

MAINE STATE LEGISLATURE

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REP. RYAN M. FECTEAU
CHAIR

SEN. TROY D. JACKSON
VICE-CHAIR

EXECUTIVE DIRECTOR
SUZANNE M. GRESSER



130TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. ELOISE A. VITELLI
SEN. MATTHEA E. DAUGHTRY
SEN. JEFFREY L. TIMBERLAKE
SEN. MATTHEW POULIOT
REP. MICHELLE DUNPHY
REP. RACHEL TALBOT ROSS
REP. KATHLEEN R.J. DILLINGHAM
REP. JOEL STETKIS

October 27, 2022
2:00 P.M.

REVISED AGENDA

<u>Page</u>	<u>Item</u>		<u>Action</u>
		CALL TO ORDER	
		ROLL CALL	
1 6		SUMMARIES OF THE APRIL 21, 2022 AND SEPTEMBER 22, 2022 MEETINGS OF THE LEGISLATIVE COUNCIL	Decision
		REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	
10		<ul style="list-style-type: none">Fiscal Report (Mr. Nolan)	Information
14		<ul style="list-style-type: none">Legislative Studies Report (Ms. Fox)	Information
		REPORTS FROM COUNCIL COMMITTEES	
		<ul style="list-style-type: none">No reports	
		OLD BUSINESS	
19	Item #1	Council Actions Taken by Ballot (No Action Required)	Information
		NEW BUSINESS	
20	Item #1	Recommendation from the <i>Legislative Council Subcommittee on the Racial Impact Statement Process Pilot</i>	Decision
32	Item #2	Request from the <i>Commission to Study the Role of Water as a Resource in the State of Maine</i>	Decision

33	Item #3	Request from the <i>Commission to Ensure Constitutionally Adequate Contact with Counsel</i>	Decision
34	Item #5	Request from the <i>Commission to Study Court-ordered Treatment for Substance Use Disorder</i>	Decision
35	Item #5	Information regarding the Policy Leaders Academy from the Maine Development Foundation	Information

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

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**LEGISLATIVE COUNCIL
MEETING SUMMARY
April 21, 2022**

CALL TO ORDER

Speaker Fecteau called the April 21, 2022 meeting of the 130th Legislative Council to order at 2:27 p.m.

ROLL CALL

Senators:	President Jackson (arrived after commencement of meeting), Senator Vitelli, Senator Daughtry
Representatives:	Speaker Fecteau, Representative Dunphy, Representative Dillingham, and Representative Talbot Ross
Absent:	Senator Timberlake, Senator Pouliot and Representative Stetkis
Legislative Officers:	Darek Grant, Secretary of the Senate Suzanne Gresser, Executive Director Danielle Fox, Director, Office of Policy and Legal Analysis Dawna Lopatosky, Legislative Finance Director

Speaker Fecteau convened the meeting at 2:27 p.m. with a quorum of members present.

SUMMARY OF MARCH 3, 2022 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary for the March 3, 2022 meeting be accepted and placed on file. Motion by Talbot Ross, Second by Representative Dillingham. **Motion passed unanimously (6-0-0-4**, with President Jackson, Senator Timberlake, Senator Pouliot and Representative Stetkis absent).

REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES

None

REPORTS FROM COUNCIL COMMITTEES

None

OLD BUSINESS

Item #1: Council Actions Taken by Ballot

Requests for Introduction of Legislation:

LR 2671 An Act To Allow County and Regional Communication Centers to Request Polygraph Examinations for Employees and Applicants for Employment

Submitted by: Representative Rachael Talbot Ross
Date: March 11, 2022
Vote: 7-1-0-2 Passed (with Representative Stetkis opposed and Senator Timberlake and Senator Pouliot recorded as absent)

LR 2666 Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97: Private Non-Medical Institution Services, A Late-filed Major Substantive Rule of the Department of Health and Human Services

Submitted by: Department of Health and Human Services
Date: March 10, 2022
Vote: 7-0-0-3 Passed (With Senator Pouliot, Representative Dillingham and Representative Stetkis recorded as absent)

LR 2670 Resolve, Regarding Legislative Review of Chapter 180: Appliance Efficiency Standards, as Late-filed Major Substantive Rule of the Department of Environmental Protection, Bureau of Air Quality

Submitted by: Department of Environmental Protection, Bureau of Air Quality
Date: March 16, 2022
Vote: 8-0-0-2 Passed (With Representative Dillingham and Representative Stetkis recorded as absent)

LR 2676 An Act Regarding Taxation of Energy Storage Facilities and Equipment

Submitted by: Representative Maureen Terry
Date: March 17, 2022
Vote: 7-1-0-2 Passed (With Senator Timberlake opposed, Senator Pouliot and Representative Stetkis recorded as absent)

LR 2677 An Act To Allow Outdoor Stadiums To Sell Distilled Spirits

Submitted by: Representative Michelle Dunphy
Date: March 18, 2022
Vote: 7-2-0-1 Passed (With Senator Timberlake and Representative Stetkis opposed and Senator and Pouliot recorded as absent)

LR 2647 An Act To Raise the Indebtedness Limit of the Eagle Lake Water and Sewer District

Submitted by: Representative John Martin

Date: February 28, 2022
Vote: 6-0-0-4 Passed (With Senator Pouliot, Representatives Talbot Ross, Dillingham and Stetkis recorded as absent)

LR 2681 Joint Resolution Memorializing the President of the United States and the United States House of Representatives to Enact the Sunshine Protection Act of 2021.

Submitted by: Senator Kimberley Rosen
Date: March 22, 2022
Vote: 7-0-0-3 Passed (With Senators Timberlake and Pouliot and Representative Stetkis recorded as absent)

NEW BUSINESS

Item #1: Consideration of Legislative Study Requests

The Legislative Council voted to approve the suggested protocol found in the council packet on page 5 (Motion by Senator Daughtry. Second by Senator Dillingham. **Motion passed unanimously (6-0-0-4**, with President Jackson, Senator Timberlake, Senator Pouliot and Representative Stetkis absent).

The Legislative Council considered and voted on the legislative study requests in accordance with the approved protocol. The Legislative Council's actions on the legislative studies are included on the attached list.

ANNOUNCEMENTS AND REMARKS

With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 3:56 p.m.

Legislative Council
Action Taken on Legislative Studies
April 21, 2022

JSO HP 1521	Joint Order, Establishing the Task Force on Early Childhood in Maine	Task Force on Early Childhood in Maine	Tabled
LD 629	Resolve, To Establish the Task Force To Study the Process for Bringing Criminal Cases in Situations of Violence against Health Care Workers	Task Force To Study the Process for Bringing Criminal Cases in Situations of Violence against Health Care Workers	Approved as Amended
LD 680	Resolve, To Reestablish the Task Force To Study the Creation of a Comprehensive Career and Technical Education System	Task Force To Study the Creation of a Comprehensive Career and Technical Education System	Approved
LD 966	Resolve, Establishing the Commission To Study Fair, Equitable and Competitive Tax Policy for Maine's Working Families and Small Businesses To Enable the Implementation of the State's 10-year Economic Development Strategy	Commission To Study Fair, Equitable and Competitive Tax Policy for Maine's Working Families and Small Businesses	Tabled
LD 1005	Resolve, Establishing the Commission To Study Strategies To Assist Working-class Families in Building Wealth and Achieving Upward Mobility	Commission To Study Strategies To Assist Working-class Families in Building Wealth and Achieving Upward Mobility	Tabled
LD 1073	Resolve, Establishing the Commission To Research Effective Strategies and Efficiencies of Legislatures	Commission To Research Effective Strategies and Efficiencies of Legislatures	Tabled
LD 1240	Resolve, To Establish a Commission To Increase Housing Opportunities in Maine by Studying Land Use Regulations and Short-term Rentals	Commission To Increase Housing Opportunities in Maine by Studying Land Use Regulations and Short-term Rentals	Approved as Amended
LD 1246	Resolve, To Study Best Practices and Different Area Needs for Development of Affordable Homes and Expanding Home Ownership in Maine Communities	Commission to Study Best Practices and Different Area Needs for Development of Affordable Homes and Expanding Home Ownership in Maine Communities	Tabled
LD 1303	Resolve, To Require the Revisor of Statutes To Compile a List of Mandatory Minimum Sentences Contained in the Maine Revised Statutes		Tabled
LD 1447	Resolve, To Study Training in Racial Issues, Racial Justice and Social Issues at the Maine Criminal Justice Academy and Additional Requirements for Law Enforcement Officers and Candidates	Law Enforcement Training and Qualifications Study Committee	Tabled
LD 1569	Resolve, Establishing the Commission To Study the Role of Water as a Resource in the State of Maine	Commission To Study the Role of Water as a Resource in the State of Maine	Approved as Amended

