

MAINE STATE LEGISLATURE

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REP. SARA GIDEON
VICE-CHAIR

EXECUTIVE DIRECTOR
GRANT T. PENNOYER



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

129TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

**129th Legislature
Legislative Council**

December 19, 2019

REVISED AGENDA

| <u>Page</u> | <u>Item</u> | <u>Action</u> |
|-------------|--|-----------------------|
| | CALL TO ORDER | |
| | ROLL CALL | |
| 1 | SUMMARY OF THE DECEMBER 6, 2019 MEETING OF THE LEGISLATIVE COUNCIL | Decision |
| | REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS | |
| | <ul style="list-style-type: none">Executive Director's Report (Mr. Pennoyer) No report | |
| 18 | <ul style="list-style-type: none">Fiscal Report (Mr. Nolan) | Information |
| ❖22 | <ul style="list-style-type: none">Legislative Studies Report (Ms. Hylan Barr) | Information |
| | REPORTS FROM COUNCIL COMMITTEES | |
| | <ul style="list-style-type: none">Personnel Committee No reportState House Facilities Committee No report | |
| | OLD BUSINESS | |
| 24 | Item #1: Council Actions Taken by Ballot (No Action Required) | Information |
| ❖25 | Item #2: Consideration of Tabled Bill Requests for Introduction in the Second Regular Session of the 129th Legislature—from October 23 rd and December 6 th Legislative Council meetings | Roll Call Vote |
| | NEW BUSINESS | |
| ❖30 | Item #1: Consideration of After Deadline Bill Requests | Roll Call Vote |

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

SEN. TROY D. JACKSON
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129TH MAINE STATE LEGISLATURE
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**LEGISLATIVE COUNCIL
MEETING SUMMARY
December 6, 2019**

CALL TO ORDER

President Jackson called the December 6, 2019 meeting of the 129th Legislative Council to order at 10:27 a.m. in the Legislative Council Chamber.

ROLL CALL

Senators: President Jackson, Senator Libby, Senator Vitelli, Senator Dow and Senator Timberlake

Representatives: Speaker Gideon, Representative Moonen, Representative Fecteau, Representative Dillingham and Representative Stewart

Legislative Officers: Darek Grant, Secretary of the Senate
Robert Hunt, Clerk of the House
Suzanne Gresser, Revisor of Statutes
Dawna Lopatosky, Legislative Finance Director
Jackie Little, Human Resources Director
Chris Nolan, Director, Office of Fiscal and Program Review
Marion Hylan Barr, Director, Office of Policy and Legal Analysis
Nik Rende, Director, Office of Legislative Information Technology

President Jackson convened the meeting at 10:27 a.m. with a quorum of members present.

President Jackson, Speaker Gideon and Representative Dillingham recognized Heather Carey, Legislative Council secretary, on her last day for her many years of service to the Legislature.

Legislative Council Chair Jackson asked if there was any objection to taking items out of order. There was no objection. The Chair then moved to New Business.

NEW BUSINESS

Item #5: Procedures for Deciding Appeals of Legislative Bill Requests and Consideration of Appeals of Bill Requests for the Second Regular Session.

Ms. Gresser reviewed the procedures for the review of Legislative Bill Requests and the proposed protocol for deciding those requests.

Motion: That the Legislative Council approves the proposed protocol for deciding Appeals of Legislative Bill Requests. Motion by Senator Timberlake. Second by Speaker Gideon.
Motion passed unanimously (10-0-0-0).

The Legislative Council proceeded to consider and vote on seventy-seven (77) appealed bill requests in accordance with the adopted protocol, and using an electronic voting system. The Legislative Council authorized twenty-one (21) bills for introduction in the Second Regular Session, tabled 8 (8) bill requests and declined to authorize forty-five (45) bill requests. Three (3) bill requests were withdrawn by the sponsor prior to the Legislative Council's vote. The Legislative Council's action on the bill requests is attached.

OLD BUSINESS

Item #2: Consideration of Tabled Bill Requests from the October 23 Legislative Council meeting

The Legislative Council took no action on Tabled Bill Requests.

NEW BUSINESS

Item #1: Legislative Council Meeting Schedule for 2020

Ms. Gresser reviewed the proposed Legislative Council meeting schedule for calendar year 2020.

Motion: That the Legislative Council approves the proposed Legislative Council meeting schedule for calendar year 2020. Motion by Senator Timberlake. Second by Representative Dillingham. **Motion passed unanimously (10-0-0-0).**

Item #2: Acceptance of Additional Outside Funds for the Committee To Study the Feasibility of Creating Basic Income Security – travel costs

Ms. Gresser reviewed the request from the Committee To Study the Feasibility of Creating Basic Income Security for the Legislative Council to approve outside funds that were raised with Legislative Council authorization.

Motion: That the Legislative Council authorizes the Committee To Study the Feasibility of Creating Basic Income Security to accept additional outside funding in the amount of \$250 that was raised in accordance with the authorization of the Legislative Council. Motion by Representative Moonen. Second by Representative Dillingham. **Motion passed (7-2-0-1,** with Senator Timberlake and Representative Stewart opposed, and Representative Fecteau absent).

Item #3: Acceptance of the Annual Report of the Loring Development Authority of Maine

The Loring Development Authority of Maine submitted its annual report for acceptance by the Legislative Council.

Motion: That the Legislative Council accepts the Annual Report of the Loring Development Authority of Maine and will place it on file. Motion by Senator Timberlake. Second by Representative Stewart. **Motion passed unanimously (10-0-0-0).**

SUMMARY OF OCTOBER 23, 2019 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary for October 23, 2019 be accepted and placed on file. Motion by Senator Timberlake. Second by Representative Moonen. **Motion passed unanimously (10-0-0-0).**

REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES

Executive Director's Report

Grant Pennoyer, Executive Director, submitted the following report, presented by Ms. Gresser.

1. Aspiring Leaders – Third Cohort

The third cohort of staff recently completed the Aspiring Leaders program that was first offered in 2016. This very successful program was designed in-house to encourage and engage promising staff. This year's graduates who made the additional commitment to participate in the program are: Ariel Ricci and Jennifer Henderson from the Office of Program Evaluation and Government Accountability; Suzanne Voynik from the Office of Fiscal and Program Review; Olivia Watson from the House Democratic Office; Nadia Stovicek and Sarah Ward from the Senate Democratic Office; Janet Stocco and Dan Tartakoff from the Office of Policy and Legal Analysis; Roy Lopez from the Office of Legislative Information Technology; Mark Swanson, Adam Bachelder and Rachel Carter from the Office of the Revisor of Statutes; and Frank Gleason from the Office of the Clerk of the House.

2. Harassment Prevention Training Update

In November, 127 staff and 25 supervisors completed annual harassment prevention training. Additional staff training is planned for January. Lobbyists will begin annual training in mid-December and Legislators will receive training in January.

3. Legislator Training Workshops

Three training workshops are being offered to Legislators on December 17 and 18 in partnership with the Council of State Governments. The topics include: *Building a Culture of Excellence and Civility*; *Managing Multiple Responsibilities*; and *Strategies to Overcome Impasse to Build Agreement*. Space is limited for these workshops so advance registration is strongly encouraged.

Fiscal Report

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

1. General Fund Revenue Update (see attached)

| Total General Fund Revenue - FY 2020 (\$'s in Millions) | | | | | | |
|---|-----------|-----------|--------|--------|------------|----------|
| | Budget | Actual | Var. | % Var. | Prior Year | % Growth |
| October | \$336.3 | \$336.5 | \$0.2 | 0.1% | \$334.5 | 0.6% |
| FYTD | \$1,359.8 | \$1,391.5 | \$31.7 | 2.3% | \$1,338.5 | 4.0% |

General Fund revenue was over budget by \$0.2 million (0.1%) for the month of October and by \$31.7 million (2.3%) for the fiscal year to date.

Individual income tax revenue was under budget by \$0.5 million for the month but over budget by \$15.9 million for the fiscal year to date. Estimated individual income tax payments were over budget for the month by \$2.5 million while individual income tax withholdings were over budget by \$1.9 million. Refunds were under budget (more refunded than budgeted) for the month by \$3.5 million. Corporate income tax revenue was under budget by \$0.2 million for the month but over budget by \$1.8 million for the fiscal year to date. Sales and use tax revenue (September sales) was over budget for the month by \$4.3 million and by \$14.3 million for the fiscal year to date. Other taxes and fees were under budget for the month by \$5.0 million due to a correction in the distribution of real estate transfer taxes between the General Fund and the Housing Opportunities for Maine (HOME) fund.

