CITY OF PORTLAND
LEGISLATIVE COMMITTEE
Agenda –March 18, 2015, 5:30 p.m.

State of Maine Room, City Hall, 389 Congress Street, Portland, Maine 04101

A. Review/Discuss Proposed Legislative Bills/Priorities

a. See Legislative Committee Agenda for 3/12/2015, attached.

B. Review Federal priorities

C. Other.

CITY OF PORTLAND
LEGISLATIVE COMMITTEE AND LEGISLATIVE DELEGATION
Agenda –March 12, 2015, 12:00 p.m.
Legislative Conference Room, adjacent to Welcome Center,
Maine State House, Augusta, Maine

A. Introductions

B. Review/Discuss Proposed Legislative Bills/Priorities:

1. Revisions to subdivision law, Sponsor Diane Russell.

2. Overdose medication legislation:

   a. **LD812** "An Act To Prevent Drug Overdose Deaths by Enhancing Access to Opioid Antagonists" Sponsor Sen. Gratwick, Penobscot. This bill allows the possession, prescription and administration of drugs that counteract opioid overdoses with immunity from prosecution.
   b. **LD140** "An Act To Expand Access To Lifesaving Opioid Overdose Medication" Sponsor: Rep. Beck of Waterville. This bill allows friends of someone at risk of a drug overdose to receive the antidote as a prescription to have it available to administer and to receive limited immunity from prosecution.

3. **LD476** "An Act To Require Pharmacies To Provide Disposal Receptacles for Used Hypodermic Apparatuses" Sponsor Rep. Farnsworth, Portland. This bill requires the Maine Center for Disease Control and Prevention to make rules that needle exchange programs require dispensing pharmacies to provide a container to dispose of used needles.

4. Local Option Tax. RELATED BILLS:

   a. **LD594** "An Act To Create a Local Option Sales Tax by Referendum" Sponsor Sen. Valentino, York. This bill allows a 1% sales tax, annual or seasonal, be allowed by local vote, with exceptions including airplanes, cars and large household appliances.
   b. LR 1707 "An Act To Allow Municipalities To Administer a Local Option Sales Tax" Sponsor Rep. Brooks,. Lewiston
   c. **LD29** "An Act To Establish a Local Option Real Estate Transfer Tax" Sponsor Rep. Goode, Bangor. This bill allows a City to establish by referendum a local option transfer tax of up to 1% on the transfer of real property.
   d. LR813 "An Act To Maintain Support to Municipalities and Assist with Property Taxes" Sponsor Sen. Alfond, Portland

5. Electric Car Charging
    a. **LD593** "An Act To Allow the Resale of Electricity by Electric Vehicle Charging Stations" Sponsor Sen. Millett, Cumberland. This bill exempts an electric vehicle charging station from the definition of electricity provider; and allows installation and charging from a submeter for kilowatt hours used.

6. Schools.
    a. **Longfellow School /Hall School construction**
    b. **Teacher retirement contribution** Related Bill: LR 891 "An Act To Improve the Quality of Teachers" Sponsor Sen. Millett, Cumberland; and **LD60** "An Act To Ensure Proper Funding for Teacher Retirement" Sponsor Rep. Kumiega, III, Deer Isle. This bill repeals measures that required public and private schools to pay for teacher retirement. Work Session 2/23/15; and LR707 "An Act To Return the Obligation To Fund Teacher Retirement Costs to the State" Sponsor Rep Stearns, Guilford.
        (1) Shift to municipalities is OPPOSED in report from Commission on School Funding, per email from Sen. Haskell
    c. **Charter Schools** – LR1248 "An Act To Restore Local Control of Education to Towns" Sponsor Rep. McCabe, Skowhegan OR LR1787 "An Act To Amend the Education Laws" Sponsor Rep. McCabe, Skowhegan
    d. **Higher Education (USM)** – **LD99** "An Act To Stabilize the Faculty and Programs at the University of Southern Maine" Sponsor Sen. Alfond; This Emergency bill provides $2 million in FY15 for a marketing and recruitment program to stabilize enrollment at USM; and LR1516 "An Act To Increase Accountability and Efficiency at the University of Maine System" Sponsor Rep. Chipman, Portland; supporting increased funding for classroom instruction; and **LD627** "An Act To Make College More Affordable for Maine Residents" Sponsor Rep. Millett, Cumberland. This bill provides 1st year $2,500 grants and annual grants increasing by $1,000 more for each additional year of attendance at UMaine, Maine Maritime Academy, and the Maine Community College System.
    e. **Electronic cigarettes --** LR1517 "An Act To Bring the Tax on Electronic Cigarettes into Conformity with the Excise Tax on Tobacco Products" Sponsor Rep. DeChant, Bath; and LR216 "An Act To Protect Children and the Public from Electronic Cigarette Vapor" Sponsor Rep. McCabe, Skowhegan
    e. Two bills from Rep. Russell, b**oth at Education and Cultural Affairs Committee**: **LD17** "An Act To Restore Programs and Faculty to the University of Maine System" (Emergency) Sponsor Rep. Diane Russell. This bill adds $28.6 million in FY2015, $$45.6 million in FY16 and $58.7 million in FY17 to the restore programs and faculty to UMS; **LD18** "Resolve, To Review and Audit the University of Maine System's

