MAINE STATE LEGISLATURE

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Legislative Council Info.

REP. JOHN RICHARDSON
CHAIR

SEN. BETH EDMONDS
VICE-CHAIR

MICHAEL F. BRENNAN
PAUL T. DAVIS, SR.
KENNETH T. GAGNON
SEN. CAROL WESTON
REP. GLENN A. CUMMINGS
REP. DAVID E. BOWLES
REP. ROBERT W. DUPLESSIE
REP. JOSHUA A. TARDY

DAVID E. BOULTER
EXECUTIVE DIRECTOR

122ND MAINE STATE LEGISLATURE

LEGISLATIVE COUNCIL

LEGISLATIVE COUNCIL
APRIL 24, 2006
11:00 a.m.
REVISED AGENDA

Page	Item	Action
	CALL TO ORDER	
	ROLL CALL	
1	**SUMMARY OF THE MARCH 2, 2006 COUNCIL MEETING**	Acceptance
	REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	
5	• Executive Director's Report	
6	• Office of Fiscal and Program Review (Mr. Pennoyer)	
7	• Office of Information Services' Report (Mr. Mayotte)	
	REPORTS FROM COUNCIL COMMITTEES	
	• **Personnel Committee** (Rep. Cummings, Chair)	
	No report	
	• **State House Facilities Committee** (Sen. Gagnon, Chair)	
	Report of the April 24, 2006 State House Facilities Meeting	
	OLD BUSINESS	
8	**Item #1: Council actions taken by ballot** (No action required)	Information

NEW BUSINESS

Item #1: Consideration of After Deadline Bill Requests — Decision

Item #2: Legislative Youth Advisory Commission — Decision

Proposed funding and statutory changes

Item #3: Council of State Government — Decision

Contribution Request from CSG's Governments' Eastern Regional Conference, Northeast State Association; Maine's share of Agriculture Stewardship funding in the Amount of $10,000 for Fiscal Year 07

Item #4: Requests for Interim Studies — Decision

Information on interim study requests will be distributed under separate cover on April 19, 2006. **Please bring your notebook to the meeting.**

Item #5: Commission to Study the Cost of Providing Certain Services in the Unorganized Territories — Decision

Request to hold 3 additional meetings (6 held to date) and to extend the reporting deadline to December 1, 2006

Item #6: Submission of Study Reports — Acceptance

- Freedom of Access Advisory Committee
- Legislative Youth Advisory Council

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

REP. JOHN RICHARDSON
CHAIR

SEN. BETH EDMONDS
VICE-CHAIR

122ND MAINE STATE LEGISLATURE

LEGISLATIVE COUNCIL

SEN. MICHAEL F. BRENNAN
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DAVID E. BOULTER
EXECUTIVE DIRECTOR

MEETING SUMMARY
MARCH 2, 2006

CALL TO ORDER

The Chair, Speaker Richardson, called the Legislative Council meeting to order at 1:45 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators:	President Edmonds, Sen. Brennan, Sen. Davis, Sen. Gagnon, Sen. Weston
Representatives:	Speaker Richardson, Rep. Cummings, Rep. Bowles, Rep. Duplessie, Rep. Tardy
Legislative Officers:	Joy O'Brien, Secretary of the Senate Millicent MacFarland, Clerk of the House Michael Cote, Assistant Clerk of the House David Boulter, Executive Director, Legislative Council Grant Pennoyer, Director, Office of Fiscal and Program Review Patrick Norton, Director, Office of Policy and Legal Analysis Margaret Matheson, Revisor of Statutes Lynn Randall, State Law Librarian Paul Mayotte, Director, Legislative Information Services

SUMMARY OF THE FEBRUARY 16, 2006 COUNCIL MEETING

Motion: That the Meeting Summary of February 16, 2006 be accepted and placed on file. (Motion by Rep. Cummings, second by President Edmonds, unanimous).

REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS

- **Executive Director's Report**

No report.

- **Fiscal Report**

Grant Pennoyer, Director, Office of Fiscal and Program Review, reported the following:

General Fund Revenue Revised Downward by $14.3 million

On February 23, 2006, the Revenue Forecasting Committee revised revenue projections downward by $14.3 million, which represents a 9% reversal of the earlier $164.4 million upward revision in December. The revised projected ending balance for the biennium is $113.1 million.

The fiscal estimate for the Governor's current supplemental budget proposals is $125.3 million, which would result in a $12.2 budget shortfall. The Governor's office intends to submit a change package to the budget proposal that should address this shortfall.

The committee also revised the 2008-2009 revenue forecast for the biennium downward by $53 million, which will increase the structural gap.

Highway Fund

The Highway Fund was revised downward by $5.1 million, resulting in a projected year end balance of $5 million. The Governor's supplemental budget proposals would result in a fund shortfall. The Governor intends to submit a change package that would result in a balanced budget.

Fund for a Healthy Maine

The committee also revised the Fund for a Healthy Maine downward by $1.1 million, reflecting a projected change in Racino revenue. This would result in a shortfall of $19.1 million. The Governor's supplemental budget addressed $18.1 million so budget changes would be necessary to address the $1 million shortfall.

- **Office of Information Services' Report**

Bill Drafting System

The Revisor's Office is testing MELD's post-session functions. Noncompliant functions identified in testing will be added to the warranty items list for HP's corrective action.

HP will install a software update on March 6, 2006 and Mr. Mayotte's office will be monitoring HP's performance in correcting the warranty items.

Remote Email Access

Web access to Outlook email accounts is now available for Legislators and staff use. It is a secure process that enables authorized users to access their legislative email from offsite locations through the Internet.

REPORTS FROM COUNCIL COMMITTEES

- **State House Facilities Committee**

Senator Gagnon, Chair, State House Facilities Committee reported on the committee's meeting on February 16, 2006.

The facilities committee discussed issues relating to installation of video broadcast cameras in the Senate chamber. Senate Leadership would like video broadcast capability in the chamber and asked the facilities committee to assist in developing a plan that integrates the video with existing infrastructure.

The Committee discussed the matter at length and all members agreed that:

1. policy decisions regarding whether to install video cameras in the chambers, and when and under what conditions to broadcast, are decisions that are within the exclusive purview of the respective chamber leaders; and

2. consistent with how State House renovations have been handled, infrastructure issues related to common systems architecture, equipment compatibility, wiring, competitive pricing installation and other issues requiring coordination with other systems and operations are properly within the oversight of the Legislative Council and its facilities committee.

The Senate President will work with her staff and the Secretary of the Senate to decide policy and protocol issues relating to video broadcasting. The facilities committee asked nonpartisan staff offices, notably the Legislative Information Services office, to investigate and develop a plan to smoothly and cost-effectively integrate video broadcasting into existing legislative systems, for installation later this year.

- **Personnel Committee**

Rep. Cummings, Chair, Personnel Committee, reported that the committee met prior to the Council meeting and unanimously approved a request for temporary disability income benefits, consistent with the Personnel Policies and Guidelines for legislative employees for a member of the Clerk's Office staff. No action by the Council is needed.

The committee also discussed issues relating to staffing of ongoing study commissions, and advisory councils, and several other operational issues in staff offices. The committee staff to develop several recommendations for review.

The committee has requested Executive Director Boulter to report on the recommendations at the next meeting.

OLD BUSINESS

Item #1: Council actions taken by ballot

A copy of a list of actions taken by ballot by the Legislative Council since its February 16, 2006 meeting is attached.

NEW BUSINESS

Item #1: Consideration of After Deadline Bill Requests

Twelve after deadline bill requests were considered by the Legislative Council. The Council's actions on these requests are included on the attached list.

Item #2: Submission of Study Reports

- Study Commission Regarding Liveable Wages
- Task Force to Study Maine's Homeland Security Needs

Motion: That the above Study Reports be accepted and placed on file. (No motion or second was made; approved unanimously 10-0).

ANNOUNCEMENTS AND REMARKS

None

ADJOURNMENT

The Legislative Council meeting was adjourned at 2:10 p.m. (Motion by President Edmonds, second by Sen. Davis, unanimous).

DAVID E. BOULTER

EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL

MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

Legislative Council

Executive Director's Report

April 24, 2006

1. **East Porch Column Investigation**
   Consigli, Inc, and a structural engineer will be on-site next week to investigate a crack that has developed at the top of one of the granite columns at the East Porch. The crack is not thought to be serious but warrants investigation. Staging will be in place for one day.

2. **Youth in Government Program**
   The State YMCA of Maine's annual Youth in Government Program will be held in the State House next week, from Friday, May 5 - Sunday, May 7, 2006. About 150 high school youth from across the state will participant in the model legislative program.

3. **Thomson West**
   Thomson West (formerly West Publishing) will hold a 1 day open house on-site in May to display various legal and legislative products, demonstrate on-line services and answer questions that staff and others may have about products of services the Legislature uses. West will be onsite during the week on May 22nd. The Legislature uses West products extensively, including the annotated and unannotated Maine statutes.

Etta OPEGA

G:\Execdir-122nd\general\executive director's report to lc 04-24-2006.doc (4/24/2006 8:04:00 AM)

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Fiscal Briefing for the Legislative Council

Legislative Council Meeting
April 24, 2006

Prepared by the
Office of Fiscal & Program Review

Executive Summary

1. General Fund and Highway Fund Revenue Update

- General Fund revenue was $32.2 million over budget for the month of March, increasing the positive variance to $32.6 million for the fiscal year-to-date (FYTD). This variance reflects the March revenue revisions but does not include the revenue from the 2006-2007 Supplemental Budget Bill, PL 2005, c. 519, which increases FY06 General Fund budgeted revenue by $0.4 million. Most of the major lines performed well in March.
- It is still too early in April's Individual Income Tax processing to determine whether or not we will have an "April Surprise." While collections are behind last year's, the timing of the Patriots Day holiday this year delayed the filing deadline and the number of returns processed.
- Highway Fund revenue was over budget in March by $0.9 million, reducing the negative variance for the FYTD to $1.2 million (-0.6%). The Fuel Taxes line is the major reason for this negative variance. It remained $2.3 million under budget despite being revised downward by $4.1 million in FY06 in the March 2006 revenue forecast. Fuel Tax revenue may be adversely affected by the recent increases in oil prices. These recent price increases were not anticipated in the economic forecast and, consequently, the revenue forecast.

