

SEN. TROY D. JACKSON  
CHAIR

REP. SARA GIDEON  
VICE- CHAIR

EXECUTIVE DIRECTOR  
GRANT T. PENNOYER



129<sup>TH</sup> MAINE STATE LEGISLATURE  
LEGISLATIVE COUNCIL

SEN. NATHAN L. LIBBY  
SEN. ELOISE A. VITELLI  
SEN. DANA L. DOW  
SEN. JEFFREY L. TIMBERLAKE  
REP. MATTHEW W. MOONEN  
REP. RYAN M. FECTEAU  
REP. KATHLEEN R.J. DILLINGHAM  
REP. HAROLD TREY STEWART III

**129<sup>th</sup> Legislature  
Legislative Council  
November 5, 2020**

**AGENDA**

<u>Page</u>	<u>Item</u>	<u>Action</u>
	<b>CALL TO ORDER</b>	
	<b>ROLL CALL</b>	
<b>1</b>	<b>SUMMARY OF THE FEBRUARY 27, 2020 MEETING OF THE LEGISLATIVE COUNCIL</b>	<b>Decision</b>
	<b>REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS</b>	
<b>15</b>	<ul style="list-style-type: none"><li>• Executive Director's Report (Mr. Pennoyer)</li></ul>	<b>Information</b>
<b>16</b>	<ul style="list-style-type: none"><li>• Fiscal Report (Mr. Nolan)</li></ul>	<b>Information</b>
<b>21</b>	<ul style="list-style-type: none"><li>• Interim Studies Report (Ms. Hylan Barr)</li></ul>	<b>Information</b>
	<b>REPORTS FROM COUNCIL COMMITTEES</b>	
<b>22</b>	<ul style="list-style-type: none"><li>• Personnel Committee<ul style="list-style-type: none"><li>○ Appointment of Executive Director</li></ul></li></ul>	<b>Decision</b>
<b>23</b>	<ul style="list-style-type: none"><li>○ Appointment of Office of Policy and Legal Analysis Director</li></ul>	<b>Decision</b>
	<ul style="list-style-type: none"><li>• State House Facilities Committee No Report</li></ul>	
	<b>OLD BUSINESS</b>	
<b>24</b>	Item #2: Council Actions Taken by Ballot (No Action Required)	<b>Information</b>

**NEW BUSINESS**

No new business

**ANNOUNCEMENTS AND REMARKS**

**ADJOURNMENT**

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**LEGISLATIVE COUNCIL  
MEETING SUMMARY  
February 27, 2020**

**CALL TO ORDER**

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

**ROLL CALL**

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

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

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

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

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

## NEW BUSINESS

### Item #1: Consideration of After-Deadline Bill Requests

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

## SUMMARY OF January 23, 2020 MEETING OF THE LEGISLATIVE COUNCIL

**Motion:** That the Meeting Summary for January 23, 2020 be accepted and placed on file.  
Motion by Representative Libby. Second by Representative Moonen. **Motion passed unanimously (10-0-0).**

## REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES

### Executive Director's Report

Grant Pennoyer, Executive Director, gave the following report.

#### 1. New Employee Orientation

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

#### 2. Workday HR Management System

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

### Fiscal Report

#### 1. General Fund Revenue Update

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

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

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

**2. Highway Fund Revenue Update**

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

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

**3. Cash Balances Update**

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

**4. March 2020 Revenue Forecast**

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

**REPORTS FROM COUNCIL COMMITTEES**

**State House Facilities Committee**

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

**1. Security Options for the Cross Office Building**

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

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

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

3. Recognition of Women at the State House

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

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

4. State House Items in Storage

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

**OLD BUSINESS:**

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

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

**NEW BUSINESS:**

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

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

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

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

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

**Item #4** Acceptance of Gail Laughlin portrait in State House

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

**Announcements and Remarks:**

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

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

**129th Maine State Legislature  
Legislative Council  
Requests to Introduce Legislation  
Second Regular Session**

**AFTER DEADLINE BILL REQUESTS**

**SPONSOR:**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3205	An Act To Permit Naloxone Possession and Administration in Public and Private Schools	PASSED

**SPONSOR: Rep. John Andrews**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3226	An Act To Protect Maine Children and Teenagers from Unauthorized Drone Surveillance	PASSED

**SPONSOR: Rep. Donna Bailey**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3175	An Act To Amend the Definition of Tobacco Product To Exclude Matches and Lighters	PASSED

**SPONSOR: Rep. Seth A. Berry**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3238	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Protect Municipal Revenue	TABLED

**SPONSOR: Rep. Anne Carney**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3137	Resolve, Directing the Maine Complete Count Committee To Submit a Report to the Legislature Regarding Full Participation in the 2020 Federal Decennial Census	WITHDRAWN

**SPONSOR: Sen. Justin Chenette**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3162	An Act To Protect Homeowners by Requiring Disclosure of Basement Flooding Coverage in Insurance Policies	TABLED

**SPONSOR: Sen. Scott Wynn Cyrway**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3252	Resolve, To Require the Inclusion on an Accident Report Whether the Accident Was Marijuana-related	TABLED

**SPONSOR: Sen. Lisa Keim**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3195	An Act To Create a Voluntary Registry Program for Service Animals	TABLED

**SPONSOR: Rep. Stephen Wilde Moriarty**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3219	An Act To Add the Use of Drones to the Statute on Stalking	BALLOT IN PROCESS

**SPONSOR: Rep. Maggie O'Neil**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3208	An Act To Require the State To Divest Itself of Assets Invested in the Fossil Fuel Industry	TABLED

3209	An Act To Ensure That Victims of Domestic Violence Have Parity under Tort Law	<u>Action</u> TABLED
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**SPONSOR: Rep. Charlotte May Warren**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3227	An Act To Increase Government Accountability	BALLOT IN PROCESS

