



LEGISLATIVE BULLETIN

A publication of the Maine Municipal Association • Vol. XLV No. 15 • APRIL 28, 2023

TIFs and Pine Trees

Improving the Housing Tools for Public - Private Partnerships

On Wednesday morning, the Taxation Committee held a public hearing on an MMA platform bill LD 1493, *An Act to Increase Affordable Housing by Expanding Tax Increment Financing*, sponsored by Rep. Raegan LaRoche of Augusta. The bill intends to create Pine Tree Affordable Housing Zones that would allow a developer to receive a sales tax exemption for the goods, services, and electricity used to rehabilitate buildings or new developments for workforce or affordable housing. In addition, the bill would allow the retained value created by a tax increment financing (TIF) zone to be used anywhere in the municipality for those same housing development purposes.

While the Department of Administrative and Financial Affairs did not oppose the initiative, in their neither for nor against testimony a department representative did raise concerns with the language in the printed bill that would need improvement. Primarily, the bill should further define a qualified project, affordable and workforce housing and provide the ability to establish project guidelines.

No one opposed the bill.

Municipal officials submitting testimony in support of the bill highlighted the ways that TIF district revenues are used now to assist in workforce and low to moderate income housing projects and emphasized the need for additional tools to improve the revenue to debt ratios that banks need to finance projects that would otherwise not be able to be built.

The pandemic market reality has made the cost of construction too high, quickly outpacing even the credit enhanced agreements achievable in TIF districts. Municipal officials see the sales tax exemption for such projects as key to keeping them affordable to meet the levels of need in communities seeking employees for the businesses they hope to attract. Housing and economic development are deeply intertwined.

As Sanford city manager, Steve Buck testified, “a localized workforce aids in reducing traffic, greenhouse gas emissions, and increases the economic multiplier of the associated economic development and workforce payroll.”

Communities are choosing to forego short-term tax receipts

for long term benefits of developing attainable housing that builds permanent communities and the foundation for future growth. Allowing the retained value to be used for housing, including rehabilitation, for the same purposes anywhere in the community would not only improve the types of housing available, but it could also be used to improve Maine’s aging housing stock. Included projects could allow seniors to age in place in warmer homes and with a new neighbor of the same generation.

While the legislative buzzwords in Augusta speak to “affordable” housing, most of the legislation enacted to date has served only to increase market housing for the highly capitalized. This initiative, which enhances municipal tools already in use to keep housing attainable and meet community needs, will have a work session next Thursday, May 4, at 2:00 p.m.

Motor Vehicle Excise Tax Under Scrutiny...Yet Again.

Just as the tulips and daffodils bloom each spring, a first session is officially under way when the Taxation Committee schedules hearings to discuss the merits of Maine’s motor vehicle excise tax system. The formula used to calculate the amount of excise tax owed relies on the manufacturer’s suggested retail price (MSRP) and a decreasing mil rate schedule adopted in state statute. For a first-year model vehicle the mil rate is 24 mils and declines to four mils in the sixth and subsequent years.

The main objection to the existing system is that Maine residents are paying more tax than necessary, as often the sales price of the vehicle is far less than the MSRP.

A rational argument... only if municipalities were collecting a sales tax.

Instead, the excise tax is paid in lieu of a property tax, and therefore assessed on the value of the property, in this

(continued on page 2)

Motor Vehicle Excise Tax...cont'd

case established by the MSRP. The current process ensures that everyone in the community and state, regardless of negotiating skills and access to trade-in vehicles, is treated equally in the assessment of the motor vehicle excise tax.

However, the fact that the excise tax is rooted in long-established property tax law and assessment principles is of no solace to those who vehemently believe they are paying for something they did not purchase. For that reason, on Wednesday the committee held public hearings on four bills seeking to amend the way in which the tax is assessed.

LD 1381, *An Act to Create Fairness in Maine's Motor Vehicle Excise Tax by Basing the Tax on the Sales Price*, is sponsored by Sen. Stacey Guerin of Penobscot County, and as the title suggests requires the use of the sales price as the base for calculating the excise taxes owed, as opposed to the MSRP. In this case, an individual registering a first-year model car with a MSRP of \$50,000 that was purchased for \$45,000, would pay \$1,080 rather than \$1,200 in excise taxes for a savings of \$120. However, the benefit enjoyed by the owner of the vehicle results in a loss for the community left to find other avenues for replacing the revenue used to fund school, county and municipal government programs and services.

