

**Legislative & Nominating
Committee Agenda**
March 1, 2022



MEMBERS
Councilor April Fournier, Chair
Mayor Kate Snyder
Councilor Pious Ali

ZOOM INFORMATION:

This meeting will be held remotely pursuant to the Remote Meeting Policy adopted by the Legislative & Nominating Committee and as authorized under 1 M.R.S. 403-B because of the existence of an emergency or urgent issue that requires the committee to meet by remote methods. 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 available following the meeting.

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 unmuted by the host when it is time for public comment.

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II. Call to Order

III. Approval of Meeting Minutes

- a. Minutes from the Meeting of February 22, 2022

IV. Legislative Update

- a. Discussion: LD 1899 (An Act To Ensure Safe Entry and Access for People Seeking Health Care and Other Constitutional Rights)
 - i. *A public hearing has been scheduled for March 1, 2022 at 9:00 am.*
- b. Discussion: LD 1673 (An Act To Create a Comprehensive Permit Process for the Construction of Affordable Housing)
- c. Review of Draft Testimony for 1772 (An Act To Amend the Remote Meeting Law in Maine's Freedom of Access Act)
- d. Discussion: LD 1986 (An Act To Exempt Permanently Disabled Veterans from Payment of Property Tax)
 - i. *A public hearing on LD 1986 is scheduled for March 1, 2022 at 10:00 AM.*
- e. LD Tracker (Bernstein Shur)

V. Other Business

- a. Review: Governor's Proposed Supplemental Budget (Bernstein Shur)
 - i. *The Governor released her proposed supplemental budget last week; the complete document can be viewed at <https://legislature.maine.gov/doc/8172>. Public hearings are scheduled to begin February 28, 2022.*
- b. 2022 Federal Priorities Memo (staff recommendations)
- c. For Discussion: Regional Housing Report Release and Forward

VI. Adjournment

**Legislative & Nominating
Committee Minutes**
February 22, 2022



MEMBERS
Councilor April Fournier, Chair
Mayor Kate Snyder
Councilor Pious Ali

I. ZOOM INFORMATION:

- a. This meeting will be held remotely pursuant to the Remote Meeting Policy adopted by the Legislative & Nominating Committee and as authorized under 1 M.R.S. 403-B because of the existence of an emergency or urgent issue that requires the committee to meet by remote methods. 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 available following the meeting.

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Webinar ID: 845 5738 3929

International numbers available: <https://portlandmaine-gov.zoom.us/j/84557383929>

II. Call to Order

Chair April Fournier called the meeting to order at 8:14 AM.

Councilor April Fournier (Chair), Mayor Kate Snyder, Councilor Pious Ali, Dena Libner, (Chief of Staff), Kathy Jones (City Clerk), Sheba Brown (Executive Office Manager), Kate Knox (Bernstein Shur), Chris Feeny (Bernstein Shur) were present.

III. Approval of Meeting Minutes

- a. Minutes from the meeting of February 15, 2022

Mayor Snyder made a motion to approve the minutes of the February 15, 2022 meeting, seconded by Councilor Ali, vote (3-0)

IV. Legislative Update

a. Review: Testimony in support of LD 1626 (An Act Implementing the Recommendations of the Task Force on Changes to the Maine Indian Claims Settlement Implementing Act)

The Committee discussed draft testimony on this legislation and whether or not to approve it for submission.

Chair Fournier made a motion to approve the draft testimony for LD 1626, seconded by Mayor Snyder, vote (3-0)

i. *A public hearing on LD 1626 was held on February 15, 2022.*

b. Review: Testimony re: LD 1971 (An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Remote Participation)

Testimony neither for nor against was proposed by staff. Language from another bill would allow a legislative body and staff to meet with remote participation by the public. A public hearing will be held on Friday, February 25, 2022 at 10am.

Mayor Snyder made a motion to approve the testimony for LD 1971, seconded by Councilor Ali, vote (3-0)

i. *A public hearing on LD 1971 will be held February 25, 2022.*

c. Review: Testimony in Support of LD 1337 (An Act To Increase Affordable Housing and Reduce Property Taxes through an Impact Fee on Vacant Residences)

Councilor Ali made a motion to approve the testimony in support of LD 1337, seconded by Mayor Snyder, vote (3-0)

d. Discussion: LD 1673 (An Act To Create a Comprehensive Permit Process for the Construction of Affordable Housing)

The Committee discussed this legislation. Staff has issued a memo on this legislation, and indicated that there is a potential challenge in meeting the 30 day review period, in that it would not allow enough time for comprehensive review. Councilor Ali would

like to invite the bill sponsors (Representative Victoria Morales and Representative Rachel Talbot Ross) to discuss and propose amendments to this legislation and outline staff concerns to Representatives Morales and Talbot Ross.

- i. ***On February 15, 2022, Councilor Ali requested staff feedback on LD 1673. A memo is included in backup materials.***

- e. **Review: Amendment to LD 1909 (An Act To Remove Restrictions on Syringe Service Programs)**

Amendment to change unlimited exchange to cap at 100. Funding for removal of syringes was not included in the amendment, which was voted out of committee and is likely to pass as amended. Staff expressed support of this amendment, but continued to highlight concerns about improper disposal of sharps.

- f. **Review of New LDs and Legislative Tracker (Bernstein Shur)**

Chris Feeney discussed LD 1986 (An Act to Exempt Permanently Disabled Veterans From Payment on all Property Tax). This will provide an exemption of up to 100% of just value for veterans who are totally and permanently disabled. The Committee will review next week. This bill would result in an approximate revenue loss to the City of \$90,000.

Chris Feeney also flagged public hearings on work sessions related to appropriations that the City has provided testimony for in previous sessions, a public hearing being held the day of this meeting on LD 1945 (biometric identifiers) and a hearing on LD 1899 which is scheduled for next month.

V. Other Business

- a. **2022 Federal Priorities Memo (staff recommendations)**

This item was postponed to the March 1, 2022 Meeting.

- b. **Discussion re: Nominating Committee Interviews (Kathy Jones, City Clerk)**

Kathy Jones discussed the Nominating Committee Meeting, reported out on the interview schedule and process, and updated the Committee on the progress of the new Boards and Commissions portal.

VI. Adjournment

Councilor Ali made a motion to adjourn the meeting, seconded by Mayor Snyder, vote (3-0)



130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1899

H.P. 1406

House of Representatives, January 5, 2022

An Act To Ensure Safe Entry and Access for People Seeking Health Care and Other Constitutional Rights

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Judiciary suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative McCREIGHT of Harpswell.
Cosponsored by Senator DAUGHTRY of Cumberland and
Representatives: Speaker FECTION of Biddeford, HARNETT of Gardiner, MEYER of Eliot,
RECKITT of South Portland, TALBOT ROSS of Portland, TEPLER of Topsham, Senators:
CARNEY of Cumberland, VITELLI of Sagadahoc.

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

2 **Sec. 1. 5 MRSA §4684-B, sub-§1, ¶B-1** is enacted to read:

3 B-1. "Medical safety zone" means an area extending 8 feet from the entrance of a
4 building in which patients receive health services.

5 **Sec. 2. 5 MRSA §4684-B, sub-§2**, as enacted by PL 1995, c. 417, §3, is amended
6 to read:

7 **2. ~~Violation~~ Intentional violation.** It is a violation of this ~~section~~ subsection for any
8 person, whether or not acting under color of law, to intentionally interfere or attempt to
9 intentionally interfere with the exercise or enjoyment by any other person of rights secured
10 by the United States Constitution or the laws of the United States or of rights secured by
11 the Constitution of Maine or laws of the State by any of the following conduct:

12 A. Engaging in the physical obstruction of a building;

13 B. Making or causing repeated telephone calls to a person or a building, whether or
14 not conversation ensues, with the intent to impede access to a person's or building's
15 telephone lines or otherwise disrupt a person's or building's activities;

16 C. Activating a device or exposing a substance that releases noxious and offensive
17 odors within a building; or

18 D. ~~After~~ During the posted hours of operating after having been ordered by a law
19 enforcement officer to cease such noise, ~~at any time after the order,~~ intentionally
20 making noise that can be heard within a building and with the further intent either:

21 (1) To jeopardize the health of persons receiving health services within the
22 building; or

23 (2) To interfere with the safe and effective delivery of those services within the
24 building.

25 Violation of this subsection is a Class E crime.

26 **Sec. 3. 5 MRSA §4684-B, sub-§3** is enacted to read:

27 **3. Knowing violation.** It is a violation of this subsection for any person to knowingly
28 enter into, remain in or create an obstruction in a medical safety zone during the posted
29 hours of operation of the provider of a health service, with the following exceptions:

30 A. A person entering or leaving the building;

31 B. A person using the public sidewalk or street right-of-way adjacent to the building
32 solely for the purpose of reaching a destination other than the building;

33 C. A law enforcement officer, firefighter, emergency medical services provider,
34 employee of a construction company or a utility or employee of a public works
35 department or other municipal service acting in the course of employment; or

36 D. An employee or agent of the health service or the operator of the building acting in
37 the course of employment.

38 Violation of this subsection is a Class E crime.

39 **Sec. 4. 5 MRSA §4684-B, sub-§4** is enacted to read:

4. Demarcation. At the request of the provider of a health service, a municipality shall mark the boundary of the medical safety zone for the building in which the provider of a health service operates by painting lines or placing temporary markers. The municipality shall mark the boundary not later than the 30th day after the date the municipality receives a request under this subsection. The provider of a health service shall post or cause to be posted at least one sign at the boundary of the medical safety zone that contains:

A. The following notice written in a clear and conspicuous manner: "HEALTH CARE FACILITY – NO STANDING IN THIS ZONE"; and

B. A reference to subsection 3.

SUMMARY

This bill defines the term "medical safety zone" and requires the demarcation of a medical safety zone around a building in which patients receive health services and prohibits a person from entering into, remaining in or creating an obstruction in that medical safety zone during the hours in which health services may be provided. The bill also makes violating that prohibition or intentionally interfering or attempting to interfere with the exercise of certain constitutional rights a Class E crime.

City of Portland | City Council
Kate Snyder, *Mayor*



To: Joint Standing Committee on Judiciary
From: Portland City Council's Legislative Committee
Date: 3/1/2022
Re: LD 1899

Testimony In Support of LD 1899 An Act To Ensure Safe Entry and Access for People Seeking Health Care and Other Constitutional Rights

Senator Carney, Representative Harnett, and distinguished members of the Joint Standing Committee on Judiciary:

The Portland City Council's Legislative Committee writes in support of LD 1899, An Act To Ensure Safe Entry and Access for People Seeking Health Care and Other Constitutional Rights.

If passed, this bill would establish a "medical safety zone" around a building in which patients receive health services and prohibits a person from entering into, remaining in or creating an obstruction in that medical safety zone during the hours in which health services may be provided. Residents of Portland, Maine, as well as anyone seeking healthcare services in the City of Portland, are entitled to receive health care safely and without fear or intimidation. For that reason, we urge you to support LD 1899.

Thank you for your consideration.

