

01/10/2025 - LPC LD List
132nd Legislature – First Session

AGRICULTURE, CONSERVATION & FORESTRY

LD 124 *An Act to Protect the Right to Food* (Sponsored by Sen. Hickman of Kennebec Cty.)

Of municipal interest, this bill creates the Maine Vegetable Garden Protection Act, designed to protect an individual's constitutional authority to cultivate vegetable gardens on a person's property or, with permission, on the property of another person, in any political subdivision, including municipalities, plantations and counties, which cannot prohibit or regulate vegetable gardens, permaculture, edible landscaping, food forests or community gardens in a way that is inconsistent with the act. The garden protection proposal also authorizes political subdivisions to develop and implement programs to promote permaculture and establish edible landscaping, food forests and community gardens in public spaces and further authorizes entities to seek and accept funds from public and private sources to support those efforts. The bill also amends the Food Sovereignty Act by: (1) adding to the list of the Department of Agriculture, Conservation and Forestry duties the responsibility to protect the constitutional right to food; (2) defining the terms consumer, food producer, food sovereignty and traditional foodways; (3) establishing six principles to further preserve rural life and values and to protect the right to food, including focusing on people, valuing producers, localizing food systems, promoting local control, building knowledge and skills and working with nature; and (4) extending the authority of municipalities to adopt food sovereignty related ordinances to those regulating traditional foodways and further providing that the law does not require municipalities to adopt a specific form or framework in the process of adopting traditional foodways or direct producer-to-consumer transactions. As defined in the bill, "traditional foodways" are cultural, social and economic practices related to the production and consumption of food, including the conveyance of knowledge regarding food production, preservation, preparation and presentation.

LD 133 *An Act to Amend the Laws Regarding Nuisance Dogs* (Sponsored by Sen. Bennett of Oxford Cty.)

This bill amends the definition of "nuisance dog" to include a dog or wolf hybrid that disturbs the peace of an individual by excessive barking, howling or yelping, and the individual is not trespassing on the dog or wolf hybrid owner's or keeper's premises at the time of the excessive barking, howling or yelping. The bill also explicitly authorizes a person to file a written complaint to a sheriff, local law enforcement officer or animal control officer if the person's peace has been disrupted by a dog that barks, howls or yelps excessively.

APPROPRIATIONS & FINANCIAL AFFAIRS

LD 1 *An Act to Increase Storm Preparedness for Maine's Communities, Homes and Infrastructure* (Emergency) (Governor's Bill) (Sponsored by President Daughtry of Cumberland Cty.)

In response to the \$90 million in damages caused by the winter storms of December 2023 and January 2024, Part A of this emergency bill creates the Home Resiliency Program within the Department of Professional and Financial Regulation, Bureau of Insurance to provide grants to assist owners fund home resiliency projects. The program is funded by the Home Resiliency

Fund, which is capitalized with a \$15 million transfer from available balances within the bureau. To be eligible, an individual must own and reside in a home that was not the subject of a previous home resiliency project. The bill further directs the bureau to develop a list of eligible projects, post the list on a publicly accessible website, set maximum grant amounts, and adopt the rules necessary to implement the program. The bill also specifies that the bureau may not award grants before May 1, 2026.

Part B of the emergency bill creates the Safeguarding Tomorrow through Ongoing Risk Mitigation Revolving Loan Fund as a dedicated, non-lapsing fund administered by the Maine Emergency Management Agency (MEMA). The fund is used as the state's match for the Federal Emergency Management Agency disaster and hazard mitigation revolving low-interest loan program, which is designed to support municipal and tribal government infrastructure projects that reduce future storm and other hazards risks. The bill also transfers \$750,000 from available balances within the insurance bureau to fund the mitigation loan program, transfers an additional \$10 million from the bureau to capitalize the Disaster Recovery Fund, and directs MEMA to adopt the rules necessary to administer the fund.

