

Testimony of the Maine Municipal Association

In Support for

LD 1450 - An Act Regarding the Voluntary Municipal Farm Support Program

May 6, 2025

Senator Talbot Ross, Representative Pluecker, and esteemed members of the Agriculture, Conservation, and Forestry Committee, my name is Rebecca Graham, and I am here on behalf of the Maine Municipal Association's Legislative Policy Committee (LPC) in support for LD 1450, *An Act Regarding the Voluntary Municipal Farm Support Program*.

Municipal officials support this program and appreciate the clarity the move of the program from Title 7 to Title 36 is likely to provide and potentially broaden the number of municipalities who may be interested in establishing a support program.

However, the amended version that shifts the rules to routine and technical from current practices may deserve an extra amount of review as to the goals and needs of the program. Routine and technical rules are generally how a department defines its operating practices and are not intended to be justiciable with regard to their implementation. As the program is moving out of the section of law under the Department of Agriculture Conservation and Forestry, to Taxation it may be beneficial to make certain that rulemaking maintains its current posture which is to be major and substantive and may allow for future legislative incentives to be directed to the program with minimal impact on the current approach.

Additionally, changes to the authority expressed under §6906 1(A) appear to open up the program establishment process beyond the legislative body approval to allow municipal officers, or a municipal employee or ad hoc unelected committee to establish a program. As the program requires appropriation to be supported and impacts taxation of other residents which is also required to be approved by 2/3 of the legislative body, the broader group of authorities to establish a program is out of step with who is empowered to make fiscal decisions on behalf of the residents. If a program is "established" by a municipal employee or unelected committee, it is unlikely to be successful. The current process allows the majority of the voters to both establish the program and support the intended farm support arrangements with one action.

Municipal officials support the program and hope the move to the taxation will result in wider program adoption and ask that you carefully review the changes to make sure they will not create unintended consequences that may undermine the current programs as well.