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129TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. NATHAN L. LIBBY
SEN. ELOISE A. VITELLI
SEN. DANA L. DOW
SEN. JEFFREY L. TIMBERLAKE
REP. MATTHEW W. MOONEN
REP. RYAN M. FECTEAU
REP. KATHLEEN R.J. DILLINGHAM
REP. HAROLD TREY STEWART III

**129th Legislature
Legislative Council**

April 25, 2019

REVISED AGENDA

<u>Page</u>	<u>Item</u>	<u>Action</u>
	CALL TO ORDER	
	ROLL CALL	
1	SUMMARY OF THE MARCH 28, 2019 MEETING OF THE LEGISLATIVE COUNCIL	Decision
	REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	
❖ 11	<ul style="list-style-type: none">Executive Director's Report (Mr. Pennoyer)	Information
12	<ul style="list-style-type: none">Fiscal Report (Mr. Nolan)	Information
	REPORTS FROM COUNCIL COMMITTEES	
	<ul style="list-style-type: none">Personnel CommitteeState House Facilities CommitteeLegislative Budget Subcommittee	
	OLD BUSINESS	
❖ 16	Item #1: Council Actions Taken by Ballot (No Action Required)	Information
	NEW BUSINESS	
❖ 17	Item #1: Consideration of After Deadline Bill Requests	Roll Call Vote
❖ 20	Item #2: Archived Committee Audio Files	Decision
❖ 21	Item #3: Adoption of the <i>Legislative Council Policy on Electronic Communications</i>	Decision

- | | | | |
|------|----------|---|-----------------|
| ❖ 22 | Item #4: | Request regarding the ASLCS Professional Development Conference (Hon. Robert Hunt and Hon. Darek Grant) | Decision |
| ❖ 23 | Item #5: | Adoption of the Maine State House and Grounds Multi-Year Plan for Maintenance and Improvements | Decision |
| ❖ 37 | Item #6: | Funding for the Commission on Uniform State Laws | Decision |

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

SEN. TROY D. JACKSON
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**LEGISLATIVE COUNCIL
MEETING SUMMARY
March 28, 2019**

CALL TO ORDER

President Jackson called the March 28, 2019 meeting of the 129th Legislative Council to order at 1:59 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators:	President Jackson, Senator Vitelli and Senator Timberlake
Absent:	Senator Libby and Senator Dow (arrived late)
Representatives:	Speaker Gideon, Representative Fecteau and Representative Stewart
Absent:	Representative Moonen and Representative Dillingham (arrived late)
Legislative Officers:	Darek Grant, Secretary of the Senate Robert Hunt, Clerk of the House Grant T. Pennoyer, Executive Director of the Legislative Council Jackie Little, Human Resources Director Suzanne Gresser, Revisor of Statutes Chris Nolan, Director, Office of Fiscal and Program Review Marion Hylan Barr, Director, Office of Policy and Legal Analysis John Barden, Director, Law and Legislative Reference Library Nik Rende, Director, Legislative Information Technology Danielle Fox, Director, Office of Program Evaluation and Government Accountability

President Jackson convened the meeting at 1:59 p.m. with a quorum of members present.

President Jackson asked if there was any objection to taking items out of order. There was no objection. The Chair then moved to **New Business, Item #1.**

NEW BUSINESS

Item #1: Consideration of After Deadline Requests

The Legislative Council proceeded to consider and vote on nineteen (19) after deadline bill requests and four (4) Joint Resolutions. The Legislative Council authorized thirteen (13) bills for introduction in the Second Regular Session, one (1) bill was withdrawn, four (4) bills remained

tabled from a previous meeting, and the Legislative Council took no action on one (1) bill request. The Legislative Council also took no action on one (1) Joint Resolution and three (3) Joint Resolutions remained tabled from a previous meeting. The Legislative Council's action on the bill requests is attached.

SUMMARY OF FEBRUARY 28, 2019 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary for February 28, 2019 be accepted and placed on file. Motion by Representative Dillingham. Second by Speaker Gideon. **Motion passed unanimously (8-0-0-2, with Senator Libby and Representative Moonen absent).**

REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES

Executive Director's Report

Grant Pennoyer, Executive Director, presented the following report.

1. MELD Replacement Project

The information system project to replace the outdated bill production system, MELD, continues to progress well. Beginning March 26th, a test version of the new system was deployed to allow the Office of the Revisor of Statutes to do some test parallel production of some bills and amendments. One bill has been tested on the system so far.

2. Remote Public Testimony

The Office of Legislative Information Technology has been working with the Legislative Information Office, the Law and Legislative Reference Library and me on a new process for the public to submit testimony for bills on line. The amount of testimony received by email has grown significantly this session and has become extremely difficult and time consuming to process and prepare for posting to the internet with the other testimony presented at the hearing. We are working on the final details of a new method that would give the public the opportunity to submit testimony on a bill through the Legislature's web page and automate much of the processing of this testimony submitted remotely. This process would replace accepting testimony by email. We are hoping that we are able to implement this new process in some fashion later this session.

NEW BUSINESS

Item #2: Adoption of the *Legislative Council Policy on Legislative Studies for the 129th Legislature*

Mr. Pennoyer reviewed the *Legislative Council Policy on Legislative Studies for the 129th Legislature* and explained that this policy is required under the Joint Rules.

Motion: That the Legislative Council adopt the *Legislative Council Policy on Legislative Studies for the 129th Legislature*. Motion by Representative Fecteau. Second by Senator Vitelli. **Motion passed unanimously (8-0-0-2, with Senator Libby and Representative Moonen absent).**

Item #3: Request from the State YMCA to hold the Youth In Government Program at the State House

The State YMCA has requested to hold the Youth In Government Program in the State House from November 8 through 10, 2019. Mr. Pennoyer explained that this is a yearly event involving several high schools from across the state.

Motion: That the Legislative Council authorize the State YMCA to hold its Youth In Government Program from November 8-10, 2019. Motion by Representative Fecteau. Second by Representative Dillingham. **Motion passed unanimously (8-0-0-2,** with Senator Libby and Representative Moonen absent).

Item #4: Request from Mr. Jason Curry to hold an event in the State House on a Saturday

Mr. Pennoyer explained that this is a request from Mr. Curry who represents the High School Debate Congress. This May 18th event would be the second time this group has used the State House on a weekend although on a smaller scale. The State House would remain closed to the public. The Secretary of the Senate has been working with them on the planning and does not have any issues with hosting this event in the Senate Chamber.

Motion: That the Legislative Council authorize the Maine DeMolay event to be held in the State House on Saturday, May 18, 2019. Motion by Representative Fecteau. Second by Representative Dillingham. **Motion passed unanimously (8-0-0-2,** with Senator Libby and Representative Moonen absent).

REPORTS FROM COUNCIL COMMITTEES

1. Personnel Committee

Speaker Gideon reported that the Personnel Committee met on Tuesday, March 26th to consider the following matters:

1. Harassment Policy

Ms. Little reviewed the latest draft harassment policy. Assistant Attorney General Kelly Morrell provided legal guidance to the committee. The committee provided Ms. Little with guidance for further policy edits. No action was required. This item will be discussed at a future meeting.

2. Electronic Communication Guidelines for Legislators and Legislative Staff.

This item was tabled for a future meeting.

3. Workday Maine (formerly SOMER) Update

Ms. Little provided the committee with an update regarding the Workday Maine HR System project.

4. Speaker's Initiative: Onsite Child Care

Ms. Little provided the committee with an update related to Onsite Child Care. The committee identified some next steps for Ms. Little to take regarding this matter. This matter will be discussed at a future meeting.

2. State House Facilities Committee

Representative Fecteau reported that the State House Facilities Committee met on Tuesday, March 19th to consider the following matters:

1. Potential Uses of the State House Cafe

The committee once again discussed what to do with the State House Café space off the main entrance lobby to the State House. The committee was inclined to continue to pursue options for a vendor to operate some sort of food service option at least during the session, particularly in light of the difficulties operating a profitable service in the interim. Mr. Pennoyer will be reporting back on progress at a future meeting.

2. Press Access through the Connector

The Committee reviewed written testimony from several press organization and listened to a member of one of the Press organizations leasing space in the Cross Office Building requesting similar access to the State House as members of the Legislature. Chief Gauvin of Capitol Police also presented the security concerns with allowing after-hour access to the Press. He also mentioned that the Executive Director and he were waiting for a response from Honeywell on a programming option to be able to turn on access to cards within an assigned group. That response and a description of this change will be presented at the committee's next meeting.

3. State House Items in Storage

The committee once again had a discussion of the many items in storage at PRO Moving. They also received input from Secretary of the Senate Grant on his impressions after his tour of the storage facilities. Mr. Pennoyer indicated that he would be working with the Secretary of the Senate and the Clerk of the House to figure out which items should be reviewed by the committee before deciding on a disposition of the items. Once the list has been pared back, Mr. Pennoyer suggested that a tour by interested committee members could be arranged after the session.

4. Status of Current Facilities Projects

Mr. Pennoyer presented three new facilities projects that had not previously been included in the list of Legislative Council approved projects. These projects included: refinishing the main entrance doors; repairing the east steps and walkway to Capitol Park; and replacing four fire escape doors.

