



**Remote Legislative & Nominating Committee
Meeting
February 16, 2021**

AGENDA

I. ZOOM Information:

- a. The Legislative and Nominating Committee will hold a meeting on Tuesday, February 16, 2021 at 8:00 AM. This meeting will take place remotely using Zoom.
- Virtual meetings are allowed using emergency legislation approved by LD 2167; 1 M.R.S. §403A, that authorizes cities and towns to conduct meetings online.
- Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live, a recording will be uploaded to portlandmaine.gov/livestream the next day.
- For public comment, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82812754870?pwd=L01YdWNXbVJHQTFdGw1NFRPMHJHZz09>

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II. Call to Order

III. Approval of February 9, 2021 Meeting minutes

- a. February 9, 2021 Meeting Minutes

IV. Discussion: New Bills and Legislative Tracker

- a. New bills list and legislative tracker

V. Adjournment



Legislative Committee February 9, 2021 Meeting Minutes

The February 9, 2021 remote Committee meeting was called to order by Chair Pious Ali at 8:02 AM on Zoom.

Councilor Pious Ali (Chair), Councilor April Fournier, Mayor Kate Snyder, Councilor Nick Mavodones, Jon Jennings (City Manager), Dena Libner (Chief of Staff), Kathy Jones (City Clerk), Kate Knox (Bernstein Shur), Chris Feeney (Bernstein Shur) and Roberto Rodriguez (School Board Chair) were present.

Councilor Mavodones made a motion to approve the meeting minutes from February 2, 2021, seconded by Mayor Snyder, no amendments, vote 4-0.

Kate Knox reviewed the list of new bills with the Committee. Dena said that the Assessor expressed strong concerns in regards to LD 290 (An Act To Stabilize Property Taxes for Individuals 65 Years of Age or Older Who Own a Homestead for at Least 10 Years). Councilor Mavodones, Councilor Fournier and Mayor Snyder expressed their wish for Kate Knox to continue to monitor it. Councilor Fournier and Mayor Snyder stated that they opposed the bill due to the issues raised by staff.

Councilor Ali, Chair, informed the members of the Committee about a telephone conversation he had with Representative Rachel Talbot-Ross, and that the Portland delegation to Augusta determined that they would like to host the Committee members for a meeting in lieu of attending one of the Committee's monthly meetings. Councilor Ali proposed to the delegation that this meeting be held the third Tuesday of every month.

Councilor Mavodones asked about the rationale of the delegation hosting the meeting instead of the Committee, as it has been done previously. Councilor Ali said the delegation would like to take the lead if they are providing legislative updates. Councilor Mavodones stated that, regardless of how these meetings were structured, it would be important to recognize the different roles held by the Committee and the delegation, as well as to establish clear ground rules. Councilor Ali will continue communicating with the Chair of the delegation and will come

back with additional feedback. Councilor Fournier agrees that it is important for both bodies to get together and work cohesively.

Councilor Ali, Chair, opened the discussion of the 2021 Legislative Work Plan. Kathy Jones asked the committee for feedback in regards to a proposed reorganization of the City's website to enhance how Board and Committee openings are listed. Councilor Mavodones asked for a demo to be shown to the Committee. Councilor Fournier liked the layout of the boards and committees but agreed that enhancing it will be beneficial for the public to navigate the site. Mr. Jennings will work with staff to reorganize the page as recommended by the Committee.

Mayor Snyder made a motion to adjourn the meeting, seconded by Councilor Mavodones, vote 4-0. The meeting was adjourned at 8:36 AM.

LD #	LR #	Title	Sponsor	Cmte	Summary	COP Position	Public Hearing	Work Session	Status	Category	Notes
<u>32</u>	325	An Act Regarding Remote Participation in Public Proceedings	Stewart	JUD	This bill authorizes municipal, county and school boards to adopt a policy allowing members of the body to participate remotely in a public proceeding. It extends the same authority to the University of Maine System, Maine Maritime Academy, the Maine Community College System and other state and regional boards and commissions. Under the policy, a public body may allow the public to attend and observe via remote means. If the public may attend remotely, the notice of the public proceeding must inform the public how to attend remotely. Unless the only way for the public to attend is by remote means, the notice must also identify the location where the public can attend in person.	Support	CANCELLED 2/2/21 1:00 PM Rm 438 SH			Public meetings	

LD #	LR #	Title	Sponsor	Cmte	Summary	COP Position	Public Hearing	Work Session	Status	Category	Notes
<u>37</u>	336	An Act To Amend the Laws Concerning the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program (Emergency)	Libby	LH	This bill amends language contained in Public Law 2019, chapter 446 governing contributions under the open enrollment provisions of the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program. Currently, the law requires a person hired on or after October 1, 2019 to enroll no later than 5 years after hire, conditioned on the enrollment and eligibility requirements of the applicable health plan; this bill removes that condition. The bill also changes the percentage of gross wages for contributions and the time period during which contributions of gross percentages must be made. The bill removes the requirement of 60 months of contributions by enrollees. The bill also changes the State's payment of certain premium subsidies from payment to the plan to payment directly to enrollees. The amendments to the open enrollment provisions are retroactive to September 19, 2019, and the Department of Administrative and Financial Services, Bureau of Human Resources, office of employee health and benefits is required to ensure correct contribution amounts for those who enrolled between September 19, 2019 and the effective date of this legislation.	Monitor - City staff to check Support	2/3/21 10:00 AM Rm 202 COB	2/17/21 1:00 PM Rm 202 COB		Insurance	
<u>39</u>	539	An Act To Remove the Plastic Bag Ban	Guerin	ENR	This bill repeals the law restricting the use of single-use carry-out plastic bags by retail stores and instead allows a retailer to use plastic bags to bag products at the point of retail sale if the retailer locates inside the store or within 20 feet of the main entrance to the store a receptacle for collecting any used plastic bags and ensures that the plastic bags collected are recycled or delivered to a person engaged in recycling plastics.	Monitor	2/22/21 10:00 AM Rm 216 COB			Plastic bags	

