



Takoma Park City Council Meeting – July 15, 2020 Agenda Item 7

Work Session

Discussion of Legislative Requests to Submit to the Maryland Municipal League

Recommended Council Action

Discuss and select legislative requests for consideration by the Maryland Municipal League.

Context with Key Issues

Member municipalities in the Maryland Municipal League (MML) may submit up to three Legislative Action Requests (LARs) each year for consideration as MML initiatives before the Maryland General Assembly. The deadline to submit for the 2021 Legislative Session is July 24.

The MML LAR process is as follows:

- Member municipalities submit up to three LAR forms on issues they would like to have addressed by legislation in the upcoming General Assembly Session;
- MML staff prepares background on each LAR for the Legislative Committee to consider;
- The Legislative Committee meets to discuss the requests and to consider the MML priority issues not resolved during the previous session;
- The MML membership votes on the recommended Legislative Committee priorities at the Fall Conference in October.

A legislative request that is the same or substantially similar to a request that has been previously considered and rejected by the Legislative Committee twice within a four-year period coinciding with the current General Assembly term shall be excluded from consideration by the Committee.

The Legislative Committee shall limit recommended legislative proposals to the membership for consideration at the annual fall conference to no more than four non-prioritized issues and the membership is limited to adopting no more than four legislative priorities at the fall conference. A list of Takoma Park's requests to MML for the 2015-2019 sessions of the General Assembly is attached along with the League's legislative priorities for those same years.

While this discussion is focused on potential requests to MML for consideration as League priorities, there will be another work session in the fall to consider legislative priorities for Takoma Park.

Council Priority

Fiscally Sustainable Government; Environmentally Sustainable Community; Community Development for an Improved and Equitable Quality of Life

Environmental Considerations

To be evaluated as Council selects priorities to submit to MML.

Fiscal Considerations

Fiscal impact will depend upon the priorities selected and the success of those priorities in the legislative session.

Racial Equity Considerations

To be evaluated as Council selects priorities to submit to MML.

Attachments and Links

- Takoma Park requests and MML legislative priorities - 2015-2020
- Blank Legislative Action Request form

Takoma Park Legislative Action Requests and MML Legislative Priorities 2015-2020

2020 Takoma Park Legislative Action Requests

- 1) Initiate or support legislation to grant municipal authority similar to certain counties to implement expanded property tax deferrals to certain categories of homeowners, such as elderly or low income residents; and
- 2) Support legislation to authorize a group of counties or municipalities to form or join a “community choice aggregator” to purchase or generate electricity from renewable sources for their residents; and
- 3) Support legislation or sources of funding to assist rental property owners to eliminate environmental hazards in rental properties, including lead.

2020 MML Legislative Priorities

- 1) Eliminate the sunset on the current level of municipal Highway User Revenues that is due to occur after FY 2024.
 - 2) Return to full pre-recession funding of municipal Highway User Revenues beginning with the FY 2025 State budget.
 - 3) Beginning in the FY 2025 State budget, tether Highway User Revenue funding to the Consumer Protection Index (CPI) as is currently done to adjust the gas tax rate.
 - 4) Continue to protect local government authority as it relates to 5g small cell wireless facilities.
- Strategic Initiatives:

Strategic Initiatives:

- 1) Continue to assess and identify alternative sources of municipal revenues both through the legislative process and through other opportunities as they arise.
- 2) Open a dialogue with stakeholders involved in the annexation process in Maryland. A discussion will be held to determine whether an alternative to the existing “5 year rule” which allows a county to deny a municipal zoning change on annexed land for a period of five years can be identified and agreed upon.

2019 Takoma Park Legislative Action Requests

- 1) Legislation or sources of funding to maintain affordable housing in areas with rising property values and rents resulting from infrastructure improvements, transit projects such as the Purple Line, and redevelopment.
- 2) Legislation mandating coordination and cooperation between utilities, the State Highway Administration, and municipalities in order to minimize impact on residents and businesses resulting from infrastructure construction and repairs.

3) Legislation that would provide additional opportunities to raise municipal revenues without increasing dependence on property taxes.

2019 MML Legislative Priorities

1) Preservation of Local Authority to Site Small Cellular Infrastructure

Strategic Initiatives:

1) Oppose any attempt to preempt local authority

2) Explore Municipal Revenue Options

3) Consider 5-year Annexation Rule Changes

2018 Takoma Park Legislative Action Requests

1) Appropriation of funding in the State budget for the National Capital Strategic Economic Development Fund which would provide grants to assist local governments and nonprofits in predevelopment activities for revitalization in areas designated as Sustainable Communities.

2) Legislation that would require allocation of a portion of the State Sales Tax to municipalities.

3) Legislation that would move away from direct bill payment assistance and require at least 60% of the proceeds received from the Regional Greenhouse Gas Initiative (RGGI) to be used for efforts that reduce greenhouse gas emissions, such as energy efficiency retrofits for homes or apartments of low-income residents.

2018 MML Legislative Priorities

1) Permanently restore municipal highway user revenues (HURs), not only to meet current road maintenance needs, but more importantly, to provide a long-term, stable funding source for municipal transportation projects.

2) Work with stakeholders to provide clear authority to deny Public Information Act requests which would require the release of email addresses and phone numbers provided by residents to allow them to receive emergency alerts and city/town newsletters.

3) Protect the authority of a municipality to assert local control over the siting and installation of small cellular towers and antennas and to impose a fee for permit review and rental of space in a municipal right-of-way.

