

MAINE STATE LEGISLATURE

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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
MEETING SUMMARY
February 27, 2020**

CALL TO ORDER

President Jackson called the February 27, 2020 meeting of the 129th Legislative Council to order at 1:40 pm in the Legislative Council Chamber.

ROLL CALL

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

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

Legislative Officers: Darek Grant, Secretary of the Senate
Robert Hunt, Clerk of the House
Grant Pennoyer, Executive Director
Suzanne Gresser, Revisor of Statutes
John Barden, Director, Law & Legislative Reference Library
Jackie Little, Human Resources Director
Marion Hylan Barr, Director, Office of Policy and Legal Analysis
Nik Rende, Director, Office of Legislative Information Technology
Dawna Lopatosky, Legislative Finance Director

President Jackson convened the meeting at 1:40 pm. with a quorum of members present.

President Jackson seeing the number of representatives present for after deadline asked for a motion to begin the meeting with New Business Item #1 Consideration of After Deadline Bill Requests. It was moved by Speaker Gideon and seconded by Senator Libby and the vote was unanimous.

NEW BUSINESS

Item #1: Consideration of After-Deadline Bill Requests

The Legislative Council proceeded to consider and vote on nine (9) after deadline bill requests and two (2) Late-filed Major Substantive Rules. The Legislative Council authorized three (3) bills for introduction in the Second regular Session, six (6) bills were tabled, one (1) bill was withdrawn by the sponsor and Council approved the two (2) Late-filed Major Substantive Rules. The Legislative Council's action on the bill requests is attached.

SUMMARY OF January 23, 2020 MEETING OF THE LEGISLATIVE COUNCIL

Motion: That the Meeting Summary for January 23, 2020 be accepted and placed on file.
Motion by Representative Libby. 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, gave the following report.

1. New Employee Orientation

On Friday, January 31st, we held a new employee orientation program. All 27 new employees were able to attend so that no make-up session was required this year.

2. Workday HR Management System

We received notification from the Department of Administrative and Financial Services that the new Workday HR Management System implementation has been postponed until fiscal year 2021. The exact deployment date is not known at this time.

Fiscal Report

1. General Fund Revenue Update

Total General Fund Revenue - FY 2020 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
January	\$394.0	\$416.1	\$22.1	5.6%	\$378.8	9.8%
FYTD	\$2,367.3	\$2,395.1	\$27.9	1.2%	\$2,283.0	4.9%

General Fund revenue was over budget by \$22.1 million (5.6%) for the month of January and by \$27.9 million (1.2%) for the fiscal year to date. Individual income tax revenue was over budget by \$12.2 million for the month and by \$7.3 million for the fiscal year to date. Individual income tax withholdings were over budget for the month by \$6.7 million, while estimated payments were over budget for the month by \$6.2 million and by \$6.3 million for the fiscal year. The withholding tax revenue variance was largely a timing difference between December and January. The combined final estimated payments for December and January were 9.25% higher than the previous year. Corporate income tax revenue was under budget by \$1.2 million for the month and by \$1.0 million for the fiscal year to date. Sales and use tax revenue (December sales) was over budget for the month by \$1.7 million and by

\$2.9 million for the fiscal year to date, with taxable sales increasing by 7.5% over December 2018. Transfers for tax relief programs were under budget for the month (less transferred than budgeted) by \$8.7 million for the month. As in previous fiscal years, this variance is expected to be a timing difference, with transfers taking place in subsequent months.

2. Highway Fund Revenue Update

Total Highway Fund Revenue - FY 2020 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
January	\$28.4	\$28.6	\$0.2	0.7%	\$29.3	-2.5%
FYTD	\$208.7	\$209.8	\$1.1	0.5%	\$206.8	1.4%

Highway Fund revenue was over budget by \$0.2 million (0.7%) for the month of January and by \$1.1 million (0.5%) for the fiscal year to date. Fuel taxes were under budget by \$1.5 million for the month while motor vehicle registrations and fees were over budget by \$1.5 million, led by a positive variance in long-term trailer and motor vehicle registration fees.

