



MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

**127th Legislature
Legislative Council
MARCH 24, 2016
1:30 PM
REVISED AGENDA**

<u>Page</u>	<u>Item</u>	<u>Action</u>
	CALL TO ORDER	
	ROLL CALL	
1	SUMMARY OF THE FEBRUARY 25, 2016 MEETING OF THE LEGISLATIVE COUNCIL	Acceptance
	REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	
❖ 13	<ul style="list-style-type: none">• Executive Director's Report (Mr. Pennoyer)	Information
14	<ul style="list-style-type: none">• Fiscal Report (Mr. Nolan)	Information
	REPORTS FROM COUNCIL COMMITTEES	
	<ul style="list-style-type: none">• Personnel Committee<ul style="list-style-type: none">○ Reclassification of a Position• State House Facilities Committee	Decision
	OLD BUSINESS	
18	Item #1: Consideration of Pre-Cloture Bill Requests tabled from October 22 and November 19	Roll Call Vote
20	Item #2: Council Actions Taken By Ballot (No Action Required)	Information
21	Item #3: Webcasts and Archived Files	Discussion/ Decision

NEW BUSINESS

❖ 23	Item #1:	Consideration of After Deadline Bill Requests	Roll Call Vote
27	Item #2:	Revision of the <i>Legislative Council Policy on the Use of the Legislative Council Chamber</i>	Decision
32	Item #3:	Revision of the <i>Legislative Council Policy on the Use of the Legislative Conference Room</i>	Decision
34	Item #4:	Revision of the <i>Legislative Council Policy on the Use of the State House Welcome Center</i>	Decision
37	Item #5:	Blaine House Grounds Restoration Funding	Decision

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

SEN. MICHAEL D. THIBODEAU
CHAIR

REP. MARK W. EVES
VICE-CHAIR

EXECUTIVE DIRECTOR
GRANT T. PENNOYER



127TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. GARRETT P. MASON
SEN. ANDRE E. CUSHING
SEN. JUSTIN L. ALFOND
SEN. DAWN HILL
REP. JEFFREY M. MCCABE
REP. SARA GIDEON
REP. KENNETH W. FREDETTE
REP. ELEANOR M. ESPLING

**LEGISLATIVE COUNCIL
MEETING SUMMARY
February 25, 2016**

CALL TO ORDER

President Thibodeau called the February 25, 2016 meeting of the Legislative Council to order at 2:07 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators: President Thibodeau, Senator Cushing, and Senator Hill
Absent: Senator Mason
Arrived late: Senator Alfond
Representatives: Speaker Eves, Representative McCabe, Representative Fredette and Representative Espling
Arrived late: Representative Gideon
Legislative Officers: Heather Priest, Secretary of the Senate
Robert Hunt, Clerk of the House
Jennifer McGowan, Assistant Clerk of the House
Grant T. Pennoyer, Executive Director of the Legislative Council
Dawna Lopatosky, Legislative Finance Director
Marion Hylan Barr, Director, OPLA
Suzanne Gresser, Revisor of Statutes
Chris Nolan, Director, OFPR
John Barden, Director, Law and Legislative Reference Library
Kevin Dieterich, Director, Legislative Information Technology

President Thibodeau convened the meeting at 2:07 p.m. with a quorum of members present.

Legislative Council Chair Thibodeau asked if there was any objection to taking items out of order. There was no objection. The Chair then moved to **Old Business, Item 1.**

OLD BUSINESS**Item #1: Consideration of Bill Requests Tabled from October 22 and November 19**

The Legislative Council moved to reconsider and accept one bill request (LR 2384). The council authorized 1 requests for introduction in the 2nd Regular Session of the 127th Legislature. No action was taken on all other previously tabled bill requests, so all remain tabled. The Legislative Council's actions on the requests are included on the attached list.

Item #2: Council Actions Taken by Ballot**Requests for Introduction of Legislation:****LR 2575 An Act to Amend the Maine Veterinary Practice Act**

Submitted by: Senator James Dill
 Approved: February 4, 2016
 Vote: 7-2-0-1 in favor (with Sen. Mason and Rep. Espling opposed and Rep. Fredette absent)

LR 2663 An Act to Extend the Time for Commencing an Action Relating to Death Caused by Homicide

Submitted by: Senator Linda Valentino
 Approved: February 16, 2016
 Vote: 8-2 in favor (with Rep. Fredette and Espling opposed)

LR 2698 An Act Regarding Stolen Valor

Submitted by: Senator Michael Thibodeau
 Approved: February 23, 2016
 Vote: 10-0 in favor

NEW BUSINESS**Item #1: Consideration of After Deadline Bill Requests**

The Legislative Council considered and voted on the bill requests in accordance with the established protocol. Of the 13 new bill requests, the council authorized 7 requests for introduction in the 2nd Regular Session of the 127th Legislature and 6 were tabled. Of the 12 previously tabled bill requests, the council reconsidered 1 request (LR 2556) and tabled it again, and all others remain tabled. The council took no action on the previously tabled joint resolution, so it remains tabled. The Legislative Council's actions on the requests are included on the attached list.

The Legislative Council then returned to the other items on its agenda.

SUMMARY OF JANUARY 28, 2016 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary for January 28, 2016 be accepted and placed on file. Motion by Speaker Eves. Second by Representative McCabe. **Motion passed unanimous (8-0-0-2, with Senator Mason and Representative Gideon absent).**

REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES

Executive Director's Report

Grant Pennoyer, Executive Director, reported on:

1. Priority Security Screening Update

Although we continue to receive applications for the priority security screening passes, the new requests have slowed to a trickle. Since October, we have received 132 applications. The authorizations for these passes expire at the end of this Legislature in early December. Current card holders can reapply to extend their passes for the 128th Legislature later this fall for a renewal fee of \$30.

2. Active Shooter Training

A training session to prepare for and react to active shooter incidents that was scheduled for February 17th had to be rescheduled and is now set for next Wednesday, March 2nd.

3. Original Copper from the State House Dome – Progress Report

As of Wednesday, we have sold 190 total mementos (73 plaques and 117 framed pictures). We have also sold approximately 1045 square feet of the copper in rough form.

4. Public Art Commission Phase of Copper Reuse Project

The Legislature has made its appointments to the artist selection committee as part of the public art commission phase of the copper reuse project, but I have had difficulty getting the Maine Arts Commission to advance this phase. I received an email contact on this phase just this morning, the first time in several weeks. If we are unable to start this phase soon, I may be coming back to the Council to reconsider the implementation of this phase, which was approved by the 126th Legislative Council. This phase includes a significant unbudgeted cost of at least \$15,000 for the artist's commission. The cost of this phase will continue to grow if it is delayed too long and we incur new storage costs after June.

Fiscal Report

Chris Nolan, Director, Office of Fiscal and Program Review, reported on:

General Fund Revenue Update

Total General Fund Revenue - FY 2016 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
January	\$300.3	\$327.4	\$27.0	9.0%	\$308.1	6.3%
FYTD	\$1,938.8	\$2,000.7	\$61.9	3.2%	\$1,781.8	12.3%

General Fund revenue was over budget by \$27.0 million (9.0%) for the month of January and over budget by \$61.9 million (3.2%) for the fiscal year through January. Individual income tax revenue was \$28.0 million over budget for the month of January and \$42.2 million over budget for the fiscal year through January. Estimated payments were over budget by \$14.9 million while withholding was over budget by \$8.4 million. The final estimated payment due January 15th was \$14.9 million over budget and 17.5% higher than January 2015. The December 2015 and January 2016 estimated payments combined increased 7.2% over last year. Sales and use tax revenue was under budget by \$0.1 million for the month and over budget by \$4.9 million for the fiscal year to date, mainly attributed to use tax being under budget by \$1.7 million for the month of January. Taxable sales for the month of December were 2.1% over December 2014. Transfers for tax relief programs were over budget for the month (more transfers than budgeted) by \$5.5 million, but still \$13.8 under budget (less transfers than budgeted) for the year to date. Lottery revenue was over budget for the month by \$3.6 million due to the extraordinarily high Powerball jackpot in January.

Highway Fund Revenue Update

Total Highway Fund Revenue - FY 2016 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
January	\$25.6	\$26.4	\$0.8	3.2%	\$24.8	6.6%
FYTD	\$190.7	\$195.4	\$4.7	2.5%	\$170.3	14.8%

Highway Fund revenue was over budget by \$0.8 million (3.2%) for the month of January and over budget by \$4.7 million (2.5%) for the fiscal year through January. Fuel taxes were slightly under budget for the month of January, while motor vehicle registration and fees were over budget by \$0.5 million. Highway Fund “other revenue” was over budget by \$0.2 million in January because of several highway opening permits due to natural gas lines.

Cash Balances Update

January’s total average cash balances of \$835.3 million were well above both last year’s balances for January of \$678.0 million and the ten-year average for January of \$533.3 million. For the fifth month this fiscal year, there was no General Fund internal borrowing from other funds in January. The average Highway Fund balance of \$39.1 million in January increased slightly from December’s average of \$36.7 million but was below last year’s balance for January of \$53.6 million.

Review and Update of Revenue Forecast

The Revenue Forecasting Committee (RFC) met on February 22nd to review and update the current revenue forecast to comply with this year’s statutory reporting date of March 1st. Mr. Nolan also presented a summary of the preliminary findings of the RFC.

REPORTS FROM COUNCIL COMMITTEES

1. Personnel Committee

No report

2. State House Facilities Committee

Senator Cushing reported the State House Facilities Committee met on Thursday, February 18th to consider the following items.

1. Video and audio webcasts – recording and archiving Legislative Proceedings

The committee discussed the upgrades to the Legislature's video and audio webcasts that included options for recording and accessing archived meetings beginning with this session. The committee felt that further discussions by the full membership of Legislative Council of the implications of recorded committee meetings that are made accessible to the public and whether to archive and record committee meetings this session. This issue will be discussed further under New Business.

2. Update from Subcommittee on Rebidding Construction Manager and Architect Services for Legislature

The subcommittee reported that it has begun its work to review rebidding the construction manager role. The subcommittee sought input from interested parties to explore options for rebidding the Construction Manager contract. The subcommittee plans to make a report to the State House Facilities Committee at its April meeting.

3. Improving Security in State House and Cross Office Building

Mr. Pennoyer and Chief Gauvin presented a plan to upgrade the security cameras in the State House. The cost of the cameras themselves is minimal. The next step is to determine the costs of the installation of these cameras due to the difficulties in connecting these cameras in the State House. A full estimate of this work is anticipated to be presented at the next State House Facilities Committee meeting.

Chief Gauvin also updated the committee on his explorations of options for an emergency broadcast. He will continue his work and make a recommendation to the committee at a future meeting.

4. Request for Funding for Blaine House Grounds Renovation

A request was made to provide funding for renovation of the Blaine House Grounds. The committee was in favor of providing the funding. The committee asked the Executive Director to prepare options for this funding and report back to the committee prior to the March Legislative Council meeting.

5. Updates from the Executive Director

Mr. Pennoyer updated the committee on the following issues: the Liberty Bell relocation to the public space of the State Library, the repair needed on the flag pole on the south wing's low dome, various mechanical/heating system issues, and once again having to repaint parts of the copper dome. Mr. Pennoyer noted that the State House roof project would begin during the week of statutory adjournment.

NEW BUSINESS

Item #2: Video/Audio Webcasts Recording and Archiving

Motion: That the Legislative Council table this item for discussion at a future meeting. Motion by Representative McCabe. Second by Senator Cushing. **Motion passed unanimous (6-0-0-4**, with Senators Mason and Alfond and Representatives Gideon and Fredette absent).

Item #3: Submission of the Report of the Commission to Strengthen and Align the Services Provided to Maine's Veterans

Motion: That the Legislative Council accept the Report of the Commission to Strengthen and Align the Services Provided to Maine's Veterans and place it on file. Motion by Senator Alfond. Second by Senator Cushing. **Motion passed unanimous (7-0-0-3**, with Senator Mason, Representatives Gideon and Fredette absent).

Item #4: Submission of the Report of the Task Force on School Leadership

Motion: That the Legislative Council accept the Report of the Task Force on School Leadership and place it on file. Motion by Speaker Eves. Second by Senator Cushing. **Motion passed unanimous (8-0-0-1**, with Senator Mason and Representative Gideon absent).

ANNOUNCEMENTS AND REMARKS

With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 3:08 p.m.

**127th Legislature - Second Regular Session
Legislative Council Action Taken January 28, 2016 on
Pre-Cloture Bill Requests Tabled
October 22 and November 19, 2015**

		Action
Representative Campbell of Orrington		
LR 2330	An Act To Encourage the Development of Commercial Transportation Opportunities in Bucksport	TABLED 11/19/15
LR 2331	An Act To Encourage the Development of Electrical and Natural Gas Infrastructure in Bucksport	TABLED 11/19/15
Representative Fowle of Vassalboro		
LR 2209	An Act To Amend the Public Safety Laws	TABLED 10/22/15
Representative Fredette of Newport		
LR 2343	An Act To Authorize a General Fund Bond Issue to Invest in Marine Transportation and Port Infrastructure at Mack Point to Meet the Needs of the Marine Construction and Shipping Business Sector and to Create Jobs	TABLED 10/22/15
Representative Gattine of Westbrook		
LR 2432	An Act To Promote the Success and Accountability of Welfare Reform Initiatives in Maine	TABLED 10/22/15
LR 2456	Resolve, To Improve Access to and the Quality of Services for Persons with Mental Illness	TABLED 11/19/15
Senator Gerzofsky of Cumberland		
LR 2200	An Act To Amend and Clarify the Brunswick Naval Air Station Job Increment Financing Fund	TABLED 10/22/15
Representative Gideon of Freeport		
LR 2479	An Act To Make Maine Energy-independent	TABLED 11/19/15
Representative Herbig of Belfast		
LR 2401	An Act to Provide Job Opportunities to Families Participating in the Temporary Assistance for Needy Families Program	TABLED 10/22/15

Senator Hill of York

LR 2408 An Act To Provide Accountability in State Government Partnerships TABLED 11/19/15

Representative Malaby of Hancock

LR 2384 An Act To Fix Changes Made to Maine's Provider Tax TABLED 10/22/15
PASSED 2/25/16

Representative McCabe of Skowhegan

LR 2321 An Act To Amend the Maine Criminal Code to Clarify the Prohibition on the Exercise of Improper Influence TABLED 10/22/15

LR 2322 An Act To Ensure the Proper Functioning of State Government by Ensuring Execution of Executive Branch Duties TABLED 11/19/15

Representative Rotundo of Lewiston

LR 2399 An Act To Fund and Implement Wage Adjustments for All State Correctional Employees Who Perform Direct Care or Supervision of Prisoners TABLED 11/19/15

Senator Thibodeau of Winterport

LR 2417 An Act To Ensure Accountability in Maine's Welfare System TABLED 10/22/15

Representative Wadsworth of Hiram

LR 2489 An Act To Ensure a Timely Reduction in Energy Costs for Maine Consumers TABLED 11/19/15

**127th Maine State Legislature
Legislative Council Action Taken on
Requests to Introduce Legislation
Second Regular Session**

As of: February 25, 2016

AFTER DEADLINE BILL REQUESTS (includes Addendum items)

SPONSOR: Sen. Justin L. Alford

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2687	An Act To Provide an Exemption from State Tax Liability for Employers Who Pay the Student Loan Debt of Their Employees	TABLED

SPONSOR: Sen. Roger J. Katz

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2693	An Act To Address Employee Recruitment and Retention Issues at State Mental Health Facilities	PASSED

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2718	An Act To Improve and Enhance the Controlled Substances Prescription Monitoring Program	PASSED

SPONSOR: Sen. Brian D. Langley

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2714	An Act To Increase Education Funding	TABLED

SPONSOR: Rep. Louis J. Luchini

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2664	An Act To Change the Definition of "Hard Cider" for Consistency with Federal Law	TABLED

SPONSOR: Sen. David R. Miramant

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2659	An Act To Expedite Health Care Programs for Maine Veterans	TABLED

SPONSOR: Sen. Kimberley C. Rosen

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2683	An Act To Provide Emergency Repair Funding for the Restoration of the Official State Vessel, the Schooner Bowdoin	PASSED

SPONSOR: Rep. Diane M. Russell

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2697	An Act To Authorize the Treatment of Opioid Addiction through Medicinal Cannabis	TABLED

SPONSOR: Pres. Michael D. Thibodeau

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2698	An Act Regarding Stolen Valor	Approved by ballot 2/23/16

SPONSOR: Rep. Beth P. Turner

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2723	An Act Regarding the Withdrawal of a Single Municipality from a Regional School Unit	PASSED

DEORGANIZATION BILLS

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2635	An Act Authorizing the Deorganization of Cary Plantation	PASSED
2636	An Act Authorizing the Deorganization of Oxbow Plantation	PASSED

LATE-FILED MAJOR SUBSTANTIVE RULES

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2708	Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine Clean Election Act and Related Provisions, a Late-filed Major Substantive Rule of the Commission on Governmental Ethics and Election Practices	TABLED

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2719	Resolve, Regarding Legislative Review of Portions of Chapter 4: Water-based Fire Protection Systems, a Late-filed Major Substantive Rule of the Department of Public Safety, Office of the State Fire Marshal	PASSED

TABLED BY THE LEGISLATIVE COUNCIL

SPONSOR: Sen. Justin L. Alford

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2594	An Act To Facilitate the Timely Processing of Applications for Supplemental Nutrition Assistance Program Benefits	Tabled 12/17/15

2595	An Act To Prohibit the Expenditure of Any Cash-based Benefits from the State on Lottery Tickets	Tabled 12/17/15
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SPONSOR: Rep. Henry E. Beck

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2638	An Act To Tax Electronic Cigarettes	Tabled 01/28/16

SPONSOR: Sen. James F. Dill

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2558	An Act To Provide Assistance to Laid-off Workers	Tabled 12/17/15

SPONSOR: Rep. Michelle Ann Dunphy

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2561	An Act To Adjust the Property Tax Valuation of Old Town Following the Closure of the Old Town Expera Pulp Mill	Tabled 12/17/15

SPONSOR: Rep. Kenneth W. Fredette

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2592	An Act To Create the Maine Energy Office	Tabled 12/17/15

SPONSOR: Rep. Sara Gideon

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2640	An Act To Protect Maine's Wood Products Industry	Tabled 01/28/16

SPONSOR: Sen. Roger J. Katz

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2630	An Act To Increase Access to Health Coverage for Drug Addiction Services and Qualify Maine for Federal Funding for Such Services	Tabled 01/28/16

SPONSOR: Rep. Jeff M. McCabe

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2569	An Act To Establish a Commission on the Blind and Visually Impaired	Tabled 12/17/15

SPONSOR: Rep. Richard A. Pickett

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2556	An Act To Allow Certain Retirees To Buy Back Lost Pay	Tabled 12/17/15 Tabled 2/26/16

SPONSOR: Rep. Arthur C. Verow

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2625	An Act Concerning Visitation Rights for Adult Children of Adults under Guardianship	Tabled 01/28/16

JOINT RESOLUTIONS

SPONSOR: Rep. Henry John Bear

LR #
163

Title
JOINT RESOLUTION TO ALLEVIATE TRIBAL
UNEMPLOYMENT AND FUND ECONOMIC
DEVELOPMENT AND EMPLOYMENT PROGRAMS WITHIN
THE HOULTON BAND OF MALISEET INDIANS BY URGING
THE PRESIDENT OF THE UNITED STATES AND THE
UNITED STATES CONGRESS TO ESTABLISH A PROCESS
TO PROVIDE EQUITABLE MALISEET LAND CLAIMS
SETTLEMENT COMPENSATION FOR THE OCCUPATION
AND LOSS OF NEARLY 5,000,000 ACRES OF MALISEET
TRIBAL HOMELAND IN THE AROOSTOOK COUNTY
REGION

Action
Tabled 12/17/15

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127TH MAINE STATE LEGISLATURE
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Legislative Council
Executive Director's Report
March 24, 2016

1. Active Shooter Incident Training and Preparation

We have had two training sessions for legislative staff to prepare for and react to active shooter incidents; the latest was held March 2nd. One of the major initiatives under way to prepare for these potential incidents is an effort to enhance secure-in-place options in the Cross Office Building and the State House. This effort includes adding locks to or modifying locks of interior office doors when possible so that they may be locked from inside the room. Interior offices with interior windows are having blinds or shades added to hide room occupants, if needed. This effort is currently in process in the Cross Office Building where the effort is easier to implement. The State House with a variety of door types and locks will be more difficult and is planned for after the Cross Office Building effort is finished.

2. Original Copper from the State House Dome – Progress Report

As of Wednesday, we have sold almost 200 mementos (74 plaques and 122 framed pictures). We have also sold approximately 1060 square feet of the copper in rough form. We will make a final marketing effort toward the end of the Legislative session to move as much of the remaining rough copper as possible before the end of June, when the lease on the storage unit ends.

3. Public Art Commission Phase of Copper Reuse Project

Approximately 1000 square feet of the rough copper has been set aside in separate storage for use in a commissioned work of art. The Maine Arts Commission has initiated the artist selection process by reaching out to members of the Artist Selection Committee to establish the first meeting and begin an intensive effort to select a site for the work and the artist.

Fiscal Briefing

Legislative Council Meeting – March 24, 2016

Prepared by the Office of Fiscal & Program Review

1. General Fund Revenue Update (see attached)

Total General Fund Revenue - FY 2016 (\$'s in Millions)

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
February	\$122.3	\$139.5	\$17.2	14.1%	\$148.7	-6.2%
FYTD	\$2,061.1	\$2,140.2	\$79.1	3.8%	\$1,930.5	10.9%

General Fund revenue was over budget by \$17.2 million (14.1%) for the month of February and over budget by \$79.1 million (3.8%) for the fiscal year through February. These positive variances do not reflect the March revenue forecast, which increased budgeted revenue for FY 16 by \$67.3 million. The March monthly revenue report will reflect the new monthly distribution resulting from the March forecast.

Individual income tax revenue was \$15.4 million over budget for the month of February and \$57.5 million over budget for the fiscal year through February. This line should be closer to the budget amount once the March adjustment is made. Estimated payments and withholding again showed strong performance. Sales and use tax revenue was over budget by \$2.7 million for the month and over budget by \$7.6 million for the fiscal year to date. Corporate income tax revenue was under budget by \$0.9 million for February but over budget by \$4.1 million for the fiscal year to date.

2. Highway Fund Revenue Update (see attached)

Total Highway Fund Revenue - FY 2016 (\$'s in Millions)

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
February	\$25.6	\$27.3	\$1.6	6.3%	\$26.6	2.4%
FYTD	\$216.4	\$222.7	\$6.4	2.9%	\$196.9	13.1%

Highway Fund revenue was over budget by \$1.6 million (6.3%) for the month of February and over budget by \$6.4 million (2.9%) for the fiscal year through February. These positive variances do not reflect the March revenue forecast, which increased budgeted revenue for FY 16 by \$2.5 million. Fuel taxes were over budget for the month of February by \$0.5 million and over budget for the fiscal year to date by \$0.5 million. Motor vehicle registration and fees were over budget by \$1.3 million for the month of February and over budget by \$4.5 million for the fiscal year to date.

3. Cash Balances Update

February's total average cash balances of \$840.6 million were well above both last year's balances for February of \$675.4 million and the ten-year average for February of \$500.7 million. There was no General Fund internal borrowing from other funds in February. The average Highway Fund balance of \$40.0 million in February increased slightly from January's average of \$39.1 million but was below last year's balance for February of \$54.2 million.

**General Fund Revenue
Fiscal Year Ending June 30, 2016 (FY 2016)**

February 2016 Revenue Variance Report

Revenue Category	February '16		February '16		Fiscal Year-To-Date			FY 2016 Budgeted Totals	
	Budget	Actual	Actual	Var.	Budget	Actual	Variance		
Sales and Use Tax	76,444,572	79,181,400	2,736,828		875,170,351	882,802,237	7,631,886	0.9%	22.0%
Service Provider Tax	5,190,220	4,135,464	(1,054,756)		32,894,652	30,871,970	(2,022,682)	-6.1%	8.3%
Individual Income Tax	18,689,080	34,055,962	15,366,882		949,187,608	1,006,714,848	57,527,240	6.1%	9.5%
Corporate Income Tax	500,000	(377,767)	(877,767)		47,099,620	51,247,218	4,147,598	8.8%	-33.6%
Cigarette and Tobacco Tax	9,512,743	10,477,725	964,982		93,082,897	94,733,938	1,651,041	1.8%	4.2%
Insurance Companies Tax	1,100,956	1,736,282	635,326		13,995,593	14,466,176	470,583	3.4%	-5.8%
Estate Tax	2,660,100	1,864,926	(795,174)		15,968,538	16,336,071	367,533	2.3%	-26.7%
Other Taxes and Fees *	7,825,383	9,068,860	1,243,477		84,340,948	86,634,052	2,293,104	2.7%	4.5%
Fines, Forfeits and Penalties	2,068,766	2,478,075	409,309		14,912,932	13,823,391	(1,089,541)	-7.3%	-4.0%
Income from Investments	71,367	129,806	58,439		575,388	701,571	126,183	21.9%	139.1%
Transfer from Lottery Commission	4,682,839	5,143,620	460,781		36,143,770	40,093,844	3,950,074	10.9%	9.4%
Transfers to Tax Relief Programs *	(3,821,495)	(4,008,052)	(186,557)		(64,340,445)	(50,767,760)	13,572,685	21.1%	10.9%
Transfers for Municipal Revenue Sharing	(5,614,986)	(6,254,706)	(639,720)		(45,298,038)	(46,320,293)	(1,022,255)	-2.3%	-12.7%
Other Revenue *	2,964,451	1,864,436	(1,100,015)		7,357,920	(1,134,209)	(8,492,129)	-115.4%	-106.6%
Totals	122,273,996	139,496,031	17,222,035		2,061,091,734	2,140,203,053	79,111,319	3.8%	10.9%

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

General Fund Revenue Fiscal Year Ending June 30, 2016 (FY 2016)

February 2016 Revenue Variance Report

Revenue Category	February '16		February '16		February '16		Fiscal Year-To-Date		% Change from Prior Year	FY 2016 Budgeted Totals
	Budget	Actual	Actual	Var.	Budget	Actual	Variance	%		
Detail of Other Taxes and Fees:										
- Property Tax - Unorganized Territory	0	0	0	0	11,207,189	11,207,189	(0)	0.0%	-10.0%	14,225,984
- Real Estate Transfer Tax	850,279	1,193,135	342,856		11,097,821	12,018,543	920,722	8.3%	-13.1%	15,697,389
- Liquor Taxes and Fees	1,310,680	1,510,390	199,710		13,931,863	14,755,546	823,683	5.9%	-33.6%	21,214,918
- Corporation Fees and Licenses	378,908	369,250	(9,658)		2,173,943	2,191,560	17,617	0.8%	-77.6%	9,088,649
- Telecommunication Excise Tax	0	0	0		0	(34,249)	(34,249)	N/A	-100.5%	7,500,000
- Finance Industry Fees	2,195,992	2,503,750	307,758		18,067,930	19,350,830	1,282,900	7.1%	-32.8%	26,851,990
- Milk Handling Fee	444,706	205,505	(239,201)		2,778,122	2,187,092	(591,030)	-21.3%	-0.9%	4,556,944
- Racino Revenue	580,530	651,150	70,620		5,723,184	5,815,502	92,318	1.6%	-32.7%	8,678,540
- Boat, ATV and Showmobile Fees	334,885	221,323	(113,562)		2,428,887	2,166,052	(262,835)	-10.8%	-52.6%	4,523,561
- Hunting and Fishing License Fees	1,113,412	1,276,168	162,756		11,024,460	10,985,979	(38,481)	-0.3%	-33.4%	15,850,342
- Other Miscellaneous Taxes and Fees	615,991	1,138,189	522,198		5,907,549	5,990,011	82,462	1.4%	-53.3%	11,104,641
Subtotal - Other Taxes and Fees	7,825,383	9,068,860	1,243,477		84,340,948	86,634,052	2,293,104	2.7%	-37.9%	139,292,958
Detail of Other Revenue:										
- Liquor Sales and Operations	2,626	3,510	884		18,243	22,480	4,237	23.2%	-99.8%	9,667,500
- Targeted Case Management (DHHS)	333,206	64,190	(269,016)		1,656,048	1,334,106	(321,942)	-19.4%	-47.3%	2,640,000
- State Cost Allocation Program	1,334,711	1,449,735	115,024		12,106,748	12,050,323	(56,425)	-0.5%	-46.4%	18,296,832
- Unclaimed Property Transfer	0	0	0		0	0	0	N/A	-100.0%	7,000,000
- Tourism Transfer	0	0	0		(12,854,128)	(13,112,062)	(257,934)	-2.0%	-12.8%	(12,854,128)
- Transfer to Maine Milk Pool	(615,502)	(1,663,035)	(1,047,533)		(615,502)	(9,215,640)	(8,600,138)	-1397.3%	-134.4%	(13,239,128)
- Transfer to STAR Transportation Fund	0	0	0		(6,800,000)	(7,308,989)	(508,989)	-7.5%	-3.4%	(6,800,000)
- Other Miscellaneous Revenue	1,909,410	2,010,037	100,627		13,846,511	15,095,573	1,249,062	9.0%	-42.7%	23,085,906
Subtotal - Other Revenue	2,964,451	1,864,436	(1,100,015)		7,357,920	(1,134,209)	(8,492,129)	-115.4%	-102.2%	27,796,982
Detail of Transfers to Tax Relief Programs:										
- Me. Resident Prop. Tax Program (Circuitbreak)	0	1,971	1,971		0	4,120	4,120	N/A	-72.5%	0
- BETR - Business Equipment Tax Reimb.	(3,417,601)	(3,950,449)	(532,848)		(32,918,576)	(27,556,606)	5,361,970	16.3%	17.4%	(35,000,000)
- BETE - Municipal Bus. Equip. Tax Reimb.	(403,894)	(59,575)	344,319		(31,421,869)	(23,215,274)	8,206,595	26.1%	11.3%	(31,771,938)
Subtotal - Tax Relief Transfers	(3,821,495)	(4,008,052)	(186,557)		(64,340,445)	(50,767,760)	13,572,685	21.1%	14.7%	(66,771,958)
Inland Fisheries and Wildlife Revenue - Total	1,539,557	1,579,497	39,940		14,151,859	13,807,981	(343,878)	-2.4%	-37.6%	21,447,907

Highway Fund Revenue Fiscal Year Ending June 30, 2016 (FY 2016)

February 2016 Revenue Variance Report

Revenue Category	February '16		February '16		Fiscal Year-To-Date			FY 2016 Budgeted Totals	
	Budget	Actual	Actual	Var.	Budget	Actual	Variance		
Fuel Taxes:									
- Gasoline Tax	15,092,754	15,376,808	284,054		136,361,848	136,510,148	148,300	0.1%	15.4%
- Special Fuel and Road Use Taxes	3,488,787	3,803,811	315,024		31,812,979	32,269,239	456,260	1.4%	19.3%
- Transcap Transfers - Fuel Taxes	(1,365,309)	(1,409,690)	(44,381)		(12,357,360)	(12,418,260)	(60,900)	-0.5%	-1.4%
- Other Fund Gasoline Tax Distributions	(377,424)	(384,522)	(7,098)		(3,409,997)	(3,416,850)	(6,853)	-0.2%	-1.2%
Subtotal - Fuel Taxes	16,838,808	17,386,407	547,599		152,407,470	152,944,278	536,808	0.4%	17.9%
Motor Vehicle Registration and Fees:									
- Motor Vehicle Registration Fees	4,764,486	5,296,984	532,498		40,369,308	42,158,918	1,789,610	4.4%	1.3%
- License Plate Fees	241,705	284,715	43,010		2,129,363	2,255,534	126,171	5.9%	2.4%
- Long-term Trailer Registration Fees	1,406,417	1,861,284	454,867		5,917,083	7,238,796	1,321,713	22.3%	4.3%
- Title Fees	851,470	935,877	84,407		8,123,121	8,871,230	748,109	9.2%	9.0%
- Motor Vehicle Operator License Fees	543,664	752,518	208,854		4,790,007	5,567,180	777,173	16.2%	16.4%
- Transcap Transfers - Motor Vehicle Fees	0	0	0		(7,663,195)	(7,940,965)	(277,770)	-3.6%	-2.5%
Subtotal - Motor Vehicle Reg. & Fees	7,807,742	9,131,378	1,323,636		53,665,687	58,150,693	4,485,006	8.4%	4.0%
Motor Vehicle Inspection Fees	304,516	177,536	(126,980)		1,974,460	2,510,304	535,844	27.1%	14.5%
Other Highway Fund Taxes and Fees	108,273	84,286	(23,987)		817,017	1,108,995	291,918	35.7%	40.2%
Fines, Forfeits and Penalties	67,925	74,786	6,861		550,900	517,473	(33,428)	-6.1%	-18.3%
Interest Earnings	28,104	15,355	(12,749)		192,674	128,532	(64,142)	-33.3%	79.3%
Other Highway Fund Revenue	484,567	395,068	(89,499)		6,746,639	7,346,466	599,827	8.9%	-2.7%
Totals	25,639,935	27,264,816	1,624,881		216,354,847	222,706,681	6,351,834	2.9%	13.1%
									319,510,915

**127th Legislature - Second Regular Session
Legislative Council Action Taken February 25, 2016 on
Pre-Cloture Bill Requests Tabled
October 22 and November 19, 2015**

		Action
Representative Campbell of Orrington		
LR 2330	An Act To Encourage the Development of Commercial Transportation Opportunities in Bucksport	TABLED 11/19/15
LR 2331	An Act To Encourage the Development of Electrical and Natural Gas Infrastructure in Bucksport	TABLED 11/19/15
Representative Fowle of Vassalboro		
LR 2209	An Act To Amend the Public Safety Laws	TABLED 10/22/15
Representative Fredette of Newport		
LR 2343	An Act To Authorize a General Fund Bond Issue to Invest in Marine Transportation and Port Infrastructure at Mack Point to Meet the Needs of the Marine Construction and Shipping Business Sector and to Create Jobs	TABLED 10/22/15
Representative Gattine of Westbrook		
LR 2432	An Act To Promote the Success and Accountability of Welfare Reform Initiatives in Maine	TABLED 10/22/15
LR 2456	Resolve, To Improve Access to and the Quality of Services for Persons with Mental Illness	TABLED 11/19/15
Senator Gerzofsky of Cumberland		
LR 2200	An Act To Amend and Clarify the Brunswick Naval Air Station Job Increment Financing Fund	TABLED 10/22/15
Representative Gideon of Freeport		
LR 2479	An Act To Make Maine Energy-independent	TABLED 11/19/15
Representative Herbig of Belfast		
LR 2401	An Act to Provide Job Opportunities to Families Participating in the Temporary Assistance for Needy Families Program	TABLED 10/22/15
Senator Hill of York		
LR 2408	An Act To Provide Accountability in State Government	TABLED 11/19/15

127th Legislature - Second Regular Session
Legislative Council Action Taken February 25, 2016 on
Pre-Cloture Bill Requests Tabled
October 22 and November 19, 2015

Representative McCabe of Skowhegan

LR 2321 An Act To Amend the Maine Criminal Code to Clarify the TABLED 10/22/15
 Prohibition on the Exercise of Improper Influence

LR 2322 An Act To Ensure the Proper Functioning of State Government by TABLED 11/19/15

Representative Rotundo of Lewiston

LR 2399 An Act To Fund and Implement Wage Adjustments for All State TABLED 11/19/15
 Correctional Employees Who Perform Direct Care or Supervision

Senator Thibodeau of Winterport

LR 2417 An Act To Ensure Accountability in Maine's Welfare System TABLED 10/22/15

Representative Wadsworth of Hiram

LR 2489 An Act To Ensure a Timely Reduction in Energy Costs for Maine TABLED 11/19/15

**Legislative Council Actions
Taken by Ballot Since the
February 25, 2016 Council Meeting**

Requests for Introduction of Legislation:

LR 2750 An Act to Establish a Presidential Primary System in Maine

Submitted by: Senator Justin Alford
Approved: March 11, 2016
Vote: 9-0-0-1 in favor (with Sen. Mason absent)

**LR 2708 Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine
Clean Election Act and Related Provisions, a Late-filed Major Substantive
Rule of the Commission on Governmental Ethics and Election Practices**

Submitted by: Commission on Governmental Ethics and Election Practices
Approved: March 16, 2016
Vote: 10-0 in favor

**LR 2761 Resolve, Regarding Legislative Review of Portions of Chapter 120: Release
of Data to the Public, a Late-filed Major Substantive Rule of the Maine
Health Data Organization**

Submitted by: Maine Health Data Organization
Approved: March 16, 2016
Vote: 10-0 in favor

LR 2556 An Act to Allow Certain Retirees to Buy Back Lost Pay

Submitted by: Representative Richard Pickett
Approved: March 17, 2016
Vote: 10-0 in favor

Background on the Upgrade of Legislature's Video and Audio Webcasts Using Sliq Media Technologies

Issues prompting the upgrade:

The Legislature's hardware and software for video and audio streaming of legislative proceedings was very outdated and was getting very difficult to keep in working order. It also relied on the use of Windows Media Player, which did not work well with mobile devices and Apple products.

Options to address webcast issues:

The Office of Legislative Information Technology (LIT) had reached out to an outside vendor in the past to explore options and costs for recording and archiving legislative proceedings in response to previous bills directing the Legislature to archive and make saved audio broadcasts of its proceedings available to the public. Now facing a required upgrade of its encoding hardware for webcasts, the Legislature once again explored these external options for providing improved webcasts and for archiving. Two vendors were considered: Granicus and Sliq Media Technology (Sliq). Both Granicus and Sliq were invited to come and make presentations of their services to the Secretary of the Senate, Clerk of the House, the Executive Director and LIT staff.

At the last presentation, the Secretary of the Senate and her Assistant Secretary and the Clerk of the House and his Assistant Clerk viewed the demonstration of what Sliq had implemented for some other states and other governmental entities. At the same time, Sliq and International Roll Call (IRC), Maine's vendor for chamber software and support, were promoting their cooperative efforts in some states that took the feeds from IRC chamber systems and indexed or tagged Sliq's archived video and audio files for easier search and retrieval of specific segments of text, either by indexes of either legislator speaking or calendar item.

In consultation with the Secretary, the Clerk and the Executive Director, LIT decided to go with Sliq. The delivery of Sliq webcasts are part of an all-inclusive service agreement for a monthly fee that includes all the hardware and software required to both provide webcasts and archive all Senate and House sessions (video) and committee meetings (14 audio locations). All recorded events are stored locally on Legislature's servers and on Sliq's "Harmony Cloud Streaming Service." Sliq provides programming support for the software interface between IRC system and Sliq for indexing archived Senate and House sessions. Archived committee audio is

only recorded by date and time of a broadcast meeting as there is no IRC feed to tag committee proceeds, just the calendar of committee meetings.

Implementation of Sliq Webcasts:

LIT and the Executive Director entered into the contract on July 31st, the last day to take advantage of a special promotional contract offer by Sliq. Beginning in mid-August, LIT and Sliq worked through a number of implementation issues and issues have continued through the start of the session. LIT and Sliq were able to set up enough to record a basic webcast of the Senate Confirmation session on November 19th. On Monday, December 7th, LIT hosted a demonstration for Secretary, Clerk and Executive Director of the archived video of the Senate Confirmation session as indexed using IRC feeds that was on the Sliq cloud server. Executive Director sent an email the next day, December 8th, to Council members and Chiefs of Staff explaining the upgrades to the webcasts and offering to meet with them and provide a demonstration in advance of a Legislative Council meeting discussion of implementation. That discussion did not happen at the December meeting. Instead, the plan was to brief the caucuses of the upgraded webcasts and the archived video and audio files prior to implementing archiving.

In addition to Maine, several other states (Arkansas, Iowa, Kansas and New Hampshire) entered into contracts with Sliq for webcasting and archiving in 2015. Sliq's standard implementation provides streaming services and archiving of video and audio broadcasts. The streaming services are actually not live streaming services, but immediate playback of the recorded file that is used for both streaming and archiving. Eight other states have implemented Sliq services that have archived video for Legislative Chambers and also have implemented archiving of committee meetings.

Since the beginning of the 2nd Regular Session, all Senate, House and committee proceeding that have been broadcast on the web have been using the Sliq standard process and as such, an archived file was saved to Sliq cloud servers. LIT and Sliq have not yet worked out and, given the concerns expressed about recording and archiving committee proceedings, have delayed the final decision making on the necessary software and web site to make the archived files available both internally and/or to the public. Once the Council decides whether or not to archive video and audio files, LIT and Sliq will react appropriately.

If the Legislative Council decides not to archive or only archive Senate and House videos, LIT will need to evaluate whether the Sliq contract is worth continuing, versus building an in-house solution during the summer (cannot design and build home-grown system mid-session). Sliq did indicate that they could implement a streaming only service for committee hearings, but we don't have details on how that would be done. It would be different from their normal process of recoding all proceedings, as is routinely done for their customers in other states, as noted above. The Legislative Council will also need to determine what LIT and Sliq do with the current archived audio files.

**127th Maine State Legislature
Legislative Council
Requests to Introduce Legislation
Second Regular Session
As of: 3/18/2016 9:45:29 AM**

AFTER DEADLINE BILL REQUESTS

SPONSOR: Sen. Scott W. Cyrway

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2751	An Act To Increase Penalties for the Use of Violence against Emergency Personnel	

SPONSOR: Rep. Richard S. Malaby

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2739	An Act To Develop Plans for the Expansion of Infrastructure for State Forensic and Civil Mental Health Treatment	

SPONSOR: Sen. David R. Miramant

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2779	An Act To Establish a Public Service Berthing Vessel License	

SPONSOR: Rep. Catherine M. Nadeau

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2752	An Act To Allow Municipalities To Make Decisions Regarding Firearms at Municipal Meetings	

SPONSOR: Rep. Joel R. Stetkis

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2762	An Act To Amend the Provisions of the Maine Clean Election Act Regarding Seed Money Contributions	

TABLED BY THE LEGISLATIVE COUNCIL

AFTER DEADLINE BILL REQUESTS

SPONSOR: Sen. Justin L. Alfond

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2594	An Act To Facilitate the Timely Processing of Applications for Supplemental Nutrition Assistance Program Benefits	Tabled 12/17/15

2595 An Act To Prohibit the Expenditure of Any Cash-based Benefits from the State on Lottery Tickets Tabled 12/17/15

2687 An Act To Provide an Exemption from State Tax Liability for Employers Who Pay the Student Loan Debt of Their Employees Tabled 02/25/16

SPONSOR: Rep. Henry E. Beck

LR # Title Action
2638 An Act To Tax Electronic Cigarettes Tabled 01/28/16

SPONSOR: Sen. James F. Dill

LR # Title Action
2558 An Act To Provide Assistance to Laid-off Workers Tabled 12/17/15

SPONSOR: Rep. Michelle Ann Dunphy

LR # Title Action
2561 An Act To Adjust the Property Tax Valuation of Old Town Following the Closure of the Old Town Expera Pulp Mill Tabled 12/17/15

SPONSOR: Rep. Kenneth W. Fredette

LR # Title Action
2592 An Act To Create the Maine Energy Office Tabled 12/17/15

SPONSOR: Rep. Sara Gideon

LR # Title Action
2640 An Act To Protect Maine's Wood Products Industry Tabled 01/28/16

SPONSOR: Sen. Roger J. Katz

LR # Title Action
2630 An Act To Increase Access to Health Coverage for Drug Addiction Services and Qualify Maine for Federal Funding for Such Services Tabled 01/28/16

SPONSOR: Sen. Brian D. Langley

LR # Title Action
2714 An Act To Increase Education Funding Tabled 02/25/16

SPONSOR: Rep. Louis J. Luchini

LR # Title Action
2664 An Act To Change the Definition of "Hard Cider" for Consistency with Federal Law Tabled 02/25/16

SPONSOR: Rep. Jeff M. McCabe

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2569	An Act To Establish a Commission on the Blind and Visually Impaired	Tabled 12/17/15

SPONSOR: Sen. David R. Miramant

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2659	An Act To Expedite Health Care Programs for Maine Veterans	Tabled 02/25/16

SPONSOR: Rep. Diane M. Russell

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2697	An Act To Authorize the Treatment of Opioid Addiction through Medicinal Cannabis	Tabled 02/25/16

SPONSOR: Rep. Arthur C. Verow

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2625	An Act Concerning Visitation Rights for Adult Children of Adults under Guardianship	Tabled 01/28/16

JOINT RESOLUTIONS

SPONSOR: Rep. Henry John Bear

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2163	JOINT RESOLUTION TO ALLEVIATE TRIBAL UNEMPLOYMENT AND FUND ECONOMIC DEVELOPMENT AND EMPLOYMENT PROGRAMS WITHIN THE HOULTON BAND OF MALISEET INDIANS BY URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ESTABLISH A PROCESS TO PROVIDE EQUITABLE MALISEET LAND CLAIMS SETTLEMENT COMPENSATION FOR THE OCCUPATION AND LOSS OF NEARLY 5,000,000 ACRES OF MALISEET TRIBAL HOMELAND IN THE AROOSTOOK COUNTY REGION	Tabled 12/17/15

**127th Maine State Legislature
ADDENDUM
Legislative Council
Requests to Introduce Legislation
Second Regular Session
Requests made after March 18, 2016**

SPONSOR:

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2793	An Act To Amend the Finance Authority of Maine Act	

SPONSOR: Sen. Christopher K. Johnson

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2789	An Act To Create a Veteran-friendly Business Designation	

SPONSOR: Rep. Louis J. Luchini

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2796	An Act To Assist Small Distilleries	

SPONSOR: Rep. Joyce A. Maker

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2792	An Act To Protect Children in the State from Possible Sexual, Physical and Emotional Abuse by Persons Who Have Been Convicted of Crimes	

SPONSOR: Rep. Jeff M. McCabe

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2782	An Act To Prevent the Separation of the Hydropower Assets at the Madison Paper Company for 2 Years	

2783 Resolve, Directing the Department of Economic and Community Development To Work with the University of Maine System To Study the Future of the Forest Products Industry

2784 An Act To Address Job Losses and the Loss of Municipal Valuation in Mill Towns

SPONSOR: Pres. Michael D. Thibodeau

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2787	An Act To Clarify That Buprenorphine Is a Scheduled Drug	

JOINT RESOLUTIONS

SPONSOR: Rep. Jeff M. McCabe

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2785	JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ADDRESS THE NEGATIVE IMPACT OF TRADE AGREEMENTS ON MANUFACTURING IN MAINE	

SEN. MICHAEL D. THIBODEAU
CHAIR

REP. MARK W. EVES
VICE-CHAIR

EXECUTIVE DIRECTOR
GRANT T. PENNOYER



SEN. GARRETT P. MASON
SEN. ANDRE E. CUSHING
SEN. JUSTIN L. ALFOND
SEN. DAWN HILL
REP. JEFFREY M. MCCABE
REP. SARA GIDEON
REP. KENNETH W. FREDETTE
REP. ELEANOR M. ESPLING

127TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

Legislative Council Policy on the
Use of the Legislative Council Chamber
Room Use Policy

Terms and Conditions of Use of the
Legislative Council Chamber (Room 334, State House)

The Legislative Council Chamber is the principal room used by the Maine Legislative Council for its regular and special meetings, committee meetings and other Legislative Council functions. As such, Legislative Council functions take precedence over all other scheduled uses of the room. Use of the chamber must be for Legislative purposes or other closely-related governmental purpose.

The Legislative Council Chamber is available for use, by advance reservation only, when it is not scheduled for use by the Legislative Council. Activities held in the Legislative Council Chamber must maintain the dignity of the chamber and be in keeping with legislative decorum.

Persons not abiding to the terms and conditions of use will not be allowed to use the Legislative Council Chamber.

I. Authorized Uses

The Legislative Council Chamber (“Council Chamber” or “chamber”) may be used for occasional educational, noncommercial purposes related to Legislative or other closely-related governmental activities. Authorized uses include:

- A. Legislative Council meetings, and council committee and subcommittee meetings
- B. Caucuses held by Leadership offices
- C. Additional seating for public hearings or work sessions held by Legislative committees
- D. Educational tours and presentations on the State House or the Legislature
- E. Legislative process education by organized groups
- F. Authorized, special legislative events such as Welcome Back Day, New Member Orientation and legislative retirement acknowledgements
- G. Legislators speaking to civic organizations
- H. Meetings of Legislators or legislative staff

115 STATE HOUSE STATION, AUGUSTA, MAINE 04333-0115
TELEPHONE 207-287-1615 FAX 207-287-1621

II. Prohibited Uses

- A. The Legislative Council Chamber may not be used for or in connection with work related to campaigns, or election or reelection efforts, including training for campaigners or fundraising for campaign efforts.
- B. The Council Chamber may not be used for commercial, non-governmental purposes, including marketing, vending, or solicitation of goods or services.
- C. Storage of personal belongings, equipment or supplies.
- D. Any activity that is prohibited by law or rules.
- E. Rallies or protests, or as a staging area for rallies or protests.
- F. Agency staff meetings.
- G. Adjudicatory hearings of state or local boards, commissions or agencies, or other meetings of an on-going or regular basis by state or local boards, commissions or agencies, without special permission from the Presiding Officers.
- H. Press conferences and other media events, except as provided as an exception in the Legislative Council's *Rules of Procedure.*
- I. Signs or banners on wooden or rigid supports, compressed gases, and animals except for service animals.

III. Council Chamber Scheduling

- A. Reservations for use of the Council Chamber must be made by contacting ~~the Office of the Executive Director, the office of the Chair of the~~ Legislative Council at 287-1615 or by stopping by Room 103, State House. Requests may be accepted in person, in writing or electronically as long as the requestor is made aware of and agrees to the terms and conditions of room use. The Executive Director's office should be notified of all reservations.
- B. The requester must disclose the event and topic(s) to be discussed when requesting use of the room.
- C. The room may be reserved in one-hour blocks on the hour, up to eight hours. Use must end by the close of business unless the event is a legislative event for which a Legislator or legislative employee will remain present.
- D. Reservations are subject to Legislative Council and other legislative priorities and may be changed or cancelled on short notice by the ~~Executive Director's~~ Chair of the Legislative Council's office. By requesting use of the Legislative Council Chamber, requestors agree to all terms and conditions of use of the room. Requestors will be notified by the Executive Director's office if the request is approved. Approval may be conditional.
- E. Reservations may not be expanded, traded or transferred to others by persons holding the reservations. Requestors may not contact other persons who have reserved the room to attempt to change the reservation

or schedule ~~except as expressly authorized by the Executive Director.~~
Changes to reservations made without the involvement of the ~~Executive Director's~~ Chair of the Legislative Council's office will not be honored.

- F. Chamber use will not be approved if expected attendance at the event would exceed the room capacity, ~~45-5049~~ persons.
- G. The person holding a reservation must notify the ~~Executive Director's~~ Chair of the Legislative Council's office as soon as possible when a reservation is canceled. ~~Not notifying the Executive Director's office of a cancellation constitutes a basis for denying the person use of the room in the future.~~
- H. Legislative Council uses always take precedence. When the chamber is not used by the Legislative Council, special consideration will be given to use of the chamber by legislative caucuses on days when the Legislature is meeting in session.
- I. ~~The Office of the Executive Director will arrange for an advance schedule of Chamber reservations to be provided to the Legislative Council Chair's Leadership office.~~

IV. Operational Considerations

- A. Persons reserving the Legislative Council Chamber are responsible for ensuring that the room is kept in a clean and orderly condition at all times. Papers and other materials must be removed and the chairs and window shades returned to their pre-existing locations before leaving. Materials not removed will be discarded. No personal belongings may be left in the Legislative Council Chamber.
- B. Thermostat settings for the HVAC units must be returned to their pre-existing settings, the lights turned off and the doors locked upon leaving.
- C. Food and non-alcoholic beverages are allowed in the Legislative Council Chambers ~~upon approval of the Executive Director~~ upon approval of the reservation. Spills or damage must be reported immediately. All food and beverages and food service items must be removed upon leaving and tables wiped clean.
- D. No papers or other materials may be taped, tacked or otherwise fastened to the walls, doors or furnishings. Equipment such as a table podium, microphones and sound system, council table and chairs are provided by the Legislature.
- E. No other tables, chairs, podiums, microphones systems or other equipment may be requested or brought into the room. However LCD projectors, laptops, flip charts on easels and other similar presentation equipment provided by the person holding the reservation are permitted. Chairs, law books and other legislative equipment may not be removed from the room.
- F. The sound system may not be modified or tampered with in any manner.
- G. ~~For security and HVAC reasons, the windows may not be unlocked or opened without approval from the Executive Director's office.~~
- H.G. Recording or filming of public events may be regulated by the Executive Director, consistent with the state's Freedom of Access laws.

V. Effective Date

~~This policy takes effect on April 11, 2011 and applies to all Legislative Council Chamber uses on or after that date regardless of the date of room reservation. This policy remains in effect until revised or rescinded.~~

~~This policy is adopted pursuant to 3 MRSA § 162(12) and the Legislative Council's *Rules of Procedure* adopted December 2, 2010.~~

By: _____ Date: _____

Kevin L. Raye, Chair
Legislative Council

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This policy is adopted by the Legislative Council on December 2, 2010.

By: _____
Executive Director of the Legislative Council

Authority: 3 MRSA §162

Adopted: December 2, 2010

Effective Date: April 11, 2011

Revised: _____

SEN. MICHAEL D. THIBODEAU
CHAIR

REP. MARK W. EVES
VICE-CHAIR

EXECUTIVE DIRECTOR
GRANT T. PENNOYER



127TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. GARRETT P. MASON
SEN. ANDRE E. CUSHING
SEN. JUSTIN L. ALFOND
SEN. DAWN HILL
REP. JEFFREY M. MCCABE
REP. SARA GIDEON
REP. KENNETH W. FREDETTE
REP. ELEANOR M. ESPLING

Conditions of Legislative Council Policy on the Use of the Legislative Conference Room

Persons not abiding by the conditions of use will
not be allowed to use the room.

1. The Legislative Conference room is available for use by advance reservation only. Ad hoc or other unreserved use is not permitted. Reservations may be made by contacting the Office of the Executive Director, Legislative Council at 287-1615 or stopping by Room 103. The room may be reserved in 1-hour blocks, on the hour. The room may be reserved for up to a maximum of 2 hours daily when the legislature is in session, unless otherwise approved by the Executive Director's office. Use must end by the close of business. Use must be for legislative purposes, or other related governmental purposes if approved by the Executive Director's office.
2. No food or beverages, except for water, are allowed in the conference room, unless special permission is received by the Executive Director's office. Spills or damage must be reported immediately.
3. For security reasons, the windows may not be opened without prior approval of the Executive Director's office. The Each windows are-is equipped with an alarm.
4. Persons reserving the conference room are responsible for ensuring that the room is kept in a clean and orderly condition. Papers and other materials must be removed and the chairs and shades returned to their pre-existing locations before leaving. Materials not removed will be disposed and any personal belongings remaining after the scheduled time of the event will be removed and not be retained. No personnel belongings may be left in the room.

HVAC units must be returned to their pre-existing settings, and the lights turned off upon leaving.

5. No papers or other materials may be taped, tacked or otherwise or fastened to the walls, doors or furnishings.

Office of the Executive Director

Room 103, State House, Tel: 207-287-1615

115 STATE HOUSE STATION, AUGUSTA, MAINE 04333-0115

TELEPHONE 207-287-1615 FAX 207-287-1621

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6. The door to the lobby or to the Welcome Center may not be held in or left in an open position.
7. The room is for use as a conference room only. Press conferences, other media events or public hearings are not allowed in the conference room.
8. No other tables, chairs, podiums, or microphone systems ~~or other equipment~~ may be requested or brought into the room. ~~However,~~ LCD projectors, laptops, and flip charts on easels, should be provided by the person holding the reservation, or for legislative purposes are arranged for through the Executive Director's office, ~~are permitted.~~

This policy is adopted by the Legislative Council on

By:
Executive Director of the Legislative Council

Authority: 3 MRSA §162

Adopted:

Effective Date:

SEN. MICHAEL D. THIBODEAU
CHAIR

REP. MARK W. EVES
VICE-CHAIR

EXECUTIVE DIRECTOR
GRANT T. PENNOYER



127TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. GARRETT P. MASON
SEN. ANDRE E. CUSHING
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REP. SARA GIDEON
REP. KENNETH W. FREDETTE
REP. ELEANOR M. ESPLING

**Legislative Council Policy on the
Terms and Conditions of Use of the State House Welcome Center**

February 2008

1. The Welcome Center is to be used for educational, noncommercial purposes related to the legislature or other governmental entities and for the benefit of the public.
2. Use of the Welcome Center requires advance request and reservation through the Executive Director's office. Requests may be accepted in person, in writing or electronically as long as the person is made aware of and agrees to the terms and conditions of use. The requestor must disclose the event and topic when requesting use of the room.
3. Reservations are subject to legislative priorities and may be changed or cancelled on short notice by the Executive Director's office. By requesting use of the Welcome Center, requesters agree to all terms and conditions of use of the room. Requestors will be notified by the Executive Director's office if the request is approved. Approval may be conditional.
4. Reservations may not be traded or transferred to others by persons holding the reservations. Requestors may not contact other persons who have reserved the room to attempt to change the reservation except as authorized by the Executive Director. Changes to reservations made without the involvement of the Executive Director's office will not be accepted.
5. Use is limited to a daily maximum of 2 hours except by approval by the Executive Director and must be reserved in increments of no less than 30 minutes. When accepting reservations, set-up and take-down time must be considered. No one entity may dominate use of the Welcome Center.

6. The Welcome Center is closed when the State House is closed to the public except upon special arrangement with the Executive Director and only under ~~in~~ compelling circumstances when it is in the public interest and facility security is provided.
7. The Welcome Center may not be used as conference room.
8. No food or beverages, except for water, may be consumed in the Welcome Center. No personal belongings may be left in the Welcome Center.
9. Allowable uses include:
 - a. Legislative Committee hearing and work session ~~overflow~~ additional seating (this takes precedence over other activities)
 - ~~b. Legislative hearings~~
 - ~~e.b.~~ Press conferences and announcements, and press interviews
 - ~~d.c.~~ Educational tours/presentations on the State House and the Legislature
 - ~~e.d.~~ School visits to the State House
 - ~~f.e.~~ Legislative process education
 - ~~g.f.~~ Authorized, special legislative events such as Franco-American Day, Welcome Back Day
 - ~~h.g.~~ Legislators speaking to groups
 - ~~i.h.~~ Unscheduled general visitor seating
10. Events will not be approved if expected attendance would exceed the room capacity, of 35-40/49 persons.
11. Recording or filming of public events may be regulated by the Executive Director, consistent with the Freedom of Access laws.
12. Equipment such a podium, microphones, speakers and table and chairs are provided by the Legislature. Equipment may not be brought into the Welcome Center except by permission of the Executive Director's office. Equipment may not be removed from Welcome Center.
13. Tables and chairs may not be placed outside of the Welcome Center, without special permission of the Executive Director's office. Signs may be hung only upon approval of the Executive Director's office. No signs or other item may be affixed on the walls, charts or television.
14. There is a limit of ~~one~~ two tables in the Welcome Center, which must be arranged by facility staff. Exceptions must be preapproved by the Executive Director's office.
15. The following are prohibited:
 1. compressed gases and helium-filled balloons
 2. propane, gasoline, accelerants or other flammable materials
 3. toxic, noxious and infectious materials

4. signs or banners on wooden or rigid supports that have the potential to inflict injury
 5. soliciting, marketing or selling of goods or services
 6. animals, except for service animals
16. Windows may not be unlocked or opened except when authorized by the Executive Director's office. Each window is equipped with an alarm.
17. Persons using the Welcome Center must return the room to its pre-existing condition following use, e.g., rearranging chairs, restoring HVAC settings, and removing papers.

This policy is adopted by the Legislative Council on

By:
Executive Director of the Legislative Council

Authority: 3 MRSA §162

Adopted:

Effective Date:

For Consideration by the Members of the 2016 Legislative Council's Facilities Sub-Committee:

Senator Garrett Paul Mason;
Senator Andre E. Cushing, III;
Senator Justin L. Alford;
Representative Jeff M. McCabe;
Representative Sara Gideon;

Presenting:

Will Lund, Vice President of the Friends of the Blaine House Board;

Suzanne Grover, member of the Friends of the Blaine House Board and chairperson of the Grounds Improvement Committee;

Earle Shettleworth, former director of the Maine Historic Preservation Commission, member of the Friends of the Blaine House Board, and newly appointed member of the Blaine House Commission;

Kirk Mohny, director of the Maine Historic Preservation Commission and in that position serves on the Friends of the Blaine House Board and Blaine House Commission;

Lynn Harvey, Director of the Blaine House and in that position serves on the Friends of the Blaine House Board;

Jan Patterson, Director of Property Management, Bureau of General Services for the State of Maine.

The Friends of the Blaine House Board (FOBH), originally established in 1987 by Governor John R. McKernan as the "Blaine House Restoration Committee," is a self-sustaining 501(c)(3) non-profit organization whose mission is to ensure that work performed at the Blaine House preserves the aesthetic and historical integrity of the mansion, the artifacts, and the adjacent grounds in accordance with the National Historic Preservation Act. The FOBH operates under the jurisdiction of the Blaine House Commission, established in 1993, under Title 5 §322 - §326, which was given the statutory duty to approve all architectural, aesthetic and decorative alterations to the Blaine House and adjacent grounds.

In recent years the Blaine House grounds have deteriorated due to a lower level of available manpower and funding. At the June 12, 2015 FOBH meeting, Lynn Harvey asked the members present to walk the grounds of the Blaine House. Invasive species, winter kill, miscellaneous unkempt small trees and other damage was observed that has not been resolved by either contracted or in-house staff. The tour prompted the FOBH to form a "Grounds Committee" to determine how best to restore the Blaine House grounds to their previous glory. The Grounds Committee (GC) first met on July 1, 2015 and determined that in order to maintain historic integrity, the Blaine House grounds should be restored to the original 1920's Olmsted Brothers

landscaping plan. To accomplish this goal, the GC contacted a local landscape architecture firm, Richardson & Associates, and met with Todd Richardson and Josh Tompkins from this firm on July 13, 2015.

After lengthy discussions regarding how to approach the design and eventual rehabilitation of the landscaping, the FOBH entered into a contract with Richardson & Associates on August 10, 2015 in the amount of \$14,450 for Phase I of a three-phase plan for restoring the Blaine House grounds. Phase I included research, site visits and meetings and ultimately provided a Master Plan to use as a basis for the follow-on work. The Master Plan considers current and future use of the property, functionality, appropriate plants and security concerns. Phase II (estimated at \$14,810) will be design of that plan, and Phase III (estimated at \$150,000) will be the actual construction of the landscaping. A survey of the property was needed in order to move on to Phase II. The FOBH agreed to pay for the survey for an amount up to \$5,000. The survey was completed in January of 2016.

Maine Revised Statutes Title 5 §321 outlines the importance to the State of Maine of both the State House and the Blaine House, and declares it the policy of the State to preserve and develop the aesthetic and historical integrity of both.

In 1989, Title 5 §1516 established the Blaine House Renovations and Repairs Fund for capital improvements, renovations and repairs to the Blaine House. Unfortunately, this appropriation stopped being funded in 1996.

In 2001, Title 3 §162, sub-section 12-A established the Reserve Fund for State House Preservation and Maintenance, and authorized the State Controller to transfer monies from this fund to the Blaine House Renovations and Repairs Fund as recommended by the Legislative Council.

The Friends of the Blaine House Board is not currently, nor is it in the foreseeable future, capable of raising private funds sufficient to restore the Blaine House grounds.

Therefore, the Friends of the Blaine House respectfully submit this proposal for consideration by the Legislative Council:

- In Fiscal Year 2016, \$15,000 be transferred from the State House Preservation and Maintenance Fund to the Blaine House Renovations and Repairs Fund to pay for Phase II of the Blaine House grounds renovation project;
- In July of Fiscal Year 2017, \$151,000 be transferred from the State House Preservation and Maintenance Fund to the Blaine House Renovations and Repairs Fund, to pay for Phase III which would complete the long-overdue Blaine House grounds renovation project.

We are happy to answer any questions you may have and welcome a discussion of our request

The Blaine House

Augusta, Maine

Landscape Architectural Services Proposal

December 10, 2015

Richardson & Associates, Landscape Architects

TOTAL

V. Design Development \$3,970.00

- Develop Overlay Site Documentation with Additional Detail
 - Materials and structures (drives, paths, ramp, fencing, pedestrian gate, signs etc)
 - Planting palette and preliminary schedule
- Develop Detail Studies for Speciality Elements:
- Develop Refined Cost Estimate / Cost Preliminarily with Potential Contractors
- Client/Team Presentations and Discussions, as appropriate
 - 1x meeting - on site or go-to meeting

VI. Technical Development \$4,730.00

- Develop Technical Detailing
- Develop Site Technical Approaches (grading and drainage, technical materials palette (soils, paving)
- Collaboration/Coordination with Committee / Team
- Develop Applicable Construction Drawings and Specifications, as appropriate
 - Site Preparation and Demolition Plan
 - Layout and Materials Plan
 - Grading and Drainage Plan
 - Lighting Plan
 - Planting Plan
 - Planting Details
 - Site Details
- Reviews by Client/ Team
 - 1xs meeting - on site or go-to meeting
- Does not include any value engineering or permitting if required

VII. Bidding Administration \$1,140.00

- Coordinate Contractor Selection and Dissemination of Technical Drawings
- Respond to RFI's
- Pricing/Budget Review and Coordination
- Prepare Pricing Information for Client/ Team Review and Approval

VIII. Construction Administration \$4,970.00

- Pre-Construction Meeting (s)
- Site Visits for Progress Observation During Construction (per project pace/detail need)
- Mockup Coordination and Review (as applicable and necessary)
- Review and Coordinate Necessary Change Orders
- Develop Field Reports for Owner/Design Team
- Ongoing Contractor Coordination and Communication
- Client/ Team Coordination and Communication
- Plant Guarantee Follow Up(s)
 - 4xs meeting - on site
 - Layout
 - Hardscape
 - Planting 1
 - Planting 2

SUBTOTAL \$14,810.00

Estimated Direct Expenses at Cost + 10%

- Travel Expenses:
 - Mileage (at IRS reimbursement rate)
 - Meals and Accomodation
- Other Direct Expenses may include (but are not limited to):
 - Telephone/Fax/Data
 - Reprographics/Scans/Copying/Plots/Prints
 - Postage/Shipping
 - Photography/Processing
 - Mounting