



LEGISLATIVE BULLETIN



Vol. XLIII No. 1 January 15, 2021

Navigating the 2021 Legislative Bulletin

Thank you for subscribing to MMA's 2021-2022 Legislative Bulletin, which is published every Friday during the legislative session.

For those who are new to the publication - and as a refresher for our longtime subscribers - the bulletin is the primary way the Association's advocacy team keeps local leaders up to date on legislative issues of municipal importance. The bulletin is available both in an electronic and print version, with the electronic copy emailed to subscribers Friday morning and paper copy mailed once printed and received during the following week. Once published, the bulletin is also posted to MMA's website along with an updated LD List providing descriptions of bills of municipal interest. The LD List is updated regularly to incorporate adopted amendments to the bills, as well as the bills' final dispositions.

The information provided in the bulletin is divided into three sections.

Summaries of Hearings and Work Sessions

Updates on public hearings, work sessions and the votes of committees - as well as the actions of the entire Legislature - can be found in the articles printed each week. Summaries of public hearings provide an overview of the legislation and testimony offered by bill sponsors, proponents and opponents. Updates on work sessions focus on the committee's response to and vote on proposed initiatives. It's not uncommon for MMA staff to use these articles to urge municipal officials to connect with legislators to share how specific proposals impact the communities they represent. Your home-based response to these requests strengthens our Augusta-based advocacy efforts.

In The Hopper

The "hopper" includes MMA staff summaries of recently printed legislation. For the most part, descriptions focus on the municipally relevant elements of each proposal and are

often not identical to the summaries included in the printed bill. It should be noted that during the course of the legislative session, many more bills of municipal interest are printed than there is space in the bulletin to describe. Our goal is to print descriptions of the bills of most significance to local government, especially when a public hearing on a bill has been scheduled. As noted above, descriptions of all the bills MMA is monitoring are included in the LD List.

Public Hearings Schedule

The bulletin also includes information on upcoming public hearings. In this segment, readers will find the date, time and contact information for the committee hosting a hear-

ing on a municipal bill. Weekly hearing and work session schedules also can be found on the Legislature's website at: <http://legislature.maine.gov/Calendar/#Weekly/>.

Public Participation

Due to COVID-19 related restrictions (and until further notice), all public hearings and work sessions will be conducted remotely. Municipal officials interested in providing in-person testimony will need to email lio@legislature.maine.gov or call (207) 287-1692 no later than 5 p.m. the day before the hearing for information on how to participate. Comments on bills can be submitted in advance of a public hearing using the Legislature's testimony

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Legislature Gets To Work Governor's Two-Year Budget Released

Although it's been a quieter January than in past years, the legislative session is officially underway.

Since being sworn in on Dec. 3, legislators submitted nearly 1,700 bills for consideration during the 2021 legislative session. Legislative committees have scheduled sessions to orient new members and establish rules of conduct. And, it is expected that by the end of January the public hearing and work session process will begin in earnest.

Additionally, last Friday Governor Mills released her proposed FY 22 - FY 23 biennial General Fund budget. The first year of the budget provides funding for services and programs offered between July 1, 2021 and June 30, 2022 and second year of the budget provides for expenses incurred between July 1, 2022 and June 30, 2023.

The \$8.4 billion in proposed expenditures represents a less than 1% increase (\$57 million) in spending over the previous biennial budget, which for all intents and purposes is

a flat-funded budget.

Even though the governor held expenditures flat without proposing tax increases, those decisions did not come at the expense of funding for important local government programs. Of note, the two year budget includes:

- **\$2.63 billion for K-12 Education.** \$2.39 billion is calculated by the Essential Programs and Services (EPS) model, including the normal cost of teacher retirement, as necessary to fund K-12 education in FY 2022. The state's proposed contribution to those expenses is \$1.24 billion, accounting for 52% of total expenditures. The budget allocates an additional \$244 million as the state's share of the total unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teacher and retired teacher health and life insurance benefits, bringing the total appropriation for K-12 education to \$2.63 billion. For FY 2022, the minimum local share for the cost of

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Navigating the 2021 Legislative Bulletin (cont'd)

submission form ([Online Testimony Submission \(mainelegislature.org\)](https://www.mainelegislature.org)) and interested parties can view committee proceedings, both live and recorded, on the Legislature's YouTube channel ([News | Maine State Legislature](https://www.youtube.com/news/mainestatellegislature).)

