

MAINE STATE LEGISLATURE

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REP. MARK W. EVES
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127TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

**127th Legislature
Legislative Council**

**April 23, 2015
1:30 PM**

REVISED AGENDA

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	CALL TO ORDER	
	ROLL CALL	
1	SUMMARY OF THE MARCH 26, 2015 MEETING OF THE LEGISLATIVE COUNCIL	Acceptance
	REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	
❖ 11	• Executive Director's Report (Mr. Pennoyer)	Information
12	• Fiscal Report (Mr. Nolan)	Information
	REPORTS FROM COUNCIL COMMITTEES	
	• Personnel Committee No report	
	• State House Facilities Committee	Information
	• Legislative Budget Subcommittee	Information
	OLD BUSINESS	
❖ 16	Item #1: Council Actions Taken By Ballot (No Action Required)	Information
	NEW BUSINESS	
❖ 17	Item #1: Consideration of After Deadline Bill Requests	Roll Call Vote
	Item #2: Submission of the <i>Measures of Growth Report 2015</i> (Maine Economic Growth Council) Report to be distributed at meeting	Acceptance
	ANNOUNCEMENTS AND REMARKS	
	ADJOURNMENT	

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**LEGISLATIVE COUNCIL
MEETING SUMMARY
March 26, 2015**

CALL TO ORDER

President Thibodeau called the March 26, 2015 meeting of the Legislative Council to order at 2:30 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators: President Thibodeau, Senator Mason, Senator Cushing, Senator Alfond and Senator Hill

Representatives: Speaker Eves, Representative McCabe, Representative Gideon, Representative Fredette and Representative Espling

Legislative Officers: Robert Hunt, Clerk of the House
Jennifer McGowan, Assistant Clerk of the House
Grant T. Pennoyer, Executive Director of the Legislative Council
Dawna Lopatosky, Legislative Finance Director
Marion Hylan Barr, Director, Office of Policy and Legal Analysis
Chris Nolan, Director, Office of Fiscal and Program Review
Suzanne Gresser, Revisor of Statutes
John Barden, Director, Law and Legislative Reference Library
Kevin Dieterich, Director, Legislative Information Technology
Beth Ashcroft, Director, Office of Program Evaluation and Government Accountability

President Thibodeau convened the meeting at 2:30 p.m. with a quorum of members present.

SUMMARY OF MARCH 26, 2015 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary for March 26, 2015 be accepted and placed on file. Motion by Senator Alfond. Second by Senator Mason. **Motion passed unanimous (10-0).**

REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES

Executive Director's Report

Grant Pennoyer, Executive Director, reported on the following:

1. Heating and Plumbing Issues

A new leak in the heating system developed late last week in the west wall of the Legislative Conference Room. The affected supply and return lines have been isolated and shut off to stop any further water damage. However, this means that the Legislative Conference Room and the Governor's Chief of Staff's office are without heat until repairs can be completed. Electric heaters have been placed in the Legislative Conference Room as a temporary heat source. We are in the process of scheduling the repairs, which will need to take place on a weekend or in the evening.

2. Update on Living Memorial from the Summit Display

At its January 8th meeting, the Legislative Council approved Rep. Golden's request to display the Living Memorial from the Summit in the Hall of Flags with a time to be determined by the Executive Director and Rep. Golden. The display is now tentatively planned for the two-week period that will begin the Tuesday after the Memorial Day weekend, May 26th. The display's planned location will be in the southeast corner of the Hall of Flags.

3. Facebook Page for Law and Legislative Reference Library

The Law and Legislative Reference Library is in the process of developing and setting up a Facebook page as a means of expanding connections with potential patrons and the library community at large. Libraries use Facebook to post information about their resources and events, and Facebook's algorithm steers that information toward users who are likely to be interested in it. Other libraries in the state have requested to "friend" the Law and Legislative Reference Library. The proposed page development will make that possible. The new Facebook page will be an additional tool that the Law and Legislative Reference Library uses to meet its statutory mission of providing for "the informational needs of the Legislature, other branches of State Government, and the citizens of Maine." No other Nonpartisan Offices are planning any such social media initiatives.

4. 2015 Senate and House Registers Update

The Secretary of the Senate and the Clerk of the House are in the final stages of proofing the *2015 Senate and House Registers*. The release of this very popular booklet was delayed to capture the results of the recent special election to replace former Rep. Dickerson from Rockland. This pocket size booklet is printed once each biennium as soon as possible during the First Regular Session of each Legislature. It includes a wealth of information about individual Legislators and includes the complete Joint Rules of the Legislature. The Secretary and the Clerk are going to time the release of this booklet in order to incorporate some recent changes that were unanimously approved by the Joint Select Committee on Joint Rules, but not yet passed by the full Legislature. The booklet also includes the Legislative Code of Ethics that was adopted by the 100th Legislature. Some interest was expressed by some members of the Joint Select Committee on Joint Rules to update that Legislative Code of Ethics, which has been unchanged for more than 50 years. If this update to the code can be implemented expeditiously, the Secretary and Clerk will incorporate an adopted update to the Legislative Code of Ethics in this year's booklet.

