

**Legislative/Nominating
Committee Agenda**
February 27, 2024



MEMBERS
Mayor Mark Dion, Chair
Councilor Pious Ali
Councilor Kate Sykes

REMOTE ACCESS INFORMATION:

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I. Call to Order

II. Approval of Meeting minutes

- a. Minutes from the meeting of February 13, 2024

III. Legislative Update

- a. For Committee Consideration: Support for LD 2214 (Part EE) (Troy Moon, Sustainability Director)

Part EE of LD 2214 would provide a one-time addition of \$5 million to the Community Resilience Partnership's grant programs, which has provided the City of Portland with funding in support of sustainability initiatives. A public hearing is scheduled for Friday, March 1.

- b. Review: LD List and Tracker (Bernstein Shur)
- c. Testimony Submitted: Supplemental Budget (Parts HH and II)

- i. Testimony in Support of LD 2214 (Part HH)

Submitted at AFA public hearing on Friday, February 23

- ii. Testimony in Opposition to LD 2214 (Part II)

Planned to be delivered at AFA public hearing on Monday, February 26

IV. Other Business

- a. Discussion: Federal Policy Priorities List

This list includes policy priorities suggested by staff and councilors. The final list will guide conversations with congressional representatives on Hill Day (March 13, 2024).

V. Adjournment

**Legislative/Nominating
Committee Minutes**
February 13, 2024



MEMBERS
Mayor Mark Dion, Chair
Councilor Pious Ali
Councilor Kate Sykes

I. Call to Order

The meeting was called to order at 8:03 am. In attendance were Mayor Mark Dion (Chair), Councilor Kate Sykes, Councilor Pious Ali, City Manager Danielle West, Dena Libner (Chief of Staff), Alysia Melnick (Bernstein Shur), and Chris Feeney (Bernstein Shur).

II. Approval of Meeting minutes

Councilor Sykes made a motion to approve the minutes from the meeting of January 26, 2024, seconded by Councilor Ali, vote (3-0).

III. Legislative Update

- a. Review: LD List and Legislative Tracker (Bernstein Shur)

The Committee agreed not to take action re: LD 1952 (An Act to Allow On-site Cannabis Consumption).

- b. Testimony for amended LD 646 (An Act to Fully Reimburse Municipalities for Lost Revenue Under the Property Tax Stabilization for Senior Citizens Program) (Public Hearing February 13, 2024 at 2:00 PM)

The Committee agreed to support the submission of testimony in support of the amended LD 646.

IV. Other Business

- a. National League of Cities 2024 Congressional City Conference (staff)

Councilor Kate Sykes suggested that universal health care be considered for inclusion on the City's list of federal policy priorities, to be discussed with Congressional delegates during March 13, 2024 Hill Day.

- b. Monthly meeting with the Portland Delegation (staff)

V. Adjournment

Councilor Sykes made a motion to adjourn the meeting, seconded by Councilor Ali, vote (3-0). The meeting was adjourned at 8:36 am.

SUMMARY

This Part creates the Maine Office of Community Affairs and establishes a Director for the Office. The Maine Office of Community Affairs will foster communication and partnerships between the State and communities in Maine. The Office will engage with towns, cities, Tribal Governments, and regional entities to provide coordinated and efficient planning, technical assistance, and financial support to better plan for challenges, pursue solutions, and create stronger, more resilient Maine communities. A future reorganization of certain existing programs from the Department of Agriculture, Conservation and Forestry, the Department of Marine Resources, the Department of Economic and Community Development, and the Department of Public Safety under one umbrella will assist municipalities and Tribal Governments throughout the state to more easily access technical assistance and resources related to planning and development, as well as increasing community resilience.

PART EE

Sec. EE-1. Transfer from General Fund unappropriated surplus; GOPIF - Community Resilience Partnership. Notwithstanding any provision of law to the contrary, on or before June 30, 2025, the State Controller shall transfer \$5,000,000 from the unappropriated surplus of the General Fund to the Executive Department, GOPIF - Community Resilience Partnership, Other Special Revenue Funds account for the purpose of supporting grants and technical assistance to Maine municipalities and tribes for climate planning and actions, including adaptation and resilience projects, as well as emissions reduction initiatives including clean energy and energy efficiency projects. These funds may be transferred by financial order upon the recommendation of the State Budget Officer and approval of the Governor.