LD 1771	Resolve, To Establish the Advisory Panel To Better Understand and Make Recommendations Regarding the Implications of Genome-editing Technology for the Citizens of the State	Advisory Panel To Better Understand and Make Recommendations Regarding the Implications of Genome-editing Technology for the Citizens of the State	Approved as Amended
LD 1818	Resolve, To Reestablish and Continue the Work of the Criminal Records Review Committee	Criminal Records Review Committee	Tabled
LD 1824	Resolve, To Establish the Commission To Develop a Pilot Program To Provide Legal Representation to Families in the Child Protection System	Commission To Develop a Pilot Program To Provide Legal Representation to Families in the Child Protection System	Approved
LD 1941	Resolve, Establishing the Working Group To Review and Recommend Improvements to the Seed Capital Investment Tax Credit	Working Group To Review and Recommend Improvements to the Seed Capital Investment Tax Credit	Tabled
LD 1946	Resolve, Establishing the Committee To Ensure Constitutionally Adequate Contact with Counsel	Committee To Ensure Constitutionally Adequate Contact with Counsel	Approved
LD 1950	An Act To Implement the Recommendations of the Commission To Create a Plan To Incorporate the Probate Courts into the Judicial Branch	The Commission To Evaluate the Incorporation of the Probate Court into the Judicial Branch	Tabled
LD 1952	Resolve, To Reestablish the Commission To Develop a Paid Family and Medical Leave Benefits Program	Commission To Develop a Paid Family and Medical Leave Benefits Program	Tabled
LD 1988	An Act To Establish That the Provision of Emergency Medical Services by an Ambulance Service Is an Essential Service and To Establish the Blue Ribbon Commission To Study Emergency Medical Services in the State	Blue Ribbon Commission To Study Emergency Medical Services in the State	Approved
LD 1997	Resolve, To Implement Certain Recommendations of the Committee To Study the Feasibility of Creating Basic Income Security	Committee To Study the Feasibility of Creating Basic Income Security	Tabled
LD 2008	Resolve, To Establish the Committee To Study Court-ordered Treatment for Substance Use Disorder	Committee To Study Court-ordered Treatment for Substance Use Disorder	Approved as Amended
LD 2009	An Act To Implement the Recommendations of the Working Group To Review the Process for Ongoing Review of Tax Expenditures by the Legislature	Full Evaluation Review Task Force	Tabled

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**LEGISLATIVE COUNCIL
MEETING SUMMARY
September 22, 2022**

CALL TO ORDER

Speaker Fecteau called the September 22, 2022 meeting of the 130th Legislative Council to order at 1:35 p.m.

ROLL CALL

Senators:	President Jackson, Senator Daughtry, Senator Pouliot, Senator Vitelli
Representatives:	Speaker Fecteau, Representative Dunphy, Representative Dillingham (arrived following commencement of meeting), and Representative Talbot Ross
Absent:	Senator Timberlake and Representative Stetkis
Legislative Officers:	Suzanne Gresser, Executive Director Christopher Nolan, Director, Office of Fiscal and Program Review Danielle Fox, Director, Office of Policy and Legal Analysis Dawna Lopatosky, Legislative Finance Director

Speaker Fecteau convened the meeting at 1:35 p.m. with a quorum of members present.

Speaker Fecteau expressed his intention to take items on the agenda out of order, without objection. The Speaker moved to **Old Business, Item #2.**

OLD BUSINESS

Item #2: Funding of annual dues for the National Conference of State Legislatures (NCSL) and the Council of State Governments (CSG) for State fiscal years 2022 and 2023

The Legislative Council heard from Tim Storey and Stacy Householder from the National Conference of State Legislatures, and David Biette and Heather Shaffer from the Council of State Governments, who described the organizations' methodologies for establishing dues for the different states.

Motion: That the Legislative Council authorizes the transfer of \$112,276 from unspent balances in legislative accounts to allow payment in full of dues requested by the Council of State Governments and by the National Conference of State Legislatures for fiscal year 2022 and fiscal year 2023. Motion by Representative Dunphy. Second by Senator Vitelli.

Motion passed unanimously (7-0-0-3, with Senator Timberlake, Representative Dillingham and Representative Stetkis absent).

REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES

Fiscal Report

Christopher Nolan, Director of the Office of Fiscal and Program Review, presented the fiscal report found in the agenda packet.

Studies Report

Danielle Fox, Director, Office of Policy and Legal Analysis, presented the studies report found in the agenda packet.

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

The Personnel Committee met on May 16, 2022 and again on September 19, 2022.

At its May 16th meeting, the Personnel Committee considered the following matters:

1. OPEGA Director Recruitment

The committee conducted an interview of a candidate for OPEGA Director, and voted unanimously to recommend to the Legislative Council that it approve the appointment of Peter Schleck to the position of Director, Office of Program Evaluation and Government Accountability. The committee felt that Mr. Schleck exhibits the appropriate combination of skills and experience to successfully lead OPEGA, and was confident that Mr. Schleck will be an effective director in leading OPEGA with skill and insight. The appointment of Mr. Schleck was approved by Legislative Council ballot.

2. Performance Evaluation and Step Increase

The committee voted to approve a step increase for Nicholas Rende, Director, Office of Legislative Information Technology.

3. Request for Temporary Disability from a Partisan Staff Member

The committee voted to approve the employee's request for temporary disability in accordance with the Personnel Policies and Guidelines.

4. Compensation

The committee discussed a matter related to compensation and voted to accept NCSL's recommendation related to the Director position in the Law and Legislative Reference Library.

5. Law and Legislative Reference Library Director Recruitment

The committee approved the plan for recruitment of a Director for the Law and Legislative Reference Library.

6. Harassment Prevention Training for Upcoming Legislative Session

The committee reviewed options for harassment prevention training for the upcoming legislative session. The committee requested that NCSL provide the harassment and sexual harassment portions of the training, and that Amy Sneirson, Executive Director of the Maine Human Rights Commission provide the racial harassment portion of the training. The committee approved that the "in-person" training include electronic participation methods like Zoom.

7. Planned Remote Work Policy for Nonpartisan Staff

Ms. Gresser shared the Planned Remote Work Policy for Nonpartisan Staff with the committee. The committee supported the prioritization of legislative operations contained in the policy, and expressed appreciation for the hard work that went into development of the policy.

At its September 19th meeting, the Personnel Committee considered the following matters:

1. Law and Legislative Reference Library Director Recruitment

The committee conducted an interview of a candidate for Law Library Director, and voted unanimously to recommend to the Legislative Council that it approve the appointment of Jessica Lundgren to the position of Director of the Law and Legislative Reference Library. The committee felt that Ms. Lundgren exhibits the appropriate combination of skills and experience to successfully lead the Law and Legislative Reference Library, and is confident that Ms. Lundgren will be an effective director in leading the Law Library with skill and insight.

Motion: That, upon the unanimous recommendation of the Personnel Committee, the Legislative Council approve the appointment of Jessica Lundgren to the position of Director of the Law and Legislative Reference Library, effective October 3, 2022, at Step 4 in Salary Range 13. Motion by Speaker Fecteau. Second by Senator Daughtry. **Motion passed unanimously (8-0-0-2,** with Senator Timberlake and Representative Stetkis absent).

2. Personnel Policies for Legislative Staff

The committee reviewed proposed changes to the Personnel Policies and Guidelines for legislative employees to expand the amount of paid parental leave available to employees, eliminate the requirement of Legislative Council review and approval for requests for temporary disability income benefits on account of an employee's pregnancy and childbirth, and clarify that the leave provided under the paid parental leave provision and the temporary disability provision runs concurrently with any leave that may be available under the Family Medical Leave Act.

Motion: That, upon the unanimous recommendation of the Personnel Committee, the Legislative Council approve the proposed changes to the appropriate *Personnel Policy and Guidelines* handbooks to:

- (1) Expand from 14 calendar days to 20 work days the amount of paid parental leave available to employees;
- (2) Eliminate the requirement of Legislative Council review and approval for requests for up to 6 weeks of temporary disability income benefits on account of an employee's pregnancy and childbirth, and instead require review and approval by the employee's office director or leader; and
- (3) Clarify that the leave provided under the paid parental leave provision and the temporary disability provision runs concurrently with any leave that may be available under the Family Medical Leave Act.

Motion by Speaker Fecteau. Second by Representative Dillingham. **Motion passed unanimously (8-0-0-2, with Senator Timberlake and Representative Stetkis absent).**

NEW BUSINESS

Item #1: Request from the Commission to Examine Reestablishing Parole

Speaker Fecteau reviewed the request from the Commission to Examine Reestablishing Parole in the State of Maine, noted that the commission has thus far held only one meeting of the four for which they been approved, and wondered whether the request for additional meetings might be better assessed after the commission holds more of its additional meetings.

Motion: That the Legislative Council table the request from the Commission to Examine Reestablishing Parole. Motion by Representative Dunphy. Second by Senator Daughtry. **Motion passed unanimously (8-0-0-2, with Senator Timberlake and Representative Stetkis absent).**

ANNOUNCEMENTS AND REMARKS

With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 2:14 p.m.

Fiscal Briefing

October 27, 2022

Prepared by the Office of Fiscal & Program Review

1. General Fund Revenue Update (see attached)

Total General Fund Revenue - FY 2023 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Change
September	\$520.1	\$602.5	\$82.4	15.9%	\$519.0	16.1%
FYTD	\$1,288.0	\$1,406.5	\$118.5	9.2%	\$1,286.9	9.3%

General Fund revenue was over budget by \$82.4 million (15.9%) for the month of September and over budget by \$118.5 million (9.2%) for the fiscal year to date. FY 2023 General Fund revenue through September 2022 was 9.3% greater than FY 2022 General Fund revenue through September 2021.

