



Legislative Committee Meeting 1-15-2019
Meeting
January 15, 2019

AGENDA

- I. Call to Order**
- II. Goal Setting Session**
 - a. Review of 2018 Committee Goals
 - b. Review of Current City Legislative Priorities
- III. Future Meeting Schedule**
- IV. Other Business**
- V. Public Comment**
- VI. Adjournment**

Legislative / Nominating Committee

- Refine the process by which the Committee/Council/City identifies bills of interest, takes positions on bills and communicates those positions to the Legislature and the Portland delegation
- Foster a working relationship with the City's legislative delegation



CITY OF PORTLAND, MAINE

Legislative and Nominating Committee Meeting

Staff Legislative Priorities

General Assistance

1. Reimbursement of GA Costs

Prior to 2015, all municipalities receive 50% reimbursement until they reach a threshold, at which point the reimbursement bumps up to 90% for the fiscal year when GA costs are in excess of .0003 of the municipality's most recent valuation relative to the state fiscal year for which reimbursement is being issued as determined by the State Tax Assessor. Since 2015, GA has been reimbursed at a 70% rate.

Legislative Change: Request is to add the 90% reimbursement for GA when a community reaches the above described threshold.

This keeps smaller/non service center municipalities whole, while acknowledging the role and costs to service centers and hopefully encourages other municipalities to consider having a shelter in their community.

LC recommendation: Staff to draft bill title and LC to discuss with Delegation.

Administrative Change: Operating expenses – hopeful that the new administration will return to the interpretation in which reimbursement calculations include all shelter operating expenses.

2. Gap Coverage for Asylum Seekers

Proposal to have State provide GA assistance to asylum seekers from the time that duration of stay for which a person is considered lawfully present to the time the individual obtains proof of receipt of the asylum application being received by the Federal Government, which allows that person 24 months of assistance from that date. The "gap" can be anywhere from 6-9 months without coverage.

LC recommendation – Staff to develop language for bill title

Administrative Change: ILAP to share their definition of lawfully present/pursuing a lawful process with the new administration in the hopes that it will utilize this definition for purposes of GA state reimbursement for non-citizens. This does not require a legislative change.

Sustainability

1. Proposal for legislation to relax the net metering cap for large scale community solar; currently set a 1MW.

LC Recommendation - Lobbyist and staff to monitor for Bill Titles; LC may take a position but not take the lead.

2. Proposal for legislation to compensate municipal and community solar project owners in cash rather than kWh credits; current legislation does not cover demand charges which City of Portland is subject to. Monetary credit could then be applied to the demand charges.

LC Recommendation - Lobbyist and staff to monitor for Bill Titles; LC may take a position but not take the lead.

3. Proposal for legislation that would expand number of participants in a net metered community solar projects; current number of participants is 9.

LC Recommendation - Lobbyist and staff to monitor for Bill Titles; LC may take a position but not take the lead.

4. Proposal for legislation that would allow municipalities to adopt a stretch energy code to improve performance of new building construction .

LC Recommendation - Lobbyist and staff to monitor for Bill Titles; LC may take a position but not take the lead.

Land Use

1. Proposal to make changes to state zoning statutes to provide limited flexibility.

LC Recommendation – look to MEREDA or other organization to lead bill efforts that LC may support.

2. Request a fix to the subdivision legislation from last session. The MEREDA bill that the City supported does not apply to sites under 1.5 acres; this size limit does not help the City.

LC Recommendation – Possible remedy in the errors/omissions bill later in the session.

3. Creation of a state housing tax credit program. Creation of such a program will help further address the need for affordable homes.

LC Recommendation – MAHC bring forth bill that LC can support.

Assessing

1. Amend Definition of Eligible Business Equipment for BETE program; currently leased hospital equipment is exempt from personal property tax. LD 1212 in the last session was intended to correct the issues; it received the support from MMA and the ME Association of Assessing Officers, but died on the table.

LC Recommendation - Committee is comfortable with concept, but would like to see some other entity bring legislation forward.

Marijuana

1. LD 1539 provides for a caregiver retail stores, but provides no definition.
2. LD 1539 can't prohibit stores, dispensaries, testing facilities, and manufacturing facilities that are operating with "municipal approval" as of 12/13/2018. There needs to be clarity/definition about what "municipal approval" means.
3. Currently municipalities cannot prohibit or limit number of caregivers. Again clarity is needed that does not prohibit municipality from imposing zoning or setback restrictions.
4. Current requirements with NFPA 2018 include certification by a PE of facilities and equipment. There are very few PE's with experience in marijuana industry; request for a state program to qualify engineers.
5. Request for revenue sharing of marijuana sales tax; data collection by city staff is already in place to develop true cost of what marijuana laws will cost city.