OLD BUSINESS

Item #1: Council Actions Taken by Ballot

Requests for Introduction of Legislation:

LR 2460 An Act To Allow the City of Augusta To Adjust the Definition of “Original Assessed Value” for the City of Augusta’s Performance Food Group Municipal Tax Increment Financing District and To Validate the Assessment, Commitment and Collection of Property Taxes Dedicated for the Performance Food Group District for the Fiscal Years 2018-19 and 2019-20.

Submitted by: Senator Matthew Pouliot
 Date: March 26, 2019
 Vote: 9-0-0-1 Passed (with Senator Libby absent)

Decisions by Legislative Council Ballot:

Motion: **That the Legislative Council approve an exception to its Policy of the Use of the Hall of Flags to allow the Frances Perkins Center Traveling Exhibit consisting of six 7’ by 3’ panels to remain in the Hall of Flags for the week beginning March 18th. (Attached is a photo of three of the 6 panels and a letter with background from the Frances Perkins Center.)**

Motion by: President Jackson Second by: Speaker Gideon
 Date: March 5, 2019
 Vote: 9-1-0-0 Passed (with Senator Timberlake opposed)

REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES

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 2019 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
February	\$178.0	\$149.6	(\$28.3)	-15.9%	\$157.7	-5.1%
FYTD	\$2,452.9	\$2,432.6	(\$20.3)	-0.8%	\$2,310.3	5.3%

General Fund revenue was under budget by \$28.3 million (15.9%) for the month of February and by \$20.3 million (0.8%) for the fiscal year to date. Individual income tax revenue was under budget by \$25.1 million for the month and by \$43.9 million for the fiscal year to date. The February negative variance in individual tax revenue was largely the result of income tax refunds exceeding budgeted levels by \$17.0 million (a reduction in net revenue), a likely timing issue that can be made up in subsequent months. For the fiscal year to date, individual estimated income tax payments continued to be under budget (\$21.0 million). Corporate income tax revenue was under budget by \$7.6 million for the month but was over budget by \$11.5 million for the fiscal year to date. As with individual income tax, the majority of the monthly variance was in the refunds line and is also believed to be a timing issue. Sales and use tax revenue (January sales) was essentially on budget for the month and for the fiscal year to date.

2. Highway Fund Revenue Update

Total Highway Fund Revenue - FY 2019 (\$'s in Millions)

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
February	\$26.2	\$28.0	\$1.8	6.9%	\$27.0	4.0%
FYTD	\$231.1	\$234.9	\$3.8	1.6%	\$226.2	3.8%

Highway Fund revenue was over budget by \$1.8 million (6.9%) for the month of February and by \$3.8 million (1.6%) for the fiscal year to date. Fuel taxes were over budget by \$0.6 million for the month but under budget by \$0.2 million for the fiscal year to date. Motor vehicle registrations and fees were over budget for the month by \$1.1 million and over budget for the fiscal year to date by \$4.0 million.

3. Cash Balances Update

The average balance in the cash pool for February was \$1,464.8 million, an increase from January's average of \$1,434.4 million and above both last February's average balance and the ten-year average for the month. General Fund internal borrowing from other funds was not needed in January (has not been needed since April of 2016). The average Highway Fund balance of \$32.2 million in February was up from January's average of \$27.7 million and well above last February's average balance.

ANNOUNCEMENTS AND REMARKS

With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 3:07 p.m.

**129th Maine State Legislature
Legislative Council Action Taken on
Requests to Introduce Legislation
First Regular Session
March 28, 2019**

AFTER DEADLINE BILL REQUESTS

SPONSOR: **Rep. Kent Ackley**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2477	An Act To Protect Maine Drivers from Loose Snow and Ice on Noncommercial Vehicles	WITHDRAWN

SPONSOR: **Sen. Brownie Carson**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2481	An Act To Authorize School Facilities in Career and Technical Education Regions To Enter into Energy Conservation Performance Contracts	PASSED

SPONSOR: **Sen. Justin Chenette**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2475	An Act To Provide for Gubernatorial Appointments to the Maine Charter School Commission	No Action Taken

SPONSOR: **Sen. Ned Claxton**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2470	An Act To Reduce the Cost of Prescription Drugs for Low-income Residents of the State	PASSED

SPONSOR: **Rep. Diane M. Denk**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2444	An Act To Allow a Municipality To Choose Its Power Provider	PASSED

SPONSOR: **Sen. Bill Diamond**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2480	Resolve, Establishing a Commission To Reform Child Protective Services	PASSED

SPONSOR: Sen. Jim Dill

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2440	An Act To Increase Funding for Career and Technical Education Programs	PASSED
2441	An Act To Cap the Number of Students Who May Attend a Virtual Public Charter School	PASSED

SPONSOR: Rep. Rick G. Mason

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2433	An Act To Allow Municipalities To Stock Ponds in Their Areas with Fish	PASSED

SPONSOR: Rep. Tina Riley

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2452	Resolve, Establishing the Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry	PASSED

SPONSOR: Rep. Heidi H. Sampson

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2435	An Act To Provide a Sales Tax Exemption for Purchases Made by Nonprofit Seasonal Camps	PASSED

SPONSOR: Rep. Thomas H. Skolfield

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2476	Resolve, To Modify the Deed for a Parcel of Property in the Town of Carrabassett Valley	PASSED

SPONSOR: Rep. Holly B. Stover

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2450	An Act Amending the Charter of the Boothbay-Boothbay Harbor Community School District	PASSED

LATE-FILED MAJOR SUBSTANTIVE RULES

SPONSOR:

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2461	Resolve, Regarding Legislative Review of Portions of Chapter 115: The Credentialing of Education Personnel, a Late-filed Major Substantive Rule of the Department of Education	PASSED

2472	Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97: Private Non-Medical Institution Services; Appendices B, C, D, E and F, a Late-filed Major Substantive Rule of the Department of Health and Human Services	PASSED
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JOINT RESOLUTIONS

SPONSOR: Rep. Seth A. Berry

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2445	JOINT RESOLUTION MEMORIALIZING THE FEDERAL ENERGY REGULATORY COMMISSION TO REQUIRE THAT THE NEW ENGLAND POWER POOL MAKE ITS MEETINGS OPEN TO THE PUBLIC AND THE MEDIA	No Action Taken

TABLED BY THE LEGISLATIVE COUNCIL

AFTER DEADLINE BILL REQUESTS

SPONSOR: Pres. Troy Dale Jackson

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2267	An Act To Establish Clear Standards for Outcome-based Forestry	Tabled 01/24/19

2422	An Act To Open Maine's Primaries To Cast Ballots in Primary Elections Starting in 2020	Tabled 02/28/19
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SPONSOR: Rep. Peter Lyford

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2397	An Act To Allow Certain Licensees To Be Classified as Purveyors of Alcoholic Beverages and To Be Eligible To Conduct Additional Retail Taste-testing Events	Tabled 02/28/19

SPONSOR: Sen. Jeff Timberlake

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2415	An Act To Eliminate the Fee for Gold Star Family Vanity Registration Plates	Tabled 02/28/19

JOINT RESOLUTIONS

SPONSOR: **Sen. Shenna Bellows**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
223	JOINT RESOLUTION MEMORIALIZING MAINE'S CONGRESSIONAL DELEGATION TO SUPPORT THE SOCIAL SECURITY FAIRNESS ACT OR OTHER LEGISLATION TO REPEAL BOTH THE WINDFALL ELIMINATION PROVISION AND THE GOVERNMENTAL PENSION OFFSET PROVISIONS OF THE FEDERAL SOCIAL SECURITY ACT	Tabled 01/24/19

SPONSOR: **Rep. Donna R. Doore**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
452	JOINT RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO SUPPORT ELIMINATING THE WINDFALL ELIMINATION PROVISION FROM THE FEDERAL SOCIAL SECURITY ACT	Tabled 01/24/19

SPONSOR: **Pres. Troy Dale Jackson**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
1141	JOINT RESOLUTION MEMORIALIZING THE UNITED STATES INTERNAL REVENUE SERVICE TO GRANT EVERY POSSIBLE CONSIDERATION TO THE OFFER IN COMPROMISE SUBMITTED BY OUR KATAHDIN	Tabled 01/24/19

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Executive Director's Report April 25, 2019 Revised

1. Remote Public Testimony

Last month in my report to you, I introduced the new online process for accepting remote testimony being developed by the Office of Legislative Information Technology (LIT), the Legislative Information Office (LIO) and the Law and Legislative Reference Library. The significant growth of emailed testimony over the last few years has made the implementation of this automated processing of remote testimony a high priority. The Clerks even with the assistance of LIO staff have not been able to keep up and process all the emailed testimony as this process is very labor intensive.

Shortly after last month's Council meeting, LIT was able to resolve some of the final "bugs" in this new application and we reached out to the committee chairs with a description of the new remote testimony process. Their feedback added a significant improvement to the subject line of the automated emails forwarding with the testimony to committee members, adding the LD#(s) to the subject line in addition to the committee abbreviation and date of the hearing. Early last week, we sent out a broadcast email announcing the implementation of the new application beginning Monday, April 22nd. After concerns were raised about no longer accepting any emailed testimony, we issued a new announcement indicating that we would continue to accept testimony by email, but we are strongly encouraging the public to use the testimony application.