Part C of the emergency bill establishes the State Resilience Office within the Maine Office of Community Affairs and directs the office to coordinate, assist and collaborate with state agencies, municipalities, tribal governments and regional entities to improve Maine's resistance to weather-related events. The bill also creates the State Resilience Fund to be administered by the office and with revenue used to support data, planning tools, technical assistance and project funding designed to increase the resilience of communities, state and local infrastructure, businesses and other state entities to natural hazards, storm events and other disasters. The office is also directed to adopt the rules necessary to implement the program. In addition to the one-time transfer of \$9.6 million from the available balances within the insurance bureau, the bill provides that beginning with fiscal year 2028, \$1.755 million from available balances within the bureau's special revenue fund be annually transferred to the State Resilience Fund.

[LD 25](#) *An Act to Authorize a General Fund Bond Issue to Fund Wastewater Treatment Facility Planning and Construction of Infrastructure Projects* (Sponsored by Sen. Brenner of Cumberland Cty.)

This bond bill seeks voter approval for a \$50 million bond for grants to assist municipalities, quasi-municipal entities and unorganized townships with wastewater treatment facility planning and construction of infrastructure projects facilitating proper management and disposal of wastewater sludge or biosolids.

CRIMINAL JUSTICE & PUBLIC SAFETY

[LD 96](#) *An Act to Amend the Motor Vehicles and Traffic Law Governing Mandatory Driver's License Suspension for Refusing Testing for Drugs or a Combination of Drugs and Alcohol* (Sponsored by Rep. Bunker of Farmington)

Under current law, a person is required to submit to a blood or urine test selected by a drug recognition expert if that drug recognition expert has probable cause to believe that the

person is under the influence of a specific category of drug, a combination of specific categories of drugs or a combination of alcohol and one or more specific categories of drugs. The bill changes this provision by broadening the probable cause to include impairment caused by "a drug" or "drugs" generally, replacing "drug recognition expert" with "law enforcement officer" and modifying the requirements pertaining to the type of test or tests required under the provision. The bill also adds a provision clarifying that the Secretary of State is required to immediately suspend the driver's license of a person who fails to submit to and complete a test under the provision of law governing drug impairment assessments in accordance with existing procedures

[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 123](#) *An Act Regarding Licensure of Emergency Medical Services Persons* (Sponsored by Sen. Cyrway of Kennebec Cty.)

This bill amends the law governing the minimum requirements for licensing and relicensing of emergency medical services persons by removing the requirement that a person seeking licensing or relicensing must have successfully completed the practical evaluation of emergency medical treatment skills approved by the Emergency Medical Services' Board and replacing it with a requirement that the person must have successfully completed an assessment of emergency medical treatment skills approved by the board.

EDUCATION

[LD 34](#) **Hopper (EDU-RL)** *An Act to Increase the Minimum Salary for Teachers* (Sponsored by Sen. Pierce of Cumberland Cty.)

This bill increases the current \$40,000 minimum salary for certified teachers annually until the minimum salary is \$52,500 on June 30, 2029. For school years starting on or after 2030, the minimum salary for certified teachers and technical education techs must be adjusted annually for inflation. The bill also requires that additional state aid be allocated to fund the increases until July 1, 2028.

[LD 71](#) *An Act Regarding Special Education Funding* (Sponsored by Rep. Mathieson of Kittery)

Beginning in fiscal year 2026, this bill requires the state to fund no less than 55% of special education costs under the essential programs and services school funding formula.

ENVIRONMENT & NATRUAL RESOURCES

[LD 62](#) **Hopper (ENR-AC)** *An Act to Support Municipal and County Actions on Dam Ownership* (Sponsored by Rep. Milliken of Blue Hill)

This bill amends the Department of Environmental Protection's process regarding the release of dam ownership by requiring the owner to provide sufficient information to enable individuals and groups who own property abutting the dam site, commissioners from the Departments of Inland Fisheries & Wildlife and Agriculture, Conservation & Forestry, director of the MEMA, and representatives of tribal government, municipal officers and county commissioners in the area where the dam is located to determine whether to assume ownership of the dam. The bill also amends the laws governing the timing of a municipal public meeting regarding the release of ownership from no later than 60 days to 180 days after receiving notice of such an action.

