



Legislative Committee March 9, 2021 Meeting Minutes

The March 9, 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), Kate Knox (Bernstein Shur), Chris Feeney (Bernstein Shur) and Emily Figdor (School Board Chair) were present.

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

Dena Libner gave the committee an update in regards to staff concerns about the new bills:

LD 708 (To Ensure Public Accountability While Implementing a Practical Approach to Remote Participation): Staff is concerned that if the bill passes the net revenue loss will double and the City will have to increase the mill rate to make up for the revenue, which will increase costs for all property owners and benefit no one.

LD 724 (An Act To Base the Vehicle and Mobile Home Excise Tax on Actual Value): Staff is concerned about the impact on revenue generated as the result of the excise tax as well as the administrative operations, specifically how staff would determine vehicles' value.

LD 677 (An Act To Improve Public Sector Labor Relations by Amending the Laws Governing Arbitration under Certain Public Employees Labor Relations Laws): Staff opposes making everything binding in arbitration, they believe it will undermine the ability of municipal officers to set and approve a budget as well as manage public services.

LD 488 (Resolve, To Expand Recovery Community Organizations throughout Maine): Not on the list of new bills but Councilor Fournier asked for staff feedback. Staff is in support of this resolve. It will provide services to individuals closer to the communities that they reside in, and

there were no concerns in regards to the administrative and operational from the City's perspective.

LD 668 (To Ensure Public Accountability While Implementing a Practical Approach to Remote Participation): Staff believe this bill introduces unnecessary barriers and challenges to municipalities' ability to hold remote meetings.

Mayor Snyder asked for more information in regard to LD 708, including what would be the impact if the City has to increase the mill rate to make up for the revenue. Does that mean that people who don't have the homestead exemption will end up burying the burden of the benefits to those who do?

Dena replied that the mill rate will be increased so the loss in revenue that the City will see will be made up from the general population collectively.

Mr. Jennings agreed and said that the mill rate will have to be increased to cover the 50% of the revenue loss, which is over three million, which will have an impact on the City at large.

Mayor Snyder confirmed if it will be spread across all property tax payer to which Jon agreed.

Councilor Mavodones asked for staff feedback for the following bills:

- **LD 775 (An Act To Include within the Definitions of "Public Employee" and "Judicial Employee" Those Who Have Been Employed for Less Than 6 Months)**
- **LD 824 (An Act To Extend the Protections Provided to State Employees upon the Expiration of Labor Contracts to Other Public Sector Employees)**
- **LD 938 (An Act To Ensure Maine Workers' Right To Request a Schedule Change at Their Places of Employment)**

Dena Libner said that the staff feedback will be included in the packet for the next meeting, but if there is a hearing she will circulate the information as soon as she receives it.

Mr. Jennings agreed with Councilor Mavodones concerns, especially to the bills that goes to the heart of being able to manage as well as the various collective bargain agreements.

Mayor Snyder inquired about staff position when it comes to LD 654 (**An Act To Ensure Maine Workers' Right To Request a Schedule Change at Their Places of Employment**). Dena replied that staff feels that it is good in theory but there is significant skepticism about where the money will come from after the first investment and how it will be sustainable in the long run.

Mr. Jennings share the same feelings as the staff, as the City runs the only municipal run shelter, there is a capital needs that goes to a facility and staffing, so if this is merely to purchase three million dollars to purchase hotels, there is a lot of missing elements to this.

Mr. Jennings said that he recommends for the bill to be monitored but doesn't think there is need to weigh-in in either way at this point, but it is concerning the way that it was drafted.

Kate Knox asked for guidance on how the above bills should be tracked moving forward.

Councilor Mavodones said that there might be a need to testify or submit written testimony in

regards to LD 708 (**An Act To Increase the Homestead Exemption to \$50,000**). He also stated that there will be the need to weigh in in the excise bill as well. He also recommends to continue monitoring all the labor bills.

Kate Knox recommends to the Committee for staff to weigh-in, even if it is in writing for the following bills:

LD 708 (**An Act To Increase the Homestead Exemption to \$50,000**)

LD 724 (**An Act To Base the Vehicle and Mobile Home Excise Tax on Actual Value**)

LD 668 (**An Act To Ensure Public Accountability While Implementing a Practical Approach to Remote Participation**)

Kate Knox confirmed she will follow up with Representative Sylvester in regard to bill LD 555 (**An Act to Expand the Rights of Public Sector Employees**).