If an insufficient percentage of the public switch from email to using the new web-based application, then I will be asking the Council to address the significant demands related to processing and posting emailed testimony, which could include: additional session-only staff; no longer posting testimony submitted by email; or next session making the use of the application mandatory for remote testimony and no longer accepting email.

2. MELD Bill Production System Replacement Project

The Revisor of Statutes has been testing the new Bill Production System (BPS) about three weeks producing test bills and amendments. Some of the more recent phases of the project have involved much more complicated programming and has resulted in the timeline for completing the project being extended by about two weeks. We are still confident that we can have a fully functioning BPS in time for producing bills during the 2nd Regular Session.

Fiscal Briefing

April 25, 2019

Prepared by the Office of Fiscal & Program Review

1. General Fund Revenue Update (see attached)

Total General Fund Revenue - FY 2019 (\$'s in Millions)

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
March	\$176.4	\$217.0	\$40.6	23.0%	\$192.2	12.9%
FYTD	\$2,629.3	\$2,649.7	\$20.3	0.8%	\$2,502.4	5.9%

General Fund revenue was over budget by \$40.6 million (23.0%) for the month of March and by \$20.3 million (0.8%) for the fiscal year to date. Individual income tax revenue was over budget by \$26.2 million for the month but is still under budget by \$17.7 million for the fiscal year to date. The positive variance in individual income tax revenue in March was largely the result of a negative variance in income tax refunds of \$16.3 million (an increase in net revenue) and a positive variance in individual income tax withholding payments of \$8.0 million. The negative variance in March individual income tax refunds offsets February's positive variance of \$17.0 million (a reduction in net revenue). Corporate income tax revenue was over budget by \$10.6 million for the month and by \$22.1 million for the fiscal year to date, largely the result of corporate estimated payments exceeding budgeted levels. Sales and use tax revenue (February sales) was over budget for the month by \$0.8 million and for the fiscal year to date by \$1.1 million.

2. Highway Fund Revenue Update (see attached)

Total Highway Fund Revenue - FY 2019 (\$'s in Millions)

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
March	\$25.2	\$25.4	\$0.2	0.8%	\$24.4	3.8%
FYTD	\$256.3	\$260.2	\$4.0	1.5%	\$250.6	3.8%

Highway Fund revenue was over budget by \$0.2 million (0.8%) for the month of March and by \$4.0 million (1.5%) for the fiscal year to date. Fuel taxes were under budget by \$0.9 million for the month and under budget by \$1.1 million for the fiscal year to date. Motor vehicle registrations and fees were over budget for the month by \$1.3 million and over budget for the fiscal year to date by \$5.4 million.

3. Cash Balances Update

The average balance in the cash pool for March was \$1,337.1 million, a decrease from February's average of \$1,464.8 million but above both last March's average balance and the ten-year average for the month. Historically, March is a low point in the fiscal year for cash balances that are then usually replenished in April and May. The average Highway Fund balance of \$35.2 million in March was up from February's average of \$32.2 million and above last March's average balance.

4. Economic/Revenue Forecast

The Consensus Economic Forecasting Commission (CEFC) convened on March 29, 2019, to review and update its forecast through 2023. The CEFC made only modest changes to the economic forecast. The Revenue Forecasting Committee (RFC) is scheduled to meet on May 1, 2019 to review and update as necessary the existing revenue forecast. The modest changes reflected in the new CEFC forecast are expected to have only a modest effect on the revenue forecast. The RFC will also consider the impact of April performance of individual and corporate income taxes at its May 1st meeting.

General Fund Revenue
Fiscal Year Ending June 30, 2019 (FY 2019)

Updated 4/17/19

March 2019 Revenue Variance Report

Revenue Category	March '19 Budget	March '19 Actual	March '19 Variance	Fiscal Year-To-Date					FY 2019 Budgeted Totals
				Budget	Actual	Variance	Variance %	% Change from Prior Year	
Sales and Use Tax	94,226,591	95,011,126	784,535	1,144,216,014	1,145,347,750	1,131,736	0.1%	5.9%	1,502,180,767
Service Provider Tax	4,424,907	4,481,065	56,158	44,313,613	44,990,780	677,167	1.5%	0.6%	59,222,124
Individual Income Tax	20,000,000	46,179,018	26,179,018	1,135,019,204	1,117,272,452	(17,746,752)	-1.6%	2.9%	1,680,158,151
Corporate Income Tax	12,000,000	22,621,571	10,621,571	129,388,265	151,465,514	22,077,249	17.1%	54.0%	209,750,000
Cigarette and Tobacco Tax	11,452,438	7,312,428	(4,140,010)	100,009,874	94,922,518	(5,087,356)	-5.1%	-1.4%	137,088,615
Insurance Companies Tax	12,912,188	14,146,592	1,234,404	27,572,668	29,222,890	1,650,222	6.0%	3.4%	74,450,000
Estate Tax	360,000	220,362	(139,638)	5,900,401	5,916,254	15,853	0.3%	-42.3%	9,140,409
Other Taxes and Fees *	15,642,966	18,640,118	2,997,152	107,508,990	112,488,086	4,979,096	4.6%	5.1%	143,259,126
Fines, Forfeits and Penalties	1,559,207	1,904,533	345,326	12,439,702	11,670,590	(769,112)	-6.2%	-20.1%	17,583,176
Income from Investments	708,992	1,081,375	372,383	6,358,000	7,482,059	1,124,059	17.7%	87.4%	8,721,242
Transfer from Lottery Commission	4,458,512	6,825,667	2,367,155	44,065,631	48,893,153	4,827,522	11.0%	1.3%	57,000,000
Transfers to Tax Relief Programs *	(1,450,000)	(1,563,177)	(113,177)	(67,509,357)	(61,175,568)	6,333,789	9.4%	-0.7%	(68,368,623)
Transfers for Municipal Revenue Sharing	(3,235,871)	(2,563,339)	672,532	(52,981,629)	(52,331,516)	650,113	1.2%	-4.9%	(72,683,306)
Other Revenue *	3,382,036	2,745,371	(636,665)	(6,965,042)	(6,485,892)	479,150	6.9%	-8.6%	9,874,430
Totals	176,441,966	217,042,708	40,600,742	2,629,336,334	2,649,679,071	20,342,737	0.8%	5.9%	3,767,376,111

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

General Fund Revenue
Fiscal Year Ending June 30, 2019 (FY 2019)

Updated 4/17/19

March 2019 Revenue Variance Report

Revenue Category				Fiscal Year-To-Date					FY 2019 Budgeted Totals
	March '19 Budget	March '19 Actual	March '19 Variance	Budget	Actual	Variance	Variance %	% Change from Prior Year	
Detail of Other Taxes and Fees:									
- Property Tax - Unorganized Territory	0	0	0	12,431,431	12,769,543	338,112	2.7%	4.5%	14,694,831
- Real Estate Transfer Tax	697,581	970,552	272,971	14,167,573	14,784,647	617,074	4.4%	22.2%	17,767,433
- Liquor Taxes and Fees	1,943,938	1,601,442	(342,496)	17,925,786	17,137,797	(787,989)	-4.4%	-0.4%	22,220,860
- Corporation Fees and Licenses	1,699,392	1,228,856	(470,536)	4,228,921	4,744,806	515,885	12.2%	7.4%	9,838,649
- Telecommunication Excise Tax	6,131,321	6,157,147	25,826	6,141,794	6,157,147	15,353	0.2%	-1.0%	6,000,000
- Finance Industry Fees	2,279,324	2,565,250	285,926	21,053,916	21,801,800	747,884	3.6%	-2.0%	27,891,990
- Milk Handling Fee	469,020	363,403	(105,617)	3,275,814	4,025,243	749,429	22.9%	37.4%	4,580,022
- Racino Revenue	672,388	796,300	123,912	6,289,070	6,277,108	(11,962)	-0.2%	0.6%	8,167,875
- Boat, ATV and Snowmobile Fees	118,637	163,431	44,794	2,611,666	2,477,725	(133,941)	-5.1%	6.2%	4,523,561
- Hunting and Fishing License Fees	792,696	855,188	62,492	11,921,656	12,090,481	168,825	1.4%	0.1%	15,999,151
- Other Miscellaneous Taxes and Fees	838,669	3,938,548	3,099,879	7,461,363	10,221,789	2,760,426	37.0%	13.6%	11,574,754
Subtotal - Other Taxes and Fees	15,642,966	18,640,118	2,997,152	107,508,990	112,488,086	4,979,096	4.6%	5.1%	143,259,126
Detail of Other Revenue:									
- Liquor Sales and Operations	2,280	3,000	720	21,375.00	34,050	12,675	59.3%	17.4%	28,500
- Targeted Case Management (DHHS)	101,018	16,913	(84,105)	949,308	200,602	(748,706)	-78.9%	-60.9%	1,200,000
- State Cost Allocation Program	1,234,530	1,737,292	502,762	12,458,353	13,463,763	1,005,410	8.1%	3.8%	17,196,059
- Unclaimed Property Transfer	0	0	0	0	0	0	N/A	N/A	6,200,000
- Tourism Transfer	0	0	0	(18,109,058)	(17,171,837)	937,221	5.2%	-6.8%	(18,109,058)
- Transfer to Maine Milk Pool	(564,091)	(1,008,519)	(444,428)	(11,467,606)	(13,209,316)	(1,741,710)	-15.2%	-20.2%	(13,220,037)
- Transfer to STAR Transportation Fund	0	0	0	(9,440,000)	(9,439,886)	114	0.0%	-6.1%	(9,440,000)
- Other Miscellaneous Revenue	2,608,299	1,996,685	(611,614)	18,622,586	19,636,732	1,014,146	5.4%	19.2%	26,018,966
Subtotal - Other Revenue	3,382,036	2,745,371	(636,665)	(6,965,042)	(6,485,892)	479,150	6.9%	-8.6%	9,874,430
Detail of Transfers to Tax Relief Programs:									
- Me. Resident Prop. Tax Program (Circuitbreaker)	0	3,822	3,822	0	10,586	10,586	N/A	26.3%	0
- BETR - Business Equipment Tax Reimb.	(1,000,000)	(1,368,748)	(368,748)	(27,090,734)	(18,000,979)	9,089,755	33.6%	28.3%	(27,600,000)
- BETE - Municipal Bus. Equip. Tax Reimb.	(450,000)	(198,251)	251,749	(40,418,623)	(43,185,174)	(2,766,551)	-6.8%	-21.1%	(40,768,623)
Subtotal - Tax Relief Transfers	(1,450,000)	(1,563,177)	(113,177)	(67,509,357)	(61,175,568)	6,333,789	9.4%	-0.7%	(68,368,623)
Inland Fisheries and Wildlife Revenue - Total	1,012,421	989,649	(22,772)	15,220,431	15,149,904	(70,527)	-0.5%	0.0%	21,482,520

