

MAINE STATE LEGISLATURE

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SEN. JUSTIN L. ALFOND
VICE-CHAIR

EXECUTIVE DIRECTOR
DAVID E. BOULTER



SEN. SETH A. GOODALL
SEN. MICHAEL D. THIBODEAU
SEN. TROY D. JACKSON
SEN. ROGER J. KATZ
REP. SETH A. BERRY
REP. KENNETH W. FREDETTE
REP. JEFFREY M. MCCABE
REP. ALEXANDER R. WILLETTE

126TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

126th Legislature
Legislative Council

Thursday, July 25, 2013
10:00 AM

REVISED AGENDA

<u>Page</u>	<u>Item</u>	<u>Action</u>
	CALL TO ORDER	
	ROLL CALL	
1	SUMMARY OF THE JUNE 26, 2013 MEETING OF THE LEGISLATIVE COUNCIL	Acceptance
	REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	
❖ 9	• Executive Director's Report (Mr. Boulter)	Information
❖ 10	• Fiscal Report (Mr. Pennoyer)	Information
	REPORTS FROM COUNCIL COMMITTEES	
	• Personnel Committee	
	• State House Facilities Committee (no report)	
	OLD BUSINESS	
15	Item #1: Council Actions Taken By Ballot (No Action Required)	Information

NEW BUSINESS

- | | | | |
|------|----------|---|--------------------|
| 16 | Item #1: | Request to Film Scenes for Movie: <i>Catatonk Blues</i> in State House
(Mr. Robert Mrazek, Catatonk Blues Corporation, Monhegan Island) | Decision |
| 18 | Item #2: | FY14 Membership Dues to National Conference of State Legislatures
and Council of State Governments
(Mr. Boulter) | Decision |
| 19 | Item #3 | Proposed Cloture Date & Related Schedule for Second Regular Session
(Ms. Gresser) | Decision |
| ❖ 22 | Item #4: | Post-session Report on MPBN Pilot Project for Televising
Legislative Proceedings
(Maine Public Broadcasting Network, Mr. Vogelzang & Mr. Leary) | Information |
| ❖ 36 | Item #5: | Request to Hold a Jewelry Cleaning Event for Legislative Staff
(Mr. Daniel Lane, Village Jewelers, Gardiner) | Decision |
| | Item #6: | Executive Session (if needed) | |

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

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126TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

**LEGISLATIVE COUNCIL
MEETING SUMMARY
June 26, 2013**

CALL TO ORDER

Legislative Council Chair Mark Eves called the June 26, 2013 Legislative Council meeting to order at 4:20 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators: President Alfond, Senator Goodall, Senator Jackson, Senator Thibodeau and Senator Katz

Representatives: Speaker Eves, Representative Berry, Representative McCabe, Representative Fredette and Representative Willette

Legislative Officers: Robert Hunt, Assistant Clerk of the House
David E. Boulter, Executive Director of the Legislative Council
Dawna Lopatosky, Legislative Finance Director
Debra Olken, Human Resources Director
Marion Hylan Barr, Director, Office of Policy and Legal Analysis
Grant Pennoyer, Director, Office of Fiscal and Program Review
Suzanne Gresser, Revisor of Statutes
John Barden, Director, Law and Legislative Reference Library
Scott Clark, Director, Legislative Information Technology

Speaker Eves convened the meeting at 4:20 p.m. with a quorum of members present.

SUMMARY OF MAY 23, 2013 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary for May 23, 2013 be accepted and placed on file. Motion by Senator Alfond. Second by Representative Willette. **Motion passed unanimous (10-0).**

REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES

Executive Director's Report

David Boulter, Executive Director, reported on a proposed Olympia Snowe Day at the Legislature.

Due to scheduling conflicts, Senator Snowe was not able to schedule a time prior to adjournment of the Legislature to address the Legislature in joint convention and attend a reception in her honor. She is hopeful that a time for her event can be arranged early in the Second Regular Session of the 126th Legislature.

Fiscal Report

Grant Pennoyer, Director, Office of Fiscal and Program Review, reported on the following:

Revenue Update

Total General Fund Revenue - FY 2013 (\$'s in Millions)

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
May	\$228.2	\$249.6	\$21.4	9.4%	\$254.4	-1.9%
FYTD	\$2,580.3	\$2,598.6	\$18.3	0.7%	\$2,545.8	2.1%

General Fund revenue was over budget by \$21.4 million (9.4%) for the month of April and by \$18.3 million (2.6%) for this fiscal year through May. These variances are over the \$43.5 million higher benchmark for FY 2013 General Fund revenue set by the May 2013 revenue forecast. The positive performance remains primarily due to the performance of the Individual Income Tax, which was \$18.8 million over budget with just one month remaining in the fiscal year.

Sales tax collections showed some improvement in May and made progress toward offsetting April's variance. Some of the April taxable sales growth and May's performance compared to the previous year may likely be due to differences in the timing of spring purchases due to the weather differences.

Corporate Income Tax continues to underperform despite recent downward adjustments to budgeted revenue targets. This category was \$1.7 million below budget for the fiscal year through May despite downward revisions in the May revenue forecast.

Highway Fund Revenue Update

Total Highway Fund Revenue - FY 2013 (\$'s in Millions)

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
May	\$26.4	\$26.9	\$0.4	1.7%	\$27.0	-0.4%
FYTD	\$270.6	\$273.3	\$2.7	1.0%	\$270.8	0.9%

Highway Fund revenue was over budget by \$0.4 million (1.7%) in May and has a positive variance of \$2.7 million for the fiscal year with one month remaining. Fuel Taxes were under budget in May, but remained modestly ahead of budget with one month remaining in this fiscal year. The revenue collected by the Bureau of Motor Vehicles, which was \$2.4 million

over budget for the fiscal year through May, has been the primary reason for the Highway Fund overall positive variance.

Cash Balance Update

The average balance in the cash pool in May increased by \$131.4 million compared with April and was \$32.0 million higher than May 2012. May's average General Fund internal borrowing for cash flow needs decreased from the April average by \$152.3 million. As noted earlier, the improvement in the General Fund cash position is due primarily to April income tax collections.

REPORTS FROM COUNCIL COMMITTEES

1. Personnel Committee

No report.

2. State House Facilities Committee

No report.

OLD BUSINESS

Item #1: Council Action Taken by Ballot since May 23, 2013 Meeting

Requests for Introduction of Legislation:

LR 2165 An Act to Amend the Laws Governing Secession from a Municipality

Submitted by: Representative Charles Theriault
Approved: June 4, 2013 Vote: 7-3-0-0 in favor (with Senators Thibodeau and Katz and Representative Fredette opposing)

LR 2167 Joint Resolution Memorializing Congress to Oppose Section 8 of H.R. 1919, An Act to Amend the Federal Food, Drug and Cosmetic Act

Submitted by: Senator Troy Jackson
Approved: June 4, 2013 Vote: 10-0 in favor

LR 2163 An Act to Amend the Charter of the Alfred Water District

Submitted by: Senator John Tuttle
Approved: June 7, 2013 Vote: 10-0 in favor

LR 2176 An Act to Delay the Implementation of Changes to the Business Equipment Tax Exemption

Submitted by: Senator Anne Haskell
Approved: June 13, 2013 Vote: 10-0 in favor

LR 2174 An Act to Preserve Code Enforcement Training and Implement Legislative Intent

Submitted by: Representative Michael Carey
Approved: June 17, 2013 Vote: 8-1-1-0 in favor (with Senator Thibodeau opposing and Senator Katz abstaining)

LR 2180 An Act Regarding School Budgets

Submitted by: Senator Rebecca Millett
Approved: June 18, 2013 Vote: 6-4-0-0 in favor (with Senators Thibodeau and Katz and Representatives Fredette and Willette opposing)

Legislative Council Decision:

That the Legislative Council accept the legislative budget proposed in Part A of LD 1509 (Governor's proposed 2014-2015 biennial budget), except the Legislative Council shall lapse a total of \$1.0 million from unspent balances in legislative accounts to the General Fund not later than June 30, 2014; further that the Legislature's attrition rate for fiscal years 2014 and 2015 not be increased from its fiscal year 2013 rate; and further, that the Legislative Council direct the Executive Director to prepare and submit implementing language reflecting this decision of the Legislative Council to the Joint Standing Committee on Appropriations and Financial Affairs on behalf of the Legislative Council for inclusion in the committee amendment to the Governor's budget bill, LD 1509.