Individual income tax revenue was over budget by \$46.3 million (21.1%) for the month and over budget by \$67.4 million (12.8%) for the fiscal year to date. The positive variance for the month is largely the result of estimated payments exceeding budgeted levels and, for the year to date, is the result of positive variances in final tax payments, estimated payments and withholding partially offset by individual tax refunds exceeding budgeted levels. Corporate income tax revenue was \$32.2 million (47.9%) over budget for the month and \$30.3 million (33.4%) for the fiscal year to date. Sales and use tax revenue for September (August sales) was over budget for the month by \$4.5 million (2.1%) and over budget by \$12.7 million (2.0%) for the fiscal year to date. Estate tax revenue for the fiscal year to date is over budget by \$10.4 million as a result of a large positive variance in July.

2. Highway Fund Revenue Update (see attached)

Total Highway Fund Revenue - FY 2023 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Change
September	\$27.1	\$27.8	\$0.7	2.7%	\$27.5	1.3%
FYTD	\$89.9	\$90.7	\$0.8	0.9%	\$91.8	-1.1%

Highway Fund revenue was over budget by \$0.7 million (2.7%) for the month of September and over budget by \$0.8 million (0.9%) for the fiscal year to date. FY 2023 Highway Fund revenue through September 2022 was 1.1% less than FY 2022 Highway Fund revenue through September 2021.

Fuel taxes were under budget by \$0.3 million (-1.3%) for the month and under budget by \$1.9 million (-3.0%) for the fiscal year to date. Motor vehicle registrations and fees were over budget by \$0.9 million (21.8%) for the month and over budget by \$2.5 million (10.1%) for the fiscal year to date.

3. Cash Balances Update

The average balance in the cash pool for September was \$4,281.2 million, an increase of \$40.5 million above August's average of \$4,240.7 million. The increase was the result of an increase in General Fund balances which was partially offset by net decreases in other fund balances. The average Highway Fund balance for September was \$36.0 million, an increase of \$2.4 million above August's average of \$33.6 million.

4. Economic and Revenue Forecast Meetings

The Consensus Economic Forecasting Commission (CEFC) is scheduled to meet on Friday, October 28th to review and update the economic forecast for its November 1st report. The Revenue Forecasting Committee (RFC) will then meet in late November to review and update the revenue forecast for its December 1st report.

General Fund Revenue
Fiscal Year Ending June 30, 2023 (FY 2023)

Updated 10/17/22

September 2022 Revenue Variance Report

Revenue Category	September '22 Budget	September '22 Actual	September '22 Variance	Fiscal Year-To-Date					FY 2023 Budgeted Totals
				Budget	Actual	Variance	Variance %	% Change from Prior Year	
Sales and Use Tax ¹	212,559,275	217,086,531	4,527,256	631,474,584	644,156,710	12,682,126	2.0%	8.1%	2,114,622,487
Service Provider Tax	4,233,334	4,109,286	(124,048)	12,699,999	12,407,850	(292,149)	-2.3%	-3.1%	50,000,000
Individual Income Tax	219,945,314	266,247,777	46,302,463	528,231,328	595,611,173	67,379,845	12.8%	9.0%	2,054,227,867
Corporate Income Tax	67,250,000	99,428,372	32,178,372	90,750,000	121,090,461	30,340,461	33.4%	28.9%	335,688,199
Cigarette and Tobacco Tax ²	12,533,787	14,663,835	2,130,048	38,322,135	42,897,760	4,575,625	11.9%	11.4%	151,740,000
Insurance Companies Tax	389,263	824,674	435,411	1,673,169	1,691,013	17,844	1.1%	-37.7%	88,800,000
Estate Tax	2,000,000	250,754	(1,749,246)	6,000,000	16,437,869	10,437,869	174.0%	540.4%	24,150,000
Other Taxes and Fees *	11,377,583	10,842,661	(534,922)	30,926,378	29,396,339	(1,530,039)	-4.9%	-5.5%	154,467,985
Fines, Forfeits and Penalties	856,995	1,352,988	495,993	2,884,623	2,513,179	(371,444)	-12.9%	61.9%	11,914,639
Income from Investments	575,602	1,587,291	1,011,689	1,079,819	3,029,997	1,950,178	180.6%	159.8%	8,166,254
Transfer from Lottery Commission	4,615,385	3,493,085	(1,122,300)	15,000,001	17,375,111	2,375,110	15.8%	1.1%	60,000,000
Transfers to Tax Relief Programs *	(5,000)	(1,320,889)	(1,315,889)	(15,000)	(1,320,889)	(1,305,889)	-8705.9%	-143.5%	(81,040,000)
Transfers for Municipal Revenue Sharing	(19,910,643)	(20,574,836)	(664,193)	(61,031,265)	(67,163,910)	(6,132,645)	-10.0%	-19.4%	(233,343,625)
Other Revenue *	3,678,326	4,546,641	868,315	(10,013,118)	(11,599,868)	(1,586,750)	-15.8%	-6190.2%	19,161,761
Totals	520,099,221	602,538,170	82,438,949	1,287,982,653	1,406,522,795	118,540,142	9.2%	9.3%	4,758,555,567

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

1 / Includes revenue from adult-use cannabis sales taxes of \$1.7 million for September and \$4.8 million for the fiscal year to date.

2 / Includes revenue from adult-use cannabis excise taxes of \$1.1 million for September and \$3.2 million for the fiscal year to date.

General Fund Revenue
Fiscal Year Ending June 30, 2023 (FY 2023)

Updated 10/17/22

September 2022 Revenue Variance Report

Revenue Category				Fiscal Year-To-Date					FY 2023 Budgeted Totals
	September '22 Budget	September '22 Actual	September '22 Variance	Budget	Actual	Variance	Variance %	% Change from Prior Year	
Detail of Other Taxes and Fees:									
- Property Tax - Unorganized Territory	0	0	0	0	0	0	N/A	N/A	14,813,169
- Real Estate Transfer Tax	3,370,899	2,569,425	(801,474)	5,700,115	3,980,317	(1,719,798)	-30.2%	-14.3%	29,474,801
- Liquor Taxes and Fees	2,671,802	953,090	(1,718,712)	5,926,690	4,860,128	(1,066,562)	-18.0%	-28.8%	22,093,824
- Corporation Fees and Licenses	315,882	566,349	250,467	1,265,160	3,010,041	1,744,881	137.9%	93.0%	11,013,649
- Telecommunication Excise Tax	0	(197,519)	(197,519)	0	(261,466)	(261,466)	N/A	N/A	6,200,000
- Finance Industry Fees	2,115,581	2,628,350	512,769	6,346,743	6,328,600	(18,143)	-0.3%	0.7%	25,916,990
- Milk Handling Fee	70,412	115,015	44,603	411,348	233,413	(177,935)	-43.3%	-38.6%	1,104,564
- Racino Revenue	819,490	881,574	62,084	2,510,675	2,923,492	412,817	16.4%	3.3%	8,986,666
- Boat, ATV and Snowmobile Fees	197,658	151,290	(46,368)	1,154,675	958,088	(196,587)	-17.0%	-16.7%	4,559,561
- Hunting and Fishing License Fees	1,081,085	2,604,475	1,523,390	5,184,044	5,455,183	271,139	5.2%	10.8%	15,994,284
- Other Miscellaneous Taxes and Fees	734,774	570,613	(164,161)	2,426,928	1,908,543	(518,385)	-21.4%	-24.1%	14,310,477
Subtotal - Other Taxes and Fees	11,377,583	10,842,661	(534,922)	30,926,378	29,396,339	(1,530,039)	-4.9%	-5.5%	154,467,985
Detail of Other Revenue:									
- Liquor Sales and Operations	1,676	11,196	9,520	5,221	16,476	11,255	215.6%	148.6%	28,500
- Targeted Case Management (DHHS)	0	5,605	5,605	0	18,613	18,613	N/A	N/A	0
- State Cost Allocation Program	1,991,622	1,304,241	(687,381)	6,725,918	4,578,975	(2,146,943)	-31.9%	-41.8%	26,436,802
- Unclaimed Property Transfer	0	0	0	0	0	0	N/A	N/A	7,700,000
- Tourism Transfer	0	0	0	(12,730,517)	(13,782,509)	(1,051,992)	-8.3%	-56.9%	(21,504,900)
- Transfer to Maine Milk Pool	(400,117)	0	400,117	(1,230,517)	0	1,230,517	100.0%	100.0%	(1,405,537)
- Transfer to STAR Transportation Fund	0	0	0	(8,373,234)	(10,187,151)	(1,813,917)	-21.7%	-145.9%	(14,174,000)
- Other Miscellaneous Revenue	2,085,145	3,225,598	1,140,453	5,590,011	7,755,728	2,165,717	38.7%	-2.1%	22,080,896
Subtotal - Other Revenue	3,678,326	4,546,641	868,315	(10,013,118)	(11,599,868)	(1,586,750)	-15.8%	-6190.2%	19,161,761
Detail of Transfers to Tax Relief Programs:									
- Me. Resident Prop. Tax Program (Circuitbreak	0	497	497	0	497	497	N/A	9.2%	0
- BETR - Business Equipment Tax Reimb.	(5,000)	(1,290,406)	(1,285,406)	(15,000)	(1,290,406)	(1,275,406)	-8502.7%	-2377.3%	(17,800,000)
- BETE - Municipal Bus. Equip. Tax Reimb.	0	(30,980)	(30,980)	0	(30,980)	(30,980)	N/A	93.7%	(63,240,000)
Subtotal - Tax Relief Transfers	(5,000)	(1,320,889)	(1,315,889)	(15,000)	(1,320,889)	(1,305,889)	-8705.9%	-143.5%	(81,040,000)
Inland Fisheries and Wildlife Revenue - Total	1,355,671	2,835,099	1,479,428	6,539,584	6,622,748	83,164	1.3%	61.5%	21,516,535

