



Legislative Committee Meeting 1-14-2019
Meeting
January 14, 2019

AGENDA

I. Call to Order

II. Approval of Meeting minutes

- a. Approval of December 13, 2018 Meeting Minutes

III. Legislative Update

- a. Review of Printed Bill Titles and Bill Tracking Report
- b. Delegation Update - Scheduled Public Hearings
- c. School Department Update

IV. Meeting Schedule

V. Adjournment

**CITY OF PORTLAND
LEGISLATIVE COMMITTEE
DECEMBER 13, 2018 MEETING MINUTES**

The December 13, 2018 Meeting was called to order by Chair Pious Ali at 9:07 a.m. in Room 209, Portland City Hall, Portland, Maine

A. Attendance/Introductions:

Councilor Pious Ali, Chair, Councilor Jill Duson, Mayor Ethan Strimling, Portland Board of Education Chair Roberto Rodriguez, Portland Board of Education Member Laurie Davis; Kate Knox, Esq., Bernstein Shur team/lobbyist; Alysia Melnick, Esq., Bernstein Shur team/lobbyist; Rep. Richard Farnsworth, Rep. Ben Collings; Sen. Heather Sanborn, Rep. Michael Brennan, Rep. Rachel Tabot-Ross; Rep. Matt Moonen; Rep. Erik Jorgensen; Sen. Ben Chipman; Rep. Michael Sylvester; Alicia Gardiner, Executive Director of Budget and Finance; PPS, City Manager Jon Jennings; Corporation Counsel Danielle West-Chuhta; Mike Murray (Staff); David MacLean (Administrator, Social Services Division, DHHS); Jeff Levine (Director of Planning and Urban Development); Casey Gilbert, Executive Director, Portland Downtown.

B. Approval of Minutes:

1. Motion to approve the November 19, 2018 minutes made by Councilor Duson; second by Councilor Ali; minutes approve 2-0 (Strimling abstain).
2. Motion to approve the November 26, 2018 minutes made by Councilor Duson; second by Councilor Ali; minutes approve 2-0 (Strimling abstain).

C. New Items for Committee Consideration:

1. Presentation made by Casey Gilbert, Executive Director of Portland Downtown to support legislation to amend current statute to extend Development Districts longer than 30 years. Mayor Strimling moved to support legislation; seconded by Councilor Duson; Committee approved 3-0. Committee asked that Portland Downtown's lobbyist work with the City of Portland Lobbyist to move this legislation through to passage.
2. Presentation by City Manager Jon Jennings to allow airports of a certain passenger volume the ability to provide oversight to Transportation Network Companies (TNC). Mayor Strimling moved to support legislation; seconded by Councilor Duson; Committee approved 3-0.

D. Bill Titles

Rep. Brennan will introduce several bills related to the City's priorities:

1. Increase School debt limit service to \$2 Million on new construction and on renovations
2. Add after-school programs to Essential Programs (EPS) and Services formula
3. Require State Funding for school teacher retirement cost

4. Rework Special Education and English Language Learner definitions and augmented EPS percentage from 1.2 to 2.0
5. Enrollment cap on Virtual Charter Schools
6. School Virtual Platform, available to all schools in Maine

Councilor Dusen: The Committee voted at the last meeting on the bills and bill subjects it would be supporting, which can be listed in the minutes with bill titles and LD numbers as they are submitted. Those include bills supporting increased school funding.

Alysia Melnick, lobbyist, will add school funding bills to tracking list.

Rep. Chipman: Time should be devoted to School Bills at every LC meeting. Councilor Ali agreed.

City Manager Jon Jennings requested bills that assist with the opioid crisis; needle exchanges; benefits for lawfully present immigrants; firearms regulations; housing for the homeless; excise tax matters; property tax relief; county jail funding; Fire Dept. facilities; and share of adult use marijuana tax for city.

In response, Rep. Talbot-Ross said she was sponsoring a bill on the opioid crisis; Alysia Melnick said there was always a needle exchange bill; Sen. Chipman has a bill to change the definition of homelessness to an emergency under most or more circumstances.

Rep. Mike Sylvester discussed the broad support for a local option sales tax, including from the Mayor's Coalition and Maine Municipal Association, or which 15% would be used directly for opioid crisis response.