LD #	LR #	Title	Sponsor	Cmte	Summary	COP Position	Public Hearing	Work Session	Status	Category	Notes
<u>44</u>	428	An Act To Establish the Summer Success Pilot Program Fund	Pierce	ECA	This bill establishes the Summer Success Pilot Program Fund and requires the Commissioner of Education to use the fund to encourage the facilitation of high-quality summer success pilot programs in school administrative units throughout the State and does the following: 1. It provides that the fund is established as a General Fund carrying account within the Department of Education to be directed and administered by the commissioner and held by the Treasurer of State and that only General Fund appropriations may be paid into the fund; 2. It requires the commissioner to establish standards and approval for the allocation and use of fund money for summer success pilot programs offered at elementary and secondary schools in the State. It also allows the commissioner to include the following in the standards: A. Guidelines similar to those of the federal 21st Century Community Learning Centers program to close the achievement gap between high-performing and low38 performing students; B. Effective models of summer success programs that involve networking and partnerships with community-based organizations that provide a range of high-quality services to support student learning and development; and C. Implementation of the formative and summative assessment methods to measure student achievement in order to monitor the progress of students participating in summer		2/8/21 10:00 AM Rm 208 COB	2/17/21 10:00 AM Rm 208 COB		School	
<u>47</u>	269	An Act To Fund the State's Free Health Clinics	Brennan	HHS	This bill provides one-time funding to support free health clinics in the State.		2/10/21 1:00 PM RM 209 COB	2/18/21 10:00 AM RM 209 COB		Health	

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<u>48</u>	270	Resolve, To Require the Department of Health and Human Services To Request a Waiver Relating to Support Services and To Provide Funds To Prevent Homelessness	Brennan	HHS	This resolve requires the Department of Health and Human Services to apply to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services for a waiver from the requirements of federal law and regulations to allow Maine to provide Medicaid-funded direct support services to individuals experiencing homelessness. In addition, the resolve provides ongoing funds to the Housing First Assistance Program established within the Maine State Housing Authority to be distributed to community action agencies to assist individuals on the verge of becoming homeless.					Support services	
<u>49</u>	271	An Act To Authorize a General Fund Bond Issue To Invest in Infrastructure To Address Sea Level Rise (Bond)	Brennan	AFA	The funds provided by this bond issue, in the amount of \$50,000,000, will be used to improve waterfront and coastal infrastructure in municipalities to address sea level rise.					Bond	
<u>50</u>	272	An Act To Authorize a General Fund Bond Issue To Invest in Housing for Persons Who Are Homeless (Bond)	Brennan	AFA	The funds provided by this bond issue, in the amount of \$15,000,000, will be used for capital construction costs for housing for persons who are homeless.					Bond	

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<u>52</u>	278	An Act Regarding Collective Bargaining Negotiations by Public Employers of Teachers	Brennan	LH	Current law provides that public employers of teachers must meet and consult but not negotiate with respect to educational policies. This bill provides that educational policies related to preparation and planning time and transfer of teachers are permissive subjects of negotiation if both parties agree. This bill also specifies the obligation of public employers of teachers regarding the meet and consult process. It is the intent of the amendment to put in statute the meet and consult process as outlined in Southern Aroostook Teachers Association v. Southern Aroostook Community School Committee, MLRB No. 80-35, 80-40 (April 14, 1982). In addition, the bill provides that the bargaining agent may initiate the meet and consult process by notifying the public employer of teachers when an existing educational policy of the public employer of teachers is changed by practice or if the written notice required from the public employer of teachers is inadvertently omitted.					School	
<u>55</u>	261	An Act To Protect Minority Religious Groups by Eliminating the Prior Approval Requirement for a School Absence for a Recognized Religious Holiday	Fecteau	ECA	This bill removes the requirement for prior approval for a school absence for a recognized religious holiday.		2/8/21 10:00 AM Rm 208 COB	2/17/21 10:00 AM Rm 208 COB		School	
<u>57</u>	279	An Act To Reduce the Landfilling of Municipal Solid Waste	Tucker	ENR	This bill repeals the existing \$2 per ton municipal solid waste surcharge statute in the laws governing solid waste management. It also amends the State's waste handling fee statute to impose a \$1 per ton disposal fee on all municipal solid waste disposed of at a commercial, municipal, state-owned or regional association landfill.	Monitor				Landfill	

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<u>58</u>	105	An Act To Improve Information Sharing by Criminal Justice Agencies with Government Agencies Responsible for Investigating Child or Adult Abuse	Harnett	CJPS	This bill expands the authority of criminal justice agencies to share confidential intelligence and investigative record information with government agencies responsible for the investigation of abuse, neglect or exploitation of children or incapacitated or dependent adults.	Monitor	2/10/21 10:00 AM RM 436 SH	2/17/21 10:00 AM RM 436 SH		Information sharing	
<u>68</u>	724	An Act To Introduce a Career and Fiscal Management Elective Course at the High School Level	Crockett	ECA	This bill requires school administrative units operating a secondary school to offer a career and fiscal management course to students.					School	
<u>69</u>	136	An Act To Reduce Duplicative Permitting Review for Projects under the Site Location of Development Laws	Tucker	ENR	Under current law, a structure that is from 3 acres to 7 acres is exempt from review under the site location of development laws if certain criteria are met. This bill changes the upper acreage limit from 7 acres to 10 acres.					Permitting	
<u>70</u>	309	An Act To Allow a Parent or Guardian of a Student Who Has Been Affected by COVID-19 To Keep the Student in the Student's Current Grade Level (Emergency)	Fecteau	ECA	This bill allows a parent or legal guardian of a student to request, by written notice to the principal of the student's school or to the superintendent of the school administrative unit in which the student attends school, that the student not be promoted to the next grade level or graduated due to the various effects of COVID-19 and the related pandemic on the student's learning during the 2019-2020 and 2020-2021 school years. It requires the principal or superintendent to approve the request as long as the student's school can accommodate adding the student to the affected grade level.		2/24/21 1:00 PM RM 208 COB			School	
<u>81</u>	70	An Act To Ensure the Safety of Children Experiencing Homelessness by Extending Shelter Placement Periods	Meyer	HHS	This bill amends the laws governing facilities for children. It amends the definition of "emergency children's shelter" to extend placement from 30 consecutive days or less to 60 consecutive days or less, and it amends the definition of "shelter for homeless children" to extend the limit on overnight lodging and supervision from 30 consecutive overnights to 60 consecutive overnights.	Monitor				Shelter	

