



Legislative Update

TO: Commissioner Steve Gorden, Lauren Haven, Maine County Commissioners Association

FROM: James I. Cohen, Clara McConnell

DATE: January 27, 2023

RE: Week Ending January 27, 2023

It was an eventful week in Augusta despite the two snowstorms that caused delays and cancellations. Here are the highlights from this week in Maine politics and policy:

Legislative committees hold orientation sessions and begin public hearings. The Maine Legislature's joint standing committees met this week to continue receiving orientation briefings from state agencies and departments, permanent commissions, and interested stakeholders. At least two committees, Veterans and Legal Affairs and Judiciary, also began holding public hearings on bills this week. With a snow day on Monday and a half-day delay on Thursday, many committee meetings had to be rescheduled for the coming weeks. Given that, we will see committees continue their orientation sessions next week, although we will also see an uptick in the number of public hearings. Full committee schedules and archived video of past committee meetings are available on the [Legislature's website](#).

Legislature's Appropriations Committee holds public hearings on Governor's Supplemental Budget. This week, the Legislature's Committee on Appropriations and Financial Affairs held public hearings on the Governor's [Supplemental Budget proposal](#), which puts forth changes to State spending that the Administration deems necessary through June of this year. The Committee is likely attempting to work through the Supplemental Budget as efficiently as possible so they can move onto the larger task of considering the proposed Biennial Budget. Of note, the Supplemental Budget includes two \$25 million appropriations for supplemental payments to the state's hospitals and long-term care facilities to help offset rising costs and operating losses. In addition, the Administration is proposing reallocating approximately \$16 million in American Rescue Plan Act (ARPA) funds that were not used for their original purpose authorized by the Legislature in 2021.

Maine's new head public defender resigns. On Wednesday, the Maine Commission on Indigent Legal Services (MCILS) held an emergency meeting as [the Commission's new lead public defender left at the end of last week after a brief tenure](#). In the past, Maine has not had public defenders. Instead, MCILS works with private attorneys that agree to take indigent defense cases. Given the struggle the state has had in recent years maintaining an adequate roster of private attorneys to take such cases, the Legislature in 2022 authorized MCILS to hire the state's first five public defense attorneys, and those attorneys began their work in December. After the lead attorney's exit, MCILS executive director, Justin Andrus, obtained the approval from the Commission to lead the public defenders for up to six months in addition to his current role as executive director. Andrus will work with the four remaining public defenders in a

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supervisory role to provide assistance with case work while the Commission undertakes the search for a new lead public defender.

Proposed legislation would require Maine to purchase large quantities of offshore wind power. On Tuesday, legislation was unveiled that would [require the state to purchase large quantities of offshore wind-generated energy](#). While the bill language is still being drafted, the sponsor, Senator Mark Lawrence (D-York), said the proposed bill would require the Maine Public Utilities Commission to procure 2.8 gigawatts of wind energy over the course of twelve years, which is enough energy for 980,000 homes, more than enough for every home in Maine. While it is uncertain whether Governor Mills will endorse the bill in its current form, the Governor's Energy Office praised the potential of offshore wind energy and stated that the Administration looks forward to working with the Legislature on this bill. This proposal comes as the federal Bureau of Ocean Energy Management last week advanced the State's application to locate ten to twelve floating turbines for a research array in a nearly 10,000-acre lease in federal waters off the coast of Portland.

Maine Republicans plan to propose changes to lower energy costs. On Tuesday, Senate Republicans said they plan to [propose several legal changes in an attempt to cap the cost of home heating in the state](#). Members of the Republican caucus said they will propose reforms to the Maine Public Utilities Commission and introduce various pieces of legislation to expand options for home energy creation. Potential Republican proposals include promising more transparency and accountability during the Maine PUC's bidding process, as well as removing a 100-megawatt limit on hydropower. Further, Republicans in the Legislature are considering bills to promote the use of geothermal exchange heating and cooling systems, and to allow a variance for outdoor wood boilers.