Councilor Dusen said groups would be supporting a bill raising the retail sales and/or meals & lodging tax by 1% with that 1% to go to municipalities where the tax was collected.

Bills that regulate firearms in school parking lots and on school property will be introduced.

Housing for the homeless will be supported by, 1. The Senior Housing Bond release, previously delayed, 2. Housing First bill from Rep. Brennan; 3. Revival of a Housing Assistance Program to help present homelessness, also from Rep. Brennan; and 4. by the problem of housing becoming a formal focus of one legislative committee for Labor and Housing issues.

Rep. Talbot-Ross has a bill to restore the Circuit Breaker program to an earlier, higher level. Rep. Talbot-Ross will propose a bill to allow the use of MaineCare for inmates of the County Jail.

Rep. Brennan will support \$250,000 for yearly substance abuse programs at the Cumberland County Jail, specifically, and also a bill to close Long Creek Youth Development Center over a period of several years.

Rep. Brennan will support a bond for Fire Stations and for Sustainability improvements.

Sen. Farnsworth will sponsor a bill to regulate Uber and other Transportation Network Company drivers from picking up passengers at the Jetport.

Portland Downtown, concerned that its development district term is coming toward the end of its statutory lifespan, may be assisted by a bill from Rep. Shneck of Bangor, which also has a development district

During the final 45 minutes of the meeting, the participants discussed school funding, beginning with an explanation of the state school funding program from Portland School Finance Director Alicia Gardiner. Rep. Sylvester asked if the school funding formula was fair. Others agreed that the basis of the formula in the valuation of property was not in fact fair, and that basing the formula on the level of local income would be at least more fair.

Changes to the definition of disadvantaged students have reduced the number of students in that category in Portland. Each of those students is funded by the state at a higher rate than others in the school system. Rep. Brennan will sponsor a bill to increase that rate further, which would benefit the City's school budget. Even more, moving the cost of retirement benefits for teachers back to state funding would decrease the City's direct expenses. Increasing the general funding of school EPS to 55% as approved twice in state referenda, would also support the School budget and could reduce the mill rate substantially.

Rep. Sanborn summarized school legislative priorities as 1. 55% EPS funding; 2. Increased funding for disadvantages students; and 3. state funding of teacher retirement benefits.

Rep. Jorgensen said the State will run out of money before all the proposals are approved.

Councilor Duson made a Motion to adjourn, seconded by Councilor Ali, and the meeting adjourned at 11:32 a.m.

E. Next Meeting Date

The next meeting of the Legislative Committee with the Delegation will be scheduled for January 14, 2019 from 9-11 AM in Room 209, Portland City Hall, with 30 minutes for school issues to be set on the agenda

F. Adjournment

Councilor Duson made a Motion to adjourn, seconded by Councilor Ali, and the meeting adjourned at 11:32 a.m.

LD #	LR #	Title	Category	Sponsor	Cmte	Summary	COP Position	Public Hearing	Work Session	Status
<u>29</u>	76	Resolve, To Implement the Recommendations of the Task Force To Address the Opioid Crisis in the State by Establishing a Work Group To Develop Educational Programming for Prevention of Substance Use and Substance Use Disorders among Youth and Adolescents (Emergency)	Drugs	McCreight	ECA	This resolve is based on recommendations of the Task Force To Address the Opioid Crisis in the State, which submitted its report to the Legislature in December 2017. The resolve requires the Department of Education to establish a work group to evaluate existing substance use prevention programs targeting school-age children, investigate prevention programs that have proven effective in other areas of the United States or in other				
<u>6</u>	11	An Act To Amend the Laws Governing the Home Accessibility Tax Credit	TAX	Tepler	TAX	This bill provides that the income tax credit for homestead modifications to improve accessibility for an individual with a disability or physical hardship is refundable if the individual is 65 years of age or older				
<u>43</u>	184	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Dedicate All Sales Taxes from All Vehicle Sales and Vehicle-related Sales to the Highway Fund for Roads and Bridge Capital Improvements	TAX	Cebra	TAX	This resolution proposes to amend the Constitution of Maine to dedicate all sales and use tax revenue from sales of motor vehicles and sales related to motor vehicles to the Highway Fund for roads and bridge capital improvements.				