#### LATE-FILED MAJOR SUBSTANTIVE RULES

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3229	Resolve, Regarding Legislative Review of Chapter 348: On Farm Raising, Slaughter and Processing of Less Than 1,000 Ready-to-Cook Whole Poultry Carcasses, a Late-filed Major Substantive Rule of the Department of Agriculture, Conservation and Forestry	PASSED

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3244	Resolve, Regarding Legislative Review of Portions of Chapter 104: Certain Payments Not Immediate, a Late-filed Major Substantive Rule of the Office of the State Treasurer	PASSED

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**129th Maine State Legislature  
Tabled Pre Cloture Bill Requests  
From October 23, 2019 and December 6, 2019  
And Tabled After Deadline**

**TABLED BY THE LEGISLATIVE COUNCIL**

**SPONSOR: Sen. Scott Wynn Cyrway**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3106	An Act To Amend the Law Governing Contracts for Pharmacy Services	Tabled 12/19/19

**SPONSOR: Sen. Susan Deschambault**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3121	An Act To Prohibit the Use of Cellphones in Schools by Students in Grades 9 and under	Tabled 12/19/19

**SPONSOR: Sen. Geoff Gratwick**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3102	An Act To Improve School Safety	Tabled 12/19/19

**SPONSOR: Sen. Marianne Moore**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3118	An Act Regarding Mobile Billboards	Tabled 12/19/19

**SPONSOR: Rep. Kent Ackley**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2723	An Act To Allow Municipalities To Set Below-market Interest Rates for Senior Citizen Property Tax Deferral Programs	Tabled 12/06/19

**SPONSOR: Rep. Michael F. Brennan**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2847	An Act To Promote Justice for Victims of Sexual Abuse by Suspending the Statute of Limitations	Tabled 10/23/19

**SPONSOR: Sen. Ned Claxton**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2944	An Act To Minimize Potentially Objectionable License Plates	Tabled 12/06/19
2946	Resolve, Directing the Department of Education To Amend Its Certification Requirement Rules	Tabled 10/23/19

**SPONSOR: Sen. Scott Wynn Cyrway**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2610	An Act To Require Warning Labels Regarding the Danger of Psychosis from the Consumption of Marijuana Products	Tabled 12/06/19

**SPONSOR: Rep. Matthea Elisabeth Larsen Daughtry**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3058	An Act To Protect Independent Contractors from Sexual Harassment	Tabled 10/23/19
3065	An Act To Properly Fund Early Childhood Education and Postsecondary Grant Opportunities	Tabled 10/23/19
3066	An Act To Require Transparency in Postsecondary Institutions with Regard to Sexual Assaults	Tabled 10/23/19

**SPONSOR: Rep. John C. DeVeau**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2805	An Act To Provide Additional Supplemental Funding to the Veterans' Homelessness Prevention Coordination Program	Tabled 12/06/19

**SPONSOR: Rep. Justin J. Fecteau**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2849	An Act To Protect Students from Individuals Convicted of Sex Crimes	Tabled 10/23/19

**SPONSOR: Sen. Geoff Gratwick**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2691	An Act To Restrict the Use of Chlorpyrifos in Farming	Tabled 10/23/19

**SPONSOR: Rep. Sheldon M. Hanington**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2658	An Act To Impose Penalties for the Failure of Municipalities To Keep the Grave Sites of Veterans in Public Burying Grounds in Good Condition and Repair	Tabled 10/23/19

**SPONSOR: Rep. Henry Ingwersen**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2884	Resolve, Directing the Department of Environmental Protection To Investigate Potential Sources of High-level Per- and Polyfluoroalkyl Substances Contamination of Land and Drinking Water	Tabled 10/23/19

**SPONSOR: Pres. Troy Dale Jackson**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2657	An Act To Allow Day Students at the Maine School of Science and Mathematics	Tabled 10/23/19
2713	An Act To Provide Tax Credits for Employers Who Employ Qualified Apprentices	Tabled 10/23/19
2714	An Act To Ensure Equitable Pricing for Fuel Delivered to Energy Markets	Tabled 10/23/19
2737	An Act To Ensure Access to Affordable Prescription Drugs	Tabled 10/23/19
2985	Resolve, To Establish Guidelines for the Creation of Offshore Wind Projects That Include the Protection of Fisheries and Wildlife and the Creation of High-quality Local Jobs	Tabled 10/23/19

**SPONSOR: Sen. Lisa Keim**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2760	An Act To Provide MaineCare to Disabled Veterans	Tabled 10/23/19

**SPONSOR: Rep. MaryAnne Kinney**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2625	An Act To Protect the People of Maine from Drug Overdoses	Tabled 10/23/19

**SPONSOR: Rep. Scott Landry**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
3060	An Act Relating to Energy Storage	Tabled 10/23/19

**SPONSOR: Sen. Nate Libby**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2855	Resolve, To Ensure Appropriate Case Management under the Behavioral Health Home Program and for Adults with Human Immunodeficiency Virus Infection	Tabled 10/23/19

**SPONSOR: Rep. Jay McCreight**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2968	An Act To Maintain and Enhance the Behavioral Health Workforce in Maine	Tabled 10/23/19

**SPONSOR: Sen. Dave Miramant**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2718	An Act To Amend the Laws Governing Aquaculture Leases	Tabled 10/23/19

**SPONSOR: Sen. Marianne Moore**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2746	An Act To Clarify the Rights of Parties in Certain Foreclosure Actions	Tabled 12/06/19

**SPONSOR: Rep. Stephen Sullivan Stanley**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2808	An Act To Remove the Tax Cap on County Jail Funding	Tabled 10/23/19

**SPONSOR: Rep. Scott W. Strom**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2709	An Act To Prohibit the Collection of Campaign Contributions within a Voting Place	Tabled 10/23/19

**SPONSOR: Rep. Nathan J. Wadsworth**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2966	An Act To Provide Funding to the Maine Quality Centers within the Maine Community College System	Tabled 10/23/19

2967	An Act To Support Maine's Workforce Initiatives within the Maine Community College System	Tabled 10/23/19
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**SPONSOR: Sen. David Woodsome**

