



Maine Municipal
Association

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Testimony of the Maine Municipal Association

In Support of

LD 584- Resolve, To Establish the Commission To Study the Reduction of Unfunded and Outdated Municipal Mandates

March 15, 2021

Senator Baldacci, Representative Matlack and distinguished members of the Joint Standing Committee on State and Local Government, my name is Rebecca Graham and I am providing testimony in support of LD 584 on behalf of MMA at the direction of our 70-member Legislative Policy Committee.

Prior to the imposition of the state-collected “broad-based” or “all-in” sales and income taxes in the mid-20th Century, the obligations of municipalities required from the state were established in least restrictive ways possible allowing local capacity to guide implementation. For example, there was an obligation to provide for the basic needs of the impoverished, but how that was accomplished was not dictated by law.

In the 1970s, mandated programs became much more proscriptive, based on state created standards and legally enforceable. Shoreland zoning, subdivision review, solid waste management all shifted to communities, the penalties for noncompliance were stiff, the operations of municipal government were required to expand, and the property taxpayers were footing the bill. Coincidentally, at that time the Municipal Revenue Sharing Program was established. Revenue sharing recognized the municipal contributions to resource protection and materials management are not exclusively locally created, benefit all Maine residents, and protect state-wide resources.

In the 1980s, the state - municipal partnership in government reached its zenith. Comprehensive planning, solid waste management and the construction of sand/salt sheds to protect the environment all involved significant state financial participation and state agency collaboration, but then those programs collapsed with the recession of the early 1990s.

Arguably, the state and municipal partnership has never fully returned, and municipalities in many instances are viewed less as government partners tasked with collaboratively delivering necessary services and more than regulated entities directed to carry out enforcement for often conflicting regulation and data collection activities with local legal funds. At the same time, the

state continues to exempt more and more property from local taxation without replacing that lost revenue thereby shifting the burden to a smaller pool of payers for services everyone enjoys.

The ebb and flow of resources and responsibilities is now more ebb of resources upward and flow of responsibilities downward, leading to what municipal officials refer to “as death by a thousand cuts”. Annually each legislative committee passes legislation perceived as a “minimal” new duty, reporting requirement, training burden or restriction on funding that remove locally collected revenue away from locally desired programs to funding state obligations. While each committee may feel as though the impacts are minimal for a piece of legislation, collectively they result in a laundry list of new responsibilities with no funding.

A comprehensive view of the tasks mandated for local government and the commission membership proposed as drafted in LD 584, is welcomed by municipal officials. As such, officials ask that you vote unanimously “ought to pass” and support a consistent review on the impact and need for unfunded mandates on municipal and county governments in an effort to balance and restore the state-municipal partnership.