In response to that concern, Sen. Guerin's bill requires the state to reimburse municipalities for 100% of the lost property tax revenue.

While the reimbursement is appreciated, the concern among municipal leaders is sustainability; that is, will the state be able to adhere to the financial commitment in perpetuity. To make matters worse, the constitutional amendment requiring the state to reimburse municipalities no less than 50% for the lost property tax revenues associated with an exemption does not

apply to motor vehicle excise taxes. As a result, a future legislature could reduce reimbursement to zero. Lending legitimacy to that concern, the sponsor suggested to the committee that the reimbursement provision could be sunset a few years down the road.

To address the concerns raised by proponents of the MSRP assessment approach and without depleting municipal coffers, Rep. Joe Perry of Bangor introduced LD 1168, *An Act to Adjust the Motor Vehicle Excise Tax Rates*. As proposed, the bill would subtract \$15,000 from the MSRP before assessing the tax based on an increased and expanded depreciation schedule. Envisioned in LD 1168 is a tax schedule that begins at 35 mils in the first year and gradually decreases to 10 mils in the tenth and subsequent years. Over the course of 10 years, the owner of a newly purchased \$50,000 vehicle would pay \$8,120 in excise taxes. Under the current model, \$4,575 would be paid over the same period.

While for new vehicles the amendment would generate significantly more revenue, the net impacts will be determined by the value and age of all the vehicles registered in the community. As an example, over a five-year period a 10-year-old vehicle with an MSRP of \$20,000 would generate a total of \$400 in excise tax revenue under the current system and \$250 under the model proposed in LD 1168. Clearly, additional data is necessary to determine the full impact of this approach.

The committee also heard testimony on two other motor vehicle excise tax related bills, both introducing new twists on the issue.

LD 1486, *An Act to Exempt Tractor Trailer Trucks from the Excise Tax*, sponsored by Sen. Trey Stewart of Aroostook County, would extend a full exemption to larger commercial vehicles, in recognition of the increasing fuel, maintenance and equipment costs

being borne by owners. LD 1524, *An Act to Eliminate the Excise Tax on Recreational Vehicles and Permit Municipal Adoption of Fees to Cover the Cost of Municipal Services to Campgrounds and Recreational Vehicle Parks*, sponsored by Rep. Heidi Sampson of Alfred, would exempt certain recreational vehicles (RV) from the excise tax, but in turn authorize municipalities to assess fees on campgrounds and parks that host RVs to recoup the lost revenues.

From the municipal perspective, LD 1486 is concerning because it shifts burdens onto the property taxpayers who have no control over the cost drivers facing the trucking industry. While municipal officials appreciate the effort in LD 1524 enabling communities to recoup lost RV excise tax revenue, the solution is only available to municipalities where the facilities are located.

To date, only LD 1168 has been scheduled for a work session, which will take place on Tuesday, May 2 at 1:00 p.m.

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

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

Layout: Sue Bourdon, Advocacy & Communications



HEARING SCHEDULE

For the week of May 1, 2023

MONDAY, MAY 1

Education & Cultural Affairs

Room 208, Cross Building, 10:30 a.m.

Tel: 287-3125

LD 1420 – An Act to Strengthen Maine’s Elementary and Secondary Education System by Clarifying Purposes and Procedures for Reviews of Schools

LD 1528 – Resolve, to Establish a Pilot Program and Convene a Work Group Regarding the Provision of Services by the Child Development Services System

Environment & Natural Resources

Room 216, Cross Building, 11:30 a.m.

Tel: 287-4149

LD 1641 – Resolve, to Further Study the Role of Water as a Resource

LD 1723 – An Act to Prevent the Automatic Transfer of Permits and Contracts in a Sale of Assets of a Water Export Company Without Review and to Amend the Membership of the Water Resources Planning Committee and the Maine Public Drinking Water Commission

1:00 p.m.

LD 1081 – An Act to Impose a Fee on Commercial Water Withdrawn from Lakes and Ponds to Fund Conservation Efforts and Prohibit a Fee on the Sale of Water Withdrawn from a Lake or Pond

LD 1473 – An Act to Protect Certain Unfiltered Drinking Water Sources

Health & Human Services

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

Tel: 287-1311

LD 1751 – An Act to Maximize Federal Funding in Support of Emergency Medical Services

Judiciary

Room 438, State House, 12:00 p.m.