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2684	An Act To Provide Veterans with Educational Benefits	Tabled 10/23/19
2686	An Act To Ensure Maine Cable Service Franchises Are Nonexclusive	Tabled 12/06/19
2704	An Act To Establish Common Law Marriage in Maine	Tabled 12/06/19
2873	An Act To Remove Barriers to Entry to the Profession of Dental Therapy and Expand Access for the Underserved Dental Patient Population	Tabled 12/06/19

**Legislative Council Actions  
Taken by Ballot Since the  
January 23, 2020 Council Meeting**

**Requests for Introduction of Legislation:**

**LR 3178 An Act to Prevent Charter Schools from Using State Funds for Anti-Union Campaigns**

Submitted by: Mike A. Sylvester  
Date: February 3, 2020  
Vote: 6-4-0-0 Passed (with Sens. Dow and Timberlake and Reps. Dillingham and Stewart opposed)

**LR 3138 An Act To Prohibit Foreign Governments and Foreign Quasi-Governmental Agencies from Influencing Citizen' Initiatives**

Submitted by: Representative Kent Ackley  
Date: February 3, 2020  
Vote: 7-3-0-0- Passed (with Sens. Timberlake and Representatives Dillingham and Stewart opposed)

**LR 3170 An Act To Improve the Controlled Substances Prescription Monitoring Program**

Submitted by: Representative Patricia Hymanson  
Date: February 3, 2020  
Vote: 7-3-0-0- Passed (with Sens. Dow and Timberlake and Rep. Dillingham opposed)

**LR 3196 An Act To Incentivize Home Sharing**

Submitted By: Senator Justin Chenette  
Date: February 5, 2020  
Vote: 4-6-0-0- Failed (With Pres. Jackson, Sens. Libby and Vitali and Speaker Gideon in favor)

**LR 3171      Resolve, to Establish a Task Force to Study the Coordination of Services and Expansion of Educational Programs for Young Adults with Disabilities**

Submitted by: Representative Sarah Pebworth  
Date: February 5, 2020  
Vote: 7-3-0-0- Passed (with Sen. Timberlake and Reps. Dillingham and Stewart opposed)

**LR 3135      An Act to Allow Certified Parents to Teach Driver's Education**

Submitted by: Senator Erin Herbig  
Date: February 5, 2020  
Vote: 0-10-0-0- Failed

**LR 2692      An Act To Protect Maine Children by Codifying Certain Existing Rules Applicable to Child Care Facilities, Nursery Schools and the Facilities of Home-based child Care Providers.**

Submitted by: Senator Geoff Gratwick  
Date: February 6, 2020  
Vote: 6-4-0-0- Passed (with Sens. Dow and Timberlake and Reps. Dillingham and Stewart opposed)

**LR 3161      An Act To Designate Solar Farms as an Acceptable Activity on Land Classified as Farmland or Open Space Land**

Submitted by: Representative Seth A. Berry  
Date: February 6, 2020  
Vote: 9-1-0-0- Passed (with Sen. Timberlake opposed)

**LR 3177      An Act Regarding Health Insurance Options for Town Academies**

Submitted by: Senator Michael Carpenter  
Date: February 6, 2020  
Vote: 9-1-0-0- Passed (with Sen. Timberlake opposed)

**LR 3210      An Act To Ensure the Provision of Services for Children with Disabilities**

Submitted by: Representative Michelle Meyer  
Date: February 11, 2020  
Vote: 10-0-0-0- Passed

**LR 3155      An Act To Improve Prescription Information Access for Maine Residents**

Submitted by: Representative Margaret Craven  
Date: February 13, 2020  
Vote: 9-1-0-0 Passed (with Sen. Timberlake opposed)

**LR 3154                    An Act Regarding Municipal Alcohol Sales**

Submitted by:    Senator Louis Luchini  
Date:                February 13, 2020  
Vote:                10-0-0-0 Passed

**LR 3218                    An Act To Increase Reimbursement Rates for Home Care Services**

Submitted by:    Senator Shenna Bellows  
Date:                February 13, 2020  
Votes:              10-0-0-0 Passed

**LR 3221                    An Act To Amend the Limited Lines Travel Insurance Act**

Submitted by:    Representative Joshua Morris  
Date:                February 20,2020  
Votes:              10-0-0-0 Passed

**LR 3240                    An Act To Amend the Charter of the Lucerne-in-Maine Village Corporation**

Submitted by:    Senator Kimberly Rosen  
Date:                February 25, 2020  
Vote:                10-0-0-0 Passed

**LR 3247                    An Act To Ensure Compliance with Disclosure for Political Communications**

Submitted by:    Pres. Troy Dale Jackson  
Date:                February 27, 2020  
Vote:                6-4-0-0 Passed (with Sens. Dow and Timberlake and Reps. Dillingham and S  
Stewart opposed)

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129<sup>TH</sup> MAINE STATE LEGISLATURE  
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REP. HAROLD TREY STEWART III

## Executive Director's Report November 5, 2020

### 1. Bill Production System Update

The Legislature has finished User Acceptance Testing of the new custom-built, \$3.3 million Bill Production System and has accepted the new system from the vendor after three years of planning, production and testing. We also negotiated an extension of the warranty period so that the vendor will be available to address any technical issues that arise as the Office of the Revisor of Statutes (ROS) uses this new system to produce bills and amendments for the 130th Legislature and the update of the statutes after the 130th, 1st Regular Session. This wonderful new system has already been used to update the statutes and convert laws from the 129th Legislature. It will be a major improvement in the efficiency of bill and amendment production and statute update. Unlike the system which it is replacing, this new system was designed specifically by our vendor, Tallan, to meet Maine's unique needs in this area. I would like to thank the ROS and the Office of Legislative Information Technology (LIT) for their dedication and extra-effort and time spent to see this new system through to this recent acceptance. In particular, we owe much praise and thanks to Ed Charbonneau, ROS Deputy Director and the Lead Representative for the Legislature on this project, who has sacrificed so much over the last three years to keep this project advancing as successfully as it did.