Committee Assignments/LPC Members

Special to this edition of the bulletin are two lists you might consider keeping at the ready. The first lists the House and Senate members assigned to the Legislature's 17 joint standing committees. The second includes the members of MMA's 2021-2022 Legislative Policy Committee (LPC), who are elected by select boards and councils in each of the state's 35 senate districts and responsible for establishing MMA's position on legislation. Municipal officials are encouraged to reach out to LPC members to discuss legislative issues of concern to your communities.

Bulletin Sponsors

Finally, in order to deliver the Legislative Bulletin to the desks of every legislator, a member of both the House and the Senate must sponsor the publication. MMA is lucky to have two veteran municipal officials who are willing to do so. Sen. Marianne Moore of Washington County and Rep. Thom Harnett of Gardiner will graciously ensure the bulletin is shared with legislators throughout the 2021 and 2022 legislative sessions. Please join us in thanking them both for their assistance in getting municipal voices heard.

If you have questions about the bulletin or its content, please do not hesitate to contact Kate Dufour at kdufour@memun.org or 1-800-452-8786.

LEGISLATIVE BULLETIN

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

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Editorial Staff: Kate Dufour, Rebecca Graham, Neal Goldberg and Laura Ellis of the State & Federal Relations staff.

Layout: Sue Bourdon, Communication & Educational Services.



Legislature Gets To Work (cont'd)

funding K-12 education is \$1.15 billion and the mil rate expectation is \$7.90.

- **\$144 million (FY 22) and \$151 million (FY 23) in Revenue Sharing.** Governor Mills' proposed biennial budget requires 3.75% of state sales and income tax revenue to be distributed to municipalities via the revenue sharing program. According to the information accompanying the budget, revenue sharing distributions would increase from \$138 million in FY21 to \$144 million in FY22 and \$151 million in FY23.
- **\$97 million Annually for Homestead Exemption Reimbursement.** Roughly \$97 million in each year of the biennium is allocated to reimburse municipalities for 70% of the lost property tax revenues associated with the \$25,000 Homestead Exemption program.
- **\$19 million Annually for County Jail Operations.** \$19 million in each year of the biennium - both from general and other special revenue funds - is allocated to Maine's counties for the care of inmates.
- **\$10.4 million Annually for General Assistance.** \$10.4 million in each year of the biennium is dedicated to reimbursing municipalities for 70% of the direct financial assistance provided to eligible applicants under the General Assistance program.

The proposed budget also repeals the Property Tax Relief for Mainers program. The initiative, enacted in 2019, sets aside 20% of the revenue funneled into the Budget Stabilization Fund to help offset the property taxes paid by Maine homeowners. Under the terms of the program, once the fund has reached the level necessary to provide all homeowners enrolled in the Homestead Exemption program at least \$100 of relief, the Maine State Treasurer is required to issue those payments. As a result of the program, in 2019 Maine homesteaders received a \$104 relief check. While property tax relief of any kind is generally welcomed, this program shifted unanticipated administrative burdens onto municipal employees, including assessors, tax collectors and treasurers, not to mention the cost to the state for administering the program.

Importance of Municipal Partnerships & State Support

The way in which Gov. Mills treats funding for important local government programs is testament to the ever improving state/municipal partnership.

It is estimated that municipalities statewide raise roughly \$4 billion in revenue each year to fund school, county and municipal services. In return, in 2020 local governments received \$1.5 billion in state aid.

Of that total, nearly 79% (\$1.2 billion) was distributed to K-12 schools, 19% (\$281 million) to municipalities and 2% (\$30 million) to county governments. Of the state aid shared with municipalities, \$127 million came

in the form of required reimbursements for the tax exemptions extended to property owners (e.g., veterans, homeowners, business personal property, etc.) and \$113 million was distributed through the revenue sharing program.

To put the importance of continued and sustained aid into perspective, if not for the \$281 million state investment in direct municipal programs and reimbursements the statewide mil rate would increase by 10%.

Importance of Home-based Advocacy

As the Legislature debates and casts votes on municipal initiatives, it will be vital for community leaders to regularly reach out to their legislators to discuss the impact proposed policies and initiatives have on property taxpayers and the ability to deliver mandated and desired services.

It is crucial that state policymakers understand that decisions enacting unfunded mandates, expanding or implementing new property tax exemptions without full reimbursement, limiting the amount of local source revenue generated, or reducing the amount of state revenues shared with local government partners will place burdens on all property taxpayers, including businesses and homeowners alike.