2. Cash Pool and Cash Balance Trends

- In March, Cash Pool average balance and General Fund average balances were lower than anticipated. MaineCare interim payment recovery performance has adversely affected General Fund cash balances and the total Cash Pool. Internal borrowing from Other Special Revenue Funds spiked up to $83.5 million during recent weeks. This internal borrowing will subside in the next few weeks as Individual Income Tax revenue collections increase General Fund cash balances. Average General Fund cash balances are typically the lowest each April.
- Highway Fund cash balances over the last 2months have shown a modest recovery over the last 2 months after dropping significantly earlier this fiscal year as a result of the budget problems within the Department of Transportation. The Revenue Forecast Committee assumes that Highway Fund cash balances will only recover to an average of $30 million each fiscal year through FY09 after averaging nearly $60 million last fiscal year.

122nd MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL
Technology Report
April 24, 2006

Bill Drafting System:

- Focusing on specific bill production and end of session functions:
  - Proper formats for bills and amendments
  - Statute update
  - Laws of Maine publishing
  - Bill Summary and Enacted Law Digest
  - Identification of warranty items
- HP has made progress in clearing warranty items:
  - An HP software release is scheduled for April 27th
  - HP Project Manager has been in Augusta on a weekly basis
  - Priority warranty items include issues with several bill types and engrosser facesheets

Data Backup Processing:

- All backups are current
- Taking steps to improve the backup process and the security of the backup data
- Requests to restore damaged or lost user files are being met promptly

Actions Taken by Ballot by
the Legislative Council Since
the March 2, 2006 Council Meeting

1. **Request for Introduction of Legislation**

A. LR 3256: **An Act Authorizing Participation in the State Group Health Plan for Retiring Legislators**

Submitted by: Representative David Bowles
Accepted: March 23, 2006, 8 – 0 – 0 – 2

B. LR 3268: **An Act Regarding Prepaid Contracts for Heating Fuel**

Submitted by: Representative Marilyn Canavan
Accepted: March 31, 2006, 10 – 0 – 0 – 0

C. LR 3275: **An Act Regarding Persons Convicted of Certain Sex Offenses Against Victims Under 12 Years of Age**

Submitted by: Representative Stan Gerzofsky
Accepted: April 7, 2006, 8 – 2 – 0 – 0

D. LR 3267 **An Act to Provide Assistance to Heating Fuel Customers Who Enter Into Prepaid Contracts That Are Not Honored**

Submitted by: Representative Lisa Marraché
Accepted: March 31, 2006, 9 – 0 – 0 – 1

E. LR 3242 **JOINT RESOLUTION MEMORIALIZING CONGRESS TO ADOPT CERTAIN CHANGES TO MEDICARE PART D PROGRAM**

Submitted by: Senator Arthur Mayo
Accepted: March 31, 2006, 6 – 2 – 0 – 2

F. LR 3262 **An Act to Amend the Charter of the Anson Water District**

Submitted by: Senator Peter Mills
Accepted: March 28, 2006, 9 – 0 – 0 – 1

G. LR 3261 **An Act to Exempt All Applied Technology Centers From Local Property Tax Burdens**

Submitted by: Speaker John Richardson
Accepted: March 29, 2006, 8 – 0 – 0 – 2

H. LR 3257 **Resolve, Authorizing the State Tax Assessor to Adjust the State Valuation of the City of Old Town**

Submitted by: Senator Elizabeth Schneider
Co-sponsor Representative Richard Blanchard

Accepted: March 22, 2006, 10 – 0 – 0 – 0

2. Request for Permission to Use Copyrighted Song

A. **Motion:** That pursuant to 3 MRSA § 162 (16-A), the Legislative Council grants permission to the Children's Publishing Division of Simon & Schuster of New York, NY, to use a State copyrighted song, *The State of Maine Song* by Roger Vinton Snow, in a book entitled *Our Fifty States*: A Family Adventure Across America to be published in 2006.

Submitted by: Speaker Richardson

Accepted: March 30, 2006, 10 – 0 – 0 – 0

LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
SECOND REGULAR SESSION
April 24, 2006

		Action
SPONSOR:	**Sen. Courtney, Jonathan T.E.**	
LR 3258	An Act To Prohibit Protesting within 2,000 Feet of a Funeral	
SPONSOR:	**Rep. Vaughan, Michael A.**	
LR 3270	An Act To Protect Funerals	

TABLED BY THE LEGISLATIVE COUNCIL

SPONSOR:	**Rep. Makas, Elaine**	**TABLED 02/16/06**
LR 3105	An Act To Establish a Minimum Salary for Teachers	

DAVID E. BOULTER

EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL

MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

April 11, 2006

TO:

FROM: Dave Boulter, Executive Director

SUBJECT: **Your After Deadline Bill Request(s)**

The Legislative Council has scheduled its next meeting for:

Monday, April 24, 2006
11:00 a.m.
Room 334, Legislative Council Chamber

In accordance with the Joint Rules, the Council will consider After Deadline Bill Requests at that time, including the request(s) you have filed with the Revisor's Office. In addition, the Council is required by Joint Rule 35 to decide all requests for Memorials (Joint Resolutions that memorialize another governmental agency or official) for introduction.

You should plan to attend this Council meeting or present your request(s) to a member of the Legislative Council prior to the meeting. The Council may, but is not obligated to, table a request until the following meeting if the sponsor is not present, so it will have the benefit of information from the sponsor when it votes.

The Council's review of After Deadline Requests is pursuant to Joint Rule. Please be advised that the Council asks that all sponsors first research whether there is an existing bill or LR available to a committee that could accommodate their request. The review procedure then will be as follows:

1. The Council Chair, Speaker John Richardson, will read the name of the sponsor and the title of the request.

2. Once recognized to speak by the Chair, the sponsor may proceed to the microphone. The sponsor should be prepared to concisely answer the following:

   - Why the bill request is "late" (filed after the cloture date);
   - Why the bill request constitutes an emergency such that the Legislature needs to consider the bill this session; and
   - Whether the likely committee of jurisdiction has a bill already referred to it that could be amended to include the proposal.

   Council members may also ask questions related to the content or the intent of the bill to clarify the request, although sponsors generally are not asked to speak to the merits of the bill.

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3. Following the questions Council members will vote on bill requests individually; a roll call vote is required pursuant to Joint Rule.

A complete list of the Council's action on After Deadline Requests is distributed to Council members and all sponsors as soon after adjournment of the Council meeting as possible. The list and the roll call votes are available in the Executive Director's office if you should have any questions.

I hope this information is useful. Please drop by or call me if you have any questions.

Attachment

cc: Members, Legislative Council

Legislative Youth Advisory Council

Established in 2002 • Codified at 3 MRSA, §168-A

Youth Members
Jennifer Thompson, Youth Chair
Henry Beck
Daniel Black
Carolyn Boyle
Meghan Brewer
Kala Clark
Ian Engdahl
Sadie Fenton
Claire Howard
Hannah Lennett
Heather Pratt
James Redstone
Hannah Stein
Grace Wright
Autumn Woodward

Legislative Members
Senator Elizabeth H. Mitchell, Legislative Chair
Senator Carol Weston
Representative Rosaire Paradis, Jr.
Representative David A. Trahan

Staff
Phillip D. McCarthy, Ed.D.
Alison L. Ames
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Maine Relay Services: 1-800-437-122
E-mail: phillip.mccarthy@legislature.maine.gov
URL: http://www.maine.gov/legis/opla/legyouth.htm

Date: April 11, 2006

To: Legislative Council Members

From: Senator Elizabeth Mitchell, Legislative Chair
Legislative Youth Advisory Committee

Re: Recommended amendment to improve the Legislative Youth Advisory Council

Please find attached a proposed amendment to the Legislative Youth Advisory Council's statutes that will correct a problem with current funding from the Department of Education and improve the overall functioning of the youth council. The recommended changes have been shared with the other legislative members of the youth council and no objections have been raised. At a minimum, some action by the Legislature is needed this session to correct a funding problem related to $30,000 that was to be transferred to the Legislature from the Department of Education to support the youth council's activities, as further discussed below.

By way of background, the Department of Education has informed legislative staff that due to unforeseen restrictions placed on the use of grant funds by the donor, it is not able to meets its legal obligation to transfer $30,000 to the Legislature to support the activities of the Legislative Youth Advisory Council. PL 2005, c. 414 required the DOE to make the transfer by October 2005. Legislative staff met with DOE officials on numerous occasions to try to find a resolution that would be acceptable to the grantor. It now appears that further legislation is required to resolve the matter and allow the required public forums for youth to be held as contemplated by Chapter 414. Discussion of this issue also brought to light several aspects that appear to have contributed to the youth council problems. As you know, the youth council has not met on a regular basis over the past year and has struggled with funding, staffing and even its focus. The bottom line is that some changes seem necessary if the legislative youth council is to be viable for the long-term.

The attached amendment will help refocus the youth council and get it back on track. It is presented to the Legislative Council for consideration since the Legislative Council has financial and general oversight of the youth council.

- Part A of this proposed legislation is essential to resolve the funding issue related to the $30,000 that was to be transferred for two regional public forums this fall. This change is necessary to accommodate changes in the grant agreement between the department and the Carnegie Foundation. Since this change affects the legislative budget, it is within the purview of the Legislative Council. With this change, the youth council would be able to hold the regional public forums as envisioned, but they would be funded by the department directly rather by funds transferred from the department to the legislative account. The cost will be well under $30,000. The balance of the funding would used by the department for other purposes allowed under the grant but unrelated to the youth advisory council.

- Part B of the proposed legislation makes several other changes that we believe are necessary to improve the functioning of the youth council. Part B changes the youth council's reporting requirement from annual to biennial, makes the report due in mid-November rather than mid-February, reduces the number of youth members on the council from 18 to 16, and requires that all youth and Legislative members be appointed or reappointed at the start of each new Legislature.

  Transition provisions are included that allow current youth members to serve the full 2 year term for which they were appointed. Part B also adds a provision prohibiting any public or private entity from seeking any outside funds to support activities of the Youth Advisory Council without first obtaining prior written approval from the Legislative Council.

I ask for your support of this proposal so we can move forward this session with changes to improve the operation of the Legislative Youth Advisory Council before the next Legislature convenes. I would be happy to discuss this matter further at the next Legislative Council meeting.

