

REP. RYAN FECTEAU  
CHAIR

SEN. TROY D. JACKSON  
VICE-CHAIR

EXECUTIVE DIRECTOR  
SUZANNE M. GRESSER



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

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

**October 25, 2021  
10:30 A.M.  
AGENDA**

<b><u>Page</u></b>	<b><u>Item</u></b>	<b><u>Action</u></b>
	<b>CALL TO ORDER</b>	
	<b>ROLL CALL</b>	
<b>1</b>	<b>SUMMARY OF THE OCTOBER 7, 2021 MEETING OF THE LEGISLATIVE COUNCIL</b>	<b>Decision</b>
	<b>REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS</b>	
<b>3</b>	<ul style="list-style-type: none"><li>Fiscal Report (Mr. Nolan)</li></ul>	<b>Information</b>
<b>7</b>	<ul style="list-style-type: none"><li>Legislative Studies Report (Ms. Fox)</li></ul>	<b>Information</b>
	<b>REPORTS FROM COUNCIL COMMITTEES</b>	
	<ul style="list-style-type: none"><li>Personnel Committee</li></ul>	
	<b>OLD BUSINESS</b>	
<b>11</b>	Item #1: Council Actions Taken by Ballot (No Action Required)	
	<b>NEW BUSINESS</b>	
<b>13</b>	Item #1: Proposed Document Service Fee Schedule for 130 <sup>th</sup> Legislature, Second Regular Session (Hon. Robert Hunt)	<b>Decision</b>
<b>15</b>	Item #2: Legislative Council meeting schedule for 2022	<b>Decision</b>
<b>16</b>	Item #3: Procedures for Deciding Legislative Bill Requests <ul style="list-style-type: none"><li>Consideration of Bill Requests for the Second Regular Session (separate binder)</li></ul>	<b>Decision Roll Call Vote</b>
	Item #4: Executive Session—collective bargaining	
	<b>ANNOUNCEMENTS AND REMARKS</b>	
	<b>ADJOURNMENT</b>	

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130<sup>TH</sup> MAINE STATE LEGISLATURE  
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**LEGISLATIVE COUNCIL  
MEETING SUMMARY  
October 7, 2021**

**CALL TO ORDER**

Speaker Fecteau called the October 7, 2021 meeting of the 130<sup>th</sup> Legislative Council to order at 12:04 p.m.

**ROLL CALL**

Senators: President Jackson, Senator Daughtry, Senator Timberlake and Senator Pouliot

Representatives: Speaker Fecteau, Representative Dunphy, Representative Talbot Ross, Representative Dillingham and Representative Stetkis

Absent: Senator Vitelli

Legislative Officers: Suzanne Gresser, Executive Director of the Legislative Council  
Darek Grant, Secretary of the Senate  
Nik Rende, Director, Office of Legislative Information Technology  
Dawna Lopatosky, Legislative Finance Director  
Jackie Little, Human Resources Director

Speaker Fecteau convened the meeting at 12:04 p.m. with a quorum of members present.

**SUMMARY OF September 23, 2021 MEETING OF LEGISLATIVE COUNCIL**

**Motion:** That the Meeting Summary for September 23, 2021 be accepted and placed on file. Motion by Representative Dillingham. Second by Senator Pouliot. **Motion passed unanimously (9-0-0-1, with Senator Vitelli absent).**

**REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES**

No reports.

## REPORTS FROM COUNCIL COMMITTEES

No reports.

## OLD BUSINESS

### Item #1: Review of recent federal regulations affecting lobster industry

Speaker Fecteau invited the Commissioner of Marine Resources, Patrick Keliher, to provide an overview of the general details and status update of the federal regulations affecting the lobster industry. Commissioner Keliher proceeded to provide a status update of the federal regulations, summarized the work that the Department of Marine Resources has done over the past few years in developing its proposal to the federal government, mentioned the pending court cases regarding the protection of North Atlantic right whales, and described the potential impact of the federal regulations on the lobster industry in the State. In response to questions from Legislative Council members, Commissioner Keliher discussed, among other things, “ropeless” gear, the Department of Marine Resources’ duty to manage the lobster fishery as a sustainable resource, the role of Department of Marine Resources in the pending court cases, and the timetable for briefings and conclusion of the pending court cases.

**Motion:** That, in accordance with 1 MRSA § 405, sub§ 6, the Legislative Council enter into an executive session for the purpose of discussing pending or contemplated litigation. Motion by Speaker Fecteau. Second by Rep. Talbot Ross.  
**Motion passed unanimously (9-0-0-1, with Senator Vitelli absent).**

The Legislative Council entered into an executive session at 12:30 p.m. At the conclusion of its executive session, the Legislative Council voted unanimously to ends its executive session at 1:41 p.m. and reconvene its regular meeting during which the following motion was made.

