



Remote Legislative & Nominating Committee

March 23, 2021

AGENDA

I. ZOOM Information

The Legislative and Nominating Committee will hold a meeting on Tuesday, March 23, 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. §403-A, 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 un-muted by the host when it is time for public comment.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/89075061548?pwd=cjcwMkFuUDY3Kzk1WUtWUWdyeW55dz09>

Passcode: 354435

Or iPhone one-tap :

US: +13126266799,,89075061548#,,,,*354435# or +19292056099,,89075061548#,,,,*354435#

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US: +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782

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International numbers available: <https://us02web.zoom.us/u/knMG66Nf7>

II. Call to Order

III. Approval of Meeting Minutes

- a. March 16, 2021 Meeting Minutes

IV. Legislative Update

a. Staff Feedback

- Staff feedback re: [LD 994](#)
- Staff feedback re: [LD 991](#)
- SOPs for PPD search warrants ([LD 1043](#))
- Convention Center Analysis (2018)

b. New Bills

c. Public Hearings

- Testimony provided on [LD 727](#) on March 17, 2021
- Testimony to be provided on [LD 475](#) on March 24, 2021
- Testimony to be provided on [LD 149](#) on March 23, 2021

d. Discussion of LD 991

- Memorandum by Anthony Donovan, Director of MRTC

V. Adjournment



Legislative Committee Meeting Minutes

March 16, 2021

The March 16, 2021, remote Committee meeting was called to order by Chair Pious Ali at 8:01 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), Roberto Rodriguez (School Board), Kate Knox (Bernstein Shur), Alysia Melnick (Bernstein Shur), and Chris Feeney (Bernstein Shur) were present.

Councilor Fournier made a motion to approve the meeting minutes from March 9, 2021, seconded by Councilor Mavodones, no amendments, vote 4-0.

Dena Libner presented the committee with the staff feedback in regards to the following bills:

- **LD 740** (An Act To Provide Municipalities a Percentage of the Revenue Generated from the Taxes Imposed on the Sale of Recreational Marijuana in Those Municipalities) -Staff strongly support this bill and suggest closely monitoring and providing testimony.
- **LD 987** (An Act To Authorize a General Fund Bond Issue for the Portland Harbor Commercial Revitalization Project's Confined Aquatic Disposal Cell and Dredging Projects) - Staff strongly support and recommend direct lobbying, close monitoring, and testimony.
- **LD 746** (An Act Regarding Remote Participation in Municipal Meetings) Staff strongly opposes due to the new constraints this bill proposes. Staff recommend monitoring closely.
- **LD 953** (An Act To Improve Affordable Housing Options and Services To Address Homelessness) -Staff are supportive of this bill and recommend that it be monitored. Housing & Economic Development staff plan to testify.

- **LD 959** (An Act To Protect Small Businesses by Ensuring That a Prevailing Wage Is Paid on Public Works Construction Projects)- Staff oppose this bill. It would lower the threshold at which prevailing wages are required from \$50K to \$15K projects and most likely reduce the competitive bidding process. They recommend monitoring it closely.
- **LD 992** (An Act To Prevent the Denial or Revocation of a Professional or Business License for a Violation Not Related to That Profession or Business) - Staff oppose this change. It is their opinion that, if an individual has shown a repeated disregard for rules or laws in other areas, they should be able to revoke or deny a license in an industry that requires particular care and attention to rules and laws (liquor, marijuana, pesticides, etc.). This is something that should be left to the judgment of the municipalities as to who is fit to conduct a business in their jurisdiction, as long as it's not arbitrary or capricious (which is already the constitutional standard). Staff recommends that this be monitored closely.
- **LD 724** (An Act To Base the Vehicle and Mobile Home Excise Tax on Actual Value) Staff strongly oppose this bill and recommend that it be closely monitored. This bill, if enacted, would likely result in a loss of revenue and introduce significant administrative challenges related to determining the value of vehicles.
- **LD 925** (Resolve, Directing the Department of Transportation To Develop a Plan To Redevelop Exit 5 of Interstate 295 in Portland) - Staff is supportive and recommends monitoring.

Mayor Snyder asked for discussion about **LD 746** (An Act Regarding Remote Participation in Municipal Meetings) and how the bill has to do with municipalities using remote meetings in comparison to **LD 732** that was discussed roughly a month ago. Mayor Snyder stated that she is in favor of the continuation of remote meetings and would like to do whatever she can to support the usage of remote technology. She would like to understand if there is more than these two bills and how we can continue tracking **LD 732**.

Dena clarified that the staff feedback was based on the last one that introduced new constraints and it doesn't look like **LD 746** (An Act Regarding Remote Participation in Municipal Meetings) does that. She said that a closer look and it should be run by Corporate Counsel. She believes that the changes stated in **LD 746** is what Corporate Counsel was hoping to see in a bill, her assumption is that we will support this but it should be monitored.

Mayor Snyder inquired if **LD 732** public hearing has been rescheduled as she was due to testify. Alysia confirmed it has not been rescheduled yet.

Councilor Fournier inquired about **LD 959** (An Act To Protect Small Businesses by Ensuring That a Prevailing Wage Is Paid on Public Works Construction Projects) and where the \$50,000 project costs referenced by staff came from. Dena stated that the \$50,000 was established in the local Green New Deal. Councilor Ali asked Mr. Jennings to provide a few examples that will fit

between the \$15,000 threshold mentioned on the bill. Mr. Jennings to provide those examples at the next meeting.

Councilor Ali inquired about **LD 992** (An Act To Prevent the Denial or Revocation of a Professional or Business License for a Violation Not Related to That Profession or Business) specifically in regards to the definition behind the word "violation" stated in the bill; he mentioned the limitation/denial of a constituent to use trades learned while in prison once the person has been released. Mr. Jennings agreed that the City supported any individual's ability to work and would not want to introduce barriers to employment; he clarified that the biggest issue he saw in this bill is a reduction in local control.

Councilor Mavodones also expressed concern about local control, saying that towns and municipalities should be able to make their own decisions and not have a blanket rule. He stated how the councilors have had multiple instances when they could have denied a liquor license to someone because of items that were in their distant past and chose not to; if there are patterns then towns and municipalities should be able to look into that.

Mayor Snyder asked for confirmation that the Police Department reviews applicants before the license goes in front of the council for approval. Mr. Jennings confirmed that multiple departments review applications.

Councilor Fournier inquired about **LD 969** (An Act To Authorize a General Fund Bond Issue for the Construction of a Convention Center in Portland, Improvements to the Augusta Civic Center, and a Competitive Grant Program for Capital Improvements to Public Venues across the State), stating that she would like to know what is the rationale behind the bill to build more when there is a list of items that aren't built yet. Mr. Jennings said that this has been a long-term effort by the hospitality community and it is not something that the City has actively supported or promoted. It would have a positive economic impact being able to attract convention of a certain size to the City but the City agrees that there are other priorities that take precedence, given the limited funding available. Councilor Ali asked for information about the economic impact of the project.

Councilor Fournier would like more information from staff about **LD 994** (An Act To Promote Public Health by Eliminating Criminal Penalties for Possession of Hypodermic Apparatuses). Mr. Jennings indicated he would provide feedback from Health & Human Services staff at the next meeting.

Councilor Fournier inquired about **LD 1043** (An Act Concerning the Unannounced Execution of Search Warrants) and if the Police Department has a written policy. Mr. Jennings confirmed he would follow up at the next meeting.

Kate Knox asked the committee for guidance about the bills assessed by the City staff. The committee is in agreement with staff recommendations and looks forward to receiving the additional information they requested.

Mayor Snyder asked why **LD 910** (An Act To Amend the General Assistance Laws Governing Reimbursement) was not considered a priority to the City Staff. Mr. Jennings said he believes it should be moved to the prioritized bill list as it has an impact on the City of Portland. Committee members agreed that it should be prioritized.

Councilor Fournier said that she will be in support of **LD 991** (Resolve, Directing the Department of Transportation To Complete a Feasibility Analysis To Initiate a Commuter and Passenger Train Service between Portland and the Lewiston and Auburn Area) as it doesn't cost the City anything. Kate Knox said that there is a \$250,000 cost to it that will be funded by the state. Mr. Jennings said that prior to a decision, a demonstration of the routes should be shown to see the impact that it will have on the City of Portland. The committee members agreed to review staff feedback on the impact that this bill poses to the City before making a decision.

Kate Knox asked for guidance in regards to **LD 941** (An Act To Protect the Privacy of Absentee Voters), Kathy Jones said that other than cost and staff time, the state city clerk office would be the one advising and direction will be coming from the State.

Councilor Ali would like to discuss **LD 968** (Resolve, To Expand Mental Health Crisis Intervention Mobile Response Services). The City Manager and Committee members agreed that this bill should be listed as a priority and supported.

Alysia asked for the committee feedback in regards to **LD 805** (An Act To Allow Municipalities To Prohibit Firearms at Voting Places). Committee members agreed to support the bill. Mr. Jennings asked if the bill can be expanded to City buildings. Alysia said they can definitely have those conversations with the sponsors.

Councilor April Fournier made a motion to adjourn the meeting, seconded by Councilor Mavodones, vote 4-0. The meeting was adjourned at 9:01 AM.

DRAFT

DRAFT



CITY OF PORTLAND

To: Legislative Committee
From: Jon P. Jennings, City Manager
Date: March 17, 2021
RE: Staff Feedback on LD 994 (An Act To Promote Public Health by Eliminating Criminal Penalties for Possession of Hypodermic Apparatuses)

The Department of Health & Human Services recently reviewed LD 994. All staff support the bill's intent to decriminalize possession of hypodermic apparatuses, noting both a nationwide trend toward decriminalizing syringe possession as well as the unintended and harmful public health consequences of these laws.

Current criminal penalties increase the likelihood of improper disposal of syringes and community needle waste; people who use drugs are less likely to return used syringes to Needle Exchange Programs or deposit them in community sharps boxes. This exacerbates the issue of community needle waste and public risk of accidental needle sticks. Further, research suggests that individuals who inject drugs are less likely to access syringe services programs when they fear legal consequences from being in possession of used needles; results may include more needle reuse and higher rates of infection, as well as less opportunity for engagement with people who inject drugs.

Staff believe that the public health benefits from eliminating criminal penalties for syringe possession are significant and compelling both for individuals who use drugs and the wider community.



CITY OF PORTLAND

To: Legislative Committee
From: Department of Public Works
Date: March 17, 2021
RE: Staff Feedback on LD 991 (*Resolve, Directing the Department of Transportation To Complete a Feasibility Analysis To Initiate a Commuter and Passenger Train Service between Portland and the Lewiston and Auburn*)

While City staff strongly support efforts to enhance railway access to and from Portland, we have serious concerns about the impact of LD 991 on Portland's eastern waterfront. Specifically, LD 991's focus on the Portland Ocean Gateway Pier as a hub would cause significant new congestion and negative impacts in the downtown area, as well as serve as a less effective and efficient mode of transportation than existing alternatives.

Rail service to this location would significantly impact the Eastern Promenade, a historic landscape district on the National Register of Historic Places. Pedestrian and recreational activity along the Eastern Prom have grown significantly, which poses additional questions about higher-speed intercity rail operations and the inherent conflicts that can result.

The effect of an alignment focused on the Ocean Gateway facility would also have the effect of providing a dead-end to passenger access, as opposed to a connection on the west side of the peninsula (via the Pan Am mainline) that provides direct access to points south. Furthermore, an existing study being conducted by MaineDOT and the Northern New England Passenger Rail Authority (NNEPRA) examining a new passenger rail facility along St. John Street suggests that travel times to Portland would perform much better at this location.

As such, staff continues their recommendation to leverage the existing Downeaster corridor/Pan Am main line within City limits for any increased service, as it already provides for passenger service and acquisition of this line by CSX may bring additional capital investment opportunities.

Staff strongly supports a comprehensive and strategic expansion of rail access to and from Portland that does not include the Eastern Waterfront. We will continue to work with local and regional partners on this important matter.

PORTLAND POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

	Effective Date 08/04/2013	Number 51
Subject	Search Warrants	
Review Date		

I. Purpose

This policy establishes procedures for obtaining and executing search warrants. It is intended to facilitate a coordinated and efficient system for obtaining and executing search warrants and to ensure that all searches are conducted safely and within legal parameters.

II. Policy

It is the policy of the Portland Police Department to accomplish the execution of search warrants in a manner that provides for the safety of officers and the protection of constitutional rights. Every officer of this Department is authorized to initiate the procedure described herein to obtain a search warrant. Each officer is also authorized to participate in the execution and return of search warrants as regulated herein and as directed by superior officers.

III. Definitions

No-knock warrant: a warrant issued by proper judicial authority which allows law enforcement officers to enter a premises without knocking, announcing their presence or identifying themselves as police officers prior to the entry.

Probable Cause: The facts and circumstances within an officer's knowledge, which the officer received through reasonably trustworthy information, which are sufficient to convince a person of reasonable caution to believe that a crime has occurred, and that evidence of or contraband from that crime exists at the place named in the search warrant.

Search Warrant: A written order issued by proper judicial authority upon probable cause, directing the search of a particular person or place. A warrant is issued on the basis of a sworn affidavit setting forth the facts and circumstances giving probable cause to justify the issuance of a search warrant.

