



LEGISLATIVE BULLETIN

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Assessors Get Their Say

“This well-intentioned but ill-conceived legislation has disrupted the operations of assessing departments throughout the state, it invites scams that require very little ingenuity, it is available to the needy and well-to-do alike, and is an affront to the fair and equitable sharing of the tax burden among the state’s citizens.”

“The annual application process has caused a tremendous amount of anxiety among older residents. The phones ring every day, as our residents fear they will miss the deadline for applying for the benefit. People are worried, very worried.”

“Assessing offices across the state have been overrun and overburdened.”

“It is duplicative, too expensive, and not targeted toward those who most need the assistance.”

“It’s not just municipal officials saying this program is unfair, but residents who do not believe wealthy homeowners should benefit from the program. The preference would be to provide targeted relief via a means tested and graduated homestead exemption.”

The comments above were offered by municipal officials representing Brewer, Camden, Monmouth, Oakland, and Westbrook who testified before the Taxation Committee on four bills seeking amendments to the Senior Property Tax Stabilization law.

While the intent to deliver property tax relief to Maine’s senior homeowners is warranted, the consensus among municipal officials participating in the hearing is that the enacted stabilization program misses the mark. The law is overly generous, unnecessarily provides relief to the state’s wealthiest homeowners, shifts tremendous administrative burdens and costs onto assessors, relies on the will of each newly elected Legislature to honor the commitment to fully reimburse municipalities for lost property tax revenue, allows eligible homeowners to carry the stabilized assessment from community to community, and requires qualifying homesteaders to apply for the program annually, with the penalty associated with failing to do so being the loss of the stabilized tax amount.

Most concerning, the law has shifted tremendous burdens onto municipalities in violation of Maine’s constitution. As provided for in Article IX, Section 21, the legislature must

either reimburse municipalities for 90% of the costs associated with implementing a state mandate or adopt the initiative with a mandate preamble requiring a two-thirds majority vote. Neither occurred. And so, without any financial assistance, assessors statewide accepted and processed an estimated 100,600 tax stabilization applications in the 78 business days falling between the law’s August effective date and the December 1, 2022 application filing deadline.

Clearly, changes to the program are necessary.

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Recruitment, Retention & Respect

As a child of the 80s, I spent many an afternoon being annoyed by Mr. Rogers’ Neighborhood impatiently waiting for the more exciting Electric Company to begin, all before streaming services and skip buttons existed. What I have started to realize in adulthood is how much those quiet lessons remain important as advocacy staff encounter characters like King Friday whose tendency to create outrageous and somewhat random rules brings out the mischief in Lady Elaine Fairchild, often turning the neighborhood upside down in the process.

Like the Kingdom of Make Believe, the State House is filled with characters and situations that often seem surreal as covered in last week’s Legislative Bulletin. On the advice of a friend, the following will break down some of the frustrating elements of this week by channeling the wisdom of Mr. Rogers in hopes of encouraging our state partners to “listen” to municipal government partners with “more than just their ears.”

“We speak with more than our mouths. We listen with more than our ears.” -Fred Rogers

On Monday, the Criminal Justice and Public Safety Committee opted to hold a marathon public hearing starting with a bill that was expected to gain a significant amount of public interest. Unfortunately, the schedule also included bills less likely to gain public interest, including LD 673, *An Act to Direct the Maine Criminal Justice Academy to Develop a Nonresidential Law Enforcement Training Program*, spon-

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Recruitment, Retention & Respect.. cont'd

sored by Rep. Michel Lajoie of Lewiston on behalf of MMA. While not heard in the committee, municipal police showed up and spoke with “more than just their mouths,” but also by their presence.

Rarely do municipal police chiefs show up in great numbers to weigh in on a bill of significance but some key progressive leaders, and reserve police officers who would love to be a fulltime member of an agency, took an entire day off away from their communities to drive several hours to Augusta to share why having both a non-residential and a residential law enforcement training model was vital to attracting both diverse and mature candidates. These potential candidates, who also often have childcare responsibilities at home, would love to serve their

communities through a career in public safety. Many of those also intending to testify were graduates of the previous non-residential academy offered in the 90s.