3. Cash Balances Update

The average balance in the cash pool for January was \$1,659.6 million, an increase from December’s average of \$1,571.6 million and above both last January’s average balance and the ten-year average for the month. The average Highway Fund balance of \$3.4 million in January recovered from December’s negative average of -\$9.7 million. The negative average balance in the Highway Fund for December was the result of increased expenditures for construction season spending and delays in the availability of federal reimbursements. The balance is now positive and expected to remain so for the remainder of the fiscal year.

4. March 2020 Revenue Forecast

The Revenue Forecasting Committee is scheduled to meet February 28, 2020 to review and update the revenue forecast to comply with its March 1, 2020 statutory reporting deadline.

REPORTS FROM COUNCIL COMMITTEES

State House Facilities Committee

The State House Facilities Committee met on Thursday, February 20th to consider the following items.

1. Security Options for the Cross Office Building

Chief Gauvin of Capitol Police presented a report of security screening options for the Cross Office Building. After discussing the options, the committee decided to present these proposals to a future meeting of the Legislative Council. The committee also directed Chief Gauvin and Mr. Pennoyer to develop a policy on conduct in the State House and legislative space in the Cross Office Building to give Capitol Police more tools to better manage certain situations and crowds. This policy will be presented to the Legislative Council at a future meeting.

2. Proposal for a Women Suffrage Marker at the State House

Anne Gass from the Maine Suffrage Centennial Collaborative presented a proposal to put a cast iron commemorative women suffrage marker provided by the William G. Pomeroy Foundation, one of five made available to Maine. The committee recommended unanimously to present this proposal to the full Council. This proposal appears later on the agenda under new business.

3. Recognition of Women at the State House

The committee began a discussion of options to improve the recognition of women at the State House that included the placement in the State House of a recently discovered portrait in the Museum's collection of a prominent Maine woman, commissioning other portraits of notable Maine women and other means of securing portraits of Maine women for the State House. The placement of the recently discovered portrait in the Museum's collection appears later in today's agenda under new business.

Speaker Gideon asked that the Council consider former Senator Olympia Snowe as a future candidate for a portrait in the State House.

4. State House Items in Storage

Mr. Pennoyer presented an update of the progress toward addressing storage costs of State House furniture and miscellaneous items. Since the last update numerous items have been transferred to surplus property. Mr. Pennoyer reported that he was awaiting word on possible storage options at state-owned property. The committee directed Mr. Pennoyer to expedite the further reduction of items in these costly private storage facilities and report back on the progress at the next meeting of the committee.

OLD BUSINESS:

Item #1: Consideration of Tabled Bill Requests from October and December 2019 Not Taken Up

Item #2 Council Actions Taken by Ballot Since the January 23, 2020 Council Meeting

NEW BUSINESS:

Item #2 Request from the State YMCA to hold the Youth in Government Program at the State House.

Dates suggested are November 6-8 or November 13-17 with the latter date preferred. No conflicts were seen to be a problem with the second preferred date.

Motion: To accept November 13-17 for Youth in Government Program. Motion by Speaker Gideon. Second by Representative Dillingham. **Motion passed unanimously (10-0-0-0).**

Item #3 Proposal for Women's Suffrage Marker at the State House

Motion: To accept the marker and direct the Executive Director to work out the details of where it should be placed with the Facilities Committee. Motion by Senator Timberlake. Second by Representative Dillingham. **Motion passed unanimously (10-0-0-0).**

Item #4 Acceptance of Gail Laughlin portrait in State House

Motion: To accept the portrait and direct the Executive Director to work out the details of where it will be displayed. Motion by Senator Libby. Second by Representative Stewart. **Motion passed unanimously (10-0-0-0).**

Announcements and Remarks:

Representative Stewart shared feedback received at caucuses that decorum during public hearings has fallen by the wayside. He asked that Rule 304 could be shared in its entirety at the beginning of hearings to better set the tone of how the hearings should proceed. Representative Dillingham responded that she and Speaker Gideon have already been in discussion about the issue and it is being addressed on the House side. President Jackson expressed agreement with Representative Stewart and had already addressed the issue in recent caucuses and expressed the importance of always being respectful of the public in committee hearings.

With no other business to consider, the Legislative Council meeting was adjourned at 2:26 pm.