Thank you.

Attachment

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DRAFT LEGISLATION TO IMPLEMENT ORGANIZATIONAL IMPROVEMENTS TO THE LEGISLATIVE YOUTH ADVISORY COUNCIL

Be it enacted by the People of the State of Maine as follows:

PART A

Sec. A-1. PL 2005, chapter 414, §§ 3 through 5 are repealed (Repeals the $30,000 transfer)

Sec. A-2. 3 M.R.S.A., §168-A, sub-§12 is enacted to read:

12. Solicitation of funds prohibited without prior written approval. No public or private entity may solicit or receive funds from any source on behalf of or for the benefit of the council without prior written approval of the Legislative Council or its executive director. All such funds, if approved and when received by the requesting entity, must be immediately transferred in full to the Legislature and reserved by the Legislature for use by the council.

Sec. A-3. Commissioner of Education to fund two public forums of the Legislative Youth Advisory Council during Fiscal Year 2006-2007. The Commissioner of Education shall use funds received by the Department of Education to support the Task Force on Citizenship Education, established pursuant to Resolve 2003, chapter 143, to pay all costs associated with two statewide public forums to be held by the Legislative Youth Advisory Council. Furthermore, the department shall reimburse the Legislature for legislator expenses incurred in participating in the public forums. At the conclusion of the forums and payment of related costs, the department shall provide the Executive Director of the Legislative Council with a detailed financial accounting for all expenses incurred for each public forum, including the sources of the funding.

The two public forums must be held between July 1, 2006 and November 30, 2006, in high schools north and south of Augusta and must be for the purpose of soliciting input, suggestions and ideas for enhanced civic education in the State's secondary school system. The Commissioner shall provide at least one staff person to attend each public forum and prepare written summaries of the meetings. The Legislative Council shall also provide a staff person to attend each public forum. These two public forums of the Legislative Youth Advisory Council constitute two of the six annual meetings of the Council authorized under The Maine Revised Statutes Annotated, Title 3, section 168-A, subsection 1. The Legislative Youth Advisory Council must include a summary of those public forums, along with any recommendations resulting from those forums, in a report submitted to the Legislative Council by January 15, 2007.

Completion of the two public forums required under this section and full payment by the department of all associated costs constitutes fulfillment of the duties of the department and the Legislative Youth Advisory Council pertaining to public forums required under Resolve 2003, chapter 143, sections A-2 and A-3.

PART B

Sec. B-1. 3 M.R.S.A., §168-A, sub-§1, ¶E is amended to read:

E. Report ~~annually~~ biennially to the Legislature on its activities by ~~February 15th of each year~~ December 1st preceding each Second Regular Session of the Legislature. The council may submit legislation as part of its report to the Legislature to implement its recommendations.

Sec. B-2. 3 M.R.S.A., §168-A, sub-§§ 3, 4 & 5 are amended to read:

3. Membership. The council consists of ~~22~~ 20 voting members ~~and 5 nonvoting members~~ who are Maine residents and appointed in accordance with this subsection. In appointing members, the appointing authorities shall consider geographic distribution ~~and shall appoint at least one member from each of the 3 service regions of the Department of Health and Human Services. Members shall serve for terms of 2 years and, if eligible, may be reappointed for subsequent 2-year terms, except that the appointing authorities shall appoint 1/2 of the members first appointed to the council to terms of one year~~. All youth and legislative appointments must be made within 60 days after the convening of each new Legislature. All appointments are for the duration of the legislative term for which the members are appointed and expire upon the convening of the next Legislature. The appointing authorities shall select youth members from youths recommended by principals, guidance counselors or administrative heads of secondary or postsecondary school systems, representatives of equivalent instruction programs or other organizations having an interest in youth activities. Members may be reappointed to subsequent terms on the council, provided that they are eligible at the time of their reappointment.

A. The President of the Senate shall appoint ~~11 members as follows~~ the following 10 members:

(1) Seven youths who have attained the age of 16 years who are enrolled in programs that lead to a secondary school diploma or certificate of attendance or a general equivalency diploma, enrolled in equivalent instruction programs under Title 20-A, chapter 211, subchapter 1-A or enrolled at postsecondary educational institutions located in the State; and

~~(1) Six youths who are students in secondary schools or who are enrolled in programs that lead to a secondary school diploma or certificate of attendance or a general equivalency diploma;~~

(2) One youth who has attained the age of 16 years and is enrolled in an equivalent instruction program under Title 20-A, chapter 211, subchapter 1-A; and

(3) Two members of the Senate.

~~(3) Two students at postsecondary educational institutions located in the State; and~~

~~(4) Two members of the Senate whose terms coincide with the term of office in the Senate.~~

B. The Speaker of the House shall appoint ~~11 members as follows:~~ the following 10 members:

(1) Seven youths who have attained the age of 16 years who are enrolled in programs that lead to a secondary school diploma or certificate of attendance or a general equivalency diploma, enrolled in equivalent instruction programs under Title 20-A, chapter 211, subchapter 1-A or enrolled at postsecondary educational institutions located in the State; and

~~(1) Six youths who are students in secondary schools or who are enrolled in programs that lead to a secondary school diploma or certificate of attendance or a general equivalency diploma;~~

(2) One youth who has attained the age of 16 years and is enrolled in an equivalent instruction program under Title 20-A, chapter 211, subchapter 1-A; and

(3) Two members of the House of Representatives.

~~(3) Two students at postsecondary educational institutions located within the State; and~~

~~(4) Two members of the House of Representatives whose terms coincide with their terms of office in the House of Representatives.~~

~~C. The members of the Children's Cabinet, established pursuant to Title 5, section 19131, serve ex officio and may not vote.~~

4. Chairs. There is a legislative chair and a youth chair of the council. The legislative chair alternates every 2 years between the first-appointed member of the House of Representatives and the first-appointed member of the Senate, beginning in 2003 with the first-appointed member of the House of Representatives serving as the legislative chair for the 121st Legislature. The members shall elect one of their youth members to serve as the youth chair for ~~a term of one year~~ that biennium.

5. Integration with learning results. The Department of Education may seek the cooperation of the council ~~shall work cooperatively with the Department of Education~~ on the integration of council experience into the learning results standards in student service and career preparation.

Sec. B-3. Transition provisions; youth appointments. Notwithstanding the provisions of Title 3, section 168-A, subsection 3, youth members of the Legislative

Youth Advisory Council who were appointed to the council prior to the effective date of this Act for a term of 2 years, may serve for the entire period of that 2 year appointment.

SUMMARY

Part A of this bill repeals a requirement that the Department of Education transfer $30,000 to the Legislature to fund certain activities of the Legislative Youth Advisory Council. In lieu of that transfer, this bill instead requires that the Department of Education use existing other special revenue funds to pay for two statewide public forums of the Youth Advisory Council between July 1, 2006 and November 30, 2006. Completion of the two public forums required in this Act and payment by the department of all associated costs constitutes fulfillment of the duties of the department and the Legislative Youth Advisory Council pertaining to public forums required under Resolve 2003, chapter 143, sections A-2 and A-3. A summary of these forums, along with any recommendations from those forums, will be included in the Legislative Youth Advisory Council's report to the Legislature in January 2007. Part A also adds a provision prohibiting any public or private entity from seeking any outside funds to support activities of the Youth Advisory Council without first obtaining the prior written approval from the Legislative Council or it s executive director.

Part B of this bill simplifies the appointment process, changes the Council's reporting requirements from annual to biennial, changes the number of youth members on the Council from 18 to 16, requires youth members to be at least 16 years old at the time of appointment and requires that all youth and Legislative members be appointed or reappointed at the start of each new Legislature. Transition provisions are included that allow current youth members to serve the full 2 year term for which they were appointed under the previous law.

C:\LYAC AMENDMENT ([redacted]evised 3-13-2006).doc

YC agenda

The Council of State Governments
Eastern Regional Conference

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Vice Chair
MNA William Cusano
First Deputy President
Québec National Assembly

Director
Alan V. Sokolow

March 10, 2006

STATE OF MAINE

Appropriations Request

FOR: Contribution to the Council of State Governments' Eastern Regional Conference (CSG/ERC) Northeast States Association for Agriculture Stewardship (NSAAS).

Fiscal Year July 1, 2006 - June 30, 2007 . . . . . **$10,000**

(Federal Identification Number: 36-6000818)

Thank You for Your Continued Support.

Please make check payable to:

CSG/ERC Northeast States Association for Agriculture Stewardship

and return to:

Council of State Governments
40 Broad Street - Suite 2050
New York, NY 10004
Attn: Pamela Stanley

122nd Legislature
Legislative Council Meeting
Review of Legislative Study Proposals
April, 2006

Requirements Relevant to Studies in the Second Regular Session

- Under the terms of the Joint Rules of the 122nd Legislature, section 353, all joint orders and legislation proposing legislative studies regardless of funding source must be placed on a special study table. The legislative Council must review proposed studies and establish priorities for allocation of budgetary and staffing resources.

- For studies authorized by the Legislative Council, the Legislative Council must provide funds sufficient to enable the committee to reasonably conduct and complete the requirements of the studies.

- Also under the Joint Rules, The Legislative Council must adopt drafting standards for studies. The Legislative Council unanimously adopted standards for the 122nd Legislature on February 24, 2005. Among other things, the standards specify manner of appointment, selection of chair, compensation of members and report date. Copies of the standards are in your notebook.

Suggested Protocol for Authorizing Legislative Studies

- The Legislative Council will review study requests alphabetically by policy area.

- Voting will be by a show of hands, with each Council Member's vote on each bill being recorded. The record of each vote will be made available for public inspection following the meeting.

- Committee chairs and others are welcome to observe the Council's deliberations on the study requests, but discussion of the requests will be confined to Council Members. However, Legislative Council members may ask questions of committee chairs and other Legislators regarding the proposed study.

- Unless otherwise specified by the Legislative Council, authorized studies are to be drafted consistent with applicable standards approved by the Council. Floor amendments to authorized studies making Council-authorized changes will be prepared in the name of the Senate Assistant Majority Leader, except for studies tabled in the House which will be in the name of the House Assistant Majority Leader.

