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February 19, 2025 Noon LPC Impromptu Zoom Meeting

<https://us02web.zoom.us/j/81424398211?pwd=ulD5I6ofa2Ueybragm0Pnb1z2n7XhA.1>

Agenda

Please note that LD List descriptions of the bills to be discussed are listed below in Item 4.

Item 1. Rebecca Graham will lead the discussion on the following bills:

Criminal Justice & Public Safety

[LD 461](#) *An Act to Fund Rural Patrol Services in Washington County*

[LD 477](#) *An Act to Enhance Public Safety in Rural Counties by Providing State Police Patrol and Policing Services*

Housing & Economic Development

[LD 337](#) *An Act to Repeal the Sunday Amateur Sports Law, the Law Allowing Municipalities to Permit the Operation of Movie Theaters on Sundays and the Law Imposing a Fine or Imprisonment for Playing Games and Sports with Admission Charges on Memorial Day*

[LD 413](#) *An Act Regarding Disclosure by Sellers of Residential Real Property of Notices of Shoreland Zoning Ordinance Violations*

[LD 445](#) *An Act to Stimulate Housing Production by Increasing the Threshold Before Participation in the Maine Uniform Building and Energy Code Is Mandatory*

Judiciary

[LD 418](#) *An Act to Remand Individuals with Pending State Probation Violations to the Department of Corrections Following Initial Proceedings*

[LD 549](#) *An Act to Establish a Statewide Sexual Assault Forensic Examination Kit Tracking System and Update Certain Requirements Regarding Sexual Assault Forensic Examination Kits*

State & Local Government

[LD 490](#) *An Act to Provide for a 5-year Automatic Repeal of Agency Rules*

Transportation

[LD 478](#) *An Act to Reduce Maximum Speeds on Roads Close to Residences*

Item 2. Amanda Campbell will lead the discussion on the following bills:

Environment & Natural Resources

[LD 401](#) *An Act to Support Removal of Overboard Discharge Systems*

[LD 465](#) *An Act to Update Waste Discharge License Fees*

[LD 502](#) *An Act to Promote Clean and Affordable Maine-sourced Bioenergy by Amending the Law Regarding Outdoor Wood Boilers and Outdoor Pellet Boilers*

State & Local Government

[LD 358](#) *An Act to Increase Fees Paid to Registers of Deeds*

Taxation

[LD 288](#) *An Act to Make Technical Changes to Maine's Tax Laws*

[LD 440](#) *Resolve, to Study the Economic Effects of Instituting a Seasonal Sales Tax*

Item 3. Rebecca Lambert will lead the discussion on the following bills:

State & Local Government

[LD 422](#) *An Act to Require the State to Obtain Municipal Approval Before Placing Noncitizens in the Municipality*

Veterans & Legal Affairs

[LD 494](#) *An Act to Update and Clarify Certain Provisions of State Liquor and Lottery Laws*

Item 4. Bill Descriptions

[LD 288](#) *An Act to Make Technical Changes to Maine's Tax Laws* (Sponsored by Rep. Cloutier of Lewiston) Of municipal interest, the bill proposes technical changes to property tax related laws, including: (1) requiring fulltime property assessors to be certified by Maine Revenue Services as having “the basic knowledge required to perform the assessing function” rather than certified as “professionally trained assessors;” (2) repealing the requirement that Maine Revenue Services provide municipalities with printed homestead exemption applications; (3) correcting a conflict in the payment due date in the state’s homestead property tax deferral program; and (4) making changes to conform with current drafting standards.

[LD 358](#) *An Act to Increase Fees Paid to Registers of Deeds* (Sponsored by Sen. Bennett of Oxford Cty.) This bill increases the fees paid to a county register of deeds by: (1) implementing a flat fee of \$45 for receiving, recording and indexing instruments that do not already have a specific fee; (2) increasing to \$45 the fee for recording, indexing and preserving plans; (3) adjusting from \$5 to \$10 per page the rate for paper copies of plans; and (3) repealing the \$13 fee

for requests for more than one previously recorded instrument. The bill reduces from 500 to 100 the number of images or electronic abstracts per calendar year a user can receive at no cost. The bill also makes subject to a committee request, rather than an annual requirement, the submission of a report from the register of deeds in each county to the joint standing committee of the Legislature having jurisdiction over state and local government matters regarding the amount surcharge funds raised and expended and the use of those funds.