PART EE SUMMARY

This Part requires the transfer of \$5,000,000 in fiscal year 2024-25 from the unappropriated surplus of the General Fund to Executive Department, GOPIF - Community Resilience Partnership, Other Special Revenue Funds account for the purpose of supporting grants and technical assistance to Maine municipalities and tribes for climate planning and actions, including adaptation and resilience projects, as well as emissions reduction initiatives including clean energy and energy efficiency projects.

PART FF

Sec. FF-1. 5 MRSA §3110 is enacted to read:

§3110. Office of New Americans



To: Senator Rotundo, Representative Sachs, and members of the Joint Standing Committee on Appropriations and Financial Affairs

From: Troy Moon, Director of Sustainability

Date: March 1, 2024

Re: LD 2214

Testimony in Support of LD 2214,

"An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2024 and June 30, 2025"

Senator Rotundo, Representative Sachs, and members of the Joint Standing Committee on Appropriations and Financial Affairs:

I write to you in support of Governor Mills' request for \$5 million to support the Community Resilience Partnership that is included in the supplemental budget attached to LD 2214. The Community Resilience Partnership (CRP) provides funding for grants and technical assistance to Maine municipalities and tribes for climate action planning, adaptation and resilience projects, as well as emissions reduction initiatives. As a municipality that has been enrolled in the Community Resilience Partnership since 2022, the City of Portland recognizes the pressing need for continuing and expanding the Partnership's funding opportunities. With nearly 500 municipalities and Tribal governments in Maine, the array of climate impacts are numerous and diverse across the state. The Partnership allows each community to set their own resiliency needs based on their specific vulnerabilities and priorities. In Portland, CRP grants have funded important actions called for in our climate action plan, *One Climate Future*. These include development of climate resilience overlay zones and funding Electrify Everything!, a program to help residents and businesses adopt heat pumps and other energy efficient appliances. CRP grant funds also helped us launch our Sustainable Neighborhoods program that promotes neighborhood scale actions that advance climate action while building social connections that will make our city more resilient in the face of climate change .

Municipalities across the State of Maine have used CRP grants to proactively reduce their climate risk and build resilience. The importance of this work is underscored by the devastating impact of the storms Maine experienced on January 10 and 13 earlier this year. We urge the Committee to support the Governor's request so the Community Resilience Partnership can continue the great work they have started.

Executive Department

Danielle West

City Manager

February 23, 2024



The following legislative documents (LDs) were recently released by the Office of the Revisor of Statutes, and are related to the 2024 Council Common Goals and/or the confirmed priorities of the 2024 Legislative/Nominating Committee (LNC). The goal or priority the bill relates to will be included in this document whenever possible.

Staff may also include LDs that are expected to have a significant operational impact on the City of Portland, and will be available to answer questions as needed.

Bills on which the LNC takes a formal position (by vote) will be monitored by Bernstein Shur throughout the session. Bernstein Shur will also prepare testimony to be delivered at public hearings on those bills. Whenever possible, testimony will be shared with LNC in advance.

[LD 2209: An Act to Increase the Cap on Bonds Issued by the Maine State Housing Authority to Reflect Current Housing Production Needs in the State \(voted out of Committee, OTP\)](#): This bill was submitted at Maine Housing's request. Portland Housing Authority has advised that LD 2209 is critical to the redevelopment needs of Riverton Park, Franklin Towers, and Kennedy Park.

[LD 2214 \(Part HH\)](#): Testimony in support of Part HH was delivered at the AFA public hearing on Friday, February 23.

[LD 2214 \(Part II\)](#): Testimony in opposition to Part II was planned to be delivered at the AFA public hearing on Monday, February 26.