2. Highway Fund Revenue Update (see attached)

Total Highway Fund Revenue - FY 2020 (\$'s in Millions)

| | Budget | Actual | Var. | % Var. | Prior Year | % Growth |
|---------|---------|---------|---------|--------|------------|----------|
| October | \$29.6 | \$26.2 | (\$3.3) | -11.2% | \$29.4 | -10.8% |
| FYTD | \$119.7 | \$122.1 | \$2.4 | 2.0% | \$119.9 | 1.8% |

Highway Fund revenue was under budget by \$3.3 million (11.2%) for the month of October but over budget by \$2.4 million (2.0%) for the fiscal year to date.

Fuel taxes were under budget by \$4.0 million for the month and by \$0.6 million for the fiscal year to date. Motor vehicle registration and fees were over budget for the month by \$1.0 million and over budget for the fiscal year to date by \$3.0 million.

3. Cash Balances Update

The average balance in the cash pool for October was \$1,666.5 million, an increase from September's average of \$1,629.3 million and above both last October's average balance and the ten-year average for the month. The average Highway Fund balance of \$12.1 million in October was down from September's average of \$16.1 million.

4. Revenue Forecasting - Next Steps

The Revenue Forecasting Committee met on November 25, 2019 to review and update the revenue forecast to comply with its December 1, 2019 statutory reporting deadline. The report was posted to the RFC web site and printed copies will be available later this week. A summary follows:

General Fund revenue estimates were revised upward by \$52.7 million for FY20 and by \$21.9 million for FY21, for a combined increase of \$74.6 million for the 2020-2021 biennium. The resulting forecasted overall rate of growth for General Fund revenue for FY20 is now 2.8% over

FY19 final revenue amounts, followed by a 2.1% rate of growth for FY21. The forecast for the 2022-2023 biennium was revised upward by \$24.9 million for FY22 and by \$14.3 million for FY23 (an increase of \$39.2 million for the biennium). FY22 General Fund revenue is now projected to grow at an overall rate of 2.8% and for FY23 at a rate of 3.4%.

General Fund Summary - December 2019 Revenue Forecast

| | FY20 | FY21 | FY22 | FY23 |
|---|---------------------|---------------------|---------------------|---------------------|
| Current Forecast | \$3,904,382,358 | \$4,017,979,977 | \$4,128,465,965 | \$4,281,283,866 |
| Annual % Growth | 1.5% | 2.9% | 2.7% | 3.7% |
| Net Increase (Decrease) | \$52,658,136 | \$21,937,402 | \$24,897,475 | \$14,280,599 |
| Revised Forecast | \$3,957,040,494 | \$4,039,917,379 | \$4,153,363,440 | \$4,295,564,465 |
| Annual % Growth | 2.8% | 2.1% | 2.8% | 3.4% |
| Summary of Revenue Revisions by Major Revenue Category | | | | |
| Sales and Use Tax | \$19,600,000 | \$20,300,000 | \$19,600,000 | \$11,700,000 |
| Service Provider Tax | (\$1,000,000) | (\$1,800,000) | (\$3,000,000) | (\$4,000,000) |
| Individual Income Tax | \$19,500,000 | \$7,600,000 | \$12,300,000 | \$15,000,000 |
| Corporate Income Tax | \$12,000,000 | \$0 | \$0 | \$0 |
| Cigarette and Tobacco Tax | \$0 | \$0 | \$0 | \$0 |
| Insurance Companies Tax | \$700,000 | \$1,100,000 | \$1,500,000 | \$1,950,000 |
| Estate Tax | \$6,100,000 | \$1,000,000 | \$1,500,000 | \$1,900,000 |
| Other Taxes and Fees | (\$2,787,316) | (\$3,639,608) | (\$4,064,249) | (\$4,525,041) |
| Fines, Forfeits and Penalties | (\$5,992,564) | (\$5,992,564) | (\$5,992,564) | (\$5,992,564) |
| Income from Investments | \$227,930 | (\$3,980,360) | (\$4,337,948) | (\$4,511,321) |
| Transfer from Lottery Commission | \$0 | \$0 | \$0 | \$0 |
| Transfer to Tax Relief Programs | (\$2,915,000) | (\$1,167,000) | (\$2,020,000) | (\$3,010,000) |
| Transfer to Municipal Rev. Sharing | (\$3,392,712) | \$1,463,796 | \$2,458,307 | (\$1,185,145) |
| Other Revenue | \$10,617,798 | \$7,053,138 | \$6,953,929 | \$6,954,670 |
| Total Revisions - Increase (Decrease) | \$52,658,136 | \$21,937,402 | \$24,897,475 | \$14,280,599 |

Highway Fund revenue estimates were revised upward by \$3.1 million for FY20 and by \$0.9 million for FY21 (\$4.0 million for the 2020-2021 biennium). The forecasts for FY22 and FY23 were revised upward by \$0.9 million per year (\$1.8 million for the 2022-2023 biennium).

Fund for a Healthy Maine (FHM) revenue estimates were revised slightly upward for FY 20 but slightly downward for FY21 through FY 23. There were no changes made to the forecast for Tobacco Settlement Payments after significant adjustments were made in the May 2019 forecast. Minor adjustments were made to Fund for a Healthy Maine revenue from the Hollywood Casino Bangor and from income from investments consistent with the larger changes in the forecasts for these revenue sources.

Medicaid/MaineCare Dedicated revenue estimates were revised downward by \$5.7 million for FY20 and by \$3.6 million per year for FY21 through FY23. A one-time reduction of \$2.1 million was made in the hospital tax as a result of two hospitals, in the midst of bankruptcy filings, that have not paid their hospital tax on a timely basis. In addition, while service provider tax revenue is up in the first 4 months of FY20, the increase in revenue is less than budgeted and therefore a decrease in the forecast of \$3.0 million per year was made consistent with actual expected revenue.

Studies Report

Marion Hylan Barr, Director, Office of Policy and Legal Analysis, submitted the written studies report found in the agenda packet.

NEW BUSINESS**Item #4: Committee To Study the Feasibility of Creating Basic Income Security – next steps**

Ms. Gresser reviewed the report from the Committee To Study the Feasibility of Creating Basic Income Security regarding their next steps. No Legislative Council action was taken.

REPORTS FROM COUNCIL COMMITTEES**Personnel Committee**

No Report

State House Facilities Committee

No Report

OLD BUSINESS**Item #1: Council Actions Taken by Ballot****Legislative Council Decisions:**

Motion: That the Legislative Council approves the request from the Commission To Improve the Sentencing, Supervision, Management and Incarceration of Prisoners to extend the report due date of the Commission from December 4 to December 15 pursuant to Joint Rule 353.

Motion by: President Jackson Second by: Speaker Gideon
Date: November 19, 2019
Vote: 10-0-0-0 Passed

Motion: That the Legislative Council approves the request from the Task Force on Changes to the Maine Indian Claims Settlement Implementing for the travel costs for Professor Friederichs of the Human Rights and Indigenous Peoples Clinic and five students to travel to Augusta to present their work to the Task Force for a total of \$325.22 of anticipated travel expenses including mileage and tolls.

Motion by: President Jackson Second by: Speaker Gideon
Date: November 19, 2019
Vote: 10-0-0-0 Passed

Motion: That the Legislative Council approves the request from the Task Force on Changes to the Maine Indian Claims Settlement Implementing for a per diem for Professor Friederichs and five students from the Human Rights and Indigenous Peoples Clinic of \$55/day for a total of \$330.

Motion by: President Jackson Second by: Speaker Gideon
Date: November 19, 2019

Vote: 10-0-0-0 Passed

Motion: That the Legislative Council approves the request from the Task Force on Changes to the Maine Indian Claims Settlement Implementing for an honorarium/stipend to support the work of the Human Rights and Indigenous Peoples Clinic for a total of \$845.

Motion by: President Jackson Second by: Speaker Gideon

Date: November 19, 2019

Vote: 1-9-0-0 Failed (with Sen. Vitelli approving)

Motion: That the Legislative Council approves the request from the Maine Bicentennial Commission for a waiver of the *Policy on the Use of the Hall of Flags* so that they may sell commemorative coins in a four-hour sale to be held on Monday, November 25, 2019.