389 Congress Street, Portland, Maine 04101 | 207-874-8300 | info@portlandmaine.gov

¹Heyman, M. & Dill, J. & Douglass, R. (2018). Mental Health and Suicide of First Responders [White Paper]. Ruderman Family Foundation.
https://www.scribd.com/document/376280678/First-Responder-White-Paper-Final#download&from_embed



130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1673

H.P. 1244

House of Representatives, May 5, 2021

An Act To Create a Comprehensive Permit Process for the Construction of Affordable Housing

Received by the Clerk of the House on May 3, 2021. Referred to the Committee on Labor and Housing pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

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

ROBERT B. HUNT
Clerk

Presented by Representative TALBOT ROSS of Portland.
Cosponsored by Senator MIRAMANT of Knox and
Representatives: CUDDY of Winterport, GERE of Kennebunkport, MORALES of South
Portland, SUPICA of Bangor, SYLVESTER of Portland, Senator: BALDACCI of Penobscot.

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

2 Sec. 1. 30-A MRSA c. 201, sub-c. 14 is enacted to read:

3 **SUBCHAPTER 14**

4 **MAINE COMPREHENSIVE PERMIT LAW**

5 **§4994-A. Maine comprehensive permit process established; definitions**

6 The Maine State Housing Authority and the municipal boards of appeals established
7 pursuant to section 2691 shall administer the Maine comprehensive permit process as
8 provided in this subchapter. As used in this subchapter, unless the context otherwise
9 indicates, the following terms have the following meanings.

10 **1. Affordable housing.** "Affordable housing" means a decent, safe and sanitary
11 dwelling, apartment or other living accommodation where the cost of housing and utilities
12 is no more than 30% of gross household income for a household whose income does not
13 exceed 120% of the median income for the area as defined by the United States Department
14 of Housing and Urban Development under the United States Housing Act of 1937, Public
15 Law 75-412, 50 Stat. 888, Section 8, as amended.

16 **2. Authority.** "Authority" means the Maine State Housing Authority.

17 **3. Board of appeals.** "Board of appeals" means a board of appeals established
18 pursuant to section 2691.

19 **4. Committee.** "Committee" means the Affordable Housing Appeals Committee
20 established under section 4994-C.

21 **5. Consistent with local needs.** "Consistent with local needs" means giving due
22 consideration to the regional need for low-income or moderate-income housing as well as
23 the need to protect the health or safety of the occupants of the proposed housing project or
24 of the residents of the city or town, to promote better site and building design in relation to
25 the surroundings or to preserve open space and applying that consideration equitably to
26 both subsidized and unsubsidized housing.

27 **6. Fair housing goal.** "Fair housing goal" means, for a municipality with 500 or fewer
28 households that would be eligible for low-income or moderate-income housing, at least
29 10% of its housing stock is affordable housing. For a municipality with 501 to 1,000
30 households that would be eligible for low-income or moderate-income housing, "fair
31 housing goal" means at least 13% of its housing stock is affordable housing. For a
32 municipality with more than 1,000 households that would be eligible for low-income or
33 moderate-income housing, "fair housing goal" means at least 16% of its housing stock is
34 affordable housing. Any municipality where 1.5% or more of the total land area zoned for
35 residential, commercial or industrial use is in use as low-income or moderate-income
36 housing is also in compliance with its fair housing goal.

37 **7. Limited dividend organization.** "Limited dividend organization" means an entity
38 that seeks to apply for a comprehensive permit and is not a public agency or a nonprofit
39 organization and is eligible to receive a subsidy from a subsidizing agency after a
40 comprehensive permit has been issued and that, unless otherwise governed by a federal act

or regulation, agrees to accept no more than a reasonable profit for building and operating the housing project.

8. Local board. "Local board" means a municipal entity with a role in approving or supervising the construction of residential buildings or the power of enforcing municipal building laws.

9. Low-income or moderate-income housing. "Low-income or moderate-income housing" means housing subsidized by the Federal Government or State Government under a program to assist in the construction of low-income or moderate-income housing as defined in the applicable federal or state law and built or operated by a public agency or a nonprofit or limited dividend organization.

10. Reasonable profit. "Reasonable profit" means a maximum of 20% profit in for-sale developments or 10% profit per year for rental housing developments unless indicated otherwise in the subsidy program or the comprehensive permit.

11. Uneconomic. "Uneconomic" means any condition brought about by a single factor or combination of factors to the extent that it makes it impossible for a public agency or nonprofit organization to proceed in building or operating low-income or moderate-income housing without financial loss or for a limited dividend organization to realize a reasonable profit in building or operating such housing within the limitations set by the subsidizing agency without substantially changing the rent levels, unit sizes or density proposed by the public agency or the nonprofit or limited dividend organization.

§4994-B. Comprehensive permits

In order to facilitate timely and efficient decision making on proposed housing projects, a public agency or a nonprofit or limited dividend organization proposing to build low-income or moderate-income housing may submit to a board of appeals a single comprehensive permit application to build that housing in lieu of separate applications to the applicable local boards pursuant to this section.

1. Procedures. The following procedures govern applications for a comprehensive permit under this section.

A. Upon receipt of a comprehensive permit application, a board of appeals shall notify each local board whose jurisdiction is affected by the permit of the filing of the application by sending a copy of the application to each local board for its recommendations.

B. The board of appeals shall, within 30 days of the receipt of a comprehensive permit application under paragraph A, hold a public hearing and shall request the appearance of such representatives of local boards as are determined necessary or helpful. The board of appeals shall take into consideration the recommendations of local boards and has the authority to use the testimony of consultants.

C. The board of appeals in issuing a comprehensive permit has the same power to issue permits or approvals as any local board that would otherwise act with respect to an application, including but not limited to the power to attach conditions and requirements with respect to the site plan and the height, size or shape and building materials of the housing consistent with this section.

1 D. The board of appeals shall render a decision, based upon a majority vote, within 40
2 days after the conclusion of the public hearing under paragraph B and, if favorable to
3 the applicant, shall issue a comprehensive permit.

4 E. If a public hearing under paragraph B is not convened or a decision under paragraph
5 D is not rendered within the time allowed, unless the time has been extended by mutual
6 agreement between the board of appeals and the applicant, the application is deemed
7 to have been approved and the comprehensive permit must be immediately issued.

8 F. An applicant aggrieved by the decision on a comprehensive permit application may
9 appeal to the Affordable Housing Appeals Committee under section 4994-C.

10 G. A board of appeals shall adopt rules, not inconsistent with the purposes of this
11 subchapter, for the conduct of its business pursuant to this subchapter and shall provide
12 those rules to the municipal clerk.

13 **2. Waivers.** A board of appeals has authority to waive local laws or regulations in
14 whole or in part, including but not limited to local density limitations, if that waiver results
15 in a comprehensive permit application decision that is consistent with local needs.

16 **3. For-profit developers.** An applicant seeking a comprehensive permit for a housing
17 project must enter a binding, verifiable obligation with the board of appeals that it agrees
18 to accept no more than a reasonable profit on that project.

19 **4. Other state law.** Nothing in this subchapter may be interpreted to limit the
20 application of state laws to an application for a comprehensive permit, including but not
21 limited to laws governing land use and environmental protection.

22 **§4994-C. Affordable Housing Appeals Committee**

23 The authority shall establish and operate the Affordable Housing Appeals Committee,
24 referred to in this section as "the committee," pursuant to this section.

25 **1. Committee members.** The committee consists of 5 members. The authority shall
26 appoint to the committee 3 members with substantive experience in affordable housing or
27 housing finance, including one member who is an employee of the authority. The Governor
28 shall appoint as the remaining members of the committee 2 members with experience in
29 municipal government. Terms of appointment are for one year and may be renewed by the
30 appointing authority. The members serve without compensation.

31 **2. Powers and duties.** The committee is authorized to hold hearings and to consider
32 and decide upon appeals from a board of appeals' denial under section 4994-B of a
33 comprehensive permit or grant of a comprehensive permit with conditions rendering the
34 housing project uneconomic, as follows.

35 A. The committee may not consider or decide upon any appeal of a comprehensive
36 permit application for a housing project proposed to be located in a municipality that
37 appears on the list of municipalities in good standing for low-income or moderate-
38 income housing established by section 4994-D.

39 B. The committee may not overturn or modify the decision of a board of appeals if the
40 board of appeals establishes that its decision is consistent with local needs.

41 C. In the case of the denial of an application, a hearing by the committee must be
42 limited to the issue of whether the decision of the board of appeals was reasonable and

1 consistent with local needs. If the committee finds, in the case of a denial, that the
2 decision of the board of appeals was unreasonable and not consistent with local needs,
3 it shall vacate that decision and shall direct the board of appeals to issue a
4 comprehensive permit to the applicant.

5 D. In the case of an approval of an application with conditions and requirements
6 imposed, the hearing must be limited to the issues of whether those conditions and
7 requirements make the construction or operation of that housing uneconomic and
8 whether they are consistent with local needs. If the committee finds, in the case of an
9 approval with conditions and requirements imposed, that the decision of the board of
10 appeals makes the building or operation of that housing uneconomic and is not
11 consistent with local needs, the committee shall order that board of appeals to modify
12 or remove any condition or requirement so as to make the proposal no longer
13 uneconomic and to issue the comprehensive permit.

14 E. The committee may not issue any order that would permit the building or operation
15 of housing in accordance with standards less safe than requirements of state laws or
16 rules or federal laws or regulations applicable to the proposal.

17 F. Decisions or conditions and requirements imposed by a board of appeals that are
18 consistent with local needs may not be vacated, modified or removed by the committee,
19 notwithstanding that those decisions or conditions and requirements have the effect of
20 making the applicant's proposal for a comprehensive permit uneconomic.

21 G. The committee or the applicant for a comprehensive permit has the power to enforce
22 the orders of the committee at law or in equity in Superior Court.

23 H. The board of appeals shall carry out the order of the committee within 30 days of
24 the committee's decision and, upon failure to do so, the order of the committee is
25 deemed to be the action of the board of appeals, unless the applicant consents to a
26 different decision or order by the board of appeals.

27 **3. Procedure.** An applicant contesting a board of appeals' denial under section 4994-B
28 of a comprehensive permit or grant of a comprehensive permit with conditions attached
29 must initiate an appeal with the committee within 20 days of receiving notice of the
30 decision of the board of appeals. The committee shall hold a hearing and shall render a
31 written decision, based upon a majority vote, stating its findings of fact, its conclusions and
32 the reasons for its conclusions within 30 days after the conclusion of the hearing, unless
33 the committee and the applicant have mutually agreed upon a time extension. A decision
34 under this subsection may be reviewed in Superior Court in accordance with the provisions
35 of the Maine Rules of Civil Procedure, Rule 80B.

36 **§4994-D. Register of municipalities in good standing for low-income or moderate-**
37 **income housing**

38 The authority shall maintain a register of municipalities indicating whether each
39 municipality is in good standing for low-income or moderate-income housing as set forth
40 in this subchapter. The authority shall establish the methodology and frequency for such
41 determinations, which must be no less frequent than annually.

42 **1. Municipalities in compliance with fair housing goal.** The register must include
43 any municipality that the authority determines to be in compliance with its fair housing
44 goal.

2. Municipalities making substantial progress. The register must include any municipality that the authority determines to be making substantial recent progress toward meeting its fair housing goal and that has a substantial probability of meeting that goal within 3 years. When determining substantial recent progress, the authority may consider whether a municipality has instituted a density bonus to developers in proportion to the number of affordable housing units planned for housing projects and whether the municipality has adopted a local plan by which the municipality incentivizes the development of affordable housing and is in compliance with that plan.

