



Legislative Committee 3-4-2019
Meeting
March 4, 2019

AGENDA

I. Call to Order

II. Approval of Meeting minutes

- a. Approval of February 25, 2019 meeting minutes
- b. Approval of February 11, 2019 Meeting Minutes

III. Legislative Update

- a. Review of Portland Education - Non Funding Memo
- b. Review of New Legislative Bills Memo/Bill Tracker
- c. LD Back Up Material

IV. Meeting Schedule

- a. Next Meeting March 18, 2019; 8:00 AM - 9:30 AM

V. Public Comment

VI. Adjournment

VII. Legislative Committee Workshop 9:30 AM -10:30 AM

- a. Review/Prioritization of Committee Goals

**CITY OF PORTLAND
LEGISLATIVE COMMITTEE
February 25, 2019 MEETING MINUTES**

The February 25, 2019 Meeting was called to order by Chair Pious Ali at 8:05 a.m. in Room 209, Portland City Hall, Portland, Maine

A. Attendance/Introductions:

B.

Councilor Pious Ali, Chair, Councilor Jill Duson, Board Member Laurie Davis; Portland Board of Education Member Emily Figador; Kate Knox, Esq. Bernstein Shur team (by phone); Alysia Melnick, Esq., Bernstein Shur team; Chris Feeney, Bernstein Shur team; Xavier Botana, Superintendent of PPS; Corporation Counsel Danielle West-Chuhta; City Clerk Katherine Jones; Mike Murray(Staff);

C. Review of non-funding education bills by Committee and Portland Board of Education and PPS Staff;

D. Review of legislative bills bills/bill tracker:

LD 505 – Remove
LD 534 – Remove
LD 535 – Remove
LD 547 – Place with similar bills for future review
LD 571 – Outcome
LD 590 – Request Staff Input
LD 619 – Track
LD 627 – Track
LD 696 – Outcome
LD 712 – Check with PPS
LD 736 – Request Staff Input
LD 746 – Support; Provide Letter of Support/Testimony
LD 751- Place with similar bills for further review
LD 753 – Outcome
LD 778 – Outcome
LD 780 – Track
LD 788 – Request Staff Input
LD 791 – Check with PPS
LD 794 – Place with similar bills for future review
LD 811 – Place with similar bills for future review
LD 812 – Place with similar bills for future review
LD 824 – No Position
LD 836 – Support
LD 837 – Place with Similar bills for future review
LD 839 – Place with Similar bills for future review
LD 844 – Oppose
LD 855 – Request Staff Input
LD 859 – Place with Similar bills for future review

LD 861 – Letter of Support Requested
LD 868 – Request Staff Input
LD 887 – Place with similar bills for future review
LD 900 – Request City Manager /staff input
LD 917 – Track
LD 921 – Request Staff Input
LD 922 – Request Staff Input
LD 949 – Track
LD 957 – Track
LD 964 – Request Staff Input

D. Next Meeting Date

March 4, 2019– 8:00 AM – 9:30 AM – Legislative Committee
9:30 AM -10:30 AM – LC Work Plan Meeting

E. Adjournment

Councilor Duson mad a motion to adjourn; second by Councilor Ali; vote 2-0 and the meeting adjourned at 10:54 AM.

**CITY OF PORTLAND
LEGISLATIVE COMMITTEE
February 11, 2019 MEETING MINUTES**

The February 11, 2019 Meeting was called to order by Chair Pious Ali at 8:00 a.m. in Room 209, Portland City Hall, Portland, Maine

A. Attendance/Introductions:

8:00 AM Meeting:

Councilor Pious Ali, Chair, Councilor Jill Duson, Mayor Ethan Strimling, ; Portland Board of Education Member Laurie Davis; Portland Board of Education Member Emily Figador; Kate Knox, Esq. Bernstein Shur team (by phone);Alysia Melnick, Esq., Bernstein Shur team; Chris Feeney, Bernstein Shur team; Alicia Gardiner, Executive Director of Budget and Finance, PPS; Corporation Counsel Danielle West-Chuhta; Mike Murray(Staff);

