

MAINE STATE LEGISLATURE

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SEN. MICHAEL D. THIBODEAU
CHAIR

REP. MARK W. EVES
VICE-CHAIR

EXECUTIVE DIRECTOR
GRANT T. PENNOYER



127TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. GARRETT P. MASON
SEN. ANDRE E. CUSHING
SEN. JUSTIN L. ALFOND
SEN. DAWN HILL
REP. JEFFREY M. MCCABE
REP. SARA GIDEON
REP. KENNETH W. FREDETTE
REP. ELEANOR M. ESPLING

**127th Legislature
Legislative Council
DECEMBER 19, 2015
1:30 PM
REVISED AGENDA**

<u>Page</u>	<u>Item</u>	<u>Action</u>
	CALL TO ORDER	
	ROLL CALL	
1	SUMMARY OF THE NOVEMBER 19, 2015 MEETING OF THE LEGISLATIVE COUNCIL	Acceptance
	REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	
❖ 30	• Executive Director's Report (Mr. Pennoyer)	Information
32	• Fiscal Report (Mr. Nolan)	Information
❖ 37	• Studies Update and Report (Ms. Hylan Barr)	Information
	REPORTS FROM COUNCIL COMMITTEES	
	• Personnel Committee	
	• State House Facilities Committee	
	OLD BUSINESS	
❖ 39	Item #1: Consideration of Bill Requests tabled from October 22 and November 19	Roll Call Vote
42	Item #2: Council Actions Taken By Ballot (No Action Required)	Information
	NEW BUSINESS	
❖ 43	Item #1: Consideration of After Deadline Bill Requests	Roll Call Vote

47	Item #2:	Proposed Document Service Fee Schedule for 127 th Legislature, Second Regular Session (Hon. Robert Hunt)	Decision
49	Item #3:	Youth in Government Program (Request by State YMCA of Maine for 2016 Program Dates of November 11-13 or 4-6)	Decision
50	Item #4:	Request from the Maine Development Foundation to hold Policy Leaders Academy Forum Breakfasts and Civil Discourse Training in 2016 (Yellow Breen, President & CEO)	Decision
57	Item #5:	Request by Maine Credit Union League to have a luncheon in the Hall of Flags on Thursday, March 31 st	Decision
❖ 58	Item #6:	Revision of the <i>Legislative Council Policy on the Use of the Hall of Flags</i>	Decision
62	Item #7:	Submission of the Report of the Maine State Revenue Forecasting Committee (December 2015)	Acceptance
70	Item #8:	Submission of the Report of the Working Group to Develop Solutions to Meet the Needs for Municipal Volunteer Personnel (December 2015)	Acceptance
❖ 75	Item #9	Submission of the Report of the Commission to Study the Public Reserved Lands Management Fund (December 2015)	Acceptance

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

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**LEGISLATIVE COUNCIL
MEETING SUMMARY
November 19, 2015**

CALL TO ORDER

President Thibodeau called the November 19, 2015 meeting of the Legislative Council to order at 11:20 a.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: Heather Priest, Secretary of the Senate
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
Jackie Little, Human Resources Director
Marion Hylan Barr, Director, Office of Policy and Legal Analysis
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 11:20 a.m. with a quorum of members present.

SUMMARY OF OCTOBER 22, 2015 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary for October 22, 2015 be accepted and placed on file. Motion by Senator Hill. Second by Senator Alfond. **Motion passed unanimous (9-0, with Senator Cushing absent).**

REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES

Executive Director's Report

Grant Pennoyer, Executive Director, submitted the following written report:

1. Priority Security Screening Update

The processing of low-risk priority screening access cards by the Executive Director's Office has increased significantly since my last reporting. We have received 82 applications for the cards and through yesterday have distributed 59 cards. The cards issued this fall are scheduled to expire on December 6, 2016. If renewed for a \$35 renewal fee, the renewal will be valid through the 128th Legislature.

2. Update on State House Projects

Construction and cosmetic repair work in the State House have wrapped up for this interim. Two major projects that were approved for this year have been deferred until next interim: the replacement of the State House roof on the north and south wings and the State Street sidewalk repair. The delay of the roof work until next year produced a much lower bid for the work.

3. Original Copper from the State House Dome – Progress Report

The Office of the Executive Director has begun distributing mementos and rough pieces of the old copper from the State House Dome. So far we have sold 58 total mementos (the plaque or the framed picture with pieces of the copper from the State House dome). We have also sold roughly 140 square feet of the copper in rough form. We expect these orders to continue to grow as word spreads and the mementos and rough sheets are delivered and, of course, as the holidays approach.

4. Youth in Government Program – November 13th to 15th

The Youth in Government Program of the Maine YMCA held its annual weekend program in the State House and Cross Office Building last weekend. This year's program was a great success.

Fiscal Report

Chris Nolan, Director, Office of Fiscal and Program Review, submitted the following written report:

General Fund Revenue Update

Total General Fund Revenue - FY 2016 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
October	\$283.9	\$280.3	(\$3.7)	-1.3%	\$283.8	-1.2%
FYTD	\$1,133.6	\$1,140.8	\$7.2	0.6%	\$968.7	17.8%

General Fund revenue was under budget by \$3.7 million (1.3%) for the month of October and over budget by \$7.2 million (0.6%) for the fiscal year through October. Individual income tax revenue was \$0.4 million under budget for the month of October but remained over budget by

\$14.6 million for the fiscal year through October. Withholding was over budget by \$4.3 million for the month while estimated payments were under budget by \$1.6 million. Sales and use tax revenue was over budget by \$0.6 million for the month and over budget by \$3.2 million for the fiscal year to date. These revenues rebounded as expected from the previous month's poor performance. Corporate income tax revenue was under budget by \$2.0 million for the month of October and \$7.3 million for the fiscal year through October.

Highway Fund Revenue Update

Total Highway Fund Revenue - FY 2016 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
October	\$28.0	\$27.8	(\$0.2)	-0.6%	\$27.8	0.1%
FYTD	\$112.8	\$114.1	\$1.3	1.2%	\$91.8	24.3%

Highway Fund revenue was under budget by \$0.2 million (0.6%) for the month of October and over budget by \$1.3 million (1.3%) for the fiscal year through October. Fuel taxes were over budget for the month of October by \$0.5 million while motor vehicle registration and fees were under budget by \$0.5 million. Most of the latter variance could be attributed to timing as the last day of the month was a Saturday.

Cash Balances Update

The average total cash pool balance for October was \$818.5 million, a 3.7% decrease from last month's average but significantly higher than both last October and the previous 10-year average balance for October. Internal borrowing for the General Fund averaged \$17.4 million in October which is, slightly higher than last month but significantly lower than October of last year. The average Highway Fund balance decreased by 11.6% but is still much higher than in October of 2014.

Studies Update and Report

Marion Hylan Barr, Director, Office of Policy and Legal Analysis, submitted the attached written report.

REPORTS FROM COUNCIL COMMITTEES

1. Personnel Committee

No Report

2. State House Facilities Committee

No report.

OLD BUSINESS

Item #1: Consideration of Bill Requests Tabled from October 22 meeting

The Legislative Council proceeded to consider and vote on eighteen (18) bill requests previously tabled in accordance with the adopted protocol, and using an electronic voting system. The

Legislative Council authorized six (6) bills for introduction in the Second Regular Session, declined to authorize two (2) bill requests, and no Legislative Council action was taken on ten (2) bill requests so they remain tabled. The Legislative Council's action on the bill requests is attached.

NEW BUSINESS

Item #1: Suggested Procedures for Deciding Legislator Bill Requests

President Thibodeau and Mr. Pennoyer reviewed the procedures for deciding legislator bill requests.

Item #2: Consideration of Appealed Bill Requests for Introduction in the Second Regular Session of the 127th Legislature

The Legislative Council proceeded to consider and vote on one hundred forty-seven (147) bill requests in accordance with the adopted protocol, and using an electronic voting system. The Legislative Council authorized forty-eight (48) bills for introduction in the Second Regular Session, tabled nine (9) bill requests and declined to authorize eighty-one (81) bill requests. Out of the 147 requests, nine (9) bill requests were withdrawn by the sponsor. The Legislative Council's action on the bill requests is attached.

Item #3: Request from the Task Force on School Leadership to extend its reporting deadline

The Task Force on School Leadership submitted a request to extend its final reporting deadline to December 15, 2015.

Motion: That the Legislative Council approve the request by the Task Force on School Leadership to extend its final reporting deadline to December 15, 2015. Motion by Senator Cushing. Second by Senator Mason. **Motion passed (10-0).**

Item #4: Request from Joint Standing Committee on Health and Human Services to extend its reporting deadline for its Study of Allocations of the Fund for a Healthy Maine

The Joint Standing Committee on Health and Human Services submitted a request to extend its final reporting deadline for its Study of Allocations of the Fund for a Healthy Maine to December 15, 2015.

Motion: That the Legislative Council approve the request by the Joint Standing Committee on Health and Human Services to extend its final reporting deadline for its Study of Allocations of the Fund for a Healthy Maine to December 15, 2015. Motion by Senator Cushing. Second by Senator Alfond. **Motion passed (10-0).**

Item #5: Submission of Washington County Development Authority Annual Report

The Loring Development Authority of Maine submitted its 2013 Annual Report for acceptance by the Legislative Council.

Motion: That the Legislative Council accept the 2015 Annual Report of the Washington County Development Authority and place it on file. Motion by Senator Cushing. Second by Senator Mason. **Motion passed (10-0).**

Item #6: Submission of Loring Development Authority of Maine Annual Report

The Loring Development Authority of Maine submitted its 2015 Annual Report for acceptance by the Legislative Council.

Motion: That the Legislative Council accept the 2015 Annual Report of the Loring Development Authority of Maine and place it on file. Motion by Senator Cushing. Second by Senator Hill. **Motion passed (10-0).**

ANNOUNCEMENTS AND REMARKS

With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 3:46 p.m.

2015 Interim Legislative Studies and Committee Meetings

Updated November 16, 2015

<u>Study/Committee</u>	<u>Citation</u>	<u>2015 Meetings Authorized</u>	<u>2015 Meetings Held</u>	<u>Scheduled Next Meeting Date(s)</u>	<u>Report Date</u>	<u>Chair(s)</u>	<u>Status/Notes</u>
NEW STUDIES							
Task Force To End Student Hunger in Maine	PL 2015 c. 267 Part CCC	at least 2 and no more than 4 per year			1/10 annually	Rep. Ginzler	appointments not completed; staffed by Dept. of ED; new ongoing study
Commission to Study Difficult-to-place Patients	Resolve 2015 c. 44	4	10/26/2015 11/5/2015	11/20/2015 12/2/2015	12/2/2015	Sen. Katz Rep. Gattine	conducting work
Commission to Study the Public Reserved Lands Management Fund	Resolve 2015 c. 267 Part GGGG	4	9/5/2015 9/29/2015 10/27/2015	12/1/2015	12/5/2015	Sen. Saviello Rep. Hickman	conducting work
Commission to Strengthen and Align the Services Provided to Maine Veterans	Resolve 2015 c. 48	4	10/7/2015 10/28/2015 11/4/2015	12/2/2015	1/15/2016	Sen. Collins Rep. Golden	conducting work
Working Group to Meet the Needs of Municipal Volunteer Personnel	Resolve 2015 c. 49	3	10/20/2015 11/3/2015	11/17/2015	12/2/2015	Sen. Baker Rep. Lajoie	conducting work
Task Force on School Leadership	Resolve 2015 c. 46	2	10/6/2015		12/2/2015	Sen. Langley Rep. Kornfield	conducting work
Maine Health Exchange Advisory Committee	SP 533 as amended by H-501	2			12/4/2015 (prelim.) 11/5/2016 (final)		appointments not completed
Jt. Standing Committee on HHS to Study the Allocations of the Fund for a Healthy Maine	Resolve 2015 c. 47	4	9/28/2015 10/13/2015 11/9/2015	10/26/2015 (cancelled) 11/30/2015	12/2/2015	Sen. Brakey Rep. Gattine	conducting work

ON-GOING LEGISLATIVE STUDIES

State Education and Employment Outcomes Task Force	20-A MRSA Sec. 12901	no more than 4 times per year			11/1 annually		appointments not completed
*Legislative Youth Advisory Council	3 MRSA Sec. 168-B	may hold 2 per year			2nd Friday in February in even numbered years		appointments not completed
Right to Know Advisory Committee	1 MRSA Sec. 411	not fewer than 4 times per year	9/15/2015 10/6/2015 11/13/2015	12/1/2015	1/15 annually		appointments not completed; conducting work
Citizen Trade Policy Commission	10 MRSA Sec. 11	at least 2 times per year	9/24/2015 10/27/2015		annually		appointments not completed; conducting work
Judicial Compensation Commission	4 MRSA Sec. 1701	n/a funded by court system			12/15 of each even numbered year		appointments completed

2015 Interim Legislative Studies and Committee Meetings

Updated November 16, 2015

<u>Study/Committee</u>	<u>Citation</u>	<u>2015 Meetings Authorized</u>	<u>2015 Meetings Held</u>	<u>Scheduled Next Meeting Date(s)</u>	<u>Report Date</u>	<u>Chair(s)</u>	<u>Status/Notes</u>
AUTHORIZED COMMITTEE MEETINGS (other than AFA)							
IFS Committee (carry over bill LD 1305 - health insurance)		4	9/16/2015 11/12/2015	10/5/2015 - (cancelled) 11/30/2015	n/a		conducting work
ENR Committee (solid waste management issues)		4	9/10/2015 10/13/2015 10/28/2015	11/24/2015	n/a		conducting work
EUT Committee (carry over bills LDs 466, 879, 1302 - telecommunications)		4	10/26/2015	11/18/2015	n/a		conducting work
VLA Subcommittee (Resolve 2015, c. 19 (LD 74) - continuation of VLA subcommittee that began work before adjournment regarding equitable provision of services to members of the military)		2	10/13/2015 11/12/2015	12/1/2015 (pending approval)	n/a		conducting work
SLG Subcommittee (carry over bill LD 1328 - ancient and family burying grounds)		3	10/27/2015 11/4/2015		n/a		conducting work
ACF Committee (Tour of sustainable forestry practices; Aroostook County)		1	10/26/2015		n/a		meeting held
HHS Committee (Riverview, contracting issues, substance abuse, wait lists and other HHS-related issues)		3	11/9/2015		n/a		conducting work (met on same date as last meeting regarding FHM)

127th Legislature - Second Regular Session
Legislative Council Action on Bill Requests Tabled October 22nd
November 19, 2015

	Action
Senator Alfond of Cumberland	
LR 2532	FAILED
An Act To Increase Awareness of Postsecondary Financial Aid Options	
Senator Burns of Washington	
LR 2250	PASSED
An Act To Expand the Definition of "Advocate" for Purposes of Disclosure of Information by a Criminal Justice Agency	
LR 2293	PASSED
An Act To Provide an Annual Cost-of-living Adjustment to Nursing Facilities	
LR 2294	PASSED
An Act To Preserve MaineCare Assisted Living by Providing a Cost-of-living Adjustment to Private Nonmedical Institutions and Adult Family Care Homes	
LR 2363	PASSED
An Act To Reduce the Trafficking of Illegal Drugs in the State	
Representative Chipman of Portland	
LR 2139	FAILED
An Act To Allow Municipalities To Restrict How Close to Daycare Facilities Convicted Sex Offenders May Live	
Representative Dion of Portland	
LR 2385	PASSED
An Act To Establish the Law Enforcement Assisted Diversion Program in Maine	
Representative Eves of North Berwick	
LR 2523	TABLED 10/22/15
An Act To Support and Strengthen the Direct Care Workforce	

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Legislative Council Action on Bill Requests Tabled October 22nd
November 19, 2015

		Action
Representative Fowle of Vassalboro		
LR 2209	An Act To Amend the Public Safety Laws	TABLED 10/22/15
Representative Fredette of Newport		
LR 2343	An Act To Authorize a General Fund Bond Issue to Invest in Marine Transportation and Port Infrastructure at Mack Point to Meet the Needs of the Marine Construction and Shipping Business Sector and to Create Jobs	TABLED 10/22/15
Representative Gattine of Westbrook		
LR 2384	An Act To Fix Changes Made to Maine's Provider Tax	TABLED 10/22/15
LR 2432	An Act To Promote the Success and Accountability of Welfare Reform Initiatives in Maine	TABLED 10/22/15
Senator Gerzofsky of Cumberland		
LR 2200	An Act To Amend and Clarify the Brunswick Naval Air Station Job Increment Financing Fund	TABLED 10/22/15
Representative Herbig of Belfast		
LR 2401	An Act to Provide Job Opportunities to Families Participating in the Temporary Assistance for Needy Families Program	TABLED 10/22/15
Senator Katz of Kennebec		
LR 2324	An Act To Strengthen Intragovernment Communication and Ensure the Ability of Boards and Commission to Function	TABLED 10/22/15