Tel: 287-1327

LD 776 – RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish the Right to Bodily Autonomy

LD 1343 – An Act to Protect the Reproductive Freedom of Maine People by Preempting the Field of Abortion Regulation

TUESDAY, MAY 2

Education & Cultural Affairs

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

Tel: 287-3125

LD 1300 – An Act to Give the Governing Board of a Municipality Input into the Budget Developed by a School Board

LD 1370 – An Act to Simplify the School Budget Validation Process

LD 1571 – An Act to Provide Meaningful Public Participation at Local School Board Meetings

LD 1748 – An Act to Reform the School Budget Referendum Process by Limiting the Circumstances in Which Referenda Occur

Energy, Utilities & Technology

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

Tel: 287-4143

LD 1791 – An Act to Make the ConnectMaine Authority Responsible for Attachments to and Joint Use of Utility Poles and to Establish Procedures for Broadband Service Infrastructure Crossing Railroad Tracks

Health Coverage, Insurance & Financial Services

Room 220, Cross Building, 1:00 p.m.

Tel: 287-1314

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

Labor & Housing

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

Tel: 287-1331

LD 1636 – An Act to Ensure the Right to Work Without Payment of Dues or Fees to a Labor Union

LD 1707 – An Act to Allow Workers to Work Without Having to Pay Labor Organization Service Fees

State & Local Government

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

Tel: 287-1330

LD 1067 – Resolve, to Create the Commission to Study the Operations of the Maine Legislature

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/>.

LD 1734 – An Act to Clarify the Authority of Municipalities to Regulate Short-term Rentals

LD 1744 – An Act to Strengthen Accountability in Rulemaking by Providing for Legislative Oversight

LD 1758 – An Act to Require a Municipality to Pay a Homeless Shelter on a Per Capita Basis for Persons Released or Delivered by the Municipality to the Shelter

LD 1733 – An Act to Require the Revenue Forecasting Committee to Prepare Economic Impact Statements for Certain Legislation

Transportation

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

Tel: 287-4148

LD 467 – An Act to Require Accessible Electric Vehicle Charging Stations

LD 1640 – An Act to Require Industry Training and Certification for Persons Undertaking Corrosion Prevention and Mitigation for Bridges

LD 1711 – An Act to Provide for Safe Roadway Construction Design Criteria

LD 1780 – An Act to Regulate the Operation of Micromobility Devices on Public Ways

WEDNESDAY, MAY 3

Environment & Natural Resources

Room 216, Cross Building, 1:00 p.m.

Tel: 287-4149

LD 1418 – An Act Concerning Single-use Disposable Water Bottles and Water Refill Stations

(continued on page 4)

HEARING SCHEDULE *(cont'd)*

For the week of May 1, 2023

LD 1570 – An Act to Create the Storm Water Infrastructure Repair and Replacement Fund

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

LD 1719 – An Act to Establish Substance Use Disorder Treatment Centers

Taxation
Room 127, State House, 1:30 p.m.
Tel: 287-1552

LD 1434 – An Act to Abolish the Maine Income Tax and Establish a Zero-based Budget

LD 1743 – An Act to Eliminate the Personal Property Tax

Veterans & Legal Affairs
Room 437, State House, 1:00 p.m.
Tel: 287-1310

LD 1610 – An Act to Prohibit Campaign Spending by Foreign Governments and Promote an Anticorruption Amendment to the United States Constitution

LD 1805 – An Act to Increase State Oversight of Election Funding by Requiring Approval by the Legislature

THURSDAY, MAY 4

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

LD 1611 – An Act to Create the Pine Tree Power Company, a Nonprofit, Customer-owned Utility

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

LD 1582 – An Act to Clarify What Constitutes a Homestead for the Homestead Property Tax Exemption

FRIDAY, MAY 5

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

LD 81 – An Act to Address Recovery Residence Participation in the Municipal General Assistance Program

LD 182 – An Act to Create a 9-month Time Limit on General Assistance Benefits for Able-bodied Adults Without Dependents

LD 183 – An Act to Incorporate Time Limits on the Temporary Assistance for Needy

Families Program into Municipal General Assistance Programs

LD 268 – An Act to Establish a 45-day Municipal Residency Requirement for General Assistance Programs