Highway Fund Revenue
Fiscal Year Ending June 30, 2023 (FY 2023)

Updated 10/17/22

September 2022 Revenue Variance Report

Revenue Category	September '22 Budget	September '22 Actual	September '22 Variance	Fiscal Year-To-Date					FY 2023 Budgeted Totals
				Budget	Actual	Variance	% Variance	% Change from Prior Year	
Fuel Taxes:									
- Gasoline Tax	19,996,557	19,263,585	(732,972)	56,877,117	54,864,533	(2,012,584)	-3.5%	-1.0%	204,095,000
- Special Fuel and Road Use Taxes	4,315,519	4,714,502	398,983	12,520,946	12,447,747	(73,199)	-0.6%	-7.3%	50,084,998
- Transcap Transfers - Fuel Taxes	(1,792,554)	(1,762,227)	30,327	(5,094,181)	(4,953,234)	140,947	2.8%	1.4%	(18,680,713)
- Other Fund Gasoline Tax Distributions	(500,053)	(481,724)	18,329	(1,422,325)	(1,378,682)	43,643	3.1%	0.5%	(5,103,802)
Subtotal - Fuel Taxes	22,019,469	21,734,136	(285,333)	62,881,557	60,980,364	(1,901,193)	-3.0%	-2.3%	230,395,483
Motor Vehicle Registration and Fees:									
- Motor Vehicle Registration Fees	5,942,968	6,030,561	87,593	19,417,966	19,433,305	15,339	0.1%	0.7%	69,162,203
- License Plate Fees	434,453	526,092	91,639	1,259,494	1,482,093	222,599	17.7%	-0.2%	3,661,097
- Long-term Trailer Registration Fees	680,403	1,021,954	341,551	2,133,714	3,320,589	1,186,875	55.6%	20.3%	12,134,523
- Title Fees	1,389,176	1,286,657	(102,519)	4,210,164	4,183,192	(26,972)	-0.6%	-0.8%	14,325,795
- Motor Vehicle Operator License Fees	857,592	1,112,724	255,132	2,512,509	3,337,976	825,467	32.9%	8.5%	9,410,348
- Transcap Transfers - Motor Vehicle Fees	(5,043,781)	(4,788,405)	255,376	(5,043,781)	(4,801,135)	242,646	4.8%	-0.6%	(16,518,054)
Subtotal - Motor Vehicle Reg. & Fees	4,260,811	5,189,583	928,772	24,490,066	26,956,020	2,465,954	10.1%	3.4%	92,175,912
Motor Vehicle Inspection Fees	259,344	17,475	(241,870)	764,217	192,117	(572,101)	-74.9%	-73.9%	3,202,500
Other Highway Fund Taxes and Fees	98,724	149,441	50,717	353,352	439,755	86,403	24.5%	0.5%	1,267,454
Fines, Forfeits and Penalties	50,534	102,711	52,177	151,602	343,212	191,610	126.4%	-1.0%	606,412
Interest Earnings	18,430	38,609	20,179	55,292	64,580	9,288	16.8%	27.7%	221,169
Other Highway Fund Revenue	389,246	607,670	218,424	1,171,283	1,738,051	566,768	48.4%	3.5%	11,304,465
Totals	27,096,558	27,839,625	743,067	89,867,369	90,714,098	846,729	0.9%	-1.1%	339,173,395

130th MAINE LEGISLATURE-SECOND REGULAR SESSION
LEGISLATIVE COUNCIL AUTHORIZED STUDIES AND INTERIM COMMITTEE MEETINGS
October 27, 2022

Study Commission/Committee Study	Assigned Staff	Number of authorized meetings held to date	Report Date	Chairs	Status or comment
Interim Studies, Nonpartisan Staff-Assigned					
LD 842 Commission to Examine the Reinstatement of Parole Resolve 2021 c. 126	Sam Prawer Julia MacDonald	*Six meetings authorized <i>September 8, 2022 @ 1:00 p.m.</i> <i>October 7, 2022 @ 9:00 a.m.</i> <i>October 14, 2022 @ 9:00 a.m.</i>	12/1/22	Sen. Hickman Rep. (Charlotte) Warren	*Request for 2 additional meetings approved
LD 1995 Part KK (Emergency) Commission to Develop a Paid Family Medical Leave Benefits Program PL. 2021 c. 635 Part KK	Colleen McCarthyReid Anna Broome Luke Lazure	Six meetings authorized <i>May 31, 2022 @ 10:30 a.m.</i> <i>October 3, 2022 @ 2 p.m.</i> <i>October 11, 2022 @ 2:00 p.m.</i> <i>November 1, 2022 @ 2:00 p.m.</i>	*12/6/22	Sen. Daughtry Rep. Cloutier	Preliminary actuarial report received mid-August *Extension approved
LD 629 (Emergency) Task Force to Study the Process for Bringing Criminal Cases in Situations of Violence Against Healthcare Workers Resolve 2021 c. 173	Lynne Caswell Anna Broome	Four meetings authorized <i>August 3, 2022 @ 9:00 a.m.</i> <i>September 13, 2022 @ 9:00 a.m.</i> <i>September 27, 2022 @ 9:00 a.m.</i> <i>October 13, 2022 @ 9:00 a.m.</i>	11/2/22	Sen. Claxton Rep. (Anne) Perry	Report drafting in progress
LD 1569 Commission to Study the Role of Water as a Resource in the State of Maine Resolve 2021 c. 185	Julia MacDonald Dan Tartakoff Michael Russo	Four meetings authorized <i>September 12, 2022 @ 12:00 p.m.</i> <i>October 6, 2022 @ 12:00 p.m.</i> <i>October 19, 2022 @ 12:00 p.m.</i>	11/2/22	Sen. Chipman Rep. Gramlich	Request submitted for 1 additional meeting
LD 1824 (Emergency) Commission to Develop a Pilot Program to Provide Legal Representations to Families in the Child Protection System Resolve 2021 c. 181	Janet Stocco Sam Senft Lucia Nixon	Four meetings authorized <i>August 1, 2022 @ 9:00 a.m.</i> <i>August 22, 2022 @ 9:00 a.m.</i> <i>October 3, 2022 @ 9:00 a.m.</i> <i>October 17, 2022 @ 9:00 a.m.</i>	11/2/22	Sen. Bailey Rep. Stover	Report drafting in progress

130th MAINE LEGISLATURE-SECOND REGULAR SESSION
LEGISLATIVE COUNCIL AUTHORIZED STUDIES AND INTERIM COMMITTEE MEETINGS
October 27, 2022

LD 1946 (Emergency) Commission to Ensure Constitutionally Adequate Contact with Counsel <u>Resolve 2021 c. 182</u>	Sam Senft Jane Orbeton	Four meetings authorized <i>September 7, 2022 @ 11:00a.m.</i> <i>September 21, 2022 @ 11:00a.m.</i> <i>October 5, 2022 @ 11:00 a.m.</i> <i>October 19, 2022 @ 11:00 a.m.</i>	11/2/22	Sen. Carney Rep. Harnett	Request submitted for 1 additional meeting
LD 1988 (Emergency) Blue Ribbon Commission to Study Emergency Medical Services in the State <u>PL. 2021 c. 749</u>	Hillary Risler Dan Tartakoff	Six meetings authorized <i>September 1, 2022 @ 12:30 p.m.</i> <i>September 15, 2022 @ 1:00 p.m.</i> <i>October 6, 2022 @ 1:00 p.m.</i> <i>October 25, 2022 @ 1:00 p.m.</i> <i>November 14, 2022 @ 1:00 p.m.</i>	12/7/22	Sen. Curry Rep. Talbot Ross	5 of 6 meetings held/scheduled
LD 2008 (Emergency) Committee to Study Court-ordered Treatment for Substance Use Disorder <u>Resolve 2021 c. 183</u>	Lindsay Laxon Dan Tartakoff	Four meetings authorized <i>September 16, 2022 @ 9:00 a.m.</i> <i>October 3, 2022 @ 9:00 a.m.</i> <i>October 24, 2022 @ 9:00 a.m.</i>	11/2/22	Sen. Carney Rep. Madigan	Request for extension submitted (final meeting to be held after 11/2)
LD 680 (Emergency) Task Force to Study the Creation of a Comprehensive Career and Technical Education System <u>Resolve 2021 c. 174</u>	Steve Langlin Hillary Risler	Four meetings authorized	11/2/22	Sen. Rafferty Rep. McCrea	All appointments made – outside funding not received by required date specified in authorizing legislation
LD 1240 Commission to Increase Housing Opportunities in Maine by Studying Land Use Regulations and Short-term Rentals <u>Resolve 2021 c. 184</u>	Karen Nadeau Steve Langlin	Six meetings authorized <i>September 13, 2022 @ 10:00 a.m.</i> <i>September 23, 2022 @ 9:00 a.m.</i> <i>October 3, 2022 @ 9:00 a.m.</i> <i>October 17, 2022 @ 9:00 a.m.</i> <i>October 24, 2022 @ 9:00 a.m.</i> <i>October 31, 2022 @ 9:00 a.m.</i>	11/2/22	Sen. Hickman Rep. Roeder	5 of 6 scheduled meetings held