IV. Procedure

A. Probable cause

Every officer wishing to secure a search warrant shall discuss with his/her immediate supervisor the facts and information which he/she believes establishes probable cause for a warrant. The immediate supervisor and/or the next superior officer within the chain of command shall give his/her approval to obtain a search warrant if he/she believes probable cause exists and that the execution of a search warrant will advance the criminal investigation or prosecution.

B. Consultation, coordination and deconfliction

The supervisor who approves the warrant shall contact the CID Lieutenant or his/her designee and the Regional Information Sharing System (RISS) to ensure that the proposed search will not infringe upon or hamper any ongoing investigations. The Shift Commander of the shift during which the search warrant will be executed shall also be notified in order to coordinate the search with other ongoing Patrol, Dispatch and City efforts.

C. Securing the warrant

It shall be the responsibility of the affiant to secure the search warrant from a Judge or Justice of the Peace.

D. Execution of search warrants

1. Execution of a search warrant shall not take place without the prior approval of the Assistant Chief or the Commander of Uniformed Operations. If appropriate, the District Attorney's or Attorney General's Office will be notified prior to the execution of said warrant. It will be the responsibility of the Shift Commander to ensure that all appropriate notifications and coordination efforts occur. Search warrants must be executed between the hours of 0700 and 2100, unless a nighttime search is authorized in the warrant.

2. The supervisor or coordinator of the search will be designated by the Shift Commander.
 3. Whenever necessary, a pre-search meeting will be held to develop strategies and tactics for approaching, securing and leaving the place to be searched. An attempt should be made to obtain as much information as possible about the location, surrounding area and individual(s) involved in the search. Surveillance photographs may be helpful in this regard.
 4. Assignment of responsibilities (evidence collection, recordings, etc.) will be made by the supervisor in charge before any search takes place.
 5. The Special Reaction Team must be used on all high-risk searches in accordance with SOP. This can only be modified with the direct approval of the Assistant Chief or the Commander of Uniformed Operations.
 6. Body armor will be worn by all participants during the execution of a search warrant prior to the scene being secured. All plainclothes officers must be clearly identifiable as police officers.
 7. A signal 1000 must be requested before any entry is made.
 8. For the safety of all officers involved in executing a search warrant, the supervisor in charge will notify the Emergency Communications supervisor or the senior dispatcher of the address to be searched prior to entry.
 9. A copy of the search warrant and a copy of the inventory will be left either with the owner of the property being searched or at the scene of the search, if the owner is not readily available. A copy of the affidavit shall not be left at the scene of a search.
 10. Officers shall make an effort to conduct a thorough and complete search which does not destroy property or unduly disturb the residence.
 11. Whenever this Department is notified by an outside agency that it intends to conduct a search warrant in the City of Portland, a uniformed officer and/or detective will be assigned to assist and all procedures set forth in this directive shall be followed.
 12. Police officers executing a search warrant at a residence shall knock and announce their presence before entering. Exceptions to this rule are noted below in Section E. Prior to gaining entry, an officer must:
 - a. Announce his/her identity as a law enforcement officer;
 - b. Indicate that he/she possesses a search warrant and
 - c. Announce that he/she intends to execute the warrant.
 13. If officers knock and announce their presence and are greeted with silence, they must permit a reasonable time to elapse before making a forced entry. A reasonable time is not necessarily extensive in length and depends on the precise facts and circumstances of each case.
- E. No-Knock Entries and No-Knock Search Warrants
1. A warrant dispensing with the need for the police to knock and announce their presence is called a no-knock warrant. To ensure the admissibility of the evidence seized pursuant to the warrant, officers must limit no-knock entries to appropriate circumstances. An improper unannounced entry may lead to suppression of all evidence obtained during the execution of a warrant, even if the warrant itself is valid.
 2. A no-knock warrant is permissible only if the issuing judge or complaint justice finds that the police have a reasonable, particularized suspicion that a no-knock entry is required to:
 - a. prevent the destruction of evidence;
 - b. protect the officers' safety; and/or
 - c. effectuate an arrest or seizure of evidence.
 3. If, at the time the search warrant is applied for there is credible information suggesting that one of the

above factors exists, a no-knock warrant will be requested. The request for a no-knock warrant must be based on the precise facts and circumstances of the case and cannot be based on generalities such as; a belief that drug offenders are often armed.

4. The information upon which the no-knock request is based shall be set forth in the affidavit submitted in support of the search warrant. The issuing Judge or Justice of the Peace will indicate on the search warrant that he/she is permitting the police to make an unannounced entry and the basis for that permission.
5. If the search warrant does not authorize an unannounced entry, then officers must knock and announce their presence before entering, unless, after the search warrant is issued, officers discover information which demonstrates that an unannounced entry will jeopardize officer safety or lead to the destruction of evidence. The Shift Commander shall then direct the officers to do one of the following:
 - a. If time permits, obtain judicial authorization for an unannounced entry by presenting the new circumstances to the issuing Judge or Justice of the Peace and requesting an amendment to the search warrant; or
 - b. If time does not permit application for an amended search warrant, the Shift Commander shall decide whether to make an unannounced entry. The basis for the unannounced entry shall be documented in a supplemental report and made part of the case file.

F. **Nighttime Search Warrants**

A request for a nighttime search warrant (executed between the hours of 2100-0700) requires additional probable cause articulating the necessity of executing the warrant at night. This may include:

1. property that may be altered, moved or destroyed;
2. evidence that is perishable or may dissipate with the passage of time, such as a blood sample;
3. the suspect's awareness that he/she is suspected of committing a crime.

G. **Return of the warrant**

After execution of the search warrant, the original of the warrant and affidavit shall be delivered by the affiant to the Clerk of Courts. Those documents, including an inventory list, if any, shall be properly filled out under the supervision of the Shift Commander. These documents are returnable to the court immediately following execution whether or not items were seized in the search. Search warrants must be executed and returned within ten calendar days of issuance.

V. **Records**

Documents related to the issuance of the search warrant shall be maintained in the files of the CID Lieutenant. A master log, indexed by name and place, shall be kept of all search warrants sought, obtained or executed. This log will contain the date and time the warrant was received, the name of the person or address of the place to be searched, the officer/detective assigned to do the search, the date the warrant was executed, the court docket number and the date the original warrant was returned to court.

If any property is damaged or anyone is injured as a result of or during the course of the search, the Shift Commander shall direct that the damage is documented in a supplemental report, an estimated cost of the damage is provided and, if possible, the damage is documented with photographs.

The Maine Convention and Innovation Center

Portland Regional Chamber Update
January 31, 2018

Brief Convention Center History in Maine

- Late 1980s proposed conversion of Civic Center
- Mid 1990s statewide effort for Portland, Lewiston, Augusta and Bangor
- 2000 Libra proposal to relocate Civic Center to Bayside
- 2004 Lincoln Center Project: a combined arena/convention center/hotel complex at the Top of the Old Port parking lot
- Why no success?
 - Fragmented local tourism industry
 - No local or state political leadership
 - Lack of any strong public or business support
 - Inadequate transportation and hospitality infrastructure
 - Resistance to “Big Ideas” embedded in the state’s culture?
- Maine Convention Center Collaborative was created to turn the tide

Meeting and Convention Industry

- Travel and Tourism is a \$900 billion industry in the US
 - Conventions represent a \$130 billion slice
- Travel and Tourism is a \$6 billion industry in Maine
 - Conventions represent a negligible business
 - Economic potential in Maine, likely in the hundreds of millions annually....
- Portland ME is one of 7 cities in the top 104 MSAs without a convention center
 - Joining Thousand Oaks and Stockton CA,
 - Melbourne FL
 - Youngstown OH
 - Bridgeport and New Haven CT

The Maine Convention and Innovation Center

- **“Peak seasons” for conventions are in the Fall and Spring**
 - Winter not uncommon (e.g. Boston), Summer generally out
 - Midweek business not normally weekends
- **Tying convention center to economic development**
 - Support emerging sectors (e.g. FocusMaine) by soliciting meetings in those industries
 - Support food service and hospitality training
- **Relocate regional economic development agencies within the facility**
 - Regional Chamber of Commerce
 - Visit Portland (new CC sales entity)
 - Maine International Trade Center
 - Greater Portland Council of Governments
 - Creative Portland; FAME; MEREDA; Live, Work in Maine; Etc.

Convention Center “Catalyst” Factors

- Launch mass transit and partner with Metro
 - Relocate downtown bus center to the site
 - Electric transport service to downtown hotels
 - Express shuttles to the airport and transportation center
- Workforce Development
 - Provide year round hospitality positions (remove seasonality factor)
 - Assist in knowledge worker recruitment (meeting attendees)
 - Job creation for Maine college graduates (partnering with USM/SMCC/UNE)
- Spark transition from Resource-based to a Knowledge-based economy
- *Trend in leading convention destinations is to tie the region’s economic development strategies with convention center goals*

Latest Convention Center Trends

- Changing from big boxes in the 1970s to efficient state of the art facilities focused on human interaction
- Most successful convention cities are attractive, vibrant destinations with a major airport nearby, and hotels and restaurants within walking distance
- Cities and regions are tying their economic development strategies and business strengths with convention solicitations
- Technology, flexible configurations, green operations and iconic design are attracting premium meetings
- Three recent examples of similar sized cities to consider:
 - Savannah GA, Cedar Rapids IA and Chattanooga TN

Objectives for Portland and Maine

- Brand it with Innovation and Entrepreneurialism
- No existing convention facility to retrofit, expand or rebuild
- Iconic building in the heart of America's "Most Walkable Small City"
- Built by Maine craftspeople with Maine-made products
- Highest speed WiFi of any convention center in United States
- Breakthrough "Farm to Table" convention catering
- Extreme flexibility in layouts and configurations

Next Steps

- **Initial Feasibility Study has launched with Pinnacle Consulting Group**
 - Examining the most recently built convention centers
 - Determining how other Portland-sized cities have built their facility
 - How ongoing operations are currently supported
 - \$10,000 study: \$5000 from the city, \$5000 from hoteliers
- **A working group from the Chamber has reached out to several downtown property owned at potential sites**
- **Supplemental USM Research**
 - Reached out to USM to follow up on the Pinnacle report
 - Produce a report on the social, cultural and economic impact for the region and state
 - Possible funding for this from the Maine Economic Improvement Fund
- **Determine Funding Possibilities for Construction**
- **Determine Funding for Ongoing Operations**



April 2, 2018

Ms. Quincy H. Hentzel
Chief Executive Officer
Portland Regional Chamber of Commerce
443 Congress St., Portland, ME 04101

Sent via email: qhentzel@portlandregion.com; billbecker3@gmail.com

Re: Proposed Convention Center – Portland, Maine

Dear Ms. Hentzel:

Pursuant to the request of the Portland Regional Chamber of Commerce ("Client"), Pinnacle Advisory Group ("Pinnacle") has completed the requested research pertaining to convention center financing structures. Specifically, as outlined in our engagement letter, Pinnacle conducted research on a sampling of convention centers that were developed within the past eight years, collecting information on the financial structure for convention center development. The findings of our research are presented in this report.

Thank you for the opportunity to be of service to you.

Regards,

SIGNATURE TO BE INCLUDED IN FINAL

Pinnacle Advisory Group

Introduction

We understand that community leaders in Portland, Maine are interested in developing a convention facility. As part of the initial planning process, the Portland Regional Chamber of Commerce retained Pinnacle to complete the following research:

- Compile a list of convention centers in the US that have been developed within the past eight years;
- Select a maximum of eight comparable convention centers, and for each center, research data specific to the financial structure for its development (financing method);
- Prepare a brief report that summarizes the results of our research; and
- Present our findings to the Client at a meeting in Portland.

In the course of our research, we identified 22 convention centers that have been developed over the past eight years. In determining which facilities to research, we considered criteria such as population of the metropolitan statistical area, facility size, ownership, financing mechanism, and developer. We selected the following seven centers for further research:

- Albany Capital Center Authority, Albany, NY
- Cross Insurance Center, Bangor, ME
- Greenville Convention Center, Greenville, NC
- Huntington Convention Center, Cleveland, OH
- Jekyll Island Convention Center, Jekyll Island, GA
- Wilmington, Convention Center, Wilmington, NC
- Mayo Clinic Center, Rochester, MN

A three-part description (overview, project cost and financings, and success) for each convention center is presented on the following pages, followed by a spreadsheet that includes additional descriptive information for each convention center. The key takeaways from our research are as follows:

- Facility size and components vary based on the subject market attributes. A comprehensive market study should be completed in order to determine the appropriate facility plan for Portland.
- Five of the facilities identified are owned by the local municipalities while two are owned by special purpose entities.
- Four of the seven facilities identified are managed by SMG management.
- Two of the seven facilities have adjacent headquarters hotels that were developed using public funds.
- Financing for the facilities comes from a variety of sources including:
 - hotel occupancy tax (Albany, Greenville, and Wilmington);
 - tax increment financing district (Bangor);
 - general State obligation funds (Jekyll Island); and
 - a portion of county sales tax (Cleveland).
- The developer is often the ownership entity, but sometimes the facility is developed by a third party.