As drafted, the bill seeks to add to the tools available to police agencies to recruit mature candidates by offering two paths of the Basic Law Enforcement Training Program, through investment in the chronically under resourced Maine Criminal Justice Academy (MCJA). While over half the nation has a non-residential police training program as a standard, many more have begun offering both a residential and non-residential model. MCJA accepts those certifications as comparable to Maine standards confirming that the quality of the curriculum, and not where candidates sleep, remains the priority for educational standards.

“Imagining something may be the first step in making it happen, but it

takes the real time and real efforts of real people to learn things, make things, turn thoughts into deeds or visions into inventions.”-Fred Rogers

While unable to speak to the committee directly as the public hearing on LD 673 didn't start until 7:30 p.m., municipal chiefs and currently serving officers who would like to pivot to fulltime roles submitted their written testimony in support of the bill instead.

The Maine Sheriffs' Association, in its testimony against the measure, opined that a non-residential academy approach would be subpar, and stated that the residential program could not be replicated. Evidently, they are unaware of the current waiver process for credentials from other states, and that many colleagues never attended a residential program, and that the proposed non-residential program would be guided by the academy itself. MCJA submitted testimony in opposition to the bill, pointing to the significant lack of staffing to manage the logistical and operational pieces that would be necessary if enacted, but advised that the board agreed to revisit it with new information.

MMA offered in-person testimony asking the committee to consider hearing from those individuals who had waited all day during the bill's future work session. MMA also urged committee members to read the testimony submitted, understand the intent of the bill is to support and expand the entity that is a shared resource among all agencies and honor the overwhelming, and often unnoticed, contributions municipalities make through payroll to provide the training necessary to meet standards, regardless of their method of delivery.

A work session on LD 673 will be held Wednesday, March 22, 2023 at 10:00 a.m. in room 436. Unfortunately, that day, work sessions will also be held on the same batch of bills that caused significant delays during the public hearing. Officials and municipal police chiefs are encouraged to continue to submit testimony in support of investment in shared training resources and the removal of barriers for recruiting community members waiting to join their ranks by

Hearings of The Week: Budget Validation, Rights & Drop Boxes

School Budget Validation (MMA). The Veterans & Legal Affairs Committee will conduct a public hearing on LD 1022, *An Act to Allow School Budget Referenda on the Same Day as Primary Elections* on **Wednesday, March 22 at 1:00 p.m.** in room 437 of the State House. The bill, sponsored by Rep. Amy Arata of New Gloucester on behalf of MMA's Legislative Policy Committee, allows participating municipalities of regional school units to limit the time period in which the school budget referendum may be held to at least 45 days prior to the June statewide primary or referendum election or the second Tuesday in June if a statewide primary or referendum election is not held.

Right to Healthy Environment. The Environment & Natural Resources Committee will conduct a public hearing on LD 928, *RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish a Right to a Clean and Healthy Environment* on **Wednesday, March 22 at 9:00 a.m.** in room 216 of the Cross Office Building. The bill, sponsored by Rep. Margaret O'Neil of Saco, proposes to amend the Constitution of Maine to grant residents a right to a clean and healthy environment and to the preservation of the natural, cultural, and healthful qualities of the environment.

Ballot Drop Boxes. The Veterans & Legal Affairs Committee will conduct a public hearing on LD 1055, *An Act to Prohibit the Use of Ballot Drop Boxes* on **Wednesday, March 22 at 11:00 a.m.** in room 437 of the State House. The bill, sponsored by Sen. Eric Brakey of Androscoggin County, repeals the statutory provision authorizing municipalities to use drop boxes to collect absentee ballots.

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HEARING SCHEDULE

For the week of March 20, 2023

MONDAY, MARCH 20

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

LD 384 – An Act Addressing Agriculture, Conservation and Forestry in Maine

LD 1048 – An Act Regarding the Authority of Municipalities to Regulate Timber Harvesting

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

LD 326 – An Act to Improve Recruitment and Retention of First Responders

LD 439 – An Act to Allow Death by Suicide to Be Considered a Death While in the Line of Duty

LD 526 – An Act to Provide Funding to Emergency Medical Services Organizations

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

1:00 p.m.