PART HH

Sec. HH-1. Transfer from General Fund unappropriated surplus; Emergency Housing Relief Fund. Notwithstanding any provision of law to the contrary, on or before June 30, 2025, the State Controller shall transfer \$16,000,000 from the unappropriated surplus of the General Fund to the Maine State Housing Authority, Emergency Housing Relief Fund Program, Other Special Revenue Funds account to supplement or establish programs addressing the needs of people experiencing homelessness or facing other immediate housing needs, and support other uses that address housing emergencies in the State, such as through privately-operated low barrier shelter, winter warming shelters, legal services, and other wraparound settlement supports intended to help individuals integrate into Maine's workforce and communities. Before June 30, 2025, unobligated amounts remaining from this transfer must be transferred to the unappropriated surplus of the General Fund.

PART HH SUMMARY

This Part requires the transfer of \$16,000,000 from the unappropriated surplus of the General Fund to the Maine State Housing Authority, Emergency Housing Relief Fund program, Other Special Revenue account to supplement or establish programs addressing the needs of people experiencing homelessness or facing other immediate housing needs, and support other uses that address housing emergencies in the State, such as through privately-operated low barrier shelter, winter warming shelters, legal services, and other wraparound settlement supports intended to help individuals integrate into Maine's workforce and communities.

PART II

Sec. II-1. 22 MRSA §4308, sub-§2, as amended by PL 2019, c. 515, §2, is further amended to read:

2. Emergencies. A person, including a person experiencing or facing homelessness, who does not have sufficient resources to provide one or more basic necessities in an emergency is eligible for emergency general assistance, even when that applicant has been found ineligible for nonemergency general assistance, except as provided in this subsection.

A. A person who is currently disqualified from general assistance for a violation of section 4315, 4316-A or 4317 is ineligible for emergency assistance under this subsection.

B. Municipalities may by standards adopted in municipal ordinances restrict the disbursement of emergency assistance to alleviate emergency situations to the extent that those situations could not have been averted by the applicant's use of income and resources

for basic necessities. The person requesting assistance shall provide evidence of income and resources for the applicable time period.

A municipality may provide emergency assistance to initial applicants when the municipality determines that an emergency is imminent and that failure to provide assistance may result in undue hardship and unnecessary costs.

A municipality shall not exceed maximum levels of assistance pursuant to section 4305 of this chapter for any applicant household for more than 30 days in a 12-month period.

Sec. II-2. 22 MRSA §4310, sub-§4 as enacted by PL 1983, c. 577, §1, is amended to read:

4. Limitations. In no case:

A. May the authorization of benefits under this section exceed 30 days;~~and~~

B. May there be further authorization of benefits to the applicant until there has been full verification confirming the applicant's eligibility; and

C. May the authorization of benefits under this section exceed levels of assistance pursuant to section 4308 of this chapter.

PART II SUMMARY

This Part limits municipalities from exceeding maximum levels of assistance past 30 days in a 12-month period for any household.

PART JJ

Sec. JJ-1. 36 MRSA §2891, sub-§1, as amended by PL 2007, c. 545, §4 is further amended to read:

1. Hospital. "Hospital" means an acute care health care facility with permanent inpatient beds planned, organized, operated and maintained to offer for a continuing period of time facilities and services for the diagnosis and treatment of illness, injury and deformity; with a governing board and an organized medical staff offering continuous 24-hour professional nursing care; with a plan to provide emergency treatment 24 hours a day and including other services as defined in rules of the Department of Health and Human Services relating to licensure of general and specialty hospitals; and that is licensed under Title 22, chapter 405 as a general hospital, specialty hospital or critical access hospital. For purposes of this chapter, "hospital" does not include a nursing home or a publicly owned specialty hospital or, for state fiscal years beginning on or after July 1, 2008, municipally funded hospitals, or, effective January 1, 2025, critical access hospitals.

