

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

**February 22, 2024
1:30 P.M.
REVISED AGENDA**

<u>Page</u>	<u>Item</u>	<u>Action</u>
	CALL TO ORDER	
	ROLL CALL	
1	SUMMARY OF THE JANUARY 9, 2024 MEETING OF LEGISLATIVE COUNCIL	Decision
	REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	
9	<ul style="list-style-type: none">Fiscal Report (Mr. Nolan)Legislative Studies Report (Ms. Fox)	Information Information
	REPORTS FROM COUNCIL COMMITTEES	
	<ul style="list-style-type: none">State House Facilities Committee	
	OLD BUSINESS	
	Item #1 Council Actions Taken by Ballot (No Action Required)	Information
	NEW BUSINESS	
21	Item #1: Consideration of Requests for After-Deadline Bills and Certain Joint Resolutions	Roll Call Vote
25	Item #2: Approval of the State House Emergency Plan Revision	Decision
36	Item #3: Request for waiver of <i>Legislative Council Policy on the Use of Capitol Park</i>	Decision

46	Item #4:	Acceptance of the Eighteenth Annual Report of the Right to Know Advisory Committee (January 2024)	Acceptance
51	Item #5:	Acceptance of the Report of the Task Force to Study the Creation of a Comprehensive Career and Technical Education System (January 2024)	Acceptance
56	Item #6:	Acceptance of the Report of the Commission Regarding Foreign-trained Physicians Living in Maine (January 2024)	Acceptance
62	Item #7:	Acceptance of the Report of the Blue Ribbon Commission to Study Emergency Medical Services in the State (January 2024)	Acceptance
68	Item #8:	Acceptance of the Report of the Commission to Study Expansion of Public Preschool and Early Care and Education (January 2024)	Acceptance
73	Item #9:	Acceptance of the Report of the Blue Ribbon Commission to Design a Plan for Sustained Investment in Preventing Disease and Improving the Health of Maine Communities (January 2024)	Acceptance
79	Item #10:	Acceptance of the Report of the Task Force on Accessibility to Appropriate Communication Methods for Deaf and Hard-of-hearing Patients (January 2024)	Acceptance
84	Item #11:	Acceptance of the Report of the Task Force to Evaluate the Impact of Facility Fees on Patients (January 2024)	Acceptance
91	Item # 12:	Acceptance of the Report of the Gagetown Harmful Chemical Study Commission (January 2024)	Acceptance
95	Item #13:	Acceptance of the Report of the Criminal Records Review Committee	Acceptance
103	Item #14:	Acceptance of Annual Report of the Washington County Development Authority	Acceptance
109	Item #15:	Acceptance of Annual Report of the Midcoast Regional Redevelopment Authority	Acceptance

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

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**LEGISLATIVE COUNCIL
MEETING SUMMARY
January 9, 2024**

CALL TO ORDER

President Jackson called the January 9, 2024 meeting of the 131st Legislative Council to order at 2:30 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 2:30 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

The Legislative Council proceeded to consider and vote on thirty-one (31) after deadline bill requests and two (2) Joint Resolutions. With respect to requests for after deadline bill requests, the Legislative Council accepted for introduction nineteen (19), rejected twelve (12), and tabled two

(2) request. In addition, the Council rejected two (2) requests for Joint Resolutions. 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.

REPORTS FROM COUNCIL OFFICE DIRECTORS

Fiscal Report

Although a written fiscal report had not been included in the Council materials, President Jackson invited the Director of the Office of Fiscal and Program Review to provide an oral briefing to the Council regarding the appropriation limit and the most recent revenue projections. Director Nolan reported to the Legislative Council that: so far, the State is below the appropriation limit for both FY24 and FY25, but it is close to the limit for FY24; the December forecast had added \$139.3 million for FY24 and \$125.3 million for FY25, for a total of \$264.6 million; and this re-projected amount, when added to the previously projected balance of \$28.5 million, results in an estimated balance at the end of FY25 of \$293.1 million. In response to questioning, Director Nolan further explained that while the estimated 2024-2025 General Fund balances are technically available to fund new initiatives, any additional appropriations in those initiatives would be limited by the appropriations limit, particularly in FY24.

REPORTS FROM COUNCIL COMMITTEES

State House Facilities Committee

Representative Terry reported that the State House Facilities Committee met on Friday, January 5th, to consider the following items.

1. Request for the Commissioning of Official Portraits and Overview of Policy

The committee considered a request from the Honorable Kevin Raye, former President of the Maine Senate, that the Legislative Council authorize the commissioning of official portraits of former United States Senators Olympia Snowe and William Cohen. The committee discussed the specifics of the request, as well as processes set out in the Legislative Council Policy on the Maine State House Portrait Collection, such as artist selection, sharing of portrait commission costs, and responsibility for the placement of portraits in the State House. Representatives of the Maine State Museum who were present at the meeting provided information to the committee. Following its discussion, the committee unanimously voted to recommend to the Legislative Council that it approve commissioning and adding to the Maine State House Portrait Collection the official portraits of former United States Senators Olympia Snowe and William Cohen.

2. Emergency Preparedness

The committee discussed emergency preparedness with Matthew Clancy, Chief of Maine Capitol Police. The committee requested that Chief Clancy provide the committee with a plan to enhance communications in emergency situations, including information on the costs that would be associated with implementing a type of public address system; and to work with the Clerk and the

Secretary on a date to provide training on active threat procedures to members of the Legislature and caucus office staff, in the House chamber.

Representative Terry reported that the at the end of its meeting, the committee went into executive session to receive information related to security plans and security procedures, and to discuss details of what an updated security system would look like. In response to a question from Sen. Stewart, Representative Terry confirmed that the plan for security screening in the CSOB would be similar to the security screening that currently exists in the State House. In response to a question from Speaker Talbot Ross, Director Gresser confirmed that the plan to move forward on security screening in the CSOB is not dependent on legislative action on LD 1100, which was carried over to the Second Regular Session from the First Regular Session.

Representative Terry returned to the topic of the Commissioning of Official Portraits, and offered the following motion:

Motion: That, upon the unanimous recommendation of the Personnel Committee, the Legislative Council approve commissioning and adding to the Maine State House Portrait collection, official portraits of former United States Senators Olympia Snowe and William Cohen, and further that the Executive Director initiate the process of commissioning the portraits.

Motion by Representative Terry. Second by Senator Stewart. **Motion passed unanimously (8-0-0-2, with Senator Daughtry and Senator Keim absent).**

OLD BUSINESS

Item #1: Council Actions Taken by Ballot

None

SUMMARY OF DECEMBER 21, 2023 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary for December 21, 2023 be accepted and placed on file. Motion by Senator Stewart. Second by Senator Vitelli. **Motion passed unanimously (8-0-0-1, with Senator Daughtry and Senator Keim absent).**

ANNOUNCEMENTS AND REMARKS

With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 5:28 p.m.

**131st Second Regular Session
Maine State Legislature
Legislative Council Actions Taken
on Requests to Introduce
Legislation and Joint Resolutions
at Legislative Council Meeting Held on January 9, 2024**

AFTER DEADLINE BILL REQUESTS

SPONSOR: Rep. Poppy Arford

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3018	An Act to Require Health Insurance Coverage for Federally Approved Nonprescription Contraceptives	PASSED

SPONSOR: Sen. Richard A. Bennett

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3000	An Act to Provide Assistance to Maine Households for the Costs of Home Heating	FAILED

SPONSOR: Sen. Eric Brakey

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2979	An Act to Create a Lewiston Strong License Plate	FAILED

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

SPONSOR: Rep. Nathan Michael Carlow

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2976	An Act to Address Violations of Confidentiality by School Board Members	WITHDRAWN

SPONSOR: Rep. Kristen Sarah Cloutier

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2991	An Act to Ensure That Donations Received by Victims of the Mass Shooting in Lewiston Are Not Taxable	PASSED

SPONSOR: Rep. Scott Wynn Cyrway

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3013	An Act to Require a Feasibility Study to Consider Alternative Transmission Technology for the Aroostook Renewable Gateway	PASSED

SPONSOR: Sen. Matthea Elisabeth Larsen Daughtry

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2992	An Act to Protect Small Businesses from Fraudulent or Predatory Financial Settlements by Allowing Those Businesses Opportunities to Remove Barriers Associated with the Federal Americans with Disabilities Act of 1990	PASSED
2999	Resolve, to Rename the I-295 Overpass in the Town of Freeport the Matthew MacMillan Memorial Bridge	PASSED

SPONSOR: Rep. Jack Ducharme

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2968	An Act to Ensure Collection of Damages by Increasing the Required Amount of Personal Liability Coverage	PASSED

SPONSOR: Sen. Brad Farrin

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2977	Resolve, to Correct the Designation of a Bridge in Canaan to Be Named After Staff Sergeant Richard Gerald Salisbury	PASSED

SPONSOR: Sen. Matthew A. Harrington

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3007	An Act to Improve Access to Affordable Wireless Communications	PASSED

SPONSOR: Sen. Craig V. Hickman

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3012	An Act to Provide Relief to Retail Businesses Affected by the December 2023 Storm	PASSED

SPONSOR: Sen. Henry Ingwersen

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3011	An Act to Implement Protections Against Deed Fraud	PASSED

SPONSOR: Sen. Lisa Keim

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3010	An Act to Exempt from the State Income Tax Wages Earned by Hourly Law Enforcement Officers	FAILED

SPONSOR: Rep. Laurel Libby

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2975	An Act to Increase Availability of Mental Health Care Facilities in Maine by Eliminating Certificate of Need Requirements for Mental Health Care Facilities	FAILED

SPONSOR: Sen. James D. Libby

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2980	An Act Regarding the Use of Portable Toilets	PASSED

SPONSOR: Rep. Reagan L. Paul

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2986	An Act to Require the Determination of Whether a Discriminatory Act Was Motivated by Antisemitic Intent	FAILED

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	NO ACTION TAKEN

SPONSOR: Rep. Katrina Smith

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2987	An Act to Prohibit the Acquisition of Title to Real Property by Certain Aliens or Foreign Entities	FAILED

SPONSOR: Rep. Mike A. Soboleski

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3019	An Act Regarding Major Substantive Rules and Routine Technical Rules	FAILED

3020	An Act Regarding Automobile Emissions Rules	FAILED
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SPONSOR: Sen. Trey Stewart

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2969	An Act to Create the Savings Account Program for Small Businesses	FAILED
2981	An Act to Increase Reimbursement Rates for Outpatient Psychiatry	PASSED
2982	An Act to Attract and Retain Behavioral Health Clinicians	PASSED
2994	An Act to Clarify When a Wounded Game Animal May Be Dispatched by an Authorized Guide	PASSED
3002	Resolve, to Allow Ireland Farms to Sue the State	PASSED
3022	An Act to Support Veterans' Organizations and Other Nonprofits Across the State	PASSED
3023	An Act to Ensure Equitable Treatment in High School Sports	FAILED
3024	An Act Relating to State Closures	TABLED
3025	An Act Regarding Mental Health Crisis Response Regulations and Reimbursement	PASSED

SPONSOR: Spkr. Rachel Talbot Ross

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2998	An Act to Require Background Checks Prior to Certain Sales, Transfers or Exchanges of Firearms	WITHDRAWN
3005	An Act to Strengthen the Health, Well-being and Academic Success of Children and Their Families Through Community Support	PASSED
3006	Resolve, to Require the Chief Justice of the Supreme Judicial Court to Arrange the Constitution of Maine to Incorporate Amendments Approved in the November 2023 Referendum	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

JOINT RESOLUTIONS

SPONSOR: Rep. Sally Jeane Cluchey

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3004	JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO PUBLISH AND AFFIRM THE EQUAL RIGHTS AMENDMENT	FAILED

SPONSOR: Rep. Reagan L. Paul

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2984	JOINT RESOLUTION RECOGNIZING ISRAEL'S RIGHT TO USE DECISIVE FORCE IN DEFENDING ITS CITIZENS AND ELIMINATING TERRORIST THREATS, REAFFIRMING MAINE'S STRONG SUPPORT FOR ISRAEL AND URGING THE UNITED STATES TO PROVIDE ASSISTANCE TO ISRAEL	FAILED

Fiscal Briefing

February 22, 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
January	\$529.8	\$552.5	\$22.8	4.3%	\$507.0	9.0%
FYTD	\$3,095.6	\$3,143.6	\$48.0	1.6%	\$3,119.6	0.8%

General Fund revenue was over budget by \$22.8 million (4.3%) for the month of January and by \$48.0 million (1.6%) for the fiscal year to date. General Fund revenue for FY24 through January was 0.8% greater than FY23 General Fund revenue through January 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 January would be 4.2% greater than FY23 revenue through January of 2023.

Individual income tax revenue was under budget by \$10.4 million (3.4%) for the month but over budget by \$8.5 million (0.6%) for the fiscal year to date. Individual income tax withholding payments were below budget for the month and for the fiscal year to date, individual income tax final payments exceeded budget for the month and for the fiscal year to date and individual income tax refunds were above budget (negative general fund impact) for the month but remained below budget for the fiscal year to date. Corporate income tax revenue was \$17.7 million above budget for January and \$32.3 million (15.5%) above budget for the fiscal year to date. Sales and use tax revenue for January (December sales) was slightly above budget for the month and \$2.7 million (0.2%) 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
January	\$30.6	\$38.4	\$7.8	25.6%	\$27.4	40.5%
FYTD	\$333.6	\$348.8	\$15.2	4.5%	\$208.8	67.1%

Highway Fund revenue was over budget by \$7.8 million (25.6%) for the month of January and above budget by \$15.2 million (4.5%) for the fiscal year to date. Highway Fund revenue for FY24 through January was 67.1% greater than FY23 revenue through January 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 \$36.7 million to date. Without these transfers, Highway Fund revenue through January would be 1.9% less than FY23 revenue through January of 2023.

Fuel tax revenue was \$0.3 million (1.7%) above budget for the month and over budget by \$1.1 million (0.8%) for the fiscal year to date. Motor vehicle registrations and fees were over budget by \$3.2 million (7.8%) for the month and over budget by \$5.7 million (10.9%) for the fiscal year to date. Highway Fund revenue for the fiscal year through January also included a positive variance of \$8.7 million in the new liquor operations fund transfers.

3. Cash Balances Update

The average balance in the cash pool for January was \$4,089.0 million, an increase of \$101.1 million from December's average balance. Other Special Revenue Funds – Retaining Interest was the only fund category that showed a decrease in cash balances in January. The Highway Fund balance for January was \$60.7 million, an increase of \$1.7 million from December's balance of \$59.0 million.

4. Revenue Forecast - Meeting

The Revenue Forecasting Committee (RFC) is scheduled to meet on February 28th to review and update the revenue forecast for its required March 1st report.

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

Updated 2/12/24

January 2024 Revenue Variance Report

Revenue Category	Fiscal Year-To-Date								FY 2024 Budgeted Totals
	January '24 Budget	January '24 Actual	January '24 Variance	Budget	Actual	Variance	Variance %	% Change from Prior Year	
Sales and Use Tax ¹	195,895,686	196,040,115	144,429	1,423,884,393	1,426,618,835	2,734,442	0.2%	3.6%	2,247,423,850
Service Provider Tax	4,166,707	3,909,677	(257,030)	29,860,757	29,809,066	(51,691)	-0.2%	-2.0%	49,110,044
Individual Income Tax	308,760,584	298,391,845	(10,368,739)	1,503,536,284	1,512,058,270	8,521,986	0.6%	2.1%	2,436,073,715
Corporate Income Tax	15,500,000	33,234,795	17,734,795	208,359,430	240,611,886	32,252,456	15.5%	16.7%	375,623,000
Cigarette and Tobacco Tax ²	11,149,051	12,220,535	1,071,484	92,565,605	90,939,655	(1,625,950)	-1.8%	0.4%	153,348,622
Insurance Companies Tax	38,693	746,664	707,971	17,528,328	17,490,029	(38,299)	-0.2%	1.6%	118,460,000
Estate Tax	2,750,000	2,267,200	(482,800)	9,044,171	7,380,981	(1,663,190)	-18.4%	-67.0%	23,600,000
Other Taxes and Fees *	10,088,026	12,323,065	2,235,039	83,295,875	85,986,733	2,690,858	3.2%	8.2%	142,524,301
Fines, Forfeits and Penalties	1,121,537	821,453	(300,084)	8,822,105	5,128,214	(3,693,891)	-41.9%	-2.4%	14,954,289
Income from Investments	4,395,107	5,429,760	1,034,653	30,652,089	29,865,888	(786,201)	-2.6%	129.9%	49,891,282
Transfer from Lottery Commission	5,132,075	13,908,262	8,776,187	39,773,585	53,752,239	13,978,654	35.1%	18.8%	68,000,000
Transfers to Tax Relief Programs *	(10,357,254)	(3,822,788)	6,534,466	(75,334,915)	(74,277,765)	1,057,150	1.4%	0.6%	(81,730,000)
Transfers for Municipal Revenue Sharing	(21,958,862)	(23,187,193)	(1,228,331)	(158,557,165)	(159,785,497)	(1,228,332)	-0.8%	-1.6%	(261,429,468)
Other Revenue *	3,077,479	231,920	(2,845,559)	(117,843,934)	(121,997,614)	(4,153,680)	-3.5%	-727.2%	(86,326,237)
Totals	529,758,829	552,515,308	22,756,479	3,095,586,608	3,143,580,920	47,994,312	1.6%	0.8%	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 \$2.1 million for January and \$13.6 million for the fiscal year to date.

2 / Includes revenue from adult-use cannabis excise taxes of \$1.2 million for January and \$9.1 million for the fiscal year to date.

