



LEGISLATIVE BULLETIN

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A Flurry of Taxes

The Joint Standing Committee on Taxation worked through a snowy Thursday by plowing through the work sessions on four bills, public hearings on six initiatives, and ending the day with a final work session on their biennial budget report-back to the committee on Appropriations and Financial Affairs.

Three of the work sessions covered policies impacting municipal operations, two moving out of committee as amended.

LD 15, *An Act to Eliminate the Excise Tax on Camper Trailers*, sponsored by Sen. Libby (Cumberland County), looked to remove camper trailers from the requirement to pay local excise taxes to the municipality at the time of registration. An amendment was provided by the sponsor, proposing to change “eliminate” to “modify” and adjusting the excise tax fee schedule for camper trailers to exactly mirror the one used for watercraft.

Representatives of the Bureau of Motor Vehicles (BMV) presented data summarizing camper trailer registration information and shared that the average manufacturer year of registered camper trailers is 2012 and the average annual excise tax amount is \$232. BMV also stated that regardless of how any tax structure is modified, the estimated cost to upgrade the state’s motor vehicle registration system to accommodate the modification would be \$63,000 not including increases to municipalities for local registration system module upgrades.

Despite this data, supporters of the amendment argued that the excise taxes paid by a small portion of the community, for recreational purposes, is excessive and unfair.

The amendment creates a new section of statute, specifically for camper trailers, and removes trailers from the current section that includes motor vehicles. This separation removes those trailers from the method of assessment based on year, weight and Manufacturer’s Suggested Retail Price (MSRP). Instead, a single tax amount is assigned by length of the trailer, like the watercraft excise tax that is determined by length of a boat.

A dollar-to-dollar comparison of revenues between the current assessment practice, based on year, weight and MSRP, and the proposed practice, based solely on length, would be difficult to accomplish outside of general averages. But for a basic comparison, the highest excise tax proposed for a 26-foot camper would be \$68, less than 25% of the current average.

Ultimately the bill passed unanimously out of committee, as amended, which will leave property taxpayers to cover the losses in excise tax revenue and the additional expense for technology updates.

One of MMA’s platform bills, LD 185, *An Act to Expand Opportunities to Invest Municipal Tax Increment Financing Revenues*, sponsored by Rep. Mastraccio (Sanford), also had a work session on Thursday morning. The bill would allow municipalities more flexibility in the investment of TIF revenues, by expanding the allowable costs and removing the cap on the funds that could be used to build and renovate municipal facilities.

Testimony from the public hearing showed strong support from municipal officials who currently utilize TIF districts. The only opposing testimony was submitted by the Department of Economic and Community Development (DECD), stating that expansion of local infrastructure is unrelated to a community’s economic development, that an allowance for the expansion risks an increased reliance on TIF revenue by municipalities instead

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Election Policy & Hashing Out Cannabis Revenue Sharing

The fast and furious pace at which public hearings and work sessions are being scheduled at the State House finds lobbyists drinking from a fire hose as they scurry around advocating for the bills in their portfolios. On Monday afternoon in the Veterans & Legal Affairs Committee, there were several work sessions taking place on measures of municipal interest.

The first bill to be worked was LD 313, *An Act to Improve Voter Confidence in Electronic Ballot Counting by Requiring Ballots to Contain Unique Identifiers*, sponsored by Rep. Foster (Dexter). This bill would require a unique identifying number to be added to each printed ballot, except for sample ballots, and further require a municipality to post on their publicly available website a list of votes cast, organized by the unique number.

Several issues were brought up at the public hearing that included the security of the unique number on absentee ballots picked up by a third party, the possibility that voters may incorrectly record the number, and the requirement of posting the results to a municipality’s website—given that not all municipalities have a website.

The analyst provided committee members with links to three studies conducted on voter confidence at the polls in Maine at

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A Flurry of Taxes...cont'd

of those communities leveraging the funds for development, and that upgrades to local infrastructure should remain the financial responsibility of the municipality—read the property taxpayers.

Work session discussion mirrored this sentiment in some fashion. The committee agreed to the language allowing the expansion of the use of TIF revenues and if passed, funds for renovations to municipal public safety buildings would be added as an allowable cost. In addition, the change would include emergency shelters in the description of public safety facilities.

