



Legislative & Rules Committee – Board of Representatives

Phil Berns, Co-Chair

Susan Nabel, Co-Chair

Committee Report

Date: Tuesday, March 29, 2022
Time: 7:00 p.m.
Place: *This meeting was held remotely.*

The Legislative & Rules Committee met as indicated above. In attendance were Co-Chairs Berns and Nabel and Committee Member Reps. Boeger, Cottrell, Matheny, Miller, and Sherwood. Absent were Reps. Florio and Jacobson. Also present were Reps. de la Cruz, Grunberger, Mays, Morson, Sandford, Tomas and Watkins.

Co-Chair Berns called the meeting to order at 7:00 p.m.

Item No.	Description	Invitee(s) or Designees
1. LR31.019	REVIEW. Restricting Gas-Powered Leaf Blowers. 02/09/22 – Submitted by Reps. Berns and Mays 03/01/22 – Held by Committee 8-0-0	Held 7-0-0

Secondary Committee: Land Use/Urban Redevelopment

Mr. Munshi-South discussed this item with the committee. Items discussed included the following:

- The reasons for restricting gas-powered leaf blowers are excessive noise, dust, allergens, air pollution, worker health and safety concerns and ecological damage
- Several other towns and some states are looking into or enacting complete bans or restrictions, such as summer/winter restrictions or restrictions which sunset into bans in five years
- Some landscaping companies have already switched over to electric equipment
- Having a five year sunset would give companies time to replace aging equipment
- Restrictions on leaf blowers in summer and winter, when they are not needed, should be considered, with a transition to a ban in five years
- Power blowers are only one piece of equipment that causes high levels of noise; string trimmers actually make more noise
- Gas powered blowers are more effective; it may take more time for landscapers to do their jobs
- Using only electric blowers requires 24 batteries in one day
- Maybe restrict them to before 6 or 7 pm
- Battery powered blowers also have environmental effects
- Would gas snow blowers be banned?
- This is a complex issue
- Is this shifting an increased cost to the homeowner
- Important to get public input; can work on an ordinance as a precursor to public hearing
- Could consider a focus group with various stakeholders on the problem.

A motion to hold Item No. 1 was made, seconded and approved by unanimous voice vote (Reps. Berns, Nabel, Boeger, Cottrell, Matheny , Miller, and Sherwood in favor).

- 2 [LR31.018](#) APPROVAL; Amendment to the Board of **Held 7-0-0**
Representatives Rules of Procedure to Amend
Section II.B.1 to Establish a Postage Allowance to
Facilitate Representatives' Broader Communication
with Constituents.
02/09/22 – Submitted by Reps. de la Cruz, Morson
and Sherwood
03/01/22 – Held by Committee 8-0-0

Committee members discussed Item No. 2:

- The prior allowance of \$750 was not sufficient
- There are still questions to iron out in the proposal, such as what is a household, how often should quotes be gotten, when can a mailing be done, and who is responsible for overseeing
- The Administration has not been approached about supporting this amount
- Is this the most effective way to reach constituents
- This is a lot of money to spend
- What will the time commitment be on the Board office?

A motion to hold Item No. 2 was made, seconded and approved by unanimous voice vote (Reps. Berns, Nabel, Boeger, Cottrell, Matheny , Miller, and Sherwood in favor).

3. [LR31.006](#) APPROVAL; Amendment to the Board of **Held 7-0-0**
Representatives Rules of Procedure to Amend
Section II.B.1 to Remove Reference to Mailing
Allowance.
12/08/21 – Submitted by Rep. Sherwood
12/28/21 – Held by Committee 6-3-0
01/25/22 – Held by Committee 9-0-0
03/01/22 – Held by Committee 8-0-0

A motion to hold Item No. 3 was made, seconded and approved by unanimous voice vote (Reps. Berns, Nabel, Boeger, Cottrell, Matheny , Miller, and Sherwood in favor).

4. [LR31.015](#) APPROVAL; Amendment to the Board of **Held 7-0-0**
Representatives Rules of Procedure to Amend
Section V.B.5 to remove the Requirement for
Approval by the Majority and Minority Leader.
02/08/22 – Submitted by Rep. Sandford
03/01/22 – Failed in Committee 3-5-0
03/07/22 – Recommitted by Full Board

Rep. Sandford explained the goals of this proposed rule change.