9:00 AM Meeting:

The 8 AM meeting attendees were joined by Rep. Rachel Talbot-Ross; Re. Eric Jorgensen; Rep. Ed Crockett; Rep. Dick Farnsworth (Phone); Rep Michael Brennan (phone); Xavier Botana, PPS Superintendent

B. Approval of Minutes:

1. Motion to approve the January 28, 2019 minutes made by Councilor Duson; second by Mayor Strimling; minutes approved 3-0.
2. Motion to approve the February 4, 2019 minutes made by Councilor Duson; second by Mayor Strimling; minutes approved 3-0.

C. Review of legislative bills bills/bill tracker:

LD 482 – Request Staff input
LD 489 - Remove
LD 514 – Request Staff Input
LD 522 – MMA to oppose;
LD 523 – Outcome Only
LD 529 - Remove
LD 537 – Track
LD 542 – Remove
LD 550 – Request Staff input
LD 554 – Remove
LD 557 – PPS to Review
LD 560 – Request Staff input
LD 562 – Request Staff input
LD 563 – Request Staff input
LD 564 – Remove
LD 582 – Request Staff input
LD 591 – Track
LD 609 – Place in folder with similar LD's for further review
LD 643 – Remove

LD 645 – Remove
LD 647 – Support
LD 651 – PPS to Review
LD 655 – Remove
LD 670 – Outcome
LD 672 – PPS to Review
LD 682 – Place in Folder with Similar LDs for further review

D Review of non-funding education bills by Committee and Portland Board of Education and PPS Staff;

E. General discussion between Legislative Committee and delegation members; discussion centered around Governor Mills recently released budget; possible impacts on municipal and education budgets; discussion about level of funding for appropriations.

E. Next Meeting Date

February 25, 2019– 8:00 AM – 9:30 AM – Legislative Committee
9:30 AM -10:30 AM – LC Work Plan Meeting

March 4, 2019 – 8:00 AM – 9:30 AM – Legislative Committee Meeting

F. Adjournment

Mayor Strimling made a Motion to adjourn, seconded by Councilor Duson,; vote 3-0 and the meeting adjourned at 11:05 AM.

**Memorandum**

TO: Chair Ali and Members of the Legislative Committee
FROM: Michael Murray, Assistant to the City Manager 
CC: Jon Jennings, City Manager
SUBJECT: Staff Updates on LD's
DATE: March 1, 2019

The following is a summary of staff comments on LD's that are under consideration by the Legislative Committee:

LD 180 – “An Act To Allow for the Regulation of Transportation Network Companies at Airports by Municipalities”; Committee has reviewed previously; Public Hearing scheduled for March 7, 2019 @ 1 pm; Jetport staff to testify;

LD 290 - "An Act To Prohibit Motor Vehicle Use in the Intertidal Zone". This LD was brought to staff's attention by the city's barge operator; Testimony was submitted and is attached;

LD 353 – “Act to Classify Recovery Residences as One-family Dwellings for the Purposes of the Fire Code”. The Committee has requested staff input on this LD; Fire Department opposes unless an amendment is made to “no more than 5 persons” to align with the Fire Code; staff is preparing written testimony;

LD 372 – “An Act To Increase the Safety of Municipal Residents by Allowing Municipalities To Address Downed Wires in Extended Power Outages”. Staff is bringing this LD forward and has concerns that utilities will put more and more emphasis on municipalities, along with the costs and customer service concerns, to have downed utility wires moved during an extended power outage. A public hearing was held February 14, 2019; staff is preparing written testimony;

LD 402 – “An Act to Restore Overtime Protections for Maine Workers”. Committee has requested an impact analysis as to the effect City of Portland workforce;

LD 415 – “An Act to Enhance the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program”. Committee has requested staff input;

LD 532 – “Resolve, Directing Professional Licensing and Certification Boards To Study the Barriers To Obtaining Professional Licensure and Certification”. Staff is requesting the Legislative Committee review this LD; public hearing was held on 2-19-2019; Committee has suggested staff be offered as a resource to the review process;



LD 550 – “An Act to Amend the Definition of ‘Subdivision’ in the Laws Governing Planning and Land Use Regulation for Subdivisions and a Provision Excepting the Division of a New or Existing Structure from Those Laws Beginning July 1, 2018.” Staff indicates that the definition of “Site Plan Review: could be amended, but can live with the LD as is.

