

MAINE STATE LEGISLATURE

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SEN. TROY D. JACKSON
CHAIR

REP. RACHEL TALBOT ROSS
VICE-CHAIR

EXECUTIVE DIRECTOR
SUZANNE M. GRESSER

131st MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. ELOISE A. VITELLI
SEN. MATTHEA E. DAUGHTRY
SEN. HAROLD "TREY" STEWART, III
SEN. LISA M. KEIM
REP. MAUREEN FITZGERALD TERRY
REP. KRISTEN CLOUTIER
REP. BILLY BOB FAULKINGHAM
REP. AMY B. ARATA

March 28, 2024
1:30 P.M.
AGENDA

<u>Page</u>	<u>Item</u>	<u>Action</u>
	CALL TO ORDER	
	ROLL CALL	
1	SUMMARY OF THE FEBRUARY 22, 2024 MEETING OF LEGISLATIVE COUNCIL	Decision
2	REPORTS FROM STAFF OFFICE DIRECTORS	
10	<ul style="list-style-type: none"> • Fiscal Report (Mr. Nolan) 	Information
	REPORTS FROM COUNCIL COMMITTEES	
2	<ul style="list-style-type: none"> • State House Facilities Committee 	
	OLD BUSINESS	
14	Item #1: Council actions Taken by Ballot (No Action Required)	Information
	NEW BUSINESS	
16	Item #1: Consideration of Requests for After-Deadline Bills and Certain Joint Resolutions	Roll Call Vote
20	Item #2: Report from Department of Administrative and Financial Services pursuant to Public Law 2023, chapter 392	Information

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**LEGISLATIVE COUNCIL
MEETING SUMMARY
February 22, 2024**

CALL TO ORDER

President Jackson called the February 22, 2024 meeting of the 131st Legislative Council to order at 1:47 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators: President Jackson, Senator Vitelli, Senator Daughtry, Senator Stewart, and Senator Keim

Representatives: Speaker Talbot Ross, Representative Terry, Representative Cloutier, Representative Faulkingham, and Representative Arata

Legislative Officers: Suzanne Gresser, Executive Director of the Legislative Council
Darek Grant, Secretary of the Senate
Rob Hunt, Assistant Clerk of the House
Edward Charbonneau, Revisor of Statutes
Danielle Fox, Director, Office of Policy and Legal Analysis
Christopher Nolan, Director, Office of Fiscal and Program Review
Nik Rende, Director, Office of Legislative Information Technology

President Jackson convened the meeting at 1:47 p.m. with a quorum of members present.

President Jackson asked if there was any objection to taking items out of order, and hearing no objection, the Chair then moved on to Item #1 under **New Business**.

NEW BUSINESS

Item #1: Consideration of After Deadline Bill Requests and Joint Resolutions

Of the seventeen (17) requests on the list of after deadline bill requests, one (1) request was withdrawn, and the Legislative Council accepted for introduction twelve (12), rejected two (2), and

tabled two (2) requests. The Legislative Council's action on the requests is attached to this meeting summary.

Following the Legislative Council's consideration of requests for after deadline bills and joint resolutions, the President returned to the printed agenda.

SUMMARY OF JANUARY 9, 2024 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary for January 9, 2024 be accepted and placed on file. Motion by Speaker Talbot Ross. Second by Rep. Terry. **Motion passed unanimously (10-0-0).**

REPORTS FROM COUNCIL OFFICE DIRECTORS

Fiscal Report

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

Legislative Studies Report

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

REPORTS FROM COUNCIL COMMITTEES

State House Facilities Committee

Senator Daughtry reported that the State House Facilities Committee met on January 30th, February 8th, and February 15th to consider the following items:

1. Scheduling of Active Threat Training for Legislators. The committee unanimously voted in support of the presentation of Active Threat Training to members of the Legislature and caucus office staff, in the House Chamber following a session day. This is the training that was conducted two weeks ago, on February 6th.
2. Review of State House Emergency and Evacuation Planning
The committee worked on reviewing and revising drafts of an update to the State House Emergency Plan. The committee received input from staff and from Capitol Police, and finalized a draft for recommendation to the Legislative Council. This item appears as Item #2 under New Business on the Council's agenda today.
3. State House Complex Security
The committee has been working, and will continue to work, very closely with Maine Capitol Police Chief Clancy on a number of initiatives designed to maximize the safety of staff, Legislators, and members of the public when they are in the State House Complex.

OLD BUSINESS

Item #1: Council Actions Taken by Ballot

Legislative Council Decisions:

Motion: That, upon recommendation of the Personnel Committee, and pursuant to its authority under 26 MRSA, §979-A, sub-§5, the Legislative Council of the 131st Legislature ratify the collective bargaining agreement for the period ending September 30, 2025 that was negotiated and tentatively agreed to by the authorized representatives of the Legislative Council and the Independent Association of Nonpartisan Legislative Professionals (IANLP) on January 12, 2024.

Further, that the Legislative Council authorize the Executive Director to take all necessary steps to carry out the terms of this Agreement;

Further, upon recommendation of the Personnel Committee, that the Legislative Council exercise its right to adopt the revisions to its personnel policies, pending agreement from the respective authorities; to apply personnel policies and benefit provisions that are comparable to those contained in the aforementioned ratified collective bargaining agreement; and direct its Executive Director to incorporate as appropriate and administer those provisions; and

Further, that compensation provisions in the form of cost of living adjustments, lump sum payments, and longevity stipend amounts comparable to that provided in the aforementioned ratified collective bargaining agreement be provided to legislative employees who are not represented by a collective bargaining agent, the effective dates of such compensation provisions to coincide with those contained in the aforementioned ratified collective bargaining agreement.

Motion by: President Jackson

Date: February 2, 2024

Vote: 8-0-0-2 Passed (with Senator Keim and Representative Arata recorded as absent)

Requests for Introduction of Legislation:

LR 3046 Resolve, To Promote Access to Education and Workforce Development by Transferring Ownership of the Hutchinson Center from the University of Maine System to the City of Belfast

Submitted by: Senator Curry

Date: February 6, 2024

Vote: 6-3-0-1 Passed (with Senator Stewart, Representative Faulkingham, and Representative Arata recorded as opposed, and Senator Keim recorded as absent)

LR 3045 An Act to Establish the Wabanaki Veterans Memorial

Submitted by: Speaker Talbot Ross

Date: February 16, 2024

Vote: 7-0-0-3 Passed (with Senator Stewart, Senator Keim, and Representative Faulkingham recorded as absent)

LR 3077 An Act to Promote Equity in the Forest Products Industry by Allowing Commercial Wood Trucking to Be Eligible for Certain Sales Tax Exemptions

Submitted by: President Jackson

Date: February 16, 2024

Vote: 6-1-0-3 Passed (with Representative Arata recorded as opposed, and Senator Stewart, Senator Keim, and Representative Faulkingham recorded as absent)

LR 3085 An Act to Change Department of Health and Human Services Rules Regarding Summer Camps to Major Substantive Rules

Submitted by: Senator Brenner

Date: February 20, 2024

Vote: 8-0-0-2 Passed (with Senator Keim and Representative Faulkingham recorded as absent)

LR 3068 Resolve, Regarding Legislative Review of Portions of Chapter 80: Reduction of Toxics in Packaging, a Late-filed Major Substantive Rule of the Department of Environmental Protection

Submitted by: Late-filed Major Substantive Rule of the Department of Environmental Protection

Date: February 21, 2024

Vote: 7-1-0-2 Passed (with Representative Arata recorded as opposed, and Senator Stewart and Senator Keim recorded as absent)

LR 3056 Resolve, Regarding Legislative Review of Chapter 213: Rules for the Salmonella Enteritidis Risk Reduction and Surveillance Program for Commercial Egg-type Flocks, a Late-filed Major Substantive Rule of the Department of Agriculture, Conservation, and Forestry

Submitted by: Late-filed Major Substantive Rule of the Department of Agriculture, Conservation, and Forestry

Date: February 21, 2024

Vote: 8-1-0-1 Passed (with Representative Arata recorded as opposed, and Senator Keim recorded as absent)

LR 3087 An Act to Create the Lincoln Mill Facilities District

Submitted by: Senator Tipping

Date: February 21, 2024

Vote: 7-2-0-1 Passed (with Representative Faulkingham and Representative Arata recorded as opposed, and Senator Keim recorded as absent)

NEW BUSINESS

Item #2: Approval of the State House Emergency Plan Revision

Motion: That, upon the unanimous recommendation of the State House Facilities Committee, the Legislative Council adopt the State House Emergency Plan for the Maine State House.

Motion by Senator Daughtry. Second by Representative Cloutier. **Motion passed unanimously (7-0-0-3**, with Senator Vitelli, Senator Stewart and Speaker Talbot Ross absent).

Item #3: Request for Waiver of Legislative Council Policy on the Use of Capitol Park

Director Gresser described the request from the project called “the 2200” to hold in Capitol Park a 100-mile, 30-hour ultramarathon, to be completed by 22 veterans beginning on Veterans Day in November 2024. The members discussed issues associated with the request. Senator Keim suggested that the request be referred to the State House Facilities Committee.

Motion: That the Request for Waiver of Legislative Council Policy on the Use of Capitol Park be referred to the State House Facilities Committee. Motion by Representative Terry. Second by Senator Keim. **Motion passed unanimously (7-0-0-3**, with Senator Vitelli, Senator Stewart and Speaker Talbot Ross absent).

Item ## 4 to 15: Acceptance of Reports

Motion: That the Legislative Council accept the reports presented under Items 4 to 15. Motion by Senator Daughtry. Second by Representative Terry. **Motion passed unanimously (7-0-0-3**, with Senator Vitelli, Senator Stewart, Speaker Talbot Ross, and Representative Faulkingham absent).

ANNOUNCEMENTS AND REMARKS

With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 3:36 p.m.