127th Legislature - Second Regular Session
Legislative Council Action on Bill Requests Tabled October 22nd
November 19, 2015

Action

Representative Maker of Calais

LR 2501

An Act To Support Maine People in Recovery

PASSED

Representative McCabe of Skowhegan

LR 2321

An Act To Amend the Maine Criminal Code to Clarify the
Prohibition on the Exercise of Improper Influence

TABLED 10/22/15

Senator Thibodeau of Winterport

LR 2417

An Act To Ensure Accountability in Maine's Welfare System

TABLED 10/22/15

Total number of bills accepted: 6

Total number of bills not accepted: 2

Total number of bills remain tabled: 10

Total number of bills considered: 18

127th Legislature - Second Regular Session
Legislative Council Action on Appealed Bill Requests
November 19, 2015

		Action
Senator Alfond of Cumberland		
LR 2252	An Act To Transfer the Maine Coworking Development Fund from the Department of Economic and Community Development to the Finance Authority of Maine	FAILED
LR 2409	An Act To Increase Collaboration between the Department of Education and School Food Service Directors	PASSED
LR 2410	An Act To Feed Young Children by Strengthening the Child and Adult Care Food Program	PASSED
LR 2415	An Act To Attract Talent to Maine by Promoting the Educational Opportunity Tax Credit	FAILED
LR 2416	An Act To Feed Children from Low-income Families	FAILED
Representative Babbidge of Kennebunk		
LR 2546	An Act To Establish Policy Regarding Distributed Solar Power	FAILED
Senator Baker of Sagadahoc		
LR 2137	An Act To Increase Access to Call Location Information by Law Enforcement Agencies	WITHDRAWN
LR 2141	An Act To Allow Maine Residents to Access the Online Reservation Site for State Parks 24 Hours before Nonresidents	WITHDRAWN
LR 2351	An Act To Protect Firefighters by Prohibiting the Use of Certain Flame-retardant Chemicals in New Upholstered Furniture	PASSED

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Legislative Council Action on Appealed Bill Requests
November 19, 2015

	Action
LR 2390	PASSED
An Act To Improve Teaching Assignments in Maine's Public	
Representative Bear of Houlton Band of Maliseet Indians	
LR 2161	FAILED
An Act To Reduce Diabetes and Obesity among Members of the Houlton Band of Maliseet Indians by Recognizing and Providing for the Right of Tribal Members To Hunt Moose for Sustenance throughout Aroostook County	
LR 2162	FAILED
An Act To Alleviate Unemployment in Aroostook and Washington Counties by Authorizing a Tribal Casino To Be Operated by the Houlton Band of Maliseet Indians on Tribal Lands in Aroostook County	
LR 2164	FAILED
An Act To Alleviate Tribal Unemployment, Fund Economic Development for the Houlton Band of Maliseet Indians and Provide Funding for Essential Tribal Government Health and Housing Programs in Aroostook County by Annually Apportioning a Percentage of Slot Machine Income from the Casino in Bangor to Federally Recognized Tribes in Aroostook County	
LR 2345	FAILED
An Act To Alleviate Tribal Unemployment and Fund Critical Tribal Government Programs for Federally Recognized Tribes in the State by Exempting the Tribes from State Gaming Laws for Gaming Conducted on Tribal Lands Using 350 or Fewer Slot Machines and Located More Than 80 Miles from an Existing Casino	
LR 2391	FAILED
An Act To Alleviate Tribal Unemployment by Removing Barriers to the Granting of Commercial Lobster and Crab Fishing Licenses to Members of the Houlton Band of Maliseet Indians	

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Legislative Council Action on Appealed Bill Requests
November 19, 2015

		Action
Representative Beavers of South Berwick		
LR 2296	An Act To Require Background Checks for Private Sales or Transfers of Firearms	FAILED
LR 2297	Resolve, To Provide the Legislature with Information on the Need for Mental Health Services in County Jails	FAILED
LR 2380	An Act To Establish a Single Government Entity To Coordinate and Ensure Pipeline Safety in Maine	FAILED
LR 2404	An Act To Establish the Maine Foster Children's Bill of Rights	FAILED
LR 2459	An Act To Revise Qualifications for Certain Members of the Telecommunications Relay Services Advisory Council	FAILED
LR 2513	Resolve, Directing the Department of Health and Human Services To Consider the Rights of Siblings in Situations of Adoption	FAILED
Representative Beck of Waterville		
LR 2542	An Act To Encourage Maine Employers To Offer and Employees To Enroll in Disability Income Protection Plans in the Workplace	PASSED
LR 2547	Resolve, To Clarify Inspections of Caregivers under the Maine Medical Use of Marijuana Act	FAILED
Representative Beebe-Center of Rockland		
LR 2144	An Act To Improve the Elver Season	FAILED

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Legislative Council Action on Appealed Bill Requests
November 19, 2015

		Action
Representative Blume of York		
LR 2443	An Act To Improve the Management of "Beach-cast" Seaweed for Purposes of Health, Ecology and Tourism	FAILED
LR 2500	An Act To Implement an Owner-operator Requirement in the Scallop and Sea Urchin Fisheries	FAILED
Senator Brakey of Androscoggin		
LR 2223	An Act To Eliminate the Disclosure Requirement for a Person Carrying a Concealed Handgun without a Permit	FAILED
LR 2262	An Act Regarding New School Construction	FAILED
LR 2325	An Act To Impose Penalties for Certain Transfers of Assets at Less Than Fair Market Value by Individuals	FAILED
Senator Breen of Cumberland		
LR 2269	An Act To Promote Private Fund-raising for the Governor Baxter School for the Deaf	PASSED
Representative Brooks of Lewiston		
LR 2484	An Act To Improve Internet Safety for Children	FAILED
LR 2485	An Act To Improve Insurance Coverage for Breast Cancer Screening and To Inform Patients If They Have Increased Breast Density	FAILED

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Legislative Council Action on Appealed Bill Requests
November 19, 2015

	Action
Representative Campbell of Orrington	
LR 2330 An Act To Encourage the Development of Commercial Transportation Opportunities in Bucksport	TABLED
LR 2331 An Act To Encourage the Development of Electrical and Natural Gas Infrastructure in Bucksport	TABLED
Senator Collins of York	
LR 2239 An Act To Allow Minors at Licensed Campgrounds To Participate in Certain Seasonal Activities	FAILED
Representative Cooper of Yarmouth	
LR 2256 An Act To Amend the Appointment Process for Members of the Land for Maine's Future Board and the Responsibilities of the Board	FAILED
LR 2436 An Act To Limit the Increase in the Price of Prescription Drugs	FAILED
Senator Cushing of Penobscot	
LR 2496 An Act To Repeal the Service Provider Tax on So-called Appendix C Private Nonmedical Institutions	PASSED
LR 2539 An Act To Ensure Nondiscrimination against Gun Owners in Housing	PASSED
Senator Cyrway of Kennebec	
LR 2284 An Act To Increase Sentences Imposed for Interstate Trafficking of Illegal Drugs	PASSED

127th Legislature - Second Regular Session
Legislative Council Action on Appealed Bill Requests
November 19, 2015

		Action
Representative Daughtry of Brunswick		
LR 2279	An Act To Require That High School Curricula Include Instruction Regarding Affirmative Consent, Communication and Decision-making Skills	FAILED
Representative Davitt of Hampden		
LR 2311	An Act To Establish the Veterans Count Maine Donation Fund	FAILED
Representative Devin of Newcastle		
LR 2474	Resolve, To Ensure the Sustainability of the Periwinkle Fishery	FAILED
LR 2511	An Act To Address the Costs for Certain Special Education Students	FAILED
Representative Dion of Portland		
LR 2506	An Act To Clarify Laws Relating to Affiliate Ownership of Electric Generation	PASSED
Representative Duchesne of Hudson		
LR 2146	An Act To Establish November 1st as Veterans in the Arts and Humanities Day	PASSED
Senator Edgecomb of Aroostook		
LR 2184	An Act To Allow a Part of the Town of Caribou To Secede and Form the Town of Lyndon	FAILED

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Legislative Council Action on Appealed Bill Requests
November 19, 2015

		Action
Representative Fecteau of Biddeford		
LR 2176	An Act To Authorize a General Fund Bond Issue To Fund Vocational High Schools	PASSED
LR 2453	An Act To Protect Taxpayer Dollars and Ensure the Integrity of State Economic Development Programs	FAILED
Representative Fowle of Vassalboro		
LR 2210	An Act To Amend the Laws on Protection from Abuse and Unauthorized Dissemination of Certain Private Images	PASSED
Representative Fredette of Newport		
LR 2211	An Act To Amend the Laws Regarding Protection from Abuse Orders in Order To Implement the Laws Regarding the Unauthorized Dissemination of Certain Private Images	PASSED
LR 2434	An Act To Make Additional Technical Changes to Recently Enacted Tax Legislation Concerning Pension Income	PASSED
Representative Frey of Bangor		
LR 2427	An Act To Strengthen Programs To Help Individuals Overcome Addiction	FAILED
LR 2514	An Act To Support State Psychiatric and Forensic Workers	FAILED
Representative Gattine of Westbrook		
LR 2431	An Act To Create Equity among Essential Nonprofit Health Care Providers in Relation to the Sales Tax	PASSED

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Legislative Council Action on Appealed Bill Requests
November 19, 2015

	Action
LR 2450	FAILED
An Act To Eliminate the Waiting List for Community-based Services Provided under MaineCare for Individuals with a Brain Injury, an Intellectual Disability or Autism	
LR 2456	TABLED
Resolve, To Improve Access to and the Quality of Services for Persons with Mental Illness	
LR 2471	FAILED
An Act To Expand Resources for Independent Living Services for People with Disabilities	
Senator Gerzofsky of Cumberland	
LR 2381	PASSED
An Act To Ensure Fairness in Shellfish and Marine Worm Digger Licensing	
LR 2387	PASSED
An Act To Protect Shellfish Conservation Areas	
LR 2543	WITHDRAWN
An Act To Change the Size Restriction on Soft-shell Clams	
Representative Gideon of Freeport	
LR 2479	TABLED
An Act To Make Maine Energy-independent	
LR 2487	WITHDRAWN
An Act To Facilitate Affordable Green Housing	
LR 2488	FAILED
An Act To Revitalize Infrastructure Investment To Create Jobs	

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Legislative Council Action on Appealed Bill Requests
November 19, 2015

	Action
Representative Golden of Lewiston	
LR 2397	FAILED
An Act To Increase Information for Parents and Teachers Regarding Standardized Tests	
LR 2398	FAILED
An Act To Ensure Central Maine Companies Have Access to Skilled Labor	
Representative Goode of Bangor	
LR 2422	PASSED
An Act To Increase the Safety of Social Workers	
Representative Grohman of Biddeford	
LR 2435	PASSED
An Act To Make Efficient Heat Pumps Available to Low-income Customers	
LR 2438	PASSED
An Act To Allow School Resource Officers To Have Jurisdiction at Off-site Events	
Representative Hamann of South Portland	
LR 2520	FAILED
An Act To Prevent Fatal Opioid Overdoses among Youth and Seniors	
LR 2525	FAILED
An Act To Provide Meals to Homebound Individuals	
Representative Hanley of Pittston	
LR 2185	FAILED
Resolve, To Postpone Implementation of Department of Marine Resources Rules Regarding Smelt	

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Legislative Council Action on Appealed Bill Requests
November 19, 2015

		Action
Senator Haskell of Cumberland		
LR 2298	An Act To Allow Municipalities To Regulate Transportation Network Companies	FAILED
LR 2497	An Act To Strengthen the Economic Well-being of Maine's Workforce by Ensuring Employees Can Earn Paid Sick Time	FAILED
Representative Herbig of Belfast		
LR 2505	Resolve, Directing the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations To Amend Its Rules To Allow Retailers To Return Promotional Alcoholic Beverages to Distributors	PASSED
Representative Hickman of Winthrop		
LR 2120	An Act To Increase Transparency in Cooperative Agreements Entered Into by the Department of Agriculture, Conservation and Forestry	WITHDRAWN
Senator Hill of York		
LR 2408	An Act To Provide Accountability in State Government	TABLED
Representative Hubbell of Bar Harbor		
LR 2272	An Act To Establish a Specific Schedule for the Review of the Content Areas of Learning Standards	FAILED
LR 2273	An Act To Clarify the Liability for Special Education Costs under State-directed Student Transfers	FAILED

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	Action
LR 2300 An Act To Enable Alternative Organizational Structures To Purchase Group Health Insurance for All Employees	PASSED
LR 2433 An Act To Increase Transparency in the Setting of Normal Teacher Retirement Costs Rates for School Districts	FAILED
Representative Hymanson of York LR 2356 An Act To Reduce Drunk Driving	FAILED
Senator Johnson of Lincoln LR 2147 An Act To Ensure the Proportional Offset against Social Security Retirement Benefits of Workers' Compensation Awards	FAILED
LR 2378 An Act To Establish a Pilot Program To Prevent Student Drug Addiction	FAILED
LR 2379 An Act To Ensure the Continued Operation of Boards and Commissions in State Government	FAILED
Representative Jorgensen of Portland LR 2548 An Act To Strengthen the Respite Care Fund	FAILED
Senator Katz of Kennebec LR 2130 An Act To Reauthorize Certain Land for Maine's Future Bonds and To Facilitate the Issuance of Those Bonds	PASSED
LR 2260 An Act To Update the Laws Governing the Maine Veterans' Home	PASSED

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		Action
LR 2365	An Act To Establish the Maine Student Loan Borrower Bill of Rights	FAILED
LR 2366	An Act To Establish the Maine Tuition Integrity Act	FAILED
LR 2367	An Act To Enhance Economic Development through the Attraction and Support of Immigrant Populations	WITHDRAWN
Representative Kinney of Knox		
LR 2181	An Act To Authorize a Person Whose Driver's License Is Suspended Due To Failure To Pay Child Support To Drive to and from a Place of Employment	PASSED
LR 2182	An Act To Prohibit State Funding of Health Care Services Provided by Certain Health Care Providers	FAILED
Representative Kruger of Thomaston		
LR 2281	An Act To Require an Environmental Impact Statement for a Dredging Project in the Penobscot River Watershed and To Require That the Dredging Activity Be the Least Environmentally and Economically Damaging Alternative Available	FAILED
Representative Kumiega, III of Deer Isle		
LR 2423	An Act To Improve Maine's Lobster Licensing and Limited-entry System	PASSED
LR 2424	An Act To Provide Flexibility To Designate the Closed Period for Elver Harvesting	PASSED

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		Action
Representative Lajoie of Lewiston		
LR 2354	An Act To Require the State To Adequately Pay for Emergency Medical Services	PASSED
Senator Langley of Hancock		
LR 2249	An Act To Create Improved Consumer Protection against Long-term Care Insurance Premium Rate Increases	PASSED
LR 2334	An Act To Amend Certain Education Statutes	FAILED
Representative Maker of Calais		
LR 2452	An Act To Amend the Teacher Certification Statutes	PASSED
Representative Malaby of Hancock		
LR 2413	An Act To Amend the Laws Regarding the Right to Standing and Intervenor Status in Child Protection Proceedings	FAILED
LR 2554	An Act To Enact the Foster Parents' Bill of Rights	PASSED
Representative Martin of Eagle Lake		
LR 2552	An Act To Make Corrections to the Biennial Budget Regarding the Maine Forest Service	FAILED
LR 2553	An Act To Transfer Excess Revenue from the State's Liquor Contract in Fiscal Year 2016-17 to General Purpose Aid to Local Schools	FAILED

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		Action
Representative McCabe of Skowhegan		
LR 2322	An Act To Ensure the Proper Functioning of State Government by Ensuring Execution of Executive Branch Duties	TABLED
LR 2359	An Act To Provide Heating Assistance for Maine Seniors and Families	FAILED
LR 2360	An Act To Protect the Land for Maine's Future Program	WITHDRAWN
LR 2503	An Act To Coordinate Education and Prevention Efforts in Our Schools To Stop Harmful Drug Use	PASSED
Representative McClellan of Raymond		
LR 2299	An Act to Limit Municipalities' Exposure on Tuition Payments for Choice Students	FAILED
LR 2440	An Act To Create Arts Engage ME	PASSED
LR 2441	An Act Regarding the Maine Arts Commission	PASSED
Representative Melaragno of Auburn		
LR 2177	An Act To Enhance the Opportunity for a Child to be Adopted by Allowing a Single Spouse to Petition the Court to Adopt	WITHDRAWN