LC Recommendation – Committee is comfortable bringing forth legislation; requests staff to prioritize requests for legislation or emergency legislation.. Committee recommends that city staff be trained in equipment/facilities certifications.

Safety in Municipal Buildings

1. Request brought forth by City Manager to ban weapons from municipal buildings/city halls. Lobbyist has indicated that ME Gun Safety Coalition will be introducing legislation.

LC Recommendation – Committee is supportive of legislation; wants to ensure that “city halls” are in the bill language.

Lead Screening/Child Safety

1. Lobbyist alert Committee that MAHC is proposing legislation to create a universal lead screening law in Maine.

LC Recommendation – Committee is supportive of this measure and has asked staff to prepare supporting documentation as to what measures are already taking place in Portland through Housing and Neighborhood Services.

Perennial Legislative Issues/City Councilor Legislative Priorities

The following is a list of perennial issues that has been assembled by our lobbyist. In addition, the list includes items identified by city councilors as areas of concern; those items in *italics* are called out in the list and attributed to individual councilors.

Perennial Issues to Discuss Pre Session

1. **Revenue sharing** (full funding/increasing funding - currently 2% and want it to back to 5%)

**Identified as priority by Councilors Costa, Ray*

**Identified as priority by Ray – revenue sharing model that offers greater funding to service center cities;*

2. **School funding**

- a. Changes to the formula
- b. State aid for education/property tax relief (making good on 55% obligation to municipalities)
- c. Free and reduced lunch
- d. Supports for low income students
- e. School based health centers
- f. Funding for facilities/school construction (revolving school loan fund)

** Identified as a priority by Strimling – raise debt ceiling so that more schools can make the construction funding list;*

**Identified as Priority by Ray – reforming school funding formula to address communities that are land rich and income at or below average;*

**Identified as priority by Costa – overall funding for education;
state support for adult education, including workforce development;
teacher retirement costs;*

3. **Addressing the opioid crisis** (funding and support for evidence-based prevention, treatment and enforcement measures)
 - a. Funding for needle exchanges
 - b. Funding/increased support for LEAD type programs

**Identified as priority for Ray – more funding for detox beds and treatment facilities;*

**Identified as a priority by Batson – Increased funding for opioid treatment;*

4. **Public benefits** – General protection of/increased state funding for state SSI, TANF, and GA
 - a. Oppose the creation of additional/unreasonable barriers to accessing benefits
 - b. Support increased state funding (change GA funding form?)
 - c. Support reimbursement of service centers by the municipalities that send them (or the state)
 - d.

**Identified as priority for Batson – Increased funding for HHS; increased funding for homeless services;*

**Identified as priority by Costa – Shelter reimbursements & GA rules more generally;*

**Identified as priority by Ray – bring back Chipman bill to mandate communities treat homelessness as an emergency and use GA funds to provide housing in hotels or temporary housing if they do not operate a shelter facility*

5. **Public benefits (mostly GA) for non-citizens/asylum seekers**

6. **LOST -**

- a. MC/MMA/Service Center Coalition may be able to take lead on this issue. MMA and Mayor's coalition both exploring proposals.

**Identified as priority for Ray – LOST*

- b. Adult use cannabis LOST for host communities?\

7. **Firearms controls**

- a. Guns in school parking lots
- b. Red flag bill.
- c. Background checks

8. **Affordable housing**

- a. Senior housing
- b. Housing for those experiencing homeless

9. Automobile excise tax

10. Property tax proposals (support or opposition depends on impact of proposal)

11. Homestead exemption

12. County jail funding

13. County inmate healthcare costs

14. Bonds (especially for infrastructure, roads, schools, etc.)

*Priority identified by Costa – fire stations; port activities, i.e. dredging, pier improvements **

Other bills we anticipate this year for which you may want to pre-discuss your position.

1. Adult Use Marijuana Tax Revenue

- a. MMA considering proposing 25% of excise and sales tax revenues from adult use cannabis be shared with host communities.

**Identified as a priority by Ray - % of marijuana taxes for municipalities that allow retail shops*

- 2. **Moving CDS services to the public schools** (Per Xavier, this is ok as long as it doesn't become part of the EPS formula)
- 3. **ELL criteria changes** - Changes to the criteria for students to exit the ELL program will result in loss in school funding for Portland (about 160-200 kids will exit due to the change). We need a temporary fix to cover this year. Heather Sanborn offered to put in a bill/spoke to Xavier.

Other:

Sustainability

**Identified as a priority for Ray: more/new credits for energy efficiency and renewables (solar power, geothermal pumps, energy efficient appliances, windows, doors, etc)*