House Speaker proposes legislation to extend MaineCare health coverage to all low-income noncitizens. Earlier this week, House Speaker Rachel Talbot Ross (D-Portland) proposed LD 199, which would [provide low-income noncitizens access to public health insurance benefits](#) through the State's MaineCare program. Speaker Talbot Ross proposed similar legislation in the last legislative session; however, the bill died in committee after Governor Mills included a limited expansion of MaineCare in her supplemental budget that extended MaineCare benefits to pregnant women and people under the age of 21, regardless of citizenship. Republican leaders in the House and Senate did not immediately come out against the bill; however, Senate Minority Leader Trey Stewart (R-Aroostook), indicated that his caucus was unlikely to support the bill, and likewise, House Minority Leader Billy Bob Faulkingham (R-Winter Harbor) predicted that House Republicans would be "skeptical about such a bill."

We hope everyone has an enjoyable weekend. If the weather cooperates, the full Legislature will be in session Tuesdays and Thursdays for the foreseeable future. Late Thursday and into Friday next week, many of us will be somewhat "off the grid" participating in a legislative leadership retreat at Sunday River with key members of the Legislature and the Administration. Until then, stay safe and be well!

I. Printed Legislation

L.D.s 253 to 354 have been printed. The following bill(s) appear to be of interest to Maine County Commissioners Association

CRIMINAL JUSTICE AND PUBLIC SAFETY

[LD 155 - An Act Regarding Community-based Services For Youth Involved In The Juvenile Justice System](#)

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Michael BRENNAN of Portland

This bill is a concept draft pursuant to Joint Rule 208. This bill would require the Department of Corrections to develop a comprehensive plan for community-based services for youth involved in the juvenile justice system.

[LD 215 - Resolve, To Require The Commissioner Of Public Safety To Conduct A Study Regarding Cadet Law Enforcement Officers Who Are Injured And Law Enforcement Officers Who Leave The Sponsoring Agency](#)

Chad PERKINS of Dover-Foxcroft

This resolve directs the Commissioner of Public Safety to conduct a study regarding the number during the last 8 years of cadet law enforcement officer injuries that resulted in lost training time, cadet injuries that resulted in workers' compensation claims or resulted in temporary or permanent disability claims and law enforcement officers who had their training costs paid by a sponsoring agency but...

[Full Summary](#)

[LD 229 - An Act To Compensate Tribal Governments For Basic Training For A Law Enforcement Officer Hired By Another Government Agency](#)

James DILL of Old Town

This bill includes tribal governments and full-time law enforcement officers trained at the Indian police academy at the federal law enforcement training center in the laws that provide that whenever a full-time law enforcement officer trained at a police academy at the expense of a particular governmental entity is subsequently hired by another governmental entity as a full-time law enforcement officer...

[Full Summary](#)

[LD 179 - An Act To Provide Support For Restorative Justice Practices In Maine](#)

Pinny BEEBE-CENTER of Knox

This bill is a concept draft pursuant to Joint Rule 208. This bill would support restorative justice practices in the State.

HEALTH AND HUMAN SERVICES

[LD 50 - An Act To Prevent Child Abuse And Neglect By Developing A System To Ensure Child And Family Well-being](#)

Michele MEYER of Eliot

This bill is a concept draft pursuant to Joint Rule 208. This bill, as emergency legislation, proposes to ensure that a forthcoming statewide child abuse and neglect prevention plan is developed and funded in order to provide access to services, develop resources for family stabilization and require outcomes data on the provision of services and resources.

JUDICIARY

[LD 113 - An Act To Provide Funding For Guardians Ad Litem](#)

Margaret CRAVEN of Lewiston

This bill provides ongoing funding of \$1,000,000 beginning in fiscal year 2023-24 for guardian ad litem services in family matters cases.

[LD 186 - An Act To Provide Funding For Prosecutor Positions](#)

Mark LAWRENCE of York

This bill appropriates ongoing funds to establish 10 Assistant District Attorney positions to provide 8 new prosecutors for recovery courts, specialty dockets and diversion programs and 2 new prosecutors for appellate and post-conviction review cases.

LABOR AND HOUSING

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[LD 197 - An Act To Address Employee Retention At The Maine State Police Crime Laboratory And The Computer Crimes Unit In The Department Of Public Safety](#)

Benjamin COLLINGS of Portland

This bill establishes a new special retirement plan for certain civilian employees in the Department of Public Safety, Maine State Police Crime Laboratory and computer crimes unit that allows those employees to retire after 25 years of service regardless of age.