# Fiscal Briefing

November 5, 2020

*Prepared by the Office of Fiscal & Program Review*

## 1. General Fund Revenue Update (see attached)

**Total General Fund Revenue - FY 2021 (\$'s in Millions)**

	Budget	Actual	Var.	% Var.	Prior Year	% Change
September	\$386.9	\$432.7	\$45.8	11.8%	\$424.0	2.0%
FYTD	\$952.5	\$1,020.6	\$68.1	7.1%	\$1,055.0	-3.3%

General Fund revenue was over budget by \$45.8 million (11.8%) for the month of September and over budget by \$68.1 million (7.1%) for the fiscal year to date. September revenue exceeded September revenue from last year by 2.0% but revenue to date through the first quarter of FY 2021 was 3.3% less than the first quarter of FY 2020.

Individual income tax revenue was over budget by \$30.8 million for the month and over budget by \$48.0 million for the fiscal year to date. Withholding and estimated payments were both significantly over budget for the month and fiscal year to date. Corporate income tax revenue was under budget by \$1.5 million for the month but over budget by \$4.5 million for the fiscal year to date.

Sales and use tax revenue (August sales) was over budget for the month by \$13.8 million and by \$23.9 million for the fiscal year to date. Total taxable sales for the month of August were 1.6% higher than August of last year.

## 2. Highway Fund Revenue Update (see attached)

**Total Highway Fund Revenue - FY 2021 (\$'s in Millions)**

	Budget	Actual	Var.	% Var.	Prior Year	% Change
September	\$25.9	\$26.2	\$0.3	1.3%	\$31.2	-16.0%
FYTD	\$82.9	\$86.2	\$3.4	4.1%	\$95.8	-10.0%

Highway Fund revenue was over budget by \$0.3 million (1.3%) for the month of September and over budget by \$3.4 million (4.1%) for the fiscal year to date. September revenue was 16.0% less than September revenue from last year and 10.0% less through the first quarter of FY 2021 than the first quarter of FY 2020.

Fuel taxes were over budget by \$2.1 million for the month and by \$3.4 million for the fiscal year to date. Motor vehicle registrations and fees were over budget by \$1.3 million for the month and by \$3.3 million for the fiscal year to date. Other Highway Fund revenue were under budget by \$3.4 million for the month with most of this negative variance attributable to the timing of municipal truck excise tax reimbursements.

## 3. Cash Balances Update

The average balance in the cash pool for September was \$2,879.1 million, an increase from August's average of \$2,858.2 million. The cash balance for September includes an average cash balance of \$958.4 million from the federal Coronavirus Relief Fund (CRF) payment of \$1,250 million that Maine received in mid-April. Without this CRF cash balance, the average balance in the cash pool for September would have been \$1,920.7 million. The average Highway Fund balance in September was \$38.3 million, an increase from August's average of \$25.0 million.

## 4. Economic and Revenue Forecast Meetings Scheduled

The Consensus Economic Forecasting Commission (CEFC) met on October 23<sup>rd</sup> to review and update the economic forecast for its November 1<sup>st</sup> report. Overall, the Commission reaffirmed its

assessment of the economic and public health conditions made in the July 2020 CEFC off-cycle forecast, noting continued concern about the unprecedented, uncertain and rapidly changing nature of these conditions. Of particular note, the CEFC forecast for personal income was revised upward for the forecast period, including an increase for 2020 from 3.9% in July to 5.3% in the current forecast to reflect a stronger rebound in middle- and high-income jobs. A summary of the major CEFC changes follows. The Revenue Forecasting Committee (RFC) is scheduled to meet November 23rd to review and update the revenue forecast to comply with its statutory reporting date of December 1<sup>st</sup>.

**July 2020 vs. November 2020 CEFC Forecast**

<b>Calendar Years</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>
<b>Wage &amp; Salary Employment (Annual Percentage Change)</b>							
CEFC Forecast 02/2020	0.9%	0.5%	0.2%	0.1%	0.0%	0.0%	0.0%
CEFC Forecast 07/2020	0.9%	-8.0%	4.0%	2.0%	0.0%	0.0%	0.0%
CEFC Forecast 11/2020	0.9%	-8.0%	4.0%	2.0%	0.1%	0.1%	0.1%
Difference 11/20 vs. 7/20	0.0%	0.0%	0.0%	0.0%	0.1%	0.1%	0.1%
<b>Personal Income (Annual Percentage Change)</b>							
CEFC Forecast 02/2020	4.7%	4.1%	4.0%	3.7%	3.5%	3.5%	3.5%
CEFC Forecast 07/2020	4.6%	3.9%	-1.2%	3.7%	3.5%	3.6%	3.6%
CEFC Forecast 11/2020	4.2%	5.3%	-0.5%	3.9%	3.9%	3.9%	4.0%
Difference 11/20 vs. 7/20	-0.4%	1.4%	0.7%	0.2%	0.4%	0.3%	0.4%
<b>Wage and Salary Income (Annual Percentage Change)</b>							
CEFC Forecast 02/2020	4.5%	4.1%	3.7%	3.4%	3.2%	3.2%	3.2%
CEFC Forecast 07/2020	4.6%	-5.0%	2.0%	3.0%	3.0%	3.0%	3.0%
CEFC Forecast 11/2020	4.9%	-1.5%	3.0%	4.0%	4.0%	4.0%	4.0%
Difference 11/20 vs. 7/20	0.3%	3.5%	1.0%	1.0%	1.0%	1.0%	1.0%
<b>CPI (Annual Percentage Change)</b>							
CEFC Forecast 02/2020	1.8%	1.9%	2.0%	2.0%	2.0%	2.0%	2.0%
CEFC Forecast 07/2020	1.8%	0.9%	1.5%	1.7%	2.0%	2.0%	2.0%
CEFC Forecast 11/2020	1.8%	1.3%	2.2%	2.2%	2.1%	2.1%	2.1%
Difference 11/20 vs. 7/20	0.0%	0.4%	0.7%	0.5%	0.1%	0.1%	0.1%