LD 364 – An Act to Prohibit the Use of General Assistance as a Replacement for Available Resources

LD 454 – An Act to Establish a 180-day State Residency Requirement for Municipal General Assistance

LD 1426 – An Act to Secure Housing for the Most Vulnerable Maine Residents by Amending the Laws Governing Municipal General Assistance

LD 1664 – An Act to Increase Reimbursement Under the General Assistance Program

LD 1675 – An Act to Amend the Laws Governing the General Assistance Program Regarding Eligibility, Housing Assistance and State Reimbursement and to Establish a Working Group

LD 1732 – An Act to Expand the General Assistance Program

IN THE HOPPER

Education & Cultural Affairs

LD 1370 – An Act to Simplify the School Budget Validation Process (Sponsored by Rep. Mastraccio of Sanford)

This bill requires that a vote on the question of whether to continue an annual regional school unit budget validation referendum process take place on the next general election date in November of the third year following the previous vote on that question. The bill raises the number of voters required on a petition for an article to consider reinstatement of a budget validation referendum process from 10% to 25% of the number of voters voting in the last gubernatorial election. A vote on a budget validation referendum may not be considered valid unless the number of voters voting on the referendum is equal to or greater than 25% of the total number of voters who voted in the last gubernatorial election in the area covered by the regional school unit seeking the budget validation. If the number of voters voting on the referendum is less than 25%, the budget is considered to be approved.

LD 1748 – An Act to Reform the School Budget Referendum Process by Limiting the Circumstances in Which Referenda Occur (Sponsored by Rep. Abdi of Lewiston)

This bill provides that a budget validation referendum is only required

(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.)

if a written petition, signed by at least 20% of the number of voters voting in the last gubernatorial election in the municipalities in the school administrative unit, is filed with the unit's school board within 30 days of the approval of the budget at a budget meeting.

LD 1300 – An Act to Give the Governing Board of a Municipality Input into the Budget Developed by a School Board (Sponsored by Rep. Campbell of Orrington)

This bill provides that a school budget must be jointly approved by the municipal officers of each municipality that is a part of that school district prior to being submitted to the voters for approval. The municipal officers may propose amendments to the proposed budget. A school budget must be approved by a majority vote of all members of the school board and municipal officers present

Hearings of the Week: MMA GA Bills Scheduled

The Health and Human Services Committee will conduct a mega public hearing on several General Assistance (GA) related bills on **Friday, May 5 at 10:00 a.m.** in room 209 of the Cross Office Building. Two of the bills on the hearing docket were advanced on behalf of MMA's Legislative Policy Committee.

Increased Reimbursement. LD 1664, *An Act to Increase Reimbursement Under the General Assistance Program*, sponsored by Sen. Marianne Moore of Washington County, simply increases reimbursement under the GA program from 70% to 90% as of July 1, 2023.

GA Program Reform. LD 1732, *An Act to Expand the General Assistance Program*, sponsored by Rep. Michele Meyer of Eliot, proposes more substantive changes to address concerns raised with program administration and enforcement, as well as to better share the cost of dispersing the aid between the state and municipalities. Specifically, the bill: (1) requires overseers and designated or appointed municipal officials administering the program to complete training within 120 days of election or appointment; (2) requires municipalities to accept applications for general assistance during regular business hours; (3) amends provisions governing the municipality of responsibility

to increase the provision of assistance from 30 days to six months when a municipality assists an applicant in relocating to another community and from six months to 12 months when an applicant is residing in a group home, shelter, rehabilitation center, nursing home or hospital or in a hotel, motel or other temporary housing; (4) increases from 70% to 90% the amount of state reimbursement for the costs of general assistance incurred by each municipality and Indian tribe; (5) provides state reimbursement for additional program costs, including emergency general assistance, temporary housing, interpreter services and administrative expenses; and (6) requires the Department of Health and Human Services to provide the services necessary to support municipalities, including education and training for certain state employees, 24-hour technical assistance, written decisions and access to statewide database.

Municipal officials interested in either participating in the hearing in Augusta, testifying via Zoom, or submitting written comments are encouraged to contact Kate Dufour (kdufour@memun.org or 1-800-452-8786). Considering the volume of bills to be heard on Friday, it is likely participants will be asked to testify on several bills at once and keep testimony to a yet to be determined time limit.