Motion by: Senator Justin Alford
Second by: Representative Mark Eves
Approved: June 7, 2013 Vote: 10-0 in favor

No Legislative Council action was required.

NEW BUSINESS

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

The Legislative Council considered and voted on the bill requests in accordance with the established protocol. Of the 3 bill requests, the council authorized 2 requests for introduction in the 1st Regular Session of the 126th Legislature and 1 failed to be authorized. Of the 1 joint resolution, the council authorized the request for introduction in the 1st Regular Session of the 126th Legislature. The Legislative Council's actions on the requests are included on the attached list.

Item #2: Consideration of Legislative Study Requests

Mr. Boulter reviewed the suggested protocol for considering proposed legislative studies. He summarized it as follows:

- The Legislative Council will review study requests alphabetically by policy area.

- Voting will be by a show of hands, and each Legislative Council member's vote on each bill will be recorded. The record of each vote will be made available for public inspection following the meeting. A 2/3rds majority is required to authorize any study reporting to a subsequent Legislature.
- Committee chairs and others are welcome to observe the council's deliberations on the study requests, but discussion of the requests will be confined to council members. However, Legislative Council members may ask questions of committee chairs and other legislators regarding the proposed study if needed.
- Unless otherwise specified by the Legislative Council, authorized studies are to be drafted consistent with applicable standards and policies approved by the Council. Floor amendments to authorized studies making Council-authorized changes will be prepared in the name of the Senate Majority Leader, except for studies tabled in the House which will be in the name of the House Majority Leader.
- Unless otherwise specified by the Legislative Council, the number of study meetings is not to exceed four (4) and meetings are to be held in the Augusta area.
- When a study committee is required to be funded by outside funds, the study committee may not convene until sufficient funds are received to pay for the study.
- For interim committee meetings, the number of authorized days may not exceed availability of budgeted funds to cover meeting costs. Further, committee clerks are not authorized to staff interim committee meetings or studies.

The Legislative Council agreed to the suggested protocol and proceeded to consider and decide the requests for studies.

Eighteen (18) legislative study requests were reviewed and decided by the Legislative Council. The decisions of the Legislative Council are attached.

ANNOUNCEMENTS AND REMARKS

Representative Willette stated that it had come to his attention that nonpartisan employees who are covered by a union contract may be unable to take vacation leave around the 4th of July since the Legislature will not have adjourned by then. He inquired if there was a way that the Legislative Council could authorize vacation leave that had already been requested notwithstanding the contractual requirements.

Mr. Boulter responded that he has been authorized to make appropriate adjustments. He said that he had anticipated the situation for the week of the 4th of July and had negotiated a sidebar agreement with the union. If the Legislature is not in next week, he can move forward with the agreement that would allow vacation leave, but he would not make a decision until the Legislature has actually recessed to a date certain after next week (July 1st – 5th).

With no other business to consider or announcements, the Legislative Council meeting was adjourned at 2:39 p.m.

**LEGISLATIVE COUNCIL ACTION ON
REQUESTS TO INTRODUCE LEGISLATION
FIRST REGULAR SESSION, 126TH LEGISLATURE**

June 26, 2013

SPONSOR:	Sen. Justin Alfond	Action:
<u>LR #</u>	<u>Title</u>	
2190	An Act to Extend the Authorization for the Maine Education Effectiveness Council	PASSED
SPONSOR:	Sen. Margaret M. Craven	
<u>LR #</u>	<u>Title</u>	
2175	Resolve, To Honor Vietnam Veterans	PASSED
SPONSOR:	Sen. Troy D. Jackson	
<u>LR #</u>	<u>Title</u>	
2170	An Act To Lower Electricity Rates in Maine	FAILED

JOINT RESOLUTION

SPONSOR:	Rep. Diane Russell	
<u>LR #</u>	<u>Title</u>	
2173	JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO END THE PRISM PROGRAM	PASSED

**LEGISLATIVE COUNCIL ACTION ON
REQUESTS FOR LEGISLATIVE STUDIES
FIRST REGULAR SESSION, 126th LEGISLATURE
June 26, 2013**

		Action:
SP 0031	Criminal Code Revision Planning Committee	PASSED
LD 0095	Task Force on the Prevention of Sexual Abuse of Children	FAILED
LD 0986	Commission to Study Long-term Care Facilities	PASSED
LD 1032 (now LD 1574)	Commission to Study the Incidence of and Mortality Related to Cancer	PASSED
LD 1064	Task Force on Independence from Public Assistance	FAILED
LD 1556	Study Group to Examine the Issue of Medicaid Expansion	FAILED
HP 1136	Maine Health Exchange Advisory Council	PASSED
HP 1123 JO	Commission to Study Transparency, Costs and Accountability of Health Care System Financing	PASSED
LD 0627	Work Group of Stakeholders to Review and Report on Insurance Coverage Relating to the Affordability and Accessibility of Chemotherapy Treatment (department study)	Recommit to IFS Committee
LD 0375	Study Committee on Alternative Methods of Enforcement of Spousal Support	FAILED
LD 0855	Task Force to Study Issues Associated with Implementation of a Virtual Legislature	FAILED
LD 1509 AA	Nonprofit Tax Review Task Force	PASSED
LD 1509 S	Tax Expenditure Review Task Force	PASSED
LD 1222	Task Force to Study Maine's Governmental Ethics and Transparency Laws	FAILED
LD 1105	Downtown Revitalization Fund Board (on-going)	FAILED

LD 0963	Commission on Expanding Early Postsecondary Access for High School Students (on-going)	FAILED
LD 0230	Commission on Health Care Cost and Quality (on-going)	FAILED
HP 1132	Commission to Study the State Board of Corrections and the Unified County Corrections System	PASSED

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126TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

Legislative Council

Executive Director's Report

July 25, 2013

1. Maine Development Foundation Policy Forums

Due to logistical issues and potential legislative schedules that may conflict with a bus tour of Maine, MDF is considering forgoing an economic development bus tour in January 2014 in favor of holding 3-4 legislator policy forums (breakfast events) in January and February. The forums would focus on policy topics that are of short-term and long-term relevance to legislators and the state, and will be coordinated with the Legislature prior to January.

2. State House Café

I am meeting with the vendor who operates the State House Café to discuss resumption of predictable hours of operation and related matters that have been at issue since the legislative session ended. I will seek options that meet legislative needs for food service in the building.

3. Retirement of Debra Olken, Human Resources Director

Debra Olken will be retiring from State service effective August 1st after more than 9 years with the Legislature and previously, many years in the Judicial Branch. A retirement reception to honor Debby and wish her well will be held today immediately following the Legislative Council meeting.

4. NCSL Legislative Summit

The National Conference of State Legislators will hold its annual Legislative Summit in Atlanta, Georgia on August 12-15, 2013.

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Fiscal Briefing

Legislative Council Meeting

July 25, 2013

Prepared by the Office of Fiscal & Program Review

1. General Fund Revenue Update (also see attached)

Total General Fund Revenue - FY 2013 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
June	\$468.0	\$495.8	\$27.8	5.9%	\$469.7	5.6%
FYTD	\$3,048.3	\$3,094.4	\$46.0	1.5%	\$3,015.5	2.6%

General Fund revenue was over budget by \$27.8 million (5.9%) for the month of June and ended FY 2013 with a \$46.0 million General Fund revenue surplus, 1.5% over budgeted amounts. General Fund revenue grew by 2.6% in FY 2013, which exceeded the budgeted growth rate of 1.2%.

The categories with the most significant FY 2013 General Fund positive variances were Individual Income Tax (\$26.9 million), Estate Tax (\$8.9 million) and Unclaimed Property Transfer (\$4.8 million). Of the major tax lines only Cigarette and Tobacco Tax and Insurance Companies Tax were under budget for the fiscal year. The Fines, Forfeits and Penalties category also underperformed in FY 2013. With the positive variances in the income and sales taxes categories, transfers for municipal revenue sharing exceeded projections by \$0.9 million.

2. Highway Fund Revenue Update (also see attached)

Total Highway Fund Revenue - FY 2013 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
June	\$44.8	\$45.6	\$0.7	1.6%	\$46.4	-1.8%
FYTD	\$315.4	\$318.8	\$3.4	1.1%	\$317.2	0.5%

Highway Fund revenue was over budget by \$0.7 million in June and ended FY 2013 with a positive variance of \$3.4 million or 1.1%. Fuel Taxes, which were under budget in May, recovered sufficiently in June to offset a negative variance for the month in revenue collected by the Bureau of Motor Vehicles.