LD #	LR #	Title	Category	Sponsor	Cmte	Summary	COP Position	Public Hearing	Work Session	Status
<u>19</u>	3	An Act To Require Public School Buses To Be Equipped with School Bus Crossing Arms	Transportation	McCreight	TRAN	This bill requires school buses to be equipped with a school bus crossing arm, which is a device requiring students to walk at least 10 feet in front of the school bus to cross the roadway.				



**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: January 4, 2019
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.

[LD 6, HP0007](#)

An Act To Amend the Laws Governing the Home Accessibility Tax Credit

[LD 19, HP0020](#)

An Act To Require Public School Buses To Be Equipped with School Bus Crossing Arms

[LD 29, HP0030](#)

Resolve, To Implement the Recommendations of the Task Force To Address the Opioid Crisis in the State by Establishing a Work Group To Develop Educational Programming for Prevention of Substance Use and Substance Use Disorders among Youth and Adolescents

[LD 43, HP0044](#)

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Dedicate All Sales Taxes from All Vehicle Sales and Vehicle-related Sales to the Highway Fund for Roads and Bridge Capital Improvements



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 47

H.P. 48

House of Representatives, January 9, 2019

An Act To Authorize a General Fund Bond Issue To Invest in Fire Stations

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script, reading "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BRENNAN of Portland.
Cosponsored by Senator CHIPMAN of Cumberland and
Representatives: BERRY of Bowdoinham, CAMPBELL of Orrington, DeCHANT of Bath,
GRAMLICH of Old Orchard Beach, JORGENSEN of Portland, MARTIN of Eagle Lake,
MOONEN of Portland, PERRY of Calais.

1 **Preamble.** Two thirds of both Houses of the Legislature deeming it necessary in
2 accordance with the Constitution of Maine, Article IX, Section 14 to authorize the
3 issuance of bonds on behalf of the State of Maine to provide funds as described in this
4 Act,

5 **Be it enacted by the People of the State of Maine as follows:**

6 **Sec. 1. Authorization of bonds.** The Treasurer of State is authorized, under the
7 direction of the Governor, to issue bonds in the name and on behalf of the State in an
8 amount not exceeding \$25,000,000 for the purposes described in section 5 of this Act.
9 The bonds are a pledge of the full faith and credit of the State. The bonds may not run for
10 a period longer than 10 years from the date of the original issue of the bonds.

11 **Sec. 2. Records of bonds issued; Treasurer of State.** The Treasurer of State
12 shall ensure that an account of each bond is kept showing the number of the bond, the
13 name of the successful bidder to whom sold, the amount received for the bond, the date of
14 sale and the date when payable.

15 **Sec. 3. Sale; how negotiated; proceeds appropriated.** The Treasurer of State
16 may negotiate the sale of the bonds by direction of the Governor, but no bond may be
17 loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the
18 bonds, which must be held by the Treasurer of State and paid by the Treasurer of State
19 upon warrants drawn by the State Controller, are appropriated solely for the purposes set
20 forth in this Act. Any unencumbered balances remaining at the completion of the project
21 in this Act lapse to the Office of the Treasurer of State to be used for the retirement of
22 general obligation bonds.

23 **Sec. 4. Interest and debt retirement.** The Treasurer of State shall pay interest
24 due or accruing on any bonds issued under this Act and all sums coming due for payment
25 of bonds at maturity.

26 **Sec. 5. Disbursement of bond proceeds from General Fund bond issue.**
27 The proceeds of the sale of the bonds authorized under this Act must be expended as
28 designated in the following schedule under the direction and supervision of the agencies
29 and entities set forth in this section.

30 **PUBLIC SAFETY, DEPARTMENT OF**

31 Provides funds to municipalities for the rehabilitation or new construction of fire
32 stations.

33

34 Total \$25,000,000

35 **Sec. 6. Contingent upon ratification of bond issue.** Sections 1 to 5 do not
36 become effective unless the people of the State ratify the issuance of the bonds as set
37 forth in this Act.

Sec. 7. Appropriation balances at year-end. At the end of each fiscal year, all unencumbered appropriation balances representing state money carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds lapse to the Office of the Treasurer of State to be used for the retirement of general obligation bonds.

Sec. 8. Bonds authorized but not issued. Any bonds authorized but not issued within 5 years of ratification of this Act are deauthorized and may not be issued, except that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds for an additional amount of time not to exceed 5 years.