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	Action
Senator Millett of Cumberland	
LR 2320	FAILED
An Act To Promote Postsecondary Education Attainment and Degree Completion	
LR 2329	PASSED
An Act To Facilitate the Use of State Education Subsidies	
Senator Miramant of Knox	
LR 2154	FAILED
An Act To Protect Worker Benefits	
Representative Nadeau of Winslow	
LR 2202	PASSED
An Act To Allow the Kennebec Sanitary Treatment District To Establish and Maintain a Capital Reserve Fund	
Representative O'Connor of Berwick	
LR 2303	PASSED
An Act To Expand the Early Processing of Absentee Ballots	
Senator Patrick of Oxford	
LR 2461	FAILED
An Act To Include Energy from Combined Heat and Power Facilities as Part of the Maine Renewable Energy Portfolio Standard	
Representative Peterson of Rumford	
LR 2426	PASSED
An Act To Amend the Laws Governing Oversight over and Responsibility for the Kim Wallace Adaptive Equipment Loan Program	

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	Action
Representative Picchiotti of Fairfield	
LR 2355	PASSED
An Act To Ensure Children in the Care of Their Grandparents Can Access Fundamental Services	
LR 2411	FAILED
An Act To Enhance the Family Reunification Process	
Representative Pierce of Dresden	
LR 2245	FAILED
An Act To Ensure Consumer Protection in the Laws Governing Foreclosure	
Representative Powers of Naples	
LR 2318	FAILED
An Act To Require Houseboats To Have a Marine Sanitation Device	
Senator Rosen of Hancock	
LR 2271	PASSED
An Act To Clarify Financial Responsibility in Gestational Carrier Agreements	
Representative Rotundo of Lewiston	
LR 2399	TABLED
An Act To Fund and Implement Wage Adjustments for All State Correctional Employees Who Perform Direct Care or Supervision of Prisoners	
Representative Rykerson of Kittery	
LR 2231	FAILED
An Act Regarding Clinical Practice Requirements for Licensure as an Independent Practice Dental Hygienist	

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		Action
Senator Saviello of Franklin		
LR 2205	An Act To Create a Battery Stewardship Program	TABLED
LR 2206	An Act To Oversee Organic Dairy Farm Audits	FAILED
LR 2395	An Act To Allow All Manufacturers Licensed by the Bureau of Alcoholic Beverages and Lottery Operations To Provide Samples of Products to Retail Licensees	PASSED
LR 2396	An Act To Permit Tasting Rooms and Pubs Operated by a Manufacturer under an On-premises Retail License To Sell Their Products for On-premises or Off-premises Consumption without Physical Separation or Separate Inventory	PASSED
Representative Sirocki of Scarborough		
LR 2414	An Act To Conform Maine Law to the Requirements of the American Dental Association Commission on Dental Accreditation	PASSED
Representative Stanley of Medway		
LR 2290	An Act To Allow Persons 16 Years of Age and Older To Operate Personal Watercraft	FAILED
LR 2312	An Act To Limit Consent Regarding Land Transfers to the Federal Government	FAILED
Representative Stearns of Guilford		
LR 2361	An Act To Improve the Superintendent Transfer Process	FAILED

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		Action
Representative Tepler of Topsham LR 2195	An Act to Provide MaineCare Coverage for Dental Services To Intellectually Disabled Adults	FAILED
Representative Tipping-Spitz of Orono LR 2526	An Act To Improve Transparency in Education Funding	FAILED
Representative Tuell of East Machias LR 2183	An Act To Extend the Length of Maine's Elver Fishing Season in Certain Circumstances	WITHDRAWN
LR 2352	An Act To Facilitate Homegrown Education in Maine	PASSED
Representative Turner of Burlington LR 2350	An Act To Amend the Laws Governing the Withdrawal of a Single Municipality from a Regional School Unit	FAILED
Representative Vachon of Scarborough LR 2454	An Act To Clarify Medicaid Managed Care Ombudsman Services	PASSED
Senator Volk of Cumberland LR 2219	An Act To Protect Low-wage Workers	FAILED
Representative Wadsworth of Hiram LR 2489	An Act To Ensure a Timely Reduction in Energy Costs for Maine Consumers	TABLED

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	Action
An Act To Ensure a Timely Reduction in Energy Costs for Maine Consumers	
Representative Warren of Hallowell	
LR 2369	FAILED
An Act To Give Proper Oversight to the So-called Fusion Center Advisory Board	
Senator Whittemore of Somerset	
LR 2371	PASSED
An Act To Amend the Maine Guaranteed Access Reinsurance Association Act	
LR 2478	FAILED
An Act To Promote Drug Awareness Education in Maine's Schools	
Senator Willette of Aroostook	
LR 2555	FAILED
An Act To Amend the Law Regarding the Diversion Alert Program	
Senator Woodsome of York	
LR 2407	PASSED
An Act To Increase Access to Opiate Addiction Treatment in Maine	

Total number of bills accepted: 48
Total number of bills not accepted: 81
Total number of bills tabled: 9
Total number of bills withdrawn: 9
Total number of bills considered: 147

SEN. MICHAEL D. THIBODEAU
CHAIR

REP. MARK W. EVES
VICE-CHAIR

EXECUTIVE DIRECTOR
GRANT T. PENNOYER



127TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

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Legislative Council

Executive Director's Report

December 17, 2015

1. Upgrade to Senate, House and Committee Web Broadcasts

We are in the final stages of implementing enhancements to the web broadcasts of Senate, House and committee proceedings through a contract with Sliq Media Technologies. These enhancements expand the options for viewing and hearing these broadcasts to include mobile devices. They will also provide the ability to view or hear archived versions of proceedings during the 2nd Regular Session of the 127th Legislature, representing a significant improvement to the accessibility and transparency of the Legislative process. We will be working closely with Senate, House and Committee Staff to make this implementation as smooth as possible and address concerns that you may have.

2. Priority Security Screening Update

We have processed to completion most of the 94 applications for low-risk priority screening access cards. As the session approaches and even after it begins, we expect a few more applications for those that somehow were not aware of this option for State House security screening.

3. Original Copper from the State House Dome – Progress Report

The recent news articles about the copper from the State House dome has increased demand this week for the mementos and rough pieces of the old copper. As of Wednesday, we have sold 106 total mementos (the plaque or the framed picture with pieces of the copper from the State House dome). We have also sold approximately 400 square feet of the copper in rough form.

4. Update on State House Heating System

Two new leaks have been identified in the State House heating system and the supply lines turned off. The first identified was in the service entrance area that caused a significant amount of water damage. The second was in the floor of the north side of the Legislative Council Chambers that was located by water running down the north wall of the Governor's Office. The south heating units are still operational in the Council Chamber so we can select a good time to schedule repairs. Despite these identified leaks having been isolated and shut off, we are still experiencing reductions in pressure in the State House heating system indicating that there are still some unidentified leaks.

5. Active Shooter Training

On Wednesday, the members of the State House evacuation team was invited to a training program offered by the Capitol Police on preparing for and reacting to an “active shooter” situation. This relatively new training is being offered to all governmental agencies. It is very clear that we could be doing a lot more to be prepared for an “active shooter” event. We will also be working on scheduling additional training opportunities for the remainder of Legislative Staff and Legislators.

6. 127th Legislative Council Photo

We have scheduled the photographer to take the official photograph of the 127th Legislative Council at the beginning of the January 28th meeting. Please be prompt and dress appropriately. We will send out reminders as the date approaches.

Fiscal Briefing
Legislative Council Meeting – December 17, 2015
Prepared by the Office of Fiscal & Program Review

1. General Fund Revenue Update (see attached)

Total General Fund Revenue - FY 2016 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
November	\$243.5	\$247.7	\$4.2	1.7%	\$239.2	3.5%
FYTD	\$1,377.1	\$1,388.5	\$11.4	0.8%	\$1,208.0	14.9%

General Fund revenue was over budget by \$4.2 million (1.7%) for the month of November and over budget by \$11.4 million (0.8%) for the fiscal year through November. These positive variances do not reflect the December 2015 revenue forecast, which reduced budgeted revenue by \$2.2 million in FY 2016. Individual income tax revenue was \$4.3 million over budget for the month of November and \$18.9 million over budget for the fiscal year through November. The December revenue forecast increased budgeted revenue for Individual income tax by \$10.5 million in FY 2016. Sales and use tax revenue was over budget by \$3.0 million for the month and over budget by \$6.2 million for the fiscal year to date, indicating strong sales for the month of October. Corporate income tax revenue was under budget by \$5.9 million for the month of November and by \$13.2 million for the fiscal year through November. This category was adjusted downward by \$7.5 million in the December revenue forecast.

2. Highway Fund Revenue Update (see attached)

Total Highway Fund Revenue - FY 2016 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
November	\$28.2	\$30.7	\$2.5	8.7%	\$29.1	5.6%
FYTD	\$141.1	\$144.8	\$3.8	2.7%	\$120.9	19.8%

Highway Fund revenue was over budget by \$2.5 million (8.7%) for the month of November and over budget by \$3.8 million (2.7%) for the fiscal year through November. These positive variances do not reflect the December 2015 revenue forecast, which increased budgeted revenue by \$20 thousand in FY 2016. Fuel taxes were over budget for the month of November by \$0.6 million while motor vehicle registration and fees were over budget by \$1.1 million. These positive variances were likely caused by October 31 receipts (Saturday) posted as November revenue.

3. Cash Balances Update

The average total cash pool balance for November was \$801.8 million, a decrease from last month's average but significantly higher than both last November and the previous 10-year average balance for November. There was once again no General Fund internal borrowing from other funds in November. July and August of this year were the first months in the nine years the State has been doing internal borrowing that such borrowing was not needed. Internal borrowing for the General Fund averaged \$6.7 million in September and \$17.4 million in October. The average Highway Fund balance increased slightly in November and is significantly greater than in October of 2014.

4. December 2015 Revenue Forecast

The Revenue Forecasting Committee (RFC) met on November 18, 2015 to review and update the current revenue forecast and released its report on December 1st to meet the statutory deadline. The Maine Consensus Economic Forecasting Commission (CEFC) convened on October 26, 2015, to review and revise its forecast through 2019. Both the CEFC and RFC made relatively minor adjustments to their forecasts released last April and May, respectively.

General Fund Summary (Millions of \$'s)

	FY15	FY16	FY17	FY18	FY19
Current Forecast	\$3,329.3	\$3,311.3	\$3,367.2	\$3,472.4	\$3,606.3
Annual % Growth	6.9%	-0.5%	1.7%	3.1%	3.9%
Net Increase (Decrease)	\$0.0	(\$2.2)	\$4.9	\$24.5	\$35.5
Revised Forecast	\$3,329.3	\$3,309.1	\$3,372.1	\$3,496.8	\$3,641.7
Annual % Growth	6.9%	-0.6%	1.9%	3.7%	4.1%

General Fund revenue estimates were revised downward by \$2.2 million for FY16 and upward by \$4.9 million for FY17, for a net upward adjustment of \$2.6 million for the 2016-2017 biennium. For the 2018-2019 biennium, General Fund revenue estimates were revised upward by a total of \$59.9 million, including an increase of \$24.5 million for FY18 and \$35.5 for FY19. The RFC increased its estimate of individual income tax revenue by \$10.5 million for FY16, \$14.0 million for FY17, \$37.5 million for FY18, and \$52 million for FY19. Partially offsetting these increases were negative adjustments in estimates for corporate income tax revenue and estate tax revenues. Sales and service provider tax revenue estimates were unchanged.

Highway Fund Summary (Millions of \$'s)

	FY15	FY16	FY17	FY18	FY19
Current Forecast	\$323.5	\$319.5	\$323.1	\$326.2	\$329.3
Annual % Growth	2.0%	-1.2%	1.1%	1.0%	0.9%
Net Increase (Decrease)	\$0.0	\$0.0	(\$0.1)	\$0.1	\$0.1
Revised Forecast	\$323.5	\$319.5	\$323.0	\$326.3	\$329.4
Annual % Growth	2.0%	-1.2%	1.1%	1.0%	0.9%

Highway Fund revenue estimates were revised upward by \$20.1 thousand in FY16 and downward by \$84.4 thousand for FY17 (\$64.3 thousand over the 2016-2017 biennium). For the 2018-2019 biennium, Highway Fund revenues estimates were revised upward by \$288.4 thousand.

Fund for a Healthy Maine Summary (Millions of \$'s)

	FY15	FY16	FY17	FY18	FY19
Current Forecast	\$53.6	\$54.0	\$53.0	\$48.6	\$47.7
Annual % Growth	-11.5%	0.7%	-1.8%	-8.3%	-1.8%
Net Increase (Decrease)	\$0.0	(\$0.4)	(\$0.5)	(\$0.4)	(\$0.5)
Revised Forecast	\$53.6	\$53.5	\$52.5	\$48.1	\$47.3
Annual % Growth	-11.5%	-0.1%	-1.9%	-8.3%	-1.8%

Fund for a Healthy Maine revenue estimates were revised downward by \$444.8 thousand in FY16 and by \$454.2 thousand for FY17 (\$899.1 thousand over the 2016-2017 biennium). For the 2018-2019 biennium, Fund for a Health Maine revenues estimates were revised downward by \$904.3 thousand. The RFC left Maine's Tobacco Settlement Payments (TSPs) forecast for the next four years at the levels assumed in the May 2015 forecast.

Medicaid/MaineCare Dedicated Revenue Taxes Summary (Millions of \$'s)

	FY15	FY16	FY17	FY18	FY19
Current Forecast	\$171.1	\$177.8	\$182.2	\$182.2	\$182.2
Annual % Growth	1.5%	4.0%	2.4%	0.0%	0.0%
Net Increase (Decrease)	\$0.0	(\$7.7)	(\$4.6)	(\$4.6)	(\$4.6)
Revised Forecast	\$171.1	\$170.1	\$177.6	\$177.6	\$177.6
Annual % Growth	1.5%	-0.6%	4.4%	0.0%	0.0%

Medicaid/MaineCare Dedicated Revenue Taxes estimates were revised downward by \$7.7 million in FY16 and by \$4.6 million for FY17 (\$12.3 million over the 2016-2017 biennium). For the 2018-2019 biennium, Medicaid/MaineCare Dedicated Revenue Taxes estimates were revised downward by \$9.2 million.

