

SEN. MICHAEL D. THIBODEAU
CHAIR

REP. MARK W. EVES
VICE-CHAIR

EXECUTIVE DIRECTOR
GRANT T. PENNOYER



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

127TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

**LEGISLATIVE COUNCIL
MEETING SUMMARY
November 19, 2015
Approved December 17, 2015**

CALL TO ORDER

President Thibodeau called the November 19, 2015 meeting of the Legislative Council to order at 11:20 a.m. in the Legislative Council Chamber.

ROLL CALL

Senators: President Thibodeau, Senator Mason, Senator Cushing, Senator Alford and Senator Hill

Representatives: Speaker Eves, Representative McCabe, Representative Gideon, Representative Fredette and Representative Espling

Legislative Officers: Heather Priest, Secretary of the Senate
Robert Hunt, Clerk of the House
Jennifer McGowan, Assistant Clerk of the House
Grant T. Pennoyer, Executive Director of the Legislative Council
Dawna Lopatosky, Legislative Finance Director
Jackie Little, Human Resources Director
Marion Hylan Barr, Director, Office of Policy and Legal Analysis
Suzanne Gresser, Revisor of Statutes
John Barden, Director, Law and Legislative Reference Library
Kevin Dieterich, Director, Legislative Information Technology
Beth Ashcroft, Director, Office of Program Evaluation and Government Accountability

President Thibodeau convened the meeting at 11:20 a.m. with a quorum of members present.

SUMMARY OF OCTOBER 22, 2015 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary for October 22, 2015 be accepted and placed on file. Motion by Senator Hill. Second by Senator Alford. **Motion passed unanimous (9-0,** with Senator Cushing absent).

REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES

Executive Director's Report

Grant Pennoyer, Executive Director, submitted the following written report:

1. Priority Security Screening Update

The processing of low-risk priority screening access cards by the Executive Director's Office has increased significantly since my last reporting. We have received 82 applications for the cards and through yesterday have distributed 59 cards. The cards issued this fall are scheduled to expire on December 6, 2016. If renewed for a \$35 renewal fee, the renewal will be valid through the 128th Legislature.

2. Update on State House Projects

Construction and cosmetic repair work in the State House have wrapped up for this interim. Two major projects that were approved for this year have been deferred until next interim: the replacement of the State House roof on the north and south wings and the State Street sidewalk repair. The delay of the roof work until next year produced a much lower bid for the work.

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

The Office of the Executive Director has begun distributing mementos and rough pieces of the old copper from the State House Dome. So far we have sold 58 total mementos (the plaque or the framed picture with pieces of the copper from the State House dome). We have also sold roughly 140 square feet of the copper in rough form. We expect these orders to continue to grow as word spreads and the mementos and rough sheets are delivered and, of course, as the holidays approach.

4. Youth in Government Program – November 13th to 15th

The Youth in Government Program of the Maine YMCA held its annual weekend program in the State House and Cross Office Building last weekend. This year's program was a great success.

Fiscal Report

Chris Nolan, Director, Office of Fiscal and Program Review, submitted the following written report:

General Fund Revenue Update

Total General Fund Revenue - FY 2016 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
October	\$283.9	\$280.3	(\$3.7)	-1.3%	\$283.8	-1.2%
FYTD	\$1,133.6	\$1,140.8	\$7.2	0.6%	\$968.7	17.8%

General Fund revenue was under budget by \$3.7 million (1.3%) for the month of October and over budget by \$7.2 million (0.6%) for the fiscal year through October. Individual income tax

revenue was \$0.4 million under budget for the month of October but remained over budget by \$14.6 million for the fiscal year through October. Withholding was over budget by \$4.3 million for the month while estimated payments were under budget by \$1.6 million. Sales and use tax revenue was over budget by \$0.6 million for the month and over budget by \$3.2 million for the fiscal year to date. These revenues rebounded as expected from the previous month's poor performance. Corporate income tax revenue was under budget by \$2.0 million for the month of October and \$7.3 million for the fiscal year through October.