Councilor Mavodones expressed that is okay to check with Representative Sylvester in regards to the labor bills but at the end of the day, there is a need to do what is best for the City and he thinks that whether they agree or disagree, there is a need to make a decision sooner rather than later, if there is a need to weigh in. He also stated that this also applies to other bills in similar situations.

Kate Knox asked Kathy Jones where she stands in regards to various bills. Regarding LD 638 (**An Act To Ensure the Timely and Transparent Delivery of Unofficial Election Results in Maine**). Kathy stated that the City already does that so there will not be any impact. Regarding LD 646 (**An Act To Improve the Administration of Elections by Ensuring an Adequate Number of Poll Workers**), it is for State employees only.

LD 659 (**An Act To Ease the Property Tax Burden by Authorizing Municipalities To Require Payments in Lieu of Taxes from Certain Exempt Organizations**): Mr. Jennings said that from the staff prospective they will be very supportive of the bill, as there are many tax exempt properties in the City, being able to impose an impact fee for City services makes a lot of sense.

Councilor Ali asked Mr. Jennings if there is an ordinance already in place. Mr. Jennings stated that the City has a pilot program that it is an in-lieu of taxes, and that letters are sent out every year to all tax exempt properties asking for payment but we don't get a tremendous amount of response back. We have also created an impact fee pilot program on new construction and this enable to impose an impact fee to tax exempt property owners who are using City services but not paying anything for it.

Councilor Fournier expressed her interested in regards to this bill and would like to know if there is a fee tier structured or if it will be built after the fact.

Mr. Jennings said that the way the bill is written is basically allowing municipalities to establish this and set their own rules.

Councilor Mavodones stated that he will be in support of the bill as long as municipalities get to establish their own rules.

Mayor Snyder is in support general, especially after seeing the number of tax exempt properties in the City and the overall impact of that reality, this is an interest opportunities for municipalities to be given the chance to figure out a path-forward that works within their communities.

Councilor Ali expressed that he will be in support of it as well and would like to know if there will be a need to testify or just monitored it.

Mr. Jennings recommended that the bill be closely monitored. Dena shared that staff communicated that there are about 1300 exempt parcels, totaling over 2.2 billion in value and they estimate that 35-40% would be covered under section 652, they had concerns that the 120 days' timeline to try to negotiate with roughly 400 customers would be an enormous task on them. The other issue that they raise is that based on the language the impact fee may not be less than 50% of the amount of tax that would be assessed if the property is not exempt; which the way it is worded would eliminate large exempt parcels, ex: Maine Med' and from their perspective they wondered why it was not phrased as it may not be more than 50%.

LD 660 (An Act Regarding Protection from Power Outages for Tenants 65 Years of Age and Older in Subsidized Housing) Mr. Jennings stated that this would be something for Portland Housing Authority to review. Councilor Mavodones would like to receive staff feedback at the next meeting how this would fit with rent control and if there would be any connection. This could limit the places where people could live if the landlord can't put in a generator.

Dena stated that subsidize housing is exempt from the new rent control ordinance, not sure if there would be any impact there and landlords are not permitted to increase the rent after making the investment, therefore they would have to make the investment first. Councilor Mavodones indicated that this information was sufficient.

Councilor Ali recommended for the bill to be monitored.

LD 662 (An Act To Provide Chiefs of Police the Discretion To Allow the Use of Light Bars on Emergency Vehicles) Chief Gautreau didn't feel strong about it.

Regarding **LD 669 (An Act To Ensure Public Ways Are Compliant with the Federal Americans with Disabilities Act of 1990)**, Dena indicated additional information would be collected from the City's Traffic Engineer.

Regarding **LD 684**, Mr. Jennings said that they will speak with the administrator of the Barron Center to get more information for the committee.

Councilor April Fournier made a motion to adjourn the meeting, seconded by Councilor Mavodones, vote 4-0. The meeting was adjourned at 8:57 AM.