However, the committee agreed unanimously against the elimination of the 50% limit on capital costs, preferring to keep that limitation in place, but increased the current 15% cap on investment levels to an amount not to exceed 25%.

This amended version of the bill passed out of committee, unanimously of those present.

The final bill to receive a work session, LD 283, *An Act to Increase the Percentage of Funds Provided to Municipalities Through State-Municipal Revenue Sharing*, sponsored by Sen. Baldacci (Penobscot County), proposes to increase revenue sharing from the current 5% of state sales and income tax revenue to 5.5% beginning January 1, 2026, and 6% on January 1, 2027.

Despite ongoing concerns for property taxpayers and continued increases in costs, the hefty price tag of the proposal, estimated by Maine Revenue Services (MRS) to total over \$51 million over the next biennium, resulted in a unanimous “ought not to pass” vote by the committee.

By the time Thursday’s snow had switched to rain, public hearings that could impact municipalities were underway.

The first, LD 283, *An Act to Expand Local Revenues by Including Meals and Lodging Sales Tax Revenue Under the State-Municipal Revenue Sharing Program*, sponsored by Rep. Hepler (Woolwich), an MMA platform bill, strives to diversify the municipal revenue portfolio. This proposal would transfer an additional 1% of the tax revenue collected on meals and lodging sales back to the community where the tax was generated. The proposed Local Government Hospitality Fund would function in the same fashion as the current state-municipal revenue sharing program.

MMA was the only supporter aside from the sponsor. Several hospitality industry representatives opposed the bill out of concern for preservation of the funding that is provided to the Tourism Marketing Promotion Fund. One opponent implied the bill was a work around to a local option sales tax, long opposed by the hospitality industry and the current administration.

LD 288, *An Act to Make Technical Changes to Maine’s Tax Laws*, sponsored by Rep. Cloutier (Lewiston), a department bill, looks to clean up sections of law covering taxation. Changes in language pertaining to the training and knowledge of assessors caused concern for municipal officials that resulted in MMA’s “neither for nor against” testimony on the bill. However, MRS officials explained that this proposed language is already reflected elsewhere, and the change being proposed is for consistency across statutes. It makes no changes to how assessors are certified or who is qualified to complete assessing functions.

LD 326, *An Act to Increase the Property Tax Exemption Provided to Individuals Who Are Legally Blind*, sponsored by Rep. Bridgeo (Augusta), would increase the value of

the property tax exemption from \$4,000 to \$10,000 for persons who are legally blind. Currently, municipalities do not receive reimbursement for this exemption since its inception predates the constitutional reimbursement requirement. However, the proposed increase, which would be instituted after the reimbursement requirement was enacted, would be subject to a 50% reimbursement to municipalities for the property tax revenue lost resulting from the \$6,000 increase in exemption value. MMA testified “neither for nor against” LD 326, instead advocating for a larger homestead exemption to provide needed relief to all homeowners.

Finally, LD 440, *Resolve to Study the Economic Effects of Instituting a Seasonal Sales Tax*, sponsored by Rep. Rana (Bangor) would task MRS with investigating and evaluating the potential ramifications of a seasonal sales tax. Municipal officials were in support of this resolve but requested that the bill be amended to include an analysis of the potential impacts to the state-municipal revenue sharing program.

Work sessions for these bills have not yet been scheduled.

Flexibility is Not Just for Yoga

Although municipalities are skilled at adapting to changing circumstances, in terms of policy, flexibility is an important aspect to consider. This is equally true when referring to payment terms for county tax bills. On Monday, the State and Local Government Committee heard testimony on LD 286, *An Act To Allow County Commissioners Greater Flexibility When Establishing a Payment Schedule for Municipalities to Pay County Tax Bills*, sponsored by Rep. Bridgeo (Augusta). This bill would simply give county commissioners the authority to establish a payment schedule with a municipality when it comes to paying their county tax bills.

The bill sponsor asserted that one of the major benefits of this bill is that it would spark conversation and collaboration between county and local governments, which is a laudable goal and a sentiment municipal officials share, as evidenced by

MMA’s testimony in favor of the measure.

Also supporting LD 286 was Rep. Hepler (Woolwich), who agreed that county and local governments working together is a positive step to aligning resources and the needs of both entities. Jon Beekman, Town of Fayette selectboard chair and Kennebec County budget committee member, testified on behalf of the town, which unanimously supported LD 286 at its February 18 meeting. His interest in the bill was to remedy the hardships a single payment date creates for municipalities, many of which collect property tax revenues after the county bill is due.