Highway Fund Revenue
Fiscal Year Ending June 30, 2019 (FY 2019)

Updated 4/17/19

March 2019 Revenue Variance Report

Revenue Category	March '19 Budget	March '19 Actual	March '19 Variance	Fiscal Year-To-Date					FY 2019 Budgeted Totals
				Budget	Actual	Variance	% Variance	% Change from Prior Year	
Fuel Taxes:									
- Gasoline Tax	14,970,875	14,341,619	(629,256)	158,540,810	156,067,063	(2,473,747)	-1.6%	-0.2%	208,474,404
- Special Fuel and Road Use Taxes	4,321,011	3,950,031	(370,980)	37,308,242	38,547,281	1,239,039	3.3%	16.9%	48,309,400
- Transcap Transfers - Fuel Taxes	(1,424,737)	(1,344,976)	79,761	(14,395,307)	(14,303,368)	91,939	0.6%	-2.3%	(18,867,786)
- Other Fund Gasoline Tax Distributions	(374,378)	(358,641)	15,737	(3,964,635)	(3,902,769)	61,866	1.6%	0.3%	(5,213,319)
Subtotal - Fuel Taxes	17,492,771	16,588,033	(904,738)	177,489,110	176,408,207	(1,080,903)	-0.6%	2.9%	232,702,699
Motor Vehicle Registration and Fees:									
- Motor Vehicle Registration Fees	5,708,066	5,822,564	114,498	46,870,717	48,486,256	1,615,539	3.4%	1.7%	67,175,787
- License Plate Fees	395,806	399,934	4,128	2,619,412	2,787,556	168,144	6.4%	4.3%	3,612,343
- Long-term Trailer Registration Fees	1,739,742	3,079,110	1,339,368	9,253,989	12,345,172	3,091,183	33.4%	20.1%	10,884,523
- Title Fees	1,201,076	1,217,959	16,883	9,793,260	10,852,841	1,059,581	10.8%	3.9%	13,696,264
- Motor Vehicle Operator License Fees	805,415	863,782	58,367	7,056,998	7,083,542	26,544	0.4%	14.0%	9,444,186
- Transcap Transfers - Motor Vehicle Fees	(3,225,645)	(3,428,506)	(202,861)	(10,993,592)	(11,587,467)	(593,875)	-5.4%	-1.5%	(15,600,414)
Subtotal - Motor Vehicle Reg. & Fees	6,624,460	7,954,843	1,330,383	64,600,784	69,967,900	5,367,116	8.3%	6.2%	89,212,689
Motor Vehicle Inspection Fees	216,874	229,930	13,056	2,601,875	2,442,199	(159,676)	-6.1%	-4.3%	3,202,500
Other Highway Fund Taxes and Fees	85,680	91,339	5,659	922,704	1,035,865	113,161	12.3%	2.9%	1,280,229
Fines, Forfeits and Penalties	56,691	33,614	(23,077)	558,989	439,489	(119,500)	-21.4%	-21.4%	739,039
Interest Earnings	8,730	56,860	48,130	279,543	460,380	180,837	64.7%	151.0%	242,191
Other Highway Fund Revenue	675,371	408,783	(266,588)	9,835,878	9,491,906	(343,972)	-3.5%	5.6%	11,252,423
Totals	25,160,577	25,363,401	202,824	256,288,883	260,245,946	3,957,063	1.5%	3.8%	338,631,770

**Legislative Council Actions
Taken by Ballot Since the
March 28, 2019 Council Meeting**

REVISED

Requests for Introduction of Legislation:

LR 2489 An Act Directing That the Towns Comprising Hospital Administrative District No. 4 Hold a Vote on the Proposed Merger with Northern Light

Submitted by: Senator Paul Davis
Date: April 9, 2019
Vote: 10-0-0-0 Passed

LR 2490 An Act To Amend the Charter of the Mayo Regional Hospital To Give It Authority To Merge with Northern Light Hospital

Submitted by: Representative Norman Higgins
Date: April 9, 2019
Vote: 10-0-0-0 Passed

LR 2491 An Act Regarding On-premise Liquor Licenses

Submitted by: Senator Louis Luchini
Date: April 16, 2019
Vote: 10-0-0-0 Passed

LR 2475 An Act To Provide for Gubernatorial Appointments to the Maine Charter School Commission

Submitted by: Senator Justin Chenette
Date: April 16, 2019
Vote: 7-3-0-0 Passed (with Sen. Timberlake and Reps. Dillingham and Stewart opposed)

LR 2496 An Act To Return Funds to Maine Property Taxpayers

Submitted by: Speaker Sara Gideon
Date: April 18, 2019
Vote: 9-1-0-0 Passed (with Sen. Timberlake opposed)

LR 2487 An Act To Prohibit Prescription Drug Advertising in Maine

Submitted by: Senator Benjamin Chipman
Date: April 18, 2019
Vote: 7-3-0-0 Passed (with Sens. Dow and Timberlake and Rep. Dillingham opposed)

LR 2502 An Act To Clarify the Definition of Consumer-owned Transmission and Distribution Utility

Submitted by: Representative Nicole Grohoski
Date: April 24, 2019
Vote: 6-4-0-0 Passed (with Sens. Dow and Timberlake and Reps. Dillingham and Stewart opposed)

**129th Maine State Legislature
Legislative Council
Requests to Introduce Legislation
First Regular Session
Revised as of: 4/25/2019**

AFTER DEADLINE BILL REQUESTS

SPONSOR: Rep. Nicole Grohoski

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2502	An Act To Clarify the Definition of Consumer-owned Transmission and Distribution Utility	Approved by Ballot

SPONSOR: Rep. Colleen M. Madigan

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2499	Resolve, To Increase Funding for Evidence-based Therapies for Treating Emotional and Behavioral Problems in Children	

SPONSOR: Sen. Rebecca Millett

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2494	An Act To Ensure Public Notification of Air Quality Assessments and Violations	
2495	An Act To Ensure Accuracy and Reliability of Environmental Testing	

SPONSOR: Rep. Mike A. Sylvester

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2482	An Act To Provide a Workers' Compensation Tax Credit for Certain Businesses	

JOINT RESOLUTIONS

SPONSOR: Rep. Seth A. Berry

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2445	JOINT RESOLUTION MEMORIALIZING THE FEDERAL ENERGY REGULATORY COMMISSION TO REQUIRE THAT THE NEW ENGLAND POWER POOL MAKE ITS MEETINGS OPEN TO THE PUBLIC AND THE MEDIA	

TABLED BY THE LEGISLATIVE COUNCIL

AFTER DEADLINE BILL REQUESTS

SPONSOR: Pres. Troy Dale Jackson

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2267	An Act To Establish Clear Standards for Outcome-based Forestry	Tabled 01/24/19
2422	An Act To Open Maine's Primaries To Cast Ballots in Primary Elections Starting in 2020	Tabled 02/28/19

SPONSOR: Rep. Peter Lyford

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2397	An Act To Allow Certain Licensees To Be Classified as Purveyors of Alcoholic Beverages and To Be Eligible To Conduct Additional Retail Taste-testing Events	Tabled 02/28/19

SPONSOR: Sen. Jeff Timberlake

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2415	An Act To Eliminate the Fee for Gold Star Family Vanity Registration Plates	Tabled 02/28/19

JOINT RESOLUTIONS

SPONSOR: Sen. Shenna Bellows

<u>LR #</u>	<u>Title</u>	<u>Action</u>
223	JOINT RESOLUTION MEMORIALIZING MAINE'S CONGRESSIONAL DELEGATION TO SUPPORT THE SOCIAL SECURITY FAIRNESS ACT OR OTHER LEGISLATION TO REPEAL BOTH THE WINDFALL ELIMINATION PROVISION AND THE GOVERNMENTAL PENSION OFFSET PROVISIONS OF THE FEDERAL SOCIAL SECURITY ACT	Tabled 01/24/19