**Motion:** That, in accordance with the discussion in executive session, the Executive Director seek to engage the services of independent legal counsel to file on behalf of the Legislative Council an amicus brief in the lawsuit, *IAMAW Maine Lobstering Union-Local 207 v. Raimondo*, filed in federal district court; if the Executive Director is unable in a timely fashion to engage the services of independent counsel, the Executive Director is authorized to explore engaging the services of counsel for the plaintiffs for purposes of filing the amicus brief. Motion by Representative Dillingham. Second by Rep. Talbot Ross.  
**Motion passed unanimously (8-0-0-2, with Senator Vitelli and Senator Pouliot absent).**

## NEW BUSINESS

None

## ANNOUNCEMENTS AND REMARKS

With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 1:46 p.m.

# Fiscal Briefing

October 25, 2021

*Prepared by the Office of Fiscal & Program Review*

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

Total General Fund Revenue - FY 2022 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Change
September	\$467.9	\$519.0	\$51.1	10.9%	\$432.7	20.0%
FYTD	\$1,157.9	\$1,286.9	\$129.0	11.1%	\$1,020.6	26.1%

General Fund revenue was over budget by \$51.1 million (10.9%) for the month of September and over budget by \$129.0 million (11.1%) for the fiscal year to date.

Sales and use tax revenue for September (August sales) was over budget by \$15.6 million (8.7%) for the month and by \$69.7 million (13.2%) for the fiscal year to date. Individual income tax revenue was over budget by \$21.3 million (10.0%) for the month and by \$28.3 million (5.5%) for the fiscal year to date, with positive variances in individual income tax withholding and estimated payments partially offset by income tax refunds exceeding budgeted amounts (negative impact on revenue). Corporate income tax revenue was over budget by \$18.6 million for the month and by \$35.3 million for the fiscal year to date, largely the result of positive variances in corporate income tax estimated payments.

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

Total Highway Fund Revenue - FY 2022 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Change
September	\$24.6	\$27.5	\$2.9	11.7%	\$26.2	4.9%
FYTD	\$87.3	\$91.8	\$4.5	5.1%	\$86.2	6.4%

Highway Fund revenue was over budget by \$2.9 million (11.7%) for the month of September and over budget by \$4.5 million (5.1%) for the fiscal year to date.

Fuel taxes were over budget by \$2.2 million for the month and by \$2.5 million (4.2%) for the fiscal year to date. Motor vehicle registration and fees were over budget by \$0.7 million for the month and by \$1.4 million (5.7%) for the fiscal year to date.

## 3. Cash Balances Update

The average balance in the cash pool for September was \$3,758.8 million, a decrease from August's average of \$3,774.8 million. The decrease was largely the result of decreases in Other Special Revenue Funds balances (i.e., Coronavirus Relief Fund (CRF) balances and American Rescue Plan (ARP), Local Fiscal Recovery Fund balances) partially offset by increases in General Fund and Independent Agency Funds balances. The average Highway Fund balance in September was \$52.4 million, a decrease from August's average of \$59.0 million, reflecting normal construction season variances.

## 4. Economic and Revenue Forecast Meetings

The Consensus Economic Forecasting Commission (CEFC) is scheduled to meet on Friday, October 29<sup>th</sup> to review and update the economic forecast for the November 1<sup>st</sup> report. The Revenue Forecasting Committee (RFC) will then meet in late November to review and update the revenue forecast for the December 1<sup>st</sup> report.