LD 207 – An Act to Transfer Responsibility for Administering the Maine Uniform Building and Energy Code from the Department of Public Safety, Office of the State Fire Marshall to the Department of Professional and Financial Regulation

LD 1036 – An Act to Require All Police Officers to Carry Naloxone Hydrochloride When on Duty

Inland Fisheries & Wildlife Room 206, Cross Building, 1:00 p.m. Tel: 287-1338

LD 660 – Resolve, Naming a Pond in the Town of New Gloucester as MacDonald Pond

Veterans & Legal Affairs Room 437, State House, 2:00 p.m. Tel: 287-1310

LD 978 – An Act to Maintain Legislative Oversight of the Maine Medical Use of Cannabis Program by Requiring Major Substantive Rulemaking

TUESDAY, MARCH 21

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

LD 204 – An Act to Ensure Safe Access to Schools by Implementing Interlocking Door Controller Technology

LD 477 – Resolve, Directing the Department of Education, Maine School Safety Center to Convene a Stakeholder Group to Develop Best Practices for Lockdown Drills and Allowing Parents to Opt Out of Lockdown Drills for Their Children

LD 892 – An Act to Improve School Safety and Preparedness Through Comprehensive Health and Safety and Emergency Management Planning

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

LD 905 – An Act to Expand Energy Choice Through Municipal Utilities

LD 925 – An Act to Allow the Baileyville Utilities District to Disconnect Water Service for a Customer's Failure to Pay for Sewer Service Provided by the Town of Baileyville

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

LD 787 – An Act to Create the New Maine Resident Service Coordination Program in the Department of Economic and Community Development

LD 807 – An Act to Create the Small Communities Tourism Fund

LD 975 – An Act to Align Maine's Elevator Safety Laws with Maine Uniform Building and Energy Code Standards

Judiciary Room 438, State House, 1:30 p.m. Tel: 287-1327

LD 685 – An Act to Codify That Freedom of Access Act and Freedom of Information Act Requests Are Not Hate Crimes

LD 960 – An Act Regarding the Limits on Civil Remedies Available Under the Maine Human Rights Act

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 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 962 – An Act to Lower the Amount of Seized Currency in a Criminal Asset Forfeiture over Which the Currency May Be Transferred to the Federal Government

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

LD 936 – An Act to Require Disclosure of Pay Ranges and Record Keeping of Pay History

LD 1050 – Resolve, Directing the Department of Labor to Request a Federal Waiver to Allow Presumptive Work Eligibility for Asylum Seekers

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

LD 63 – An Act to Clarify That Certain Imported Motor Vehicles Are Not Off-road Vehicles

LD 369 – An Act to Allow Repurposed Military Vehicles to Be Registered and Operated on Maine Roads

LD 534 – An Act to Allow Commercial Driver's License Holders Who Are 18 to 20 Years of Age to Haul Hazardous Materials Intrastate

LD 875 – An Act to Allow Mini-trucks to Be Operated on Roads in the State

WEDNESDAY, MARCH 22

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

LD 1022 – An Act to Allow School Budget Referenda on the Same Day as Primary Elections

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HEARING SCHEDULE (cont'd)

For the week of March 20, 2023

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

LD 928 – Proposing an Amendment to the Constitution of Maine to Establish a Right to a Clean and Healthy Environment

LD 959 – An Act to Prohibit Food Waste by Grocery Stores

LD 1009 – An Act Regarding the Reduction and Recycling of Food Waste

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

LD 510 – An Act to Protect the Public Health by Allowing the Appointment of Associate Health Officers

Inland Fisheries & Wildlife **Room 206, Cross Building, 1:00 p.m.** **Tel: 287-1338**

LD 379 – An Act to Responsibly Regulate Recreational Boats on Maine Lakes

LD 497 – An Act to Prohibit the Use of Personal Watercraft on Keyes Pond and Stearns Pond in the Town of Sweden

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

LD 1034 – An Act to Require That Service of a Temporary Protection Order Be Attempted Within 48 Hours from the Issuance of the Order

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

LD 1032 – RESOLUTION, Proposing an Amendment to the Constitution of Maine to Specify the Qualifications of Electors

LD 1038 – An Act to Reinstate Plurality Voting by Repealing the Ranked-choice Voting Laws

11:00 a.m.

LD 922 – An Act to Clarify Required Disclosure of Personally Identifying Information for Certain Nominating Petitions

LD 1055 – An Act to Prohibit the Use of Ballot Drop Boxes

THURSDAY, MARCH 23

Judiciary **Room 438, State House, 1:00 p.m.** **Tel: 287-1327**

LD 679 – An Act Regarding Animals Abandoned by Tenants

Labor & Housing **Room 202, Cross Building, 2:00 p.m.** **Tel: 287-1331**

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

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

LD 667 – An Act to Impose a Tax Surcharge on Certain Incomes

LD 835 – An Act to Phase Out the Income Tax

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

LD 381 – An Act to Increase School Bus Safety by Requiring Monitors

LD 480 – An Act to Clarify Laws Regarding the Placement of Signs on Public Ways

LD 866 – An Act to Improve Visibility and Restore the Beauty of Maine's Roadways by Limiting Signs in the Public Right-of-way

LD 918 – An Act to Decrease the Minimum Age to Operate a School Bus

LD 966 – An Act to Align the Automobile Title Requirements with Those of Antique Automobiles

LD 1030 – An Act Relating to Requirements for School Bus Drivers

FRIDAY, MARCH 24

Innovation, Development, Economic Advancement & Business **Room 202, Cross Building, 12:30 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

IN THE HOPPER

Criminal Justice & Public Safety

LD 207 – An Act to Transfer Responsibility for Administering the Maine Uniform Building and Energy Code from the Department of Public Safety, Office of the State Fire Marshall to the Department of Professional and Financial Regulation (Sponsored by Rep. Morris of Turner)

This bill moves responsibility for the adoption and administration of the Maine Uniform Building and Energy Code from the Department of Public Safety, Office of the State Fire Marshal to the Department of Professional and Financial Regulation.

LD 326 – An Act to Improve Recruitment and Retention of First Responders (Sponsored by Sen. Tipping of Penobscot Cty.)

This concept draft bill would ensure free training for emergency

(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.)

medical responders and emergency medical technicians and make changes to provisions of law to increase recruitment and retention of first responders in rural areas.

Recruitment, Retention & Respect.. cont'd

emailing the committee chairs and clerk directly. Their contact information can be found here: <https://legislature.maine.gov/committee/#Committees/CJPS>

“There’s a world of difference between insisting on someone’s doing something and establishing an atmosphere in which that person can grow into wanting to do it.”-Fred Rogers

The State and Local Government (SLG) Committee held public hearings on three bills that attempts to roll over the will of neighbors in all communities through an outright preemption of home rule authority to regulate businesses within their borders. A fourth bill on the committee’s hearing docket, more appropriately asks the state to speak to communities, even when it may be hard and unnecessary by law.

LD 662, *An Act to Prohibit Municipal Flavored Tobacco Product Bans on State-licensed Tobacco Retailers*, sponsored by Rep. Joe Perry of Bangor, would prohibit municipalities from adopting local ordinances that restrict the sale of flavored tobacco products such as vaping liquids, often thought to target young potential smokers. Sharing his personal story of such a ban in Bangor, Rep. Perry expressed his frustration that he could no longer sell an important product to the consumers he served who are also among those without agency or transportation to go elsewhere for the product.

Municipalities are specifically enabled, not only by the Constitution of Maine, but also by MRS 22 §1556 to adopt tobacco specific ordinances for such purposes in consultation with their communities by holding a public hearing following a public notice and allowing all interested residents to weigh in. They weighed in to support the ban in Bangor, and as drafted, LD 662 would repeal that authority for all municipalities.

Expanding on the preemption momentum, Rep. Chad Perkins of Dover-Foxcroft, introduced LD 620, *An Act to Promote Free Trade by Preventing Municipalities from Prohibiting the Sale*

of Legal Goods. As drafted, this bill would limit all municipal authority over a state licensed business, including the sale of goods or services and where they can or cannot occur in a municipality, as long as the good or service was legal at the state level. Many communities have adopted ordinances that define where adult entertainment or bookshops can operate or prohibit them from operating in communities all together. Pesticides legal at the state level could also be sold and applied regardless of municipal prohibitions if the bill passes.

The final bill preempting the desires of the neighborhood was introduced by Sen. Matthew Harrington of York County. LD 894, *An Act to Preserve Heating and Energy Choice by Prohibiting a Municipality from Prohibiting a Particular Energy System or Energy Distributor*, is part of a national effort from the oil and gas industry to prohibit municipalities from limiting natural gas pipelines, tar sands oil pipelines and distribution facility operations in their municipal boundaries. While such municipal action has occurred only in a select few communities to target very localized impacts, rather than engage with their neighbors, and do the hard work necessary to bring them along, proponents of this bill felt forcing their will by preempting all Maine neighborhoods from their ordinance tools was a better option.