SPONSOR: Rep. Donna R. Doore

<u>LR #</u>	<u>Title</u>	<u>Action</u>
452	JOINT RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO SUPPORT ELIMINATING THE WINDFALL ELIMINATION PROVISION FROM THE FEDERAL SOCIAL SECURITY ACT	Tabled 01/24/19

SPONSOR: Pres. Troy Dale Jackson

<u>LR #</u>	<u>Title</u>	<u>Action</u>
1141	JOINT RESOLUTION MEMORIALIZING THE UNITED STATES INTERNAL REVENUE SERVICE TO GRANT EVERY POSSIBLE CONSIDERATION TO THE OFFER IN COMPROMISE SUBMITTED BY OUR KATAHDIN	Tabled 01/24/19

129th Maine State Legislature
Addendum
Legislative Council
Requests to Introduce Legislation
First Regular Session

As of: April 19, 2019

SPONSOR: Submitted by State Agencies

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2498	An Act Regarding the Timeliness of Payments to the State	
2508	An Act To Amend the Laws Governing Investigations by School Entities into Holders of Credentials	
2511	An Act To Amend Licensure for Professional Engineers	

SPONSOR: Sen. Erin Herbig

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2505	An Act To Exempt Purchases by Pet Food Pantries from Sales Tax	

SPONSOR: Rep. Trey Stewart

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2512	An Act To Provide a Sales Tax Exemption for Certain Community Nonprofit Agencies	

LATE-FILED MAJOR SUBSTANTIVE RULES

SPONSOR:

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2510	Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 28: Allowances for Rehabilitative and Community Support Services for Children with Cognitive Impairments and Functional Limitations, a Late-filed Major Substantive Rule of the Department of Health and Human Services	




MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

MEMO

To: Legislative Council

From: Grant T. Pennoyer 

Date: April 22, 2019

Re: Archived Committee Audio Files

In the fall of 2015, the Legislature entered into an agreement with a vendor to upgrade our audio and visual web broadcasting ability to address problems with accessing the video and audio broadcasts using mobile devices. An additional benefit of this upgrade was an archiving and indexing service of Senate and House Session videos and an archiving service of all committee audio broadcasts. Initially, the 127th Legislative Council was reluctant to make these archived video and audio broadcasts accessible on the Legislature's web page. The concerns expressed at the time were the potential for the abuse of these files for political purposes and concern for the inexperienced public testifiers at committee hearings.

In April 2016, the 127th Legislative Council authorized the addition of the video archives of Senate and House Sessions to the Legislature's web site. These archived videos include a very nice indexing feature that allow the user to use the publicly accessible to target the video to topics or particular persons of interest. That Council was much less concerned about making the Senate and House Session videos available as these sessions are much more controlled than committee meetings and do not typically involve the public participation of committee hearings.

I have been asked again to present the issue of making the committee audio archives available on the Legislature's web page with the Senate and House videos to the Legislative Council. The archived versions are now available upon request through the Executive Director's office. However, there are many organizations that record the committee audios, such as Maine Public, and use them for radio news reporting. Some of the Leadership Offices have trained their staff to be able to record committee audio broadcasts and I am certain other political organizations have as well. So it is very likely that the people that might use "sound bites" from the committee audio for political purposes are already capable of doing it. Only the general public that is not capable of recording from the web broadcast has to go through the extra step of making a request for the audio file from the Executive Director.

SEN. TROY D. JACKSON
CHAIR

REP. SARA GIDEON
VICE- CHAIR

EXECUTIVE DIRECTOR
GRANT T. PENNOYER



129TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. NATHAN L. LIBBY
SEN. ELOISE A. VITELLI
SEN. DANA L. DOW
SEN. JEFFREY L. TIMBERLAKE
REP. MATTHEW W. MOONEN
REP. RYAN M. FECTEAU
REP. KATHLEEN R.J. DILLINGHAM
REP. HAROLD TREY STEWART III

Legislative Council Policy on Electronic Communications

It is in the best interest of the Legislature and its staff to conduct all electronic communications regarding legislative business using their legislative email and not private email or using text messages on phones. Virtually all Legislator and staff electronic communications that “conduct legislative business” are subject to the Freedom of Access Act (FOAA). Therefore to improve the management of electronic communications, Legislators and staff will follow these guidelines regarding electronic communication.

- Committee analysts and clerks must use each member’s legislative email addresses so that all committee-related communications are conducted on the Legislature’s servers. Use of personal email accounts for conducting legislative business is strongly discouraged. If a staff member receives an email from a Legislator from a non-legislative email address, staff will respond to that email but will also reply to the legislative email of that Legislator.
- Texting to conduct Legislative business is strongly discouraged.

This policy is adopted by the Legislative Council on this 25th day of April, 2019.

BY: _____
Grant Pennoyer, Executive Director
Legislative Council

Authority: 3 MRSA §2

Adopted: April 25, 2019

Effective Date: April 25, 2019

Amended Date:



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

Robert B. Hunt
Clerk of the House

April 25, 2019

Legislative Council
115 State House Station
Augusta, ME 04333

Dear Members of the Legislative Council,

We are here before you today to request \$20,000 be set aside to host the annual Professional Development Seminar of the American Society of Legislative Clerks and Secretaries in Portland, Maine in September of 2020.

The American Society of Legislative Clerks and Secretaries (ASLCS) is the oldest, largest and most active staff section of the National Conference of State Legislatures. In fact, the Society was one of the founding organizations of NCSL.

The Society was created to improve legislative administration, to provide an effective forum for solving professional problems common to legislative officers and their staffs, and to establish better communication between clerks and secretaries throughout the United States and its territories.

We work in an unique environment for which little formal training is available. ASLCS works to fulfill these training needs. Each fall, the Society holds an annual professional development meeting somewhere in the United States. It consists of a week of intensive training and information exchange, designed specifically for legislative clerks and secretaries and their staffs. The annual meeting concentrates on:

- Improving administrative and parliamentary effectiveness of state legislatures,
- Developing procedures for enhancing the lawmaking function,
- Improving the skills and professionalism of employees in the office of the clerks and secretaries,
- Increasing the understanding of the roles and relationships among different staff activities and responsibilities,
- Providing a forum in which clerks and secretaries can learn from one another.

ASLCS is self-sustaining as far as normal conference expenses are concerned. However, as the Host State we would be expected to host events that would showcase Maine and all that Maine has to offer. These would include entertainment and transportation to various events, such as a day at the Capitol Complex. In addition to a contribution from the Legislature, we would undertake a significant fundraising effort to cover the remainder of the anticipated costs. Based on years past, we could expect 200-225 individuals from across the nation from as far away as Hawaii and Alaska, as well as the territories of Guam and America Samoa.

Thank you for your consideration and I welcome any questions you may have.

Maine State House & Grounds



Multi-Year Plan for Maintenance & Improvements 2019 – 2022

Table of Contents

Introduction	3
On-going Regular Maintenance:	3
1) Interior Painting and Cosmetic Repairs and Upgrades	3
2) Selected Carpet Replacement and Cleaning	4
3) Mechanical System Repairs and Regular Maintenance	4
4) Pavement Inspection and Minor Repairs	4
5) Roofing Inspections and Repairs	5
6) Saltguard Protection of Landscape Pavers and Sidewalks	5
7) Exterior Building Granite and Stair Inspection and Repair	6
8) Safety Equipment Annual Certification	6
9) Miscellaneous State House Grounds Maintenance	6
10) Path, Garden and Tree Maintenance in Capitol Park	7
Other Projects:	7
2017.1: Exterior Window Maintenance and Repairs	7
2018.1: Legislative Information Office Entry Renovation	8
2018.2: Inner Horseshoe Upgrade in Appropriations	8
2018.3: Parking Lot O Improvements and Resurfacing	9
2019.1: Paver Resetting at East and West Entrances	9
2019.2: Refinish Main Entrance Doors with Oxidized Bronze	10
2019.3: State House Lawn Repair and Loam over Exposed Roots	10
2019.4: Replace Fire Escape Doors	11
2019.5: Audio/Visual System Upgrade in Appropriations	11
2019.6: Additional Security Cameras in the State House	12
2020.1: Liberty Bell Repair and Relocation	12
2021.1: Drainage and Path Improvement in Capitol Park	13
2022.1: Replace Combustible Dome Floor Structure and Flooring	14
Attachment I	
Budget summary of long-range plan	15

Introduction

The on-going regular maintenance and more significant one-time improvement projects are typically scheduled during the interim between legislative sessions. This year, 2019, will hopefully be a year that allows us to catch up on several projects and regular maintenance that were delayed or limited in scope as a result of the extended Legislative Sessions of the 128th Legislature. This year is also the last construction season before the Bicentennial in 2020. We are hoping that we avoid any exterior staging and obvious signs of construction around the State House in 2020 as plans for celebrations and their locations are not yet finalized and may involve events at or around the State House.

The first section of this document summarizes the regular maintenance projects that generally occur each year or regularly to keep the State House and the grounds in good condition. Larger improvement projects of a one-time nature are summarized in the next section.