**General Fund Revenue**  
**Fiscal Year Ending June 30, 2022 (FY 2022)**

Updated 10/18/21

**September 2021 Revenue Variance Report**

Revenue Category	Fiscal Year-To-Date								FY 2022 Budgeted Totals
	September '21 Budget	September '21 Actual	September '21 Variance	Budget	Actual	Variance	Variance %	% Change from Prior Year	
Sales and Use Tax	179,264,336	194,823,839	15,559,503	526,349,056	596,000,488	69,651,432	13.2%	26.8%	1,805,732,422
Service Provider Tax	4,188,559	4,256,373	67,814	12,565,679	12,803,082	237,403	1.9%	-8.4%	51,000,000
Individual Income Tax	213,500,000	234,845,672	21,345,672	518,000,000	546,327,633	28,327,633	5.5%	27.1%	1,844,540,000
Corporate Income Tax	51,000,000	69,587,089	18,587,089	58,700,000	93,964,169	35,264,169	60.1%	53.6%	220,033,737
Cigarette and Tobacco Tax	12,804,084	9,148,671	(3,655,413)	36,935,809	38,105,366	1,169,557	3.2%	-4.1%	147,386,823
Insurance Companies Tax	40,200	692,067	651,867	539,053	2,716,386	2,177,333	403.9%	294.2%	88,250,000
Estate Tax	1,390,408	1,852,453	462,045	4,171,224	2,566,989	(1,604,235)	-38.5%	66.5%	25,850,000
Other Taxes and Fees *	10,405,488	11,734,557	1,329,069	29,712,469	31,110,663	1,398,194	4.7%	15.1%	146,321,187
Fines, Forfeits and Penalties	1,004,005	(1,436,900)	(2,440,905)	3,404,722	1,552,280	(1,852,442)	-54.4%	-41.1%	12,430,166
Income from Investments	235,650	563,178	327,528	449,992	1,166,208	716,216	159.2%	24.5%	2,937,863
Transfer from Lottery Commission	5,088,699	4,726,583	(362,116)	14,600,779	17,187,028	2,586,249	17.7%	1.0%	60,000,000
Transfers to Tax Relief Programs *	35,000	60,099	25,099	105,000	(542,424)	(647,424)	-616.6%	-1805.2%	(76,150,000)
Transfers for Municipal Revenue Sharing	(15,317,733)	(16,993,472)	(1,675,739)	(47,146,132)	(56,263,901)	(9,117,769)	-19.3%	-64.0%	(180,254,957)
Other Revenue *	4,309,517	5,188,670	879,153	(523,832)	215,895	739,727	141.2%	102.2%	31,244,529
<b>Totals</b>	<b>467,948,213</b>	<b>519,048,879</b>	<b>51,100,666</b>	<b>1,157,863,819</b>	<b>1,286,909,861</b>	<b>129,046,042</b>	<b>11.1%</b>	<b>26.1%</b>	<b>4,179,321,770</b>

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

**General Fund Revenue**  
**Fiscal Year Ending June 30, 2022 (FY 2022)**

Updated 10/18/21

**September 2021 Revenue Variance Report**

Revenue Category	Fiscal Year-To-Date								FY 2022 Budgeted Totals
	September '21 Budget	September '21 Actual	September '21 Variance	Budget	Actual	Variance	Variance %	% Change from Prior Year	
<b>Detail of Other Taxes and Fees:</b>									
- Property Tax - Unorganized Territory	0	0	0	0	0	0	N/A	N/A	14,813,169
- Real Estate Transfer Tax	2,419,692	2,934,381	514,689	2,828,273	4,645,131	1,816,858	64.2%	140.8%	22,570,549
- Liquor Taxes and Fees	2,686,235	2,341,522	(344,713)	6,482,354	6,825,201	342,847	5.3%	35.6%	22,093,824
- Corporation Fees and Licenses	280,437	403,198	122,761	2,231,164	1,559,870	(671,294)	-30.1%	-43.6%	10,438,649
- Telecommunication Excise Tax	0	0	0	0	0	0	N/A	N/A	6,200,000
- Finance Industry Fees	2,198,914	2,111,550	(87,364)	6,596,742	6,283,030	(313,712)	-4.8%	6.6%	26,916,990
- Milk Handling Fee	113,320	245,911	132,591	662,013	379,873	(282,140)	-42.6%	-76.4%	1,777,656
- Racino Revenue	654,016	971,864	317,848	2,004,185	2,829,830	825,645	41.2%	97.7%	7,131,739
- Boat, ATV and Snowmobile Fees	197,658	544,674	347,016	1,124,675	1,150,471	25,796	2.3%	-5.7%	4,523,561
- Hunting and Fishing License Fees	1,081,035	1,529,831	448,796	5,184,194	4,922,188	(262,006)	-5.1%	-4.7%	15,990,794
- Other Miscellaneous Taxes and Fees	774,181	651,626	(122,555)	2,598,869	2,515,069	(83,800)	-3.2%	25.9%	13,864,256
<b>Subtotal - Other Taxes and Fees</b>	<b>10,405,488</b>	<b>11,734,557</b>	<b>1,329,069</b>	<b>29,712,469</b>	<b>31,110,663</b>	<b>1,398,194</b>	<b>4.7%</b>	<b>15.1%</b>	<b>146,321,187</b>
<b>Detail of Other Revenue:</b>									
- Liquor Sales and Operations	2,836	300	(2,536)	7,171	6,628	(543)	-7.6%	-36.9%	28,500
- Targeted Case Management (DHHS)	11,278	0	(11,278)	33,836	0	(33,836)	-100.0%	-100.0%	83,160
- State Cost Allocation Program	1,952,569	2,444,555	491,986	6,594,037	7,861,441	1,267,404	19.2%	-0.3%	25,918,434
- Unclaimed Property Transfer	0	0	0	0	0	0	N/A	N/A	6,200,000
- Tourism Transfer	0	0	0	(8,786,645)	(8,786,645)	0	0.0%	26.5%	(14,869,000)
- Transfer to Maine Milk Pool	(479,993)	(996,694)	(516,701)	(1,965,160)	(3,049,198)	(1,084,038)	-55.2%	25.2%	(5,992,693)
- Transfer to STAR Transportation Fund	0	0	0	(4,142,311)	(4,142,311)	0	0.0%	41.8%	(7,012,000)
- Other Miscellaneous Revenue	2,822,827	3,740,510	917,683	7,735,240	8,325,980	590,740	7.6%	48.5%	26,888,128
<b>Subtotal - Other Revenue</b>	<b>4,309,517</b>	<b>5,188,670</b>	<b>879,153</b>	<b>(523,832)</b>	<b>215,895</b>	<b>739,727</b>	<b>141.2%</b>	<b>102.2%</b>	<b>31,244,529</b>
<b>Detail of Transfers to Tax Relief Programs:</b>									
- Me. Resident Prop. Tax Program (Circuitbreak)	0	0	0	0	455	455	N/A	-63.8%	0
- BETR - Business Equipment Tax Reimb.	0	46,884	46,884	0	(52,089)	(52,089)	N/A	-342.2%	(19,100,000)
- BETE - Municipal Bus. Equip. Tax Reimb.	35,000	13,215	(21,785)	105,000	(490,790)	(595,790)	-567.4%	-5524.9%	(57,050,000)
<b>Subtotal - Tax Relief Transfers</b>	<b>35,000</b>	<b>60,099</b>	<b>25,099</b>	<b>105,000</b>	<b>(542,424)</b>	<b>(647,424)</b>	<b>-616.6%</b>	<b>-1805.2%</b>	<b>(76,150,000)</b>
<b>Inland Fisheries and Wildlife Revenue - Total</b>	<b>1,346,175</b>	<b>2,165,274</b>	<b>819,099</b>	<b>6,511,988</b>	<b>6,265,410</b>	<b>(246,578)</b>	<b>-3.8%</b>	<b>-4.1%</b>	<b>21,472,798</b>