Motion by: President Jackson Second by: Speaker Gideon

Date: November 20, 2019

Vote: 10-0-0-0 Passed

ANNOUNCEMENTS AND REMARKS

With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 2:22 p.m.

129th Legislature - Second Regular Session
Legislative Council Action on Legislative Bill Requests
December 6, 2019

| | Action |
|--|---------------|
| Representative Ackley of Monmouth | |
| LR 2722 An Act To Provide a Death Benefit for Volunteer and Part-time Firefighters | PASSED |
| LR 2723 An Act To Allow Municipalities To Set Below-market Interest Rates for Senior Citizen Property Tax Deferral Programs | TABLED |
| Representative Andrews of Paris | |
| LR 2864 An Act To Recognize Occupational Licenses from Other States To Attract New Residents and Business to Maine | FAILED |
| LR 2868 An Act To Allow the Sale of Privately Held Fine and Rare Spirits by Auction | FAILED |
| Senator Bellows of Kennebec | |
| LR 2971 An Act To Require Employee Safety within the Funeral Industry | FAILED |
| Representative Bradstreet of Vassalboro | |
| LR 2828 An Act To Conform State Labor Law with Federal Labor Law | FAILED |
| Representative Brennan of Portland | |
| LR 2846 An Act Regarding Socially Responsible Investing by the Maine Public Employees Retirement System | FAILED |
| LR 2878 An Act To Expand Protections for the Privacy of Online Consumer Information | FAILED |
| Representative Campbell of Orrington | |
| LR 2729 An Act To Amend the Qualifications and Hiring Process for an Owner's Representative for a School Construction Project | FAILED |

129th Legislature - Second Regular Session
Legislative Council Action on Legislative Bill Requests
December 6, 2019

| | Action |
|---|---------------|
| Representative Campbell of Orrington | |
| LR 2743 | FAILED |
| An Act To Amend the Solid Waste Management Laws Relating to Waste-to-energy Facilities | |
| LR 2744 | FAILED |
| An Act To Create a Sustainable Solution to the Handling, Management and Disposal of Solid Waste in the State | |
| Representative Cardone of Bangor | |
| LR 2632 | PASSED |
| An Act To Implement Recent Changes to the Laws Regarding Unclaimed Property in Lawyer's Trust Accounts | |
| Senator Chipman of Cumberland | |
| LR 2951 | PASSED |
| An Act To Create Incentives for Employers To Allow Employees to Work Remotely in Rural Maine | |
| Senator Claxton of Androscoggin | |
| LR 2944 | TABLED |
| An Act To Minimize Potentially Objectionable License Plates | |
| LR 2945 | FAILED |
| Resolve, Directing the Department of Health and Human Services To Convene a Study Group To Review the Potential Contribution of Community-based Health Workers and Consider Issues Relating to Credentialing and Compensation | |
| Representative Corey of Windham | |
| LR 2642 | FAILED |
| An Act To Exempt Citizen Initiatives and People's Vetoes from Presidential Primary Elections | |
| LR 2876 | FAILED |
| An Act To Authorize Increased Borrowing by the Maine Governmental Facilities Authority To Support the Completion of the Maine Correctional Center in South Windham | |

129th Legislature - Second Regular Session
Legislative Council Action on Legislative Bill Requests
December 6, 2019

| | Action |
|--|---------------|
| Representative Craven of Lewiston LR 2727 An Act To Advance Palliative Care Utilization in the State | PASSED |
| Senator Cyrway of Kennebec LR 2610 An Act To Require Warning Labels Regarding the Danger of Psychosis from the Consumption of Marijuana Products | TABLED |
| Senator Deschambault of York LR 2867 An Act To Promote Economic Development by Increasing Incentives for the Film Industry | FAILED |
| Representative DeVeau of Caribou LR 2805 An Act To Provide Additional Supplemental Funding to the Veterans' Homelessness Prevention Coordination Program | TABLED |
| LR 2806 An Act To Amend the Laws Governing Hemp To Specifically Authorize the Interstate and International Sale and Transfer of Hemp | FAILED |
| Representative Dillingham of Oxford LR 2607 Resolve, To Establish the Working Group To Review Emergency Medical Services in the State | FAILED |
| LR 2668 An Act To Create the Broadband Work Plan | FAILED |
| Representative Doudera of Camden LR 2887 An Act To Amend the Statute Regarding Endangering the Welfare of a Child To Include Allowing Children Access to Loaded Firearms without Permission | FAILED |
| Representative Farnsworth of Portland LR 2731 | PASSED |

129th Legislature - Second Regular Session
Legislative Council Action on Legislative Bill Requests
December 6, 2019

| | Action |
|---|---------------|
| Representative Farnsworth of Portland An Act To Improve Prisoner Transport Safety by Specifically Authorizing Transport of Prisoners by Transport Officers | |
| Senator Farrin of Somerset LR 2711 An Act Regarding Games of Chance at Fairs Conducted by Groups Affiliated with Fraternal Organizations | PASSED |
| Representative Fecteau of Augusta LR 2842 An Act To Modify Teacher Certification Expiration Dates for Teachers Who Use Medical Leave or Family Medical Leave | PASSED |
| LR 2843 An Act To Establish a Lifetime Substitute Teacher Certification for Successful and Established Maine Teachers | FAILED |
| LR 2857 An Act To Waive Certain Standardized Assessment Requirements for Teacher Certification for Individuals Who Successfully Complete Bachelor's Degree Programs, Teacher Preparation Programs or Teacher Probationary Mentoring Programs | FAILED |
| Senator Foley of York LR 2702 An Act To Increase the Automatic Draft Authority for Licensed Insurance Producers | PASSED |
| Representative Foley of Biddeford LR 2939 An Act To Create the Limited Lines Self-Storage Insurance Act | FAILED |
| Representative Foster of Dexter LR 2720 An Act To Allow a Qualifying Religious or Other Entity To Self-insure for Automobile Insurance | FAILED |

129th Legislature - Second Regular Session
Legislative Council Action on Legislative Bill Requests
December 6, 2019

| | Action |
|---|---------------|
| Senator Gratwick of Penobscot | |
| LR 2690 | PASSED |
| An Act Regarding Prior Medical Authorizations for Certain Medical Procedure | |
| LR 2932 | FAILED |
| An Act To Allow Certain Law Enforcement Officers To Return to Participation in the Maine Public Employees Retirement System | |
| Representative Grohoski of Ellsworth | |
| LR 2767 | PASSED |
| An Act To Amend the Laws Governing Requirements for the Construction of Transmission Lines by Incumbent Transmission and Distribution Utilities | |
| LR 3083 | PASSED |
| An Act To Improve Agricultural Productivity through the Protection of Native Pollinator Species | |
| Representative Hobbs of Wells | |
| LR 2670 | FAILED |
| An Act To Require Operators of Motorized Scooters To Wear | |
| President Jackson of Aroostook | |
| LR 2973 | FAILED |
| An Act To Encourage Innovation in Maine's Craft Beverage | |
| Senator Keim of Oxford | |
| LR 2818 | PASSED |
| An Act To Provide an Appeals Process for Administrative Suspensions of Provisional Driver's Licenses | |
| Representative Keschl of Belgrade | |
| LR 2613 | FAILED |
| An Act To Require a Referendum Regarding the Maine Death with Dignity Act | |
| LR 3068 | PASSED |
| An Act To Establish the Trust for a Healthy Maine | |

129th Legislature - Second Regular Session
Legislative Council Action on Legislative Bill Requests
December 6, 2019

| | Action |
|---|---------------|
| Representative Keschl of Belgrade | |
| Representative Kessler of South Portland | |
| LR 2801 | FAILED |
| An Act To Prohibit Residential Rental Application Fees and Limit Security Deposits | |
| Representative Kinney of Knox | |
| LR 2630 | FAILED |
| An Act To Protect Infants Who Are Born Alive Immediately following Birth | |
| Senator Lawrence of York | |
| LR 2649 | PASSED |
| An Act To Allow Public Members of the Maine-Canadian Legislative Advisory Commission To Receive Reimbursement for Travel Expenses | |
| Representative Matlack of St. George | |
| LR 2769 | FAILED |
| An Act to Ensure Equity in the Shellfish Depuration Compensation Process for Municipalities | |
| Senator Millett of Cumberland | |
| LR 2700 | PASSED |
| Resolve, Directing the Department of Environmental Protection To Evaluate Emissions from Heated Aboveground Petroleum and Storage Tanks | |
| Senator Miramant of Knox | |
| LR 2636 | FAILED |
| An Act To Expunge Records for Certain Cannabis Convictions | |
| LR 2663 | FAILED |
| An Act To Prohibit the Purging of Volatile Organic Compound Gases from Oil Tankers in the Waters of Maine | |
| LR 2708 | FAILED |