The State House Preservation and Maintenance Fund receives an annual General Fund appropriation of \$800,000 to conduct these projects. The State House and Capitol Park Commission receives an annual appropriation of \$67,834. The latter appropriation is typically used to conduct regular maintenance and projects in Capitol Park and work affecting the State House grounds. The former is focused on work in the State House and the major projects.

During 2016, 2017 and 2018, the Legislative Council also authorized the transfer of funds, \$151,000 in 2016, \$100,000 in 2017 and \$100,000 in 2018, from the State House Preservation and Maintenance Fund to the Blaine House Maintenance and Repair Fund for some improvement projects in the Blaine House and its grounds.

The amounts identified in the budget summary table in Attachment I and the estimated cost at the end of each project write-up are conservative estimates of the costs of both the annual on-going maintenance and the major improvement projects.

Part I: On-going Regular Maintenance

1) Interior Cosmetic Repairs and Miscellaneous State House Upgrades

Each year a survey of interior wall surfaces of the State House is conducted to review high priority areas for plaster repair and painting. As the state's most important public landmark facility and seat of government, the State House receives sustained and substantial use by the public, staff and legislators. As a result, significant stress is placed on the appearance of the building, most particularly in the public corridors and major public spaces. Since it has been nearly 20 years since the major renovations of the State House, we are also taking the opportunity to upgrade older fluorescent fixtures with LED fixtures. Many of the fixtures are being installed at minimal costs due to the fixture's eligibility for Efficiency Maine rebates and the use of State electricians.

Estimated annual budget for these regular miscellaneous repairs and upgrades is \$60,000.

2) Selected Carpet Replacement

One of the most heavily used materials is the carpet installed throughout the many office areas of the building as well as in the House and Senate chambers. In a time when carpet is better designed, longer lasting and easier to maintain than ever before, it nevertheless remains that the life expectancy of high quality commercial carpet is typically no more than seven years and significantly less in heavily used public buildings. In many areas of the State House, the carpet has been in place since it was installed during the major renovations from 1999 to 2001. This annual replacement will prioritize and select the carpet to be replaced throughout the building. This work is typically done in the fall of each year and also includes costs of a moving service to make a room accessible for carpet replacement.

Estimated annual budget for these replacements is \$75,000.

3) Mechanical System Repairs and Regular Maintenance

During 1999 to 2001 renovations of the State House, the mechanical systems were updated. As part of that renovation of the West and North wings of the State House, Kitec piping and fittings were used. The company that made those products is now out of business as a result of failures in its products. Since 2014, we have been replacing that plumbing, initially prioritizing on areas where we have discovered leaks, but later in a more systematic way given the failures. In 2018, we completed the replacement of the failing Kitec plumbing and as a result we can begin to focus on preventive maintenance. The elimination of the substantial heating system water loss in a closed loop system meant that the Boiler Crew of the Bureau of Real Estate Management (BREM) is able to maintain an effective treatment of the system's water lessening the damage to the heating units and connections. However, there were so many years that the water lacked effective treatment that we are faced with multiple fan coil units that are failing and need to be replaced.

We are working cooperatively with BREM to implement the needed replacements and also working to improve the ability to isolate certain supply lines for maintenance should the need for a repair occur during a peak heating or cooling season. The BREM Boiler Crew has been trying to do this work, but has limited resources and faces demands across state buildings on both the West and East campuses. As a result, we have needed to contract for outside resources to supplement the BREM's staff to properly maintain these heating and cooling units in the various offices of the State House.

Estimated annual budget for this maintenance is \$50,000. 2019 is \$10,000 higher to provide for some higher initial costs of repairs and replacements for a backlog of servicing logs.

4) Pavement Inspection and Minor Repairs

In 2006 and 2007, the State House parking lots, sidewalks, south access and traffic improvement projects were completed. This two-year, phased project was undertaken with the primary goal of redesigning the pedestrian and vehicular access to the main entrance to the State House in a manner that enhances the West entrances as the main entrance and provides safe and convenient access for everyone visiting the State House and grounds.

With this project, and subsequent north parking lot and pavement projects completed in 2010 and 2011, a significant number of traffic lanes and parking spaces were created. This project is designed with an express goal of maintaining and preserving the long-term integrity of these pavement projects. An annual inspection is conducted for general wear and durability. Areas of pavement demonstrating unusual wear will be noted and the minor repairs completed. We will also be conducting a more extensive review in 2019 to develop a long-range plan for the more substantial repairs that may be required given the age of the pavement in the Legislative parking lots. This review excludes the southernmost lot, Parking Lot O, which is going to be upgraded this year (see Project 2018-3).

This project also includes the annual costs for restriping of the Legislative Parking Lots and typically represents approximately half of the annual costs.

Estimated annual budget for this inspection and maintenance is \$6,000. 2019 is higher at \$15,000 to account for a more extensive review and the development of a long-range plan.

5) Roofing Inspections and Repairs

Due to a variety of roof forms, the State house is protected by two types of roofing: 1) copper at the high and two low domes and east and west sloped roofs and 2) EPDM at the north and south low pitched roofs. The existing roofing on the entire west wing and east porch roofs was removed and copper roofing was installed in 2004 and 2005. The high dome copper was replaced and existing white painted copper repainted in 2014. EPDM roofing was replaced in 2016.

This project involves the regular review and maintenance of all roofing systems. Areas requiring maintenance will be identified and assessments made whether repairs are covered under roofing warranties. Repairs will be completed by a roofing subcontractor.

Estimated annual budget for this inspection and maintenance is \$5,000.

6) Saltguard Protection of Landscape Pavers and Sidewalks

In many areas on the State House grounds, rectangular precast concrete pavers have been used for walkway surfacing. This material provides a uniform, fully accessible walking surface and through the use of color and patterning, also provides a general visual as well as safety enhancement for pedestrians at the State House.

This project will provide the exterior precast pavers and concrete sidewalks with protection against salt corrosion in locations on the State House grounds. Each application of the Saltguard provides protection for up to three years. Without this protection, significant and rapid paver and concrete sidewalk deterioration will result from the use of standard salt and ice melt chemicals.

Estimated budget for this inspection and maintenance is \$15,000 every third year beginning in 2019.

7) Exterior Granite and Stair Inspection and Repair

While the exterior walls of the State House appear fully capable of standing the test of time, the original Hallowell granite is actually relatively soft and is subject to weathering deterioration. The mortar used at the joints between stones is likewise subject to weathering failure once the mortar has aged and cracked. If water is allowed to enter the exterior walls of the building whether through a cracked stone or more likely through deteriorated mortar, it is only a matter of time until it migrates through the thick walls and damages the interior of the State House. In winter, this water may freeze in the wall itself creating significant additional freeze/thaw damage to the stone and mortar joints. Once a water route into the building is started, it will grow until arrested by an active maintenance program.

Over the past few years, many of the exterior granite stairs serving the State House and surrounding grounds experienced significant tread movement and deterioration. This deterioration was due to water infiltrating through open joints between stair treads resulting in freeze/thaw action. In 2011, the last of the repair projects aimed at aligning offset treads and arresting on-going deterioration was completed.

This project will provide for the annual inspection of the exterior granite walls and of all exterior granite stairs and the repair of any stone damage or loose/cracked mortar. Any places where mortar or sealant shows any signs of deterioration will be located and repaired in order to keep all walls and stairs in good repair for safety and long-term maintenance considerations.

Estimated annual budget for this inspection and maintenance is \$7,500.

8) Safety Equipment Inspection and Maintenance

There are a wide variety of life safety and maintenance safety systems serving the State House ranging from the very visible exterior fire escapes to the less obvious security lifelines and access ladders at the exterior and interior surfaces of the high dome, these systems serve the public and State House maintenance staff in important ways. In addition to the fire escapes that are provided for the life safety of all building occupants, several maintenance safety systems have been installed in compliance with OSHA (Occupational Safety and Health Administration) requirements. These important safety systems will be regularly inspected by appropriate technicians and certified to an acceptable level of maintenance and performance.

Estimated annual budget for this inspection and maintenance is \$1,000.

9) Miscellaneous State House Grounds Maintenance

Throughout the year, the BREM Grounds Crew performs regular mowing and other general maintenance on the lawns that are under the jurisdiction of the Legislative Council. However, this Grounds Crew must also perform this same regular maintenance on both the West and East Campuses of the Capitol Complex. Therefore, that limited resource must be supplemented by contracted staff and services, including but not limited to: irrigation system maintenance; lawn treatments; pruning and limbing trees and flower garden and planter maintenance.

Estimated annual budget for this inspection and maintenance is \$25,000. Again, 2019 at \$30,000 reflects some “catch-up” on some deferred maintenance from the last two years.

10) Path, Garden and Tree Maintenance in Capitol Park

There have been numerous investments to improvements and maintenance within Capitol Park to restore the park to the original Olmstead Brothers design for the park. As with the grounds surrounding the State House, the BREM staff has been able to keep up with mowing and some minimal other maintenance within Capitol Park. However, the maintenance needs of the Park exceed the capabilities of the Bureau’s staff and resources. Without this additional attention, the gardens would become overrun with invasive plants and weeds and be very different than the original plan for the park. The stone dust paths, while attractive, also require significant annual attention. There are several sections that are subject to significant water erosion creating troughs that create a hazard for pedestrians walking in the park.