3. FY 2013 Year-end Cascade Transfers (also see attached)

The General Fund and Highway Fund positive revenue variances will provide additional resources for various statutory reserves and other purposes. Final year-end surplus amounts will likely be increased by any lapsed balances from appropriations and allocations and other unbudgeted accounting adjustments.

The General Fund revenue surplus of \$46.0 million provides \$262,000 to replenish transfers from the State Contingent Account, \$1.0 million to the Loan Insurance Reserve Fund at FAME and \$4.1 million to fully fund the retroactive cost-of-living adjustment for retired state employees and teachers. The remaining surplus will be distributed to various reserves based on statutory percentages. The percentage designated to the Maine Budget Stabilization Fund at the close of FY 2013 was increased on a one-time basis to 80%. As a result, more than \$32.5 million will be transferred into that reserve fund, more than offsetting the \$27.0 million budgeted transfers from the reserve in FY 2013 and bringing the ending balance in that reserve to more than \$50 million.

All but \$100,000 of the Highway Fund surplus will be reserved at the close of FY 2013 and result in increases to Highway Fund allocations of at least \$3.3 million in FY 2014 for highway and bridge improvement projects.

General Fund Revenue
Fiscal Year Ending June 30, 2013 (FY 2013)
June 2013 and Final FY 2013 Revenue Variance Report

Revenue Category	June '13 Budget	June '13 Actual	June '13 Variance	Fiscal Year-To-Date					FY 2013 Budgeted Totals
				Budget	Actual	Variance	Variance %	% Change from Prior Year	
Sales and Use Tax	179,398,489	182,161,137	2,762,648	984,910,746	986,747,637	1,836,891	0.2%	0.6%	984,910,746
Service Provider Tax	8,513,901	8,365,658	(148,243)	48,739,710	50,139,878	1,400,168	2.9%	3.9%	48,739,710
Individual Income Tax	166,291,777	174,365,208	8,073,431	1,495,000,000	1,521,862,756	26,862,756	1.8%	6.1%	1,495,000,000
Corporate Income Tax	32,538,601	35,169,072	2,630,471	171,021,732	171,987,073	965,341	0.6%	-25.9%	171,021,732
Cigarette and Tobacco Tax	13,966,295	12,304,126	(1,662,169)	138,180,000	137,951,824	(228,176)	-0.2%	-1.3%	138,180,000
Insurance Companies Tax	25,067,713	24,985,566	(82,147)	80,715,000	79,609,419	(1,105,581)	-1.4%	-4.1%	80,715,000
Estate Tax	23,151,895	33,234,039	10,082,144	70,230,328	79,083,058	8,852,730	12.6%	76.3%	70,230,328
Other Taxes and Fees *	13,458,088	16,303,339	2,845,251	150,894,327	153,796,137	2,901,810	1.9%	16.6%	150,894,327
Fines, Forfeits and Penalties	2,575,210	2,104,573	(470,637)	24,552,639	23,748,503	(804,136)	-3.3%	-5.5%	24,552,639
Income from Investments	59,193	73,802	14,609	83,883	148,434	64,551	77.0%	-4.6%	83,883
Transfer from Lottery Commission	5,052,889	3,946,501	(1,106,388)	52,550,000	52,908,602	358,602	0.7%	-1.6%	52,550,000
Transfers to Tax Relief Programs *	(1,034,800)	(872,071)	162,729	(112,086,562)	(111,674,333)	412,229	0.4%	3.2%	(112,086,562)
Transfers for Municipal Revenue Sharing	(10,099,751)	(10,402,586)	(302,835)	(95,086,810)	(95,974,153)	(887,343)	-0.9%	0.9%	(95,086,810)
Other Revenue *	9,087,996	14,039,289	4,951,293	38,637,097	44,049,007	5,411,910	14.0%	-17.5%	38,637,097
Totals	468,027,496	495,777,655	27,750,159	3,048,342,090	3,094,383,842	46,041,752	1.5%	2.6%	3,048,342,090

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

General Fund Revenue
Fiscal Year Ending June 30, 2013 (FY 2013)
June 2013 and Final FY 2013 Revenue Variance Report

Revenue Category	June '13 Budget	June '13 Actual	June '13 Variance	Fiscal Year-To-Date					FY 2013 Budgeted Totals
				Budget	Actual	Variance	Variance %	% Change from Prior Year	
Detail of Other Taxes and Fees:									
- Property Tax - Unorganized Territory	1,864,226	3,678,997	1,814,771	13,304,107	13,333,294	29,187	0.2%	24.3%	13,304,107
- Real Estate Transfer Tax	1,874,412	1,835,755	(38,657)	10,842,526	11,667,284	824,758	7.6%	30.6%	10,842,526
- Liquor Taxes and Fees	1,767,698	2,107,720	340,022	20,703,164	21,145,992	442,828	2.1%	0.7%	20,703,164
- Corporation Fees and Licenses	1,193,270	2,052,133	858,863	7,847,099	8,933,147	1,086,048	13.8%	5.1%	7,847,099
- Telecommunication Excise Tax	0	0	0	10,000,000	10,076,113	76,113	0.8%	-7.3%	10,000,000
- Finance Industry Fees	1,906,189	1,905,800	(389)	24,351,990	25,070,880	718,890	3.0%	1.5%	24,351,990
- Milk Handling Fee	73,484	98,734	25,250	2,362,501	2,381,329	18,828	0.8%	19.2%	2,362,501
- Racino Revenue	1,279,186	1,106,052	(173,134)	15,215,449	14,429,212	(786,237)	-5.2%	16.6%	15,215,449
- Boat, ATV and Snowmobile Fees	944,582	837,701	(106,881)	4,763,561	4,444,055	(319,506)	-6.7%	2.4%	4,763,561
- Hunting and Fishing License Fees	1,954,230	1,998,399	44,169	16,214,189	16,078,543	(135,646)	-0.8%	1.3%	16,214,189
- Other Miscellaneous Taxes and Fees	600,811	682,048	81,237	25,289,741	26,236,287	946,546	3.7%	108.4%	25,289,741
Subtotal - Other Taxes and Fees	13,458,088	16,303,339	2,845,251	150,894,327	153,796,137	2,901,810	1.9%	16.6%	150,894,327
Detail of Other Revenue:									
- Liquor Sales and Operations	2,288	4,650	2,362	8,725,209	8,731,159	5,950	0.1%	8.5%	8,725,209
- Targeted Case Management (DHHS)	175,448	424,129	248,681	2,105,386	2,397,591	292,205	13.9%	-48.4%	2,105,386
- State Cost Allocation Program	1,695,414	1,232,925	(462,489)	16,115,330	15,599,487	(515,843)	-3.2%	14.3%	16,115,330
- Unclaimed Property Transfer	6,000,000	10,801,929	4,801,929	6,000,000	10,801,929	4,801,929	80.0%	43.7%	6,000,000
- Toursim Transfer	0	0	0	(9,932,319)	(9,932,319)	0	0.0%	-5.4%	(9,932,319)
- Transfer to Maine Milk Pool	(2,733,109)	(3,000,000)	(266,891)	(4,314,017)	(4,580,908)	(266,891)	-6.2%	-185.8%	(4,314,017)
- Transfer to STAR Transportation Fund	0	0	0	(6,137,811)	(6,137,811)	0	0.0%	-92.0%	(6,137,811)
- Other Miscellaneous Revenue	3,947,955	4,575,655	627,700	26,075,319	27,169,880	1,094,561	4.2%	-19.4%	26,075,319
Subtotal - Other Revenue	9,087,996	14,039,289	4,951,293	38,637,097	44,049,007	5,411,910	14.0%	-17.5%	38,637,097
Detail of Transfers to Tax Relief Programs:									
- Me. Resident Prop. Tax Program (Circuitbreaker)	(1,034,452)	(950,483)	83,969	(43,081,877)	(41,841,767)	1,240,110	2.9%	3.6%	(43,081,877)
- BETR - Business Equipment Tax Reimb.	(348)	76,789	77,137	(47,632,583)	(48,854,458)	(1,221,875)	-2.6%	7.5%	(47,632,583)
- BETE - Municipal Bus. Equip. Tax Reimb.	0	1,623	1,623	(21,372,102)	(20,978,108)	393,994	1.8%	-9.7%	(21,372,102)
Subtotal - Tax Relief Transfers	(1,034,800)	(872,071)	162,729	(112,086,562)	(111,674,333)	412,229	0.4%	3.2%	(112,086,562)
Inland Fisheries and Wildlife Revenue - Total	2,905,215	2,891,872	(13,343)	21,891,335	21,623,304	(268,031)	-1.2%	1.3%	21,891,335