129th Legislature - Second Regular Session
Legislative Council Action on Legislative Bill Requests
December 6, 2019

| | Action |
|---|------------------|
| Senator Miramant of Knox An Act To Ban Single-use Plastic Straws, Splash Sticks and Beverage Lid Plugs | |
| Senator Moore of Washington LR 2746 An Act To Clarify the Rights of Parties in Certain Foreclosure Actions | TABLED |
| LR 2752 An Act To Restore Fish Passage for Anadromous Fish | FAILED |
| Representative Morales of South Portland LR 3086 An Act To Create a Frequent Users Systems Engagement Collaborative | PASSED |
| Representative Moriarty of Cumberland LR 2707 An Act To Fund the Land for Maine's Future Program | WITHDRAWN |
| Representative O'Neil of Saco LR 2897 An Act Prohibiting Certain Confinement of Egg-laying Hens and the Sale of Their Eggs | PASSED |
| Representative Perry of Calais LR 2680 An Act To Amend the Mandatory Shoreland Zoning Laws To Provide for Clear and Operable Language in Municipal Land Use Guidelines | FAILED |
| Representative Riley of Jay LR 3076 An Act To Amend the Funding Mechanism for the E-9-1-1 System | FAILED |
| Representative Roberts of South Berwick LR 2793 | PASSED |

129th Legislature - Second Regular Session
Legislative Council Action on Legislative Bill Requests
December 6, 2019

| | Action |
|---|------------------|
| Representative Roberts of South Berwick An Act To Address the Needs of Expectant Mothers Affected by Opioid Abuse | |
| Representative Rykerson of Kittery LR 2902 An Act Regarding Student Privacy | WITHDRAWN |
| Representative Sampson of Alfred LR 2764 An Act To Require an Assessment of the Role of Vaccination in Sudden Infant Death Syndrome Cases during Postmortem Examinations | FAILED |
| LR 2920 An Act To Establish as a Civil Violation the Use by Adults of Tobacco Products or Electronic Smoking Devices on School Grounds | FAILED |
| Senator Sanborn of Cumberland LR 2931 An Act To Clarify Insurance Requirements under the Peer-to-peer Car Sharing Insurance Act | PASSED |
| Representative Skolfield of Weld LR 2906 An Act To Authorize the Use of Tax Increment Financing District Funds for Law Enforcement Purposes | FAILED |
| Representative Stewart of Presque Isle LR 2687 An Act To Allow Nonprofit Organizations in Maine To Sell Raffle Tickets Online | FAILED |
| LR 2693 An Act Relating to the Northeastern Interstate Forest Fire Protection Compact | FAILED |
| LR 2719 | FAILED |

129th Legislature - Second Regular Session
Legislative Council Action on Legislative Bill Requests
December 6, 2019

| | | Action |
|---|---|------------------|
| Representative Stewart of Presque Isle | | |
| | An Act To Make Comprehensive Changes to Maine's Criminal Justice System To Reduce Recidivism and Improve Mental Health across the State | |
| LR 2802 | | FAILED |
| | An Act To Establish the Universal Occupational and Professional License Reciprocity and Recognition Act | |
| LR 2975 | | FAILED |
| | Resolve, To Establish a Commission To Study Reforming the Legislative Process | |
| Representative Talbot Ross of Portland | | |
| LR 2742 | | PASSED |
| | An Act To Establish a Structured Reentry Program for the Reentry of Persons from Correctional Facilities into the Community | |
| LR 2983 | | FAILED |
| | An Act To Authorize the Preparation of Racial Impact Statements for Certain Legislation | |
| LR 3080 | | WITHDRAWN |
| | An Act To Amend the Laws Regarding Summonses for Certain Misdemeanor Offenses | |
| Representative Terry of Gorham | | |
| LR 2982 | | FAILED |
| | Resolve, To Establish a Task Force To Assist Women Recovering from Substance Use Disorder | |
| Representative Tuell of East Machias | | |
| LR 2820 | | FAILED |
| | An Act To Reduce Pay Disparity in Maine Schools | |
| LR 2835 | | PASSED |
| | An Act To Establish Separate Prosecutorial Districts in Downeast Maine | |

129th Legislature - Second Regular Session
Legislative Council Action on Legislative Bill Requests
December 6, 2019

| | Action |
|--|---------------|
| Senator Woodsome of York | |
| LR 2686 | TABLED |
| An Act To Ensure Maine Cable Service Franchises Are Nonexclusive | |
| LR 2704 | TABLED |
| An Act To Establish Common Law Marriage in Maine | |
| LR 2873 | TABLED |
| An Act To Remove Barriers to Entry to the Profession of Dental Therapy and Expand Access for the Underserved Dental Patient Population | |

Total number of bills accepted: 21
Total number of bills tabled: 8
Total number of bills screened: 77

Fiscal Briefing

December 19, 2019

Prepared by the Office of Fiscal & Program Review

1. General Fund Revenue Update (see attached)

Total General Fund Revenue - FY 2020 (\$'s in Millions)

| | Budget | Actual | Var. | % Var. | Prior Year | % Growth |
|----------|-----------|-----------|--------|--------|------------|----------|
| November | \$278.1 | \$291.3 | \$13.2 | 4.7% | \$256.4 | 13.6% |
| FYTD | \$1,637.9 | \$1,682.7 | \$44.8 | 2.7% | \$1,594.9 | 5.5% |

General Fund revenue was over budget by \$13.2 million (4.7%) for the month of November and by \$44.8 million (2.7%) for the fiscal year to date. **These positive variances do not reflect the December 2019 revenue forecast, which increased budgeted General Fund revenue by \$52.7 million for FY 2020.**

Individual income tax revenue was over budget by \$0.9 million for the month and by \$16.7 million for the fiscal year to date. Individual income tax withholdings were over budget by \$4.9 million while refunds were under budget (more refunded than budgeted) for the month by \$2.5 million. Corporate income tax revenue was over budget by \$1.1 million for the month and by \$2.9 million for the fiscal year to date. Sales and use tax revenue (October sales) was over budget for the month by \$4.5 million and by \$18.8 million for the fiscal year to date. The Revenue Forecasting Committee had access to preliminary November data in preparing the December 2019 revenue forecast.

2. Highway Fund Revenue Update (see attached)

Total Highway Fund Revenue - FY 2020 (\$'s in Millions)

| | Budget | Actual | Var. | % Var. | Prior Year | % Growth |
|----------|---------|---------|-------|--------|------------|----------|
| November | \$32.1 | \$34.4 | \$2.3 | 7.1% | \$33.5 | 2.8% |
| FYTD | \$151.8 | \$156.5 | \$4.7 | 3.1% | \$153.4 | 2.0% |

Highway Fund revenue was over budget by \$2.3 million (7.1%) for the month of November and by \$4.7 million (3.1%) for the fiscal year to date. **These positive variances do not reflect the December 2019 revenue forecast, which increased budgeted Highway Fund revenue by \$3.1 million for FY 2020.**

Fuel taxes and motor vehicle registrations were both slightly under budget for the month. Other revenue was over budget for the month by \$2.4 million. Most of this variance was attributed to a transfer to the Highway Fund related to the municipal excise tax reimbursement program.

3. Cash Balances Update

The average balance in the cash pool for November was \$1,616.1 million, a decrease from October's average of \$1,666.5 million but above both last November's average balance and the ten-year average for the month. The average Highway Fund balance of \$0.9 million in November was down from October's average of \$12.1 million. This significantly reduced Highway Fund balance is the result of increased expenditures for construction season spending and delays in the availability of federal reimbursements.