Policy Issues Needing Decision

- **Number of authorized meetings and meeting location-Recommendation**: Unless otherwise specified by the Legislative Council, the number of meetings is not to exceed 4 and meetings are to be held in the Augusta area.

- **Studies conducted using non-General Fund sources-Recommendation:** When a study committee is required to be funded by outside funds, the study committee may not convene until sufficient funds are received to pay for the study.

MAINE STATE LEGISLATURE
Augusta, Maine 04333

COMMISSION TO STUDY THE COST OF PROVIDING CERTAIN SERVICES IN THE UNORGANIZED TERRITORIES

April 20, 2006

Legislative Council
State House Station 115
Augusta, Maine 04333

Dear Members of the Legislative Council

On behalf of the Commission to Study the Cost of Providing Certain Services in the Unorganized Territories we request an extension of the deadline for completion of the Commission's work and permission to hold additional meetings.

The Commission, established by Resolves 2005, chapter 125, has held 4 meetings in Augusta last Fall and 2 meetings near the unorganized territories this past winter to obtain public comment. As the commission's work has progressed we have been impressed by the number of issues that have been raised relating to taxation and services in the unorganized territories. This legislative session, the Joint Standing Committee on Taxation has reported out the municipal cost component bill (LD 2039) which establishes the budget and tax commitment for the unorganized territory. That amendment establishes LD 1 style spending limitations for the UT budget and directs our commission to review those limitations and make recommendations regarding them in our report. Due to the complexities of the issues involved in our study, the volume of materials we have requested, and the additional work being requested of the commission we do not believe that we can complete our work before the July 1st deadline currently applicable to the Commission. Therefore, we request:

- An extension of the commission and its reporting deadline until December 1, 2006, and

- Permission to hold 3 additional meetings after the adjournment of the Second Regular Session, one of which may be at a location outside of Augusta that is convenient for permitting the residents and taxpayers in the unorganized territory to provide the commission with important information about UT services and funding.

Thus far, the Commission has spent $3,147 of the $4,520 originally authorized for its budget, leaving $1,373 still unspent. According to the Executive Director's office the maximum budgeted cost of 3 additional meetings would be $2,840. Commission members have seriously conserved on expenses and our meetings to date, on average, have cost far less than the budgeted estimate. We believe that we can complete the commission's work within a cost that will not exceed $2,000 more than the amount already budgeted.

If you have any questions about this study, please do not hesitate to contact us.

Sincerely:

Bruce Bryant

Sen. Bruce S. Bryant
Senate Chair

Sincerely:

Robert Duplessie

Rep. Robert W. Duplessie
House Chair

Encl:

cc: David Boulter
Grant Pennoyer
Julie Jones
Teen Griffin
Paula Thomas

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MAINE STATE LEGISLATURE
Augusta, Maine 04333

FREEDOM OF ACCESS ADVISORY COMMITTEE

March 1, 2006

The Honorable John Richardson, Chair
The Honorable Beth Edmonds, Vice-Chair
Legislative Council
122nd Maine Legislature
115 State House Station
Augusta, Maine 04333

Dear Representative Richardson and Senator Edmonds:

This letter is to inform you that the Freedom of Access Advisory Committee has completed its work and submitted its final report pursuant to Resolve 2005, Chapter 123.

Sincerely,

Senator Margaret Rotundo, Senate Chair
Freedom of Access Advisory Committee

Representative Theodore Koffman, House Chair
Freedom of Access Advisory Committee

Enclosure

cc: Members of the Legislative Council (w/enc.)

MAR - 3 2006

MAINE STATE LEGISLATURE
Augusta, Maine 04333

LEGISLATIVE YOUTH ADVISORY COUNCIL

February 14, 2006

The Honorable John Richardson, Chair
The Honorable Beth Edmonds, Vice-Chair
Legislative Council
122nd Maine Legislature
115 State House Station
Augusta, Maine 04333

Dear Representative Richardson and Senator Edmonds:

This letter is to inform you that the Legislative Youth Advisory Council has submitted its fourth annual report pursuant to MRSA §168-A. Copies of the report have also been placed on file with the Law and Legislative Reference Library.

Sincerely,

Elizabeth Mitchell
Senator Elizabeth H. Mitchell, Legislative Chair

Jennifer Thompson pm
Ms. Jennifer Thompson, Youth Chair

cc: Members of the Legislative Council (w/enc.)
Governor John E. Baldacci
Children's Cabinet

MAR - 3 2006

Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

SUMMARY OF ACTIONS TAKEN BY THE LEGISLATIVE COUNCIL ON MONDAY, APRIL 24, 2006 REGARDING ON PROPOSED STUDIES

		Policy Area	Name	Staff	Council Action
LD	2077	ACF	Allagash	OPLA	Already enacted
LD	2107	ACF	Maine Food Policy Council	DAFRR	Limit to a one-year study (rather than an on-going body)
JSO	SP0847	BRED	R&D	OPLA	Reduce membership from 14 Legislators to 13 Legislators (3 Sen & 10 House)
LD	2044	CRJ	Homeland Security	MEMA & OPLA	Rejected request for 2 additional meetings, but allowed 2 of the 4 previously authorized meetings to be offsite public hearings (rather than just one)
LD	1772	EDU	Early Childhood Education	DOE	Accepted without changes
LD	1814	HHS	Certificate of Need	Leg Council	Rejected
LD	1949	HHS	DHHS Financial Mgt	DHHS & DAFS	Rejected
LD	2111	JUD	Right to Know	Leg Council	Limit to 2 years (rather than on-going). First year funded with GF, second year contingent on receiving outside funding.
JSO	HP1502	JUD	Birth certificates	Leg Council	Rejected
LD	1296	JUD	Human trafficking	Leg Council	Accepted without changes
LD	748	LAB	Retirement benefits for Corr & MH workers	Leg Council	Already enacted
LD	2013	LVA	Women Veteran Monument	Leg Council	Accepted without changes
LD	1777	NAT	Solid Waste	DEP	Accepted, but changed funding from GF to OSR
LD	1984	SLG	Steven's School	DAFS	Rejected study, but left in language authorizing transfer of property
LD	1557	TAX	Income taxes	Leg Council	Rejected
LD	2041	UTE	Maine Energy Council	PUC	Limit to one-year study (rather than on-going)
LD	1973	HHS	Mental Health Strategic Plan	DHHS & OFPR	Accepted without changes
LD	1983	HHS	Living setting for Adults with Mental Health Illness	DHHS & OFPR	Already enacted
		EDU	LYAC	Leg Council	On-going. No action needed (The Council did accept a new bill from Sen. Mitchell regarding fiscal and administrative changes to LYAC)
		HHS	Cervical Cancer	Leg Council	On-going. No action needed
		LAB	Citizen Trade	OPLA	On-going. No action needed

KEY

Indicates Council Rejection of proposed study

Indicates some change in proposed study

White indicates acceptance without change

Prepared by the Office of Policy and Legal Analysis

Patrick T. Norton, Director
Offices Located in Room 215 of the Cross Office Building

Fiscal Briefing for the Legislative Council

Legislative Council Meeting
April 24, 2006

Prepared by the
Office of Fiscal & Program Review

Executive Summary

1. General Fund and Highway Fund Revenue Update

- General Fund revenue was $32.2 million over budget for the month of March, increasing the positive variance to $32.6 million for the fiscal year-to-date (FYTD). This variance reflects the March revenue revisions but does not include the revenue from the 2006-2007 Supplemental Budget Bill, PL 2005, c. 519, which increases FY06 General Fund budgeted revenue by $0.4 million. Most of the major lines performed well in March.
- It is still too early in April's Individual Income Tax processing to determine whether or not we will have an "April Surprise." While collections are behind last year's, the timing of the Patriots Day holiday this year delayed the filing deadline and the number of returns processed.
- Highway Fund revenue was over budget in March by $0.9 million, reducing the negative variance for the FYTD to $1.2 million (-0.6%). The Fuel Taxes line is the major reason for this negative variance. It remained $2.3 million under budget despite being revised downward by $4.1 million in FY06 in the March 2006 revenue forecast. Fuel Tax revenue may be adversely affected by the recent increases in oil prices. These recent price increases were not anticipated in the economic forecast and, consequently, the revenue forecast.

2. Cash Pool and Cash Balance Trends

- In March, Cash Pool average balance and General Fund average balances were lower than anticipated. MaineCare interim payment recovery performance has adversely affected General Fund cash balances and the total Cash Pool. Internal borrowing from Other Special Revenue Funds spiked up to $83.5 million during recent weeks. This internal borrowing will subside in the next few weeks as Individual Income Tax revenue collections increase General Fund cash balances. Average General Fund cash balances are typically the lowest each April.
- Highway Fund cash balances over the last 2months have shown a modest recovery over the last 2 months after dropping significantly earlier this fiscal year as a result of the budget problems within the Department of Transportation. The Revenue Forecast Committee assumes that Highway Fund cash balances will only recover to an average of $30 million each fiscal year through FY09 after averaging nearly $60 million last fiscal year.

General Fund and Highway Fund Revenue Update

Highlights and Summary – March 2006 Revenue

General Fund Revenue

General Fund revenue was $32.2 million over budget for the month of March, increasing the positive variance to $32.6 million for the fiscal year-to-date (FYTD). This variance reflects the March revenue revisions but does not include the revenue from the 2006-2007 Supplemental Budget Bill, PL 2005, c. 519, which increases FY06 General Fund budgeted revenue by $0.4 million. Most of the major lines performed well in March.