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<u>84</u>	322	An Act To Increase the State Share of the Cost of Health Insurance for Retired Teachers (Emergency)	Faulkingham	ECA	This bill requires the State to pay 55% of a retired teacher's share of the premium for group accident and sickness or health insurance after June 30, 2021. It also removes some outdated language.		2/17/21 1:00 PM Rm 208 COB			Insurance	
<u>87</u>	1961	An Act To Implement the State Climate Action Plan, Reduce Greenhouse Gas Emissions and Enhance Maine's Economy	Tucker	ENR	This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to implement strategies in the state climate action plan aimed at reducing greenhouse gas emissions through a variety of high-priority, cost-effective measures that will help strengthen the State's economy.					Environment	
<u>94</u>	253	An Act To Allow Municipalities To Exempt Volunteer Firefighters from Paying Excise Tax on Their Vehicles Used To Respond to Fire Calls	Doudera	TAX	This bill authorizes municipalities to adopt an ordinance extending a vehicle excise tax exemption to volunteer firefighters.					Tax	
<u>96</u>	22	An Act To Create Fairness in the Treatment of Students by Retaining Students with Certain Vaccine Exemptions	Faulkingham	ECA	Current law allows a student covered by an individualized education plan who elected a philosophical or religious exemption from immunization on or before September 1, 2021 to continue to attend school after September 1, 2021 without being immunized as long as certain statements regarding acknowledgement of the risks and benefits associated with the choice to immunize are provided. This bill extends that exemption to any student who elected a philosophical or religious exemption from immunization on or before September 1, 2021.					School	
<u>97</u>	219	An Act To Ensure the Right To Work without Payment of Dues or Fees to a Labor Union	Faulkingham	LH	This bill prohibits a person, either in the public or private sector, from being required to join a labor organization or pay any labor organization dues or fees as a condition of employment or continuation of employment, notwithstanding any state law to the contrary. A violation is a Class D crime and is also subject to civil damages and injunctive relief. The Attorney General is responsible for enforcement and is required to prosecute all violations.		2/17/21 10:00 AM Rm 202 COB			Union	

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<u>100</u>	468	An Act To Establish the General Election Date in United States Presidential Election Years as a State Holiday	Moriarty	SLG	This bill designates Election Day, the first Tuesday after the first Monday in November, as a state holiday in any year in which the President of the United States is elected.	Monitor	2/3/21 10:00 AM Rm 214 COB			Holiday	
<u>102</u>	467	An Act To Extend the Time Frame for Processing Absentee Ballots	Moriarty	VLA	Current law allows a municipality or jurisdiction that conducts its own elections to process absentee ballots beginning on the 4th day immediately prior to election day. This bill allows a municipality or jurisdiction to process absentee ballots beginning on the 7th day immediately prior to election day.	Testify in support	2/1/21 9:00 AM Rm 437 SH	2/10/21 11:00 AM Rm 437 SH	Voted 2/10/21 Anticipated Divided Rpt Not rpt out	Ballots	
<u>107</u>	212	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Specify the Qualifications of Electors	Faulkingham	VLA	This resolution proposes to amend the Constitution of Maine to specify that only a person who is a citizen of the United States may vote in a state, county or municipal or other local election.	Monitor - Oppose	2/10/21 10:00 AM RM 437 SH			Electors	
<u>111</u>	474	An Act To Allow Career Educators To Retire without Penalty	Tuell	LH	This bill allows teachers and school administrators in service after 35 years of creditable service to retire and collect retirement benefits without penalty. It also requires that a reemployed retired teacher or retired school administrator pay the same employee contribution rate to the retirement system as is required for the position if the position were filled by an employee who is not retired.		2/3/21 10:00 AM Rm 202 COB	2/22/21 1:00 PM Rm 202 COB		School	
<u>112</u>	657	An Act To Facilitate the Timely and Accurate Counting of Absentee Ballots By Extending the Processing Period	Roberts	VLA	Current law allows a municipality or jurisdiction that conducts its own elections to process absentee ballots beginning on the 4th day immediately prior to election day. This bill allows a municipality or jurisdiction to process absentee ballots beginning on the 7th day immediately prior to election day.	Testify in support	2/1/21 9:00 AM Rm 437 SH	2/10/21 11:00 AM Rm 437 SH	Voted 2/10/21 ONTP Not rpt out	Ballots	