**Highway Fund Revenue**  
**Fiscal Year Ending June 30, 2022 (FY 2022)**

Updated 10/18/21

**September 2021 Revenue Variance Report**

Revenue Category	Fiscal Year-To-Date							FY 2022 Budgeted Totals	
	September '21 Budget	September '21 Actual	September '21 Variance	Budget	Actual	Variance	% Change from Prior Year		
Fuel Taxes:									
- Gasoline Tax	18,012,504	19,101,759	1,089,255	54,390,750	55,406,694	1,015,944	1.9%	9.8%	200,950,000
- Special Fuel and Road Use Taxes	3,445,370	4,718,382	1,273,012	11,737,469	13,431,821	1,694,352	14.4%	12.6%	46,898,199
- Transcap Transfers - Fuel Taxes	(1,596,977)	(1,750,685)	(153,708)	(4,862,296)	(5,022,972)	(160,676)	-3.3%	-9.4%	(18,211,727)
- Other Fund Gasoline Tax Distributions	(450,439)	(477,678)	(27,239)	(1,360,150)	(1,385,555)	(25,405)	-1.9%	-8.6%	(5,025,156)
Subtotal - Fuel Taxes	19,410,458	21,591,779	2,181,321	59,905,773	62,429,988	2,524,215	4.2%	10.4%	224,611,316
Motor Vehicle Registration and Fees:									
- Motor Vehicle Registration Fees	6,115,592	5,940,525	(175,067)	20,374,275	19,304,723	(1,069,552)	-5.2%	-8.7%	69,162,203
- License Plate Fees	440,823	506,359	65,536	1,294,950	1,485,254	190,304	14.7%	9.5%	3,642,643
- Long-term Trailer Registration Fees	603,613	881,331	277,718	1,920,263	2,760,136	839,873	43.7%	5.2%	10,884,523
- Title Fees	1,305,072	1,391,747	86,675	3,737,745	4,216,156	478,411	12.8%	0.9%	14,325,795
- Motor Vehicle Operator License Fees	829,643	1,047,980	218,337	2,370,039	3,077,177	707,138	29.8%	17.4%	9,698,036
- Transcap Transfers - Motor Vehicle Fees	(5,041,605)	(4,770,250)	271,355	(5,041,605)	(4,770,250)	271,355	5.4%	5.2%	(16,518,054)
Subtotal - Motor Vehicle Reg. & Fees	4,253,138	4,997,692	744,554	24,655,667	26,073,196	1,417,529	5.7%	-3.0%	91,195,146
Motor Vehicle Inspection Fees	259,344	119,198	(140,146)	764,217	736,525	(27,693)	-3.6%	22.0%	3,202,500
Other Highway Fund Taxes and Fees	91,698	98,675	6,977	346,913	437,523	90,610	26.1%	-0.7%	1,267,454
Fines, Forfeits and Penalties	50,534	239,198	188,664	151,602	346,847	195,245	128.8%	92.6%	606,412
Interest Earnings	7,238	23,326	16,088	21,716	50,578	28,862	132.9%	20.4%	86,864
Other Highway Fund Revenue	545,038	420,280	(124,758)	1,444,041	1,678,679	234,638	16.2%	7.7%	9,739,321
<b>Totals</b>	<b>24,617,448</b>	<b>27,490,148</b>	<b>2,872,699</b>	<b>87,289,929</b>	<b>91,753,336</b>	<b>4,463,407</b>	<b>5.1%</b>	<b>6.4%</b>	<b>330,709,013</b>