From CEFC October 23, 2020 Meeting

**General Fund Revenue**  
**Fiscal Year Ending June 30, 2021 (FY 2021)**

Updated 10/16/20

**September 2020 Revenue Variance Report**

Revenue Category				Fiscal Year-To-Date					FY 2021 Budgeted Totals
	September '20 Budget	September '20 Actual	September '20 Variance	Budget	Actual	Variance	Variance %	% Change from Prior Year	
Sales and Use Tax	147,102,208	160,872,229	13,770,021	446,003,567	469,877,916	23,874,349	5.4%	-0.9%	1,456,880,758
Service Provider Tax	4,948,762	4,374,959	(573,803)	14,867,036	13,974,903	(892,133)	-6.0%	-6.5%	57,454,000
Individual Income Tax	171,526,813	202,290,329	30,763,516	381,848,515	429,885,544	48,037,029	12.6%	-3.7%	1,589,621,248
Corporate Income Tax	43,606,739	42,091,587	(1,515,152)	56,711,781	61,194,371	4,482,590	7.9%	-0.2%	175,505,002
Cigarette and Tobacco Tax	12,002,742	14,345,908	2,343,166	37,245,430	39,722,006	2,476,576	6.6%	14.3%	143,107,202
Insurance Companies Tax	77,487	105,964	28,477	607,693	689,018	81,325	13.4%	1247.7%	82,300,000
Estate Tax	1,100,000	1,062,523	(37,477)	2,069,225	1,541,484	(527,741)	-25.5%	-83.2%	12,050,000
Other Taxes and Fees *	8,559,477	10,434,611	1,875,134	40,167,840	27,040,713	(13,127,127)	-32.7%	-16.1%	134,284,714
Fines, Forfeits and Penalties	835,519	975,469	139,950	2,775,146	2,633,914	(141,232)	-5.1%	-30.3%	11,253,699
Income from Investments	321,600	474,899	153,299	662,715	936,887	274,172	41.4%	-64.6%	3,824,776
Transfer from Lottery Commission	5,168,966	4,822,725	(346,241)	14,831,086	17,023,719	2,192,633	14.8%	12.2%	60,000,000
Transfers to Tax Relief Programs *	(1,422,715)	(342)	1,422,373	(1,944,613)	31,809	1,976,422	101.6%	100.8%	(75,567,000)
Transfers for Municipal Revenue Sharing	(10,350,076)	(11,589,724)	(1,239,648)	(33,073,892)	(34,313,540)	(1,239,648)	-3.7%	-23.0%	(127,745,420)
Other Revenue *	3,444,584	2,443,190	(1,001,394)	(10,249,488)	(9,633,891)	615,597	6.0%	-21.1%	19,317,074
<b>Totals</b>	<b>386,922,106</b>	<b>432,704,327</b>	<b>45,782,221</b>	<b>952,522,041</b>	<b>1,020,604,855</b>	<b>68,082,814</b>	<b>7.1%</b>	<b>-3.3%</b>	<b>3,542,286,053</b>

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

**General Fund Revenue**  
**Fiscal Year Ending June 30, 2021 (FY 2021)**

Updated 10/16/20

**September 2020 Revenue Variance Report**

Revenue Category	September '20 Budget	September '20 Actual	September '20 Variance	Fiscal Year-To-Date					FY 2021 Budgeted Totals
				Budget	Actual	Variance	Variance %	% Change from Prior Year	
<b>Detail of Other Taxes and Fees:</b>									
- Property Tax - Unorganized Territory	0	0	0	12,447,341	0	(12,447,341)	-100.0%	N/A	14,713,169
- Real Estate Transfer Tax	1,399,530	1,864,792	465,262	1,566,196	1,929,134	362,938	23.2%	-64.8%	15,522,964
- Liquor Taxes and Fees	2,097,968	2,205,340	107,372	6,293,904	5,034,237	(1,259,667)	-20.0%	-24.2%	22,093,824
- Corporation Fees and Licenses	255,705	374,631	118,926	2,320,216	2,765,414	445,198	19.2%	24.3%	9,938,649
- Telecommunication Excise Tax	0	0	0	0	0	0	N/A	-100.0%	5,715,000
- Finance Industry Fees	2,299,748	2,919,650	619,902	6,899,245	5,893,350	(1,005,895)	-14.6%	-7.3%	27,916,990
- Milk Handling Fee	197,455	275,148	77,693	1,033,937	1,607,401	573,464	55.5%	277.6%	3,260,456
- Racino Revenue	277,562	581,775	304,213	781,171	1,431,131	649,960	83.2%	-41.9%	3,055,726
- Boat, ATV and Snowmobile Fees	197,658	210,296	12,638	1,124,675	1,219,892	95,217	8.5%	2.3%	4,523,561
- Hunting and Fishing License Fees	1,080,785	1,508,216	427,431	5,183,144	5,162,673	(20,471)	-0.4%	-3.9%	15,990,794
- Other Miscellaneous Taxes and Fees	753,066	494,764	(258,302)	2,518,011	1,997,481	(520,530)	-20.7%	-3.9%	11,553,581
<b>Subtotal - Other Taxes and Fees</b>	<b>8,559,477</b>	<b>10,434,611</b>	<b>1,875,134</b>	<b>40,167,840</b>	<b>27,040,713</b>	<b>(13,127,127)</b>	<b>-32.7%</b>	<b>-16.1%</b>	<b>134,284,714</b>
<b>Detail of Other Revenue:</b>									
- Liquor Sales and Operations	2,375	0	(2,375)	7,125	10,500	3,375	47.4%	-27.1%	28,500
- Targeted Case Management (DHHS)	17,105	10,245	(6,860)	51,315	15,517	(35,798)	-69.8%	-53.4%	158,160
- State Cost Allocation Program	1,914,284	2,206,805	292,521	6,464,742	7,881,481	1,416,739	21.9%	24.4%	25,410,229
- Unclaimed Property Transfer	0	0	0	0	0	0	N/A	N/A	6,200,000
- Tourism Transfer	0	0	0	(11,947,545)	(11,947,545)	0	0.0%	-4.9%	(17,076,345)
- Transfer to Maine Milk Pool	(678,262)	(968,061)	(289,799)	(3,789,014)	(4,078,813)	(289,799)	-7.6%	-56.4%	(10,536,729)
- Transfer to STAR Transportation Fund	0	0	0	(7,120,522)	(7,120,522)	0	0.0%	8.9%	(9,911,067)
- Other Miscellaneous Revenue	2,189,082	1,194,201	(994,881)	6,084,411	5,605,491	(478,920)	-7.9%	-25.0%	25,044,326
<b>Subtotal - Other Revenue</b>	<b>3,444,584</b>	<b>2,443,190</b>	<b>(1,001,394)</b>	<b>(10,249,488)</b>	<b>(9,633,891)</b>	<b>615,597</b>	<b>6.0%</b>	<b>-21.1%</b>	<b>19,317,074</b>
<b>Detail of Transfers to Tax Relief Programs:</b>									
- Me. Resident Prop. Tax Program (Circuitbreaker)	0	(342)	(342)	0	1,255	1,255	N/A	-3.6%	0
- BETR - Business Equipment Tax Reimb.	(1,447,475)	0	1,447,475	(2,859,440)	21,507	2,880,947	100.8%	100.5%	(21,500,000)
- BETE - Municipal Bus. Equip. Tax Reimb.	24,760	0	(24,760)	64,373	9,047	(55,326)	-85.9%	-83.4%	(54,067,000)
<b>Subtotal - Tax Relief Transfers</b>	<b>(1,422,715)</b>	<b>(342)</b>	<b>1,422,373</b>	<b>(2,795,067)</b>	<b>31,809</b>	<b>2,826,876</b>	<b>101.1%</b>	<b>100.8%</b>	<b>(75,567,000)</b>
<b>Inland Fisheries and Wildlife Revenue - Total</b>	<b>1,346,363</b>	<b>1,770,931</b>	<b>424,568</b>	<b>6,506,136</b>	<b>6,531,133</b>	<b>24,997</b>	<b>0.4%</b>	<b>-3.4%</b>	<b>21,447,813</b>