Finances and Governance Practices" Sponsor Rep. Diane Russell. This bill asks the Office of Program Evaluation and Government Accountability to audit University of Maine System's finances, reporting on its finding by Jan. 15, 2016.

7. **Bonds:**

    a. **LD271** "An Act To Authorize a General Fund Bond Issue for Intermodal Transportation Facilities" Sponsor Rep. Farnsworth, Portland. This bond issue would provide $28 million to develop Portland intermodal transportation facilities – specifically in Thompson's Point, where the train and bus systems and highways intersect.
    b. LR1548 "An Act To Address Unmet Public Transportation Needs" Sponsor Rep. Jorgensen, Portland
    c. **LD254** "An Act To Authorize a General Fund Bond Issue To Support Waterfront Development," Sponsor Sen. Haskell. This bond issue would provide $10 million for a grant program investing in economic activity, environmental protection and community development along Maine waterfronts, modeled after the Riverfront Community Development Program.

8. **LD78** "An Act Regarding Limitations on Certain Storm Water Fees" Sponsor Rep. Libby, Androscoggin This Bill repeals certain MDOT exemption to the stormwater fees in effect in 2007 and imposed by a city on owners of large areas of impervious property. A March 5 Work Session and March 6 committee vote as "Ought To Pass" now brings this amended bill to the vote of the full house and senate for consideration. The amendment allows municipal stormwater fees for parking lots, office buildings, maintenance facilities owned by MDOT and MTA, but exempts the highways.

9. **State Budget. A biennial budget is anticipated to be drafted in committee by early April, as public hearings wrap up and work sessions get underway.**

    a. General Assistance
    b. Revenue Sharing
    c. School funding
    d. Fund for Healthy Maine
    e. **School-based Health Centers (funded with Fund for Healthy Maine)**

10. **LD247** "An Act To Create Corridor Districts for the Purpose of Funding Transportation and Transit Services" Sponsor Rep. Chipman. This concept draft would create transportation districts along travel routes to manage and fund various shared transportation services, with membership approved by local referendum.

11. **Ecomaine:**

    a. **LD105** "An Act To Enhance the Competitiveness of Maine's Biomass Facilities by Exempting from Waste Handling Fees Certain Construction and Demolition Debris" Sponsor Sen. Libby, Androscoggin. Under this bill, construction debris used for "daily cover" at a landfill is exempt from waste handling fees.
    b. **LD 273** "An Act To Encourage and Enhance the Future of Waste-to-energy Facilities by Establishing a Portfolio Requirement for Electricity from Waste Energy Resources" Sponsor Rep. Campbell, Orrington. This bill adds a 3.5% requirement of Waste-to-Energy Electricity for Electricity Providers' energy "portfolio".
    c. LR1549 "An Act To Fund State Efforts To Reduce Solid Waste" Sponsor Rep. Harlow, Portland
    d. **LD313** "An Act To Create a Sustainable Solution to the Handling, Management, Disposal of Solid Waste in the State" Sponsor Rep. Campbell, Orrington. This concept draft would provide incentives to increase recycling, fund waste-to-energy plants, minimize landfills and increase beneficial use of waste materials.
    e. LR1774 "An Act To Allow Large Beverage Containers To Be Recycled through Municipal Solid Waste Systems" Sponsor Sen. Cushing, Penobscot
    f. Bottle Bill, moving the administration of the Bottle Bill from the Agriculture Department to the Department of Environmental Protection.