**130th MAINE LEGISLATURE-FIRST REGULAR/SPECIAL SESSION**  
**AUTHORIZED STUDIES**  
**Legislative Council Meeting – October 25, 2021**

<b>Study Commission/Committee Study</b>	<b>Assigned Staff</b>	<b>Number of authorized meetings held to date</b>	<b>Report Date</b>	<b>Chairs</b>	<b>Status or comment</b>
<b>Legislative Council Study</b> Establishing And Implementing a System of Using Racial Impact Statements for Legislation <b>LD 2, P.L. 2021, c. 21</b>	Danielle Fox Suzanne Gresser Darlene Shores Lynch	Three of 4 meetings held	Initial 11/1/21 Report on Pilot 12/15/22	Rep. Talbot Ross	Subcommittee members named
<b>College Affordability and Completion</b> Commission to Study College Affordability and Completion <b>LD 247, Resolve 2021, c. 103</b>	Drafting assistance only Karen Nadeau Rachel Olson	No meetings held – 4 authorized	1/22/22	Sen. Daughtry Rep. Crockett	Appointments complete
<b>Criminal Records Review Committee</b> <b>LD 563, Resolve 2021, c. 121</b>	Peggy Reinsch Jane Orbeton Darlene Shores Lynch	One of 4 authorized meetings have been held	12/3/21*	Rep. Talbot Ross, Sen. Bailey	Report deadline extension (12/15) and additional meeting request submitted
<b>Increase Housing Opportunities</b> Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions <b>(LD 609, Resolve 2021, c. 59)</b>	Hillary Risler Samuel Prawer Kristin Brawn	Five of 6 authorized meetings have been held	11/2/21*	Speaker Fecteau, Sen. Hickman	Report deadline extension (12/15) and additional meeting request submitted
<b>Probate Courts into Judicial Branch</b> Resolve, To Establish the Commission to Create a Plan to Incorporate the Probate Courts into the Judicial Branch <b>LD 719, Resolve 2021, c. 104</b>	Janet Stocco Samuel Senft Darlene Shores Lynch	One of 4 authorized meetings have been held	12/1/21*	Rep. Cardone, Sen. Carney	Report deadline extension requested (12/15)
<b>Paid Family and Medical Leave</b> Commission to Develop a Paid Family and Medical Leave Benefits Program <b>LD 1559, Resolve 2021, c. 122</b>	Anna Broome Colleen McCarthy Reid Kristin Brawn	No meetings held to date - 4 authorized	2/1/22	Sen. Daughtry, Rep. Cloutier	Nine of 12 members appointed. PO appointments complete - pending gubernatorial appointments. Actuarial study included in duties.

**130th MAINE LEGISLATURE-FIRST REGULAR/SPECIAL SESSION**  
**AUTHORIZED STUDIES**  
**Legislative Council Meeting – October 25, 2021**

Study Commission/Committee Study	Assigned Staff	Number of authorized meetings held to date	Report Date	Chairs	Status or comment
<b>Creating Basic Income Security</b> Committee to Study the Feasibility of Creating Basic Income Security <b>LD 1603, P.L. 2021, c. 405</b>	Steve Langlin Lynne Caswell (Anna Broome) Kristin Brawn	No meetings held – 4 authorized	12/1/21		Five of 11 members appointed Gubernatorial and Senate appointments pending Sec. 1, subsection 7 of authorizing statute requires outside funding before meeting (within 30 days of effective date of 10/18)
<b>Review of Tax Expenditures by the Legislature</b> Working Group to Review the Process of Ongoing Review of Tax Expenditures by the Legislature <b>JO, SP #578</b>	Julie Jones	Three of 4 authorized meetings	12/1/21	Sen. Libby, Rep. Terry	
<b>Replace Certain Stigmatizing Language</b> Resolve, to Replace Certain Stigmatizing Language in the Maine Revised Statutes with Respectful Language <b>LD 1588, Resolve 2021, c. 120</b>	Revisor of Statutes	N/A	1/15/22	N/A	
<b>Ongoing statutory studies</b>					
<b>Right to Know</b> (Advisory Committee) 010-30A-3327-01 T 1 §411	Peggy Reinsch Colleen McCarthy Reid Anna Broome Darlene Shores Lynch	One meeting held (10/13)	1/15 annually	Rep. Thom Harnett	Fourteen of 16 members appointed One President appointed vacancy (recently expired term). One gubernatorial vacancy (new seat)
<b>Marijuana Advisory Commission</b> T 28-B c. 1 sub c. 9	Samuel Prawer Dan Tartakoff Kirstin Brawn	One meeting scheduled 11/2/21	1/15 annually	Sen. Miramant, Rep. Pierce	PL c. 363 (effective 10/18) added 6 members to Commission. Appointments by Speaker and President pending