Sec. JJ-2. 36 MRSA §2892, 2nd ¶, as amended by PL 2007, c. 545, §6, is further amended to read:

City of Portland | City Council

Mark Dion, *Mayor*



To: Joint Standing Committee on Appropriations and Financial Affairs

From: Mayor Mark Dion, Chair, Portland City Council's Legislative Committee

Date: 2/23/2024

Re: Part HH of LD 2214

Testimony in Support of Part HH of LD 2214

An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2024 and June 30, 2025

Senator Rotundo, Representative Sachs and distinguished members of the Joint Standing Committee on Appropriations and Financial Affairs:

On behalf of the Portland City Council's Legislative Committee, I write to you in support of Part HH of LD 2214, An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2024 and June 30, 2025.

Part HH of LD 2214 would transfer \$16,000,000 from the unappropriated surplus of the General Fund to the Maine State Housing Authority, Emergency Housing Relief Fund Program, Other Special Revenue Funds account to supplement or establish programs addressing the needs of people experiencing homelessness or facing other immediate housing needs, and support other uses that address housing emergencies in the State, such as through privately-operated low barrier shelter, winter warming shelters, legal services, and other wraparound settlement supports intended to help individuals integrate into Maine's workforce and communities.

The shortage of housing and the escalating costs of homes and rents have led to severe consequences, including a rise in homelessness. This crisis encompasses families unable to afford rising rents, individuals grappling with mental health and substance use issues, and those seeking asylum in Maine, all in need of immediate shelter.

The funding in Part HH of LD 2214 directly targets one of the most pressing issues facing our communities. By providing resources to address these needs, the state demonstrates its commitment to supporting vulnerable populations and ensuring access to safe and stable housing.

Part HH of LD 2214 isn't just about providing temporary shelter; it also aims to help individuals integrate into the workforce and communities. This holistic approach recognizes that stable housing is foundational for economic stability and social integration. By supporting wraparound services that address employment and community integration, the state fosters long-term solutions to homelessness.

The City of Portland's Legislative Committee urges the Committee to support this measure that would provide essential support to individuals and families in crisis.

Thank you for your consideration.

City of Portland | City Council

Mark Dion, *Mayor*



To: Joint Standing Committee on Appropriations and Financial Affairs

From: City of Portland Mayor Mark Dion

Date: 2/23/2024

Re: LD 2214 (Part II)

Testimony in Opposition to LD 2214, Part II

(Limiting municipalities from exceeding maximum levels of emergency general assistance)

Senator Rotundo, Representative Sachs and distinguished members of the Joint Standing Committee on Appropriations and Financial Affairs:

On behalf of the City of Portland, I write to you in opposition to Part II of LD 2214, which seeks to amend the municipal general assistance statute in order to limit municipalities from exceeding maximum levels of assistance past 30 days in a 12-month period for any household.

The City of Portland recognizes that municipal and state general assistance expenditures increased dramatically as a result of COVID-19 and the end of federal benefits enacted during the pandemic. In particular, we recognize the long term use of hotels as emergency shelters as unsustainable. We strongly support the Governor's work to clarify the purpose of general assistance and manage the cost of municipal implementation.

However, the City of Portland is concerned about the unintended consequences of Part II of LD 2214, if enacted as written. For one, this change would result in an unsustainable increase in the cost of providing emergency shelter in the City of Portland, and very likely at other shelters across the state. The City of Portland operates three emergency shelters, making 400+ shelter beds available to unhoused individuals and families each year. The cost of providing shelter has risen significantly in the last year; LD 2214 (Part II) may result in a reduction in shelter capacity, or even closures, due to the consequential increase in operating costs.

Second, this change may impact clients' housing stability, as exceeding maximum rates can be necessary to prevent an individual or family from losing their housing. For example: in 2023, we prevented approximately 85 households from being evicted from permanent housing by exceeding maximum rates for more than 30 days. Had this proposed policy been in effect, it is likely many of those individuals would have become unhoused.

Third, we are also concerned about the impact Part II may have on clients' access to medical treatments and services. There are instances in which exceeding the maximum rate for more than a 30-day period is essential to the health or even survival of a client - for example, in the

effective treatment of diseases that require medications or supplies not reimbursable through MaineCare.