5. Legislative Council Policies and Procedures Posted on the Web

There are numerous policies and procedures that have been adopted by the Legislative Council over the years, which have not been readily available to the Legislature. The Executive Director's Office recently completed a web page under the Legislative Council's heading with links to each of the adopted policies and procedures grouped by subject matter. Some of these policies have not been updated for many years. I am planning to work with the Council and the appropriate Council committees to review these policies and procedures and incorporate appropriate updates. The link to the page is:

<http://legislature.maine.gov/execdir/legislative-council-policies-and-procedures/9280/>.

Fiscal Report

Chris Nolan, Director, Office of Fiscal and Program Review, reported on the following:

General Fund Revenue Update

Total General Fund Revenue - FY 2015 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
February	\$110.9	\$148.7	\$37.8	34.0%	\$110.0	35.2%
FYTD	\$1,888.1	\$1,930.5	\$42.4	2.2%	\$1,765.0	9.4%

General Fund revenue was over budget by \$37.8 million (34.0%) for February, increasing the positive variance for the fiscal year through February to \$42.4 million (2.2%).

Individual income tax revenue was \$51.9 million over budget for the month of February driven largely by lower refunds than budgeted. Maine Revenue Services has consistently processed refunds this tax season, so this situation could be an indicator that refunds were over estimated. The next few months will be an indicator of whether this situation is an anomaly for the month or an indicator that refunds were over estimated. Corporate income tax revenue was \$6.7 million under budget for the month due largely to refunds. These refunds are for 2013 final corporate returns. Review of the remaining returns is expected to be completed over the next few months and this line is still expected to be close to budget for the year. The sales and use tax category came in \$2.8 million under budget but continues to track close to budget for the fiscal year to date. February's revenue (January sales) appears to have been negatively affected by the weather.

Other significant revenue variances for February reflected purely timing issues in the monthly distribution of revenue for FY 2015, including the Transfers for Tax Relief Programs category, which was over budget by \$2.1 million for February but only slightly over budget for the fiscal year to date.

Highway Fund Revenue Update

Total Highway Fund Revenue - FY 2015 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
February	\$26.7	\$26.6	(\$0.1)	-0.4%	\$25.5	4.3%
FYTD	\$196.1	\$196.9	\$0.8	0.4%	\$195.1	0.9%

Highway Fund revenue was under budget by \$0.1 million (-0.4%) in February but still over budget by \$0.8 million (0.4%) for the fiscal year through February.

Long-term trailer registration fees were under budget by \$1.2 million in February due to a significant February payment received at the beginning of March. These revenues are over

budget for the fiscal year to date by \$0.4 million. Motor vehicle registration fees were over budget by \$0.5 million in February and continue to run close to budget year to date. Title fee revenue is \$0.4 million under budget and appears to be adversely affected by the winter storms.

Cash Balances Update

Average cash balances decreased slightly in February after an increase in January. February's total cash balance of \$675.4 million was still well above both last year's balance for February of \$444.1 million and the ten-year average for February of \$485.9 million. General Fund internal borrowing decreased in February to \$113.0 million from \$116.8 million in January and was significantly lower than last February's borrowing of \$190.5 million. The average Highway Fund balance of \$54.2 million in February was slightly above January's average of \$53.6 million and was significantly higher than last February's balance of \$33.2 million.

REPORTS FROM COUNCIL COMMITTEES

1. Personnel Committee

No Report

2. State House Facilities Committee

Senator Mason, Chair of the Personnel Committee, reported that the State House Facilities Committee, with Senator Cushing presiding, met on Tuesday, March 10, 2015 to consider the following items.

1. Review of the Security Screening Policy

The committee began a discussion of a possible change to the security screening process at the State House based on a new security screening process for the new Augusta Courthouse. The committee discussed a number of security-related topics with the Chief of Capitol Police, Russell Gauvin that included:

- The effectiveness of State House security screening;
- The inconsistent treatment of the Cross Office Building; and
- The costs of security personnel at the State House.

The committee did not reach any decisions on security policy changes, but will continue to review security issues and the screening process at its next meeting.

2. Proposal to Relocate the Legislative Information Office and Legislative Conference Room

Executive Director Pennoyer asked the committee to consider a proposal to switch the locations of the Legislative Information Office and the Legislative Conference Room. This proposal is intended to make the Legislative Information Office more accessible to visitors to the State House, to address some work environment issues for the Kiosk staff person and open up the main entrance lobby to enhance security screen processing with 2 lanes of screening. The committee discussed this matter and is planning on scheduling a visit to see the Legislative Information Office current location.