General Fund Revenue
Fiscal Year Ending June 30, 2020 (FY 2020)

Updated 12/11/19

November 2019 Revenue Variance Report

| Revenue Category | November '19 | | | Fiscal Year-To-Date | | | | | FY 2020 Budgeted Totals |
|---|--------------------|--------------------|-------------------|----------------------|----------------------|-------------------|-------------|--------------------------|----------------------------|
| | Budget | Actual | Variance | Budget | Actual | Variance | Variance % | % Change from Prior Year | |
| Sales and Use Tax | 129,144,637 | 133,685,716 | 4,541,079 | 738,386,450 | 757,231,698 | 18,845,248 | 2.6% | 6.6% | 1,584,138,944 |
| Service Provider Tax | 4,746,959 | 5,046,423 | 299,464 | 26,085,746 | 24,467,250 | (1,618,496) | -6.2% | -6.1% | 59,524,000 |
| Individual Income Tax | 129,442,018 | 130,313,067 | 871,049 | 705,615,965 | 722,369,685 | 16,753,720 | 2.4% | 5.4% | 1,771,003,500 |
| Corporate Income Tax | (7,500,000) | (6,426,898) | 1,073,102 | 61,775,000 | 64,672,399 | 2,897,399 | 4.7% | -20.1% | 205,460,000 |
| Cigarette and Tobacco Tax | 9,136,428 | 10,835,556 | 1,699,128 | 58,889,105 | 60,287,485 | 1,398,380 | 2.4% | 6.5% | 141,621,642 |
| Insurance Companies Tax | 2,932,073 | 5,058,657 | 2,126,584 | 12,376,195 | 13,958,349 | 1,582,154 | 12.8% | 6.0% | 75,250,000 |
| Estate Tax | 884,938 | 637,048 | (247,890) | 3,671,608 | 12,936,438 | 9,264,830 | 252.3% | 430.1% | 10,350,000 |
| Other Taxes and Fees * | 8,558,939 | 8,587,032 | 28,093 | 59,760,580 | 57,787,984 | (1,972,596) | -3.3% | -8.5% | 139,559,891 |
| Fines, Forfeits and Penalties | 826,792 | 525,391 | (301,401) | 6,496,575 | 5,441,449 | (1,055,126) | -16.2% | -17.5% | 18,451,755 |
| Income from Investments | 1,041,750 | 1,243,866 | 202,116 | 3,605,724 | 5,171,232 | 1,565,508 | 43.4% | 61.5% | 10,575,750 |
| Transfer from Lottery Commission | 4,599,145 | 7,614,872 | 3,015,727 | 23,780,113 | 26,999,651 | 3,219,538 | 13.5% | -2.4% | 57,000,000 |
| Transfers to Tax Relief Programs * | (1,000,000) | (45,907) | 954,093 | (5,600,000) | (6,224,742) | (624,742) | -11.2% | 81.5% | (72,400,000) |
| Transfers for Municipal Revenue Sharing | (7,741,835) | (9,269,507) | (1,527,672) | (40,042,347) | (49,313,868) | (9,271,521) | -23.2% | -57.2% | (107,541,060) |
| Other Revenue * | 3,052,951 | 3,487,872 | 434,921 | (16,898,199) | (13,041,186) | 3,857,013 | 22.8% | 17.2% | 11,387,936 |
| Totals | 278,124,795 | 291,293,188 | 13,168,393 | 1,637,902,515 | 1,682,743,825 | 44,841,310 | 2.7% | 5.5% | 3,904,382,358 |

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

General Fund Revenue
Fiscal Year Ending June 30, 2020 (FY 2020)

Updated 12/11/19

November 2019 Revenue Variance Report

| Revenue Category | November '19 | | | Fiscal Year-To-Date | | | | | FY 2020 Budgeted Totals |
|--|--------------------|------------------|------------------|---------------------|---------------------|---------------------|---------------|--------------------------|----------------------------|
| | Budget | Actual | Variance | Budget | Actual | Variance | Variance % | % Change from Prior Year | |
| Detail of Other Taxes and Fees: | | | | | | | | | |
| - Property Tax - Unorganized Territory | 0 | 0 | 0 | 12,362,347 | 12,000,724 | (361,623) | -2.9% | -6.0% | 14,613,169 |
| - Real Estate Transfer Tax | 1,619,262 | 1,965,223 | 345,961 | 9,530,225 | 5,261,003 | (4,269,222) | -44.8% | -47.6% | 18,140,000 |
| - Liquor Taxes and Fees | 1,698,426 | 1,688,447 | (9,979) | 8,492,130 | 10,264,168 | 1,772,038 | 20.9% | 0.9% | 20,381,153 |
| - Corporation Fees and Licenses | 188,102 | 203,003 | 14,901 | 1,523,559 | 2,740,681 | 1,217,122 | 79.9% | 57.4% | 9,938,649 |
| - Telecommunication Excise Tax | 4,663 | 0 | (4,663) | (237,750) | 99,724 | 337,474 | 141.9% | N/A | 5,700,000 |
| - Finance Industry Fees | 2,279,333 | 2,195,100 | (84,233) | 11,396,661 | 10,705,750 | (690,911) | -6.1% | -5.0% | 27,891,990 |
| - Milk Handling Fee | 99,140 | 74,749 | (24,391) | 895,544 | 573,819 | (321,725) | -35.9% | -72.9% | 2,024,900 |
| - Racino Revenue | 588,568 | 662,166 | 73,598 | 3,618,473 | 3,893,874 | 275,401 | 7.6% | 8.0% | 8,495,834 |
| - Boat, ATV and Snowmobile Fees | 162,230 | 119,996 | (42,234) | 1,563,326 | 1,473,454 | (89,872) | -5.7% | 4.1% | 4,523,561 |
| - Hunting and Fishing License Fees | 1,037,346 | 762,992 | (274,354) | 6,790,808 | 6,993,977 | 203,169 | 3.0% | -1.1% | 15,990,794 |
| - Other Miscellaneous Taxes and Fees | 881,869 | 915,356 | 33,487 | 3,825,257 | 3,780,812 | (44,445) | -1.2% | 27.0% | 11,859,841 |
| Subtotal - Other Taxes and Fees | 8,558,939 | 8,587,032 | 28,093 | 59,760,580 | 57,787,984 | (1,972,596) | -3.3% | -8.5% | 139,559,891 |
| Detail of Other Revenue: | | | | | | | | | |
| - Liquor Sales and Operations | 2,375 | 150 | (2,225) | 11,875 | 18,150 | 6,275 | 52.8% | -11.0% | 28,500 |
| - Targeted Case Management (DHHS) | 47,966 | 8,897 | (39,069) | 293,077 | 50,263 | (242,814) | -82.9% | -59.8% | 600,000 |
| - State Cost Allocation Program | 1,556,085 | 2,061,437 | 505,352 | 7,461,138 | 10,655,731 | 3,194,593 | 42.8% | 42.8% | 18,213,579 |
| - Unclaimed Property Transfer | 0 | 0 | 0 | 0 | 0 | 0 | N/A | N/A | 6,186,442 |
| - Tourism Transfer | 0 | 0 | 0 | (18,048,610) | (18,150,386) | (101,776) | -0.6% | -5.7% | (18,048,610) |
| - Transfer to Maine Milk Pool | (538,997) | (378,525) | 160,472 | (4,627,748) | (3,489,240) | 1,138,508 | 24.6% | 58.9% | (7,934,162) |
| - Transfer to STAR Transportation Fund | 0 | 0 | 0 | (9,530,000) | (11,138,493) | (1,608,493) | -16.9% | -18.0% | (9,530,000) |
| - Other Miscellaneous Revenue | 1,985,522 | 1,795,912 | (189,610) | 7,542,069 | 9,012,789 | 1,470,720 | 19.5% | -23.3% | 21,872,187 |
| Subtotal - Other Revenue | 3,052,951 | 3,487,872 | 434,921 | (16,898,199) | (13,041,186) | 3,857,013 | 22.8% | 17.2% | 11,387,936 |
| Detail of Transfers to Tax Relief Programs: | | | | | | | | | |
| - Me. Resident Prop. Tax Program (Circuitbreaker) | 0 | 94 | 94 | 0 | 1,696 | 1,696 | N/A | -51.9% | 0 |
| - BETR - Business Equipment Tax Reimb. | (1,000,000) | (46,001) | 953,999 | (5,600,000) | (6,370,909) | (770,909) | -13.8% | -4.6% | (25,600,000) |
| - BETE - Municipal Bus. Equip. Tax Reimb. | 0 | 0 | 0 | 0 | 144,471 | 144,471 | N/A | 100.5% | (46,800,000) |
| Subtotal - Tax Relief Transfers | (1,000,000) | (45,907) | 954,093 | (5,600,000) | (6,224,742) | (624,742) | -11.2% | 81.5% | (72,400,000) |
| Inland Fisheries and Wildlife Revenue - Total | 1,271,536 | 956,882 | (314,654) | 21,489,976 | 8,837,427 | (12,652,549) | -58.9% | -0.5% | 21,486,646 |