General Fund Revenue

Fiscal Year Ending June 30, 2016 (FY 2016)

November 2015 Revenue Variance Report

Revenue Category	November '15			Fiscal Year-To-Date				FY 2016 Budgeted Totals
	Budget	November '15 Actual	November '15 Variance	Budget	Actual	Variance	% Change from Prior Year	
Sales and Use Tax	100,903,108	103,896,340	2,993,232	586,709,533	592,927,957	6,218,424	1.1%	1,252,140,713
Service Provider Tax	4,274,793	3,853,106	(421,687)	22,293,357	19,264,242	(3,029,115)	-13.6%	59,073,214
Individual Income Tax	118,590,000	122,897,691	4,307,691	610,660,000	629,599,146	18,939,146	3.1%	1,486,487,128
Corporate Income Tax	(1,000,000)	(6,930,359)	(5,930,359)	34,500,000	21,299,619	(13,200,381)	-38.3%	150,084,270
Cigarette and Tobacco Tax	11,635,809	11,333,707	(302,102)	60,967,816	63,222,905	2,255,089	3.7%	133,441,000
Insurance Companies Tax	4,984,894	3,619,116	(1,365,778)	12,780,138	12,692,531	(87,607)	-0.7%	82,700,000
Estate Tax	2,573,765	1,248,946	(1,324,819)	12,239,254	7,648,353	(4,590,901)	-37.5%	30,675,326
Other Taxes and Fees *	8,908,833	8,616,333	(292,500)	57,553,965	58,197,750	643,785	1.1%	138,140,064
Fines, Forfeits and Penalties	1,506,448	1,169,502	(336,946)	9,596,200	8,428,274	(1,167,926)	-12.2%	22,614,508
Income from Investments	16,240	94,069	77,829	123,633	376,288	252,655	204.4%	439,232
Transfer from Lottery Commission	4,657,116	4,410,970	(246,146)	23,162,122	22,570,340	(591,782)	-2.6%	54,900,000
Transfers to Tax Relief Programs *	(11,373,098)	(3,937,812)	7,435,286	(23,453,558)	(10,718,972)	12,734,586	54.3%	(66,771,938)
Transfers for Municipal Revenue Sharing	(4,938,254)	(4,909,258)	28,996	(29,855,370)	(30,014,952)	(159,582)	-0.5%	(63,974,827)
Other Revenue *	2,792,126	2,346,788	(445,338)	(148,375)	(6,999,546)	(6,851,171)	-4617.5%	31,329,748
Totals	243,531,780	247,709,138	4,177,358	1,377,128,715	1,388,493,935	11,365,220	0.8%	3,311,278,438

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

General Fund Revenue
Fiscal Year Ending June 30, 2016 (FY 2016)

November 2015 Revenue Variance Report

Revenue Category				Fiscal Year-To-Date					FY 2016 Budgeted Totals
	November '15 Budget	November '15 Actual	November '15 Variance	Budget	Actual	Variance	Variance %	% Change from Prior Year	
Detail of Other Taxes and Fees:									
- Property Tax - Unorganized Territory	0	0	0	11,207,189	11,207,189	(0)	0.0%	-10.0%	14,225,984
- Real Estate Transfer Tax	1,576,851	1,657,110	80,259	7,336,254	8,354,049	1,017,795	13.9%	-39.6%	15,697,389
- Liquor Taxes and Fees	2,313,766	1,676,637	(637,129)	9,725,428	10,109,653	384,225	4.0%	-54.5%	21,214,918
- Corporation Fees and Licenses	146,111	151,679	5,568	1,364,116	1,342,313	(21,803)	-1.6%	-86.3%	9,088,649
- Telecommunication Excise Tax	0	0	0	0	(34,249)	(34,249)	N/A	-100.5%	7,500,000
- Finance Industry Fees	2,195,991	2,374,550	178,559	10,979,955	10,966,550	(13,405)	-0.1%	-61.9%	26,851,990
- Milk Handling Fee	253,451	295,284	41,833	1,267,255	1,444,004	176,749	13.9%	-34.6%	3,041,412
- Racino Revenue	518,674	618,241	99,567	3,982,476	3,832,859	(149,617)	-3.8%	-55.6%	9,119,142
- Boat, ATV and Snowmobile Fees	162,230	190,098	27,868	1,563,326	1,534,422	(28,904)	-1.8%	-66.4%	4,523,561
- Hunting and Fishing License Fees	836,974	1,147,287	310,313	6,588,734	6,747,445	158,711	2.4%	-59.1%	15,817,842
- Other Miscellaneous Taxes and Fees	904,785	505,448	(399,337)	3,539,232	2,693,516	(845,716)	-23.9%	-79.0%	11,059,177
Subtotal - Other Taxes and Fees	8,908,833	8,616,333	(292,500)	57,553,965	58,197,750	643,785	1.1%	-58.3%	138,140,064
Detail of Other Revenue:									
- Liquor Sales and Operations	918	1,050	132	11,947	13,810	1,863	15.6%	-99.9%	9,667,500
- Targeted Case Management (DHHS)	219,964	92,623	(127,341)	1,425,438	972,843	(452,595)	-31.8%	-61.6%	2,560,000
- State Cost Allocation Program	1,203,874	1,441,112	237,238	7,469,859	7,689,926	220,067	2.9%	-65.8%	18,296,832
- Unclaimed Property Transfer	0	0	0	0	0	0	N/A	-100.0%	7,000,000
- Tourism Transfer	0	0	0	(12,854,128)	(13,112,062)	(257,934)	-2.0%	-12.8%	(12,854,128)
- Transfer to Maine Milk Pool	0	(832,635)	(832,635)	0	(6,283,522)	(6,283,522)	N/A	-59.8%	(8,608,828)
- Transfer to STAR Transportation Fund	0	0	0	(6,800,000)	(7,308,989)	(508,989)	-7.5%	-3.4%	(6,800,000)
- Other Miscellaneous Revenue	1,367,370	1,644,637	277,267	10,598,509	11,028,448	429,939	4.1%	-58.2%	22,068,372
Subtotal - Other Revenue	2,792,126	2,346,788	(445,338)	(148,375)	(6,999,546)	(6,851,171)	-4617.5%	-113.5%	31,329,748
Detail of Transfers to Tax Relief Programs:									
- Me. Resident Prop. Tax Program (Circuitbreaker)	0	675	675	0	1,612	1,612	N/A	-89.2%	0
- BETR - Business Equipment Tax Reimb.	(6,623,754)	(3,687,096)	2,936,658	(18,664,281)	(10,469,194)	8,195,087	43.9%	68.6%	(35,000,000)
- BETE - Municipal Bus. Equip. Tax Reimb.	(4,749,344)	(251,391)	4,497,953	(4,789,277)	(251,391)	4,537,886	94.8%	99.0%	(31,771,938)
Subtotal - Tax Relief Transfers	(11,373,098)	(3,937,812)	7,435,286	(23,453,558)	(10,718,972)	12,734,586	54.3%	82.0%	(66,771,938)
Inland Fisheries and Wildlife Revenue - Total	1,069,593	1,412,156	342,563	8,532,735	8,684,671	151,936	1.8%	-60.7%	21,415,407

Highway Fund Revenue
Fiscal Year Ending June 30, 2016 (FY 2016)

November 2015 Revenue Variance Report

Revenue Category	November '15 Budget	November '15 Actual	November '15 Variance	Fiscal Year-To-Date					FY 2016 Budgeted Totals
				Budget	Actual	Variance	% Variance	% Change from Prior Year	
Fuel Taxes:									
- Gasoline Tax	17,146,652	17,440,647	293,995	89,712,238	89,857,477	145,239	0.2%	25.4%	197,254,300
- Special Fuel and Road Use Taxes	3,930,684	4,317,291	386,607	20,162,791	21,343,790	1,180,999	5.9%	34.5%	46,393,600
- Transcap Transfers - Fuel Taxes	(1,548,641)	(1,599,135)	(50,494)	(8,072,368)	(8,171,644)	(99,276)	-1.2%	-2.3%	(17,903,637)
- Other Fund Gasoline Tax Distributions	(428,785)	(436,138)	(7,353)	(2,243,430)	(2,246,862)	(3,432)	-0.2%	-1.6%	(4,932,738)
Subtotal - Fuel Taxes	19,099,910	19,722,664	622,754	99,559,231	100,782,762	1,223,531	1.2%	30.3%	220,811,525
Motor Vehicle Registration and Fees:									
- Motor Vehicle Registration Fees	3,602,830	4,197,293	594,463	26,015,233	26,825,638	810,405	3.1%	0.5%	65,659,536
- License Plate Fees	219,633	278,762	59,129	1,430,288	1,602,324	172,036	12.0%	1.0%	3,342,681
- Long-term Trailer Registration Fees	602,895	727,791	124,896	2,583,993	2,783,147	199,154	7.7%	-8.2%	9,884,523
- Title Fees	793,503	966,836	173,333	5,349,332	5,770,431	421,099	7.9%	7.6%	13,129,254
- Motor Vehicle Operator License Fees	494,011	653,579	159,568	3,130,759	3,446,712	315,953	10.1%	10.2%	7,425,882
- Transcap Transfers - Motor Vehicle Fees	0	0	0	(4,220,065)	(4,349,155)	(129,090)	-3.1%	-2.0%	(15,483,404)
Subtotal - Motor Vehicle Reg. & Fees	5,712,872	6,824,261	1,111,389	34,289,540	36,079,097	1,789,557	5.2%	1.5%	83,958,472
Motor Vehicle Inspection Fees	86,042	138,606	52,564	914,864	1,234,148	319,284	34.9%	31.5%	2,982,500
Other Highway Fund Taxes and Fees	98,946	110,301	11,355	560,558	569,932	9,374	1.7%	3.3%	1,293,729
Fines, Forfeits and Penalties	50,570	73,006	22,436	341,628	314,430	(27,198)	-8.0%	-30.4%	905,910
Interest Earnings	28,104	20,153	(7,951)	140,520	80,047	(60,473)	-43.0%	137.9%	337,245
Other Highway Fund Revenue	3,165,755	3,806,409	640,654	5,250,890	5,784,710	533,820	10.2%	-3.5%	9,201,412
Totals	28,242,199	30,695,400	2,453,201	141,057,231	144,845,125	3,787,894	2.7%	19.8%	319,490,793

2015 Interim Legislative Studies and Committee Meetings

Updated December 16, 2015

<u>Study/Committee</u>	<u>Citation</u>	<u>2015 Meetings Authorized</u>	<u>2015 Meetings Held</u>	<u>Scheduled Next Meeting Date(s)</u>	<u>Report Date</u>	<u>Chair(s)</u>	<u>Status/Notes</u>
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NEW STUDIES

Task Force To End Student Hunger in Maine	PL 2015 c. 267 Part CCC	at least 2 and no more than 4 per year			1/10 annually	Sen. Baker Rep. Ginzler	appointments not completed; staffed by Dept. of ED; new ongoing study; has not convened
Commission to Study Difficult-to-place Patients	Resolve 2015 c. 44	4	10/26/2015 11/5/2015 11/20/2015 12/2/2015 12/7/2015		12/2/2015	Sen. Katz Rep. Gattine	work completed; report drafted and to printers; additional meeting and report extension granted
Commission to Study the Public Reserved Lands Management Fund	Resolve 2015 c. 267 Part GGGG	4	9/5/2015 9/29/2015 10/27/2015 12/1/2015		12/5/2015	Sen. Saviello Rep. Hickman	work completed; report printed and posted
Commission to Strengthen and Align the Services Provided to Maine Veterans	Resolve 2015 c. 48	4	10/7/2015 10/28/2015 11/4/2015 12/2/2015	12/17/2015 (cancelled)	1/15/2016	Sen. Collins Rep. Golden	conducting work; additional meeting request approved; report in progress
Working Group to Meet the Needs of Municipal Volunteer Personnel	Resolve 2015 c. 49	3	10/20/2015 11/3/2015 11/17/2015		12/2/2015	Sen. Baker Rep. Lajoie	work completed; report printed and posted
Task Force on School Leadership	Resolve 2015 c. 46	2	10/6/2015 12/1/2015		12/2/2015	Sen. Langley Rep. Kornfield	work completed; report in progress; report extension granted
Maine Health Exchange Advisory Committee	SP 533 as amended by H-501	2			12/4/2015 (prelim.) 11/5/2016 (final)		appointments not completed; did not convene
Jt. Standing Committee on HHS to Study the Allocations of the Fund for a Healthy Maine	Resolve 2015 c. 47	4	9/28/2015 10/13/2015 11/9/2015 11/30/2015	10/26/2015 (cancelled)	12/2/2015	Sen. Brakey Rep. Gattine	work completed; report drafted; report extension granted

ON-GOING LEGISLATIVE STUDIES

State Education and Employment Outcomes Task Force	20-A MRSA Sec. 12901	no more than 4 times per year			11/1 annually		appointments not completed; did not convene
*Legislative Youth Advisory Council	3 MRSA Sec. 168-B	may hold 2 per year			2nd Friday in February in even numbered years		appointments not completed; did not convene
Right to Know Advisory Committee	1 MRSA Sec. 411	not fewer than 4 times per year	9/15/2015 10/6/2015 11/13/2015 12/1/2015		1/15 annually		work completed; report in progress
Citizen Trade Policy Commission	10 MRSA Sec. 11	at least 2 times per year	9/24/2015 10/27/2015	12/10/2015	annually		appointments not completed; conducting work
Judicial Compensation Commission	4 MRSA Sec. 1701	n/a funded by court system			12/15 of each even numbered year		appointments completed; did not convene in odd year

2015 Interim Legislative Studies and Committee Meetings

Updated December 16, 2015

<u>Study/Committee</u>	<u>Citation</u>	<u>2015 Meetings Authorized</u>	<u>2015 Meetings Held</u>	<u>Scheduled Next Meeting Date(s)</u>	<u>Report Date</u>	<u>Chair(s)</u>	<u>Status/Notes</u>
AUTHORIZED COMMITTEE MEETINGS (other than AFA)							
IFS Committee (carry over bill LD 1305 - health insurance)		4	9/16/2015 11/12/2015 11/30/2015	10/5/2015 - (cancelled)	n/a		work completed
ENR Committee (solid waste management issues)		4	9/10/2015 10/13/2015 10/28/2015 11/24/2015		n/a		work completed
EUT Committee (carry over bills LDs 466, 879, 1302 - telecommunications)		4	10/26/2015 11/18/2015		n/a		work completed
VLA Subcommittee (Resolve 2015, c. 19 (LD 74) - continuation of VLA subcommittee that began work before adjournment regarding equitable provision of services to members of the military)		2	10/13/2015 11/12/2015 12/1/2015	12/28/2015	n/a		conducting work; additional request for 4th meeting approved
SLG Subcommittee (carry over bill LD 1328 - ancient and family burying grounds)		3	10/27/2015 11/4/2015		n/a		work completed
ACF Committee (Tour of sustainable forestry practices; Aroostook County)		1	10/26/2015		n/a		work completed
CJPS Committee (Visit to MCC regarding LD 1447 proposal to authorize increased borrowing for MCC)		1	1/13/2016				meeting approved
HHS Committee (Riverview, contracting issues, substance abuse, wait lists and other HHS-related issues)		3	11/9/2015		n/a		work completed (met on same date as last meeting regarding FHM)

**127th Legislature - Second Regular Session
Legislative Council Bill Requests Tabled
October 22 and November 19, 2015**

		Action
Representative Campbell of Orrington		
LR 2330	An Act To Encourage the Development of Commercial	TABLED 11/19/15
LR 2331	An Act To Encourage the Development of Electrical and Natural Gas Infrastructure in Bucksport	TABLED 11/19/15
Representative Eves of North Berwick		
LR 2523	An Act To Support and Strengthen the Direct Care Workforce	TABLED 10/22/15
Representative Fowle of Vassalboro		
LR 2209	An Act To Amend the Public Safety Laws	TABLED 10/22/15
Representative Fredette of Newport		
LR 2343	An Act To Authorize a General Fund Bond Issue to Invest in Marine Transportation and Port Infrastructure at Mack Point to Meet the Needs of the Marine Construction and Shipping Business Sector and to Create Jobs	TABLED 10/22/15
Representative Gattine of Westbrook		
LR 2432	An Act To Promote the Success and Accountability of Welfare Reform Initiatives in Maine	TABLED 10/22/15
LR 2456	Resolve, To Improve Access to and the Quality of Services for Persons with Mental Illness	TABLED 11/19/15

**127th Legislature - Second Regular Session
Legislative Council Bill Requests Tabled
October 22 and November 19, 2015**

Action

Senator Gerzofsky of Cumberland

LR 2200

TABLED 10/22/15

An Act To Amend and Clarify the Brunswick Naval Air Station
Job Increment Financing Fund

Representative Gideon of Freeport

LR 2479

TABLED 11/19/15

An Act To Make Maine Energy-independent

Representative Herbig of Belfast

LR 2401

TABLED 10/22/15

An Act to Provide Job Opportunities to Families Participating in
the Temporary Assistance for Needy Families Program

Senator Hill of York

LR 2408

TABLED 11/19/15

An Act To Provide Accountability in State Government
Partnerships

Senator Katz of Kennebec

LR 2324

TABLED 10/22/15

An Act To Strengthen Intragovernment Communication

Representative Malaby of Hancock

LR 2384

TABLED 10/22/15

An Act To Fix Changes Made to Maine's Provider Tax

127th Legislature - Second Regular Session
Legislative Council Bill Requests Tabled
October 22 and November 19, 2015

		Action
Representative McCabe of Skowhegan		
LR 2321	An Act To Amend the Maine Criminal Code to Clarify the Prohibition on the Exercise of Improper Influence	TABLED 10/22/15
LR 2322	An Act To Ensure the Proper Functioning of State Government by Ensuring Execution of Executive Branch Duties	TABLED 11/19/15
Representative Rotundo of Lewiston		
LR 2399	An Act To Fund and Implement Wage Adjustments for All State Correctional Employees Who Perform Direct Care or Supervision of Prisoners	TABLED 11/19/15
Senator Saviello of Franklin		
LR 2205	An Act To Create a Battery Stewardship Program	TABLED 11/19/15
Senator Thibodeau of Winterport		
LR 2417	An Act To Ensure Accountability in Maine's Welfare System	TABLED 10/22/15
Representative Wadsworth of Hiram		
LR 2489	An Act To Ensure a Timely Reduction in Energy Costs for Maine Consumers	TABLED 11/19/15

**Legislative Council Actions
Taken by Ballot Since the
November 19, 2015 Council Meeting**

Legislative Council Decisions:

That the Legislative Council approve the request by the Commission to Study Difficult-to-Place Patients to extend its reporting deadline to December 15, 2015 and to hold an additional fifth meeting of the Commission on December 7, 2015.