3. Review of Bidding Process for State House Projects

Mr. Pennoyer reviewed the draft policy on Procurement Guidelines for State House Facilities Capital Improvement Projects. Representative McCabe suggested that the committee review the draft policy and bring any suggested changes back to the committee prior to any decisions or recommendations are made.

4. Updates on Current Facilities Projects

Mr. Pennoyer summarized the major projects that have been approved and are in process for the upcoming interim between Legislative Sessions, which include replacing the rubber roof of the State House, replacing siding on the mechanical penthouses on the State House roof and replacing the entry doors.

5. Discussion of New Facilities Projects

The committee briefly discussed several new projects including: care and maintenance of statehouse portraits, Capitol Street crosswalk safety improvements, cameras in committee rooms, the copper reuse project, electric vehicle charging stations, adding a new interior door in OPLA, repairs to the House Chamber and security card access to the Senate Chamber.

No action was taken by the Committee.

OLD BUSINESS

Item #1: Legislative Council Actions Taken by Ballot Since the January 29, 2015 Meeting

Requests for Introduction of Legislation:

LR 1941 An Act to Remove Barriers to School Construction Financing in Regional School Administrative Units

Submitted by:	Representative Christopher Babbidge	
Approved:	March 11, 2015	Vote: 9-1 in favor (with Rep. Espling opposed)

LR 1949 An Act to Assist School Districts with Regard to Extra Snow Days

Submitted by:	Representative Chuck Kruger	
Approved:	March 11, 2015	Vote: 8-2 in favor (with Rep. Fredette and Espling opposed)

LR 1961 An Act to Amend the Definition of "Property Fiscal Capacity" in the School Funding Law to Address Inequities Affecting Municipalities Experiencing Significant Reductions in Value

Submitted by:	Representative Stephen Stanley	
Approved:	March 13, 2015	Vote: 8-2 in favor (with Rep. Fredette and Espling opposed)

LR 1964 An Act to Prohibit the Sale and Possession of Powdered Alcohol in the State

Submitted by: Representative Jeff McCabe
Approved: March 18, 2015
Vote: 9-1 in favor (with Rep. Espling opposed)

LR 1981 An Act Regarding the Purchase of Essential Tools for the Repair of Motor Vehicles

Submitted by: Representative Michael McClellan
Approved: March 26, 2015
Vote: 9-1 in favor (with Rep. Espling opposed)

Legislative Council Decision:

That the Legislative Council authorize an exception to the Use of the Hall of Flags Policy to allow electric cooking appliances to be used to cook ployes on Franco-American Day, March 18, 2015.

Motion by: President Thibodeau
Second by: Speaker Eves
Approved: March 11, 2015
Vote: 10-0 in favor

NEW BUSINESS

Item #1: Consideration of After Deadline Bill Requests / Addendum

The Legislative Council considered and voted on the bill requests in accordance with the established protocol. Of the 15 bill requests, the council authorized 8 requests for introduction in the 1st Regular Session of the 127th Legislature, 1 failed, 5 were tabled, and the council took no action on 1 previously tabled item. Of the 5 joint resolutions, the council failed to authorize 2 requests, 2 were tabled, and the council took no action on 1 previously tabled item. Of the 2 Late-filed Major Substantive Rule requests, the council authorized 2. The Legislative Council's actions on the requests are included on the attached list.

ANNOUNCEMENTS AND REMARKS

Speaker Eves updated the members in regards to LD 681 An Act To Increase the Effectiveness of the Legislature, which came out of the Personnel Committee. The public hearing was held on March 23rd and the work session is scheduled for April 1st.

With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 3:35 p.m.

**127th Maine State Legislature
Legislative Council Action Taken on
Requests to Introduce Legislation
First Regular Session
3/26/2015**

AFTER DEADLINE BILL REQUESTS

SPONSOR: Sen. Scott W. Cyrway

<u>LR #</u>	<u>Title</u>	<u>Action</u>
1971	An Act To Prohibit the Sale of Powdered Alcohol	TABLED

SPONSOR: Sen. Paul T. Davis, Sr

<u>LR #</u>	<u>Title</u>	<u>Action</u>
1982	An Act To Eliminate the Requirement That Truck Campers Be Registered	PASSED

SPONSOR: Rep. Lori A. Fowle

<u>LR #</u>	<u>Title</u>	<u>Action</u>
1942	An Act To Provide Expedited Court Review of Child Visitation Orders for Military Personnel on Duty out of State	PASSED

SPONSOR: Rep. Kenneth W. Fredette

<u>LR #</u>	<u>Title</u>	<u>Action</u>
1939	An Act To Create Fairness with Regard to Pay for State Employees	TABLED