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<u>129</u>	405	Resolve, To Protect Consumers of Public Drinking Water by Establishing Maximum Contaminant Levels for Certain Substances and Contaminants	Stewart	HHS	The purpose of this resolve is to adopt measures to protect consumers of public drinking water in Maine from potential health impacts associated with perfluoroalkyl and polyfluoroalkyl substances known as PFAS. The resolve requires community water systems and schools and child care facilities regulated as nontransient, noncommunity water systems to conduct monitoring for perfluoroalkyl and polyfluoroalkyl substances. If the monitoring results detect the presence of perfluorooctanoic acid, perfluorooctane sulfonic acid, perfluorohexane sulfonic acid, perfluorononanoic acid or perfluoroheptanoic acid at a level in excess of an interim standard, the water system is required to conduct additional monitoring. The resolve also directs the Department of Health and Human Services to undertake rulemaking to establish an enforceable maximum contaminant level for the 5 PFAS by June 1, 2024, which can include adoption of a federal maximum contaminant level if one is available and at least as restrictive as the interim standard.	BSSN reach out to Water Dist	2/9/21 10:00 AM Rm 209 COB			Water	

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<u>132</u>	151	An Act To Implement the Attorney General's Recommendations on Data Collection in Order To Eliminate Profiling in Maine	Talbot Ross	JUD	This bill requires all law enforcement agencies, beginning July 1, 2023, to collect information about each person stopped for a traffic violation. The information must include the characteristics of race, color, ethnicity, gender and age of those persons. The identification of such characteristics must be based on the observation and perception of the law enforcement officer responsible for reporting the stop. The person stopped may not be required to provide the information. The information must also include whether a warning or citation was issued, an arrest was made or a search was conducted as a result of the stop. Each law enforcement agency must report the information to the Attorney General, who is required to report the information, along with analysis and any recommendations, to the joint standing committees of the Legislature having jurisdiction over judiciary matters and criminal justice and public safety matters beginning January 15, 2024 and annually thereafter. The report must be made available to the public. The Attorney General is directed to adopt rules governing the recording, retention and reporting of the information. In adopting the rules, the Attorney General must consult with the Commissioner of Public Safety and other interested parties, including law enforcement agencies and community, professional, research, civil liberties and civil rights organizations and persons with lived experience of being profiled. The Attorney General must ensure that the parties consulted represent the racial and ethnic diversity of the State. The name and personally identifiable information of a law	Monitor	2/11/21 10:00 AM Rm 438 SH			Profiling	
<u>133</u>	930	An Act To Authorize a General Fund Bond Issue To Invest in Fire Stations (Bond)	Crockett	AFA	The funds provided by this bond issue, in the amount of \$25,000,000, will be used for the rehabilitation or new construction of fire stations by municipalities.	Support				Bond	
<u>135</u>	1063	An Act To Address Issues in Funding Prekindergarten Programs	Brennan	ECA	This bill is a concept draft pursuant to Joint Rule 208. This bill would direct the Department of Education to develop solutions to the challenges coronavirus disease 2019, also known as COVID-19, has brought to ensuring equitable funding for prekindergarten programs.	Monitor				School funding	

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<u>137</u>	837	An Act Regarding Absence from Work for Emergency Response	Grohoski	LH	Current law requires that, in order to avoid being subject to discharge or discipline for failure to report for work or being absent when responding to an emergency, an employee who is also a firefighter or emergency medical services person must have presented to the employer within 30 days of employment a copy of a fire department or emergency medical services provider policy that specifies the circumstances under which the employee is needed to respond to an emergency and that affirms that the employee will be released as soon as practicable. This bill removes the requirement that the employee present the copy within 30 days of employment and instead requires that the employee present the copy within 30 days of notifying the employer of the employee's status as a firefighter or emergency medical services person.	Staff to review	2/22/21 10:00 AM RM 202 COB			Employment	No concerns
<u>148</u>	354	An Act To Establish Ongoing Absentee Voting	Fecteau	VLA	This bill provides a process for a voter to request ongoing absentee voter status, which allows the voter to automatically receive an absentee ballot for each statewide election, municipal election and any other election until the status is terminated. It provides that if the clerk notes a discrepancy in signature on the return envelope of an absentee ballot, the return envelope is missing a signature or the affidavit on the return envelope is not properly completed, the clerk shall make a good faith effort to notify the voter within 24 hours by mail, telephone or e-mail of the procedure by which the voter may cure the discrepancy, correct the missing signature or properly complete the affidavit on the return envelope. It provides an effective date of January 1, 2023.	Monitor	2/8/21 9:00 AM Rm 437 SH			Voting	

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<u>150</u>	140	An Act To Authorize a General Fund Bond Issue To Fund Hazardous Substance Site Cleanups (Bond)	Fay	AFA	The funds provided by this bond issue, in the amount of \$20,000,000, will be used to provide funds for state match on federal superfund sites and for uncontrolled hazardous substance site investigation and remediation and response actions at dry-cleaner sites, sites contaminated with emerging contaminants like perfluoroalkyl and polyfluoroalkyl substances and brownfield sites.	Staff to review				Bond	This is in line with the City's own regulations. No issues.
<u>155</u>	838	Resolve, Directing the Board of Pesticides Control To Prohibit the Use of Certain Neonicotinoids for Outdoor Residential Use	Grohoski	ACF	This resolve directs the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control to prohibit the use of any product containing certain neonicotinoids used for application in outdoor residential landscapes such as on lawn, turf or ornamental vegetation. The resolve also provides that products used for preserving wood, controlling or treating indoor insects and treating pets are specifically exempt from the prohibition.	Monitor	2/18/21 9:30 AM Rm 214 COB			Pesticides	
<u>163</u>	701	An Act To Revise Maine's Environmental Laws	Tucker	ENR	This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to revise laws governing environmental protection.	Monitor				Environment	
<u>175</u>	1096	An Act To Authorize a General Fund Bond Issue To Create and Enhance Regional Homeless Shelters (Bond)	Cloutier	AFA	The funds provided by this bond issue, in the amount of \$50,000,000, will be used to create and enhance regional homeless shelters.	Support				Bond	
<u>179</u>	30	An Act To Exclude Energy Efficiency Improvements from Property Tax	Kessler	TAX	This bill provides property tax exemptions for energy efficiency improvements and requires the Efficiency Maine Trust to identify and make available and list such improvements.	Monitor	2/23/21 9:30 AM Rm 127 SH			Tax	
<u>181</u>	955	An Act To Authorize a General Fund Bond Issue To Complete the Renovation of a Wharf and Bulkhead in Portland for Marine Research (Bond)	Sylester	AFA	The funds provided by this bond issue, in the amount of \$2,000,000, will be used to complete the renovation of a wharf and bulkhead at the Gulf of Maine Research Institute in Portland to bring the wharf back into operation for a fishing vessel berthing resource to support marine research at sea and for continued long-term marine job development.	Staff to review				Bond	