3. Discount for devalued siting. When determining a municipality's compliance with its fair housing goal, the authority shall disregard 1/2 of the housing units created after January 1, 2022 that are located in close proximity to major transportation infrastructure or industrial facilities or that result in excessive clustering of low-income or moderate-income housing. The authority may adopt rules under section 4994-E to implement this subsection.

§4994-E. Rules

The authority may adopt rules necessary to carry out the duties imposed by this subchapter and to ensure compliance with its provisions. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

SUMMARY

This bill establishes a comprehensive permit process to streamline the building construction permitting system and promote the creation of additional affordable housing by public agencies, nonprofit organizations and limited dividend organizations.

City of Portland | Executive Department

Dena Libner, *Chief of Staff*



To: Legislative & Nominating Committee

From: Dena Libner, Chief of Staff

Date: February 18, 2022

Re: LD 1673 (An Act To Create a Comprehensive Permit Process for the Construction of Affordable Housing)

While staff strongly support the intent of this proposal – facilitation of the development of affordable housing statewide – we have concerns about its practical implementation at the local level.

As we understand it, LD 1673 would require a unique intake and approval process for permit applications for the construction of affordable housing:

- 1) The application is submitted to the Zoning Board of Appeals (ZBA);
- 2) ZBA must notify and seek a recommendation from the Planning Board, and hold a public hearing within 30 days;
- 3) Issue a permit or deny the application within 40 days after the public hearing is held.

Our primary concern is that this proposal would give City of Portland staff an insufficient amount of time – 30 days – to review plans of varying complexity and scope. Today, the review and approval of an affordable housing project proposal takes about 3+ months, and includes analysis by staff across multiple City departments; potential State reviews; and public meeting notice requirements. It is important to note that staff currently make every effort to expedite this process for affordable housing proposals, prioritizing their review by staff and the Planning Board ahead of other applications.

Another concern is the suitability of the ZBA as the review board. The Planning Board currently has jurisdiction over such projects, and it is not clear what the purpose or benefits of such a change would be.

Our recommendation is that municipalities in good standing¹ be exempt from the expedited review process, similar to how this bill would exempt them from an appeal process at the State level. Alternatively, to accommodate the complexity and scope of the projects regularly reviewed in Portland, we would recommend that the review period be extended to 90 days, and that jurisdiction over this matter remain with the Planning Board.

¹ Per LD 1673, municipalities are considered “in good standing” when they have reached a “fair housing goal.” LD 1673 would define Portland’s goal as at least 16% of all housing stock is affordable, which Portland is likely to meet.

Testimony of the Maine Municipal Association

In Opposition to
LD 1673, *An Act To Create a Comprehensive Permit Process for the Construction of Affordable Housing*

February 14, 2022

Senator Daughtry, Representative Sylvester and members of the Labor and Housing Committee, my name is Kate Dufour, and I am providing testimony in opposition to LD 1673 on behalf of the Maine Municipal Association (MMA).

Municipal officials oppose LD 1673 because it shifts decision-making authority for housing developments away from residents, either appointed by boards and councils or elected by their peers, who are most familiar with our communities' ordinances, comprehensive plans, and goals.

As proposed, decisions over affordable housing developments are left to the local board of appeals, rather than being first reviewed by the planning board. More troubling, however, is that in communities without appointed appeals boards, the decision over housing developments would be left to the Maine State Housing Authority (MSHA). This important decision, which can have financial and infrastructure related impacts, is shifted to an entity that may or may not understand or have any familiarity with a community's goals.

While the bill provides the procedures by which the local appeals board, or MSHA, must consider a denial, our reading of the language suggests that following the procedure is at the discretion of the local board or MSHA. As drafted, the failure to convene a public hearing within 30 days of the receipt of the application or to render a decision within 40 days of the public hearing, if scheduled, results in the automatic approval of the housing project. Furthermore, these entities are authorized to adopt rules for the conduct of their business and provide those rules to the municipality, seemingly without community input.

To the extent a local appeals board or MSHA deny an application, a five-member Affordable Housing Appeals Committee, which includes a member of MSHA, would be available to review that outcome, further removing local decision-making from the community. It is unfathomable to think that a group of five individuals would have the time, resources, and

information necessary to carefully evaluate decisions for adherence to the planning goals and infrastructure needs of the hundreds of communities in Maine.

Rather than moving forward with this approach, municipal leaders urge you to implement a process that is based on partnerships with your constituents and our residents. A successful plan, reflecting some of the recommendations of the Housing Commission, is one that is focused on the development of measurable goals, assessment of which level of government is better suited to implement mutually beneficial strategies and investment in financial and technical resources necessary to deliver statewide goals.

Working together, rather than at odds, will yield intended outcomes without stripping the voices of municipal residents who will be left to address all unintended consequences associated with eroding local control.

Compromise and investment in our communities is the path forward.

Thank you for considering the municipal perspective on this issue.

MAINE IN FOCUS



BY [NICK MURRAY](#) FEBRUARY 14, 2022  [NEWS](#)

Testimony to Oppose LD 1673

0
COMMENTS

   

Testimony in Opposition to LD 1673, “[An Act To Create a Comprehensive Permit Process for the Construction of Affordable Housing](#)”

Senator Daughtry, Representative Sylvester, and the distinguished members of the Committee on Labor and Housing, my name is Nick Murray, I am a resident of Cornish, and I serve as policy analyst for Maine Policy Institute, a nonpartisan, non-profit organization that advocates for individual liberty and economic freedom in Maine. Thank you for the opportunity to testify on LD 1673.

We are in agreement with the sponsors in regards to our state’s widespread, persistent problem of limited housing. Speaker Fecteau and many others in this legislature have rightly pointed to housing as a must-solve issue for this session. We could not agree more, but establishing the sort of strict structure on municipalities that LD 1673 offers would be an unreasonable overreach.

Our problems start with a lack of supply, and that is precisely why this bill is not the answer. It would impose a heavy-handed, top-down scheme, set up to overrule municipal governance in favor of only some kinds of housing. Despite good intentions, the result would be an overall slower rate of growth in the housing stock, no doubt making the issue much worse.

This bill is a blunt instrument to fix a predominantly local problem. While the principle of local control is not absolute, the question becomes: where are its most appropriate bounds?



By leveraging a new “comprehensive permit” process, this bill would enable the Maine Housing Authority to clear the runway for only certain developers’ projects by overruling local-level processes if that municipality has not met the arbitrary standards of meeting or pursuing its “affordable housing” criteria. We believe this bill reaches well beyond convention and sets a nonsensical double-standard on local control.

Previous legislatures have chosen not to advance limits on municipal control when it came to matters of protecting private property rights, such as prohibiting local rental registries and preventing short-term rentals. But today, this committee is hearing a bill that would allow a state board to override entire municipal processes so that certain developers get their projects done anyway.

This scheme would be more accurately described as cronyism or crony capitalism.

According to LD 1673, in order to be in “good standing,” and thus not subject to the “comprehensive permit” override, municipalities must meet their “fair housing goal” set by the state. If affordable housing is under 1.5% of a city or town’s “total land area zoned for residential, commercial or industrial use,” this bill outlines three relatively arbitrary thresholds based on overall number of households.

Suppose in a town with 500 households, only 25 (5%) are considered affordable, before this becomes law. The municipality is already below their “fair housing goal” so a developer looking to build 50 units would alone need to account for the 13% threshold in the bill, since the project would bump the number of households over 500. That developer would then be required to dedicate nearly all of their 50-unit proposal as “affordable housing,” so the town would have 72 (13%) of the 550 total and be able to avoid state-level meddling. Can we really say that this proposal would move forward under this environment?

This new scheme could act as a perverse incentive for town planners as well as developers. For the towns currently at their “fair housing goal,” they end up squashing all types of development just to stay within that goal and avoid unneeded scrutiny from Maine Housing.

To get real housing reform, we need localities to voluntarily open up their regulations on density, set backs, Accessory Dwelling Units, etc. Many of these were rightly identified in the recent zoning and housing commission’s report. Rather than sharpening the state’s array of sticks, lawmakers should consider carrots to attract municipal reform and private investment.

In sum, it is not worth instituting policy that would ultimately stifle the overall market for housing. We need supply, which means we need more options. This bill would limit the options available to developers, localities, and ultimately Maine people as well.

Stacking the deck in favor of one certain type of option unnecessarily limits those who invest their time, money, and sweat into building housing projects, the folks we need to work with in order to solve this problem. To promote more housing options for present and future Mainers, please deem LD 1673 “Ought Not to Pass.” Thank you for your time and consideration.

[Maine Policy's testimony to the Commission to Increase Housing Opportunities in Maine](#)
August 11, 2021

[Local deregulation is the path to relieving Maine's housing crunch](#)
December 8, 2021

[Testimony in Opposition to LD 555: “An Act To Expand the Rights of Public Sector Employees”](#)
January 18, 2022

[← PREVIOUS](#)[NEXT →](#)





130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1772

H.P. 1323

House of Representatives, December 2, 2021

An Act To Amend the Remote Meeting Law in Maine's Freedom of Access Act

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on November 30, 2021. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in black ink, reading "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative HARNETT of Gardiner.
Cosponsored by Senator BAILEY of York and
Representatives: CUDDY of Winterport, DODGE of Belfast, GRAMLICH of Old Orchard
Beach, MORIARTY of Cumberland, WHITE of Waterville.

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

2 **Sec. 1. 1 MRSA §403-B, sub-§2, ¶B**, as enacted by PL 2021, c. 290, §1, is
3 repealed.

4 **Sec. 2. 1 MRSA §403-B, sub-§2, ¶E**, as enacted by PL 2021, c. 290, §1, is
5 amended to read:

6 E. Notice of the proceeding must be provided in accordance with section 406. When
7 the public may attend by remote methods pursuant to paragraphs C and D, the notice
8 must include the means by which members of the public may access the proceeding
9 using remote methods. The notice must also identify a location for members of the
10 public to attend in person. The body may ~~not determine that limit~~ public attendance at
11 a proceeding ~~will be limited solely to remote methods except under the conditions in~~
12 ~~paragraph B, subparagraph (1) if there is an emergency or urgent situation that requires~~
13 the body to meet only by remote methods;

14 **Sec. 3. 1 MRSA §403-B, sub-§4**, as enacted by PL 2021, c. 290, §1, is amended to
15 read:

16 **4. Application.** This section applies to a board or committee under the jurisdiction of
17 a public body that has adopted a written policy pursuant to subsection 2, paragraph A. This
18 section does not apply to:

19 A. The Legislature; or

20 B. A public body to which specific statutory provisions for remote participation apply.

21 **SUMMARY**

22 This bill amends the law governing remote participation in public meetings in the
23 Freedom of Access Act to remove the requirement that a remote meeting policy adopted
24 by a public body must include an expectation that members of the public body be physically
25 present. It allows the public body to limit public attendance at a proceeding solely to
26 remote methods if there is an emergency or urgent situation that requires the public body
27 to meet only by remote methods. It also provides that the law governing remote
28 participation in public meetings applies to a board or committee within the jurisdiction of
29 a public body adopting a written remote meeting policy.

City of Portland | City Council

Kate Snyder, Mayor



To: Judiciary Committee

From: Kate Snyder, Mayor

Date: February 28, 2022

Re: Support of LD 1772

Distinguished members of the Judiciary Committee:

On behalf of the City of Portland, I'd like to offer our support of *LD 1772, An Act To Amend the Remote Meeting Law in Maine's Freedom of Access Act*.