1943	An Act To Authorize a General Fund Bond Issue for Maine's Community Colleges	TABLED
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SPONSOR: Rep. Sara Gideon

<u>LR #</u>	<u>Title</u>	<u>Action</u>
1975	An Act To Carry Out the Legislature's Intent Regarding Funding of the Efficiency Maine Trust	FAILED

SPONSOR: Rep. Scott M. Hamann

<u>LR #</u>	<u>Title</u>	<u>Action</u>
1979	An Act To Allow Foster Children To Remain in Their Current Daycare	PASSED

SPONSOR: Rep. Barry J. Hobbins

<u>LR #</u>	<u>Title</u>	<u>Action</u>
1980	An Act To Study Court Facility Needs in Oxford, Waldo and York Counties	PASSED

SPONSOR: Sen. Christopher K. Johnson

<u>LR #</u>	<u>Title</u>	<u>Action</u>
1958	An Act To Ensure the Proportional Offset against Social Security Retirement Benefits of Workers' Compensation Awards	TABLED

SPONSOR: Rep. Richard S. Malaby

<u>LR #</u>	<u>Title</u>	<u>Action</u>
1977	An Act To Allow the Treatment of Forensic Patients	PASSED

SPONSOR: Sen. David R. Miramant

<u>LR #</u>	<u>Title</u>	<u>Action</u>
1955	An Act To Allow a Student Who Resides in a Municipality without a High School and Attends a Private School That Does Not Offer Athletics To Participate in Athletics at a Public School	TABLED

SPONSOR: Sen. Thomas B. Saviello

<u>LR #</u>	<u>Title</u>	<u>Action</u>
1965	An Act To Expand the Educational Opportunity Tax Credit	PASSED
1966	An Act To Allow Persons To Train Dogs To Hunt Coyotes	PASSED
1967	An Act To Assist Municipalities with the Recycling of Solid Waste	PASSED

LATE-FILED MAJOR SUBSTANTIVE RULES

SPONSOR:

<u>LR #</u>	<u>Title</u>	<u>Action</u>
1956	Resolve, Regarding Legislative Review of Rules for Permitting Overlimit Commercial Vehicles of Specified Configurations To Travel Designated Routes, a Late-filed Major Substantive Rule of the Department of Transportation	PASSED
1963	Resolve, Regarding Legislative Review of Portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program, a Late-filed Major Substantive Rule of the Department of Health and Human Services	PASSED

JOINT RESOLUTIONS

SPONSOR: Sen. Catherine Breen

<u>LR #</u>	<u>Title</u>	<u>Action</u>
1938	JOINT RESOLUTION MEMORIALIZING THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES TO APPROVE A GRANT APPLICATION TO DEVELOP A PIER PROGRAM	TABLED Withdrawn 3/26/15

SPONSOR: Rep. Stanley Byron Short, Jr.

<u>LR #</u>	<u>Title</u>	<u>Action</u>
1935	JOINT RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO RATIFY TRADE AGREEMENTS THAT ARE IN THE BEST INTERESTS OF THE AMERICAN PEOPLE AND ARE FAIR	TABLED

TABLED BY THE LEGISLATIVE COUNCIL

AFTER DEADLINE BILL REQUESTS

SPONSOR: Rep. Heather W. Sirocki

<u>LR #</u>	<u>Title</u>	<u>Action</u>
1929	An Act To Require Lobbyists To Be Sworn in When Registering as Lobbyists	Tabled 02/26/15

JOINT RESOLUTIONS

SPONSOR: Rep. Henry John Bear

<u>LR #</u>	<u>Title</u>	<u>Action</u>
242	JOINT RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO PROVIDE EQUITABLE INDIAN LAND CLAIM COMPENSATION TO THE MALISEET TRIBE COMPARABLE TO THAT PROVIDED TO THE PENOBSCOT NATION AND THE PASSAMAQUODDY TRIBE	Tabled 01/29/15 FAILED 3/26/15 *Requested by Sponsor
243	JOINT RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO PROVIDE COMPENSATION TO SURVIVING DESCENDANTS OF MALISEET AND OTHER WABANAKI TRIBAL SOLDIERS AND SAILORS WHO SERVED DURING THE AMERICAN REVOLUTIONARY WAR	Tabled 01/29/15 FAILED 3/26/15 *Requested by Sponsor

SPONSOR: **Rep. Justin Mark Chenette**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
162	JOINT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES TO RECONSIDER ITS LIFETIME DEFERRAL ON BLOOD DONATION BY GAY MEN	Tabled 01/29/15

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Legislative Council

Executive Director's Report April 23, 2015

1. Additional Orientation Session for New Legislative Employees

On Friday, April 17th, we held an additional orientation session for new legislative employees that were not available or had not been hired at the time of the larger session in January. There were 8 attendees at the session on the 17th. Topics covered once again included: payroll and benefits, sexual harassment, violence in the workplace, building and computer security, basic computer and email tips, and ergonomics.