FACILITY DESCRIPTIONS AND PROJECT INFORMATION

Albany Capital Center

55 Eagle Street, Albany, New York 12207



Albany Capital Center. From http://www.albanycapitalcenter.com/about_the_capital_center/.

Overview

The Albany Capital Center (“the Center”), part of the Capital Complex (“the Complex”) in Upstate New York, opened in 2017. It was built in order to give New York State a convention center in the State’s capital city. The Capital Complex is comprised of four unique meeting and event venues. Consisting of more than 159,000 square feet of flexible meeting and event space, the Capital Complex is the largest meeting space in Upstate New York. With the Albany Capital Center, Empire State Plaza Convention Center, The Egg Performing Arts Center, and the Times Union Center Arena, the Capital Complex provides unlimited adaptability for event planners.

The Center is owned by a state body, the Albany Capital Center Authority (ACCA), and is managed by SMG. SMG is a private facility management company that provides operations and management services to stadiums, arenas, convention and conference centers, theaters and performing arts centers throughout the country. The Center is comprised of a 22,500 sq. multi-purpose space, 9,200 sq. ft. of meeting space, and 13,600 sq. ft. of pre-function space. It is directly connected to the other buildings in the Complex by a bridge. The headquarter hotel at the Albany Capital Center is the Renaissance Albany.

Project Cost & Finance

The total cost of the Center was \$78 million, \$12 million of which was spent acquiring and planning for a site on Broadway which was let go for a smaller site at the intersection of Howard and Eagle Streets in Albany, New York.¹

¹ <https://www.timesunion.com/7dayarchive/article/Albany-Capital-Center-projects-bigger-losses-12246673.php>

The total cost of the Center was \$78 million, \$12 million of which was spent acquiring and planning for a site on Broadway which was let go for a smaller site at the intersection of Howard and Eagle Streets in Albany, New York.²

The \$78 million total cost of the project was financed by the Empire State Development Corp. Grant and the Albany County Hotel/Motel Occupancy tax which gets renewed every 2 years.³ Albany county occupancy tax is 6%. Half of those collections go to the Convention Center Authority which used to fund debt service and operating losses.

Success

When the Center opened in 2017, it was expected to have an economic impact of \$36 million per year. The original budget projected total operating losses of \$4.57 million by the end of 2021, however the new budget now predicts operating losses of \$5.66 million.⁴ In its first seven months of operation the Center has hosted 139 events over 182 event days. Nine events have been conventions, 61 have been meetings, 9 have been public events, 43 social events, 14 sporting events, and 3 trade shows.

*Duncan Stewart, Executive Director/CEO of the ACCA, has offered to speak to the client and give a tour of the Albany Capital Center.

dstewart@accany.com

[1-\(518\)-275-4920](tel:1-518-275-4920)

² <https://www.timesunion.com/7dayarchive/article/Albany-Capital-Center-projects-bigger-losses-12246673.php>

³ <https://www.abo.ny.gov/annualreports/PARISAuditReports/FYE2014/State/AlbanyConventionCenterAuthority2014.pdf>

⁴ Ibid.

Cross Insurance Center
515 Main Street, Bangor, ME 04401



Cross Insurance Center. From <http://crossinsurance.centerbangor.com/index.php>.

Overview

The Cross Insurance Center opened in 2013 and replaced the Bangor Auditorium and Civic Center at Bass Park, which had been operating since 1955. The reasoning for the construction of the new Center was to replace the aging Auditorium and Civic Center, generate new business for Bangor, grow revenue, and decrease operating losses from the previous venue.⁵

The Center can host up to 2,000 guests with an 8,000 seat arena and room for 260 exhibit booths. It has over 26,000 sq. ft. of exhibit space and 15,974 sq. ft. of ballroom space that can be divided into seven separate spaces as well as 4,375 sq. ft. of prefunction space. It is close to Bangor International Airport and is located an hour away from Acadia National Park.

The Center is managed by Spectra Venue Management with a contract through 2021 with the option to extend the contract an additional five years.⁶ Spectra Venue Management, part of Spectra Experiences by Comcast Spectator, is a private event experience company.⁷ They offer the following services for venue management: consulting and pre-opening; marketing and sales; partnerships; concert touring and events; box office management; customer service; operations and engineering; finance and administration; management of ancillary services; and convention centers.

Project Cost & Finance

The cost to build the Cross Insurance Center was \$68.7 million. The two revenue sources used to pay for the project were the city's share of proceeds from Hollywood Slots (\$12.2M) and a portion of the downtown tax increment financing (TIF) district funds (\$56.5M) that are used to pay down

⁶ <https://bangordailynews.com/2016/03/31/news/bangor/bangors-cross-insurance-center-exceeds-expectations-by-making-money/>

⁷ <http://www.spectraexperiences.com/venue/>

the bonds issued for construction.⁸ Annual debt service payments are approximately \$3 million for thirty years.⁹

Success

The Cross Insurance Center reached its 1,000th event in late 2017, including community events and political rallies. The Center is on track to host one million total patrons in spring 2018. The Center has exceeded expectations by making money. A feasibility study conducted for the Center projected a \$228,000 operating loss for a newly constructed arena in 2015, but the Center netted \$42,000 in FY 2015. As well, in the 30-month window from September 2013 to February 2016, Spectra Venue Management produced a net operating income of \$21,000.¹⁰

More than \$7 million in ticket revenue has been grossed since the Center's opening in 2013 and more than \$1 million of annual gross sponsorship sales have been created. New events like the Maine State Republican and Democratic Conventions have been secured.¹¹ These successes were achieved by hiring a sales team for the Center, incentivizing promoters to book arena shows, increasing revenue opportunity for the complex, and creating aggressive marketing strategies.

⁸ <http://bangordailynews.com/2011/05/04/business/turnout-heavy-in-arena-referendum/>

⁹ <http://bangordailynews.com/2013/07/13/news/bangor/after-five-years-in-permanent-home-city-says-hollywood-casino-boosted-bangor-growth-spurt/>

¹⁰ <https://bangordailynews.com/2016/03/31/news/bangor/bangors-cross-insurance-center-exceeds-expectations-by-making-money/>

¹¹ http://www.spectraexperiences.com/wp-content/uploads/2015/06/Cross-Insurance-Center-Bangor_CaseStudy.pdf

Greenville Convention Center

303 SW Greenville Blvd, Greenville, NC 27834



Greenville Convention Center. From <http://www.greenvilleconventioncenter.com/>.

Overview

The Greenville Convention Center originally opened in 2002, but a renovation was completed in 2015. The Center serves as the anchor facility to a 32-acre Convention Center Campus. It has over 91,000 sq. ft. of flexible event space and can accommodate small company gatherings as well as large scale trade shows. The Center has a full exhibit hall with 28,800 sq. ft., an Emerald Room with 3,036 sq. ft., a pre-function area with 12,000 sq. ft., and an outdoor terrace with 2,500 sq. ft. The Center also has complimentary parking. The City of Greenville, North Carolina, owns the Center and it was developed by Prime Investments & Development.¹² Prime Investments was founded in 1987 after twenty years in the apparel industry and now focuses on development and management of hospitality services.¹³ The Hilton Greenville is the flagship hotel on the Convention Center Campus and was purchased by Prime Investments in 1993. In addition, there are two other hotels on the campus: the Hampton Inn Greenville which opened in 2009 and the Holiday Inn, which was purchased by Prime Investments in 2014.¹⁴

Project Cost & Finance

The Greenville Convention Center renovation cost \$6.8 million and was financed by special obligation revenue bonds issued by the city and paid for by County occupancy tax collections (6%).

Success

Managers at the Greenville Convention Center already had booked the Center for nearly 100 event days before the Center opened. The Center had 338 event days in 2016 and 342 event days in 2017. Local boosters credit it with helping to revitalize a blighted downtown area.

¹² <http://primeinvestments.biz/our-company>

¹³ Ibid.

¹⁴ Ibid.



Huntington Convention Center of Cleveland
1 St. Clair Avenue NE, Cleveland, OH 44114



Huntington Convention Center of Cleveland. From <http://www.thisiscleveland.com/meeting/meeting-facilities/cleveland-convention-center/>.

Overview

The Huntington Convention Center of Cleveland was opened in 2013. The Center has 225,000 sq. ft. of exhibit space, more than 140,000 sq. ft. of meeting and event space, 30 breakout rooms and a 32,000 sq. ft. Grand Ballroom that is divisible into three smaller spaces. The campus also contains the Global Center for Health Innovation. Both centers offer a total 390,000 sq. ft. of event space. The flagship hotel is the 600-room Hilton Cleveland Downtown. The Convention Center and Global Center for Health Innovation is owned by Cuyahoga County, Ohio and managed by SMG. SMG is a private facility management company that provides operations and management services to stadiums, arenas, convention and conference centers, theaters and performing arts centers throughout the country. MMPI Cleveland Development LLC was the developer for the Center. MMPI, also known as Merchandise Mart Properties, Inc. is a subsidiary of Vornado Realty Trust, which is a fully integrated real estate investment trust and one of the largest owners and managers of real estate in the United States.

Project Cost & Finance

The Huntington Convention Center of Cleveland cost \$465 million dollars to complete. Leftover funds from the project were set aside to finance the 600 room Hilton Cleveland Downtown in 2014. The funds were generated using county sales taxes. In 2013, the tax rate for Cuyahoga County raised from 7.75% to 8% in the third quarter. This quarter-cent increase in sales tax was passed in 2007.

Success

Four years after opening, the Global Center for Health Innovation was operating at 20% vacancy. The ideal use of the building is to showcase medical equipment and attract hospital executives

year-round. Once the Au Bon Pain expansion and the addition of a new Starbucks and UPS Store is completed, the Center's management hopes to bring in customers of those businesses to the atrium for lunch or coffee.¹⁵ These issues can be connected to the fact that there was a vacancy in the managing director position that began in 2016 when Fred DeGrandis left. Additionally, Colliers International, a private commercial real estate company, has found difficulty finding tenants for the Center.¹⁶

In October, November, and December of 2017, there were more than 40 meetings in Northeast Ohio. The International Elastomer Conference, Howard Hanna Convention 2017, Cleveland Clinic Medical Innovation Summit 2017, and Meeting of the Minds 2017 Annual Summit were some events that specifically met in either the Huntington Convention Center of Cleveland or the Global Health Center for Innovation. These four events totaled 9,900 attendees.¹⁷

¹⁵ http://www.cleveland.com/cuyahoga-county/index.ssf/2017/07/global_center_for_health_innovation_still_seeking_the_recipe_for_success.html

¹⁶ <https://www2.colliers.com/en>

¹⁷

Jekyll Island Convention Center

75 N. Beachview Dr., Jekyll Island, GA 31527



Jekyll Island Convention Center. From <https://www.jekyllisland.com/planevent-category/convention-center/>.

Overview

The Jekyll Island Convention Center opened in 2012 after a renovation and has a 128,000 sq. ft. footprint which includes a Convention Center, pavilions and outdoor space, historic rentals, and hotel space. The Convention Center has a 45,000 sq. ft. Atlantic Hall Exhibition and Ballroom space that is divisible into eight smaller spaces. Additionally, there is approximately 8,000 sq. ft. of additional indoor meeting space in the Convention Center. It is the only oceanfront convention center on the East Coast south of New Jersey. The Center is owned by the State of Georgia, governed by the Jekyll Island Authority, and managed by SMG. SMG is a private facility management company that provides operations and management services to stadiums, arenas, convention and conference centers, theaters and performing arts centers throughout the country. The developer for the Center was HHCP, a design, architecture, construction litigation, and development firm.¹⁸

Project Cost & Finance

The Jekyll Island Convention Center renovation cost \$50 million and was funded by Georgia taxpayers. Specifically, the state of Georgia issued a \$53million bond for the work that is paid from the state's general fund. The Jekyll Island Authority does not make any payments. The convention hotels were privately funded.

Success

Jekyll Island experienced declining tourism from the late 1990s into the mid-2000s before the Authority took action to revitalize it. In the six years since the Center has opened, new hotels have opened, been refurbished, and new hotels are in development to open in 2022. Since the second year of operation the Center has been turning a profit. In FY 2013, there were 158 events on the books with 368 event days. For FY 17, there were 287 events on the books with 369 event days.

¹⁸ <http://www.hhcp.com/index.html>

Wilmington Convention Center

515 Nutt Street, Wilmington, NC 28401



Wilmington Convention Center. From <https://www.businessmadecasual.com/about/contact/>.

Overview

The Wilmington Convention Center opened in 2010 and has 30,173 sq. ft. of exhibit space. The Center also has a Grand Ballroom with 11,800 square feet of space that is divisible into smaller salons.¹⁹ The Center is owned by the City of Wilmington and was developed in the mid-2000s as an economic driver to attract conventions and events that would result in more jobs and businesses around Wilmington and New Hanover County, North Carolina.²⁰ The Center is a part of the Wilmington Convention Center Complex, which contains the Wilmington Convention Center, a 578 space Public Parking Deck, a 12,000 sq. ft. Event Lawn/Green Space, and a 33,000 sq. ft. space reserved for the 186-room Embassy Suites Hotel that opened in 2017.²¹ The Center is managed by SMG, a private facility management company that provides operations and management services to stadiums, arenas, convention and conference centers, theaters and performing arts centers throughout the country.

