

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

REP. SARA GIDEON
CHAIR

SEN. MICHAEL D. THIBODEAU
VICE-CHAIR

EXECUTIVE DIRECTOR
GRANT T. PENNOYER



128TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. GARRETT P. MASON
SEN. ANDRE E. CUSHING
SEN. TROY D. JACKSON
SEN. NATHAN L. LIBBY
REP. ERIN D. HERBIG
REP. JARED F. GOLDEN
REP. KENNETH W. FREDETTE
REP. ELEANOR M. ESPLING

**128th Legislature
Legislative Council**

**August 16, 2017
10:30 AM**

REVISED AGENDA

<u>Page</u>	<u>Item</u>	<u>Action</u>
	CALL TO ORDER	
	ROLL CALL	
1	SUMMARY OF THE JULY 19, 2017 MEETING OF THE LEGISLATIVE COUNCIL	Decision
	REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	
10	<ul style="list-style-type: none">• Executive Director's Report (Mr. Pennoyer)	Information
11	<ul style="list-style-type: none">• Fiscal Report (Mr. Nolan)	Information
	REPORTS FROM COUNCIL COMMITTEES	
	<ul style="list-style-type: none">• Personnel Committee• State House Facilities Committee No report	
	NEW BUSINESS	
16	Item #1: Health Care Task Force Outside Funding	
	Item #2: Executive Session	

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

REP. SARA GIDEON
CHAIR
SEN. MICHAEL D. THIBODEAU
VICE-CHAIR

EXECUTIVE DIRECTOR
GRANT T. PENNOYER



128TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. GARRETT P. MASON
SEN. ANDRE E. CUSHING
SEN. TROY D. JACKSON
SEN. NATHAN L. LIBBY
REP. ERIN D. HERBIG
REP. JARED F. GOLDEN
REP. KENNETH W. FREDETTE
REP. ELEANOR M. ESPLING

**LEGISLATIVE COUNCIL
MEETING SUMMARY
July 19, 2017**

CALL TO ORDER

Speaker Gideon called the July 19, 2017 meeting of the Legislative Council to order at 1:50 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators: President Thibodeau, Senator Jackson and Senator Libby
Absent: Senator Mason and Senator Cushing
Representatives: Speaker Gideon, Representative Herbig, Representative Golden and Representative Espling
Absent: Representative Fredette
Legislative Officers: Heather Priest, Secretary of the Senate
Robert Hunt, Clerk of the House
Grant T. Pennoyer, Executive Director of the Legislative Council
Dawna Lopatosky, Legislative Finance Director
Jackie Little, Human Resources Director
Suzanne Gresser, Revisor of Statutes
Marion Hylan Barr, Director, Office of Policy and Legal Analysis
Chris Nolan, Director, Office of Fiscal and Program Review

Speaker Gideon convened the meeting at 1:50 p.m. with a quorum of members present.

SUMMARY OF MAY 25, 2017 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary for May 25, 2017 be accepted and placed on file. Motion by President Thibodeau. Second by Representative Herbig. **Motion passed unanimous (6-0-0-4, with Senators Mason, Cushing and Libby and Representative Fredette absent).**

REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES

Executive Director's Report

Grant Pennoyer, Executive Director, presented the following report.

1. RFP for MELD Bill Production System Replacement

We are still reviewing the 4 bids submitted for the MELD Bill Production System Replacement project. The plan is to invite the top 2 bidders to present and provide a demonstration of their proposed systems in mid-August. After these meetings, we will reach a final recommendation to submit to the Council.

2. RFP for State House Window Project

We are in the process of putting out an RFP to solicit bids to repair and paint State House windows. This interim's window maintenance project will focus on the South Wing of the State House and the south face of the West Wing. These windows have sustained more severe weathering from their exposure to the sun.

3. Copper Reuse Project – Artist Selection Process

The Artist Selection Committee met on June 15th and narrowed the field of proposals submitted by artists to four finalists. At its next meeting on September 12th, the committee will receive detailed presentations from the four finalists and make a final decision on the artist that will reuse the remaining copper removed from the State House Dome. Mr. Pennoyer noted that there no longer is any rough copper remaining for sale however there are still mementos available should anyone want a piece of history and a remembrance of their time at the State House.

4. Drone Day in Capitol Park

Drone Day in Capitol Park, which was recently approved for as an exception to the general policy prohibiting drones in Capitol Park, has been delayed. The State Library has decided to delay Drone Day until next summer. It was originally scheduled for late next month.

Fiscal Report

Chris Nolan, Director, Office of Fiscal and Program Review, presented the following report.

General Fund Revenue Update

Total General Fund Revenue - FY 2017 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
June	\$363.1	\$406.0	\$42.9	11.8%	\$369.6	9.8%
FYTD	\$3,403.6	\$3,450.0	\$46.4	1.4%	\$3,366.2	2.5%

General Fund revenue was over budget by \$42.9 million (11.8%) for the month of June and over budget by \$46.4 million (1.4%) for the fiscal year to date. It is important to note that these are preliminary numbers as the month of June has not been fully closed.

Individual income tax revenue was over budget for the month by \$24.0 million and over budget for the fiscal year to date by \$14.5 million (1.0%). Withholding and estimated payments both appear to have been over budget for the month. Sales and use taxes for June (May sales) were

under budget by \$0.8 million for the month but over budget by \$4.9 million (0.4%) for the fiscal year to date. Corporate income tax revenue was over budget by \$5.8 million in June and over budget by \$11.1 million (6.8%) for the fiscal year to date.

Highway Fund Revenue Update

Total Highway Fund Revenue - FY 2017 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
June	\$25.3	\$29.7	\$4.3	17.0%	\$25.7	15.5%
FYTD	\$327.3	\$334.3	\$7.0	2.1%	\$327.4	2.1%

Highway Fund revenue was over budget by \$4.3 million (17.0%) for the month of June and over budget for the fiscal year to date by \$7.0 million (2.1%). It is important to note that these are also **preliminary numbers** as the month of June has not been fully closed. Fuel taxes were over budget for the month by \$3.1 million, some of which could be timing as last month fuel taxes were slightly under budget. Motor vehicle registrations and fees were over budget by \$0.9 million for the month and over budget by \$2.8 million for the fiscal year to date.

Cash Balances Update

The average balance in the cash pool for June was \$992.7 million, down from May's average of \$1,010.7 million but well above both last year's average balance for June and the ten-year average for the month. General Fund internal borrowing from other funds was not needed in June and not needed for all of FY 2017. The average Highway Fund balance of \$27.8 million in June decreased from May's average of \$42.8 million. This is likely a seasonal impact reflecting the increased activity during the construction season.

REPORTS FROM COUNCIL COMMITTEES

1. Personnel Committee

1. SOMER New HR System – Extent of Legislative Participation

Pursuant to previous instructions, Mr. Pennoyer reported back to the committee with additional information about the SOMER time and attendance module. The committee granted authority to Mr. Pennoyer, Mr. Hunt and Ms. Priest to decide for their respective employees regarding whether to proceed with the time and attendance module. The committee further instructed Mr. Pennoyer to provide regular updates at future meetings.

Motion: That upon the unanimous recommendation of the Personnel Committee, the Legislative Council authorizes the executive director to explore the functionality of the workforce management module of the new SOMER system and implement this system for nonpartisan staff if he deems it appropriate to meet the timekeeping, accrual and leave time request needs for nonpartisan staff as long as it does not incur additional costs; and further, authorizes the Executive Director to implement the workforce management module of the SOMER system if deemed appropriate by the Clerk and Secretary to meet the timekeeping, accrual and leave time request needs with respect to House and Senate employees respectively and sufficiently addresses access and security concerns as long as it does not incur additional costs; and further, directs the Executive Director to provide regular updates on this project at future Personnel Committee meetings. **Motion passed**

unanimous (7-0-0-3, with Senators Mason and Cushing, and Representative Fredette absent).

2. Collective Bargaining

Mr. Pennoyer and Ms. Little briefed the committee about upcoming collective bargaining negotiations with MSEA and IANLP. This item will be discussed further at a future meeting. No Legislative Council action required.

2. **State House Facilities Committee**

No Report

OLD BUSINESS

Item #1: Council Actions Taken by Ballot

Requests for Introduction of Legislation:

LR 2358 An Act to Allow Municipalities to Establish Ordinances Banning or Moratoria on Marijuana Caregivers within 500 feet of a School

Submitted by: Representative Seth Berry
Date: May 31, 2017
Vote: 10-0-0-0 Passed

LR 2392 An Act to Allow the Issuance of Open Burn Permits through Private Online Services

Submitted by: Senator Thomas Saviello
Date: June 14, 2017
Vote: 8-2-0-0 Passed (with Representatives Fredette and Espling opposed)

LR 2394 An Act to Clarify Licensing Provisions for the Manufacture and Sale of Liquor

Submitted by: Representative Louis Luchini
Date: June 19, 2017
Vote: 9-1-0-0 Passed (with Representative Espling opposed)

Decision by Legislative Council Ballot:

Motion: That the Legislative Council authorize legislative budget adjustments that total \$5,000,000 to be implemented by lapsing unspent balances in legislative accounts to the General Fund with \$2,500,000 lapsing no later than June 30, 2018 and \$2,500,000 no later than June 30, 2019. 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 Office of the Revisor of Statutes on behalf of the Legislative Council for inclusion in a floor amendment to the Governor's budget bill, LD 390.

Motion by: President Michael Thibodeau Second by: Speaker Sara Gideon
Date: June 14, 2017
Vote: 8-2-0-0 Passed (with Representatives Fredette and Espling opposed)

NEW BUSINESS

Item #1: Consideration of After Deadline Bill Requests

The Legislative Council considered and voted on the bill requests in accordance with the established protocol. Of the 4 new bill requests, the council authorized 1 request for introduction in the 1st Regular Session of the 128th Legislature, 1 failed and the council took no action on the remaining 2 and the 3 bill requests previously tabled. The council also took no action on the 3 joint resolutions previously tabled. The Legislative Council's actions on the requests are included on the attached list.

Item #2: Consideration of Legislative Study Requests

The Legislative Council considered and voted on the legislative study requests in accordance with the established protocol. Of the 21 studies listed, the council authorized 8 studies, 6 failed, 3 were held for carryover and 4 were informational only. The Legislative Council's actions on the legislative studies are included on the attached list.

ANNOUNCEMENTS AND REMARKS

With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 2:36 p.m.

**128th Maine State Legislature
Legislative Council Action Taken on
Requests to Introduce Legislation
First Regular Session
As of: 7/19/2017**

AFTER DEADLINE BILL REQUESTS

SPONSOR: Rep. Kent Ackley

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2379	An Act To Bring Maine's Ranked-choice Voting Law into Constitutional Compliance	PASSED

SPONSOR: Rep. Seth A. Berry

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2380	Resolve, To Name the Bridge over the Kennebec River between Richmond and Dresden on Route 197 the Sgt. Kevin B. Balduf Memorial Bridge	No Action Taken

SPONSOR: Rep. John L. Martin

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2393	An Act To Allow Municipalities To Regulate Pesticide Use	No Action Taken

SPONSOR: Sen. David R. Miramant

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2387	Resolve, Directing the Department of Environmental Protection To Develop a Plan for Meeting the Standards Set in the Paris Climate Accord	FAILED

TABLED BY THE LEGISLATIVE COUNCIL

AFTER DEADLINE BILL REQUESTS

SPONSOR: Rep. Henry John Bear

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2278	An Act To Encourage Support of the Tribal Government of the Houlton Band of Maliseet Indians through On-reservation Business Activity	Tabled 03/24/17

SPONSOR: Rep. Janice E. Cooper

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2330	An Act To Allow Nonresidents To Serve on Volunteer Boards in Island Communities	Tabled 04/27/17

SPONSOR: Rep. Nathan J. Wadsworth

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2209	An Act To Make Performing Arts Centers Exempt from Sales Tax	Tabled 01/31/17

JOINT RESOLUTIONS

SPONSOR: Rep. Seth A. Berry

<u>LR #</u>	<u>Title</u>	<u>Action</u>
1255	JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ALLOW DRUGS TO BE IMPORTED FROM CANADA	Tabled 01/31/17

SPONSOR: Rep. Heidi E. Brooks

<u>LR #</u>	<u>Title</u>	<u>Action</u>
1554	JOINT RESOLUTION MEMORIALIZING THE UNITED STATES SENATE TO RATIFY THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN	Tabled 02/14/17

SPONSOR: Sen. Troy D. Jackson

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2201	JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ENDORSE THE AMERICAN RECOVERY AND REINVESTMENT ACT	Tabled 01/31/17

**LEGISLATIVE COUNCIL ACTION ON
REQUESTS FOR LEGISLATIVE STUDIES
FIRST REGULAR SESSION, 128th LEGISLATURE
July 19, 2017**

		Action:
LD 214	Commission to Streamline Veterans' Licensing and Certification	PASSED as nonconforming study
LD 309	Working Group to Restore Judicial Discretion	FAILED
LD 390 PL c.284 UUUU-17	Working Group to Improve the Provision of Indigent Legal Services	PASSED as nonconforming study
LD 523	Commission to Review the Laws Governing Domestic Violence	FAILED CJPS Directed to Study in January
LD 642	Task Force to Identify Special Education Cost Drivers and Innovative Approaches to Services	PASSED as nonconforming study
LD 1015	Commission to Study the Student Transfer Process	FAILED
LD 1021	Study Committee to Develop a Disposition Plan for Future Surplus State Property in York County	CARRYOVER
LD 1128	Committee to Study the Processing of Evidence from Sexual Assault Test Kits	FAILED
LD 1143	Maine Bicentennial Commission	PASSED with Emergency Preamble and as nonconforming study
LD 1260	Commission to Create a Plan to Enhance the Efficiency and Effectiveness of the Probate Court System	PASSED as nonconforming study
LD 1466	Commission to Study Long-term Care Workforce Issues	CARRYOVER
LD 243 PL c278 HP 96	Joint Select Committee on Marijuana Legalization Committee	Previously Passed Informational Only

LD 1006	Advisory Council on Senior Housing	CARRYOVER
LD 1008	Permanent Commission on the Status of Racial and Ethnic Populations	FAILED
SP 210	Task Force to Address the Opioid Crisis in the State	Previously Passed Informational Only
SP 294	Task Force on Maine's 21 st Century Economy and Workforce	Previously Passed Informational Only
LD 390 c.284 TT-2	Joint Standing Committee on Agriculture, Conservation and Forestry Study of Conserved Lands Owned by Nonprofit Conservation Organizations	PASSED as nonconforming study
LD 1150	Commission to Study Transportation Funding Reform	FAILED
SP 592	Task Force on Health Care Coverage for All of Maine	PASSED as nonconforming study with outside funding only
LD 512	Committee to Study the State's Response to the Commercial Sexual Exploitation of Youth	PASSED as nonconforming study
Resolve 2017 c.18	Legislative Staff Recodification and Revision of Title 28-A	Informational Only

REP. SARA GIDEON
CHAIR

SEN. MICHAEL D. THIBODEAU
VICE-CHAIR

EXECUTIVE DIRECTOR
GRANT T. PENNOYER



128TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. GARRETT P. MASON
SEN. ANDRE E. CUSHING
SEN. TROY D. JACKSON
SEN. NATHAN L. LIBBY
REP. ERIN D. HERBIG
REP. JARED F. GOLDEN
REP. KENNETH W. FREDETTE
REP. ELEANOR M. ESPLING

Executive Director's Report August 16, 2017

1. RFP for MELD Bill Production System Replacement

We are meeting with the top 2 bidders this week to review their proposals and receive presentations and will make a decision shortly after these demonstrations. After these meetings, we will reach a final recommendation to submit to the Council.

2. RFP for State House Window Project

We held a bidder conference to review the bid documents and the State House Window Project with potential bidders last week. Bid opening is set for September 6th.

3. Copper Reuse Project – Artist Selection Process

The Artist Selection Committee will meet on September 12th to receive detailed presentations from the four finalists to reuse the copper from the State House dome. The committee will make a final decision at that meeting.

4. NCSL Job Classification Project

NCSL will visit Maine as part of its job classification project from September 13th to the 15th. We will be working with them and various offices to schedule interviews with selected staff.

Fiscal Briefing

August 16, 2017

Prepared by the Office of Fiscal & Program Review

1. General Fund Revenue Update (see attached)

Total General Fund Revenue - FY 2017 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
June	\$373.1	\$410.9	\$37.9	10.2%	\$369.6	11.2%
FYTD	\$3,413.5	\$3,454.9	\$41.4	1.2%	\$3,366.2	2.6%

General Fund revenue was over budget by \$37.9 million (10.2%) for the month of June and over budget by \$41.4 million (1.2%) for the fiscal year. Individual income tax revenue was over budget for the month by \$19.0 million and over budget for the fiscal year by \$9.5 million (0.6%). Strong withholding payments and a large second estimated payment both contributed to the positive variance. To the extent the now repealed surtax contributed to both these positive variances, this should be considered a one-time revenue impact that will likely need to be refunded later in FY 2018. Sales and use taxes for June (May sales) were under budget by \$0.8 million for the month but over budget by \$4.9 million (0.4%) for the fiscal year. May taxable sales increased by 7.5% over last year, led by auto/transportation and lodging sales. A large refund budgeted in May but paid in June contributed to the June negative revenue variance. Corporate income tax revenue was over budget by \$5.8 million in June and over budget by \$11.1 million (6.8%) for the fiscal year.

2. Highway Fund Revenue Update (see attached)

Total Highway Fund Revenue - FY 2017 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
June	\$25.3	\$29.7	\$4.3	17.0%	\$25.3	17.0%
FYTD	\$327.3	\$334.3	\$7.0	2.1%	\$323.9	3.2%

Highway Fund revenue was over budget by \$4.3 million (17.0%) for the month of June and over budget by \$7.0 million (2.1%) for the fiscal year. Fuel taxes were over budget for the month by \$3.1 million and by \$4.2 million (1.9%) for the fiscal year. Some of this positive variance is attributable to payments expected in July that were received the final day of June. Motor vehicle registrations and fees were over budget by \$0.9 million for the month and by \$2.8 million (3.2%) for the fiscal year.

3. Cash Balances Update

The average balance in the cash pool for June was \$992.7 million, down from May's average of \$1,010.7 million but well above both last year's average balance for June and the ten-year average for the month. General Fund internal borrowing from other funds was not needed in June and not needed for all of FY 2017. The average Highway Fund balance of \$27.8 million in June decreased from May's average of \$42.8 million. This is likely a seasonal impact reflecting the increased activity during the construction season.

4. FY 2017 Year-End Cascade Transfers

The FY 2017 closing General Fund balance totaled \$111.0 million, \$57.1 million of which was budgeted and \$53.9 million was unbudgeted. The \$53.9 million not budgeted included \$41.4 million in General Fund revenue surplus, \$8.7 million in unbudgeted lapsed program balances and \$3.8 million in other accounting adjustments. Under the current distribution rules for the year-end

“cascade” of funds from the unappropriated surplus of the General Fund (5 MRSA §1507, §1511, §1519 and §1536), after all fixed dollar transfers were distributed; 80% (\$36.8 million) was distributed to the Maine Budget Stabilization Fund and 20% (\$9.2 million) was distributed to the Tax Relief Fund for Maine Residents. The table below summarizes the sources and uses of FY 2017 uncommitted funds.

FY 2017 General Fund Year-End Summary

Sources of General Fund Year-end Surplus:	
General Fund Revenue Variance	\$41,434,906
Unbudgeted Lapsed Balances	\$8,662,771
Other Accounting Adjustments Increasing (Decreasing) Balance	\$3,798,603
Total Increase in Uncommitted Unappropriated Surplus	<u>\$53,896,280</u>
Uses of General Fund Year-end Surplus:	
Fixed Dollar Transfers	
Replenish Contingent Account up to \$350,000 (5 MRSA §1507)	(\$350,000)
Transfer to Loan Insurance Reserve up to \$1,000,000 (5 MRSA §1511)	(\$1,000,000)
Transfer to General Fund Operating Capital (5 MRSA §1536)	(\$2,500,000)
Transfer to Retiree Health Insurance UAL (5 MRSA §1519)	(\$4,000,000)
Total Fixed Dollar Transfers	<u>(\$7,850,000)</u>
Percentage Transfers - Remaining Surplus after Fixed Dollar Transfers	\$46,046,280
Maine Budget Stabilization Fund	80.0% (\$36,837,024)
Tax Relief Fund for Maine Residents	20.0% (\$9,209,256)
Total Closing Transfers	<u>(\$53,896,280)</u>

The Highway Fund also has a statutory year-end transfer provision that transfers all but \$100,000 of the increase in the unallocated surplus above the budgeted amount to the Department of Transportation for highway and bridge improvement projects in the next fiscal year. The amounts that transferred and are available in FY 2018 are \$8.5 million. In addition to a \$7.0 million revenue surplus, unexpended Highway Fund allocations that lapsed back to the unallocated surplus totaled \$1.3 million and other net accounting adjustments equaled \$0.3 million.

FY 2017 Highway Fund Year-End Summary

Sources of Highway Fund Year-end Surplus:	
Highway Fund Revenue Variance	\$7,027,134
Unbudgeted Lapsed Balances	\$1,269,773
Other Accounting Adjustments Increasing (Decreasing) Balance	\$307,323
Total Increase in Uncommitted Unallocated Surplus	<u>\$8,604,230</u>
Uses of Highway Fund Year-end Surplus:	
Required Increase to Budgeted Balance	\$100,000
Net Unallocated Transferred to Transportation	<u>\$8,504,230</u>

General Fund Revenue
Fiscal Year Ending June 30, 2017 (FY 2017)

Updated 8/8/17

June 2017 Revenue Variance Report

Revenue Category				Fiscal Year-To-Date					FY 2017 Budgeted Totals
	June '17 Budget	June '17 Actual	June '17 Variance	Budget	Actual	Variance	Variance %	% Change from Prior Year	
Sales and Use Tax	114,215,288	113,443,533	(771,755)	1,332,011,722	1,336,944,791	4,933,069	0.4%	4.9%	1,332,011,722
Service Provider Tax	4,879,955	6,545,949	1,665,994	59,149,448	61,211,051	2,061,603	3.5%	36.3%	59,149,448
Individual Income Tax	152,785,503	171,834,062	19,048,559	1,514,348,976	1,523,852,981	9,504,005	0.6%	-1.2%	1,514,348,976
Corporate Income Tax	31,062,145	36,820,794	5,758,649	164,093,471	175,239,114	11,145,643	6.8%	27.5%	164,093,471
Cigarette and Tobacco Tax	11,512,207	17,846,472	6,334,265	139,179,000	144,243,207	5,064,207	3.6%	2.0%	139,179,000
Insurance Companies Tax	26,417,610	28,092,587	1,674,977	76,700,000	76,553,592	(146,408)	-0.2%	-5.8%	76,700,000
Estate Tax	943,061	(220,631)	(1,163,692)	16,378,323	11,717,686	(4,660,637)	-28.5%	-56.9%	16,378,323
Other Taxes and Fees *	13,636,956	16,805,927	3,168,971	141,032,892	148,183,240	7,150,348	5.1%	3.3%	141,032,892
Fines, Forfeits and Penalties	2,522,132	1,656,651	(865,481)	19,375,448	19,589,175	213,727	1.1%	-5.0%	19,375,448
Income from Investments	470,609	853,339	382,730	3,128,076	3,592,268	464,192	14.8%	142.1%	3,128,076
Transfer from Lottery Commission	4,223,069	6,835,082	2,612,013	54,900,000	58,219,690	3,319,690	6.0%	2.2%	54,900,000
Transfers to Tax Relief Programs *	(68,340)	(88,900)	(20,560)	(64,448,340)	(63,961,530)	486,810	0.8%	1.2%	(64,448,340)
Transfers for Municipal Revenue Sharing	(8,276,721)	(8,319,031)	(42,310)	(65,208,251)	(65,228,793)	(20,542)	0.0%	3.2%	(65,208,251)
Other Revenue *	18,727,739	18,839,092	111,353	22,828,191	24,747,389	1,919,198	8.4%	-7.1%	22,828,191
Totals	373,051,213	410,944,928	37,893,715	3,413,468,956	3,454,903,862	41,434,906	1.2%	2.6%	3,413,468,956

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

General Fund Revenue
Fiscal Year Ending June 30, 2017 (FY 2017)

Updated 8/8/17

June 2017 Revenue Variance Report

Revenue Category				Fiscal Year-To-Date					FY 2017 Budgeted Totals
	June '17 Budget	June '17 Actual	June '17 Variance	Budget	Actual	Variance	Variance %	% Change from Prior Year	
Detail of Other Taxes and Fees:									
- Property Tax - Unorganized Territory	1,741,580	2,077,715	336,135	14,513,169	13,578,696	(934,473)	-6.4%	6.3%	14,513,169
- Real Estate Transfer Tax	1,297,930	1,646,113	348,183	17,144,043	17,059,116	(84,927)	-0.5%	10.8%	17,144,043
- Liquor Taxes and Fees	2,149,670	2,287,507	137,837	21,415,688	22,888,443	1,472,755	6.9%	2.4%	21,415,688
- Corporation Fees and Licenses	1,956,625	2,041,828	85,203	9,538,649	10,540,087	1,001,438	10.5%	4.8%	9,538,649
- Telecommunication Excise Tax	0	0	0	6,250,000	6,248,478	(1,522)	0.0%	-2.4%	6,250,000
- Finance Industry Fees	2,196,090	3,366,800	1,170,710	26,900,870	30,019,796	3,118,926	11.6%	1.9%	26,900,870
- Milk Handling Fee	586,414	437,193	(149,221)	4,806,382	4,613,496	(192,886)	-4.0%	-10.1%	4,806,382
- Racino Revenue	670,990	849,842	178,852	8,424,243	8,624,011	199,768	2.4%	-1.5%	8,424,243
- Boat, ATV and Snowmobile Fees	835,909	1,261,833	425,924	4,523,561	4,712,468	188,907	4.2%	9.8%	4,523,561
- Hunting and Fishing License Fees	1,874,990	2,093,422	218,432	15,878,217	16,268,782	390,565	2.5%	-1.0%	15,878,217
- Other Miscellaneous Taxes and Fees	326,758	743,674	416,916	11,638,070	13,629,868	1,991,798	17.1%	10.2%	11,638,070
Subtotal - Other Taxes and Fees	13,636,956	16,805,927	3,168,971	141,032,892	148,183,240	7,150,348	5.1%	3.3%	141,032,892
Detail of Other Revenue:									
- Liquor Sales and Operations	9,819,752	9,822,468	2,716	9,845,500.00	9,860,579	15,079	0.2%	1.8%	9,845,500
- Targeted Case Management (DHHS)	90,367	124,288	33,921	1,800,000	1,820,831	20,831	1.2%	-19.0%	1,800,000
- State Cost Allocation Program	1,983,919	1,732,162	(251,757)	18,296,832	19,459,021	1,162,189	6.4%	7.1%	18,296,832
- Unclaimed Property Transfer	5,767,234	5,767,234	0	5,767,234	5,767,234	0	0.0%	-40.3%	5,767,234
- Tourism Transfer	0	0	0	(14,601,204)	(14,590,665)	10,539	0.1%	-11.3%	(14,601,204)
- Transfer to Maine Milk Pool	(883,486)	(1,181,454)	(297,968)	(15,308,547)	(15,233,744)	74,803	0.5%	10.5%	(15,308,547)
- Transfer to STAR Transportation Fund	0	0	0	(7,900,000)	(7,908,006)	(8,006)	-0.1%	-8.2%	(7,900,000)
- Other Miscellaneous Revenue	1,949,953	2,574,393	624,440	24,928,376	25,572,140	643,764	2.6%	5.1%	24,928,376
Subtotal - Other Revenue	18,727,739	18,839,092	111,353	22,828,191	24,747,389	1,919,198	8.4%	-7.1%	22,828,191
Detail of Transfers to Tax Relief Programs:									
- Me. Resident Prop. Tax Program (Circuitbreaker)	0	(72,669)	(72,669)	0	(60,303)	(60,303)	N/A	-173.2%	0
- BETR - Business Equipment Tax Reimb.	0	(18,891)	(18,891)	(30,500,000)	(31,511,125)	(1,011,125)	-3.3%	10.2%	(30,500,000)
- BETE - Municipal Bus. Equip. Tax Reimb.	(68,340)	2,661	71,001	(33,948,340)	(32,390,102)	1,558,238	4.6%	-8.9%	(33,948,340)
Subtotal - Tax Relief Transfers	(68,340)	(88,900)	(20,560)	(64,448,340)	(63,961,530)	486,810	0.8%	1.2%	(64,448,340)
Inland Fisheries and Wildlife Revenue - Total	2,788,089	3,398,599	610,510	21,499,761	22,015,827	516,066	2.4%	1.5%	21,499,761

Highway Fund Revenue
Fiscal Year Ending June 30, 2017 (FY 2017)

Updated 8/8/17

June 2017 Revenue Variance Report

Revenue Category				Fiscal Year-To-Date					FY 2017 Budgeted Totals
	June '17 Budget	June '17 Actual	June '17 Variance	Budget	Actual	Variance	% Variance	% Change from Prior Year	
Fuel Taxes:									
- Gasoline Tax	17,116,524	17,318,764	202,240	200,201,200	201,581,952	1,380,752	0.7%	1.8%	200,201,200
- Special Fuel and Road Use Taxes	3,591,417	6,797,927	3,206,510	47,086,700	50,364,054	3,277,354	7.0%	9.3%	47,086,700
- Transcap Transfers - Fuel Taxes	(1,520,993)	(1,776,270)	(255,277)	(18,171,111)	(18,589,483)	(418,372)	-2.3%	-3.5%	(18,171,111)
- Other Fund Gasoline Tax Distributions	(428,031)	(433,090)	(5,059)	(5,006,432)	(5,065,081)	(58,649)	-1.2%	-2.1%	(5,006,432)
Subtotal - Fuel Taxes	18,758,917	21,907,330	3,148,413	224,110,357	228,291,442	4,181,085	1.9%	3.2%	224,110,357
Motor Vehicle Registration and Fees:									
- Motor Vehicle Registration Fees	7,458,404	7,941,443	483,039	67,095,787	68,345,517	1,249,730	1.9%	-0.3%	67,095,787
- License Plate Fees	303,778	309,048	5,270	3,458,710	3,709,500	250,790	7.3%	1.0%	3,458,710
- Long-term Trailer Registration Fees	280,906	658,274	377,368	10,884,523	11,768,669	884,146	8.1%	1.7%	10,884,523
- Title Fees	1,304,096	1,582,756	278,660	13,366,264	14,298,502	932,238	7.0%	2.4%	13,366,264
- Motor Vehicle Operator License Fees	810,507	782,589	(27,918)	8,899,545	8,956,575	57,030	0.6%	2.9%	8,899,545
- Transcap Transfers - Motor Vehicle Fees	(4,544,619)	(4,781,900)	(237,281)	(15,570,414)	(16,101,245)	(530,831)	-3.4%	-0.9%	(15,570,414)
Subtotal - Motor Vehicle Reg. & Fees	5,613,072	6,492,210	879,138	88,134,415	90,977,518	2,843,103	3.2%	0.5%	88,134,415
Motor Vehicle Inspection Fees	75,209	337,481	262,272	2,982,500	3,410,700	428,200	14.4%	-3.0%	2,982,500
Other Highway Fund Taxes and Fees	134,263	145,098	10,835	1,280,229	1,378,535	98,306	7.7%	-17.0%	1,280,229
Fines, Forfeits and Penalties	37,524	57,925	20,401	739,039	719,555	(19,484)	-2.6%	-9.1%	739,039
Interest Earnings	18,398	58,748	40,350	364,114	348,432	(15,682)	-4.3%	36.4%	364,114
Other Highway Fund Revenue	700,236	657,172	(43,064)	9,680,335	9,191,942	(488,393)	-5.0%	-3.8%	9,680,335
Totals	25,337,619	29,655,963	4,318,344	327,290,989	334,318,123	7,027,134	2.1%	2.1%	327,290,989

REP. SARA GIDEON
CHAIR

SEN. MICHAEL D. THIBODEAU
VICE-CHAIR

EXECUTIVE DIRECTOR
GRANT T. PENNOYER



128TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. GARRETT P. MASON
SEN. ANDRE E. CUSHING
SEN. TROY D. JACKSON
SEN. NATHAN L. LIBBY
REP. ERIN D. HERBIG
REP. JARED F. GOLDEN
REP. KENNETH W. FREDETTE
REP. ELEANOR M. ESPLING

MEMO

To: Members, Legislative Council

From: Grant T. Pennoyer *GP*

Date: August 16, 2017

Re: Outside Funding for Task Force on Health Care Coverage

The Task Force on Health Care Coverage authorized by SP 592 is currently in the process of raising the outside funding required in order for the task force to proceed with its work. The Office of the Executive Director has been receiving numerous checks in amounts of \$200 or less, most are less. The checks so far have come from individuals, many are physicians or involved in the health care industry. The task force has not collected sufficient funding yet, but I am seeking your guidance on a couple of issues related to this task force.

The work of this task force and its funding continues across two fiscal years, which is unusual for previously approved studies that must be funded from outside sources. The usual requirement is that the studies must raise the full amount of the estimated costs of the study before they can meet and begin their work, so as to avoid General Fund costs. With this being a two-fiscal year study, would the Council authorize them to begin their work this fiscal year, if they raise the full estimated costs of the current fiscal year costs? This still poses the risk that they may wind up incurring costs in the next fiscal year that may affect the General Fund. To address this, the Council could authorize them to operate only through the end of the fiscal year and require the task force to suspend activities in next fiscal year until the full amount of that year's estimated costs are raised and approved.

In addition to this unusual issue, the broad appeal method of this task force's fund raising efforts could result in excess collections above the total estimated costs. In the past, funding collected and approved by the Legislature has not been refunded to anyone. The checks are usually held and not processed for deposit until approved by the Council. If not approved by the Council or if insufficient funds are raised, the checks are returned to the contributors and the study does not go forward. We have not been faced with a situation where we have had excess contributions. If we receive excess contributions, we will hold and then return the checks above the required amount based on the order in which they were received.