Highway Fund Revenue
Fiscal Year Ending June 30, 2020 (FY 2020)

Updated 12/11/19

November 2019 Revenue Variance Report

| Revenue Category | November '19 | | | Fiscal Year-To-Date | | | | | FY 2020 Budgeted Totals | Budgeted Change FY 2019 to FY 2020 |
|---|-------------------|-------------------|------------------|---------------------|--------------------|------------------|-------------|--------------------------|-------------------------|------------------------------------|
| | Budget | Actual | Variance | Budget | Actual | Variance | % Variance | % Change from Prior Year | | |
| Fuel Taxes: | | | | | | | | | | |
| - Gasoline Tax | 18,163,479 | 17,968,491 | (194,988) | 93,771,451 | 93,389,812 | (381,639) | -0.4% | 0.2% | 208,539,148 | 1.0% |
| - Special Fuel and Road Use Taxes | 4,215,541 | 4,381,892 | 166,351 | 21,891,611 | 21,666,943 | (224,668) | -1.0% | 5.7% | 50,812,494 | 1.0% |
| - Transcap Transfers - Fuel Taxes | (1,642,638) | (1,642,578) | 60 | (8,479,345) | (8,469,772) | 9,573 | 0.1% | -1.4% | (19,060,252) | -1.0% |
| - Other Fund Gasoline Tax Distributions | (454,244) | (449,338) | 4,906 | (2,343,642) | (2,340,758) | 2,884 | 0.1% | -0.4% | (5,214,940) | -1.0% |
| Subtotal - Fuel Taxes | 20,282,138 | 20,258,466 | (23,672) | 104,840,075 | 104,246,225 | (593,850) | -0.6% | 1.1% | 235,076,450 | 1.0% |
| Motor Vehicle Registration and Fees: | | | | | | | | | | |
| - Motor Vehicle Registration Fees | 4,622,282 | 4,339,537 | (282,745) | 27,314,631 | 28,991,689 | 1,677,058 | 6.1% | 3.1% | 67,572,906 | -1.2% |
| - License Plate Fees | 222,909 | 341,174 | 118,265 | 1,476,436 | 1,834,738 | 358,302 | 24.3% | 6.6% | 3,618,983 | 0.2% |
| - Long-term Trailer Registration Fees | 712,463 | 819,138 | 106,675 | 3,128,736 | 4,149,676 | 1,020,940 | 32.6% | -9.0% | 10,384,523 | -25.2% |
| - Title Fees | 1,065,937 | 1,042,037 | (23,900) | 5,760,324 | 6,552,127 | 791,803 | 13.7% | 2.6% | 13,696,264 | -5.0% |
| - Motor Vehicle Operator License Fees | 764,204 | 686,192 | (78,013) | 5,011,227 | 4,511,387 | (499,841) | -10.0% | 9.3% | 11,066,651 | 18.4% |
| - Transcap Transfers - Motor Vehicle Fees | 310 | 0 | (310) | (4,223,340) | (4,697,342) | (474,002) | -11.2% | -6.0% | (15,597,414) | 2.0% |
| Subtotal - Motor Vehicle Reg. & Fees | 7,388,105 | 7,228,077 | (160,028) | 38,468,014 | 41,342,274 | 2,874,260 | 7.5% | 2.1% | 90,741,913 | -3.2% |
| Motor Vehicle Inspection Fees | 400,208 | 414,268 | 14,060 | 1,551,042 | 1,398,393 | (152,649) | -9.8% | 22.5% | 3,202,500 | 0.0% |
| Other Highway Fund Taxes and Fees | 110,826 | 117,071 | 6,245 | 560,677 | 622,923 | 62,246 | 11.1% | -3.5% | 1,368,729 | 6.9% |
| Fines, Forfeits and Penalties | 64,608 | 88,884 | 24,276 | 311,497 | 331,934 | 20,437 | 6.6% | 6.6% | 739,039 | 0.0% |
| Interest Earnings | 42,819 | 21,420 | (21,399) | 214,099 | 223,812 | 9,713 | 4.5% | -7.0% | 513,836 | -21.4% |
| Other Highway Fund Revenue | 3,843,232 | 6,269,841 | 2,426,609 | 5,880,887 | 8,325,890 | 2,445,003 | 41.6% | 11.2% | 9,680,279 | -13.0% |
| Totals | 32,131,936 | 34,398,027 | 2,266,091 | 151,826,291 | 156,491,451 | 4,665,160 | 3.1% | 2.0% | 341,322,746 | -0.6% |

2019 Interim Legislative Studies and Committee Meetings

Updated December 18, 2019

| Study/Committee | Citation | 2019 Meetings Authorized | 2019 Meetings Held | Scheduled Next Meeting Date(s) | Report Date | Chair(s) | Status/Notes |
|---|----------------------------|---|--|--------------------------------|---|---|---|
| NEW STUDIES | | | | | | | |
| Task Force on Changes to the Maine Indian Claims Settlement Implementing Act | HP 1307 | 4 | 07/22/19 08/09/19 09/13/19 10/21/19 12/05/19 | 12/18/19 | 12/04/19 (extension approved) | Sen. Michael E. Carpenter Rep. Donna Bailey | 12/06 and 12/13 meetings cancelled; new meeting date 12/18 approved by Council; draft report in progress |
| Commission To Study Long-term Care Workforce Issues | PL 2019, c. 343, Part BBBB | 4 | 09/11/19 09/26/19 10/24/19 11/14/19 12/10/19 | | 11/17/19 (extension approved) | Sen. Erin Herbig Rep. Jessica Fay | Meetings completed; report in progress |
| Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry | Resolve 2019, c. 83 | 4 | 10/22/19 11/06/19 11/19/19 12/02/19 | | 12/04/19 | Sen. Eloise A. Vitelli Rep. Christina Riley | Meetings completed; report in progress (to printer this week) |
| Advisory Committee for the Independent Review of the State's Early Childhood Special Education Services (with JSC on EDU oversight) | PL 2019, c. 343, Part VVVV | 4 | 09/24/19, 11/07/19, 11/14/19, 12/02/19 (Advisory Committee) 10/18/19 (Advisory Subcommittee) 10/01/19, 12/11/19 (JSC on EDU) | | Preliminary report 04/01/20; Final report 12/01/20 (to the EDU Committee) | Sen. Rebecca J. Millett Rep. Victoria P. Kornfield | 12/03/19 JSC on EDU meeting postponed; contract negotiation in progress |
| Blue Ribbon Commission to Study and Recommend Funding Solutions for the State's Transportation Systems | Resolve 2019, c. 97 | 6 | 09/17/19 10/01/19 10/24/19 11/25/19 | 12/18/19 | 12/04/19 (extension approved) | Sen. Bill Diamond Rep. Andrew J. McLean | Subcommittee meetings: 12/02/19, 12/04/19, 12/16/19; new meeting date 12/18 approved by Council; draft report in progress |
| Criminal Records Review Committee | Resolve 2019, c. 90 | 4 | | | 12/04/19 | Sen. Michael E. Carpenter | Did not receive necessary outside funding to convene as required per Resolve |
| Committee To Study the Feasibility of Creating Basic Income Security | Resolve 2019, c. 82 | 4 | 11/22/19 | | 11/04/20 | Sen. Shenna L. Bellows Rep. James R. Handy | Meetings completed; no report required this interim |
| JSC on CJPS to Study the Stabilization of Funding for the County Jails and the Regional Jail | HP 1277 | 4 | 10/22/19 11/05/19 11/19/19 12/10/19 | | 129th 2nd Regular Session | Sen. Susan A. Deschambault Rep. Charlotte Warren | 12/03/19 meeting postponed; meetings completed; report and proposed legislation in progress |
| ON-GOING LEGISLATIVE STUDIES | | | | | | | |
| Right to Know Advisory Committee | 1 MRSA §411 | 4 | 09/05/19 11/13/19 12/04/19 | 12/18/19 | 01/15/19 (annually) | Rep. Thom Harnett | Subcommittee meetings: 09/20/19, 10/09/19, 10/21/19, 11/13/19, 12/04/19, 12/18/19; draft report in progress |
| Marijuana Advisory Commission | 28-B MRSA, c. 1, subc. 9 | not specified | 10/24/19 | | 01/15/20 (annually) | Sen. Justin M. Chenette Rep. Teresa S. Pierce | Meetings and report completed |
| State Education and Employment Outcomes Task Force | 20-A MRSA §12901 | | | | | | Did not convene this interim |
| Citizen Trade Policy Commission | 10 MRSA, c. 1-A | at least 2 times per year annually +2 off-site for public hearing | 7/19/2019 10/02/19 | 12/19/19 | annually | Sen. David R. Miramant Rep. Craig V. Hickman | 12/03/19 meeting postponed |