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

Updated 2/12/24

January 2024 Revenue Variance Report

Revenue Category	Fiscal Year-To-Date								FY 2024 Budgeted Totals
	January '24 Budget	January '24 Actual	January '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	1,687,245	1,855,431	168,186	12,019,146	11,935,707	(83,439)	-0.7%	-14.6%	20,830,062
- Liquor Taxes and Fees	1,355,537	1,621,985	266,448	13,411,962	11,893,931	(1,518,031)	-11.3%	1.0%	22,093,824
- Corporation Fees and Licenses	433,943	575,529	141,586	3,929,210	4,555,045	625,835	15.9%	1.7%	11,913,649
- Telecommunication Excise Tax	2,500	32,116	29,616	87,484	117,100	29,616	33.9%	111.2%	100,000
- Finance Industry Fees	2,706,175	2,779,295	73,120	15,636,113	14,631,755	(1,004,358)	-6.4%	-4.2%	26,516,990
- Milk Handling Fee	(29,178)	79,311	108,489	717,853	881,466	163,613	22.8%	79.8%	833,650
- Racino Revenue	928,101	1,016,367	88,266	6,733,241	6,752,146	18,905	0.3%	5.3%	11,373,799
- Boat, ATV and Snowmobile Fees	410,227	379,726	(30,501)	2,082,649	1,751,208	(331,441)	-15.9%	3.9%	4,559,561
- Hunting and Fishing License Fees	1,511,700	2,439,269	927,569	10,394,790	13,803,407	3,408,617	32.8%	38.6%	15,996,984
- Other Miscellaneous Taxes and Fees	1,081,776	1,544,038	462,262	5,694,058	6,299,293	605,235	10.6%	57.5%	12,374,731
Subtotal - Other Taxes and Fees	10,088,026	12,323,065	2,235,039	83,295,875	85,986,733	2,690,858	3.2%	8.2%	142,524,301
Detail of Other Revenue:									
- Liquor Sales and Operations	985	5,474	4,489	7,010,339	7,040,487	30,148	0.4%	23102.2%	7,028,500
- Targeted Case Management (DHHS)	4,297	0	(4,297)	44,135	25,387	(18,748)	-42.5%	-30.3%	65,123
- State Cost Allocation Program	1,959,661	2,170,881	211,220	12,544,709	12,711,690	166,981	1.3%	10.5%	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	(415,009)	(415,009)	(897,847)	(5,498,758)	(4,600,911)	-512.4%	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	(340,336)	(338,593)	1,743	(2,727,348)	(2,725,604)	1,744	0.1%	-125.7%	(4,596,984)
- Other Miscellaneous Revenue	1,452,872	(1,190,833)	(2,643,705)	13,071,174	12,593,280	(477,894)	-3.7%	18.8%	22,982,674
Subtotal - Other Revenue	3,077,479	231,920	(2,845,559)	(117,843,934)	(121,997,614)	(4,153,680)	-3.5%	-727.2%	(86,326,237)
Detail of Transfers to Tax Relief Programs:									
- Me. Resident Prop. Tax Program (Circuitbreak	0	0	0	0	424	424	N/A	-14.7%	0
- BETR - Business Equipment Tax Reimb.	(5,444,933)	(3,545,000)	1,899,933	(10,634,915)	(11,953,817)	(1,318,902)	-12.4%	-0.2%	(17,000,000)
- BETE - Municipal Bus. Equip. Tax Reimb.	(4,912,321)	(277,789)	4,634,532	(64,700,000)	(62,324,372)	2,375,628	3.7%	0.8%	(64,730,000)
Subtotal - Tax Relief Transfers	(10,357,254)	(3,822,788)	6,534,466	(75,334,915)	(74,277,765)	1,057,150	1.4%	0.6%	(81,730,000)
Inland Fisheries and Wildlife Revenue - Total	2,015,450	2,951,282	935,832	13,006,384	16,094,828	3,088,444	23.7%	31.7%	21,503,431

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

Updated 2/12/24

January 2024 Revenue Variance Report

Revenue Category	January '24 Budget	January '24 Actual	January '24 Variance	Fiscal Year-To-Date				FY 2024 Budgeted Totals	
				Budget	Actual	Variance	% Change from Prior Year		
Fuel Taxes:									
- Gasoline Tax	15,832,797	15,792,721	(40,076)	120,045,684	121,131,835	1,086,151	0.9%	0.9%	193,503,075
- Special Fuel and Road Use Taxes	4,013,766	4,403,326	389,560	28,733,339	28,878,294	144,955	0.5%	-4.6%	49,212,136
- Transcap Transfers - Fuel Taxes	(1,996,632)	(2,029,615)	(32,983)	(14,974,156)	(15,035,551)	(61,395)	-0.4%	-36.0%	(24,382,318)
- Other Fund Gasoline Tax Distributions	(369,784)	(394,929)	(25,145)	(3,123,285)	(3,201,828)	(78,543)	-2.5%	-6.4%	(4,838,932)
Subtotal - Fuel Taxes	17,480,147	17,771,503	291,356	130,681,582	131,772,750	1,091,168	0.8%	-3.3%	213,493,961
Motor Vehicle Registration and Fees:									
- Motor Vehicle Registration Fees	4,249,853	5,929,601	1,679,748	37,490,727	40,644,934	3,154,207	8.4%	1.7%	69,019,954
- License Plate Fees	23,871	511,555	487,684	2,000,271	2,688,753	688,482	34.4%	19.4%	3,662,986
- Long-term Trailer Registration Fees	1,161,294	1,868,271	706,977	7,342,447	8,548,682	1,206,235	16.4%	-9.3%	14,134,523
- Title Fees	989,652	1,194,002	204,350	8,320,123	8,573,014	252,891	3.0%	-4.0%	14,279,501
- Motor Vehicle Operator License Fees	739,916	882,494	142,578	6,072,873	6,393,583	320,710	5.3%	-10.9%	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	7,164,586	10,385,923	3,221,337	52,752,362	58,476,676	5,724,314	10.9%	-1.0%	94,737,008
Motor Vehicle Inspection Fees	265,215	410,782	145,567	1,656,505	1,155,255	(501,250)	-30.3%	-2.1%	2,982,600
Other Highway Fund Taxes and Fees	96,388	94,235	(2,154)	804,151	618,324	(185,827)	-23.1%	-32.8%	1,429,470
Fines, Forfeits and Penalties	35,549	61,216	25,667	371,307	548,181	176,874	47.6%	-19.4%	606,512
Interest Earnings	63,893	198,477	134,584	944,120	1,071,487	127,367	13.5%	346.3%	2,255,916
Highway Fund Sales Tax Transfer	0	0	0	107,534,228	107,534,228	0	0.0%	44692.0%	107,534,228
Liquor Operations Fund Transfer	5,000,000	8,037,671	3,037,671	28,000,000	36,658,244	8,658,244	30.9%	15169.5%	53,000,000
Other Highway Fund Revenue	505,536	1,489,499	983,963	10,868,468	10,949,728	81,260	0.7%	4.9%	13,755,823
Totals	30,611,314	38,449,306	7,837,992	333,612,723	348,784,874	15,172,151	4.5%	67.1%	489,795,518

131ST MAINE LEGISLATURE
LEGISLATIVE COUNCIL AUTHORIZED STUDIES AND INTERIM COMMITTEE MEETINGS – 2023
February 22, 2024 Legislative Council Meeting

Study Commission/Committee Study	Assigned Staff	Number of authorized meetings held to date	Report Date	Chairs	Status or comment
Interim Studies, Nonpartisan Staff-Assigned					
LD 915 Blue Ribbon Commission to Study the Organization of and Service Delivery by the Department of Health and Human Services Resolve 2023, c. 98	Anna Broome Luke Lazure Kristin Brawn Tanya Condon	Four meetings authorized <i>Multi-year study</i> 1. Tuesday, October 24, 2023 Tuesday, November 14, 2023	11/6/2024	Sen. Duson Rep. Craven	Final report completed
LD 937 Commission Regarding Foreign-trained Physicians Living in Maine Resolve 2023, c. 93	Eli Murphy Karen Nadeau Kristin Brawn Darlene ShoresLynch Eve Poplawski	Four meetings authorized 1. Wednesday, October 18, 2023 2. Wednesday, November 1, 2023 3. Tuesday, November 14, 2023 4. Tuesday, December 5, 2023	1/15/2024	Sen. Bailey Rep. Mathieson	Final report completed
LD 976 Task Force on Accessibility to Appropriate Communication Methods for Deaf and Hard-of-hearing Patients Resolve 2023, c. 97	Elena Roig Steve Langlin Kristin Brawn Eve Poplawski	Four meetings authorized 1. Tuesday, December 4, 2023 2. Tuesday, December 11, 2023	12/6/2023	Sen. Ingwersen Rep Madigan	Final report completed
LD 1264 Commission to Update Maine’s Public Policy on Higher Education Resolve 2023, c. 102	Karen Nadeau Anne Davison Sophia Paddon Darlene ShoresLynch Arlene Harrison	Four meetings authorized	12/6/2023	Sen. Pierce Rep. Millett	See memo to Legislative Council dated November 14, 2023
LD 1283 Task Force to Study the Creation of a Comprehensive Career and Technical Education System Resolve 2023, c. 92 010-30A-2660-03	Steve Langlin Hillary Risler Darlene ShoresLynch Arlene Harrison	Four meetings authorized 1. Wednesday, October 18, 2. Wednesday, November 8, 2023 3. Thursday, November 30, 2023 4. Thursday, December 14, 2023	1/15/2024	Sen. Rafferty Rep. Murphy	Final report completed

131ST MAINE LEGISLATURE
LEGISLATIVE COUNCIL AUTHORIZED STUDIES AND INTERIM COMMITTEE MEETINGS – 2023
February 22, 2024 Legislative Council Meeting

<p>LD 1597 Gagetown Harmful Chemical Study Commission Resolve 2023, c. 95</p>	<p>Rachel Olson Eli Murphy Kristin Brawn Tanya Condon</p>	<p>Four meetings authorized</p> <ol style="list-style-type: none"> 1. Wednesday, November 15, 2023 2. Thursday, November 30, 2023 3. Wednesday, December 6, 2023 4. Thursday, December 14, 2023 	<p><i>12/15/2023</i> <i>(extension approved)</i></p>	<p>President Jackson Rep. Russell</p>	<p>Final report completed</p>
<p>LD 1622 Criminal Records Review Committee Resolve 2023, c. 103</p>	<p>Joseph Greene Anna Broome Darlene ShoresLynch Tanya Condon</p>	<p>Four meetings authorized <i>Multi-year study</i></p> <ol style="list-style-type: none"> 1. Monday, November 13, 2023 2. Wednesday, November 29, 2023 3. Monday, December 11, 2023 	<p><i>Interim 12/15/2023</i> <i>(extension approved)</i> Final 11/6/2024</p>	<p>Sen. Bailey Speaker Talbot Ross</p>	<p>Interim report completed</p>
<p>LD 1701 Blue Ribbon Commission to Study Emergency Medical Services in the State Resolve 2023, c. 99</p>	<p>Dan Tartakoff Joseph Greene Sophia Paddon Darlene ShoresLynch Eve Poplawski</p>	<p>Six meetings authorized</p> <ol style="list-style-type: none"> 1. Monday, October 23, 2023 2. Monday, November 6, 2023 3. Monday, November 13, 2023 4. Monday, November 27, 2023 5. Monday, December 11, 2023 	<p><i>12/15/2023</i> <i>(extension approved)</i></p>	<p>Sen. Curry Speaker Talbot Ross</p>	<p>Final report completed</p>
<p>LD 1722 Blue Ribbon Commission to Design a Plan for Sustained Investment in Preventing Disease and Improving the Health of Maine Communities Resolve 2023, c. 100</p>	<p>Sam Senft Anne Davison Kristin Brawn Eve Poplawski</p>	<p>Four meetings authorized</p> <ol style="list-style-type: none"> 1. Tuesday, October 24, 2023 2. Monday, November 20, 2023 3. Wednesday, December 6, 2023 4. Monday, December 11, 2023 	<p><i>12/15/2023</i> <i>(extension approved)</i></p>	<p>Sen. Rotundo Rep. Graham</p>	<p>Final report completed <i>Outside funding received and accepted</i></p>
<p>LD 1795 Task Force to Evaluate the Impact of Facility Fees on Patients P.L. 2023, c. 410</p>	<p>Colleen McCarthyReid Darlene ShoresLynch Arlene Harrison</p>	<p>Four meetings authorized</p> <ol style="list-style-type: none"> 1. Friday, December 1, 2023 2. Thursday, December 7, 2023 3. Wednesday, December 13, 2023 	<p><i>12/15/2023</i> <i>(extension approved)</i></p>	<p>Sen. Bailey Rep. Arford</p>	<p>Final report completed</p>

131ST MAINE LEGISLATURE
LEGISLATIVE COUNCIL AUTHORIZED STUDIES AND INTERIM COMMITTEE MEETINGS – 2023
February 22, 2024 Legislative Council Meeting

LD 1799 Commission to Study Expansion of Public Preschool and Early Care Education P.L. 2023, c. 477	Hillary Risler Elena Roig Darlene ShoresLynch Arlene Harrison	Four meetings authorized 1. Wednesday, November 1, 2023 2. Thursday, November 9, 2023 Tuesday, November 28, 2023 3. Wednesday, December 13, 2023 4.	<i>12/15/2023</i> <i>(extension approved)</i>	Sen. Vitelli Rep. Hasenfus	Final report completed
Ongoing statutory studies					
Right to Know (Advisory Committee) T 1 §411	Lindsay Laxon Janet Stocco Colleen McCarthyReid Anne Davison Darlene ShoresLynch Arlene Harrison	1. Monday, September 18, 2023 2. Monday, October 2, 2023 3. Monday, October 23, 2023 4. Monday, November 6, 2023 5. Monday, December 4, 2023 <u>SUBCOMMITTEES</u> 6. Monday, October 23, 2023 (all 3 subcomm) 7. Monday, November 6, 2023 (public rec process subcomm) 8. Thursday, November 9, 2023 (pub rec ex and process subcomms) 9. Monday, November 13, 2023 (law enf subcomm) 10. Tuesday, November 28, 2023(pub rec ex subcomm) 11. Thursday, December 14, 2023 (pub rec ex and process subcomms)	Annually	Rep. Sheehan	Annual report completed
Cannabis Advisory Commission T 28-B c. 1 sub c. 9	Lynne Caswell Dan Tartakoff Kristin Brawn Tanya Condon	No meetings	Annually	Sen. Hickman Rep. Supica	Did not meet
State Education and Employment Outcomes Task Force T 20-A §12901	TBD	No meetings	Annually Nov 1st	Sen. Rafferty Rep. Gere	Did not meet

131ST MAINE LEGISLATURE
LEGISLATIVE COUNCIL AUTHORIZED STUDIES AND INTERIM COMMITTEE MEETINGS – 2023
February 22, 2024 Legislative Council Meeting

Other Legislative Council-approved studies (staffed by department/agency)

LD 1200 Bureau of Motor Vehicles Working Group Study Potential Solutions Regarding the Cost of and Access to Driver Education for Underserved Populations and Low-income Families Resolve 2023, c. 94	Secretary of State	Four meetings authorized	2/1/2024	Sen. Nangle	Status pending
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**131ST MAINE LEGISLATURE/FIRST REGULAR SESSION
AUTHORIZED INTERIM COMMITTEE MEETINGS**

Interim meetings of Joint Standing/Select Committees and subcommittees

Agriculture, Conservation & Forestry	Karen Nadeau		
Appropriations and Financial Affairs	Maureen Dawson	1. Thursday, October 5, 2023@9:30am, SH Rm 228 2. Wednesday, December 13, 2023 @9:25am SH Rm 228	Authorized to meet monthly by statute
Criminal Justice and Public Safety	Joseph Greene Sophia Paddon	Four authorized meetings	
Education and Cultural Affairs	Hillary Risler Elena Roig	1. Tuesday, September 12, 2023 @ 10:00 am, COB Rm 208 2. Tuesday, October 3, 2023 @ 10:00 am, COB Rm 208 3. Tuesday, December 5, 2023 @ 10:00 am, COB Rm 208	4 authorized
Environment and Natural Resources	Daniel Tartakoff	1. Monday, October 2, 2023 @10:00 am, COB Rm. 216 2. Monday, November 13, 2023 @10:00am COB Rm. 216	4 authorized
Energy, Utilities and Technology	Lindsay Laxon	1. Wednesday, October 25, 2023 @ 10:00 am, COB Rm 211 2. Wednesday, November 8, 2023 at 10:00 am, COB Rm 211 3. Wednesday, November 29, 2023 at 10:00 am, COB Rm 211	4 authorized
Health and Human Services	Anna Broome Sam Senft	1. Wednesday, September 20, 2023 @ 10:00 am, COB Rm 209 2. Wednesday, October 4, 2023 @ 10:00 am, COB Rm 209 3. Wednesday, October 25, 2023 @ 10:00 am, COB Rm 209 4. Thursday, December 14, 2023 @ 10:00 am, COB Rm 209	4 authorized
Health Coverage, Insurance and Financial Services	Colleen McCarthyReid		
Housing	Danielle Fox Karen Nadeau Steve Langlin	1. Tuesday, September 19, 2023@9:00am, COB Rm 216 2. Tuesday, October 3, 2023@9:00am, MSHA offices 3. Tuesday, October 17, 2023@10:00am, Univ. Maine and Bangor 4. Tuesday, October 31, 2023@9:00am, COB Rm 216 5. Tuesday, November 14, 2023@9:00am, COB Rm 216 6. Tuesday, November 28, 2023@9:00am, COB Rm 216 7. Tuesday, December 5,2023@9:00am, COB Rm 216	7 authorized (including 2 off-site)
Inland Fisheries and Wildlife	Anne Davison		
Innovation, Development, Economic Advancement and Business	Sophia Paddon	Thursday, September 21, 2023@9:00 am, COB Rm 206	1 authorized

**131ST MAINE LEGISLATURE/FIRST REGULAR SESSION
AUTHORIZED INTERIM COMMITTEE MEETINGS**

Judiciary	Janet Stocco (subcommittee assistance from Anna Broome)	<ol style="list-style-type: none"> 1. Monday, September 25, 2023@Noon, SH Rm 438 2. Tuesday, October 17, 2023 @10:00 am, SH Rm 438 3. Wednesday, November 8, 2023@ 10:00 am, SH Rm 438 4. Wednesday, November 29, 2023 @10:00am, Rm 438 SH 5. Monday, December 11, 2023 @10:00am Rm 438 SH <u>Subcommittee Meetings</u> <ol style="list-style-type: none"> 1. Thursday, October 19, 2023@10:00 am, SH Rm 438 2. Thursday, December 7, 2023@10:00 am, SH Rm 438 	6 authorized Plus 3 subcommittee meetings approved
Labor and Housing	Steven Langlin		
Marine Resources	Elena Roig		
State and Local Government	Lynne Caswell	Thursday, November 16, 2023 @9:30 am, CSOB Rm 214	Three authorized meetings
Taxation	Julie Jones	Thursday, November 9, 2023@10:00, SH Rm 127	
Transportation	Julia MacDonald		
Veteran and Legal Affairs	Rachel Olson Lynne Caswell (subcommittee assistance from Anne Davison)	<ol style="list-style-type: none"> 1. Tuesday, September 19, 2023 @ 10:00 am, SH, Rm 437 (VLA) 2. Thursday, October 12, 2023 @ 9:00 am, SH Rm 437 (VLA) Subcommittee Maine Medical Use of Cannabis Act 3. Tuesday November 14, 2023 @9:30am SH Rm 437 – Subcommittee 4. Tuesday, November 28, 2023 @10:00am SH Rm 437 – Subcommittee 5. Tuesday, January 2, 2024 @10:00am SH Rm 437 - Subcommittee 	6 authorized – including subcommittee

**Legislative Council Actions
Taken by Ballot Since the
January 9, 2024 Council Meeting**

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)

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

As of: 2/22/2024 8:55:13 AM

AFTER DEADLINE BILL REQUESTS

SPONSOR:

<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	

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	

3075	An Act to Require Department of Health and Human Services Rules Relating to the Operation of Youth Camps to be Major Substantive Rules	
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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	

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	

3111	An Act to Prohibit Requiring Compensation for Assisting a Person to Obtain Veterans Benefits	
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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	

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	

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	

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	

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: 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	

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	

3074 An Act to Require Incarceration of a Person Convicted of Operating Under the Influence

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	

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	

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	

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>
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	

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	

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**

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



Emergency Plans for the Maine State House

Maine Legislative Council

Date of Adoption, 2024

Table of Contents

I.	INTRODUCTION	3
II.	PLAN OBJECTIVES.....	3
III.	INCIDENTS REQUIRING COMPLETE BUILDING EVACUATION	4
IV.	INCIDENTS REQUIRING PARTIAL EVACUATION OR LOCKDOWN	4
V.	INCIDENTS REQUIRING ACTIVATION OF ACTIVE THREAT PROTOCOLS.....	4
VI.	EXITS, FIRE ESCAPES, ELEVATORS : LOCATIONS.....	5
VII.	PROCEDURES FOR REPORTING AN EMERGENCY SITUATION	6
VIII.	INCIDENT MANAGEMENT.....	7
IX.	TERMINATION/CONTINUATION OF EVENT.....	9
X.	TRAINING.....	10
XI.	DEVELOPMENT OF OFFICE-SPECIFIC SAFETY PLANS.....	10
XII.	SAFETY DRILLS	10
XIII.	PERIODIC REVIEW OF PLAN.....	111

STATE HOUSE BUILDING EMERGENCY PLANS

I. INTRODUCTION

This plan describes the procedures for full or partial evacuation, lockdown, or active threat response for the Maine State House in the event of an emergency within the State House or in the immediate vicinity of the State House.

For the purposes of this plan, the terms “complete evacuation” or “partial evacuation” applies to emergency situations occurring within the State House and that require the immediate exit of all persons from the State House to designated meeting areas, in accordance with this plan. The term “lock-down” applies to an emergency situation in the immediate outside vicinity of the State House and may include a full or partial lock-down of the State House to protect the safety of the State House occupants from the outside emergency situation. The term “active threat” applies to an emergency situation occurring within the State House that requires all persons in the State House to comply with active threat procedures to protect the safety of the State House occupants. During any evacuation, lock-down, or active threat event, the Executive Director of the Legislative Council, Chief of Capitol Police, Secretary of the Senate, Clerk of the House, or the Senior Group Leaders, or the designees of these individuals, will provide instructions to occupants of the State House in an appropriate manner.

II. PLAN OBJECTIVES

In the event of an emergency inside the State House, it may be necessary to evacuate all occupants of the State House from the building, or to invoke active threat procedures, in a rapid and safe manner.

In the event of an emergency outside of the State House, to protect the occupants of the building from harm, it may be necessary to secure (lock-down) the building.

Goals. This plan is intended to achieve the following goals.

- A. The protection of the life and safety of individuals is the paramount goal.
- B. All exits will be kept fully operational and clear of obstructions in all weather conditions.
- C. Fire escapes will meet all applicable safety codes and will be used as backup routes of egress.
- D. State House personnel will be identified to perform various functions during an emergency and provided with the appropriate training.
- E. State House personnel taking part in the functions described in this plan will take no actions that place their personal safety in jeopardy.