General Fund Revenue – March 2006 Variance by Major Category/Line

- **Sales and Use Tax** – March: +$2.7 million FYTD: +$10.3 million (+1.6%). This revenue category was revised downward by $3.1 million in the March 2006 revenue revision. This revision was based on revenue performance through January 2006 and the downward revision of the economic forecast. Sales Tax revenue in February (20.7% higher than February 2005) and in March (8.0% higher than March 2006) rebounded significantly. FYTD revenue through March is 5.5% above the same period of the prior fiscal year, which is budgeted to increase by 3.8% in FY06 over FY05. The performance of February and March turned around the growth of sales tax collections, which for the FYTD through January was only 3.7% over the same period of the previous year. It is uncertain whether this is just temporary spike from pent up sales that had been delayed during the winter heating season, which turned out to be much milder than anticipated.
- **Service Provider Tax** – March: +$0.03 million FYTD: -$0.1 million (-0.4%).
- **Individual Income Tax** – March: +$11.4 million FYTD: +$11.0 million (+1.5%). The negative variance in February related to a timing issue regarding refunds was reversed in March as expected. The critical period for collections under this month is in late April.
- **Corporate Income Tax** – March: +$10.3 million FYTD: +$10.9 million (+9.8%). This category was increased by $9.9 million in FY06 in March 2006 revenue forecast. March performance was significantly above the upward revision and indicates a substantial positive variance in this category through the end of FY06.
- **Cigarette and Tobacco Tax** – March: +$0.3 million FYTD: +$3.2 million (+2.9%). This category was increased by $4.5 million in the March 2006 forecast to account for the previously unbudgeted inventory effect of the recent tax increase. Performance continues to exceed revised budget.
- **Public Utilities Tax** – No revenue is budgeted in this line until May.
- **Insurance Company Tax** – March: -$0.6 million FYTD: -$0.4 million (-1.4%). This category was revised downward by $5.0 million for FY06 in the March 2006 forecast. March revenue in this category was under the revised budgeted amounts. Through March, the FYTD revenue in this category is 7.7% less than the same period in FY05. However, March 2006 revenue was 8.0% greater than March of 2005. Most of the revenue in this category comes in the last quarter of the fiscal year.
- **Estate Tax** – March: +$3.4 million FYTD: $3.4 million (+5.9%). This category was increased by $6.0 million in FY06 by the March 2006 forecast. March revenue brought this line well above the revised budgeted revenue based on a couple of moderately large estates tax payments. Monthly variances up and down are expected in this line, but FYTD estate tax revenue collections continue to be very strong, 181% above the same period last fiscal year.

- **Property Tax -Unorganized Territory** – The October transfer represents an estimate based on the prior year and was slightly over budget. The next transfer will be in June, based on actual General Fund expenditures.
- **Income from Investments** – March: +$0.01 million FYTD: +$0.04 million (+0.9%). Forecast for investment income was revised upward by $1.3 million in the March 2006 forecast. This category remains close to budget.
- **Revenue Sharing Transfers** – March: -$1.2 million FYTD: -$1.6 million (-2.1%). This revenue line is calculated based on 5.1% of Sales, Service Provider, Individual Income and Corporate Income Taxes. The variance in this line reflects 5.1% of the inverse of the total variances for the above mentioned tax lines.
- **Lottery Transfer** – March: +$0.7 million FYTD: +$1.0 million (+2.7%). Lottery revenue, which had been under performing recovered well in February and March to move to a positive variance for the FYTD.
- **Other Revenue** – March: +$5.2 million FYTD: -$5.1 million (-3.4%). The Department of Health and Human Services remained under budget for the FYTD by $9.6 million despite a $3.0 million downward revision in March by $3.5 million. The Judicial Department reduced its negative variance to $2.3 million for the FYTD after a downward revenue revision of $2.5 million in the March revenue forecast.

Highway Fund Revenue

Highway Fund revenue was over budget in March by $0.9 million, reducing the negative variance for the FYTD to $1.2 million (-0.6%). The Fuel Taxes line is the major reason for this negative variance. It remained $2.3 million under budget despite being revised downward by $4.1 million in FY06 in the March 2006 revenue forecast.

Highway Fund Revenue – March 2006 Variance by Major Category/Line

- **Fuel Taxes** – March: -$0.04 million FYTD: -$2.3 million (-1.5%). See discussion above.
- **Motor Vehicle Registration and Fees** – March: $0.9 million FYTD: +$0.6 million (+0.9%).
- **Inspection Fees** – This revenue line is running slightly over budget for the FYTD.
- **Fines** – Highway Fund fine revenue was under budget in March and was under budget for the FYTD by $0.1 million (-8.2%).
- **Income from Investments** – March: +$0.03 million FYTD: $0.03 million (+2.7%). This category was revised downward by $0.3 million in FY06 in the March 2006 revenue forecast, reflecting concerns about recent very low cash balances in the Highway Fund. Those balances, which nearly reached 10-year lows, have begun to recover.
- **Other Revenue** – March: +$0.1 million FYTD: +$0.6 million (+8.0%).

OTHER REVENUE SUMMARY MATERIALS THAT FOLLOW INCLUDE:

- **Summary Table of March Revenue Variances for the General Fund and Highway Fund (Page 3)**
- **Comparison of Fiscal Year-to-Date Revenue through March for FY03, FY04, FY05 and FY06 (Page 4)**
- **Graphs of Monthly Revenue History:**
  - **General Fund (see page 5)**
  - **Highway Fund (see page 6)**

General Fund and Highway Fund Revenue
Fiscal Year Ending June 30, 2006
REFLECTING MARCH 2006 RFC ADJUSTMENTS

MARCH 2006 REVENUE VARIANCE REPORT

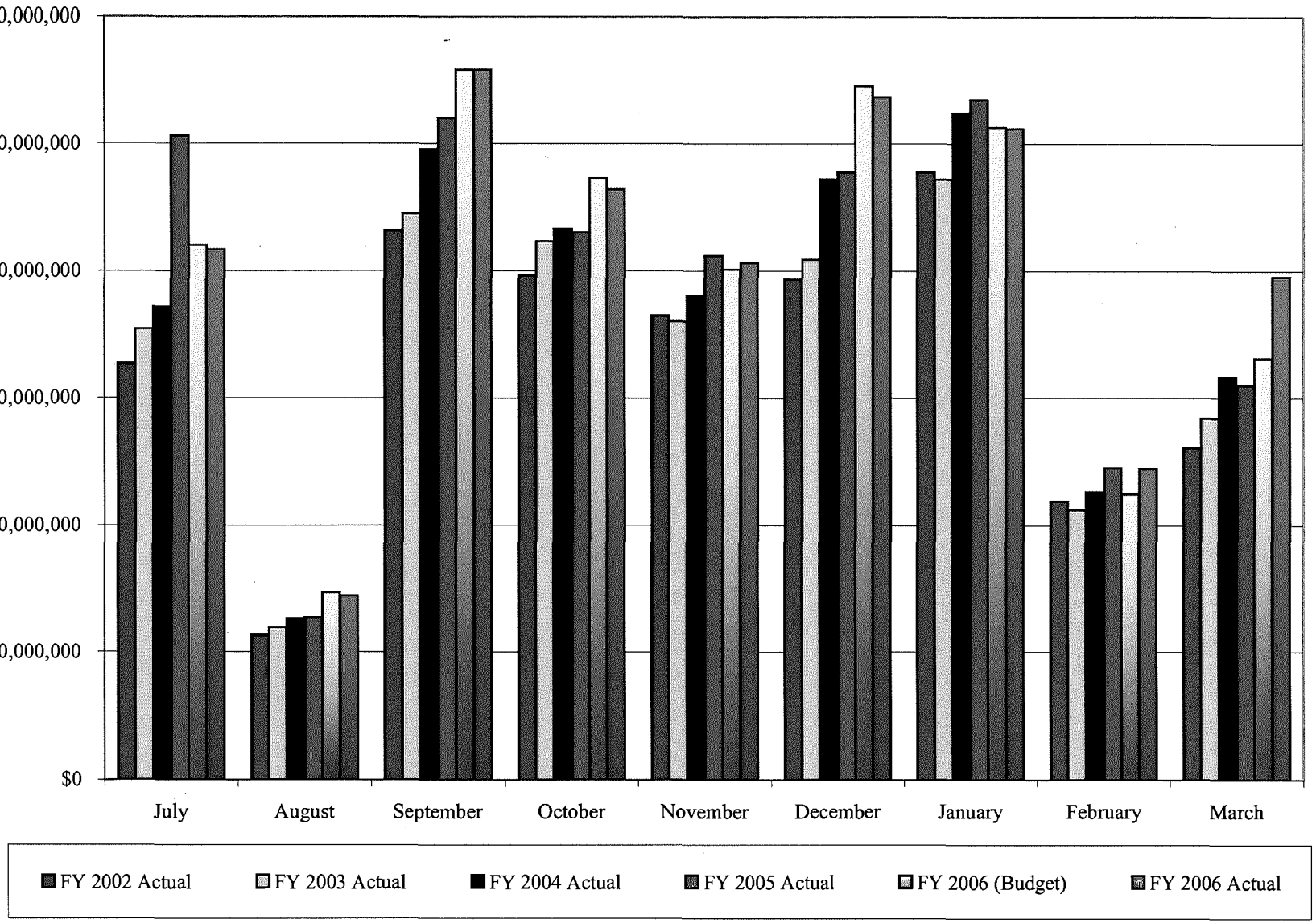
Revenue Line	Mar. '06 Budget	Mar. '06 Actual	Mar. '06 Var.	FY06 YTD Budget	FY06 YTD Actual	FY06 YTD Variance	FY06 YTD Variance %	FY06 Budgeted Totals
General Fund								
Sales and Use Tax	58,366,130	61,109,541.00	2,743,411.00	623,973,997	634,246,561.15	10,272,564.15	1.6%	930,641,080
Service Provider Tax	4,132,532	4,164,672.66	32,140.66	30,160,881	30,027,668.72	(133,212.28)	-0.4%	46,494,165
Individual Income Tax	41,855,840	53,241,988.37	11,386,148.37	719,087,708	730,123,265.50	11,035,557.50	1.5%	1,228,307,845
Corporate Income Tax	12,766,482	23,021,793.15	10,255,311.15	111,608,694	122,495,609.97	10,886,915.97	9.8%	175,150,000
Cigarette and Tobacco Tax	12,748,676	13,074,031.60	325,355.60	110,614,383	113,821,089.96	3,206,706.96	2.9%	151,738,325
Public Utilities Tax	0	0.00	0.00	0	0.00	0.00	0.0%	21,440,000
Insurance Companies Tax	15,213,025	14,622,874.09	(590,150.91)	28,219,368	27,820,819.96	(398,548.04)	-1.4%	72,141,931
Estate Tax	2,680,765	6,053,395.03	3,372,630.03	56,695,494	60,068,107.99	3,372,613.99	5.9%	70,099,322
Property Tax - Unorganized Territory	0	0.00	0.00	9,522,077	9,560,399.00	38,322.00	0.4%	11,278,476
Income from Investments	342,474	355,357.67	12,883.67	4,527,308	4,567,712.74	40,404.74	0.9%	6,563,582
Transfer to Municipal Revenue Sharing	(5,973,172)	(7,218,437.76)	(1,245,265.76)	(75,733,538)	(77,361,548.39)	(1,628,010.39)	-2.1%	(121,410,248)
Transfer from Lottery Commission	3,871,862	4,582,938.03	711,076.03	37,750,689	38,760,032.33	1,009,343.33	2.7%	50,334,250
Other Revenue	19,513,393	24,713,502.40	5,200,109.40	150,332,798	145,211,512.43	(5,121,285.57)	-3.4%	214,531,681
Totals	**165,518,007**	**197,721,656.24**	**32,203,649.24**	**1,806,759,859**	**1,839,341,231.36**	**32,581,372.36**	**1.8%**	**2,857,310,409**
Highway Fund								
Fuel Taxes	17,697,436	17,661,640.00	(35,796.00)	151,074,598	148,789,886.34	(2,284,711.66)	-1.5%	226,776,993
Motor Vehicle Registration and Fees	8,450,473	9,323,250.14	872,777.14	62,039,505	62,605,020.37	565,515.37	0.9%	87,172,358
Inspection Fees	323,732	345,025.82	21,293.82	3,206,688	3,215,881.71	9,193.71	0.3%	4,397,970
Fines	179,170	123,609.19	(55,560.81)	1,428,847	1,311,985.70	(116,861.30)	-8.2%	1,973,665
Income from Investments	61,217	93,774.83	32,557.83	1,089,868	1,118,893.87	29,025.87	2.7%	1,300,000
Other Revenue	554,593	640,188.78	85,595.78	6,983,994	7,539,789.43	555,795.43	8.0%	9,286,173
Totals	**27,266,621**	**28,187,488.76**	**920,867.76**	**225,823,500**	**224,581,457.42**	**(1,242,042.58)**	**-0.6%**	**330,907,159**