130th MAINE LEGISLATURE-SECOND REGULAR SESSION
LEGISLATIVE COUNCIL AUTHORIZED STUDIES AND INTERIM COMMITTEE MEETINGS
October 27, 2022

LD 1771 Advisory Panel to Better Understand and Make Recommendations Regarding the Implications of Genome-editing Technology for the Citizens of the State <u>Resolve 2021 c. 177</u>	Rachel Olson Janet Stocco	Four meetings authorized <i>August 17, 2022 @ 9:00 a.m., September 7, 2022 @ 9:00 a.m. September 21, 2022 @ 9:00 a.m. October 19, 2022 @ 9:00 a.m.</i>	11/2/22	Sen. Claxton Rep. Zager	Report drafting in progress
Ongoing statutory studies					
Right to Know (Advisory Committee) <u>T 1 §411</u>	Colleen McCarthyReid Rachel Olson Lindsay Laxon Jane Orbeton	No fewer than 4 meetings <i>September 15, 2022 @ 10:00 a.m. October 13, 2022 @ 1:00 p.m. October 26, 2022 @ 3:00 p.m. October 27, 2022 @ 1:00 p.m. November 17, 2022 @ 1:00 p.m. December 1, 2022 @ 1:00 p.m.</i>	annually	Rep. Harnett	3 subcommittee meetings held to date in addition to full meetings
Marijuana Advisory Commission <u>T 28-B c. 1 sub c. 9</u>	Sam Prawer Rachel Olsen		annually	Sen. Miramant Rep. Pierce	
Education and Employment Outcomes Task Force <u>T. 20-A c. 437</u>	Lynne Caswell	Four meetings authorized (per calendar year)	annually Nov 1	Sen. Rafferty Rep. Gere	Gubernatorial appointments pending (4).
Other studies (staffed by department/agency – Council approved assistance by OPLA/OFPR)					
LD 1995 (Emergency) Advisory Committee on the Fund to Address PFAS Contamination <u>PL. 2021 c. 695 Part XX</u>	Department - staffed with assistance from OPLA and OFPR as needed	9 meetings authorized		Sen. Brenner Rep. Fay	To date, no Legislative Council staff assistance requested

**130th MAINE LEGISLATURE/FIRST REGULAR SESSION
AUTHORIZED INTERIM COMMITTEE MEETINGS**

Interim meetings of Joint Standing Committees or subcommittees			
Agriculture, Conservation & Forestry	Karen Nadeau		
Criminal Justice and Public Safety	Jane Orbeton Daniel Tartakoff		
Education and Cultural Affairs	Hillary Risler	One meeting authorized <i>June 16, 2022 at 9:30 a.m.</i>	UMS briefings and DOE/MEPRI updates (time permitting)
Environment and Natural Resources	Daniel Tartakoff	Four authorized meetings <i>October, 3 2022 @ 12:00 p.m.</i> <i>October 17, 2022 @ 10:00 a.m.</i>	No plan to hold additional meetings, report draft out for review
Energy, Utilities and Technology	Daniel Tartakoff		
Health and Human Services	Anna Broome Sam Senft	Three authorized meetings <i>June 8, 2022 at 10:00 a.m.</i> <i>September 19, 2022 at 10:00 a.m.</i>	OCFS issues/briefings
Health Coverage, Insurance and Financial Services	Colleen McCarthy	Two authorized meetings <i>April 28, 2022</i>	Anthem/MaineHealth
Inland Fisheries and Wildlife	Julia MacDonald		
Innovation, Development, Economic Advancement and Business	Rachel Olson	One authorized meeting <i>July 26, 2022 at 9:00 a.m.</i>	
Judiciary	Peggy Reinsch Janet Stocco		
Labor and Housing	Steven Langlin		
Marine Resources	Lynne Caswell		
State and Local Government	Lynne Caswell		
Taxation	Julie Jones	Two authorized meetings (none scheduled)	
Transportation	Samuel Prawer Karen Nadeau		
Veteran and Legal Affairs	Janet Stocco Samuel Prawer		

**130th MAINE LEGISLATURE/FIRST REGULAR SESSION
AUTHORIZED INTERIM COMMITTEE MEETINGS**

**Legislative Council Actions
Taken by Ballot Since the
September 22, 2022 Council Meeting**

Legislative Council Decisions:

Motion: That the Legislative Council authorizes the extension of the reporting deadline of the Commission To Develop a Paid Family and Medical Leave Benefits Program to December 6, 2022, in accordance with Joint Rule 353(7).

Motion by: Speaker Ryan Fecteau Second: President Troy Jackson
Date: October 6, 2022
Vote: 7-1-0-2 Passed (with Representative Stetkis opposed and Senator Pouliot and Representatives Dillingham recorded as absent)

Motion: That the Legislative Council authorizes the Commission to Examine Reestablishing Parole to hold two additional meetings.

Motion by: Speaker Ryan Fecteau Second: President Troy Jackson
Date: October 19, 2022
Vote: 6-1-0-3 Passed (with Representative Stetkis opposed and President Jackson, Senator Timberlake and Representative Dillingham recorded as absent)

Requests for Introduction of Legislation:

SUZANNE M. GRESSER
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

To: Legislative Council

From: Suzanne Gresser, Executive Director

Date: October 27, 2022

Re: Legislative Council Subcommittee on the Racial Impact Statement Process Pilot Proposal

Public Law 2021, chapter 21 directed the Legislative Council or its delegate to determine the best methods to establish and implement a system for using racial impact statements in legislation. The Legislative Council established a subcommittee consisting Representative Rachel Talbot Ross, Speaker Ryan Fecteau, Representative Kathleen Dillingham, Senator Matthea Daughtry, and Senator Matt Pouliot to the subcommittee. The subcommittee met over the course of the 2021 legislative interim, and developed a pilot for use during the Second Regular Session of the 130th Legislature.

The subcommittee selected four Joint Standing Committees to participate in the project: Education and Cultural Affairs, Health and Human Services, Judiciary, and Labor and Housing. At the direction of the subcommittee, Rep. Talbot Ross and the subcommittee staff worked with representatives of the University of Maine System (the “University”) and the Permanent Commission on Racial, Indigenous and Maine Tribal Populations (the “Permanent Commission”). Together with the University and the Permanent Commission, the subcommittee selected seven bills that had been carried over to the Second Regular Session for which a Racial Impact Statement would be prepared.

The four designated Joint Standing Committees received Racial Impact Statements prepared by the University, and in accordance with Public Law 2021, chapter 21, on behalf of those committees, the chairs submitted to the Legislative Council reports containing feedback on the racial impact statement pilot; those reports from committee chairs are included in your packet.

Following receipt of the reports of committee chairs, the Legislative Council Subcommittee on the Racial Impact Statement Process Pilot met on July 28, 2022 to review the reports of the pilot committees and receive comment from the University and the Permanent Commission. The subcommittee then developed the following recommendation to present to the full Legislative Council:

Speaker Fecteau's proposal, supported by Rep. Talbot Ross:

That the Legislative Council Subcommittee on the Racial Impact Statement Process Pilot recommend to the full Legislative Council that:

- In accordance with Public Law 2021, c. 21, §2, sub§3, based on information gathered through conducting the Racial Impact Statement Process Pilot Project during the 130th Legislature and the reports of the joint standing committees that participated in the pilot project, the Legislative Council of the 130th Legislature respectfully recommends to the Legislative Council of the 131st Legislature that it continue the Racial Impact Statement Pilot Project during the course of the 131st Legislature, and that it incorporate into the Pilot Project the following specified elements:
 - That, early in the First Regular Session of the 131st Legislature, joint standing committees identify those bills for which the committee, prior to beginning work on the bills, requests preparation of a Racial Impact Statement (“RIS”) over the course of the interim;
 - That each joint standing committee that votes to request an RIS for a bill or bills transmit to the Presiding Officers the RIS request(s) in a manner to be prescribed by the Presiding Officers;
 - That a bill for which an RIS request has been approved by the Presiding Officers not be scheduled for hearings or work sessions until the RIS is completed, and be included in the Carry-Over Order passed at the end of the First Regular Session;
 - That the Executive Director identify savings in the legislative accounts for the Legislature to contract with research organizations to perform the analysis necessary to prepare the RIS for the identified and approved bills;
 - That in order to prepare RIS, research organizations with whom the Legislature contracts perform qualitative analysis by, among other methods, engaging with and eliciting input from impacted communities; and
 - That researchers performing the qualitative and quantitative analysis be authorized and encouraged to engage and communicate together and with legislators to identify and refine those avenues of inquiry that will provide information most relevant to the needs of the Legislature; and
- That the Legislative Council of the 130th Legislature respectfully recommends to the Legislative Council of the 131st Legislature that it support the introduction of legislation in the Second Regular Session of the 131st Legislature to clarify the Racial Impact Statement Process. By means of such future legislation, the Maine Revised Statutes, Title 2, §201, sub§2, the text of which is set forth below might be repealed and replaced with statutory language that clearly outlines the Racial Impact Statement process.