Motion by: President Thibodeau
Second by: Speaker Eves
Approved: November 24, 2015

Vote: 7-0-0-3 in favor (with Sen. Cushing,
Rep. Gideon and Rep. Fredette absent)

That the Legislative Council approve the request by the Commission to Strengthen and Align the Services Provided to Maine's Veterans to hold an additional fifth meeting of the Commission on December 17, 2015.

Motion by: President Thibodeau
Second by: Speaker Eves
Approved: December 7, 2015

Vote: 9-0-0-1 in favor (with Sen. Cushing absent)

**127th Maine State Legislature
Legislative Council
Requests to Introduce Legislation
Second Regular Session
As of: 12/16/2015 3:39:37 PM**

AFTER DEADLINE BILL REQUESTS

SPONSOR: Sen. Justin L. Alfond

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2563	An Act To Improve School Facilities	WITHDRAWN by Sponsor

2564	An Act To Improve College Graduation Rates	
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SPONSOR: Sen. Linda L. Baker

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2584	An Act To Allow Municipalities the Option To Prohibit Firearms in Municipal Buildings	

SPONSOR: Sen. Scott W. Cyrway

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2578	An Act To Protect All Students in Elementary or Secondary Schools from Sexual Assault by School Officials	

SPONSOR: Rep. Matthea Elisabeth Daughtry

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2557	An Act To Amend the Laws Regarding Interference with the Custody of Children	

SPONSOR: Sen. G. William Diamond

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2573	An Act To Protect Maine Voters from Intimidating Videotaping at the Polls	

SPONSOR: Sen. James F. Dill

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2558	An Act To Provide Assistance to Laid-off Workers	
2575	An Act To Amend the Maine Veterinary Practice Act	

SPONSOR: Rep. Michelle Ann Dunphy

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2561	An Act To Adjust the Property Tax Valuation of Old Town Following the Closure of the Old Town Expera Pulp Mill	

SPONSOR: Rep. Robert A. Foley

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2559	An Act To Prohibit Testing as a Prerequisite for Graduation from Public Schools	

2560	An Act To Authorize the Maine Public Employees Retirement System To Provide Long-term Disability Insurance	
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SPONSOR: Sen. Geoffrey M. Gratwick

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2562	An Act To Establish a Working Group To Examine State Practices Protecting Information	

SPONSOR: Rep. Craig V. Hickman

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2586	An Act To Compensate Susan Cloutier for Damages in Connection with Her Vehicle Liability Claim against a State Employee at the Department of Labor	

SPONSOR: Rep. Roland Danny Martin

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2583	An Act To Convey Property to the Sinclair Sanitary District	

SPONSOR: Rep. Jeff M. McCabe

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2569	An Act To Establish a Commission on the Blind and Visually Impaired	

SPONSOR: Rep. Michael D. McClellan

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2565	An Act To Ascertain the Accessibility of the Maine Legislative Process	

2566	An Act To Help Protect Social Workers	
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2567	An Act To Provide Relief from the Construction Code for Campgrounds and Camps	
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SPONSOR: Rep. Richard A. Pickett

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2556	An Act To Allow Certain Retirees To Buy Back Lost Pay	

SPONSOR: Rep. Christine B. Powers

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2582	Resolve, To Name the Naples Bay Bridge on Route 302 in Naples the Robert Neault Bridge	

SPONSOR: Rep. Diane M. Russell

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2579	An Act To Encourage Roller Derby	

SPONSOR: Sen. Thomas B. Saviello

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2568	An Act Regarding the Educational Opportunity Tax Credit	
2574	An Act To Update Maine's Solid Waste Management Laws	

SPONSOR: Rep. Karen Vachon

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2590	An Act To Reduce Morbidity and Mortality Related to Injected Drugs	

JOINT RESOLUTIONS

SPONSOR: Rep. Susan M. Austin

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2168	JOINT RESOLUTION MEMORIALIZING CONGRESS TO DEFUND PLANNED PARENTHOOD AND OTHER ABORTION PROVIDERS	

SPONSOR: Rep. Henry John Bear

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2163	JOINT RESOLUTION TO ALLEVIATE TRIBAL UNEMPLOYMENT AND FUND ECONOMIC DEVELOPMENT AND EMPLOYMENT PROGRAMS WITHIN THE HOULTON BAND OF MALISEET INDIANS BY URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ESTABLISH A PROCESS TO PROVIDE EQUITABLE MALISEET LAND CLAIMS SETTLEMENT COMPENSATION FOR THE OCCUPATION AND LOSS OF NEARLY 5,000,000 ACRES OF MALISEET TRIBAL HOMELAND IN THE AROOSTOOK COUNTY REGION	

**127th Maine State Legislature
Revised Addendum
Legislative Council
Requests to Introduce Legislation
Second Regular Session**

After December 11, 2015

SPONSOR: Sen. Justin L. Alfond

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2594	An Act To Facilitate the Timely Processing of Applications for Supplemental Nutrition Assistance Program Benefits	
2595	An Act To Prohibit the Expenditure of Any Cash-based Benefits from the State on Lottery Tickets	

SPONSOR: Rep. Kenneth W. Fredette

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2592	An Act To Create the Maine Energy Office	

SPONSOR: Rep. Brian L. Hubbell

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2591	An Act To Amend Certain Education Laws	

SPONSOR: Rep. Robert J. Saucier

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2596	An Act To Amend the Laws Regarding the Operation of an All-terrain Vehicle or Snowmobile on a Controlled Access Highway	



STATE OF MAINE
HOUSE OF REPRESENTATIVES
CLERK'S OFFICE
2 State House Station
Augusta, Maine 04333-0002

RECEIVED DEC 03 2015

Robert B. Hunt
Clerk of the House

December 3, 2015

The Honorable Michael Thibodeau, Chair
Legislative Council
115 State House Station
Augusta, ME 04333-0115

Dear Chairman Thibodeau:

The enclosed proposal regarding the Clerk's Office Legislative Document Service is hereby submitted for consideration by the Legislative Council for the Second Regular Session of the 127th Legislature.

All items offered through this Service are available on the Legislature's website. We have added a new email list service that will simplify access to documents and communications from the Clerk's Office and the House of Representatives at no cost to the subscriber, through this website <https://lists.legislature.maine.gov/sympa/lists/house>. Interested parties are able to create an account and sign up for any documents that are of interest. They may also use this link to unsubscribe. I have attached the order form for the upcoming session. Our prices remain the same as they were for the Second Regular Session of the 126th Legislature.

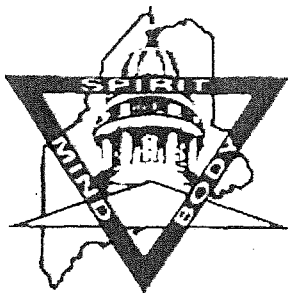
Thank you for taking the time to consider this proposal. Please do not hesitate to contact me should you have questions or need additional information.

Sincerely,

Robert B. Hunt
Clerk of the House

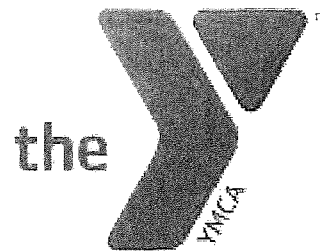
CC: Members of the Legislative Council
Enclosure

	126 th 2 nd session Rates	Proposed rates 127 th 2 nd session
1. Bills & Resolves (L.D.s) FIRST CLASS – Mailed Daily	\$290.00	\$290.00
2. Bills & Resolves (L.D.s) THIRD CLASS – Mailed Twice Weekly	\$175.00	\$175.00
3. Bills & Resolves (L.D.s) PICKED UP IN DOCUMENT ROOM	\$110.00	\$110.00
4. Amendments –Mailed Weekly	\$110.00	\$110.00
5. Amendments PICKED UP IN DOCUMENT ROOM	\$80.00	\$80.00
6. Legislative Record (debate) FIRST CLASS	\$80.00	\$80.00
7. Public & Private & Special Laws, Resolves, & Constitutional Res. FIRST CLASS – Mailed Weekly	\$160.00	\$160.00
8. Weekly Legislative Report (listing of bills printed, enacted, and signed by Governor) FIRST CLASS MAIL	\$21.00	\$21.00
9. Joint Resolutions	\$15.00	\$15.00
10. Weekly Legislative Calendar (1 year subscription) FIRST CLASS MAIL	\$31.00	\$31.00
11. Roll Call Votes (House and Senate) PICKED UP IN DOCUMENT ROOM	\$27.00	\$27.00



State YMCA of Maine
YOUTH IN GOVERNMENT PROGRAM

29 Town Hall Lane
 Winthrop, ME 04364
 207-377-9686
winymca@aol.com
www.yiginme.org



Dear Member of the Legislative Council;

On behalf of the hundreds of participants, volunteers, and staff of the State YMCA of Maine for your continued support of the Youth in Government program. Our 2015 program has just finished an incredibly successful weekend. Seeing over 150 young people from all over Maine discuss and debate issues they see facing the State of Maine.

Now we turn our attention to planning the 2016 program. I would like to request your approval of dates for our program next fall. This year we do realize that there are some unique issues facing the selection of our dates.

The dates we would like to request would be:

A) Weekend of November 11-12-13

Friday is Veteran's day, and it will be the week after the election.

B) Weekend of November 4-5-6

Saturday is an SAT test date

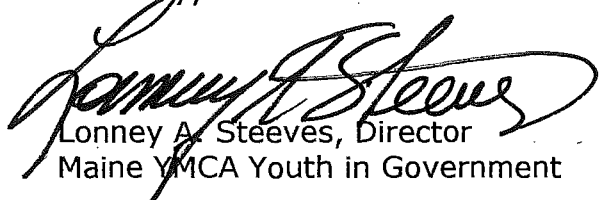
Saturday will be State Championships for Soccer and Cross Country

We can't go on the next weekend for many conflicts with schools.

We will work around the whatever issues we have on the dates that you allow us to use the State House, it is the centerpiece of what makes our program so successful.

Once, again thank you for your support of our program, and for all you do for the State of Maine.

Sincerely;


 Lonney A. Steeves, Director
 Maine YMCA Youth in Government

DEMOCRACY MUST BE LEARNED BY EACH GENERATION

MAINE DEVELOPMENT FOUNDATION

POLICY LEADERS ACADEMY

2015-2016

The Policy Leaders Academy is a non-partisan economic education program overseen and sponsored by the Maine Development Foundation for Maine Legislators. MDF is a non-partisan, private non-profit created by the Legislature in 1977 to work with the for-profit, not-for-profit, education, and government sectors on long-term strategies to advance the Maine economy, through research, planning, education, leadership development, and development of needed programs.

The Academy has delivered high quality, objective, and non-partisan experiential training to legislators since its founding in 1985. This includes the economic bus tour offered in the First Regular Session. Financial support is provided by MDF from contributions of our business, education and nonprofit members, as well as by Maine-based foundations. All Legislators are invited to participate in the Academy.

MDF collaborates with three organizational partners to ensure the successful delivery of the Policy Leaders Academy: the Margaret Chase Smith Policy Center at the University of Maine, the Maine Health Access Foundation, and the Maine Community Foundation. Each of the partners provides financial, staff and intellectual support to the Academy, and helps connect MDF to their own networks of expertise.

Proposed Programming

For the Second Regular Session of the 127th Legislature, MDF proposes sponsoring a minimum of two and up to four Policy Forums on economic topics of immediate interest to Maine Legislators, and a half-day training on Civil Discourse delivered by the National Institute for Civil Discourse. The Policy Forums are contemplated to be designed primarily as focused, 90-minute presentations and feedback sessions delivered at the Senator Inn and including breakfast. Based on discussions with the Presiding Officers and staff, and due to national program facilitator travel requirements, the Civil Discourse training has been scheduled for the afternoon of January 7, 2016 from 11:30am to 4:30pm.

Additional Details

Over the past month, MDF has sought input from business leaders, the Maine Economic Growth Council, nonpartisan legislative staff, Presiding Officers and Minority Leaders, and our partners for suggestions on Policy Forum topics. Based on our research and that input, following is a list of the highest priority topics we propose for Forums:

- Education and Workforce Development – A presentation and discussion reviewing the overall landscape of key education and workforce issues, including current needs and opportunities.
- R&D and Innovation – An overview of major Research & Development and Innovation initiatives underway in Maine, what's on the horizon, and what our economy needs to prosper.
- Health – A discussion of key policy issues in addressing the current heroin epidemic in Maine and across the country. *Note: this topic requires a more extended timeframe than a breakfast forum*

MAINE DEVELOPMENT FOUNDATION

POLICY LEADERS ACADEMY

to feature a full range of perspectives and approaches. We recommend an afternoon presentation. A tentative date of January 12 is proposed.

- Broadband Infrastructure and Access – An overview of key policy considerations and proposed legislation for Second Session of the 127th Maine Legislature.

In addition to economically-related Policy Forums, several legislators including members of Leadership have asked if MDF would be willing to add programming to assist in communication, civility, and consensus building skills for legislators in their work. We seek to assist in this area with enthusiasm. Specifically for this year, MDF is coordinating delivery of a training program designed and delivered by the National Institute for Civil Discourse. [See attachments] The program was developed by Ted Celeste, a former Ohio State Representative, and seeks to provide legislators with an opportunity to explore the benefits of increasing the level of civil discourse in their state and more effectively work across the aisle in their legislative work. The training program is co-facilitated by Republican and Democrat legislators from various states who have been trained by the NICD. Over 60 Maine Legislators have already participated in the training offered by NICD; however, this would be the first time the Legislative Council has been asked to include the training as part of the Policy Leaders Academy. This removes it from the sponsorship of specific legislators and makes it more systematic and sustainable. Due to the interactive nature of the program, there is a limit of 30 to 35 participants. (We also envision developing a way to include prior course alumni in re-engaging around the issues as well.)

Due to time and scheduling constraints, this training has already been scheduled. We do, however, ask that the Legislative Council formally approve delivery of the training, and ask for its support in promoting attendance by interested legislators. The Policy Forum breakfasts can be scheduled on days and times that best accommodate Legislative attendance. There is no limit on attendance at the Policy Forums.

Request

MDF is requesting feedback and guidance from the Legislative Council on the aforementioned proposals, and permission to begin detailed planning with Council Executive Director Grant Pennoyer. In particular, any suggestions on the number, dates and topics of the Policy Forum breakfasts would be welcome. The Legislative Council's support in promoting and encouraging attendance at the events, as well as its best efforts in minimizing conflicts once the schedule is complete, would be extremely helpful.

The Maine Development Foundation is proud to offer the Policy Leaders Academy to the Maine Legislature with our partners, and we hope it is of value to you in your important work.

MAINE DEVELOPMENT FOUNDATION

POLICY LEADERS ACADEMY

127th Legislature, Second Session Policy Leaders Academy Schedule

National Institute for Civil Discourse Workshop	January 7, 2016 11:30am to 4:30pm
Responding to Maine's Drug Epidemic	January 12, 2016 1pm to 4pm
Education and Workforce Development	TBD
Research, Development & Innovation	TBD
Broadband Infrastructure and Access	TBD

Note: While dates for the forums on Education, R&D, and Broadband have not been set, Tuesday and Thursday mornings in January and early February are contemplated. Specifically, Tuesday, January 19, Thursday, January 21, and Thursday, January 28 are under consideration. Any suggestions regarding dates would be welcome.



National Institute for Civil Discourse

A nonpartisan center for advocacy, research, and policy

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About Next Generation



The Institute has designed an introductory workshop tailored for state legislators entitled *Building Trust through Civil Discourse*, which uses active learning exercises to convey knowledge of and explore attitudes about civil engagement.

The goal of this work is to:

- Strengthen relationships across the aisle,
- Increase the effectiveness of state legislatures, and
- Create civility caucuses in participating state legislatures.

Throughout the workshop participants are encouraged to apply the material to practical examples from the legislative setting. As a group, workshop participants develop an action plan for advancing civil discourse in their own legislature with the goal of increasing legislative productivity. According to initiative leader Ted Celeste, a former state representative, "Participants learn how to set aside personal attacks and rebuild trust after a season of negative campaigning."

This workshop has been presented to the Colorado, Idaho, Maine, Massachusetts, Minnesota, Nebraska, Ohio, Pennsylvania, Vermont and Washington legislatures and at numerous regional and national meetings of the Council of State Governments.

