

CITY OF PORTLAND
LEGISLATIVE COMMITTEE AND LEGISLATIVE DELEGATION

Agenda –March 26, 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. Overdose medication legislation:
 - 2. Local Option Tax.
 - 3. Electric Car Charging
 - 4. Electronic Cigarettes
 - 5. Bonds
 - 6. Storm water fees
 - 7. **State Budget. A biennial budget is anticipated to be drafted by early April.**
 - 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)
 - f. Charter Schools
 - g. Higher Education
 - 8. Transportation funding
 - 9. Disposable bag fees
 - 10. Train Idling
 - 11. Concealed weapon permits
 - 12. Homeless Shelter funding
 - 13. Minimum Wage
 - 14. Excise tax payment where utilities are based or where vehicles are kept.
- C. Set time, place and date for New Meeting.

ATTACHMENT A
BILL DETAILS:

1. 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.
2. **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.
3. 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. **Reported Out ONTP**
 - d. LR813 “An Act To Maintain Support to Municipalities and Assist with Property Taxes” Sponsor Sen. Alfond, Portland
4. 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. **Reported Out OTP**
5. 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. **Divided Report OTP-AM/ONTP, voted ONTP in Senate 18-17; voted OTP-**

AM 119-27 in House; 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.
 - 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, **both 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.
6. **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. **LD845** “An Act To Address Unmet Public Transportation Needs” Sponsor Rep. Jorgensen, Portland. This bill provides \$3 million in FY2016 and a \$500,000 transfer from the Multimodal Transportation Fund annually thereafter for public transportation providers statewide.
 - 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.
7. **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 **Reported Out OTP-AM**. The amendment allows municipal stormwater fees for

parking lots, office buildings, maintenance facilities owned by MDOT and MTA, but exempts the highways.

8. **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. **TABLED**
9. **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.
10. **LR439** “An Act To Prohibit Excessive Idling of Passenger Trains” Sponsor Sen. Gerzofsky. The bill prohibits passenger train idling, with a few exceptions, and authorizes a fine of \$2,500. Michael Bobinsky to write a letter requesting assistance to U.S. Representative Chellie Pingree and U.S. Senators Susan Collins and Angus King re: PanAm freight idling problems in North Deering.
11. **LD652** “An Act To Authorize the Carrying of Concealed Handguns without a Permit” Sponsor Sen. Brakey. This bill removes the requirement that a person carrying a concealed weapon have a permit to do so. This Bill is opposed by Portland Police Chief Michael Sauschuck, who is working with a group who also oppose the bill, and he will be involved in a coordinated response at the Public Hearing April 8 at 1 p.m.
12. **LD 443.** “An Act To Help Stabilize Homeless Shelters in Maine” Sponsor Sen. Alford. This bill funds homeless shelters, through the Maine State Housing Authority, in the next two fiscal years with \$3.5 million annually.
13. **LD36** “An Act To Increase the Minimum Wage” Sponsor Rep. Evangelos, Friendship. This bill raises the minimum wage to \$9 an hour October 1, 2015, to \$10 one year later, and adds an annual increase at the rate of inflation as measured by the CPI-W, Northeast Region. **LD52** “An Act To Adjust Maine’s Minimum Wage” Sponsor Rep. Martin, Sinclair. This bill raises the minimum wage to \$9.50 on October 1, 2015. **LD843** “An Act To Raise the Minimum Wage and Index It to the National Average Wage” Sponsor Rep. Melaragno, Auburn. This bill raises the minimum wage in annual increments to \$12 by Oct. 2019, and ties it to the national average wage index after that. It also eliminates the tip credit incrementally over five years.
14. **LD514** “An Act To Amend the Laws Governing the Location of Motor Vehicle Excise Tax Collection for Motor Vehicles Owned by Public Utilities” Sponsor Rep. Buckland, Farmington. Utilities now pay all vehicle excise taxes in the place the utility is registered or where its main office is located. This bill would require excise taxes to be paid where the vehicles are kept at a utility’s permanent location.

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.
Charter School Costs	\$ (550,000.00)	\$ (550,000.00)	May not be funded at state level.
K-12 education flat funding	\$ (920,000)		Most likely a marginally higher number for the second year of the biennium.
Teacher Retirement Funding	\$ (1,500,000.00)	\$ (1,500,000.00)	
State Telecommunications Excise Tax Revenue			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	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	\$ (4,370,670)	\$ (4,370,670)	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.
	\$ (7,830,186)	\$ (5,479,707)	