**130th MAINE LEGISLATURE-FIRST REGULAR/SPECIAL SESSION  
 AUTHORIZED STUDIES  
 Legislative Council Meeting – October 25, 2021**

<b>Study Commission/Committee Study</b>	<b>Assigned Staff</b>	<b>Number of authorized meetings held to date</b>	<b>Report Date</b>	<b>Chairs</b>	<b>Status or comment</b>
<b>Education and Employment Outcomes Task Force</b> T. 20-A c. 437	Lynne Caswell Rachel Olson Kristin Brawn	Up to 4 meetings annually	11/1 annually		15 members Two of 7 appointments by Speaker and President pending
<b>State Compensation Commission</b> T 3, § 2-B	Lauren Metayer		1/15 even-numbered years		No members appointed – 4 from Speaker and President pending
<b>Citizen Trade Policy Commission</b> T. 10, §11	Contract staff - unfilled	At least twice annually	Trade agreement impact assessment every 2 years	Sen. Hickman, Rep. Gere	22 members Gubernatorial appointments pending
<b>Other Legislative Council-approved studies (staffed by department/agency)</b>					
<b>Registration Plate Working Group</b> Resolve 2021, c. 108	Secretary of State, BMV	4 meetings	2/1/2022	none specified in authorizing legislation	10 members – pending 3 appointments from the Secretary of State
<b>Task Force To Study the Coordination of Services and Expansion of Educational Programs for Young Adults with Intellectual or Developmental Disabilities or Acquired Brain Injury</b> Resolve 2021, c. 116	Dept. of Educ.	Minimum of 4 meetings	Within one year of convening	Named by DOE Commissioner	27 members – All (3) legislative appointments have been made
<b>Maine Health Data Organization Health Information Advisory Committee</b> Resolve 2021, c. 423	MHDO staff	At least 4 per year		Chosen by members annually	11 members – All (2) Legislative appointments have been made

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

<b>Interim meetings of Joint Standing Committees or subcommittees</b>			
Agriculture, Conservation & Forestry	Karen Nadeau Darlene Shores Lynch		
Criminal Justice and Public Safety	Jane Orbeton		
Education and Cultural Affairs	Hillary Risler Samuel Senft	One authorized/ held	Briefings
Environment and Natural Resources	Deirdre Schneider Daniel Tartakoff	One authorized meeting - Planned for November	
Energy, Utilities and Technology	Daniel Tartakoff Deirdre Schneider	Two of six authorized meetings have been held (planned bi-weekly)	Various topics including carryovers, report-backs and briefings
Health and Human Services	Anna Broome	One authorized meeting held	Briefings
Health Coverage, Insurance and Financial Services	Colleen McCarthy		
Inland Fisheries and Wildlife	Kristin Brawn		
Innovation, Development, Economic Advancement and Business	Rachel Olson		
Judiciary	Peggy Reinsch Samuel Senft		
Labor and Housing	Steven Langlin Colleen McCarthy Reid		
Marine Resources	Lynne Caswell	One authorized meeting held	Briefings
State and Local Government	Lynne Caswell	One of three authorized meetings have been held	Roads subcommittee
Transportation	Samuel Praver Karen Nadeau		
Veteran and Legal Affairs	Janet Stocco Samuel Praver		

**Legislative Council Actions  
Taken by Ballot**

**Legislative Council Decisions:**

**Motion:** That the Legislative Council authorizes its Executive Director to enter into negotiations with the bargaining agents for the Maine Service Employees Association (MSEA, Local 1989, SEIU) and the Independent Association of Nonpartisan Legislative Professionals (IANLP) over terms and conditions of employment for legislative employees in the MSEA and IANLP bargaining units.

Motion by: President Jackson Second: Speaker Fecteau

Date: August 9, 2021

Vote: 6-0-0-4 Passed (with Senators Timberlake and Pouliot and Representatives Talbot Ross and Stetkis recorded as absent)

**Motion:** Motion: That, the Legislative Council approve the Maine YMCA Youth in Government Program's request to hold the 2021 Youth in Government Program in legislative space in the State House Complex on the weekend beginning November 12, 2021.