2. Racial impact statement information. *Upon the request of a legislative committee, a commissioner or director of a state agency or the commissioner's or director's designee shall provide to that legislative committee data, analysis and other information within the agency's possession necessary for the Legislature to prepare a racial impact statement for legislation before that legislative committee or legislation being prepared by that legislative committee. The racial impact statement information must be provided in a timely manner.*

SENATE

JOSEPH RAFFERTY, DISTRICT 34, CHAIR
MATTHEA DAUGHTRY, DISTRICT 24
DAVID C. WOODSOME, DISTRICT 33

HILLARY RISLER, LEGISLATIVE ANALYST
ELIAS MURPHY, COMMITTEE CLERK



HOUSE

MICHAEL F. BRENNAN, PORTLAND, CHAIR
REBECCA J. MILLETT, CAPE ELIZABETH
DAVID HAROLD MCCREA, FORT FAIRFIELD
JANICE S. DODGE, BELFAST
W. EDWARD CROCKETT, PORTLAND
SUZANNE M. SALISBURY, WESTBROOK
PAUL A. STEARNS, GUILFORD
HEIDI H. SAMPSON, ALFRED
SHEILA A. LYMAN, LIVERMORE FALLS
TIMOTHY M. ROCHE, WELLS

STATE OF MAINE ONE HUNDRED AND THIRTIETH LEGISLATURE COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS

TO: Representative Ryan Fecteau, Chair
Members of Legislative Council

FROM: Senator Joseph Rafferty, Senate Chair JR (HAR)
Representative Michael Brennan, House Chair MB (HAR)
Members of the Joint Standing Committee on Education and Cultural Affairs

RE: Racial Impact Statement Process Pilot

Date: April 6, 2022

The Joint Standing Committee on Education and Cultural Affairs submits this letter pursuant to Public Law 2021, chapter 21 and the guidance letter from the Legislative Council Subcommittee to Implement a Racial Impact Statement Process Pilot.

The Legislative Council Subcommittee selected one potential LD for inclusion in the pilot under the jurisdiction of the Education and Cultural Affairs Committee:

- LD 270, An Act to Amend the Regional Adjustment Index to Ensure School Districts Do Not Receive Less than the State Average for Teacher Salaries.

Below, please find the committee's responses to the questions posed by Legislative Council in the guidance letter.

1. *Whether the timeframe in which the racial impact statement was provided to the committee was useful, or whether receipt of the racial impact statement at a different point in time might have proven more useful;*

LD 270 was carried over by the committee for the purpose of additional research by MEPRI unrelated to the racial impact statement process. The committee received notice of this bill's selection for the pilot process on January 5, 2022, and subsequently held the bill in committee until receipt of the Preliminary Racial Impact Statement from Dr. Amy Johnson, Maine Education Policy Research Institute (MEPRI) at USM on February 18,

2022. It is likely that the committee would have worked and voted this bill earlier in session had the committee not had to wait for the racial impact statement. Ultimately though, because of the substance of the bill itself, the committee did not feel that the report would have been more useful at a different time.

2. *How much, if any, additional time did the committee devote to discussion and consideration of the bill as a result of the racial impact statement;*

On March 3, 2022, the committee held a work session on LD 270, which included a presentation from Dr. Amy Johnson on both new data available in regards to the regional adjustment as well as the preliminary racial impact statement. Because of the complexity of the subject matter of the bill, the committee spent the majority of the time on discussions related to how the regional adjustment component works in the context of the school funding formula and how it is impacted by factors other than those that the racial impact statement addressed.

3. *Whether the information provided in the racial impact statement served to advance discussion of the bill in committee;*

Because of the complexity of the subject matter of the bill, and because the preliminary racial impact statement concluded that the proposed bill has a neutral impact on inequities among historically disadvantaged racial populations, the information in the preliminary racial impact statement did not greatly advance discussion of the bill in committee.

Some members of the committee noted that, as it specifically pertains to LD 270, a focus on low socio-economic, rather than racial, may have shown a measurable negative affect on equity to this larger group of students, and that racial, indigenous, and tribal populations would therefore be negatively affected as a key subset of that group.

However, ultimately, the committee found that this was a particularly difficult bill with which to address any potential racial impacts because of the ripple effects of the EPS school funding formula. Members of the committee expressed that there may have been other bills under the committee's jurisdiction during the 130th Legislature that would have been better vehicles for this pilot process.

4. *Whether information provided in the racial impact statement influenced the development by the committee of amendments to the bill;*

The majority of the committee voted to strike the bill and replace it with a resolve that requires the Department of Education to study the impacts of the regional adjustment component of the funding formula and submit a report to the committee no later than

January 15, 2023. The committee did not feel that the statement influenced the development of the amendment.

5. *Whether the information provided in the racial impact statement had an impact on the committee's vote on the bill.*

The committee did not feel that the statement had an impact on the committee's vote.

The Education and Cultural Affairs Committee appreciates this opportunity to provide feedback on the racial impact statement pilot and welcomes further questions.

SENATE

NED CLAXTON, DISTRICT 20, CHAIR
JOSEPH BALDACCI, DISTRICT 9
MARIANNE MOORE, DISTRICT 8

ANNA BROOME, SENIOR LEGISLATIVE ANALYST
SAMUEL SENFT, LEGISLATIVE ANALYST
KAREN THOMAS, COMMITTEE CLERK



HOUSE

MICHELE MEYER, ELIOT, CHAIR
MARGARET CRAVEN, LEWISTON
ANNE C. PERRY, CALAIS
COLLEEN M. MADIGAN, WATERTOWN
HOLLY B. STOVER, BOOTHBAY
SAMUEL LEWIS ZAGER, PORTLAND
KATHY IRENE JAVNER, CHESTER
ABIGAIL W. GRIFFIN, LEVANT
JONATHAN M. CONNOR, LEWISTON
MICHAEL H. LEMELIN, CHELSEA

STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES

TO: Speaker Ryan Fecteau, Chair, Legislative Council
Members, Legislative Council

FROM: Senator Ned Claxton, Senate Chair
Representative Michele Meyer, House Chair
Joint Standing Committee on Health and Human Services

DATE: April 6, 2022

RE: **Racial Impact Statement Report**

The Committee on Health and Human Services submits this letter to provide feedback to the Legislative Council regarding the racial impact pilot process, as required by Public Law 2021, chapter 21 and as further described in the January 5, 2022 letter to the HHS Committee from the Legislative Council.

The Committee received racial impact statements on three bills:

- LD 372 *An Act To Provide Maine Children Access to Affordable Health Care* (Carney)
- LD 1574 *An Act To Ensure Support for Adults with Intellectual Disabilities or Autism with High Behavioral Need* (Meyer)
- LD 1693 *An Act To Advance Health Equity, Improve the Well-being of All Maine People and Create a Health Trust* (Talbot Ross)

Below, please find the Committee's responses to questions posed by the Legislative Council in the January 5 letter. The answers apply to all three of the above bills.

- a. *Whether the timeframe in which the racial impact statement was provided to the committee was useful, or whether receipt of the racial impact statement at a different point in time might have proven more useful*

Committee members felt that the Committee received the racial impact statements too late in the bill consideration process to be helpful. The statements were received after public hearings were complete and after proposed amendments had already been drafted. For two of the bills, public hearings had in fact been held in the prior session. This resulted in the Committee considering a racial impact statement on an original bill draft

that differed substantially from the draft amended, which struck committee members as a disjointed process.

Committee members noted that having the racial impact statements at or immediately after the public hearing would have been more useful.

- b. *How much, if any, additional time did the committee devote to discussion and consideration of the bill as a result of the racial impact statement*

The committee heard a brief presentation on each racial impact statement and spent a short amount of time discussing each. However, the late timing of the impact statements and poor match between the original bill and the bill as amended, in some cases, meant that the racial impact statements were not particularly relevant to the committee's discussion. As a result, the committee did not spend a significant amount of time discussing the statements.

- c. *Whether the information provided in the racial impact statement served to advance discussion of the bill in committee*

The committee founds that the racial impact statements did not serve to advance discussion of the bills in committee, largely due to the timing of the submission of the statements and lack of relevancy to the bills as amended. The committee also noted that much of the information presented was general, national level information and not specific to Maine.

- d. *Whether information provided in the racial impact statement influenced the development by the committee of amendments to the bill*

Amendments had been drafted for the bills between the public hearings and work sessions. Because the committee did not receive the racial impact statements until immediately prior to the work sessions, the racial impact statements were not ultimately helpful in drafting amendments.

- e. *Whether the information provided in the racial impact statement had an impact on the committee's vote on the bill*

Committee members felt that the racial impact statements did not influence the committee's votes on the bills. This was because of the timing of receipt of the racial impact statement and also because the racial impact statements lacked specificity and definition.