NOT YET REFERRED TO COMMITTEE

[LD 283 - An Act To Make Technical Changes To The Maine Tax Laws](#)

Ann MATLACK of St. George

Part A makes changes to the property tax law. Part A: 1. Allows disclosure of confidential information to the State Board of Property Tax Review; 2. Clarifies that a municipality's equalized tax rate of residential property is the equalized full value tax rate when calculating qualification for sudden and severe disruption assistance; 3. Removes the requirement that updates to the property tax assessment...

[Full Summary](#)

[LD 286 - An Act To Authorize The Use Of Tax Increment Financing Funds For Constructing Or Renovating Municipal Offices And Other Municipal Buildings](#)

Nathan CARLOW of Buxton

This bill permits revenue from tax increment financing districts to be used for the construction or renovation of municipal offices or other municipal buildings when the legislative body of the municipality determines that certain conditions are met. The bill limits the revenue that may be used for these purposes during a 20-year period for any one tax increment financing district.

[LD 353 - An Act Concerning Substance Use Disorder, Treatment, Recovery, Prevention And Education](#)

Bradlee FARRIN of Somerset

This bill is a concept draft pursuant to Joint Rule 208. This bill would improve and expand treatment and recovery services for persons with substance use disorder, strengthen prevention efforts and modernize education requirements for clinicians.

TAXATION

[LD 210 - An Act To Expand The List Of Persons Exempt From The Real Estate Transfer Tax](#)

Tavis HASENFUS of Readfield

This bill adds siblings, stepchildren and stepgrandchildren to the list of family members whose deeds are exempt from the real estate transfer tax.

II. Calendar

Attached is a hearing calendar of the bills of interest to Maine County Commissioners Association. If there are additional bills that you would like us to track, please let us know so we can add them to our calendar system.

| <u>Date</u> | <u>Time</u> | <u>Committee</u> | <u>LD</u> | <u>Description</u> |
|-------------|-------------|--|-----------|---|
| Jan. 30 (M) | 9:00 AM | Criminal Justice & Public Safety, Rm 436, SH | | Criminal Justice & Public Safety Committee Introductions; Supplemental Budget Work Session; Office of Policy and Legal Analysis; Office of Fiscal and Program Review; Legislative |

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| | | | | Information Office; Overview of Committee Rules and Procedures |
|--------------|----------|--|-----|--|
| Jan. 30 (M) | 10:00 AM | CJPS State House, Room 436 | 96 | An Act To Ensure Release Of Relevant Background Investigation Material To Current Employers Of Law Enforcement And Corrections Officers (PH) |
| Jan. 30 (M) | 10:00 AM | CJPS State House, Room 436 | 42 | An Act Regarding The Commissioner Of Corrections' Role In Death Benefit Determinations And Regarding Training For Corrections Officers (PH) |
| Jan. 30 (M) | 1:00 PM | Criminal Justice & Public Safety, Rm 436, SH | | Criminal Justice & Public Safety Maine Coalition to End Domestic Violence; Maine Coalition Against Sexual Assault; Overview of Committee Rules, Procedures, and Information; Maine Sheriff's Association; Introductions for Statutory Commissions and Interested Parties |
| Jan. 31 (Tu) | 10:00 AM | House & Senate | | House & Senate Session |
| Jan. 31 (Tu) | 1:00 PM | SLG Cross Building, Room 214 | 153 | An Act To Allow Electronic Distribution Of Certain Documents To Municipalities And Electronic Acknowledgment Of Receipt Of Certain Documents As Acceptable Communications (PH) |
| Jan. 31 (Tu) | 1:00 PM | SLG Cross Building, Room 214 | 49 | An Act To Authorize The Deorganization Of Drew Plantation (PH) |
| Jan. 31 (Tu) | 1:00 PM | SLG Cross Building, Room 214 | 119 | An Act To Clarify The Boundary Between Waldo And Knox Counties In Penobscot Bay (PH) |
| Jan. 31 (Tu) | 1:00 PM | TAX State House, Room 127 | 6 | Resolve, Authorizing The State Tax Assessor To Convey The Interest Of The State In Certain Real Estate In The Unorganized Territory (PH) |
| Jan. 31 (Tu) | 1:00 PM | Housing, Rm 216, CSOB | | Housing Scheduled Presentations: Homelessness and the housing crisis - emergency issues and short-term considerations: Deb Keller, Maine Association of Public Housing Authority Directors; Megan Hannan, Executive Director, Maine Community Action Partnership; Rebecca Graham, Legislative Advocate, Maine Municipal Association; Robyn Merrill, Maine Equal Justice |
| Jan. 31 (Tu) | 2:30 PM | State and Local Government, Rm 214, CSOB | | State & Local Government LD 206, Supplemental Budget Work Session |
| Feb. 1 (W) | 9:00 AM | Criminal Justice & Public Safety, Rm 436, SH | | Criminal Justice & Public Safety Orientation |