Project Cost & Finance

The Wilmington Convention Center Complex cost \$62 million to build. The project was financed through bonds backed by a 3% Hotel Room Occupancy Tax (ROT) in New Hanover County which was created by legislation passed by the North Carolina General Assembly in 2013.

Success

Within a year of opening the Wilmington Convention Center was awarded the LEED Silver Certification.²² In that same year the Center hosted several events with record breaking attendances, including the North Carolina Republican Party which had a 125% increase in attendance from the 2010 gathering with more than 1,800 attendees. Other meetings with record-breaking attendances in 2011 were the Association Executives of North Carolina (AENC),

¹⁹ <https://www.businessmadecasual.com/wp-content/uploads/2013/03/Space-Capacities.pdf>

²⁰ <https://www.businessmadecasual.com/about/about/>

²¹ Ibid.

²² <http://www.successfulmeetings.com/news/destinations/south/north-carolina-s-wilmington-convention-center-awarded-leed-certification/>

North Carolina Society of Government Meeting Professionals (SGMP), North Carolina Medical Group Management Association (MGMA) and the Southeastern Section of the Geological Society of America.²³

The Center has been the catalyst of positive development in New Hanover County, North Carolina, which has expanded development of a new arts center, hotels, condos, apartments, restaurants, and event venues in the years since the Center opened.

DRAFT

²³ <https://exhibitcitynews.com/wilmington-convention-center-celebrates-record-breaking-attendances-2408/>

Mayo Civic Center
30 Civic Center Drive SE, Rochester, MN 55904-3701



Mayo Civic Center. From <https://www.medcitybeat.com/news-blog/2015/3/2/contractor-awarded-716-million-bid-for-the-mayo-civic-center-expansion>.

Overview

The Mayo Civic Center renovation was completed in 2017. The venue hosts local, regional, national, and international conventions as well as social and sporting events.²⁴ The Center has more than 200,000 sq. ft. of event space with a 25,200 sq. ft. exhibit hall, more than 35,000 sq. ft. of ballroom space, a 25,000 sq. ft. arena, and a 15,810 sq. ft. auditorium.

The Civic Center was originally built as a dual-venue complex and opened first in 1938 with a 1700 seat arena designed for sporting events and a 1340 seat theatre for fine arts and music performances. Ground for the expansion was broken in 2015. The City of Rochester, Minnesota owns the Mayo Civic Center. The Mayo Civic Center Commission, a public entity responsible for the expenditure of funds for the Center and ensuring all expenditures are in accordance with the annual budget, manages the Center.²⁵

Knutson Construction, a private construction and development firm with five locations including one in Rochester, provided development of the renovation.²⁶ The architect for the project was TSP incorporated, a full-service architecture, planning, and engineering firm.²⁷

²⁴ <https://mayociviccenter.com/about-us>

²⁵ <http://www.rochestermn.gov/home/showdocument?id=2703>

²⁶ <https://www.medcitybeat.com/news-blog/2015/3/2/contractor-awarded-716-million-bid-for-the-mayo-civic-center-expansion>

²⁷ <http://teamtsp.com/>

Project Cost & Finance

The Mayo Civic Center renovation cost \$84 million dollars. The State provided \$35million and the City contributed \$49 million using bonds backed by an increase in the lodging tax. Specifically the lodging tax rate in the city grew from 4% to 7%.

Success

The Mayo Civic Center had 262 events in 2016 with 290,000 attendees and an economic impact of \$31 million. The Center has experienced a 32% increase in new bookings and renewals from long-term customers. The Mayo Civic Center Commission will focus more on operations and meeting revenue targets instead of construction since the renovation is now complete.²⁸ The Center exceeded 2016 sales goals in Related Hotel Nights, Total Revenue, and Food and Beverage, met the Rental Revenue sales goal, and missed the Services Revenue sales goal.²⁹

²⁸ <https://mayociviccenter.com/images/Articles/AnnualReport/mcc-16-annualreport.pdf>

²⁹ Ibid.

Convention Center	Year Opened	Website	Facility Description (Website Description)
Albany Capital Center (Albany, NY)	2017	http://www.albanycapitalcenter.com/	Part of the Capital Complex in Upstate New York, the largest meeting space in that area. Can accommodate up to 5,000 people. Directly connected to other buildings in the Capital Complex.
Cross Insurance Center (Bangor, ME)	2013	http://www.crossinsurancecenter.com/page/958/home	Along the historic riverfront in the quintessential New England city of Bangor, Maine, the Cross Insurance Center can host up to 2,000 convention guests with an 8,000 seat arena and room for 260 exhibit booths, offering you first class hospitality, and providing an unparalleled, original New England experience. Just minutes from Bangor International Airport, the state-of-the-art new facility has easy access to diverse dining and nightlife, boutique and unique shopping, and is just a scenic hour's drive to breathtaking ocean views at Acadia National Park.
Greenville Convention Center (Greenville, NC)	Opened 2002; Renovation 2015	http://www.greenvilleconventioncenter.com/	Region's largest, most dynamic event space. Over 91,000 sq. ft. of flexible event space, can accommodate everything from small company gatherings and functions to large scale trade shows and events. experienced event planning staff can help you with the finer details and leverage area contacts to ensure your event is as seamless and well-prepared as it possibly can be.
Huntington Convention Center of Cleveland (Cleveland, OH)	2013	http://www.clevelandconventions.com/	Located in Downtown Cleveland, the Huntington Convention Center of Cleveland and Global Center for Health Innovation offers 390,000 total sq. ft. of prime space. Connected to the 600-room Hilton Cleveland Downtown and within walking distance of nearly 5,000 hotel rooms, Cleveland's convention center campus is a convenient location to host small executive meetings or large industry tradeshow. The Huntington Convention Center offers 225,000 sq. ft. of exhibit space, more than 140,000 sq. ft. of meeting and event space, 30 breakout rooms and a 32,000 sq. ft. Grand Ballroom divisible into three spaces.
Jekyll Island Convention Center (Jekyll Island, GA)	2012	https://www.jekyllisland.com/planevent-category/convention-center/	Only oceanfront convention center complex on the east coast south of New Jersey. All meeting venues, including the Convention Center, total 128,000 sq. ft.
Wilmington Convention Center (Wilmington, NC)	2010	https://www.businessmadecasual.com/	The Wilmington Convention Center (WCC) is owned by the City of Wilmington and opened for business in November 2010. The City started development of this project in the mid 2000's as an economic driver to attract conventions and events that would result in the creation of new jobs and businesses in and around Wilmington and New Hanover County.
Mayo Civic Center (Rochester, MN)	2017	https://mayociviccenter.com/	Southern Minnesota's premier destination for local, regional, national and international conventions, entertainment, social and sporting opportunities.

Convention Center	Size	Size of Exhibition Space	Size of Ballrooms
Albany Capital Center (Albany, NY)	53,000 sq. ft.	Empire State Plaza Convention Center has conference hall & Times Union Center has designated exhibition space	Meeting Rooms (3): 3,300 sq. ft., 4,900 sq. ft., and 1,000 sq. ft. Prefunction (2): 10,500 sq. ft., and 3,100 sq. ft.; Multipurpose Room (1) 22,500 sq. feet.
Cross Insurance Center (Bangor, ME)	50,000+ sq. ft.	Arena: 26,000 sq. ft.	Grand Ballroom: 15,974 sq. ft. (divisible into 7 ballrooms); Prefunction Space: 4,375 sq. ft.; meeting rooms 5,800 sq. ft. (11 rooms).
Greenville Convention Center (Greenville, NC)	57,00 sq. ft.	Full Exhibit Hall: 28,800 sq. ft.	Emerald Room: 3,036 sq. ft.; Prefunction: 12,000 sq. ft.; Outdoor Terrace: 2,500 sq. ft.
Huntington Convention Center of Cleveland (Cleveland, OH)	358,000 sq. ft.	Main Exhibition Hall: 225,000 sq. ft. divisible into 3 smaller halls; 20,000 sq. ft. exhibit pre-function	Grand Ballroom: 32,000 sq. ft. column free space; Global Center Ballroom: 11,000 sq. ft. column-free, 8,000 sq. ft. atrium; Conference: 30 meeting rooms comprising 50,000+ sq. ft.
Jekyll Island Convention Center (Jekyll Island, GA)	Approx. 53,000 sq. ft. (Convention Center indoor space)	Atlantic Hall Exhibition/Ballroom Space: 45,000 sq. ft. divisible into 8 smaller spaces	Oceanside Salon: 3,000 sq. ft.; Marshside Meeting: 5,000 sq. ft.; Outside Space: 6,000 sq. ft.
Wilmington Convention Center (Wilmington, NC)	Approx. 48,000 sq. ft. (Convention Center indoor space)	Exhibit Hall: 30,173 sq. ft.	Grand Ballroom: 11,800 sq. ft. divisible into smaller salons ; Ballroom prefunction: 1,485 sq. ft.; Meeting rooms 5,500 sq. ft (7 rooms); Outdoor Event Space: 11,800 sq. ft.
Mayo Civic Center (Rochester, MN)	200,000+ sq. ft.	Exhibit Hall: 25,200 sq. ft.	Ballrooms 1-3: 38,586 sq. ft.; Arena: 25,000 sq. ft; Auditorium: 15,810 sq. ft; Additional Hall: 8,970 sq. ft.

Convention Center	Owner	Management Company	Headquarter Hotel
Albany Capital Center (Albany, NY)	Albany Capital Center Authority	SMG	Renaissance Albany - Connected via enclosed walkway. Private Developer with historic tax credits and a grant from Empire State Development.
Cross Insurance Center (Bangor, ME)	City of Bangor, ME	Spectra Venue Management	Residence Inn Marriott Bangor - Across the Street. No public funding
Greenville Convention Center (Greenville, NC)	City of Greenville, NC	Prime investments	Hilton Greenville - Covered Access no public funding
Huntington Convention Center of Cleveland (Cleveland, OH)	Cuyahoga County, OH	SMG	Hilton Cleveland Downtown - Covered Access, Funded using tax exempt financing.
Jekyll Island Convention Center (Jekyll Island, GA)	State of Georgia & Jekyll Island Authority	SMG	Westin Jekyll Island, Holiday Inn Resort Jekyll Island - Not connected, privately funded
Wilmington Convention Center (Wilmington, NC)	City of Wilmington, NC	SMG	Embassy Suites - Connected. Private developer
Mayo Civic Center (Rochester, MN)	City of Rochester, MN	Mayo Civic Center Commission	Connected by skybridge: Brentwood Inn and Suites, Broadway Plaza, Centerstone Plaza Hotel Soldiers Field Road, Days Inn Downtown, Doubletree by Hilton Rochester, Hilton Garden Inn Downtown Rochester, Holiday Inn Rochester Downtown, Kahler Grand Hotel, Kahler Inn & Suites, Residence in Rochester Mayo Clinic Area, Rochester Marriott Mayo Clinic Area, Serenity House Network Medical Lodging, The Towers at Kahler Grand

Convention Center	Financed by	Developed By	Contact
Albany Capital Center (Albany, NY)	NY State Grant, and bond backed by one half of the Albany County Hotel Motel Occupancy Tax (3% of the total 6%)	Albany Capital Center Authority, NYS public authority	Duncan Stewart, Executive Director/CEO ACCA
Cross Insurance Center (Bangor, ME)	Bangor, ME proceeds from Hollywood Slots & portion of downtown tax increment financing district funds	WBRC Architects/Engineers	Peter Zingoni, Spectra Venue Management
Greenville Convention Center (Greenville, NC)	Special obligation revenue bonds repaid through hotel occupancy tax (6%). http://www.reflector.com/Editorials/2017/09/24/Convention-center-show-value-of-city-investment.html	Prime Investments & Developments	Rhesa Tucker, CEO Greenville Convention Center
Huntington Convention Center of Cleveland (Cleveland, OH)	Bonds backed by an increase in County Sales Tax	MMPI Cleveland Development LLC	Dave Johnson, Director of Public Relations and Marketing
Jekyll Island Convention Center (Jekyll Island, GA)	Paid for by a state bond paid from the State's general fund.	HHCP	Allyson Jackson, General Manager
Wilmington Convention Center (Wilmington, NC)	Funding for the construction came from the 3% hotel room occupancy tax (ROT) of hotels located in New Hanover County and was created by legislation passed by the North Carolina General Assembly in 2003.	LS3P	Fredia Brady, General Manager
Mayo Civic Center (Rochester, MN)	State contributed 41% \$35million. The City raised the remainder 49 million using bonds paid through an increase in the City occupancy tax (went from 4% to 7%)	Knutson Construction	Donna Drews, Executive Director



**Bernstein, Shur,
Sawyer & Nelson, P.A.**
146 Capitol Street
PO Box 5057
Augusta, ME 04332-5057

T (207) 623 - 1596
F (207) 626 - 0200

Memorandum

To: Portland, City of
From: Bernstein Shur
Date: March 19, 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 1088</u>	(SP349) An Act To Allow Nonresidents Who Own Property To Speak at Town Meetings on Local Issues
<u>LD 1089</u>	(SP350)
<u>LD 1094</u>	(SP355) An Act To Authorize a General Fund Bond Issue To Reduce Homeowner and Municipal Energy Bills through Increased Efficiency and Weatherization Projects An Act To Increase Municipal Oversight in the Site

Location of Development Laws

LD 1099

(SP360)

An Act Regarding Election Reform

LD 1106

(SP367)

An Act To Prohibit an Employer from Charging an Employee for Direct Deposit for Wages

LD 1126

(HP804)

An Act To Update the Voter Registration Process

LD 1127

(HP805)

An Act To Prohibit the Use of "No-knock" Warrants

LD 1132

(HP810)

An Act To Encourage the Renovation of Available Housing Stock

LD 1139

(HP817)

An Act To Authorize and Regulate Visitation of Essential Caregivers at Long-term Care Facilities

LD 1142

(HP820)

An Act To Prohibit the Unequal Restriction of Essential Businesses during a State of Civil Emergency

LD 1143

(HP821)

An Act To Protect Tenants from Unnecessary Evictions

LD 1149

(HP827)

An Act To Provide Exemptions from Certain Teacher
Certification Examination Requirements

LD 1156

(HP834)

An Act To Reduce Errors in Employment Tax Increment
Financing Benefits

LD 1158

(HP836)

An Act Regarding the Application of Certain Pesticides for
Nonagricultural Use

LD 1164

(HP842)

An Act To Expand the Application Period for Absentee
Ballot Requests and Allow Early Processing of Absentee
Ballots

LD 1165

(HP843)

An Act To Provide Secured Drop Boxes for Absentee
Ballots

LD 1166

(HP844)

An Act To Increase the Property Tax Exemption for
Veterans by 50 Percent

LD 1167

(HP845)

An Act Relating to Fair Chance in Employment

LD 1171

(HP849)

An Act To Curtail No-knock Warrants

LD 1174

(HP852)

An Act To Allow Municipalities To Send Separate Tax Bills

for Municipal, County and School Taxes

LD 1177

(HP855)

An Act To Increase Access to Intranasal Naloxone Hydrochloride for Syringe Services Programs

LD 1180

(HP858)

An Act To Prohibit Discrimination in Housing Based on a Person's Participation in a Rental Assistance Program

LD 1185

(HP863)

An Act To Distribute Tax Revenue To Offset Costs Incurred by Adult Use Marijuana Host Municipalities

LD 1193

(HP871)

An Act To Exempt Certain Disabled Veterans from the Motor Vehicle Excise Tax

LD 1195

(HP873)

An Act To Increase Funding to Qualifying Municipalities by Sharing Adult Use Marijuana Sales and Excise Tax Revenue

LD 1197

(HP875)

Resolve, To Require Continued MaineCare Reimbursement to Nursing Facilities for Bed Hold Days during Hospitalizations and Therapeutic Leaves of Absence

COP-SCHOOL

LD 1149

(HP827)

An Act To Provide Exemptions from Certain Teacher Certification Examination Requirements

(HP847)

LD 1169

An Act To Improve Teacher Certification during Staffing Shortages

LD 1172

(HP850)

An Act To Delay State-mandated Teacher and Principal Evaluation

LD 1186

(HP864)

An Act To Require a Course Regarding the United States Constitution and the Constitution of Maine To Be Taught to High School Seniors

LD 1188

(HP866)

An Act To Include Librarians and Career and Technical Education Teachers in the Minimum \$40,000 Salary Initiative

LD 1189

(HP867)

An Act To Amend the Teacher Certification Statutes

LD 1198

(HP876)

An Act Authorizing an Increase to the Maximum Annual Fund Balance for Public School Districts

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
17	373	Resolve, To Provide Rural Nonmedical Transportation Services to the Elderly and Adults with Disabilities Receiving Home and Community Benefits under the MaineCare Program	Maxmin	HHS	Bill Text	High Priority	2/10/21 10:00 AM Rm 209 COB	2/23/21 1:30 PM Rm 209 COB	Tabled 2/23/21	MaineCare		High
133	930	An Act To Authorize a General Fund Bond Issue To Invest in Fire Stations (Bond)	Crockett	AFA	Bill Text	Support				Bond		High
340	611	An Act To Allow for the Establishment of Commercial Property Assessed Clean Energy Programs	Sanborn	EUT	Bill Text	Support	2/25/21 9:00 AM Rm 211 COB	3/23/21 10:30 AM Rm 211 COB		Energy	Testified last session	High
534	1848	An Act To Allow Tax Abatements for Catastrophic Loss	Chipman	TAX	Bill Text	Support/ Testify	3/18/21 1:00 PM Rm 127 SH	3/25/21 9:00 AM Rm 127 SH		Tax	Tax assessor will testify	High
609	384	Resolve, To Establish a Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions (Emergency)	Fecteau	LH	Bill Text		3/22/21 10:00 AM Rm 202 COB			Housing		High
910	284	An Act To Amend the General Assistance Laws Governing Reimbursement	Brennan	HHS	Bill Text	Support	4/1/21 12:00 PM Rm 209 COB			General Assistance		High
	547	An Act Regarding Paid Family Medical Leave								FML		High
	1095	An Act To Expand and Strengthen Maine's Workforce by Awarding Grants To Create Industry-specific English Language Acquisition and Workforce Training Programs and To Expand English Language Acquisition Instruction	Cloutier							Grants		High

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
	1310	An Act To Improve Access to Property Tax Exemptions for New Homeowners	Grohoski							Property tax		High
	1594	An Act To Create the Cabinet on Aging	Fay									High
	1597	An Act To Expand the Value of the Homestead Exemption and the State Reimbursement to Municipalities								Homestead Exemption		High
	1630	An Act To Increase Access To Transportation for Workforce and Other Essential Transportation Needs								Transportation		High
	1847	An Act To Allow the Bureau of Motor Vehicles To Assist in the Critical Incident Contact Chain	Sanborn			Need language				Contact chain		High
	1849	An Act To Assist Maine's Working Waterfront	Sanborn			Need language				Waterfront		High
<u>32</u>	325	An Act Regarding Remote Participation in Public Proceedings	Stewart	JUD	<u>Bill Text</u>	Support				Public meetings		
<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	<u>Bill Text</u>	Support	2/3/21 10:00 AM Rm 202 COB	2/17/21 1:00 PM Rm 202 COB	OTP-AM Reported out 3/8/21	Insurance	Monitor - City staff to check	
<u>39</u>	539	An Act To Remove the Plastic Bag Ban	Guerin	ENR	<u>Bill Text</u>	Monitor	2/22/21 10:00 AM Rm 216 COB	3/3/21 11:00 AM Rm 216 COB	Voted 3/3/21 Anticipated Divided Report Not rpt out	Plastic bags		
<u>44</u>	428	An Act To Require the Department of Education To Report Annually on Summer Educational Programs (Title change)	Pierce	ECA	<u>Bill Text</u>		2/8/21 10:00 AM Rm 208 COB	2/17/21 10:00 AM Rm 208 COB	OTP-AM Reported out 3/9/21	School	Xavier Botana_doing a careful review.	

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
47	269	An Act To Fund the State's Free Health Clinics	Brennan	HHS	Bill Text		2/10/21 1:00 PM RM 209 COB	2/23/21 1:00 PM RM 209 COB	Voted 2/23/21 Anticipated Divided Report Not rpt out	Health		
48	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	Bill Text		3/24/21 10:00 AM Rm 209 COB			Support services		
49	271	An Act To Authorize a General Fund Bond Issue To Invest in Infrastructure To Address Sea Level Rise (Bond)	Brennan	AFA	Bill Text					Bond		
50	272	An Act To Authorize a General Fund Bond Issue To Invest in Housing for Persons Who Are Homeless (Bond)	Brennan	AFA	Bill Text					Bond		
52	278	An Act Regarding Collective Bargaining Negotiations by Public Employers of Teachers	Brennan	ECA	Bill Text		3/29/21 1:00 PM Rm 208 COB		Referred to ECA 3/11/21 ONTP	School		
55	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	Bill Text		2/8/21 10:00 AM Rm 208 COB	2/17/21 10:00 AM Rm 208 COB	OTP Reported out 2/25/21	School		
57	279	An Act To Reduce the Landfilling of Municipal Solid Waste	Tucker	ENR	Bill Text	Monitor				Landfill		
58	105	An Act To Improve Information Sharing by Criminal Justice Agencies with Government Agencies Responsible for Investigating Child or Adult Abuse	Harnett	CJPS	Bill Text	Monitor	2/10/21 10:00 AM RM 436 SH	2/17/21 10:00 AM RM 436 SH	Tabled 2/17/21	Information sharing		

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
68	724	An Act To Introduce a Career and Fiscal Management Elective Course at the High School Level	Crockett	ECA	Bill Text					School		
69	136	An Act To Reduce Duplicative Permitting Review for Projects under the Site Location of Development Laws	Tucker	ENR	Bill Text		3/1/21 10:00 AM Rm 216 COB	3/8/21 11:00 AM Rm 216 COB	OTP Reported out 3/18/21	Permitting		
70	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	Bill Text		2/24/21 1:00 PM RM 208 COB	3/3/21 10:00 AM RM 208 COB	Voted 3/3/21 Anticipated Divided Report Not rpt out	School	Xavier Botana_monitor; follow MSMA's lead	
81	70	An Act To Ensure the Safety of Children Experiencing Homelessness by Extending Shelter Placement Periods	Meyer	HHS	Bill Text	Monitor				Shelter		
84	322	An Act To Increase the State Share of the Cost of Health Insurance for Retired Teachers (Emergency)	Faulkingham	ECA	Bill Text		2/17/21 1:00 PM Rm 208 COB	2/24/21 10:00 AM Rm 208 COB	Tabled 2/24/21	Insurance		
87	1961	An Act To Implement the State Climate Action Plan, Reduce Greenhouse Gas Emissions and Enhance Maine's Economy	Tucker	ENR	Bill Text					Environment		
94	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	Bill Text		3/31/21 9:00 AM Rm 127 SH			Tax		
96	22	An Act To Create Fairness in the Treatment of Students by Retaining Students with Certain Vaccine Exemptions	Faulkingham	ECA	Bill Text					School	Xavier Botana_opposes	

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
97	219	An Act To Ensure the Right To Work without Payment of Dues or Fees to a Labor Union	Faulkingham	LH	Bill Text		2/17/21 10:00 AM Rm 202 COB			Union		
100	468	An Act To Establish the General Election Date in United States Presidential Election Years as a State Holiday	Moriarty	SLG	Bill Text	Monitor	2/3/21 10:00 AM Rm 214 COB	2/24/21 10:00 AM Rm 214 COB	DEAD	Holiday		
102	467	An Act To Extend the Time Frame for Processing Absentee Ballots	Moriarty	VLA	Bill Text	Support/ Testify	2/1/21 9:00 AM Rm 437 SH	2/10/21 11:00 AM Rm 437 SH	MAJ: OTP-AM MIN: ONTP Reported out 3/4/21	Ballots		
107	212	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Specify the Qualifications of Electors	Faulkingham	VLA	Bill Text	Oppose/ Monitor	2/10/21 10:00 AM Rm 437 SH	3/3/21 11:00 AM RM 437 SH	DEAD	Electors		
111	474	An Act To Allow Career Educators To Retire without Penalty	Tuell	LH	Bill Text		2/3/21 10:00 AM Rm 202 COB	2/22/21 1:00 PM Rm 202 COB	MAJ: OTP-AM MIN: ONTP Reported out 3/8/21	School		
112	657	An Act To Facilitate the Timely and Accurate Counting of Absentee Ballots By Extending the Processing Period	Roberts	VLA	Bill Text	Support/ Testify	2/1/21 9:00 AM Rm 437 SH	2/10/21 11:00 AM Rm 437 SH	DEAD	Ballots		
129	405	Resolve, To Protect Consumers of Public Drinking Water by Establishing Maximum Contaminant Levels for Certain Substances and Contaminants	Stewart	HHS	Bill Text		2/9/21 10:00 AM Rm 209 COB			Water	Bernstein Shur to reach out to Water District.	
132	151	An Act To Implement the Attorney General's Recommendations on Data Collection in Order To Eliminate Profiling in Maine	Talbot Ross	JUD	Bill Text	Monitor	2/11/21 10:00 AM Rm 438 SH	3/25/21 10:00 AM Rm 438 SH		Profiling		

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
135	1063	An Act To Address Issues in Funding Prekindergarten Programs	Brennan	ECA	Bill Text	Monitor				School funding	Xavier Botana_supports	
137	837	An Act Regarding Absence from Work for Emergency Response	Grohoski	LH	Bill Text	Staff to review	2/22/21 10:00 AM Rm 202 COB	3/17/21 10:00 AM Rm 202 COB	Voted 3/17/21 OTP-AM Not rpt out	Employment	No concerns	
148	354	An Act To Establish Ongoing Absentee Voting	Fecteau	VLA	Bill Text	Monitor	2/8/21 9:00 AM Rm 437 SH	2/22/21 1:00 PM Rm 437 SH	Tabled 2/22/21	Voting		
150	140	An Act To Authorize a General Fund Bond Issue To Fund Hazardous Substance Site Cleanups (Bond)	Fay	AFA	Bill Text	Staff to review				Bond	This is in line with the City's own regulations. No issues.	
155	838	Resolve, Directing the Board of Pesticides Control To Prohibit the Use of Certain Neonicotinoids for Outdoor Residential Use	Grohoski	ACF	Bill Text	Monitor	2/18/21 9:30 AM Rm 214 COB	3/9/21 9:00 AM Rm 214 COB	Voted 3/9/21 Anticipated Divided Rpt Not rpt out	Pesticides		
163	701	An Act To Revise Maine's Environmental Laws	Tucker	ENR	Bill Text	Monitor				Environment		
175	1096	An Act To Authorize a General Fund Bond Issue To Create and Enhance Regional Homeless Shelters (Bond)	Cloutier	AFA	Bill Text	Support				Bond		
179	30	An Act To Exclude Energy Efficiency Improvements from Property Tax	Kessler	TAX	Bill Text	Monitor	2/23/21 9:30 AM Rm 127 SH	3/4/21 9:30 AM Rm 127 SH	Tabled 3/4/21	Tax		
181	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	Bill Text	Staff to review				Bond		

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
183	15	An Act To Establish Juneteenth as a Paid State Holiday	Talbot Ross	SLG	Bill Text	Monitor	2/17/21 10:00 AM Rm 214 COB	2/24/21 10:00 AM Rm 214 COB	Voted 2/24/21 Anticipated Divided Rpt Not rpt out	Holiday		
187	202	An Act To Require Education about African-American History and the History of Genocide	Luchini	ECA	Bill Text	Monitor				School	Xavier Botana_supports	
189	572	An Act To Permit All Public Employers To Implement Payroll Deductions for Disability and Life Insurance Policies	Jackson	LH	Bill Text	Monitor	2/24/21 10:00 AM Rm 202 COB			Insurance		
191	395	An Act To Permit Municipalities To Provide Assistance to Veterans in Paying Property Taxes	Bailey	TAX	Bill Text	Monitor	3/18/21 1:00 PM Rm 127 SH	3/25/21 9:00 AM Rm 127 SH		Tax		
192	396	An Act To Define the Responsibilities of Residential Property Owners for the Maintenance and Repair of Private Roads	Bailey	JUD	Bill Text	Monitor	2/18/21 11:00 AM Rm 438 SH	3/4/21 1:00 PM Rm 438 SH	OTP Reported out 3/11/21	Private roads		
197	666	Resolve, To Ensure That Community Mental Health Service Providers Can Access Pandemic Stimulus Funds	Breen	HHS	Bill Text	Support				Stimulus	City staff to review Staff supports	
198	717	An Act To Improve Maine's Tax Laws by Providing a Property Tax Exemption for Central Labor Councils	Chipman	TAX	Bill Text	Monitor	2/23/21 9:30 AM Rm 127 SH	3/4/21 9:30 AM Rm 127 SH	Voted 3/4/21 Anticipated Divided Rpt Not rpt out	Labor	Do not support - may submit testimony	
202	758	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Implement Ranked-choice Voting	Miramant	VLA	Bill Text	Monitor	2/10/21 10:00 AM Rm 437 SH	3/3/21 11:00 AM Rm 437 SH	Tabled 3/3/21	Ranked choice		

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
205	451	An Act To Extend the Ability of Restaurants and Bars To Serve Alcohol To Go (Emergency)	Luchini	VLA	Bill Text	Testify	2/8/21 9:00 AM Rm 437 SH	2/17/21 10:00 AM Rm 437 SH	OTP-AM Reported out 3/9/21	Alcohol	Plan to testify. Supportive until emergency order.	
206	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	Bill Text	Monitor	2/9/21 10:00 AM Rm 209 COB	3/18/21 10:00 AM Rm 209 COB	Voted 3/18/21 Anticipated Divided Rpt Not rpt out	Lead testing		
208	1124	An Act To Expand Access to Absentee Ballots	Brooks	VLA	Bill Text	Monitor	3/8/21 10:30 AM Rm 437 SH			Ballots		
211	1094	An Act To Support Emergency Shelter Access for Persons Experiencing Homelessness	Cloutier	LH	Bill Text	Monitor	2/17/21 10:00 AM Rm 202 COB	3/17/21 10:00 AM Rm 202 COB	Voted 3/17/21 Anticipated Divided Rpt Not rpt out	Shelter	Monitor/most likely support. Staff to look into GA/shelter bills; Staff supports (carryover from 129th - LD 1909)	
242	519	An Act To Support the Maine Fire Protection Services Commission	Cyrway	CJPS	Bill Text	Support	2/22/21 10:00 AM Rm 436 SH	3/1/21 10:00 AM Rm 436 SH	OTP-AM Reported out 3/8/21	Fire protection	Dena to reach out to the fire chief	
244	360	An Act To Repeal Maine's Single-use Plastic Bag Law	Davis	ENR	Bill Text	Monitor	2/22/21 10:00 AM Rm 216 COB	3/3/21 11:00 AM Rm 216 COB	Voted 3/3/21 Anticipated Divided Rpt Not rpt out	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.	

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
250	1098	An Act To Assist Nursing Homes in the Management of Facility Beds	Perry	HHS	Bill Text	City staff to check	3/17/21 1:00 PM Rm 209 COB			Nursing homes	No issue (will not affect BC unless we reduced bed size and then increased bed size).	
253	311	An Act To Strengthen Maine's Election Laws by Requiring Photographic Identification for the Purpose of Voting	Cebra	VLA	Bill Text	Oppose/ Monitor	3/31/21 10:00 AM Rm 437 SH			Photo ID		
256	480	An Act To Adjust Sewer and Wastewater Lien Fees	Doudera	EUT	Bill Text	City staff to check	2/18/21 9:45 AM Rm 211 COB	3/2/21 10:00 AM Rm 211 COB	Voted 3/4/21 OTP-AM Not rpt out	Lien fees		
259	886	An Act To Improve Solid Waste Management	McDonald	ENR	Bill Text	Monitor				Solid waste		
264	583	An Act To Prohibit Aerial Application of Perfluoroalkyl and Polyfluoroalkyl Substances	Pluecker	ACF	Bill Text	Support	4/1/21 9:00 AM Rm 214 COB			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.	
269	634	An Act To Prohibit Smoking in Bus Shelters	Sanborn	HHS	Bill Text	Monitor	3/4/21 1:00 PM Rm 209 COB	3/18/21 10:00 AM Rm 209 COB	Voted 3/18/21 OTP Not rpt out	Smoking	Metro?	
270	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	Bill Text	Monitor	3/8/21 10:00 AM Rm 208 COB	3/19/21 11:00 AM Rm 208 COB		School	Check with Superintendent Xavier Botana_defer to Rep. Brennan	
278	582	An Act To Establish a Process for the Consideration and Implementation of Changes to Mandated Instruction or Training for Students	Brennan	ECA	Bill Text	Monitor	2/17/21 1:00 PM Rm 208 COB	2/24/21 10:00 AM Rm 208 COB		School	Xavier Botana_supports	

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
<u>281</u>	297	An Act To Address Student Achievement Gaps	Brennan	ECA	<u>Bill Text</u>	Monitor	3/8/21 10:00 AM Rm 208 COB	3/17/21 10:00 AM Rm 208 COB	Voted 3/17/21 Anticipated Divided Rpt Not rpt out	School	Xavier Botana_supports	
<u>286</u>	1460	An Act To Make Election Day a State Holiday	Collings	SLG	<u>Bill Text</u>	Monitor	2/17/21 10:00 AM Rm 214 COB	2/24/21 10:00 AM Rm 214 COB	MAJ: ONTP MIN: OTP-AM Reported out 3/11/21	Elections		

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
<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	<u>Bill Text</u>	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?	
<u>311</u>	1007	An Act To Require Third-party Certification for Persons Undertaking Corrosion Prevention and Mitigation Projects for Public Water Supply and Wastewater Infrastructure and Bridges	Chipman	TRAN	<u>Bill Text</u>	Strong opposition	2/25/21 1:00 PM Rm 126 SH	3/4/21 1:00 PM Rm 126 SH	Voted 3/4/21 Anticipated Divided Rpt Not rpt out	Water supply/ Wastewater	Another layer of expense and bureaucracy. Bernstein Shur to check with Senator Chipman. Public works director out – need to find backup person to check with.	

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
328	711	An Act To Fully Fund and Restore State-Municipal Revenue Sharing (Emergency)	Harnett	TAX	Bill Text	Support/ Testify	3/9/21 9:30 AM Rm 127 SH	3/18/21 9:30 AM Rm 127 SH	Voted 3/18/21 Anticipated Divided Rpt Not rpt out	Revenue sharing	Mayor will testify	
343	1804	An Act To Set Aside Funds from Federal Block Grants for Certain Communities	Talbot Ross	HHS	Bill Text	Monitor	3/24/21 10:00 AM Rm 209 COB			Grants	Concerns Ask for language from Rep. Talbot Ross	
353	1276	An Act To Establish Medical Marijuana Cooperatives	Warren	VLA	Bill Text	Monitor	3/1/21 10:00 AM Rm 437 SH			Marijuana		
359	1142	An Act To Promote Energy Production from Recyclable Plastics	Faulkingham	ENR	Bill Text	Monitor				Energy		
382	1835	An Act Regarding the Department of Transportation and Electric Vehicle Charging Stations	Warren	TRAN	Bill Text	Monitor	2/25/21 1:00 PM Rm 126 SH			Vehicles		
395	696	An Act To Remove the Authorization for Temporary Signs To Be Placed in the Public Right-of-way	Ordway	TRAN	Bill Text	Monitor	2/25/21 1:00 PM Rm 126 SH	3/4/21 1:00 PM Rm 126 SH	MAJ: ONTP MIN: OTP-AM Reported out 3/17/21	Signs	Staff is concerned	
403	622	An Act To Assist Service Center Communities by Adjusting State-Municipal Revenue Sharing (Emergency)	Madigan	TAX	Bill Text	Support	3/9/21 9:30 AM Rm 127 SH	3/18/21 9:30 AM Rm 127 SH	Voted 3/18/21 ONTP Not rpt out	Revenue sharing	Potentially testify	
409	1054	An Act To Provide Funding To Restore Fully State-Municipal Revenue Sharing (Emergency)	Riseman	TAX	Bill Text	Support/ Monitor	3/9/21 9:30 AM Rm 127 SH	3/18/21 9:30 AM Rm 127 SH	Voted 3/18/21 ONTP Not rpt out	Revenue sharing		
412	606	An Act To Authorize the Use of Tax Increment Financing Funds for Constructing or Renovating Municipal Offices and Other Buildings	Carlow	TAX	Bill Text	Monitor	3/2/21 9:30 AM Rm 127 SH	3/16/21 9:30 AM Rm 127 SH	Voted 3/16/21 Anticipated Divided Rpt Not rpt out	TIF		

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
419	501	An Act Regarding Participation in Public Works Projects by Pretrial Inmates	Costain	CJPS	Bill Text	Monitor	2/24/21 10:00 AM Rm 436 SH	3/3/21 10:00 AM Rm 436 SH	Voted 3/3/21 Anticipated Divided Rpt Not rpt out	Public works	Need more information	
426	1566	An Act Relating to Solar Energy Installation	Lawrence	EUT	Bill Text	Monitor				Energy		
521	1173	An Act To Modify the Rule-making Process for Establishing County and Municipal Jail Standards	Baldacci	CJPS	Bill Text	Monitor	3/24/21 10:00 AM Rm 436 SH			Jails	Concerned about costs	
525	995	An Act To Allow Medical and Adult Use Marijuana Stores To Share a Common Space	Miramant	VLA	Bill Text	Oppose/ Monitor	3/29/21 9:00 AM Rm 437 SH			Marijuana		
553	1940	An Act To End At-will Employment	Sylester	LH	Bill Text	Oppose/ Testify	3/24/21 10:00 AM Rm 202 COB			Employment		
555	906	An Act To Expand the Rights of Public Sector Employees	Sylester	LH	Bill Text	Oppose/ Testify				Employment		
557	276	An Act To Require Photographic Identification for the Purpose of Voting	Johansen	VLA	Bill Text	Monitor	3/31/21 10:00 AM Rm 437 SH			Voting		
580	1525	RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding Early Voting	Moriarty	VLA	Bill Text	Monitor	3/8/21 10:30 AM Rm 437 SH	3/17/21 11:00 AM Rm 437 SH	Voted 3/17/21 Anticipated Divided Rpt Not rpt out	Voting	Clerks likely to support	
596	1115	An Act To Improve the Law Regarding Abandoned Roads	Claxton	SLG	Bill Text	Monitor	3/22/21 10:00 AM Rm 214 COB			Roads		
605	644	An Act To Amend the Marijuana Legalization Act	Pierce	VLA	Bill Text	Monitor				Marijuana		
613	255	An Act To Amend the Adult Use Marijuana Program Rules and Make Other Technical Changes	Pierce	VLA	Bill Text	Monitor	3/29/21 9:00 AM Rm 437 SH			Marijuana		

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
638	475	An Act To Ensure the Timely and Transparent Delivery of Unofficial Election Results in Maine	Tuell	VLA	Bill Text	Monitor	3/19/21 9:00 AM Rm 437 SH			Elections		
646	1865	An Act To Improve the Administration of Elections by Ensuring an Adequate Number of Poll Workers	Bennett	SLG	Bill Text	Monitor	3/22/21 10:00 AM Rm 214 COB			Elections		
647	517	An Act To Expand Eligibility for the Veterans' Property Tax Exemption	Keim	TAX	Bill Text	Monitor				Tax	Staff to get additional information	
650	1941	An Act To Increase Funding for School Construction Projects	Bailey	ECA	Bill Text		3/24/21 10:00 AM Rm 208 COB			School funding	School board to check	
651	1881	An Act To Stabilize Student Count in Maine's School Funding Formula (Emergency)	Millett		Bill Text	Monitor				School funding		
654	1665	An Act To Create a 24-hour Shelter Capital Project Funding Program	Arford	LH	Bill Text	Monitor	3/22/21 10:00 AM Rm 202 COB			Shelter	Concerned as meant to only cover hotel purchases.	
659	1016	An Act To Ease the Property Tax Burden by Authorizing Municipalities To Require Payments in Lieu of Taxes from Certain Exempt Organizations	Tuell	TAX	Bill Text	Support/ Monitor				Property tax	Concerned about lack of time to negotiate with property owners.	
660	1044	An Act Regarding Protection from Power Outages for Tenants 65 Years of Age and Older in Subsidized Housing	Head	JUD	Bill Text	Monitor	3/24/21 1:00 PM Rm 438 SH			Housing		
668	1348	An Act To Ensure Public Accountability While Implementing a Practical Approach to Remote Participation	Babbidge	JUD	Bill Text	Oppose/ Testify				Remote participation	Have concerns	

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
677	641	An Act To Improve Public Sector Labor Relations by Amending the Laws Governing Arbitration under Certain Public Employees Labor Relations Laws	Jackson	LH	Bill Text	Monitor				Labor	Strong concerns	
684	953	Resolve, To Amend MaineCare Reimbursement Provisions Governing Supplemental Payments to Nursing Facilities with High MaineCare Use (Emergency)	Timberlake	HHS	Bill Text		3/17/21 1:00 PM Rm 209 COB			MaineCare	Staff to check	
708	221	An Act To Increase the Homestead Exemption to \$50,000	Faulkingham	TAX	Bill Text	Oppose/ Testify				Homestead Exemption		
740	459	An Act To Provide Municipalities a Percentage of the Revenue Generated from the Taxes Imposed on the Sale of Recreational Marijuana in Those Municipalities	O'Connell	TAX	Bill Text	Support/ Testify				Tax	Staff strongly support this bill and suggest closely monitoring and providing testimony	
746	11	An Act Regarding Remote Participation in Municipal Meetings	Dillingham	JUD	Bill Text	Oppose/ Monitor				Municipal	Staff strongly opposes due to the new constraints this bill proposes. Staff recommends monitoring closely.	
773	295	An Act To Assist Public School Students and Families Who Are Homeless	Brennan	LH	Bill Text		3/31/21 10:00 AM Rm 202 COB			Homelessness	Review further	
805	737	An Act To Allow Municipalities To Prohibit Firearms at Voting Places	Breen	SLG	Bill Text					Firearms		
806	1258	An Act To Clarify That Municipal Officers May Accept a Proposed, Unaccepted Way for Pedestrian, Bicycle and Other Nonmotorized Use	Carney	SLG	Bill Text	Monitor closely	3/31/21 10:00 AM Rm 214 COB			Bicycle	Track closely. Staff believes this may have some complicated legal implications. MMA shares our concerns and is looking into it as well.	

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
816	1038	An Act To Improve Communication between School Boards and Educators by Requiring Notice of Discussion of Labor Matters	Rafferty	ECA	Bill Text	Oppose	3/29/21 1:00 PM Rm 208 COB			Labor	Subverts the role of the Superintendent as the school district's chief executive officer	
833	414	An Act To Amend the Laws Governing Vaccines by Reinstating Religious Exemptions	Kinney	ECA	Bill Text	Oppose				Religion	Vaccine exemptions	
838	1037	An Act To Exempt Substitutes, Coaches and Temporary Employees in the Education System from Paid Sick Leave Requirements	Poirier	LH	Bill Text	Support	3/31/21 10:00 AM Rm 202 COB			Sick leave	Exempting certain employees from the paid leave requirements in the current law	
864	1302	An Act To Protect Teachers' Privacy While Delivering Remote Instruction	Dodge	ECA	Bill Text	Support	3/31/21 1:00 PM Rm 438 SH			Privacy	Teacher privacy during remote instruction	
925	1619	Resolve, Directing the Department of Transportation To Develop a Plan To Redevelop Exit 5 of Interstate 295 in Portland	Lookner	TRAN	Bill Text	Support/ Monitor				Transportation	Staff is supportive, and recommends monitoring.	
926	1672	An Act To Ban Biological Males from Participating in Women's Sports	O'Connor	JUD	Bill Text	Oppose				Gender		
953	1463	An Act To Improve Affordable Housing Options and Services To Address Homelessness	Deschambault	TAX	Bill Text	Support/ Monitor				Housing	Staff are supportive of this bill and recommend that it be monitored. Housing & Economic Development staff plan to testify.	
959	1576	An Act To Protect Small Businesses by Ensuring That a Prevailing Wage Is Paid on Public Works Construction Projects	Miramant	LH	Bill Text	Oppose/ Monitor				Prevailing wage	Staff oppose this bill. It would lower the threshold at which prevailing wages are required from \$50K to \$15K projects and most likely reduce the competitive bidding process. They recommend monitoring it closely	
968	908	Resolve, To Expand Mental Health Crisis Intervention Mobile Response Services	Supica	HHS	Bill Text	Support				Mental Health		

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
969	1496	An Act To Authorize a General Fund Bond Issue for the Construction of a Convention Center in Portland, Improvements to the Augusta Civic Center and a Competitive Grant Program for Capital Improvements to Public Venues across the State (Bond)	Bailey	AFA	Bill Text					Bond	Staff to provide a memo.	
975	460	An Act To Create an Additional Pathway To Certify Industrial Arts Teachers To Foster Career and Technical Subjects in Maine Schools	Fecteau	ECA	Bill Text	Support	3/31/21 1:00 PM Rm 208 COB			Teacher certification	Licensing Industrial Arts Teachers	
987	1638	An Act To Authorize a General Fund Bond Issue for the Portland Harbor Commercial Revitalization Project's Confined Aquatic Disposal Cell and Dredging Projects (Bond)	Chipman	AFA	Bill Text	Support/ Testify				Bond	Staff strongly support and recommend direct lobbying, close monitoring and testimony.	
991	1628	Resolve, Directing the Department of Transportation To Complete a Feasibility Analysis To Initiate a Commuter and Passenger Train Service between Portland and the Lewiston and Auburn Area	Chipman	TRAN	Bill Text	Monitor				Transportation	Staff to provide information on impact to City	
993	1907	An Act To Prevent the Spread of Infectious Disease in Schools (Emergency)	White	ECA	Bill Text		4/2/21 1:00 PM Rm 208 COB			Infectious disease	Reviewing against our current provisions	
1050	841	An Act Regarding the Duties of School Boards Pursuant to the Laws Governing Attendance at Elementary and Secondary Schools	Cuddy	ECA	Bill Text		3/29/21 1:00 PM Rm 208 COB			School	OK with it. We have policies in place already	

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
<u>1082</u>	1229	An Act To Improve Educational Opportunities by Exempting Children Who Attend Virtual Public Charter Schools from Immunization Requirements and Expanding Enrollment at Virtual Public Charter Schools	Sampson	ECA	<u>Bill Text</u>	Oppose				Charter schools	It is a way of getting around the vaccination provisions	



CITY OF PORTLAND

To: Committee on Health and Human Services
From: Linda Weare, Director of Elder Affairs
Date: March 17, 2021
RE: Testimony in support of LD 727 (*Resolve, To Ensure the Health and Wellness of Older Residents of the State*)

Good afternoon, Senator Claxton, Representative Meyer and distinguished members of the Health and Human Services Committee.

The City of Portland fully supports LD 727, which requests that the Department of Health and Human Services asks the United States Department of Agriculture to waive the assets test for determining the eligibility for the federal supplemental nutrition assistance program of any household in which there is an individual who is 60 years of age or older. It also directs the department to develop a pilot project to provide home-delivered meals to individuals who are 60 years of age or older and who are homebound or at risk for readmission to a health care facility.

Benefits to such a change would be significant. First, waiving the asset test for the Supplemental Nutrition Assistance Program (SNAP) for households that include a person over the age of 60 would allow older people to save for their future financial and care needs while living on a low fixed income in retirement. According to the Social Security Administration, the average annual income of older Mainers living on Social Security alone is around \$17,000. Assets aside, these individuals would be eligible to receive this benefit and be better able to remain healthy through good nutrition. Additionally, waiving the asset test for these households will reduce the likelihood of a family member not wanting to take an older relative into their home for fear they will lose SNAP benefits themselves.

Regarding the second provision, it has been determined through smaller, grant-funded pilot projects in Maine and in other states that providing nutritious, home-delivered meals to older people transitioning from hospital to home helps support health and is effective in reducing costly readmissions to hospitals and nursing homes. In spite of the proven effectiveness of such interventions, consistent funding has not been provided to support these programs. We believe that a pilot project like the one recommended in LD 727 could demonstrate the benefits of extending nutritional support at home in terms of improved health outcomes and extended independence for recipients. The end report is also likely to show cost savings to the Mainecare program in the long-term.

In summary, I ask that you vote in support of LD 727. Thank you for your time and consideration.



CITY OF PORTLAND

To: Innovation, Development, Economic Advancement and Business Committee
From: Julia Trujillo Luengo, Director, Office of Economic Opportunity
Date: March 20, 2021
RE: Testimony in support of LD 149 (*An Act To Authorize a General Fund Bond Issue To Provide Student Debt Forgiveness To Support Workforce Attraction and Retention*)

Good morning, Senator Curry, Representative Roberts, and distinguished members of the members of the Innovation, Development, Economic Advancement and Business Committee:

My name is Julia Trujillo Luengo, City of Portland's Office of Economic Opportunity, Director, and I am here in support of LD 149, An Act To Authorize a General Fund Bond Issue To Provide Student Debt Forgiveness To Support Workforce Attraction and Retention.

Since May 2017, I have directed the City of Portland's Office of Economic Opportunity, which is part of the City's Housing & Economic Development Department. OEO's mission is to convene and leverage public and private partners so that immigrants, people of color and other underserved populations have improved access to jobs, support services, and economic opportunity.

OEO leads and is part of many collective efforts at the regional, local and state level to reduce barriers to meaningful employment opportunities for Maine's foreign-trained population. In order to bring greater systematic coordination to the many efforts under way, OEO recently published its Strategic Action Plan for Inclusion. The Plan is a measurable roadmap/blueprint to guide Portland's collective efforts in this area.

OEO's Strategic Plan for Inclusion recognizes the challenge LD 149 aims to address; in fact, it is a vital part of improving the lives of foreign-trained individuals living in Portland, as well as more effectively leveraging that incredible pool of talent. LD 149 aligns with OEO's key priorities, including mitigating the challenges to licensing for those with foreign credentials and work experience outside of the United States.

LD 149 addresses two of the most important barriers faced by Maine's foreign-trained

residents seeking to be licensed in a variety of professions. First, existing licensure requirements favor the domestically-trained and are excessively challenging for foreign-trained residents to meet. From 2011 to 2016, 75% of the total demographic growth in Portland has been attributed to the immigrant population. Almost 40% of that population 25 years of older have a bachelor's degree or higher. It's obvious that this group represents a tangible opportunity to address many of the chronic workforce shortages in the region. Allowing the Commissioner of Professional and Regulatory Services to exercise discretionary authority and waive documentation requirements would be a promising step toward recognizing, valuing, and leveraging the skills and potential contributions of "new" Mainers.

Second, LD 149 could set an important precedent for licensing entities outside of the authority of the Commissioner of Professional and Regulatory Services to adopt similar practices.

And lastly, allowing the Commissioner to waive certain fees will remove yet another unnecessary barrier to foreign-trained residents' employment.

LD 149 would not only remove unnecessary obstacles to foreign-trained residents' licensure and certification, it would send an important message to any individual who wants or needs to make Maine their home: we see your value, we thank you for choosing us, and we welcome you.

I ask that you vote in support of LD 149. Thank you for your time and consideration.

TO: Portland City Council Legislative Committee
FROM: Maine Rail Transit Coalition
Portland, Lewiston & Bethel
MeLikesRail@GMail.com
WWW.MaineTrain.org

RE: LD 991 Request for City of Portland Legislative Support

On behalf of the MRTC and local and regional advocates for expansion of passenger trains, that the City of Portland direct its lobbyist to support LD 991, including at the Legislative transportation Committee Public Hearing yet to be scheduled.

Following is a response to the March 17, 2021 CITY OF PORTLAND City Staff Memo:

To: Legislative Committee
From: Department of Public Works
Date: March 17, 2021

RE: Staff Feedback on LD 991 (Resolve, Directing the Department of Transportation To Complete a Feasibility Analysis To Initiate a Commuter and Passenger Train Service between Portland and the Lewiston and Auburn)

From Previous Legislative Committee Minutes: *Councilor Fournier said that she will be in support of LD 991 (Resolve, Directing the Department of Transportation to Complete a Feasibility Analysis To Initiate a Commuter and Passenger Train Service between Portland and the Lewiston and Auburn Area) as it doesn't cost the City anything. Kate Knox said that there is a \$250,000 cost to it that will be funded by the state. Mr. Jennings said that prior to a decision, a demonstration of the routes should be shown to see the impact that it will have on the City of Portland. The committee members agreed to review staff feedback on the impact that this bill poses to the City before deciding.*

MRTC Response: The City Staff Memo does not meet the specific request as noted in the Legislative Committee Minutes to provide feedback on the impact of the bill. Rather City Staff provides their own analysis of the impacts of railway service on this route. The Bill's impact will be to provide objective information to decision-makers, including Portland residents, on whether the restoration of the railway corridor for a commuter train service is feasible. City Staff is drawing conclusions not based on data or public opinion. Of most concern is the lack of any reference to the critical issue of transportation impacts on Climate Change. The memo also does not address if City Staff believes there will be any financial impact.

Memo: While City staff strongly support efforts to enhance railway access to and from Portland, we have serious concerns about the impact of LD 991 on Portland's eastern waterfront. Specifically, LD 991's focus on the Portland Ocean Gateway Pier as a hub would cause significant new congestion, and negative impacts in the downtown area as well as serve as a less effective and efficient mode of transportation than existing alternatives.

MRTC Response: City staff is correct to note that LD 991 is specific to a Feasibility Analysis for the entire State-Owned railroad corridor between Auburn and to Milepost 0.0 at the Portland Ocean Gateway Terminal (POT), near the historic terminus of the original Grand Trunk railroad. This location, a large paved area serving Cruise Ship tourism, has been identified for a Train Station expansion of the Maine Narrow Gauge Railroad tourism train, and METRO bus service identified POT as a "mini-transit" station for expansion of bus service to Commercial Street/Eastern Waterfront.

City Staff Memo appears to be a making a conjecture without adequate information. LD 991 is a Feasibility Analysis intended to provide that information. The purpose of analyzing a commuter train service on the existing corridor is to determine if traffic congestion can be reduced with Commuter Train service as an alternative transportation choice.

City Staff refers to “existing alternatives” without saying what these alternatives are. Can we assume the “alternatives” refers to widening and building new roads for cars and the numerous parking garages that are being built to meet city zoning regulations for new development? It may refer to the above-mentioned METRO Transit Center proposal. The Feasibility Analysis as per LD 991 is expected to evaluate the compatibility of commuter rail with existing local mobility alternatives (cars) including bus, car-share/Ride Hail, bike, and most critical, safe pedestrian access.

Commuter Train service is more effective, more efficient and more economical mode of transportation. Most downtowns and service centers receive positive impacts from commuter rail service.

Memo: Rail service to this location would significantly impact the Eastern Promenade, a historic landscape district on the National Register of Historic Places. Pedestrian and recreational activity along the Eastern Prom have grown significantly which poses additional questions about higher-speed intercity rail operations and the inherent conflicts that can result.

MRTC Response: The historic landscape district designation in the NRHP is for the Eastern Promenade Park up to but not including the railroad land. The history as noted in the 2004 Eastern Promenade Master Plan, is that the railroad owners never allowed the Park Plan to include their land. In fact, noted in the Master Plan; “A future commuter rail line is planned to pass through the park near the entrance to the treatment plant.” The Grand Trunk railway itself is eligible for a designation as nationally historic infrastructure.

The history of passenger train service on this corridor pre-dates current uses by more than a century. The Eastern Prom Trail was established under lease from MeDOT to the City, under the stewardship of the Portland Trails, in 1995 - 27 years ago.

City staff assumes conflicts when in fact the Analysis might identify collaboration. The purpose of LD 991 is to provide information on the corridor so that informed replies can be made to any additional questions. Staff reference to “Higher-speed” appears to be an assumption. The MRTC proposal for a multi-use Eastern Prom Rail with Trail corridor designs a commuter train traveling along the Eastern Prom waterfront into the station at a speed that reflects the nearby non-motorized pedestrian and recreation users. Much like the Maine Narrow Gauge tourism steam train, these railcars could be expected to travel at 10 to 15 mph along the 1.25 miles from the landfall of the trestle bridge. This speed limitation needs to be evaluated as to how much of the corridor can be used to limit the speed of commuter service.

Memo: The effect of an alignment focused on the Ocean Gateway facility would also have the effect of providing a dead-end to passenger access, as opposed to a connection on the west side of the peninsula (via the Pan Am mainline) that provides direct access to points south. Furthermore, an existing study being conducted by MaineDOT and the Northern New England Passenger Rail Authority (NNEPRA) examining a new passenger rail facility along St. John Street suggests that travel times to Portland would perform much better at this location.

MRTC Response: “Dead-end” is a road and traffic term, connotating that one can go no further. We do not consider downtown Portland to be dead-end. Railroad corridors are “Fixed Guideways”. Transit Systems operate to terminus sites all the time. Casco Bay Lines is a good example. The POT train station will be the Portland Terminus for a commuter train, and a hub of alternative

mobility choices. The railroad corridor is to be analyzed for daily service back and forth between Portland and six commuter towns along the corridor and into downtown L/A.

City Staff may be referencing the recent regional MPO, (PACTS) proposal (\$50,000) to build a new railroad to Portland's Old Port, from Westbrook west along Commercial Street. Although an unrealistic and expensive proposition, the purpose was stated as to both reduce congestion and access the Old Port.

Staff may be referring to the current Downeaster Amtrak operations. LD 991 is not an analysis of the Downeaster operations. That is a separate system operating different trains on a different track. The LD 991 Feasibility Analysis focuses on the 30 miles of State-owned railroad from the Old Port in Portland to Downtown L/A as identified in the [2011 Portland North Alternative Modes Analysis](#). That report was specific to the SLR to India Street.

The MeDOT and Rail Authority are proposing to move the existing Portland Transportation Center to the PanAm Mainline on St. John Street. This is to accommodate service from Brunswick, proposed station expansion in West Falmouth and future service from the western Maine towns of Lewiston and Auburn¹.

Although this is a project that should be supported, LD 991 is specific to commuter train service along the transportation routes north of Portland and into the downtown. The SLR Corridor railroad will connect 6 to 8 commuter towns. The PanAm mainline has no stations between a park n ride in Auburn to Portland Transportation Center. LD 991 will consider the SLR, and travel times can be determined. A railroad to the center of the two largest metro centers in Maine is worth a consideration.

Memo: As such, staff **continues their recommendation to**, leverage the existing Downeaster corridor/Pan Am main line within City limits for any increased service, as it already provides for passenger service and acquisition of this line by CSX may bring additional capital investment opportunities.

MRTC Response: This statement needs clarification. "Continues" from when? City Staff did communicate directly with the State consultant for the L/A study stating that the train would not be allowed on the City route. This led to the VHB consultant excluding an evaluation of the SLR within the City of Portland, leaving the report inconclusive as to the Feasibility of the use.

Passenger train advocates welcome the City involvement in leveraging the Downeaster service. To the best of our knowledge consideration of passenger rail as a transportation mode has not been the case in any Portland comprehensive planning, or regional transit planning over the past few decades.

It is interesting that city staff brings information on the PanAm sale to CSX to the table. The fact is capital investments in the Mainline has almost always been paid for with federal dollars, not the railroad. Word is that CSX will be a difficult partner in passenger train use of their lines. We suggest that the staff person providing this information will be a great asset to the city as the state and railroad make decisions impacting local land use.

¹ Portland should be aware that travel times to and from Portland are not impacted by the current configuration. Portland City Staff might require a Feasibility analysis of the proposed locations impacts on land-use and traffic at the new site. That location should raise concerns on impact to the City

Memo: Staff strongly supports a comprehensive and strategic expansion of rail access to and from Portland that does not include the Eastern Waterfront. We will continue to work with local and regional partners on this important matter.

MRTC Response: *This recommendation not to include the Eastern Waterfront is provided by staff before all the information is available for an informed decision. LD 991 will provide that information, and city staff, whether directed by the City Council, or in their own analysis, may choose to support the outcome.*

City Staff working with regional and local partners was evident in the proposed Westbrook rail down commercial street. One of the “partners” was an out-of-state developer building in Westbrook seeking to draw consumers from Portland to that development. This proposal asks the Portland City Council to work with its regional partners on the important matter of congestion in downtown Portland. This Analysis is expected to address access to housing, jobs, services and businesses.

Portland can expand policy and planning to direct resources to the SLR as a valuable transportation resource offering clean, cost effective, low-impact and efficient access to the residents, businesses, and visitors to Portland Maine. City Staff is staff to the City. Meaning decisions made by the City Council direct staff on who and how to continue to work with local and regional partners. And yes, it is an Important matter.

Supporting Notes:

It is noted that City Staff does not reference Climate Impacts or sustainability in this Memo.

- The critical message is that the city staff memo comes to conclusions prior to getting the information on an informed decision. A Feasibility Analysis will determine the impact on the city.
- Regarding local fiscal impact, in 2012 the state signed into law creation of a source of funding for passenger rail. For the purposes of this state-funded study we assume NO financial impact to the local municipal budget.
- The region’s MPO is expected to participate and assume the Feasibility Analysis would reimburse that agency (GPCOG). The City of Portland may decide to not commit any funding to this analysis, just as they might not commit funding to a state road project, or the Casco Bay ferry.
- The project under consideration for analysis is a service identified in the federally funded Portland North Alternative Modes Analysis report completed by the State DOT in 2011 for commuter passenger train service on the SLR as a means of reducing traffic congestion from the north of Portland.
- A follow up to the Portland North study, the (\$500,000) Lewiston-Auburn Passenger Rail Plan by the consulting firm VHB was issued in 2019. *The report was not completed.* LD 991 is the next step is to complete that report and decide whether Maine residents and taxpayers want to participate in a \$300 million federal infrastructure program for the State of Maine, specific to the State-of Maine-Owned St. Lawrence & Atlantic Railroad (SLR) serving the City of Portland at India Street.
- The 2019 VHB L/A study stated the State-owned St. Lawrence & Atlantic Railroad (SLR) rail to India Street would not be considered as an alternative route for passenger rail to Lewiston. It should be noted that elsewhere in the same study the consultant states that they would not make recommendations in this report. But they did. However, just as with the City Staff in this March 17 Memo to the Legislative Committee, the VHB Consultants came to conclusions before they had all the information. LD 991 is to provide that information.
- Near the end of the 2019 L/A study a City of Portland Staff person wrote a letter to the state consultant on the L/A plan stating that no passenger rail will be allowed to come into India Street. It is not clear who directed that former staff person to make that statement, or what it was based on. But again, that decision was made without all the information. It led to the \$500,000 consultants stopping all evaluation of the rail corridor 5 miles outside of Portland. They did not identify stations. They did not hold public meetings. Information for informed decision

making was not provided. In fact, rather than meet its Purpose of initiating service to Lewiston, the study, directed by the Downeaster Management, recommended a new train station in Portland.²

- The Feasibility Analysis called for in LD 991 is not part of the Amtrak Downeaster service, although there is a prospective cross-platform connection in Yarmouth 12.9 miles from downtown Portland (20 miles from L/A). This plan is a separate function (competing for the same funds?). The Feasibility Analysis will determine the operations, ownership, financing options, along with the information on land-use impacts, track infrastructure, station locations, schedules – and multi-use alternatives for any or all the corridor.
- Contrary to perceptions, nobody wants to rid the City of the Portland Eastern Prom Trail. This is a plan that needs a diverse set of voices for the best use of what is truly a valuable state and local asset both in terms of the economic value – but most critically the Environmental values.
- This is not the Amtrak Locomotive pulling into your town center. Nobody wants that. Our goal is a 100% electric, self-propelled, multi-consist, commuter passenger train. If you all had been paying attention, or returning our calls to meet, you would know what these trains are. That fact was not evident in the Public works memo. It is not evident where staff got their information although they might have reached out to the experts like the MRTC, to me even, or the bill sponsors to ask before they made this recommendation. This is what the trains look like.



- This is a transportation system being offered to the City of Portland. If a decision needs to be made to discontinue standard-gauge options for any section of the SLR, including in Portland, this will require public participation. Not just comments by staff or special interests. In fact, although the Maine Narrow Gauge may continue to act as a placeholder, the Federal Surface Transportation Board (STB) will certainly need to weigh in as to whether any Abandonment is taking place.
- On the bright side, this is a good proposal. Good for access and mobility. Good for sustainable, walkable towns and cities. This is good for housing and jobs. This is good for accessing services, education, and health care. This is good for the environment and good for reducing congestion. This is good for everyone. I hope you will at least listen in to the analysis, if not actively participate.

² Rather than fund the continuing LA work, the DOT funded \$2 million to study the Portland station – a station whose need is questionable, and decision-making process not transparent at all.