Several states that held an initial workshop are considering hosting a second introductory workshop. Maine and Washington have both held a second workshop in January of 2015 and Ohio joined them in April. More than 20 other states are now looking to schedule an introductory workshop for their legislators.

The team of bipartisan legislators and former legislators providing the facilitation for the workshops has grown to 27 after three training session. More than 25 legislators who have participated in the workshops in their states have indicated an interest in joining the team of trained facilitators.

Listen to guest speakers Ted Celeste, founder and program director of Next Generation and Ohio Senator, Frank LaRose, 27th District, on Town Hall Ohio speak about Civil Discourse - Civility in Politics on November 25, 2013:

In today's political world, it seems there are only two sides: left and right. However, things get done in the middle. So what's the secret to getting things done?

Next Generation in the News

Next Generation Hosts a Facilitator Training for State Legislators

Decline in civil discourse threatens the heart of our democracy

Cultivating Civility at State Capitols

Akron Roundtable Hosts State Lawmakers to Discuss Civility

Ohio Lawmakers Promote Civility at Roundtable Discussion

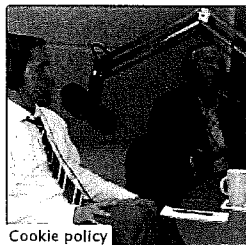
Council of State Governments: Dialogue is the Better Way to Solve Problems


The Golden Rule: Two Legislators are Trying to Promote Civility in Politics

State legislators begin effort to reduce incivility in politics


Cleveland Plain Dealer highlights a National Institute for Civil Discourse Program


Ohio politicians to address their own divisiveness with help of national civility group







Town Hall Ohio
Civility in Politics - Episode 385

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Next Generation: Program Overview
“Building Trust through Civil Discourse”
A Half-Day Interactive Workshop

Developed by Ted Celeste, former Ohio State Representative, and presently the Director of State Programs for The National Institute for Civil Discourse, this workshop has been co-facilitated by a Republican and Democrat legislator in nine states over the past two and a half years. The main mission of the workshop is to provide legislators with an opportunity to explore the benefits of increasing the level of civil discourse in their state and more effectively work across the aisle in their legislative work. “Building Trust through Civil Discourse” is an energizing, legislator-led program that aims to improve a culture where discourse and collaboration typify public policy development.

The half-day workshop generally begins with a meal, with time for legislators from both parties and both houses to introduce themselves. After the meal, the two co-facilitators lead the group in discussion to determine the ground rules for the workshop. These rules are then posted on a flip-chart nearby throughout the workshop. This exercise allows participants to create their own safe space for personal interactions throughout the workshop.

The component of the workshop that gets the most positive comments from participants is called the “political journey”. During this exercise, each legislator is asked to think about an event(s) in their lives that most influenced who they are politically today, write it down and post it on a wall underneath a listing of decades. After a time for everyone to read each other’s’ events, small groups are convened to share those experiences and their impacts. Afterwards, participants reflect on the exercise and its common themes.

The two co-facilitators lead the balance of the workshop in discussions identifying what an ideal legislature would look like if it were conducting business with civility, what the barriers are in their state preventing civil discourse, and what can be done to improve the level of civil discourse, with the development of a series of action steps for implementation. In every state that has held the workshop to date, a robust list of action steps has been developed and several states have already held a second workshop. In all, over 200 legislators have participated in 12 workshops.

An outgrowth of the workshops has been the development of a facilitator training program that has trained 27 legislators and former legislators to co-facilitate workshops around the country. Another 26 legislators have expressed interest in becoming facilitators and will attend training sessions in 2015 and 2016.

In a number of states, local and state organizations have jointly sponsored the workshops and offered to help sustain any ongoing activities that the participants have identified in their action steps. This commitment to sustainability is the key to implementing lasting results through this program.

Furthermore, in efforts to address Next Generation's growing number of participants, the National Network of State Legislators Committed to Civil Governance was launched on August 2nd, 2015 in Seattle, Washington, where 34 lawmakers from 16 states convened to establish the Network together. The National Network will serve as a tool and resource center for state legislators who share the publics' concerns about dysfunction within America's political system and are passionate about taking collaborative actions to impact change, starting in our country's states.



Maine Credit Union League

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2 Ledgeview Drive · Westbrook, ME 04092
Mailing Address: P.O. Box 1236 · Portland, ME 04104
207-773-5671 · 1-800-442-6715
www.maineicul.org

November 20, 2015

Legislative Council
115 State House Station
Augusta, Maine 04333

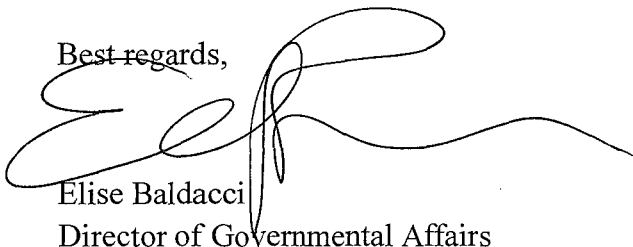
To Members of the Legislative Council:

Each year, the Maine Credit Union League hosts Credit Union Day at the State House in the Hall of Flags. In years past, this event was typically held during the morning hours, from 9:00 a.m. to 11:00 a.m., and we served coffee and breakfast pastries. In an effort to enable more credit union representatives from across the State to attend this event, we have decided to hold this annual event from 11:00 a.m. to 1:00 p.m., on Thursday, March 31 in the Hall of Flags.

In an effort to provide attendees of Credit Union Day with appropriate food options for the this time of day, we are asking the Legislative Council to consider making an exception from the limitation on food service found in the Legislative Council Policy on the use of the Hall of Flags for our event. We would like to serve small finger sandwiches and chips, which currently are prohibited under the policy. Incorporating this change would not require any additional tables than used in past years (approximately 10 tables) nor would it require any additional space in the Hall of Flags.

On behalf of Maine's 60 credit unions, I greatly appreciate you taking this request under consideration.

Best regards,



Elise Baldacci
Director of Governmental Affairs

SEN. MICHAEL D. THIBODEAU
CHAIR

REP. MARK W. EVES
VICE-CHAIR

EXECUTIVE DIRECTOR
GRANT T. PENNOYER



127TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. GARRETT P. MASON
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SEN. DAWN HILL
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Legislative Council Policy On the Use of the Hall of Flags

1. Introduction

Since its construction, the Hall of Flags has had a long and distinguished tradition as a Reception room and gathering area for Legislators and the public. With its historic collection of battle flags from the Civil War forward, the Hall of Flags is a place for Maine citizens to honor and reflect upon the many Maine men and women who defended our Country and made the ultimate sacrifice defending freedom and our democratic values and way of life. It is also the most public room in the Maine State House, where members of the public, Executive and Judicial officials and Legislators freely intermingle and communicate in the course of legislative affairs.

In adopting this Hall Use Policy, the Legislative Council establishes protocols for use of the Hall of Flags that: protect the safety of the public; prohibit uses that are inappropriate in the presence of schoolchildren or others; and provide for social discourse and forums for education on governmental matters in ways that bestow respect for the Hall of Flags and honor to the people and events it symbolizes.

2. Authorized Uses

The Hall of Flags may be used only for organized events that have a bona fide educational purpose relating to governmental matters, legislative affairs, legislative or gubernatorial ceremonies or other like category of activity. The Hall of Flags may not be used for any substantially private activity or event unrelated to the conduct of the public's business.

Furthermore, the Hall of Flags may not be used for acts of civil disobedience, petition signing for referenda, clemency petitions or advocacy, private events such as weddings, funerals, dinners or dances, or mercantilism. In addition, activities, including the display or distribution of materials that a person would reasonably find to be offensive, harassing, degrading or unduly disruptive or activities that are inappropriate in the presence of schoolchildren are prohibited.

3. Health and Safety

Protection of the health and safety of persons in the State House takes precedence over all activities and events in the Hall of Flags. The Legislative Council authorizes the Executive Director to establish such procedures and standards as necessary to protect the health and safety of occupants in the State House at all times and to protect the integrity of the building and its contents. At a minimum: adequate clearances for safe ingress and egress must be maintained at all times in the Hall of Flags; equipment or activities that pose a risk of fire or explosion are prohibited; toxic, noxious or infectious materials are prohibited; and any activity requiring the disabling of smoke detectors, fire alarms or security devices is prohibited. Except for Pre-Legislative Conference, New Member Orientation, Legislative Employee Appreciation Day, Welcome Back Day and Maine Agriculture Day, the number of tables in the Hall of Flags may not exceed 15.

4. Security

Entities using the Hall of Flags must comply with all facility security requirements and all instructions by security personnel. The Bureau of Capitol Security Police may remove persons who are threatening, disruptive or in violation of provisions of this policy. Persons who violate this policy or who are disruptive or threatening may be denied future use of the Hall of Flags for any organized event.

5. Limitation on Food Service

The Legislature compensates legislators for some legislative expenses including meals, and legislative staff are sufficiently compensated in their work such that it is unnecessary for others to provide legislators or staff with complementary meals. Escalating levels of food service at Hall of Flag events in recent years have had the unintended but inevitable result of increasing expectations of meal service to be provided by other groups as well as increasing costs to those groups using the Hall of Flags. Furthermore, the serving of meals is unduly disruptive, increases facility maintenance costs, detracts from the overall purposes for use of the Hall of Flags and presents potential facility security risks.

Therefore, except as provided below, the offering of food and beverages in the Hall of Flags is strictly limited to refreshments such as milk, juices, coffee, tea, soda, water, doughnuts, pastries, cookies, fruit, nuts, healthy snacks and other similar category of foods that does not constitute the offering or serving of a meal or partial meal.

Entities who use the Hall of Flags are not obligated to make available any food or beverage as a condition of their use of the hall. However, to the extent that allowable foods are offered, the proprietor of the State House cafe must be contacted by those entities for the opportunity to provide the desired food service. Furthermore, the Legislative Council encourages the use of locally grown or produced foods to the maximum extent practical when food is served in the State House.

Exceptions: The Legislative Council hereby authorizes such an exception for the following events: Welcome Back Day, New Member Orientation, the Pre-Legislative Conference, Legislative Employee Appreciation Day and other legislative receptions hosted by the Legislature; Franco-American Day; Maine Agriculture Day; Maine Bankers Day; Maine Community College Day; Maine County Day(s); Maine Credit Union Day; and Maine Tourism Day; and ~~school food service day~~.

6. Equipment and Furnishings

Equipment and furnishing such as chairs, tables, lights, podiums and sound systems used in the Hall of Flags must be those provided by the Legislative Council. However, The Legislative Council authorizes the use of LCD and slide projectors, laptop computers, tabletop displays and other such portable information presentation equipment to be provided by the entity authorized to use the Hall of Flags. Use of other equipment is not allowed unless it is consistent with the intent of this policy and is specifically authorized by the Clerk of the House when accepting hall reservations under paragraph II.

7. Nonexclusive Use

The Hall of Flags is a public hall and entities authorized to reserve and use the Hall of Flags often are expected to share the hall with other entities or coordinate activities and schedules. Accordingly, such entities should neither expect nor demand exclusive use of the Hall of Flags. Legislative uses take precedent over other uses in the Hall of Flags, regardless of whether other, non-legislative entities obtained advance reservations for its use.

8. Times Held for Legislative and Visitor Use

The Clerk of the House shall establish a reservation schedule that provides for unreserved blocks of time in the Hall of Flags each week for legislative press conferences or other unscheduled legislative activities that may arise during the course of the legislative session. In addition, the schedule must

provide for convenient times when visitors to the State House may view and reflect upon the collection of historic flags uninterrupted by organized events in the Hall of Flags.

9. Prohibitions

At a minimum, the following are prohibited from the Hall of Flags:

- A. open flames except when used in a safe manner for warming dishes
- B. propane, gasoline, accelerants and other flammable materials
- C. compressed gases and helium-filled balloons
- D. toxic, noxious and infectious materials
- E. grills, frying pans and fryolators, except that table top electric cooking appliances may be used during Franco-American Day
- F. alcohol
- G. animals, except for service animals
- H. noisemakers, bullhorns and other sound amplification or broadcast devices. However, bona fide members of the news media may use broadcast equipment in the course of their work
- I. strobe lights
- J. signs and banners on wooden or rigid supports that may cause injury
- K. weapons of any type except on the person of a law enforcement who is on duty and when the presence of such weapons has first been disclosed to the Bureau of Capitol Security Police
- L. altering or disabling electrical, telecommunication or security devices or wiring
- M. affixing signs, banners, displays or other materials to walls, columns, flag cases or portraits
- N. active distribution of materials or leaflets
- O. soliciting, marketing or selling of goods or services

10. Security Deposit and Use Agreement

Non-legislative entities, other than the Chief Executive, Chief Justice or Constitutional Officers, who reserve and use the Hall of Flags must, at the time of reservation or prior to use, provide a security deposit of \$100 and enter into a Use Agreement accepting the terms and conditions of use of the Hall of Flags. The agreement must require such entities to immediately report and accept financial responsibility for any damages to the facility or equipment occurring during their use of the Hall of Flags. The security deposit will be returned unless the entity that uses the Hall of Flags damages legislative equipment or facilities, does not set up or remove all items in a timely fashion, including removing all litter following use, or violates the terms of the Use Agreement. The Executive Director will notify the Clerk of the House when the director believes that an entity has caused damage to the facility, improperly used the Hall of Flags or left the Hall of Flags in an improper condition.

The security deposit may be waived for those entities using the Hall of Flags that require three or fewer tables to be set up. Furthermore, the security deposit may be waived or reduced in situations where paying the deposit would result in a serious economic hardship to the entity using the Hall of Flags.

11. Administration

The Clerk of the House of Representatives and the Executive Director of the Legislative Council, jointly, shall administer this policy. The Clerk is responsible for scheduling and reserving the Hall of Flags for authorized activities during regular business hours and for collecting applicable security deposits. The Executive Director is responsible for preparing the Hall for the scheduled activities and maintaining the Hall of Flags.

DRAFT

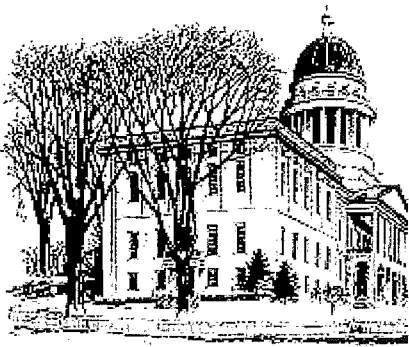
12. Authority and Effective Date

Pursuant to its authority under 3 MRSA, §162, the Legislative Council hereby adopts this Policy on the Use of the Hall of Flags on this 27th day of October, 2005.

~~This policy becomes effective on January 1, 2006.~~

BY: _____
Maine Legislative Council

Policy Effective Date: January 1, 2006
Amended: December 17, 2015



STATE OF MAINE
REVENUE FORECASTING COMMITTEE

Members:

Michael Allen, Chair, Associate Commissioner of Tax Policy
James Breece, University of Maine System
Marc Cyr, Principal Analyst, Office of Fiscal and Program Review
Melissa Gott, State Budget Officer
Christopher Nolan, Director, Office of Fiscal and Program Review
Amanda Rector, State Economist

December 1, 2015

TO: Governor Paul R. LePage
Members, 127th Legislature

FROM: Michael Allen, Chair
Revenue Forecasting Committee

RE: Revenue Forecasting Committee's December 2015 Report

The Revenue Forecasting Committee (RFC) has concluded its fall update of the current revenue forecast to comply with this year's statutory reporting date of December 1st. The RFC's December 2015 report and appendices have been posted to the RFC's web page and are available through the link below. A limited number of copies of the full report will be available in the Office of Fiscal and Program Review, Room 226 of the State House, later this week.