As we all know, the COVID-19 pandemic tested local and state governments' flexibility and resiliency in many unprecedented ways. Allowing towns and cities to pivot quickly and conduct meetings remotely provided us the ability to continue to operate in a way that was safe and effective, and served the public well. As we move into learning to live with COVID and other emergency situations, it's crucial for municipal bodies to have the flexibility to make easy and quick decisions on how best to host public meetings.

Since remote meetings have been allowed, the City of Portland has held well over 500 public meetings via Zoom. The City Council, along with its Committees and Boards, has been able to continue its work reviewing, recommending, and approving ordinances. Without this allowance, City business would have come to a grinding halt. Just as important, members of the public have continued to have interactions and the ability to provide public comment with elected officials, city staff, and volunteers who comprise many Boards, Committees, and Commissions, therefore maintaining a connection that is essential to a responsive and accountable City government.

A positive side effect of transitioning to meetings with remote participation is that we've seen a significant increase in public engagement and participation. The majority of meetings have had more attendees than we would have seen if we were meeting in person. Anecdotally, we have received feedback from members of the public that remote meetings have made it easier for them to participate in their government. The challenges many people faced in attending an in-person meeting - access to child care, travel, long work days, and physical limitations - are no longer an issue with remote meetings. Councilors and Board and Committee members have also been able to participate in meetings that they would have otherwise had to miss due to similar restrictions.

We ask that you approve LD 1772 without reservation, and trust that municipal officials will continue to use this authority judiciously. Thank you for your time and consideration.



130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1986

H.P. 1472

House of Representatives, February 16, 2022

An Act To Exempt Permanently Disabled Veterans from Payment of Property Tax

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Taxation suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative ROCHE of Wells.
Cosponsored by President JACKSON of Aroostook and
Representatives: BERRY of Bowdoinham, BROOKS of Lewiston, DILLINGHAM of Oxford,
FAY of Raymond, HARNETT of Gardiner, STOVER of Boothbay, Senators: KEIM of
Oxford, RAFFERTY of York.

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

2 **Sec. 1. 36 MRSA §653, sub-§1, ¶C**, as amended by PL 2019, c. 501, §20, is further
3 amended to read:

4 C. The estates up to the just value of \$6,000, having a taxable situs in the place of
5 residence, of veterans who served in the Armed Forces of the United States:

6 (1) During any federally recognized war period, including the Korean Conflict,
7 the Vietnam War, the Persian Gulf War, the periods from August 24, 1982 to July
8 31, 1984 and December 20, 1989 to January 31, 1990, Operation Enduring
9 Freedom, Operation Iraqi Freedom and Operation New Dawn, or who were
10 awarded the Armed Forces Expeditionary Medal, when they have reached the age
11 of 62 years or when they are receiving any form of pension or compensation from
12 the United States Government for total disability, service-connected or nonservice-
13 connected, as a veteran. A veteran of the Vietnam War must have served on active
14 duty after February 27, 1961 and before May 8, 1975. "Persian Gulf War" means
15 service on active duty on or after August 2, 1990 and before or on the date that the
16 United States Government recognizes as the end of that war period; or

17 (2) ~~Who~~ Except as provided in paragraph C-2, who are disabled by injury or
18 disease incurred or aggravated during active military service in the line of duty and
19 are receiving any form of pension or compensation from the United States
20 Government for total, service-connected disability.

21 The exemptions provided in this paragraph apply to the property of that veteran,
22 including property held in joint tenancy with that veteran's spouse or held in a revocable
23 living trust for the benefit of that veteran.

24 **Sec. 2. 36 MRSA §653, sub-§1, ¶C-2** is enacted to read:

25 C-2. The estates, up to 100% of the just value, having a taxable situs in the place of
26 residence, of veterans who served in the Armed Forces of the United States who are
27 totally and permanently disabled by injury or disease incurred or aggravated during
28 active military service in the line of duty and are receiving any form of pension or
29 compensation from the United States Government for total, service-connected
30 disability.

31 The exemption provided in this paragraph is in lieu of any exemption under paragraph
32 C and applies to the property of that veteran, including property held in joint tenancy
33 with that veteran's spouse or held in a revocable living trust for the benefit of that
34 veteran.

35 **Sec. 3. Application.** This Act applies to property taxes based on the status of
36 property on or after April 1, 2023.

37 SUMMARY

38 Current law provides an exemption from property taxes in an amount up to \$6,000 of
39 the just value of the property to veterans of the Armed Forces of the United States who are
40 disabled by injury or disease during active military service. This bill provides a property
41 tax exemption up to 100% of the just value to a veteran who is totally and permanently
42 disabled.

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
1866	2507	An Act To Ensure Low-income Families and Children with Special Needs Can Access After-school Services	Gramlich	HHS	Bill Text		1/25/22 1:00 PM Rm 209 COB			After school services	Provides new reimbursement to schools for after school programs	
1386	923	Resolve, To Improve Access to Bariatric Care (Emergency)	Perry	HHS	Bill Text	Monitor	4/14/21 2:00 PM Rm 209 COB	4/26/21 10:00 AM Rm 209 COB	Carry over approved 7/19/21	Bariatric care	This will not directly affect City operations, but staff is supportive from a policy perspective.	
1945	2477	An Act To Regulate the Use of Biometric Identifiers	O'Neil	JUD	Bill Text	Monitor/ Support	2/22/22 9:00 AM Rm 438 SH	3/2/22 1:00 PM Rm 438 SH		Biometric Identifiers		
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		4/26/21 10:00 AM Rm 228 SH		Carry over approved 7/13/21	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		4/21/21 1:00 PM Rm 228 SH	2/22/22 10:00 AM Rm 228 SH	Voted 2/22/22 ONTP Not rpt out	Bond		
133	930	An Act To Authorize a General Fund Bond Issue To Invest in Fire Stations (Bond)	Crockett	AFA	Bill Text	Support	4/27/21 10:00 AM Rm 228 SH		Carry over approved 7/13/21	Bond		High
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	4/26/21 10:00 AM Rm 228 SH		Carry over approved 7/13/21	Bond	This is in line with the City's own regulations. No issues.	
175	1096	An Act To Authorize a General Fund Bond Issue To Create and Enhance Regional Homeless Shelters (Bond)	Cloutier	AFA	Bill Text	Support/ Testify	4/21/21 1:00 PM Rm 228 SH	2/22/22 10:00 AM Rm 228 SH	Voted 2/22/22 ONTP Not rpt out	Bond	Provided testimony.	
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)	Sylvester	AFA	Bill Text	Staff to review	4/20/21 1:00 PM Rm 228 SH	2/22/22 10:00 AM Rm 228 SH	Tabled 2/22/22	Bond		

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		4/27/21 10:00 AM Rm 228 SH	2/22/22 10:00 AM Rm 228 SH	Voted 2/22/22 ONTP Not rpt out	Bond	Staff to provide a memo.	
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	4/29/21 10:00 AM Rm 228 SH		Carry over approved 7/13/21	Bond	Staff strongly support and recommend direct lobbying, close monitoring and testimony.	
1086	1440	An Act To Authorize a General Fund Bond Issue To Upgrade Customs Facilities at the Portland International Jetport and the Bangor International Airport To Promote International Tourism and Commerce (Bond)	Bailey	AFA	Bill Text	Support/ Testify	4/29/21 10:00 AM Rm 228 SH	2/22/22 10:00 AM Rm 228 SH	Tabled 2/22/22	Bond	Paul Bradbury to testify, watch for ICE detention facility integration	
1094	1816	An Act To Authorize a General Fund Bond Issue To Reduce Homeowner and Municipal Energy Bills through Increased Efficiency and Weatherization Projects (Bond)	Pouliot	AFA	Bill Text	Support	4/21/21 1:00 PM Rm 228 SH	2/22/22 10:00 AM Rm 228 SH	Voted 2/22/22 ONTP Not rpt out	Bond		
1475	1621	An Act To Authorize a General Fund Bond Issue for Targeted Food Processing Infrastructure (Bond)	Talbot Ross	AFA	Bill Text	Monitor	4/20/21 1:00 PM Rm 228 SH		Carry over approved 7/13/21	Bond	Staff support	
1555	1863	An Act To Fund Broadband Internet Infrastructure for Marginalized Groups in the State	Talbot Ross	EUT	Bill Text		4/27/21 9:00 AM Rm 211 COB	Work session held 5/27/21	Carry over approved 7/19/21	Broadband	Will not impact City operations.	

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
1894	2293	An Act To Support Municipal Broadband Infrastructure through Incentives and Competition	Vitelli	EUT	Bill Text		2/3/22 9:00 AM Rm 211 COB			Broadband		
1940	2394	An Act To Ensure That Building Codes Allow the Installation and Use of Refrigeration and Air Conditioning Products and Equipment That Use Certain Federally Regulated Refrigerants (Title change)	Timberlake	CJPS	Bill Text	Monitor	2/7/22 9:00 AM Rm 216 COB	2/7/22 9:15 AM Rm 216 COB	OTP-AM Reported out 2/16/22	Building codes	From staff - This bill may prohibit municipalities from adopting certain energy codes that are stricter than the base code, potentially undermining local energy efficiency initiatives. Staff recommend that this bill be monitored as they look into it further	
	1847	An Act To Allow the Bureau of Motor Vehicles To Assist in the Critical Incident Contact Chain	Sanborn			Need language				Contact chain		High
1874	2397	An Act To Clarify COVID-19 Paid Leave for School Employees (Emergency)	White	LH	Bill Text		1/31/22 9:00 AM Rm 202 COB	2/7/22 10:00 AM Rm 202 COB	Voted 2/7/22 OTP-AM Not rpt out	COVID-19		
1845	2310	An Act To Amend the Education Statutes	Brennan	ECA	Bill Text	Monitor	1/13/22 9:30 AM Rm 208 COB	1/27/22 9:30 AM Rm 208 COB	Voted 1/27/22 OTP-AM Not rpt out	Education		
1935	2602	Resolve, Regarding Legislative Review of Portions of Chapter 60: New School Siting Approval, Portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects and Portions of Chapter 125: Basic School Approval Standards: Public Schools and School Administrative Units, Major Substantive Rules of the Department of Education, State Board of Education (Emergency)	Brennan	ECA	Bill Text		2/8/22 9:30 AM Rm 208 COB	2/15/22 9:30 AM Rm 208 COB	Voted 2/15/22 Anticipated Divided Rpt Not rpt out	Education		