- f. *Any additional observations or suggestions concerning the racial impact statement process pilot*


Committee members felt strongly that the racial impact statements were received far too late in the process of bill consideration to be helpful.


Committee members also noted that the individuals presenting the racial impact statements seemed frustrated by the limitations of the process, as they noted that they lacked sufficient time to do their work, as well as access to information relevant to craft

the racial impact statements. The committee suggested that the Legislative Council seek further feedback and recommendations from the researchers who drafted the racial impact statements.

The Health and Human Services Committee appreciates this opportunity to provide feedback on the racial impact statement pilot and welcomes further questions.

Sincerely,


Sen. Ned Claxton
Senate Chair


Rep. Michele Meyer
House Chair

cc. Members, Health and Human Services Committee

SENATE

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STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
COMMITTEE ON JUDICIARY

May 19, 2022

TO: Speaker Ryan Fecteau, Chair Legislative Council
Members, Legislative Council

FROM: Senator Anne M. Carney, Senate Chair *AC*
Representative Thom Harnett, House Chair *TH*
Joint Standing Committee on Judiciary

Re: Racial Impact Statement Report

The Committee on Judiciary submits this memo pursuant to Public Law 2021, chapter 21 and the guidance letter from the Legislative Council Subcommittee to Implement a Racial Impact Statement Process Pilot.

The Legislative Council Subcommittee selected two potential LDs for inclusion in the pilot under the jurisdiction of the Judiciary Committee:

- LD 982, An Act To Protect against Discrimination by Public Entities
- LD 1068, An Act To Restrict Access to Weapons Pursuant to Court Order in Cases of Harassment.

A 13-1 majority of the Judiciary Committee voted Ought Not To Pass on LD 1068 on January 13th; the Judiciary Committee did not receive a racial impact statement on LD 1068.

Below, please find the Judiciary Committee's responses to the questions posed by the Legislative Council in the guidance letter with regard to LD 982.

1. Whether the timeframe in which the racial impact statement was provided to the committee was useful, or whether receipt of the racial impact statement at a different point in time might have proven more useful?

LD 982 was carried over by the Judiciary Committee for the collection of additional information and redrafting unrelated to the racial impact statement process. The draft amendment was developed without information provided through the racial impact process. The Racial Impact Statement did, however, address the policy change LD 982 sought to accomplish and the statement was relevant to the committee's work on the bill.

2. How much, if any, additional time did the committee devote to discussion and consideration of the bill as a result of the racial impact statement?

The Preliminary Racial Impact Statement for LD 982 was provided to the committee members and posted on the Judiciary Committee's LD 982 webpage on March 7th. On March 11, 2022, the Judiciary Committee held a work session on LD 982. Staff reviewed the preliminary racial impact statement with the committee before the committee discussed the substance of the proposed amendment, which replaced the bill. Although the statement provided that "Assessing the full impact of this statutory change was not feasible within the timeframe of this pilot", the statement did provide an estimate of the total population that could be affected by the amendment, and the percent of those who are identified as BIPOC.

3. Whether the information provided in the racial impact statement served to advance discussion of the bill in committee?

The committee members discussed the Maine Human Rights Act and the classes protected under the Act, but the members did not specifically discuss the information in the statement. Some committee members found the information helpful and feel it aided in evaluating the legislation.

4. Whether information provided in the racial impact statement influenced the development by the committee of amendments to the bill?

The proposed committee amendment was developed during the interim and the wording of the amendment was not changed after receipt of the racial impact statement.

5. Whether the information provided in the racial impact statement had an impact on the committee's vote on the bill?

Although no member of the Judiciary Committee explicitly stated during the work session that the information provided by the racial impact statement affected how that member voted on the proposed amendment to LD 982, the information did impact some members' vote and subsequent advocacy for the bill's passage in the chambers and efforts related to appropriations.

6. Any additional observations or suggestions concerning the racial impact statement process pilot:

The Judiciary Committee members would appreciate the opportunity to experience implementation of the Racial Impact Statement process in the First Regular Session. A suggested process could be: (1) Have the committee identify during the first session legislation that needed additional work and/or would benefit from a racial impact analysis; (2) Carry over the bill; (3) Receive statement at beginning of second session; (4) Complete work on bill after reviewing the racial impact analysis.

The Judiciary Committee appreciates this opportunity to provide feedback on the racial impact statement pilot. We would be happy to answer any questions.

SENATE

MATTHEA DAUGHTRY, DISTRICT 24, CHAIR
CRAIG V. HICKMAN, DISTRICT 14
STACEY K. GUERIN, DISTRICT 10

STEVE LANGLIN, LEGISLATIVE ANALYST
JUSTIN PURVIS, COMMITTEE CLERK



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GARY A. DRINKWATER, MILFORD
SOPHIE B. WARREN, SCARBOROUGH

STATE OF MAINE ONE HUNDRED AND THIRTIETH LEGISLATURE COMMITTEE ON LABOR AND HOUSING

TO: Senator Troy D. Jackson, President of the Senate
Representative Ryan Fecteau, Speaker of the House
Members, 130th Legislative Council

FROM: Senator Matthea Daughtry, Senate Chair MD^{SL}
Representative Michael Sylvester, House Chair MS^{SL}
Joint Standing Committee on Labor and Housing

DATE: April 19, 2022

RE: **Racial Impact Statement Report**

The Committee on Labor and Housing submits this letter to provide feedback to the Legislative Council regarding the racial impact pilot process, as required by Public Law 2021, chapter 21 and as further described in the January 5, 2022 letter to the LBHS Committee from the Legislative Council.

The Committee received a racial impact statement on the following bill:

- LD 965, "An Act Concerning Nondisclosure Agreements in Employment" (Rep. Harnett)

Below are the Committee's responses to questions posed by the Legislative Council in its guidance letter.

- a. *Whether the timeframe in which the racial impact statement was provided to the committee was useful, or whether receipt of the racial impact statement at a different point in time might have proven more useful*

Committee members felt that the Committee received the racial impact statement too late in the bill consideration process to be helpful. The statement was received after the public hearing was held, after the committee voted and after the bill was reported out. The bill was re-committed to the LBHS Committee on Jan. 5, 2022 to be considered as part of this pilot project. Committee members noted that having the racial impact statements at or immediately after the public hearing would have been more useful.

- b. *How much, if any, additional time did the committee devote to discussion and consideration of the bill as a result of the racial impact statement*

The committee heard a presentation on the racial impact statement and spent a short amount of time discussing it. However, because the statement came to the Committee so late and because the Committee had previously taken a position on the bill, the committee did not spend a significant amount of time discussing the statement.

- c. *Whether the information provided in the racial impact statement served to advance discussion of the bill in committee*

The committee found that the racial impact statement did not serve to advance discussion of the bills in committee largely due to the timing of the submission of the statement. The committee also noted that much of the information presented was general and not specific to Maine. Committee members felt that quantitative data specific to Maine would have strengthened the racial impact statement and would have led to a more informed discussion surrounding the bill and its effects on race.

- d. *Whether information provided in the racial impact statement influenced the development by the committee of amendments to the bill*

The LBHS Committee voted LD 965 as “ought to pass” on May 3, 2021 and the bill was subsequently reported out on May 18, 2021. The only amendment was the fiscal note that was required, which made the bill “ought to pass as amended.” The LBHS Committee voted this exact same manner on March 25, 2022. Because of the statement’s late timing and a prior vote from the LBHS Committee on the bill, committee members felt the statement did not influence its amendment at all.

- e. *Whether the information provided in the racial impact statement had an impact on the committee’s vote on the bill*

Committee members felt that the racial impact statement did not influence the committee’s vote on the bill. This was because of the timing of receipt of the racial impact statement and also because the statement did not contain demographics or statistics related specifically to Maine.

- f. *Any additional observations or suggestions concerning the racial impact statement process pilot*

Committee members felt strongly that the racial impact statements were received far too late in the process of bill consideration to be helpful and did not contain the necessary quantitative data to help guide their decision on the bill.

The Labor and Housing Committee appreciates this opportunity to provide feedback on the racial impact statement pilot and welcomes further questions.

Cc: Members, Joint Standing Committee on Labor and Housing



STATE OF MAINE
ONE HUNDRED THIRTIETH LEGISLATURE
COMMISSION TO STUDY THE ROLE OF WATER AS A RESOURCE IN THE STATE OF MAINE

TO: Senator Troy Jackson, President of the Senate, Chair
Representative Ryan Fecteau, Speaker of the House, Vice-Chair
Legislative Council

FROM: Senator Ben Chipman, Chair *BC per*
Representative Lori Gramlich, Chair *LG per*
Commission To Study the Role of Water as a Resource in the State of Maine

DATE: October 20th, 2022

RE: **Request for Additional Meeting and Extension of Reporting Deadline**

On behalf of the Commission To Study the Role of Water as a Resource in the State of Maine, we respectfully submit the following requests for your consideration.