LD 590 – “An Act To Promote Climate Resiliency Measures To Protect Beaches and Near-shore Infrastructure”. Staff has reviewed; as this is a concept draft, there is not any substance to respond to;

LD 627 - “An Act Regarding Portable Electronic Device Content, Location Information and Tracking Devices”. Staff input requested;

LD 746 - “An Act To Allow Municipalities To Determine the Duration of Development Districts Funded by Assessments”. This LD is the legislation brought forward by Portland Downtown; Public Hearing scheduled for March 6, 2019 @ 9:00 AM; Economic Development Director to testify in support of Portland Downtown;

LD 788 – “An Act To Authorize the Use of Handheld Narcotics Analyzers”. Staff input requested;

LD 798 – “An Act To Protect Maine Children and Students from Preventable Diseases by Repealing Certain Exemptions from the Laws Governing Immunization Requirements”. Staff is supportive of this LD and has prepared testimony for Committee to review; testimony attached;

LD 861 – “An Act To Authorize a General Fund Bond Issue To Complete the Renovation of a Wharf and Bulkhead in Portland for Marine Research”. Committee has asked staff to draft a letter of support;

LD 868 – “An Act To Require That the Terms of a Settlement to Which a Local Unit of Government Is a Party Be Made Available to the Public’. Committee asked for staff input; Corp Counsel states that the LD confirms state of current case law;

LD 921 – “An Act To Allow Municipalities To Adopt Stricter Building and Energy Code Standards Than the Maine Uniform Building and Energy Code”. Staff input requested; City Manager has concerns that communities that adopt more restrictive codes will cause an unequal situation between cities vying for growth;

Portland, Maine



Yes. Life's good here.

Michael S. Murray
Administrator, Island/Neighborhood Services

LD 290

Testimony for Public Hearing
Committee on Marine Resources
February 26, 2019

HP0214, LD 290, An Act To Prohibit Motor Vehicle Use in the Intertidal Zone

Good afternoon Committee on Marine Resources members,

My name is Michael Murray, I am the City of Portland's liaison to Portland's five island communities. I am unable to be present today to present this testimony, and am submitting this on behalf of the City of Portland.

The City of Portland opposes LD 290, as its passage will in essence eliminate the delivery of vital services to one of Portland's coastal islands. Little Diamond Island, located in Casco Bay, receives all of its vital services via a sandbar that stretches between Little Diamond and Great Diamond Island. Municipal vehicles that provide services such as road maintenance, snow plowing, trash removal, and tree maintenance all travel across the sandbar at low tide, placing them in the intertidal zone. Additionally, contractors requiring heavy equipment used in building construction will also be blocked from access to the island. The sandbar is not used for personal transportation by residents.

The City of Portland has maintained the sandbar access to Little Diamond Island for over 100 years, and maintenance of the sandbar is coordinated with the Maine Department of Environmental Protection. Currently, the City of Portland is planning approximately \$250,000 of maintenance in the next year to ensure that the sandbar remains safe passage for vehicles as well as the environment.

Thank you for your consideration.

Sincerely,

Michael S. Murray
Assistant to the City Manager
City of Portland



LD 798

Health & Human Services Department
Dawn Stiles, Director

Public Health Division
Kolawole Bankole, MD, MS, MBA, Director

Testimony in Support of LD 798: "An Act To Protect ME Children and Students from Preventable Diseases by Repealing Certain Exemptions from the Laws Governing Immunization Requirements"

Statement of Dr. Kolawole Bankole, Director and Administrator of the City of Portland Public Health Division of Health & Human Services Department, to the Committee on Education and Cultural Affairs.

