

LEGISLATIVE BULLETIN

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No Palliative Politics on Planning

Unconstrained urgency often leads to short-term thinking, and decisions that neglect underlying issues while expanding unintended consequences and create new problems. Deliberative processes can often mean losing out on emergent opportunities and catching even the best of groups flat footed when faced with innovative projects. For public planning, what is predictable is preventable. For the unhoused, neither waiting for units to be built nor for rules to be written is fast enough. Reflective urgency is what municipal officials asked for in Augusta this week.

In a packed Housing Committee room Tuesday, municipal officials, planners, planning boards, councils of governments, regional planning organizations and code enforcement officers from Castine to Eliot and Caratunk to Kennebunkport, shared their overwhelming support for a delay of a deadline for municipalities to comply with multiple pieces of statute enacted last year via LD 2003 or PL 2021, c. 672.

LD 665, *An Act to Extend the Date by Which Compliance is Required for Affordable Housing Development, Increased Numbers of Dwelling Units and Accessory Dwelling Units*, sponsored by Rep. Allison Hepler of Woolwich on behalf of MMA, would allow fiscal and calendar year towns as well as island communities with September town meetings to have state informed and supported review of their ordinances to comply with the housing mandate, while also ensuring that town residents do not have to shoulder the costs of a special town meeting for hastily written ordinances or the legal fallout for poorly drafted ones.

The bill also gained legislative support from Rep. Michele Meyer of Eliot and Rep. Tiffany Roberts of South Berwick who understand that what seems simple is far more complex for both municipal governments and their residents.

A total of five bills were scheduled for a public hearing at the same time and the committee chose to lump LD 214, *An Act to Amend the Laws Regarding Zoning and Land Use Restrictions to Limit Certain Requirements to Municipalities with a Population of More than 10,000*, sponsored by Rep. Richard Campbell of Orrington and LD 1154, *An Act Regarding Accessory Dwelling Units and Municipal Zon-*

ing Ordinances, sponsored by Rep. David Woodsome of Waterboro, together with LD 665 and provided the public a total of three minutes to testify on all three initiatives. Seemingly, what linked the bills was not their approach to a solution, but rather the opposition from the Governor's Office of Policy Innovation and the Future (GOPIF). The two other bills that GOPIF supported received independent public hearings.

Municipal officials, staff, and planners in the room, via zoom and in writing, provided more than ample evidence that singularly defined terms in statute required far more ordinance amendments than Legislators understood when they chose the July 1, 2023 deadline. Nearly a year out and

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Yet Another Preemption

Undoubtedly, residents of Maine have a love/hate relationship with home rule authority. When a policy issue subjected to local control supports individual values and interests, often the authority is viewed as a tool that must be protected at all costs. However, when the policies being advanced conflict with personal ideologies, the right of self-governance suddenly becomes a responsibility that should be limited or restricted, as local level decisionmakers do not possibly have the expertise or a holistic enough perspective to make the right decision.

Take for example LD 1403, *An Act to Promote Minimum Wage Consistency by Limiting the Authority of Municipalities Regarding Minimum Hourly Pay*, which received a public hearing before the Labor and Housing Committee this week. The bill, sponsored by Rep. Joshua Morris of Turner, would prohibit municipalities from adopting ordinances regulating minimum wage, and would make "null and void" the hourly wage ordinances adopted by the residents of Portland and Rockland.

The sponsor believes the preemption is necessary to both ensure minimum wage uniformity across the state and

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the state support promised has not yet materialized which invites challenges from monied interests, not the development of defensible ordinances officials need to achieve housing goals in all communities intelligently.

Legislators questioned why towns simply couldn't adopt the new "law of the land" definitions as though each geographic and regulatory reality were the same in all communities. Many ordinances refer to accessory structures not dwelling units and determine approval based on use which impacts infrastructure, life safety codes, and traffic differently. An accessory structure can be a large sauna hot tub building, lawn equipment storage or maple syrup boiling facility and farm stand. All of the usages interact

with different requirements from parking to fencing, while the new ADU definitions require towns to divorce dwelling links from single parking ordinances, driveway and road requirements and potentially require a whole new section to be constructed for each.