**Highway Fund Revenue**  
**Fiscal Year Ending June 30, 2021 (FY 2021)**

Updated 10/16/20

**September 2020 Revenue Variance Report**

Revenue Category	September '20 Budget	September '20 Actual	September '20 Variance	Fiscal Year-To-Date					FY 2021 Budgeted Totals	Budgeted Change FY 2020 to FY 2021
				Budget	Actual	Variance	% Variance	% Change from Prior Year		
Fuel Taxes:										
- Gasoline Tax	15,884,270	17,777,586	1,893,316	47,552,648	50,460,647	2,907,999	6.1%	1.2%	181,980,000	-12.7%
- Special Fuel and Road Use Taxes	3,693,448	4,125,284	431,836	11,439,124	11,931,233	492,109	4.3%	-46.9%	46,925,000	-7.7%
- Transcap Transfers - Fuel Taxes	(1,452,299)	(1,609,373)	(157,074)	(4,596,765)	(4,590,493)	6,272	0.1%	-34.3%	(16,822,758)	11.7%
- Other Fund Gasoline Tax Distributions	(397,218)	(444,564)	(47,346)	(1,270,134)	(1,275,736)	(5,602)	-0.4%	-33.9%	(4,562,495)	12.5%
Subtotal - Fuel Taxes	17,728,201	19,848,932	2,120,731	53,124,873	56,525,651	3,400,778	6.4%	-16.8%	207,519,747	-11.7%
Motor Vehicle Registration and Fees:										
- Motor Vehicle Registration Fees	5,469,789	6,446,773	976,984	18,765,799	21,137,710	2,371,911	12.6%	12.2%	69,160,703	0.0%
- License Plate Fees	294,188	514,435	220,247	989,473	1,355,829	366,356	37.0%	-2.5%	3,642,643	0.7%
- Long-term Trailer Registration Fees	645,103	827,556	182,453	1,784,456	2,623,170	838,714	47.0%	11.6%	10,884,523	-8.4%
- Title Fees	1,237,646	1,464,233	226,587	3,979,121	4,179,880	200,759	5.0%	1.7%	14,325,795	0.0%
- Motor Vehicle Operator License Fees	793,540	869,502	75,962	2,664,092	2,621,789	(42,303)	-1.6%	-8.0%	9,307,411	-7.5%
- Transcap Transfers - Motor Vehicle Fees	(4,648,302)	(5,034,469)	(386,167)	(4,648,302)	(5,034,469)	(386,167)	-8.3%	-7.2%	(16,506,054)	0.1%
Subtotal - Motor Vehicle Reg. & Fees	3,791,964	5,088,030	1,296,066	23,534,639	26,883,909	3,349,270	14.2%	8.2%	90,815,021	-1.9%
Motor Vehicle Inspection Fees	262,461	467,198	204,737	746,314	603,660	(142,655)	-19.1%	-21.2%	3,202,500	0.0%
Other Highway Fund Taxes and Fees	102,500	105,655	3,155	391,604	440,718	49,114	12.5%	13.4%	1,377,454	0.6%
Fines, Forfeits and Penalties	50,355	91,318	40,963	121,189	180,105	58,916	48.6%	4.0%	517,867	-14.6%
Interest Earnings	(10,977)	15,601	26,578	(7,235)	41,995	49,230	680.4%	-75.7%	63,394	-79.8%
Other Highway Fund Revenue	3,933,359	577,967	(3,355,392)	4,959,581	1,558,803	(3,400,778)	-68.6%	1.1%	9,741,159	-20.3%
<b>Totals</b>	<b>25,857,863</b>	<b>26,194,700</b>	<b>336,837</b>	<b>82,870,965</b>	<b>86,234,839</b>	<b>3,363,874</b>	<b>4.1%</b>	<b>-10.0%</b>	<b>313,237,142</b>	<b>-9.3%</b>