With no testimony in opposition to LD 286, the public hearing was closed. Given all testimony was in favor to the bill, staff are hopeful it will receive a positive outcome when discussed at the bill’s work session, which has not yet been scheduled.

HEARING SCHEDULE

For the week of March 3, 2025

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/>.

MONDAY, MARCH 3

Criminal Justice & Public Safety

Room 436, State House, 10:30 a.m.

Tel: 287-1122

LD 583 - *An Act to Support Informed Community Self-determination in Emergency Medical Services Planning*

LD 679 - *An Act to Increase the Funding to the Live Fire Service Training Facilities Fund*

1:00 p.m.

LD 626 - *An Act to Explicitly Allow the Department of Corrections to Charge Room and Board to Residents Who Perform Remote Work in Detention and Correctional Facilities and to Amend the Laws Governing Rehabilitative Programs*

LD 719 - *An Act to Amend the Share of State Funding for the County Jail Operations Fund*

Environment & Natural Resources

Room 216, Cross Building, 10:00 a.m.

Tel: 287-4149

LD 476 - *An Act to Ban the Sale of Polystyrene Packing Peanuts in the State*

LD 646 - *Resolve, Establishing the Commission to Study Unregulated Storm Water Pollution*

LD 708 - *An Act to Allow for Rescission of a Site Location of Development Permit When a Development Is Decommissioned*

Inland Fisheries & Wildlife

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

Tel: 287-1338

LD 439 - *An Act to Preserve Maine's Sporting Heritage and Enhance Sporting Opportunities for Maine's Youth by Allowing Maine's Youth to Hunt on Sunday*

Judiciary

Room 438, State House, 1:00 p.m.

Tel: 287-1327

LD 340 - *An Act Regarding Speedy Trials*

LD 521 - *An Act to Prohibit Discrimination in Housing Based on Source of Income, Veteran Status or Military Status*

LD 537 - *An Act to Prohibit the Doxing of a Minor and to Authorize a Related Civil Action*

Veterans & Legal Affairs

Room 437, State House, 9:30 a.m.

Tel: 287-1310

LD 600 - *An Act to Initiate Recounts in Tied Elections*

LD 656 - *An Act to Save Tax Dollars in Maine's Elections by Amending the Laws Governing When a Ranked-choice Voting Count Must Be Conducted*

LD 718 - *An Act to Require Municipal Clerks to Issue Absentee Ballots Only to Residents of That Municipality and to Eliminate Ongoing Absentee Voter Status*

TUESDAY, MARCH 4

Energy, Utilities & Technology

Room 211, Cross Building, 2:00 p.m.

Tel: 287-4143

LD 293 - *An Act to Eliminate the Debt Limit of the Boothbay Region Water District*

LD 481 - *An Act to Allow a Water District Created by Special Act of the Legislature to Borrow Money and Issue a Warrant Prior to a Default*

Health & Human Services

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

Tel: 287-1317

LD 480 - *An Act to Support Healthy Weight by Providing MaineCare Coverage for Certain Weight Loss Medications*

Health Coverage, Insurance & Financial Services

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

Tel: 287-1314

LD 582 - *An Act to Require Health Insurance Carriers to Provide Coverage for Blood Testing for Perfluoroalkyl and Polyfluoroalkyl Substances*

Housing & Economic Development

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

Tel: 287-4880

LD 546 - *Resolve, to Require the Preparation of Preapproved Building Types*

Judiciary

Room 438, State House, 1:00 p.m.

Tel: 287-1327

LD 260 - *RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish That All Maine Residents Have Equal Rights Under the Law*

LD 492 - *RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for Parental Rights*

Taxation

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

Tel: 287-1552

LD 399 - *An Act to Amend the Laws Regarding the Retention of Proceeds from Municipal Foreclosures*

LD 526 - *An Act to Reduce the Time Period for Challenging the Validity of a Property Tax Lien on Commercial Real Estate*

Transportation

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

Tel: 287-4148

LD 29 - *Resolve, to Require the Department of Transportation to Implement the Recommendations of the Lower Road Rail Use Advisory Council*

LD 30 - *Resolve, Directing the Department of Transportation to Implement the Recommendations of the Portland to Auburn Rail Use Advisory Council Regarding the Rail Line from Portland to Yarmouth*

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Election Policy & Hashing Out Cannabis Revenue Sharing...cont'd

a committee member's request from the public hearing, and members discussed alternative options to printing the number on a ballot, such as a tear off tab that a voter could take with them, which would eliminate the need for a voter to write down the number or take a photo of the number with their phone.