III. INCIDENTS REQUIRING COMPLETE BUILDING EVACUATION

The following are some examples of emergencies that may require the immediate and complete evacuation of the State House, in accordance with this plan:

- Smoke or fire;
- Chemical or gas leak or spill inside the State House;
- Terrorist or bomb threat/detonation;
- Violence or threat of violence with a weapon;
- Civil disturbance; or
- Earthquake

IV. INCIDENTS REQUIRING PARTIAL EVACUATION OR LOCKDOWN

The following are some examples of emergencies that may require partial evacuation of the State House or a full or partial lock-down of the State House to protect the safety of the State House occupants from the outside emergency situation:

- Unauthorized presence or discharge of weapons in the immediate vicinity of the State House;
- Chemical or gas leak or spill in the immediate vicinity of the State House;
- Violence or threat of violence with a weapon;
- Civil disturbance in the immediate vicinity of the State House; or
- Law enforcement activity in the immediate vicinity of the State House in response to terrorism or civil disturbance.

V. INCIDENTS REQUIRING ACTIVATION OF ACTIVE THREAT PROTOCOLS

The following are some examples of emergencies that may require activation of active threat protocols within the State House to protect the safety of the State House occupants from the emergency situation:

- Unauthorized presence or discharge of weapons inside or in the immediate vicinity of the State House; or
- Violence or threat of violence with a weapon inside the State House.

VI. EXITS, FIRE ESCAPES, ELEVATORS, WAITING AREAS: LOCATIONS

On a busy day, there may be well over 1000 people in the State House, including members of the Legislature, the Governor, State employees, groups of school children, members of the public, lobbyists and others. Awareness of all exits from the State House and any congestion issues that may pertain to those exits is important, since many people in the State House on any day, particularly visitors, may be unfamiliar with the layout of the building and specific evacuation plans.

❖ PRIMARY EXITS

There are six primary exits from the State House immediately to ground level.

First Floor. There are four exits on the first floor of the State House:

- (1W) the West Wing (Main) entrance (disability accessible);
- (1NW) the service entrance on the north side of the West Wing (disability accessible) (controlled access; not recommended for use during emergency evacuation procedures);
- (1S) the South Wing Exit (stairs) that faces the legislative parking area (Parking Lot A), and the Cultural Building, and
- (1N) the North Wing Exit (stairs) that faces the Blaine House.

Second Floor. There are two exits on the second floor of the State House:

- (2E) The East side entrance (stairs) facing Capitol Park; and
- (2N) The “Leadership/Governor’s Entrance” (stairs) on the north side of the West Wing.

Third Floor. There are no direct exits to ground elevation from the third floor. Exiting the third floor requires traveling to lower elevations using either the north, south or west wing stairways or, if necessary, the outside fire escapes, as further described in this plan.

Fourth Floor. There are no direct exits to ground elevation from the fourth floor. Exiting the fourth floor requires traveling to lower elevations using either the north or the south stairways or, if necessary, the outside fire escapes, as further described in this plan.

Fifth Floor. Access to the fifth floor is restricted to maintenance and other authorized personnel. It is not open to the public, legislators or most staff. There are no direct exits to ground elevation from the fifth floor. Exiting the fifth floor requires traveling to lower elevations using one of 2 stairways to the fourth floor.

Note the following potential areas of congestion around certain exits:

- The two disability-accessible entrances to the State House, (1W) and (1NW), lead to areas that may be used by emergency responders and their vehicles.
- The “Leadership/Governor’s Entrance” on the second floor (2N) also leads to the Leadership/Governor’s parking lot (Parking Lot G) that is used by emergency responders and emergency vehicles.
- The Leadership/Governor’s parking lot (Parking Lot G), adjacent to the Leadership/Governor’s Entrance (2N), is the only area allowing ready access to the building for heavy equipment. This area must be kept clear for responding personnel and emergency response equipment. Those evacuating the building

must make every effort to keep out of this area and to stay clear of responding emergency vehicles.

❖ FIRE ESCAPES

There are three outside fire escapes available for use when the primary exits are not useable. Fire escapes should be used only when there is no other safe option of exiting the building. Examples of this include smoke conditions, visible flame, fire blocked exits and sprinkler activation.

The fire escapes are located in the North Wing, South Wing, and West Wing. Access to the outside fire escapes is as follows:

- Second Floor: Rooms 204 (Law Library), 226 (OFPR) and Governor's office (restricted access)
- Third Floor: House Chamber, Senate Chamber, Room 300 (Clerk's office mezzanine), Room 332 (House Republican Office)
- Fourth Floor: House Gallery, Room 424 (Senate President's staff office) and Room 436 (CJPS Committee)

❖ ELEVATORS

Elevators do not operate during a fire alarm. Upon activation of the alarm, the elevator cars will immediately travel to the ground floor and remain there with the doors open.

VII. PROCEDURES FOR REPORTING AN EMERGENCY SITUATION

- ❖ Employee. If an employee discovers an emergency situation, that person must notify the Maine Capitol Police at 287-HELP (287-4357) or dial 911 immediately to report the incident. The person must then notify his or her supervisor and, when time permits, the Office of the Executive Director at 287-1615. If the emergency warrants, e.g. in the case of fire, the person should pull the nearest fire alarm box. If none of those options are available, the employee must notify Building Control Center at 287-4154.
- ❖ Supervisor. When a supervisor is notified by any person that an emergency situation exists in the State House, the supervisor must confirm that the Maine Capitol Police or the 911 response center has been notified and, if appropriate, that a fire alarm has been activated. The supervisor must then immediately contact the Executive Director at 287-1615 and brief the director on the situation, site, and actions taken.
- ❖ Executive Director. Once notified of an emergency situation, the Executive Director or the Executive Director's designee must notify the Chief of Capitol Police if Capitol Police has not already been notified. Although, depending on the precise nature of the specific emergency circumstance, it may not always be possible to provide the desired

level of information to all parties at the outset of the situation, if time and circumstances permit, the Executive Director shall also notify the Governor's Office, the Secretary of the Senate, the Clerk of the House, and the chiefs of staff (or designees) of each Senate and House caucus office. The Executive Director may activate the emergency plan or consult first with the Presiding Officers, or their designees, and the Bureau of Capitol Police, depending on the urgency of the situation.

VIII. INCIDENT MANAGEMENT

The Chief of Capitol Police will ordinarily direct emergency activities and responses, including but not limited to evacuation, partial evacuation, lockdown, and response to an active threat.

❖ EVACUATION, AND PARTIAL EVACUATION:

With respect to evacuation procedures, the State House Emergency Evacuation Team is composed of the Senior Group Leader, Group Leaders, Office Captains, Emergency Wardens, Special Needs Buddies (or "Buddies"), the Secretary of the Senate, the Clerk of the House, the Executive Director and the Bureau of Capitol Police. Group Leaders report directly to the Senior Group Leader who reports to the Executive Director. Emergency Wardens and Office Captains report to their Group Leaders. Buddies report to their Emergency Warden. Capitol Police works closely with the Senior Group Leader and the response agencies. Team members should wear legislature-issued vests during an emergency to visually identify themselves as State House Emergency Evacuation Team members.

Senior Group Leaders. Senior Group Leaders are responsible for the overall coordination and communications during an incident, and work closely with the Executive Director and Capitol Police to coordinate communications amongst the members of the State House Emergency Response Team. Senior Group Leaders meet up with their groups at their designated assembly areas. Senior Group Leaders will wear yellow vests.

Group Leaders. Group Leaders meet with their groups at their designated assembly areas for a head count, to record reports from emergency wardens and office captains as received, and note any problems or concerns. They frequently report these items to the Senior Group Leader. Group Leaders remain in charge of their groups until the emergency is discontinued. Group Leaders will wear yellow vests.

Office Captains. Office Captains evacuate with their own office and must account for individuals of their particular office group. Concerns and discrepancies are reported to the respective Group Leader immediately.

Emergency Wardens. Emergency Wardens begin at their respective ends of the hallway and check every office, restroom and lounge (including those in the West Wing) to ensure they are vacated. They report to their Group Leaders on the completion of their evacuation assignments, noting any problems or unusual incidents. There are two teams

for every floor: one team composed of staff members from offices located in the north wing of that floor, and one team composed of two staff members from offices located in the south wings. They also provide assistance and guidance to those in the halls. They will continue to work as monitors for their Group Leader and carry out assignments until the termination of the event. Emergency Wardens will wear yellow vests.

Buddies. Buddies report the safe evacuation of their evacuee to their Group Leader. They also report any special needs or problems that develop during the emergency period.

Committee Clerks. Upon activation of an emergency alarm, committee clerks will inform members of the committee and the public that an emergency exists and direct them to the designated exit.

Stairway Monitors. Stairway monitors are members of the staff assigned to take up positions near the stairways on the 2nd, 3rd and 4th floors. Stairway monitors will also take up positions near the stairways on the 1st floor south and on the 1st floor north. They guide individuals entering and exiting the stairways, keep the exit process moving and to provide brief reminders of assembly points. Stairway monitors on each floor and wing should remind their group of their primary exit door. Monitors on the first floor will direct people to the (1W) West exit if necessary to avoid or mitigate congestion at the North or South exits. Stairway monitors will wear yellow vests.

If there is no immediate need to initiate building evacuation, the Senior Group Leader, Emergency Wardens, Office Captains, and Group Leaders are to be notified and placed on standby.

Complete evacuation decision. If a decision is made for immediate evacuation, Legislators, staff and members of the public in the State House will be notified through the activation of an alarm broadcast throughout the State House.

Partial evacuation or lock-down. If a decision is made to initiate a partial evacuation or a building lock down, building occupants will be notified through the activation of an automated notification process.

The Governor, the President of the Senate, and the Speaker of the House must be evacuated immediately to predetermined locations.

For safety reasons, maintenance and trades crews must be authorized or accompanied by a Capitol Police officer or other on-site response personnel in order to proceed to the site of alarm activation during a building evacuation. If entry is authorized, they must wear red response vests.

Parking Lot G adjacent to the Leadership/Governor's entrance is the only area allowing ready access to the building by emergency vehicles and other heavy equipment. This area must

be kept clear for the emergency equipment, etc. Those evacuating the building must make every effort to keep out of this area and stay clear of responding emergency vehicles.

If the situation does not intensify, Team Members will be notified of the situation conclusion.

Evacuation routes may change depending on the location and nature of the emergency. Follow the instructions of the Stairway Monitors when exiting.

All measures are based on the presumption that they will not place a person's life in danger. Such actions as closing windows and checking empty rooms should be weighed against the imminent danger to the person involved. Actions unable to be taken are reported to the Group Leader. The Group Leader forwards the information through channels to the Incident Commander who will make any necessary decisions.

The State House Emergency Evacuation Team is charged with responsibility to carry out the evacuation measures as described in this plan. No legislator, employee or visitor, no matter how well intentioned, may interfere with evacuation of the building or countermand instructions given by the State House Emergency Evacuation Team for such evacuation.

❖ **ACTIVE THREAT**

As described in the training regarding active threat responses presented to Legislators and staff, in the instance of an active threat incident, the following procedures should be followed in the following sequence:

1. If a person is able to safely leave the area, the person should leave their belongings and quickly and safely **run** away from the threat. Legislators and staff who are able to safely leave the area go directly to their designated assembly areas.
2. If a person is unable to leave due to the physical proximity of the active threat, the person should **hide**, and observe lockdown procedures by securing the location, silencing their electronic devices, and remaining quiet; and
3. If a person is in danger of being harmed, the person, as a last resort, should **fight** by working with others to take active defensive steps, such as improvising weapons and coordinating an ambush.

IX. TERMINATION/CONTINUATION OF EVENT

The Presiding Officers (or their designees) or the Executive Director, after consultation with Capitol Police, the Senior Group Leader and the Incident Commander, informs the Senior Group Leader regarding re-entry to the building, relocation of business, or dismissal of employees and closure of business. If the building has been evacuated, no one will be allowed to

re-enter the building until authorized by the Emergency Evacuation Team who receives re-entry instructions from the Senior Group Leader.

The Group Leaders circulate the information, using the Office Captains and Emergency Wardens. Upon the termination of the event, whether it is an evacuation, partial evacuation or lockdown, or active threat event, notice to all staff and legislators will be provided via an automated notification process; in addition, supplemental communications aids will be used as available.

If dismissal with an undetermined return is necessitated, the form of notification of resumption of business will be communicated via an automated notification process.

When reentering the State House after the termination of an event, Legislative Council rules regarding security screening protocols must be followed. Persons without access cards or access rights through another entrance or the priority screening lane must be rescreened. Those with access to the priority screening lane must use their cards to approve access as they would entering the State House for the first time. If other entrances are used, only those using their cards are allowed to enter and they are prohibited from allowing other persons to enter with them unless they have their own individual card access.

X. TRAINING

Safety Trainings. At the beginning of each biennium, Legislators and staff will be presented with a safety training that includes training regarding responding to active threat situations.

Emergency Evacuation Trainings. Staff members who are on the State House Emergency Evacuation Team and the directors of legislative offices will receive annual training regarding the State House evacuation routes, the designated assembly areas, and the specific tasks performed by each evacuation team role.

XI. DEVELOPMENT OF OFFICE-SPECIFIC SAFETY PLANS

Each Leader together with their Chief of Staff, and each legislative Office Director shall annually establish, or review and revise, a safety plan that is specific to their office's physical space and staff configuration, and that incorporates plans and procedures to be implemented in the event of an evacuation, lock-down, or active threat event.

XII. SAFETY DRILLS

The Executive Director, the Secretary of the Senate, and the Clerk of the House will together schedule and hold two annual safety drills in consultation with the presiding officers. One drill will be held during a regular session of the Legislature, and a second drill will be held in the fall.

XIII. PERIODIC REVIEW OF PLAN

This plan is maintained by Office of the Executive Director and will be reviewed each biennium by the Legislative Council or its State House Facilities Committee and revised as necessary.

This Plan as revised supersedes all previous versions.

BY: _____
Suzanne M. Gresser
Executive Director of the Legislative Council

Adopted February 24, 2005
Revised effective May 9, 2007
Revised effective March 28, 2008
Revised effective April 4, 2011
Revised effective April 2, 2013
Revised effective January 25, 2018
Revised effective February 28, 2019
Revised effective (date of adoption 2024)

SUZANNE M. GRESSER

EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

To: Members of the Legislative Council

From: Suzanne M. Gresser, Executive Director *smg*

Date: February 22, 2024

Re: Request for waiver of certain provisions of *Legislative Council Policy on the Use of Capitol Park*

The organizers of a project called “The 2200” is planning a 100-mile, 30-hour ultramarathon, to be completed by 22 veterans, that would begin on Veterans Day 2024. According to the organizers, the run would begin at 10:00 am on November 11th, and would conclude 30 hours later. The organizers have requested permission to conduct the event in Capitol Park; however, the *Legislative Council Policy on the Use of Capitol Park* specifies that the park “is intended for non-intensive, non-commercial and non-exclusive use by individuals and groups,” and further, does not allow for overnight events in the park. The organizers of the project have contacted Sen. Pouliot and Rep. LaRochelle to inquire about the process for requesting a waiver of those portions of the Council’s policy for this specific event.

Details of the proposed plan may be found at www.the2200.org , where the following elements of the tentative plan are set out:

- “The proposed route is a .46 mile gravel loop in Capitol Park, Augusta, Maine.”
- “There are many pros to this route including its location in front of the State House, gradual inclines (32 feet per mile), ease of logistic support, and forgiving gravel path.”
- “Conversely, there are many cons to the route including the high number of laps required, the possible congestion hazard as the path is not terribly wide, and the permitting obstacle.”
- “An area of the park adjacent the trail would be established as an aid station, providing support options and facilities every half mile.”
- “Runners will continue at their own unique paces until each has completed 218 laps.”

- “Pacers are permitted and welcome on the course. There is also space along the route for supporters.”
- “A plan will be developed to make up lost miles in the event of an injury. Either an alternate runner will start, or the other runners will tack on the extra mileage to ensure the 2,200 goal is met.”
- “As this is a tentative plan, alternate routes are being considered. There are some wonderful options at local universities including the University of Maine at Augusta, Thomas College in Waterville, and Colby College in Waterville.”

While I am not at this point aware of the specific details that you will need regarding the requestor’s plan (e.g. the procurement by the organizers of general liability insurance naming the State as an additional insured; the levels of additional Capitol Police staffing necessitated by the event; etc.), I would be happy to work with the requestor to acquire such information and bring that information back to the Legislative Council for its review at a future meeting.

REP. SARA GIDEON
CHAIR

SEN. MICHAEL D. THIBODEAU
VICE-CHAIR

EXECUTIVE DIRECTOR
GRANT T. PENNOYER



128TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

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REP. JARED F. GOLDEN
REP. KENNETH W. FREDETTE
REP. ELEANOR M. ESPLING

Legislative Council Policy on the Use of Capitol Park Augusta, Maine

1. Authority

Pursuant to 3 MRSA §162, Capitol Park is State-owned land that is under the jurisdiction of the Maine Legislative Council, Maine Legislature. The Maine Legislative Council (“Legislative Council”) is authorized to establish and enforce standards and guidelines that govern all uses of Capitol Park. Pursuant to this authority and as provided in section 5 below, the Legislative Council designates the Chief of the Bureau of the Capitol Police as the Legislative Council’s agent for issuing activity permits, and enforcing the standards and guidelines established for Capitol Park by authority delegated to the Chief of Capitol Police by the Commissioner of Public Safety.

2. Location

Capitol Park is located within the municipality of Augusta, immediately east of the Maine State House Grounds. It is bordered on the west by State Street, on the north by Capitol Street, on the south by Union Street and on the east by the Kennebec River. A State-owned road, so-called Gage Street Extension, and a railroad right-of-way cross a portion of the east end of the park. Several residences are in close proximity to the park.

3. Park purpose

Capitol Park was designed to enhance the State House Grounds, and the City of Augusta as Maine’s Capital. Capitol Park (“the park”) is established and maintained for the passive use and enjoyment of the natural environment and as an area of reflection by residents of the State and visitors. In keeping with its pastoral setting, Capitol Park is intended for non-intensive, non-commercial and non-exclusive use by individuals and groups.

4. Standards and guidelines established

The Maine Legislative Council establishes these standards and guidelines in order to promote the general purposes and the peaceful use of Capitol Park and to protect the public health, safety and welfare.

Administration and enforcement

- a. The Legislative Council authorizes and directs the Chief of the Bureau of Capitol Police to enforce the standards and guidelines contained in this policy, and to adopt such measures as may be necessary to enforce them. The Chief of Capitol Police shall not issue an activity permit or take any action that is inconsistent with these standards and guidelines. The Chief of Capitol Police shall deliver a copy of all activity permits issued or denied immediately upon their issuance or denial to the Executive Director of the Legislative Council.
- b. An Activity Permit is required for activities occurring in the park as provided in this policy. Such permit may establish reasonable conditions and limitations of use, including without limitation, period of use, activities permitted, maximum occupancy, use of sanitation facilities, limitations based on weather or condition of park grounds, and designation of areas where activity is permitted or prohibited.
- c. The Activity Permit holder is liable for any damage to the park that is attributable to the permit holder's use of the park or violation of the terms and conditions of any Activity Permit.
- d. An application for an Activity Permit may be turned down if:
 - i. The proposed use would conflict with other permitted uses or be inconsistent with purposes or authorized uses of the park;
 - ii. The applicant has egregiously or repeatedly violated the standards and guidelines for the park within the prior 24 months, failed to make restoration of any previous damage to the park or fails to meet all applicable permit application requirements; or
 - iii. The application is filed less than three (3) work days prior to the start of the proposed activity even if it would otherwise be in compliance with the standards and guidelines.
- e. The Chief of Capitol Police is authorized to issue and enforce criminal trespass orders to enforce the standards and guidelines established under this policy and activity permits issued pursuant to this policy.

5. Activity permit

- a. A person seeking a use of the park that requires a permit must apply for an Activity Permit by filing an application and supporting information, and applicable park use fee. The application must state with specificity the legal name and address of the person or organization conducting, sponsoring or affiliated with the activity, contact information, anticipated attendance, the activity for which approval is sought and the date and time of the activity.
- b. The application form must be the form approved for use by the Legislative Council.
- c. An applicant must provide evidence of liability insurance if required under section 8 of this policy.
- d. An Activity Permit is non-transferrable and is valid only for the approved uses, dates and times.