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2019 Interim Legislative Studies and Committee Meetings

Updated December 18, 2019

| <u>Study/Committee</u> | <u>Citation</u> | <u>2019 Meetings Authorized</u> | <u>2019 Meetings Held</u> | <u>Scheduled Next Meeting Date(s)</u> | <u>Report Date</u> | <u>Chair(s)</u> | <u>Status/Notes</u> |
|-------------------------------|-----------------|---------------------------------|---|---------------------------------------|--|------------------|--|
| State Compensation Commission | 3 MRSA §2-B | not specified | 9/10/19 10/15/19 11/07/19 11/20/19 12/16/19 | 01/06/20 | by 05/01 of every odd-numbered year and 01/15 of every even-numbered year an interim report; by 11/15 of every even-numbered year a final report | Vendean Vafiades | 10/02/19 meeting postponed; report in progress |

AUTHORIZED COMMITTEE MEETINGS

| | | | | | | | |
|---|-----------------|---|--|----------|-----------------------------|--|---|
| Appropriations and Financial Affairs | PSL | 2 | 11/14/19 12/09/19 | | | | |
| Marine Resources Committee | Approved by POs | 1 | 08/06/19 | | | | Off-site meeting re oyster aquaculture (Mook Sea Farm) and SEA Fellows Symposium at Darling Marine Center |
| Criminal Justice and Public Safety Committee | Approved by POs | 1 | 09/17/19 | | | | Review of DOC Rule 2.12(F) re prisoner savings accounts, pursuant to CJPS decision to review under 5 MRSA §11113 |
| Agriculture, Conservation and Forestry Committee | Approved by POs | 2 | 09/24-25/19 10/08/19 | | | | Public forum and tour of forestland in northern ME related to CO bill LD 1691 banning aerial herbicides; and tour of Bigelow Preserve in western ME |
| Energy, Utilities and Technology Committee regarding PUC, OPA and Governor's Office on Energy briefings | Approved by POs | 4 | 07/29/19 | | | | |
| Health Care and Insurance and Financial Services Committee regarding health care reform | Approved by POs | 4 | 09/24/19 10/21/19 11/19/19 12/16/19 | | | | |
| Innovation, Development, Economic Advancement and Business Committee | Approved by POs | 2 | 10/22/19 12/17/19 | | | | Update from DECD regarding Economic Development Plan |
| Inland Fisheries and Wildlife Committee | Approved by POs | 1 | 09/11/19 | | | | Tour of new IFW Gray Regional Headquarters and Maine Wildlife Park |
| Judiciary Subcommittee regarding the reorganization of the Probate Court | Approved by POs | 8 | | | | | Did not convene |
| State and Local Government Subcommittee regarding ancient and family burial grounds | Approved by POs | 4 | 09/17/19 10/01/19 10/07/19 | | | | |
| State and Local Government Subcommittee regarding abandoned and discontinued roads | Approved by POs | 4 | 09/18/19 10/21/19 12/04/19 | | | | |
| Taxation Committee regarding tax expenditure reviews | Approved by POs | 3 | 09/24/19 10/29/19 12/01/19 | | 12/01/19 to the Legislature | | Meetings and report completed |
| Veterans and Legal Affairs Subcommittee regarding the revision of Title 28-A | Approved by POs | 8 | 08/26/19 09/10/19 09/24/19 10/08/19 10/22/19 11/19/19 | 12/19/19 | | | 11/12/19 meeting postponed; draft legislation in progress |

P 23

**Legislative Council Actions
Taken by Ballot Since the
December 6, 2019 Council Meeting**

Legislative Council Decisions:

Motion: That the Legislative Council approves the request from the Blue Ribbon Commission to Study and Recommend Funding Solutions for the State's Transportation Systems to hold a meeting on December 16th and to extend its reporting deadline beyond the deadline of December 15, 2019.

Motion by: President Jackson Second by: Speaker Gideon
Date: December 6, 2019
Vote: 10-0-0-0 Passed

Motion: That the Legislative Council approves the request from the Task Force on Changes to the Maine Indian Claims Settlement Implementing to extend the reporting deadline beyond December 15, 2019 and to hold its final meeting on December 18, 2019

Motion by: President Jackson Second by: Speaker Gideon
Date: December 19, 2019
Vote: 8-2-0-0 Passed (with Reps. Dillingham and Stewart opposed)

Motion: That the Legislative Council approves the request from the Blue Ribbon Commission to Study and Recommend Funding Solutions for the State's Transportation Systems to hold a meeting previously scheduled for December 16, 2019 on December 18, 2019 and to extend its reporting deadline to no later than December 31, 2019.

Motion by: President Jackson Second by: Speaker Gideon
Date: December 16, 2019
Vote: 10-0-0-0 Passed

**Legislative Council
Tabled Bill Requests
From October 23, 2019 and December 6, 2019**

REVISED

SPONSOR: Rep. Kent Ackley

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|-----------------|
| 2723 | An Act To Allow Municipalities To Set Below-market Interest Rates for Senior Citizen Property Tax Deferral Programs | Tabled 12/06/19 |

SPONSOR: Rep. Michael F. Brennan

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|--|-----------------|
| 2847 | An Act To Promote Justice for Victims of Sexual Abuse by Suspending the Statute of Limitations | Tabled 10/23/19 |

SPONSOR: Sen. Ned Claxton

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|-----------------|
| 2944 | An Act To Minimize Potentially Objectionable License Plates | Tabled 12/06/19 |
| 2946 | Resolve, Directing the Department of Education To Amend Its Certification Requirement Rules | Tabled 10/23/19 |

SPONSOR: Sen. Scott Wynn Cyrway

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|-----------------|
| 2610 | An Act To Require Warning Labels Regarding the Danger of Psychosis from the Consumption of Marijuana Products | Tabled 12/06/19 |

SPONSOR: Rep. Matthea Elisabeth Larsen Daughtry

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|-----------------|
| 3058 | An Act To Protect Independent Contractors from Sexual Harassment | Tabled 10/23/19 |
| 3065 | An Act To Properly Fund Early Childhood Education and Postsecondary Grant Opportunities | Tabled 10/23/19 |
| 3066 | An Act To Require Transparency in Postsecondary Institutions with Regard to Sexual Assaults | Tabled 10/23/19 |

SPONSOR: Rep. John C. DeVeau

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|-----------------|
| 2805 | An Act To Provide Additional Supplemental Funding to the Veterans' Homelessness Prevention Coordination Program | Tabled 12/06/19 |

SPONSOR: Rep. Justin J. Fecteau

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|-----------------|
| 2849 | An Act To Protect Students from Individuals Convicted of Sex Crimes | Tabled 10/23/19 |

SPONSOR: Sen. Geoff Gratwick

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|---|
| 2691 | An Act To Restrict the Use of Chlorpyrifos in Farming | Tabled 10/23/19 |
| 2692 | An Act To Codify Rules Regarding Firearms in Child Care Facilities, Nursery Schools and the Facilities of Home-based Child Care Providers | Tabled 10/23/19 TITLE REVISED |

SPONSOR: Rep. Sheldon M. Hanington

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|-----------------|
| 2658 | An Act To Impose Penalties for the Failure of Municipalities To Keep the Grave Sites of Veterans in Public Burying Grounds in Good Condition and Repair | Tabled 10/23/19 |

SPONSOR: Rep. Henry Ingwersen

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|-----------------|
| 2884 | Resolve, Directing the Department of Environmental Protection To Investigate Potential Sources of High-level Per- and Polyfluoroalkyl Substances Contamination of Land and Drinking Water | Tabled 10/23/19 |

SPONSOR: Pres. Troy Dale Jackson

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|--|-----------------|
| 2657 | An Act To Allow Day Students at the Maine School of Science and Mathematics | Tabled 10/23/19 |
| 2713 | An Act To Provide Tax Credits for Employers Who Employ Qualified Apprentices | Tabled 10/23/19 |

