



Legislative and Nominating Committee Meeting Minutes

November 19, 2018
9-11 AM
Room 209
City Hall

I. Call to order

Chair Ali called the meeting to order at 9:07 AM. Present were Councilor and Committee Chair Chair Pious Ali, Councilor and Committee member Jill Duson, Councilor and Committee member Kim Cook, Mayor Ethan Strimling, School Committee member Roberto Rodriguez, Alicia Gardiner, Executive Director of Budget and Finance, PPS, City Manager Jon Jennings, Corporation Counsel Danielle West-Chuhta, Kate Knox, Alysia Melnick, Esq., Mike Murray(Staff), David MacLean (Administrator, Social Services Division, DHHS), Chris Huff (City Assessor), Jeff Levine(Director of Planning and Urban Development), Anne Torregrossa (Associate Corporation Counsel), Chris Hall,(GPCOG) .

II. Approval of minutes

1. Approval of October 10, 2018 meeting minutes

- Councilor Cook made motion to accept minutes; Councilor Cook seconded; motion passed 3-0.

2. Approval of the November 5, 2018 minutes

- Councilor Cook moved to amend the minutes of the Committee recommendation of GA funding to reflect Committee recommendation to have staff bring back proposal for Committee to review; Councilor Duson seconded; motion to amend passed 3-0.
- Councilor Cook moved passage of the amended minutes; Councilor Duson seconded; motion passed 3-0.

III. New Business

1. Presentation of City Legislative Priorities

- Request by Jeff Levine, Director of Planning and Urban Development, for the Committee consider legislation to add flexibility to conditional use approvals. *Committee recommendation is to look to have outside organization sponsor legislation which the committee may support, but not be lead sponsor.*

- Request by Jeff Levine, Director of Urban Planning and Development to amend the subdivision bill from last session, as the bill as currently written does not apply to sites under 1.5 acres in size. *Committee recommendation is to pursue legislative fix in errors/omissions bill.*
- Request by Jeff Levine, Director of Housing and Urban Development is for the Legislature to create a housing tax credit bill; Alysia Melnick stated that ME Affordable Housing Coalition may be submitting legislation to address this.
- Request from Chris Huff, City Assessor to address personal property leased to hospitals is currently tax exempt; a similar bill to change this LD 1212, supported by MMA and the ME Association of Assessing Officers, died on the table in the last session. *Committee is comfortable with concept, but would like to see some other entity bring legislation forward.*
- Presentation by Anne Torregrossa, Associate Corporation Counsel about difficulties with marijuana legislation. Specific areas of concern are:
 1. LD 1539 provides for a caregiver retail stores, but provides no definition.
 2. LD 1539 can't prohibit stores, dispensaries, testing facilities, and manufacturing facilities that are operating with "municipal approval" as of 12/13/2018. There needs to be clarity/definition about what "municipal approval" means.
 3. Currently municipalities cannot prohibit or limit number of caregivers. Again clarity is needed that does not prohibit municipality from imposing zoning or setback restrictions.
 4. Current requirements with NFPA 2018 include certification by a PE of facilities and equipment. There are very few PE's with experience in marijuana industry; request for a state program to qualify engineers.
 5. Request for revenue sharing of marijuana sales tax; data collection by city staff is already in place to develop true cost of what marijuana laws will cost city.

Committee recommends that staff prepare a draft bill or sections of draft bill & emergency legislation if necessary if State regs do not provide clarity to above concerns.
- Update on GA reimbursement: Dave MacLean, Social Services Administrator explained staff had met and recommended – a combination of pre 2015 policies and post 2015 policies: State reimbursement for all municipalities would be at the current 70% and then bumps to 90% for the fiscal year when GA costs are in excess of .0003 of the municipality's most recent valuation relative to the state fiscal year for which reimbursement is being issued as determined by the State Tax Assessor. This keeps smaller/non service center municipalities whole, while acknowledging the role and

costs to service centers and hopefully encourages other municipalities to consider having a shelter in their community. *Committee recommends this approach.*

- Request by the City Manager for legislation to ban persons from carrying weapons in municipal buildings; ME Gun Safety Coalition will be providing a bill. *Committee is supportive of measure to include “city halls” in the description.*
- Lead Screening – *Committee requested staff submit a memo regarding efforts currently undertaken by City of Portland to screen children for lead poisoning.*
- Review of City Councilor Priorities – *Committee suggested that staff merge the city councilor priorities into the list of perennial issues so that there is one master list to review.*

IV. Adjournment

At 11:07 AM, Councilor Cook moved adjournment; Councilor Dusen seconded the motion. 3-0 to adjourn.