6. Park use fee and security deposit

- a. An applicant shall be required to tender a refundable security deposit of \$250 for every 500 participants after the first 200. However, the total amount of the deposit required may not exceed \$2,000. The security deposit shall be released within 3 work days following the permitted activity provided that the deposit is not needed to repair any damage, clean up the park or correct any noncompliance that arises directly or indirectly from the activity.
- b. An applicant shall pay a nonrefundable park use fee as follows. If a use is applicable to more than one category of fee, the larger fee applies. Fees are not cumulative.
 - I. Use that includes placement or use of a tent or other structure: \$50
 - II. Use that includes placement or use of 2 or more tents or other structures: \$100
 - III. Use where the anticipated or actual number of participants is between 100 and 200: \$50
 - IV. Use where the anticipated or actual number of participants is between 201 and 1,000: \$100
 - V. Use where the anticipated or actual number of participants is between 1,001 and 2,500: \$200
 - VI. Use where the anticipated or actual number of participants is between 2,501 and 4,000; \$400
 - VII. Use where the anticipated or actual number of participants more than 4,000; \$500
 - VIII. For all other activities: \$0.
- c. The fee or security deposit may be reduced or waived only upon written petition and a clear and convincing demonstration of financial hardship by the applicant for a permit such that the applicant is unable to pay all or a portion of the fee or deposit. That an applicant is a nonprofit organization or unit of government does not constitute a "financial hardship." No fee or deposit may be required for park use by the Legislative Council.

7. Liability insurance requirement

An applicant shall be required to file a Certificate of Liability Insurance naming the State of Maine as Insured that provides general liability insurance in an amount commensurate with the proposed activities but not less than \$100,000 general aggregate, when such activities include use of energy such as electricity or propane, sale of food, an animal show or competition, or is otherwise required by the State of Maine's insurance policies.

8. Sanitation Facilities

For any activity involving more than 50 but less than 100 people and having a scheduled duration of more than four (4) hours or for an activity involving 100 or more people and having a scheduled duration of more than two (2) hours, the Activity Permit holder must arrange for, at his or her own expense, portable toilets or similar sanitation stations, in a quantity sufficient to accommodate the number of participants, to be on-site at an authorized location for the duration of the event.

9. Park hours

The customary hours when the park is open to the public are from ½ hour after sunrise to ½ hour after sunset, local time. However, the Legislative Council or its designee may close all or portions of the park at any time without prior notice for reasons of safety, weather, park conditions or maintenance.

10. Allowed activities

- a. The following activities are allowed **without an Activity Permit** issued by the Legislative Council or its designee:
 - i. Walking, sitting and noncompetitive running or jogging;
 - ii. Photography, bird watching and nature walking;
 - iii. Reading, talking, singing, individual and family picnicking and sunbathing;
 - iv. Dog walking provided the dog is on a leash and under the direct control of the person possessing the dog at all times;
 - v. Bicycling, if the bicycle is equipped with on-road tires;
 - vi. Holding a picnic or birthday party or providing a meal to a group where the reasonably anticipated attendance is 25 or fewer individuals; and
 - vii. Gathering in the park for lunch or other similar purpose of brief duration that is part of a pre-arranged tour of the Capitol or the Maine State Museum by an organized Maine school group of elementary, middle or high school youth;
- b. The following activities are allowed **upon issuance of an Activity Permit**:
 - i. Making any public speech or holding any rally or protest;
 - ii. Parade or march;
 - iii. Concert;
 - iv. Distribution of any printed matter as provided herein, or the carrying of signs or bill boards. When permitted, distribution of printer matter may be confined to one or more entrances to Capitol Park;
 - v. Holding a picnic or birthday party or providing a meal to a group where the reasonably anticipated attendance is more than 25 individuals;
 - vi. operation of a propane grill or other food preparation equipment;
 - vii. Performing a wedding ceremony or memorial service, holding a dedication, holding an awards or any other similar service or ceremony, or holding a wedding or similar reception, whether or not catered;
 - viii. Holding an animal show involving 25 or fewer animals;
 - ix. Erection or placement of tents, canopies or other similar structures, tables, chairs, platforms or podiums;
 - x. Operation of a sound amplification system. For the purposes of this policy, a megaphone is not considered sound amplification equipment;
 - xi. Any group gathering of more than 25 individuals for whatever reason;

11. Prohibitions

The following are prohibited:

a. Activities

- i. Overnight use, or habitation on a temporary or permanent basis;
- ii. Fires or other open flames, including charcoal grills
- iii. Organized sporting events, scrimmages, or team training;
- iv. Ball playing or ball games except that informal, noncompetitive individual or family ball tossing that is not disruptive of others is allowed;
- v. Golfing or hitting golf balls;
- vi. Kite-flying except in designated open areas in the park, or balloon release;
- vii. Operation of drones and gas-powered model aircraft;
- viii. Races, human or animal;
- ix. Animal shows or competitions involving more than 25 animals;
- x. Placement of political campaign signs or banners;
- xi. Commercial activities, including offering or solicitation of goods or services, except that the sale of beverages and food items that is ancillary to and occurs in conjunction with an authorized on-site festival sponsored by the city of Augusta or the Legislative Council may be permitted by special exception;
- xii. Climbing, standing or laying on or affixing objects to any monument, gate, fence, bench, table or tree ;
- xiii. Digging or other disturbance of soil or sod;
- xiv. Skateboarding, roller blading or roller skating;
- xv. Construction of monuments or memorials;

b. Behaviors

- i. Defacing or destroying any natural feature or built structure in the park;
- ii. Accosting any person or interfering with another person's use or enjoyment of the park;
- iii. Public indecency;
- iv. Panhandling or begging;
- v. Physical or verbal abuse of others;
- vi. Noise-making, including drumbeating or use of horns that is disruptive to another person's use or enjoyment of the park or to area residents;
- vii. Urinating or defecating except within authorized sanitation stations;
- viii. Allowing defecation by animals under a person's control except when the person immediately collects and properly disposes of the animal's feces. Notwithstanding the above, defecation is prohibited on any walking path;
- ix. Disturbing any bird's nest or eggs or damaging or removing any tree, bush, plant, flower or stone;
- x. Smoking except in clearly designated areas established by the Legislative Council;
- xi. Littering or breaking any bottle or other article of glass;
- xii. Entering or remaining in the park whenever the park is closed;

- xiii. Possession or consumption of alcoholic beverages;
- xiv. Possession or use of illegal drugs or substances;
- c. Equipment and animals
 - i. Possession or use of fireworks, firecrackers, sparklers or other explosive or incendiary devices;
 - ii. Possession or use of paint guns, ammunition or weapons, including firearms, knives, swords or Tasers. Notwithstanding this prohibition, a bona fide military or law enforcement honor guard or military personnel in full dress uniform while participating in a formal military ceremony in the park may be permitted to carry weapons provided all firearms have been disabled and are incapable of being discharged. Furthermore an on-duty law enforcement officer is permitted to carry a weapon provided that the officer is in uniform with the officer's badge displayed or an officer who is in plainclothes so discloses possession of the weapon to the Chief of Capitol Police;
 - iii. Possession or use of any combustible or compressed gas, except that bottled propane in an approved 100 pound or less container and used in connection with an outdoor grill may be allowed by permit; if a grill is permitted, the permit holder shall have one or more serviceable fire extinguishers on-site and in close proximity to the grill at all times.
 - iv. Animals, except service dogs and dogs allowed under section 11B above;
 - v. Motor vehicles, except for authorized service vehicles and equipment used for maintenance and improvement of the park, and if permitted, to transport equipment into or out of the park. In no event, however, may such permitted vehicles travel on or cross any stone-dust path or alley;
 - vi. Mechanical amusement rides;
 - vii. Animal-driven wagons;
 - viii. Electrical or fuel-powered heating or cooling equipment;
 - ix. Electrical generators;
 - x. Cleated footwear
- d. Other

Any other activities, behaviors, equipment or animals not otherwise specified herein if they may damage the park or pose a threat to public health or safety or enjoyment of the park by others.

12. Special Uses

Upon approval of the director of the Maine Historic Preservation Commission, the Legislative Council authorizes use of the park, subject to appropriate conditions, for historic re-enactments or commemorations of significant historical events related to Capitol Park, the State House, the State of Maine or the United States of America.

13. Modification

The Legislative Council reserves all rights to modify this policy at any time as it deems necessary or appropriate. Furthermore that Legislative Council grants authority to its Executive Director to authorize the Chief of Capitol Police to take an action that may be inconsistent with these standards and guidelines in an emergency or unusual circumstance provided that such action is in keeping with the intent of this policy and such action is limited to the duration of the emergency or unusual circumstance.

This policy is adopted by the Maine Legislative Council on June 28, 2012.

BY: 
Executive Director of the Legislative Council

Authority: 3 MRSA § 162

Adopted: June 28, 2012

Effective date: July 9, 2012

Amended: May 25, 2017

To see Full Reports of the Studies Included, please visit:
legislature.maine.gov/opla/



State of Maine
131st Legislature

**Eighteenth Annual Report
of the
Right to Know Advisory Committee**

January 2024

Office of Policy and Legal Analysis



**STATE OF MAINE
131st LEGISLATURE**

**Eighteenth Annual Report
of the
Right to Know Advisory Committee**

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Table of Contents

	Page
Executive Summary	iii
I. Introduction	1
II. Committee Duties.....	2
III. Recent Court Decisions Related to Freedom of Access.....	3
IV. Actions Related to Recommendations Contained in Seventeenth Annual Report	6
V. Committee Process	9
VI. Recommendations	19
VII. Future Plans	24

Appendices

- A. Authorizing Legislation: 1 MRSA §411
- B. Membership List: Right to Know Advisory Committee
- C. Correspondence from the Judiciary Committee to the Right to Know Advisory Committee dated June 29, 2023
- D. Correspondence from the Right to Know Advisory Committee
- E. Recommended legislation to amend previously-enacted public records exceptions
- F. Existing public records exceptions in Title 22 recommended to continue without change
- G. Survey to responding entities

EXECUTIVE SUMMARY

This is the eighteenth annual report of the Right to Know Advisory Committee (RTKAC or Advisory Committee). The Advisory Committee was created by Public Law 2005, chapter 631 as a permanent advisory council with oversight authority and responsibility for a broad range of activities associated with the purposes and principles underlying Maine's freedom of access laws. The members are appointed by the Governor, the Chief Justice of the Supreme Judicial Court, the Attorney General, the President of the Senate and the Speaker of the House of Representatives.

As in previous annual reports, this report includes a brief summary of the legislative actions taken in response to the Advisory Committee's January 2023 recommendations and a summary of relevant Maine court decisions from 2023 related to the freedom of access laws. This report also summarizes several topics discussed by the Advisory Committee that did not result in a recommendation or further action.

For its eighteenth annual report, the Advisory Committee makes the following recommendations:

- Amend certain provisions of law in Title 22 relating to previously-enacted public records exceptions**
- Provide an explanation to the Blue Ribbon Commission to Study Emergency Medical Services in the State of why the RTKAC did not recommend amending Title 32, section 98, to establish a public records exception for financial information provided by applicants for Emergency Medical Services Stabilization and Sustainability Program grants**
- Reinforce the importance of following the statutory requirements applicable to public bodies and agencies going into executive session**
- Request that the Public Access Ombudsman include more guidance regarding the Freedom of Access Act's (FOAA) requirements for public bodies and agencies going into executive session on the Maine Freedom of Access Act website**
- Send a letter to Maine School Management Association confirming that FOAA allows a public body to create an internal form for responding to public records requests and that the Public Access Ombudsman can assist in the development of such a form**
- Solicit from entities within the State responsible for responding to public records requests examples of burdensome public records requests and situations that the entity believes represent an abuse of the FOAA process, as well as suggested statutory changes, for consideration by the Advisory Committee next year**
- Send a letter to Maine Chiefs Police Association requesting that it coordinate with the Maine Sheriffs Association, Maine State Police, Maine Office of the Attorney General, Maine Press Association and Maine Association of Broadcasters to convene a meeting**

to share information among stakeholders regarding the pressures and constraints experienced by both members of the media and law enforcement when reporting on or releasing information related to public safety incidents and ongoing criminal investigations

- ☐ Propose that the Joint Standing Committee on Judiciary report out a bill in the Second Regular Session of the 131st Legislature to create a legislative study group to develop recommendations related to public employee disciplinary records, taking into consideration progressive discipline structures and employee incentives across different types of public employment**

In 2024, the Right to Know Advisory Committee will continue to discuss the unresolved issues identified in this report, including issues related to burdensome public records requests and to the development of recommendations to increase collaboration between law enforcement and the media to ensure the public has access to timely, reliable information about significant public safety incidents and criminal investigations. The Advisory Committee will also continue to provide assistance to the Joint Standing Committee on Judiciary relating to proposed legislation affecting public access. The Advisory Committee looks forward to another year of activities working with the Public Access Ombudsman, the Judicial Branch and the Legislature to implement the recommendations included in this report.



State of Maine
131st Legislature, First Regular and First Special Sessions

**Task Force to Study the
Creation of a Comprehensive Career
and Technical Education System**

January 2024

Office of Policy and Legal Analysis



**STATE OF MAINE
131st LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Task Force to Study the
Creation of a Comprehensive Career
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Table of Contents

	Page
Executive Summary	iii
I. Introduction	1
II. Background Information	2
III. Task Force Process	5
A. First Meeting: October 18, 2023	5
B. Second Meeting: November 8, 2023	6
C. Third Meeting: November 30, 2023	10
D. Fourth Meeting: December 14, 2023	11
IV. Recommendations	11
V. Additional Considerations	16
VI. Conclusion	18

Appendices

- A. Authorizing Legislation, Resolve 2023, Chapter 92
- B. Membership List, Task Force to Study the Creation of a Comprehensive Career And Technical Education System

Executive Summary

The 131st Maine Legislature established the Task Force to Study the Creation of a Comprehensive Career and Technical Education System (referred to in this report as the “task force”) with the passage of Resolve 2023, chapter 92 (Appendix A). Pursuant to the resolve, 20 members were appointed to the task force:

- Two members of the Senate appointed by the President of the Senate, including one member from each of the two parties holding the largest number of seats in the Legislature and one of whom is a member of the Joint Standing Committee on Education and Cultural Affairs;
- One member who is a current career and technical education high school administrator, appointed by the President of the Senate;
- One member who represents a statewide association of career and technical education administrators, appointed by the President of the Senate;
- One member who is a member of a skilled trades union or representative of a skilled trades business or industry, appointed by the President of the Senate;
- One member who is a principal of a secondary school, appointed by the President of the Senate;
- Two members of the House of Representatives, including one member from each of the two parties holding the largest number of seats in the Legislature, one of whom is a member of the Joint Standing Committee on Education and Cultural Affairs, appointed by the Speaker of the House;
- One member who is a current career and technical education high school administrator, appointed by the Speaker of the House;
- One member who is on the State Board of Education, appointed by the Speaker of the House;
- One member who is a member of a skilled trades union or representative of a skilled trades business or industry, appointed by the Speaker of the House;
- One member who is a superintendent of a school administrative unit, appointed by the Speaker of the House;
- One member who is a Maine Community College System administrator, appointed by the Governor;
- One member who is on a local board of education in a Maine community, appointed by the Governor;
- One member who is an officer of the Maine Education Association, appointed by the Governor;
- Three members who are members of a skilled trades union or representatives of a skilled trades business or industry, appointed by the Governor;
- One member who is an administrator at the University of Maine System, appointed by the Governor; and
- The Commissioner of Education or the commissioner's designee.

A list of task force members can be found in Appendix B.

The duties of the task force, which are set forth in Resolve 2023, chapter 93, are as follows:

1. Examine the feasibility of establishing a comprehensive four-year high school career and technical education program to provide a technical high school setting for middle school students to attend at the completion of the eighth grade, including but not limited to the advantages and disadvantages of a comprehensive four-year high school career and technical education model, obstacles to implementation of a comprehensive four-year high school career and technical education model and other models for comprehensive four-year high school career and technical education that exist around the State and on a national level; and
2. Examine increasing crosswalks and intersections between technical and occupational knowledge and curricula and academic standards in order to promote multiple pathways for awarding content area credit to students enrolled in career and technical education programs, including but not limited to building on prior and current work among the Department of Education, superintendents of school administrative units and career and technical education administrators.

Over the course of four meetings, the task force developed the following recommendations:

Recommendation #1. Support the ongoing work of CTE centers and regions and their respective governing or affiliated SAUs in developing equivalency agreements for credit gained through a CTE program to be accepted as core credit toward a high school diploma as required by Public Law 2023, chapter 247 (LD 436). Support should include periodic updates on the progress to the Joint Standing Committee on Education and Cultural Affairs to determine when and where additional resources, financial or otherwise, may be needed.

Recommendation #2. Support the State's existing 27 CTE centers and regions to increase capacity, grow programs, increase exposure to CTE programs (especially for 9th and 10th grade students), and require the data collection necessary to capture the true scope of needed resources to address barriers.

Recommendation #3. Explore ways to increase capacity at CTE centers and regions specifically for oversubscribed programs.



State of Maine
131st Legislature, First Regular and First Special Session

Commission Regarding Foreign-trained Physicians Living in Maine

January 2024

Office of Policy and Legal Analysis



**STATE OF MAINE
131st LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSION**

Commission Regarding Foreign-trained Physicians Living in Maine

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Table of Contents

	Page
Executive Summary	iii
I. Introduction.....	1
II. Commission Process	3
III. Background.....	5
IV. Recommendations.....	8
V. Conclusion	16

Appendices

- A. Authorizing Legislation: Resolve 2023, c. 93
- B. Membership List: Commission Regarding Foreign-trained Physicians Living in Maine

Executive Summary

The Commission Regarding Foreign-trained Physicians Living in Maine, referred to in this report as the “commission,” was established by Resolve 2023, chapter 93 to study integrating foreign-trained physicians, including physicians who identify as surgeons, living in the State into the health care workforce to best reflect their level of skills and training, with a focus on those who are here as refugees and asylum seekers, and reducing barriers to licensing for foreign-trained physicians and physicians from other states. The resolve directs the commission to submit a report that includes its findings and recommendations to the Maine Legislature no later than January 15, 2024. A copy of the commission’s authorizing legislation (Resolve 2023, chapter 93) is included in Appendix A.

Pursuant to the resolve, the commission has 13 members: four legislative members and nine non-legislative members representing interests specifically identified in the resolve. Of the non-legislative members, four members were appointed by the President of the Senate, four members were appointed by the Speaker of the House of Representatives and one member was appointed by the Governor. Members were appointed who have expertise in issues affecting foreign-trained physicians living in Maine; immigrant rights; workforce shortages in the medical field; and medical licensure. Three members were appointed to represent the interests of physicians who are refugees or immigrants, at least one of whom is licensed to practice in the State of Maine. Senator Donna Bailey was named Senate chair and Representative Kristi Matheson was named House chair. The complete membership list of the commission is included in Appendix B.

The commission’s specific duties as set forth in the resolve include:

- study integrating foreign-trained physicians, including physicians who identify as surgeons, living in the State into the health care workforce to best reflect their level of skills and training, with a focus on those who are here as refugees and asylum seekers, and reducing barriers to licensing for foreign-trained physicians and physicians from other states;
- explore a wide range of options for how to help enable foreign-trained physicians who wish to live and practice in the State to best use their skills and talents, increase health care workforce cultural competency and address potential workforce shortages;
- review and identify best practices learned from similar efforts in other states; and
- make recommendations on:
 - strategies to integrate foreign-trained physicians into the health care workforce;
 - other ways, outside of being licensed as a physician, that foreign-trained physicians can be supported to best use their skills and training;
 - changes for regulations that may pose unnecessary barriers to practice for foreign-trained physicians and physicians from other states;

- necessary supports for foreign-trained physicians moving through the different steps in the licensing process prior to involvement with the Maine Board of Licensure in Medicine (BOLIM);
- opportunities to advocate for corresponding changes to national licensing requirements; and
- any other matters pertaining to foreign-trained physicians and physicians from other states considered necessary by the commission.

Over the course of four meetings, the commission developed the following recommendations:

Recommendation #1. Create a pathway to full licensure for international medical graduates (IMGs).

Recommendation #2. Limit sponsors for the sponsorship program to the four existing sponsoring institutions in Maine.

Recommendation #3. Require IMGs to have minimum number of years of prior licensed practice (or its equivalent) to qualify for the sponsorship program.