2714 An Act To Ensure Equitable Pricing for Fuel Delivered to Energy Markets Tabled 10/23/19

2737 An Act To Ensure Access to Affordable Prescription Drugs Tabled 10/23/19

2985 Resolve, To Establish Guidelines for the Creation of Offshore Wind Projects That Include the Protection of Fisheries and Wildlife and the Creation of High-quality Local Jobs Tabled 10/23/19

SPONSOR: Sen. Lisa Keim

LR # Title Action
2760 An Act To Provide MaineCare to Disabled Veterans Tabled 10/23/19

SPONSOR: Rep. MaryAnne Kinney

LR # Title Action
2625 An Act To Protect the People of Maine from Drug Overdoses Tabled 10/23/19

SPONSOR: Rep. Scott Landry

LR # Title Action
3060 An Act Relating to Energy Storage Tabled 10/23/19

SPONSOR: Sen. Nate Libby

LR # Title Action
2855 Resolve, To Ensure Appropriate Case Management under the Behavioral Health Home Program and for Adults with Human Immunodeficiency Virus Infection Tabled 10/23/19

SPONSOR: Rep. Jay McCreight

LR # Title Action
2968 An Act To Maintain and Enhance the Behavioral Health Workforce in Maine Tabled 10/23/19

SPONSOR: Sen. Dave Miramant

LR # Title Action
2718 An Act To Amend the Laws Governing Aquaculture Leases Tabled 10/23/19

SPONSOR: Sen. Marianne Moore

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|--|-----------------|
| 2746 | An Act To Clarify the Rights of Parties in Certain Foreclosure Actions | Tabled 12/06/19 |

SPONSOR: Rep. Tina Riley

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|--|-----------------|
| 3079 | An Act To Promote Renewable Energy Resources | Tabled 10/23/19 |

SPONSOR: Rep. Stephen Sullivan Stanley

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|-----------------|
| 2808 | An Act To Remove the Tax Cap on County Jail Funding | Tabled 10/23/19 |

SPONSOR: Rep. Scott W. Strom

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|-----------------|
| 2709 | An Act To Prohibit the Collection of Campaign Contributions within a Voting Place | Tabled 10/23/19 |

SPONSOR: Rep. Rachel Talbot Ross

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|--|-----------------|
| 2603 | An Act To Enact the Maine Fair Chance Employment Act | Tabled 10/23/19 |

SPONSOR: Rep. Nathan J. Wadsworth

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|--|-----------------|
| 2966 | An Act To Provide Funding to the Maine Quality Centers within the Maine Community College System | Tabled 10/23/19 |
| 2967 | An Act To Support Maine's Workforce Initiatives within the Maine Community College System | Tabled 10/23/19 |

SPONSOR: Rep. Charlotte May Warren

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|-----------------|
| 2854 | An Act To Reclassify Certain Offenses To Increase the Efficiency of the Criminal Justice System | Tabled 10/23/19 |

SPONSOR: Sen. David Woodsome

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|--|-----------------|
| 2684 | An Act To Provide Veterans with Educational Benefits | Tabled 10/23/19 |
| 2686 | An Act To Ensure Maine Cable Service Franchises Are Nonexclusive | Tabled 12/06/19 |
| 2704 | An Act To Establish Common Law Marriage in Maine | Tabled 12/06/19 |
| 2873 | An Act To Remove Barriers to Entry to the Profession of Dental Therapy and Expand Access for the Underserved Dental Patient Population | Tabled 12/06/19 |

**129th Maine State Legislature
Legislative Council
Requests to Introduce Legislation
Second Regular Session**

REVISED

AFTER DEADLINE BILL REQUESTS

SPONSOR:

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|---------------|
| 3105 | Resolve, Authorizing Certain Land Transactions by the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands | |

SPONSOR: Rep. Seth A. Berry

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|--|---------------|
| 3103 | An Act To Stabilize Water Utility Funding and Reduce Financial Burdens Created by Regulation | |

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|------|--|----------------------|
| 3104 | An Act To Make Changes in the So-called Dig Safe Law | Withdrawn by Sponsor |
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|------|---|--|
| 3110 | An Act To Require an Internet Service Provider To Provide a Pro Rata Credit When Service Is Cancelled by a Subscriber | |
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SPONSOR: Rep. Anne Carney

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|--|---------------|
| 3112 | An Act To Allow Crematories Using Chemical Dissolution Processes in Facilities Other Than Cemeteries | |

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|------|---|--|
| 3113 | An Act To Allow a Maine Company To Operate an Alkaline Hydrolysis Crematorium on a Parcel of Land of Less than 20 Acres | |
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|------|--|--|
| 3125 | An Act To Ensure Proper Closure of Oil Terminal Facilities | |
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SPONSOR: Sen. Scott Wynn Cyrway

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|---------------|
| 3106 | An Act To Amend the Law Governing Contracts for Pharmacy Services | |

3111 An Act To Establish a Court Surcharge Fund To Support Professional Corrections Programs and Community Safety Initiatives throughout the State

3114 An Act To Establish Requirements Governing the Disposition of Human Fetal Tissue

SPONSOR: Sen. Susan Deschambault

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|---------------|
| 3121 | An Act To Prohibit the Use of Cellphones in Schools by Students in Grades 9 and under | |

SPONSOR: Spkr. Sara Gideon

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|---------------|
| 3108 | An Act To Permit the Expansion of the Municipal Membership of the Greater Portland Transit District | |

3128 An Act To Save Lives by Capping the Out-of-pocket Cost of Certain Medications

SPONSOR: Sen. Geoff Gratwick

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---------------------------------|---------------|
| 3102 | An Act To Improve School Safety | |

SPONSOR: Pres. Troy Dale Jackson

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|--|---------------|
| 3127 | An Act Regarding Net Energy Billing Limits | |

SPONSOR: Sen. Lisa Keim

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|---------------|
| 3109 | An Act To Make March Maine's Childhood Cancer Awareness Month | |

SPONSOR: Sen. Nate Libby

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|--|---------------|
| 3116 | An Act Regarding Rest Breaks for Employees Not Covered by Collective Bargaining Agreements | |

SPONSOR: Rep. Jay McCreight

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|--|---------------|
| 3130 | An Act To Change Decibel Level Limits for Airboats | |

SPONSOR: Sen. Rebecca Millett

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|--|---------------|
| 3126 | An Act To Remove from the Calculation of the Cost of Education the Maine Public Employees Retirement System State Employee and Teacher Plan Unfunded Actuarial Liability | |

SPONSOR: Sen. Marianne Moore

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|------------------------------------|---------------|
| 3118 | An Act Regarding Mobile Billboards | |

SPONSOR: Rep. Sean Paulhus

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|---------------|
| 3120 | An Act To Require Automated External Defibrillators in Large Stores | |

SPONSOR: Rep. Tina Riley

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|--|---------------|
| 3117 | An Act To Require That Parking Lots for State Agencies Meet the Standards Set Forth in the Federal Americans with Disabilities Act | |

SPONSOR: Rep. Rachel Talbot Ross

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|---------------|
| 3119 | An Act To Establish a Criminal Records Review Committee | |

SPONSOR: Sen. Jeff Timberlake

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|--|---------------|
| 3107 | An Act To Ensure Fairness for Public School Athletes with Disabilities | |

SPONSOR: Sen. David Woodsome

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|--|---------------|
| 3115 | An Act Regarding the Sale of Information by the Secretary of State | |

JOINT RESOLUTIONS

SPONSOR: Rep. John Andrews

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|---------------|
| 2908 | JOINT RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO PROVIDE ACCESS TO BANKING AND INSURANCE SERVICES TO LEGAL CANNABIS AND CANNABIS-RELATED BUSINESSES | |

SPONSOR: Pres. Troy Dale Jackson

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|---------------|
| 3123 | JOINT RESOLUTION MEMORIALIZING THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION REGARDING THE SAFETY OF MAINE'S LOBSTER INDUSTRY | |

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

Actions Taken After December 13, 2019

SPONSOR: Sen. Michael E. Carpenter

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|---|---------------|
| 3134 | An Act To Establish the Central Aroostook County Emergency Medical Services Authority | |

SPONSOR: Sen. Erin Herbig

| <u>LR #</u> | <u>Title</u> | <u>Action</u> |
|-------------|--|---------------|
| 3133 | An Act Regarding the Experience Requirement for Accountants Working in the Office of the State Auditor Who Are Seeking Licensure as Certified Public Accountants | |