IN THE HOPPER (cont'd)

Environment & Natural Resources

LD 1418 – An Act Concerning Single-use Disposable Water Bottles and Water Refill Stations (Sponsored by Rep. Gramlich of Old Orchard Beach)

Of note, this bill provides that beginning January 1, 2024, each facility or function of state or local government that is open to the public or that is regularly used by employees must include a reasonably accessible water refill station. The bill also limits the sale of single-use water bottles that are less than liter at a facility or function of the State or a political subdivision, and further prohibits state and local governments from purchasing bottles of water that are less than one liter in size.

LD 1570 – An Act to Create the Storm Water Infrastructure Repair and Replacement Fund (Sponsored by Rep. Ankeles of Brunswick)

This bill establishes the Storm Water Infrastructure Repair and Replacement Fund in the Department of Environmental Protection for the purpose of issuing grants to municipalities to repair or replace storm water infrastructure. It provides funding for grants and one Environmental Engineer position and requires the department to explore alternative stable funding sources for the fund and to submit

recommendations to the Joint Standing Committee on Environment and Natural Resources, which is authorized to submit legislation in 2024.

Health & Human Services

LD 182 – An Act to Create a 9-month Time Limit on General Assistance Benefits for Able-bodied Adults Without Dependents (Sponsored by Sen. Brakey of Androscoggin Cty.)

This bill limits general assistance program benefits to 275 days every five years to individuals who do not have dependents and who can work.

LD 183 – An Act to Incorporate Time Limits on the Temporary Assistance for Needy Families Program into Municipal General Assistance Programs (Sponsored by Sen. Brakey of Androscoggin Cty.)

This bill provides that a person who has exhausted the 60-month lifetime limit on Temporary Assistance for Needy Families (TANF) program benefits is ineligible general assistance, except for individuals who either: (1) have been ineligible for TANF for five or more years; or (2) in the process of seeking an extension of TANF benefits.

LD 268 – An Act to Establish a 45-day Municipal Residency

FOIAs For All

Two bills were up for a public hearing in the Judiciary Committee on a rainy Wednesday morning. Bill sponsor Rep. John Andrews of Paris presented LD 1699, *An Act to Amend the Freedom of Access Act and Related Provisions*, which aims to spark a faster response time for an agency to respond to Freedom of Information Act (FOIA) requests by requiring an agency to fulfill an FOIA request within 60 days. As written, the bill would cap the fees that could be charged for complying with a request, create a form to use for FOIA requests, and require 501(c)(3) organizations to be subjected to FOIA requests as well.

Other than the bill sponsor, no one came forward in support of the measure.

Several associations showed up to oppose LD 1699, all with similar sentiments—60 days is not nearly enough time, the cap on the fees is insufficient, and 501(c)(3) organiza-

tions should not be subject to FOIA requests. The Maine Education Association (MEA) described how most school districts have a good balance when it comes to fulfilling FOIA requests. However, in recent years, there are a few radical community members who are using this as a tool to scrutinize and harass school employees. MEA added that the cap to the fees fails to recognize the amount of staff time it takes to respond to broad requests and explained that each document needs to be thoroughly inspected so that any confidential information is redacted.

MEA's points were backed up by the Maine School Management Association who maintains that 60 days appears reasonable but with all the work it takes staff to gather and inspect the documentation to protect confidentiality, the task could quickly become incredibly time consuming. Furthermore, if nonprofits are added to the list of organizations subject

(continued on next page)

IN THE HOPPER (cont'd)

Requirement for General Assistance Programs (Sponsored by Sen. Brakey of Androscoggin Cty.)

This bill establishes a 45-day residency requirement for municipal general assistance applicants.

LD 364 – An Act to Prohibit the Use of General Assistance as a Replacement for Available Resources (Sponsored by Sen. Brakey of Androscoggin Cty.)

This bill makes a general assistance applicant who voluntarily abandons or refuses to use an available resource without just cause ineligible to receive general assistance to replace the abandoned resource for a period of 120 days from the date the applicant abandons the resource. The bill also makes an applicant who forfeits receipt of or causes a reduction in benefits from an available resource due to fraud, misrepresentation or intentional violation or refusal to comply with rules without just cause, ineligible to receive general assistance to replace the forfeited or reduced benefits for the duration of the sanction imposed on the applicant for violation of a rule or 120 days, whichever is greater. The bill identifies circumstances relating to use of available resources under which just cause must be found to include an unreasonable requirement, discrimination, risk to applicant health or safety, or an inability to access available resources due to a lack of public or private transportation.