Recommendation #4. Ensure that the age of the IMG's prior license (or equivalent) is not a barrier in order to qualify for the sponsorship program.

Recommendation #5. Limit the number of years of a temporary educational certificate within the sponsorship program to two years, with no more than two renewals for each two-year educational certificate.

Recommendation #6. Implement service obligations for an IMG who has completed training in a sponsorship program and has obtained a license to practice medicine.

Recommendation #7. Require IMGs to obtain Educational Commission for Foreign Medical Graduates (ECFMG) certification in order to be eligible for the sponsorship program.

Recommendation #8. Require IMGs to reside in the State of Maine for at least 12 months to be eligible for the sponsorship program.

Recommendation #9. Limit the number of slots for IMGs (also known as pathway physicians) funded by the State in the sponsorship program to 10 at any given time.

Recommendation #10. Utilize the existing infrastructure of the Maine Rural Graduate Medical Education (MERGE) Collaborative to screen candidates for the sponsorship program.

Recommendation #11. Create a fund for clinical readiness programs and career/educational instruction for IMGs to prepare IMGs for eligibility for a sponsorship program.

Recommendation #12. Create an IMG assistance program.

Recommendation #13.

- A. Develop and administer a pilot project for a loan guarantee program for IMGs who are returning to school to pursue any health care professional degree (not necessarily M.D.) and who do not have access to traditional student loans; and
- B. Develop an alternative Free Application for Federal Student Aid (FAFSA) form to be used by Maine's public and private educational institutions and in other situations where FAFSA is required for students.

Recommendation #14. Direct the Office of New Americans (ONA), once it is established, to work with appropriate educational programs to develop programs for IMGs entry into and completion of educational programs in alternative health professions.



State of Maine
131st Legislature, First Regular and First Special Sessions

**Blue Ribbon Commission to
Study Emergency Medical Services
in the State**

January 2024

Office of Policy and Legal Analysis



**STATE OF MAINE
131st LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Blue Ribbon Commission to Study
Emergency Medical Services
in the State**

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Table of Contents

	Page
Executive Summary	iii
I. Introduction	1
II. Background Information	2
III. Commission Process.....	3
IV. Recommendations	7
A. Costs and Funding.....	7
B. Regulation and Oversight	15
C. System Resilience and Sustainability	20
V. Conclusion.....	26
Appendices	
A. Authorizing Legislation: Resolve 2023, c. 99	
B. Membership List: Blue Ribbon Commission to Study Emergency Medical Services in the State	
C. 2022 Report of the Blue Ribbon Commission to Study Emergency Medical Services in the State	
D. Bills Related to EMS Considered During the 131 st Legislature (OPLA)	
E. States that Designate EMS as an Essential Service; Structure and Funding (OPLA)	
F. November 6 th , 2023 Commission Member Presentations: EMS System Funding (Joe Kellner); EMS Regionalization, One Optimization Approach (Kevin Howell); NorthStar EMS (Mike Senecal)	
G. Maine EMS, Structural Reorganization Proposal; Maine EMS, Two-Year Action Plan	

Executive Summary

The Blue Ribbon Commission to Study Emergency Medical Services in the State, referred to in this report as the “commission,” was established by Resolve 2023, chapter 99 (Appendix A). Pursuant to that resolve, the commission consisted of the following 17 members: two members of the Senate, including one member of the party holding the largest number of seats in the Legislature and one member of the party holding the 2nd largest number of seats in the Legislature; two members who are employed or volunteer in the field of emergency medical services, including one member who represents a community of 10,000 residents or more and one member who represents a community of fewer than 10,000 residents; one member who represents a statewide association of emergency medical services providers; one member who represents a private, for-profit ambulance service; one member who represents a statewide association of municipalities; four members of the House of Representatives, including 2 members of the party holding the largest number of seats in the Legislature and 2 members of the party holding the 2nd largest number of seats in the Legislature; one member who represents a tribal emergency medical service; one member who represents a volunteer emergency medical service; one member who represents a county government; one member who represents a statewide association of hospitals; the Commissioner of Health and Human Services or the commissioner's designee; and the Director of Maine Emergency Medical Services within the Department of Public Safety or the director's designee.

A list of commission members may be found in Appendix B.

The duties of the commission are set forth in Resolve 2023, chapter 99 (Appendix A) and charge the commission to: examine and make recommendations on the structure, support and delivery of emergency medical services in the State; and maintain communication and coordinate with Maine Emergency Medical Services so that Maine Emergency Medical Services is informed of the work of the commission and the commission is informed of the strategic planning work of Maine Emergency Medical Services. The commission was charged with looking at all aspects of emergency medical services, including but not limited to costs and funding, workforce development and sustainability, Maine EMS structure, as well as regionalization.

Over the course of five meetings, the commission developed the following recommendations:

Costs and Funding

Recommendation A-1: The Legislature should enact emergency legislation in 2024 eliminating from the Emergency Medical Services Stabilization and Sustainability Program the requirement that the EMS Board adopt rules establishing sustainability grant program requirements and should instead directly stipulate those requirements in law.

Recommendation A-2: The Legislature and Maine EMS should take all actions necessary to ensure the timely and efficient implementation of the Emergency Medical Services Stabilization and Sustainability Program and the distribution of the funding and grants associated with that program.

Recommendation A-3: The Legislature should enact legislation providing ongoing funding to the Maine Emergency Medical Services Community Grant Program and the Legislature and Maine EMS should take all actions necessary to ensure the timely and efficient implementation of that program and the distribution of associated grants.

Recommendation A-4: The Legislature should enact legislation, as proposed in LD 1751, increasing reimbursement rates under the MaineCare program for ambulance services, neonatal transport, no-transport calls and community paramedicine.

Recommendation A-5: The Legislature should enact legislation, as proposed in LD 1751, implementing an ambulance assessment program, which would establish an ambulance service assessment fee on non-municipal ambulance service providers to maximize federal funding for reimbursement to those providers under the MaineCare program.

Recommendation A-6: The Legislature should enact legislation, whether as an amendment to LD 1751 or otherwise, to implement an intergovernmental transfer program, which would authorize municipal ambulance service providers to maximize federal funding for reimbursement to those providers under the MaineCare program through provider payment of the non-federal cost share.

Recommendation A-7: The Legislature should enact legislation, whether as an amendment to LD 1832 or otherwise, requiring health insurance carriers to provide coverage and reimbursement for community paramedicine services in state-regulated health plans.

Recommendation A-8: Maine EMS should conduct a funding needs analysis of communities seeking to engage in regional collaborative efforts or in the adoption of a regional model for the delivery of EMS.

Recommendation A-9: The Legislature should enact legislation, as proposed in LD 1409, to address situations where an EMS entity can be reimbursed its costs for training and credentialing an EMS provider if the provider is hired by another EMS entity within a specified period of time after the first entity's initial incurrence of those costs.

Regulation and Oversight

Recommendation B-1: The Legislature should provide Maine EMS with the funding, staffing and associated resources necessary to properly support its core functions and responsibilities: licensing and regulation of EMS entities; provision of resources and other support to licensed EMS entities; and systemic planning, oversight and stewardship of the statewide EMS system.

Recommendation B-2: The Legislature should enact legislation to facilitate the timely appointment of members to fill vacant seats and reappointment of members in expired seats on the EMS Board, including by shifting the appointing authority for some board members to the President of the Senate and the Speaker of the House of Representatives.

Recommendation B-3: The Legislature should support the proposed reorganization of the EMS Board, which would establish a 9-member EMS Board charged with the strategic direction and oversight of the EMS system as well as a 9-member EMS Licensing Board, charged with the regulation of EMS licensing.

Recommendation B-4: The Legislature should charge the reorganized EMS Board with taking all actions necessary to ensure that individuals in all areas of the State have access to transporting ambulance services, with particular focus given to those areas identified as unserved or underserved by EMS.

Recommendation B-5: The Legislature should enact legislation requiring Maine EMS to report when the EMS Board has failed to commence an initial rulemaking required by law within 90 days of the relevant effective date and to stipulate, for new programs or initiatives, that any required rulemaking be commenced within 90 days of the relevant effective date.

System Resilience and Sustainability

Recommendation C-1: The Legislature should enact legislation requiring each municipality in the State to adopt a plan for the delivery of transporting EMS within the municipality.

Recommendation C-2: The Legislature should enact legislation establishing a permanent EMS commission, to be charged with monitoring and evaluating the statewide EMS system on a continuing basis and providing recommendations to Maine EMS and the Legislature regarding necessary changes to that system.

Recommendation C-3: The Legislature should enact legislation directing Maine EMS to develop and implement a public informational campaign designed to increase public awareness of and appreciation for the essential services provided by EMS providers in Maine.

Recommendation C-4: Maine EMS should collaborate with Volunteer Maine to evaluate opportunities for funding or otherwise facilitating volunteer management and leadership training for volunteer EMS providers and to support recruitment of volunteer EMS providers in Maine.

Recommendation C-5: The Legislature should support community collaboration in the development and implementation of tiered-response systems utilizing paramedic intercept programs.

Recommendation C-6: The Legislature should enact legislation amending the Maine Emergency Medical Services Act to authorize an EMS provider to render EMS within a hospital or health care facility where the EMS provider is a contractor of the hospital or facility but not an employee.

Recommendation C-7: Using LD 1515 or other available legislative instruments, the Legislature should enact legislation necessary to better support and fund the EMS system and to better facilitate the efficient and sustainable delivery of EMS services in Maine.



State of Maine
131st Legislature, First Regular and First Special Sessions

**Commission to Study Expansion
of Public Preschool and Early
Care and Education**

January 2024

Office of Policy and Legal Analysis



**STATE OF MAINE
131st LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Commission to Study Expansion
of Public Preschool and Early
Care and Education**

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Table of Contents

	Page
Executive Summary	iii
I. Introduction	1
II. Background Information	3
III. Commission Process.....	10
A. First Meeting: November 1, 2023	10
B. Second Meeting: November 9, 2023	12
C. Third Meeting: November 28, 2023	13
D. Fourth Meeting: December 13, 2023	17
IV. Commission Findings and Recommendations	18
V. Conclusion.....	27

Appendices

- A. Authorizing Legislation, Resolve 2023, Chapter 477
- B. Commission Membership List, Commission to Study Expansion of Public Preschool and Early Care and Education
- C. Four-Year-Old and Pre-K Funding Breakdown
- D. Samples of Memoranda of Understanding (MOU) for Public Preschool Partnerships
- E. Colorado Proposition EE
- F. Maine DOE Rule Chapter 124, Basic Approval Standards for Public Preschool Programs
- G. Maine DHHS Rule Chapter 32, Section 7 – Staff Child Ratios for Childcare Facilities
- H. Maine DHHS Rule Chapter 33, Section 7 – Staff Child Ratios for Family Childcare Facilities
- I. Maine State Board of Education Rule Chapter 115, Part II, Requirements for Specific Certificates and Endorsements

Executive Summary

The 131st Legislature established the Commission to Study Expansion of Public Preschool and Early Care and Education (referred to in this report as the “commission”) to explore options to provide full-day preschool and pathways for publicly funded early care and education programs through Public Law 2023, chapter 477 (see Appendix A). Pursuant to this law, 15 members were appointed the commission (a list of commission members can be found in Appendix B).

Guiding the commission’s work is the State’s goal of establishing an equitable, mixed-delivery public preschool system that provides universal access for preschool-aged children and their families by the 2026-2027 school year. The public law charged the commission with exploring: how to offer publicly funded preschool in all types of programs and classrooms; partnerships between SAUs and child care programs that meet or could be supported to meet public preschool basic approval standards; and ways to design a funding formula that can achieve the goal of 100% access to preschool programming by 2026.

The public law also provided that the commission could study and consider potential recommendations related to: aligning programs and braiding and blending funding sources; improving the coordination of early childhood programs and services; prioritizing the interests of children, parents, providers and the community; the overall funding structure; and ensuring data and information is used to improve policies and outcomes for children and families.

Over the course of four meetings, the commission learned about the growth of public preschool in the State, the incredible work being done at the State and local level to increase public preschool and early care and education access, the barriers and challenges that schools and communities face in trying to serve the pre-school age population, and the importance of strengthening the State’s public preschool and early care and education system for the benefit of the students, families, providers, and communities.

This report reflects the work of the commission, including the development of the following recommendations, which were voted – unanimously of those voting – at the fourth and final meeting of the commission.

- ❖ **Recommendation 1: Provide incentives and increase funding – both for ongoing costs and start-up costs - for public preschool programs.**
- ❖ **Recommendation 2: Increase flexibility in early childhood education credentialing.**
- ❖ **Recommendation 3: Facilitate coordination and outreach to increase public preschool partnerships through the use of a statewide coordinator and regional coordinators.**
- ❖ **Recommendation 4: Direct the Department of Health and Human Services, in collaboration with the Department of Education and stakeholders, to study the alignment of standards and rules for early childhood educators and providers to reduce barriers.**

The report concludes with additional considerations, which are critical issues in moving the State towards its ultimate goal of universal public preschool access and quality care and early education that will likely require further attention from the Legislature but that the commission either did not have time to fully discuss or which fell outside the scope of the commission's work.



State of Maine
131st Legislature, First Regular and First Special Session

**Blue Ribbon Commission to Design a
Plan for Sustained Investment in Preventing
Disease and Improving the Health
of Maine Communities**

January 2024

Office of Policy and Legal Analysis



**STATE OF MAINE
131st LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSION**

**Blue Ribbon Commission to Design a Plan for Sustained
Investment in Preventing Disease and Improving the Health
of Maine Communities**

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Table of Contents

	Page
Executive Summary	iii
I. Introduction.....	1
• Resolve 2023, Chapter 100.....	1
• Background.....	3
A. The Tobacco Master Settlement and the Fund for a Healthy Maine	3
B. Prior Studies Involving the Fund for a Healthy Maine	5
C. Highlights of Prior Legislation Related to the Fund for a Healthy Maine	7
II. Commission Process	11
A. First Meeting – October 24, 2023	11
B. Second Meeting – November 20, 2023	12
C. Third Meeting – December 6, 2023	14
D. Fourth Meeting – December 11, 2023	16
III. Findings and Recommendations	18

Appendices

- A. Authorizing Legislation: Resolve 2023, c. 100
- B. Commission Membership List: Blue Ribbon Commission to Design a Plan for Sustained Investment in Preventing Disease and Improving the Health of Maine Communities
- C. 22 MRSA §1511 (Fund for a Healthy Maine establishing statute)
- D. Fund for a Healthy Maine Allocations FY 2015-16 to FY 2024-25
- E. Fund for a Healthy Maine Revenue Forecasting Recommendations – May 2023
- F. 50 State Summary – Administration of MSA Funds
- G. Findings and Recommendations (with votes)
- H. LD 1523, *An Act to Establish the Trust for a Healthy Maine*
- I. Amendment to LD 1523, *An Act to Establish the Trust for a Healthy Maine*

Executive Summary

The Fund for a Healthy Maine was established in 1999 to receive payments from tobacco manufacturers in accordance with the Master Settlement Agreement (MSA), which provides the terms of the legal settlements between states and tobacco manufacturers after states sued manufacturers in an effort to recoup funds the states had spent treating tobacco-related illnesses. The Maine Legislature established the Fund for a Healthy Maine to create parameters for the use of tobacco settlement funds.¹ Over time, as tobacco smoking has waned, so have annual settlement payments to the fund. This trend is expected to continue, resulting in a “structural deficit” for programs and activities supported by the fund at some time in the near future.

Through the passage of Resolve 2023, Chapter 100, the 131st Maine Legislature established the *Blue Ribbon Commission to Design a Plan for Sustained Investment in Preventing Disease and Improving the Health of Maine Communities*, referred to in this report as “the Commission.”² The resolve language directed the Commission to evaluate funding models and structures that allow for the sustained investment in the health and prosperity of youth and families in the State. The Commission was tasked with prioritizing research and recommendations that:

1. Resolve the structural deficit in the Fund for a Healthy Maine;
2. Identify sources of sustained funding for reducing tobacco use, improving public health, preventing chronic illness, reducing health disparities across demographic and geographic populations and improving the community conditions that support good health and wellness;
3. Identify strategies and structural changes that resolve structural inequities and allow funding and investment plans to extend beyond the Legislature's 2-year budget cycle when doing so is necessary for accomplishing their intents and purposes;
4. Advance the long-term goals established by the Legislature for funds received from legal settlements with manufacturers and excise taxes on products that affect public health and well-being;
5. Identify policy and funding models that maximize alignment between the purpose and intent of public health funding sources and the investments in public health and prevention initiatives those funds support;
6. Identify how funding from various public health-related sources could be blended or pooled to achieve common aims in preventing chronic disease, reducing health disparities among historically disenfranchised and vulnerable populations and improving the community conditions that support the health and resilience of youth in the State; and

¹ 22 MRSA §1511

² See Appendix A. This legislation was introduced as LD 1722, Resolve, to Establish the Blue Ribbon Commission to Design a Plan for Sustained Investment in Preventing Disease and Improving the Health of Maine Communities.

7. Identify strategies and system changes that would allow for the calculation of return on investment of all proposed public health and prevention measures over a period of time using the projected health and productivity benefits of those investments.

The fifteen Commission members appointed to the Commission brought with them a broad range of experience in government, public health, nonprofit management, finance and other areas.³ Over the course of four meetings, the Commission solicited, received and discussed a substantial amount of information relevant to its charge as set forth in its authorizing legislation.⁴ The Commission's website includes all meeting materials.⁵

Based on the information collected by the Commission and following discussion and deliberation by Commission members, the Commission developed the following findings and recommendations.

Findings

1. **Finding:** That the programs currently funded by the Fund for Healthy Maine are vital and require sustained funding by the Legislature.
2. **Finding:** That current allocations will soon outpace revenue, resulting in a structural deficit in the Fund for a Healthy Maine.
3. **Finding:** That reorganization of the administration of MSA funds is necessary for long-term sustainability of funding for prevention and health promotion activities in the State.
4. **Finding:** That additional sources of revenue are necessary for long-term sustainability of public health commitments in the State.
5. **Finding:** That reorganization of the administration of MSA funds is necessary to best track the overall impact of activities funded with MSA funds; to provide accountability over the administration of these funds; and to provide a mechanism for long-term, flexible planning to respond to a changing public health landscape.

Recommendations

1. **Recommendation:** That a new trust fund be created into which all MSA funds will be directly deposited and that is authorized to receive funds from other sources.
2. **Recommendation:** That a new, independent, quasi-state entity be created to administer the fund recommended by the Commission.

³ See Appendix B for a list of appointed Commission members.

⁴ See Part III of this report for a summary of the Commission process.

⁵ <https://legislature.maine.gov/sustained-investment-in-preventing-disease-and-improving-health-of-maine-communities-study>

3. **Recommendation:** That the entity established in accordance with the Commission’s recommendation prioritize funding for the following activities:
 - a. Tobacco use prevention and intervention activities; and
 - b. Public health activities and interventions to address health equity.

4. **Recommendation:** That the Fund for a Healthy Maine be maintained to fund certain activities currently funded through the Fund, including, but not limited to, MaineCare reimbursements; purchased social services; substance use interventions and treatment; Head Start programing; school breakfasts; medical care payments to providers; the Drugs for the Elderly program; and dental education and other activities currently funded through the Fund for a Healthy Maine and administered by the Finance Authority of Maine.

5. **Recommendation:** That a percentage of the cigarette tax and the tobacco products tax be deposited directly into the Fund for a Healthy Maine and used to support the activities described in Recommendation #4.

6. **Recommendation:** That the entity established to administer the new trust fund be required to report at least annually to the legislative committees of jurisdiction regarding its activities, including:
 - a. management of the new trust fund recommended by the Commission;
 - b. administrative costs;
 - c. distribution of funds to outside entities and to state entities;
 - d. coordination of activities with state agencies, including Maine CDC, and the state health plan;
 - e. performance data and consideration of return on investments; and
 - f. other information requested by the Legislature.