**131st Second Regular Session
Legislative Council Actions Taken
on Requests to Introduce Legislation
at Legislative Council Meeting Held on February 22, 2024**

AFTER DEADLINE BILL REQUESTS

Submitted by: Department of Corrections

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3124	An Act to Allow the Department of Corrections to Comply with the Federal Prison Rape Elimination Act	Passed

SPONSOR: Sen. Richard A. Bennett

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3053	Resolve, to Name a Bridge in the Town of Mechanic Falls the Bill Dunlop Memorial Bridge	Passed

3075	An Act to Require Department of Health and Human Services Rules Relating to the Operation of Youth Camps to be Major Substantive Rules	Withdrawn
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SPONSOR: Sen. Stacy Fielding Brenner

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3113	An Act to Authorize a Stop-work Order Regarding an Activity That is Creating a Substantial Adverse Impact to a Protected Natural Resource	Passed

SPONSOR: Sen. Brad Farrin

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3064	An Act to Increase the Debt Limit of the Anson and Madison Water District	Passed

3111	An Act to Prohibit Requiring Compensation for Assisting a Person to Obtain Veterans Benefits	Passed
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SPONSOR: Rep. Billy Bob Faulkingham

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3121	An Act to Prevent Loss of Life from Traumatic Injuries by Expanding Public Access to Bleeding Control Kits	Tabled

SPONSOR: Sen. Lisa Keim

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3106	An Act to Increase Rates for Certain Private Nonmedical Institution Homes	Tabled

SPONSOR: Sen. Mark W. Lawrence

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3104	An Act to Clarify Permissible Election and Lobbying Expenditures by Consumer-owned Water Utilities	Passed

SPONSOR: Rep. Bill Pluecker

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3009	An Act to Relieve the Tax Burden of Wild Blueberry Growers Affected by Inflation	Passed

SPONSOR: Rep. Ronald B. Russell

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3047	An Act to Fully Fund the Property Tax Stabilization Program for Senior Citizens	No action taken

SPONSOR: Rep. Heidi H. Sampson

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3081	An Act to Establish the Maine Election Transparency, Accountability and Inclusion Act	Failed

SPONSOR: Rep. David Sinclair

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3073	An Act to Establish a Minimum Value Threshold for the Class C Crime of Theft	Passed

3074	An Act to Require Incarceration of a Person Convicted of Operating Under the Influence	Passed
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SPONSOR: Rep. Katrina Smith

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3123	An Act to Create a Safe Environment in Public School Bathrooms by Restricting Their Use to Persons of the Same Biological Sex	Failed

SPONSOR: Sen. Trey Stewart

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3080	An Act to Increase the Tax Deduction Amount for In-home Day Care Businesses	Passed

SPONSOR: Sen. Jeff Timberlake

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3114	An Act to Allow School Administrative District No. 52 to Issue Temporary Notes for a Wastewater Treatment Project	Passed

SPONSOR: Rep. James L. White

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2988	An Act Relating to Prohibitions on Certain Firearms	No action taken

LATE-FILED MAJOR SUBSTANTIVE RULES

SPONSOR:

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3120	Resolve, Regarding Legislative Review of Chapter 255: Workers' Compensation Fronting Companies, a Late-filed Major Substantive Rule of the Department of Professional and Financial Regulation, Bureau of Insurance	Passed

JOINT RESOLUTIONS

SPONSOR: Sen. Trey Stewart

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3102	JOINT RESOLUTION, URGING THE UNITED STATES CONGRESS TO ENACT MUCH-NEEDED REFORMS TO FEDERAL PERMITTING POLICIES TO ACCELERATE DEPLOYMENT OF NEW ENERGY INFRASTRUCTURE	Failed

TABLED BY THE LEGISLATIVE COUNCIL

AFTER DEADLINE BILL REQUESTS

SPONSOR: Rep. Dick Campbell

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3015	An Act to Change the Types of Rules That Are Subject to the Petition Process	Tabled 01/10/24

SPONSOR:

Sen. Trey Stewart

LR #
3024

Title
An Act Relating to State Closures

Action
Tabled 01/10/24

Fiscal Briefing

March 28, 2024

Prepared by the Office of Fiscal & Program Review

1. General Fund Revenue Update (see attached)

Total General Fund Revenue - FY 2024 (\$'s in Millions)

	Budget	Actual	Var.	% Var.	Prior Year	% Change
February	\$189.9	\$156.8	(\$33.1)	-17.4%	\$220.8	-29.0%
FYTD	\$3,285.5	\$3,300.4	\$14.9	0.5%	\$3,340.4	-1.2%

General Fund revenue was under budget by \$33.1 million (17.4%) for the month of February but above budget by \$14.9 million (0.5%) for the fiscal year to date. **These variances do not reflect the March 2024 revenue forecast, which increased budgeted General Fund revenue by \$82.4 million for FY24.** General Fund revenue for FY24 through February was 1.2% less than FY23 General Fund revenue through February of 2023. Without the new automotive sales tax transfers totaling \$107.5 million from the General Fund to the Highway Fund, FY24 General Fund revenue through February would be 2.0% greater than FY23 revenue through February of 2023.

Individual income tax revenue was under budget by \$52.9 million for the month and under budget by \$44.4 million (2.9%) for the fiscal year to date. Most of this negative variance resulted from individual income tax refunds exceeding budget (negative general fund impact) by \$59.3 million for the month and by \$51.3 million for the fiscal year to date, likely a timing issue. Individual income tax withholding payments were above budget for the month but below budget for the fiscal year to date and individual income tax final payments exceeded budget for the month and for the fiscal year to date. Corporate income tax revenue was \$14.6 million above budget for February and \$46.8 million (22.3%) above budget for the fiscal year to date. Sales and use tax revenue for February (January sales) was \$5.0 million (3.6%) above budget for the month and \$7.8 million (0.5%) above budget for the fiscal year to date.