2. Update on Paint Adhesion Issue on State House Dome

A meeting was held last week with representatives of Sherwin Williams and Ace Corporation, the subcontractor that painted the dome late last year, and Consigli, our General Contractor, to discuss the plan to address the paint adhesion issues on those areas of the dome where primer and paint were applied to new cooper. The plan calls for the removal of all the primer and paint on the new cooper beginning as early as the first week in May. Repainting those sections will begin in July after the new primer and paint have been successfully tested on a similar new cooper sample. The affected areas of the dome include an area below the Lady of Wisdom statute, the base of the posts of the balustrade and the roof under the balustrade.

Fiscal Briefing

Legislative Council Meeting – April 23, 2015
Prepared by the Office of Fiscal & Program Review

1. General Fund Revenue Update (see attached)

Total General Fund Revenue - FY 2015 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
March	\$221.2	\$200.5	(\$20.7)	-9.4%	\$213.8	-6.2%
FYTD	\$2,109.3	\$2,131.0	\$21.7	1.0%	\$1,978.8	7.7%

General Fund revenue was under budget by \$20.7 million (9.4%) for March, but still over budget for the fiscal year through March by \$21.7 million (1.0%). Individual income tax revenue was \$15.0 million under budget for the month driven largely by tax refunds that were \$19.6 million higher than budgeted. This is mostly a timing issue as refunds in February were \$49.1 million lower than budgeted. Corporate income tax revenue is \$14.2 million under budget for the fiscal year to date through March. The refunds for 2013 final corporate returns have largely been processed. It is likely that this line will be adjusted downward in the May 2015 forecast. The sales and use tax category came in \$2.6 million under budget for the month but continues to track close to budget for the fiscal year to date. March sales and use tax revenue (February sales) appears to have again been negatively affected by the weather. February sales were slow nationally but are expected to rebound in March.

2. Highway Fund Revenue Update (see attached)

Total Highway Fund Revenue - FY 2015 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
March	\$21.6	\$24.7	\$3.1	14.6%	\$23.4	5.4%
FYTD	\$217.7	\$221.6	\$3.9	1.8%	\$218.5	1.4%

Highway Fund revenue was over budget by \$3.1 million (14.6%) in March and by \$3.9 million (1.8%) for the fiscal year through March. Fuel taxes were over budget by \$1.1 million mainly because \$0.6 million less in refunds were issued than budgeted because of timing issues. Long-term trailer registration fees were over budget by \$2 million in March due mostly to the timing issue discussed last month. These revenues are over budget for the fiscal year to date by \$2.4 million.

3. Cash Balances Update

The average balance in the cash pool in March dropped to \$562.8 million from \$675.4 million in February. March is generally the low point for cash balances in the fiscal year, before the usual recovery in late April from income tax payments. The average balance for March was still well above both last year's balance for March and the ten-year average for March.

4. Fund for a Healthy Maine Revenue Update

On April 15th, the State received its first 2015 tobacco settlement payment totaling \$34.3 million that accrues to the Fund for a Healthy Maine (FHM). Additional payments are expected over the coming days. An update will be provided at the April 23rd meeting.

5. Revenue Forecasting Update

The Revenue Forecasting Committee (RFC) will meet on April 29th, to update the revenue forecast. The forecast update will incorporate the new April 1st economic forecast and information gathered by individual income tax performance in the immediate aftermath of the April 15th filing deadline.