Highway Fund Revenue
Fiscal Year Ending June 30, 2013 (FY 2013)
June 2013 and Final FY 2013 Revenue Variance Report

Revenue Category				Fiscal Year-To-Date					FY 2013 Budgeted Totals
	June '13 Budget	June '13 Actual	June '13 Variance	Budget	Actual	Variance	% Variance	% Change from Prior Year	
Fuel Taxes:									
- Gasoline Tax	32,820,971	33,303,329	482,358	191,710,001	192,107,854	397,853	0.2%	-2.2%	191,710,000
- Special Fuel and Road Use Taxes	6,911,998	7,763,025	851,027	43,680,000	44,654,907	974,907	2.2%	-2.5%	43,680,000
- Transcap Transfers - Fuel Taxes	(1,356,039)	(1,455,250)	(99,211)	(17,294,693)	(17,414,097)	(119,404)	-0.7%	1.9%	(17,294,693)
- Other Fund Gasoline Tax Distributions	(399,392)	(411,422)	(12,030)	(4,794,093)	(4,808,835)	(14,742)	-0.3%	4.1%	(4,794,092)
Subtotal - Fuel Taxes	37,977,538	39,199,683	1,222,145	213,301,215	214,539,829	1,238,614	0.6%	-2.2%	213,301,215
Motor Vehicle Registration and Fees:									
- Motor Vehicle Registration Fees	7,459,965	6,657,562	(802,403)	64,825,773	65,602,936	777,163	1.2%	0.4%	64,825,773
- License Plate Fees	463,407	380,876	(82,531)	3,351,681	3,526,534	174,853	5.2%	1.5%	3,351,681
- Long-term Trailer Registration Fees	446,364	541,095	94,731	9,384,523	9,801,658	417,135	4.4%	3.9%	9,384,523
- Title Fees	1,000,948	1,184,114	183,166	18,749,539	19,182,454	432,915	2.3%	58.9%	18,749,539
- Motor Vehicle Operator License Fees	664,835	710,803	45,968	8,521,255	8,540,242	18,987	0.2%	2.2%	8,521,255
- Transcap Transfers - Motor Vehicle Fees	(4,229,306)	(4,512,920)	(283,614)	(17,047,282)	(17,320,622)	(273,340)	-1.6%	-14.5%	(17,047,282)
Subtotal - Motor Vehicle Reg. & Fees	5,806,213	4,961,529	(844,684)	87,785,489	89,333,202	1,547,713	1.8%	6.9%	87,785,489
Motor Vehicle Inspection Fees	248,560	327,496	78,936	2,982,500	3,495,704	513,204	17.2%	16.6%	2,982,500
Other Highway Fund Taxes and Fees	137,446	192,297	54,851	1,276,365	1,309,810	33,445	2.6%	-3.8%	1,276,365
Fines, Forfeits and Penalties	91,131	87,802	(3,329)	1,039,868	1,030,267	(9,601)	-0.9%	-1.3%	1,039,868
Interest Earnings	(2,155)	22,468	24,623	99,513	105,414	5,901	5.9%	-25.3%	99,513
Other Highway Fund Revenue	556,761	762,019	205,258	8,920,662	9,011,474	90,812	1.0%	4.4%	8,920,662
Totals	44,815,494	45,553,293	737,799	315,405,612	318,825,700	3,420,088	1.1%	0.5%	315,405,612

Year-end Closing Transfers/"Cascade" Provisions

At the close of each fiscal year, the amount of the available General Fund balance in the unappropriated surplus account is distributed based on statutory provisions. Those provisions for the current and upcoming fiscal years are summarized below. The balance "available" for distribution is only the amount above the budgeted General Fund ending balance for the fiscal year being closed. That budgeted balance is considered "committed" because it is a budgeted resource that was considered by the Legislature when making its budget decisions. The primary sources of the "available" amounts for the "Cascade" distributions are actual revenue above the budgeted amounts and any unexpended General Fund appropriation balances that lapse to the unappropriated surplus that are unbudgeted.

Fiscal Year 2012-13 Closing Transfers/"Cascade"

Fixed Dollar Transfers

- Replenish Contingent Account up to \$350,000 (5 MRSA §1507)
- Transfer to Loan Insurance Reserve up to \$1,000,000 (5 MRSA §1511)
- Reserve for Retirement Costs up to \$4,100,000 (5 MRSA §1522 as amended by PL 2013, c. 1, Part E)

% Transfers After Fixed Dollar Transfers (PL 2013, c. 1, Part E-5)

Maine Budget Stabilization Fund	80%
Reserve for General Fund Operating Capital	5.0%
Retiree Health Internal Service Fund	3.5%
Capital Construction & Improvements Reserve Fund	3.8%
Tax Relief Fund for Maine Residents	7.7%

Fiscal Year 2013-14 Closing Transfers/"Cascade"

Fixed Dollar Transfers

- Replenish Contingent Account up to \$350,000 (5 MRSA §1507)
- Transfer to Loan Insurance Reserve up to \$1,000,000 (5 MRSA §1511)
- Reserve for Retirement Costs up to required amount certified by MainePERS (5 MRSA §1522 as amended PL 2013, c. 1, Part E)
- Transfer to Local Government Fund up to \$40,000,000 (PL 2013, c. 368, Part S-9)

% Transfers After Fixed Dollar Transfers (5 MRSA §1536)

Maine Budget Stabilization Fund	48%
Reserve for General Fund Operating Capital	13%
Retiree Health Internal Service Fund	9%
Capital Construction & Improvements Reserve Fund	10%
Tax Relief Fund for Maine Residents	20%

Fiscal Year 2014-15 Closing Transfers/"Cascade"

Fixed Dollar Transfers

- Replenish Contingent Account up to \$350,000 (5 MRSA §1507)
- Transfer to Loan Insurance Reserve up to \$1,000,000 (5 MRSA §1511)

% Transfers After Fixed Dollar Transfers (5 MRSA §1536)

Maine Budget Stabilization Fund	48%
Reserve for General Fund Operating Capital	13%
Retiree Health Internal Service Fund	9%
Capital Construction & Improvements Reserve Fund	10%
Tax Relief Fund for Maine Residents	20%

**Legislative Council Actions
Taken by Ballot Since the
June 26, 2013 Council Meeting**

Requests for Introduction of Legislation:

**LR 2199 An Act to Fund the Agreement Between Certain Judicial Branch Employees and
the State**

Submitted by: the State Court Administrator on behalf of the Judicial Branch

Approved: July 9, 2013 Vote: 10-0 in favor

G:\Council\126th Legislative Council\Ballot\Actions Taken by Ballot by since 6-26-2013 meeting.doc

Robert J. Mrazek
Monhegan Island, Maine 04852
207-596-2928

July 1, 2013

David E. Boulter
Ex. Director of the Legislative Council
Maine State legislature
115 State House Station
Augusta, Maine 04333

Dear Mr. Boulter,

Please accept this letter as a formal request by Catatonk Blues Corporation, our Maine-based film production company, to film several scenes in the Augusta Capitol Building that are part of our upcoming feature-length motion picture.

It is entitled *Catatonk Blues*, and it will be a G-rated motion picture about the inhabitants of a Maine island who are fighting to save their traditional way of life. The film stars the actor Treat Williams (http://en.wikipedia.org/wiki/Treat_Williams), and will include more several dozen Maine actors in day-player and extra roles, as well as key members of our film crew. Our budget is approximately one million dollars.

Over two thirds of the film will be shot on Monhegan Island and the remainder in Rockland and Augusta. Principal photography will begin on Monday, September 9, 2013, and we plan to complete shooting on October 4.

We anticipate that the scenes in the Capitol will occupy two days of our schedule. Although these dates are subject to change as the schedule is revised, we would hope to film in the Capitol during the week of September 30-October 4, assuming a two day window is available to us.

Based on our recent tour of the Capitol, the scenes we are hoping to film include the following locations: the Fireplace Atrium, the conference room above it, one of the corridors near the atrium, the Speaker's Office, the staff room along the corridor next to your own office, and possibly the Senate President's office adjacent to the Senate chamber. These scenes will include four of our principal actors along with about a dozen extras who will portray professional staffers.

We would be deeply grateful for the opportunity to film in the Capitol, and will be respectful of all policies and protocols to which we are required to adhere. Please let me know if you need any additional information in processing our request.