Estimated annual budget for this inspection and maintenance is \$20,000 paid from the State House and Capitol Park Commission budgeted amount.

Part II: Other Projects

2017.1 Exterior Window Maintenance and Repairs

During the three-year renovations of the State House (1999-2001), all exterior window sash was replaced and the majority of existing frames and trim restored. New sash was constructed of mahogany obtained from certified sustainably grown forests and high quality paint was used on both the sash and frames. In an effort to improve air infiltration resistance, existing double hung sash operation was modified to single hung using existing weight pockets and new weather stripping and historically appropriate operating hardware was provided.

For nearly twenty years the windows have stood up well but there are many locations where paint is wearing thin or is non-existent, particularly on those windows with significant sun exposure. If allowed to continue, the integrity of the windows will be compromised beyond the point where simple maintenance can restore overall functional integrity to where a full scale and expensive replacement project will be the only option. Many of the insulated panes in many of the windows have also lost their seal and moisture has infiltrated the insulating space affecting its insulating value and clouding the panes.

This project will be completed in phases and include painting and repair of windows, frames and sills and the replacement of all insulated panes given the high failure rate of the insulated panes after approximately twenty years. The first phase addressing all South Wing windows and the south elevation of the West Wing, those windows most affected by sun exposure, began in the fall of 2017. The remaining elevations will follow with the goal of completing these by the end of the 2019 construction season so that no obvious construction will be occurring during the Bicentennial.

Project Status:

The first phase took all of the 2017 and 2018 seasons to complete due to some unexpected difficulties with replacing the panes and the inefficiency of using a two-man lift. The contractor will be devoting more resources to the project and started using staging in 2018 which significantly improved the efficiency of the pane replacements and the painting such that they are going to try and complete the remaining elevations by end of 2019.

Estimated Budget:

The first phase of the project was estimated to cost \$200,000. The remainder of the project is estimated to cost an additional \$800,000.

2018.1: Legislative Information Office Entry Renovation

The Legislative Information Office (LIO) was relocated in 2017 to the location of the old Legislative Conference Room immediately to the right before the security screening lanes at the main entrance of the State House. As part of this move, we did not make any adjustments to the space to make sure that the space would work well for LIO and the general public. We have found that this space has been a good fit for LIO and for the public and with some modifications to the entry way, the space would be significantly improved.

This project removed the glass door that opened and interfered with the priority security screening lane and replaced with an opening to an inviting tiled lobby area. To improve security for the staff, an interior wall with a card-access door was added. The interior wall includes a window for receptionist to greet the public and answer questions. The redesign of the LIO lobby area before screening will encourage more of the public to use this information resource (instead of the Tour Guide) and the addition of an additional monitor with the calendar of events and other information resources available before security screening.

Project Status:

The project is nearly complete except for one punch list item, replacing damaged reception window.

Estimated Budget:

The estimated cost of this project is \$76,760.

2018.2: Inner Horseshoe Upgrade in Appropriations

This project replaced some portable tables that were used for the visiting committees for joint public hearings on budget bills with a more finished partial horseshoe. Some portable tables will remain to provide sufficient seating for the joint hearings, but will also provide flexibility to handle of larger audience for other events. Initially, the tables were all designed to fold up and be stored to give that

room greater flexibility. Over the last 20 years, those tables have never been removed. The end tables, closest to the audience have been rearranged at times, but have never been completely removed.

Project Status:

This project has been completed.

Estimated Budget:

The cost of this project was \$43,000.

2018.3: Parking Lot O Improvements and Resurfacing

Parking Lot O is located beyond Parking Lot B to the South of the State House. It is the last of the parking areas to be reconstructed and improved; all others were done in 2006-2007. It remains in serious disrepair. This project will install improved lighting, security cameras and an emergency call box to make the lot safer and more inviting. The parking lot paved area will be improved using a pavement reclamation process. A back portion of the lot will be used for a fenced-in storage area for various State House and Grounds construction materials that are dispersed in several different storage areas.

Project Status:

The electrical and engineering design work for this project is nearing completion with the actual construction planned to begin in July of 2019. Some electrical work may begin in June, if it does not affect parking during the peak time of the legislative session.

Estimated Budget:

The estimated budget for this project is \$300,000 split between FY 2019 and FY 2020.

2019.1: Paver Resetting at East and West Entrances

This project would reset the pavers at both the East and West Entrances of the State House. The pavers in front of the main entrance (West Entrance) to the State House have settled in several places causing a potential hazard for pedestrians. Work at the main entrance will also include the investigation into a chronic leaking issue in the Connector below the main entrance.

The East Entrance walkway and steps down to Capitol Park, the historical grand main entrance to the State House, has experienced even more significant settling of the base in certain areas, particularly around some runoff drains, creating both a hazardous situation and a detractor to the appearance of the front of the State House. While it is no longer the main entrance to the State House as the East Entrance is locked and not used as an entrance, it is used for certain events and is much photographed by visitors

and is worthy of continued investment in its maintenance. If there are Bicentennial celebrations at the State House, based on past celebrations they will likely use these steps.

Project Status:

This project has not been approved by the Legislative Council. The drainage system on the East Steps and Walkway was recently inspected and determined to be in good working order, thus avoiding more significant excavation and repair and engineering design services for the East Entrance steps and walkway. This project will be limited to subsurface repairs and paver resetting.

Estimated Budget:

The estimated budget for this project is \$25,000.

2019.2: Refinish Main Entrance Doors with Oxidized Bronze

This project would refinish the main entrance doors (West Entrance). The finish of the bronze doors, replaced in 2014, has not held up well and the imperfections in the bronze are very apparent with the original lighter shiny bronze finish. An attempt to refinish the doors in 2017 using the same lighter shiny finish did not last as the imperfections in the doors quickly reappeared after one winter season.

The proposed solution is to refinish the doors in a darker more antique-looking finish that will hide most of the imperfections in the bronze so that with annual maintenance these imperfections will not be noticeable. This darker, antique-looking finish is also more often used for historical buildings.

Project Status:

This project has not yet been approved by the Legislative Council.

Estimated Budget:

The estimated budget for this project is \$28,350. The incremental cost above the annual refinishing required for these doors is approximately \$18,000.

2019.3: State House Lawn Repair and Loam over Exposed Roots

Several major investments in the lawns surrounding the State House have been made since the major renovations of the State House and the Cross Office Building from 1999 to 2001 in order to enhance the beauty of the State House. Irrigations systems have been installed and annual treatments and fertilization have been on-going to supplement the regular maintenance of the BREM Grounds Crew. Recently, the trees on the east lawn of the State House underwent some long-overdue pruning and storm damage clean-up effort. The remaining task to prepare the State House for a proper presentation for the Bicentennial celebrations will be adding top soil around the newly pruned trees and to repair other deeper indentations in the lawn and reseeding those areas.

Project Status:

This project has not yet been approved by the Legislative Council.

Estimated Budget:

The estimated budget for this project is \$33,000.

2019.4: Replace Fire Escape Doors

This project would replace four exterior doors that provide access to fire escapes from the second and third floors of the north and south wings of the State House. These doors have not been well maintained and have deteriorated to a point where restoration is not cost effective. These doors have also been refitted for different security and alarm devices over the years and show the remnants of prior fittings. These doors also have no insulating value. The Executive Director has consulted with the Historic Preservation Commission who has indicated that these doors do not have any significant historical significance that would warrant the investment in restoration. Therefore, this project will include the replacement of these four doors with insulated metal doors that will have the same appearance as the original doors, but will add a significant improvement in the insulating value to these doors.

Project Status:

This project has not yet been approved by the Legislative Council.

Estimated Budget:

The estimated budget for this project is \$13,000.

2019.5: Audio/Visual Upgrade in Appropriations

The Appropriations Committee room is the largest committee room and it was designed to have joint hearings with visiting committee and be flexible enough to hold a large audience for presentations. Since the renovation of the South Wing in 1999, there have been multiple discussions of providing a better means of making presentations in that room and showing budget spreadsheets and presenting a more finished look for the Audio Visual equipment (rather than having a large blank wall and a projector on a small file cabinet on a window sill).

The proposed new setup would have a double projector setup to project to two screens, one for audience viewing and one for the committee members sitting around the two horseshoes, allowing for easier viewing by all members of the committee without having to turn around. The screens would be retractable. As this room is also used extensively for trainings, orientations and conferences, the enhanced A/V system would be an asset to the whole Legislature and not just the Appropriations Committee.

Project Status:

This project was initially approved by the 128th Legislative Council, but was revisited and delayed when cost estimates for the original project came in at more than twice the projected cost. The 128th Legislative Council directed the Executive Director to explore other means of accomplishing the purposes of this project at a lower cost. In the interim, we have reviewed some additional alternatives and lowered the cost much closer to the original amount approved for this project.

Estimated Budget:

The revised estimated budget for this project is \$35,000.

2019.6: Additional Security Cameras throughout the State House

This project would add 14 additional security cameras in strategic locations throughout the State House to allow Capitol Police to be able to assess the situation in an emergency and provide the appropriate response. The cameras would be placed to provide coverage of all public spaces and stairwells, including the Senate and House Chambers.