- All members of the Board should have an equal vote
- A motion to limit debate should depend on the circumstances; this proposal allows for flexibility
- The 2/3 threshold is paramount

It was noted that possibly Items 4 and 5 should be treated as one item

A motion to discuss Item No. 4 and 5 together was made, seconded and approved by unanimous voice vote (Reps. Berns, Nabel, Boeger, Cottrell, Jacobson, Matheny, Miller, and Sherwood in favor).

5. [LR31.020](#) APPROVAL; Amendment to the Board of **Held 7-0-0**
Representatives Rules of Procedure Section V.B to
Prohibit any Motion to Move the Question or Limit
Debate Until Each Person Seeking to Speak is
Given Two Minutes to do so.
03/07/22 – Submitted by Reps. Berns

The committee discussed various questions related to each part of the proposed change. A motion to hold Item Nos. 4 & 5 was made, seconded and approved by unanimous voice vote (Reps. Berns, Nabel, Boeger, Cottrell, Matheny, Miller, and Sherwood in favor).

6. [LR31.016](#) APPROVAL; Amendment to the Board of **Held 7-0-0**
Representatives Rules of Procedure Section IV.A.1
to add new Subsection g. to Vote on the Consent
Agenda all at Once.
02/09/22 – Submitted by Rep. Cottrell and Ley
03/01/22 – Held by Committee 8-0-0

Committee members discussed Item No. 6. Items discussed included the following:

- Should the entire consent agenda be placed at the beginning of the agenda
- The Board office and the clerk would have to keep track of the items on Consent
- It might be more manageable to have the consent items at the beginning of each committee's items and moved by the committee chair at the beginning of the report

A motion to hold Item No. 6 was made, seconded and approved by unanimous voice vote (Reps. Berns, Nabel, Boeger, Cottrell, Matheny, Miller, and Sherwood in favor).

7. [LR31.021](#) APPROVAL; Amendment to the Board of **Approved 6-1-0**
Representatives Rules of Procedure Section IV.E.3:
Time for Public Comment, to Clarify that a Motion to
Extend Can Only be Made at Start of Public
Comment Period.
03/09/22 – Submitted by Rep. Watkins, Sherwood,
Tomas, Matheny, and Nabel

Rep. Watkins explained that the goal of this amendment is to require the public comment period to be extended prior to its start to that the President can determine how much time to allocate. The purpose of extending the time is to permit more people to speak, not to allow speakers more time.

A motion to approve Item No. 7 was made, seconded and approved by a vote of 6-1-0 (Reps. Berns, Nabel, Boeger, Cottrell, Matheny, and Sherwood in favor; Rep. Miller opposed).

8. [LR31.022](#) APPROVAL; Amendment to the Board of Representatives Rules of Procedure Section IV.E.3: Time for Public Comment to Limit Time for Speaking to No More Than 2 Minutes Per Person if Public Comment Period is Extended
03/09/22 – Submitted by Rep. Watkins, Sherwood, Tomas, Matheny, and Nabel **Approved 6-1-0**

Committee members discussed whether, if the time allocated in the public comment period is extended, the speaker's time should be no more than two minutes per person. A minimum time for each speaker would be addressed by Item 10, which sets a minimum amount of time of 90 seconds per speaker.

A motion to approve Item No. 8 was made, seconded and approved by a vote of 6-1-0 (Reps. Berns, Nabel, Boeger, Cottrell, Matheny, and Sherwood in favor; Rep. Miller opposed).

10. [LR31.023](#) APPROVAL; Amendment to the Board of Representatives Rules of Procedure Section IV.E.3: Time for Public Comment, to set a minimum amount of time a member of the public can speak.
03/09/22 – Submitted by Rep. Sherwood, Tomas, Matheny and Morson **Approved 6-1-0**

A motion to approve Item No. 9 was made, seconded and approved by a vote of 6-1-0 (Reps. Berns, Nabel, Boeger, Cottrell, Matheny, and Sherwood in favor; Rep. Miller opposed).

Co-Chair Berns adjourned the meeting at 9:46 p.m.

Respectfully submitted,
Susan Nabel, Co-Chair

This meeting is on [video](#).