“Imagine what our real neighborhoods would be like if each of us offered, as a matter of course, just one kind word to another person.”-Fred Rogers

Only a single bill heard in the SLG committee Thursday sought to create dialogue with municipalities and their residents where it might not be required but is the right thing to do. LD 735, *An Act to Require the State to Hold a Public Hearing in a Municipality Before the State Constructs a Solar Project in That Municipality*, sponsored by Sen. Matthew Pouliot of Kennebec County, would require the state to hold a public hearing in a municipality where a state-owned solar energy project was intended to be located, prior to the commencement of construction.

While the Department of Administra-

tive and Financial Affairs testified that a public process and notice is expected, the experience in Augusta along the federally designated highway system seemed to have missed the consultation. Rep. Pouliot testified that the public was consulted about a portion of the project that was adjacent to a public trail system and that consultation led to changes at the request of local residents. The state I-95 on ramp solar project, which residents voiced concerns about the drastic visual change to their major streets, did not receive such public notice or consultation. As a result, the neighbors complained to the city who had no ability to approve or review the project, sending them to the Department of Transportation who didn’t return their calls. The neighborhood was frustrated.

MMA staff submitted testimony in strong opposition to efforts in LD 620, 662 and 894 to violate home rule, which cuts both ways for individual liberties. Those often seeking to eradicate it are the first to engage it when their individual interests may be threatened by its demise. While proponents spoke of a make-believe world where the Bloomberg empire is dumping money into municipal council meetings, MMA feels quite confident that such imaginary funds would be used to address housing shortages and homelessness, rather than to pass ordinances. Often such initiatives come from our neighbors themselves, and those are the same individuals who deserve the right to be heard and the right to change their minds when new information presents itself.

If any bill presented in SLG Thursday carried a message that Fred Rogers would approve of it would be LD 735, which asks the state to work better with municipalities and their neighbors simply by making sure they are heard even when it is strictly unnecessary. While the work session for these bills has not yet been scheduled, we’ll end with one last Fred Rogers lesson that all legislators, proponents, and opponents should take from the bills discussed above: “When we can talk about our feelings, they become less overwhelming, less upsetting and less scary.”

Assessors Get Their Say..cont'd

The bills heard on Thursday propose to amend the stabilization law by: (1) eliminating the annual application requirement (LD 37 and LD 529); (2) extending the benefit to a surviving spouse who might not otherwise qualify for program (LD 89); and replacing the stabilization law with an increased homestead exemption for senior residents (LD 130).

During the hearing, municipal officials expressed support for the bills repealing the annual application process, as a bare minimum solution necessary to address the complexities associated with the law. And for that very same reason, opposed LD 89, extending benefits to surviving spouses, as it would make administering the program even more burdensome.

Municipal officials were intrigued

with the homestead exemption proposal offered by Senator Richard Bennett of Oxford County. LD 130 would repeal the tax stabilization law and instead extend a \$75,000 homestead exemption to residents who are at least 65 years of age and who have lived in their home for 10 years.

Akin to the homestead exemption solution found in LD 130, Rep. Maureen Terry of Gorham has submitted yet to be printed legislation on behalf of MMA's Legislative Policy Committee that also seeks to replace the tax stabilization program with an increased homestead exemption benefit. However, unlike Sen. Bennett's proposal, the Association's approach targets additional relief to senior homeowners who meet certain income limits and requires the state to reimburse municipalities for 100% of the lost property tax associated with the increase.

To that end, during the hearing Sen. Bennett made it clear that his intent is to also fully reimburse municipalities by using the state revenues allocated to the stabilization program.

The response from committee members was positive, as several members posed clarifying questions to get their arms and heads around the impacts. Like the assessors, several members believe changes to the program are necessary.

Considering that not all related bills have yet been printed, municipal officials also urged the committee to postpone decisions on how to best address the property tax stabilization law until all solutions have been presented and considered.

Seeing that the work session on these bills has yet to be scheduled, it is rather possible that the committee will engage in a comprehensive review of all proposed legislation.

