

# MAINE STATE LEGISLATURE

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SEN. BETH EDMONDS  
CHAIR

REP. GLENN A. CUMMINGS  
VICE-CHAIR

SEN. ELIZABETH H. MITCHELL  
SEN. CAROL WESTON  
SEN. JOHN L. MARTIN  
SEN. RICHARD W. ROSEN  
REP. HANNAH M. PINGREE  
REP. JOSHUA A. TARDY  
REP. SEAN FAIRCLOTH  
REP. ROBERT H. CROSTHWAITE

123<sup>RD</sup> MAINE STATE LEGISLATURE  
LEGISLATIVE COUNCIL

**MEETING SUMMARY**  
**JUNE 18, 2007**  
**APPROVED AUGUST 23, 2007**

**CALL TO ORDER**

Legislative Council Chair, President Edmonds called the Legislative Council meeting to order at 6:45 P.M. in the Legislative Council Chamber.

**ROLL CALL**

Senators: President Beth Edmonds, Sen. Elizabeth Mitchell, Sen. John Martin,  
Sen. Carol Weston, Sen. Richard Rosen

Representatives: Speaker Glenn Cummings, Rep. Hannah Pingree, Rep. Sean  
Faircloth, Rep. Joshua Tardy, Rep. Robert Crosthwaite

Legislative Officers: Millie MacFarland, Clerk of the House  
Joy O'Brien, Secretary of the Senate  
Michael Cote, Assistant Clerk of the House  
David E. Boulter, Executive Director of the Legislative Council  
Rose Breton, Legislative Finance Director  
Debra Olken, Human Resources Director  
Patrick Norton, Director, Office of Policy & Legal Analysis  
Grant Pennoyer, Director, Office of Fiscal and Program Review

Legislative Council Chair, President Edmonds convened the meeting at 6:45 P.M. with a quorum of members present.

**SUMMARY OF MAY 24, 2007 MEETING OF LEGISLATIVE COUNCIL**

Motion: That the Meeting Summary of May 24, 2007 be accepted and placed on file. Motion by Representative Faircloth, second by Senator Weston. **Motion passed, unanimous (8-0).** [Sen. Martin, Speaker Cummings arrived after the vote]

**REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES**

**Executive Director's Report**

(No Report)

## Fiscal Report

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

### Revenue Update

#### Total General Fund Revenue - FY 2007 (\$'s in Millions)

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
May	254.3	252.8	(1.5)	-0.6%	255.3	-1.0%
FYTD	2,547.4	2,540.9	(6.6)	-0.3%	2,476.6	2.6%

- General Fund revenue was under budget by \$1.5 million in May. This increased the negative fiscal year-to-date (FYTD) variance to \$6.6 million (-0.3%). This variance reflects the \$17.8 million upward revision made to General Fund revenue in the special May 2007 revenue forecast.
- Sales tax receipts reflecting sales through April were below expectations; reflecting a very late spring and the effect of the Patriots Day winter storm. The hope is that some of the sales that would have occurred in April have been deferred and will increase May sales. Data for May sales is not yet available.
- Individual income tax revenue was under budget in May and for the FYTD due to lower than expected withholdings.

#### Total Highway Fund Revenue - FY 2007

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
May	28.2	25.7	(2.6)	-9.1%	27.7	-7.2%
FYTD	279.0	276.6	(2.3)	-0.8%	276.4	0.1%

- Highway Fund revenue was under budget by \$2.6 million in May, resulting in a negative variance of \$2.3 million (-0.8%) for the FYTD. Fuel tax revenue represents the largest negative variance, but most major lines are below expectations.

Motion: That the fiscal report be accepted. Motion by Senator Mitchell. **Motion passed, unanimous (8-0).** [Sen. Martin, Speaker Cummings absent for the vote.]

## Information Technology Report

(No Report)

## REPORTS FROM COUNCIL COMMITTEES

### 1. Personnel Committee

(No Report)

### 2. Subcommittee to Review the Study Committee Process

(No Report)

**3. Budget Subcommittee**

(No Report)

**4. Subcommittee to Administer Technology (President Edmonds, Chair)**

(No Report)

**OLD BUSINESS**

**ITEM 1: Legislative Council Actions Taken by Ballot**

A copy of the list of actions taken by ballot by the Legislative Council since its May 24, 2007 meeting is attached. No further action by the Legislative Council is required.

There was no other Old Business.

**NEW BUSINESS**

**ITEM #1: Consideration of Legislative Study Requests**

Mr. Boulter reviewed the suggested protocol for authorizing legislative studies and the policy matters that require a council decision, as follows:

- The Legislative Council will review study requests alphabetically by policy area.
- Voting will be by a show of hands, and each Legislative Council member's vote on each bill will be 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 if needed.
- Unless otherwise specified by the Legislative Council, authorized studies are to be drafted consistent with applicable standards and policies 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 (and Recommendation)**

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

2. **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.
3. **Interim committee meetings-Recommendation:** Unless otherwise specified by the presiding officers, the number of interim meetings per committee is limited to four (4) days. Joint standing committees must complete all assigned work within their authorized meeting days.

Motion: That the suggested protocol and the recommendations on the policy issues be adopted. Motion by Senator Mitchell. (No second.) **Motion passed, unanimous (8-0).** [Senator Martin, Speaker Cummings arrived after the vote.]

Further Motion: That unless otherwise authorized by the Legislative Council in deciding specific study requests, that the number of interim committee meetings be limited to three (3). Motion by Representative Pingree. Second by Senator Mitchell. **Motion passed, unanimous (8-0).** [Senator Martin, Speaker Cummings arrived after the vote.]

Thirty-five (35) legislative study requests were reviewed and decided by the Legislative Council. Results are attached.

**ITEM #2: Memo from Joint Standing Committee on Criminal Justice and Public Safety Regarding Security in the State House and Capitol Complex.**

The Joint Standing Committee on Criminal Justice and Public Safety recently voted unanimously ought not to pass on LD 1706, "Resolve, Establishing a Commission to Review State House and Capitol Complex Security Issues" (a copy of the letter is attached). The committee sent a letter to the Legislative Council recommending that greater attention be given to security within the State House and Capitol Complex. Mr. Boulter suggested that the State House Facilities Committee review building security issues at its next meeting during the interim.

No action by the Legislative Council was required.

**ITEM #3: Constituent Services Computer application (Not on Agenda)**

Senator Weston asked about the schedule of the Technology committee to discuss acquiring and using constituent services software. This matter had been referred to the committee by the Legislative Council earlier this year. President Edmonds indicated that the Subcommittee to Administer Technology will review the constituent services application opportunities and issues at its July or other summer meeting.

No action by the Legislative Council was taken.

**ITEM #4: Request to Access Legislative Website (Not on Agenda)**

Mr. Boulter presented a request by the Joint Standing Committee on Appropriations and Financial Affairs to establish a "Suggestion Box" on the Legislature's web page as part of its efforts to invite public suggestions on potential savings to the state budget. A copy of the request is attached.

Mr. Boulter indicated that if the Legislative Council was so inclined, it could direct the director of the Office of Fiscal and Program Review to work with the Office of Information Services to develop a

webpage that is appropriate and meets the needs of the committee. The details of the webpage could be handled by the director. The chair of the Legislative Council, President Edmonds, asked if that approach was acceptable to the council members. The members present all generally agreed to the approach. (No vote was taken.)

## **ADJOURNMENT**

## **ANNOUNCEMENTS AND REMARKS**

The Legislative Council meeting was adjourned at 9:15 P.M. **Motion passed, unanimous (9-0).**  
[Senator Rosen absent for the vote.]