LD 337 *An Act to Repeal the Sunday Amateur Sports Law, the Law Allowing Municipalities to Permit the Operation of Movie Theaters on Sundays and the Law Imposing a Fine or Imprisonment for Playing Games and Sports with Admission Charges on Memorial Day* (Sponsored by Rep. Morris of Turner) This bill repeals the municipal authority to adopt ordinances prohibiting the engagement in outdoor recreational or competitive amateur sports between the hours of 1 p.m. and 7 p.m. on Sundays, as well as the authority to adopt ordinances preventing theaters from showing movies between the hours 1 p.m. and 7 p.m. on a Sunday. The bill also repeals a provision in statute that makes engaging in any public outdoor game or sport, where admission is charged, before 3:30 p.m. on Memorial Day punishable by a fine of not more than \$25 or by imprisonment for not more than 10 days, or both.

LD 401 *An Act to Support Removal of Overboard Discharge Systems* (Sponsored by Rep. Hepler of Woolwich) The bill amends the laws governing pollution control in the following ways: (1) requires the seller of residential real property to disclose the use of an overboard discharge system and provide a summary of the transfer requirements for such a system; (2) changes the cost of a municipal or quasi-municipal pollution abatement construction program for which the Department of Environmental Protection (DEP) may pay up to 90% of the expense from \$100,000 to 250% of the median household income in the state; (3) changes the income limits for individual pollution abatement projects serving single-family dwellings, seasonal dwellings or commercial establishments for which the commissioner may pay a percentage of the cost; (4) changes the income limits used to determine the portion of an overboard discharge replacement project that is eligible for grant funding; and (5) requires that in order to be eligible for grant funding, the owner of an overboard discharge system and contractor must certify that the removal project has been completed, including proper abandonment of the overboard discharge system, and the local plumbing inspector must certify that an alternative disposal system has been installed.

LD 413 *An Act Regarding Disclosure by Sellers of Residential Real Property of Notices of Shoreland Zoning Ordinance Violations* (Sponsored by Rep. Ducharme of Madison) Current law requires the seller of residential real property to disclose information regarding an actual or alleged violation of a shoreland zoning ordinance. This bill amends the law to require disclosure only in cases of an actual violation.

LD 418 *An Act to Remand Individuals with Pending State Probation Violations to the Department of Corrections Following Initial Proceedings* (Sponsored by Rep. McIntyre of Lowell) This bill provides when a violation of probation occurs, and the individual cannot make bail or if bail has not been set, the person must be remanded to the custody of the Department of Corrections until the court proceeding or final disposition.

LD 422 *An Act to Require the State to Obtain Municipal Approval Before Placing Noncitizens in the Municipality* (Sponsored by Rep. Swallow of Houlton) This bill prohibits the state from placing a noncitizen, defined as a person who is not a U.S. citizen, in a municipality without receiving prior authorization from the municipality and further authorizes municipalities to limit the number of noncitizens placed in the community.

LD 440 *Resolve, to Study the Economic Effects of Instituting a Seasonal Sales Tax* (Sponsored by Rep. Rana of Bangor) This resolve directs Maine Revenue Services (MRS) to conduct a study on the effects of a seasonal sales tax, including an: (1) estimate of the revenue that would be collected and share of the revenue collected from year-round residents; (2) analysis of the effects on the economy, consumer spending, businesses and tourism; and (3) investigation of the impacts in other states that have adopted seasonal sales tax schemes. No later than December 3, 2025, MRS is also directed to submit a report to the legislature.

LD 445 *An Act to Stimulate Housing Production by Increasing the Threshold Before Participation in the Maine Uniform Building and Energy Code Is Mandatory* (Sponsored by Rep. Ducharme of Madison) This bill increases from 4,000 to 10,000 the population threshold for municipalities mandated to enforce the Maine Uniform Building and Energy Code.

LD 461 *An Act to Fund Rural Patrol Services in Washington County* (Emergency) (Sponsored by Sen. Moore of Washington Cty.) This emergency bill provides funding for four Maine State Trooper positions to conduct rural patrols in Washington County.