Senator Sanborn, Representative Tipping and members of the Committee on Education and Cultural Affairs.

My name is Dr. Kolawole Bankole, I am the Public Health Director for the City of Portland, and I am writing in support of LD 798. From being a practicing physician to now overseeing population health, I have seen patients /people every day whose lives have been significantly improved by the immunizations we now have available. My forebears in family medicine struggled in the pre-vaccination era with the ravages of horrible diseases that are now of only historical interest. Preventive immunizations have so changed our world that I am afraid that we no longer remember how horrible some of these diseases were. However, we must remember that immunizations remain the most powerful and cost effective means of preventing disease in the modern era.

The LD 798 bill is important because it will help to increase the community/herd immunity amongst children and prevent the spread of diseases. High community immunity rates are needed to protect those who are unable to be vaccinated, such as individuals who are immunosuppressed due to transplants or chemotherapy. This bill will also help reduce a phenomenon of Vaccine Hesitancy – the reluctance or refusal to vaccinate despite availability of vaccines, a situation that may reverse progress made in tackling vaccine-preventable diseases. The World Health Organization has as one of its top priorities for 2019 to address vaccine hesitancy.

Low vaccination rates put Maine children at risk for diseases that are entirely preventable. The breakdown of herd/community immunity can happen when there are opt-outs or exemptions due to non-medical reasons. As reported between January –November 2018, some diseases were spread:

Pertussis- among 13 schools across 5 counties (Cumberland, Hancock, Waldo, Penobscot, and York counties and 3 daycares in York County. Chicken pox in a daycare in Westbrook and a case in a Waterboro middle school. Mumps outbreaks in 2016 at USM, Bates and Bowdoin; and, Measles case in Farmington in 2017. These show that schools are at risk of outbreaks when community immunity levels are low. Only 0.3% of Maine kindergarten parents requested medical exemptions in the 2017-18 school year, but non-medical exemptions were requested nearly 17x more, representing 5% of Maine kindergarteners. If our children are not immunized, we put them and others at risks. Kindergarteners and 7th graders in 8 counties are at risk of measles, pertussis, or even polio outbreak.

There are lots of misinformation and perceptions on the risks of vaccination, but we must remember that the benefits of our vaccines far outweigh the perceived risks, especially for those who are ill or immune-suppressed. There are innocent children and adults who meet the public everyday who would die if they were exposed to the diseases we can prevent. If everyone around them is vaccinated, they are also protected. We owe it to them and to ourselves as a state to achieve the highest level of protection possible. We must win the war against infectious disease, and vaccines are our most powerful weapons. We cannot win, however, if we do not use them. Leaving any of our population unprotected is like surrendering to a defeatable foe. We must never surrender. Immunization prevents illness, disability and death from vaccine-preventable diseases including, diphtheria, hepatitis B, measles, mumps, pertussis (whooping cough), pneumonia, polio, rotavirus diarrhea, rubella & tetanus.

Similarly, the World Health Organization has warned that the world will face another influenza pandemic – the only thing we do not know is when it will hit and how severe it will be. Global defenses are only as effective as the weakest link in any country's health emergency preparedness and response system. Vaccines prevent countless deaths each year. Without them, the number of valuable human beings we'd lose would be staggering.

I applaud our senators and representatives for the wisdom in sponsoring this bill. I respectfully urge you (Representative Tipping) and the members of this committee to support this very important legislation. Thank you.



CITY OF PORTLAND, MAINE

Legislative and Nominating Committee Meeting

2019 Goals

On-Going/Carry Forward

1. Immigrant Voting Rights for local elections
2. Maintain membership in Mayor's Coalition
3. Evaluate/modify nominations outreach process for open board/committee positions

Legislative/Electoral Priorities

1. Rank Choice Voting for all local elections
2. Local Clean Elections initiative
3. Local Lobbyist Disclosure/Registration
4. Develop Federal Legislative Agenda
5. Proposal from City Clerk regarding Portland polling places

Nominating Priorities

1. Review of Boards and Committees – length of terms and term limits
2. Review/modify annual District Meetings