## 2020 Interim Legislative Studies

Updated October 25, 2020

<u>Study/Committee</u>	<u>Citation</u>	<u>2020 Meetings Authorized</u>	<u>2020 Meetings Held</u>	<u>Scheduled Next Meeting Date(s)</u>	<u>Report Date</u>	<u>Chair(s)</u>	<u>Status/Notes</u>
<b>NEW STUDIES</b>							
<b>Advisory Committee for the Independent Review of the State's Early Childhood Special Education Services (with JSC on EDU oversight)</b>	PL 2019, c. 343, Part VVVV		Advisory Committee: 10/05/20, 10/20/20	Advisory Committee: 10/26/20 EDU Committee: 11/05/20	Cost Study Report 09/25/20; Preliminary Report 10/30/20; Final Report 12/01/20 (to the EDU Committee)	Sen. Rebecca J. Millett Rep. Victoria P. Kornfield	Meetings ongoing
<b>Committee To Study the Feasibility of Creating Basic Income Security</b>	Resolve 2019, c. 82	3	10/15/2020	10/29/2020 Early November - TBD	11/04/20	Sen. Shenna L. Bellows Rep. James R. Handy	Meetings ongoing
<b>ON-GOING LEGISLATIVE STUDIES</b>							
<b>Right to Know Advisory Committee</b>	1 MRSA §411	4	10/01/20	11/06/20 11/20/20 12/04/20	01/15/20 (annually)	Rep. Thom Harnett	Meetings ongoing; Public Records Exception Subcommittee meets before each full meeting
<b>Marijuana Advisory Commission</b>	28-B MRSA, c. 1, subc. 9	not specified			01/15/20 (annually)	Sen. Justin M. Chenette Rep. Teresa S. Pierce	Commission update sent from chairs to Commission members 09/24/20; Commission has not convened this interim
<b>State Education and Employment Outcomes Task Force</b>	20-A MRSA §12901						Task Force has not convened this interim
<b>Citizen Trade Policy Commission</b>	10 MRSA, c. 1-A	at least 2 times per year annually +2 off-site for public hearing			annually	Sen. David R. Miramant Rep. Craig V. Hickman	Commission has not convened this interim
<b>State Compensation Commission</b>	3 MRSA §2-B	not specified			by 05/01 of every odd-numbered year and 01/15 of every even-numbered year an interim report; by 11/15 of every even-numbered year a final report	Vendean Vafiades	Commission has not convened this interim

SEN. TROY D. JACKSON  
CHAIR

REP. SARA GIDEON  
VICE- CHAIR

EXECUTIVE DIRECTOR  
GRANT T. PENNOYER



129<sup>TH</sup> MAINE STATE LEGISLATURE  
LEGISLATIVE COUNCIL

SEN. NATHAN L. LIBBY  
SEN. ELOISE A. VITELLI  
SEN. DANA L. DOW  
SEN. JEFFREY L. TIMBERLAKE  
REP. MATTHEW W. MOONEN  
REP. RYAN M. FECTEAU  
REP. KATHLEEN R.J. DILLINGHAM  
REP. HAROLD TREY STEWART III

To: Members, 129<sup>th</sup> Legislative Council

From: President Troy Jackson, Chair, Personnel Committee of the 129<sup>th</sup> Legislative Council

TJ

Date: October 9, 2020

Re: Recommendation for the Appointment of the Executive Director of the Legislative Council

The Personnel Committee met on October 8th to conclude its review of candidates for the position of Executive Director of the Legislative Council and we are pleased to say that we have reached unanimous consensus on the best candidate for this opening. We are recommending that Suzanne Gresser, the current Revisor of Statutes, be appointed as Executive Director.

We received 24 applications for this critical open position after advertising and reaching out nationally. A group of senior-level staff reviewed and discussed the applications and narrowed the pool of candidates down to three candidates that received first-round interviews. That senior-level staff group narrowed the field further for interviews by the Personnel Committee. On October 1<sup>st</sup>, the Personnel Committee interviewed the top two candidates. After reconvening yesterday, the committee reached unanimous consensus on Suzanne Gresser. While the external candidate was excellent, Ms. Gresser's extensive legislative experience dealing with so many unique and difficult situations over her many years serving the Maine Legislature clearly made her the best choice as the 130<sup>th</sup> Legislature faces potentially so many new challenges.

The Personnel Committee hopes that you too will agree with our assessment that her experience will be invaluable as the 130<sup>th</sup> Legislature faces such unique challenges and finalize our recommendation that Suzanne Gresser be appointed as the next Executive Director of the Legislative Council. To confirm this appointment, the Legislative Council will need eight affirmative votes at an in-person meeting. We are currently trying to schedule such a meeting of the Legislative Council where at least eight members are able to attend.

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

SEN. TROY D. JACKSON  
CHAIR

REP. SARA GIDEON  
VICE-CHAIR

EXECUTIVE DIRECTOR  
GRANT T. PENNOYER



129<sup>TH</sup> MAINE STATE LEGISLATURE  
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**Memo**

To: Members, 129<sup>th</sup> Legislative Council

From: President Troy Jackson, Chair, Personnel Committee of the 129<sup>th</sup> Legislative Council

Date: October 28, 2020

Re: Recommendation for the Appointment of the Director of the Office of Policy and Legal Analysis

The Personnel Committee met on October 27<sup>th</sup> to interview and conclude its review of candidates for the position of Director of the Office of Policy and Legal Analysis (OPLA) and we are pleased to say that we have reached consensus on the best candidate for this opening. We are recommending that Danielle Fox, the current Director of the Office of Program Evaluation and Government Accountability be appointed to be Director of OPLA.