<http://legislature.maine.gov/uploads/originals/2015-dec-rfc-final-report.pdf>

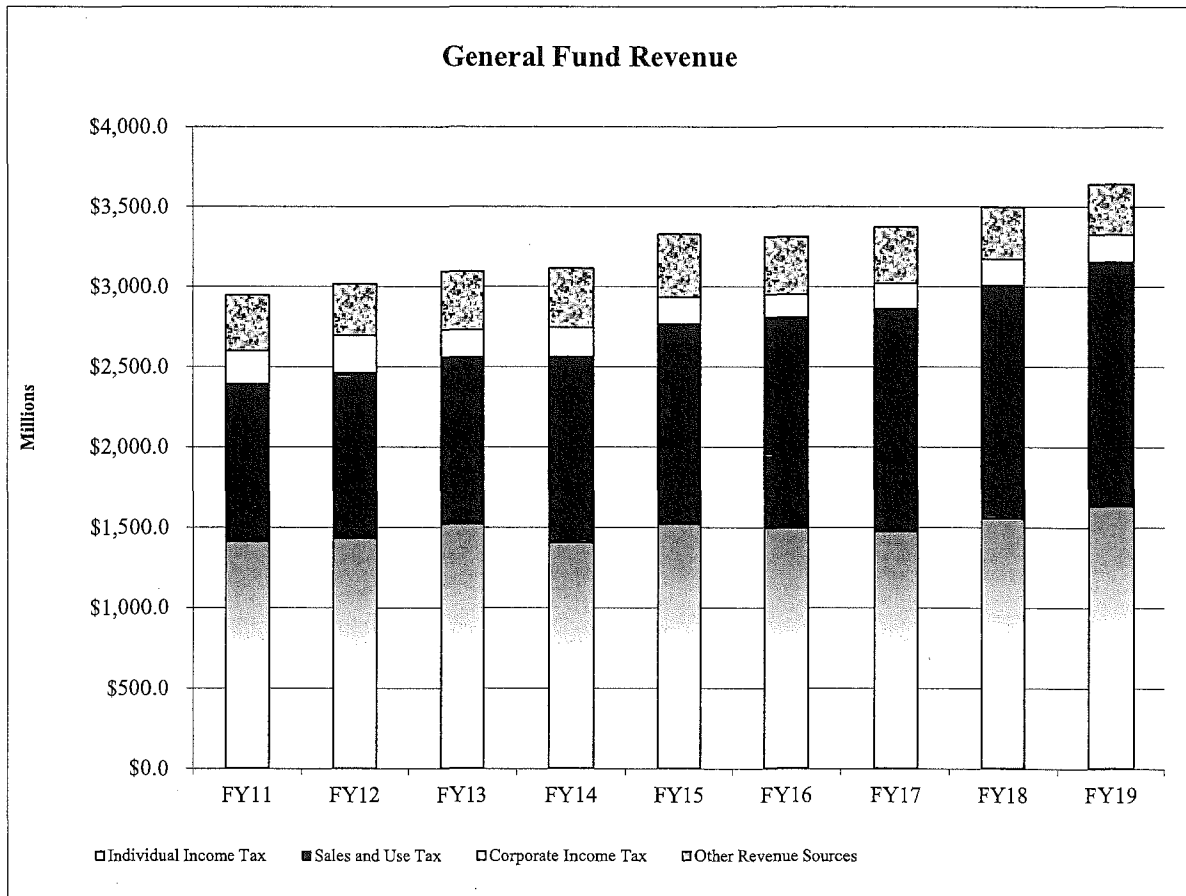
As this report shows, both the Consensus Economic Forecasting Commission (CEFC) and RFC made relatively minor adjustments to their forecasts released last April and May, respectively. While actual economic and revenue data through the first quarter of FY16 have tracked closely with the spring economic and revenue forecasts, there is reason to believe that there is upside risk to both forecasts when the two committees meet again in just a few months.

New and revised personal income and labor market data will be available to the CEFC for review when they meet at the end of January. In addition, should the Federal Reserve increase interest rates at their December meeting, as currently projected, the CEFC will have some limited information on the reaction of the markets and the broader economy to that decision. The RFC will have the benefit of gauging the ongoing consumer sentiment of Maine households by reviewing holiday sales activity, and will better understand 2015 income growth with final withholding and estimated payments receipts available. The continuation through this period of strong sales and income data would provide confidence to the RFC that the recent growth in these two key sources of revenue is sustainable, and merits a more significant positive adjustment to General Fund revenues in the current biennium.

cc: Members, Revenue Forecasting Committee
Members, Consensus Economic Forecasting Commission
John McGough, Chief of Staff, Governor's Office
Richard Rosen, Commissioner, Dept. of Administrative & Financial Services
Clerk of the House
Secretary of the Senate
Grant T. Pennoyer, Executive Director, Legislative Council
Legislative Staff Office Directors

REPORT OF THE MAINE STATE REVENUE FORECASTING COMMITTEE

December 2015



Michael Allen, Chair
Associate Commissioner for Tax Policy

James Breece
University of Maine System

Marc Cyr
Office of Fiscal & Program Review

Melissa Gott
State Budget Officer

Christopher Nolan, Director
Office of Fiscal & Program Review

Amanda Rector
State Economist

Report of the Maine State Revenue Forecasting Committee

December 2015 Forecast

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APPENDICES

- A. General Fund Summary Table**
- B. Highway Fund Summary Table**
- C. Fund for a Healthy Maine Summary Table**
- D. Medicaid/MaineCare Dedicated Revenue Taxes Summary Table**
- E. Economic Background Information**
- F. Maine Revenue Services Recommendations and other Background Materials**
- G. Other Background Information**

Introduction

The Revenue Forecasting Committee (RFC) met on November 18, 2015 to review and update the current revenue forecast to comply with the statutory reporting date of December 1st. The RFC revised its revenue projections through the fiscal year ending June 30, 2019 for the General Fund, Highway Fund, Fund for a Healthy Maine and Medicaid/MaineCare Dedicated Revenue Taxes.

Economic Forecast

This update of the revenue forecast included a review of the economic forecast statutorily due by November 1st. The economic forecast was developed by the Consensus Economic Forecasting Commission (CEFC) at its meeting on October 26, 2015.

The Maine and U.S. economies showed continued signs of gradual improvement since the CEFC met in March 2015. Maine's real GDP increased 0.2% from 2013-2014, the second year in a row of GDP growth. Personal income in Maine grew 2.7% from 2014 to 2015, while wage and salary income, which is the largest component of total personal income, grew 1.8% over the same period. The debt-to-income level for Maine businesses and households continued to rise to new levels in the second quarter of 2015. The Consumer Price Index was unchanged in September 2015 from a year ago, driven by declines in energy prices.

Nationwide, consumer sentiment in September 2015 was 3.1% higher than one year ago while small business optimism increased 0.8% over the previous year's level.

The price of crude oil decreased 50.4% from the third quarter of 2014 to the third quarter of 2015 to around \$51 per barrel. As a result of the continued declines in crude oil prices, heating oil prices declined throughout most of last year's heating season and have started this year's heating season considerably lower than the past five years while gasoline prices are also much lower. The number of new automobile titles issued by the Maine Bureau of Motor Vehicles increased 5.9% in FY 2015 compared to FY 2014, while the number of used auto titles increased 2.0%.

Existing single-family home sales in Maine were up 6.7% in August 2015 compared to August 2014 and housing permits for the October 2014-September 2015 year were 0.7% higher than the previous 12-month period. The median home price in the Portland-South Portland-Biddeford Metropolitan Statistical Area (which encompasses all of York, Cumberland, and Sagadahoc counties) increased 5.5% year-over-year in the second quarter of 2015. Mortgage delinquency rates in Maine have been declining but at a slower pace than nationally. The foreclosure rate in Maine was 0.52% in the second quarter of 2015 and has been above the national rate for eleven of the past twelve quarters.

Historical income revisions have been released since the CEFC last met. These revisions and new data contributed to minor adjustments in the forecast. The Commission largely decided to leave the forecast unchanged after the incorporation of the revised data. This forecast was based heavily on an alternative scenario ("LowPop") created by the Office of Policy and Management, which provides staff support to the CEFC. This alternative scenario is based on the Moody's Analytics baseline with adjustments that lowered the population and employment growth forecasts. These adjustments are a result of the consensus that the national level forecasts are based on overly optimistic population projections for the state of Maine, causing employment forecasts, among other things, to grow at an unattainable rate. However, this forecast does assume an increase in migration into Maine in the next few years.

In addition to the ongoing concerns about the demographic situation, the Commission considered some additional macroeconomic conditions, including the continuation of low oil prices, an easing in exchange rates as the U.S. dollar backs off a bit in the short term, and the lack of an interest rate hike in September 2015. The Commission hopes to have clearer data at their next meeting in late January. Without compelling evidence of a major change in economic conditions, the Commission made only minor changes to the forecast.

The forecast for wage and salary employment was left unchanged, although starting from a slightly higher 2014 base level. The 2019 employment level is nearly the same as the 2007 pre-recession peak. CPI was adjusted only for 2015 and 2016; both years were revised downward as a result of the continued low oil prices. The largest forecast changes occurred in the personal income lines, as the 2014 figures were revised by the U.S. Bureau of Economic Analysis at the end of September. Total personal income was revised upward in 2015 and slightly downward in the rest of the forecast years. The forecast for wage and salary income was changed only for 2016, which was revised downward.

A copy of the November 2015 report of the CEFC is included in Appendix E.

Summary of Revenue Forecast

The economic variables in the CEFC forecast play an important role in the revenue forecast. Maine Revenue Services' (MRS) tax models use the CEFC economic variables to help project revenue from the major taxes. Data related to non-tax revenue lines were provided by a number of different state agencies and reviewed by staff in the Office of Fiscal and Program Review and the Bureau of the Budget to come up with consensus recommendations. The RFC reviewed Maine Revenue Services' and other staff recommendations at its meeting on November 18th and agreed to those recommendations. The following tables and narratives highlight the final changes to each of the major funds and revenue sources accepted by the RFC as part of its December 2015 update to the revenue forecast. More detail on each of the funds and revenue sources is provided in the various appendices.

General Fund Summary

	FY15	FY16	FY17	FY18	FY19
Current Forecast	\$3,329,326,547	\$3,311,306,802	\$3,367,197,789	\$3,472,355,852	\$3,606,283,064
Annual % Growth	6.9%	-0.5%	1.7%	3.1%	3.9%
Net Increase (Decrease)	\$0	(\$2,239,140)	\$4,872,534	\$24,480,203	\$35,456,733
Revised Forecast	\$3,329,326,547	\$3,309,067,662	\$3,372,070,323	\$3,496,836,055	\$3,641,739,797
Annual % Growth	6.9%	-0.6%	1.9%	3.7%	4.1%

General Fund revenue estimates were revised downward by \$2.2 million for FY16 and upward by \$4.9 million for FY17, for a net upward adjustment of \$2.6 million for the 2016-2017 biennium. For the 2018-2019 biennium, General Fund revenue estimates were revised upward by a total of \$59.9 million, including an increase of \$24.5 million for FY18 and \$35.4 for FY19.

The new economic forecast from the CEFC resulted in the revenue forecasting model used by the MRS/OTP to project significantly lower sales and use and service provider tax revenue for all the fiscal years in the current budget window. Based on combined tax receipts through October, and preliminary data through late November, there is no indication that the May 1st forecast should be adjusted at this time. Taxable sales have increased at a moderate pace since the final quarter of 2014 as energy prices plunged. The combined Maine sales and use and service provider tax forecast remained close to budget and is expected to continue to track the May forecast through the remainder of the fiscal year. With expectations that energy prices will remain relatively low and the economic recovery will continue, the

RFC decided to accept the Office of Tax Policy recommendation that the combined sales and use and service provider tax forecast from May go unchanged. The only minor adjustment to the previous forecast is to increase the sales and use portion of the forecast by \$3 million in FY16 and reduce the service provider tax by that same amount. This change for FY16 only reflects revenue performance through the first four months of the fiscal year. With holiday sales available during the February meeting and the service provider tax rate scheduled to increase on January 1st, the RFC may make longer term adjustments to both revenue lines during the next forecasting exercise.

The revenue forecasting commission recommends an increase in individual income tax revenue of \$10.5 million in fiscal year 2016, \$14 million in fiscal year 2017, \$37.5 million in fiscal year 2018, and \$52 million in fiscal year 2019. Factors behind the change in revenue projections include the availability of new income tax data, the new economic forecast, and technical changes to how the tax model data is targeted to the most recent year with data availability and aged to the forecast years.

Since the last forecast Maine Revenue Services has received 2014 Maine 1040 extension returns, 2013 federal 1040 extension returns, and 2014 federal non-extension returns. This data has caused us to revise 2014 AGI upwards, primarily due to upward revisions for capital gains, dividends, and taxable IRA distributions. The upward revision to 2014 AGI increases revenue in future years because we apply forecast growth rates for each income component to the higher base.

In addition to increasing the level of income, the new data has resulted in a shift of income in the base year (2014). Specifically, income has been shifted from very high income (>\$300,000) into the \$100,000 - \$300,000 range.

The upward revenue revision grows over time for several reasons. First, the reduction in the inflation forecast largely increases revenues in the 2018-19 biennium. Second, changes to the model's income distribution have a minimal impact on 2014 and 2015 liability but a significant and growing effect on liability in tax years 2016 and later. This occurs both because the difference in the old and new model distributions grows over time (technical changes to the extrapolation methodology have raised income growth for incomes above \$100,000) and because the change in distribution affects revenue more beginning in 2016 due to policy changes (the top rate starts at higher income level and the deduction phase-out begins). A final reason that the revenue revision grows over time is that the deduction has been revised upward in 2014 and 2015 by a larger amount than 2016 and later, both because of forecast changes and policy changes beginning in 2016 that significantly diminish the importance of itemized deductions.

Corporate income tax revenue is the other revenue line the RFC made significant adjustments to during the latest meeting. The committee reduced corporate income tax receipts by \$7.5 million in FY16, \$9.5 in FY17 and \$22.2 million in the 2018-2019 biennium. Projections of the 2014 tax year show that corporate liability will be below the May forecast. The 2014 tax year is the jumping-off point for this revenue forecast. In addition, refunds associated with the 2012-14 tax years continue to exceed previous projections.

Estate tax revenues were \$3.3 million under budget through the first 4 months of FY16. The RFC decreased the FY16 projection for estate tax receipts by \$4.1 million to account for the lagging performance. A new forecast of household net-worth resulted in a decrease of \$0.8 million in FY17 and \$11.2 million in the 2018-2019 biennium.

Other notable adjustments to General Fund revenue lines include:

- Cigarette & Tobacco Taxes – the forecast was revised upward (positive impact on General Fund) in all years as a result of a sustained flattening of sales over the last year. Historically the RFC has assumed a 1-2% decline in cigarette and tobacco sales.
- Other Revenue/Transfer to Maine Milk Pool – The forecast for the transfer to the milk pool was adjusted upward (negative impact on General Fund) for all years based on the latest estimates of milk prices (see Appendix G for more detail). The significant increase in the FY 16 and FY 17 transfers reflect an estimate that future milk prices will decrease, due to a drop in demand for milk products and an increase in worldwide milk production.

Highway Fund Summary

	FY15	FY16	FY17	FY18	FY19
Current Forecast	\$323,494,586	\$319,490,793	\$323,075,751	\$326,158,044	\$329,252,971
Annual % Growth	2.0%	-1.2%	1.1%	1.0%	0.9%
Net Increase (Decrease)	\$0	\$20,122	(\$84,408)	\$144,197	\$144,197
Revised Forecast	\$323,494,586	\$319,510,915	\$322,991,343	\$326,302,241	\$329,397,168
Annual % Growth	2.0%	-1.2%	1.1%	1.0%	0.9%

Highway Fund revenue estimates were revised upward by \$20.1 thousand in FY16 and downward by \$84.4 thousand for FY17 (\$64.3 thousand over the 2016-2017 biennium). For the 2018-2019 biennium, Highway Fund revenues estimates were revised upward by \$288.4 thousand. With no estimated change in total motor fuel tax revenue (gasoline and special fuel), the changes in the Highway Fund projections are largely driven by an estimated increase in specialty license plate fees and an estimated decrease in earnings on investments. Highway Fund revenue is estimated to decrease by approximately 1% in fiscal year 2015-16 followed by growth of approximately 1% per year for the subsequent three years.

Fund for a Healthy Maine Summary

	FY15	FY16	FY17	FY18	FY19
Current Forecast	\$53,592,252	\$53,960,063	\$52,978,154	\$48,596,690	\$47,713,066
Annual % Growth	-11.5%	0.7%	-1.8%	-8.3%	-1.8%
Net Increase (Decrease)	\$0	(\$444,799)	(\$454,225)	(\$449,921)	(\$454,416)
Revised Forecast	\$53,592,252	\$53,515,264	\$52,523,929	\$48,146,769	\$47,258,650
Annual % Growth	-11.5%	-0.1%	-1.9%	-8.3%	-1.8%

Fund for a Healthy Maine revenue estimates were revised downward by \$444.8 thousand in FY16 and by \$454.2 thousand for FY17 (\$899.1 thousand over the 2016-2017 biennium). For the 2018-2019 biennium, Fund for a Health Maine revenues estimates were revised downward by \$904.3 thousand.