The bill was moved "ought not to pass" and ultimately received a divided report from the committee along party lines.

Same day voter registration was the next topic up for discussion as the committee moved into a work session for LD 349, *An Act to Repeal the Laws That Allow Same-day Voter Registration*, sponsored by Rep. Bagshaw (Windham). As inferred by the title, the bill would repeal the law allowing a voter to register and cast a ballot on the day of the election.

While municipal clerks have not expressed concern with same day voter registration and do not seem to be overburdened with the task, committee members shared concern that residency could not always be verified for a same day voter registration. Rep. Chapman (Auburn) recalled one occurrence in his city where a voter was required to sign an oath when residency could not be verified on the spot. In this case, the voter was given a provisional ballot.

A provisional ballot seemed to be a favored method by committee members when residency was in question, allowing a voter to still cast a ballot, while also allowing time for the verification of residency.

Rep. Malon (Biddeford) commented that signing an oath is important for unhoused individuals and reminded committee members that the Secretary of State has reviewed the procedures for challenged ballots several times. He further shared that a voter who shows up at 7:59 p.m. on election day has the same rights as a voter who has already registered to vote, and if municipal clerks claim to have it under control, perhaps it should be left alone.

Rep. Supica (Bangor) moved "ought not to pass" on LD 349, which also received a divided report along party lines. The minority report would continue to allow same day voter registration but the opportunity to do so would end at 2:00 p.m. on that day.

The next measure up for discussion was LD 309, *An Act to Allow a Political Party*

to Determine How That Party's Nominee Is Selected in a Primary Election, sponsored by Rep. Boyer (Poland), which provides the party an opportunity to opt out of using ranked choice voting as a method by which their primary will be conducted.

A motion of "ought to pass as amended" was offered with the amendment allowing a party to choose the method of election by plurality or ranked choice voting. Rep. Boyer mentioned it may save money to allow a choice but unsurprisingly, the committee again voted along party lines with a divided report on LD 309.

Shifting from elections to cannabis, staff next listened with bated breath to the combined work session on LD 177, *An Act to Create Municipal Cannabis Revenue Sharing*, sponsored by Rep. Adams (Lebanon), and LD 347, *An Act to Provide Qualifying Municipalities a Percentage of Adult Use Cannabis Sales Tax and Excise Tax Revenue*, sponsored by Rep. Lee (Auburn), in which municipalities stand to benefit from receiving a portion of the revenue generated from adult use cannabis sales, albeit by different methods.

The committee started the work session discussing LD 177, where the analyst described the initiatives that currently are funded with the Adult Use Cannabis Public Health and Safety and Municipal Opt-In Fund, the coffer from which revenue would be redirected to municipalities. After hearing the list of initiatives, Rep. Hymes (Waldo) aptly questioned if there was any money left in this fund to accomplish this measure.

Yet, municipal ears rejoiced when Rep. Boyer (Poland) spoke in favor of LD 177 only to be immediately dismayed when Rep. Supica (Bangor) asked why municipalities should get more money, further stating she failed to see how this would help the industry in any way.

Although Rep. Boyer admitted this bill is not a silver bullet, it's a step in the right direction and would potentially provide a carrot to incentivize municipalities to opt in to allow adult use cannabis businesses in their communities. This message seemed to soften Rep. Supica to the idea, however she would still prefer to see safeguards put in place, if this bill were to pass, so that municipalities would be required to use the revenue to reduce property taxes.

Having not weighed in on the merits of LD 177, Sen. Hickman (Kennebec County) shared that he is not in favor of either bill but does believe that a conversation related to cannabis taxes should take place.

Committee members were then the ones to scurry behind closed doors for a corner caucus before returning to the horseshoe to unanimously vote "ought not to pass" on LD 177. A disappointing outcome for municipalities, but hope remained through LD 347.

Next, Rep. Boyer moved "ought to pass as amended" on LD 347. As amended, 12% of the tax revenues generated from the retail sales of adult use cannabis would be shared proportionally with generating municipalities but could only be used to lower the mil rate in that community.