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
1830	2351	An Act To Amend the Election Laws	Luchini	VLA	Bill Text	Monitor	1/12/22 9:00 AM Rm 437 SH	2/7/22 1:00 PM Rm 437 SH	Voted 2/7/22 Anticipated Divided Rpt Not rpt out	Elections	Kathy testified for MTTCA.	
555	906	An Act To Expand the Rights of Public Sector Employees	Sylvester	LH	Bill Text	Oppose/ Monitor	1/19/22 9:00 AM Rm 202 COB	Work session held	DEAD	Employment		
1898	2313	An Act To Address the Economic Impact of Federal Closures on Maine's Fixed Gear Fishing Industry (Emergency)	Stover	MR	Bill Text		2/1/22 9:00 AM Rm 206 COB	2/15/22 9:00 AM Rm 206 COB	Voted 2/15/22 Anticipated Divided Rpt Not rpt out	Fishing Industry		
1772	2382	An Act To Amend the Remote Meeting Law in Maine's Freedom of Access Act	Harnett	JUD	Bill Text	Monitor	2/1/22 1:00 PM Rm 438 SH	3/2/22 10:00 AM Rm 438 SH		FOIA	Staff is supporting	
910	284	An Act To Amend the General Assistance Laws Governing Reimbursement	Brennan	HHS	Bill Text	Support/ Testify	4/1/21 12:00 PM Rm 209 COB	4/22/21 10:00 AM Rm 209 COB	Carry over approved 7/19/21	General Assistance	Written testimony submitted	High
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	3/3/22 2:00 PM Rm 209 COB		Grants	Concerns Ask for language from Rep. Talbot Ross	
1939	2510	An Act To Protect School Administration Officials from Harassment and Abuse	Breen	CJPS	Bill Text		2/18/22 10:00 AM Rm 436 SH	2/25/22 1:00 PM Rm 436 SH		Harassment		
1523	1388	An Act To Establish the Trust for a Healthy Maine	Millett	HHS	Bill Text	Monitor	2/9/22 10:00 AM Rm 209 COB	3/2/22 10:00 AM Rm 209 COB		Health		
1693	1927	An Act To Advance Health Equity, Improve the Well-being of All Maine People and Create a Health Trust	Talbot Ross	HHS	Bill Text	Monitor	2/9/22 10:00 AM Rm 209 COB	3/2/22 10:00 AM Rm 209 COB		Health		

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
1968	2352	An Act To Expand Access to Mental Health and Crisis Care for Individuals in Jails and Individuals Experiencing Homelessness	Talbot Ross	HHS	Bill Text		3/1/22 1:00 PM Rm 209 COB			Health		
1899	2386	An Act To Ensure Safe Entry and Access for People Seeking Health Care and Other Constitutional Rights	McCreight	JUD	Bill Text		3/1/22 9:00 AM Rm 438 SH			Health Care	Support. Would like more information. Adds municipal requirements to patrolling health care provider sites	
1909	2384	An Act To Remove Restrictions on Syringe Service Programs (Emergency)	McDonald	HHS	Bill Text	Monitor	2/1/22 1:00 PM Rm 209 COB	2/8/22 1:00 PM Rm 209 COB	MAJ: OTP-AM MIN: ONTP Reported out 2/24/22	Health Care	Staff recommends tracking.	
1966	2596	An Act To Facilitate Access to Heating Assistance	Curry	LH	Bill Text		2/28/22 10:15 AM Rm 202 COB			Heating assistance		
1448	1597	An Act To Increase the Homestead Property Tax Exemption (Title change)	Talbot Ross	TAX	Bill Text		5/4/21 11:00 AM Rm 127 SH	5/10/21 9:00 AM Rm 127 SH	Carry over approved 7/19/21	Homestead Exemption		High
1246	1616	Resolve, To Study Best Practices and Different Area Needs for Development of Affordable Homes and Expanding Home Ownership in Maine Communities	Gere	LH	Bill Text	Monitor	4/16/21 9:00 AM Rm 202 COB	4/30/21 12:30 PM Rm 202 COB	Carry over approved 7/19/21	Housing	Staff support. Similar goal to LD 48.	
1300	684	An Act To Require County Governments To Coordinate with Municipalities To Create Plans To Address Homelessness	Supica	SLG	Bill Text		4/16/21 9:00 AM Rm 214 COB	4/26/21 10:30 AM Rm 214 COB	Carry over approved 7/19/21	Housing		
1337	103	An Act To Increase Affordable Housing and Reduce Property Taxes through an Impact Fee on Vacant Residences	Kessler	TAX	Bill Text	Support w/changes	4/14/21 9:00 AM Rm 127 SH	2/3/22 9:00 AM Rm 127 SH	Voted 2/3/22 Anticipated Divided Rpt Not rpt out	Housing	Bernstein to contact sponsor to discuss. Staff strongly support vacancy fees, but believe program should be local with revenue staying in the municipality to further affordable housing goals and/or reducing the tax burden	

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
1961	2339	An Act To Help Alleviate Maine's Housing Shortage and Change the Membership of the Maine State Housing Authority (Emergency)	Hickman	LH	Bill Text					Housing		
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 (Emergency)	Maxmin	HHS	Bill Text	High Priority	2/10/21 10:00 AM Rm 209 COB	5/13/21 1:00 PM Rm 209 COB	Carry over approved 7/19/21	MaineCare		High
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	4/6/21 2:00 PM Rm 209 COB	Carry over approved 7/19/21	MaineCare	Staff to check	
1195	800	An Act To Increase Funding to Qualifying Municipalities by Sharing Adult Use Marijuana Sales and Excise Tax Revenue	Roberts	TAX	Bill Text	Strong support/ Testify	4/7/21 9:00 AM Rm 127 SH	2/24/22 9:00 AM Rm 127 SH	Tabled 2/24/22	Marijuana	Staff will submit written testimony	
1930	2582	Resolve, Regarding Legislative Review of Portions of Chapter 1: Adult Use Marijuana Program Rule, a Major Substantive Rule of the Department of Administrative and Financial Services, Office of Marijuana Policy (Emergency)	Caiazzo	VLA	Bill Text		1/31/22 11:00 AM Rm 437 SH	2/25/22 1:00 PM Rm 437 SH		Marijuana		
1428	1626	An Act To Increase the Availability of Nasal Naloxone in Community Settings	Dodge	HHS	Bill Text	Monitor	4/23/21 9:00 AM Rm 209 COB	2/22/22 10:00 AM Rm 209 COB	Voted 2/22/22 Anticipated Divided Rpt Not rpt out	Naloxone	Staff support	

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	4/6/21 2:00 PM Rm 209 COB	Carry over approved 7/19/21	Nursing homes	No issue (will not affect BC unless we reduced bed size and then increased bed size).	
1482	1310	An Act To Improve Access to Property Tax Exemptions for New Homeowners	Grohoski	TAX	Bill Text		5/4/21 11:00 AM Rm 127 SH	5/10/21 9:00 AM Rm 127 SH	Carry over approved 7/19/21	Property tax		High
1879	2421	An Act To Support Law Enforcement Officers, Corrections Officers, E-9-1-1 Dispatchers, Firefighters and Emergency Medical Services Persons Diagnosed with Post-traumatic Stress Disorder	Sylvester	LH	Bill Text		1/31/22 9:00 AM Rm 202 COB	2/7/22 10:00 AM Rm 202 COB	Voted 2/7/22 OTP-AM Not rpt out	PTSD	Support. FD & PD may testify.	
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	3/26/21 11:30 AM Rm 437 SH	Carry over approved 7/19/21	Ranked choice		
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	Carry over approved 7/19/21	Revenue sharing	Mayor will testify	
1971	2594	An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Remote Participation	Harnett	JUD	Bill Text		2/25/22 10:00 AM Rm 438 SH	3/2/22 10:00 AM Rm 438 SH		Right to know		
1440	1401	An Act To Provide Safe Gear for Female Firefighters	Roeder	CJPS	Bill Text	Support	4/21/21 2:00 PM Rm 436 SH	4/30/21 1:00 PM Rm 436 SH	Carry over approved 7/19/21	Safety	Staff support, City of Portland already does this.	
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	Carry over approved 7/19/21	School		
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	3/3/22 9:30 AM Rm 208 COB		School	Check with Superintendent Xavier Botana_defer to Rep. Brennan	

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
773	295	An Act To Assist Public School Students and Families Who Are Homeless	Brennan	LH	Bill Text		4/2/21 10:00 AM Rm 202 COB	4/21/21 12:00 PM Rm 202 COB	Carry over approved 7/19/21	School	Review further	
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	Carry over approved 7/19/21	Shelter	Monitor/most likely support. Staff to look into GA/shelter bills; Staff supports (carryover from 129th - LD 1909)	
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	4/21/21 12:00 PM Rm 202 COB	Carry over approved 7/19/21	Shelter	Concerned as meant to only cover hotel purchases.	
259	886	An Act To Improve Solid Waste Management	McDonald	ENR	Bill Text	Monitor		5/24/21 10:00 AM Rm 216 COB	Carry over approved 6/3/21	Solid waste		
1963	2573	An Act To Create the General Purpose Aid Stabilization Fund	LaRochelle	ECA	Bill Text		2/22/22 10:30 AM Rm 208 COB			Stabilization Fund		
197	666	Resolve, To Ensure That Community Mental Health Service Providers Can Access Pandemic Stimulus Funds	Breen	HHS	Bill Text	Support	4/15/21 1:00 PM Rm 209 COB	5/13/21 10:30 AM Rm 209 COB	Carry over approved 7/19/21	Stimulus	City staff to review Staff supports	

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
290	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	Bill Text	Oppose	5/12/21 9:30 AM Rm 127 SH	5/25/21 9:00 AM Rm 127 SH	Carry over approved 7/19/21	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	
647	517	An Act To Expand Eligibility for the Veterans' Property Tax Exemption	Keim	TAX	Bill Text	Monitor	4/7/21 9:00 AM Rm 127 SH	4/20/21 9:00 AM Rm 127 SH	Carry over approved 7/19/21	Tax	Staff to get additional information	

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
1771	2437	Resolve, To Establish the Advisory Panel To Better Understand and Make Recommendations Regarding the Implications of Genome-editing Technology for the Citizens of the State	Zager	HHS	Bill Text		1/12/22 10:00 AM Rm 209 COB	1/20/22 11:00 AM Rm 209 COB	OTP-AM Reported out 2/18/22	Technology	Support. Mayor testified.	
1447	1867	An Act To Require Training in Racial Issues, Racial Justice and Social Issues at the Maine Criminal Justice Academy and To Establish Additional Requirements for Law Enforcement Officers and Candidates	Gramlich	CJPS	Bill Text	Support	5/7/21 9:00 AM Rm 436 SH	2/17/22 10:15 AM Rm 436 SH	Voted 2/17/22 Anticipated Divided Rpt Not rpt out	Training	Staff support	
	1630	An Act To Increase Access To Transportation for Workforce and Other Essential Transportation Needs								Transportation		High
148	354	An Act To Establish Ongoing Absentee Voting	Fecteau	VLA	Bill Text	Monitor	2/8/21 9:00 AM Rm 437 SH	4/30/21 1:00 PM Rm 437 SH	Carry over approved 7/19/21	Voting		
	1849	An Act To Assist Maine's Working Waterfront	Sanborn			Need language				Waterfront		High
1889	2274	An Act To Amend the Whistleblowers' Protection Act To Ensure Coverage in Unionized Workplaces	Harnett	LH	Bill Text		2/2/22 9:00 AM Rm 202 COB	2/14/22 1:00 PM Rm 202 COB	Voted 2/15/22 Anticipated Divided Rpt Not rpt out	Whistleblower Protection		
1338	810	An Act To Prohibit Employers from Retaliating against the Use of Earned Paid Leave (Title change)	Millett	LH	Bill Text	Monitor	4/23/21 9:00 AM Rm 202 COB	4/26/21 12:00 PM Rm 202 COB	Carry over approved 7/19/21	Workplace rights	No testimony	