**General Fund Revenue
Fiscal Year Ending June 30, 2015 (FY 2015)**

March 2015 Revenue Variance Report

Revenue Category				Fiscal Year-To-Date					FY 2015 Budgeted Totals
	March '15 Budget	March '15 Actual	March '15 Variance	Budget	Actual	Variance	Variance %	% Change from Prior Year	
Sales and Use Tax	76,587,723	74,030,665	(2,557,058)	800,806,234	797,542,403	(3,263,831)	-0.4%	8.9%	1,194,004,518
Service Provider Tax	4,036,870	3,635,780	(401,090)	33,127,319	32,132,934	(994,385)	-3.0%	-0.4%	50,303,776
Individual Income Tax	60,933,334	45,883,373	(15,049,961)	921,629,900	965,360,124	43,730,224	4.7%	7.6%	1,448,905,200
Corporate Income Tax	26,755,000	26,801,915	46,915	118,237,911	104,019,793	(14,218,118)	-12.0%	-7.8%	186,481,769
Cigarette and Tobacco Tax	9,836,234	11,179,424	1,343,190	100,369,419	102,077,943	1,708,524	1.7%	0.7%	134,890,000
Insurance Companies Tax	15,192,172	11,911,560	(3,280,612)	30,026,321	27,276,011	(2,750,310)	-9.2%	-6.9%	82,250,000
Estate Tax	2,295,000	1,264,437	(1,030,563)	27,049,951	23,557,750	(3,492,201)	-12.9%	66.9%	38,406,991
Other Taxes and Fees *	19,080,733	19,856,123	775,390	98,482,813	102,756,847	4,274,034	4.3%	5.2%	132,300,597
Fines, Forfeits and Penalties	1,865,355	2,423,839	558,484	16,934,181	16,827,308	(106,873)	-0.6%	-3.8%	23,000,770
Income from Investments	(301)	59,317	59,618	74,181	352,771	278,590	375.6%	88.7%	112,451
Transfer from Lottery Commission	4,442,342	4,441,014	(1,328)	43,012,851	41,098,753	(1,914,098)	-4.5%	5.7%	57,350,462
Transfers to Tax Relief Programs *	(1,710,627)	(521,228)	1,189,399	(58,747,055)	(57,528,306)	1,218,749	2.1%	11.2%	(59,183,362)
Transfers for Municipal Revenue Sharing	(1,907,160)	(4,015,838)	(2,108,678)	(42,171,381)	(45,113,211)	(2,941,830)	-7.0%	3.6%	(61,599,125)
Other Revenue *	3,835,785	3,583,119	(252,666)	20,461,201	20,646,133	184,932	0.9%	26.0%	49,587,338
Totals	221,242,460	200,533,500	(20,708,961)	2,109,293,846	2,131,007,253	21,713,407	1.0%	7.7%	3,276,811,385

* Additional detail by subcategory for these categories is presented on the following page.

General Fund Revenue
Fiscal Year Ending June 30, 2015 (FY 2015)

March 2015 Revenue Variance Report

Revenue Category				Fiscal Year-To-Date					FY 2015 Budgeted Totals
	March '15 Budget	March '15 Actual	March '15 Variance	Budget	Actual	Variance	Variance %	% Change from Prior Year	
Detail of Other Taxes and Fees:									
- Property Tax - Unorganized Territory	0	0	0	10,571,602	11,203,639	632,037	6.0%	-6.6%	13,949,984
- Real Estate Transfer Tax	650,335	608,103	(42,232)	9,433,717	9,332,654	(101,063)	-1.1%	33.5%	13,192,973
- Liquor Taxes and Fees	1,751,304	1,512,009	(239,295)	15,761,736	16,093,998	332,262	2.1%	1.4%	21,015,690
- Corporation Fees and Licenses	1,164,725	1,771,869	607,144	3,369,380	4,031,970	662,590	19.7%	14.0%	8,313,649
- Telecommunication Excise Tax	8,250,000	8,033,116	(216,884)	8,250,000	8,085,406	(164,594)	-2.0%	18.0%	8,250,000
- Finance Industry Fees	1,987,664	2,606,900	619,236	19,388,998	21,515,200	2,126,202	11.0%	4.1%	25,351,990
- Milk Handling Fee	132,536	318,743	186,207	983,503	1,041,689	58,186	5.9%	25.2%	1,381,114
- Racino Revenue	727,659	680,613	(47,046)	6,792,357	6,419,819	(372,538)	-5.5%	-1.0%	8,922,512
- Boat, ATV and Snowmobile Fees	168,522	145,730	(22,792)	2,597,409	2,400,567	(196,842)	-7.6%	-3.3%	4,523,561
- Hunting and Fishing License Fees	794,334	393,283	(401,051)	11,838,790	12,004,838	166,048	1.4%	-1.1%	15,753,396
- Other Miscellaneous Taxes and Fees	3,453,654	3,785,757	332,103	9,495,321	10,627,067	1,131,746	11.9%	8.2%	11,645,728
Subtotal - Other Taxes and Fees	19,080,733	19,856,123	775,390	98,482,813	102,756,847	4,274,034	4.3%	5.2%	132,300,597
Detail of Other Revenue:									
- Liquor Sales and Operations	2,375	4,650	2,275	3,761,355	3,823,152	61,797	1.6%	12521.8%	13,483,364
- Targeted Case Management (DHHS)	11,753	149,574	137,821	1,574,981	1,921,884	346,903	22.0%	33.6%	2,353,916
- State Cost Allocation Program	1,398,363	2,010,150	611,787	15,984,427	16,898,692	914,265	5.7%	20.1%	20,777,688
- Unclaimed Property Transfer	0	0	0	0	0	0	N/A	N/A	7,000,000
- Tourism Transfer	0	0	0	(11,624,127)	(11,624,127)	0	0.0%	-12.0%	(11,624,127)
- Transfer to Maine Milk Pool	0	(809,645)	(809,645)	(187,155)	(992,439)	(805,284)	-430.3%	N/A	(563,777)
- Transfer to STAR Transportation Fund	0	0	0	(7,066,534)	(7,066,534)	0	0.0%	-16.4%	(7,066,534)
- Other Miscellaneous Revenue	2,423,294	2,228,390	(194,904)	18,018,254	17,685,505	(332,749)	-1.8%	2.2%	25,226,808
Subtotal - Other Revenue	3,835,785	3,583,119	(252,666)	20,461,201	20,646,133	184,932	0.9%	26.0%	49,587,338
Detail of Transfers to Tax Relief Programs:									
- Me. Resident Prop. Tax Program (Circuitbreaker)	0	2,995	2,995	0	12,027	12,027	N/A	101.6%	0
- BETR - Business Equipment Tax Reimb.	(1,672,563)	(524,223)	1,148,340	(31,904,259)	(32,106,648)	(202,389)	-0.6%	20.0%	(32,080,000)
- BETE - Municipal Bus. Equip. Tax Reimb.	(38,064)	0	38,064	(26,842,796)	(25,433,685)	1,409,111	5.2%	-6.5%	(27,103,362)
Subtotal - Tax Relief Transfers	(1,710,627)	(521,228)	1,189,399	(58,747,055)	(57,528,306)	1,218,749	2.1%	11.2%	(59,183,362)
Inland Fisheries and Wildlife Revenue - Total	1,061,158	650,511	(410,647)	15,234,624	15,255,135	20,511	0.1%	-1.8%	21,346,862