State of Maine
131st Legislature, First Regular and First Special Session

**Task Force on Accessibility to Appropriate
Communication Methods for Deaf and
Hard-of-hearing Patients**

January 2024

Office of Policy and Legal Analysis



**STATE OF MAINE
131st LEGISLATURE
FIRST REGULAR SESSION AND FIRST SPECIAL SESSION**

**Task Force on Accessibility to Appropriate Communications Methods for
Deaf and Hard-of-hearing Patients**

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Table of Contents

Executive Summary i

I. Introduction.....1

II. Task Force Process2

III. Problem Identification3

IV. Short-term Recommendations5

V. Additional Consideration; Further Study.....7

VI. Conclusion8

Appendices

- A. Authorizing Legislation: Resolve 2023, c. 97
- B. Commission Membership List: Task Force on Accessibility to Appropriate Communication Methods for Deaf and Hard-of-hearing Patients
- C. New Hampshire Tuition Reimbursement Statute

Executive Summary

The 131st Maine Legislature established the Task Force on Accessibility to Appropriate Communications Methods for Deaf and Hard-of-hearing Patients (referred to in this report as the “task force”) with the passage of Resolve 2023, chapter 97 (Appendix A). Pursuant to the resolve, seven members were appointed to the task force:

- One member of the Senate appointed by the President of the Senate who serves on the Joint Standing Committee on Health and Human Services;
- One member of the House of Representatives appointed the Speaker of the House who serves on the Joint Standing Committee on Health and Human Services;
- One member representing the Department of Health and Human Services, Office of Aging and Disability Services, appointed by the Commissioner of Health and Human Services;
- One member representing Disability Rights Maine, appointed by the Commissioner of Health and Human Services;
- One member representing the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf, appointed by the Commissioner of Health and Human Services;
- One member representing the Department of Labor who works with compliance issues regarding deaf and hard-of-hearing persons, appointed by the Commissioner of Labor; and
- One member of the public who is a person who is deaf or hard of hearing, appointed by the Speaker of the House.

A list of task force members can be found in Appendix B.

The duties of the task force, which are set forth in Resolve 2023, chapter 97, are as follows:

1. The availability of American Sign Language interpreters in health care settings;
2. The availability of other communication technologies in health care settings, such as video interpreters, automatically generated voice transcriptions and automatically generated captions;
3. Staff education and training programs on overcoming barriers to health care experienced by deaf and hard-of-hearing patients; and
4. Successful models for overcoming barriers to health care experienced by deaf and hard-of-hearing patients.

Due to a compressed timeframe, the task force was only able to hold two meetings instead of the typical four meetings that studies authorized by Legislative Council generally undertake. Therefore, the task force was only able to take a preliminary look into its many duties described in the authorizing legislation. As such, the task force developed short-term recommendations

that the Legislature can enact, but also recommends reconstituting to further consider the duties required by the authorizing legislation.

Over the course of its meetings, the task force developed the following recommendations:

- ❖ That the task force be reconstituted in the interim following the Second Regular Session of the 131st Legislature with the same membership and one additional member with expertise in medical interpreting;
- ❖ Require data collection to better inform long-term solutions and solicit policy proposals from relevant agencies that address barriers to ASL interpreter licensure;
- ❖ Require the implementation of language access plans at all healthcare providers in the state as well as the development of statewide guidelines for the appropriate use of VRI services in healthcare settings;
- ❖ Require that the Maine Association for the Deaf's Sign Language Interpreting Committee annually present to the Legislature's Committee on Health and Human Services; and
- ❖ Mandate that medical providers attempt to provide an in-person ASL interpreter when one has been requested and that those requests and outcomes are recorded and reported regularly.



State of Maine
131st Legislature, First Regular and First Special Sessions

Task Force to Evaluate the Impact of Facility Fees on Patients

January 2024

Office of Policy and Legal Analysis



**STATE OF MAINE
131st LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Task Force to Evaluate the
Impact of Facility Fees on Patients**

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Table of Contents

	Page
Executive Summary	iii
I. Introduction.....	1
II. Background.....	1
III. Task Force Process	3
IV. Recommendations.....	7
V. Conclusion	14

Appendices

- A. Authorizing Legislation: Public Law 2023, chapter 410
- B. Membership List: Task Force to Evaluate the Impact of Facility Fees on Patients
- C. Overview of Other State Laws Related to Regulation of Facility Fees

Executive Summary

The Task Force to Evaluate the Impact of Facility Fees on Patients, referred to in this report as the “task force” was established by Public Law 2023, chapter 410 to evaluate the impact on patients of paying facility fees charged by health care providers. Traditionally, facility fees have been charged by hospitals to account for the “overhead” to maintain hospital inpatient and emergency services and cover the operating and administrative expenses to keep hospitals open and accessible to patients at all times. More recently, facility fees have become more commonly charged to patients receiving health care services in non-hospital settings, such as a physician office acquired by a hospital or a health system. With more health care services being delivered in outpatient settings and more patients being responsible for paying a greater portion of costs, more patients are being directly impacted by facility fees.

During the First Regular Session of the 131st Legislature, Senator Troy Jackson, President of the Senate, proposed legislation to address facility fees charged by health care providers. The bill, LD 1795, An Act to Protect Patients by Prohibiting Certain Medical Facility Fees, was introduced following a [Portland Press Herald investigative report](#) that chronicled the problems faced by Mainers with medical billing, including the charging of high facility fees that may not be covered by insurance. In the article, Maine patients recounted their experiences with being charged for facility fees that were not explained prior to receiving services or being charged amounts for facility fees that the patients believed were too high. Given the limited time left in the legislative session and the lack of data on the extent to which Maine patients and Maine’s health care system were being adversely impacted by facility fees, the Joint Standing Committee on Health Coverage, Insurance and Financial Services recommended that LD 1795 be amended to replace the bill and do two things: 1) to require the Maine Health Data Organization to annually report on payments made by payors in this State for facility fees charged by health care providers; and 2) to establish the Task Force to Evaluate the Impact of Facility Fees on Patients to further study the issue and report back to the Legislature. The Legislature followed the Committee’s recommendation and enacted Public Law 2023, chapter 410 to establish the task force.

The task force was chaired by Senator Donna Bailey and Representative Poppy Arford. Other voting members of the task force were appointed to represent stakeholder interests, including a member with expertise, knowledge and background in health care policy and members representing the interests of health care consumers, health insurance carriers, hospitals and retired persons. The Director of the Office of MaineCare Services within the Department of Health and Human Services and the Director of the Office of Affordable Health Care participated as ex officio non-voting members. A copy of the complete membership list is included as Appendix B.

The task force held three public meetings at the State House on December 1, December 7 and December 13. Over the course of the three meetings, the task force used its limited time to fulfill the duties set forth in the authorizing legislation. The task force solicited input from the following stakeholders about industry practices related to facility fees and the impact of facility fees on patients: the Maine Association of Health Plans, Maine Hospital Association, Maine Medical Association, Health Care Purchaser Alliance of Maine and Consumers for Affordable

Health Care. The task force reviewed and considered current federal and State laws related to transparency of cost information for hospitals and health insurance carriers and to standardized billing requirements. The task force also reviewed model legislation on facility fees developed by the National Academy for State Health Policy and the laws enacted in other states that address facility fees.

Given the limited time available, the task force focused on the following policy areas during their discussions: 1) the definition of facility fee; 2) data collection and reporting associated with facility fees; 3) notice or transparency requirements related to facility fees; 4) limitations on facility fees associated with telehealth services; 5) limitations on facility fees based on type of service or location; 6) assistance to patients experiencing general bills issues, including billing of facility fees; and 7) the financial impact on patients for services depending on the setting or site of service. In this report, the task force proposes broad recommendations related to these policy areas that are based on the information available to members at the time of the meetings. The task force acknowledges that, in the time available, it was not possible to consider and understand all of implications and consequences of the proposed recommendations. The task force encourages the Legislature to engage task force members and other stakeholders in additional discussion before moving forward on any of the recommendations.

The task force believes that any policy recommendations related to facility fees should be made in a manner that aligns with federal law, regulations and guidelines as they currently exist and continue to evolve with the goal of requiring providers and facilities to be transparent with respect to facility fees, and of minimizing the burden to patients that result from imposing facility fees. With these considerations in mind, the task force provides the following comments and recommendations. Unless otherwise noted, the task force's recommendations are unanimously supported by all members.

1. Definition of facility fee

- ❖ **Recommend that the Legislature review current definitions of “facility fee” and consider how best to define “facility fee”, including whether charges billed by ambulatory care facilities or other independent non-hospital based facilities should be included in the scope of any legislation limiting the charging of a facility fee**

2. Data collection and reporting associated with facility fees

- ❖ **Recommend that the Maine Health Data Organization and the Office of Affordable Health Care be directed to review the available data reported by MHDO related to facility fees pursuant to the annual reporting requirement established by Public Law 2023, chapter 410; identify any gaps in the data being reported and collected related to facility fees; and make recommendations for any additional data reporting requirements related to facility fees to the Legislature no later than December 31, 2024**

3. Notice or transparency requirements related to facility fees

- ❖ Recommend that the Legislature consider the introduction of legislation to require health care providers that charge a facility fee post notice on their website and on signs in common areas of the facility, including information on how to access the Maine Health Data Organization website for more information about facility fees and under what circumstances facility fees may be charged depending on the payor for a service and the setting in which a service is provided to patient
- ❖ Recommend that the Maine Health Data Organization be directed to develop information on its publicly accessible website designed to educate patients about facility fees and whether and in what circumstances depending on payor and type of service a facility fee may be charged
- ❖ Recommend that the Legislature consider the introduction of legislation to require health care providers to notify patients prior to a scheduled service if they will be charged a facility fee associated with their scheduled service (*Task Force Vote: 6-2*)
- ❖ Recommend that the Legislature consider the introduction of legislation to require that, if a health care provider charges a patient a facility fee, a health care provider and any health care payor must identify any facility fee separately in an itemized manner on any bill or explanation of benefits sent to a patient, to the extent possible (*Task Force Vote: 6-2*)

4. Limitations on facility fees associated with telehealth services

- ❖ Recommend that the Legislature consider the introduction of legislation to prohibit a health care provider from charging a facility fee for telehealth services when a patient is not in a facility (*Task Force Vote: 6-2*)

5. Limitations on facility fees based on location or type of service

- ❖ Recommend that the Maine Health Data Organization be directed to review its available data to determine if any health care providers have charged more than one facility fee per medical encounter on the same date of service and report back to the Legislature on its findings
- ❖ Recommend that the Office of Affordable Health Care be directed to review other state laws that impose limitations or prohibitions on facility fees to determine if similar limitations or prohibitions would reduce the cost of care for consumers in Maine and report back to the Legislature on its findings
- ❖ Recommend that the Legislature consider the introduction of legislation to require hospitals to bill uninsured patients using a single invoice that itemizes any facility fees and professional fees on the invoice in order to eliminate any confusion for patients who

may have previously received separate bills for facility fees and professional fees associated with the same service

- ❖ **Recommend that the Legislature consider the introduction of legislation to regulate facility fees charged, billed or collected by a health care provider, except for the charging, billing or collection of facility fees from MaineCare, by imposing the limitations on facility fees included in the NASHP model legislation as follows:**
 - **Prohibit facility fees charged by hospital-affiliated providers except for services provided on a hospital’s campus (all buildings within 250 yards of main building); at a facility that includes a licensed hospital emergency department; or emergency services provided at a licensed freestanding emergency facility; and**
 - **Prohibit facility fees for outpatient evaluation and management services regardless of where the services are provided. (Task Force Vote: 5-3 vote)**

6. Assistance to patients experiencing general billing issues, including billing of facility fees

- ❖ **Recommend that the Legislature consider the introduction of legislation to establish a complaint mechanism for patients experiencing billing issues with health care providers, including facility fees**

7. Financial impact on patients for services depending on the setting or site of service

- ❖ **Does not recommend any action related to this issue as cost sharing obligations are applied by health insurance carriers in a consistent manner according to the terms and benefits of a patient’s health plans**

The task force believes it is important that policymakers understand how facility fees charged by health care facilities and health care providers impact Maine patients and Maine’s health care system: determine how facility fees should be communicated to patients in a transparent manner; and take steps to minimize the burden to patients that result from imposing facility fees. With these considerations in mind, the task force has made the recommendations included in this report. In the limited time available, however, it was not possible for the task force to consider and understand all of the implications and consequences of its recommendations. The task force encourages the Legislature to carefully consider its recommendations and engage task force members and other stakeholders in further discussions before moving forward with these recommendations.



State of Maine
131st Legislature, First Regular and First Special Session

Gagetown Harmful Chemical Study Commission

January 2024

Office of Policy and Legal Analysis



**STATE OF MAINE
131st LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSION**

Gagetown Harmful Chemical Study Commission

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Table of Contents

Executive Summary	iii
I. Introduction	1
II. Background	1
III. Commission Process.....	6
IV. Findings and Recommendations.....	10
V. Conclusion.....	14

Appendices

- A. Authorizing Legislation: Resolve 2023, c. 95
- B. Membership List: Gagetown Harmful Chemical Study Commission
- C. Commission Correspondence:
 - Letter to Maine’s Federal Congressional Delegation
 - Letter to Secretary of Veterans Affairs, United States Department of Veterans Affairs

Executive Summary

The 131st Legislature established the Gagetown Harmful Chemical Study Commission, referred to in this report as the “commission” with the passage of Resolve 2023, chapter 95 (Appendix A). Pursuant to the resolve, ten members were appointed to the commission: two members of the Senate appointed by the President of the Senate, including a member from each of the two parties holding the largest number of seats in the Legislature; two members of the House of Representatives appointed by the Speaker of the House, including a member from each of the two parties holding the largest number of seats in the Legislature; two members who represent veterans’ advocacy organizations; one member who is a family member of a veteran who served at the Canadian military support base in Gagetown, New Brunswick, Canada; one member with expertise processing veterans’ claims for benefits related to harmful chemicals; and two members who served at Gagetown and were exposed to harmful chemicals during their service.

A list of commission members may be found in Appendix B.

The duty of the commission is set forth in Resolve 2023, chapter 95 (Appendix A) and charges the commission with studying the impacts of exposure to harmful chemicals on veterans who served at the Canadian military support base in Gagetown, New Brunswick, Canada.

Over the course of four meetings, the commission developed the following recommendations:

Recommendation #1. To request that the United States Department of Veterans Affairs provide access to medical care and assistance to members of the National Guard who have trained at the Canadian military support base in Gagetown, New Brunswick, Canada and who have been diagnosed with a condition or illness associated with exposure to tactical herbicides or exposure to other dioxins.

Recommendation #2. The Veterans and Legal Affairs committee should invite individuals with relevant expertise to review and discuss the existing reports and underlying data that comprise the *Canadian Forces Base Gagetown Herbicide Spray Program 1952-2004 Fact-Finders’ Report*, as well as other related content, in order to evaluate the reports’ processes, methods, data and analysis and to determine what steps and resources would be required in order to either reanalyze the existing data or to conduct new studies.

Recommendation #3. The Department of Defense, Veterans and Emergency Management, Bureau of Veterans’ Services should reestablish and expand the registry of individuals who served/serve in the Maine National Guard who have trained at the Canadian military support base in Gagetown, New Brunswick, Canada.

Recommendation #4. The Legislature should reestablish the Gagetown Harmful Chemical Study Commission.



State of Maine
131st Legislature, First Regular and First Special Session

Criminal Records Review Committee

January 2024

Office of Policy and Legal Analysis



**STATE OF MAINE
131st LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSION**

**Criminal Records Review Committee
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Table of Contents

Executive Summary iii

I. Introduction 1

II. Background Information 2

 A. Previous iteration of Criminal Records Review Committee 2

 B. Proposed legislation tabled to consider recommendations from this report 3

 C. Separation of powers 5

 D. Criminal History Record Information and the State Bureau of Identification 6

 E. Juvenile criminal history record information 9

 F. “Clean slate” laws 10

III. Recommendations 11

IV. Future Discussion 13

Appendices

- A. Authorizing Legislation: Resolve 2023, ch. 103
- B. Membership List: Criminal Records Review Committee
- C. Meeting Agendas
- D. Overview of Maine’s Criminal History Record Reporting System
- E. Criminal History Record Information Act: Maine Revised Statutes, Title 16, chapter 7
- F. Post Judgment Motion to Seal Criminal History Record: Maine Revised Statutes, Title 15, chapter 310-A
- G. Maine Judicial Branch Form CR-218 Motion to Seal Criminal History
- H. Presentation on Juvenile Case Records
- I. Clean Slate Law Summaries
- J. Draft Legislation: Recommendation 1 – An Act to Establish the Criminal Records Review Commission
- K. Draft Legislation: Recommendation 2 – An Act to Automatically Seal Criminal History Record Information for Class D and Class E Crimes Relating to Marijuana Possession and Cultivation
- L. Draft Legislation: Recommendation 3 – An Act to Expand the List of Eligible Crimes for Post-judgment Motion to Seal Criminal Record to Include Convictions for Class D Crimes Relating to Possession and Cultivation of Marijuana
- M. Letter to Maine Judicial Branch
- N. Letter to State Bureau of Identification
- O. Draft Legislation: Recommendation 5 – Remove Age from Statutory Prerequisites for Post Judgment Motion to Seal Criminal History Record

Executive Summary

The Criminal Records Review Committee (the “Committee”) was established during the 131st Maine Legislature for two years, pursuant to Resolve 2023, chapter 103. The resolve is included as Appendix A. The Committee has 29 members representing various government agencies and public interests, serving in both official and personal capacities. The membership list is included as Appendix B.

The Committee was tasked with the following duties:

1. Review activities in other states that address the expungement, sealing, vacating of, and otherwise limiting public access to, criminal records;
2. Consider so-called clean slate legislation options;
3. Consider whether the following convictions should be subject to different treatment:
 - A. Convictions for conduct that has been decriminalized in this State over the last 10 years and conduct that is currently under consideration for decriminalization;
 - B. Convictions for conduct that is nonviolent or involves the use of marijuana; and
 - C. Convictions for conduct that was committed by victims and survivors of sexual exploitation and sex trafficking;
4. Consider whether there is a time limit after which some or all criminal records should not be publicly available;
5. Invite comments and suggestions from interested parties, including but not limited to victim advocates and prison and correctional reform organizations;
6. Review existing information about the harms and benefits of making criminal records confidential, including the use and dissemination of those records;
7. Invite comments and suggestions concerning the procedures to limit public accessibility of criminal records;
8. Consider who, if anyone, should continue to have access to criminal records that are not publicly available;
9. Develop options to manage criminal records; and
10. Review and consider criminal records expungement legislation referred to the Joint Standing Committee on Judiciary during the 131st Legislature, including, but not limited to, L.D.s 848, 1550, 1646 and 1789.

A previous iteration of the Criminal Records Review Committee met in the interim of 2021 and this Committee builds upon their the work. The Committee met three times in the legislative interim in 2023 and plans to meet five times in the legislative interim in 2024. The resolve

requires the Committee to provide two reports to the Joint Standing Committee on Judiciary. This is the first interim report.

In the interim report the resolve requires the Committee to focus on the expungement (permanent deletion), sealing, vacating of, and otherwise limiting public access to criminal records related to convictions for conduct that is nonviolent or involves the use of marijuana. Maine has enacted two citizen initiatives relating to the use of marijuana, one approving and regulating its medical use, and one establishing an adult recreational use system, which have been amended over time. These initiatives have changed the legal and criminal landscape so that activities that were once considered illegal in the state are no longer considered so.

The bulk of Committee conversations regarding treating marijuana differently revolved around a person's criminal history record information related to marijuana. The Committee discussed adding certain marijuana convictions to the list of "eligible criminal convictions" for which a person may petition the court to have their criminal history related to that conviction sealed. The Committee also considered establishing a "clean slate" law, which would create a process whereby a person's criminal history record information is automatically sealed for certain marijuana convictions.

The majority of additional discussion by the Committee concerned the post-judgment motion to seal criminal history record process in general. The Committee, dissatisfied with the low number of motions filed since the law's enactment, explored ways to provide additional outreach to the public informing them of this process.

The Committee has an ambitious agenda as it continues to work in 2024 and prepares a final report. This work includes: (1) examining issues around separation of powers and where the line between authorized legislative activity and gubernatorial authority exists; (2) options for the expungement or permanent deleting of criminal history record information; and (3) policy options for mitigating the collateral impact of criminal records on a person's life after completing their sentence. The second and final report, due November 6, 2024, will include additional findings and recommendations.

Based on its work to date, the Committee makes the following recommendations to the Joint Standing Committee on Judiciary.

1. Establish a permanent commission based on the Criminal Records Review Committee.

The permanent commission would have similar duties and membership as the current Committee. The permanent commission would not be staffed by the Legislative Council, but consideration should be made for the possibility that the permanent commission could raise funds for staffing. The membership of the commission would continue to have legislators appointed, understanding that this generates a cost and a determination consideration by the Legislative Council annually when it takes up the Special Study Table. The commission would also have the authority to introduce legislation in each legislative session.