For municipalities it remains unclear how to manage development in areas with finite water tables shared with all regions. Questions remain around the management of resource protection which allows payment for projects that impact sensitive wildlife and natural resources and was established with a view toward limiting those projects, and not unfettered development. With wastewater and drinking water infrastructure constructed on plans for growth prior to the adoption of LD 2003, the size of the pipes servicing designated growth areas was determined with predictable development in mind. If proposals outstrip that pipe size, development will never be for affordable housing, but will provide luxury development, exactly the opposite of the narrative used to adopt the original legislation from the beginning.

Nearly a year from enactment and the state still has not finalized the rules necessary for implementing several provisions intended by LD 2003, nor have they provided communities with technical support, the constitutionally required reimbursement or established the grant program for community organizations to assist municipalities. However, in opposition to LD 665, affordable housing advocates, and Maine Real Estate and Development Association (MEREDA) expressed that functional reality was no excuse for the delay and municipalities should suffer the consequences of their failure. In their view volunteer boards that meet twice a month and under-resourced regional planning organizations have had more than enough time to apply the ambiguous definitions found in other forms throughout ordinances and align comprehensive plans that took years to develop.

One member of the committee, Rep. Richard Campbell of Orrington, asked each one of the opponents to LD 665 if they understood the practical issues each official and subject matter expert had provided. Most responded they heard but didn't believe it was that hard, and felt the state should force it upon them instead of supporting them to figure out how to use the new law and meet the overlapping regulatory requirements than intersect with land development.

Another bill with a public hearing the same day speaks to why the delay is unpalatable for agents of the market, while also highlighting exactly the unintended problems with the LD 2003 language that is of concern municipal planners, officials, and councils of government. The committee chose to have a single public hearing on LD 1358, *An Act to Clarify Density Requirements for Affordable Housing Developments*, sponsored by Rep. Amy Kuhn of Falmouth, which seeks to change the language which currently allows a project designated to provide affordable housing to receive

Hearings of The Week: Broadband & Recall

Broadband. The Energy, Utilities, and Technology Committee will conduct a public hearing on LD 1456, *An Act to Facilitate the Expansion of Broadband* on **Tuesday, April 18 at 1:00 p.m.** in room 211 of the Cross Office Building. The bill, sponsored on behalf of MMA by Sen. Nicole Grohoski of Hancock County, in part, requires the Public Utilities Commission in consultation with the Maine Connectivity Authority, to study the methods of promoting municipal broadband expansion, through a limited-period reduction in utility pole attachment rates for broadband providers that agree to deliver new high speed Internet service at affordable rates. The study must also include an examination of wait times for new pole attachments, and an assessment regarding the preservation of common space on utility poles and the effectiveness of the commission's enforcement practices related to the relocation or removal of utility poles. The bill requires the commission to submit a report to the Joint Standing Committee on Energy, Utilities, and Technology by December 6, 2023, which is authorized to submit legislation in 2024.

Recalling Municipal Officers. The State and Local Government Committee will conduct a public hearing on LD 1181, *An Act to Allow for the Recall of an Elected Municipal Official for Any Reason* on **Friday, April 21 at 9:30 a.m.** in room 214 of the Cross Office Building. The bill, sponsored by Rep. John Andrews of Paris, amends current statute which in the absence of a municipal ordinance or charter, provides a process for recalling an elected municipal official, only if the official is convicted of a crime against the municipality. The limitation on the authority is repealed in the bill, thereby allowing a municipal official to be recalled from office for any reason.

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HEARING SCHEDULE

For the week of April 17, 2023

MONDAY, APRIL 17 – HOLIDAY

TUESDAY, APRIL 18

Education & Cultural Affairs

Room 208, Cross Building, 1:00 p.m.

Tel: 287-3125

LD 809 – An Act to Allow Regional School Units with School Choice to Opt Out of School Choice

LD 957 – An Act Requiring Water Bottle Filling Stations in New and Renovated Public Schools

LD 1113 – An Act to Require Transparency Regarding School Construction Spending

Energy, Utilities & Technology

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

Tel: 287-4143

LD 1456 – An Act to Facilitate the Expansion of Broadband

LD 1531 – Resolve, to Implement a 4-year Moratorium on Solar Energy Subsidies and Direct the Department of Environmental Protection to Study the Economic Impact of Industrial Solar Energy Projects

Health & Human Services

Room 209, Cross Building, 1:00 p.m.

Tel: 287-1317

LD 1339 – Resolve, to Establish the Task Force to Study Forming the Maine Commission on Disabilities

Innovation, Development, Economic Advancement & Business

Room 202, Cross Building, 1:15 p.m.

Tel: 287-4880

LD 675 – An Act to Improve the Convenience of Public Restrooms

State & Local Government

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

Tel: 287-1330

LD 1029 – Resolve, to Establish a Commission to Commemorate the 250th Anniversary of the Founding of the United States

LD 1233 – An Act Regarding the Maine State Cemetery Preservation Commission

Taxation

Room 127, State House, 1:00 p.m.

Tel: 287-1552

LD 1135 – An Act to Ensure that Carbon Credits Can Be Sold on Forest Land Enrolled in the Maine Tree Growth Tax Law

LD 1176 – An Act to Create Municipal Cannabis Revenue Sharing

LD 1182 – An Act to Make Revisions to the Tax Increment Financing and Development District Laws

LD 1308 – An Act to Establish Municipal Cost Components for Unorganized Territory Services to Be Rendered in Fiscal Year 2023-24

Transportation

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

Tel: 287-4148

LD 298 – An Act to Study the Shared Use of the Public Right of Way

LD 1296 – An Act to Authorize Municipalities to Allow Firefighters to Have Increased Lighting on Their Personal Vehicles

LD 1351 – Resolve, to Direct the Department of Transportation to Create a Program to Promote Transit and Transportation Research and Funding

LD 1551 – An Act to Increase Bicycle Safety by Allowing Cyclists to Treat Stop Signs as Yield Signs and Red Lights as Stop Signs

WEDNESDAY, APRIL 19

Criminal Justice & Public Safety

Room 436, State House, 9:00 a.m.

Tel: 287-1122

LD 1124 – An Act Regarding Certification Credentials for the Office of Sheriff

LD 1353 – An Act to Establish a Model Residential Ventilation Design and Installation Standard

Education & Cultural Affairs

Room 208, Cross Building, 10:00 a.m.

Tel: 287-3125

LD 293 – An Act to Revise the School Funding Formula

Health & Human Services

Room 209, Cross Building, 10:00 a.m.

Tel: 287-1317

LD 1282 – An Act to Streamline Income Verification Requests for Income Supplementation and Assistance Programs

Inland Fisheries & Wildlife

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

Tel: 287-1338

LD 491 – Resolve, to Require the Department of Inland Fisheries and Wildlife to Develop

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

a Plan for Communication Regarding Certain Municipal Regulation

LD 1000 – Resolve, to Convene a Firearm Range Safety Working Group Within the Department of Inland Fisheries and Wildlife

Judiciary

Room 438, State House, 9:00 a.m.

Tel: 287-1327

LD 609 – An Act to Ensure an Incarcerated Individual's Right to Make Free Telephone Calls Protected by Attorney-Client Privilege

LD 1603 – An Act to Implement the Recommendations of the Committee To Ensure Constitutionally Adequate Contact with Counsel

Veterans & Legal Affairs

Room 437, State House, 9:00 a.m.

Tel: 287-1310

LD 1530 – An Act to Support Patients by Permitting On-site Consumption of Medical Cannabis and Medical Cannabis Products

THURSDAY, APRIL 20

Criminal Justice & Public Safety

Room 436, State House, 1:00 p.m.

Tel: 287-1122

LD 229 – An Act to Compensate Tribal Governments for Basic Training for a Law Enforcement Officer Hired by Another Government Agency

LD 847 – An Act to Support Law Enforcement in Interactions with Individuals with Histories of Trauma

LD 911 – An Act to Amend the Laws Regarding Certain Law Enforcement Interactions and Tools for Determining Residency During Conflict Resolution

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HEARING SCHEDULE (cont'd)

For the week of April 17, 2023

LD 1247 – Resolve, to Study Training in Racial Issues, Racial Justice and Social Issues at the Maine Criminal Justice Academy and Study Additional Requirements for Law Enforcement Officers and Candidates

Education & Cultural Affairs
Room 208, Cross Building, 1:00 p.m.
Tel: 287-3125

LD 1398 – An Act to Increase Teacher Salaries

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

LD 1431 – An Act Requiring the Public Utilities Commission to Adopt Rules Promoting Renewable Energy

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

LD 219 – An Act to Promote Equity in the Permitting Appeals Process

LD 508 – Resolve, Directing the Department of Environmental Protection to Review Its Environmental Permitting Laws

LD 1393 – Resolve, To Establish the Commission to Examine Programs and Policies Regarding Natural Resources and Environmental Protection

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

LD 709 – An Act to Support Home Share Programming for Seniors

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

LD 1588 – An Act to Provide Public Sector Labor Unions Reasonable Access to Information Regarding Employees

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

LD 62 – An Act to Require Antipinch Sensors on School Bus Doors

LD 819 – An Act to Reduce the Penalty for Operating a Motor Vehicle Under a Suspended License in Certain Situations

LD 1542 – Resolve, to Direct the Department of Transportation to Study the Use of Micromobility Devices

FRIDAY, APRIL 21

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

LD 1097 – An Act to Replace Participation Thresholds in Municipal Referenda with Lower Approval Thresholds

LD 1102 – An Act to Authorize a Recall Election for a School Board Member

LD 1181 – An Act to Allow for the Recall of an Elected Municipal Official for Any Reason

LD 1239 – An Act to Make General Election Day a State Holiday and to Allow Certain Employees an Opportunity to Vote

LD 1297 – An Act to Notify School Boards and Select Boards That Lobbying Associations Are Not Governmental Agencies

LD 1336 – An Act to Increase Transparency in Municipal Ballot Referenda Expenditures

LD 1350 – An Act Regarding the Composition of the Budget Advisory Committee and the Finality of the Budget in the Franklin County Budget Process

LD 1443 – An Act to Establish a Recall Process for Public School Board Members

Veterans & Legal Affairs
Room 437, State House, 10:30 a.m.
Tel: 287-1310

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

LD 1500 – An Act to Strengthen Maine's Elections by Requiring Video Monitoring of Drop Boxes and Amending the Laws Regarding Voter Rolls and Absentee Voting Envelopes

LD 1568 – An Act to Protect Access to Absentee Ballot Drop Boxes

The following suggested guidelines were sent out by the Legislature this week with regard to submitting written testimony and testifying either in person or via Zoom:

Public hearing schedules among the Legislature's committees are becoming increasingly busy. If you are planning to testify over Zoom and also intend submit written testimony, please try to submit your written testimony 2 business days prior to the date of the public hearing. This will ensure committee members have access to your written comments when you testify.

If you plan to testify in person, please DO NOT submit testimony through the portal. Pursuant to Committee Rules of Procedure -*Persons present in the room and submitting written materials shall provide the committee clerk with at least 20 copies.*

Helpful tips when using the testimony portal:

When signing up online to testify orally using Zoom, please observe the following to ensure that you receive your link prior to the start of the Public Hearing:

- Select the LD you wish to testify for. A separate sign up is required for each LD. **The Zoom link will not be sent if you omit this step.**
- **IMPORTANT** - click the "I would like to testify electronically over Zoom" box.
- Enter your name and contact information
- Click "I am not a robot" box
- Click "Submit/Register"

Registrations received less than 30 minutes before the start of the hearing will be allowed to testify at the discretion of the Committee Chairs.

For technical issues during the meeting, please contact the Legislative Information Office at (207) 287-1692.

Yet Another Preemption ...cont'd

to provide business owners with the predictability necessary to support their operations.

Representatives from the Maine Center for Economic Policy and Maine AFL-CIO joined MMA in opposing the bill. From the perspective of these two entities, the proposed wage preemption would reduce the salaries currently earned by thousands of residents and unnecessarily tie the hands of municipal leaders and voters seeking to offset the higher costs of living experienced by members of their communities.

During the hearing a member of the committee inquired as to whether preemption of home rule authority is appropriate in some cases, citing minimum teacher salaries as an example. The “catch-22” question was expected, as the value of home rule is frequently assessed on the merits of the issue being addressed, which is subjected to the eye of the beholder. It’s powerful and necessary authority, until it’s not.

However, this black/white line of thinking loses sight of the true importance of home rule, which is an authority that entrusts local level decisionmakers (e.g., councils, town meeting participants, referendum voters, etc.) with the responsibility to decide what is best for their communities.

The authority of self-governance is a privilege that the residents of Maine’s 484 communities take seriously. No two

communities are alike. Residents are motivated by different priorities, principles, and values, which are translated into policies, ordinances and charter provisions that are debated openly and rigorously at the annual town meeting and at selectboard and council meetings. Locally constructed by residents with a strictly local impact.

Additionally, none of these decisions are made overnight or behind closed doors. Municipal government proceedings are open, heavily monitored by the media and regulated by the requirements of Maine’s Freedom of Access laws. They are also conducted at times of the day when a majority of residents are available to participate, and through the use of remote technology, now accessible at great convenience. Municipal government is truly an open book.

For these reasons, municipal officials strongly opposed the minimum wage preemption proposed in the bill. Barring an inherent risk to public health or safety, municipal leaders believe residents should retain the authority to weigh the benefits and risks and make decisions on a variety of issues that address the community’s interests and priorities.

A work session on this preemption attempt is likely to be scheduled in the coming weeks.

IN THE HOPPER

Criminal Justice & Public Safety

LD 847 – An Act to Support Law Enforcement in Interactions with Individuals with Histories of Trauma (Sponsored by Rep. Gramlich of Old Orchard Beach)

This bill requires the Department of Public Safety to develop and implement a program to provide law enforcement officers with trauma-informed training and to work with municipalities to implement a program to employ clinical social workers embedded within municipal police departments.

LD 1247 – Resolve, to Study Training in Racial Issues, Racial Justice and Social Issues at the Maine Criminal Justice Academy and Study Additional Requirements for Law Enforcement Officers and Candidates (Sponsored by Rep. Gramlich of Old Orchard Beach)

This resolve establishes the 17-member Law Enforcement Training and Qualifications Study Committee, which includes representation from a statewide association of municipal police chiefs, county sheriffs and municipalities. The committee is directed to review: (1) the history and purpose of the Maine Criminal Justice Academy (MCJA); (2) any job task analysis completed by the Department of Public Safety that examine the role of rural and urban law enforcement, need for additional training resources, and the impacts different models have on policing outcomes and quality of life for residents and visitors; (3) strategies to enhance recruitment of law enforcement officers from underrepresented communities; and (4) the working relationships between MCJA and institutions of higher education. The committee is also directed to seek input from municipal, county and state law enforcement agencies regarding training at MCJA, compile recommendations for improving

(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.)

the training of law enforcement officers via community and education partnerships, and no later than January 3, 2024, submit a report to the Joint Standing Committee on Criminal Justice and Public Safety, which is authorized to submit legislation for consideration in 2024.

LD 1353 – An Act to Establish a Model Residential Ventilation Design and Installation Standard (Sponsored by Rep. Kessler of South Portland)

This bill prohibits a municipality from adopting standards for the design and installation of residential mechanical ventilation systems, beyond what may be specified in the Maine Uniform Building and Energy Code, other than the Canadian Standards Association’s Standard for Residential Mechanical Ventilation Systems F326-M91.

Education & Cultural Affairs

LD 1398 – An Act to Increase Teacher Salaries (Sponsored by Rep. Collings of Portland)

This bill incrementally increases minimum teacher salaries from \$42,500 to \$60,000 in FY 2032, after which the minimum salary must

No Palliative Politics on Planning...cont'd

twice the allowable density for the benefit.

In the current statute, it is the developer who determines how many units of that double sized development are affordable, and then only requires the majority of those designated units to meet the affordable 30% of monthly income threshold. As established, a developer could receive a density bonus to build 200 units in a 100-unit area and designate just five of those units as affordable. As long as three of the units actually were, the project could be awarded twice the allowable size. LD 1358 changes that language to require that only development with a majority of units to be constructed with rent or ownership in the affordable range could receive that double density bonus.

Officials believe this is one vital change of many which are necessary.

The other bill to receive a single public hearing was, LD 654, *Resolve, Directing the Finance Authority of Maine to Establish a Pilot Program to Encourage the Development of Accessory Dwelling Units*, sponsored by Sen. Matthew Pouliot of Kennebec County, which seeks to create a pilot program with the Finance Authority of Maine to level the

playing field for developing ADUs providing low or no cost loans to Maine residents. Municipal officials support this initiative as well, and a few have started local ADU grant processes to encourage lower income access to additional housing that promotes aging in place for older residents.

The committee cancelled the work sessions that were scheduled for April 18 on the housing bills heard this week but will likely reschedule them soon.

The Association is deeply grateful for the unsung, unpaid municipal volunteers, officials and planning staff who submitted testimony, drove hours to attend the public hearing in person and waited hours to provide testimony virtually on Tuesday. Each of you provided a sound testament to the willingness of municipal government to truly achieve the affordable housing goals envisioned by LD 2003, and tangible questions that still need answers. Hopefully your messages will land with legislators and remind them that community buy-in is a crucial component of any successful policy initiative at the local level. As you highlighted, to achieve this municipalities need practical not palliative policy support.

Advocacy staff will keep you posted.

IN THE HOPPER (cont'd)

be increased by a cost-of-living adjustment. The bill also provides that federal funds, if available, will be used to fund increases, otherwise state funds will be appropriated until 2032 and afterwards municipal revenues will be used to pay for the cost of the annual increases.

Environment & Natural Resources

LD 508 – Resolve, Directing the Department of Environmental Protection to Review Its Environmental Permitting Laws (Sponsored by Sen. Grohoski of Hancock Cty.)

This resolve requires the Department of Environmental Protection to review its environmental permitting authority, including the laws governing site location of development and the Natural Resources Protection Act, to consider whether changes are necessary to better consider climate change, habitat connectivity, ecological resilience, and the coastal marine environment. It further directs the department to submit a report to the Joint Standing Committee on Environment and Natural Resources by December 6, 2023, which is authorized report out legislation.

Health & Human Services

LD 1339 – Resolve, to Establish the Task Force to Study Forming the Maine Commission on Disabilities (Sponsored by Rep. Sachs of Freeport)

This resolve, established the 14-member Task Force to Study Forming the Maine Commission on Disabilities, which includes a code enforcement officer and a representative of MMA. The task force shall determine what services are currently provided by state agencies, including but not limited to the Departments of Health and Human Services, Inland Fisheries and Wildlife, and Labor, the Maine State Library and the State Workforce Board, and how a commission on

disabilities model is used in other states to. No later the December 6, 2023, the bill also requires the task force to submit a report to the Joint Standing Committee on Health and Human Services, which is authorized to introduce legislation in 2024.

Inland Fisheries & Wildlife

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)

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.

LD 1000 – Resolve, to Convene a Firearm Range Safety Working Group Within the Department of Inland Fisheries and Wildlife (Sponsored by Rep. Roberts of South Berwick)

This resolve directs the Department of Inland Fisheries and Wildlife to convene a firearm range safety working group, including municipal officials from municipalities where firearm ranges are located, to study whether firearm ranges have access to the most current standards regarding and information on ensuring the safe operation of firearm ranges and any possible improvements to firearm range safety statewide. The department is further directed to report findings, including any recommended legislation, to the Joint Standing Committee on Inland Fisheries and Wildlife no later than December 6, 2023.

Streamlining School Budget Referendums

The Veterans and Legal Affairs Committee held a work session on one of MMA’s platform bills LD 1022, *An Act to Allow School Budget Referenda on the Same Day as Primary Elections*, sponsored by Rep. Amy Arata of New Gloucester.

The intent of the bill is to streamline and create efficiencies in the school budget referendum process so that it coincides with local elections within those districts. A change to the language by the bill’s sponsor altered the measure from a requirement to an option.

At the public hearing, held on March 22, the Maine Town & City Clerks Association (MTCCA) and MMA offered friendly amendments that would shift the costs of conducting the school budget referendum elections to the state if the figures needed to create an accurate budget were not available to the schools in time for the referendum to be put on the local ballot. Maine School Management Association (MSMA) rose in opposition to the bill and stated that based on a poll of their members, in 80% of the cases the dates already align, and this decision is better left flexible and locally made.

Committee members suggested that this bill would be better served in the Education and Cultural Affairs Committee and considered rereferring the bill to their sphere. However, the fact that this bill didn’t resonate with MSMA gave some

members pause, and ultimately a motion of ought not to pass was made.

The bill was voted out of committee with a divided report—six in favor of the motion and three opposed. The minority report was also split with two members opting to refer the bill to the Education and Cultural Affairs committee and one member voting ought to pass as amended, to include MMA and the MTCCA’s proposed amendment and to change the language so that it is a requirement.