We received 13 applications for this critical open office director position after advertising and reaching out nationally. A group of senior-level staff reviewed and discussed the applications and narrowed the pool of candidates down to four candidates that received first-round interviews. Interviews were conducted by a panel of OPLA staff and a separate group of senior-level staff and two individuals were recommended to the Personnel Committee for interviews. The committee, after interviewing these top two internal candidates on October 27<sup>th</sup> reached a consensus based on Danielle's passion for the work of the Legislature, purpose-driven leadership style, skills and experience that focused on a collaborative and improvement-oriented approach. The committee is recommending Danielle Fox as the best candidate to lead OPLA through these challenging times and beyond.

The Personnel Committee hopes that you will agree with our consensus assessment that her experience and management style is the best fit for OPLA. To confirm this appointment, the Legislative Council will need eight affirmative votes at an in-person meeting currently scheduled for November 5<sup>th</sup>. Thank you for your consideration of this recommendation.

**Legislative Council Actions  
Taken by Ballot Since the  
February 27, 2020 Council Meeting**

**Requests for Introduction of Legislation:**

**LR 3250      An Act To Restore Honor to Service Members**

Submitted by: Speaker Sara Gideon  
Date: February 27, 2020  
Vote: 8-2-0-0 Passed (with Sens. Dow and Timberlake opposed)

**LR 3227      An Act To Increase Government Accountability**

Submitted by: Representative Charlotte Warren  
Date: February 27, 2020  
Vote: 6-4-0-0 Passed (with Sens. Dow and Timberlake and Representatives Dillingham and Stewart opposed)

**LR 3251      An Act To Prevent Accidental Overdoses by Establishing a Protocol for Prescription Drug Recovery**

Submitted by: Representative Lori Gramlich  
Date: February 27, 2020  
Vote: 10-0-0-0- Passed

**LR 3270      An Act To Change the Statute of Limitations for Injuries Resulting from Contamination from Per or Polyfluoroalkyl Substances**

Submitted by: Representative Henry Ingwersen  
Date: March 5, 2020  
Vote: 10-0-0-0 Passed

**LR 3287      An Act to Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2020-21**

Submitted by: Representative Ryan Tipping  
Date: March 12, 2020  
Vote: 7-3-0-0 Passed

**LR 3289      An Act To Address Testing and Response to the COVID-19 Virus**

Submitted by: Representative Daniel Hobbs  
Date: March 12, 2020  
Vote: 10-0-0-0 Passed

**LR 3295      An Act To Provide Students and Staff Reimbursements and Support for Events Surrounding the Coronavirus**

Submitted by: Representative Justin Fecteau  
Date: March 12, 2020  
Vote: 10-0-0-0 Passed

**LR 3298      An Act to Ensure Continued Access to Educational Programming During a Public Health Emergency**

Submitted by: Speaker Sara Gideon  
Date: March 16, 2020  
Vote: 10-0-0-0 Passed

**MOTION:      That the Legislative Council approve the proposed COVID-19 guidance to protect public health and reduce exposure to the spread of the Coronavirus Disease 2019 in the Maine State House and Grounds (see attached)**

Submitted by: President Troy Jackson  
Date: March 16, 2020  
Vote: 10-0-0-0 Passed

**MOTION:      Upon the recommendation of the Executive Director, the Legislative Council approves the request by a nonpartisan legislative employee for temporary disability income benefits. The request was consistent with the provisions for temporary disability income benefits under the Legislative Council's personnel policies and guidelines.**

Submitted by: Speaker Sara Gideon and President Troy Jackson  
Date: April 24, 2020  
Vote: 10-0-0-0 Passed

**MOTION:      That the Legislative Council approves the request by a partisan legislative employee for temporary disability income benefits. The request was consistent with the provisions for temporary disability income benefits under the Legislative Council's personnel policies and guidelines.**

Submitted by: Speaker Sara Gideon and President Troy Jackson  
Date: June 11, 2020  
Vote: 10-0-0-0 Passed

**MOTION:      That the Legislative Council approve the attached policy on the Wearing of Protective Face Coverings During Authorized Meetings of Legislative Committees.**

Submitted by: President Troy Jackson  
Date: June 17, 2020  
Vote: 7-1-0-2 (with Senator Timberlake and Representative Stewart recorded as absent)

**MOTION:      That the Legislative Council approve the proposed COVID-19 prevention policy to minimize the spread of disease and protect the health and safety of Legislators, legislative staff and others in light of the risks presented by the highly contagious COVID-19.**

Submitted by: President Troy Jackson  
Date: July 9, 2020  
Vote: 10-0-0-0 Passed

**LR 3333      An Act To Extend the Ability of Restaurants and Bars to Serve Alcohol To Go**

Submitted by: Senator Luchini  
Date: July 28, 2020  
Vote: 6-0-4-0 Passed (with Senators Dow and Timberlake and Representatives Dillingham and Stewart Abstaining)

**LR 3334      An Act To Implement the Attorney General's Recommendations on Data Collected in Order To Eliminate Profiling in Maine**

Submitted by: Representative Hickman  
Date: July 28, 2020  
Vote: 6-0-4-0 Passed (with Senators Dow and Timberlake and Representatives Dillingham and Stewart Abstaining)

**LR 3337      An Act To Exempt from the State Income Tax Loans Provided to Maine Businesses By the Federal Government in Response to the Coronavirus for a Special Session**

Submitted by: Speaker Gideon  
Date: July 28, 2020  
Vote: 6-0-4-0 Passed (with Senators Dow and Timberlake and Representatives Dillingham and Stewart Abstaining)

**LR 3338      An Act To Provide a Comprehensive Response to the Covid-19 Pandemic**

Submitted by: President Jackson  
Date: July 28, 2020  
Vote: 6-0-4-0 Passed (with Senators Dow and Timberlake and Representatives Dillingham and Stewart Abstaining)

**MOTION:      Upon the recommendation of the Executive Director, the Legislative Council approves the request by a nonpartisan legislative employee for temporary disability income benefits. The request was consistent with the provisions for temporary disability income benefits under the Legislative Council's personnel policies and guidelines.**

Submitted by: President Troy Jackson and Speaker Sara Gideon  
Date: September 10, 2020  
Vote: 10-0-0-0 Passed