IN THE HOPPER (cont'd)

Environment & Natural Resources

LD 1009 – An Act Regarding the Reduction and Recycling of Food Waste (Sponsored by Rep. Zeigler of Montville)

This bill sets goals for the reduction of the disposal of food scraps by establishing the reduction of waste at the point of generation as the first priority and directs the diversion of rescued food first for consumption by humans, then for agricultural use, including for consumption by animals, then subjecting the food scraps to composting or anaerobic digestion with subsequent soil application and finally subjecting the food scraps to anaerobic digestion not followed by soil application. Requirements are placed on producers to separate the food scraps from other solid waste at the point of generation, with these requirements phased in over a five-year period. Commercial entities engaged in the transportation of municipal solid waste are required to collect food scraps from customers except for customers in municipalities with solid waste management ordinances that cover the collection of food scraps and that are consistent with the State's food recovery policy. Beginning on January 1, 2027, the bill also requires food scraps containers to be placed next to any solid waste containers provided in public buildings and on public land.

Health & Human Services

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

This bill allows the municipal officers to appoint one or more associate health officers tasked with assisting the local health officer (LHO) during an actual or threatened epidemic or other public health threat. The bill

further provides that the associate works under the direct supervision of the LHO and must have knowledge of the community and appropriate education, training, or experience, as prescribed by the LHO.

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

This bill creates the Firefighter Safety Equipment Fund and directs the Maine Fire Protection Services Commission to provide grants to fire departments for the purchase and installation of diesel vehicle exhaust systems and heavy-duty extractor washing machines.

Innovation, Development, Economic Advancement & Business

LD 787 – An Act to Create the New Maine Resident Service Coordination Program in the Department of Economic and Community Development (Sponsored by Sen. Bennett of Oxford Cty.)

This bill establishes within the Department of Economic and Community Development the New Maine Resident Service Coordination Program, to serve as a centralized resource to coordinate municipal efforts to connect persons who have recently moved to the State with housing and job opportunities.

LD 807 – An Act to Create the Small Communities Tourism Fund (Sponsored by Rep. Perry of Calais)

This bill creates the Small Communities Tourism Fund, within the Office of Tourism to issue grants to small communities to promote tourism and events. The program is to be funded by appropriations, allocations and contributions from private and public sources. The office is directed to adopt the rules necessary to implement the program.

Fiddling with Absentee Voting

Three bills that intend to change the statutes relating to elections were heard in the Veterans & Legal Affairs committee on Monday morning. With coffees in hand, the public hearings of interest to MMA started with Sen. Eric Brakey of Androscoggin County presenting LD 770, *An Act to Prohibit Ballot Harvesting by Preventing a 3rd Person from Returning More than 2 Absentee Ballots per Day*.

Sen. Brakey explained that this proposed legislation would prohibit a third person from returning more than two absentee ballots per day to a municipal clerk's office as a way to prevent ballot harvesting. Standing on that limb alone with no other testimony in support of the measure, the committee turned to hear testimony from those in opposition.

Accompanying MMA in opposition were the Secretary of State (SOS), the ACLU, Maine Town & City Clerks Association (MTCCA) and the League of Women Voters (LWV), all sharing the same sentiment that while this bill attempts to increase security in the elections process, the potential that some voters could be disenfranchised, especially those individuals living in nursing homes or elderly housing facilities, is of grave concern.

Immediately following LD 770 was the public hearing on 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*, sponsored by Rep. Charles Skold of Portland.

Simply put, the premise of this bill is to increase voter turnout by requiring municipalities with a population of more than 7,000, to provide for the opportunity to cast an in-person absentee ballot at least eight hours on one Saturday and eight hours on one Sunday, within 18 days of the election. Additionally, this measure would direct the SOS's office to develop a grant program to help fund the additional required hours for voting and would change the timeline for providing

notice of an intent to inspect absentee ballots to 5:00 p.m. the day before the processing commences.

Committee members had the opportunity to question the bill sponsor, who asked if the bill targeted democratic population centers. Admittedly, the committee member recognized the question was cynical, but the point was made loud and clear—it was the committee member's view that this would benefit more densely populated areas which tend to lean more to the left than the right in Maine.

An amendment was presented that lowered the weekend hour threshold to six hours, reduced the amount of funding within the grant program, and changed the 5:00 p.m. notice cut off time for inspecting absentee ballots to 4:00 p.m. There was considerable support for the measure as most proponents saw this bill as a way to capture more votes, regardless of whether the citizens of a particular municipality would utilize the additional weekend hours or not.