Sincerely, Bob Mrazek

Robert J. Mrazek

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[BOOKS](#)
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Robert Jan Mrazek



Born November 6, 1945, in Newport, RI, Robert Jan Mrazek grew up in Huntington, Long Island, New York. He graduated from Cornell University in 1967 and then joined the US Navy. Following his discharge from the Navy, Mrazek spent 1969-1971 as an aide to US Senator Vance Hartke (D-Indiana). In 1975, he was elected to the Legislature of Suffolk County and became its minority leader, serving through 1982.

In 1982, Mrazek defeated John Le Boutillier, a one-term Conservative Republican, to serve in the 98th US Congress as Representative from the 3rd Congressional District on Long Island. Although freshmen Congressmen do not normally get to sit on the House Appropriations Committee, Mrazek was able to persuade Tip O'Neill, Speaker of the House, to make an exception for him. He remained in the US House of Representatives through the 1980s and into the early 1990s.

While serving in Congress, Mrazek wrote several pieces of landmark legislation, among them a law to preserve 3,000,000 acres of old-growth forest in Alaska's Tongass National Forest, and a bill amendment to significantly hamper US military intervention in Nicaragua. With Representative Michael Andrews, he co-wrote a law to protect the site of the Manassas Civil War battlefield.

Mrazek also authored the Amerasian Homecoming Act that brought home to the USA children of American military personnel who'd served in Vietnam, as well as the National Film Preservation Act, which established the National Film Registry in the Library of Congress.

Mrazek was a delegate to the Democratic National Convention in 1980, 1988, and 1992.

After Mrazek retired from politics in 1993, he returned to writing. He is the author of a number of published books, fiction and non-fiction, all set during the time periods of the American Civil War and World War II.

He and his wife live in upstate NY and Maine.

REP. MARK W. EVES
CHAIR

SEN. JUSTIN L. ALFOND
VICE-CHAIR

EXECUTIVE DIRECTOR
DAVID E. BOULTER



SEN. SETH A. GOODALL
SEN. MICHAEL D. THIBODEAU
SEN. TROY D. JACKSON
SEN. ROGER J. KATZ
REP. SETH A. BERRY
REP. KENNETH W. FREDETTE
REP. JEFFREY M. MCCABE
REP. ALEXANDER R. WILLETTE

126TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

Memo

To: Legislative Council Members
From: D.B.
David E. Boulter, Executive Director
Date: July 17, 2013
Re: FY14 Membership Dues to CSG & NCSL

As you know, the Legislature is a member of the National Conference of State Legislatures (NCSL) and the Council of State Governments (CSG), the two principal national organizations for state legislatures. The membership dues to NCSL and CSG for this fiscal year are due in July and the Executive Director's office has made payment to both organizations in the amount that was included in the Legislature's base budget for membership dues. While that amount covered the majority of the dues, there is a small difference between the budgeted amount and this year's dues amount. In order to be fully current with the membership dues for both organizations, the following additional amounts need to be paid: NCSL, \$170 and CSG, \$4,439. With those additional payments, the organizations would be fully paid and Legislature would remain a member in good standing.

There are sufficient funds in the legislative account to cover the payments without affecting overall operations, and there would not be any net increase in the Legislature's budget. I recommend that the Legislative Council authorize the above specified payments to NCSL and CSG this month for this fiscal year.

If you have any questions, I would be happy to address them.

Thank you.

G:\Executive Director\General\Wcsl & Csg Dues Payment Request Fy14.Docx 7/16/2013 10:21 AM



SUZANNE M. GRESSER
REVISOR

MAINE STATE LEGISLATURE
OFFICE OF THE REVISOR OF STATUTES
STATE HOUSE STATION 7
AUGUSTA, MAINE 04333-0007
(207) 287-1650
FAX: (207) 287-6468

To: Hon. Mark W. Eves, Chair of the Legislative Council
Hon. Justin L. Alford, Vice Chair of the Legislative Council
Members of the Legislative Council

From: Suzanne M. Gresser, Revisor *SMG*

RE: Proposed Second Session Cloture Schedule and Related Dates

Date: July 17, 2013

Attached for your review and consideration is a proposed schedule that establishes dates and deadlines for cloture and related events for the Second Regular Session of the 126th Legislature. Pursuant to Joint Rule 203, the Legislative Council is charged with establishing the cloture date and procedures for submission of legislation for each second regular session.

Consistent with past Legislative Council policy, the schedule requires that bill requests be accompanied on or before the cloture date by sufficient instructions from which a bill may be fully drafted. The schedule also requires departments and agencies to submit final drafts by the cloture date, which is also consistent with past practice and the rules governing First Regular Session.

During the time between cloture and the meeting of the Legislative Council to undertake the initial screening of Legislators' bill requests, the Revisor's Office will prepare and distribute a packet that includes all requests filed by Legislators that are subject to the Council's vote. Each request to be voted upon will be indexed by subject matter by the Legislative Indexer and given a brief summary by the Revisor's Office. The office, with the assistance of the Office of Policy and Legal Analysis and the Office of Fiscal and Program Review, will also identify requests that appear to be closely related to other requests, to bills carried over to the second regular session or to bills that might be considered finally rejected in the first regular session. The packet also includes a listing of those bills carried over and a listing of bill titles submitted by executive and independent agencies, which, traditionally, have not been subject to the screening process.

After the initial screening of Legislators' requests and decision by the Legislative Council, the Revisor's office will compile the results and notify

each individual Legislator of the Council's actions and provide instructions on the procedure to follow if a Legislator wishes to appeal a decision of the Legislative Council.

A supplemental volume will be prepared and distributed between the appeal deadline and the meeting of the Council to hear those appeals.

Last on the schedule is a suggested bill signing day. Beginning in the 120th Legislature, a bill signing day has been established by the Presiding Officers prior to convening the Second Regular Session in order to ensure that all bills that have been drafted will be signed and ready for introduction when the Legislature convenes in January.

Four years ago, out of 374 Legislator-filed bill requests subject to review, the Legislative Council accepted a total of 176. Two years ago, out of 288 Legislator-filed bill requests subject to review, the Legislative Council accepted a total of 133. Of those admitted both years, most of the bills were completed and signed on the applicable bill signing day and transmitted to the Secretary of the Senate and the Clerk of the House for printing and referral to committees before the Second Regular Session convened. Departments and agencies were also subject to the bill signing day, and all of their bill requests filed by cloture date were also completed and sent to the chambers before the session convened.

If I can provide you any further information, please do not hesitate to contact me.

Attachment

cc: David Boulter

126TH LEGISLATIVE COUNCIL
 SECOND REGULAR SESSION
 DRAFT SCHEDULE FOR REVIEW OF LEGISLATOR REQUESTS
 TO INTRODUCE LEGISLATION

September 27th (Friday)
 4 p.m.

Filing Deadline (Cloture) *

- Legislators (with sufficient information to fully draft)
- Department/Agencies (final drafts)

October 24th (Thursday)
 10 a.m.

**Legislative Council meeting –
 Consideration of Legislators’
 requests**

October 29th (Tuesday)

**Notification of Council’s action
 mailed to sponsors**

November 5th (Tuesday)

Deadline for filing appeals

November 21st (Thursday)
 10 a.m.

**Legislative Council meeting to
 consider appeals**

December 19th (Thursday)

**Bill Signing Day (subject to
 approval by Presiding Officers)**

January 8th (Wednesday)

Legislature convenes

* Legislators are encouraged to file bill requests well in advance of this deadline.

Sun	Mon	Tue	Wed	Thu	Fri	Sat
September 2013						
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					
October 2013						
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		
November 2013						
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
December 2013						
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				



Maine Public Broadcasting Network

1450 Lisbon Street, Lewiston, Maine 04240-3595 · 800-884-1717 · 207-783-9101 · Fax 207-783-5193

July 25, 2013

House Speaker Mark W. Eves
Chairman, Maine Legislative Council
State House Station # 2
Augusta, ME 04333

Senate President Justin Alford
Vice-Chairman, Maine Legislative Council
State House Station # 3
Augusta, ME 04333

Dear Speaker Eves and President Alford,

On behalf of the Maine Public Broadcasting Network, I am pleased to provide this report on the 2013 *Maine Capitol Connection* pilot project.

We want to thank the members of the Legislative Council for their support of the pilot and hope they will support the continuation of *MCC* as an ongoing service for the people of Maine. The report provides a detailed look at the accomplishments of *MCC*, which include a number of firsts for coverage of Maine state government.

As Council members know, the existing television systems in the House and Senate chambers are obsolete and need replacing. As part of the partnership between MPBN and the Legislature, we hope the Council will commit to the replacement and upgrade of the legacy systems with up to date equipment.