LD #	LR #	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	Category	Notes	Priority
552	857	Resolve, To Improve the Individualized Education Program Process (Title change)	Millett	ECA	Bill Text	Oppose	3/22/21 1:00 PM Rm 208 COB	4/5/21 10:00 AM Rm 208 COB	Carry over approved 7/19/21		From Xavier Botana: It is a special ed bill that has significant potential costs associated with it. MSMA is strongly opposed and has prepared a fact sheet. I have personally spoken to Rep. Millett about the bill and it's better than it started, but still fundamentally problematic. Anything the team can do to help get it stopped would be appreciated.	
1383	1758	Resolve, Directing the Department of Education To Study the Use of Homework in Public Schools (Title change)	Collings	ECA	Bill Text	Oppose	4/22/21 10:00 AM Rm 208 COB	5/4/21 1:00 PM Rm 208 COB	Carry over approved 7/19/21		From Xavier Botana: We oppose the portion of the bill that prohibits homework be assigned to students in PK-5. While it allows a school Board to adopt a policy to allow homework, it is overly broad to say that homework is not allowed at all unless that specific action is taken. School districts should retain the ability to empower administrators and teachers to assign homework. We support the aspect of the bill that calls for a study of homework, but would like to see it extended throughout all grades and focus in particular on ways in which homework can be used to support what students are learning but not be used as a punishment or negatively impact a student's performance.	
1929	2316	An Act To Provide Assistance to Areas Severely Infested with Browntail Moths	Hepler	ACF	Bill Text		2/1/22 11:00 AM Rm 214 COB	2/8/22 1:00 PM Rm 214 COB	OTP-AM Reported out 2/18/22			

JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

Catherine Breen, Senate Chair

Teresa Pierce, House Chair

Committee Clerk: Judith Hannum 207-287-1635 judith.hannum@legislature.maine.gov

LD1995: An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2022 and June 30, 2023

PUBLIC HEARING SCHEDULE

The proposed budget may be viewed at: <https://legislature.maine.gov/11892>

Parts A contains all Departments and their associated programs (each in alphabetical order) for which the Governor is proposing supplemental initiatives. Part B (which is not part of the public hearings) contains approved reclassifications and range changes. the last link contains the proposed language Parts C through PP

Please Note: Committees will not be receiving testimony at the State House complex and will be conducting meetings electronically. Submit written testimony electronically or sign up to testify at <https://www.mainelegislature.org/testimony/>. You may also send written testimony to Appropriations and Financial Affairs 100 SHS, Augusta, Maine 04333-0100. Committee meetings may be heard at www.mainelegislature.org or viewed at www.youtube.com/mainestatelegislature (click on the AFA Channel)

Special Note to Departments and Agencies: If you are presenting a program and associated initiatives on behalf of a Department or Agency please call or email the committee clerk to sign up to testify. Tell the clerk that you are a department or agency presenter and be prepared to give your email address and the names and email addresses of any staff you would like to appear with you. Check the full schedule for your department or agency because some departments are assigned to more than one Policy Committee (hearing block) and require separate signups and separate testimony. Please submit your testimony at least 2 hours prior to the start of your hearing block.

Persons with special needs wishing to participate in a Legislative hearing who require accommodations should notify the Legislative Information Office as soon as possible: 207-287-1692, FAX 207-287-1580, lio@legislature.maine.gov.

Monday February 28th

To be held in conjunction with the Joint Standing Committee on Health and Human Services:

9:30 AM Executive Department and Department of Health and Human Services Testimony

1:00 PM Public Testimony on all Part A Initiatives and Language under the Following Departments and Programs

Executive Department – Office of the Governor

Ombudsman Program

Language (Part “BB” makes changes to the laws governing the child welfare ombudsman program)

Health and Human Services, Department of

Child Care Services

Community Services Block Grant

Department of Health and Human Services Central Operations

Developmental Services – Community

Developmental Services Waiver - MaineCare

Developmental Services Waiver – Supports

Disproportionate Share – Dorothea Dix Psychiatric Center

Disproportionate Share – Riverview Psychiatric Center

Division of Licensing and Certification

Dorothea Dix Psychiatric Center

Homeless Youth Program

IV-E Foster Care/Adoption Assistance

Long Term Care - Office of Aging and Disability Services Adult Protective Services

Low-Cost Drugs to Maine’s Elderly

Maine Center for Disease Control and Prevention

Maternal and Child Health

Medicaid Services – Developmental Services

Medicaid Waiver for Brain Injury Residential/Community Services

Medicaid Waiver for Other Related Conditions

Medical Care – Payments to Providers

Mental Health Services – Child Medicaid

Mental Health Services – Children

Mental Health Services – Community

Mental Health Services – Community Medicaid

Nursing Facilities

Office for Family Independence - District

Office of Aging and Disability Services Adult Protective Services

Office of Aging and Disability Services Central Office

Office of Child and Family Services – Central

Office of Child and Family Services – District

Office of MaineCare Services

Office of Substance Abuse & Mental Health Srv-Medicaid Seed

Office of Substance Abuse and Mental Health Services

Opioid Use Disorder Prevention and Treatment Fund
PNMI Room and Board
Residential Treatment Facilities Assessment
Riverview Psychiatric Center
State Funded Foster Care/Adoption Assistance
Traumatic Brain Injury Seed
<i>Language (Part "DD" designates the DHHS Senior Legal Advisor position as one appointed by the Commissioner and makes the salary subject to adjustment by the Governor)</i>
<i>Language (Part "EE" repeals language associated with the consolidation of MaineCare related programs and accounts)</i>
<i>Language (Part "FF" transfers \$30,000,000 from the unappropriated surplus of the General Fund to the MaineCare Stabilization Fund in FY22)</i>
<i>Language (Part "GG" Authorizes the Department of Health and Human Services to transfer savings incurred from the increase in FMAP per the American Rescue Plan Act of 2021, section 9817, from various General Fund MaineCare program accounts to Other Special Revenue Funds accounts in the Medical Care - Payments to Providers and the Office of MaineCare Services programs to be used for federally authorized purposes.)</i>
<i>Language (Part "HH" carries forward any unexpended balance of the \$1,335,770 appropriated in Public Law 2021, chapter 1 to DHHS, Office of Family Independence to meet reinvestment obligations for penalties incurred in the Supplemental Nutrition Assistance Program in 2019)</i>
Tuesday March 1st
To be held in conjunction with the Joint Standing Committee on Education and Cultural Affairs:
9:30 AM Department, Agency, and Higher Education Testimony
1:00 PM Public Testimony on all Part A Initiatives and Language under the Following Departments and Programs
Community College System, Board of Trustees of the Maine
Maine Community College System - Board of Trustees
MCCA Free Community College - Two Enrollment Years
<i>Language (Part "OO" transfers \$20,000,000 from the unappropriated surplus of the General Fund to the newly created MCCS Free Community College - 2 Enrollment Years, Other Special Revenue Funds account)</i>
Maritime Academy, Maine
Maine Maritime Academy Scholarship Fund - Casino
Maritime Academy – Operations
<i>Language (Part "MM" provides that the entire amount of any borrowing by the Maine Maritime Academy where at least part of the related debt service will be funded by a commitment from the Maine Legislature should be excluded from the total amount limitation)</i>
University of Maine, Board of Trustees of the
Debt Service – University of Maine System
Educational & General Activities – UMS
University of Maine Scholarship Fund
Humanities Council, Maine
Humanities Council
Library, Maine State
Imagination Library of Maine Program
Maine State Library
<i>Language(Part "LL" transfers \$200,000 in FY22 from the unappropriated surplus of the General Fund to Imagination Library of Maine Fund, Other Special Revenue Funds account within the Maine State Library to provide funding for the creation of the Imagination Library of Maine Fund.)</i>
Museum, Maine State
Maine State Museum
Education, State Board of
State Board of Education
Education, Department of
Adult Education
Child Development Services
Education in Unorganized Territory
General Purpose Aid for Local Schools (GPA)
Higher Education and Educator Support Services
Leadership Team
Learning Systems Team
Local Foods Program
Maine Commission for Community Service
Maine School Safety Center
Office of Innovation
Office of Workforce Development and Innovative Pathways
School and Student Supports
School Finance and Operations
Special Services Team
<i>Language Part "C" establishes the Total Cost of Education from Kindergarten to Grade 12, the state contribution, and the mill expectation for the local contribution for fiscal year 2022-2023; Enacts an annual budgetary hardship adjustment for school administrative units ; provides one-year adjustments to the Essential Programs and Services funding model amends National Board salary supplement and scholarship fund language t; provides one-year adjustments to the Essential Programs and Services funding model; provides additional funding to Career and Technical Education schools.)</i>
<i>Language (Part "W" makes changes to several positions within the Department of Education)</i>

Language (Part "X" changes the authority to issue securities for equipment purchases for career and technical education centers and career and technical education regions from the Maine Governmental Facility to the Maine Municipal Bond Bank)

Language (Part "Y" transfers \$30,000,000 in FY22 from the unappropriated surplus of the General Fund to the newly created Education Stabilization Fund)

Wednesday March 2nd

To be held in conjunction with the Joint Standing Committees on Health Coverage, Insurance and Financial Services:

10:00 AM Department and Agency Testimony Followed by Public Testimony on Part A Initiatives and Language Under the Following Departments and Programs:

Administrative and Financial Services, Department of

Accident – Sickness – Health Insurance

Office of Affordable Health Care

Language (Part "Q" adds the Director, Office of Affordable Healthcare to the list of positions with salaries set by the Governor)

Professional and Financial Regulation, Department of

Dental Practice – Board of

Wednesday March 2nd

To be heard by the Joint Standing Committee on Appropriations and Financial Affairs:

10:30 AM Department and Office Testimony Followed by Public Testimony on Part A Initiatives and Language Under the Following Departments and Programs:

Administrative and Financial Services, Department of

Language (Part "I" transfers \$10,000,000 from the unappropriated surplus of the General Fund to the Maine Budget Stabilization Fund in FY22)

Language (Part "K" authorizes the State Controller to transfer up to \$8,500,000 from the Reserve for General Fund Operating Capital to a COVID-19 response fund)

Treasurer of the State, Office of

Debt Service - Treasury

Legislature

Study Commissions – Funding

Language (Part "KK" transfers \$300,000 in FY22 from the unappropriated surplus of the General Fund to the Legislature, Study Commissions - Funding Other Special Revenue Funds account to support the costs of contracting with an outside entity to conduct and complete an actuarial study as to develop a Paid Family and Medical Leave Benefits Program)

Wednesday March 2nd

To be held in conjunction with the Joint Standing Committee on Taxation:

1:00 PM Department and Agency Testimony Followed by Public Testimony on Part A Initiatives and Language Under the Following Departments and Programs:

Administrative and Financial Services, Department of

COVID Pandemic Relief Payment Program

Revenue Services – Bureau of

Unorganized Territory Education and Services Fund – Finance

Language (Part "E" increases the earned income tax credit for tax years beginning on or after January 1, 2022, from 25% to 50% of the federal earned income tax credit for individuals with no qualifying children and from 12% to 25% of the federal earned income tax credit for all other eligible individuals.)

