloride at all times when on duty.

### Education & Cultural Affairs

LD 1022 – An Act to Allow School Budget Referenda on the Same Day as Primary Elections (Sponsored by Rep. Arata of New Gloucester) This bill allows participating municipalities of a regional school

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

unit beginning January 1, 2024 to limit the time period in which a regional school unit budget meeting or referendum may be held to at least 45 days prior to the date of a statewide primary or referendum election in June or the second Tuesday in June if a statewide primary or referendum election is not held in June of that year.

### Energy, Utilities & Technology

LD 905 – An Act to Expand Energy Choice Through Municipal Utilities (Sponsored by Rep. Geiger of Rockland) This bill limits the approval by the Public Utilities Commission of a municipal power district's or a rural electrification cooperative's proposal to furnish service in a municipality in which an investor-owned transmission and distribution utility is already furnishing service to the a determination that there is no proven net harm to other ratepayers in the utility losing customers and the municipal power district or cooperative was created in conformance with applicable law. The bill also specifies that a utility furnishing service in communities where a municipal power district or cooperative is created and approved must facilitate the transfer of property and be provided just compensation, as determined by the commission, for that property.

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## Augusta's Alternative Universe... cont'd

likely cause rents and home prices to continue to increase in 2023. However, there is no legislative incentive in sight to mitigate market forces.

Homestead exemptions for the corporate ownership of property where up to three units can be used for transient rentals - not permanent workforce or affordable housing? Alternate universe.

LD 801, *An Act to Require Municipalities to Obtain Housing Units for Residents Experiencing Homelessness*, would require municipalities to obtain and maintain one housing unit for every 1,000 residents in an effort to combat homelessness. A noble idea. However, considering the City of Bangor already has more than 800 units for that purpose, well over the 31 the bill suggested as necessary, and still can't meet the housing need, it's unclear if the bill suggests a reduction, or more likely an increase, which would be a mandate on municipal government.

Shifting additional burdens on those who are already housed, based on population rather than need? Alternate universe.

In 2021, property tax supported law enforcement officers conservatively volunteered \$500,000 in payroll costs to deliver the basic and continuing law enforcement programs necessary to train and prepare Maine's law enforcement officers. That estimate, however, does not include overtime pay, or the expenses associated with travel to deliver training, cover shifts for employees to provide that training, or the costs to pay employees required to attend these courses.

Meanwhile, during the Department of Public Safety's budget review before Criminal Justice and Public Safety Committee, members sought to cut the requested positions at the Maine Criminal Justice Academy necessary to provide existing and legislatively expanded programming. The staffing levels at the academy are lower than they were 20 years ago, despite the significant expansion in continuing education needs.

Municipalities are facing a crisis in

filling vacancies in vital public safety positions in a state wrestling to recover from a year of record overdose deaths, a homicide rate nearly larger than the highest level in the past two decades, and a mental health catastrophe that far exceeds available providers or beds. Municipalities want and need flexibility to attract mature candidates with complex lives who desire to serve their community. They need two models of basic training to accomplish it.

MMA's bill seeking to direct even more resources than the commissioner requested to allow the board of the academy to develop a non-residential basic training course in addition to the existing residential course, LD 673, *An Act to Direct the Maine Criminal Justice Academy to Develop a Nonresidential Law Enforcement Training Program*, sponsored by Rep. Michel Lajoie of Lewiston, will have a public hearing on Monday, March 13 at 10:00 a.m.

The Legislature seems to want more training for police, and like communities, desires professional, highly skilled, emotionally, and culturally informed officers, but questions investing in additional permanent staff to deliver it? Alternate universe.

Meanwhile, somewhere someone is sitting in their parents' basement using technological tools to play real-life video games with our emergency response systems, schools, and public infrastructure. One way to address this growing public safety concern is found in LD 405, *An Act to Prevent False Reporting Leading to Evacuation, Shutdown or Lockdown*, sponsored by Sen. Ann Carney of Cumberland County, which received a public hearing on Monday. The proposal seeks to make it a felony for anyone knowingly reporting a false threat that leads to the evacuation of a building, place of assembly or public transport.