To address these concerns, we suggest that the language be amended to establish maximum rates related to the use of inns, hotels, or motels as emergency shelter, and shall not exceed those maximum rates for more than 30 days in a 12-month period.

Alternatively, the following changes could also be considered:

- Introduce a carve-out for shelters that receive funding from MaineHousing, allowing allow those shelters to exceed the maximum rate by 100% and be exempt from the 30-day limit; and
- Include language that allows overages for the purposes of providing essential medical treatment and services not covered by MaineCare, preventing eviction from permanent housing, and preventing the discontinuation of essential utilities.

We hope this information assists in your deliberation of LD 2214 and the development of any changes to Part II as written.

Thank you for your consideration.

Legislative / Nominating Committee Federal Policy Priorities

Enable Asylum-Seeking Individuals' Path to Self-Sufficiency

- Advance Rep. Pingree's Asylum Seeker Work Authorization Act (HR 6693). The City of Portland serves thousands of asylum-seeking individuals each year, providing shelter and various social services while our clients wait to be eligible to apply for work authorization.

The current law requires that, once a person filed an asylum claim, they must wait 150 days before being able to apply for a work authorization, which can be granted no earlier than 180 days after the filing of the asylum claim. Rep. Pingree's proposal would reduce the waiting period for work authorization eligibility to just 30 days, and allow an asylum seeker to apply for a work permit as soon as their asylum claim is filed.

Public Safety

- Mandate Universal Background Checks. Universal background checks would be a valuable tool for reducing gun-related violence and deaths, as well as reducing access by prohibited persons who may otherwise exploit the private sale loophole every day, putting communities at risk.
- Continue to fund the [Byrne Justice Assistance Grant](#), [COPS](#) and [Project Safe Neighborhoods](#) (all via Department of Justice). These programs are critical to enhancing the safety and quality of life in our communities, as well as the safety and wellness of the officers protecting them.
- Funding Support for Police Headquarters Relocation. Portland's 50-year-old headquarters are unable to effectively provide the type and level of law enforcement and requests for service seen today. The current building faces maintenance issues, and houses both a regional crime lab and a regional communications center. In addition, it provides space for a federal "safe streets" task force. Federal support is needed to help the department keep pace with growth and challenges in our region.

- Funding Support for Fire Stations. In 2017, a consultant determined that at least five of Portland's fire stations need to be completely replaced due to cramped quarters, small lot, age, and required environmental upgrades. As a result of these challenges, we are unable to add additional or larger apparatuses; increase staffing; conduct onsite training; meet ADA requirements; meet living quarters best practices; address potential plumbing and heating systems hazards.

Equity and Economic Opportunity

- Funding for Workforce Development Training. Increase federal support for training in the skilled trades to develop a more robust talent pipeline, as well as to provide new economic opportunities for minority and low-income populations.
- Universal Health Coverage (Councilor Sykes recommendation - specifics needed)
- Fund the Community Development Block Grant (CDBG) Program. The CDBG Program is celebrating its 50th year in 2024. This program often the only resource available to fund public infrastructure in lower-income neighborhoods and provide social services to the most vulnerable residents in our community. Recent CDBG projects include road and lighting improvements in the Woodford neighborhood, and Sagamore Village, a public housing neighborhood, and the provision of vital services for those experiencing homelessness such as food programs, case workers, shelter and housing specialists.

Affordable Housing Development

- The HOME Investment Partnerships Program. This is a vital resource to ensure the continued creation and maintenance of affordable housing. When construction is completed on HOME projects funded during the past three years, more than 135 new units of affordable rental housing will be added to the Portland market.

Other

- In the coming years, the City of Portland and Maine Department of Transportation plan to make significant changes along and in proximity to **Franklin Street**, a major corridor connecting I-295 to Portland's peninsula and commercial center. This project could potentially address transportation and housing needs, and it is likely federal support for this transformative project will be pursued as early as 2025. (At this time, we are seeking consultant services to begin the design process.)