Motion by: Speaker Fecteau Second: President Jackson

Date: August 12, 2021

Vote: 9-0-0-1 Passed (with Representative Dillingham recorded as absent)

**Motion:** That for the remainder of the 130th Legislature, the in-person training required pursuant to Maine Revised Statutes, Title 3, §170-B, may be satisfied by interactive, electronic media.

Motion by: Speaker Ryan Fecteau Second: President Jackson

Date: September 9, 2021

Vote: 7-0-0-3 Passed (with Senator Pouliot, Representative Dillingham and Representative Stetkis recorded as absent.)

**Motion:** That, in accordance with Joint Rule 353(7), the Legislative Council extends to December 15, 2021, the reporting deadline of the Commission to Create a Plan to Incorporate the Probate Courts into the Judicial Branch.

Motion by: Speaker Ryan Fecteau Second: President Jackson

Date: October 12, 2021

Vote: 6-0-0-4 (With Senators Daughtry and Pouliot and Representative Dillingham and Stetkis recorded as absent.)

**Motion:** That the Legislative Council authorizes the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions to hold an additional meeting and extends its reporting deadline to December 15, 2021, in accordance with Joint Rule 353(7).

Motion by: Speaker Ryan Fecteau Second: President Jackson

Date: October 15, 2021

Vote: 7-0-0-3 (With Senator Daughtry and Representatives Dillingham and Stetkis recorded as absent.)

**Motion:** That the Legislative Council authorizes the Criminal Records Review Committee to hold an additional meeting and extends its reporting deadline to December 15, 2021, in accordance with Joint Rule 353(7).

Motion by: Speaker Ryan Fecteau

Second: President Jackson

Date: October 20, 2021

Vote: 8-1-0-1 (With Representative Stetkis opposed and Representative Dillingham recorded as absent.)

**Requests for Introduction of Legislation:**



**STATE OF MAINE**  
HOUSE OF REPRESENTATIVES  
CLERK'S OFFICE  
2 State House Station  
Augusta, Maine 04333-0002

**Robert B. Hunt**  
*Clerk of the House*

October 19, 2021

The Honorable Ryan Fecteau, Chair  
Legislative Council  
115 State House Station  
Augusta, ME 04333-0115

Dear Mr. Chairman:

The enclosed proposal regarding the Clerk's Office Legislative Document Service is hereby submitted for consideration by the Legislative Council for the Second Regular Session of the 130<sup>th</sup> Legislature.

All items offered through this Service are available on the Legislature's website. We continue to make available the email list service that has simplified access to documents and communications from the Clerk's Office and the House of Representatives, at no cost to the subscriber, through this website <https://lists.legislature.maine.gov/sympa/lists/house>.

I have attached the order form for the upcoming session. Our prices remain the same as they were for the First Regular Session of the 130<sup>th</sup> Legislature.

Thank you for taking the time to consider this proposal. Please do not hesitate to contact me should you have questions or need additional information.

Sincerely,

A handwritten signature in blue ink that reads 'R. B. Hunt'.

Robert B. Hunt  
Clerk of the House

CC: Members of the Legislative Council  
enc

ORDER FORM FOR LEGISLATIVE DOCUMENT SERVICE  
130<sup>TH</sup> MAINE LEGISLATURE – SECOND REGULAR SESSION

ALL OF THE DOCUMENTS LISTED BELOW ARE AVAILABLE ONLINE AT

<http://legislature.maine.gov/>

CONVENING DATE – WEDNESDAY, JANUARY 5, 2021

**LEGISLATIVE DOCUMENT (L.D.)  
(Bills & Resolves)**

- 1. FIRST CLASS-mailed daily \$290.00
- 2. THIRD CLASS- mailed weekly \$175.00
- 3. PICKED UP AT DOCUMENT ROOM.....\$110.00

**WEEKLY LEGISLATIVE REPORT**  
Lists titles of bills printed and enacted

- 8. FIRST CLASS MAIL.....\$21.00

**WEEKLY LEGISLATIVE CALENDAR**

- 9. FIRST CLASS MAIL (12 months).....\$31.00

**AMENDMENTS**

- 4. Mailed Weekly.....\$130.00
- 5. PICKED UP AT DOCUMENT ROOM .....\$ 80.00

**LEGISLATIVE RECORD**

- 6. MAILED WHEN TRANSCRIBED.....\$80.00

**PUBLIC LAWS, PRIVATE & SPECIAL LAWS,  
RESOLVES AND CONSTITUTIONAL RESOLUTIONS**

- 7. FIRST CLASS –Mailed Weekly.....\$160.00

**EMAILING LIST SERVICE**

To subscribe to receive various documents the Clerk's Office manages at no cost to the subscriber, navigate to <https://lists.legislature.maine.gov/sympa/lists/house> to create an account and to sign up for any documents that are of interest. You may also use this link to unsubscribe.