We trust the Council agrees that *MCC* has been a success and that it will join in negotiations with MPBN for a long term agreement for continuation of *Maine Capitol Connection* in 2014 and beyond.

Best regards,

A handwritten signature in black ink that reads "Mark Vogelzang". The signature is written in a cursive style and is positioned above the printed name and title.

Mark Vogelzang
President and CEO, MPBN

Television • Radio • Education • Internet

With offices and studios in Bangor, Lewiston and Portland
mpbn.net

Maine Capitol Connection

A Report to the Legislative Council July 2013

OVERVIEW: The driving force behind the inaugural year of the *Maine Capitol Connection* channel project (*MCC*) was, for the first time, to deliver open access to public policy debate and the decision-making process of our state government, allowing citizens across Maine to engage and participate more fully in the democratic process. We believe this pilot project was a resounding success as an instrument of governmental transparency, improved education and impact regarding the work of the Legislature, and a solid start. We hope you'll join us as a partner in continuing this service.

MPBN's longstanding tradition as a trusted provider of news and information for over 50 years was enhanced with this project. One of the primary goals of *MCC* was to ensure that every citizen, regardless of income or location, would have free access to the deliberations of their elected officials. Under the direction of Managing Editor Mal Leary, not only did the project accomplish that goal, but we learned that even more was possible for the future.

THE PREMIERE: *MCC* launched on Feb. 5, 2013 with a long day of legislative sessions, public hearings and the State of the State address. While the first broadcasts started at 10 a.m. offering the Senate and House sessions, coverage extended to key Committees, ending each day around 5 p.m. (From the beginning, a key element for *MCC* was to offer a repeat of the day's schedule, in the prime time evening hours, when most Mainers could find and watch what happened). In addition, once technology and work flow was in place, we soon added a weekend re-play of hearings, debates and news conferences from 10 a.m. to 10 p.m.

BROADCAST & CABLE: The service is a free, over the air broadcast on MPBN's 4th digital channel, and that is a key differentiator from many of the other State legislative channels currently operating. Our five regional MPBN TV transmitters have a potential reach over 1.3 million people. A fact of life in today's home televisions is cable television. With the quick cooperation of Time Warner, the majority of cable homes in the state could see *MCC* on channels 171 or 181. In March, Comcast added *MCC* to their line-up of channels. By the end of this first session, over 90 percent of homes with cable could receive *MCC*. And of course, we're committed to finding ways to reach those remaining cable homes.

ONLINE: MPBN also provided a live, robust stream of the *MCC* broadcast on www.mpbn.net, and we found that many viewers used this service as their primary method of watching *MCC* and the Legislature, enhancing public access.

A SEASON OF "FIRSTS": By its very nature as the first of its kind historic coverage of Maine state government, *Maine Capitol Connection* has a significant list of accomplishments. With the legislature in session, many were 'firsts', among them:

1. First live broadcasts of entire sessions of the legislature, both the House and the Senate.
2. First live telecast of complete committee hearings of the legislature.

3. First live telecast of a State of the Judiciary speech to the legislature. (2-21-13)
4. First live telecast of the status of Maine's public higher education addresses to the legislature. (3-17-13)
5. First live telecast of the status of the Maine National Guard address to the legislature. (3-12-13)

As of adjournment, *sine die*, MCC had broadcast nearly 2,000 hours of coverage of Maine state government. Indeed, for the first time in the 144 year history of this State House, citizens across Maine were able to watch and hear what was happening inside the chambers of the Legislature on a free broadcast service. We believe this was a remarkable achievement!

COVERAGE OF THE LEGISLATURE: Arguably, the single most important bill before lawmakers is the state budget. MCC broadcast the entire 73 hours of public hearings held on the budget. MCC also broadcast several work sessions of the legislature's Appropriations Committee. As part of the education of the audience on the legislative process, MCC also supplemented budget coverage with pre-recorded formal interviews with lawmakers and with Maine's Congressional delegation, explaining how various elements of the budget and procedure works. For instance, 'did you know?' segments that revealed approximately half of all state spending comes from the federal government through both grants and entitlement programs. Another interesting topic was a Q&A with the Speaker on why sessions seem to never start on time and questions regarding the complex process of budget writing and setting state spending priorities.

Mainers had the opportunity to watch live budget debates from the floor of the House and Senate, and the following veto override arguments and votes. Those debates were also repeated over the weekends following the live broadcasts.

COMMITTEE HEARINGS: MCC broadcast hearings, live or recorded, of every joint standing committee of the legislature at least once, as well as several hearings of the joint select committee on Maine's Workforce and Economic Future.

MCC also broadcast a meeting of the Legislative Council on April 10, 2013, another first that helped Mainers understand their government.

MCC offered coverage of a large number of news conferences from the Welcome Room in the Statehouse, as we installed cameras to remotely capture and record press announcements held by state agencies and various groups and organizations. Notably, MCC was able to provide several news conferences by Gov. Paul LePage and in April, we broadcast large segments of his Conference on Education. MCC also broadcast a meeting of the Gambling Control Board – another first.

We also have covered the third branch of government, the Judicial Branch. Another first was achieved, the telecast of entire oral arguments before the Maine Supreme Court. We also covered judicial confirmation hearings before the legislature.

IMPACT: We believe *Maine Capitol Connection* had a significant and needed impact across the state of Maine. The chief benefit is a more fully informed citizenry of the issues being debated and decisions being made by the State Legislature in the State House. This level of access and government accountability was unprecedented in the State. We believe it has fostered a climate of fuller disclosure and greater focus on issues as Maine navigates its future.

Attached are separate summaries of web surveys MPBN conducted of the general public and of lawmakers that provides some indication of the impact of *MCC* as a pilot program

THE FUTURE: It is our hope that a partnership with the Legislature can provide the needed funding for future years. We believe that using MPBN's infrastructure and journalistic resources, combined with a fee for service approach, the legislature's continued investment in technology, and public and private resources will result in a model for success. Additionally, as other media across the state cut back on their coverage of developments in Augusta, it is more important than ever to offer a Legislative service like *The Maine Capitol Connection*.

High definition (HD) broadcasts are now the expected TV quality. The public expects to see broadcasts in HD, so we hope the legislature upgrades its television equipment in the House and Senate to provide HD broadcasts. Also attached is a proposal developed by MPBN engineering staff to fully automate the video systems in the two chambers.

Another benefit of this channel will be in the classroom. MPBN sees the *Maine Capitol Connection* as an ideal opportunity to educate our students on the workings of government and to encourage civic discourse and involvement. *MCC* has started the process of working with Maine educators to make sure the content and coverage will line up with Maine's applied K-12 civics curriculum, and will result in more aware and engaged future citizens and leaders.

Maine Capitol Connection:

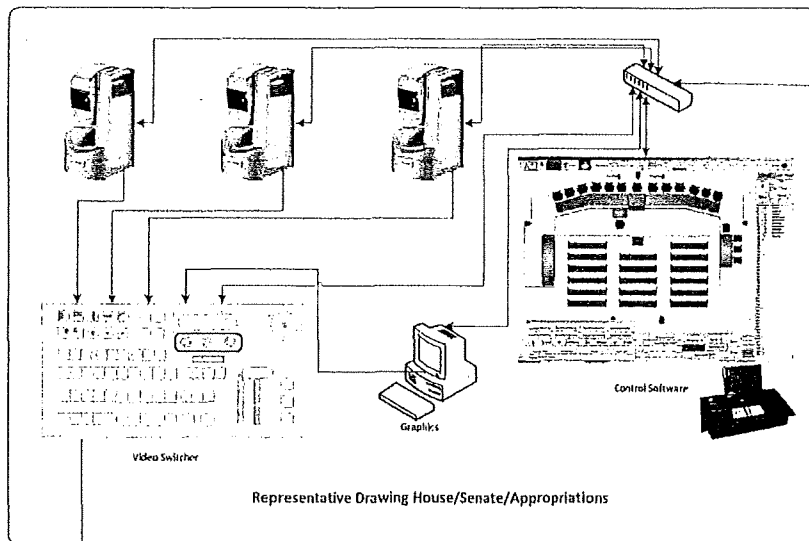
House, Senate and Appropriations New equipment Proposal

The current House and Senate video equipment is old and in the case of the House, can only provide a standard definition (SD) signal, while the broadcast standard has become high definition (HD). In today's digital world, viewers expect high quality HD video, whether they are watching PBS's Nova or News Hour; Red Sox baseball or C-SPAN.

MPBN has reviewed a number of systems for video coverage of the House and Senate chambers, and suggests that a cost effective Telemetrics system could be considered as a next generation option. MPBN's engineering staff recently conducted a technical review of a working demonstration, and has provided an overview of that system below. Interestingly, the Telemetrics system is in use at a number of State legislatures, including the New York State Assembly.

The present system in the House and Senate operation is quasi-manually operated. This proposal would move to an entire automated system with highly accurate camera positioning and video output. This would eliminate the often distracting "wandering" camera as the operator seeks to focus on the member speaking.

The Telemetrics computer controller would sense which microphone has been activated, then direct the camera assigned to that member to focus on them. The video signal would remain on the Speaker or President until the camera was focused on the member speaking. The controller would also insert the graphic identifying the member and other material such as the bill under consideration and the pending motion. That data would be derived from the display of that information in each chamber.



The capital cost of each facility would be about \$162,000. The breakdown for equipment:

3 cameras with lenses, mounts and remote control @ \$20,000 each

1 telemetrics control unit @ \$20,000

1 graphics generator \$19,000

1 digital video switcher @ \$19,000

1 closed captioning package @ \$19,000

miscellaneous and contingency \$5,000

Maine Capitol Connection Survey | June, 2013

EXECUTIVE OVERVIEW

The Maine Public Broadcasting recently conducted a broad consumer survey to understand the viewing preferences and habits of the Maine Capitol Connection audience. Overall, the project was well received with a high frequency of viewership among responders. Respondents valued the accessibility and transparency of the program, as it provided them with a better understanding of the inner workings of the state's legislative bodies and allowed them to contact legislators with informed and relevant concerns.

PERCEPTION OF THE INITIATIVE

The overwhelming majority agreed that the service the channel offered Maine was important to the State and that transparency in government was important to them personally.

IMPACT OF THE INITIATIVE

The majority of respondents credited MCC with providing them with a better understanding of the processes of government and strengthened their connection with their elected officials.

QUALITY OF THE SERVICE

The majority of respondents rated their overall satisfaction of the program at a 4 or 5 out of a scale of 1 (Not Satisfied) to 5 (Very Satisfied).

SELECTED COMMENTS

- "Capitol Connection has certainly strengthened my connection to Augusta! It helps me stay in tune with what is going on, how my officials are acting (or not acting) on my behalf. I am a 17 year old with an interest in politics and government, and I appreciate the Connection very much! It has been helpful and I have been able to learn a lot."
- "I think it is one of the most important developments in television in the last 20 years."
- "I find just watching the process informative—seeing how LDs get brought forward either to die or make their way through to become law."
- "I suspect your new channel will prompt many Mainers to become involved in state government for the first time in their lives. Your Capitol Connection channel is helping to bring government back to the people. Keep up the great work!"
- "Thank you for providing MCC! It's important for the citizens of Maine to stay connected and in tune with our state government and politics- especially at this time."
- "This is a great idea that helps the average Mainer understand the workings of our legislative bodies. I hope this continues into the future."

MAINE CAPITOL CONNECTION BUDGET

FY13 costs for Maine Capitol Connection (MCC)

Projected Operating: \$141,360

Actual Operating: \$257,134

Projected Capital: \$60,000

Actual Capital investment: \$396,229

** includes donated and repurposed hardware*

FY14 Expected costs for Maine Capitol Connection:

Projected Operating: \$250,000

Projected Capital: \$125,000

Maine Capitol Connection Legislator Survey

Initial Results | July, 2013

EXECUTIVE OVERVIEW

The Maine Public Broadcasting Network has launched a survey of state legislators on their viewing preferences and habits regarding the Maine Capitol Connection. Based on the initial survey results (the survey was released following the end of the final legislative session), the project is well received by legislators as it had been by their constituents in a broader consumer survey. Legislators understand the mission of the channel and fully embrace its importance to the state. While viewership was, understandably, lower among legislators than their constituents, respondents recognized the value of the resulting political transparency afforded by the service and the positive affect it has had on many of their constituents.

PERCEPTION OF THE INITIATIVE

The overwhelming majority of responders recognized that the access to government proceedings and the content aired over the channel were important and valuable to the State. Legislators also reported that the majority of comments that they fielded from their constituents on MCC programming were either "Positive" or "Very Positive."

VIEWERSHIP AND CONTENT VIEWED

Viewership by Maine legislators was much less frequent than that of their constituents. 33% of respondents had never watched the programming, 29% tuned in 2 to 3 times per week, and 20% tuned in once a week. Those who reported either never or limited watching of the channel stated that it was due to the fact that they were in session during live broadcasts and then too busy to watch rebroadcasts in the evenings. Of those who did watch, 33% watched MCC to keep up with issues and proceedings related to their own initiatives and 50% indicated that MCC allowed them to stay informed on proceedings that they didn't have time to attend.

QUALITY OF THE SERVICE

The majority of respondents rated their overall satisfaction of the program at a 4 or 5 out of a scale of 1 (Not Satisfied) to 5 (Very Satisfied). Requested improvements from legislators include an expanded service, archived sessions, and more detailed on-screen annotations during proceedings.

SAMPLE COMMENTS FROM MAINE'S STATE LEGISLATORS

- “While I live the experience that MCC broadcasts, I believe that there are many in the state that watch it frequently and for whom this has a great educational value. I believe that it also brings a new level of understanding of the legislative process that has not been accessible before. Personally, I was approached by an employee at Trader Joe's in Portland and he called me by name and had some very good questions to ask. When I asked him how he knew who I was, he said that he watched MCC. Enough said.”
- “I've heard from constituents about seeing me testify on bills, or give floor speeches. In all my years in Augusta, that has not happened from people who are not among the usual suspects who pay attention to the legislature. Great work!”
- “I believe [MCC] is very important and enables Maine citizens to view what is going on at the State House without having to travel to Augusta, which, for many, is impossible. Many of my constituents tell me they watch the program regularly and find it very interesting.”
- “I've received quite a bit of feedback from constituents about how much they value the service. One of my constituents was glued to it—she called me every time I spoke on the floor!”
- “Surprisingly, many constituents commented on this service and it was all positive!”
- “The citizenry need additional exposure to, and information about, how their government works. MCC can be part of that vital need.”
- “Great for the public to see what is going on, especially since Maine is a large state geographically, which at times makes it difficult for citizens to come to Augusta.”

MEMORANDUM OF UNDERSTANDING AND
LIMITED LICENSE AGREEMENT
BETWEEN
MAINE PUBLIC BROADCASTING NETWORK
AND
MAINE LEGISLATIVE COUNCIL

Whereas, the Maine Legislative Council ("Legislative Council") and Maine Public Broadcasting Network ("MPBN") have discussed the public benefits of televising legislative proceedings on a free over-the-air channel devoted to covering the proceedings of the Maine Legislature during a 6-month pilot program;

Whereas, the Maine Legislature currently broadcasts the legislative sessions of the Maine Senate and the House of Representatives by video and audio streaming them over the Internet using legislative facilities, equipment and networks;

Whereas, the Maine Legislative Council desires that certain legislative proceedings be televised so they may be viewed by as wide an audience as possible for the benefit of the residents of Maine;

Whereas, Maine Public Broadcasting Network has offered, at no expense to the Maine Legislature or television viewers, to provide and install the necessary equipment and provide for the telecast of legislative proceedings of the First Regular Session of the 126th Maine Legislature on a pilot program basis; and

Whereas, the Legislative Council and Maine Public Broadcasting Network agree to collaborate to achieve the purposes of this Agreement and agree that the intent of this Agreement is to ensure that MPBN programming gives television viewers an accurate, impartial and unedited view of the flow, content and conduct of legislative proceedings;

Now, therefore, the Legislative Council grants permission to MPBN to install certain broadcasting equipment in legislative areas and to televise the proceedings of the Maine Legislature on an-over-the-air television channel subject to the following conditions:

1. Quality of the Legislative Broadcasts. MPBN has assessed the quality of video broadcasts of the House and Senate proceedings and has determined that they are suitable for its over the air use. The Legislative Council will provide those video transmissions of the Senate and the House to MPBN. The Legislative Council will take reasonable measures to provide broadcast quality transmissions of the legislative proceedings from its equipment and feeds to MPBN but is not obligated to purchase equipment or make any improvements or operational modifications if MPBN later determines that the transmission quality becomes undesirable. The Legislative Council will provide MPBN access to the Senate and House video feeds from the point of the media closet located in the Welcome Center to offices MPBN currently leases in the Cross Building.