LEGISLATIVE BULLETIN

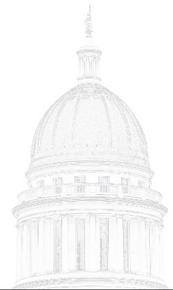
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IN THE HOPPER (cont'd)

Labor & Housing

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

Under existing statutes, public employers must provide the bargaining agent of a labor union personal information (e.g., name, job title, workplace location, home address, telephone numbers, email addresses, etc.) about employees 30 calendar days after the date of hire. This bill requires public employers to provide personal information 30 calendar days after the date of request by a labor union representative.

State & Local Government

LD 1233 – An Act Regarding the Maine State Cemetery Preservation Commission (Sponsored by Rep. Greenwood of Wales)

This bill expands the duties of the Maine State Cemetery Preservation Commission to include investigation of violations of the laws governing burying grounds and cemeteries reported to the commission by municipalities, state and local law enforcement agencies and statewide associations dedicated to the preservation or the maintenance of cemeteries. The bill also expands the commission’s powers, to include the authority to hire staff, create a website, prepare educational materials for distribution to municipalities and associations dedicated to the preservation of cemeteries, establish a grant program to provide funds for the restoration of burying grounds and cemeteries, and to submit annually to the Legislature proposals for the appropriate care, protection, preservation and access to cemeteries. The bill increases

the burial-transit permit fee by \$5 to fund the commission’s operations. Finally, the bill directs the commission to submit a report to the joint standing committee having jurisdiction over state and local government matters related to the grant program and authorized the committee to report out implementing legislation in 2025.

LD 1297 – An Act to Notify School Boards and Select Boards That Lobbying Associations Are Not Governmental Agencies (Sponsored by Rep. Andrews of Paris)

This bill requires nongovernmental agencies or organizations or other private entities that have as their mission or purpose or as part of their activities the influencing of school boards, select boards, school board directors, elected municipal officials or school board or municipal affairs to register with the secretary of the school board or municipal clerk prior to having contact with, submitting information to or engaging in an official capacity the school board, select board, school board directors or elected municipal officials. School board directors and elected municipal officials are required to sign forms acknowledging that nongovernmental entities on the list are not governmental agencies, have no governmental authority and are private entities that have as their mission or purpose or as part of their activities the influencing of school boards, select boards, school board directors, elected municipal officials or school board or municipal affairs.

LD 1336 – An Act to Increase Transparency in Municipal Ballot Referenda Expenditures (Sponsored by Rep. Matlack of St. George)

This bill requires organizations that qualify as ballot question committees and spend more than \$5,000 to influence a municipal referendum campaign in a town or city with a population of less than



IN THE HOPPER *(cont'd)*

15,000 to file registrations and reports with the municipal clerk. This requirement currently applies in municipalities with populations of 15,000 or more.

Taxation

LD 1176 – An Act to Create Municipal Cannabis Revenue Sharing (Sponsored by Rep. Adams of Lebanon)

This bill directs that 20% of the money credited to the Adult Use Cannabis Public Health and Safety and Municipal Opt-in Fund be provided to municipalities that opted to permit some or all adult use cannabis establishments.

Transportation

LD 62 – An Act to Require Antipinch Sensors on School Bus Doors. (Sponsored by Rep. Golek of Harpswell)

This bill requires school buses to be equipped with the technology necessary to prevent a school bus door from closing on a person's limb.

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

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 bill changes the length of the red light bar from no more than 10 inches in length up to the width between the tops of the doors on the roof of the vehicle.

Veterans & Legal Affairs

LD 1500 – An Act to Strengthen Maine's Elections by Requiring Video Monitoring of Drop Boxes and Amending the Laws Regarding Voter Rolls and Absentee Voting Envelopes (Sponsored by Rep. Boyer of Poland)

This bill requires registrar of voters, when conducting maintenance of voter information, to cancel the registration record of a voter who is determined to have moved out of the community or who is deceased. The bill also requires video monitoring and recording of ballot drop boxes during the absentee voting period and requires municipalities to retain the video for one year.

LD 1568 – An Act to Protect Access to Absentee Ballot Drop Boxes (Sponsored by Rep. Roberts of South Berwick)

This bill provides that a person who knowingly blocks or attempts to block access to a secured absentee ballot drop box commits a Class E crime. The bill also prohibits the display or distribution of advertising material intended to influence a voter's decision for the 45 days preceding an election when the clerk's office is receiving absentee ballots in a secured drop box.