[LD 138](#) *An Act to Exempt Airports from Certain State Endangered and Threatened Species Habitat Protections* (Sponsored by Sen. Bennett of Oxford Cty.)

This bill exempts the property of an airport from protections for state endangered and threatened species that may require special management considerations or protection guidelines and from restrictions on state and municipal approval of projects that may significantly impact state endangered and threatened species habitats.

HEALTH & HUMAN SERVICES

[LD 35](#) *An Act to Strengthen Local Emergency Medical Services by Increasing the MaineCare Reimbursement Rate for Ambulance Services* (Sponsored by Sen. Curry of Waldo Cty.)

Beginning on July 1, 2025 and ending June 30, 2028, the Department of Health and Human Services is directed to increase the MaineCare reimbursement rate for ambulance services to 140% of the average allowable reimbursement rate under Medicare.

[LD 110](#) *An Act to Require Reporting on the Expenditure of Opioid Settlement Funds by Certain Municipalities and County Governments* (Sponsored by Rep. Brennan of Portland)

This bill requires that a direct share subdivision that receives opioid settlement funds in accordance with the Maine State-Subdivision Memorandum of Understanding and Agreement Regarding Use of Settlement Funds, dated and signed on January 26, 2022, and the Maine State-Subdivision Memorandum of Understanding and Agreement Regarding Use of Settlement Funds-2023, dated and signed on May 2, 2023, collectively referred to in the bill as the Memoranda of Understanding, must submit an annual report to the Attorney General detailing the amount of such funds received and expended in the prior calendar year and including a description of each such expenditure. The first annual report must be submitted by January 15, 2026. A direct share subdivision is defined in the bill as a municipality or county that is a plaintiff subdivision identified in Exhibit 3 of the Memoranda of Understanding.

HOUSING & ECONOMIC DEVELOPMENT

[LD 128](#) *An Act to Support Permitting of Certain Multifamily Housing Developments Under the Site Location of Development Laws* (Sponsored by Sen. Pierce of Cumberland Cty.)

This bill amends the definition of "subdivision" for purposes of the site location of development laws to allow lots that include detached residential housing designed to accommodate up to four families, including accessory dwelling units, instead of just single-family housing. This bill also specifies that rules made by the Board of Environmental Protection

to permit, by rule, any class of activities that would otherwise require individual issuance of a permit or approval by the board are routine technical rules.

JUDICIARY

[LD 83](#) *An Act Concerning the Filing of Marriage Licenses and the Recording of Intentions as Part of the Electronic Vital Records System* (Sponsored by Rep. Kuhn of Falmouth)

This bill amends the laws regarding the management of marriage licenses by requiring: (1) completed applications to be attached to the marriage record stored in the State Register of Vital Statistics' electronic system; (2) in situations where licenses have been erroneously issued and the couple as not yet married, the state register or municipal clerk to inform parties that they cannot marry until the judge of probate approves the marriage; and (3) marriage licenses returned later than 90 working days following the marriage be marked as delayed in filing. The bill also repeals the provision in statute requiring the municipal clerk to provide applicants of a marriage license a Department of Health and Human Services brochure concerning the effects of alcohol and drugs on fetuses.

[LD 132](#) *Resolve, to Establish the Commission to Study the Constitution of Maine* (Sponsored by Sen. Hickman of Kennebec Cty.)

This resolve establishes a 12-member Commission to Study the Constitution of Maine, which on consists of eight legislators, the Secretary of State, a constitutional law scholar, and representatives of a federally recognized Indian tribe and a national civil liberties organization. The commission is tasked with reviewing the constitution and developing recommendations to: (1) strengthen Maine's Declaration of Rights, Article I of the Constitution of Maine; (2) remove procedural minutiae from the constitution that are better left to statute; (3) enable the popular election of constitutional officers; (4) establish four-year terms for Senators; (5) reduce the number of members of the Legislature; (6) establish a unicameral Legislature; (7) allow constitutional amendments to be initiated directly by the people; and (8) examine any constitutional resolutions introduced in the 132nd Legislature. No later than November 4, 2026, the commission is required to submit its report and recommendations, including suggested amendments to the constitution, for presentation to the Joint Standing Committee on Judiciary, which is authorized to submit legislation in 2027.