2. Highway Fund Revenue Update (see attached)

Total Highway Fund Revenue - FY 2024 (\$'s in Millions)

	Budget	Actual	Var.	% Var.	Prior Year	% Change
February	\$31.6	\$33.3	\$1.7	5.4%	\$27.2	22.8%
FYTD	\$365.2	\$382.1	\$16.9	4.6%	\$235.9	62.0%

Highway Fund revenue was over budget by \$1.7 million (5.4%) for the month of February and above budget by \$16.9 million (4.6%) for the fiscal year to date. **These variances do not reflect the March 2024 revenue forecast, which increased budgeted Highway Fund revenue by \$9.3 million for FY24.** Highway Fund revenue for FY24 through February was 62.0% greater than FY23 revenue through February of 2023 largely because of the new sales tax transfers from the General Fund to the Highway Fund totaling \$107.5 million and the liquor operations fund transfers of \$41.0 million to date. Without these transfers, Highway Fund revenue through February would be 1.0% less than FY23 revenue through February of 2023.

Fuel tax revenue was \$1.5 million (8.9%) above budget for the month and over budget by \$2.6 million (1.8%) for the fiscal year to date. Motor vehicle registrations and fees were over budget by \$0.7 million (8.2%) for the month and over budget by \$6.4 million (10.5%) for the fiscal year to date. Highway Fund revenue for the fiscal year through February also included a positive variance of \$8.0 million in the new liquor operations fund transfers.

3. Cash Balances Update

The average balance in the cash pool for February was \$4,003.7 million, a decrease of \$85.2 million from January's average balance. General Fund balances decreased by \$68.5 million from January while only Other Special Revenue Funds – Retaining Interest and Independent Agency Funds exceeded January cash balances in February. The Highway Fund balance for February was \$50.8 million, a decrease of \$9.8 million from January's balance of \$60.7 million.

General Fund Revenue
Fiscal Year Ending June 30, 2024 (FY 2024)

Updated 3/19/24

February 2024 Revenue Variance Report

Revenue Category	Fiscal Year-To-Date								FY 2024 Budgeted Totals
	February '24 Budget	February '24 Actual	February '24 Variance	Budget	Actual	Variance	Variance %	% Change from Prior Year	
Sales and Use Tax ¹	140,558,400	145,607,016	5,048,616	1,564,442,793	1,572,225,851	7,783,058	0.5%	3.6%	2,247,423,850
Service Provider Tax	3,742,786	3,838,370	95,584	33,603,543	33,647,436	43,893	0.1%	-2.1%	49,110,044
Individual Income Tax	35,763,215	(17,140,408)	(52,903,623)	1,539,299,499	1,494,917,862	(44,381,637)	-2.9%	-2.7%	2,436,073,715
Corporate Income Tax	1,500,000	16,059,702	14,559,702	209,859,430	256,671,588	46,812,158	22.3%	18.5%	375,623,000
Cigarette and Tobacco Tax ²	10,345,879	10,206,542	(139,337)	102,911,484	101,146,197	(1,765,287)	-1.7%	-1.1%	153,348,622
Insurance Companies Tax	1,393,335	1,984,129	590,794	18,921,663	19,474,158	552,495	2.9%	1.2%	118,460,000
Estate Tax	2,750,000	1,301,968	(1,448,032)	11,794,171	8,682,949	(3,111,222)	-26.4%	-61.2%	23,600,000
Other Taxes and Fees *	9,237,520	12,207,920	2,970,400	92,533,395	98,195,856	5,662,461	6.1%	6.9%	142,524,301
Fines, Forfeits and Penalties	729,381	1,548,417	819,036	9,551,486	6,676,631	(2,874,855)	-30.1%	23.2%	14,954,289
Income from Investments	3,859,705	5,860,413	2,000,708	34,511,794	35,726,301	1,214,507	3.5%	115.5%	49,891,282
Transfer from Lottery Commission	5,132,075	5,390,259	258,184	44,905,660	59,142,498	14,236,838	31.7%	19.7%	68,000,000
Transfers to Tax Relief Programs *	(1,585,402)	(6,135,568)	(4,550,166)	(76,920,317)	(80,413,333)	(3,493,016)	-4.5%	-5.3%	(81,730,000)
Transfers for Municipal Revenue Sharing	(26,421,286)	(26,578,822)	(157,536)	(184,978,451)	(186,364,318)	(1,385,867)	-0.7%	-2.1%	(261,429,468)
Other Revenue *	2,872,756	2,657,668	(215,088)	(114,971,178)	(119,341,150)	(4,369,972)	-3.8%	-879.8%	(86,326,237)
Totals	189,878,364	156,807,605	(33,070,759)	3,285,464,972	3,300,388,525	14,923,553	0.5%	-1.2%	5,249,523,398

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

1 / Includes revenue from adult-use cannabis sales taxes of \$1.6 million for February and \$15.3 million for the fiscal year to date.

2 / Includes revenue from adult-use cannabis excise taxes of \$1.5 million for February and \$10.6 million for the fiscal year to date.