However, it is with a sigh of relief that we begin the 2021 legislative session knowing that the Mills Administration appreciates and understands the important roles schools, counties and municipalities play in delivering quality services to all Maine residents, businesses and guests.

Joint Standing Committees of the 130th Maine Legislature

AGRICULTURE, CONSERVATION AND FORESTRY

Room 214, Cross Building

Clerk: Cheryl McGowan

Email: ACF@legislature.maine.gov

Phone Number: 287-1312

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Room 228 State House

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Email: AFA@legislature.maine.gov

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Laura Supica (Bangor)

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Barbara Wood (Portland)

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President:

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Majority Leader:

Nathan Libby (Androscoggin Cty.)

Assistant Majority Leader:

Eloise Vitelli (Sagadahoc Cty.)

Minority Leader:

Jeffrey Timberlake (Androscoggin Cty.)

Assistant Minority Leader:

Matthew Pouliot (Kennebec Cty.)

House:

Speaker:

Ryan Fecteau (Biddeford)

Majority Leader:

Michelle Dunphy (Old Town)

Assistant Majority Leader:

Ryan M. Fecteau (Biddeford)

Minority Leader:

Kathleen Dillingham (Oxford)

Assistant Minority Leader:

Joel Stetkis (Canaan)

MMA's 2020 – 2022 Legislative Policy Committee

LPC/Senate District 1:

Gary Picard, Manager, Madawaska
Dennis Marker, Manager, Caribou

LPC/Senate District 2:

Sandra Fournier, Manager, Chapman
Dwayne Young, Admin. Assistant, Weston

LPC/Senate District 3:

Elaine Aloes, 1st Selectperson, Solon
Tim Curtis, Manager, Madison

LPC/Senate District 4:

Jack Clukey, Manager, Dover-Foxcroft
Daniel Swain, Manager, Monson

LPC/Senate District 5:

Thomas Perry, Councilor, Orono
Charles Frazier, Manager, Enfield

LPC/Senate District 6:

Harry Fish, Jr., Selectperson, Jonesport
Lewis Pinkham, Mgr./Police Chief, Milbridge

LPC/Senate District 7:

Kathleen Billings, Manager, Stonington
Kathleen Rybarz, Chair of Selectboard,
Lamoine

LPC/Senate District 8:

Rick Bronson, Manager, Lincoln
(vacancy)

LPC/Senate District 9:

*Bangor appoints 1 member
Clare Davitt, Councilor, Bangor
Howard Kroll, Manager, Hermon

LPC/Senate District 10:

Kevin Howell, Manager, Carmel
Lois Jones, Manager, Corinna

LPC/Senate District 11:

Kathy Littlefield, Chair of Selectboard,
Waldo
Galen Larrabee, Chair of Selectboard, Knox

LPC/Senate District 12:

William Post, Manager, Rockport
Jay Feyler, Manager, Union

LPC/Senate District 13:

Jonathan Duke, Manager, Newcastle
Terry Lowd, Budget Committee Chair, Bristol

LPC/Senate District 14:

Linda C. Cohen, Manager, Monmouth
Diana Scully, Councilor, Hallowell

LPC/Senate District 15:

*Augusta appoints 1 member
Marc Alexander, Councilor, Augusta
Irene Belanger, Selectperson, China

LPC/Senate District 16:

*Waterville appoints 1 member
(TBD), Waterville
Peter Lawrence, Councilor, Fairfield

LPC/Senate District 17:

Richard Davis, Manager, Farmington
Gary McGrane, Selectperson, Jay

LPC/Senate District 18:

Raquel Welch, Manager, Mexico
Amy Bernard, Administrator, Newry

LPC/Senate District 19:

Dennise Whitley, Selectperson, Norway
Lenny Adler, Selectperson, Otisfield

LPC/Senate District 20:

*Auburn appoints 1 member
Jason Levesque, Mayor, Auburn
Phil Crowell, Jr., Manager, Auburn

LPC/Senate District 21:

*Lewiston appoints both members
Alicia Rea, Councilor, Lewiston
Denis D'Auteuil, Administrator, Lewiston

LPC/Senate District 22:

Anthony Ward, Manager, Sabattus
Kurt Schaub, Manager, Turner

LPC/Senate District 23:

Peter Owen, Manager, Bath
Adam Garland, Manager, Richmond

LPC/Senate District 24:

*Brunswick appoints 1 member
Katherine Wilson, Councilor, Brunswick
(vacancy)

LPC/Senate District 25:

Amy Kuhn, Council Chair, Falmouth
April Humphrey, Councilor, Yarmouth

LPC/Senate District 26:

William Giroux, Manager, Standish
David Nadeau, Councilor, Windham

LPC/Senate District 27:

*Portland appoints both members
Pious Ali, Councilor, Portland
Mark Dion, Councilor, Portland

LPC/Senate District 28:

*Portland appoints 1 member
Kate Snyder, Mayor, Portland
Jon Jennings, Manager, Portland

LPC/Senate District 29:

*South Portland appoints 1 member
Scott Morelli, Manager, So. Portland
*Cape Elizabeth appoints 1 member
Penny Jordan, Councilor, Cape Elizabeth

LPC/Senate District 30:

Jean-Marie Caterina, Councilor,
Scarborough
Ephrem Paraschak, Manager, Gorham

LPC/Senate District 31:

Jay Kelley, Councilor, Old Orchard Beach
Marshall Archer, Councilor, Saco

LPC/Senate District 32:

*Biddeford appoints 1 member
Amy Clearwater, Councilor, Biddeford
Laurie Smith, Manager, Kennebunkport

LPC/Senate District 33:

*Sanford appoints 1 member
Steven Buck, Manager, Sanford
Gary Lamb, Administrator, Waterboro

LPC/Senate District 34:

Larissa Crockett, Manager, Wells
William Ward, Jr., Selectperson, Kennebunk

LPC/Senate District 35:

Perry Ellsworth, Manager, South Berwick
Dana Lee, Manager, Eliot

LPC Chair:

(2021)

James Bennett, Manager, Biddeford

IN THE HOPPER...

(The bill summaries are written by MMA staff and are not necessarily the bill's official 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.)

Environment & Natural Resources

LD 57 – An Act To Reduce the Landfilling of Municipal Solid Waste. (Sponsored by Representative Tucker of Brunswick)

This bill repeals the existing \$2 per ton municipal solid waste surcharge statute in the laws governing solid waste management, as

(continued on back)



Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486

IN THE HOPPER...(cont'd)

well as the exemption that exists for the solid waste generated by the municipality that owns the landfill or a community that has contracted with a 9 month or longer term for the disposal of waste in the landfill facility. In its place, the bill amends the state's waste handling fee statute by imposing a \$1 per ton disposal fee on all municipal solid waste disposed of at a commercial, municipal, state-owned or regional association landfill.

Judiciary

LD 32 – An Act Regarding Remote Participation in Public Proceedings. (Sponsored by Sen. Stewart of Aroostook Cty.)

This bill authorizes municipal, county and school boards to adopt a policy allowing members of the body to participate remotely in a public proceeding. It extends the same authority to the University of Maine System, Maine Maritime Academy, the Maine Community College System and other state and regional boards and commissions. Under the policy, a public body may allow the public to attend and observe via remote means. If the public may attend remotely, the notice of the public

proceeding must inform the public how to attend remotely. Unless the only way for the public to attend is by remote means, the notice must also identify the location where the public can attend in person.

Labor & Housing

LD 61 – An Act To Include Grandparents under Maine's Family Medical Leave Laws. (Emergency) (Sponsored by Representative Stearns of Guilford)

This bill allows a grandparent to request employee family medical leave in order to care for a grandchild who has a serious health condition.

Taxation

LD 80 – An Act To Provide Critical Communications for Family Farms, Businesses and Residences by Strategic Public Investment in High-speed Internet and Broadband Infrastructure. (Emergency) (Sponsored by Rep. McCrea of Fort Fairfield)

This bill requires 33% of sales and use tax revenue

from marketplace-facilitated sales, after required transfers to other funds, including revenue sharing, be transferred to the ConnectMaine Authority to further the employment of high-speed Internet and broadband infrastructure to unserved and underserved areas of the state.

LD 94 – An Act To Allow Municipalities To Exempt Volunteer Firefighters from Paying Excise Tax on Their Vehicles Used To Respond to Fire Calls. (Sponsored by Rep. Doudera of Camden)

This bill authorizes municipalities to adopt an ordinance extending a vehicle excise tax exemption to qualifying volunteer firefighters.

Veterans & Legal Affairs

LD 102 – An Act To Extend the Time Frame for Processing Absentee Ballots. (Sponsored by Rep. Moriarty of Cumberland)

This bill amends the date by which a municipality is authorized to start processing absentee ballots from the fourth to the seventh day immediately prior to election day.