LABOR

[LD 60](#) *An Act to Allow Employees to Request Flexible Work Schedules* (Sponsored by Rep. Roeder of Bangor)

This bill requires employers, including public employers, to consider an employee's request for a flexible work schedule and in the process of considering the request determine if it can be granted in a manner that is consistent with employer operations. Such considerations include the cost to the employer, impacts on employee morale, ability to meet consumer demands, and ability to reorganize work among existing employees, to name a few. Employers must inform an employee, in writing, of the decision, and if denying the request, specify the reasons for the denial. If the request is granted, the employee and employer must mutually agree on the duration, time and terms of the flexible work schedule. With as much notice as possible, the employer can rescind the flexible work schedule when deemed necessary. An employer that

takes action to prevent or penalizes an employee for requesting a flexible work schedule is subject to a civil penalty between \$100 to \$500 payable to the Department of Labor. The bill further provides that a collective bargaining agreement may provide employees with more expansive flexible work schedule rights.

LD 61 *An Act to Regulate Employer Surveillance to Protect Workers* (Sponsored by Rep. Roeder of Bangor)

This bill requires employers, including public employers, to provide notice before initiating employee surveillance through electronic devices or systems, and further restricts the use of audiovisual monitoring in an employee's residence, personal vehicle, or on personal property. The bill provides an exception for the use of surveillance cameras for security or safety purposes or the use of global positioning system tracking or other safety devices on vehicles owned by the employer but operated by the employee. The bill also: (1) authorizes an employee to decline a request by an employer to install data collection or transmission applications on the employee's personal electronic devices; (2) requires an employer to notify prospective employees during the interview process that the employer engages in employer surveillance; (3) gives rule-making authority to the Department of Labor; and (4) creates a private right of action for persons aggrieved by a violation by an employer.

LD 82 *An Act to Amend the Workers' Compensation Laws by Extending Indefinitely the Presumption Applying to Law Enforcement Officers, Corrections Officers, E-9-1-1 Dispatchers, Firefighters and Emergency Medical Services Persons Diagnosed with Posttraumatic Stress Disorder* (Sponsored by Rep. Mathieson of Kittery)

This bill repeals the October 1, 2025 repeal of a provision in the Workers' Compensation Act of 1992 that makes a post-traumatic stress disorder resulting from a workplace injury and suffered by a law enforcement officer, corrections officer, E-9-1-1 dispatcher, firefighter or emergency medical services person a rebuttable presumption.

STATE & LOCAL GOVERNMENT

LD 50 *An Act to Provide the Right of First Refusal to Towns in Which the University of Maine System and Similar Quasi-independent State Entities Are Selling Property* (Sponsored by Rep. Dodge of Belfast)

This bill provides municipalities with a first right of refusal to purchase the real property owned by a quasi-independent state entity and located in the community at the current market value as determined by an independent appraiser. The right established in the bill expires if the municipality fails to either: (1) provide notice invoking the right within 30 days of receiving written notice of the opportunity; or (2) complete the purchase of the property within three months of invoking the authority.

LD 53 *An Act to Establish the November General Election Day as a State Holiday* (Sponsored by Rep. Poirier of Skowhegan)

This bill designates the day of the November general election occurring in an even numbered year as a state holiday.

LD 119 *An Act to Include the Declaration of an Emergency by the President of the United States as a Basis to Allow the Governor to Provide Disaster Relief to Local Government* (Sponsored by Sen. Beebe-Center of Knox Cty.)

This bill includes the declaration of an emergency by the President of the United States as a basis to allow the Governor to provide disaster relief to local governments.

TAXATION

LD 7 *An Act to Increase the Homestead Property Tax Exemption for Residents 65 Years of Age or Older* (Sponsored by Sen. Bennett of Oxford Cty.)

This bill extends a \$75,000 exemption on the homestead of a permanent Maine resident who is 65 years of age or older and who has resided in the home for at least 10 years.

LD 15 *An Act to Eliminate the Excise Tax on Camper Trailers* (Sponsored by Sen. Libby of Cumberland Cty.)