**Highway Fund Revenue
Fiscal Year Ending June 30, 2015 (FY 2015)**

March 2015 Revenue Variance Report

Revenue Category				Fiscal Year-To-Date					FY 2015 Budgeted Totals
	March '15 Budget	March '15 Actual	March '15 Variance	Budget	Actual	Variance	% Variance	% Change from Prior Year	
Fuel Taxes:									
- Gasoline Tax	13,613,072	14,383,337	770,265	131,382,391	132,674,658	1,292,267	1.0%	0.9%	194,218,900
- Special Fuel and Road Use Taxes	3,696,281	4,140,338	444,057	31,456,510	31,198,192	(258,318)	-0.8%	-1.9%	45,679,700
- Transcap Transfers - Fuel Taxes	(1,272,670)	(1,365,757)	(93,087)	(13,528,653)	(13,614,098)	(85,445)	-0.6%	0.5%	(17,628,133)
- Other Fund Gasoline Tax Distributions	(340,422)	(360,867)	(20,445)	(3,706,848)	(3,738,499)	(31,651)	-0.9%	-0.7%	(4,856,833)
Subtotal - Fuel Taxes	15,696,261	16,797,051	1,100,790	145,603,400	146,520,253	916,853	0.6%	0.4%	217,413,634
Motor Vehicle Registration and Fees:									
- Motor Vehicle Registration Fees	5,350,393	5,388,588	38,195	46,445,037	46,988,264	543,227	1.2%	1.6%	65,659,536
- License Plate Fees	304,166	364,953	60,787	2,338,565	2,567,426	228,861	9.8%	2.1%	3,351,681
- Long-term Trailer Registration Fees	857,216	2,839,584	1,982,368	7,394,737	9,778,908	2,384,171	32.2%	24.6%	9,384,523
- Title Fees	1,061,457	1,159,081	97,624	9,581,768	9,301,465	(280,303)	-2.9%	-3.0%	13,129,254
- Motor Vehicle Operator License Fees	677,630	703,036	25,406	5,507,769	5,486,415	(21,355)	-0.4%	-8.1%	7,425,882
- Transcap Transfers - Motor Vehicle Fees	(3,443,140)	(3,237,760)	205,380	(11,107,621)	(10,985,470)	122,151	1.1%	0.4%	(15,483,404)
Subtotal - Motor Vehicle Reg. & Fees	4,807,722	7,217,482	2,409,760	60,160,255	63,137,008	2,976,753	4.9%	3.2%	83,467,472
Motor Vehicle Inspection Fees	123,458	132,801	9,343	2,112,652	2,325,926	213,274	10.1%	2.5%	2,982,500
Other Highway Fund Taxes and Fees	83,245	91,394	8,149	888,825	882,630	(6,195)	-0.7%	0.5%	1,270,229
Fines, Forfeits and Penalties	81,714	51,546	(30,168)	748,532	684,793	(63,739)	-8.5%	-6.4%	1,007,998
Interest Earnings	9,418	17,091	7,673	77,269	88,775	11,506	14.9%	107.7%	105,523
Other Highway Fund Revenue	773,582	412,191	(361,391)	8,066,901	7,963,508	(103,393)	-1.3%	5.5%	9,726,971
Totals	21,575,400	24,719,556	3,144,156	217,657,834	221,602,892	3,945,058	1.8%	1.4%	315,974,327