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<u>183</u>	15	An Act To Establish Juneteenth as a Paid State Holiday	Talbot Ross	SLG	This bill establishes June 19th of each year as Juneteenth and as a state holiday.	Monitor	2/17/21 10:00 AM Rm 214 COB			Holiday	
<u>187</u>	202	An Act To Require Education about African-American History and the History of Genocide	Luchini	ECA	This bill requires that African-American studies be taught in schools, aligned with the parameters for essential instruction and graduation requirements and included in the review of content standards and performance indicators of the system of learning results. The bill directs the Department of Education to convene 2 volunteer advisory groups to collect information and prepare and make available materials for teaching African-American history and culture and the history of genocide in accordance with this legislation.	Monitor				School	
<u>189</u>	572	An Act To Permit All Public Employers To Implement Payroll Deductions for Disability and Life Insurance Policies	Jackson	LH	This bill authorizes a public employer to deduct payroll deductions designated in writing by a public employee for disability insurance and life insurance offered in conjunction with the employee's membership in an employee organization recognized by the employer or designated by a collective bargaining agreement.	Monitor	2/24/21 10:00 AM Rm 202 COB			Insurance	
<u>191</u>	395	An Act To Permit Municipalities To Provide Assistance to Veterans in Paying Property Taxes	Bailey	TAX	This bill authorizes municipalities to adopt a program that provides benefits to veterans and their eligible family members who own or rent a homestead in the municipality. The benefit for owners is based on the impact of property tax equalization on the amount received as a property tax exemption compared to the amount that would have applied if no equalization was applied. The benefit for renters is \$100.	Monitor				Tax	

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<u>192</u>	396	An Act To Define the Responsibilities of Residential Property Owners for the Maintenance and Repair of Private Roads	Bailey	JUD	This bill addresses the responsibility for the repair and maintenance of private roads that benefit residential properties. It is limited in application to residential properties only. Unless there is an agreement, deed restriction, covenant or declaration or road association that specifies the cost to be paid by each owner of a benefited property, the cost is shared equally by the benefited properties. Each residential property is subject to cost sharing, not each residential property owner; each residential property is assessed one share of the collective costs of repairs and maintenance regardless of whether there are multiple owners of record for that property. An owner who fails to comply may be forced to comply through an action brought by other owners on the private road. The bill uses the definition of "repairs and maintenance" provided in the law that applies to road associations. The provisions do not apply to a private road constructed or used primarily for commercial or forest management purposes or to a property owner who issues a ground lease to a 3rd party who maintains a residence on the subject property. "Ground lease" is defined for the purposes of this law as an arrangement under which a property owner leases only land to the lessee and the lessee retains the rights to use the land and any improvements the lessee makes for the term of the lease	Monitor	2/18/21 11:00 AM Rm 438 SH			Private roads	
<u>197</u>	666	Resolve, To Ensure That Community Mental Health Service Providers Can Access Pandemic Stimulus Funds	Breen	HHS	This resolve requires the Department of Health and Human Services to designate \$15,000,000 of federal COVID-19 stimulus funding allocated to the State pursuant to a federal law enacted after December 15, 2020 for community mental health service providers.	Support				Stimulus	City staff to review Staff supports
<u>198</u>	717	An Act To Improve Maine's Tax Laws by Providing a Property Tax Exemption for Central Labor Councils	Chipman	TAX	This bill provides a property tax exemption for real estate and personal property owned and occupied or used solely for their own purposes by central labor councils.	Monitor	2/23/21 9:30 AM Rm 127 SH			Labor	Do not support - may submit testimony

LD #	LR #	Title	Sponsor	Cmte	Summary	COP Position	Public Hearing	Work Session	Status	Category	Notes
<u>202</u>	758	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Implement Ranked-choice Voting	Miramant	VLA	This resolution proposes to amend the Constitution of Maine to require candidates for the political offices of Governor, State Senator and State Representative to be elected by a majority of the votes cast for that office.	Monitor	2/10/21 10:00 AM Rm 437 SH			Ranked choice	
<u>205</u>	451	An Act To Extend the Ability of Restaurants and Bars To Serve Alcohol To Go (Emergency)	Luchini	VLA	This bill temporarily permits, until April 15, 2022, certain categories of on-premises retailers to sell liquor to customers through take-out and delivery service if the liquor is accompanied by a food order. The bill also temporarily permits licensed Maine distilleries and small distilleries that operate tasting rooms but that do not operate licensed on-premises retail establishments to sell spirits through take-out and delivery service unaccompanied by a food order. Wine and malt liquor may be sold for off-premises consumption only in an original container. Spirits may be sold for off-premises consumption only as an ingredient of an approved cocktail, which must be sealed in a tamper-evident container bearing a label identifying the vendor. A person who delivers wine, malt liquor or approved cocktails to a customer by motor vehicle must be at least 21 years of age. The bill directs the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to adopt rules governing the categories of on premises retailers that may engage in liquor take-out and delivery services, the type of food order that must accompany a take-out or delivery sale of liquor and the requirements for sealing and labeling the tamper-evident containers in which approved cocktails must be sold	Testify	2/8/21 9:00 AM Rm 437 SH	2/17/21 10:00 AM Rm 437 SH		Alcohol	Plan to testify. Supportive until emergency order

LD #	LR #	Title	Sponsor	Cmte	Summary	COP Position	Public Hearing	Work Session	Status	Category	Notes
<u>206</u>	1712	Resolve, Regarding Legislative Review of Portions of Chapter 234: Lead Testing in School Drinking Water Rule, a Major Substantive Rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention (Emergency)	Meyer	HHS	This resolve provides for legislative review of portions of Chapter 234: Lead Testing in School Drinking Water Rule, a major substantive rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention.	Monitor	2/9/21 10:00 AM Rm 209 COB			Lead testing	
<u>208</u>	1124	An Act To Expand Access to Absentee Ballots	Brooks	VLA	This bill eliminates restrictions on the issuance of absentee ballots after the 3rd day before an election, removes deadlines for the return of an absentee ballot by a 3rd person and allows a voter to vote by absentee ballot in the presence of the clerk until 8:00 p.m. on the day of any election.	Monitor				Ballots	
<u>211</u>	1094	An Act To Support Emergency Shelter Access for Persons Experiencing Homelessness	Cloutier	LH	This bill includes ongoing General Fund appropriations of \$3,000,000 per year to the Shelter Operating Subsidy program within the Maine State Housing Authority to support operations and capacity at low-barrier emergency homeless shelters across the State. This bill specifies that the funding is supplemental to the Maine State Housing Authority's emergency shelter and housing assistance program and is to be delivered outside of the funding formula set forth in the Maine State Housing Authority's rule under 99-346 C.M.R. Chapter 19, Homeless Solutions Rule.	Monitor	2/17/21 10:00 AM Rm 202 COB			Shelter	Monitor/most likely support. Staff to look into GA/shelter bills Staff supports (carryover from 129th - LD 1909)
<u>242</u>	519	An Act To Support the Maine Fire Protection Services Commission	Cyrway	CJPS	This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to support the Maine Fire Protection Services Commission through the funding of live fire training centers.	Support	2/22/21 10:00 AM Rm 436 SH			Fire protection	Dena to reach out to the fire chief

LD #	LR #	Title	Sponsor	Cmte	Summary	COP Position	Public Hearing	Work Session	Status	Category	Notes
<u>244</u>	360	An Act To Repeal Maine's Single-use Plastic Bag Law	Davis	ENR	This bill repeals the law restricting the use of single-use carry-out plastic bags by retail stores and instead allows a retailer to use plastic bags to bag products at the point of retail sale if the retailer locates inside the store or within 20 feet of the main entrance to the store a receptacle for collecting any used plastic bags and ensures that the plastic bags collected are recycled or delivered to a person engaged in recycling plastics.	Monitor	2/22/21 10:00 AM Rm 216 COB			Plastic bags	The Council repealed the City's bag fee because the statute preempted municipalities from regulating bags. Assuming this completely repeals the existing state bag ban the Council would need to "unrepeal" our ordinance if they wanted to have some sort of bag program. We would like to make sure there is language in the bill that allows municipalities to have their own programs.
<u>250</u>	1098	An Act To Assist Nursing Homes in the Management of Facility Beds	Perry	HHS	This bill restores the ability of nursing facilities to voluntarily reduce the number of their licensed beds and then later increase the number of their licensed beds to the prior level after obtaining a certificate of need and meeting certain conditions. The bill modifies the process to obtain certificate of need approval to reopen reserved beds. Applications that seek to reopen reserved beds must be approved if the projected incremental costs of reopening and operating the reopened beds are consistent with the facility's costs of operating its other beds. Applicants are not required to demonstrate that any increases in MaineCare costs are offset by other MaineCare savings. The costs of ongoing operation of both the restored beds and the complement of facility beds at the time the reserved beds are reopened must be recognized as allowable costs and incorporated into the facility's MaineCare payment rates. The bill requires the Department of Health and Human Services to include in its calculation of reimbursement for services provided by a nursing facility the cost incurred by the facility for a medical director. The bill requires the cost incurred by a nursing facility for the acquisition, use and maintenance of computer or cloud-based software systems to be included as a fixed cost.	City staff to check				Nursing homes	No issue (will not affect BC unless we reduced bed size and then increased bed size)

LD #	LR #	Title	Sponsor	Cmte	Summary	COP Position	Public Hearing	Work Session	Status	Category	Notes
<u>253</u>	311	An Act To Strengthen Maine's Election Laws by Requiring Photographic Identification for the Purpose of Voting	Cebra	VLA	This bill requires that a voter provide proof of identity for the purpose of voting with photographic identification approved by the Secretary of State by rule.	Monitor - Oppose				Photo ID	
<u>256</u>		An Act To Adjust Sewer and Wastewater Lien Fees	Doudera	EUT	This bill increases from \$13 to \$25 the flat fee paid by a delinquent sewer or wastewater 10 ratepayer.	City staff to check	2/16/21 9:00 AM Rm 211 COB			Lien fees	
<u>259</u>	886	An Act To Improve Solid Waste Management	McDonald	ENR	This bill is a concept draft pursuant to Joint Rule 208. 5 This bill proposes to enact measures to improve solid waste management.	Monitor				Solid waste	
<u>264</u>	583	An Act To Prohibit Aerial Application of Perfluoroalkyl and Polyfluoroalkyl Substances	Pluecker	ENR	This bill prohibits the aerial application of a pesticide unless the Board of Pesticides Control has determined that the pesticide has been analyzed by a 3rd-party entity not associated with the manufacturer of the pesticide who has determined that perfluoroalkyl and polyfluoroalkyl substances, also known as PFAS, are not part of the formulation of the pesticide. The bill also prohibits the aerial application of a pesticide if perfluoroalkyl and polyfluoroalkyl substances are part of the formulation of the pesticide.	Support				PFAS	Support - have city staff check if it aligns with city ordinance. Not relevant in Portland; primarily relevant to northern Maine where aerial spraying is used in large timber tracts.
<u>269</u>	634	An Act To Prohibit Smoking in Bus Shelters	Sanborn	HHS	This bill clarifies that bus shelters are considered enclosed public space where smoking is prohibited.	Monitor				Smoking	Metro?
<u>270</u>	352	An Act To Amend the Regional Adjustment Index To Ensure School Districts Do Not Receive Less than the State Average for Teacher Salaries	Stewart	ECA	This bill requires that, beginning in fiscal year 2022-23, when the Commissioner of Education makes the regional adjustment to the total operating allocation for each school administrative unit, the commissioner may not make an adjustment that decreases a school administrative unit's allocation for teacher and other school-level staff salary costs.	Monitor				School	Check with Superintendent

LD #	LR #	Title	Sponsor	Cmte	Summary	COP Position	Public Hearing	Work Session	Status	Category	Notes
<u>278</u>	582	An Act To Establish a Process for the Consideration and Implementation of Changes to Mandated Instruction or Training for Students	Brennan	ECA	This bill does the following. 1. It establishes the Review Committee on Proposed Legislation as a board with minimal authority and provides that members are not entitled to compensation. 2. It requires the joint standing committee of the Legislature that considers proposed legislation that would establish or substantially expand mandated instruction or training for students in elementary or secondary school to hold a public hearing on the proposal and then either vote to request that the Commissioner of Education convene the Review Committee on Proposed Legislation to review the proposal and report to the joint standing committee by a specific date chosen in consultation with the Department of Education or hold a work session to work and vote on the proposed legislation. 3. It requires the Commissioner of Education to appoint the Review Committee on Proposed Legislation's members, including teachers, administrators and content specialists within the Department of Education and a representative of an association of statewide curriculum leaders, and requires the review committee to invite the sponsor of the proposed legislation to participate in its evaluation. 4. It provides that, as part of the evaluation, the Review Committee on Proposed Legislation must analyze the positive and negative effects of the proposed legislation and the costs to implement the proposal. 5. It requires the Commissioner of Education or the commissioner's designee to present the final report of the Review Committee on Proposed Legislation to the joint standing committee.	Monitor	2/17/21 1:00 PM Rm 208 COB			School	

LD #	LR #	Title	Sponsor	Cmte	Summary	COP Position	Public Hearing	Work Session	Status	Category	Notes
<u>281</u>	297	An Act To Address Student Achievement Gaps	Brennan	ECA	This bill adds a provision to the school funding formula to provide an additional allocation of state funding to school administrative units to address student academic achievement gaps based on student race or economic status. It requires the Commissioner of Education to specify data and metrics to calculate student academic achievement gaps, to establish eligibility criteria for the adjustment and to determine the adjustment amount or method for computing the amount. It also requires eligible school administrative units to submit a plan to address academic achievement gaps prior to receipt of the adjustment each year. It authorizes the commissioner to disburse up to \$10,000,000 per fiscal year to provide the adjustments.	Monitor				School	
<u>286</u>	1460	An Act To Make Election Day a State Holiday	Collings	SLG	This bill designates Election Day, the first Tuesday after the first Monday in November, as a state holiday.	Monitor	2/17/21 10:00 AM Rm 214 COB			Election	

LD #	LR #	Title	Sponsor	Cmte	Summary	COP Position	Public Hearing	Work Session	Status	Category	Notes
<u>290</u>	346	An Act To Stabilize Property Taxes for Individuals 65 Years of Age or Older Who Own a Homestead for at Least 10 Years	Stewart	TAX	This bill requires a municipality to maintain the property tax on the homestead of a permanent resident who is at least 65 years of age at the amount billed in the year prior to an application for stabilization. The amount by which the property tax assessed exceeds the stabilized amount must be paid to the municipality by the State. If an eligible individual moves to a different municipality, the stabilized property tax amount continues at the new location. An applicant for stabilization must be a permanent resident of the State and must have owned a homestead for at least 10 years. An application for stabilization must be made each year to continue eligibility.	Oppose				Tax	The property tax amount is not a number that can just be frozen in our internal systems. The property tax for each individual parcel is a computation derived of two parts - the assessed value of the property multiplied by the tax rate for the corresponding fiscal year. In order to keep a tax amount "stabilized" there would need to be an adjustment made to one of these parts or at the very least, an abatement done to subtract the overall difference to arrive at the same "stabilized" tax amount each year. I object to the provision that someone eligible for a "stabilized" tax could move it with them to another municipality. Imagine someone living in Machias in a 1500 sq. ft., 3 bed, 1.5 bath home assessed at \$200,000 and paying \$4,000 in taxes downsizes and moves to a condo in Portland where the taxes may be \$6,000 otherwise. Let's say instead of downsizing, the eligible individual upsizes to create a larger home for extended family. Who wouldn't want to move their grandmother to an Eastern or Western Promenade property to take advantage of her "stabilized" eligibility to pay only \$4,000 in taxes on a property that would otherwise be taxed at \$8,000, \$10,000 or \$12,000 with the State picking up the difference?
	1258	An Act To Clarify That Municipal Officers May Accept a Proposed, Unaccepted Way for Pedestrian, Bicycle and Other Nonmotorized Use	Carney			Monitor closely					Track closely. Staff believes this may have some complicated legal implications. MMA shares our concerns and is looking into it as well.
	1847	An Act To Allow the Bureau of Motor Vehicles To Assist in the Critical Incident Contact Chain	Sanborn			Need language				Contact chain	
	1848	An Act To Allow Tax Abatements for Catastrophic Loss	Sanborn			Need language				Tax	
	1849	An Act To Assist Maine's Working Waterfront	Sanborn			Need language				Waterfront	

Memorandum

To: Portland, City of

From: Bernstein Shur

Date: February 12, 2021

Re: New Legislative Bills Report

Please find below the new legislative documents (LD) printed this week that we have flagged to be of possible interest to your organization. Please indicate to us which bills you would like included on your tracking report.

Thank you.

COP-GENERAL

<u>LD 311</u>	(SP137) An Act To Require Third-party Certification for Persons Undertaking Corrosion Prevention and Mitigation Projects for Public Water Supply and Wastewater Infrastructure and Bridges
<u>LD 316</u>	(HP220) An Act To Prohibit the Use of Chlorpyrifos
<u>LD 324</u>	(HP228) An Act To Limit Public Land Ownership in Maine
<u>LD 328</u>	(HP232) An Act To Fully Fund and Restore State-Municipal Revenue Sharing
<u>LD 330</u>	(HP234) An Act To Prevent Accidental Overdoses by Establishing a Protocol for Prescription Drug Recovery
<u>LD 335</u>	(HP239) An Act To Clarify Requirements for Criminal History Record Checks Pursuant to the Federal Family First Prevention Services Act

<u>LD 340</u>	(SP147) An Act To Allow for the Establishment of Commercial Property Assessed Clean Energy Programs
<u>LD 343</u>	(HP241) An Act To Set Aside Funds from Federal Block Grants for Certain Communities
<u>LD 351</u>	(HP249) An Act Regarding Municipal Valuation and State-owned Property
<u>LD 353</u>	(HP251) An Act To Establish Medical Marijuana Cooperatives
<u>LD 359</u>	(HP257) An Act To Promote Energy Production from Recyclable Plastics
<u>LD 382</u>	(HP266) An Act Regarding the Department of Transportation and Electric Vehicle Charging Stations
<u>LD 395</u>	(HP279) An Act To Remove the Authorization for Temporary Signs To Be Placed in the Public Right-of-way
<u>LD 403</u>	(HP287) An Act To Assist Service Center Communities by Adjusting State-Municipal Revenue Sharing
<u>LD 409</u>	(HP293) An Act To Provide Funding To Restore Fully State-Municipal Revenue Sharing
<u>LD 412</u>	(HP296) An Act To Authorize the Use of Tax Increment Financing Funds for Constructing or Renovating Municipal Offices and Other Buildings
<u>LD 419</u>	(HP303) An Act Regarding Participation in Public Works Projects by Pretrial Inmates
<u>LD 423</u>	(SP171) An Act To Improve Access to Bariatric Care in Nursing Homes
<u>LD 426</u>	(SP174) An Act Relating to Solar Energy Installation
<u>LD 447</u>	(HP323) An Act To Require Equivalent Paid Parental Leave for All Parents Employed by Companies Offering Paid Parental Leave
<u>LD 449</u>	(HP325) An Act To Strengthen the Ability of Public Employers and Unions To Negotiate
<u>LD 451</u>	(HP327) An Act To Remove the Party Designation from Return Envelopes for Absentee Ballots for the General Election
<u>LD 455</u>	(HP331) An Act To Give the State the Sole Authority To Establish a Minimum Wage and Hazard Pay with Certain Exceptions
<u>LD 456</u>	(HP332) An Act To Protect Voter Identification by Prohibiting a Voter's Party Designation from Appearing on Absentee Ballot Envelopes

<u>LD 458</u>	(HP334) An Act To Support Public Transportation Infrastructure in York and Cumberland Counties
<u>LD 462</u>	(HP338) An Act To Reexamine the Relationship among County, Municipal and State Governments
<u>LD 463</u>	(HP339) An Act To Better House Maine Residents
<u>LD 464</u>	(HP340) An Act To Change Certain Labor Laws
<u>LD 466</u>	(HP342) An Act To Authorize a General Fund Bond Issue To Support a Climate Center at the Gulf of Maine Research Institute
<u>LD 467</u>	(HP343) An Act To Support E-9-1-1 Dispatchers and Corrections Officers Diagnosed with Post-traumatic Stress Disorder
<u>LD 468</u>	(HP344) An Act To Amend the Laws Governing Labor and Housing
<u>LD 470</u>	(SP187) An Act To Allow a Veteran Who Was a Member of the Military Reserves or Served in the National Guard To Qualify for the Veterans' Property Tax Exemption
<u>LD 473</u>	(HP347) An Act To Create the Maine Rental Assistance and Voucher Guarantee Program

COP-SCHOOL

<u>LD 313</u>	(SP140) An Act To Advance Career and Technical Education Opportunities in Maine
<u>LD 325</u>	(HP229) An Act To Expand the Definition of "Education Disruption" To Include States of Emergency That Limit Students' Access to On-site Education for Longer Than 15 School Days
<u>LD 326</u>	(HP230) An Act To Authorize Lifetime Teaching Certificates
<u>LD 331</u>	(HP235) An Act To Protect Student Privacy
<u>LD 380</u>	(SP168) An Act To Change the Statutory Cap on Virtual Public Charter School Enrollment
<u>LD 386</u>	(HP270) An Act To Improve Operations at the Department of Education
<u>LD 414</u>	(HP298) An Act To Create Parity between Private Schools and Public Schools Regarding Career and Technical Education Tuition Rates

<u>LD 429</u>	(HP309) An Act To Protect the Health of Students and Educators by Requiring the Establishment of Health and Safety Committees in School Administrative Units
<u>LD 430</u>	(HP310) An Act To Provide for School Choice and Online Learning Opportunities in Response to the COVID-19 Pandemic
<u>LD 435</u>	(HP315) An Act To Provide a Sales and Use Tax Exemption for Certain Educational Collaboratives
<u>LD 452</u>	(HP328) An Act To Require Certain Schools To Provide Menstrual Products
<u>LD 474</u>	(HP348) An Act Regarding School Discipline for Maine's Youngest Children