Sec. 9. Referendum for ratification; submission at election; form of question; effective date. This Act must be submitted to the legal voters of the State at a statewide election held in the month of November following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Do you favor a \$25,000,000 bond issue for the rehabilitation or new construction of fire stations by municipalities?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If a majority of the legal votes are cast in favor of this Act, the Governor shall proclaim the result without delay and this Act becomes effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purposes of this referendum.

SUMMARY

The funds provided by this bond issue, in the amount of \$25,000,000, will be used for the rehabilitation or new construction of fire stations by municipalities.



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 48

H.P. 49

House of Representatives, January 9, 2019

An Act To Authorize a General Fund Bond Issue To Invest in Housing for Persons Who Are Homeless

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BRENNAN of Portland.
Cosponsored by Senator CHIPMAN of Cumberland and
Representatives: BERRY of Bowdoinham, CRAVEN of Lewiston, DeCHANT of Bath,
GATTINE of Westbrook, GRAMLICH of Old Orchard Beach, JORGENSEN of Portland,
MOONEN of Portland, PERRY of Calais.

1 **Preamble.** Two thirds of both Houses of the Legislature deeming it necessary in
2 accordance with the Constitution of Maine, Article IX, Section 14 to authorize the
3 issuance of bonds on behalf of the State of Maine to provide funds as described in this
4 Act,

5 **Be it enacted by the People of the State of Maine as follows:**

6 **Sec. 1. Authorization of bonds.** The Treasurer of State is authorized, under the
7 direction of the Governor, to issue bonds in the name and on behalf of the State in an
8 amount not exceeding \$15,000,000 for the purposes described in section 5 of this Act.
9 The bonds are a pledge of the full faith and credit of the State. The bonds may not run for
10 a period longer than 10 years from the date of the original issue of the bonds.

11 **Sec. 2. Records of bonds issued; Treasurer of State.** The Treasurer of State
12 shall ensure that an account of each bond is kept showing the number of the bond, the
13 name of the successful bidder to whom sold, the amount received for the bond, the date of
14 sale and the date when payable.

15 **Sec. 3. Sale; how negotiated; proceeds appropriated.** The Treasurer of State
16 may negotiate the sale of the bonds by direction of the Governor, but no bond may be
17 loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the
18 bonds, which must be held by the Treasurer of State and paid by the Treasurer of State
19 upon warrants drawn by the State Controller, are appropriated solely for the purposes set
20 forth in this Act. Any unencumbered balances remaining at the completion of the project
21 in this Act lapse to the Office of the Treasurer of State to be used for the retirement of
22 general obligation bonds.

23 **Sec. 4. Interest and debt retirement.** The Treasurer of State shall pay interest
24 due or accruing on any bonds issued under this Act and all sums coming due for payment
25 of bonds at maturity.

26 **Sec. 5. Disbursement of bond proceeds from General Fund bond issue.**
27 The proceeds of the sale of the bonds authorized under this Act must be expended as
28 designated in the following schedule under the direction and supervision of the agencies
29 and entities set forth in this section.

30 **MAINE STATE HOUSING**
31 **AUTHORITY**

32 Provides funds for capital construction costs for housing for persons who are
33 homeless.

34
35 Total \$15,000,000

36 **Sec. 6. Contingent upon ratification of bond issue.** Sections 1 to 5 do not
37 become effective unless the people of the State ratify the issuance of the bonds as set
38 forth in this Act.

Sec. 7. Appropriation balances at year-end. At the end of each fiscal year, all unencumbered appropriation balances representing state money carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds lapse to the Office of the Treasurer of State to be used for the retirement of general obligation bonds.

Sec. 8. Bonds authorized but not issued. Any bonds authorized but not issued within 5 years of ratification of this Act are deauthorized and may not be issued, except that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds for an additional amount of time not to exceed 5 years.

Sec. 9. Referendum for ratification; submission at election; form of question; effective date. This Act must be submitted to the legal voters of the State at a statewide election held in the month of November following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Do you favor a \$15,000,000 bond issue to build housing for persons who are homeless?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If a majority of the legal votes are cast in favor of this Act, the Governor shall proclaim the result without delay and this Act becomes effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purposes of this referendum.

SUMMARY

The funds provided by this bond issue, in the amount of \$15,000,000, will be used for capital construction costs for housing for persons who are homeless.