LD 454 – An Act to Establish a 180-day State Residency Requirement for Municipal General Assistance (Sponsored by Sen. Brakey of Androscoggin Cty.)

This bill establishes a 180-day state residency requirement for applicants for municipal general assistance.

LD 1426 – An Act to Secure Housing for the Most Vulnerable Maine Residents by Amending the Laws Governing Municipal General Assistance (Sponsored by Rep. Mathieson of Kittery)

This bill: (1) requires an overseer, no later than the 120th day following appointment or election, to complete training on the requirements of the municipal general assistance program; (2) replaces, for determining

the maximum level of assistance, the fair market value determination with setting the assistance at the equivalent amount of rental assistance provided for tenant-based housing choice vouchers under Section 8 of the United States Housing Act of 1937 except that the benefit level may not be less than the difference between the applicant's income and 110% of the area's fair market rent; (3) provides that if general assistance is being used to pay rent for an applicant whose rent is subject to a lease an overseer may redetermine the applicant's eligibility annually; (4) increases from 70% to 90% the amount of state reimbursement for the costs of general assistance incurred by a municipality and each Indian tribe; (5) directs the Department of Health and Human Services to: (a) reimburse each municipality for 5% of the direct costs of paying benefits incurred through its general assistance program; (b) establish and provide overseers with access to a statewide database for tracking applicants for the general assistance program and expenses relating to the program; (c) provide assistance to municipalities with regard to processing applications for the general assistance program; (d) establish a hotline that is available 24 hours per day in order to provide consistent, accurate advice to overseers; and (e) respond to requests for assistance within 24 hours.

LD 1675 – An Act to Amend the Laws Governing the General Assistance Program Regarding Eligibility, Housing Assistance and State Reimbursement and to Establish a Working Group (Sponsored by Rep. Brennan of Portland)

This bill amends the law governing the general assistance program to provide that a municipality must calculate housing assistance equivalent to the amount of rental assistance provided for tenant-based housing choice vouchers under Section 8 of the United States Housing Act of 1937. The bill extends the period of eligibility from one month to six months. Beginning July 1, 2023, when a municipality incurs net general assistance costs in excess of 0.008% of that municipality's most recent state valuation relative to the state fiscal year for which reimbursement is being issued, the Department of Health and Human Services must reimburse the municipality for 90% of the amount in excess of these expenditures. The bill also directs the department

FOIAs for All...cont'd

to FOIA, what comes next, the Girl Scouts or the YMCA?

With no one rising neither for nor against LD 1699, the committee closed that public hearing and moved on. The next bill of municipal interest to be heard was LD 1649, *An Act to Support Local Governments in Responding to Freedom of Access Act Requests*, sponsored by Rep. Maureen Terry of Gorham.

In part, the bill requires school personnel who are the subject of a public record request to be notified and allowed the opportunity to inspect the requested records before they are released.

It was crystal clear, unlike the weather outside, that this bill was proposed in response to an incident that happened within a Maine school district and several members of the public spoke in support of the measure, referencing the

details of the event.

The Gorham Superintendent of Schools rose to speak in support of the bill and encouraged committee members to look to their website that they use as a platform for posting all FOIA requests, as well as the information that was sent in response. This recommendation was well received by committee members and perhaps a move that all public agencies should consider. If one person is looking for information, then it is likely someone else is too and would benefit from the information being posted. This has the potential to mitigate the number of frivolous requests that seem to have occurred in recent years.

LD 1699 and LD 1649 are both scheduled for a work session at 1:00 p.m. on Wednesday, May 3, in room 438 of the State House.

IN THE HOPPER (cont'd)

to establish a working group to study and make recommendations related to a uniform intake process and the conversion of the general assistance program into a housing assistance program.

LD 1751 – An Act to Maximize Federal Funding in Support of Emergency Medical Services (Sponsored by Sen. Curry of Waldo Cty.)

This bill establishes an ambulance service assessment fee on ambulance service providers to maximize federal funding for reimbursement to ambulance service providers under the MaineCare program. It also increases the reimbursement rates under the MaineCare program for ambulance services, neonatal transport, no-transport calls and community paramedicine.

Health Coverage, Insurance & Financial Services

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.)