Specifically, the SOS's office would need additional staffing to administer the grant program and are overall supportive of the bill's intent to increase voter turnout. Others coming out to testify in favor were the LWV, Mainers for Modern Elections, RepresentUs, and Maine Conservation Voters, to name a few.

MMA was the sole warrior in opposition to LD 812. Though municipalities appreciate the attempt to increase voter participation, they already have the ability to hold weekend and evening hours to accommodate the folks who work during the day. Those communities who currently hold weekend hours do so to help the citizens of their specific town, which underscores the importance of home rule authority.

The City of Bangor, MTCCA and the City of Portland testified neither for nor against the bill. The overall sentiment heard was that absentee ballots are quite easy to obtain in Maine, and if an individual wants to vote, they will typically find a way to make it happen.

No one testified in opposition to 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*, sponsored by Rep. Laurie Osher of Orono.

This bill would expand the list of people who may currently obtain an absentee ballot to include people with all disabilities instead of just a physical disability. Support for the measure was universal across the board because this bill attempts to increase voter turnout, much like the other bills presented this session.

Concerns were raised by MMA and MTCCA, who testified neither for nor against, that extending this exception to a caregiver would erode the purpose of the special exception. However, with that said, both associations recognize that a caregiver living with an individual with a disability shapes the life of that caregiver and is therefore also affected by the challenges that the person with the disability faces.

A work session for all three bills has been scheduled for Monday, March 20, at 10:00 a.m., in room 437 of the State House.

LEGISLATIVE BULLETIN

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**MAINE MUNICIPAL
ASSOCIATION SINCE 1936**

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IN THE HOPPER (*cont'd*)

LD 975 – An Act to Align Maine’s Elevator Safety Laws with Maine Uniform Building and Energy Code Standards (Emergency) (Sponsored by Rep. Crockett of Portland)

This bill requires that, for newly constructed buildings or for new additions that extend beyond the exterior wall of an existing building, passenger elevators conform to the International Building Code standard, as adopted in the Maine Uniform Building and Energy Code, regarding elevator car accommodations for an ambulance stretcher.

Judiciary

LD 279 – An Act to Protect Against Discrimination by Public Entities (Sponsored by Speaker Talbot Ross of Portland)

This bill creates a new section in the Maine Human Rights Act that states it is unlawful discrimination for a public entity to discriminate against, exclude from participation in a service, program or activity, or otherwise deny the benefits of a service, program or activity as a result of an individual’s race or color, sex, sexual orientation or gender identity, age, physical or mental disability, religion, ancestry or national origin.

Labor & Housing

LD 936 – An Act to Require Disclosure of Pay Ranges and Record Keeping of Pay History (Sponsored by Rep. Roeder of Bangor)

This bill requires employers that have more than 10 employees to include the range of pay on any employment posting and requires employers with less than 10 employees to disclose the range of pay upon request. The bill also requires employers upon request to disclose the range of pay to an existing employee and to retain the payment

history of each employee for the duration of employment and for three after termination of employment.

Transportation

LD 369 – An Act to Allow Repurposed Military Vehicles to Be Registered and Operated on Maine Roads (Sponsored by Sen. Libby of Cumberland Cty.)

This bill allows demilitarized vehicles to be registered and operated on Maine roads provided the required registration fees and excise taxes are paid. The bill also establishes a weight limit not to exceed 10,000 pounds and subjects demilitarized vehicles to current inspection requirements, unless exempted by the Chief of the State Police.

LD 875 – An Act to Allow Mini-trucks to Be Operated on Roads in the State (Sponsored by Sen. Chipman of Cumberland Cty.)

This bill allows mini-trucks to be operated on public ways. The mini-truck, a 4-wheeled motor vehicle with a maximum speed of 60 miles per hour and a maximum weight of 2,000 pounds, must be registered and meet the same inspection standards as other motor vehicles to operate on a public way.

LD 1030 – An Act Relating to Requirements for School Bus Drivers (Sponsored by Rep. Drinkwater of Milford)

This bill: (1) provides that school bus driver endorsement is contingent on the applicant meeting certain federal requirements only if there is no waiver of those requirements in place; (2) directs the Secretary of State to seek all available waivers; and (3) clarifies that the requirement that an applicant pass an examination to operate a bus does not include the ability to operate a truck tractor with semitrailer.