2. Establish a process to automatically seal criminal convictions for Class D and Class E crimes relating to marijuana possession and cultivation contained in electronic records.

Automatic sealing would be made applicable to convictions that are contained in electronic records (beginning in 2001 for most convictions) for crimes committed up to the effective date of the ballot initiative establishing the adult recreational use cannabis, January 30, 2017.

Minority position

A minority report vote was cast by Judy Meyer and Dan MacLeod, members representing public records access and the press, respectively. The minority report states that automatic sealing of records is a First Amendment violation of the public's right to access to records of criminal proceedings.

3. Add convictions for Class D crimes relating to marijuana possession and cultivation to the list of eligible criminal convictions for which a person can submit a motion to seal criminal history record information related to the conviction.

Most records became electronic in 2001 and this recommendation would allow an individual whose convictions were prior to electronic records being kept, or were not electronic for any other reason, to petition to have their criminal history record information related to this conviction sealed. Eligible Class D convictions would be for crimes that were committed up to the effective date of the ballot initiative establishing the adult recreational use cannabis, January 30, 2017.

Minority position

A minority report vote was cast by Senator Donna Bailey and Andrea Mancuso, adding a qualifier to the recommendation to clarify that the recommendation applies only to convictions for acts that are no longer crimes as a result of Maine's legalization of medical and adult recreational use cannabis.

4. Increase public outreach and notifications to qualified persons for the current post-judgment motion to seal criminal history record information

Ten motions have been filed since the post-judgment motions to seal criminal history record law went into effect. The Committee recommends updating websites and forms used by the Maine Judicial Branch and State Bureau of Identification to reflect that existence of the process. The committee sent letters to the Maine Judicial Branch and State Bureau of Identification requesting their assistance in updating forms, materials and webpages to increase public knowledge of this process.

5. Remove the statutory prerequisite that a person must have been aged 18 to 27 years when they committed the underlying crime in order to be eligible to have the person's criminal history record information sealed.

The current statutory prerequisites in the post-judgment motion to seal criminal history record limits the chapter's applicability to individuals aged 18-27 years of age when they committed the underlying crime. A majority of the Committee voted to remove this age restriction and allow anyone who fulfils the other criteria under the current petition process to be eligible.

Board of Directors

Brian Frutchey
Chair/Secretary
RH Foster

Scott Beal
Vice Chair
Woodland Pulp

Lucas Morris
Treasurer
Machias Savings Bank

April Norton
Wyman's

Ardis Brown
Town of Danforth

Carla Ganiel
Max and Marian Farash Charitable
Foundation

Charlie McAlpin
Eastern Maine Electric Cooperative

Dee Sabattus
United South and Eastern Tribes

Heather Anderson
Coastal Physical Therapy

Megan Sorby
Kingfish Maine

Megan Walsh
University of Maine at Machias

Monique Claverie
St. Croix Tissue Inc.

Steve Lail
Downeast Community Hospital

Susan Mingo
Washington County Community
College

Ex-Officio

Renee Gray
Washington County Government

Representative Tiffany Strout
Washington County Legislative
Delegation

January 22, 2024

Honorable Janet T. Mills
Governor
1 State House Station
Augusta, Me 04333-0001

Ms. Susanne Gresser
Executive Director of the Maine Legislature 115 State House Station
Augusta, ME 04333-0115

Honorable Chip Curry
Honorable Tiffany Roberts
Joint Committee of Innovation, Development, Economic Advancement and Business c/o
Legislative Information Office
100 State House Station

Dear Governor Mills, Ms. Gresser, Senator Curry and Representative Roberts,

Pursuant to MRSA Title 5, Chapter 383, Article 2-A, Section 13083-F, the Sunrise
County Economic Council (SCEC) is pleased to submit the 2021-2022 Annual
Report to the Legislature on behalf of the Washington County Development
Authority (WCDA).

SCEC is a private, nonprofit, federally recognized economic development
organization which works to create jobs and prosperity in Washington County.
We provide staff support for the WCDA and are partnering with the Authority
in its effort to redevelop the former U.S. Navy base in Cutler.

The WCDA continued its incremental work to restore the former Cutler Naval
Base to productive use.

As indicated in the enclosed report, the WCDA procured GR Roofing LLC to
replace the roof on the Base's Chapel Shop and Workshop. Seavee & Mahar
Engineering were procured to take samples for hazardous materials, their findings
revealed more hazardous materials than were anticipated through the tests. WCDA,
EPA and the US Navy are now in discussions over cleanup of the contaminated area.
WCDA did not make any significant contributions or changes to policies and
procedures in the past year.

Please contact me with any questions or concerns. Thank you.

Sincerely,



Charles J. Rudelitch, Esq.
Executive Director
Enclosure: 2022-2023 Annual Report



Sunrise County Economic Council

Washington County Development Authority

ANNUAL REPORT October 1, 2022- September 30, 2023

Introduction

Pursuant to the provisions of Title 5 of Maine Revised Statutes Annotated, Chapter 383, Subchapter 3, Article 2-A, the Washington County Development Authority is required to submit an annual report to the Governor, the Executive Director of the Legislative Council, and the joint standing committee of the Legislature having jurisdiction over business and economic development matters. The report must be submitted no later than 120 days after the close of the authority's fiscal year. The Authority's fiscal year ended on September 30, 2023.

Section 13083-F of 5 MRSA requires that the annual report of the Authority include:

- A. A description of the authority's operations and activities;
- B. An accounting of the authority's receipts and expenditures and assets and liabilities at the end of its fiscal year;
- C. A listing of all property transactions pursuant to section 13083-D;
- D. A statement of the authority's proposed and projected activities for the ensuing year; and
- E. Recommendations regarding further actions that may be suitable for achieving the purposes of this article.

History of the Authority

The Washington County Development Authority was established by the Second Regular Session of the 120th Maine Legislature as Chapter 568 of the Laws of Maine 2001. The Authority was established in response to the need to create a state entity that could take title to the former Naval Computer and Telecommunications Station in Cutler, Maine from the United States Navy. Since that time, the legislation was amended to broaden the scope of the authority's mission to allow the authority to provide financial and technical assistance to any governmental entity and nonprofit located within Washington County in support of community and economic development projects. Representation was expanded to include all municipalities in Washington County, including the unorganized territories.

For the reporting period, the Authority was comprised of the following members: Elizabeth "Betsy" Fitzgerald (Machiasport), Renee Gray (Addison), Julie Jordan (Jonesport), Ron McAlpine (Crawford), Lewis Pinkham (Milbridge), Heron Weston (Eastport) and Lani Reynolds (Northfield). The DECO Appointee seat is currently vacant. Heron Weston and Lani Reynolds are no longer attending monthly board meetings.

For this time period, the following officers were elected: Betsy Fitzgerald (Chair), Lewis Pinkham (Vice Chair). The WCDA set monthly meetings on the third Monday of every month at 1:00 pm. During this period, all meetings were held virtually using the Zoom platform.

The Authority can have up to 13 voting members. At this point, there are 7 Trustees. The Authority would like to increase board membership and will work with Sunrise County Economic Council to provide a list of potential Trustees to the Governor.

Operations and Activities

The WCDA Trustees scheduled ten (10) regular meetings from October 2022 to September 2023, 5 of these meetings did not meet numbers to reach a quorum.

Major items of discussion during the course of the report period included the following subjects:

The Washington County Development Authority continues to contract with Sunrise County Economic Council to provide administrative and bookkeeping services.

An EPA Clean Up Grant was awarded to the Authority in 2021. The EPA required more testing on the Recreation Building in 2022. The Authority accepted a bid from Seavee and Mahar Engineering to conduct the required tests. More hazardous materials were found than were anticipated through the tests. At this time the cost of cleanup exceeds the amount of funds received through the Brownfields Grant. The Authority is now working on possible cleanup processes with the EPA, and the US Navy has been successfully contacted and will be assisting for the funding to help with the cleanup of the Rec Building.

The Authority is seeking additional funding for cleanup of the Administration Building, security is now an issue due to vandalism.

The Authority accepted the roofing bid from GR Roofing LLC to replace the roof of the Chapel shop and Workshop. The work was finished in a timely manner in late 2022.

New doors are still needed on the Warehouse and the Chapel. The Authority has put this project out to bid and has found the cost to be a barrier, \$10,000 is the lowest bid that has been received. The Authority looked for a reasonable bid and the cost for the doors has increased. A revised bid from Machias Glass Works for \$13,500 has been accepted and the doors will be put on in the new year.

During the year, the Authority had continued to manage the commercial buildings at the de-commissioned Cutler Base. The WCDA continues to lease space for several small Maine businesses and all of the space that can be leased on the Base at this time is full. The whole Public Works building has been rented and the Authority is also continuing to receive inquiries about when additional space will be finished.

Receipts and Expenditures

See attached Financial Statement

Property Transactions

The WCDA did not sell or buy real estate this year.

Proposed and Projected Activities

Sunrise County Economic Council and Washington County Government have provided what staff support they can, but the Authority's Trustees are handling much of the day-to-day management of the property as volunteers.

The Authority will continue to work with the EPA and the US Navy around the issue of cleaning up the contamination on the base, talks between the EPS and the US Navy have begun and will continue until the issue is resolved.

The Authority's sole source of income is rent, which has been entirely used for the maintenance and repair of the property.

The Authority will be seeking an extension on the current Brownfields Grant award in 2024 and applying for additional funding.

The Authority will continue to seek new tenants as the spaces receive additional repairs and cleanup as well as continue contact with perspective businesses.

Recommendations

1. The Authority requests the Governor, Honorable Janet T. Mills, to appoint additional Trustees to the Washington County Development Authority's Board.

Attachments:

Financial reports: WCDA Annual Income Statement

Respectfully Submitted,



Renée Gray, WCDA Chair

Washington County Development Authority
Statement of Revenues and Expenditures - Detail - Unposted Transactions Included In Report
From 10/1/2022 Through 9/30/2023

	Current Period Actual
Operating Revenue	
Grant Revenue	60,952.51
Investment Income	11.96
Other Income	<u>70,075.00</u>
Total Operating Revenue	<u>131,039.47</u>
Total Revenue	<u>131,039.47</u>
Expenditures	
Program Expenses	11,471.63
Professional Fees	2,653.22
Postage & Shipping	66.00
Occupancy	4,094.62
Maintenance & Repairs	6,683.64
Miscellaneous	<u>796.00</u>
Total Expenditures	<u>25,765.11</u>
Net Revenue Over Expenditures	<u><u>105,274.36</u></u>

Washington County Development Authority

Balance Sheet
As of 9/30/2023

	Current Year	Prior Year	Current Year % Change
Assets			
Current Assets			
Cash & Cash Equivalents			
Checking Account	109,373.78	173,614.24	(37.00)
Camden CD	87,000.00	0.00	100.00
Total Cash & Cash Equivalents	<u>196,373.78</u>	<u>173,614.24</u>	<u>13.11</u>
Total Current Assets	196,373.78	173,614.24	13.11
Long-term Assets			
Property & Equipment	81,500.00	0.00	100.00
Total Property & Equipment	<u>81,500.00</u>	<u>0.00</u>	<u>100.00</u>
Total Long-term Assets	<u>81,500.00</u>	<u>0.00</u>	<u>100.00</u>
Total Assets	<u><u>277,873.78</u></u>	<u><u>173,614.24</u></u>	<u><u>60.05</u></u>
Liabilities			
Short-term Liabilities			
Accounts Payable			
Accounts Payable	0.00	1,014.82	(100.00)
Total Accounts Payable	<u>0.00</u>	<u>1,014.82</u>	<u>(100.00)</u>
Total Short-term Liabilities	<u>0.00</u>	<u>1,014.82</u>	<u>(100.00)</u>
Total Liabilities	<u>0.00</u>	<u>1,014.82</u>	<u>(100.00)</u>
Net Assets			
Beginning Net Assets			
Net Assets	188,279.76	188,279.76	0.00
Current YTD Net Income			
	89,594.02	(15,680.34)	(671.38)
Total Current YTD Net Income	<u>89,594.02</u>	<u>(15,680.34)</u>	<u>(671.38)</u>
Total Net Assets	<u>277,873.78</u>	<u>172,599.42</u>	<u>60.99</u>
Total Liabilities and Net Assets	<u><u>277,873.78</u></u>	<u><u>173,614.24</u></u>	<u><u>60.05</u></u>

January 18, 2024

The Honorable Janet T. Mills
Governor of the State of Maine
State House Station #1
Augusta, Maine 04330

Subject: Annual Report of MRRA for the year ending December 31, 2023

Dear Governor Mills:

Pursuant to 5 MRSA §13083-S, I am writing to update you on the activities of the Midcoast Regional Redevelopment Authority (MRRA) and the remarkable transformation of the former Naval Air Station Brunswick and its Topsham Annex.

The Midcoast Regional Redevelopment Authority, a component unit of the State of Maine, is a municipal corporation created by Maine law, 5 MRSA §13083-G, and charged with the responsibility to acquire and manage property at the former Naval Air Station Brunswick (NAS Brunswick) and the Topsham Annex and to facilitate the rapid redevelopment of properties in order to recover from economic and employment loss as a result of base closure. The first meeting of the MRRA Board of Trustees was held on September 27, 2007.

As the following key performance indicators illustrate, the NAS Brunswick redevelopment effort is proceeding on the course originally envisioned by the Reuse Master Plan; at a much faster pace than originally projected. We have clearly established Brunswick Landing as *Maine's Center for Innovation* and an incredible asset for the growth of both the Mid-coast and Maine economy. Some of the key success metrics of the redevelopment effort since the base closure include:

- ❑ Over **132 public and private entities** now call Brunswick Landing and the Topsham Commerce Park home. Nearly 40% of these entities did not exist in Maine before.
- ❑ Over **2,405 new jobs** have been created to date. It should also be noted that there are 120 Maine Army National Guard members and 124 Marine Corps Reservists assigned to their units at Brunswick Landing bringing the **total employment to 2,529**.
- ❑ In a 2019 Beneficial Use Study of Brunswick Landing by the Environmental Protection Agency for Region 1, it was reported that the 1,800 individuals employed at Brunswick Landing earned an estimated \$67 million in income and produced an estimated \$683 million in state GDP. Using that ratio, the **estimated personal income at Brunswick is \$97.6 million and close to \$1 billion in state GDP**.

- ❑ TechPlace, our technology business incubator, is home to **38 early-stage technology businesses, with 107 current employees**. Resident businesses exist in all six target business sectors: aerospace, advanced materials, information technology, cleantech, and life sciences. To date, TechPlace has graduated 25 businesses nearly all of which have remained in Maine. Collectively those graduates have created 450 jobs.
- ❑ **\$245,920,170 in new taxable property valuation** has been added to the property tax rolls in the Town of Brunswick and **\$7,040,200 in Topsham**, generating new property tax revenues for FY 2023 in Brunswick of \$5,334,008 and \$95,605 in Topsham.
- ❑ Since the approval of the Public Benefit Conveyance (PBC) and the signing of the Economic Development Conveyance (EDC) Purchase and Sale Agreement in 2011, the Navy has transferred 1,959.38 of the 2,257.92 acres we are slated to receive through deed transfer or Lease in Furtherance of Conveyance. MRRA has now received 969.72 (77.25%) of the 1,255.32 acres of the non-airport property and 989.66 (98.71%) of the 1,002.6 acres of airport land. This year the Navy transferred 5.73 acres and four EDC buildings (buildings 29, 201, 221 and 226) on Neptune Drive and transferred 4.04 acres of PBC property and one building (building 9 scheduled to be demolished) on the corner of Admiral Fitch Avenue and Orion Street.
- ❑ Since 2011, MRRA has sold fifty-six buildings and 637.87 acres of land to twenty-two private sector developers and several individual businesses for active redevelopment purposes. This year MRRA sold three buildings on Neptune Drive (buildings 29, 221 and 226) and 1.76 acres (lot 60) to Sabattus Realty which will construct a new building on Allagash Drive for the dentist office of Dr. Peter Drewes.
- ❑ MRRA currently has ten direct tenants renting 144,366 square feet in eleven EDC acquired buildings and two buildings MRRA built.
- ❑ MRRA has another 534,481 square feet of building space under lease to 47 airport tenants in ten PBC acquired buildings and two other hangar buildings MRRA built and 4 other tenants leasing land area.
- ❑ In December **asylum-seeking families started moving into a new housing** development built at Brunswick Landing. A group of 23 families began settling into two 12-unit buildings that have been completed so far (each unit of 11,736 square feet). The other three 12-unit buildings in the development are expected to be completed in January of 2024. Portland-based Developers Collaborative is building the \$13 million development. MaineHousing provided an \$8 million loan package, while the Brunswick-based Genesis Community Loan Fund is providing a \$4 million loan. MaineHousing is covering the families' rents for two years. Most of the 23 families are from Angola and the Democratic Republic of the Congo and have one or two children.



- ❑ Eighteen commercial and industrial buildings comprising 276,235 square feet have been constructed at Brunswick Landing.
- ❑ In 2022 Jones Street Investment Partners received \$36 million in financing and approval from the Town of Brunswick to construct a 181 multifamily housing project (adding 159,408 square feet), Atlantic Point Apartments, at Brunswick Landing. Construction is well underway with four of nine four story apartment buildings currently housing tenants. Brunswick Landing Ventures also received approval to construct 85 single family homes on campus.



- ❑ In May Katahdin Property Management began construction on an \$18 million apartment complex at Brunswick Landing. The 63-unit building off Admiral Fitch Avenue will have advanced heat pumps, electric-vehicle chargers, underground parking and solar panels. A total of 20% of the units will be reserved for affordable housing; rents are projected to range from \$1,300-\$2,500.

- ❑ This year's **flight operations have totaled right at 24,000**. FlightLevel Aviation the Fixed Base Operator (FBO) sold 450,000 gallons in up from 350,000 gallons in 2022. The Great State of Maine airshow will return in 2024, bringing with it an excitement and economic impact that will carry beyond the Brunswick area. The increase in flight operations and fuel sales have several contributing factors. Several flight schools located at BXM, increased corporate and private traffic, and the aircraft maintenance facilities to name a few. The large runways, ramps, and hangars make the airport an appealing place for aviation related companies to fly, work and train, the small town feel and welcoming accommodations make it a preferred destination for private travelers.

- ❑ This year, Brunswick Executive Airport hosted two Presidential visits which included Air Force One, Marine One, and four Osprey Tiltrotor Aircraft, the Presidential Limousine and support motorcade.



- ❑ **Over 1,200 acres of land has been reserved for conservation** and recreation purposes.

- ❑ Electric power provided to Brunswick Landing customers comes from **100% renewable energy sources**. The campus houses a 1.0-megawatt anaerobic digester which has the potential to burn methane to generate electricity. Its new owners are in the process of completing permitting and upgrades so operations can start up again. In January of 2019, a \$3 million 1.5-megawatt solar farm owned by Diversified Communications began generating

electricity for the campus. The solar farm is currently generating about 12% of the energy needs of the campus. A planned 1-megawatt expansion of the digester will allow for nearly 100% of our power needs to be met by on campus renewable sources.

- ❑ MRRA inherited a significant bundle of utility and infrastructure systems from the Navy, including: 27 miles of roadways, streetlight and stormwater systems; 17 miles of water and wastewater pipes and multiple related pump stations; and over 15 miles of electric lines, poles and transformers. Since 2012, MRRA has invested more than \$7.8 million in these utilities.
- ❑ In June of 2019, MRRA transferred the entire gravity sanitary sewer system to the Brunswick Sewer District. In December of 2021 MRRA finished the reconstruction of three sanitary sewer pump stations (Theater Lift Station, Public Works Lift Station and Hangar 6 Lift Station) at a cost of \$1.47 million and transferred these new facilities and over 9,505 feet of sanitary sewer gravity mains over to the Brunswick Sewer District. This year, Brunswick Landing Ventures and the Brunswick Sewer District invested more than \$1 million in the complete refurbishment of the Woodland Sanitary Sewer Pump Station which will be transferred to the Brunswick Sewer District early in 2024. Renovations to the Mariner Sanitary Sewer Pump Station began in December.
- ❑ MRRA, the Federal Aviation Administration, and MaineDOT have invested \$14.5 million in the transition of a former military airfield into a general aviation airport and over \$20.2 million in upgrading airport buildings to grow the aviation and aerospace industries in Maine including the construction of a ten-unit T-Hangar building and a 15,867 square foot box hangar.
- ❑ In February, the Brunswick Town Council approved a \$1.12 million construction contract for the first phase of the Midcoast Athletic and Recreation Complex (MARC), a multi-million-dollar set of courts, fields and other recreation amenities at Brunswick Landing adjacent the Town's Community Recreational Facility.