**127th Maine State Legislature
Legislative Council
Requests to Introduce Legislation
First Regular Session
As of: 4/23/2015**

AFTER DEADLINE BILL REQUESTS

SPONSOR: Sen. Stanley J. Gerzofsky

<u>LR #</u>	<u>Title</u>	<u>Action</u>
1997	An Act To Expand Access to Workforce Development at Base Redevelopment Locations	

SPONSOR: Rep. Erin D. Herbig

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2005	An Act To Allow a Victim of a Crime To Be Represented by an Attorney at a Sentencing Hearing	

LATE-FILED MAJOR SUBSTANTIVE RULES

SPONSOR:

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2013	Resolve, Regarding Legislative Review of Portions of Chapter 21: Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas, a Late-filled Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry	

JOINT RESOLUTIONS

SPONSOR: Rep. Walter A. Kumiega III

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2000	JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO REQUIRE EXPANSION OF FISH HATCHERY OPERATIONS	APPROVED by Ballot

SPONSOR: Rep. Peter C. Stuckey

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2001	JOINT RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO RECOGNIZE THE NEED FOR FEDERAL REFORM IN THE ASYLUM APPLICATION PROCESS	APPROVED by Ballot

TABLED BY THE LEGISLATIVE COUNCIL

AFTER DEADLINE BILL REQUESTS

SPONSOR: Sen. Scott W. Cyrway

<u>LR #</u>	- <u>Title</u>	- <u>Action</u>
1971	An Act To Prohibit the Sale of Powdered Alcohol	Tabled 03/26/15

SPONSOR: Rep. Kenneth W. Fredette

<u>LR #</u>	- <u>Title</u>	- <u>Action</u>
1939	An Act To Create Fairness with Regard to Pay for State Employees	Tabled 03/26/15

SPONSOR: Sen. Christopher K. Johnson

<u>LR #</u>	- <u>Title</u>	- <u>Action</u>
1958	An Act To Ensure the Proportional Offset against Social Security Retirement Benefits of Workers' Compensation Awards	Tabled 03/26/15

SPONSOR: Sen. David R. Miramant

<u>LR #</u>	- <u>Title</u>	- <u>Action</u>
1955	An Act To Allow a Student Who Resides in a Municipality without a High School and Attends a Private School That Does Not Offer Athletics To Participate in Athletics at a Public School	Tabled 03/26/15

SPONSOR: Rep. Heather W. Sirocki

<u>LR #</u>	- <u>Title</u>	- <u>Action</u>
1929	An Act To Require Lobbyists To Be Sworn in When Registering as Lobbyists	Tabled 02/26/15

JOINT RESOLUTIONS

SPONSOR: Rep. Justin Mark Chenette

<u>LR #</u>	- <u>Title</u>	- <u>Action</u>
162	JOINT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES TO RECONSIDER ITS LIFETIME DEFERRAL ON BLOOD DONATION BY GAY MEN	Tabled 01/29/15

SPONSOR: Rep. Stanley Byron Short, Jr.

<u>LR #</u>	- <u>Title</u>	- <u>Action</u>
1935	JOINT RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO RATIFY TRADE AGREEMENTS THAT ARE IN THE BEST INTERESTS OF THE AMERICAN PEOPLE AND ARE FAIR	Tabled 03/26/15

GRANT T. PENNOYER

EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

MEMO

To: Members of the Legislative Council

From: Grant Pennoyer, Executive Director

Date: April 17, 2015

Re: Late-filed Major Substantive Rule

For your consideration, the Maine Forest Service of the Maine Department of Agriculture, Conservation and Forestry has submitted the following explanation as to why the major substantive rule, LR 2013: "Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas", was late-filed and as such is part of the after deadline list.

This rule making involved the delegation of certain permitting authorities from the Maine Department of Environmental Protection to the Maine Forest Service. This required a cross-walk of existing MFS Chapter 21 rules with DEP Chapter 305 rules to ensure adequate protection of the resource. The back and forth process between agencies to be sure the rule amendments met the intent of the enabling legislation took longer than anticipated. The draft rule was sent to the Attorney General for review during the first week of December and was received back on 12-24-15. Due the timeline requirements of the APA process the public hearings could not be scheduled until the first week of February.

The public comment period closed on 2-16-15 for the rule. The preparation of the response to comments and basis statement took longer than anticipated because it again required consultation with another agency to resolve a question raised by one of the commenters. The rule making package was submitted to the bureau director, commissioner's office and Attorney General for review and approval in Mid-March – the balance of the time was spent working through this process.

Let me know if you have any questions or need anything else.

Keith Kanoti
Forester I
Maine Forest Service

Received via email April 16, 2015.