Project Status:

This project was approved for implementation for the 2016 interim, however, it was discovered that there were insufficient executive branch network switches located in the State House to which the security cameras must connect. The Office of Information Technology (OIT) also began assessing a fee on the users of its networks that would include each security camera. This additional expense was not included in the Legislature's budget. As a result, the installation of the cameras has been delayed until the Department of Administrative and Financial Services (DAFS) settle on the internal DAFS billing for the use of the network connections for the security camera connections or an alternative security network is established. The hope is that this will be resolved this year either during the Biennial Budget deliberations this year or through the separate network option.

Estimated Budget:

The estimated budget for this project is \$50,000. This estimate reflects the costs associated with the cameras and the installation work. It does not reflect any additional network costs.

2020.1: Liberty Bell Repair and Relocation

In 1950, the US Treasury Department, in an effort to encourage the purchase of US Savings Bonds, determined that each of the fifty state capitols and all US territories should receive an accurate reproduction of the Liberty Bell. In all fifty-five bells were cast. From May 15 to July 3, 1950, Maine's replica travelled around the state for all to see. Finally on July 4, the bell was dedicated at its current location on the northwest lawn of the State House.

While Maine's Liberty Bell has weathered almost seventy years of outside exposure remarkably well, the wood yoke, believed to match the elm of the original Liberty Bell in Philadelphia, is in critical need of replacement. Weighing approximately 2080 pounds, the bell relies completely on the strength of the yoke for vertical support. Today, obvious cracks in the yoke have resulted in a sagging of the bell, a clear indication that the bell is in danger of falling.

This project will replace the wood yoke of the Liberty Bell. This project would also develop a new more attractive support structure that would be fitting of its new home in the State Library visible from above in the Cultural Building's Atrium.

Project Status:

This project was approved but has been on hold pending the potential for upgrades/changes to the Cultural Building. A safety support ring was installed by the Maine Department of Transportation under the Liberty Bell in its current location at the suggestion of the Division of Risk Management to minimize the injury risk to visitors should the bell's yoke fail.

Estimated Budget:

The estimated budget for this project is \$25,000.

2021.1: Drainage and Path Improvement in Capitol Park

During the course of park investigations and construction in 2011 and 2012, it became apparent that there is a very high water table in Capitol Park, resulting in standing water and washouts of the walkways throughout many areas of the park during much of the year. Indeed, portions of the recently installed walkways have been impacted by this high water table and significant standing water has been observed between the alley walkways.

The significant improvements made in Capitol Park in 2011 and 2012 are threatened by the presence of a very high water table throughout major portions of the park. In addition, large areas of the park are unusable to the public during selected seasons due to the presence of standing water and soft ground. This project will provide the installation of a drainage system appropriate to the park and capable of lowering the water table and eliminating the standing water.

This project will address the high water table and standing water by the construction of a drainage system of appropriate size and location. While the exact definition of this system is dependent on the results of on-going water table monitoring, the final system will be designed by geotechnical and civil engineers capable of understanding the results of the water table study and familiar with the park and its surrounding utility systems.

Project Status:

This project has appeared in multiple versions of the multi-year facilities plan and has been approved by multiple past Legislative Councils. However, each time the report has been approved, the time frame

for the project has been pushed further into the future as demands for higher priority projects used up more resources in the short-term horizon.

Estimated Budget:

The estimated budget for this project is \$250,000.

2022.1: Replace Combustible Dome Floor Structure and Flooring

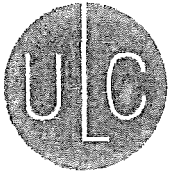
This project involves the removal of old combustible and deteriorated floor framing and walking surfaces in the State House inner dome, 5th and 6th floor areas and replacement with noncombustible components. An important aspect of the building-wide renovations has been to remove as much as possible building components and systems which could contribute to unsafe or incendiary conditions. The inner dome, 5th and 6th floors, originally constructed in 1890, while not accessible to the public nor of historic significance, exist as the greatest concentration of combustible structural materials remaining in the State House. This project will address this potentially hazardous condition.

Project Status:

This project as with the previous project has appeared in multiple versions of the multi-year facilities plan and has been approved by multiple past Legislative Councils. However, each time the report has been approved, the time frame for the project has been pushed further into the future as demands for higher priority projects used up more resources in the short-term horizon.

Estimated Budget:

The estimated budget for this project is \$200,000.



Uniform Law Commission

NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS

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March 1, 2019

Ms. Ann Robinson
Pierce Atwood LLP
254 Commercial St.
Portland, ME 04101-4664

Dear Ms. Robinson:

Thank you for Maine's continued support of the Uniform Law Commission (ULC). Founded in 1892 by the states, the ULC studies, drafts, and provides sound, non-partisan uniform and model acts addressing important and timely legal issues for Maine to consider for enactment.

Maine has enacted 112 uniform acts over the years that help its people engage in commerce, handle business and personal affairs, and much more.

The ULC continues its work on emerging legal developments with potential impact upon the states, including projects on autonomous vehicles, electronic wills, drones, and more. New drafting projects started in the last year include addressing alternatives to bail in the criminal justice system; standardization of the economic rights of unmarried cohabitants; and management and use of funds raised through crowdfunding efforts. New study projects have begun on issues such as data breach notification, telehealth, online privacy protection and the impact of new technologies on the UCC. A complete list of current study and drafting projects that may benefit Maine and its citizens can be found at the ULC website at <http://www.uniformlaws.org/>.

The ULC relies upon the donated services of its Commissioners who represent all 50 states, the District of Columbia, the U. S. Virgin Islands, and Puerto Rico. Countless hours and expertise from these commissioners have been conservatively estimated to exceed \$10 million in value annually.

Please find enclosed the dues notice from the Uniform Law Commission to the State of Maine. For fiscal year 2019-2020 Maine's dues allocation is \$37,250. We are grateful for prompt payment of state dues, which is crucial to ULC's continued work on the states' behalf. Dues received from member states and jurisdictions represent the ULC's largest source of financial support.

Please contact me [at tbuiteweg@hudco.com; or (734) 369-2786] or ULC Executive Director Steve Willborn if you have questions or would like additional information about the ULC. Thank you for your ongoing support of the ULC's purpose.

Sincerely,

Thomas J. Buiteweg, Treasurer
Uniform Law Commission

ENCL.

Cc: Dawna Lopatosky

RECEIVED MAR 06 2019

National Conference of Commissioners on Uniform State Laws

111 N. Wabash Ave., Suite 1010
Chicago, Illinois 60602
(312) 450-6600 Facsimile (312) 450-6601

ANNUAL DUES NOTICE FOR THE

STATE OF MAINE

March 2019

The Annual Dues allocation for the State of Maine to the
National Conference of Commissioners on Uniform State Laws
for the fiscal year ending June 30, 2020, is as follows:

Total FY 2020 Dues: \$37,250

Thank you for the continued participation of the State of Maine.
Please remit payment to:

National Conference of Commissioners on Uniform State Laws
111 N. Wabash Ave., Suite 1010
Chicago, IL 60602

Unit 271 – COMMISSION ON UNIFORM STATE LAWS

COMMISSION ON UNIFORM STATE LAWS

ANN ROBINSON, CHAIRPERSON

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Established: 1955

Telephone: (207) 791-1186

Reference: Policy Area 00, Umbrella 30, Unit 271, Citation T0003, MRSA Section 000000241

PURPOSE:

The Commission on Uniform State Laws was established to examine subjects on which uniformity of legislation among the states is desirable and to bring to the State of Maine the benefit of the sustained study and research of judges, lawyers and legal scholars through the National Conference of Commissioners on Uniform State Laws.

ORGANIZATION:

The Commission is authorized and organized pursuant to 3 M.R.S.A. §241:

The Commission on Uniform State Laws, as established by Title 5, section 12004-K, subsection 8, shall consist of 3 members to be appointed for a term of 4 years by the Governor. The commission shall also consist of any residents who, because of long service in the cause of state legislation, are elected life members of the National Conference of Commissioners on Uniform State Laws. The commission shall examine subjects on which uniformity of legislation in the different states is desirable; ascertain the best means to effect uniformity; cooperate with the commissioners of other states in the consideration and drafting of uniform acts for submission to the Legislatures of the several states; and prepare bills for introduction in the Legislature.

Commissioners are not compensated for their work. They seek reimbursement for expenses as Maine's delegates to the National Conference. The National Conference seeks payment of dues from Maine.

PROGRAM:

The Maine Commission on Uniform State Laws is a participant in the National Conference of Commissioners on Uniform State Laws in its work as a Committee of the whole and on its drafting and review subcommittees. Uniform Commercial Code, Uniform Probate Code, Uniform Anatomical Gift Act as amended, Uniform Transfers to Minors Act, Uniform Guardianship and Protective Proceedings Act, Uniform Health Care Decisions Act (Advance Directives), Uniform Interstate Family Support Act and Uniform Unclaimed Property Act are examples of Acts developed and adopted by the Conference which have great value to the several states, and are among the 59 Uniform Acts adopted by the State of Maine in the last century.

The Commission, like its counterparts in other states, works through appropriate legislative committees, the Maine State Bar Association and others having an interest in the particular uniform act.

PUBLICATIONS:

Copies of any of the Uniform or Model Acts are available upon request or at www.uniformlawcommission.com