A. Description of the Authority's Operations

The year 2023 was another busy, challenging and successful year for MRRA. MRRA continues to work hard to enhance the redevelopment of Brunswick Landing to be a catalyst for the State's economic growth. Our business development efforts continue to focus on quality job creation in our targeted industries: aviation/aerospace, clean technology, composites, information technology, biotechnology, and education.

The Midcoast Regional Redevelopment Authority reached a number of important milestones in 2023. Consistent with MRRA's adopted **2023 Strategic Business Plan for Brunswick Landing and Topsham Commerce Park**, this past year's performance on those objectives includes the following accomplishments:

In 2023, MRRA signed the following new leases:

New MRRA Tenants

- ❑ DiMillo's Boat Storage
- ❑ Fwego
- ❑ Northeastern University
- ❑ Roy's Driving School
- ❑ Squad 10 Medical Fitness
- ❑ Stratton Aviation
- ❑ Yarmouth Boat Yard

New leases signed this year in TechPlace include:

- ❑ Casco Bay Sewing and Fabrication
- ❑ Even Keel, Inc.
- ❑ Maine Space Grant Consortium
- ❑ Ocean Farm Supply, LLC
- ❑ Omission, Inc.
- ❑ Revert Technologies, Inc.
- ❑ R. E. Thomas Marine Hardware

TechPlace has been a valuable resource in growing Maine's economy having graduated the following twenty-five businesses since its creation:

- | | |
|------------------------------------|------------------------------------|
| ❖ Altha Technology | ❖ Mobility Technologies |
| ❖ AO Cyber Security | ❖ Plant & Flask |
| ❖ Arcadia Alliance | ❖ Running Tide |
| ❖ Atayne | ❖ Savoie Composite Solutions |
| ❖ BluShift Aerospace | ❖ STARC Systems |
| ❖ Captive Drone | ❖ TanBark, LLC |
| ❖ Fiddlehead Designs | ❖ The Maine Extraction |
| ❖ Go Babe | ❖ Thrivant Health |
| ❖ Griffin LLC | ❖ VALT Enterprises, Inc. |
| ❖ Harbor Technologies | ❖ Village Green Ventures |
| ❖ InSphero Manufacturing | ❖ Vivid Cloud Development Services |
| ❖ JMH Associates LLC | ❖ Wireless Sensors |
| ❖ Maritime Surveillance Associates | |

Other accomplishments this year include:

- ❑ This fiscal year the Brunswick Executive Airport was awarded \$997,000 from the Federal Aviation Administration and a state match of \$55,400 from the Maine Department of Transportation along with MRRA's match of \$55,400 to fund the following projects:

FAA MAP 046 Pavement Markings	\$230,200
FAA MAP 047 Snow Removal Equipment	\$695,600
FAA MAP 048 Customs Feasibility Study (CDS)	\$71,200
	<hr/>
	\$997,000

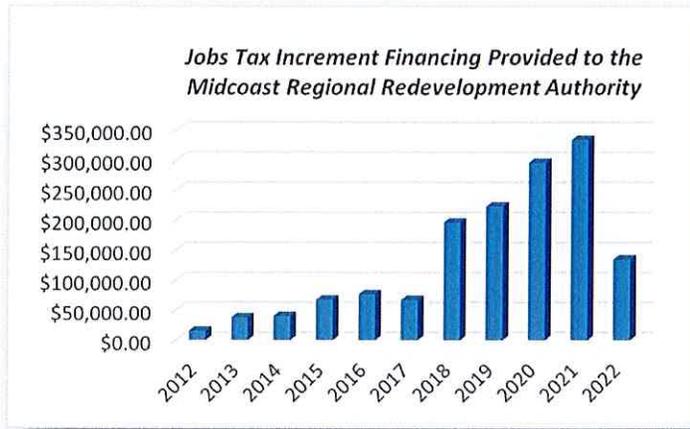
- ❑ This year the Restoration Advisory Board prepared a Community Involvement Plan (CIP) in support of the ongoing cleanup being completed under the Department of the Navy Environmental Restoration Program (ERP) at former Naval Air Station (NAS) Brunswick. This CIP is designed to support effective two-way communication between former NAS Brunswick Navy representatives and local community members for the ERP. Effective communication and timely information exchange are essential for maintaining community understanding and support for former NAS Brunswick's property transfer activities and in continuing to implement a successful ERP. The outreach methods described in this CIP were developed based on the responses received through an online community survey conducted from November 2021 through January 2022.
- ❑ With a grant from the Maine Department of Transportation MRRRA issued an RFP for design and engineering work on the planned Allagash bike/ped pathway. Gorrill Palmer will be issuing its final report in the first quarter of 2024.
- ❑ Remediation of the former Picnic Pond stormwater retention system by dredging contaminated soils containing chemical of concern in Ponds A and B and Picnic Pond by the United States Government Navy BRAC Office was completed this fall.
- ❑ New staff this year at MRRRA, including Jake Levesque, hired as the Director of Innovation and Development replacing Jenna Muzzy. Jake brings a wealth of marketing and new social media relation skills to the position. Robin Saindon was brought on as the new Finance Officer, replacing Tushima Sims. Robin had previously worked in the Finance Office of Bowdoin College. Katherine Robison was hired as the Executive Administrative Assistant to the Executive Director. An engineer by training, she brings strong organizational skills to the MRRRA operation. In November MRRRA hired John Bolduc as the new TechShop Manager at TechPlace replacing Brian Mulligan who has retired from the part time position. John is a retired Professor and Department Chair of the Precision Machining and Manufacturing Department at Southern Maine Community College, having taught for over twenty years.
- ❑ On October 30, the Board elected the following officers: Chair – H. A. Nichols, Vice Chair – John Peters, Treasurer – Ann Marie Swenson and Secretary – Lois Skillings.

B. *An accounting of the Authority's receipts and expenditures, assets and liabilities at the end of its fiscal year*

Please find attached an Unaudited Financial Report for the period ending December 31, 2023. Also, please find attached a copy of the audited Financial Statements for the period ending June 30, 2023. The audit was conducted by Runyon Kersteen and Ouellette. These documents were presented to the Office of the State Controller for inclusion in the State financial statements for the period ending June 30, 2023. MRRRA received an unmodified (clean audit) opinion letter for a sixteenth consecutive year.

It should be noted that MRRRA does not receive a direct state appropriation as part of the General Fund Budget. MRRRA's funds come from revenues from property sales, leases, common area maintenance charges and utility customers.

In 2009 the Legislature amended our enabling statute and created the Brunswick Naval Air Station Job Increment Financing Fund. These funds have been an important resource in promoting the rapid and successful redevelopment of Brunswick Landing. A large portion of the funds collected from income taxes paid by employees of Brunswick Landing businesses for tax year 2022 were unexpectedly withheld from MRRA. The Maine Revenue Service and MaineDECD did not consider remote workers as eligible workers under the statute. This resulted in



a substantial reduction in financial support. In 2022, the State of Maine provided \$333,403.93; MRRA had projected and planned for a J-TIF revenue of \$350,000 for 2023. Instead the State made a payment of \$134,311.71, due to the exclusion of remote workers hired by Brunswick Landing employers.

Capital improvements projects are funded from a combination of aviation capital improvement funds from Maine DOT, the Federal Aviation Administration, tax increment financing revenue from the Town of Brunswick and revenues MRRA raises from property sales, leases, utility customers and public area maintenance charges.

C. A listing of all property transactions pursuant to Section 13083-K

On February 7, 2011, the Navy and MRRA signed the airport Public Benefit Conveyance (PBC) Agreement for 989.66 acres, including three large hangars, a number of aviation-related support buildings and revenue-producing facilities for the airport. Through subsequent amendments, the total expected PBC transfer is now 1,002.60 acres. The conveyance of title will come over time as properties that are determined to be “clean” through a Finding of Suitability to Transfer (FOST) and are then deeded from the Navy. Accordingly, not all the properties can be conveyed at the same time, but in phases as clean-up continues and FOSTs are issued. As of December 31, 2023, MRRA has received a total of 989.66 acres of airfield property and 19 buildings containing 627,516 square feet. As a condition of transfer from the Federal Aviation Administration and the Navy, land and buildings within the Airport property cannot be sold. MRRA built a 10,000-square foot ten-unit T-Hangar and a 15,867 square foot box hangar bringing the total square footage managed to 653,383. This year the Navy transferred AIR 15 and AIR 17 on July 28, 2023 comprising of 4.04 acres for two parcels on either side of Admiral Fitch Avenue at the intersection of Orion Street.

On September 14, 2011, the Navy signed a *Non-Binding Summary of the Acquisition Terms and Conditions for the Naval Air Station Brunswick, Maine by and between the United States of America and the Midcoast Regional Redevelopment Authority* (i.e., term sheet) for a total of 1,112 acres which would be transferred through an Economic Development Conveyance (EDC). Through subsequent amendments, the total expected EDC transfer is now 1,255.32 acres. MRRA has received through Quit Claim Deed or Lease in Furtherance of Conveyance 969.72 acres from the Navy.

As part of the EDC Agreement, MRRRA agreed to share annually with the Navy 25% of gross revenues from the sale or lease of EDC property after the receipt of the first \$7.0 million. The revenue share remains in place until gross revenues reach \$37.4 million. There is no revenue sharing in excess of \$37.4 million and less than \$42.4 million. The Authority is required to pay the United States Government 50.0% of gross real estate proceeds in excess of \$42.4 million until September 29, 2034. To date, MRRRA has paid the United States Government \$9,186,348.49.

This year, MRRRA sold 1.94 acres and building 29, the former auto-hobby building to Priority Realty Group of Topsham, Maine. The building currently houses NorthEast Ambulance Service and Shoreline Auto Detailing. MRRRA also sold the former SeaCadets building (building 221) and the former Thrift Store (building 226) and 1.6 acres to Jones Street Investment Partners for its leasing offices. In September MRRRA sold 1.76 acres (lot 60) to Sabattus Realty which will construct a new building on Allagash Drive for the dentist office of Dr. Peter Drewes.

All the remaining properties at the former NASB and Topsham Annex will be conveyed from the United States Government to MRRRA once appropriate environmental clearances are obtained.

D. An accounting of all activities of any special utility district formed under Section 13083-L

On September 30, 2011, the Navy transferred all utilities on the base, including the electrical distribution system, the potable water distribution system, the sewer collection and pump station assets, stormwater collection system to MRRRA.

On June 30, 2019, MRRRA transferred the operation and sanitary sewer gravity collection system to the Brunswick Sewer District. With the completion of the upgrade to three sanitary sewer pump stations, MRRRA transferred those facilities and over 3,900 linear feet of force mains to the Brunswick Sewer District on December 31, 2021.

MRRRA has been providing electrical distribution services at Brunswick Landing since 2011. In 2020, MRRRA filed its Electrical Distribution Terms and Conditions to the Maine Public Utilities Commission to become a regulated municipal electric utility. The PUC approved our Terms and Conditions on July 21, 2021.

In 2021 MRRRA became a Designated Operator of a Public Drinking Water System by the Department of Health and Human Service's Office of Drinking Water Division. On August 30, 2023, the Maine Public Utilities Commission initiated, pursuant to 35-A M.R.S. § 1303(2), a formal investigation into MRRRA's water service operations at Brunswick Landing (Docket No. 2023-00209). This proceeding follows a summary investigation initiated in Docket No. 2023-00125,2 the scope of which was to determine whether there were grounds for further investigation into MRRRA's water operations, particularly whether MRRRA was operating its water system as a "public utility," as that term is defined under 35-A M.R.S. § 102(22). A final decision of the Commission had not been issued by December 31, 2023.

This year also marked MRRRA's fourteenth year of operating a regional general aviation airport, which is becoming a great asset for the Midcoast region, with over 24,000 takeoffs and landings in 2023. Over a period of twelve years, MRRRA received more than \$33.4 million in grants from the Federal Aviation and MaineDOT to convert a military airfield into one of the state's largest general aviation

airports. Beginning in 2020, the airport was transferred into the FAA’s competitive Discretionary Grant Program. This year the FAA approved the following grants:

FAA MAP 046 Pavement Markings	\$230,200
FAA MAP 047 Snow Removal Equipment	\$695,600
FAA MAP 048 Customs Feasibility Study (CDS)	\$71,200
	<u>\$997,000</u>

E. A listing of any property acquired by eminent domain under Sec. 13083-N

No property was acquired by MRRRA through its powers of eminent domain.

F. A listing of any bonds issued during the fiscal year under Sec. 13083-I

MRRRA did not issue any bonds during 2023. However, in 2020 entered into three debt instruments. MRRRA was approached by two tenants requesting larger rental space; Starc Systems and Vivid Cloud Development Services (formerly Here Engineering). Starc Systems was interested in moving into the southern bay of Hangar 5, leasing approximately 50,000 square feet. MRRRA and Starc came to an agreement that MRRRA would borrow funds to provide tenant designed build to suit renovations of hangar 5. MRRRA borrowed \$350,000 on a five-year note from Mechanics Savings Bank at a rate of 4.72%. A loan agreement was signed in January of 2020 with an amortization schedule that began on April 16, 2020.

MRRRA worked again with Mechanic Savings Bank to assist Vivid Cloud Development Services to expand its operations in Hangar 6 to a larger office area on the first floor. MRRRA signed a ten-year Promissory Note on June 3, 2020, for \$325,000 at an interest rate of 3.99%.

Both lease agreements state that if the tenant leaves, the tenant will be responsible for the balance of the principal due on the loan that MRRRA signed.

On October 30, 2023, the MRRRA Board of Trustees authorized the acceptance of the \$831,368 of grant funding from Efficiency Maine Trust to purchase and install four direct current electric vehicle fast chargers at Brunswick Landing and authorize the leveraging of a loan up to \$207,842 from Maine Community Bank to provide the local match for this project. MRRRA had not closed on loan documents before December 31, 2023. The debt service would be retired through fees collected through credit card purchases at the point of sale.

On June 18, 2020, Brunswick Landing MHC USA, LLC, a partnership which is owned 99% by the Midcoast Regional Redevelopment Authority closed on the refinancing of debt with Bangor Savings Bank on the 79,600 square foot build to suit medical device manufacturing facility for Molnlycke Healthcare USA with Norway Savings Bank following a request for bids from six Maine banks. Brunswick Landing MHC borrowed \$7,714,311.17 on a note that will mature on March 18, 2033.

G. A statement of the Authority's proposed and projected activities for the ensuing year

Please find attached a copy of MRRA's current Business Plan. A new business plan for 2024 will be presented to the Board of Trustees at its February 28, 2024 meeting.

H. Recommendations regarding further actions that may be suitable for achieving the purposes of this article.

I would also like to express our concern and seek your support regarding a recent change in the revenue-sharing arrangement under the Job Tax Increment Financing program contained within 5 MRSA 13083-S.1. Historically, MRRA has received 25% of income taxes paid by employees of businesses located at Brunswick Landing. This arrangement has been a crucial source of revenue for our organization, enabling us to carry out important community and economic development initiatives in the region. However, we were recently informed that the State of Maine has decided not to share this revenue with us for employees working from home for the businesses established at Brunswick Landing, resulting in a significant 66% reduction in our anticipated income.

We understand the need for fiscal responsibility and recognize that the state's priorities may shift over time. However, we believe it is essential to consider the broader economic impact of such decisions, especially in the context of the evolving nature of work, which increasingly involves remote and flexible arrangements.

The employees working from home continue to contribute to the economic vitality of Brunswick Landing, and their efforts have a positive impact on the community as a whole. These individuals are still an integral part of the Maine workforce, and we believe it is fair and equitable for the revenue-sharing agreement to encompass all employees, regardless of their physical work location.

We kindly request that the State of Maine reconsider its decision and reinstate the revenue-sharing arrangement for all employees, including those working from home. This adjustment is crucial for maintaining the financial stability of MRRA and ensuring that we can continue to support the economic growth and development of the Midcoast region.

One of the other areas that I intend on continuing to pursue is the development of a life science incubator center at Brunswick Landing and a partnership with the State of Maine will be critical to this effort. Life sciences are among the fastest-growing industries in Maine and play an increasingly important role in Maine's economy. This diverse industry contributes over 7,400 jobs to the state's economy, demands an average annual salary of \$95,000, is responsible for over \$1.5 billion to the state's GRP, and represents 5% of Maine's total exports. Over the last 5 years, life science job growth has shown a 14% increase, significantly outpacing the 4% job growth of all other industries in Maine combined and the data indicates these trends will continue in the years to come.

To assist in the growth of the life science industry, Maine needs to be able to support early stage and growth companies that are innovating in this sector. Companies focused on R&D and manufacturing need access to affordable lab space, equipment, funding, mentors, education, networking, and essential resources to allow them to commercialize life science discoveries.

Maine is geographically situated to be a prime location for life sciences, marine and ocean science research and development, and where the marine economy is ripe for expansion. Maine has an impressive concentration of world-class scientists producing cutting-edge bioscience discoveries at globally recognized research facilities including Jackson Laboratory, Mount Desert Island Biological Laboratory (MDIBL), Gulf of Maine Research Institute, Bigelow Laboratory for Ocean Sciences, Maine Health, the University of Maine, and the University of New England. With these companies as drivers, Maine is well positioned for continued growth and success in the life science sector.

The State of Maine will benefit from having a life science incubator center that can provide support and resources to bioscience companies looking to locate and grow in Maine. MRRA is in a unique position to help new biotech companies to the state.

The Master Reuse Plan for the Brunswick Landing calls for the development of centers of excellence for technology innovation, a live, work, play and educate environment, and to support smart growth principles. The Master Reuse Plan also identified the six predominant economic clusters (aviation, information technology, composite manufacturing, green and renewable technology, biotechnology and education) in the Midcoast which represented 45% of the total Midcoast economy. These clusters were shown to have higher location quotients than the state. Science, technology, and higher education was among the six economic clusters and a life science incubator aligns with MRRA's plan to work to support the growth of the science and technology sector.

Over the past year, MRRA has worked in concert with Maine Center for Entrepreneurs, Maine Bioscience Cluster Initiative, The Roux Institute, Maine DECD, Maine Technology Institute, SMRT, Consigli Construction, as well as several of our current bioscience and technology related tenants at TechPlace to begin to assemble a plan to design, fund, construct and operate a life science incubator center at Brunswick Landing. \ We look forward to working with the State of Maine as a critical partner in moving this project forward.

1. A description of the MRRA's progress toward achieving the goals set forth in Section 13083-G:

- 1. Short-term goal.** Recover civilian job losses in the primary impact community resulting from the base closure; (***Accomplished in 2015***)
- 2. Intermediate goal.** Recover economic losses and total job losses in the primary impact community resulting from the base closure (estimated by the State Planning Office at \$140 million);

We have just started to review data this coming year and will evaluate how to best measure this metric against the State's impact analysis.

- 3. Long-term goal.** Facilitate the maximum redevelopment of base properties (Reuse Master Plan estimated full build out potential of nearly 12,000 jobs).

Naval Air Station Brunswick employed 714 civilians at its Brunswick and Topsham sites at the time of the base closure announcement. After just 139 months from the official date of closing the base in May of 2011, there are over 2,405 individuals working at Brunswick Landing. The key to the success of the redevelopment effort is due, in large part, to the collaborative partnerships engaged in the effort, including, but certainly not limited to, you and the State of Maine, the Towns of Brunswick and

Topsham, multiple federal agencies, the U.S. Navy, the businesses and real estate community who have invested into the project, and many others.

Thank you for your continued interest and support of this important economic development project for the State of Maine, which has become a critical asset to growing our economy. I look forward to collaborating with you and your administration.

Sincerely,



Kristine M. Logan
Executive Director

- cc. Heather Johnson, Commissioner, MaineDECD
- Susan Gresser, Executive Director, Legislative Council
- Joint Standing Committee on Labor, Commerce, Research and Economic Development
- Brunswick Legislative Delegation
- Brunswick Town Council
- Topsham Board of Selectman
- Julie Henze, Acting Brunswick Town Manager
- Derek Scrapchansky, Topsham Town Manager
- MRRA Board of Trustees
- Jeffrey K. Jordan, Deputy Director, CFO, MRRA
- Jamie Logan, *TechPlace* Director
- Jake Levesque, Innovation and Development Director, MRRA