

MAINE STATE LEGISLATURE

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SEN. BETH EDMONDS
CHAIR

REP. GLENN A. CUMMINGS
VICE-CHAIR

123RD MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

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

LEGISLATIVE COUNCIL
June 25, 2008
1:30 P.M.
REVISED AGENDA

| <u>Page</u> | <u>Item</u> | <u>Action</u> |
|--------------------|--|----------------------|
| | CALL TO ORDER | |
| | ROLL CALL | |
| 1 | SUMMARY OF THE MAY 21, 2008 MEETING OF THE LEGISLATIVE COUNCIL | Acceptance |
| | REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS | |
| 9 | ▪ Executive Director's Report (Mr. Boulter) | Information |
| 10 | ▪ Fiscal Report (Mr. Pennoyer) | Information |
| | ▪ Information Services Report (Mr. Mayotte) (No Report) | |
| 14 | ▪ Status of Legislative Studies (Mr. Norton) | Information |
| | REPORTS FROM COUNCIL COMMITTEES | |
| | • Personnel Committee (Speaker Cummings, Chair) | |
| | • State House Facilities Committee (Rep. Pingree, Chair) (No Report) | |
| | • Budget Subcommittee (Sen. Martin, Chair) (No Report) | |
| | • Subcommittee to Administer Technology (President Edmonds, Chair) (No Report) | |

OLD BUSINESS

(None)

NEW BUSINESS

- | | | |
|-----------|---|-------------------|
| 15 | Item #1: MDF Proposal for Legislator Bus Tours and Forums - 124th Legislature | Discussion |
| 17 | Item #2: Disposition of Certain Surplus Property Owned by the Legislature (More information will be provided at the meeting) | Discussion |

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT



SEN. BETH EDMONDS
CHAIR

REP. GLENN A. CUMMINGS
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MEETING SUMMARY
May 21, 2008

CALL TO ORDER

Legislative Council Chair, President Edmonds called the Legislative Council meeting to order at 1:17 P.M. in the Legislative Council Chambers.

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: Millicent MacFarland, Clerk of the House
Joy O'Brien, Secretary of the Senate
David E. Boulter, Executive Director of the Legislative Council
Rose Breton, Legislative Finance Director
Debra Olken, Human Resources Director
Jon Clark, Deputy Director, Office of Policy & Legal Analysis
Grant Pennoyer, Director, Office of Fiscal and Program Review
Margaret Matheson, Revisor of Statutes
Paul Mayotte, Director, Legislative Information Services
John Barden, Director, Law and Legislative Reference Library

Legislative Council Chair, President Edmonds convened the meeting at 1:17 P.M. with a quorum of members present.

SUMMARY OF APRIL 14, 2008 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary of April 14, 2008 be accepted and placed on file. Motion by Senator Martin. Second by Representative Pingree. **Motion passed unanimous (10-0).**

REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES

Executive Director's Report

David Boulter, Executive Director of the Legislative Council, reported on the following.

The YMCA Youth in Government program took place this month in the State House. 137 students and 17 advisors participated, representing 15 schools. The schools participating were from across Maine, including schools in York, Franklin, Washington and Aroostook counties. In planning for the 2009 program, the program director has requested to hold the program either April 3-5th or May 1-3rd, with preference for the April weekend.

The Legislative Digest of Bills and Resolves for the 123rd Legislature, 2nd Regular and 1st Special Session is being prepared by staff from the offices of Policy and Legal Analysis and Fiscal and Program Review. The digest should be ready for distribution to all legislators by the first week in June.

Landscaping work is on-going in Capitol Park this month with a focus on the northwest portion of the park. Overgrown and dead or dying vegetation is being removed, and remaining plantings are being pruned.

Fiscal Report

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

1. Revenue Update

Total General Fund Revenue - FY 2008 (\$'s in Millions)

| | Budget | Actual | Var. | % Var. | Prior Year | % Growth |
|-------|-----------|-----------|--------|--------|------------|----------|
| April | \$433.9 | \$457.1 | \$23.2 | 5.3% | \$413.4 | 10.6% |
| FYTD | \$2,314.8 | \$2,360.1 | \$45.3 | 2.0% | \$2,288.1 | 3.1% |

- General Fund revenue was over budget by \$23.2 million in April, increasing the fiscal year-to-date (FYTD) positive variance for General Fund revenue to \$45.3 million or 2.0%. April's strong growth increased the growth rate for the FYTD to 3.1% over the same period in FY 2007.
- Individual income tax receipts resulted in a positive variance of \$30.6 million in April and \$42.7 million for the FYTD in this category. Corporate Income Tax collections also exceeded projections and were \$11.0 million over budget for the FYTD. The Sales Tax remained over budget for the FYTD.
- The Cigarette Tax, Estate Tax and Insurance Companies Tax remained under budget for the FYTD as did the Other Revenue category.
- The Other Revenue category was under budget by \$6.3 million in April. \$5.5 million of this was because the payment from Maine Beverage Company related to the profit sharing from liquor sales was budgeted in April but not received until May.

Total Highway Fund Revenue - FY 2008 (\$'s in Millions)

| | Budget | Actual | Var. | % Var. | Prior Year | % Growth |
|-------|---------|---------|---------|--------|------------|----------|
| April | \$26.8 | \$25.7 | (\$1.2) | -4.3% | \$26.6 | -3.6% |
| FYTD | \$250.0 | \$249.4 | (\$0.6) | -0.3% | \$251.0 | -0.6% |

- Highway Fund revenue was under budget by \$1.2 million in April and by \$0.6 million or 0.3% for the FYTD. Negative growth in Highway Fund revenue continues through April and the prospect for a turnaround does not seem likely with fuel prices at record levels. The fuel tax variance was the major contributor to the FYTD negative revenue variance. The decline in gas tax consumption appears to be accelerating.