Optimism only lasts so long.

Sen. Timberlake (Androscoggin County) commented that it's time that municipalities got rewarded for their contributions to the success of the industry, and while most committee members agree that conversations around cannabis taxes needs to occur, it's clear this committee is not ready to reward communities for helping to generate the millions of dollars in cannabis revenue Maine receives.

Ultimately, LD 347 was voted out of committee with a divided "ought to pass as amended" report along party lines.

A comment was made at this work session that Maine is addicted to cannabis revenue. However, Maine municipalities wouldn't know anything about it.

LEGISLATIVE BULLETIN

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HEARING SCHEDULE (cont'd)

For the week of March 3, 2025

LD 243 - Resolve, to Name a Railroad Crossing in Wiscasset the James Weldon Johnson Crossing

LD 460 - Resolve, to Rename a Bridge in Newfield the Dam's Mills Veterans Memorial Bridge

LD 463 - Resolve, to Rename the New Ten Mile River Bridge on Pequawket Trail in Brownfield the Brownfield Veterans Memorial Bridge

LD 464 - Resolve, to Rename the Brackett Mill Bridge in Denmark the Brackett Mill Veterans Memorial Bridge

LD 511 - Resolve, to Direct the Department of Transportation to Implement the Recommendations of the Portland to Auburn Rail Use Advisory Council

LD 516 - Resolve, to Name the Bridge Between Milford and Old Town the Alton L. Drinkwater Memorial Bridge

WEDNESDAY, MARCH 5

Taxation

Room 127, State House, 10:00 a.m.
Tel: 287-1552

LD 264 - An Act to Remove the 12-month Waiting Period for the Maine Resident Homestead Property Tax Exemption

LD 294 - An Act to Expand Municipal Volunteer Program Eligibility Requirements in the Municipal Property Tax Assistance Laws

LD 565 - An Act to Amend the Definition of "Homestead" Under the Homestead Property Tax Exemption Laws

LD 652 - An Act to Provide Qualifying Downtown Businesses and Developments with Assistance Paying Flood Insurance Premiums

LD 671 - An Act to Abolish the Maine Income Tax and Establish a Zero-based Budget

LD 715 - An Act to Provide Property Tax Relief by Increasing the Availability of the Property Tax Fairness Credit Based on a Resident's Age and Income

THURSDAY, MARCH 6

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

LD 356 - An Act to Require Notification of Certain Outdoor Pesticide Applications

LD 468 - An Act to Address Food Insecurity by Helping Maine Residents Access Locally Produced Food

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

LD 301 - An Act to Allow the Public Utilities Commission to Establish Performance-based Metrics and Rate-adjustment Mechanisms for a Public Utility in Any Proceeding

LD 451 - An Act to Require Testing of Solar and Wind Energy Developments for Perfluoroalkyl and Polyfluoroalkyl Substances Contamination

Housing & Economic Development
Room 206, Cross Building, 10:00 a.m.
Tel: 287-4880

LD 427 - An Act to Prohibit Mandatory Parking Space Minimums in State and Municipal Building Codes

LD 659 - An Act to Reduce Housing Costs by Not Requiring Fire Sprinkler Systems for Single-family Homes and Duplexes

Judiciary
Room 438, State House, 9:30 a.m.
Tel: 287-1327

LD 132 - Resolve, to Establish the Commission to Study the Constitution of Maine

1:30 p.m.

LD 251 - An Act to Protect the Confidentiality of Information of Individual Customers of a Public Utility

LD 386 - An Act Regarding Information That May Be Shared by Law Enforcement Entities with a School Superintendent or a Principal

Marine Resources

Room 202, Cross Building, 10:00 a.m.
Tel: 287-1337

LD 325 - An Act Related to the Disbursement of Revenue Generated from the Harvesting of River Herring

LD 553 - An Act to Assert State Sovereignty over Ocean Waters and Marine Resources up to 12 Nautical Miles off the State's Coast

LD 687 - An Act to Assert State Ownership over Ocean Waters up to 12 Nautical Miles and Submerged Lands and Marine Resources up to 24 Nautical Miles off the State's Coast and to Direct the Attorney General to Study That Ownership

Transportation

Room 126, State House, 10:00 a.m.
Tel: 287-4148

LD 472 - Resolve, Directing the Maine-Canadian Legislative Advisory Commission and the New England and Eastern Canada Legislative Commission to Examine Restoring Passenger Rail from Boston to Montreal