12. [Bill added following 2/26/2015 meeting] **LD590** "An Act To Exempt a Fee for a Paper or Plastic Single-use Carry-out Bag from Tax" Sponsor Sen. Saviello. Atty. Kate Knox requested the Portland Delegation support on this bill, which requires a 2/3 majority to pass, before the Portland bag fee goes into effect on April 15, 2015. Hannaford Brothers has been told sales tax will be charged on bags sold at their stores in Portland.

13. **LR439 "**An Act To Prohibit Excessive Idling of Passenger Trains" Sponsor Sen. Gerzofsky. The bill prohibits passenger train idling, with a few exeptions, and authorizes a fine of $2,500. Michael Bobinsky supports an amendment to include freight train engines, which have given rise to complaints when idling in the North Deering neighborhood for days at a time. U.S. Representative Chellie Pingree has been contacted in past years and might be helpful again.

14. **LD652** "An Act To Authorize the Carrying of Concealed Handguns without a Permit" Sponsor Sen. Brakey. This Bill, opposed by Portland Police Chief Michael Sauschuck, This bill removes the requirement that a person carrying a concealed weapon have a permit to do so.

C. Set time, place and date for New Meeting

Estimated Impact of Governor's Proposed Budget			
Proposal	**FY16**	**FY17**	**Notes**
Nursing Home Funding Increase	$ -	$ -	It is our understanding that the benefit is largely for rural nursing homes, and that any increase to the Barron Center would see a corresponding reduction in the Certified Public Expenditure revenue.
K-12 education flat funding	$ (2,400,000)	unknown	Most likely a marginally higher number for the second year of the biennium.
State Telecommunications Excise Tax Revenue			$9 million statewide; unknown impact for Portland; Maine Municipal Association expected to estimate allocations
Revenue sharing elimination	$ -	$ (3,955,905)	Year one: flat funded. Year two:elimination.
County jail			Increased costs may result in municipal assessment; unknown at this time
Homestead exemption change	$ 353,720		Eliminates $10,000 homestead exemption and replaces with $20,000 for those age 65 and older only
Nonprofit property taxation - over $600,000	$ 5,706,868	$ 5,706,868	This is a conservative estimate accounting for non-profit property valued at $600,000 or higher. Although this is a significant number, in order for the City to realize this revenue, there would be significant staff time and expense to work through the lengthy tax abatement process and/or the lien and foreclosure process.
Cuts to Fund for Healthy Maine - City of Portland only	$ (335,141)		Loss of 5 FTEs who deliver tobacco and obesity prevention services
	$ (67,095)		Loss of 1.4 FTEs who deliver primary care in School-Based Health Centers
	$ (36,000)		Loss of 1 FTE in program support
BETR to BETE	$ (405,000)	$ (810,000)	Business equipment tax reimbursement change to exemption
Changes in General Assistance Reimbursement Formula	$ (7,433,260)	$ (7,433,260)	Currently, the State reimburses at 50% of expenditures until the City has spent approximately $2.3 million, and then reimburses at 90% of expenditures. The Governor proposes reimbursing at 90% until the City has spent approximately $3.1 million, and then reimbursing at 10% of expenditures. This number assumes non-citizens are excluded from reimbursement and the City continues to cover the GA costs. It is also important to note that the Governor has proposed elimination of Temporary Assistance for Needy Families for non-citizens, potentially increasing the demand for support at the local level. It is unclear what the marginal increase in the City's costs would be from FY 16 to FY 17.
	$ (4,615,908)	**$ (6,492,297)**	