

Portland Legislative Committee
Meeting Notes
Feb 16, 2018

In attendance:

Councilors: Pious Ali, Chair; Jill Duson; Kim Cook

Bernstein Shur: Kate Knox, Isabel Mullin

City: Jon Jennings, Julie Sullivan, Danielle West-Chuhta

- **Minutes**

- Councilor Cook moved amendment to 2/2/18 minutes – approval of dates meet with delegation for 2/13, 3/20, 4/10
- Her second amendment is that she recused herself for LD 1690 small cell bill and left room for discussion
- Councilor Duson second amendments, all in favor, unanimous, minutes approved as amended.
- Staff should send out amended version of minutes to committee – please include Bernstein Shur when sending out minutes.

- **Tuesday meeting with delegation**

- Chair Ali – request from Rep. Talbot Ross shared with delegation, no feedback
- Councilor Cook – liked idea of off-session meeting, and after elections in the fall, as City Manager stated
- Chair Ali – only discussed two bills from tracking sheet; wants to make sure time spent there is meaningful – should only focus on items of mutual interest (eg, impact on Portland)
- Kate Knox – they often ask for lobbyists help on non-Portland bills
- Councilor Cook – dealt with it by saying when they have bills they'd like us to consider they should send them along to us and we would discuss at one of our weekly meetings and decide. Don't have to wait for us to go up there. Recommunicate that to them by email. Open discussion and hearing what they're up to is helpful. Were there minutes?
- Kate Knox – Alysia Melnick took lots of notes
- Councilor Duson – please send those notes/minutes to Julie so we have record of it
- Danielle West-Chuhta – we will at least need to know topics discussed, where meeting was and who was there
- Councilor Cook – I can do that; City Manager said he'll be at the future meetings and can take notes

- **Tracking document – priority bills**

- **LD 1738** – outdoor dining – will see on floor shortly; City strongly supports
- Councilor Duson – not a minority report
- Isabel Mullin – unanimous OTP-A – amendment was technical and around agency (BABLO) ability to make rules
- Councilor Duson – want to ensure City compliance with the rules
- City Manager – we are already working on this; what is state timeline
- Kate Knox – no timeline for BABLO rule-making; we can talk to Greg Mineo at BABLO about City's interest in it
- City Manager – can we move forward before rules promulgated?

- Councilor Duson – flag for monitoring for rule-making
- Councilor Cook – it's reported out, so who has reviewed amendment to see if City is happy with it or not
- Kate Knox – we do, and we concluded only minor technical info; will be available online; if more substantive we send out
- Councilor Cook – who sends to committee
- Kate Knox – staff
- Councilor Cook – when review new bills?; please add as standing item to agenda, like LD 1833
- Councilor Duson – make it new business/new bills
- Councilor Cook left room at 9:24 for discussion of **LD 1690**, small cell.
- Kate Knox – my read of it is that it's dead. 11-2 in committee. We worked the committee very hard. Not been reconsidered, technically not reported out. We will watch it closely. It was critical for Portland to stand up and testify because we are the only ones with any experience with it.
- Councilor Duson – appreciate ability of your group to make those assessments on the fly is really critical to us
- Councilor Cook returned.
- Kate Knox – Chipman's GA bill (**LD 1109**) – Alysia working closely with us on this re possible amendment, not looking good, we continue to ask for it be on the table
 - Councilor Cook – what about mayor's coalition?
 - Kate Knox – if we came up with an amendment, they may get on board with it
 - Kate from Alysia – MMA involved, work session 2/20
- Kate/Isabel – **LD 1461** affordable housing – had work sessions, wasn't voted on – there are a number of these tax credit bills – seems to be a hold on them all – work session is scheduled for 2/20
- Kate/Isabel – **LD 1629** – senior lien foreclosure bill – governor's involvement – mayor's coalition taking lead of working on compromise, not sure if gov amenable – work session also tentatively on 20th – in close touch with Rick on this and MMA is also staying engaged
 - Councilor Duson – please make sure any compromise is run by the committee
 - Kate will reach out to Rick on this today
- Kate – **LD 1724**, AV bill – back to having our own bill with support of DoT – now confusion about Executive Order and our bill which are out of order, because EO should have come last, after our bill passed; so still on track, no opposition; did not have work session yesterday because haven't worked out details yet; governor ok with it; no opposition
- Kate – **LD 1752** – pilotage bill – committee asked the three parties to come up with a compromise (bay ferries, pilots, CAT) – we are watching but not directly involved in those meetings (monitoring the negotiations)
- Kate – education bond hearings coming up, no info yet; will check in with Xavier
- Councilor Duson – school dept should close the loop on bills they are following/using our lobbyists so we have complete record
- City Manager – spoke to him yesterday, he'll be in touch with Kate shortly
- Kate – we only provide support on bills that impact schools financially; the rest we leave to superintendent and his staff