LD 487 - Resolve, Directing the Northern New England Passenger Rail Authority to Apply for Federal Funding for the Purpose of Identifying the Rail Corridor Connecting Portland to Orono as an Intercity Passenger Rail Corridor



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A Burden Shared is a Burdened Halved

The bills subject to public hearings held on Monday by the committees on Criminal Justice and Public Safety and State and Local Government, as well as the belligerent budget discussions that began the battles this week beneath the dome, have a similar theme. The link between the proposed initiatives and the debates being the imbalance between the state and local government partnership, fueled either by the lack of adequate staff or appropriation for the duties of statewide interest and extensive statewide control, and who is left to foot the bill.

Law Enforcement Ranks

The Criminal Justice and Public Safety Committee heard two bills directly aimed at partially repairing a consistent legislative decision to not keep up the staffing ranks of the Maine State Police (MSP) to an adequate level to meet the needs of the growth of complex criminal investigation and response needs, coupled with growth in population.

Public hearings were held on LD 461, *An Act to Fund Rural Patrol Services in Washington County*, sponsored by Sen. Moore (Washington County) and LD 477, *An Act to Enhance Public Safety in Rural Counties by Providing State Police Patrol and Policing Services*, sponsored by Rep. Ducharme (Madison), both of which address the functional tax shift to the property tax and

detriment to public safety in different ways.

MSP provides policing services for all communities in Maine, regardless of locally established agencies, without requiring a contract for services, but in balance with available resources. During the hearing the agency shared it had not received an increase in sworn law enforcement personnel in over 30 years until last year, when the legislature cut their budget request for 32 additional sworn members in half to 16, and by doing so provided more supervisory positions than needed for the smaller number of new troopers. In the past decades, the legislature has only allowed for the addition of specialized criminal investigators or services that are equally necessary but have not enabled the patrol ranks to grow.

Maj. Hare of MSP put this trend in perspective by testifying that in 1974 then Col. Nichols cited a staffing study that showed Maine needed 100 more troopers and at that time the state agency had a complement of 319. Today they are at 351.

Criticism has been levied against the agency for what was characterized as a rolling back of their patrol duties in favor of specialized services—ones too costly or that require training too intensive to maintain locally. However, the functional reality is that the agency also relied on double duty of volunteers from those state level patrol

ranks to serve in both specialized units and patrol roles which caused burnout as the increased calls for those services have more than tripled. The agency triaged available resources in the same way all other agencies must, to balance core public safety needs and available employee health, while requests for additional staff went unheard.

During the public hearing for LD 461, a bill that would increase the patrol ranks by four but focused on helping collapsing local agencies combating growing drug related violence and property crime specific to Washington County, proponents shared that the legislatively created deficiencies could be made up in part by increases in county sheriff patrols. This happened over time, but the cost of such services ultimately falls to Maine's already overburdened local property taxpayers who can no longer shoulder the expanded burden.

Deeply moving testimony was shared by Rep. Strout (Harrington) highlighting that Washington County's violent crime rate was the second highest in Maine in 2020, with nearly 1.5 violent offenses for every 1,000 residents, according to the Maine Department of Public Safety. Androscoggin County, which has a population 3.5 times larger than Washington County, had the highest rate in 2020 with roughly 1.8 violent offenses for

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IN THE HOPPER

(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.)

Criminal Justice & Public Safety

LD 102 *An Act to Notify the Public of Juveniles Who Are Wanted Persons* (Sponsored by Rep. Lajoie of Lewiston)

This bill allows criminal justice agencies to provide to the public certain juvenile history record information for the purpose of apprehending a juvenile that has escaped from custody as defined by the Maine Criminal Code or when a warrant of arrest has been issued alleging the juvenile has committed a crime that would constitute murder or a Class A, B, C or D crime if the juvenile were an adult.

LD 298 *An Act to Employ Mental Health Personnel Within the Maine State Police* (Sponsored by Rep. Underwood of Presque Isle)

This bill would increase the head count of Behavioral Health Coordinators to three specifically to assist with the need for shared

services amongst agencies served in Aroostook County. The bill also adds one coordinator supervisor position to oversee all behavioral health coordinator services.