2. Cash Balances

- The average total cash pool balance in April was \$446.4 million up from March's \$369.2 million average balance. However, April's balance was well below the average \$550.2 million balance of the last 6 years for April. For the General Fund, while reserves are high so is the amount of internal borrowing.

3. Budgeted Ending Fund Balances

- The budgeted fund balance reports do not reflect revenue or other variances from budgeted actions through the close of the 123rd Legislature's 1st Special Session.
 - The General Fund budgeted ending balance is \$0.9 million for FY 2008 and \$1.4 million for FY 2009.
 - The Highway Fund budgeted ending balance is \$0.1 million for FY 2008 and \$0.1 million for FY 2009.
 - The Fund for a Healthy Maine budgeted ending balance is \$3.6 million for FY 2008 and \$3.4 million for FY 2009.

Information Technology Report

(No Report)

Status of Legislative Studies

Jon Clark, Deputy Director, Office of Policy and Legal Analysis, reported the following.

1. Legislative studies

The Office of Policy and Legal Analysis is tracking 12 legislative studies this interim. All of these studies will involve one or more of the nonpartisan staff offices in either a staffing or legislation drafting role, or both. One of these studies is a staff study on teacher confidentiality which is to be conducted by OPLA pursuant to Public Law 2007, chapter 666. Because the language in this public law allows OPLA to undertake this staff study only upon the approval of the Legislative Council, the request will be presented under **NEW BUSINESS Item #2: Study by Office of Policy and Legal Analysis regarding dissemination of confidential information pertaining to teachers and work plan approval (PL 2007, c. 666, Sec. 2).**

2. Legislators' Handbook

The Office of Policy and Legal Analysis has begun its biennial process of updating the Legislators' Handbook. The Legislators' Handbook is published every two years by OPLA, under the auspices of the Legislative Council.

Part of this process involves soliciting comments from other legislative staff offices on the content of the handbook, particularly on those portions of the handbook that relate most directly to the work of each particular office. An invitation was mailed to each legislative staff office director on May 19, 2008 inviting them to review the 2006 Legislators' Handbook and to make any suggestions for corrections, additions, deletions or clarifications that they may wish to see incorporated into the updated 2008 edition. The goal is to have the printed updated Legislators' Handbook printed by mid-August.

3. Legislative Digest of Bill Summaries and Enacted Laws

The "Legislative Digest of Bill Summaries and Enacted Laws" (aka the "bill summaries") for the 563 bills considered during the Second Regular and First Special Session has been sent for printing. The Digest will be distributed to legislators, legislative staff, and others by mid-June. The Digest summarizes all bills and adopted amendments considered, and all laws enacted or finally passed during the Second Regular and First Special Sessions of the 123rd Maine Legislature.

REPORTS FROM COUNCIL COMMITTEES

1. Personnel Committee

Speaker Cummings presented the report of the Personnel Committee which met on May 21, 2008 and considered the following items:

1. The committee voted unanimously to approve temporary disability income benefits to a member of the Revisor's office, consistent with criteria established in the Legislative Council's personnel policies.
2. The committee was asked to explore ways to encourage fuel savings (and reduce costs) by employees who commute long distances to work. Many legislative employees commute 30-60 minutes to work each day. The committee was asked to explore whether it is feasible and advisable to shift legislative employee work schedules during the interim from 8- to 10-hour days and close offices one day a week as a way to reduce employee travel and save fuel.

After discussion, the committee concluded that it is important that legislative offices remain open for legislator and public business every day of the week and that the current Legislative Council policies regarding alternative work schedules provide adequate flexibility to meet individual office or employee needs.

3. Senator Martin asked Mr. Boulter to consult with Paul Mayotte about a date when the WANG computer system will be discontinued. Mr. Boulter will let the Personnel Committee know of that date. He also asked that a meeting be scheduled to discuss information releases as they relate to the council's confidentiality policy.

2. State House Facilities Committee

The State House Facilities Committee met on May 14th to discuss numerous items. Key items included:

1. As delegated by the Legislative Council, the committee decided on an appropriate location to display the framed reproduction of the original Maine Constitution. Each

of the 14 pages of the Constitution will be installed in the vestibule of the north end of the Cross Building, outside three committee rooms. The location allows for very good visibility of the exhibit in an area frequented by many people but should not cause congestion in corridors.

No further action by the council was needed.

2. The committee reviewed the letter of request by Governor and Mrs. Baldacci that the Friends of the Blaine House be authorized to hold celebratory events in the State House and at Capitol Park on August 15-16, 2008. This event is in conjunction with events taking place at the Blaine House to commemorate the 175th anniversary of its construction. (A copy of the request was included in the council packet.) The committee felt the request was in keeping with appropriate uses of the State House and Grounds, and voted to recommend that the Legislative Council approve the request.
3. The committee reviewed the proposed work plan for State House and Grounds improvements for 2008. The plan includes projects for general repairs and upkeep as well as work to the grounds to improve walks and landscaping. Of note, the ceiling in the Senate Chamber is proposed to be repaired, the first major repair to the chamber since it was renovated in 1999. The committee voted to recommend that the Legislative Council approve the plan.
4. Lastly, the committee decided that it will schedule a meeting this fall to discuss capitol security and measures that should be taken to improve security in and around the State House.

Motion: That, upon the unanimous recommendation of the State House Facilities Committee, the Legislative Council approve the request of the Friends of the Blaine House to hold celebratory events in the State House and at Capitol Park on August 15-16, 2008 to commemorate the 175th anniversary of the construction of the Blaine House. Motion by Representative Pingree. Second by Representative Crosthwaite. **Motion passed unanimous (10-0).**

Motion: That, upon the unanimous recommendation of the State House Facilities Committee, the Legislative Council authorize maintenance and improvements to the State House and Grounds as described in the 2008 Revision of the Multi-Year Plan, and further authorize the Executive Director to take necessary measures to implement the plan in accordance with the schedules contained in the plan. Motion by Representative Pingree. Second by Representative Crosthwaite. **Motion passed unanimous (10-0).**

3. Budget Subcommittee

(No Report)

4. Subcommittee to Administer Technology

(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 April 14, 2008 meeting is attached. No further action by the Legislative Council is required.

ITEM #2: CSG/ERC Request that Maine Host 2010 Annual Meeting in Portland

This item was a follow-up to the brief discussion that was held at the April 14th Legislative Council meeting regarding the invitation to host the 2010 annual meeting in Portland. The request was referred to the May Legislative Council meeting. Housing the meeting would be very beneficial to the state but requires much preparation and effort. Marge KilKelly, from CSG/ERC was present to answer any questions.

Motion: That the Legislative Council accept CSG's invitation to host the CSG/ERC annual meeting in 2010 in Portland; establish a Host Committee to organize the social program and fund-raising activities; and authorize the hiring of an event coordinator to assist the Legislative Council and the Host Committee in preparing for the 2010 annual meeting. Motion by Senator Martin. Second by Senator Weston. **Motion passed unanimous (10-0).**

Representative Pingree asked whether the hired event coordinator would assist in the efforts to raise the \$175,000 - \$200,000 needed for the social programs. The answer was yes. There was also discussion of the importance for member(s) of the council be involved in the event planning.

Mr. Boulter noted that the first major event is a reception to be held in Vermont on August 5, 2009, at the 2009 CSG-ERC annual meeting. The planning committee would need to begin planning and to start fundraising as soon as this fall.

There was no other Old Business.

NEW BUSINESS**ITEM #1: Consideration Of Request to Fund Study: SP 933 Criminal Justice Committee Study Of Sex Offender Registration Laws (Senator Edmonds)**

HP 1665 passed in the 123rd Legislature but was superseded by SP 933. When the Legislative Council considered study requests on the Study Table, it did not approve funding the study in HP 1665. It did not act on the study in SP 933. SP 933 authorized the study but contained no funding. To fund the study, an approval would be needed.

Motion: That the Legislative Council fund the study contained in Senate Paper 933 and that the Legislative Council authorize and fund up to three meetings for the Criminal Justice Committee Study of Sex Offender Registration Laws. Motion by Senator Martin. Second by Senator Mitchell. **Motion passed unanimous (10-0).**

Item #2: Study By Office Of Policy And Legal Analysis Regarding Dissemination Of Confidential Information Pertaining To Teachers And Work Plan Approval (PL 2007, c. 666, Sec. 2)

Mr. Boulter explained this study has been authorized and OPLA has prepared a work plan. The study will require coordination with a number of other agencies and it is appropriate for the Legislative Council to review the proposed work plan. The work plan is comprehensive and anticipates meeting the report deadline.

Motion: That the Legislative Council approve the work plan for the study as submitted. Motion by Senator Martin. Second by Senator Mitchell. **Motion passed unanimous (10-0).**

Item #3: Updated Study By The Legislature Regarding The Feasibility Of Establishing A Single-Payor Health Care System In The State (Resolve 2007, Chapter 216)

Resolve 2007, Chapter 216 directs the legislature to arrange for an updated Study of the Feasibility of Establishing a Single-Payor Health Care System. The Resolve directs the Legislature to contract with an entity to solicit funds to do a study update. The Legislation does not take into effect until July 18. However the timing is such that contracts need to be made to solicit funds and secure them in time to conduct the study. Executive Director Boulter suggested that OPLA be the legislative office to coordinate all aspects of this study. OPLA anticipates contracting with the University of Southern Maine's Muskie School to prepare grant applications. The Muskie School performed similar work for the original study. \$60,000 of outside money is needed to update the study. A formal contract would not be entered into until the legislation is effective but advance work is needed to meet the deadlines for this study.

Motion: That the Legislative Council authorize the Office of Policy and Legal Analysis to conduct the study update and approve the proposed work plan for the Updated Study by the Legislature Regarding the Feasibility of Establishing a Single Payor Health Care System in the State. Motion by Senator Martin. Second by Representative Pingree. **Motion passed (6-4). [Senator Weston, Senator Rosen, Representative Tardy, and Representative Crosthwaite opposed.]**

Item #4: Copyright license to Law Library Microform Consortium for certain *Maine Supreme Court Reports* (Mr. Barden)

Mr. Barden reported that the Law Library Microform Consortium requested a license to scan the 28 volumes for the *Maine Supreme Court Reports (1923 – 1965)* for the purposes of dissemination via LLMC-Digital. The Secretary of State is the authority assigned by the statutes to manage this copyright on behalf of the state and has granted a license. A set of these volumes have been procured from the library and will be shipped to LLMC shortly. Mr. Barden added that this same entity is interested in pursuing the digitization of legislative materials in the near future, beginning with the *Laws of Maine* and working on to additional legislative materials.

At the request of Senator Rosen, Mr. Barden clarified that for copyrighted works, any entity that wants to digitize them has to procure permission from the copyright holder. The copyright has expired from all works published prior to 1923.

ANNOUNCEMENTS AND REMARKS

None

ADJOURNMENT

Motion to adjourn by Representative Pingree. Second by Senator Mitchell. **Approved (10-0).**

The Legislative Council meeting was adjourned at 1:40 P.M.

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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**

June 25, 2008

1. YMCA Youth in Government Program
The 2009 Youth in Government program at the State House has been set for Friday through Sunday, May 1-3, 2009.
2. Legislative Digest of Bills and Resolves
The Legislative digest summarizing all bills and resolves considered in the 123rd Legislature, 2nd Regular and 1st Special sessions, has been distributed to all legislators and copies are available in the Law and Legislative Reference Library.
3. Summer 2008 State House Renovations
Work is underway on the summer renovation projects. Major activities includes repair of the Senate chamber ceiling, repair of the walkway between the State House and Cross Building, and construction of walkway and landscaping of central green space.
4. State Archives
The State Archives has ceased accepting public records, including those produced by the Legislature, at its Records Center and the Archives due to lack of storage space. Records will remain stored in Legislative offices temporarily while the Archives' director explores options.

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Fiscal Briefing

Legislative Council Meeting – June 25, 2008

Prepared by the Office of Fiscal & Program Review

1. Revenue Update (see attached)

Total General Fund Revenue - FY 2008 (\$'s in Millions)

| | Budget | Actual | Var. | % Var. | Prior Year | % Growth |
|------|-----------|-----------|--------|--------|------------|----------|
| May | \$246.4 | \$248.0 | \$1.6 | 0.6% | \$252.8 | -1.9% |
| FYTD | \$2,561.2 | \$2,608.1 | \$46.9 | 1.8% | \$2,540.9 | 2.6% |

- General Fund revenue was over budget by \$1.6 million in May, increasing the Fiscal Year-to-date (FYTD) positive variance for General Fund revenue to \$46.9 million or 1.8%. The growth rate for the FYTD was 2.6% over the same period in FY 2007.
- The big news this month is that Sales Tax was above budget for May and remained above budget for the FYTD despite the recent increases in fuel prices. However, May's sales tax budget target was relatively low for a couple of reasons: a) the distribution of budgeted revenue was based on prior results which were depressed last May by April snow storms (May sales tax is primarily based on April taxable sales) and b) the revised revenue forecast for the year assumed only modest growth of the Sales Tax of 0.7%.
- Other Revenue was over budget in May by \$8.3 million. \$5.5 million was related to the liquor profit sharing payment due and budgeted in April but received in May. \$1.9 million was related to a timing issue related to transfers from the Fund for the Efficient Delivery of Local and Regional Services.
- Most of the other major tax revenue categories were under budget in May. Individual Income Tax, if not for positive variances in the Circuitbreaker and BETR transfers would also have been negative in May.

Total Highway Fund Revenue - FY 2008 (\$'s in Millions)

| | Budget | Actual | Var. | % Var. | Prior Year | % Growth |
|------|---------|---------|---------|--------|------------|----------|
| May | \$26.1 | \$25.0 | (\$1.1) | -4.4% | \$25.7 | -2.6% |
| FYTD | \$276.2 | \$274.4 | (\$1.8) | -0.6% | \$276.6 | -0.8% |

- Highway Fund revenue was under budget by \$1.1 million in May and by \$1.8 million or 0.6% for the FYTD. The negative growth in FYTD Highway Fund revenue worsened through May to 0.8%.
- Fuel Taxes, which were under budget by \$1.1 million in May, continue to be the major reason for the negative Highway Fund revenue variance. Through May, the FYTD Fuel Tax revenue declined by 1.0% despite rate increases related to indexing for inflation.

2. Cash Balances (see attached)

- The average total cash pool balance in May was \$596.0 million. The May 2008 average balance remained well below the May average balance for the last 6 years of \$699.6 million. General Fund and Highway Fund balances were below their average balances, while other funds in the cash pool were roughly equal to their average balances.
- Of note in this month's average balances is the fact that the Maine Budget Stabilization Fund balance did not change from the April average. All positive interest earnings are being held in the reserve until the close of the fiscal year to reserve against an adverse outcome related to the \$20 million Mainsail II commercial paper investment. Assuming no conclusion to the Mainsail II commercial paper issue in this fiscal year, any FY 2008 interest earnings withheld will be distributed to the appropriate accounts. The reserving process will begin again at the beginning of FY 2009.

General Fund and Highway Fund Revenue
Fiscal Year Ending June 30, 2008
Reflecting Budgeted Amounts Through 123 Legislature, 1st Special Session

MAY 2008 REVENUE VARIANCE REPORT

| Revenue Line | May '08 Budget | May '08 Actual | May '08 Var. | FY08 YTD Budget | FY08 YTD Actual | FY08 YTD Variance | FY08 YTD Variance % | FY08 Budgeted Totals |
|---------------------------------------|--------------------|-----------------------|-----------------------|----------------------|-------------------------|-----------------------|------------------------|-------------------------|
| General Fund | | | | | | | | |
| Sales and Use Tax | 68,879,381 | 71,149,228.68 | 2,269,847.68 | 800,541,750 | 803,752,753.05 | 3,211,003.05 | 0.4% | 978,060,502 |
| Service Provider Tax | 5,336,249 | 4,427,405.89 | (908,843.11) | 42,579,691 | 43,297,431.74 | 717,740.74 | 1.7% | 51,181,910 |
| Individual Income Tax | 103,276,526 | 104,901,489.61 | 1,624,963.61 | 1,210,409,738 | 1,254,725,318.84 | 44,315,580.84 | 3.7% | 1,400,047,321 |
| Corporate Income Tax | 8,100,000 | 3,360,696.29 | (4,739,303.71) | 140,570,000 | 146,794,106.14 | 6,224,106.14 | 4.4% | 182,170,000 |
| Cigarette and Tobacco Tax | 12,931,123 | 11,635,543.98 | (1,295,579.02) | 140,496,682 | 137,377,059.61 | (3,119,622.39) | -2.2% | 154,786,180 |
| Public Utilities Tax | 17,476,987 | 16,510,491.78 | (966,495.22) | 17,476,987 | 16,858,472.04 | (618,514.96) | -3.5% | 17,476,987 |
| Insurance Companies Tax | 14,792,658 | 12,662,622.85 | (2,130,035.15) | 52,033,349 | 49,541,505.81 | (2,491,843.19) | -4.8% | 76,751,673 |
| Estate Tax | 3,800,000 | 3,454,507.04 | (345,492.96) | 33,900,000 | 29,094,586.88 | (4,805,413.12) | -14.2% | 44,562,240 |
| Property Tax - Unorganized Territory | 0 | 0.00 | 0.00 | 10,403,375 | 10,238,664.00 | (164,711.00) | -1.6% | 12,611,986 |
| Income from Investments | 400,000 | (178,753.43) | (578,753.43) | 552,018 | 1,493,676.72 | 941,658.72 | 170.6% | 950,648 |
| Transfer to Municipal Revenue Sharing | (9,508,343) | (9,375,778.84) | 132,564.16 | (111,899,160) | (114,677,048.85) | (2,777,888.85) | -2.5% | (133,184,448) |
| Transfer from Lottery Commission | 4,695,608 | 4,879,543.09 | 183,935.09 | 45,077,771 | 45,586,464.56 | 508,693.56 | 1.1% | 49,154,250 |
| Other Revenue | 16,219,803 | 24,556,114.75 | 8,336,311.75 | 179,054,118 | 183,999,502.85 | 4,945,384.85 | 2.8% | 206,171,173 |
| Totals | 246,399,992 | 247,983,111.69 | 1,583,119.69 | 2,561,196,319 | 2,608,082,493.39 | 46,886,174.39 | 1.8% | 3,040,740,422 |
| Highway Fund | | | | | | | | |
| Fuel Taxes | 16,528,414 | 15,446,096.93 | (1,082,317.07) | 183,476,047 | 182,876,388.50 | (599,658.50) | -0.3% | 223,368,718 |
| Motor Vehicle Registration and Fees | 8,245,521 | 8,389,649.85 | 144,128.85 | 76,801,694 | 76,299,954.66 | (501,739.34) | -0.7% | 85,953,481 |
| Inspection Fees | 447,532 | 214,389.69 | (233,142.31) | 4,130,498 | 3,507,371.20 | (623,126.80) | -15.1% | 4,468,458 |
| Fines | 150,000 | 146,853.74 | (3,146.26) | 1,644,050 | 1,611,242.96 | (32,807.04) | -2.0% | 1,794,049 |
| Income from Investments | 75,000 | 0.00 | (75,000.00) | 975,000 | 1,111,890.60 | 136,890.60 | 14.0% | 1,000,000 |
| Other Revenue | 702,043 | 809,039.68 | 106,996.68 | 9,134,300 | 8,984,850.42 | (149,449.58) | -1.6% | 9,771,333 |
| Totals | 26,148,510 | 25,006,029.89 | (1,142,480.11) | 276,161,589 | 274,391,698.34 | (1,769,890.66) | -0.6% | 326,356,039 |