Comparison of Actual Year-to-Date Revenue Through March of Each Fiscal Year

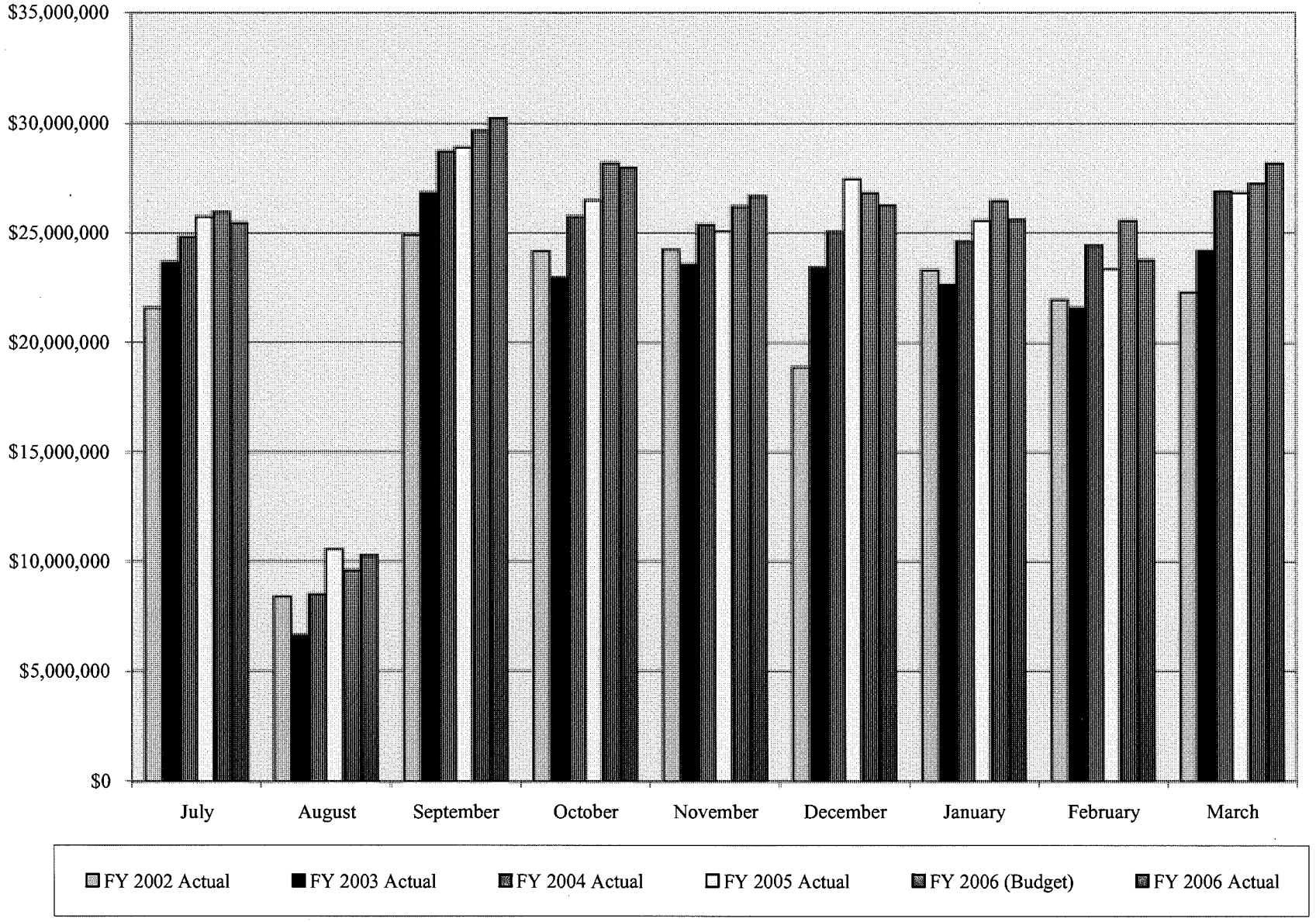
Revenue Line	FY 2003	FY 2004	% Chg	FY 2005	% Chg	FY 2006	% Chg
General Fund							
Sales and Use Tax	$571,205,681	$614,734,165	7.6%	$600,936,171	2.5%	$634,246,561	5.5%
Service Provider Tax		$0	N/A	$28,977,986	N/A	$30,027,669	3.6%
Individual Income Tax	$685,717,398	$729,055,070	6.3%	$801,808,464	10.0%	$835,836,301	4.2%
Ind. Income Tax - BETR & CB Transfers	$0	$0	N/A	($25,976,808)	N/A	($105,713,036)	307.0%
Corporate Income Tax	$53,126,660	$65,915,836	24.1%	$81,890,391	24.2%	$122,495,610	49.6%
Cigarette and Tobacco Tax	$73,826,991	$72,492,856	-1.8%	$72,126,110	-0.5%	$113,821,090	57.8%
Public Utilities Tax	($128,030)	($268,757)	109.9%	($150,000)	-44.2%	$0	-100.0%
Insurance Companies Tax	$31,233,086	$29,918,750	-4.2%	$30,151,880	0.8%	$27,820,820	-7.7%
Estate Tax	$16,564,033	$16,732,889	1.0%	$21,377,451	27.8%	$60,068,108	181.0%
Property Tax - Unorganized Territory	$9,300,585	$8,937,092	-3.9%	$9,638,377	7.8%	$9,560,399	-0.8%
Income from Investments	$1,955,138	$1,400,168	-28.4%	$3,221,090	130.1%	$4,567,713	41.8%
Transfer to Revenue Sharing	($66,812,537)	($71,894,959)	7.6%	($75,869,446)	5.5%	($77,361,548)	2.0%
Transfer from Liquor Commission	$19,637,499	$20,658,510	5.2%	$50,017,502	142.1%	$16,500	-100.0%
Transfer from Lottery Commission	$29,173,342	$31,227,102	7.0%	$37,090,008	18.8%	$38,760,032	N/A
Other Revenue	$115,786,295	$149,085,607	28.8%	$146,867,793	-1.5%	$145,211,512	-1.1%
General Fund Totals	**$1,540,586,140**	**$1,667,994,330**	**8.3%**	**$1,782,106,970**	**6.8%**	**$1,839,357,731**	**3.2%**
Highway Fund							
Fuel Taxes	$125,159,351	$143,394,921	14.6%	$148,841,224	3.8%	$148,789,886	0.0%
Motor Vehicle Registration and Fees	$58,026,700	$58,394,228	0.6%	$59,298,000	1.5%	$62,605,020	5.6%
Inspection Fees	$3,036,055	$3,513,906	15.7%	$3,058,081	-13.0%	$3,215,882	5.2%
Fines	$1,647,895	$1,380,477	-16.2%	$1,288,298	-6.7%	$1,311,986	1.8%
Income from Investments	$967,892	$407,347	-57.9%	$750,219	84.2%	$1,118,894	49.1%
Other Revenue	$6,818,752	$7,205,526	5.7%	$6,843,675	-5.0%	$7,539,789	10.2%
Highway Fund Totals	**$195,656,645**	**$214,296,405**	**9.5%**	**$220,079,498**	**2.7%**	**$224,581,457**	**2.0%**

Adjusted for Service Provider Tax Split

Monthly Historical Comparisons - General Fund Revenue
FY 2002 - FY 2006



Monthly Historical Comparisons - Highway Fund Revenue
FY 2002 - FY 2006



Cash Pool and Cash Balance Trends Summary

March 2006 Cash Pool Average Balances (see pages 2)

- Average balance of the Cash Pool was $593.3 million in March. This is very close to the average balance since the beginning of FY 2002 of $594.5 million, but is less than last March's balance of $633.8 million.
- Highway Fund balance has recovered slightly from the very low average balances of January and February to an average balance of $35.7 million in March. This is still significantly below the recent 12-month moving average balance of approximately $60 million and is substantially below last March's average balance of $74.8 million. See trend discussion below.
- General Fund cash position averaged $24.2 million in March. This amount included $123.6 million in Tax Anticipation Notes (TAN's), $48.3 million in the Budget Stabilization Fund, $23.1 million in the Reserve for General Fund Operating Capital and $65.5 million of internal borrowing from Other Special Revenue. The internal borrowing amount is substantially above anticipated amounts largely as a result of Medicaid interim payment recovery performance. Absent these reserve balances and temporary borrowing, the General Fund would have had a negative average balance in March of $236.3 million. This is $8.3 million lower than a year ago. See trend discussion below.
- Other State Funds and Independent Agency Funds at $533.5 million in aggregate in March were above the averages over the last 4½ years, but due to the substantial internal borrowing was $13.4 million less than a year ago.