Language (Part "F" increases the maximum property tax fairness credit for tax years beginning on or after January 1, 2022, from \$750 to \$1,000 for resident individuals under 65 years of age and from \$1,200 to \$1,500 for resident individuals 65 years of age and older)

Language (Part "G" provides an income tax deduction for payments made directly to a lender on behalf of a taxpayer by a student loan repayment program funded by a nonprofit foundation and administered by the Finance Authority of Maine for residents of the State employed by a business located in the State)

Language (Part "H" replaces the current credit for educational opportunity)

Language (Part "L" creates the COVID Pandemic Relief Payment Program and funds it with a \$411,000,000 from the unappropriated surplus of the General Fund)

Property Tax Review, State Board of

Property Tax Review - State Board of

Treasurer of the State, Office of

Disproportionate Tax Burden Fund

State – Municipal Revenue Sharing

Thursday March 3rd

To be held in conjunction with the Joint Standing Committee on Criminal Justice and Public Safety:

10:00 AM Department and Agency Testimony Followed by Public Testimony on Part A Initiatives and Language Under the Following Departments and Programs:

Corrections, Department of

Administration – Corrections

Office of Victim Services

Language (Part "S" Authorizes the Department of Corrections to transfer by financial order available Personal Services balances in the Long Creek Youth Development Center program, for FY22 and FY23 only, in order to fund juvenile community programs and services.)

Defense, Veterans and Emergency Management, Department of

Administration – Maine Emergency Management Agency

Fire Protection Services Commission, Maine

Maine Fire Protection Services Commission

Thursday March 3rd**To be held in conjunction with the Joint Standing Committee on Transportation (see note)***Note: The Joint Standing Committee on Criminal Justice and Public Safety may also participate in the State Police portion of the hearing***11:00 AM Department Testimony Followed by Public Testimony on Part A Initiatives and Language Under the Following Departments and Programs:****Public Safety, Department of**
State Police**Transportation, Department of***Language (Part "PP" transfers \$85,000,000 in FY22 from the unappropriated surplus of the General Fund to the Department of Transportation, Highway and Bridge Capital, Other Special Revenue Funds account for the purpose of supporting highway and bridge projects and transfers \$15,000,000 from the unappropriated surplus of the General Fund to the Department of Transportation, Multimodal Transportation Fund, Other Special Revenue Funds account for the purpose of supporting multimodal transportation projects.)***Thursday March 3rd****To be held in conjunction with the Joint Standing Committee on Labor & Housing****1:00 PM Department and Agency Testimony Followed by Public Testimony on Part A Initiatives and Language Under the Following Departments and Programs:****Administrative and Financial Services, Department of***Language (Part "NN" transfers up to \$14,700,000 from the unappropriated surplus of the General Fund to a reserve for retirement benefits established within the General Fund in 5 MRSA §1552 to fund a one-time retirement payment for retired state employees and teachers.)***Permanent Commission on the Status of Racial, Indigenous and Tribal Populations**

Racial, Indigenous and Tribal Populations

Economic and Community Development, Department of

Housing Opportunity Program

*Language (Part "U" establishes the Housing Opportunity Program within the Department of Economic and Community Development to encourage and support the development of additional housing units in Maine)***Housing Authority, Maine State**

Housing Authority – State

Labor, Department of

Blind and Visually Impaired – Division for the

Employment Security Services

Racial, Indigenous and Maine Tribal Populations

Regulation and Enforcement

Workers' Compensation Board

Administration – Workers' Compensation Board

Friday, March 4th**To be held in conjunction with the Joint Standing Committee on Judiciary:****10:00 AM Department and Agency Testimony Followed by Public Testimony on Part A Initiatives and Language Under the Following Departments and Programs:****Attorney General, Department of**

Administration – Attorney General

Human Services Division

*Language (Part "R" transfers \$750,000 in FY22 from the unappropriated surplus of the General Fund to the Office of the Attorney General, Victim's Compensation Fund, Other Special Revenue Funds)***Human Rights Commission, Maine**

Human Rights Commission – Regulation

Judicial Department

Courts – Supreme, Superior and District

*Language (Part "JJ" transfers \$1,300,000 in FY22 from the unappropriated surplus of the General Fund to Maine Civil Legal Services, Other Special Revenue Funds account within the Judicial Branch)***Pine Tree Legal Assistance**

Legal Assistance

Friday, March 4th**To be held in conjunction with the Joint Standing Committee on Energy, Utilities and Technology:****1:00 PM Department and Agency Testimony Followed by Public Testimony on Part A Initiatives and Language Under the Following Departments and Programs:****Efficiency Maine Trust**

Efficiency Maine Trust

*Language (Part "Z" transfers \$7,000,000 in FY22 from the unappropriated surplus of the General Fund to the Efficiency Maine Trust, Other Special Revenue Funds account to support electric vehicle rebate programs including incentive programs)***Executive Department**

Governor's Energy Office

Public Advocate

Friday, March 4th**To be held in conjunction with the Joint Standing Committee on Agriculture, Conservation and Forestry:****3:00 PM Department and Agency Testimony Followed by Public Testimony on Part A Initiatives and Language Under the Following Departments and Programs:**

Agriculture, Conservation and Forestry, Department of	
Animal Welfare Fund	
Bureau of Agriculture	
Division of Forest Protection	
Forest Resource Management	
Fund to Address Food Insecurity and Provide Nutrition Incentives	
Geology and Resource Information	
Harness Racing Commission	
Land for Maine's Future	
Land for Maine's Future - Community Conservation Projects	
Maine Conservation Corps	
Maine Land Use Planning Commission	
Milk Commission	
Natural Areas Program	
Off-Road Recreational Vehicles Program	
Office of the Commissioner	
Parks – General Operations	
<i>Language (Part "M" changes the Deputy Director position within the Department of Agriculture, Conservation and Forestry the Bureau of Parks and Lands to a classified, confidential position)</i>	
<i>Language (Part "N" changes the Deputy Commissioner reference in the Department of Agriculture, Conservation and Forestry's major policy-influencing positions list from singular to plural)</i>	
<i>Language (Part "O" transfers \$1,500,000 in FY22 from the unappropriated surplus of the General Fund to Department of Agriculture, Conservation and Forestry, Community-based Greenhouse-Bureau of Agriculture, Other Special Revenue Funds account)</i>	
<i>Language (Part "P" transfers \$3,000,000 in FY22 from the unappropriated surplus of the General Fund to the Department of Agriculture, Conservation and Forestry, PFAS Reserve-Bureau of Agriculture, Other Special Revenue Funds account to assist farmers and agricultural producers in the State that have been affected by PFAS contamination, to support critical PFAS research and to otherwise allow for the department to strategically and effectively respond to PFAS concerns and issues.)</i>	
Baxter State Park Authority	
Baxter State Park Authority	
Finance Authority of Maine	
Dairy Improvement Fund	
University of Maine System, Board of Trustees of the	
Tick Laboratory and Pest Management Fund	
Monday, March 7th	
To be held in conjunction with the Joint Standing Committee on State and Local Government:	
10:00 AM Department and Agency Testimony Followed by Public Testimony on Part A Initiatives and Language Under the Following Departments and Programs:	
Administrative and Financial Services, Department of	
Administration – Human Resources	
Buildings & Grounds Operations	
Capital Construction/Repairs/Improvements – Administration	
Central Administrative Applications	
Financial and Personnel Services – Division of	
Information Services	
Office of the Commissioner – Administrative & Financial Services	
Purchases – Division of	
Risk Management – Claims	
Workers' Compensation Management Fund Program	
Executive Department	
Administration – Executive – Governor's Office	
Office of Policy Innovation and the Future	
Secretary of State, Department of	
Administration – Archives	
Bureau of Administrative Services and Corporations	
Treasurer of the State, Office of	
Administration – Treasury	
Monday, March 7th	
To be held in conjunction with the Joint Standing Committee on Innovation, Development, Economic Advancement & Business	
1:00 PM Department and Agency Testimony Followed by Public Testimony on Part A Initiatives and Language Under the Following Departments and Programs:	
Economic and Community Development, Department of	
Administration – Economic and Community Development	
Business Development	
Maine Economic Growth Council	
<i>Language (Part "V" transfers \$970,100 in FY22 from the unappropriated surplus of the General Fund to the Department of Economic and Community Development - Admin, Other Special Revenue Funds account to cover certain operating expenses associated with Loring Development Authority of Maine)</i>	
Finance Authority of Maine	
Educational Opportunity Tax Credit Marketing Fund	

<i>Language (Part "CC" amends the Nurse Educators Loan Repayment Program and amends the date by which funds in the Maine Health Care Provider Loan Repayment Pilot Program must be expended.)</i>	
Professional and Financial Regulation, Department of	
Licensing and Enforcement	
Monday, March 7th	
To be held in conjunction with the Joint Standing Committee on Veterans and Legal Affairs:	
3:00 PM	Department and Agency Testimony Followed by Public Testimony on Part A Initiatives and Language Under the Following Departments and Programs:
Administrative and Financial Services, Department of	
Alcoholic Beverages – General Operations	
Lottery Operations	
Defense, Veterans and Emergency Management, Department of	
Military Training & Operations	
Veterans Services	
<i>Language (Part "J" transfers \$6,500,000 in FY22 from the unappropriated surplus of the General Fund to the Maine Military Reserve Fund to settle outstanding obligations of the Maine Military Authority)</i>	
<i>Language (Part "T" carries forward the remaining portion of previous one-time funding for environmental closure activity costs at the former Maine Military Authority site in Limestone)</i>	
Ethics and Elections Practices, Commission on Governmental	
Governmental Ethics and Election Practices, Commission on	
Public Safety, Department of	
Gambling Control Board	
Tuesday, March 8th	
To be held in conjunction with the Joint Standing Committee on Inland Fisheries and Wildlife:	
10:00 AM	Department Testimony Followed by Public Testimony on Part A Initiatives and Language Under the Following Departments and Programs:
Administrative and Financial Services, Department of	
<i>Language (Part "D" authorizes the Maine Governmental Facilities Authority to issue additional securities up to an amount of \$39,500,000 for an inland fisheries and wildlife headquarters facility and provides authority for the Department of Administrative and Financial Services to purchase the land.)</i>	
Inland Fisheries and Wildlife, Department of	
Endangered Nongame Operations	
Enforcement Operations – IF&W	
Fisheries and Hatcheries Operations	
Landowner Relations Fund	
Office of the Commissioner – IF&W	
Public Information and Education, Division of	
Resource Management Services – IF&W	
<i>Language (Part "II" transfers funds from the Inland Fisheries and Wildlife Carrying Balances – General Fund account to the Resource Management Services – Inland Fisheries and Wildlife program, General Fund account to provide matching funds for the construction of the Fryeburg shooting range.)</i>	
Tuesday, March 8th	
To be held in conjunction with the Joint Standing Committee on Marine Resources:	
1:00 PM	Department Testimony Followed by Public Testimony on Part A Initiatives Under the Following Programs:
Marine Resources, Department of	
Bureau of Marine Science	
Bureau of Policy and Management	
Bureau of Public Health	
Marine Patrol – Bureau of	
Sea Run Fisheries and Habitat	
Tuesday, March 8th	
To be held in conjunction with the Joint Standing Committee on Environment and Natural Resources:	
2:00 PM	Department Testimony Followed by Public Testimony on Part A Initiatives and Language Under the Following Programs:
Environmental Protection, Department of	
Administration – Environmental Protection	
Air Quality	
Land Resources	
Maine Environmental Protection Fund	
Performance Partnership Grant	
Remediation and Waste Management	
Water Quality	
<i>Language (Part "AA" transfers \$3,200,000 in FY22 from the unappropriated surplus of the General Fund to the Department of Environmental Protection, Uncontrolled Sites Fund, Other Special Revenue Funds account to assist Maine laboratories with equipment purchases that will increase capacity for sample testing and analysis of perfluoroalkyl and polyfluoroalkyl substances, or PFAS)</i>	

Governor's Proposed Supplemental Budget

PART A

COVID Pandemic Relief Payment Program. P. A-5. Provides funding for \$510 relief payments to each eligible Maine citizen totaling \$411 Million (half the projected surplus).