Maine's Tobacco Settlement Payments (TSPs) for the FY15 ended up only slightly above budgeted levels. The continued lack of detailed information about Maine's TSPs for FY14 and FY15 led the RFC to leave the TSP forecast for the next four years at the levels assumed in the May 2015 forecast. Additional information about the FY14 and FY15 payments will be reviewed for the March 2016 forecast. Estimates for the Fund for a Health Maine's share of Hollywood Casino Bangor revenue were reduced by about \$450 thousand in each year of the forecast, reflecting the overall negative adjustment in these revenues. Additionally, the Fund's estimated income from investments had a minor reduction in each year of the forecast.

Medicaid/MaineCare Dedicated Revenue Taxes Summary

	FY15	FY16	FY17	FY18	FY19
Current Forecast	\$171,074,132	\$177,842,839	\$182,166,447	\$182,166,447	\$182,166,447
Annual % Growth	1.5%	4.0%	2.4%	0.0%	0.0%
Net Increase (Decrease)	\$0	(\$7,729,236)	(\$4,576,472)	(\$4,576,472)	(\$4,576,472)
Revised Forecast	\$171,074,132	\$170,113,603	\$177,589,975	\$177,589,975	\$177,589,975
Annual % Growth	1.5%	-0.6%	4.4%	0.0%	0.0%

Medicaid/MaineCare Dedicated Revenue Taxes estimates were revised downward by \$7.7 million in FY16 and by \$4.6 million for FY17 (\$12.3 million over the 2016-2017 biennium). For the 2018-2019 biennium, Medicaid/MaineCare Dedicated Revenue Taxes estimates were revised downward by \$9.2 million (see Appendices D and G for more detailed information).

The forecast for Medicaid/MaineCare Dedicated Revenue Taxes revenue was adjusted downward based on recent experience. Hospital tax estimated revenue was decreased for each year of the forecast due to a merger of two hospitals that is expected to decrease tax revenue by \$1.7 million each year. Estimated nursing facility tax revenue was decreased \$2.7 million in FY16 and then by \$2.8 million for subsequent years of the forecast. MaineCare nursing facility payments are still assumed to increase during the forecast period. The decrease in the nursing facility tax forecast reflects an assumed decrease in overall payments to nursing facilities resulting from a reduction in payments from private sources. The forecast for MaineCare's share of service provide tax revenue for FY16 was reduced by \$3.3 million on a one-time basis. Actual collections for the current year are behind budgeted levels that reflected recent legislative changes. Nursing facility tax and service provider tax revenue collections will continue to be monitored over the coming months and reviewed for the March 2016 forecast.

Conclusion

As this report has demonstrated, both the CEFC and RFC made relatively minor adjustments to their forecasts released last April and May, respectively. While actual economic and revenue data through the first quarter of FY16 have tracked closely with the spring economic and revenue forecasts, there is reason to believe that there is upside risk to both forecasts when the two committees meet again in just a few months.

New and revised personal income and labor market data will be available to the CEFC for review when they meet at the end of January. In addition, should the Federal Reserve increase interest rates at their December meeting, as currently projected, the CEFC will have some limited information on the reaction of the markets and the broader economy to that decision. The RFC will have the benefit of gauging the ongoing consumer sentiment of Maine households by reviewing holiday sales activity, and will better understand 2015 income growth with final withholding and estimated payments receipts available. The continuation through this period of strong sales and income data would provide confidence to the RFC that the recent growth in these two key sources of revenue is sustainable, and merits a more significant positive adjustment to General Fund revenues in the current biennium.

Both the RFC and the CEFC remain concerned about Maine's demographic situation. With an aging population and little to no population growth, employment and income growth will be restrained going forward. In this forecast exercise the CEFC continued incorporating population and employment assumptions that are consistent with population projections by the Office of Policy and Management and the implications of those projections on employment growth guided by the Maine Department of Labor. Both the RFC and the CEFC are committed to refining this process and to better understanding how Maine's demographic trends will affect its future economic and revenue potential.

Partial Report
Received 12/8/15



**STATE OF MAINE
127th LEGISLATURE
FIRST REGULAR SESSION**

**Working Group to Develop Solutions to Meet the
Needs for Municipal Volunteer Personnel**

December 2015

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- B. Membership list, Working Group to Develop Solutions to Meet the Needs for Municipal Volunteer Personnel
- C. Suggested Priorities

Executive Summary

The 127th Maine Legislature established the Working Group to Develop Solutions to Meet the Needs for Municipal Volunteer Personnel with the passage of Resolve 2015, chapter 49. The resolve established the 7-member working group, which includes three members of the Legislature and four appointed representatives of the public¹.

The resolve directed the working group to perform the following duties:

- To find solutions to the recruitment, training and retention problems facing volunteer fire departments and volunteer emergency medical services providers in Maine;
- To identify the reasons for recruitment, training and retention problems and to recommend solutions;
- In their work on the above two duties, to solicit input from municipalities with volunteer fire departments and volunteer emergency medical services providers and members of the public; and
- To submit a report that includes findings and recommendations, including suggested legislation, to the Joint Standing Committee on Criminal Justice and Public Safety no later than December 2, 2015.

Over the course of the three working group meetings the working group heard presentations and engaged in active dialogue with fire and emergency services department chiefs, active and retired volunteer and per diem firefighters and emergency medical services personnel, a representative of the Maine Municipal Association, the Director of the Maine Department of Labor Bureau of Labor Standards, the program manager of the Division of Workplace Safety and Health of the Department of Labor Bureau of Labor Standards and the Director of Maine Emergency Medical Services.

The working group compiled a comprehensive list of suggested recommendations to address issues related to recruitment, training and retention of municipal volunteer personnel. The working group then identified suggested recommendations according to whether they required direct action by the Legislature, direction from the Legislature to another agency to review and consider a suggested action, or review and consideration by a municipality or a fire and emergency medical services department.

The working group recommendations, which are included in section III, include actions to address recruitment, training and retention. These recommendations include the following:

Recommendations

- Funding should be provided for the Length of Service Award program established in Public Law 2015, chapter 352 and enacted as 5 MRS, section 3772. This would require an appropriation or allocation to the program as authorized in 5 MRS, section 3772, subsection 10, paragraph A.

¹ Due to time commitments, one member resigned and a new appointment was not made.

- Tax credits at the state or local level should be expanded or implemented to be used to pay property, excise or other taxes imposed by the State or the municipality. Legislation would be required for state level tax credits and to amend current law on tax credits at the local level. Municipal level tax credits up to the amount of \$750 may be provided to volunteers who are at least 60 years of age, as provided in 36 MRS, section 6232.
- Bell-to-bell coverage should be provided through the workers' compensation program at the state level or insurance provided at the municipal level. Providing state workers compensation coverage to volunteers on the way to and from the call site would require legislation to include coverage from the call bell to completion of return from the call for municipal volunteer firefighters and emergency medical services personnel as "arising out of and in the course of employment" under 39-A MRS, section 201, subsection 1. Providing insurance at the municipal level would not require legislation.
- Legislation should be passed to further the goal of achieving a Central Fire Academy and regional training facilities. This is a long-term commitment that working group members recommend the Legislature commit to in 2016. As part of that commitment a study could be undertaken through passage of LD 655, "Resolve, To Study the Feasibility of a State Firefighter Training Facility," which was carried over to the Second Regular Session of the Legislature.
- Municipal volunteer personnel should be provided the option of joining the State Employee Health Program. Allowing municipal volunteer personnel eligibility for the State Employee Health Program would require amendment to the definition of eligible persons in 5 MRS, section 285, subsection 1 and would require legislation.
- Firefighter and rescue personnel courses available at the technical schools and community colleges should be expanded and more financial aid made available for courses. Adding new courses would require action by the technical schools and community colleges. Providing additional financial aid would require allocations or appropriations in legislation.
- Legislation should be enacted to limit liability for firefighters and rescue personnel for volunteers, incident commanders and fire chiefs. This would require legislation to provide for immunity, by amending 14 MRS, section 164 or 8112, subsection 1.
- Additional duties should be established for the Maine Fire Protection Services Commission to charge the commission with overseeing and reporting on implementation of the recommendations of the working group in its annual report in December of 2017 and 2018. This would require a resolve or unallocated law.

The working group members realize that funding will be necessary to implement the recommendations of the working group. Members did not vote on whether to support tax increases but they did suggest that consideration of tax increases may be necessary. The Joint Standing Committee on Criminal Justice and Public Safety may want to consider closely studying the feasibility of raising slightly the taxes on alcohol or raising by 2.5% the taxes on

tobacco products; however, there may be other alternatives available to address the needs regarding funding.

The working group, in its review of the list of suggested priorities attached as Appendix C, determined that actions at the local level are keys to successful volunteer fire and emergency medical services. The working group members agreed to encourage municipalities to consider implementing the following initiatives:

- a. Providing benefits to firefighter and emergency medical services volunteers, including length of service award programs and stipends for travel and expenses;
- b. Funding public relations campaigns, including using public service announcements, social and traditional media outlets and community outreach;
- c. Expanding junior firefighter programs;
- d. Working toward well-run departments that operate under effective and strong leadership;
- e. Working with local firefighter unions to enable career firefighters to volunteer with local fire departments;
- f. Pursuing insurance and third-party reimbursement for firefighter and emergency medical services calls;
- g. Cooperating with other municipalities on training;
- h. Establishing clear chains of command and operational procedures for mutual aid calls;
- i. Expanding full-time daytime coverage, funding fire chiefs and funding volunteer coordinators;
- j. Providing liability insurance to cover volunteers, incident commanders and chiefs; and
- k. Working with banks, credit unions and businesses to provide benefits to firefighter and emergency medical services volunteers.

Recruitment and Retention

Fire departments can no longer count on the children of current members following in their parents' footsteps. Nor can they count on a continuous stream of community people eager to donate their time and energy to their local volunteer fire department. Adding to the problem, departments cannot rely on members staying active in the volunteer fire service for long periods of time.

(Source: *Retention and Recruitment for the Volunteer Emergency Services*, U.S. Fire Administration, May 2007, page 1.)

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**STATE OF MAINE
127th LEGISLATURE
FIRST REGULAR SESSION**

**Commission To Study the Public Reserved Lands
Management Fund**

December 2015

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- B. Membership list, Commission To Study the Public Reserved Lands Management Fund
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- G. Attorney General letter to Commission, November 24, 2015
- H. Fiscal Year 2016 Public Reserved Lands Management Fund projected budget
- I. Commission letter to the Joint Standing Committee on Agriculture, Conservation and Forestry containing Commission's recommendations, December 5, 2015

Executive Summary

The 127th Maine Legislature established the Commission To Study the Public Reserved Lands Management Fund (hereinafter the “Commission”) with the passage of Public Law 2015, chapter 267, Part GGGG. The Legislature charged this 15-member Commission – comprised of legislators, leaders from the executive branch and knowledgeable members of the public representing various interest groups – with reviewing, studying and analyzing:

1. The proper use of the Public Reserved Lands Management Fund established in the Maine Revised Statutes, Title 12, section 1849 (hereinafter “the Fund”) and its possible expansion to other uses;
2. The proper sustainable harvest levels on state land and how best to maintain those levels;
3. How best to manage public lands to preserve forests for recreation, wildlife habitat and public use while ensuring a healthy working forest;
4. After reviewing data and current science, how best to manage the State's public lands to deal with possible pest and disease issues;
5. Investments in public lands to increase access to public lands and spur rural economic development;
6. The impact of outdoor recreation on the State's tourism economy and the role public lands play in that economy; and
7. Any other issues the Commission feels necessary to protect and manage public lands and the funds derived from those public lands.

To complete these duties and develop a report with recommendations, the Commission conducted public meetings on September 9, September 29, October 27 and December 1, 2015 in Room 216 of the Cross State Office Building in Augusta, Maine. The Commission was directed to submit this report and any proposed legislation to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 5, 2015.

The Commission members present and voting unanimously make the following nine recommendations.¹

1. The Public Reserved Lands Management Fund must have a minimum \$2.5 million annual cash operating balance at the start of each fiscal year. The Legislature may consider establishing this baseline figure statutorily.

¹ The final vote tally was 12-0, with three members absent during the vote. Rep. Donald G. Marean, Walter Whitcomb and Doug Denico were not present for the vote on the Commission's report and recommendations.

2. The Department of Agriculture, Conservation and Forestry should conduct a detailed forest inventory (estimated cost of \$50,000-\$100,000). The Commission strongly recommends conducting a forest inventory every five years, beginning in fiscal year 2016. Although new technology is emerging that may eventually make the establishment of a continuous forest inventory a viable option for the Bureau of Parks and Lands, we do not presently recommend pursuing a continuous forest inventory.
3. The Legislature should allow experts, including the Silvicultural Advisory Committee, to advocate for the appropriate annual sustainable timber harvest level for our Public Reserved Lands. After staff at the Bureau's Lands Division makes a recommendation based on expert opinions and data from the most recent physical forest inventory that is consistent with multiple use objectives, existing management plans and the Integrated Resource Policy, the recommendation should be presented to the joint standing committee of the Legislature having jurisdiction over Public Reserved Lands for review and public comment before the harvest level is accepted. The Bureau of Parks and Lands' annual report to the Legislature should include a breakdown of growth and yield in the three regional units and also identify any harvesting that has been occurring in individual management units where yield exceeds annual growth. The Joint Standing Committee on Agriculture, Conservation and Forestry should review the statutory language adopted in Public Law 2015, chapter 267, Part FF (related to the sustainable harvest level).
4. The Bureau of Parks and Lands should discover where the State does not currently have deeded access to our Public Reserved Lands and begin exploring how to go about obtaining access. Regional foresters within the Bureau's Lands Division, who are familiar with both the physical landscape and present-day landowner relations, should develop realistic goals and priorities regarding increased access to Public Reserved Lands.
5. To better meet the needs of Maine people, staff within the Bureau's Lands Division should develop a statewide priority list of recreational infrastructure projects and American with Disabilities Act (ADA) projects for our Public Reserved Lands. Recreational investments connect more people to Maine's outdoors and present real economic opportunity, particularly in rural communities. Because of previous financial challenges, the Bureau's Lands Division has not been able to invest in recreational infrastructure and ADA projects, but with additional funding it can address high priority sites. To make those investments and spur rural economic activity, a statewide priority list needs to be developed. The Bureau's Lands Division's statewide recreational infrastructure and ADA accessibility priority list should be presented to the joint standing committee of the Legislature with

jurisdiction over Public Reserved Lands for its consideration and public vetting before listed projects are implemented.

6. The following uses of the Fund, which are listed in no particular order of priority and some of which are already contained in existing management plans for the various Public Reserved Lands units, are potentially viable from a legal perspective and should be considered by the Legislature.
 - A. Improving existing wildlife habitats on Public Reserved Lands so they are managed in an exemplary manner.
 - B. Purchasing additional lands (special habitats) on adjacent parcels.
 - C. Improving signage on and around Public Reserved Lands – including signage related to forestry education and signage related to the location of Public Reserved Lands and accessibility.
 - D. Improving accessibility for individuals with disabilities on Public Reserved Lands, particularly around boat launches and at campsites.
 - E. Providing funding (up to \$300,000 total) for public secondary and post-secondary educational programs related to logging. The joint standing committee of the Legislature having jurisdiction over Public Reserved Lands should consider legislation directing the Bureau's Lands Division to establish, by rule, a system where eligible programs may apply for a maximum one-time allocation of \$50,000 per school unit. School units may include in their application a plan to use the one-time allocation over multiple years. Regional managers within the Bureau's Lands Division must be included in the decision-making process related to the use of any allocated funds that result from this process and be involved with, or have capacity for, input in successful applicants' school programs. These funds may be used, among other educational related uses, to upgrade existing logging equipment or for the lease or purchase of logging equipment to help students meet the needs of an ever changing work force. Any funds provided to school units must supplement, not supplant, existing school funding.
7. The Legislature should review the uses of the Fund and approve allocations therefrom. Public Law 2013, chapter 368, Pt. LLLL, section 2 repealed the following language from Title 12, section 1849, subsection 3 and should be reenacted, as amended:

3. Expenditures from fund. Expenditures from the Public Reserved Lands Management Fund are subject to legislative approval in the same manner as appropriations from the General Fund. Money may not be expended without allocation by the Legislature. The joint standing committee of the Legislature having jurisdiction over Public Reserved Lands must approve and recommend the allocations to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs.

8. The Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands should review its bid process for timber harvesting and road construction projects, along with any liability concerns, with interested members of the Commission and report back to the Joint Standing Committee on Agriculture, Conservation and Forestry with any recommended changes by January 15, 2016.
9. The Joint Standing Committee on Agriculture, Conservation and Forestry should report out legislation to extend this Commission, authorizing a minimum of two meetings for fiscal year 2017: