

# MAINE STATE LEGISLATURE

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128<sup>TH</sup> MAINE STATE LEGISLATURE  
LEGISLATIVE COUNCIL

**128<sup>th</sup> Legislature  
Legislative Council**

**January 25, 2018**

**1:30 PM**

**REVISED AGENDA**

<b><u>Page</u></b>	<b><u>Item</u></b>	<b><u>Action</u></b>
	<b>CALL TO ORDER</b>	
	<b>ROLL CALL</b>	
<b>1</b>	<b>SUMMARY OF THE DECEMBER 14, 2017 MEETING OF THE LEGISLATIVE COUNCIL</b>	<b>Decision</b>
	<b>REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS</b>	
<b>❖ 12</b>	<ul style="list-style-type: none"><li>Executive Director's Report (Mr. Pennoyer)</li></ul>	<b>Information</b>
<b>13</b>	<ul style="list-style-type: none"><li>Fiscal Report (Mr. Nolan)</li></ul>	<b>Information</b>
<b>17</b>	<ul style="list-style-type: none"><li>Studies Report (Ms. Hylan Barr)</li></ul>	<b>Information</b>
	<b>REPORTS FROM COUNCIL COMMITTEES</b>	
	<ul style="list-style-type: none"><li>Personnel Committee</li><li>State House Facilities Committee</li></ul>	
	<b>OLD BUSINESS</b>	
<b>19</b>	<b>Item #1: Consideration of Tabled Bill Requests – from October and November</b>	<b>Roll Call Vote</b>
<b>❖ 21</b>	<b>Item #2: Council Actions Taken by Ballot (No Action Required)</b>	<b>Information</b>
	<b>NEW BUSINESS</b>	
<b>❖ 22</b>	<b>Item #1: Consideration of After Deadline Bill Requests</b>	<b>Roll Call Vote</b>
<b>❖</b>	<b>Item #2: Issues with Bills Introduced in the Second Regular Session – Rep. Beth O'Connor</b>	<b>Discussion</b>
<b>❖ 28</b>	<b>Item #3: Approval of the State House Evacuation Plan Revision</b>	<b>Decision</b>

<b>42</b>	Item #4:	Acceptance of the Joint Standing Committee on Taxation Tax Expenditure Review (December 2017)	<b>Acceptance</b>
<b>48</b>	Item #5:	Acceptance of the Task Force on Maine's 21 <sup>st</sup> Century Economy and Workforce Report (December 2017)	<b>Acceptance</b>
<b>51</b>	Item #6:	Acceptance of the Task Force to Address the Opioid Crisis in the State Final Report (December 2017)	<b>Acceptance</b>
<b>59</b>	Item #7:	Acceptance of the Working Group to Improve the Provision of Indigent Legal Services Report (December 2017)	<b>Acceptance</b>
<b>62</b>	Item #8:	Acceptance of the Twelfth Annual Report of the Right to Know Advisory Committee	<b>Acceptance</b>
<b>65</b>	Item #9:	Acceptance of the Annual Report of the Midcoast Regional Redevelopment Authority	<b>Acceptance</b>

#### **ANNOUNCEMENTS AND REMARKS**

#### **ADJOURNMENT**

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**LEGISLATIVE COUNCIL  
MEETING SUMMARY  
December 14, 2017**

**CALL TO ORDER**

Speaker Gideon called the November 30, 2017 meeting of the Legislative Council to order at 2:02 p.m. in the Legislative Council Chamber.

**ROLL CALL**

Senators:	President Thibodeau, Senator Mason Senator Cushing, and Senator Jackson and Senator Libby
Representatives:	Speaker Gideon, Representative Herbig, Representative Golden, Representative Fredette and Representative Espling
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 John Barden, Director, Law and Legislative Reference Library Kevin Dieterich, Director, Legislative Information Technology

Speaker Gideon convened the meeting at 2:02 p.m. with a quorum of members present.

**SUMMARY OF NOVEMBER 30, 2017 MEETING OF LEGISLATIVE COUNCIL**

**Motion:** That the Meeting Summary for November 30, 2017 be accepted and placed on file. Motion by Representative Herbig. Second by Representative Fredette. **Motion passed unanimous (10-0).**

Legislative Council Chair Gideon asked if there was any objection to taking items out of order. There was no objection. The Chair then moved to **Old Business, Item 1.**

## **OLD BUSINESS**

### **Item #1: Consideration of the Tabled Bill Requests for Introduction in the Second Regular Session of the 128<sup>th</sup> Legislature – from October and November**

The Legislative Council proceeded to consider and vote on seventeen (17) tabled bill requests in accordance with the adopted protocol. The Legislative Council authorized two (2) bills for introduction in the Second Regular Session, tabled four (4) bill requests and took no action on the remaining eleven requests. The Legislative Council's action on the bill requests is attached.

### **Item #2: Council Actions Taken by Ballot**

#### **Requests for Introduction of Legislation:**

#### **LR 2805      An Act to Implement A Regulatory Structure for Adult Use Marijuana**

Submitted by: Representative Teresa Pierce

Date: November 30, 2017

Vote: 8-2-0-0 Passed (with Representatives Fredette and Espling opposed)

## **NEW BUSINESS**

### **Item #1: Consideration of Appealed Bill Requests for Introduction in the Second Regular Session of the 128<sup>th</sup> Legislature**

The Legislative Council proceeded to consider and vote on twenty-four (24) bill requests in accordance with the adopted protocol. The Legislative Council authorized seven (7) bills for introduction in the Second Regular Session and tabled the remaining seventeen (17) bill requests. The Legislative Council's action on the bill requests is attached.

### **Item #2: Approval of the Use of ASL Space for Representatives Not Enrolled in the Two Major Parties**

Mr. Pennoyer reviewed the proposal to reassign the space currently used by the American Sign Language Interpreters one day per week during the legislative session to the Representatives not enrolled in the two major parties for their use and for their part-time staff. This proposed reassignment of Room 219 in Cross was acceptable to those legislators. Mr. Pennoyer has worked with the Legislative Information Office and with the Speaker's Office to locate this suitable space.

**Motion:** That the Legislative Council approve the staff's recommendation to reassign Cross 219 for the use of those Representatives not enrolled in the two major parties. Motion by Representative Espling, Second by Senator Mason. **Motion passed unanimous (8-0-0-2, with President Thibodeau and Representative Fredette absent).**

The Legislative Council then returned to the other items on its agenda.

## REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES

### Executive Director's Report

Grant Pennoyer, Executive Director, presented the following report.

#### 1. Updating Card Readers and New Access Cards

Although the new card readers have arrived, a reassessment of the effort required to install the new panels led to a determination to delay the transition until after the conclusion of the Second Regular Session. We will distribute the new cards immediately in advance of the transition. When the timing is determined for this coming interim, we will provide notice and instructions to all Legislators and Legislative Staff.

#### 2. Harassment Training

Jackie Little, Human Resources Director, offered several training sessions on harassment last week with a new format that included a discussion of scenarios. This new format provided for some very thoughtful discussions of the various issues and was a very effective training session. Supervisors attended a separate session on Tuesday, December 5<sup>th</sup>, and three training sessions were offered for the rest of Legislative Staff on Wednesday, December 6<sup>th</sup>. Only two supervisors were not able to attend the mandatory training session on the 5<sup>th</sup>. They will be offered in-person training separately. For the 36 other staff that missed the training on the 6<sup>th</sup>, an additional session will be offered on January 19<sup>th</sup> at the end of a new employee orientation session.

#### 3. Second Aspiring Leaders Program

A second group of staff have completed the Aspiring Leaders program that was first offered last year. This very successful program designed in-house to encourage and engage promising staff is being recognized by NCSL in an "Innovations" section in its magazine. This year's graduates are: Amy Gagne and Maura Pillsbury from the Office of Program Evaluation and Government Accountability; Luke Lazure from the Office of Fiscal and Program Review; Margaret Reynolds from the House Democratic Office; Emily Cook from the Senate Democratic Office; Henry Fouts, Karen Nadeau and Kristin Brawn from the Office of Policy and Legal Analysis; Amanda Goldsmith from the Executive Director's Office; and Jessica Lundgren from the Law and Legislative Reference Library.

#### 4. Copper Reuse Project

With the selection of the two artists to use the copper from the State House Dome, we are nearing the end of the Copper Reuse Project. Artists will be completing their projects over the course of the Second Regular Session and will be installing them next June. We will also be doing one last marketing effort to sell sheets of copper. We have approximately 550 square feet available to sell.

### Fiscal Report

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

#### 1. General Fund Revenue Update

**Total General Fund Revenue - FY 2018 (\$'s in Millions)**

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
November	\$264.3	\$276.6	\$12.3	4.7%	\$259.6	6.5%
FYTD	\$1,462.1	\$1,507.2	\$45.1	3.1%	\$1,455.2	3.6%

General Fund revenue was over budget by \$12.3 million (4.7%) for the month of November and over budget by \$45.1 million (3.1%) for the fiscal year to date. These positive variances do not reflect the December 2017 revenue forecast, which increased budgeted revenue by \$17.9 million in FY 2018. Individual income tax revenue was over budget for the month by \$10.3 million and over budget for the fiscal year by \$34.8 million. Withholding payments continued to be strong in November. An additional (fifth) Thursday in November likely contributed to the overage. Sales and use taxes for November (October sales) were on budget for the month but over budget by \$3.8 million for the fiscal year. Corporate income tax revenue was under budget by \$5.9 million in November but over budget by \$3.5 million for the fiscal year to date. Corporate income tax refunds were under budget (more refunded than budgeted) by \$6.4 million for the month but are essentially on budget for the fiscal year to date. This underage appears to be a timing issue as corporate income tax refunds previous to November had been over budget (less refunded than budgeted).

2. Highway Fund Revenue Update

**Total Highway Fund Revenue - FY 2018 (\$'s in Millions)**

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
November	\$31.8	\$33.2	\$1.4	4.5%	\$30.7	8.4%
FYTD	\$147.2	\$147.5	\$0.3	0.2%	\$146.5	0.7%

Highway Fund revenue was over budget by \$1.4 million (4.5%) for the month of November and over budget by \$0.3 million (0.2%) for the fiscal year to date. These positive variances do not reflect the December 2017 revenue forecast, which decreased budgeted revenue by \$2.5 million in FY 2018. The majority of this overage relates to truck registration fees received through the International Registration Plan. This line will be adjusted upwards in December.

3. Cash Balances Update

The average balance in the cash pool for November was \$1,120.3 million, down from October's average of \$1,142.1 million but well above both last year's average balance for November and the ten-year average for the month. General Fund internal borrowing from other funds was not needed in November. The average Highway Fund balance of \$25.3 million in November increased from October's average of \$21.7 million.

## Studies Report

Marion Hylan Barr, Director, Office of Policy and Legal Analysis, presented the following report. Two more studies have their final report drafted (Task Force on Maine's 21<sup>st</sup> Century Economy and Workforce and the Right to Know Advisory Committee). Some of the committees have held recent work sessions and public hearings and their work is on-going. Others are still waiting for appointments to be completed.

## REPORTS FROM COUNCIL COMMITTEES

### 1. Personnel Committee

Speaker Gideon reported that the Personnel Committee held a meeting on December 13<sup>th</sup> to consider the following matters:

#### 1. SOMER Update

Ms. Little provided a brief update to the committee about the SOMER HR system implementation.

#### 2. Discussion: Harassment in the Workplace

Senator Libby presented his joint rule change proposal to enhance our harassment training for Legislators. Ms. Little provided an update on mandatory staff and supervisory harassment training.

#### 3. Director Reappointment – Marion Hylan Barr, Director, OPLA

The committee considered the reappointment of Marion Hylan Barr as Director of the Office of Policy and Legal Analysis. The committee reviewed the annual evaluation of and considered a step increase for Director Hylan Barr. The committee voted unanimously to approve this step increase and further to recommend that the Legislative Council reappoint Ms. Hylan Barr.

**Motion:** That the Personnel Committee recommends that the Legislative Council appoint Marion Hylan Barr as Director of the Office of Policy and Legal Analysis, the date of her reappointment being retroactive to November 21, 2017. Motion by Speaker Gideon. Second by Senator Mason. **Motion passed unanimous (8-0-0-2, with President Thibodeau and Representative Fredette absent).**

#### 4. Director Reappointment – Christopher Nolan, Director, OFPR

The committee considered the reappointment of Christopher Nolan as Director of the Office of Fiscal and Program Review. The committee reviewed the annual evaluation of and considered a step increase for Director Nolan. The committee voted unanimously to approve this step increase and further to recommend that the Legislative Council reappoint Mr. Nolan.

**Motion:** That the Personnel Committee recommends that the Legislative Council appoint Chris Nolan as Director of the Office of Fiscal and Program Review, the date of his reappointment being retroactive to December 1, 2017. Motion by Speaker Gideon. Second by Senator Mason. **Motion passed unanimous (8-0-0-2, with President Thibodeau and Representative Fredette absent).**

#### 5. Director Reappointment – Grant Pennoyer, Executive Director

The committee considered the reappointment of Grant Pennoyer as Executive Director of the Legislative Council. The committee reviewed the annual evaluation of and considered a step increase for Executive Director Pennoyer. The committee voted unanimously to approve this step increase and further to recommend that the Legislative Council reappoint Mr. Pennoyer.



**Motion:** That the Personnel Committee recommends that the Legislative Council appoint Grant Pennoyer as Executive Director of the Legislative Council, the date of his reappointment being retroactive to October 6, 2017. Motion by Speaker Gideon. Second by Senator Mason. **Motion passed unanimous (8-0-0-2, with President Thibodeau and Representative Fredette absent).**

6. Merit Increases for the Secretary of the Senate and the Clerk of the House

The committee voted to approve step increases of one-step for both the Secretary of the Senate and the Clerk of the House.

7. Two Requests for Temporary Disability Benefits for Partisan Employees

The committee considered two requests by legislative employees for temporary disability income benefits. The requests were consistent with the provisions for temporary disability income benefits under the Legislative Council's personnel policies and guidelines. Upon the recommendation of the Executive Director, the committee voted unanimously to approve the requests. An additional issue of replacement personnel arose. The funding for the replacement personnel requires the Council's approval.

**Motion:** That the Personnel Committee recommends that the Legislative Council authorizes the use of available balances from the Legislative account to fund the cost of replacement personnel during staff absences while out on Temporary Disability. Motion by Speaker Gideon. Second by Senator Mason. **Motion passed unanimous (8-0-0-2, with President Thibodeau and Representative Fredette absent).**

Speaker Gideon, Representative Herbig and Senator Mason individually recognized each Director and thanked them for their dedicated service and proven leadership of their respective departments.

2. State House Facilities Committee

No Report

**ANNOUNCEMENTS AND REMARKS**

Mr. Pennoyer reminded the Council that the Legislative Council picture is usually taken at the January meeting.

Speaker Gideon wished everyone a happy and safe holiday season.

With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 4:04 p.m.

LEGISLATIVE COUNCIL ACTION TAKEN ON  
TABLED BILL REQUESTS FROM  
OCTOBER 26, 2017 and NOVEMBER 30, 2017

LR Number	Sponsor	Title	ACTION TAKEN
2521	Sen. Bellows, Shenna	An Act To Ensure Quality of and Increase Access to Recovery Residences	<b>PASSED</b> 12/14/17
2650	Sen. Chenette, Justin	An Act To Close Loopholes in Election Laws and Ban the Use of Leadership Political Action Committees for Personal Profit	<b>TABLED</b> 12/14/17
2651	Sen. Chenette, Justin	An Act To Clarify the Difference between Late and Unfiled Campaign Expenditures and Expenses Reports	<b>TABLED</b> 12/14/17
2604	Sen. Cushing, III, Andre	An Act To Increase Safety on Youth Hunting Day for Hunting Bear by Allowing an Accompanying Adult To Possess a Firearm	<b>PASSED</b> 12/14/17
2754	Sen. Cushing, III, Andre	Resolve, To Study Methods for Better Transportation for Students and Workers in Maine	<b>TABLED</b> 12/14/17
2481	Rep. Fredette, Kenneth	An Act To Authorize a General Fund Bond Issue To Fund a Program of Student Debt Consolidation and Repayment	11/30/2017
2492	Rep. Gerrish, Karen	An Act To Create a Full-time Drug Interdiction Unit within the State	11/30/2017
2716	Rep. Herbig, Erin	An Act To Attract Trained Firefighters to Maine and Provide Incentives To Retain Them	11/30/2017
2506	Sen. Jackson, Troy	An Act To Support Funding for Workforce Development in Maine	10/26/2017
2783	Sen. Langley, Brian	An Act To Extend Secondary Student Eligibility in the Competitive Skills Scholarship Program	<b>TABLED</b> 12/14/17
2761	Sen. Libby, Nathan	Resolve, To Require the Department of Labor To Receive Federal Workforce Innovation and Opportunity Act Funds	10/26/2017
2562	Rep. Parry, Wayne	An Act To Waive Income Restrictions for Supplemental MaineCare Coverage for Children Diagnosed with Cystic Fibrosis	11/30/2017
2523	Rep. Perry, Anne	An Act To Ensure Federal Funding for Job Training Services	10/26/2017
2472	Rep. Stewart, III, Harold	An Act To Prevent Human Trafficking, Protect Children and Finance the Victims' Compensation Fund	11/30/2017
2605	Pres. Thibodeau, Michael	An Act To Amend the Laws Restricting Firearms on Public Lands	11/30/2017

2624	Rep. Wadsworth, Nathan	An Act To Ensure Fairness and Affordability in the Private Residential and Commercial Rental Markets	11/30/2017
2551	Rep. White, Dustin	An Act To Increase the Bottle Redemption Rate To Counterbalance Increases in the Minimum Wage	11/30/2017

**128th Maine State Legislature  
Legislative Council Action Taken on  
Requests to Introduce Legislation  
Second Regular Session  
12/15/17**

**AFTER DEADLINE BILL REQUESTS**

**SPONSOR: Rep. Barbara A. Cardone**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2806	An Act To Amend the Maine Uniform Trust Code	TABLED

**SPONSOR: Sen. Michael E. Carpenter**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2797	An Act To Amend the Laws Governing Indecent Conduct To Include Distribution of Photographic Images	TABLED

**SPONSOR: Rep. Owen D. Casas**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2795	RESOLUTION, AMENDING THE CONSTITUTION OF MAINE TO ALLOW FOR RANKED-CHOICE VOTING	TABLED

**SPONSOR: Sen. Justin Mark Chenette**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2802	An Act To Prevent the State Take-over of Local Roads without Local Approval	TABLED

2803	An Act To Reverse the Department of Transportation Take-over of Killick Pond Road in Hollis	TABLED
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**SPONSOR: Sen. Scott W. Cyrway**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2799	An Act To Provide a License at No Charge to Student Plumbers for On-the-job Training	TABLED

2800	An Act To Ban Drinkable Marijuana	TABLED
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**SPONSOR: Rep. Ryan M. Fecteau**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2796	An Act To Improve Efficiency in the Delivery of Workforce Training	TABLED

**SPONSOR: Rep. Scott M. Hamann**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2792	An Act To Prohibit the Purchase and Possession of Bump Stocks	TABLED

**SPONSOR: Rep. Jeffery P. Hanley**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2793	Resolve, Authorizing the Bureau of Parks and Lands To Transfer a Parcel of Land in the Town of Pittston	PASSED

**SPONSOR: Rep. Erin D. Herbig**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2814	An Act To Provide a Sales Tax Credit for Nonprofit Heating Assistance Organizations	PASSED

2815	An Act To Clarify Educational Placement and Notification in Regard to Parental Rights and Responsibilities	PASSED
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**SPONSOR: Rep. Gary L. Hilliard**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2794	An Act To Educate the Public Concerning Health and Safety Matters Relating to the Use of Marijuana	TABLED

**SPONSOR: Sen. Brian D. Langley**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2804	An Act To Rename the Schoolhouse Bridge in Surry	PASSED

**SPONSOR: Sen. Nathan L. Libby**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2791	An Act To Provide for In-person Visitation of Incarcerated Persons	PASSED

**SPONSOR: Rep. Louis J. Luchini**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2807	An Act Regarding Maine's Liquor Laws	PASSED

**SPONSOR: Rep. Richard S. Malaby**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2811	Resolve, Regarding Increases in Reimbursement Rates for Certain Children's Habilitative Services under MaineCare	TABLED

**SPONSOR:** Rep. Teresa S. Pierce

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2808	An Act To Allow The Maine Educational Center for the Deaf and Hard of Hearing and Governor Baxter School for the Deaf To Lease Space to Maine's Protection and Advocacy Agency for Persons with Disabilities	PASSED

**SPONSOR:** Pres. Michael D. Thibodeau

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2819	An Act To Require Annual Sexual Harassment Training for Legislators, Employees of the Legislature and Registered Lobbyists	TABLED

**SPONSOR:** Sen. David Woodsome

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2812	An Act Regarding the Use by Fire Departments of Recertified Self-contained Breathing Apparatus	TABLED

#### JOINT RESOLUTIONS

**SPONSOR:** Sen. Geoffrey M. Gratwick

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2653	JOINT RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO ESTABLISH A NATIONAL REVENUE-NEUTRAL FEE ON CARBON-BASED FOSSIL FUELS	TABLED

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2818	JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO LEAD A GLOBAL EFFORT TO PREVENT NUCLEAR WAR	TABLED

**SPONSOR:** Rep. Beth A. O'Connor

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2461	JOINT RESOLUTION MEMORIALIZING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO ALLOW THE IMPORTATION OF AFFORDABLE AND SAFE PRESCRIPTION DRUGS	TABLED

**SPONSOR:** Rep. Maureen Fitzgerald Terry

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2469	JOINT RESOLUTION MEMORIALIZING CONGRESS TO CLARIFY THE LAWS TO ENSURE THAT NEO-NAZI GROUPS ARE LABELED AS TERRORIST ORGANIZATIONS	TABLED

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## **Executive Director's Report January 25, 2018**

### **1. New Employee Orientation Session**

On Friday, January 19<sup>th</sup>, we held a new employee orientation that included required training on harassment and ergonomics. The harassment training segment of this orientation was opened to give those staff that missed the earlier offerings a chance to satisfy the training requirement. We had 20 new employees attend the orientation session and an additional 28 staff attended the make-up session on harassment training.

### **2. Other Harassment Training**

Jackie Little, HR Director, was invited to provide harassment training for the House Republican caucus on Tuesday, January 23<sup>rd</sup>, the House Democratic caucus and the Senate Republican caucus separately on Thursday, January 25<sup>th</sup>, and the Senate Democratic caucus on Tuesday, January 30<sup>th</sup>.

### **3. Benefits Fair**

Representatives from Employee Health & Benefits, Maine Public Employees Retirement System, WellStar ME (Health Screening), and representatives of the Deferred Compensation Plans will be in the Hall of Flags from 8:30 to Noon on Tuesday, January 30<sup>th</sup>, for a Benefits Fair. The WellStar ME staff will also be scheduling appointments for Health Screenings on Wednesday, January 31<sup>st</sup> to help meet the requirements of the Health Credit Premium Program.

### **4. Legislator Tax Package**

Each year, Dawna Lopatosky and Casey Bullock in the Executive Director's Office compile an information packet of 2017 legislative activity and related tax information to assist Legislators with the preparation of their 2017 tax returns. Packages were delivered to the Chambers on January 23<sup>rd</sup>. For those Legislators who were not present on the 23<sup>rd</sup>, another attempt was made to deliver the packets in the Chamber on the 25<sup>th</sup>. Any remaining packets that were not distributed are mailed out to the Legislators.

### **5. Copper Reuse Project**

The first of the two art projects using the copper from the State House Dome is going to be installed in early March. This first project will be located over the Law and Legislative Reference Library Door. The second project in the exit hallway of the main entrance will be installed after the session. As noted last month, we have once again begun selling rough sheets of copper from the State House Dome. We also still have mementos for sale with pieces of the copper in either a plaque or framed picture.

# Fiscal Briefing

January 25, 2018

*Prepared by the Office of Fiscal & Program Review*

## 1. General Fund Revenue Update (see attached)

Total General Fund Revenue - FY 2018 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
December	\$250.8	\$277.6	\$26.9	10.7%	\$274.0	1.3%
FYTD	\$1,745.3	\$1,784.9	\$39.5	2.3%	\$1,729.2	3.2%

General Fund revenue was over budget by \$26.9 million (10.7%) for the month of December and over budget by \$39.5 million (2.3%) for the fiscal year to date. These positive variances now reflect the December 2017 revenue forecast, which increased budgeted revenue by \$17.9 million in FY 2018. Individual income tax revenue was over budget by \$21.4 million for the month and fiscal year to date. Income tax withholding and estimated payments were the major contributors to this positive variance, with estimated payments over budget by \$16.6 million for the month. It is likely an increased number of taxpayers paid their January 15th estimated payments in calendar year 2017 in anticipation of the cap on federal deductions for state and local taxes beginning in 2018, included in the recently passed federal Tax Cuts and Jobs Act (TCJA). More should be known regarding this impact when January revenue data are available later this month. Sales tax revenue (November sales) was over budget by \$5.0 million for the month and \$5.2 million for the fiscal year to date. A number of other revenue lines show significant variances in revenue collected to date that are largely the result of timing issues. The Revenue Forecasting Committee will be reviewing these and all revenue lines when it meets at the end of February to prepare its March 1<sup>st</sup> report.

## 2. Highway Fund Revenue Update (see attached)

Total Highway Fund Revenue - FY 2018 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
December	\$23.6	\$23.6	\$0.0	0.2%	\$24.7	-4.4%
FYTD	\$168.2	\$171.1	\$2.9	1.7%	\$171.2	-0.1%

Highway Fund revenue was on budget for the month of December but over budget by \$2.9 million (1.7%) for the fiscal year to date. These positive variances to date now reflect the December 2017 revenue forecast which decreased budgeted revenue by \$2.5 million in FY 2018. The Motor Vehicle Registrations and Fees and Fuel Taxes categories were under budget by \$0.3 million for the month, combined, while the Motor Vehicle Inspection Fees category was over budget by \$0.4 million for the month. For the fiscal year to date, motor vehicle registrations and fees were over budget by \$2.0 million, fuel taxes by \$0.4 million and motor vehicle inspection fees by \$0.4 million.

## 3. Cash Balances Update

The average balance in the cash pool for December was \$1,084.7 million, down from November's average of \$1,120.3 million but well above both last year's average balance for December and the ten-year average for the month. General Fund internal borrowing from other funds was not needed in December. The average Highway Fund balance of \$8.3 million in December decreased from November's average of \$25.3 million. This decrease was the result of the annual payment to the Local Road Assistance program being made in December.



**General Fund Revenue**  
**Fiscal Year Ending June 30, 2018 (FY 2018)**

Updated 1/18/18

**December 2017 Revenue Variance Report**

Revenue Category				Fiscal Year-To-Date					FY 2018 Budgeted Totals
	December '17 Budget	December '17 Actual	December '17 Variance	Budget	Actual	Variance	Variance %	% Change from Prior Year	
Sales and Use Tax	100,900,619	105,933,473	5,032,854	768,078,292	773,292,082	5,213,790	0.7%	5.5%	1,405,048,328
Service Provider Tax	4,989,317	4,867,893	(121,424)	30,422,856	30,301,433	(121,423)	-0.4%	-1.0%	62,224,469
Individual Income Tax	135,000,000	156,358,060	21,358,060	777,850,000	799,257,355	21,407,355	2.8%	5.6%	1,523,504,704
Corporate Income Tax	23,500,000	23,516,617	16,617	73,835,000	73,872,997	37,997	0.1%	-5.3%	171,924,242
Cigarette and Tobacco Tax	9,581,691	7,531,623	(2,050,068)	64,341,722	62,668,211	(1,673,511)	-2.6%	-12.2%	129,032,000
Insurance Companies Tax	440,538	360,240	(80,298)	15,336,457	12,455,441	(2,881,016)	-18.8%	-20.4%	74,150,000
Estate Tax	1,025,000	1,164,358	139,358	6,246,000	8,403,392	2,157,392	34.5%	-17.2%	12,416,710
Other Taxes and Fees *	8,418,708	8,286,265	(132,443)	65,497,087	67,637,606	2,140,519	3.3%	-4.8%	135,581,313
Fines, Forfeits and Penalties	1,304,431	962,709	(341,722)	9,322,718	8,634,963	(687,755)	-7.4%	-2.1%	19,317,146
Income from Investments	395,272	494,531	99,259	2,223,491	2,322,750	99,259	4.5%	82.1%	4,549,680
Transfer from Lottery Commission	5,179,266	6,596,211	1,416,945	27,968,037	33,014,544	5,046,507	18.0%	11.2%	54,900,000
Transfers to Tax Relief Programs *	(32,300,000)	(33,400,563)	(1,100,563)	(46,300,000)	(40,827,401)	5,472,599	11.8%	-13.0%	(64,768,101)
Transfers for Municipal Revenue Sharing	(4,903,632)	(4,914,140)	(10,508)	(33,846,391)	(34,293,690)	(447,299)	-1.3%	-6.3%	(68,585,604)
Other Revenue *	(2,744,185)	(108,940)	2,635,245	(15,633,048)	(11,858,302)	3,774,746	24.1%	-27.0%	7,453,037
<b>Totals</b>	<b>250,787,025</b>	<b>277,648,337</b>	<b>26,861,312</b>	<b>1,745,342,221</b>	<b>1,784,881,381</b>	<b>39,539,160</b>	<b>2.3%</b>	<b>3.2%</b>	<b>3,466,747,924</b>

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

**General Fund Revenue**  
**Fiscal Year Ending June 30, 2018 (FY 2018)**

Updated 1/18/18

**December 2017 Revenue Variance Report**

Revenue Category				Fiscal Year-To-Date					FY 2018 Budgeted Totals
	December '17 Budget	December '17 Actual	December '17 Variance	Budget	Actual	Variance	Variance %	% Change from Prior Year	
<b>Detail of Other Taxes and Fees:</b>									
- Property Tax - Unorganized Territory	0	0	0	12,220,827	12,220,827	(0)	0.0%	6.3%	14,312,702
- Real Estate Transfer Tax	1,179,862	1,471,246	291,384	8,675,268	8,531,377	(143,891)	-1.7%	-16.5%	14,951,635
- Liquor Taxes and Fees	1,585,965	1,755,755	169,790	10,166,075	12,000,157	1,834,082	18.0%	1.7%	19,086,688
- Corporation Fees and Licenses	141,374	191,020	49,646	1,438,825	1,808,022	369,197	25.7%	13.5%	9,538,649
- Telecommunication Excise Tax	0	183	183	0	3,256	3,256	N/A	-92.4%	6,250,000
- Finance Industry Fees	2,195,999	2,277,800	81,801	13,175,998	13,350,750	174,752	1.3%	-3.2%	26,891,990
- Milk Handling Fee	333,400	335,653	2,253	1,733,323	1,735,576	2,253	0.1%	-46.6%	4,408,442
- Racino Revenue	684,156	484,859	(199,297)	4,430,109	4,270,997	(159,112)	-3.6%	-3.1%	8,535,038
- Boat, ATV and Snowmobile Fees	174,137	219,203	45,066	1,737,463	1,528,265	(209,198)	-12.0%	-3.9%	4,523,561
- Hunting and Fishing License Fees	909,087	689,454	(219,633)	7,697,821	7,939,021	241,200	3.1%	1.7%	15,882,295
- Other Miscellaneous Taxes and Fees	1,214,728	861,093	(353,635)	4,221,378	4,249,358	27,980	0.7%	-15.3%	11,200,313
<b>Subtotal - Other Taxes and Fees</b>	<b>8,418,708</b>	<b>8,286,265</b>	<b>(132,443)</b>	<b>65,497,087</b>	<b>67,637,606</b>	<b>2,140,519</b>	<b>3.3%</b>	<b>-4.8%</b>	<b>135,581,313</b>
<b>Detail of Other Revenue:</b>									
- Liquor Sales and Operations	2,280	3,400	1,120	14,250.00	22,314	8,064	56.6%	21.1%	28,500
- Targeted Case Management (DHHS)	202,622	40,227	(162,395)	553,102	390,706	(162,396)	-29.4%	-49.2%	1,750,000
- State Cost Allocation Program	1,391,498	1,340,089	(51,409)	8,842,656	8,791,236	(51,420)	-0.6%	-10.7%	17,807,410
- Unclaimed Property Transfer	0	0	0	0	0	0	N/A	N/A	7,500,000
- Tourism Transfer	0	0	0	(16,076,775)	(16,076,758)	17	0.0%	-10.2%	(16,076,775)
- Transfer to Maine Milk Pool	(929,748)	(916,812)	12,936	(6,458,598)	(6,445,659)	12,939	0.2%	37.8%	(13,346,310)
- Transfer to STAR Transportation Fund	0	0	0	(8,900,000)	(8,899,944)	56	0.0%	-12.5%	(8,900,000)
- Other Miscellaneous Revenue	(3,410,837)	(575,845)	2,834,992	6,392,317	10,359,803	3,967,486	62.1%	-19.6%	18,690,212
<b>Subtotal - Other Revenue</b>	<b>(2,744,185)</b>	<b>(108,940)</b>	<b>2,635,245</b>	<b>(15,633,048)</b>	<b>(11,858,302)</b>	<b>3,774,746</b>	<b>24.1%</b>	<b>-27.0%</b>	<b>7,453,037</b>
<b>Detail of Transfers to Tax Relief Programs:</b>									
- Me. Resident Prop. Tax Program (Circuitbreaker)	0	252	252	.0	3,616	3,616	N/A	22.7%	0
- BETR - Business Equipment Tax Reimb.	(2,300,000)	(2,371,202)	(71,202)	(16,300,000)	(9,798,166)	6,501,834	39.9%	38.2%	(26,800,000)
- BETE - Municipal Bus. Equip. Tax Reimb.	(30,000,000)	(31,029,613)	(1,029,613)	(30,000,000)	(31,032,851)	(1,032,851)	-3.4%	-53.1%	(37,968,101)
<b>Subtotal - Tax Relief Transfers</b>	<b>(32,300,000)</b>	<b>(33,400,563)</b>	<b>(1,100,563)</b>	<b>(46,300,000)</b>	<b>(40,827,401)</b>	<b>5,472,599</b>	<b>11.8%</b>	<b>-13.0%</b>	<b>(64,768,101)</b>
<b>Inland Fisheries and Wildlife Revenue - Total</b>	<b>1,218,149</b>	<b>982,625</b>	<b>(235,524)</b>	<b>10,005,847</b>	<b>10,113,597</b>	<b>107,750</b>	<b>1.1%</b>	<b>1.8%</b>	<b>21,497,968</b>

**Highway Fund Revenue**  
**Fiscal Year Ending June 30, 2018 (FY 2018)**

Updated 1/18/18

**December 2017 Revenue Variance Report**

Revenue Category	December '17 Budget	December '17 Actual	December '17 Variance	Fiscal Year-To-Date					FY 2018 Budgeted Totals
				Budget	Actual	Variance	% Variance	% Change from Prior Year	
Fuel Taxes:									
- Gasoline Tax	16,182,151	16,639,760	457,609	108,026,060	109,447,201	1,421,141	1.3%	1.9%	201,172,900
- Special Fuel and Road Use Taxes	4,765,612	4,162,608	(603,004)	22,207,421	21,240,055	(967,366)	-4.4%	-14.8%	46,206,300
- Transcap Transfers - Fuel Taxes	(1,532,320)	(1,528,969)	3,351	(9,614,347)	(9,614,473)	(126)	0.0%	1.9%	(18,176,136)
- Other Fund Gasoline Tax Distributions	(400,120)	(416,110)	(15,990)	(2,725,678)	(2,741,671)	(15,993)	-0.6%	-1.1%	(5,030,731)
Subtotal - Fuel Taxes	19,015,323	18,857,288	(158,035)	117,893,456	118,331,112	437,656	0.4%	-1.3%	224,172,333
Motor Vehicle Registration and Fees:									
- Motor Vehicle Registration Fees	4,506,605	4,207,851	(298,754)	32,348,804	32,451,826	103,022	0.3%	-1.5%	67,095,787
- License Plate Fees	259,897	285,497	25,600	1,796,680	1,972,384	175,704	9.8%	1.4%	3,458,710
- Long-term Trailer Registration Fees	787,697	1,049,891	262,194	3,318,658	4,667,704	1,349,046	40.7%	18.1%	9,884,523
- Title Fees	932,599	1,034,144	101,545	6,460,084	7,169,006	708,922	11.0%	3.7%	13,366,264
- Motor Vehicle Operator License Fees	616,917	544,940	(71,978)	3,995,245	3,983,475	(11,771)	-0.3%	-10.3%	8,886,689
- Transcap Transfers - Motor Vehicle Fees	(3,489,758)	(3,614,755)	(124,997)	(7,703,656)	(8,058,395)	(354,739)	-4.6%	-1.2%	(15,570,414)
Subtotal - Motor Vehicle Reg. & Fees	3,613,957	3,507,568	(106,389)	40,215,815	42,185,999	1,970,184	4.9%	-0.1%	87,121,559
Motor Vehicle Inspection Fees	300,200	708,911	408,711	1,537,616	1,947,226	409,610	26.6%	4.3%	3,202,500
Other Highway Fund Taxes and Fees	107,750	140,800	33,050	666,728	745,582	78,854	11.8%	2.3%	1,293,729
Fines, Forfeits and Penalties	54,729	50,808	(3,921)	407,218	412,432	5,214	1.3%	0.3%	739,039
Interest Earnings	17,479	25,966	8,487	214,725	150,797	(63,928)	-29.8%	-8.3%	98,168
Other Highway Fund Revenue	487,540	348,310	(139,230)	7,275,335	7,331,754	56,419	0.8%	23.1%	10,502,160
<b>Totals</b>	<b>23,596,978</b>	<b>23,639,651</b>	<b>42,673</b>	<b>168,210,893</b>	<b>171,104,903</b>	<b>2,894,010</b>	<b>1.7%</b>	<b>-0.1%</b>	<b>327,129,488</b>

# 2017 Interim Legislative Studies and Committee Meetings

Updated January 19, 2018

Study/Committee	Citation	2017 Meetings Authorized	2017 Meetings Held	Scheduled Next Meeting Date(s)	Report Date	Chair(s)	Status/Notes
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## NEW STUDIES

ACF Study of Conserved Lands Owned by Nonprofit Conservations Organizations	PL 2017 c. 284 TT-2	4	10/12/17 12/1/17	2/12/18 (tentative)	2/15/18	Sen. Paul Davis Rep. Michelle Dunphy	Work ongoing
Working Group to Improve the Provision of Indigent Legal Services	PL 2017 c. 384 UUUU-17	4	9/7/17 10/12/17 10/31/17 11/14/17 12/1/17		12/6/17	Sen. Lisa Keim Rep. Barbara Cardone	Report completed
Task Force to Address Opioid Crisis in the State	SP 210	10	9/12/17 9/27/17 10/31/17 11/13/17 11/28/17 12/12/17		12/6/17	Sen. Andre Cushing Rep. Joyce McCreight	Report completed
Task Force on Maine's 21st Century Economy and Workforce	SP 294	4	9/26/17 10/31/17 11/16/17 12/4/17		3/1/18	Sen. Brian Langley Rep. Erin Herbig	Report completed
Commission to Streamline Veterans' Licensing and Certification	Resolve 2017 c. 27	4	12/19/2017 1/12/18		1/15/18	Sen. Ronald Collins Rep. Jared Golden	Report out for final commission review; will go to print next week
Task Force to Identify Special Education Cost Drivers and Innovative Approaches to Services	Resolve 2017 c. 26	5	10/19/17 11/16/17 12/4/17 12/19/17		12/6/17	Sen. Brian Langley Rep. Richard Farnsworth	Report in final processing; will go to print next week
Task Force on Health Care Coverage for All of Maine	SP 592 (pending funding)	4	12/20/17	1/22/18 3/2/18	1/1/18 (initial may be submitted); final 11/1/18	Sen. Rodney Whittemore Rep. Heather Sanborn	Work ongoing
Providing for the Official Observance of the 200th Anniversary of the Formation of the State of Maine	Resolve 2017 c. 25	up to 5 per year			12/6/17, 11/7/18, 12/4/19, 11/4/20		Staffed by ME State Cultural Affairs Council; appointments not completed (legislative appointments are completed)

## ON-GOING LEGISLATIVE STUDIES

State Education and Employment Outcomes Task Force	20-A MRSA Sec. 12901	no more than 4 times per year			11/1 annually		Appointments not completed; did not meet
Right to Know Advisory Committee	1 MRSA Sec. 411	not fewer than 4 times per year	9/6/17 9/20/17 10/12/17 11/15/17 12/5/17		1/15 annually	Sen. Lisa Keim	Report completed
Task Force To End Student Hunger in Maine	20-A MRSA Sec. 6663	at least 2 and no more than 4 per year			1/10 annually		Currently not meeting; staffed by DOE
Citizen Trade Policy Commission	10 MRSA Sec. 11	at least 2 times per year	9/18/17 10/24/17 11/20/17	1/24/18	annually	Sen. Rodney Whittemore Rep. Craig Hickman	Work ongoing
State Compensation Commission (former Judicial Compensation Commission repealed and State Compensation Commission amended by PL 2017, c. 242)	PL 2017 c. 242	not specified			5/1 of every odd-numbered year and 1/15 of every even-numbered year an interim report; 11/15 of every even-numbered year a final report		Appointments due January of odd-numbered years at 1st Regular Session of each Legislature (beginning 2019)

# 2017 Interim Legislative Studies and Committee Meetings

Updated January 19, 2018

Study/Committee	Citation	2017 Meetings Authorized	2017 Meetings Held	Scheduled Next Meeting Date(s)	Report Date	Chair(s)	Status/Notes
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## AUTHORIZED COMMITTEE MEETINGS

Joint Select Committee on MLI	HP 96 PL 2017 c. 278	as needed	9/26/17 9/27/17 9/28/17 10/12/17		n/a	Sen. Roger Katz Rep. Teresa Pierce	PH on draft LR 09/26; WSs to follow 9/27, 9/28; language review 10/12
Legislative Staff Recodification and Revision of Title 28-A	Resolve 2017 c. 18				1/15/19	n/a	Staff work ongoing
SLG re work on CO bill LD 1588 (Roads)	approved by POs	3	9/21/17 10/30/17 11/20/17		n/a	Sen. Paul Davis Rep. R. Danny Martin	
EUT re work on CO bill LD 257 (Microgrids)	approved by POs	2	10/24/17 12/7/17		n/a	Sen. David Woodsome Rep. Seth Berry	
ENR re work on CO bills LD 1095, 1298 and 1534; Fiberright Project update; and review of DEP GEA report	approved by POs	1	11/15/17		n/a	Sen. Thomas Saviello Rep. Ralph Tucker	
VLA re LD 1446 (Ranked choice voting)	approved by POs	1	10/16/17		n/a	Sen. Garrett Mason Rep. Louis Luchini	PH and WS 10/16
AFA re LD 1649 (GIS - 1st 2 meetings); overview of RFC report and Presentation on Medicaid expansion fiscal note (3rd meeting)	approved by POs		10/13/17 10/20/17 12/13/17		n/a	Sen. James Hamper Rep. Drew Gattine	PH 10/13; WSs 10/13 and 10/20
ACF re LDs 1647 (Bureau of Parks and Lands) and 1648 (food sovereignty)	approved by POs	1	10/20/17		n/a	Sen. Paul Davis Rep. Michelle Dunphy	PHs and WSs 10/20
TAX re work on tax expenditure review	approved by POs	3	10/17/17 11/27/17			Sen. Dana Dow Rep. Ryan Tipping	Report completed and in final stages of production

**Legislative Council  
Tabled Bills Requests  
From October and November 2017**

**SPONSOR:** Rep. Kenneth W. Fredette

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2481	An Act To Authorize a General Fund Bond Issue To Fund a Program of Student Debt Consolidation and Repayment	Tabled 11/30/17

**SPONSOR:** Rep. Karen A. Gerrish

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2492	An Act To Create a Full-time Drug Interdiction Unit within the State	Tabled 11/30/17

**SPONSOR:** Rep. Erin D. Herbig

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2716	An Act To Attract Trained Firefighters to Maine and Provide Incentives To Retain Them	Tabled 11/30/17

**SPONSOR:** Sen. Troy D. Jackson

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2506	An Act To Support Funding for Workforce Development in Maine	Tabled 10/26/17

**SPONSOR:** Sen. Brian D. Langley

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2783	An Act To Extend Secondary Student Eligibility in the Competitive Skills Scholarship Program	Tabled 12/14/17

**SPONSOR:** Sen. Nathan L. Libby

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2761	Resolve, To Require the Department of Labor To Receive Federal Workforce Innovation and Opportunity Act Funds	Tabled 10/26/17

**SPONSOR:** Rep. Wayne R. Parry

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2562	An Act To Waive Income Restrictions for Supplemental MaineCare Coverage for Children Diagnosed with Cystic Fibrosis	Tabled 11/30/17

**SPONSOR:** Rep. Anne C. Perry

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2523	An Act To Ensure Federal Funding for Job Training Services	Tabled 10/26/17

**SPONSOR:** Rep. Harold L. Stewart III

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2472	An Act To Prevent Human Trafficking, Protect Children and Finance the Victims' Compensation Fund	Tabled 11/30/17

**SPONSOR:** Pres. Michael D. Thibodeau

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2605	An Act To Amend the Laws Restricting Firearms on Public Lands	Tabled 11/30/17

**SPONSOR:** Rep. Nathan J. Wadsworth

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2624	An Act To Ensure Fairness and Affordability in the Private Residential and Commercial Rental Markets	Tabled 11/30/17

**SPONSOR:** Rep. Dustin Michael White

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2551	An Act To Increase the Bottle Redemption Rate To Counterbalance Increases in the Minimum Wage	Tabled 11/30/17

**Legislative Council Actions  
Taken by Ballot Since the  
December 14, 2017 Council Meeting**

**Requests for Introduction of Legislation:**

**LR 2810      An Act to Delay Further the Implementation of Certain Portions of the  
Marijuana Legalization Act**

Submitted by: Senator Roger Katz  
Date: December 14, 2017  
Vote: 10-0 Passed

**LR 2847      An Act to Ensure Propane Delivery during Emergencies**

Submitted by: Senator William Diamond  
Date: January 16, 2018  
Vote: 10-0 Passed

**LR 2840      An Act to Amend the Laws Governing the Issuance of Burn Permits**

Submitted by: Senator Thomas Saviello  
Date: January 17, 2018  
Vote: 8-2 Passed (with Representatives Fredette and Espling opposed)

**LR 2855      An Act to Amend the Charter of the Lisbon Water Department**

Submitted by: Senator Garrett Mason  
Date: January 24, 2018  
Vote: 10-0 Passed



**128th Maine State Legislature  
Legislative Council  
Requests to Introduce Legislation  
Second Regular Session  
REVISED 1/25/18**

**AFTER DEADLINE BILL REQUESTS**

**SPONSOR: Sen. Shenna Bellows**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2821	An Act To Protect Net Neutrality	

**SPONSOR: Rep. Seth A. Berry**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2836	Resolve, To Require the Public Utilities Commission To Adopt Rates for Regulated For-profit Utilities Based on the Reduction in the Federal Corporate Income Tax Rates	

**SPONSOR: Sen. Eric L. Brakey**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2831	An Act To Revise the Municipal Consolidation Referendum Process	

**SPONSOR: Sen. Andre E. Cushing III**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2866	An Act To Allow Individuals To Obtain Feline Rabies Vaccine To Vaccinate Feral Cats	

**SPONSOR: Sen. Scott W. Cyrway**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2823	An Act To Make Available the Results from a Blood Sample Related to a Fatal Motor Vehicle Accident	

**SPONSOR: Rep. Jennifer L. DeChant**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2830	An Act To Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by the City of Bath	

**SPONSOR: Rep. Jessica L. Fay**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2841	An Act To Ensure Fuel Delivery during Emergencies	

**SPONSOR: Speaker Sara Gideon**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2822	An Act To Restore Net Neutrality Protections to Consumers in Maine	

**SPONSOR: Rep. James R. Handy**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2824	An Act To Preserve Internet Freedom in the State by Protecting Net Neutrality in the State	

**SPONSOR: Rep. George W. Hogan**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2825	An Act To Amend the Format of Municipal Questions on Ballots	

**SPONSOR: Sen. Troy D. Jackson**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2828	An Act To Amend the Law Regarding the Interest Rate for State Loans under the Potato Marketing Improvement Fund	

2846	Resolve, Directing the Public Utilities Commission To Give Final Approval for a Long-term Contract for Electricity from Experimental Floating Turbines	
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2867	An Act To Provide the State the Right of First Refusal for the Purchase of Land on Which a Subsidy Has Been Paid	
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**SPONSOR: Sen. Nathan L. Libby**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2837	An Act To Require Annual In-person Sexual Harassment Training for Legislators, Legislative Employees, Constitutional Officers and Liaisons and Registered Lobbyists	

2842	An Act To Regulate Alcohol Advertising Like Tobacco Advertising	
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2848	An Act To Provide Reasonable Exemptions from the Work Requirements for MaineCare for Persons Who Are Elderly or Disabled	
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**SPONSOR:** Rep. Matthew G. Pouliot

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2863	An Act To Establish as a Class D Crime the Intentional Photographing of a Minor without Consent of the Minor's Parent or Guardian by an Individual Required To Register as a Sex Offender	

#### JOINT RESOLUTIONS

**SPONSOR:** Sen. Justin Mark Chenette

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2850	JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO EXEMPT MAINE FROM THE NEW OFFSHORE DRILLING RULES PROPOSED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR	

**SPONSOR:** Rep. Michael Gilbert Devin

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2844	JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO EXCLUDE THE STATE OF MAINE FROM OFFSHORE OIL AND GAS DRILLING AND EXPLORATION ACTIVITIES, INCLUDING SEISMIC AIRGUN BLASTING	

#### TABLED BY THE LEGISLATIVE COUNCIL

#### AFTER DEADLINE BILL REQUESTS

**SPONSOR:** Rep. Barbara A. Cardone

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2806	An Act To Amend the Maine Uniform Trust Code	Tabled 12/14/17

**SPONSOR:** Sen. Michael E. Carpenter

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2797	An Act To Amend the Laws Governing Indecent Conduct To Include Distribution of Photographic Images	Tabled 12/14/17

**SPONSOR:** Rep. Owen D. Casas

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2795	RESOLUTION, AMENDING THE CONSTITUTION OF MAINE TO ALLOW FOR RANKED-CHOICE VOTING	Tabled 12/14/17

**SPONSOR: Sen. Justin Mark Chenette**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2802	An Act To Prevent the State Take-over of Local Roads without Local Approval	Tabled 12/14/17
2803	An Act To Reverse the Department of Transportation Take-over of Killick Pond Road in Hollis	Tabled 12/14/17

**SPONSOR: Sen. Scott W. Cyrway**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2799	An Act To Provide a License at No Charge to Student Plumbers for On-the-job Training	Tabled 12/14/17
2800	An Act To Ban Drinkable Marijuana	Tabled 12/14/17

**SPONSOR: Rep. Ryan M. Fecteau**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2796	An Act To Improve Efficiency in the Delivery of Workforce Training	Tabled 12/14/17

**SPONSOR: Rep. Scott M. Hamann**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2792	An Act To Prohibit the Purchase and Possession of Bump Stocks	Tabled 12/14/17

**SPONSOR: Rep. Gary L. Hilliard**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2794	An Act To Educate the Public Concerning Health and Safety Matters Relating to the Use of Marijuana	Tabled 12/14/17

**SPONSOR: Rep. Richard S. Malaby**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2811	Resolve, Regarding Increases in Reimbursement Rates for Certain Children's Habilitative Services under MaineCare	Tabled 12/14/17

**SPONSOR: Pres. Michael D. Thibodeau**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2819	An Act To Require Annual Sexual Harassment Training for Legislators, Employees of the Legislature and Registered Lobbyists	Tabled 12/14/17

**SPONSOR: Sen. David Woodsome**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2812	An Act Regarding the Use by Fire Departments of Recertified Self-contained Breathing Apparatus	Tabled 12/14/17

**SPONSOR: Sen. Justin Mark Chenette**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2650	An Act To Close Loopholes in Election Laws and Ban the Use of Leadership Political Action Committees for Personal Profit	Tabled 12/14/17

2651	An Act To Clarify the Difference between Late and Unfiled Campaign Expenditures and Expenses Reports	Tabled 12/14/17
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**SPONSOR: Sen. Andre E. Cushing III**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2754	Resolve, To Study Methods for Better Transportation for Students and Workers in Maine	Tabled 12/14/17

#### JOINT RESOLUTIONS

**SPONSOR: Sen. Geoffrey M. Gratwick**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2653	JOINT RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO ESTABLISH A NATIONAL REVENUE-NEUTRAL FEE ON CARBON-BASED FOSSIL FUELS	Tabled 12/14/17

2818	JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO LEAD A GLOBAL EFFORT TO PREVENT NUCLEAR WAR	Tabled 12/14/17
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**SPONSOR: Rep. Beth A. O'Connor**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2461	JOINT RESOLUTION MEMORIALIZING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO ALLOW THE IMPORTATION OF AFFORDABLE AND SAFE PRESCRIPTION DRUGS	Tabled 12/14/17

**SPONSOR: Rep. Maureen Fitzgerald Terry**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2469	JOINT RESOLUTION MEMORIALIZING CONGRESS TO CLARIFY THE LAWS TO ENSURE THAT NEO-NAZI GROUPS ARE LABELED AS TERRORIST ORGANIZATIONS	Tabled 12/14/17

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ADDENDUM  
Legislative Council  
Requests to Introduce Legislation  
Second Regular Session**

**Actions Taken After January 19, 2018**

**SPONSOR: Sen. Paul T. Davis, Sr.**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2882	An Act Regarding the Penalties for Hunting Deer over Bait	In Ballot Process

**SPONSOR: Rep. Aaron M. Frey**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2885	An Act Regarding Financial Orders Requested by the Attorney General	

**SPONSOR: Spkr. Sara Gideon**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2875	An Act To Discourage Sexual Harassment and Assault in the Workplace	

**SPONSOR: Sen. Troy D. Jackson**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2884	An Act Concerning Commercial Vehicle Weight Limit Exemptions That Are Advantageous to Canadian Truckers	

**SPONSOR: Sen. Joyce A. Maker**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2876	An Act To Include Operating a Motor Vehicle in a Parking Area to the Law Regarding Operating after Habitual Offender Revocation	

**SPONSOR: Rep. Deborah J. Sanderson**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2871	An Act To Amend the Hallowell Water District Charter	

**SPONSOR: Rep. Bettyann W. Sheats**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2877	Resolve, To Designate a Bridge in Gorham the Corporal Joshua P. Barron Memorial Bridge	

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for the  
Maine State House**

**Maine Legislative Council**

**January 2018  
Revision**

**State House  
Building Emergency Evacuation Plan  
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**STATE HOUSE  
BUILDING EMERGENCY EVACUATION PLAN**

**I. INTRODUCTION**

This plan describes the procedures for full or partial evacuation of the Maine State House in the event of an emergency within the State House or in the immediate vicinity of the State House.

For the purposes of this plan, the terms “complete evacuation” or “partial evacuation” applies to emergency situations occurring within the State House and that require the immediate exit of all persons from the State House to designated meeting areas, in accordance with this plan. The term “lock-down” applies to an emergency situation in the immediate outside vicinity of the State House and may include a full or partial lock-down of the State House to protect the safety of the State House occupants from the outside emergency situation. In any lock-down event, the Executive Director of the Legislative Council, Chief of Capitol Police or the Senior Group Leaders will provide occupants of the State House instructions in an appropriate manner.

**II. PLAN OBJECTIVES**

In the event of an emergency inside the State House, all occupants of the State House may need to be evacuated from the building in a rapid and safe manner.

In the event of an emergency outside of the State House, the proper course of action will be taken to promptly protect the occupants of the building from harm and to secure (lock-down) the building.

**Goals.** This plan is intended to achieve the following goals.

- A. The protection of the life and safety of individuals is the paramount goal.
- B. All exits will be kept fully operational and clear of obstructions in all weather conditions.
- C. Fire escapes will meet all applicable safety codes and will be used as backup routes of egress.
- D. State House personnel will be identified to perform various functions during an emergency and provided with the appropriate training.
- E. State House personnel taking part in the functions described in this plan will take no actions that place their personal safety in jeopardy.

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**III. INCIDENTS REQUIRING COMPLETE BUILDING EVACUATION**

The following are examples of emergencies that may require the immediate and complete evacuation of the State House, in accordance with this plan:

- Smoke or fire;
- Chemical or gas leak or spill inside the State House;
- Terrorist or bomb threat/detonation;
- Violence or threat of violence with a weapon;
- Civil disturbance; or
- Earthquake

**IV. INCIDENTS REQUIRING PARTIAL EVACUATION OR LOCKDOWN**

The following are examples of emergencies that may require partial evacuation of the State House or a full or partial lock-down of the State House to protect the safety of the State House occupants from the outside emergency situation:

- Unauthorized presence or discharge of weapons in the immediate vicinity of the State House;
- Chemical/gas leak or spill in the immediate vicinity of the State House;
- Civil disturbance in the immediate vicinity of the State House;
- Law enforcement activity in the immediate vicinity of the State House in response to terrorism or civil disturbance.

**V. LOCATION OF EXITS**

On a busy day there may be over 800 people in the State House, including members of the Legislature, the Governor, State employees, large groups of school children, members of the public, lobbyists and others. Awareness of all exits from the State House and any congestion issues that may pertain to those exits is important, since many people in the State House on any day, particularly visitors, may be unfamiliar with the layout of the building and specific evacuation plans.

There are six primary exits from the State House immediately to ground level:

**First Floor.** There are four exits on the first floor of the State House:

- (1W) the West side main entrance (**handicap accessible**);
- (1H) the service entrance on the north side of the West Wing (**handicap accessible**) (controlled access; not recommended for use during emergency evacuation procedures);

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- (1S) the South Wing Exit (stairs) that faces the legislative parking area (Parking Lot A), and the Cultural Building, and
- (1N) the North Wing (stairs) that faces the Blaine House.

**Second Floor.** There are two exits on the second floor of the State House:

- (2E) The East side entrance (stairs) facing Capitol Park; and
- (2N) The “Governor’s Entrance” (stairs) on the north side of the West Wing.

The appropriate use of these exits is explained in the table titled “Evacuation Routes” presented in this document.

**Third Floor.** There are no direct exits to ground elevation from the third floor. Exiting the third floor requires traveling to lower elevations using either the north, south or west wing stairways or, if necessary, the outside fire escapes, as further described in this plan.

**Fourth Floor.** There are no direct exits to ground elevation from the fourth floor. Exiting the fourth floor requires traveling to lower elevations using either the north or the south stairways or, if necessary, the outside fire escapes, as further described in this plan.

**Fifth Floor.** Access to the fifth floor is restricted to maintenance and other authorized personnel. It is not open to the public, legislators or most staff. There are no direct exits to ground elevation from the fifth floor. Exiting the fifth floor requires traveling to lower elevations using one of 2 stairways to the fourth floor.

**Potential congestion issues around exits.**

- The two handicap-accessible entrances to the State House, (1W) and (1H), lead to areas that may be used by emergency responders and their vehicles.
- The “Governor’s Entrance” on the second floor (2N) also leads to the north parking lot (Parking Lot G) that is used by emergency responders and emergency vehicles.
- Parking Lot G adjacent to the Governor’s Entrance (2N) is the only area allowing ready access to the building for heavy equipment. This area must be kept clear for responding personnel and emergency response equipment. Those evacuating the building must make every effort to keep out of this area and to stay clear of responding emergency vehicles.

**FIRE ESCAPES**

There are three outside fire escapes available for use when the primary exits are not useable. Fire escapes should be used only when there is no other safe option of exiting the building. Examples of this include smoke conditions, visible flame, fire blocked exits and sprinkler activation.

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The fire escapes are located in the North Wing, South Wing, and West Wing. Rooms on each floor that provide access to the fire escapes are indicated with lighted EXIT signs. Hallway doors to the rooms with fire escape access are not locked. Access to the outside fire escapes is as follows:

- Second Floor: Rooms 200 (Law Library), 226 (OFPR) and Governor's office (*restricted access*)
- Third Floor: House Chamber, Senate Chamber, Room 300 (Clerk's office mezzanine), Room 332 (House Republican Office)
- Fourth Floor: House Gallery, Room 424 (Senate President's staff office) and Room 436 (CRJ Committee)

### **ELEVATORS**

Elevators do not operate during a fire alarm. Upon activation of the alarm, the elevator cars will immediately will travel to the ground floor and remain there with the doors open.

### **SAFE HARBOR**

Because the State House is equipped with a smoke detection and fire suppression system, the entire building is considered a "safe harbor" under applicable fire codes. Even so, several rooms on upper floors of the building are designated in this plan as a "safe harbor" and may be used in the event of an emergency to hold people who are unable to easily navigate stairways until response personnel can assist in their evacuation from the building. These rooms are: For 4<sup>th</sup> floor, Room 424 (Senate President's staff office); for the 3<sup>rd</sup> floor: Room 320 (Senate Majority Leader's office); and for the 2<sup>nd</sup> floor: Room 226 (Office of Fiscal & Program Review).

## **VI. PROCEDURES FOR REPORTING AN EMERGENCY SITUATION**

**Employee.** If an employee discovers an emergency situation, that person must dial 911 (legislative phone, cell or public phone) or 9-911 (Governor's office phones) immediately to report the incident. The person must then notify his or her supervisor and, when time permits, the Office of the Executive Director at 287-1615. If the emergency warrants, e.g., in the case of fire, the person should pull the nearest fire alarm box. If none of those options are available, the employee must notify the Building Control Center at 287-4154.

**Supervisor.** When a supervisor is notified by any person that an emergency situation exists in the State House, the supervisor must confirm that the 911 response center has been notified and, if appropriate, that a fire alarm has been activated. The supervisor must then immediately contact the Executive Director at 287-1615 and brief the director on the situation, site, and actions taken.

**Executive Director.** Once notified of an emergency situation, the Executive Director or the Executive Director's designee must notify the Chief of Capitol Police and, if time permits, the Governor's Office, the President of the Senate, and the Speaker of the House. The Executive Director may activate the emergency plan or consult first with Legislative Leadership and the Bureau of Capitol Police, depending on the urgency of the situation.

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**VII. EVACUATION AND INCIDENT MANAGEMENT**

The State House Emergency Team is comprised of the Senior Group Leader, Group Leaders, Office Captains, Emergency Wardens, Special Needs Buddies, and the Bureau of Capitol Police. (See Attachment 3). The Senior Group Leader is responsible for the overall coordination and communications within the Legislature during an incident. The Chief of Capitol Police will ordinarily direct evacuation activities if an officer is in the building; however, that is not always possible. Group Leaders report directly to the Senior Group Leader who reports to the Executive Director. Emergency Wardens and Office Captains report to their Group Leaders. Buddies report to their Emergency Warden. Capitol Police works closely with the Senior Group Leader and the response agencies. Team members should wear legislature-issued vests during an emergency to visually identify themselves as emergency team members.

During an evacuation, the Senior Group Leader remains available for consultations with the Incident Commander (the Chief Responder on scene) and Capitol Police. The Senior Group Leader keeps in contact with Group Leaders and Leadership regarding the changing situation, and necessary decisions to be made involving the business and staffing of the Capitol. Capitol Police and the Executive Director will advise Legislative Leadership as necessary. The Building Control Center in the Cross Building will remain in operation as long as possible since it includes all communications equipment and keys to both buildings. The Incident Commander establishes the Command Post. As the situation requires, the Senior Group Leader may evacuate to the Building Control Center or to an evacuation site as long as he or she stays in contact with necessary parties and the Incident Commander or his or her designee.

**Initial Command Post.** The Initial Command Post will be located in the parking area immediately adjacent to the Governor's Entrance on the north-west side of the State House. Based on the situation, the Command Post may be relocated as needed.

**Group Leaders.** Group Leaders meet with their groups at the evacuation destination for a head count, to record reports from emergency wardens and office captains as received, and note any problems or concerns. They frequently report these items to the Senior Group Leader using a messenger if necessary. Group Leaders remain in charge of their groups until the emergency is discontinued. **The Senior Group Leaders and Group Leaders will wear yellow vests.**

**Office Captains.** Office Captains evacuate with their own office and must account for individuals of their particular office group. Concerns and discrepancies are reported to the respective Group Leader immediately.

**Emergency Wardens.** Emergency Wardens begin at their respective ends of the hallway and check every office, restroom and lounge (including those in the West Wing) to ensure they are vacated. They report to their Group Leaders on the completion of their evacuation assignments, noting any problems or unusual incidents. There are two 2-person teams, one team from both the north and south wings on every floor. They also provide assistance and guidance to those in the halls. They will continue to work as

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monitors for their Group Leader and carry out assignments until the termination of the event. **Emergency Wardens will wear yellow vests.**

**Buddies.** Buddies report the safe evacuation of their evacuee to their Group Leader. They also report any special needs or problems that develop during the emergency period.

**Committee Clerks.** Upon activation of a fire alarm, **committee clerks** will inform members of the committee and the public that an emergency exists and direct them to the designated exit. If anyone in the committee room needs assistance in leaving the building, the clerk should call 287-9961 for assistance immediately.

**Stairway Monitors.** Stairway monitors are members of the House and of Senate staff assigned to take up positions near the stairways on the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floors. Stairway monitors will be assigned by the Executive Director to take up positions near the stairways on the 1<sup>st</sup> floor south, and on the 1<sup>st</sup> floor north as needed. They guide individuals entering and exiting the stairways, keep the exit process moving and to provide brief reminders of assembly points. Stairway monitors on the second floor north will direct people to the East exit or if necessary to the first floor to avoid or mitigate congestion at the East exit. Stairway monitors at the first floor north stairway will direct people to the (1N) North exit or if necessary to the first floor (1W) West (Public) exit to avoid or mitigate congestion on the first floor south exit. **Stairway monitors must wear yellow vests.**

If there is no immediate need to initiate building evacuation, the Senior Group Leader, Emergency Wardens, Office Captains, and Group Leaders are to be notified and placed on standby.

**Complete evacuation decision.** If decision is made for immediate evacuation, notify emergency staff and activate the general evacuation alarm (fire alarm).

**Partial evacuation or lock-down.** If a decision is made to initiate a partial evacuation or a building lock down, Capitol Police or as appropriate, the Executive Director or designee must issue clear instructions to all building occupants on whether and how to evacuate the building or to stay in their designated workspace until further notice.

In either case, backup notification by telephone and runners will be initiated by the Executive Director or the director's designee.

The Governor, the President of the Senate, and the Speaker of the House must be evacuated immediately to predetermined locations.

For safety reasons, maintenance and trades crews must be authorized or accompanied by a Capitol Police officer or other on-site response personnel in order to proceed to the site of alarm activation during a building evacuation. **If entry is authorized, they must wear red response vests.**

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Parking Lot G adjacent to the Governor's entrance is the only area allowing ready access to the building by emergency vehicles and other heavy equipment. This area must be kept clear for the emergency equipment, etc. Those evacuating the building must make every effort to keep out of this area and stay clear of responding emergency vehicles.

A mustering point and initial incident command center is located at the Governor's entrance (1H or 2N) to the State House.

If the situation does not intensify, Team Members will be notified of the situation conclusion.

**Evacuation routes may change depending on the location and nature of the emergency. Follow the instructions of the Stairway Monitors when exiting.**

All measures are based on the presumption that they will not place a person's life in danger. Such actions as closing windows and checking empty rooms should be weighed against the imminent danger to the person involved. Actions unable to be taken are reported to the Group Leader. The Group Leader forwards the information through channels to the Incident Commander who will make any necessary decisions.

**Interference Prohibited**

The State House Emergency Team is charged with responsibility to carry out the evacuation measures as described in this plan. No legislator, employee or visitor, no matter how well intentioned, may interfere with evacuation of the building or countermand instructions given by the State House Emergency Team for such evacuation.

**VIII. TERMINATION/CONTINUATION OF EVENT**

Legislative Leadership or the Executive Director, after consultation with Capitol Police, the Senior Group Leader and the Incident Commander, informs the Senior Group Leader regarding re-entry to the building, relocation of business, or dismissal of employees and closure of business. No one will be allowed to re-enter the building until authorized by the Emergency Team who receives re-entry instructions from the Senior Group Leader.

The Group Leaders circulate the information, using the Office Captains & Emergency Wardens. Supplemental communications aids are used as available.

If dismissal with an undetermined return is indicated, the form of notification of resumption of business will also be announced and will most likely follow the notification process in place for snow days.

**When reentering the State House after the termination of an event, Legislative Council rules regarding security screening protocols must be followed. Persons without access cards or access rights through another entrance or the priority screening lane, must be rescreened. Those with**

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access to the priority screening lane must use their cards to approve access as they would entering the State House for the first time. If other entrances are used, only those using their cards are allowed to enter and they are prohibited from allowing other persons to enter with them unless they have their own individual card access.

**IX. EVACUATION DRILLS**

The Executive Director will schedule and hold periodic evacuation drills in consultation with the presiding officers. At a minimum, one drill will be held during a regular session of the Legislature. A second drill will be held each fall, typically in September. In conjunction with the drills, instructions on procedures will be given to State House Emergency Team members.

**X. PERIODIC REVIEW OF PLAN**

This plan is maintained by Office of the Executive Director and will be reviewed periodically by the Legislative Council or its State House Facilities Committee and revised as necessary.

**XI. EVACUATION ROUTES**

Evacuation routes are shown in Attachment 1 of this plan.

**XII. ASSEMBLY AREAS**

Assembly areas are identified in Attachment 2 of this plan.

**This Plan as revised supersedes all previous versions.**

**BY: \_\_\_\_\_  
Grant T. Pennoyer  
Executive Director of the Legislative Council**

**Adopted February 24, 2005  
Revised effective May 9, 2007  
Revised effective March 28, 2008  
Revised effective April 4, 2011  
Revised effective April 2, 2013  
Revised effective January 25, 2018**



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**ATTACHMENT 1  
State House Evacuation Routes**

<b>Section Of Building</b>	<b>Primary Exit Door/Stairs</b>
<b>→First Floor←</b>	
North Wing: All Rooms	Out (1N) North Exit
South Wing: All Rooms	Out (1S) South Exit
West Wing: All Rooms	Out (1W) West (Public) Exit
<b>→Second Floor←</b>	
North Wing: All Rooms	To (N) stairs to first floor to (1W) West (Public) Exit
South Wing: All Rooms and Hall of Flags (Except Governor's staff offices)	To (S) stairs to first floor and out (1S) South Exit
West Wing: All Governor's Offices	Out (2N) Governor's Exit
<b>→Third Floor←</b>	
North Wing: All House Rooms and House Chamber	(N) stairs to first floor, out (1N) North Exit, w/ alt. out (1W) West (Public) Exit
South Wing: All Senate Rooms and Senate Chamber	(S) stairs to the first floor, out (1S) South Exit
West Wing: All Rooms	(S) stairs to first floor, out (1W) West (Public) Exit
<b>→Fourth Floor←</b>	
North Wing: House Gallery and All Rooms	(S) stairs to first floor, out (1S) South Exit, w/ alt. out (1W) West (Public) Exit
South Wing: Senate Gallery and All Rooms	(S) stairs to first floor, out (1S) South Exit
West Wing: All Rooms	(S) stairs to first floor, out (1W) West (Public) Exit
<b>→Fifth Floor←</b>	
Custodial staff room	(S) stairs to first floor, out (1S) South Exit

Notes of Caution due to the need to keep the driveway and parking lots clear for Emergency Vehicles:

- Staff using the North Stairs should use caution when crossing the driveway to reach the Cross Building as Emergency Vehicles will be using that driveway to access the State House
- No one should linger in the North parking lots

**State House  
Building Emergency Evacuation Plan  
January 2018 Revision**

**ATTACHMENT 2  
Legislative Assembly Areas**

**Legislative Assembly Areas** are designated for when the State House will need to be evacuated. This will be the case when the cause of the building evacuation anytime the building is evacuated. Personnel must report to their designated assembly area when they leave the building and must not loiter near the exits, in the parking areas or driveways. Being part of the headcount and not being in the way of emergency personnel are critical.

Regardless of where a person exits the State House, it is important that he or she reports to his or her **Designated Legislative Assembly Area**, so each person may be accounted for.

The **Building Control Center** is responsible for providing access to the Legislative Assembly Areas upon notification of the need to evacuate the State House for an extended period.

**Designated Legislative Assembly Areas**

**Senate:**

Senators and all Senate staff shall report to the atrium of the Maine State Library. The Senate Group Leader is responsible for the Senate Assembly Area during an emergency and shall conduct a head count of all Senate personnel as soon as possible.

**House:**

House Members and all House staff shall report to the Cross Cafeteria in the first floor of the Cross Building. The House Group Leader is responsible for the House Assembly Area during an emergency and shall conduct a head count of all House personnel as soon as possible.

**Non-partisan staff and committee clerks:**

All non-partisan staff and committee clerks shall report to the Lobby Area on the 2<sup>nd</sup> Floor of the Cross Building. The non-partisan offices Group Leader is responsible for the Non-partisan Assembly Area during an emergency and shall conduct a head count of all non-partisan and committee clerk personnel as soon as possible.

**Members of the Public:**

In the event of an extended State House evacuation, members of the public will be directed to leave the area of the State House in the safest manner possible. Should there be extenuating circumstances that would prevent members of the public from leaving the area safely; **Capitol Police** officers will take the necessary actions to provide safe shelter for these people until they can be safely evacuated.

**Alternative Legislative Assembly Area**

If the designated Legislative Assembly Area is adversely affected by the incident, the Alternative Legislative Assembly Area will be the Department of Transportation building located at Capitol and Child streets across from Capitol Park.

**State House  
Building Emergency Evacuation Plan  
January 2018 Revision**

**ATTACHMENT 3**

**State House Emergency Evacuation Team**

**Capitol Police**

Chief Russell Gauvin

**Executive Director**

Grant Pennoyer

**Senior Group Leaders:**

Norman Arbour  
John Barden

**Group Leaders:**

Senate - Cultural building atrium	Rosemarie Smith
House - Cross Building cafeteria	Jennifer McGowan
Nonpartisan - Cross Building, 2 <sup>nd</sup> floor lobby	Christopher Nolan

**Emergency Wardens:**

<b>1<sup>st</sup> floor</b>	<b><u>South:</u></b> Sherry Ann Davis	<b><u>North:</u></b> Cindy Hall Sarah Reid
<b>2<sup>nd</sup> floor</b>	Nik Rende Mike Thompson	Jennifer Locke Amanda Ouellette
<b>3<sup>rd</sup> floor</b>	Carolyn Naiman Peter Weston	Al Boutot Christine Wormell
<b>4<sup>th</sup> floor</b>	Shawn Roderick Meredith Cherry	Bill Brown Jonathan Asen

**Office Captains:**

**1<sup>st</sup> floor**

Office of the Revisor	Ed Charbonneau
Legislative Information Office	Aida Gagnon
Executive Director's Office (Rm. 103)	Dawna Lopatosky
Executive Director's Office (Rm. 120)	Jackie Little
Document Room	Dawna Lopatosky

**2<sup>nd</sup> floor**

Law & Legislative Ref. Library	Elaine Apostola
Information Technology Office	Susie Begin
Fiscal & Program Review	Mandy Shorey

**State House  
Building Emergency Evacuation Plan  
January 2018 Revision**

**3<sup>rd</sup> floor**

Clerk's Office	Jeanette Rowell
Speaker's Office	Jane Figoli
Senate Majority Office	Cindy Fortier
Senate Minority Office	Marcia Homstead
House Majority Office	Paula Thomas
House Minority Office	Clarke Reiner
Senate President's Office	Rob Caverly
Senate Secretary's Office	Brad Sawyer

**4<sup>th</sup> floor**

House & Senate offices report with their third floor office group

**Stairway Monitors:**

**1<sup>st</sup> floor**

**South:**

Jackie Little

**North:**

Suzanne Gresser  
Mark Swanson

**2<sup>nd</sup> floor**

(alts)

Marc Cyr  
Stacy Morang

Alex Burnett  
Jennifer Locke

**3<sup>rd</sup> floor**

(alts)

Melissa Wright  
Jeanne Russell

Frank Gleason  
Jeannette Farnsworth

**4<sup>th</sup> floor**

(alts)

Ashley Luszczki  
Eliza Woodcock

Ted Simms (session)  
Rob Edwards (session)

**Buddies:**

Bruce Pelletier (session)  
Samantha Turcotte

Per assignment  
(for House)  
(for Senate)



STATE OF MAINE  
128<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION

Joint Standing Committee on Taxation

Tax Expenditure Review

December 2017

**Staff:**

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Sen. Justin Chenette  
Sen. Andre Cushing III  
Rep. Ryan Tipping, Chair  
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Rep. Janice Cooper  
Rep. Gay Grant  
Rep. Denise Tepler  
Rep. Maureen Terry  
Rep. Gary Hilliard  
Rep. Bruce Bickford  
Rep. Matthew Pouliot  
Rep. Karleton Ward

**TAX EXPENDITURE REVIEW**  
**REPORT OF THE JOINT STANDING**  
**COMMITTEE ON TAXATION**

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**TAX EXPENDITURE REVIEW**  
**REPORT OF THE JOINT STANDING**  
**COMMITTEE ON TAXATION**

**Executive Summary**

The Joint Standing Committee on Taxation is required under 3 MRSA §§999 and 1000 to conduct an annual review of tax expenditures identified and evaluated by the Office of Program Evaluation and Governmental Accountability (OPEGA). The provisions subject to review in 2017 include:

1. Expedited review provisions included under the tax policy category of “tax fairness;” and
2. Full review provisions: The New Markets Capital Investment Program and the Pine Tree Development Zones program.

The tax expenditures subject to review by the Taxation Committee in 2017 contain both categories of tax expenditures. The OPEGA report on expedited evaluations can be found in Appendix B. The OPEGA reports on full evaluations are contained in separate reports which may be accessed at the following website: <http://legislature.maine.gov/opega/opega-reports/9149>.

**Provisions subject to review in 2017**

**1. Expedited review provisions.** Pursuant to statute, the Office of Program Evaluation and Government Accountability (OPEGA) provides background information to the Taxation Committee for review. The Taxation Committee reviews that information and may make recommendations for legislative or administrative changes. With regard to the expedited provisions subject to review, the Committee is recommending no statutory changes to those programs at this time, although we are making a couple of administrative recommendations to fill gaps in the availability of information to facilitate future reviews.



**2. Full review provisions.** Full review provisions are subject to evaluation by the OPEGA under the oversight of the Government Oversight Committee. The results of that evaluation are provided to the Taxation Committee for review and recommendations.

**A. New Markets Capital Investment program.** With regard to the New Markets Capital Investment program, the Committee is recommending legislation to place in statute limitations on the use of “one-day” loans under the program. These rules have already been adopted by the Finance Authority of Maine which administers the program. The Committee believes that inclusion of this provision in the statutes is desirable to ensure the continued limitation of this strategy which caused significant problems with regard to the case of the credit granted with regard to Great Northern Paper Company.

The Committee notes that the final available credit allocations under this program are anticipated to all be allocated by March 2018. The Committee recommends that if the Legislature intends to enact authorization for additional allocations under this program, the design and data availability recommendations contained in the OPEGA evaluation report should be considered in more detail to identify statutory changes necessary to resolve problem areas described in the report. The Committee also intends to work with Maine Revenue Services on statutory language to clarify ambiguity identified in the OPEGA report with regard to the annual limit on the amount that may be claimed under this credit.

**B. Pine Tree Development Zones (PTDZ) program.** The Committee carefully reviewed the provisions of the OPEGA report on this program and notes that the original purpose of the program to create jobs by incentivizing economic development in areas of the state with high unemployment and low levels of economic investment has been diluted by subsequent amendments to the program since its enactment. The Committee notes that, under current law, new entry into the program is not permitted after December 31, 2018.

The Committee voted to recommend that if legislation is introduced in the Second Regular Session of the 128<sup>th</sup> Legislature to extend the PTDZ program, the design, data availability and administrative weaknesses identified in the OPEGA evaluation report should be considered in more detail to identify statutory and administrative changes necessary to resolve issues identified in the report. Subsequent to its final meeting the Committee learned that legislation to extend the program is being submitted to the Second Regular Session by the Department of Economic and Community Development. The suggested reference of the bill (LD 1645) is the Joint Standing Committee on Labor, Commerce, Research and

Economic Development. The Taxation Committee is aware that members of the LCRED Committee have been following the OPEGA report. Assuming the bill is referred to the LCRED Committee, the Taxation Committee intends to work with that Committee to assist with its consideration of the legislation.

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**STATE OF MAINE  
128th LEGISLATURE  
FIRST REGULAR SESSION**

**Task Force on Maine's 21st Century Economy and  
Workforce**

**December 2017**

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## **Executive Summary**

This is the final report of the Task Force on Maine's 21st Century Economy and Workforce. The Task Force was created in the First Regular Session of the 128th Legislature by a joint order, "Joint Order, Establishing the Task Force on Maine's 21st Century Economy and Workforce," S.P. 294, sponsored by Senator Nathan Libby. The Task Force consisted of 16 members appointed by the President of the Senate and the Speaker of the House. The Commissioner of Education and Commissioner of Labor were invited as ex-officio members but did not take part in making the Task Force's recommendations.

The Task Force was created as a vehicle for the Legislature to work with the State's businesses, education community and workforce and policy experts to develop and implement measures to strengthen the State's economy, bring back jobs and young people, expand the middle class, help meet the demand for skilled workers capable of succeeding in the modern economy and facilitate innovative investments to help Maine businesses grow and thrive. Over the course of six meetings, the Task Force developed the following list of recommendations.

- ❖ **Recommendation #1. Provide an additional \$650,000 in ongoing funding, and \$200,000 in one-time funding, in Fiscal Year 2018-2019 to the Maine Community College System to hire nursing faculty, expand nursing classes and establish a nursing simulator facility.**
- ❖ **Recommendation #2. Provide funding for the Nursing Education Loan Repayment Program in order to increase the number of nursing faculty in nursing education programs in the State and address Maine's critical nursing faculty shortage.**
- ❖ **Recommendation #3. Increase accessibility to the Competitive Skills Scholarship Program through collaboration between the Maine Community College System and the Maine Department of Labor to help facilitate the enrollment of eligible community college students into the program.**
- ❖ **Recommendation #4. Gather additional information from the Maine Department of Labor regarding how the Maine Apprenticeship Program may be better used to enhance workforce training for the healthcare sector and support LD 781, "An Act To Support the Trades through a Tax Credit for Apprenticeship Programs."**
- ❖ **Recommendation #5. Support LD 1492, "An Act To Attract, Educate and Retain New Mainers To Strengthen the Workforce" to facilitate integration of immigrants into the workforce.**
- ❖ **Recommendation #6. Accept funding available to Maine under the federal Workforce Innovation and Opportunity Act (WIOA).**
- ❖ **Recommendation #7. Extend the work of the Task Force through at least the end of 2018.**

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**STATE OF MAINE  
128th LEGISLATURE  
FIRST REGULAR SESSION**

**Task Force to Address the Opioid Crisis in the State  
Final Report  
December 2017**

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## **EXECUTIVE SUMMARY**

In 2016, there were a total of 376 drug-induced<sup>1</sup> deaths in Maine, which is more than one death a day. Deaths from opioids account for 313 of those deaths. Because of the urgency of the opioid crisis, the Task Force to Address the Opioid Crisis in the State was created by the First Regular Session of the 128th Maine State Legislature by Joint Order, S.P. 210. The Opioid Task Force (the “task force”) was established to “examine the current laws in the State addressing opiate abuse and heroin use, including, but not limited to, existing laws focused on law enforcement, prevention, treatment and recovery.” The task force was further tasked with the following specific responsibilities:

- Review the 2016 report and recommendations of the Maine Opiate Collaborative (MOC);
- Review initiatives undertaken by other states, with particular attention to proposals regarding opioid treatment, enforcement and prevention; and
- Develop recommendations to address Maine’s opioid crisis.

The members of the task force were appointed by late March of 2017 and were required by the Joint Order to submit an initial report to the Legislature by April 30, 2017, which was submitted in April and revised in May 2017. The task force was also required to submit a final report with any recommendations and suggested legislation to the Legislature by December 6, 2017. The task force met ten times and finalized its recommendations at the November 28 meeting. As part of its deliberations, the task force divided into small groups to consider prevention/harm reduction, treatment/recovery and law enforcement.

The task force recognized that the final recommendations to address the opioid crisis needed to take an integrated and comprehensive approach. The recommendations are broken into three categories to reflect the work of the small groups and the approach of the MOC. However, in developing the recommendations, the task force did not lose sight of how the categories are interrelated.

The task force presents the following unanimous recommendations. The Executive Branch participated in the task force by providing information and collaborating with members but did not take any positions on particular recommendations or legislation.

### **Prevention and Harm Reduction Recommendations**

The task force considers prevention and harm reduction a critical piece of addressing the opioid crisis. It is more efficient to prevent problems before they begin. Harm reduction minimizes the negative impact of the problem.

1. Request by letter that Maine Department of Health and Human Services report to the Joint Standing Committee on Health and Human Services by March 1, 2018 on the

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<sup>1</sup> “A “drug-induced death” is identified when one or more drugs are mentioned on the death certificate as a cause or significant contributing factor for the death.” See <http://www.mainehealthindex.org/sites/default/files/Drug%20Death%202016%20Final%20Rpt%20April%2011%202017.pdf>

dissemination to providers of the updated Snuggle ME curriculum and other evidence-based programs and recommend expansion of Positive Parenting Program to parents and families who would benefit. (Appendix H.)

2. Request by letter that medical provider organizations communicate the importance of counseling patients on the importance of and availability of long-acting reversible contraception, including coverage under MaineCare. (Appendix I.)
3. The Joint Standing Committee on Education and Cultural Affairs consider introducing legislation directing the Department of Education to establish a work group to evaluate existing drug prevention programs targeting school-age children and how to incorporate those programs into educational curriculum. The work group should include the Maine Education Association, Maine School Management Association, Maine Principals Association, Maine Interscholastic Athletic Administrators Association and representatives of law enforcement and organizations that promote and facilitate programs relating to public health, drug prevention and the welfare of children. (Appendix J.)
4. The Joint Standing Committee on Health and Human Services consider introducing legislation directing the Office of the Revisor of Statutes to update the statutes to reflect current terminology relating to substance use disorders. (Appendix K.)
5. Promote programs that take back prescription drugs but do not create a consumer-borne cost for that program. Request by letter that Maine Drug Enforcement Administration report to the Joint Standing Committee on Criminal Justice and Public Safety by March 1, 2018 about the successes of the drug take-back programs; publicity of the collection days; the use of alternative drug disposal options, such as Deterra; and expanded placement of take-back units in appropriate law enforcement or other secure facilities. (Appendix L.) Request by letter to the Maine Board of Pharmacy that it require pharmacies to place a notice in an obvious place informing patients about disposing of excess medication. (Appendix M.)

### **Treatment and Recovery Recommendations**

The task force spent a considerable amount of time considering treatment options because more than one person a day dies from a drug overdose. Treatment is therefore critical to addressing the immediate needs of the crisis.

6. Request by letter to the Department of Health and Human Services to examine how the opioid health home model under the current Centers for Medicare and MaineCare Services waiver could integrate evidence-based treatments, such as the hub and spoke model in LD 1430, an Act To Develop a Statewide Resource and Referral Center and Develop Hub-and-spoke Models To Improve Access, Treatment and Recovery for Those with Substance Use Disorder, which was carried over to any Special or Regular Session of the 128th Legislature. Fund a continuum of evidence-based services of differing intensities that meet the treatment needs of individuals depending upon stage of recovery,

including integrated medication-assisted treatment across the state and integrated community-based relationships. (Appendix O.)

7. The Joint Standing Committee on Health and Human Services consider introducing legislation, such as LD 605, An Act To Support Evidence-based Treatment for Opioid Use Disorder, that immediately increases access to treatment across the state for patients, including those who lack insurance or the means to pay, by increasing grant funds available to evidence-based programs that provide treatment to patients at varying levels of acuity. Request by letter that the Department of Health and Human Services, within existing financial resources, immediately increase access to treatment across the state for patients, including those who lack insurance or the means to pay, by increasing grant funds available to evidence-based programs that provide treatment to patients at varying levels of acuity. Request that the Department of Health and Human Services consider allowing minimum security offenders in custody or people in community release programs to access treatment slots for the uninsured. (Appendix P.)
8. Increase access to treatment across the state by increasing access to health insurance coverage. Write a letter to the Legislative Council to support the introduction of LR 2755, An Act Regarding Health Care Ombudsman Services, in the Second Regular Session. LR 2755 would assist people with accessing health insurance. (Appendix Q. The appeal to the Legislative Council was successful and the bill was approved for introduction.)
9. Request by letter to the congressional delegation, U.S. DHHS, SAMHSA and CMS that the federal government amend 42 CFR Part 2 and the related federal statute to allow for greater information sharing between providers regarding medication-assisted treatment and treatment of substance use disorders. (Appendix R.)
10. Support the development of recovery housing that meets the standards of the Maine Association of Recovery Residences to serve people in recovery, including those who are engaged in integrated medication-assisted treatment. Request by letter that Maine State Housing Authority convene a work group to develop a certification process for recovery housing and investigate available funding resources and development opportunities and to report quarterly to the Joint Standing Committees on Labor, Commerce, Research and Economic Development and Health and Human Services for one year, beginning March 1, 2018. The work group should include Maine's Department of Health and Human Services, Finance Authority of Maine, Maine Real Estate and Development Association, the Maine Association of Recovery Residences and representatives of treatment providers, housing services, affordable housing developers, the recovery community and persons experiencing homelessness. (Appendix S.)
11. Write a letter to the Legislative Council to support the introduction of two bill requests in the Second Regular Session dealing with recovery housing that are on appeal: LR 2744, An Act to Save Lives and Create the Homeless Opioid User Service Engagement Pilot Project and LR 2521, An Act to Ensure Quality of and Increase Access to Recovery

Residences. (Appendix Q. The appeals to the Legislative Council for LR 2744 and LR 2521 were successful and the bills were approved for introduction.)

12. Request by letter to Maine Department of Health and Human Services that the department evaluate the options for developing a database of available treatment services, including what information the database would contain; whether it could include real-time data and the usefulness of that data; how to accurately identify provider capacity and waitlists; how much it could cost; and how it could be implemented and funded. The department shall report back to the Joint Standing Committee on Health and Human Services by March 1, 2018. (Appendix T.)
13. Request by letter to the 2-1-1 program of United Way of Mid-Maine that it report by March 1, 2018 to the Joint Standing Committee on Health and Human Services regarding ongoing improvements to the 2-1-1 service in relation to substance use disorders, including the accuracy and ease of accessibility of the website and database; staff training; outreach to providers who are not licensed by the State; and plans for increasing public awareness of 2-1-1 services, including alternative platforms to access information. (Appendix U.)

#### **Law Enforcement Recommendations**

The intersection between the criminal justice system and mental illness, substance use disorders or co-occurring disorders is well known. These recommendations address several aspects of the criminal justice system.

14. Develop and fund pre-charge diversion programs at the municipal, county and state levels. The programs should be developed in consultation with prosecutors, law enforcement and other stakeholders. The programs should minimize a person's contact with the criminal justice system by connecting them with treatment and recovery services, including case management, at the appropriate level based on an assessment process. Because implementing this recommendation requires the cooperation of the criminal justice and treatment communities, the Joint Standing Committees on Health and Human Services, Criminal Justice and Public Safety and Judiciary should collaborate to develop the programs.
15. The Joint Standing Committee on Judiciary consider introducing legislation that develops additional drug courts or increases access to existing drug courts across the state and provides the necessary funding.
16. The Joint Standing Committee on Criminal Justice and Public Safety consider introducing legislation that develops and funds assessments and services in jails upon intake for mental health and substance use disorders, including integrated medication-assisted treatment.
17. The Joint Standing Committee on Criminal Justice and Public Safety consider introducing legislation that develops and funds assessment and services for people in jails

and prisons for mental health and substance use disorders, including integrated medication-assisted treatment and access to hub and spoke services in the community, for people serving their sentences.

18. The Joint Standing Committee on Criminal Justice and Public Safety consider introducing legislation that develops and funds programs that prepare inmates for their release into the community, including connections with integrated medication-assisted treatment and access to hub and spoke services in the community. These programs should include family members or other supportive people in the inmate's life so they can be natural supports during reintegration.
19. The Joint Standing Committee on Criminal Justice and Public Safety consider introducing legislation that enacts an advisory board to advise the Department of Corrections and county or regional jails on the treatment programs and rehabilitation needs of the facility populations. The advisory board will evaluate on an ongoing basis existing services and evidence-based practices for managing the needs of offenders and pretrial defendants and recommend the implementation of appropriate programs. (Appendix W.)
20. Write a letter to the Joint Standing Committee on Appropriations and Financial Affairs expressing support for Sections 1 and 4 of LD 1429, An Act Regarding the Epidemic of Opiate Abuse, which has been carried over on the appropriations table. (Appendix X.)

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**STATE OF MAINE  
128th LEGISLATURE  
FIRST REGULAR SESSION**

**Working Group to Improve the Provision of Indigent  
Legal Services**

**December 2017**

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## **Executive Summary**

The Working Group to Improve the Provision of Indigent Legal Services was created as part of the 2018-2019 Biennial Budget to identify and resolve concerns about the delivery of court-appointed legal services and the costs associated with those services.

The authorizing legislation directs the Working Group to develop recommendations to improve the delivery of indigent legal services to those eligible to receive such services by focusing on four interrelated duties:

- Ensuring adequate representation;
- Increasing the efficiency in delivering legal services;
- Verifying eligibility throughout representation; and
- Reducing costs while still fully honoring the constitutional and statutory obligations to provide representation.

The Working Group met four times, and benefited greatly from the participation of the Sixth Amendment Center. The Working Group makes the following recommendations:

1. Strengthen the Maine Commission on Indigent Legal Services to take on a more robust policy-making and oversight role;
2. Enhance the Maine Commission on Indigent Legal Services staff to provide better financial accountability as well as quality assurance by establishing specific responsibilities for a Chief Financial Officer and a Training and Quality Control Director;
3. Immediately fill the existing funded positions of financial screener for Cumberland County and office associate;
4. Strengthen the financial eligibility screening procedure;
5. Remove the collections function from the Maine Commission on Indigent Legal Services and have the Judiciary Committee explore alternative methods of collecting from those recipients of legal services who have been ordered by the court to contribute to the costs of those services;
6. Transfer the responsibility of appointing defense counsel in specific cases from judges to the Maine Commission on Indigent Legal Services;
7. Commission an outside, independent, nonpartisan study of Maine's current system of providing indigent legal services and whether alternative methods of delivery would increase quality and efficiency;
8. Encourage the Chief Justice to convene regional discussion panels to talk about how to make the entire criminal justice system more sensible and more efficient; and
9. Reduce external factors that may increase the need for indigent legal services.

The Working Group is relying on the Judiciary Committee and eventually the Legislature as a whole to develop specific language and proposals to carry out these recommendations, including the timing for implementation.



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**Twelfth Annual Report  
of the  
Right to Know Advisory Committee**

**January 2018**

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- B. Membership list
- C. Recommended legislation to prohibit remote participation in public proceedings unless the body establishes a policy for remote participation that meets certain requirements
- D. Recommended legislation to require municipal officials to complete Freedom of Access training when appointed to offices for which training is required if elected to those offices

## EXECUTIVE SUMMARY

This is the twelfth annual report of the Right to Know Advisory Committee. The Right to Know Advisory Committee was created by Public Law 2005, chapter 631 as a permanent advisory council with oversight authority and responsibility for a broad range of activities associated with the purposes and principles underlying Maine's freedom of access laws. The members are appointed by the Governor, the Chief Justice of the Supreme Judicial Court, the Attorney General, the President of the Senate and the Speaker of the House of Representatives.

As in previous annual reports, this report includes a brief summary of the legislative actions taken in response to the Advisory Committee's January 2017 recommendations and a summary of relevant Maine court decisions from 2017 on the freedom of access laws. This report also summarizes several topics discussed by the Advisory Committee that did not result in a recommendation or further action.

For its twelfth annual report, the Advisory Committee makes the following unanimous recommendations:

- ☐ **Enact legislation to prohibit remote participation in public proceedings by a member of a public body unless the body establishes a policy for remote participation that meets certain requirements;**
- ☐ **Amend 1 MRSA §412 to require municipal officials to complete Freedom of Access Act training when appointed to offices for which training is required if elected to those offices; and**
- ☐ **Establish a subcommittee to review the penalty and enforcement provisions in the Freedom of Access Act.**

In 2018, the Right to Know Advisory Committee will continue to discuss the unresolved issues identified in this report and to provide assistance to the Joint Standing Committee on Judiciary relating to proposed legislation affecting public access. The Public Records Exception Subcommittee and FOAA Penalty and Enforcement Subcommittee will meet in the interim with the expectation to make recommendations to the Advisory Committee before the end of the year. The Advisory Committee looks forward to another year of activities working with the Public Access Ombudsman, the Judicial Branch and the Legislature to implement the recommendations included in this report.

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MRRA



Midcoast Regional  
Redevelopment Authority

January 2, 2018

The Honorable Paul LePage  
Governor of the State of Maine  
State House Station #1  
Augusta, Maine 04330

Subject: Annual Report of MRRA for the year ending December 31, 2017

Dear Governor LePage:

Pursuant to 5 MRSA §13083-S, I am writing to update you of the activities of the Midcoast Regional Redevelopment Authority (MRRA) and the remarkable transformation of the former Brunswick Naval Air Station and Topsham Annex.

As the following illustrates, the NAS Brunswick redevelopment effort is proceeding on the course originally envisioned by the Reuse Master Plan; however, at a much faster pace than originally projected. We have clearly established Brunswick Landing as Maine's Center for Innovation and an incredible asset for the growth of both the Mid-coast and Maine economy. Some of the key success metrics of the redevelopment effort since the base closure include:

- ✓ Over **105** business entities now call Brunswick Landing and the Topsham Commerce Park home. Nearly 40% of these entities did not exist in Maine before.
- ✓ Over **1,500** new jobs have been created to date, with an additional 800 projected within the next two years, just from the existing businesses.
- ✓ The current annual payroll of business activity now exceeds **\$100 million** annually from property re-use. The state-wide economic multiplier is projected to be a minimum of **\$300 million**.
- ✓ TechPlace, our new technology business incubator, is home to over **32** early stage high technology businesses, with **65** employees.
- ✓ Resident businesses exist in all 6 target business sectors: aerospace, advanced materials, information technology, cleantech, life science and education.
- ✓ Over **\$350 million** has been invested by the private sector and **\$50 million** by the public sector in the redevelopment effort.

- ✓ Nearly **\$160 million** in new property value has been added to the tax rolls of Brunswick and Topsham.
- ✓ The redevelopment effort generates over **\$3 million** annually in local real estate and personal property taxes.
- ✓ Over **45** buildings and **420** acres of land have been sold to **9** private sector developers and several individual businesses for active redevelopment purposes.

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- ✓ Eleven commercial and industrial buildings comprising over 140,000 square feet have either been constructed or underwent major reconstruction. Three more are either now under construction or in the planning stages, totaling an additional 55,000 sf.
- ✓ Brunswick Executive Airport is really taking off, with **18,000** air operations occurring in 2017, a 10% annual growth in airport usage and fuel sales.
- ✓ Thirty-one resident aircraft owners collectively pay \$3,000 annually in excise taxes.
- ✓ The combined Southern Maine Community College and University of Maine campus on Brunswick Landing has an enrollment of nearly 1,000 current students.
- ✓ The 650 former Navy family housing units in Brunswick and Topsham are fully occupied, with over 230 already sold to working families. 200 - 400 additional units in Brunswick and Topsham are in the planning stages.
- ✓ Over 1,000 acres of land (1/3 of total former base land) has been reserved for conservation and recreation purposes.
- ✓ 100% of the electric power provided to Brunswick Landing customers comes from renewable sources. With the addition of the 1.5-megawatt solar farm (now under construction), nearly 75% of that power will be generated on site.
- ✓ Over \$3 million has been invested in critical infrastructure improvements at Brunswick Landing to date (electric, wastewater, water and roads). An additional \$2 million new connector road between Admiral Fitch Avenue and Rt. 24 is planned for this winter.
- ✓ Since the approvals of the Public Benefit and Economic Development Conveyances in 2011, the Navy has transferred approximately 1,768.01 acres of the 2,114.6 acres we are slated to receive. MRRA has received 785.32 (70.6%) of the 1,112 acres of the non-airport property and 982.69 (98%) of the 1,002.6 acres of airport land. Of the 785.32 acres of EDC property received to date, MRRA has sold 418.69, nearly half, leaving 1,349.32 acres under management.

As a result of this performance, both the Department of Defense and the Association of Defense Communities have recognized the redevelopment of the former NAS Brunswick as the most successful reuse effort of the 26 major bases involved in the current 2005 base closure round.

#### **A. Description of the Authority's Operations**

The year 2017 was another busy, challenging and successful year for MRRA. MRRA continues to work hard to enhance the redevelopment of Brunswick Landing and Topsham Commerce Park and to be a catalyst for the State's economic growth. Our business development efforts continue to focus on quality job creation in several targeted industries: aviation/aeronautics, clean technology, composites, information technology, biotechnology, and education. This past year, MRRA continued its national and international marketing efforts to promote Maine to grow these targeted industry sectors.

The Midcoast Regional Redevelopment Authority reached a number of important milestones in 2017. Consistent with MRRA's adopted *Strategic Business Plan for 2017*, this past year's performance on those objectives include the following accomplishments:

##### **Objective - Effectively manage and utilize Brunswick Executive Airport's (BXM) resources**

- ❑ Made significant capital improvements, including airfield paving and repairs, completion of the radiant heating projects in hangars 4 and 5, initial work on the renovation of offices on the west side of hangar 4, initial design work on the funded repairs to the heating system, ADA improvements to bathrooms in hangar 5 and other improvements in hangars 5 and 6.
- ❑ Actively engaged with several aviation prospects and attended several trade show events, including MRO Americas, European Business Aviation Convention and Exhibition (EBACE), EAA AirVenture, and the National Business Aviation Association Annual conference in Las Vegas.
- ❑ Actively engaged with several aviation prospects and non-aviation tenants, Bowdoin College, Great Island Boat Company, Black Diamond Whiskey, Revision Energy and Starc Systems.

##### **Objective – Enhance airport safety**

- ❑ All airport employees, emergency responders, tenants, and tenant employees completed an updated training on airport safety training to renew airport access.

##### **Objective – Maintain community support for the airport**

- ❑ Continued to support the Maine Aviation Business Association and participate in the Maine Aeronautical Advisory Board.

- ❑ BXM hosted Maine ACE Camp's summer program providing 12 middle school aged students opportunities to learn and experience aspects of the aerospace industry.
- ❑ Hosted Race the Runways and the 2017 Great State of Maine Air Show attracting more than 50,000 visitors to the Town of Brunswick.

*Objective* – Ensure that the airport is a good steward of the environment

- ❑ Completed the installation of a radiant heating systems in Hangars 4 and 5 that reduce energy consumption and reduce overall carbon emissions.
- ❑ Continued to work with US Fish and Wildlife, Maine Department of Inland Fisheries and the Town of Brunswick to manage sensitive wildlife habitats.

*Objective* - Optimize total cost of ownership by reducing maintenance and operations costs. Plan, design and construct, sustain, recapitalize and dispose/divest of property and facilities optimizing total ownership cost.

- ❑ Prepared a financial sustainability analysis and initiated a plan to move the airport in a path toward long term viability.

*Objective* - Effectively manage and operate the Brunswick Landing electrical transmission and distribution system.

- ❑ Negotiated a new Power Purchase Agreement with Revision Energy for renewable solar power energy at Brunswick Landing at a combined kilowatt hour rate less than our current providers. Power should begin to be generated in the spring of 2018.
- ❑ Village Green continues to increase its power production at Brunswick Landing having produced 56,822 kilowatt hours in April 2016 which grew to 347,857 kilowatt hours in December 2016.
- ❑ Completed major capital improvement project on the primary incoming feeder and main electrical distribution center to improve reliability and performance of the Brunswick Landing electrical grid.

*Objective* – Effectively manage and operate the Brunswick Landing wastewater collection system until transfer to the Brunswick Sewer District.

- ❑ Reduced Inflow and Infiltration (I&I) to under 30% of total wastewater discharge – ahead of goal.
- ❑ Completed nearly all components of renovations and repairs to the gravity portion of the wastewater collection trunk line system to reduce inflow and infiltration at a cost in excess of \$625,000.

*Objective* – Effectively manage and operate the Brunswick Landing water distribution system until transfer to the Brunswick Topsham Water District.

- ❑ Reduced unaccounted-for water consumption to under 20% of total property-wide water consumption (increased metering and elimination of “lost water”) – ahead of goal.

*Objective* – Effectively manage and maintain Brunswick Landing transportation infrastructure system.

- ❑ Worked with the Maine State Legislature and Maine Department of Transportation to introduce an amendment to 5 MRSA §13083 to authorize local enforcement agencies to enforce vehicle speed and traffic laws at Brunswick Landing.
- ❑ Worked with local developers, MaineDOT and the Town of Brunswick to develop a plan to create a new access road connecting Gurnet Road to Admiral Fitch Avenue.

*Objective* - Provide low-cost, green energy for tenants and other organizations located at Brunswick Landing to support development.

- ❑ Village Green Venture’s 1 megawatt anaerobic digester continues to generate approximately 25% of the total Brunswick Landing electricity requirement.
- ❑ Negotiated a new Power Purchase Agreement with the Portland-based Revision Energy for the construction of a 1.5-megawatt solar farm adjacent to the runway at Brunswick Executive
- ❑ 100% of the balance of electricity delivered to the Brunswick Landing campus is renewably generated.

*Objective* - Continue to receive un-modified opinions (clean opinion) from independent auditors on MRRA’s Annual Financial Statements.

- ❑ On October 25, 2017, Runyon Kersteen and Ouellette (RKO) presented an un-modified (clean opinion) to the MRRA Board of Trustees on the financial statements for the period ending June 30, 2017.

*Objective* - Grow MRRA’s unobligated fund balance over time to fifteen percent of MRRA’s annual operating budget.

- ❑ At December 31, 2017, MRRA had an unobligated fund balance reserve of \$2,324,401. The FY 2017 budget for MRRA, the Brunswick Executive Airport and three utilities (electricity, water and sewer) and annual capital improvement program total \$8,341,400. The reserve fund represents 27.57% of that total.



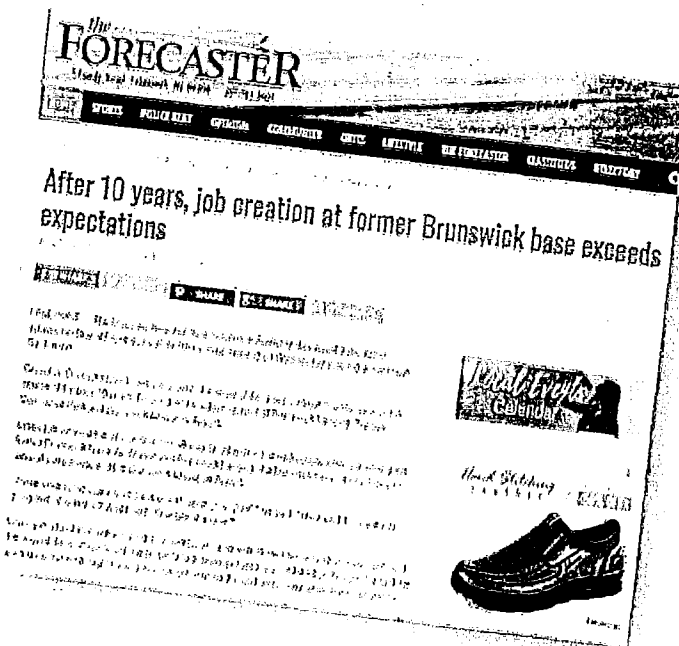
This year, MRRRA was also able to accomplish the following:

- ❑ In May 2016, MRRRA requested the Economic Development Administration to reprogram funds from the Kestrel Aircraft paint booth project to additional building improvements in hangar 4. EDA approved an amendment on April 19, 2017 that would allow the replacement of the roof over hangar shops, the demolition of non-code compliant interior spaces, ADA improvements, repairs to the fire protection system and construction of industrial shop spaces. Construction was completed in September and the \$1.7 EDA Grant was closed out.
- ❑ This spring MRRRA submitted four projects to the Midcoast Economic Development District for inclusion in the Comprehensive Economic Development Strategy (CEDS), a regional economic development planning process that identifies important sustainable economic development strategies and making them eligible for future grants from the Economic Development Administration. All four projects were selected as high priority regional projects. Those projects are:
  - ❖ Sewer Collection System and Pump Station upgrades at Brunswick Landing
  - ❖ TechPlace Expansion
  - ❖ Industrial Subdivision build out
  - ❖ Building Demolition
- ❑ On December 20, 2016, MRRRA received a *Cluster Initiative Grant* award from the Maine Technology Institute for \$495,165 to construct a composites material layup lab and repairs/renovations to the former Navy paint booth at TechPlace. TechPlace was designed to support innovative manufacturing businesses in the sectors of advanced materials, composites technology, aerospace/aviation, biotech/biomed, IT, and renewable energy. Construction is expected to be completed in January of 2018.
- ❑ As of the end of December we have 32 businesses at TechPlace with 65 employees. In addition to our tenants' use of the facility, TechPlace has already been utilized by a number of partner organizations for training and networking events.
- ❑ MRRRA was awarded a five-year extension of FAA's Military Airport Program (MAP), which will provide just over \$20 million of funding for capital improvements at BXM over the next five years to bring the airport up to civil standards.
- ❑ On October 24, TechPlace celebrated the graduation of its first tenant, STARC Systems, one of the first tenants in TechPlace in 2015. STARC Systems moved its manufacturing operations to 166 Orion, just down the road from TechPlace on the Brunswick Landing campus, into 16,000 square foot building.
- ❑ The Northbridge Company completed construction of a new 60,000 square foot memory care facility and the Priority Real Estate Corporation completed the construction of a new convenience store and fuel filling station on Bath Road.

- ❑ TBW, LLC completed significant renovations to building 223, the former National Maritime Intelligence Center (NMIC) that houses the Real School of the Brunswick School Department. The Real School is an adventure-based educational program that serves students who require specialized instruction and clinical mental health treatment throughout their school days.
- ❑ Flight Deck Brewing completed renovations to the former small arms firing range to create a new brewery and tasting room.
- ❑ In September, MRRA received a \$100,000 grant from the Office of Economic Adjustment within the Department of Defense to support ten of the twelve staff employed by MRRA for FY 2018.
- ❑ In April, ATOL USA, Inc. announced that it had chosen Brunswick Landing as it's American headquarters to handle the production, delivery and support of the Atol 650 sea plane.
- ❑ Following the sale of Lot 6 to the Pinnacle Group, it began construction on a new 16,000 square foot medical office building.
- ❑ On September 14, MRRA hosted Scott Taylor, Esq. from Miller & Company, a national foreign trade zone attorney and expert to present "What can a Foreign Trade Zone do for Your Company?"
- ❑ SaviLinx received Hub Zone Certification, the first business at Brunswick Landing to be certified by the Small Business Administration since the new law took effect.
- ❑ MaineBiz Magazine awarded Wicked Joe's Coffee, a landowner at the Topsham Commerce Park, its *Small Company Business Leader of the Year Award*.
- ❑ In September, Maine Technology Institute awarded over \$250,000 in seed grant awards to the following TechPlace companies – BluShift Aerospace, Field Phyto Nutrients and SteriZign Precision Technologies.
- ❑ On August 24, MRRA and Flight Deck Brewing held a fundraiser to benefit the restoration and maintenance of the two former U.S. Navy surveillance planes, a P-3 Orion and a P-2 Neptune that are under license from the Navy to MRRA and are on display at Brunswick Landing.



- ❑ Flight Deck Brewing, in partnership with Revision Energy and Tesla Motors installed four publicly accessible electric car chargers on Friday, December 1<sup>st</sup>. The chargers are powered with 100% renewable energy, including anaerobic bio-digestion and solar – one of the only such instances in Maine.
- ❑ On December 1, MRRA submitted a \$50,000 grant request to the Office of Economic Adjustment to fund scientific, environmental and/or engineering consulting services to support our understanding of the work of the Navy and environmental regulators on dealing with what had been commonly referred to as perflourinated compounds (PFCs) at Brunswick Landing, the impact on our Reuse Master Plan, the financial and business plan considered in the preparation of Economic Development Conveyance application. Recent changes in terminology in the industry now refers to PFCs as Polyfluoroalkyl Substances (PFAS). The Grant agreement was signed on December 29.
- ❑ New businesses at Brunswick Landing in 2017 include:
  - ❖ Accel PT
  - ❖ American Classics
  - ❖ Black Diamond Whiskey
  - ❖ BluShift Aerospace
  - ❖ Bowdoin College
  - ❖ Brunswick Aviation Services
  - ❖ Great Island Boat Company
  - ❖ Harpswell House
  - ❖ Helios
  - ❖ JMH Associates
  - ❖ Rusty Lantern Markets
  - ❖ Skorda
  - ❖ Starc Systems
  - ❖ The Real School
  - ❖ Wiley Road LLC



- ❑ New Tenants at TechPlace include:
  - ❖ AdmitHub
  - ❖ Altha Technology
  - ❖ ATOL USA, Inc.
  - ❖ Blushift Aerospace
  - ❖ Field Phyto Nutrients
  - ❖ Harbor Digital
  - ❖ Hydroswarm, Inc.
  - ❖ JMH Associates
  - ❖ Maine Composite Alliance
  - ❖ Maine Composite Technology Center

- ❖ Maine PTAC
- ❖ Mobility Technologies
- ❖ Nobleheart Products LLC

## Awards

- ❑ On January 15, 2017 MRRA received an award from Southern Midcoast Chamber of Commerce when it had designated *TechPlace* as *The Best New Business in Southern Midcoast Maine*.
- ❑ In June, the United Way of Midcoast Maine presented MRRA with the *Community Builder Award* for its accomplishments in creating new jobs and contributing to the vitality of the Midcoast region.
- ❑ On June 15, MRRA received a *Visionary Achievement Award* from Tedford Housing of Brunswick for its work and leadership on creating a providing over \$600,000 to support the unmet needs of the homeless in the region.
- ❑ On November 7, the Maine State Chamber of Commerce presented MRRA with The Maine E.N.V.Y. Award which is presented to an organization or initiative whose success is *enviable*. It recognizes the significance of their Economic contribution to the region, their ability to recognize and address a Need, and the required Vision to attain success. The Maine E.N.V.Y. award is presented to champions of Yankee ingenuity, the entrepreneurial spirit for which our state is known around the globe.

## **B. *An accounting of the Authority's receipts and expenditures, assets and liabilities at the end of its fiscal year***

Please find attached an Unaudited Financial Report for the period ending December 31, 2017. Also, please find attached a copy of the audited Financial Statements for the period ending June 30, 2017. The audit was conducted by Runyon Kersteen and Ouellette. These documents were presented to office of the State Controller for inclusion in the State financial statements for the period ending June 30, 2017. MRRA received an unmodified (clean audit) opinion letter for a tenth consecutive year.

It should be noted that MRRA does not receive a state appropriation as part of the General Fund Budget. MRRA's funds come from a combination of funds from the Office of Economic Adjustment within the United States Department of Defense, and revenues from property sales, leases, common area maintenance charges and utility customers. MRRA also received this year, \$76,383 from the BNAS Job Tax Increment Financing Fund from the State of Maine.

Capital improvements projects are funded from a combination of aviation capital improvement funds from Maine DOT, the Federal Aviation Administration, tax increment financing revenue

from the Town of Brunswick and revenues MRRA raises from property sales, leases, utility customers and common area maintenance charges.

**C. A listing of all property transactions pursuant to Section 13083-K**

On February 7, 2011 the Navy and MRRA signed the airport Public Benefit Conveyance (PBC) Agreement for 992.2 acres, including three large hangars, a number of aviation-related support buildings and revenue-producing facilities for the airport. The conveyance of title will come over time as properties that are determined to be “clean” through a Finding of Suitability to Transfer (FOST) and are then deed from the Navy. Accordingly, not all the properties can be conveyed at the same time, but in phases as clean-up continues and FOSTs are issued. As of December 31, 2017, MRRA has received a total of 982.69 acres of airfield property and 19 buildings containing 627,516 square feet. As a condition of transfer from the Federal Aviation Administration and the Navy, land and buildings within the Airport property cannot be sold. MRRA built a 10,000-square foot ten-unit T-Hangar bringing the total square footage managed to 637,516. The Navy did not transfer any PBC property in 2017.

On September 14, 2011 the Navy signed a *Non-Binding Summary of the Acquisition Terms and Conditions for the Naval Air Station Brunswick, Maine by and between the United States of America and the Midcoast Regional Redevelopment Authority* (i.e. term sheet) for a total of 1,112 acres which would be transferred through an Economic Development Conveyance (EDC). The Navy did not transfer any EDC property in 2017.

As part of the EDC Agreement, MRRA agreed to share annually with the Navy 25% of gross revenues from the sale or lease of EDC property after the receipt of the first \$7.0 million. The revenue share remains in place until gross revenues reach \$37.4 million. There is no revenue sharing in excess of \$37.4 million and less than \$42.4 million. The Authority is required to pay the United States Government 50.0% of gross real estate proceeds in excess of \$42.4 million until September 29, 2034. Property sales and lease revenues during the last fiscal year required a payment of \$183,883. To date, MRRA has paid the United States Government over \$8.0 million.

As of December 31, 2017, MRRA has received a total of 69 reusable buildings comprising of 644,751 square feet and 785.32 acres (70.8%) of the 1,112 acres of the non-airport property through the EDC transfer. A number of buildings, largely former security buildings, sheds and functionally obsolete buildings have been demolished through a grant from the Economic Development Administration. To date, MRRA has sold a total of 46 buildings (563,235 square feet) and 407.10 acres of land. Other developers have constructed five new buildings at Brunswick Landing.

	<i>Leasable Property</i>	<i>Utility Buildings</i>	<i>Sold</i>	<i>Total</i>
Public Benefit Conveyance	13	6	0	19
Economic Development Conveyance	17	6	46	69
New Construction				5
	30	12	46	93

The covenants of the Economic Development and Public Benefit Conveyances from the United States Government require all sales and leases of property must be at market rate.

In summary, MRRA currently manages a total of 30 buildings with 717,065 square feet of commercial, industrial and professional office space for lease along with another 12 utility buildings and all of the associated utilities serving those buildings, including – streets and sidewalks, street lights, traffic signals, electricity, water, sewer and stormwater utilities.

In 2017, MRRA sold two buildings (former Pass and ID office and Security Dog Kennel building) containing 2,325 square feet on 7.69 acres of land. MRRA also sold a vacant 6.58-acre parcel on Bath Road to Priority One Capital Partners.

<i>Building or Property Sold</i>	<i>Date</i>	<i>Acreage</i>	<i>Square Footage</i>	<i>Sale Price</i>
Sale of Lot 14 and 15(2.68 acres) and Building 103 to 14 Wiley Road LLC	June 14, 2017	2.68	1,600	\$107,200
Sale of Lot 6 (A and B) and building 38 to Pinnacle Group, LLC	September 07, 2017	5.01	725	\$630,000
Sale of Lot 7 (6.58 acres) to Priority One Capital Partners, LLC)	September 29, 2017	6.58	0	\$270,000
		14.27	2,325	\$1,007,200

***D. An accounting of all activities of any special utility district formed under Section 13083-L***

In September of 2011, the Navy transferred all utilities on the base, including the potable water distribution system, the sewer collection and pump station assets, stormwater collection system and the electrical distribution system. We have inherited the Navy's utility systems, but without the financial wherewithal of the federal government. We are faced with the major challenges associated with providing and maintaining services to the businesses, organizations and residential properties located on our properties and securing sufficient funding needed to maintain and repair the utility system at Brunswick Landing. On October 1, 2011, MRRA began providing electrical distribution services, water and sewer/stormwater services to our tenants and property owners at Brunswick Landing.

This year also marked MRRA's seventh year of operating a regional general aviation airport, which is becoming a great asset for the Midcoast region, with over 18,000 takeoffs and landings, just this year. With the inclusion of the Brunswick Executive Airport in the FAA's Military Airport Program (MAP), the federal government, in partnership with the State of Maine and MRRA was approved in 2017 for the following projects:

FAA MAP 027 Project - Pavement Repairs and Maintenance	\$140,900
FAA MAP 028 Project - Hangar Improvements, Phase 4 - Hangars 5 and 6 (Plumbing, ADA Bathrooms, Electrical Upgrades and finishes)	\$2,238,000
	<hr/>
	\$2,378,900

**E. A listing of any property acquired by eminent domain under Sec. 13083-N**

No property was acquired by MRRA through its powers of eminent domain.

**F. A listing of any bonds issued during the fiscal year under Sec. 13083-I**

MRRA did not issue any bonds during 2017.

**G. A statement of the Authority's proposed and projected activities for the ensuing year**

Please find attached a copy of MRRA's Business Plan for 2017.

**H. Recommendations regarding further actions that may be suitable for achieving the purposes of this article**

The creation of new jobs and the timing of such at NASB will be dependent on several factors, including, but not limited to: receipt of successful and timely conveyances from the Navy for the remaining buildings and land, the condition and stability of the national and local economic markets; and the availability of sufficient financial resources for property management, security and operations, infrastructure, property improvements and marketing.

Successful redevelopment of closed bases is a very long-term proposition, which requires substantial public and private resources and patience. A key element in successful base

redevelopment efforts is the level of support provided by the local, state and federal governments.

With the leadership and broad support of the Maine Legislature, the voters of Maine approved an \$8.0 million bond issue back in 2009 to support the redevelopment effort. This bond included \$3.25 million to support investment in infrastructure replacement/upgrades and building upgrades to meet civilian reuse and \$4.75 million for Southern Maine Community College to rehab buildings. The bond has been an important key this past year to our ability to bring new businesses to Brunswick Landing.

In addition to the bond issue for capital projects, the State of Maine adopted two additional pieces of legislation that will be key to ensuring the rapid and successful redevelopment of NAS Brunswick. The first is the Brunswick Naval Air Station Job Increment Financing Fund that was established in 2009 to direct a portion of new state income taxes from jobs created at the former NAS Brunswick and Topsham Annex back to MRRA and Southern Maine Community College. This economic development tool is a performance based tool; meaning that the greater the number of job created and the higher the incomes of those jobs, the greater the revenue to support base redevelopment and expansion of the programming at the Brunswick campus of SMCC. This year, MRRA received just over \$76,883 from the J-TIF program.

The second new tool, which already has had a significant statewide impact, is the Legislature's decision to exempt all aircraft and repair parts for aircraft for the period of July 1, 2011 through June 30, 2015 (the legislature then amended the bill and made the exemption permanent.) The State's previous policy created a "black mark" on the State of Maine by the aviation community as place to avoid as an aviation destination or to conduct business. This decision has had a statewide impact on growth in the aviation sector. This change in the law has also provided the impetus for the Brunswick Executive Airport to lead an initiative, with supportive funding from the Maine Office of Tourism, to develop the Maine Flying Trail to help promote Maine to the flying public as an aviation destination. Without this change in legislation Tempus Jets would not have expanded its operation from Virginia to Maine and MVP Aero would not have located here.

Finally, MRRA would encourage the Governor and Legislature to constantly evaluate the state's business assistance program in an effort to keep pace with the economy and the changing needs of businesses, including, but not limited to, workforce development and capital assistance.

***I. A description of the MRRA's progress toward achieving the goals set forth in Section 13083-G:***

- 1. Short-term goal.** Recover civilian job losses in the primary impact community resulting from the base closure; (Accomplished in 2015)
- 2. Intermediate goal.** Recover economic losses and total job losses in the primary impact community resulting from the base closure; and

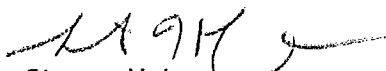


**3. Long-term goal.** Facilitate the maximum redevelopment of base properties.

Naval Air Station Brunswick employed 714 civilians at its Brunswick and Topsham sites at the time of the base closure announcement. After just 66 months from the official date of closing the base in May of 2011, there are over 1,500 individuals working at Brunswick Landing; up from 1,213 last year. The key to the success of the redevelopment effort is large part, due to the collaborative partnerships engaged in the effort, including, but certainly not limited to: you and the State of Maine; the Town's of Brunswick and Topsham; multiple federal agencies; the U.S. Navy; the businesses and real estate community who have invested into the project; and many others.

Thank you for your continued interest and support of this important economic development project for the State of Maine, which has become a critical asset to growing our economy.

Sincerely,



Steven H. Levesque  
Executive Director

- cc. George Gervais, Commissioner, MaineDECD  
Grant Pennoyer, Executive Director, Legislative Council  
Joint Standing Committee on Labor, Commerce, Research and Economic Development  
Brunswick Legislative Delegation  
Brunswick Town Council  
Topsham Board of Selectman  
John Eldridge, Brunswick Town Manager  
Rich Roedner, Topsham Town Manager  
MRRRA Board of Trustees  
Jeffrey K. Jordan, Deputy Executive Director