This bill eliminates the excise tax on camper trailers, which is assessed, collected and retained by municipalities.

LD 68 *An Act to Amend the State Tax Laws* (Sponsored by Rep. Cloutier of Lewiston)

Of municipal interest, this bill changes from April 1 to May 1, the date by which the owner of business equipment tax exemption (BETE) property files a report with the assessor describing the property for which an exemption is claimed and repeals the automatic 30-day extension for filing the report. Instead, the bill authorizes assessors who receive a written request for an extension before taxes are committed to grant, for good cause, additional time to file the report, provided the extension does not exceed three months. The bill also authorizes the State Tax Assessor to provide access to BETE applications, rather than provide copies of the applications.

TRANSPORTATION

LD 2 *An Act to Allow Military Vehicles Purchased for Civilian Use to Be Registered and Operated on Maine Roads* (Sponsored by Sen. Libby of Cumberland Cty.)

This bill allows demilitarized vehicles, defined as automobiles built for and used by the U.S. Armed Forces, including the Space Force and Coast Guard, to operate over Maine roads. The bill directs the Secretary of State to register these vehicles and issue registration plates in a three-number and three-letter combination. An application for registration must include evidence of transfer of title from the federal government and an affidavit that the vehicle is garaged or maintained in the state. Additionally, demilitarized vehicles are subject to motor vehicle inspection requirements, except that the Chief of the State Police can provide certain exemptions under rulemaking authority.

LD 115 *An Act to Assess Impact Fees on Megayachts* (Sponsored by Sen. Bennett of Oxford Cty.)

This bill provides that a megayacht is subject to an impact fee of \$10 per foot of length over 150 feet for each day up to 30 consecutive days that the megayacht is secured to a slip in a municipality that collects slip fees. The bill provides that commercial fishing vessels, certain

commercial cruise vessels, commercial scientific research vessels, marine salvage or construction equipment vessels, commercial freight-carrying vessels, vessels built before 1950, vessels made primarily of wood, military vessels and vessels owned by academic institutions are not included in the definition of "megayacht." Municipalities are allowed to retain 10% of all impact fees, with the remainder to be transferred to the Megayacht Fund, as established in the bill, and requires that 50% of funds be used to support harbor infrastructure and sea level rise mitigation infrastructure and 50% of funds support public transit infrastructure, including ferries and land-based public transportation.

VETERANS & LEGAL AFFAIRS

[LD 13](#) *An Act to Provide Funds Necessary for the Production and Delivery of Election Materials by the Secretary of State and to Reconvene the Working Group to Study Polling Places at Schools* (Sponsored by Sen. Hickman of Kennebec Cty.)

This bill creates the Product and Delivery of Election Materials Fund, a non-lapsing, interest bearing fund within the Department of the Secretary of State to support the production and delivery of election materials as required by state statutes. Beginning on September 30, 2025, and every September 30 thereafter, the bill directs the state controller to transfer \$266,000 from unappropriated General Fund surpluses to the election materials fund. Every two years, the amount transferred to the fund must be adjusted for inflation. The bill also directs the Secretary of State to reconvene the nine-member working group to study polling places at schools, which includes representatives from the Maine Town and City Clerks' Association and Maine Municipal Association. No later than December 15, 2025, the working group is further directed to submit its report and recommendations regarding student, staff and voter safety and practices around the use of school buildings for elections to the Joint Standing Committee on Veterans and Legal Affairs, which is authorized to report out legislation in 2026.

[LD 38](#) *An Act Requiring Photographic Identification for Voting* (Sponsored by Sen. Timberlake of Androscoggin Cty.)

This bill requires voters to present photographic identification when voting in person, which includes a Maine issued valid driver's license or nondriver identification card, a U.S. passport, a military identification, or a permit to carry a concealed handgun issued under Title 25, chapter 252 if that permit includes a photograph. An identification issued by a college or university does not qualify as eligible identification. The bill also directs the Secretary of State to provide voters with a special photograph identification card, which must be issued free of charge, and can be used to participate in an election.