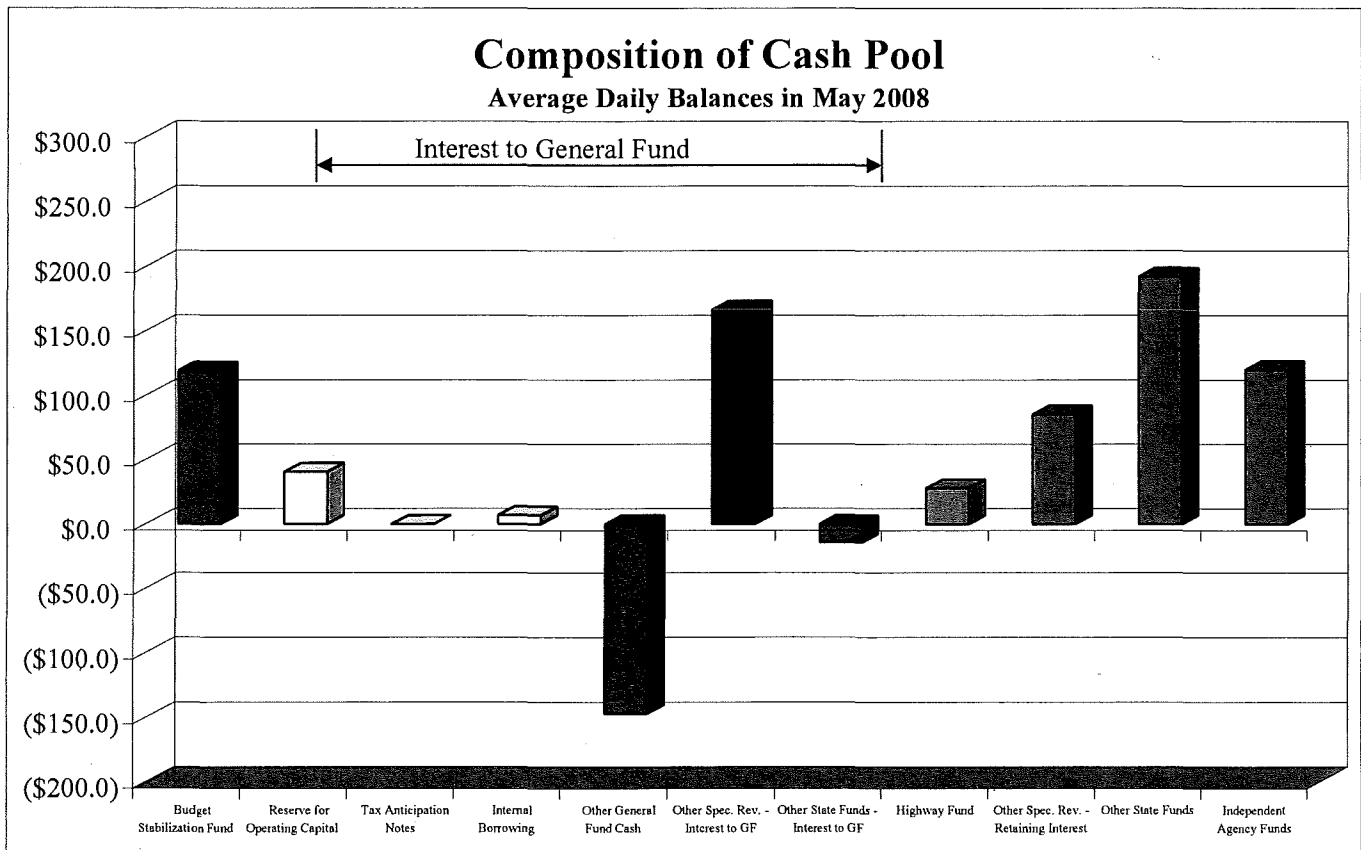
Comparison of Actual Year-to-Date Revenue Through May of Each Fiscal Year

| REVENUE CATEGORY | FY 2004 | % Chg | FY 2005 | % Chg | FY 2006 | % Chg | FY 2007 | % Chg | FY 2008 | % Chg |
|--|---------------------------|--------------|---------------------------|-------------|---------------------------|-------------|---------------------------|-------------|---------------------------|--------------|
| GENERAL FUND | | | | | | | | | | |
| Sales and Use Tax | \$752,587,905.47 | 7.6% | \$735,784,841.31 | 2.6% | \$776,695,912.29 | 5.6% | \$795,461,202.60 | 2.4% | \$803,752,753.05 | 1.0% |
| Service Provider Tax | \$0.00 | N/A | \$36,686,202.81 | N/A | \$39,023,058.52 | 6.4% | \$40,942,009.35 | 4.9% | \$43,297,431.74 | 5.8% |
| Individual Income Tax | \$993,970,957.64 | 8.5% | \$1,123,679,264.77 | 13.0% | \$1,187,362,162.98 | 5.7% | \$1,279,080,375.97 | 7.7% | \$1,366,441,880.32 | 6.8% |
| Individual Income Tax (Circuitbreaker) | \$0.00 | N/A | (\$26,018,842.00) | N/A | (\$41,388,925.85) | -59.1% | (\$43,178,569.86) | -4.3% | (\$44,087,213.92) | -2.1% |
| Individual Income Tax (BETR) | \$0.00 | N/A | \$0.00 | N/A | (\$67,061,726.06) | N/A | (\$66,525,182.48) | 0.8% | (\$67,629,347.56) | -1.7% |
| Corporate Income Tax | \$89,173,112.52 | 25.3% | \$104,551,137.84 | 17.2% | \$161,328,700.54 | 54.3% | \$140,193,897.61 | -13.1% | \$146,794,106.14 | 4.7% |
| Cigarette and Tobacco Tax | \$86,690,962.93 | -5.0% | \$87,334,445.85 | 0.7% | \$139,947,609.91 | 60.2% | \$145,082,532.80 | 3.7% | \$137,377,059.61 | -5.3% |
| Public Utilities Tax | \$27,990,139.69 | -4.0% | \$25,414,127.56 | -9.2% | \$20,627,036.49 | -18.8% | \$16,317,029.00 | -20.9% | \$16,858,472.04 | 3.3% |
| Insurance Companies Tax | \$50,438,779.79 | -1.5% | \$50,024,352.32 | -0.8% | \$51,917,486.60 | 3.8% | \$50,222,077.54 | -3.3% | \$49,541,505.81 | -1.4% |
| Estate Tax | \$21,942,083.20 | -8.5% | \$25,330,612.55 | 15.4% | \$66,070,425.00 | 160.8% | \$46,254,278.01 | -30.0% | \$29,094,586.88 | -37.1% |
| Property Tax - Unorganized Territory | \$8,937,092.00 | -3.9% | \$9,638,377.00 | 7.8% | \$9,560,399.00 | -0.8% | \$10,403,375.00 | 8.8% | \$10,238,664.00 | -1.6% |
| Income from Investments | \$1,699,709.01 | -16.0% | \$4,221,872.98 | 148.4% | \$5,476,072.09 | 29.7% | \$583,000.25 | -89.4% | \$1,493,676.72 | 156.2% |
| Revenue Sharing Transfers | (\$93,622,330.78) | -8.9% | (\$100,708,812.81) | -7.6% | (\$104,853,918.30) | -4.1% | (\$109,444,660.41) | -4.4% | (\$114,677,048.85) | -4.8% |
| Liquor Transfers | \$100,114,969.87 | 321.2% | \$50,158,495.87 | -49.9% | \$2,557,443.62 | -94.9% | \$4,412,264.00 | 72.5% | \$5,534,346.00 | 25.4% |
| Lottery Transfers | \$37,917,897.75 | 5.2% | \$45,696,533.75 | 20.5% | \$47,395,090.59 | 3.7% | \$46,116,785.74 | -2.7% | \$45,586,464.56 | -1.1% |
| Other Revenue | \$180,411,906.48 | 25.6% | \$176,812,061.44 | -2.0% | \$181,919,092.35 | 2.9% | \$184,931,106.63 | 1.7% | \$178,465,156.85 | -3.5% |
| TOTAL GENERAL FUND REVENUE | \$2,258,253,185.57 | 12.3% | \$2,348,604,671.24 | 4.0% | \$2,476,575,919.77 | 5.4% | \$2,540,851,521.75 | 2.6% | \$2,608,082,493.39 | 2.6% |
| HIGHWAY FUND | | | | | | | | | | |
| Fuel Taxes | \$174,603,544.92 | 14.5% | \$181,227,818.21 | 3.8% | \$181,884,807.88 | 0.4% | \$184,711,916.09 | 1.6% | \$182,876,388.50 | -1.0% |
| Motor Vehicle Registration and Fees | \$73,247,218.06 | -0.5% | \$75,207,713.68 | 2.7% | \$78,800,336.25 | 4.8% | \$76,785,930.67 | -2.6% | \$76,299,954.66 | -0.6% |
| Inspection Fees | \$4,175,280.63 | 11.8% | \$3,819,562.58 | -8.5% | \$3,936,452.92 | 3.1% | \$3,946,804.85 | 0.3% | \$3,507,371.20 | -11.1% |
| Fines | \$1,748,011.49 | -27.4% | \$1,373,064.29 | -21.4% | \$1,651,258.11 | 20.3% | \$1,535,951.28 | -7.0% | \$1,611,242.96 | 4.9% |
| Income from Investments | \$560,361.32 | -52.7% | \$1,093,274.98 | 95.1% | \$1,440,493.29 | 31.8% | \$826,786.24 | -42.6% | \$1,111,890.60 | 34.5% |
| Other Revenue | \$8,578,483.15 | 3.3% | \$8,109,328.43 | -5.5% | \$8,673,444.45 | 7.0% | \$8,825,560.16 | 1.8% | \$8,984,850.42 | 1.8% |
| TOTAL HIGHWAY FUND REVENUE | \$262,912,899.57 | 8.7% | \$270,830,762.17 | 3.0% | \$276,386,792.90 | 2.1% | \$276,632,949.29 | 0.1% | \$274,391,698.34 | -0.8% |