LD 583 *An Act to Support Informed Community Self-determination in Emergency Medical Services Planning* (Sponsored by Sen. Curry of Waldo Cty.)

This bill appropriates \$200,000 annually to the Maine Emergency Medical Services Community Grant Program established to facilitate community led, informed discussions around emergency medical service challenges and opportunities for regional approaches.

LD 719 *An Act to Amend the Share of State Funding for the County Jail Operations Fund* (Sponsored by Rep. Salisbury of Westbrook)

This bill provides that state funding for the County Jail Operations Fund must be appropriated annually in an amount equal to 35% of the total cost of operations for county jails as necessary to meet the standards for county jails as established by the Commissioner of Corrections or otherwise required by law. The bill further provides that county jails may provide services that exceed the standards established by the commissioner or otherwise required by law, but the cost of providing such services must be funded by the counties or from other sources outside of the County Jail Operations Fund.

A Burden Shared is a Burdened Halved...cont'd

every 1,000 residents. She added, “when 17.5% of the population is at or below the national poverty level of 12.5% of a given population, there is only so much money those who own property can pay in taxes that go towards funding for schools and the county operations...” Additionally, the Washington County Sheriff’s Department needs the backup that the positions would aid to provide faster response times and possible interruption of the growth in crime.

LD 477 was presented simultaneously as the Washington County specific bill, but not without a strong nod to the identified need there. While both bills were informed with direct input from MSP for the position structures needed for the desired coverage, LD 477 asks for 24 positions and necessary oversight roles to establish adequate coverage in all of the most rural areas of Maine. The bill which was supported by the Maine Prosecutors Association, Maine Chiefs of Police, Maine County Commissioners’ Association and MMA received assurance that the benefits of these additional positions would not end at the county lines. An increase in the number of troopers becomes a force multiplier for all law enforcement agencies in Maine, especially as many smaller agencies are struggling, even in adjacent Hallowell, which is working directly with MSP for coverage.

MSP testified “neither for nor against” both proposals because they are not allowed to advocate for positions not authorized in the governor’s budget but spoke candidly about the need and desire to be there for every call. The committee will debate the merits of both bills in a future work session yet to be scheduled, but even if supported, both will still find an uphill battle to summit the steep and challenging appropriations table.

Rulemaking

As covered in the January 31 edition of the Legislative Bulletin, agency rulemaking is not without controversy or boondoggle. On Monday, another bill was introduced to the State and Local Government Committee that proposed using a hatchet where a scalpel or strong verbal lashing may be more appropriate. LD 490, *An Act to Provide for a 5-year Automatic Repeal of Agency Rules*, sponsored by Rep. Smith (Palermo) would create an automatic repeal of any agency adopted or amended rule after January 2026 in five years, unless the agency followed yet another bureaucratic process to prove its value to the legislature sitting at that time.

While examples abound of ridiculous uses of routine and technical rules, meant to address internal processes only with no justiciability, yet suddenly wielded to compel local expenditure with no legislative review,

the bill would also undermine the major and substantive rules local governments rely upon in ordinance or practice by reference every five years should an agency or the legislature fail to renew them.

Moreover, each time the rulemaking process is initiated, municipal governments must pivot their focus to evaluate the potential impacts of new regulations on their budgets, staffing, and public outreach efforts. This is a significant burden, diverting resources from essential services to explain to regulatory bodies the potential consequences of proposed changes on local duties.

While municipal officials can agree there is room for improvement in the current way rulemaking authority is wielded, including through public petition, throwing the literal baby out with the bathwater might just be too much. The Maine Department of Environmental Protection, Maine Human Rights Commission, Maine Department of Transportation, Secretary of State’s Office, Maine Education Association, Maine Conservation Voters and MMA all opposed the bill.

A work session on this bill has not yet been scheduled, but the burdens proposed by LD 490 will not be shouldered by municipalities alone. Municipal shoulders are strong but the bills this week emphasize the need to balance the burden and not bludgeon the local government bedrock.

IN THE HOPPER (cont'd)

LD 723 *An Act Requiring the Maine Criminal Justice Academy to Develop a Nonresidential Basic Law Enforcement Training Program* (Sponsored by Rep. Lajoie of Lewiston)

Beginning July 1, 2027, this bill requires the Board of Trustees of the Maine Criminal Justice Academy to provide a nonresidential law enforcement training program.