Proponents included students and teachers who had experienced a multi-school active shooter hoax that continues to have an impact on those who were swept up in the response. Additionally, Maine Prosecutors Association, Maine Education Association, Maine School

Management Association, Maine Chapter of American Academy of Pediatrics, Maine Chiefs of Police and Maine State Police all support LD 405.

As MMA testified, these events are not a one off. They continue on a regular basis, involve a variety of threat types, and are sent to public safety systems in a multitude of ways. Each event has cost communities hundreds of thousands of dollars in multi-agency response, or improvements to security measures necessary to limit cancellations and evacuations and avoid disrupting student learning. While there is little hope that a single municipality can pursue justice for the harm to the community alone, collectively with interconnected agencies, they are able to assess and share that intelligence quickly to increase the odds of finding the source. Additionally, county and municipal agencies receive vital information from the emerging patterns of hoax communications that are reported between federal partners and fusion centers across the U.S.—essentially an ever-evolving early warning system.

Opposition to legislation came from the Maine Prosecutors Association and the ACLU of Maine. Focused on the lack of connection to deterrence and criminal penalties, both felt elevating the level of penalty on intentional acts that cause major community harm was unlikely to achieve the desired effect.

The committee will hold a work session on LD 405 on March 15 at 10:00 a.m.

Just in case you thought creating a real-life video game out of public safety response was already an alternate universe, there's a bill title in the pipeline to eliminate the collection of information and the communication center that law enforcement agencies relied on to avoid triggering active shooter and bomb squad responses to 300 plus hoax threats.

Tune in to either the public hearings or work session next week and perhaps you'll find an "alternate universe" where the Matrix choice between a "red" or a "blue" pill actually creates a legislature that listens and treats municipal government like a partner, rather than a special interest. I wouldn't risk your crypto currency on it though.

**MAINE MUNICIPAL  
ASSOCIATION SINCE 1936**

60 Community Drive  
Augusta, ME 04330

## IN THE HOPPER (cont'd)

### Environment & Natural Resources

LD 928 – RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish a Right to a Clean and Healthy Environment (Sponsored by Rep. O’Neil of Saco)

This resolution proposes to amend the Constitution of Maine to grant the people of the State a right to a clean and healthy environment and to the preservation of the natural, cultural, and healthful qualities of the environment.

### Labor & Housing

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.)

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.

### Transportation

LD 480 – An Act to Clarify Laws Regarding the Placement of Signs on Public Ways (Sponsored by Rep. Newman of Belgrade)

This bill requires that when the department or a municipality removes a sign located within the public way that is not temporary in nature to notify the owner that the sign has been removed and the reason for the

removal. If a temporary sign is removed, the notice must also include instructions on how to install the sign in a manner that complies with the law. The also defines: (1) “noncommercial message” to include a sign that does not include a business name or logo, but may include a symbol pertaining to a product or service; (2) “control-of-access areas” as areas where an abutting property owner does not have direct access and to which all access is controlled by the Department of Transportation; and (3) “public safety hazard” as a sign placed or constructed in a manner that causes a danger of injury to the public traveling by vehicle.

### Veterans & Legal Affairs

LD 866 – An Act to Allow Clerks to Issue Absentee Ballots After the 3rd Business Day Before Election Day to Voters Who Have a Nonphysical Disability and Voters Who Support a Person with a Disability (Sponsored by Rep. Osher of Orono)

This bill expands the list of persons who may receive an absentee ballot after the third business day before election day to include persons with any disability, rather than persons with a physical disability as current law provides, and to include persons providing volunteer or uncompensated care to a person with a disability.

LD 1038 – An Act to Reinstate Plurality Voting by Repealing the Ranked-choice Voting Laws (Sponsored by Rep. Polewarczyk of Wiscasset)

This bill repeals the laws governing ranked-choice voting.

LD 1055 – An Act to Prohibit the Use of Ballot Drop Boxes (Sponsored by Sen. Brakey of Androscoggin Cty.)

This bill prohibits the use of ballot drop boxes.