1. Request for one additional meeting – the Commission has currently held three of its four authorized study meetings. In those meetings, the Commission has gathered a great deal of information relevant to its charges, as set forth in its authorizing legislation, and has engaged in preliminary discussions regarding potential recommendations to be included in the final study report. If granted an additional meeting, we are confident that the discussions at the fourth meeting will result in Commission member agreement on the substantive recommendations to be included in the study report, which can then be prepared by Commission staff for review at the fifth and final meeting. For these reasons, we respectfully request your approval for the Commission to hold one additional meeting beyond the four meetings previously authorized.
2. Request for extension of reporting deadline – pursuant to the Commission's authorizing legislation, our final report must be submitted no later than November 2, 2022. We do not anticipate being able to meet that deadline, regardless of whether the above request for an additional meeting is approved. To allow sufficient time for development of the final report by Commission staff and review by Commission members, we respectfully request that this reporting deadline be extended to no later than December 7, 2022, as may be authorized pursuant to Joint Rule 353(7).

Thank you for your consideration of these requests. Should you have any questions, please do not hesitate to contact us.

cc: Suzanne Gresser, Executive Director, Legislative Council
Members, Commission To Study the Role of Water as a Resource in the State of Maine
Danielle Fox, Director, Office of Policy and Legal Analysis

SEN. ANNE CARNEY, CHAIR
SEN. LISA KEIM
NORMAN KEHLING
HON. ERIC MEHNERT
ATTORNEY GENERAL AARON M. FREY
COMMISSIONER RANDALL LIBERTY
COMMISSIONER MICHAEL SAUSCHUCK



REP. THOMAS HARNETT, CHAIR
REP. PATRICK W. COREY
REP. ERIN SHEEHAN
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DALE LANCASTER
AMBER TUCKER
MAEGHAN MALONEY

STAFF
SAMUEL SENFT, LEGISLATIVE ANALYST
JANE ORBETON, LEGISLATIVE ANALYST

STATE OF MAINE
130TH LEGISLATURE
COMMITTEE TO ENSURE CONSTITUTIONALLY ADEQUATE CONTACT WITH COUNSEL

TO: Senator Troy Jackson, President of the Senate, Chair
Representative Ryan Fecteau, Speaker of the House, Vice-Chair
Legislative Council

FROM: Senator Anne Carney
Representative Thom Harnett
Chairs, Committee to Ensure Constitutionally Adequate Contact with Counsel

DATE: October 21, 2022

RE: **Request for Additional Meeting**

Please accept this request to approve one additional meeting for the Committee to Ensure Constitutionally Adequate Contact with Counsel.

The Committee to Ensure Constitutionally Adequate Contact with Counsel was established by Resolve 2021, c. 182. The committee has met four times: September 7, September 21, October 5 and October 19. We have made significant progress in developing and voting on a number of recommendations. However, we have several outstanding complex issues that require further discussion prior to taking a vote on draft recommendations. We do not anticipate that we will require more than one meeting and are not requesting an extension of the reporting deadline at this time.

Thank you for your consideration of this request. If you have any questions, please do not hesitate to contact us.

cc: Suzanne Gresser, Executive Director, Legislative Council
Members, Committee to Ensure Constitutionally Adequate Contact with Counsel
Danielle Fox, OPLA Director



STATE OF MAINE
ONE HUNDRED THIRTIETH LEGISLATURE
COMMITTEE TO STUDY COURT-ORDERED TREATMENT FOR SUBSTANCE USE DISORDER

TO: Representative Ryan M. Fecteau, Speaker of the House, Chair
Senator Troy D. Jackson, President of the Senate, Vice-Chair
Legislative Council

FROM: Senator Anne Carney *AC*
Representative Colleen Madigan *CM*
Chairs, Committee to Study Court-ordered Treatment for Substance Use Disorder

DATE: October 25, 2022

RE: Study Committee Request

We are contacting you with a request on behalf of the Committee to Study Court-ordered Treatment for Substance Use Disorder.

Pursuant to the Committee's authorizing legislation, our final report must be submitted no later than November 2, 2022. To allow sufficient time for development of the final report by Committee staff and review by Committee members, we respectfully request that this reporting deadline be extended to no later than December 7, 2022, as may be authorized pursuant to Joint Rule 353(7).

Thank you for your consideration of this request. If you have any questions, please do not hesitate to contact us.

cc: Suzanne M. Gresser, Executive Director, Legislative Council
Members, Committee to Study Court-ordered Treatment for Substance Use Disorder
Danielle Fox, OPLA Director

Date: October 25, 2022
To: Legislative Council
From: Julie Beane, Program Director, MDF
Subject: Policy Leaders Academy Programming 2022-2023

Attached please find a description of the Policy Leaders Academy Program and offerings for December 2022 and January 2023.

We welcome your feedback and support to ensure strong legislative attendance.

If you have any questions, please do not hesitate to contact me at jbeane@mdf.org or 207-522-5815.

Thank you.

Policy Leaders Academy 2022 - 2024

The **Policy Leaders Academy (PLA)**, a program of the Maine Development Foundation (MDF), delivers experiential training for Maine's Legislators on issues important to Maine's economy. PLA has delivered high quality, objective, and non-partisan experiential training to legislators since 1985; MDF itself was established by the Legislature in 1977. The program is financed by private contributions from MDF's philanthropic, education, nonprofit partners and business members (as well as certain direct legislator expenses, e.g., meals, per diem, and lodging that are reimbursed to MDF by the Legislature itself). This diverse source of funding allows all legislators to participate in the program at no cost. PLA is offered exclusively to legislators, creating a focused learning environment of peers that allows for open and frank discussion of the issues.

Actions: Seeking Legislative Council feedback and confirmation of support for the following:

- Affirm the Dec. 8 Conference and January 18-20 Bus Tour dates are viable.
- Enable the Council Executive Director to provide implementation guidance on MDF's PLA work and approve expense reimbursements consistent with well-established past practices.
- Provide any content feedback leaders may have through the Executive Director or directly to MDF.
- Communicate and encourage legislator participation in the PLA program.
- Make all best efforts to limit legislative calendar conflicts for the Bus Tour.

Through PLA, MDF's goals are to create:

- Knowledge of the issues presented in the Measures of Growth and Making Maine Work reports, as well as training applying the issues in service of crafting effective policy.
- Understanding of the impact of policy decisions on businesses and regional economies.
- Understanding of Maine's regional economies, including the interdependence and differences between these regions.
- Knowledge of workforce issues and what is required for sustainable job creation.
- Encouragement of bipartisan and cross-committee thinking and solution development.
- Frank discussion of issues.

The curriculum is designed to build awareness of the Measures of Growth report and its application to policy. This is a report of the Maine Economic Growth Council prepared by MDF. The data-driven report contains performance measures and benchmarks for achieving Maine's long-term economic goals. Other economic data produced by MDF and other trusted economic resources are also provided throughout the program.

In 2022-2023, the program will include the following events (2024 programming TBD):

- Kick-off / Orientation Session (Pre-Legislative Conference) – December 8, 2022, at Maple Hill Farm Inn & Conference Center. Typical topics include the Maine economy and demographics, the budget process, Measures of Growth and Making Maine Work reports, and helpful tips from veteran legislators.
- Bus Tour – January 18-20, 2023, to Washington County and other key stops en route: UMaine in Orono, The Jackson Laboratory in Bar Harbor, and others highlighting innovation, successes, and challenges in the areas of natural resource-based industries, health care and public health, education, and workforce. [Note: the bus tour moves to a different region of the state each biennium; e.g., Western Maine most recently and Aroostook County prior to that.]
- Possible 1-day bus tour to the Portland area in late January/early February 2023.

For the 2022-2024 sessions, PLA is funded, designed, and executed in partnership with:

- Maine Health Access Foundation (MeHAF)
- Maine Community Foundation
- Maine State Chamber of Commerce
- Educate Maine
- The Bingham Program
- The University of Maine and University of Maine System

Re-cap of virtual programming in 2020-21 and 2021-22:

In 2020 and into 2022, PLA was significantly impacted by COVID-19 restrictions that required all PLA programming be held on a virtual platform. MDF held 7 PLA forums on Zoom in 2020-21 and 3 forums in 2021-22, with an average attendance at each forum of 29 legislators and feedback from post-event surveys averaging 9 on a 10-point scale. Feedback from the IDEAB Committee in their 2/28/22 State Government Evaluation Report was overwhelmingly positive as well:

"...the committee commends the Maine Development Foundation for their ability to pivot when facing the challenges brought on by the COVID-19 pandemic and to continue to provide exceptional programming and services, including the Policy Leaders Academy, in alternative formats. The committee would also like to express their appreciation for the Maine Development Foundation as a trusted source of information, especially as it relates to information on economic growth and workforce development."

When held in person, the kick-off Pre-Legislative Conference is typically very well attended, averaging 80 legislators in attendance. Similarly, the Bus Tour is also very popular, with an average 70 legislators attending all or part of the 3-day event.

Representative quotes from the 2022 post-event surveys:

"I look forward, every year, for updated information and analysis of Maine's economic picture."

"Keep the Leg bus tours in your lenses. So important to get back to."

"Your programs are consistently solid and worthwhile. Thank you."

"Learned a great deal about what is happening in career development and some of the barriers and work to be done."

"Great sharing of huge information in a compact way! Appreciate efficient presentation and providing the follow-up with resource lists to make best use of information! MDF programs tap the best and smartest topical experts!!!!"

"The panel and the information they presented was outstanding. They provided a ton of practical information in a very understandable manner. Your programs are consistently top notch."