Adjusted for Service Provider Tax Split

Composition of State's Cash Pool May 2008 Average Daily Balances

| | May 2008 |
|---|----------------------|
| General Fund - Total | \$19,270,946 |
| General Fund - Detail | |
| Budget Stabilization Fund (Rainy Day Fund) | \$118,877,009 |
| Reserve for General Fund Operating Capital | \$40,615,146 |
| Tax Anticipation Notes | \$0 |
| Internal Borrowing from Other Funds | \$6,774,194 |
| General Fund - Other | (\$146,995,403) |
| Highway Fund | \$27,890,643 |
| Other Special Revenue - Contributing to General Fund | \$166,258,293 |
| Other Special Revenue - Retaining Interest Earned | \$85,178,935 |
| Other State Funds - Contributing Interest to General Fund | (\$14,320,589) |
| Other State Funds | \$191,981,463 |
| Independent Agency Funds | \$119,771,315 |
| Total Cash Pool | \$596,031,006 |



Legislative Studies (Interim 2008)

| # | Policy Area | LD/chaptered law | Study Name | Number of Meetings | Report Dates/Reports to: | Total Members | Appointments Remaining | Appointments Complete? |
|----|-------------|---|---|--|--|---------------|------------------------|------------------------|
| 1 | ACF | PL 2007, c. 649 | Committee to Study the Protection of Farms and Farmland | 4 meetings | Final report to ACF by 11/5/08 | 11 | 7 | NO |
| 2 | ACF | PL 2007, c. 660 | ACF Committee review of the recommendations of the Agricultural Creative Economy Study | 3 meetings | Committee to report to 124th Legislature | 13 | 0 | YES |
| 3 | CRJ | SP 933 | Committee Study of Sex Offender Registry | 3 meetings | 11/5/2008 | 13 | 0 | YES |
| 4 | EDU | Title 3, sec. 168-A as amended by PL 2007, c. 679 | Legislative Youth Advisory Council | Not more than 9 times annually (including two public hearings) | Biennially to the Legislature | 20 | 2 | NO |
| 5 | EDU | PL 2007, c. 666 | OPLA review of laws on dissemination of confidential information relating to teachers. | n/a | 11/5/08 to EDU | 0 | 0 | N/A |
| 6 | HHS | Resolve 2007, c. 209 | Blue ribbon commission to study long-term home-based and community based care | 4 meetings | 11/5/08 to the Legislature | 11 | 6 | NO |
| 7 | HHS | PL 2007, c. 629 | HHS committee study to review the Fund for a Healthy Maine | 3 meetings | 10/1/08 to AFA committee | 13 | 0 | YES |
| 8 | IFS | LD 1072, Sec. 1 | Staff update of the feasibility of establishing a single-payor health care system in the State. | N/A | 12/3/08 to 124th Legislature | N/A | 0 | N/A |
| 9 | JUD | Title 4, Chapter 35 | Judicial Compensation Commission | N/A | December 1st of even numbered years | 3 | 3 | |
| 10 | JUD | PL 2005, c. 631 | Right to Know Advisory Commission | At least 4 times annually | 1/15 annually to JUD Committee and Chief Justice | 15 | 0 | YES |
| 11 | LAB | PL 2003, c. 699 | Citizen Trade Policy Commission | At least twice annually plus two annual public hearings | Annually to Legislature, Gov and others | 22 | 3 | NO |
| 12 | NAT | PL 2001, c. 648 | Community Preservation Advisory Committee | No more than 4 times annually | Annually to NAT Committee | 13 | 0 | YES |