Housing Opportunity Program. P. A-45. Total \$3 Million including:

- \$1 Million in funding for competitive grants to regional service providers to support town housing ordinance development, planning board and public processes in each participating municipality.
- \$1.55 Million in funding for community housing implementation grants to individual towns to support community housing priorities.
- \$0.45 Million to establish 2 limited-period positions through June, 2024 and funding for the associated costs to administer the Housing Opportunity Program within the Department of Economic and Community Development.

General Purpose Aid to local schools P. A-47 - \$8M for various initiatives.

Efficiency Maine Trust. P. A-61 - Provides \$7 Million in one-time funding to support electric vehicle rebate programs including incentive programs.

Municipal Revenue Sharing. P. A-155. Provides \$43M (over 2 years) to bring allocations in line with projected available resources.

LANGUAGE

PART C – Department of Education funding SUMMARY

This Part does the following:

1. It establishes the Total Cost of Education from Kindergarten to Grade 12, the state contribution, and the mill expectation for the local contribution for fiscal year 2022-2023.
2. Enacts an annual budgetary hardship adjustment for school administrative units experiencing an increase in students requiring English Learner services.
3. It amends National Board salary supplement and scholarship fund language to include teachers employed by Education Service Centers.
4. It provides one-year adjustments to the Essential Programs and Services funding model to address student loss due to the COVID-19 pandemic.
5. It provides funding for Career and Technical Education schools to expand or develop early childhood education programs.

Part F - property tax credit

SUMMARY

This Part increases the maximum property tax fairness credit for tax years beginning on or after January 1, 2022, from \$750 to \$1,000 for resident individuals under 65 years of age and from \$1,200 to \$1,500 for resident individuals 65 years of age and older.

PART L – Creates COVID pandemic relief program (\$510 checks)

PART U – Housing Opportunity Program

SUMMARY

This Part establishes the Housing Opportunity Program within the Department of Economic and Community Development to encourage and support the development of additional housing units in Maine, including housing units that are affordable to low and moderate income people and housing units targeted to community workforce housing needs.

PART Y – Creates Educational stabilization fund - \$30M

SUMMARY

This Part creates the Education Stabilization Fund and requires the transfer of \$30,000,000 in fiscal year 2021-22 from the unappropriated surplus of the General Fund to the Education Stabilization Fund. The Fund will provide resources to maintain budgeted levels of funding for Essential Programs and Services should there otherwise be insufficient General Funds, federal matching funds or any other shortage of funds.

PART Z – Efficiency Maine Trust \$7M EV vehicle rebate

SUMMARY

This Part requires the transfer of \$7,000,000 on or before June 30, 2022 from the unappropriated surplus of the General Fund to the Efficiency Maine Trust, Other Special Revenue Funds account to support electric vehicle rebate programs including incentive programs. Efficiency Maine Trust calculates that currently available funds will be fully expended by the summer of 2022.



The 2022 federal priorities of City of Portland staff are included below for the review of the Legislative & Nominating Committee.

POLICY PRIORITIES

Support Rep. Pingree's Asylum Seeker Work Authorization Act (HR 6693)

Asylum seekers are currently required to wait 365 days to apply for Work Authorization after submitting their Asylum application. This waiting period delays self-sufficiency and, in many cases, represents an additional six months of General Assistance. A wait time reduction benefits Maine's economy, helps address our workforce shortage, and enables new Mainers to be self-sufficient. This bill, introduced by Rep. Pingree in February 2022, would reduce the wait to 30 days.

Continue 100% FEMA reimbursement for the COVID-19 Major Disaster Declaration beyond April 1, 2022 and extension of Maine's non-congregate sheltering waiver

The City of Portland has been sheltering record numbers of individuals and families, and City homeless shelters are far beyond capacity. Since April 2020, the City has been using non-congregate sheltering in area hotels for individuals and families seeking shelter when the City shelters are at capacity to reduce the risk of COVID-19 transmission. People seeking shelter are referred to the City's General Assistance (GA) program and given a voucher for a hotel room at a nearby hotel.

Portland currently receives a 70% reimbursement for GA from Maine DHHS and is responsible for the remaining 30%. Under the current major disaster declaration, Maine has been approved for FEMA Public Assistance reimbursement for non-congregate sheltering (for the remaining 30%) through a waiver. Prior to this, Governor Mills provided CARES Act funding to ensure municipality Public Assistance eligible expenses such as these were reimbursed at 100%.

The number of families that Portland has been sheltering has, however, been rapidly increasing - with many families seeking asylum arriving to Portland from the southern border in the past several months. The City's Finance Director estimates that if Portland is not able to be reimbursed for 100% of non-congregate sheltering expenses and the current demand for sheltering stays flat, it could add \$20M - \$40M

of expenses to the City's operating budget, which would result in substantial tax increase (4.8%).

Mandate universal background checks

With larger-city crime and violence having found its way to Maine, the importance of addressing firearm violence and safety has never been greater. There is a clear nexus between firearms, the drug trade, crime and violence. The Supreme Court once noted that "Guns and drugs go hand in hand." Universal background checks would be a valuable tool for reducing gun-related violence and deaths, by reducing avenues and options for access by prohibited persons. Criminals, severely mentally ill people, and domestic abusers remain able to exploit the private sale loophole every day, putting all of our communities at risk.

Funding Support for Adequate Emergency Shelter Space

Portland is housing approximately 1,040 clients nightly at locations throughout Portland. The majority of clients come from other towns, states, and countries. Portland has a site ready for the development of a new emergency shelter, which would provide a safe and clean space to provide shelter and resources; however, financial support is needed for its construction. The current cost estimate is \$20M.

Funding Support to Dredge Portland Harbor Berthing Resources

The City of Portland, in partnership with the City of South Portland, the Portland Harbor Commission and the State of Maine Department of Transportation, was unsuccessful in a second application for \$24 M in federal funding through the RAISE (formerly BUILD) Grant Program to dredge public and private berthing resources in Portland Harbor. While virtually all urban harbors require dredging to mitigate sedimentation caused by natural drainage and stormwater runoff, Portland Harbor's berthing resources are challenged by legacy contaminants and have not been dredged in decades. Recent economic studies emphasize that berthing resources underpin a harbor-wide economy with a \$1B annual impact. Dredging will stabilize losses and expand the potential of the harbor for fisheries, tourism, aquaculture, and emerging opportunities in the "Blue Economy". Active Congressional support for the Portland Dredge Project will be critical for its success.

Funding Support for Police Headquarters Relocation

Portland's 50-year-old headquarters no longer provides the capacity needed to effectively provide the type and level of law enforcement and requests for service seen today. The current building faces maintenance issues, and houses both a regional crime lab and a regional communications center. In addition, it provides space for a federal "safe streets" task force. Federal support is needed to help the department keep pace with growth and challenges in our region.

Funding Support for Fire Stations

In 2017, a consultant determined that at least five of Portland's fire stations need to be completely replaced due to cramped quarters, small lot, age, and required environmental upgrades. As a result of these challenges, we are unable to add additional or larger apparatuses; increase staffing; conduct onsite training; meet ADA requirements; meet living quarters best practices; address potential plumbing and heating systems hazards.

PROGRAMMATIC FUNDING PRIORITIES

- **[The HOME Investment Partnerships Program](#)**: This is a vital resource to ensure the continued creation and maintenance of affordable housing. When construction is completed on recent HOME-funded projects, 275 new units of affordable rental housing will be added to the Portland market.
- **[The Community Development Block Grant \(CDBG\) Program](#)**: This is often the only resource available to fund public infrastructure in lower-income neighborhoods and provide social services to the most vulnerable residents in our community. Recent CDBG projects include road and lighting improvements in the Bayside neighborhood, community policing, and the provision of homeless case workers and housing specialists.
- **[Certified Local Government Funding](#)**: The City relies on this funding to support staffing levels in its Historic Preservation Program; we also anticipate applying for a CLG grant to help fund the restoration of historic Lincoln Park's cast iron fence and granite piers. Local private nonprofit organizations, such as the Tate House and Mechanics Hall, also rely on this vital funding source.
- **[Byrne Justice Assistance Grant](#), [COPS](#) and [Project Safe Neighborhoods](#) (all via Department of Justice)**: These programs are critical to enhancing the safety and quality of life in our communities, as well as the safety and wellness of the officers protecting them.



Dena Libner <dlibner@portlandmaine.gov>

Regional housing report release - request reply by 3.3.22

4 messages

Chris Hall <chall@gpcog.org>
Reply-To: chall@gpcog.org

Thu, Feb 24, 2022 at 4:51 PM

Dear Mayors, Council Chairs, and Managers;

As the debate over housing and zoning heads to a public hearing at the State House in the coming weeks we want to make sure lawmakers know two things.

First, municipalities in our region are working hard to expand housing. Many communities are innovating and creating new housing, and others are well on the way to expanding housing choices.

Second, to address our housing shortage municipalities are advocating at the State House for legislation that establishes new state-municipal partnerships focused on realistic housing goals, additional state resources to support municipal housing work, and new incentives that can attract investment in new housing that everyone in our community can afford.

If you agree, **can we add your municipality's name to the "Forward" to the release of a regional housing study?**

Here's the background.

The recommendations from the *Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions* ([link](#)) have increased interest in the research that Jeff Levine did last year for GPCOG in each of your communities on zoning and multifamily housing (*Multifamily Housing & Land Use Regulation: [Part 1](#) and [Part 2](#)*).

Each of your communities participated in Jeff's work as noted in the methodology section of both reports. Jeff consulted with municipal staff at the start and the end of the study process. The results of the studies have been well received by many municipalities, especially how the reports provide direction on improving local housing opportunities.

However, the recent housing progress that your communities have made isn't fully captured in the reports because that information was outside the scope of the work we asked for, and in many cases has happened since the reports were written.

So, we are going to 're-release' the Levine report and add a Forward that makes sure everyone knows we support state-municipal partnerships on housing policy, and that communities in our region are working hard and making progress in expanding housing options.

We'd love to add your community's name at the end of this Forward. Here's the text we'd like you to consider:

"As these reports show, municipal zoning is a barrier to creating new housing opportunities for everyone who needs it. That's why the communities in our region are working hard to expand housing choices for our residents and address the high cost of housing for our region's workforce.

Since these reports were issued we've seen new housing units approved and/or built, and more are on the way. Zoning changes have been made in some of our communities, and developers are responding.

There's much work still to do, and we support state-municipal partnerships that can accelerate housing policy changes and new housing investments. We support action at the State House, and in our communities, that sets statewide housing goals and provides technical assistance and financial incentives to support our communities in welcoming housing. This will advance our shared goal of creating enough housing so that everyone who needs it can afford it."

Thank you for the work you're all doing to expand housing choice throughout southern Maine. **I'll look forward to hearing back from you no later than Thursday, March 3rd** about adding your community's name to the Forward of the housing report. If you have any questions please reach out.

Chris Hall

General Counsel and Director of Regional Initiatives

Greater Portland Council of Governments

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Check out the recent Portland Press Herald profile on GPCOG