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|-------------|----------|--|-----|---|
| Feb. 1 (W) | 10:00 AM | CJPS State House, Room 436 | 47 | An Act To Amend The Law Governing Licensing Actions Of The Emergency Medical Services' Board (PH) |
| Feb. 1 (W) | 10:00 AM | Education and Cultural Affairs, Rm 202, CSOB | | Education and Cultural Affairs Orientation: Department of Corrections; Juvenile Justice Advisory Group; Maine Gun Safety Coalition; Maine charter School Commission; Maine Adult Education Association; Full Plates/Full Potential; Maine Administrators of Services for Children with Disabilities; Maine Math and Science Alliance; Cultural Alliance of Maine; Maine Children's Alliance; Maine Association for Community Service Providers |
| Feb. 1 (W) | 10:00 AM | Veterans & Legal Affairs, Rm 437, SH | | Veterans & Legal Affairs Department of Defense, Veterans and Emergency Management |
| Feb. 2 (Th) | 10:00 AM | House & Senate | | House & Senate Session |
| Feb. 2 (Th) | 1:00 PM | EDU Cross Building, Room 208 | 129 | Resolve, To Direct The University Of Maine System To Study The Feasibility Of Establishing A Public Allopathic Medical School In Penobscot County (PH) |
| Feb. 2 (Th) | 1:00 PM | JUD State House, Room 438 | 113 | An Act To Provide Funding For Guardians Ad Litem (WS) |
| Feb. 2 (Th) | 1:00 PM | JUD State House, Room 438 | 136 | An Act To Clarify Court Jurisdiction Of Actions Involving Children Brought Under The Maine Uniform Probate Code (WS) |
| Feb. 2 (Th) | 1:00 PM | State & Local Government, Rm 214, CSOB | | State & Local Government Agency Briefing - State Treasure; DAFS |
| Feb. 2 (Th) | 2:00 PM | State & Local Government, Rm 214, CSOB | | State & Local Government Stakeholders: Community Service Commission; Maine County Commission; Maine Sheriffs Association; Maine Woodland Owners; Maine Governmental Facilities Authority / Maine Municipal Bond Bank; Maine Services Employees Association |
| Feb. 3 (F) | 9:00 AM | Housing, Rm 216, CSOB | | Housing Scheduled Presentations: Homelessness and the housing crisis - emergency issues and short-term considerations: Mark Swann, Executive Director, Preble Street; Elsie Flemings, Executive Director, Healthy Acadia |

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|--------------|----------|----------------------------|-----|---|
| Feb. 6 (M) | 10:00 AM | VLA State House Room437 | 255 | An Act To Require Campaign Finance Reports For State And County Candidates Other Than Governor To Be Filed On The 42nd Day Before Any Election (PH) |
| Feb. 7 (Tu) | 10:00 AM | House & Senate | | House & Senate Session |
| Feb. 7 (Tu) | 1:00 PM | TAX State House, Room 127 | 144 | An Act Regarding The Monitoring Of Municipal Abandoned Property (PH) |
| Feb. 7 (Tu) | 1:00 PM | TAX State House, Room 127 | 210 | An Act To Expand The List Of Persons Exempt From The Real Estate Transfer Tax (PH) |
| Feb. 9 (Th) | 10:00 AM | House & Senate | | House & Senate Session |
| Feb. 9 (Th) | 1:00 PM | TAX State House, Room 127 | 6 | Resolve, Authorizing The State Tax Assessor To Convey The Interest Of The State In Certain Real Estate In The Unorganized Territory (WS) |
| Feb. 14 (Tu) | 10:00 AM | House & Senate | | House & Senate Session |
| Feb. 16 (Th) | 10:00 AM | House & Senate | | House & Senate Session |
| Feb. 28 (Tu) | 10:00 AM | House & Senate | | House & Senate Session |
| Mar. 30 (Th) | 8:00 AM | State House, Hall of Flags | | Maine State Chamber of Commerce Business Day at the State House |