General Fund Cash Balance Trends (see charts on pages 3 and 4)

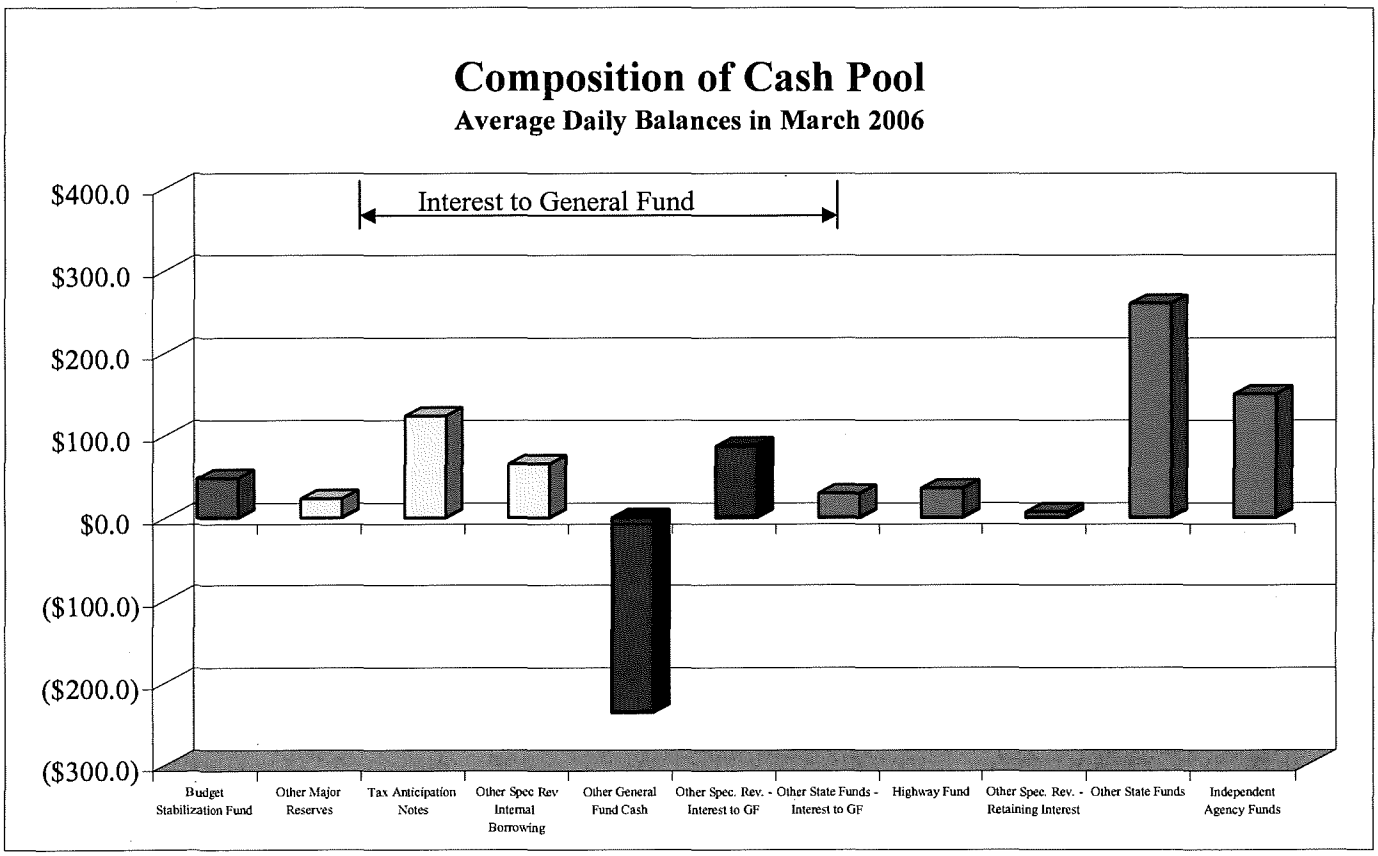
- General Fund trend (as measured by a 12-month moving average) continues to improve in the chart on page 4, which factors out the effect of the General Fund's reduced reliance on Tax Anticipation Notes (TAN's).
- The declining trend in the chart on page 3 reflects reduced TAN borrowing, which decreased from $190 million in FY05 to $123.6 million in FY06.

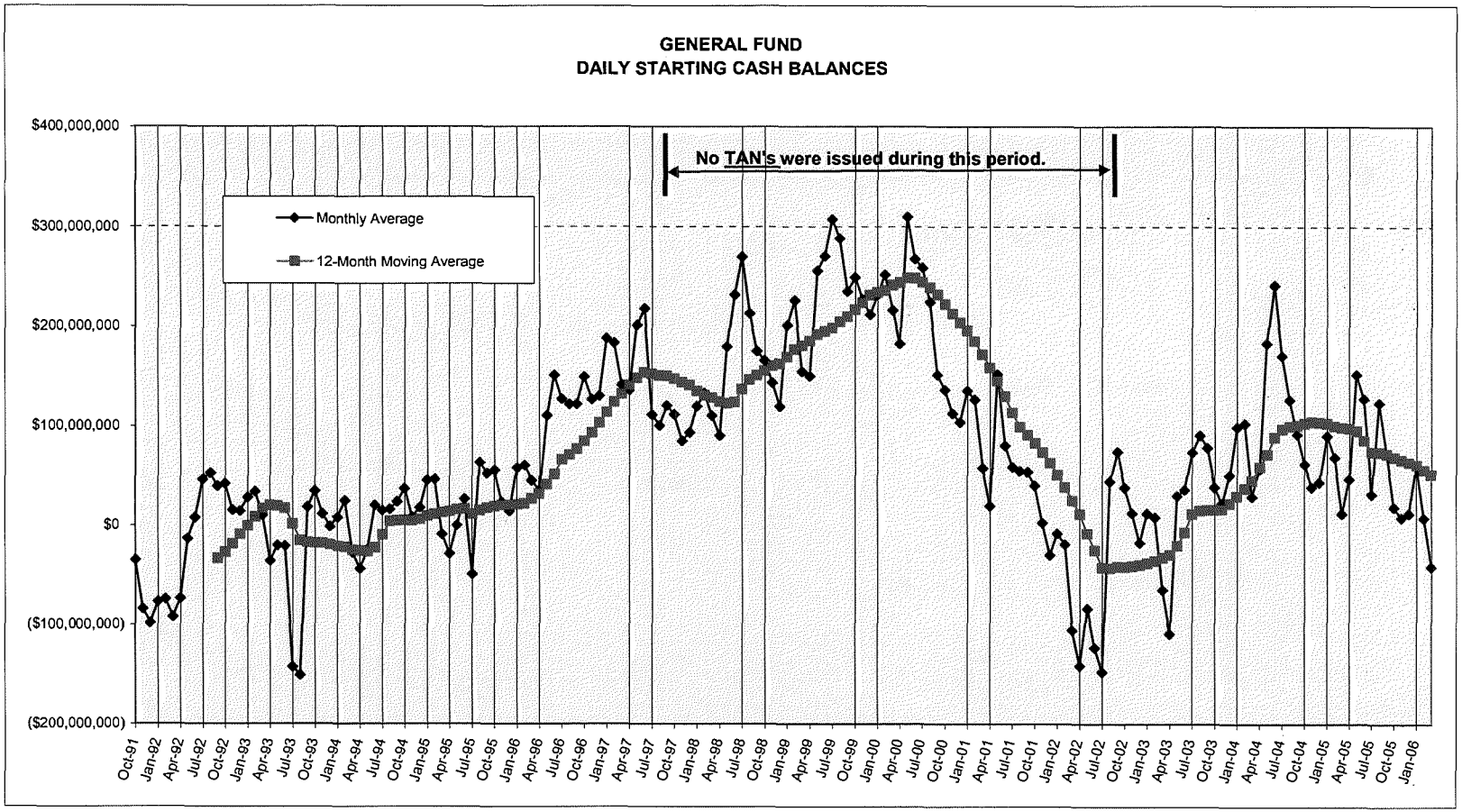
Highway Fund Cash Balance Trends (see chart on page 5)

- Highway Fund cash balances have dropped precipitously during this fiscal year and have only recently started to recover.
- Highway and Bridge Improvement program shortfall due to inflationary pressures and earmarking of a higher portion of new federal funding has eroded cash balances and delayed the normal seasonal recovery in Highway Fund cash.
- April's average daily beginning balances as tracked by OFPR have shown some modest improvement over March's average balance, but balances remain near 10-year lows.