Energy, Utilities & Technology

LD 481 *An Act to Allow a Water District Created by Special Act of the Legislature to Borrow Money and Issue a Warrant Prior to a Default* (Sponsored by Rep. Beck of South Portland)

This bill provides that if a water district, prior to a default in the payment on a note, bond or other evidence of indebtedness, makes a determination that the district’s anticipated revenues from the normal payment of water charges will not be sufficient to pay the district’s anticipated operating expenses, the water district may borrow money to pay the principal and interest and other transaction costs related to the borrowing and may issue the district’s warrant immediately to those portions of the municipality or municipalities that constitute the district to repay the amount borrowed, plus interest.

Environment & Natural Resources

LD 646 *Resolve, Establishing the Commission to Study Unregulated Storm Water Pollution* (Emergency) (Sponsored by Rep. Bell of Yarmouth)

This emergency resolve creates the Commission to Study How to Address Unregulated Storm Water Pollution, which includes a representative from municipal government, and directs the commission to study and analyze existing scientific literature and data on storm water pollution gathered from stakeholder input and how it has affected or potentially will affect the state’s valuable waters, habitats and species along the coast. No later than December 3, 2025, the commission must submit its findings to the Joint Standing Committee on Environment and Natural Resources, which is authorized to submit legislation in 2026.

Taxation

LD 526 *An Act to Reduce the Time Period for Challenging the Validity of a Property Tax Lien on Commercial Real Estate* (Sponsored by Rep. Henderson of Rumford)

Beginning with a tax lien recorded after June 30, 2026, this bill



IN THE HOPPER (cont'd)

prevents a person from commencing an action against the validity of a governmental taking of commercial real estate for nonpayment of property taxes upon the expiration of a two-year period immediately following the expiration of the period of redemption. The bill also defines “commercial real estate” property used primarily for business purposes including, without limitation, apartment buildings with five or more rental or lease units, mobile home parks, office buildings and recreational facilities.

LD 223 *An Act to Amend the Mining Excise Tax Laws* (Sponsored by Rep. Cloutier of Lewiston)

This bill implements the recommendations found in the Bureau of Revenue Services’ report regarding the state’s taxation of metallic mineral mining, which includes exempting unextracted minerals from the property tax.

LD 225 *An Act to Reduce Property Taxes and Finance Public School Construction and Education Through a 3 Percent Sales Tax on Hotel and Lodging Place Rentals* (Sponsored by Rep. Brennan of Portland)
This bill increases by 3% the sales tax on hotels and lodging place rentals and requires those revenues to be used to fund school construction and kindergarten to grade 12 education.

LD 264 *An Act to Remove the 12-month Waiting Period for the Maine Resident Homestead Property Tax Exemption* (Sponsored by Rep. Hepler of Woolwich)

This bill repeals the requirement that an otherwise eligible applicant must wait 12 months before receiving the homestead exemption.

LD 432 RESOLUTION, *Proposing an Amendment to the Constitution of Maine to Allow Municipalities to Apportion Real and Personal*

Property Taxes on the Basis of Property Classification (Sponsored by Rep. Mastraccio of Sanford)

This resolution amends Maine’s constitution by authorizing municipalities to apportion property taxes based on the property’s classification as defined by and according to the process enacted in statute.

LD 438 *An Act to Allow Municipalities to Limit Nonprofit Property Tax Exemptions* (Sponsored by Rep. Hymes of Waldo)

This bill authorizes municipalities to limit the value of a property tax exemption extended to a nonprofit institution or organization, provided the governing body determines, by vote, that granting an exemption is detrimental to the residents of a municipality.

Veterans & Legal Affairs

LD 600 *An Act to Initiate Recounts in Tied Elections* (Sponsored by Rep. Malon of Biddeford)

This bill amends the election laws to require the Secretary of State, for statewide elections, and municipal clerks, for local elections, to automatically initiate a recount when there is an apparent tie.

LD 718 *An Act to Require Municipal Clerks to Issue Absentee Ballots Only to Residents of That Municipality and to Eliminate Ongoing Absentee Voter Status* (Sponsored by Rep. Adams of Lebanon)

The bill repeals the provisions allowing for application for ongoing absentee voter status.

This bill also requires a municipal clerk to issue an absentee ballot only to a person who is registered to vote in that municipality, including the voter, an immediate family member or a third person designated by the voter to deliver the ballot on the voter’s behalf.