2017 Takoma Park Legislative Action Requests

1) Creation of an Innovation Fund from which municipalities could receive grant funding to undertake innovative efforts to advance one or more high priority goals of the State of Maryland.

2) Legislation that would mandate coordination of construction and repairs by utilities and the State Highway Administration, and localities, provide notice to municipalities and residents, and mandate time frames in which final repaving and repairs are made to residents' property.

3) Evaluation of the collection and distribution of business personal tax by the State of Maryland.

2017 MML Legislative Priorities

1) Highway User Revenue Funding Restoration for Municipalities.

2) Authorize municipalities that charge a stormwater management fee for stormwater management services to apply those fees to county and State-owned property within municipalities, and provide tools to enforce payment of fees.

3) Improve coordination, collaboration, and communication between municipalities and public utilities/State Highway Administration regarding project/construction schedules.

2016 Takoma Park Legislative Action Requests

1) Ensure that municipal residents are no longer harmed by tax duplication laws or the lack of appropriate tax duplication laws, and that reimbursement or tax differential eligibility is extended to all tax-duplicated services regardless of how those services are funded by the municipality or county.

2) Mandate coordination of construction and repairs by utilities and the State Highway Administration, and localities, provide notice to municipalities and residents, and mandate time frames in which final repaving and repairs are made to residents' property.

3) Ensure that Maryland municipalities that participate in the Maryland State Retirement and Pension System will not be required to report unfunded liabilities under GASB 68 that are significantly larger than their actual liabilities in the System.

2016 MML Legislative Priorities

1) Highway User Revenue Funding Restoration for Municipalities

2) Restoration of Program Open Space funding and for protection of the program to ensure that program funds are not diverted to other uses

2015 Takoma Park Legislative Action Requests

1) Ensure that an adequate, ongoing formula for Highway User Revenue for municipalities is established and fully funded each year.

2) Ensure that municipal residents are no longer harmed by tax duplication laws or the lack of appropriate tax duplication laws, and that reimbursement or tax differential eligibility is extended to all tax-duplicated services regardless of how those services are funded by the municipality or county.

3) Create an Innovation Fund from which municipalities could receive grant funding to undertake innovative efforts to advance one or more high priority goals of the State of Maryland.

2015 MML Legislative Priorities

1) Highway User Revenue Funding Restoration for Municipalities

2) Alleviate the financial disclosure requirements of state ethics law for municipal government officials.

3) Alter the comprehensive master plan adoption procedure to (a) establish a timeframe longer than 60 days for adoption of a plan or plan amendment; (b) authorize the legislative body to remand back to the planning commission for further action; and (c) authorize the legislative body to approve a plan or plan amendment with changes.

2021 MML LEGISLATIVE REQUEST

Name of Municipality, Chapter or Department submitting request: _____

Contact Person/Title _____

Address/City/State/Zip: _____

Telephone numbers: (Work) _____ (Home) _____ E-mail: _____

How MML Legislative Priority Issues Are Selected

1. The League shall inform all member municipalities, chapters, and departments that they may **submit up to three legislative requests each for consideration** as MML initiatives before the Maryland General Assembly by a deadline selected by the League.
2. The staff reviews these requests and prepares background information for the Legislative Committee.
3. The Legislative Committee meets to discuss these requests and to consider MML priority issues not resolved during the previous session.
4. A legislative request that is the same or as substantially similar to a request that has previously been considered and rejected by the committee twice within a four-year period coinciding with the current term of the General Assembly shall be excluded from consideration by the committee.
5. The LAR submission form requires verification that the elected body of a municipality or the membership of a chapter or department has endorsed a legislative request prior to submission.
6. The committee shall limit legislative sponsorship proposals to the membership for consideration at the fall conference to no more than four (4) non-prioritized items and limit the proposals adopted by the membership to four (4).

LAR FORM MUST BE RETURNED VIA MAIL OR E-MAIL NO LATER THAN FRIDAY, JULY 24 , 2020.

1. Describe the problem or situation the request is intended to address:

2. Describe the requested legislation:

3. Describe how the requested legislation would remedy the problem:

4. The proposed legislation would address: _____ Only your municipality
_____ Only municipalities in your county _____ Municipalities in the entire state

_____All counties and municipalities in the entire state

5. Would the proposed remedy have a significant fiscal impact on your municipality?

BACKGROUND INFORMATION

1. Could the problem be resolved by something other than a new law, i.e., action by another level of government or changes in administrative procedures?

2. If administrative remedies have already been pursued, what were they and what was the outcome?

3. What other state and/or local agencies, if any, would be affected by this proposal?

4. Have any state agencies been contacted about the proposal? If yes, what was their reaction?

HISTORICAL INFORMATION

1. Has the League considered this proposal in a previous year? If yes, describe any significant changes in circumstances that might improve its chances of success in 2021:

2. Has this request been considered by the General Assembly in prior sessions? If yes, please provide the bill number, year, and outcome of legislation, if known:

3. Has this proposed legislation been implemented by any other city, county or state? If yes, please describe where it has been implemented and cite any existing law or model code upon which the proposal is based:

Signature of authorized municipal, chapter
or departmental official

Print name & Title

Date

Please return LAR form to:
MML Legislative Committee
1212 West Street
Annapolis, MD 21401
ATTN: Bill Jorch
410-268-5514
E-mail:
kevinc@mdmunicipal.org &

Please indicate the date of the meeting where the governing body of the municipality, chapter or department endorsed/approved this request: _____.

Please complete this form in its entirety. Attach additional sheets, if necessary, as well as documents related to your request. Please return to MML NO LATER THAN **FRIDAY, JULY 24, 2020.**