\*\* Please note \*\* We no longer be offering Roll Calls or Joint Resolutions as part of paid Document Service. These items are available in the Document Room, as well as online, free of charge.

Mail this order form along with full payment to:

Clerk of the House, 2 State House Station, Augusta, Maine 04333-0002, ATTENTION: FRANK GLEASON  
Checks should be made payable to Treasurer, State of Maine

MAILING ADDRESS (Please print name of person or company receiving documents)

NAME: \_\_\_\_\_ COMPANY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
(STREET)

(CITY)

(STATE)

(ZIP CODE)

(TEL. NO.)

E-MAIL ADDRESS: \_\_\_\_\_

Legislative Council  
Meeting Schedule for 2022

The schedule for Legislative Council meetings for calendar year 2022 is listed below:

**Thursday, January 27, 2022**  
**Thursday, February 24, 2022**  
**Thursday, March 24, 2022**  
**Thursday, April 28, 2022**  
**Thursday, May 26, 2022**  
**Thursday, June 23, 2022**

**Thursday, July 28, 2022**  
**Thursday, August 25, 2022**  
**Thursday, September 22, 2022**  
**Thursday, October 27, 2022**  
**Thursday, November 17, 2022**  
**Thursday, December 22, 2022**

All Legislative Council meetings are scheduled for Thursdays, usually the fourth Thursday of each month. Unless otherwise specified in the meeting notices, the meetings will begin at **1:30 P.M.** and will be held in the Legislative Council Chamber, Room 334.

**Legislative Council Meeting**  
**October 25, 2021**

**Procedures for Review of Legislative Bill Requests for the**  
**Second Regular Session of the 130<sup>th</sup> Legislature**

**Requirements Relevant to Bills in the Second Regular Session**

1. Under the terms of the Maine Constitution, Section 1 of Article IV, Part Third, Legislative Power, the business of the second regular session **must be limited to:** budgetary matters; legislation in the Governor's call; legislation of an emergency nature admitted by the Legislature; legislation referred to committees to study and report by the Legislature in the first regular session; and legislation presented to the Legislature by written petition of the electors (direct citizen initiative).
2. Under the Legislative Council's Rules of Procedure for the 130<sup>th</sup> Legislature, any action of the Legislative Council requires the affirmative vote of at least 6 members.
3. Under Rule 203 of the Joint Rules of the 130<sup>th</sup> Legislature, any vote of the Legislative Council to accept or reject a bill or resolve for introduction under the procedures established under the Joint Rules must be taken by the yeas and nays, and that vote must be recorded and made available for public inspection.
4. Under Rule 217 of the Joint Rules, a bill that has been introduced and finally rejected in a regular or special session may not be introduced in a subsequent session of the same Legislature except by a vote of 2/3 of both chambers. Therefore, determinations as to the relevancy of Rule 217 will be made by the presiding officers outside of this meeting.

**Protocol for Deciding Legislative Bill Requests**

- A. The Legislative Council will review bill requests alphabetically by policy area. An exception to this order of review may be made for bill requests for which an ASL Interpreter is required for persons who are deaf or hard of hearing. Those bills will be taken out of order at a time during the meeting when an interpreter is available.
- B. For procedural consistency, when voting on a bill request, the initial motion on a bill will be presumed to be a motion to accept the bill request for introduction into the second regular session along with a second to that motion. ("Yes" is to let in a bill; "no" is to reject the bill for introduction). Also for procedural consistency, unless otherwise stated, each motion is presumed to have been made by the vice-chair of the Legislative Council, seconded by the chair.
- C. In order to review all legislative requests in a timely manner, voting will be by electronic vote or a show of hands, with each Council Member's vote on each bill being recorded. The record of each vote will be made available by the Office of the Executive Director for public inspection following the meeting.

- D. If a bill request has been identified by the Revisor as requiring a ruling under Joint Rule 217, the Legislative Council may vote to accept that bill for introduction, conditional upon a subsequent ruling by the presiding officers.
- E. Legislative sponsors and others are welcome to observe the Council's deliberations on the bill requests, but discussion of the requests will be confined to members of the Legislative Council and its staff. Discussion of a bill request among Legislative Council Members will be limited to whether it is appropriate for introduction under Constitutional provisions for second regular session bills, and will not speak to the merits of the bill itself.
- F. If the Legislative Council turns down a bill request, the sponsoring Legislator may appeal that decision if an appeal is filed in a timely manner. At a subsequent meeting of the Legislative Council, the legislator may speak briefly to the bill request under appeal.