Highway Fund Revenue Update

Total Highway Fund Revenue - FY 2016 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
October	\$28.0	\$27.8	(\$0.2)	-0.6%	\$27.8	0.1%
FYTD	\$112.8	\$114.1	\$1.3	1.2%	\$91.8	24.3%

Highway Fund revenue was under budget by \$0.2 million (0.6%) for the month of October and over budget by \$1.3 million (1.3%) for the fiscal year through October. Fuel taxes were over budget for the month of October by \$0.5 million while motor vehicle registration and fees were under budget by \$0.5 million. Most of the latter variance could be attributed to timing as the last day of the month was a Saturday.

Cash Balances Update

The average total cash pool balance for October was \$818.5 million, a 3.7% decrease from last month's average but significantly higher than both last October and the previous 10-year average balance for October. Internal borrowing for the General Fund averaged \$17.4 million in October which is, slightly higher than last month but significantly lower than October of last year. The average Highway Fund balance decreased by 11.6% but is still much higher than in October of 2014.

Studies Update and Report

Marion Hylan Barr, Director, Office of Policy and Legal Analysis, submitted the attached written report.

REPORTS FROM COUNCIL COMMITTEES

1. Personnel Committee

No Report

2. State House Facilities Committee

No report.

OLD BUSINESS

Item #1: Consideration of Bill Requests Tabled from October 22 meeting

The Legislative Council proceeded to consider and vote on eighteen (18) bill requests previously tabled in accordance with the adopted protocol, and using an electronic voting system. The Legislative Council authorized six (6) bills for introduction in the Second Regular Session, declined to authorize two (2) bill requests, and no Legislative Council action was taken on ten (2) bill requests so they remain tabled. The Legislative Council's action on the bill requests is attached.

NEW BUSINESS

Item #1: Suggested Procedures for Deciding Legislator Bill Requests

President Thibodeau and Mr. Pennoyer reviewed the procedures for deciding legislator bill requests.

Item #2: Consideration of Appealed Bill Requests for Introduction in the Second Regular Session of the 127th Legislature

The Legislative Council proceeded to consider and vote on one hundred forty-seven (147) bill requests in accordance with the adopted protocol, and using an electronic voting system. The Legislative Council authorized forty-eight (48) bills for introduction in the Second Regular Session, tabled nine (9) bill requests and declined to authorize eighty-one (81) bill requests. Out of the 147 requests, nine (9) bill requests were withdrawn by the sponsor. The Legislative Council's action on the bill requests is attached.

Item #3: Request from the Task Force on School Leadership to extend its reporting deadline

The Task Force on School Leadership submitted a request to extend its final reporting deadline to December 15, 2015.

Motion: That the Legislative Council approve the request by the Task Force on School Leadership to extend its final reporting deadline to December 15, 2015. Motion by Senator Cushing. Second by Senator Mason. **Motion passed (10-0).**

Item #4: Request from Joint Standing Committee on Health and Human Services to extend its reporting deadline for its Study of Allocations of the Fund for a Healthy Maine

The Joint Standing Committee on Health and Human Services submitted a request to extend its final reporting deadline for its Study of Allocations of the Fund for a Healthy Maine to December 15, 2015.

Motion: That the Legislative Council approve the request by the Joint Standing Committee on Health and Human Services to extend its final reporting deadline for its Study of Allocations of the Fund for a Healthy Maine to December 15, 2015. Motion by Senator Cushing. Second by Senator Alford. **Motion passed (10-0).**

Item #5: Submission of Washington County Development Authority Annual Report

The Loring Development Authority of Maine submitted its 2013 Annual Report for acceptance by the Legislative Council.

Motion: That the Legislative Council accept the 2015 Annual Report of the Washington County Development Authority and place it on file. Motion by Senator Cushing. Second by Senator Mason. **Motion passed (10-0).**

Item #6: Submission of Loring Development Authority of Maine Annual Report

The Loring Development Authority of Maine submitted its 2015 Annual Report for acceptance by the Legislative Council.

Motion: That the Legislative Council accept the 2015 Annual Report of the Loring Development Authority of Maine and place it on file. Motion by Senator Cushing. Second by Senator Hill. **Motion passed (10-0).**

ANNOUNCEMENTS AND REMARKS

With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 3:46 p.m.