2. Televising Legislative Proceedings. MPBN will provide an over-the-air digital channel devoted to televising proceedings of the Maine Legislature and such channel shall be referred to as the "Maine Capitol Connection Channel." Each broadcast must state prominently that the Maine Capitol Connection Channel is a collaborative project of the Maine Legislature and MPBN. Furthermore, the parties have determined that agreement on operating protocols and procedures is essential to the success of this pilot program and MPBN agrees to comply with the provisions contained in Attachment A, which is attached and made a part of this Agreement.
3. Timing of the Legislative Broadcasts. Maine Public Broadcasting Network will strive to televise the legislative proceedings as they occur but may delay or rebroadcast them at other times as MPBN deems appropriate for the convenience of television viewers.
4. Content and Format of the Legislative Broadcasts. The Legislature shall retain complete control over the content of the House and Senate video feeds and audio feeds; however, MPBN will exercise appropriate editorial control over the Maine Capitol Connection Channel broadcasts consistent with the terms of this Agreement, including Attachment A.
5. Recording, Preserving and Archiving. MPBN will maintain the recorded coverage on a daily basis for a 24 hour period, but will not maintain a permanent archival record of the broadcasts made during the period of this Agreement. MPBN may record legislative proceedings for the purpose of rebroadcasts of such content by MPBN.
6. Equipment Maintenance and Insurances. With the exception of legislative cameras that are installed in the House and Senate chambers and legislative sound equipment, MPBN will provide all equipment, including without limitation cameras and studio equipment, necessary for Maine Capitol Connection Channel broadcasts and agrees to maintain them in good working order. MPBN will maintain in force adequate general liability insurance for activities relating to Maine Capitol Connection at all times during the period of this Agreement. Access to maintain, service or repair such equipment is authorized subject to approval by the Director of Legislative Information Technology and is limited to MPBN employees authorized by the Executive Director of the Legislative Council in accordance with established building security protocols. When access to the State House or the Cross Building is necessary outside of regular business hours for equipment repairs, it must be arranged through the State's Building Control Center, upon the express approval of the Director of Legislative Information Technology.
7. Termination of License. This Agreement becomes effective on February 4, 2013 and remains in effect through the statutory date of adjournment for the first regular session unless terminated earlier in accordance with this Agreement.

If at any time, the Legislative Council or the presiding officer of the House or the Senate chooses to interrupt a legislative broadcast, the council or the presiding officer may do so without prior notice and for whatever reason deemed appropriate. However, if the Legislative Council decides to cease televising the legislative broadcasts altogether, it

agrees to do so only after forty-five (45) days written notice to MPBN.

If at any time MPBN chooses not to transmit the legislative broadcasts in accordance with this license, it may cease transmissions and disconnect and remove its equipment only after providing forty-five (45) days written notice to the Legislative Council. Removal of its equipment will be at MPBN's expense.

8. Limitations to Scope of License. This Agreement authorizes the installation of certain equipment on legislative property and the transmission of the legislative proceedings in accordance with the terms herein and does not and may not be interpreted to grant by implication any further rights or privileges, including, but not limited to, any intellectual property rights in legislative broadcasts.

MPBN may not transfer this Agreement and limited license to any other person or entity without written approval of the Legislative Council. This limited license is nonexclusive and the Legislative Council and the Legislature retain the right at all times to grant any other entity the same or similar license or any other licenses or authorizations without limitation.

9. Installation of Equipment. MPBN may install and operate broadcasting and directly-related equipment in specified areas in the State House and Cross Building for the period of this Agreement only. All such equipment, except for equipment installed in MPBN-leased offices in the State House Press Corps suite, must be identified in Attachment B of this Agreement. Such installation and maintenance must be accomplished under the supervision of the Director of Legislative Information Technology and must be in a manner that is compatible with and does not: disrupt or damage legislative equipment, transmissions or areas; disrupt the historic or architectural integrity of any such room or area; or disrupt the proceedings or functions of the legislature. MPBN is responsible for all costs of its equipment, including its installation, maintenance, repair, replacement and use. MPBN may not access, connect to, move, disconnect, disrupt, alter, tamper with or use legislative wiring, equipment, software or facilities except with the express approval of the Director or the Executive Director of the Legislative Council. Furthermore, MPBN may not arrange for or allow access by any person not an employee of MPBN, including contractors, to any legislative facility, equipment, software or wiring without such express approval of the Director or the Executive Director. Any such violation of these provisions is grounds for immediate termination of this Agreement.

10. Cooperation with Others. MPBN agrees to work with cable television providers in the state for the purposes of broadcasting legislative proceedings over cable television networks in addition to the over-the-air broadcasts by MPBN. MPBN is encouraged to make the video and audio feeds available to cable television providers, including local access television channels. MPBN agrees not to charge cable providers or cable television viewers for such use or viewing during the term of this Agreement.

11. MPBN Rights to Capitol Connection Designations. MPBN owns, solely and exclusively, all

right, title and interest in and to the designations "Maine Capitol Connection" and "Maine Capitol Connection Channel" (the "MCC Marks"), including without limitation: all trademark rights, trade name rights, service mark rights and any other intellectual property rights embodied therein, and all good will associated with the MCC Marks.

12. Parties. The parties to this Agreement and the parties' contact information are as follows.

Maine Public Broadcasting Network maintains its headquarters in Lewiston, Maine with a mailing address of:

Maine Public Broadcasting Network
C/o Mark Vogelzang, President & CEO
1450 Lisbon Street
Lewiston, ME 04340
Tel: (207) 783-9101
Email: mvogelzang@mpbn.net

The Legislative Council is a branch of Maine State Government in Augusta, Maine with a mailing address of:

Maine Legislative Council
c/o Office of the Executive Director
115 State House Station
Augusta, ME 04333-0115
Tel: (207) 287-1615

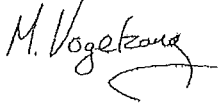
The authorized representative of the Legislative Council for the purposes of administering the Agreement in accordance with the terms and conditions herein is:

David E. Boulter, Executive Director of the Legislative Council
Tel: (207) 287-1615, Fax: (207) 287-1621
E-Mail: david.boulter@legislature.maine.gov

13. Points of Contact in the Chambers. The House of Representatives contacts are: Millicent MacFarland, Clerk of the House (primary); and Robert Hunt, Ass't. Clerk of the House (secondary), telephone (207) 287-1400, and the Senate contacts are: Darek Grant, Secretary of the Senate (primary); and Joy O'Brien, Ass't. Secretary of the Senate (secondary), telephone (207) 287-1540.

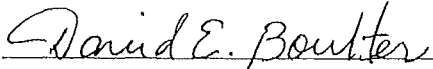
14. Conflicts with law or rule. Nothing in this Agreement shall supersede any federal or state law or legislative rule.

This Agreement consisting of thirteen (13) pages including attachments is entered into by Maine Public Broadcasting Network and the Legislative Council on this 29th day of January, 2013.



By: _____

Mark Vogelzang, President & CEO
Maine Public Broadcasting Network

By:  _____

David E. Boulter, Executive Director
Maine Legislative Council

Attachments (A, B & C)

Executive Director of the Legislative Council

115 State House Station EXECUTIVE DIRECTOR'S
Augusta, ME 04333-0115 OFFICE

2013 JUN 26 A 11:01

Daniel Lane
Village Jewelers
221 Water Street
Gardiner, ME 04345
June 19, 2013

Dear Mr. Boulter,

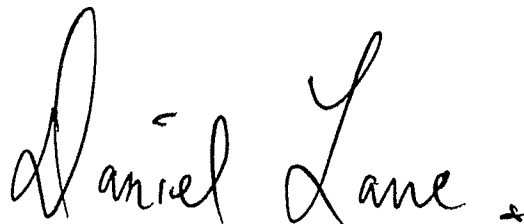
I am writing to ask your consideration to allow my retail jewelry store to come into the statehouse to offer my services at no charge. This would be to clean and inspect your legislative employee's jewelry as a thank you for their service to the state. I wouldn't be selling any products only to offer some expert advice for their jewelry needs or jewelry appraisals also to polish and clean their jewelry.

In the past I have offered these services to many different agencies throughout the State.

We also offer a 20% discount to State employee's and we are a vendor for the State with gifts, gavels and engravings of plaques to the House and Senate. We pride ourselves in quality and the best service we can provide to our local community. As a local small business in the capital area we like to give back to others where we can. We would like to offer this service a couple times a year whenever you would like. Please feel free to contact me so we can discuss this option.

Thank you,

Daniel Lane



Ph# 207-485-
7715 P36