



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.

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