General Fund Revenue
Fiscal Year Ending June 30, 2024 (FY 2024)

Updated 3/19/24

February 2024 Revenue Variance Report

Revenue Category	Fiscal Year-To-Date								FY 2024 Budgeted Totals
	February '24 Budget	February '24 Actual	February '24 Variance	Budget	Actual	Variance	Variance %	% Change from Prior Year	
Detail of Other Taxes and Fees:									
- Property Tax - Unorganized Territory	0	0	0	12,589,369	13,365,675	776,306	6.2%	7.4%	15,931,051
- Real Estate Transfer Tax	1,421,804	1,721,594	299,790	13,440,950	13,657,302	216,352	1.6%	-12.6%	20,830,062
- Liquor Taxes and Fees	1,593,667	3,433,002	1,839,335	15,005,629	15,326,933	321,304	2.1%	5.3%	22,093,824
- Corporation Fees and Licenses	448,974	625,270	176,296	4,378,184	5,180,315	802,131	18.3%	2.2%	11,913,649
- Telecommunication Excise Tax	2,500	0	(2,500)	89,984	117,100	27,116	30.1%	111.2%	100,000
- Finance Industry Fees	2,176,175	2,422,400	246,225	17,812,288	17,054,155	(758,133)	-4.3%	-4.6%	26,516,990
- Milk Handling Fee	35,918	104,527	68,609	753,771	985,993	232,222	30.8%	74.6%	833,650
- Racino Revenue	928,101	843,874	(84,227)	7,661,342	7,596,020	(65,322)	-0.9%	3.6%	11,373,799
- Boat, ATV and Snowmobile Fees	275,461	344,116	68,655	2,358,110	2,095,323	(262,787)	-11.1%	0.8%	4,559,561
- Hunting and Fishing License Fees	1,428,968	1,467,066	38,098	11,823,758	15,270,728	3,446,970	29.2%	29.3%	15,996,984
- Other Miscellaneous Taxes and Fees	925,952	1,246,070	320,118	6,620,010	7,546,313	926,303	14.0%	36.3%	12,374,731
Subtotal - Other Taxes and Fees	9,237,520	12,207,920	2,970,400	92,533,395	98,195,856	5,662,461	6.1%	6.9%	142,524,301
Detail of Other Revenue:									
- Liquor Sales and Operations	787	906	119	7,011,126	7,041,393	30,267	0.4%	23105.2%	7,028,500
- Targeted Case Management (DHHS)	4,297	0	(4,297)	48,432	25,387	(23,045)	-47.6%	-36.5%	65,123
- State Cost Allocation Program	1,573,309	1,806,311	233,002	14,118,018	14,518,001	399,983	2.8%	12.0%	21,186,401
- Unclaimed Property Transfer	0	0	0	0	0	0	N/A	N/A	20,000,000
- Tourism Transfer	0	0	0	(24,202,942)	(23,457,942)	745,000	3.1%	-5.9%	(24,202,942)
- Transfer to Maine Milk Pool	0	(583,591)	(583,591)	(897,847)	(6,082,349)	(5,184,502)	-577.4%	N/A	(6,102,855)
- Transfer to Multimodal Transportation Fund	0	0	0	(15,151,926)	(15,151,926)	(0)	0.0%	-2.6%	(15,151,926)
- Highway Fund Sales Tax Transfer	0	0	0	(107,534,228)	(107,534,228)	(0)	0.0%	-628.2%	(107,534,228)
- Transfer to Adult-Use Cannabis Fund	(370,055)	(393,577)	(23,522)	(3,097,403)	(3,119,181)	(21,778)	-0.7%	-126.6%	(4,596,984)
- Other Miscellaneous Revenue	1,664,418	1,827,619	163,201	14,735,592	14,419,696	(315,896)	-2.1%	23.2%	22,982,674
Subtotal - Other Revenue	2,872,756	2,657,668	(215,088)	(114,971,178)	(119,341,150)	(4,369,972)	-3.8%	-879.8%	(86,326,237)
Detail of Transfers to Tax Relief Programs:									
- Me. Resident Prop. Tax Program (Circuitbreak	0	0	0	0	424	424	N/A	-82.7%	0
- BETR - Business Equipment Tax Reimb.	(1,555,402)	(3,787,678)	(2,232,276)	(12,190,317)	(15,741,495)	(3,551,178)	-29.1%	-16.7%	(17,000,000)
- BETE - Municipal Bus. Equip. Tax Reimb.	(30,000)	(2,347,890)	(2,317,890)	(64,730,000)	(64,672,262)	57,738	0.1%	-2.9%	(64,730,000)
Subtotal - Tax Relief Transfers	(1,585,402)	(6,135,568)	(4,550,166)	(76,920,317)	(80,413,333)	(3,493,016)	-4.5%	-5.3%	(81,730,000)
Inland Fisheries and Wildlife Revenue - Total	1,777,548	1,922,293	144,745	14,783,932	18,017,121	3,233,189	21.9%	23.8%	21,503,431

Highway Fund Revenue
Fiscal Year Ending June 30, 2024 (FY 2024)

Updated 3/19/24

February 2024 Revenue Variance Report

Revenue Category	February '24 Budget	February '24 Actual	February '24 Variance	Fiscal Year-To-Date				FY 2024 Budgeted Totals	
				Budget	Actual	Variance	% Variance		% Change from Prior Year
Fuel Taxes:									
- Gasoline Tax	14,786,581	15,822,739	1,036,158	134,832,265	136,954,574	2,122,309	1.6%	1.8%	193,503,075
- Special Fuel and Road Use Taxes	4,557,212	5,293,884	736,672	33,290,551	34,172,178	881,627	2.6%	1.8%	49,212,136
- Transcap Transfers - Fuel Taxes	(1,927,489)	(2,123,897)	(196,408)	(16,901,645)	(17,159,448)	(257,803)	-1.5%	-38.9%	(24,382,318)
- Other Fund Gasoline Tax Distributions	(345,348)	(395,679)	(50,331)	(3,468,633)	(3,597,508)	(128,875)	-3.7%	-6.8%	(4,838,932)
Subtotal - Fuel Taxes	17,070,956	18,597,047	1,526,091	147,752,538	150,369,797	2,617,259	1.8%	-1.3%	213,493,961
Motor Vehicle Registration and Fees:									
- Motor Vehicle Registration Fees	5,077,958	5,112,869	34,911	42,568,685	45,757,803	3,189,118	7.5%	0.8%	69,019,954
- License Plate Fees	289,324	(3,222)	(292,546)	2,289,595	2,685,531	395,936	17.3%	3.4%	3,662,986
- Long-term Trailer Registration Fees	1,489,274	1,717,035	227,761	8,831,721	10,265,717	1,433,996	16.2%	-9.4%	14,134,523
- Title Fees	929,613	1,481,079	551,466	9,249,736	10,054,093	804,357	8.7%	1.2%	14,279,501
- Motor Vehicle Operator License Fees	737,034	917,093	180,059	6,809,907	7,310,676	500,769	7.4%	-10.1%	10,158,098
- Transcap Transfers - Motor Vehicle Fees	0	0	0	(8,474,079)	(8,372,290)	101,789	1.2%	3.2%	(16,518,054)
Subtotal - Motor Vehicle Reg. & Fees	8,523,203	9,224,854	701,651	61,275,565	67,701,530	6,425,965	10.5%	-1.5%	94,737,008
Motor Vehicle Inspection Fees	265,215	145,469	(119,746)	1,921,720	1,300,724	(620,996)	-32.3%	-27.6%	2,982,600
Other Highway Fund Taxes and Fees	84,090	239,946	155,856	888,241	858,270	(29,971)	-3.4%	-14.7%	1,429,470
Fines, Forfeits and Penalties	58,580	118,786	60,206	429,887	666,967	237,080	55.1%	-15.3%	606,512
Interest Earnings	65,027	216,198	151,171	1,009,147	1,287,685	278,538	27.6%	352.5%	2,255,916
Highway Fund Sales Tax Transfer	0	0	0	107,534,228	107,534,228	0	0.0%	37688.1%	107,534,228
Liquor Operations Fund Transfer	5,000,000	4,359,183	(640,817)	33,000,000	41,017,426	8,017,426	24.3%	14313.7%	53,000,000
Other Highway Fund Revenue	564,691	432,500	(132,191)	11,433,159	11,382,228	(50,931)	-0.4%	3.4%	13,755,823
Totals	31,631,762	33,333,982	1,702,220	365,244,485	382,118,856	16,874,371	4.6%	62.0%	489,795,518

Legislative Council Actions
Taken by Ballot Since the
February 22, 2024 Council Meeting

Requests for Introduction of Legislation:

LR 3133 An Act to Strengthen Maine’s Workforce Through Pre-Apprenticeship Training Programs

Submitted by: Senator Tipping
Date: February 26, 2024
Vote: 6-3-0-1 Passed (with Senator Stewart, Senator Keim, and Representative Arata recorded as opposed, and Representative Faulkingham recorded as absent)

LR 3144 An Act to Ensure That Any Rules Regarding the Atlantic States Marine Fisheries Commission Are Major Substantive Rules

Submitted by: President Jackson
Date: March 8, 2024
Vote: 6-0-0-4 Passed (with Senator Stewart, Senator Daughtry, Representative Terry, and Representative Cloutier recorded as absent)

LR 3135 An Act to Honor Older Maine Residents by Fully Funding Nursing Homes

Submitted by: President Jackson
Date: March 5, 2024
Vote: 6-2-0-2 Passed (with Representative Cloutier and Representative Arata recorded as opposed, and Speaker Talbot Ross and Representative Terry recorded as absent)

LR 3177 An Act to Enact the Crisis Intervention Order Act to Protect the Safety of the Public

Submitted by: Speaker Talbot Ross
Date: March 22, 2024
Vote: 6-1-0-3 Passed (with Senator Stewart recorded as opposed, and Senator Keim, Representative Faulkingham, and Representative Arata recorded as absent)

Legislative Council Decisions:

Motion: That upon recommendation of the Personnel Committee, and pursuant to its authority under 26 MRSA, §979-A, sub-§5, the Legislative Council of the 131st Legislature ratify the collective bargaining agreement, for the period ending September 30, 2025, that was negotiated and tentatively agreed to by the authorized representatives of the Legislative Council and the Maine service Employees Association, Local 1080, SEIU (MSEA) on March 8, 2024.

Further, that the Legislative Council authorize the Executive Director to take all necessary steps to carry out the terms of this agreement;

Further, upon recommendation of the Personnel Committee, that the add/drop Salary Step provision for Grades 1 through 6 provided in the aforementioned ratified collective bargaining agreement be provided to legislative employees who are not represented by a collective bargaining agent, the effective dated of such compensation provision to coincide with those contained in the aforementioned ratified collective bargaining agreement.

Motion by: President Jackson

Date: March 18, 2024

Vote: 9-0-0-1 Passed (With Representative Arata recorded as absent)

**131st Maine State Legislature
Second Regular Session**

As of: 3/27/2024

AFTER DEADLINE BILL REQUESTS

SPONSOR: Sen. Ben Chipman

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3159	Resolve, to Name a Bridge in Limington the Limington Veterans Memorial Bridge	
3182	Resolve, to Name a Bridge in the Town of Hiram the Hiram Veterans Memorial Bridge	

SPONSOR: Rep. Margaret M. Craven

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3148	Resolve, Directing the Maine Health Data Organization to Collect and Examine Data Related to MaineCare and Other State-funded Services	

SPONSOR: Rep. Dean A. Cray

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3160	An Act Regarding COVID-19 Leave for Public School Employees	

SPONSOR: Sen. Chip Curry

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3155	Resolve, to Establish a Study Commission to Evaluate and Recommend Standards for Consumer Protection Under the Automotive Right to Repair Law	

SPONSOR: Sen. Stacey Guerin

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3163	An Act to Change the Opening Day of the 2024 Open Water Fishing Season	

SPONSOR: Sen. Matthew A. Harrington

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3168	Resolve, to Allow a Property Owner in the Town of Waterboro to Secede from the Town of Waterboro	

SPONSOR: Sen. Craig V. Hickman

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3140	An Act to Provide Funding to the Zysk House Sober Living Residence for Men	

SPONSOR: Pres. Troy Dale Jackson

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3145	Resolve, to Honor the Life of Darcie Hutchinson of Houlton by Directing the Department of Transportation to Place a Permanent Roadside Memorial on Interstate 95	

SPONSOR: Sen. Matthew Gary Pouliot

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3136	An Act to Restrict the Taxation of Subdivisions Prior to Development	

SPONSOR: Sen. Cameron deGrasse Reny

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3174	An Act to Protect the Tenants of Manufactured Housing Parks	
3175	An Act to Temporarily Prohibit Aquaculture Leasing in the Medomak River Until a Capacity Study Is Completed	

SPONSOR: Rep. Ronald B. Russell

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3047	An Act to Fully Fund the Property Tax Stabilization Program for Senior Citizens	

SPONSOR: Sen. Trey Stewart

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3139	An Act to Support the Francis Malcolm Science Center in Aroostook County	

3147 An Act to Provide Relief to Small Businesses Affected by Low Levels of Snow Accumulation

SPONSOR: Sen. Jeff Timberlake

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3131	An Act to Ensure Sustainable MaineCare Reimbursement for Critical Child Welfare-related Services	

SPONSOR: Rep. James L. White

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2988	An Act Relating to Prohibitions on Certain Firearms	

LATE-FILED MAJOR SUBSTANTIVE RULES

SPONSOR:

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3149	Resolve, Regarding Legislative Review of Portions of Chapter 200: Metallic Mineral Exploration, Advanced Exploration and Mining, a Late-filed Major Substantive Rule of the Department of Environmental Protection	

JOINT RESOLUTIONS

SPONSOR: Sen. Eric Brakey

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3178	JOINT RESOLUTION MEMORIALIZING THE UNITED STATES FEDERAL GOVERNMENT TO CONDEMN THE PERSECUTION OF JULIAN ASSANGE AND TO URGE THAT ALL CHARGES RELATED TO JOURNALISTIC ACTIVITY BE DROPPED	

TABLED BY THE LEGISLATIVE COUNCIL

AFTER DEADLINE BILL REQUESTS

SPONSOR: Rep. Dick Campbell

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3015	An Act to Change the Types of Rules That Are Subject to the Petition Process	Tabled 01/10/24

SPONSOR: **Rep. Billy Bob Faulkingham**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3121	An Act to Prevent Loss of Life from Traumatic Injuries by Expanding Public Access to Bleeding Control Kits	Tabled 02/22/24

SPONSOR: **Sen. Lisa Keim**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3106	An Act to Increase Rates for Certain Private Nonmedical Institution Homes	Tabled 02/22/24

SPONSOR: **Sen. Trey Stewart**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3024	An Act Relating to State Closures	Tabled 01/10/24

**131st Maine State Legislature
Addendum
Legislative Council
Requests to Introduce Legislation
Second Regular Session**

Actions Taken After March 27, 2024

JOINT RESOLUTIONS

SPONSOR: Sen. Craig V. Hickman

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3187	JOINT RESOLUTION, REQUESTING THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS TO PROVIDE ACCESS TO MEDICAL CARE AND ASSISTANCE TO MEMBERS OF THE MAINE NATIONAL GUARD WHO TRAINED AT THE MILITARY SUPPORT BASE IN GAGETOWN, NEW BRUNSWICK, CANADA	



JANET T. MILLS
GOVERNOR

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ADMINISTRATIVE & FINANCIAL
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DEPARTMENT OF
ADMINISTRATIVE & FINANCIAL
SERVICES
KIRSTEN LC FIGUEROA

BUREAU OF GENERAL SERVICES
WILLIAM LONGFELLOW
BUREAU DIRECTOR

To: Senator Troy Jackson, Chair of the Legislative Council and Speaker Rachel Talbot Ross, Vice-Chair of the Legislative Council
From: William Longfellow, Director, Bureau of General Services
RE: Report on Radon Testing in the State House
Date: February 12, 2023

The Department of Administrative and Financial Services, Bureau of General Services (BGS), submits this report pursuant to P.L. 2023, ch. 392, *An Act Directing the Bureau of General Services to Ensure Adequate Air Quality in All State-owned and State-leased Buildings*:

Sec. 2. State House radon testing; report. By January 15, 2024, the Department of Administrative and Financial Services, Bureau of General Services shall test the air quality in the State House for the presence of radon and shall submit a report with the results of the testing to the Legislative Council. The report must also include recommendations on mitigation measures to reduce exposure to harmful levels of radon by persons working in or visiting the State House.

Testing

BGS engaged Goodwin Environmental Testing (Goodwin) to assess the State House for the presence of radon. Goodwin conducted testing between December 26 and 28, 2023. Following standards for radon testing issued by the Association of Radon Scientists and Technologists Standards,¹ Goodwin placed a sampling device in each room on the first floor and in at least one and no less than 10% of the rooms on upper floors. Results were received for a total of 37 locations, twenty-two (22) from the first floor, seven (7) from the 2nd floor, four (4) from each the 3rd floor and 4th floor.

Results

BGS received Goodwin's report on January 9, 2024. Test results showed that 19 locations were at or above the U. S. Environmental Protection Agency (USEPA) and State of Maine action limit of 4.0 pCi/L for radon in air.² Eighteen of these were on the 1st floor and one was on the 2nd floor. The highest result on the 1st floor was 16.7 pCi/L, in Room 122. The highest result on the 2nd floor was 7.6 pCi/L, in the closet next to the elevator. Note that some locations on the 1st and 4th floors were below the 4.0 pCi/L action limit but above the goal of 2.0 pCi/L as proposed

¹ <https://standards.aarst.org/>

² <https://www.maine.gov/dhhs/mecdc/environmental-health/rad/radon/rnmitigation.htm>

by the Maine Radiation Control Program. Results for all other locations on the 1st through 4th floors were below both the action limit and the goal level.

Ventilation Testing

The first step in mitigation was to engage the Maine Radiation Control Program. In addition to their expertise in the areas of radon and mitigation, the Program also maintains a list of trained, qualified radon service providers for laboratory, contracting, and testing services. BGS, including Plant Maintenance Engineers, and Maine Radiation Control Program staff then met with State House Management to review the test results and discuss next steps, including measuring air pressure in the facility.

BGS's Safety and Environmental Services (SES) staff conducted limited ventilation testing in the State House. Testing revealed that the State House building interior is in a state of negative air-pressure relative to the outdoors. During the Covid-19 pandemic, air ventilation rates were increased for more frequent air exchanges. This involved increasing the amount of air that was exhausted from the building and increasing the amount of air being drawn into the building. If these two actions are imbalanced, negative or positive building pressure will result.

Because more air was exhausted than pulled in, the State House experienced negative air pressure that pulled air up through the ground and foundation into the building, primarily at the first floor. This condition may be responsible for elevated radon levels seen in test results. Note that American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) standard do not address negative pressure; however, at all times the State House complied with recommended ventilation rates.

Short-term Measures

BGS' Plant Maintenance Engineers have modified air exchanges in the State House to reduce negative air pressure (create positive pressure) in the State House. The amount of outside air being brought into the building and the rate at which air is circulated through the building have been increased.

Additionally, BGS plans to purchase an energy recovery ventilator (ERV) for installation in a window on the first floor of the State House to bring conditioned outdoor air into interior space.

After air volumes and circulation have been adjusted, BGS will retest the State House to assess the effectiveness of mitigation measures. BGS will continue to make adjustments in the short-term to mitigate radon levels.

Long-term Solution

A long-term solution will require the expertise of a mechanical engineer. BGS has begun the process of procuring and hiring a qualified consultant. The engineering consultant will be asked to study the test results, perform additional radon testing if needed, and evaluate the nature of the existing spaces and HVAC systems. Equipment will be assessed for capacity to reduce radon gas levels, and recommendations will be expected for additional mitigation measures both short-term and long-term. If the cause of elevated radon is negative air pressure, as suspected, engineering solutions will address how to remedy the situation. BGS will work with Executive

Director, Susanne Gresser, and staff to determine how to implement the recommendations received.

While the efforts noted above are being conducted, BGS staff are available to answer questions about existing conditions and mitigation progress. In addition, information about radon can be found in the following documents and websites.

- https://www.epa.gov/sites/default/files/2016-12/documents/2016_a_citizens_guide_to_radon.pdf
- <https://www.maine.gov/dhhs/mecdc/environmental-health/rad/radon/hp-radon.htm>
- https://www.atsdr.cdc.gov/csem/radon/health_effects.html

cc: Suzanne Gresser, Executive Director of the Legislature