Composition of State's Cash Pool
March 2006 Average Daily Balances

	March 2006
General Fund - Total	$24,162,731
General Fund - Detail	
Budget Stabilization Fund (Rainy Day Fund)	$48,295,270
Reserve for General Fund Operating Capital	$23,093,792
Tax Anticipation Notes	$123,625,000
Internal Borrowing from Other Special Revenue	$65,483,871
General Fund - Other	($236,335,202)
Highway Fund	$35,688,420
Other Special Revenue - Contributing to General Fund	$86,949,725
Other Special Revenue - Retaining Interest Earned	$7,218,584
Other State Funds - Contributing Interest to General Fund	$29,654,115
Other State Funds	$259,647,386
Independent Agency Funds	$149,990,153
Total Cash Pool	**$593,311,115**

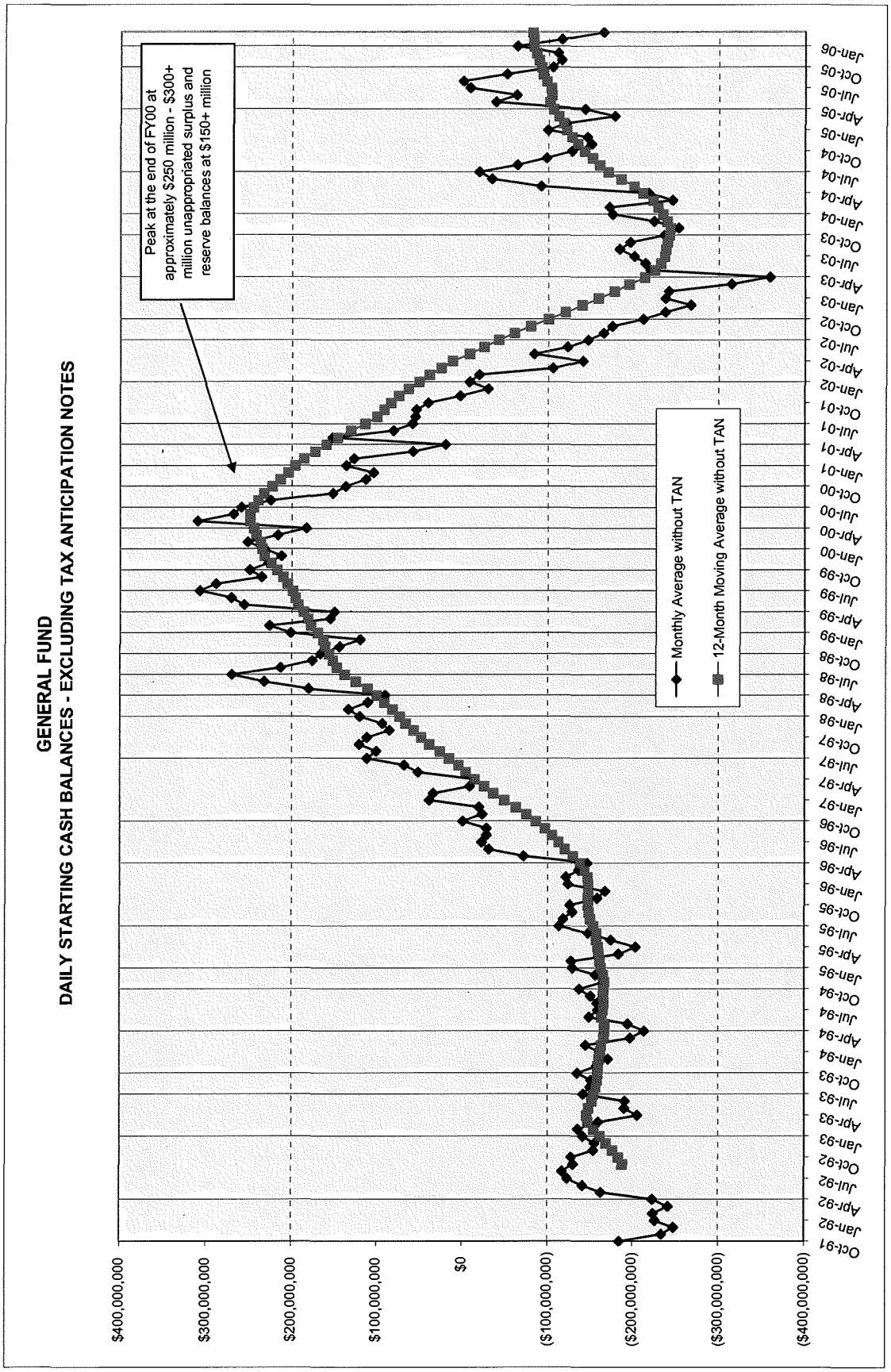




TAX ANTICIPATION NOTES (TAN's) - History from FY 1990-91 [1]

Fiscal Year	Amount Authorized	Amount Issued	Reference
2005-06 [1]	$314,718,914 [1]	$123,625,000	5 MRSA, §150 (as amended by PL 2001, c. 705)
2004-05 [1]	$309,540,537 [1]	$190,000,000	5 MRSA, §150 (as amended by PL 2001, c. 705)
2003-04 [1]	$293,657,381 [1]	$275,000,000	5 MRSA, §150 (as amended by PL 2001, c. 705)
2002-03 [1]	$282,869,203 [1]	$250,000,000	5 MRSA, §150 (as amended by PL 2001, c. 705)
2001-02	$100,000,000	$0	5 MRSA, §150 (as amended by PL 2001, c. 467)
1997-98	$100,000,000	$0	PL 1997, c. 24, §F-1 (Repealed by PL 1997, c. 643, §E-5)
1996-97	$190,000,000	$150,000,000	PL 1995, c. 665 §P-1
1995-96	$182,000,000	$182,000,000	PL 1995, c. 368, §V-1
1994-95	$175,000,000	$175,000,000	PL 1993, c. 707, §P-2
1993-94	$170,000,000	$170,000,000	PL 1993, c. 382, §1
1992-93	$170,000,000	$170,000,000	PL 1991, c. 780, §BB-1
1991-92	$150,000,000	$150,000,000	PL 1991, c. 589, §1
1990-91	$125,000,000	$115,000,000	PL 1991, c. 5, §1

Notes: [1] 5 MRSA, §150 provides the statutory authorization for Tax Anticipation Notes. As amended by PL 2001, c. 705, the limit is the same as that imposed by the Constitution of Maine, Article IX, Sec. 14, 10% of total General Fund appropriations and Highway Fund allocations or 1% of the State Valuation, whichever is less. The amounts authorized for fiscal years 2002-03 through 2004-05 reflect final General Fund appropriations and Highway Fund allocations. Amounts for fiscal year 2005-06 reflect budgeted amounts through the 122nd Legislature, 2nd Special Session. Special exceptions to the general authorization levels are detailed in this table.


GENERAL FUND
DAILY STARTING CASH BALANCES - EXCLUDING TAX ANTICIPATION NOTES
Peak at the end of FY00 at approximately $250 million - $300+ million unappropriated surplus and reserve balances at $150+ million
Monthly Average without TAN
12-Month Moving Average without TAN
$400,000,000
$300,000,000
$200,000,000
$100,000,000
$0
($100,000,000)
($200,000,000)
($300,000,000)
($400,000,000)
Oct-91
Jan-92
Apr-92
Jul-92
Oct-92
Jan-93
Apr-93
Jul-93
Oct-93
Jan-94
Apr-94
Jul-94
Oct-94
Jan-95
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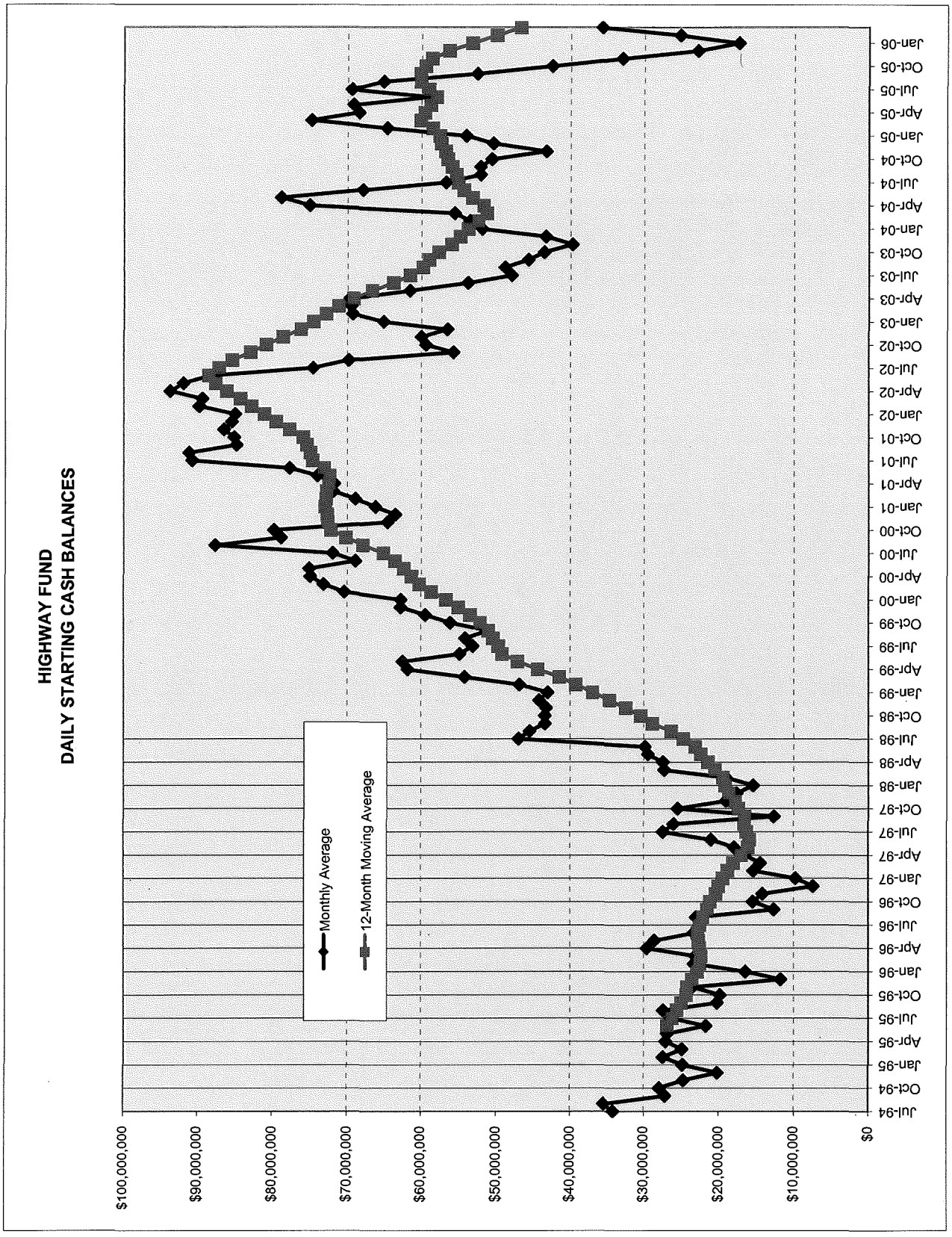
Jan-06


HIGHWAY FUND
DAILY STARTING CASH BALANCES
Monthly Average
12-Month Moving Average
$100,000,000
$90,000,000
$80,000,000
$70,000,000
$60,000,000
$50,000,000
$40,000,000
$30,000,000
$20,000,000
$10,000,000
$0
Jul-94
Oct-94
Jan-95
Apr-95
Jul-95
Oct-95
Jan-96
Apr-96
Jul-96
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Jan-06