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Testimony

In Support of

LD 584 “A resolve to establish the commission to Study the Reduction of Unfunded and Outdated Municipal Mandates”

Senator Baldacci, Representative Matlack, Distinguished Colleagues of the State and Local Government Committee:

My name is Will Tuell. I represent the small towns of Cutler, East Machias, Lubec, Machias, Machiasport, Roque Bluffs, Whiting, and Trescott Township, as well as Maine’s smallest “city”, Eastport, here in the 130th Legislature.

I am here today to present a bill originally sponsored by former Senate President Mike Thibodeau in the 127th Maine Legislature, a bill that will help municipalities reduce property taxes and concentrate on serving their constituents instead of interpreting and complying with sheafs of well-intended red tape. The bill I am speaking of is LD 584, “A resolve to establish the commission to Study the Reduction of Unfunded and Outdated Municipal Mandates.”

At the time, I was a freshman representative. I distinctly remember sitting in this committee room one day, standing up for local control, when I got a note. That note was from Senate President Thibodeau. He wanted me to come to his office.

Well, being a freshman at the time, I figured I was in for it, and had done or said something that was so bad the PRESIDENT OF THE SENATE wanted to bawl me out. So I went, quite timidly, only to find out that the very same SENATE PRESIDENT had heard what I had to say and wanted to see if I wanted to sign on to his bill!

Suffice it to say, President Thibodeau had it right when he stated in his testimony all those years ago, that, “all too often, we hear from our constituents about the struggles our cities and towns face because of unfunded mandates. Many of these mandates [may be] needed to protect our citizens, but others are costly and unnecessary.”

Beyond that, no two communities are the same, and not every municipality has the staff or resources to be able to evenly interpret, implement and enforce a maze of seemingly conflicting requirements.

I would submit this is one of the reasons why we are seeing fewer and fewer people volunteer for local offices, or to be involved with their town government.

I do not believe the answer is more rules, regulations, and people to help navigate things, but to take an honest look at what we have, from an objective, bipartisan point of view, and see what we can eliminate just as we do with boards and commissions here at the state level.

So I have reintroduced President Thibodeau's commission. My bill is slightly different in that it includes equal appointment powers from the majority and minority parties in the Maine Legislature, with the hope that the commission would meet over the summer and report back to us with a list of items that could be eliminated legislatively next year.

For those who may be concerned, that legislation would still have to go through the process, affected parties would still have a public hearing and chance to weigh in, just as they did with our boards and commissions bill earlier this year, and the administration would also have time to weigh in from their perspective as well.

We need to take steps to ease the burden on our municipalities. They play a critical role in fleshing out and implementing the ideas and policies we advance here. It's time we invite them to the table and give them a chance to let us know what is and is not working.

Some may argue that it is difficult to pass a mandate through the legislature. It is, and it should be, but sometimes we pass laws with the assumption that towns and cities will do what they have to do without thinking about what it will cost them. One other question I would like to raise before I close is just how much of a bureaucratic impact the pandemic has had on our towns and cities?

Have mandates, rules, regulations been scrapped during the pandemic that may not be missed were they to be permanently eliminated? Or, on the other hand, have things been added that we want to clearly state need to sunset?

I don't expect anyone here to answer that, though if those in the audience have any thoughts on that matter, I would encourage you to come forward during testimony and state that.

I want to thank you all for hearing this legislation. If we can return government to the grassroots, help small communities by only intervening when it is absolutely necessary, and eliminate mandates that are outdated or unnecessary, we have left this building better than we found it.

If we have to have a commission to sort that out, I think we ought to be able to come to a bipartisan conclusion here that can make life better for the 490 towns and cities that put policy into action.

And the moral to the story I started off with, if you are a freshman, and you open your mouth, you might just find yourself in a presiding officer's office being asked to sign on to a bill, so be deliberate about what you say, and when you say it!

Thank you Mr. Chair.

Will Tuell
State Representative

District 139 Cutler, East Machias, Eastport, Lubec, Machias, Machiasport, Roque Bluffs and Whiting, plus the
unorganized territory of Trescott Township