This bill proposes statutory changes based on an Emergency Medical Services' Board stakeholder group report, which: (1) removes 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) removes the limitation that carriers are only required to reimburse for covered emergency services provided by an ambulance services provider; (3) requires health insurance carriers to reimburse ambulance service providers for non-transporting services at the same reimbursement rates for covered emergency services; and (4) prohibits health insurance carriers from requiring an ambulance services provider 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 requires carriers to reimburse for those services.

State & Local Government

LD 1733 – An Act to Require the Revenue Forecasting Committee to Prepare Economic Impact Statements for Certain Legislation (Sponsored by Rep. Millett of Waterford)

This bill requires, at the request of three or more members of a legislative committee, the Revenue Forecasting Committee to prepare an economic impact statement for any legislation that creates a new workforce program or amends employment, labor or taxation laws.

LD 1734 – An Act to Clarify the Authority of Municipalities to Regulate Short-term Rentals (Sponsored by Rep. Hasenfus of Readfield)

This bill changes the definition of “short-term rental unit” to include lodging places that are not required to be registered under state statutes to the list of units subjected to related municipal ordinances.

LD 1758 – An Act to Require a Municipality to Pay a Homeless Shelter on a Per Capita Basis for Persons Released or Delivered by the Municipality to the Shelter (Sponsored by Sen. Stewart of Aroostook Cty.)

This bill requires a municipality to reimburse a facility providing temporary shelter or housing on a transitional basis to indigent or homeless persons \$100 per day for an indigent or otherwise homeless person whom the municipality has released or delivered to the facility.

Taxation

LD 1434 – An Act to Abolish the Maine Income Tax and Establish a Zero-based Budget (Sponsored by Rep. Libby of Auburn)

This bill eliminates the Maine income tax beginning January 1, 2026 and requires the Department of Administrative and Financial Services to review provisions of law that refer to income tax and submit a report in 2024 identifying necessary changes to implement the elimination. The bill also requires the development of a new budgeting system in which agencies would be subject to zero-based budgeting every eight years and in the interim years be subject to review and alternative budget requirements.



IN THE HOPPER (*cont'd*)

LD 1582 – An Act to Clarify What Constitutes a Homestead for the Homestead Property Tax Exemption (Sponsored by Rep. Doudera of Camden)

This bill provides that a homestead, for purposes of qualifying for the Maine resident homestead property tax exemption must: (1) meet all relevant state and local codes; (2) be located in Maine; (3) be assessed as real property owned by an applicant or held in a revocable living trust; and (4) be occupied by the applicant as a cooperative housing corporation and occupied by a resident who is a qualifying shareholder. The bill further clarifies that a homestead does not include real property used solely for commercial purposes.

LD 1743 – An Act to Eliminate the Personal Property Tax (Sponsored by Rep. Andrews of Paris)

This bill eliminates the imposition of taxes on personal property, except for excise taxes and sales and use taxes as of April 1, 2024, and repeals the business equipment tax exemption and the business equipment tax reimbursement programs.

Transportation

LD 1640 – An Act to Require Industry Training and Certification for Persons Undertaking Corrosion Prevention and Mitigation for Bridges (Sponsored by Sen. Chipman of Cumberland Cty.)

This bill requires the adoption of rules by the Department of

Transportation governing projects costing \$50,000 or more consisting of corrosion prevention and mitigation for bridge infrastructure. Rules adopted pursuant to this legislation must include establishing a process for ensuring that corrosion prevention and mitigation activities are performed in accordance with established standards, requiring the use of personnel who are industry-trained and industry-certified in corrosion prevention and mitigation methods and requiring plans to prevent environmental degradation that might result from corrosion prevention and mitigation activities.

LD 1711 – An Act to Provide for Safe Roadway Construction Design Criteria (Sponsored by Rep. Malon of Biddeford)

This bill: (1) adds safety metrics, crash data and local economic significance based on a value per acre analysis as factors in the Department of Transportation classification of state highway priority levels; (2) establishes transportation construction project design controlling criteria subject to department review and establishes a review process, including a review committee, and exemptions; (3) directs the department to establish by rule standards for the controlling criteria based on certain publications of the national transportation organizations; and (4) provides specific direction to the department in adopting by rule standards for pedestrian facilities, which include sidewalks, shared-use paths and side paths, and bicycle facilities.