LD 465 *An Act to Update Waste Discharge License Fees* (Sponsored by Sen. Grohoski of Hancock Cty.) Of municipal interest, this bill amends the state's waste discharge license fees by adding a license for general permit coverage for municipal separate storm sewer system and establishing an annual fee of \$1,306.

LD 477 *An Act to Enhance Public Safety in Rural Counties by Providing State Police Patrol and Policing Services* (Sponsored by Rep. Ducharme of Madison) This bill provides funding for 15 state trooper positions, and nine State Police Corporal positions to enhance public safety to support county sheriff department efforts in Androscoggin, Aroostook, Franklin and Somerset counties.

LD 478 *An Act to Reduce Maximum Speeds on Roads Close to Residences* (Sponsored by Rep. Henderson of Rumford) Except when conditions or other regulations require a lower speed, this bill sets the maximum rates of speed for a public way where at least one residence is located within 15 feet, as: (1) 25 miles per hour for a snowplow and equipment used by the Department of Transportation exclusively for the removal of snow on the public way; (2) 25 miles per hour for a vehicle with at least five axles; and (3) 35 miles per hour for all other vehicles.

LD 490 *An Act to Provide for a 5-year Automatic Repeal of Agency Rules* (Sponsored by Rep. Smith of Palermo) This bill amends the Maine Administrative Procedure Act to provide that any agency rule that is finally adopted or amended after January 1, 2026, is automatically repealed five years from the date of final adoption. An agency that has adopted or has jurisdiction over a rule subject to automatic repeal may submit to the legislature a request for renewal, which protects the rule from repeal for an additional five year period. Eighteen months before the

automatic repeal of a rule, the bill also directs the Secretary of State to inform the state agency with oversight responsibility notice that the rule will be repealed.

LD 494 *An Act to Update and Clarify Certain Provisions of State Liquor and Lottery Laws* (Sponsored by Rep. Supica of Bangor) Part D of this state agency bill repeals the laws governing liquor signs, with the exception for wholesalers, by limiting signage to no more than five located on the outside of a licensed premises, building, or grounds under that person's control and contiguous or adjacent to the licensed premises that advertises: (1) a liquor is on sale; (2) the price of the liquor, or (3) any other advertising that includes more than the name and logo of the premises or an image appearing on a patio umbrella in an outside seating area.

LD 502 *An Act to Promote Clean and Affordable Maine-sourced Bioenergy by Amending the Law Regarding Outdoor Wood Boilers and Outdoor Pellet Boilers* (Rep. Ardell of Monticello) This bill amends the laws regulating outdoor wood boilers, including pellet boilers by: (1) allowing an outdoor wood boiler meeting a particulate matter emission limit of 0.32 pounds per million British Thermal Units heat output to be exempt from property setback requirements as long as it meets applicable stack height requirements under Department of Environmental Protection rules; and (2) prohibiting the adoption of department rules that ban the emission of a smoke plume from an outdoor wood boiler, regardless of whether emissions remain on the property of the owner of the outdoor wood boiler or crosses onto any adjacent land or buildings not owned by the owner.

LD 549 *An Act to Establish a Statewide Sexual Assault Forensic Examination Kit Tracking System and Update Certain Requirements Regarding Sexual Assault Forensic Examination Kits* (Emergency) (Sponsored by Sen. Bennett Oxford Cty.) This emergency bill: (1) directs the Department of Public Safety (DPS) to establish, operate and maintain a sexual assault forensic examination kit tracking system; (2) requires law enforcement agencies that receive, maintain, store or preserve sexual assault forensic examination kits to complete an inventory of all kits in its possession and report its findings to DPS; (3) allows a victim who has not reported an alleged offense to a law enforcement agency to request that a completed kit be transported to the Maine State Police Crime Laboratory to be processed by signing a consent form, and the results of the analysis must be kept anonymous; and (4) requires that, beginning January 1, 2027, and every five years thereafter, all completed kits that identify an alleged victim and are being stored by a law enforcement agency be transported to the Maine State Police Crime Laboratory and processed on a rolling basis, beginning with kits most recently stored.