Total number of members 134

Total appointments remaining 21

Percent of appointments complete 84%

MAINE DEVELOPMENT FOUNDATION

June 23, 2008

To: President Beth Edmonds, Chair of the Legislative Council
Speaker Glenn Cummings, Vice-Chair of the Legislative Council
Distinguished Members of the Legislative Council

From: Laurie Lachance, President of the Maine Development Foundation



Re: Policy Leaders Academy – Bus Tours and Legislative Forums for the 124th Maine Legislature

.....

I am writing in follow-up to my February 28th letter and presentation to you concerning your participation in the planning of the Policy Leaders Academy bus tours and forums. At that meeting, you had voted unanimously to appoint a team consisting of your 6 Chiefs of Staff, a Legislator from each caucus, and Dave Boulter to work with MDF and our partners, the Community College System and the University System, to help shape the upcoming tours and forums. You also suggested that, given the frantic Legislative session, the planning team would not be assembled until after the session and that I should check in with you at that point.

In an effort to make the very best use of your time and to keep the planning on track, Dave Boulter had suggested that it might be helpful if I were to craft a broad proposal for you to consider and to use the planning team to refine the topics to be covered and to provide guidance and feedback on the tour development. Given the great success of the forums and the tours last time, I would recommend that we consider adopting the same format. If we can establish the timing and duration of these events now, it will allow us to reserve both the physical spaces and potential keynote speakers in a timely manner. It will also greatly enhance our ability to raise the necessary funds.

With that in mind, what we are asking of you today is to please consider and provide your feedback on the following broad outline and broad topic areas, and to appoint the Legislative Planning Group to work with MDF, the Community College System and the University System over the summer and fall to refine the policy themes to be covered and to guide the overall planning process.

1) **Scope**

- Two, 3-day economic bus tours
- Two, 1-day Policy Forums

2) **Timing**

- **Forum dates:** One day in December and one day in January
 - a. Thursday, December 4th or Friday, December 5th (in conjunction with the scheduled Pre-legislative Conference and swearing-in ceremonies)
 - b. Friday, January 23rd or 30th

45 Memorial Circle, Suite 302, Augusta, Maine 04330

Tel: 207/622-6345 Fax: 207/622-6346

E-Mail: mdf@mdf.org

- Bus tour dates: Any two of the following...
 - a. Weds. through Fri., January 7th – 9th, and
 - b. Weds. through Fri, January 14th-16th, and/or
 - c. Weds. through Fri., January 21st – 23rd

3) Broad Policy Areas

- Energy
- Healthcare
- Connectivity – Transportation and Telecommunications
- Pre-K through 20 Education/Workforce Development
- R&D/Innovation
- Tax/Fiscal
- State Tribal Relations

4) Budget

- Forums: Costs range from \$7,000 - \$20,000 depending on keynote speaker/s and the number in attendance
- Bus Tours: Costs range from \$50,000 to \$80,000 (50-100 participants)

5) Stakeholder/Funding Group

- MDF will work with a consultant to secure funding and in-kind sponsorships from a number of stakeholder organizations as soon as possible. This stakeholder group would guide MDF and the Legislative Planning Group's planning efforts and help connect us to speakers and tour visitation sites. In an effort to avoid any real or perceived pressure from particular companies or organizations, we will try our very best to secure funding from Associations rather than from individual companies.

Thank you for your kind consideration of our request. We are all anxious to launch the detailed planning process and to raise the funds necessary to provide the very best training experiences possible. We look forward to working with you in the months ahead.

cc: John Fitzsimmons
Rich Pattenaude
Charlie Mitchell
John Lisnik

DAVID E. BOULTER
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

**Disposal of Certain Surplus
Equipment of the Legislature**

June 25, 2008

3 MRSA § 163 provides that the executive director may sell, in accordance with Legislative Council procedures, unneeded legislative equipment and materials.

Three items currently fall into the category of unneeded legislative equipment but may retain some reasonable market value. They are as follows:

1. HP Designjet 1055CM printer purchased in November 2002. It was used to print maps during the last reapportionment. Purchase price was approximately \$9,300. HP no longer offers this model of printer. It was last used in 2003 and remains in storage.
2. Two welded steel flagpoles that were removed from atop the State House in 2005. They are approximately 45" in length and weigh 1,200 pounds. Age is believed to be about 80-90 years old. Flagpoles are no longer used, are unlikely to be needed in the near future and are currently stored in an outdoor unsecured location. Value is unknown. Salvage value is estimated to be at least \$500.00
3. Three steel/aluminum lamp poles, approximately 35 feet long, formerly installed in Parking Lot A or at Capitol Street. Functioning but age and value unknown.

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