- Councilor Duson – can advocate on school stuff through other avenues like MMA
- Kate – potential amendments on school funding formula floating around – other people are running numbers for Portland (eg, Senate caucus)
- City Manager – we will invite Xavier to all of our Leg Cmte meetings
- **New bills**
 - Kate – **LD 1833**, perennial sanctuary city bill, usual coalition will oppose, not been scheduled yet, met with ILAP & ACLU re strategy – City has always strongly opposed
 - Councilor Cook – 1833 was printed on Feb 8 and now 2/15 sheet a position was listed – important for us to discuss the bill before a position is listed on the spreadsheet
 - Councilor Duson – we have strongly opposed this bill over and over; have drafted a memo that explains our process and why we are not a sanctuary city but are not going to stop people and ask for their papers; strategy is when Portland should be right up front or supporting others; makes sense to me that our staff would put in oppose
 - Councilor Cook – we need to be intentional about bills and discussions and as a new member would benefit from discussion on it
 - Chair Ali, City Manager – put on spreadsheet as staff recommended position or past practice recommended position
 - Consensus among committee to oppose LD 1833
 - Councilor Cook wants to see the memo, should have been part of backup materials
 - Councilor Duson – we should dust that off
 - **LD 1783**
 - Councilor Cook - increases level of a crime; fiscal note b/c increases jail sentence; hearing there is no money set aside to fund this.
 - Councilor Duson – need to know what Chief thinks, he needs to come to committee and tell what he thinks
 - Councilor Cook – only deals with one aspect of opioids, should have treatment, prevention, etc., already had hearing and work session and was tabled
 - Councilor Duson – so at this point only submitting written testimony or asking lobbyists to get involved with the process
 - Councilor Cook – chief could even just email and we can discuss again next week
 - Chair Ali – monitor and invite the chief and hear what he has to say
 - Councilor Duson – hesitant to wait a week if something happen on this bill; would personally oppose it but want to hear from chief; would like our lobbyists to be empowered to connect with coalition working against bill to share that our chief doesn't think it's a good idea, if he doesn't – are there 2 or 3 people that would be important for Portland to talk to re our message on this issue and share what chief feels
 - Councilors Duson, Cook – or just let it go
 - Committee – have chief send committee a memo with his clear recommendation on this
 - City Manager – he can come next Fri if committee wants – Jon will ask him to put together such a memo and if you want him to come, let Jon know
 - **LD 1761** – firearms with no ammunition locked on school property allowed
 - Superintendent opposes

- Isabel – possibility of opt-in requirement on this; fear is it would make it more palatable during an election year to support the bill; if stays an opt-out
 - Councilor Cook – there was testimony from “Judy Richardson, Portland”, no letterhead, no title – testimony does say she works for PPS. Superintendent did not submit written testimony. Superintendents’ Association and ME School Management did testify.
 - No work session yet, could still submit written testimony
 - Councilor Duson – propose to Xavier that COP send joint letter from mayor and superintendent taking same position as other schools have
 - Councilor Cook and Chair Ali agree
- Councilor Cook – **LD1815**, transportation bond – not on our list – it’s the Governor’s proposal and probably has legs as the major transportation bond, not sure we need to do anything active; so add to list – support but no time advocating for it? No meaningful role for the City. Leave up to lobbyists. Not monitor, but outcome only – compliance and information.
 - City Manager – met with DOT commissioner as part of regular quarterly meeting – recommend monitor at a minimum, potentially support
 - Councilor Duson – support and track
 - Kate – what want her to do?
 - City Manager – I want to see what’s in it and see how potentially impact Portland. Not sure if support or monitor. Now just researching.
 - Kate – five options with definitions re terms – she will provide suggested list and maybe next week we discuss and decide
 - Councilor Cook – **LD 1821** re training – FOA training for elected – needs research, has it listed as outcome only on her list
 - Councilor Cook – **LDs 1831 and 1832** – remote participation in public proceedings – we should research and decide – hearings are next Thursday.
 - Chair Ali – **LD 836 - UMaine system infrastructure bond** – how do we support it?
 - City Manager – committee can make recommendation to be supportive of it to the delegation
 - Councilor Duson – can’t imagine why we wouldn’t be supportive – adding it to our list as something we support, lobbyists can reach out and ask how we can help (“authorized to collaborate”)
 - Councilor Cook – university system has an in-house person, not an external lobbyist
 - Councilor Duson – why wouldn’t university system forward their own talking points to legislators
 - Councilor Cook – just in the process of working on their own advocacy
 - Committee agrees to take a position of support – City Manager will let Glenn know
 - Chair Ali – for the record, I work at Muskie
 - Councilor Duson – could be appearance of conflict, USM president should not be contacting an employee about City position on a bill officially – Glenn should at least be copying staff. Jon – in fairness, he and Glenn have been going back and forth and Glenn wanted to present to the delegation here – invite him to 3/20?

- **Next meeting?**
 - Councilor Cook – how did we go from 18 bills without positions to all positions filled in. Would Jan 19 meeting notes show?
 - Councilor Duson – I think staff made guesses to accommodate your request. Put question mark beside those and ask committee to ratify for next week’s agenda
 - Councilor Cook – we should meet weekly until committees finished with their work.
 - Chair Ali – Feb 23 meeting on as scheduled; 9-10; talk about who does what and how
 - City Manager – we do have a process, very effective last year; we need to talk internally, have one voice, and go through tracking document.
 - Chair Ali – we’ll have to reconsider meeting times next week
 - Councilor Cook motion to adjourn, Councilor Duson second.
 - Meeting adjourned.