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DEPARTMENT OF TRANSPORTATION
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April 28, 2025

**Testimony of Meghan Russo
Maine Department of Transportation
Before the 132nd Legislature, Joint Standing Committee on Transportation**

In Opposition

LD 1410

An Act Regarding the Confiscation or Destruction of Personal Property of Persons Without a Home

Senator Carney, Representative Kuhn and members of the Joint Standing Committee on Judiciary, my name is Meghan Russo and I am the Director of Government Affairs at the Maine Department of Transportation. MaineDOT submits this testimony in opposition to LD 1410, *An Act Regarding the Confiscation or Destruction of Personal Property of Persons Without a Home*.

While we deeply respect and share the bill's goal of treating all individuals — including those experiencing homelessness — with dignity and compassion, we have serious concerns that the bill, as drafted, would create unintended consequences that could ultimately jeopardize public health, safety, and MaineDOT operations.

LD 1410 would impose a significant administrative and legal burden on state and local governments. Requiring a full adjudicatory hearing before removing unattended or abandoned personal property — even in clear cases of obstruction, public hazard, or sanitation risk — could paralyze the ability of state agencies to maintain clean, safe public spaces. MaineDOT staff are not administrative law judges, and the Maine Administrative Procedure Act standards are designed for formal agency decisions — not routine property management or public safety functions.

Additionally, the bill's 90-day storage requirement presents major practical challenges. In calendar year 2024 alone, MaineDOT spent approximately \$100,000 cleaning and disposing of debris left on state property by unhoused individuals, primarily in the Portland area. Under LD 1410, debris left behind could be deemed personal property, requiring MaineDOT to inventory and securely store these materials for up to 90 days. The sheer volume of debris would necessitate the construction, rental, or leasing of a storage facility, as well as the creation of new staff positions dedicated to managing, inventorying, and distributing these materials if claimed in the future.

While LD 1410 is well-intentioned, it is ultimately impractical and would likely harm the very individuals it seeks to protect by making it more difficult to keep public spaces safe, clean, and accessible for all.

Thank you for your consideration.