

MAINE STATE LEGISLATURE

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MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

LEGISLATIVE COUNCIL
SEPTEMBER 23, 2009
1:30 P.M.
REVISED AGENDA

<u>Page</u>	<u>Item</u>	<u>Action</u>
	CALL TO ORDER	
	ROLL CALL	
1	SUMMARY OF THE JULY 22, 2009 MEETING OF THE LEGISLATIVE COUNCIL	Acceptance
	REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	
19	▪ Executive Director's Report (Mr. Boulter)	Information
20	▪ Fiscal Report (Mr. Pennoyer)	Information
24	▪ Status of Legislative Studies (Mr. Norton)	Information
	REPORTS FROM COUNCIL COMMITTEES	
	• Personnel Committee (Speaker Pingree, Chair)	
	• State House Facilities Committee (Rep. Piotti, Chair) (No Report)	
	• Budget Subcommittee (Senate President Mitchell, Chair) (No Report)	
	• CSG Annual Meeting Planning Subcommittee (Senator Bartlett and Representative Nancy Smith, Co-chairs) – Brief presentation on status of event planning by Senator Bartlett	

OLD BUSINESS

(No Action Required)

NEW BUSINESS

- | | | |
|----|--|--------------------|
| 26 | Item #1: Request by State YMCA of Maine for Youth in Government Program Dates for 2010 | Decision |
| 31 | Item #2: Request to Extend the Deadline for Funding for Study Pursuant to PL 2009, c. 136; <i>Resolve, to Establish the Task Force on Kinship Families</i> (Rep. Cain) | Decision |
| 37 | Item #3: Request by Maine State Museum to Endorse Acceptance and Placement of Governor Nelson Dingley Bust in the State House Portrait Collection (Joseph Phillips, Director) | Decision |
| 40 | Item #4: Funding for Update of Study of Single-payor Health Care System Resolve 2009, c. 135 | Information |
| 43 | Item #5: Request by Maine Office of Tourism for use of the Hall of Flags for evening dinner (Patricia A. Eltman, Director of Tourism, Department of Economic and Community Development) | Decision |
| 44 | Item #6: OPEGA Annual Work Plan for 2009-2010
Overview of the plan (Ms. Ashcroft) | Information |

Item #7: Executive Session

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

REP. HANNAH M. PINGREE
CHAIR

SEN. ELIZABETH H. MITCHELL
VICE-CHAIR

EXECUTIVE DIRECTOR
DAVID E. BOULTER



SEN. PHILIP L. BARTLETT II
SEN. KEVIN L. RAYE
SEN. LISA T. MARRACHE
SEN. JONATHAN T. E. COURTNEY
REP. JOHN F. PIOTTI
REP. JOSHUA A. TARDY
REP. SETH A. BERRY
REP. PHILIP A. CURTIS

124TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

MEETING SUMMARY
July 22, 2009

CALL TO ORDER

Legislative Council Chair, Speaker Pingree called the July Legislative Council meeting to order at 1:30 P.M. in the Legislative Council Chambers.

ROLL CALL

Senators: Senate President Elizabeth Mitchell, Sen. Kevin Raye, Sen. Lisa Marraché

Absent: Sen. Philip Bartlett, Sen. Jonathan Courtney

Representatives: Speaker Hannah Pingree, Rep. Seth Berry, Rep. Joshua Tardy,
Rep. Philip Curtis

Absent: Rep. John Piotti

Legislative Officers: Michael Cote, Assistant Clerk of the House
David E. Boulter, Executive Director of the Legislative Council
Patrick Norton, Director, Office of Policy and Legal Analysis
Grant Pennoyer, Director, Office of Fiscal and Program Review
John Barden, Director, Law and Legislative Reference Library
Debra Olken, Human Resources Director

Chair Pingree convened the meeting at 1:30 P.M. with a quorum of members present.

SUMMARY OF JUNE 9TH MEETING OF THE LEGISLATIVE COUNCIL

Motion: That the Meeting Summary of June 9, 2009 be accepted and placed on file. Motion by Representative Berry. Second by Senate President Mitchell. **Motion passed unanimous (7-0).** [Representative Piotti, Senator Courtney and Senator Bartlett absent]

REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS

Executive Director's Report

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

Loss of historic tree

A large sugar maple tree that sustained significant limb breakage caused by heavy winds was removed last week. According to the master arborist who inspected the tree, the tree was unsafe and posed a significant risk to property and persons. The tree was located at the southwest corner of the State House (outside the Appropriations committee room). Its age was estimated to be 175 years, having been planted close to the time of construction of the State House in 1829.

Representative Pingree suggested that replacing the tree be discussed at the next State House Facilities Committee meeting.

Computer room overheating

During the Independence Day weekend, the system supplying chilled water to the computer room malfunctioned resulting in extremely high temperatures in the room and placing the equipment at high risk for failure. Though response was delayed, the problem was discovered before any system actually failed, fortunately. A backup alarm/security service is being investigated to supplement the current alarm system and protocols that proved inadequate to safeguard key computer systems.

Mr. Boulter will be meeting with Building Control and the State House Facilities Committee to discuss recommendations to minimize future risks.

Retirement of Patrick Norton, Director, OPLA

OPLA Director Patrick Norton is retiring after 27 years of state service, 20 of which was with the Legislature. Pat served in various capacities in OPLA, the last four years of which as director. Pat's contribution to the legislature has been invaluable. A retirement reception for Pat was held immediately following the Legislative Council meeting.

Fiscal Report

Grant Pennoyer, Director, Office of Fiscal and Program Review, presented the fiscal report.

Revenue Update

Total General Fund Revenue - FY 2009 (\$'s in Millions)

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
June	\$474.6	\$444.3	(\$30.3)	-6.4%	\$479.7	-7.4%
FYTD	\$2,854.8	\$2,811.4	(\$43.4)	-1.5%	\$3,087.8	-9.0%

General Fund revenue was under budget by \$30.3 million in June and closed FY 2009 with a \$43.4 million or 1.5% negative variance. General Fund revenue fell by 9.0% from FY 2008. The decline in revenue was driven primarily by income tax decline, with Individual Income Tax declining 12.4% and Corporate Income Tax declining 22.5%.

Negative variances continued in the income and sales tax lines despite significant downward revisions in the May forecast. The Individual Income Tax alone was \$39.5 million under budget for FY 2009, with half of this variance coming from withholding payments, which was \$20.4 million under budget for the fiscal year. Sales and Use Tax performance continued to deteriorate. Weather was a significant factor in May and June poor revenue performances. The weather is likely to be an even greater drag on July sales tax revenue representing taxable sales in June.

Total Highway Fund Revenue - FY 2009 (\$'s in Millions)

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
June	\$50.3	\$50.0	(\$0.3)	-0.7%	\$53.7	-7.0%
FYTD	\$325.1	\$324.2	(\$0.9)	-0.3%	\$328.1	-1.2%

Highway Fund revenue was under budget by \$0.3 million or 0.7% in June and ended FY 2009 with a negative variance of \$0.9 million or 0.3%. June's poor performance contributed to a 1.2% overall decline in annual Highway Fund revenue from FY 2008 to FY 2009. June's negative variance was primarily related to fuel taxes, which was under budget by \$1.6 million in June and ended the fiscal year \$1.0 million or 0.5% under budget.

General Fund and Highway Fund Budgeted Balances

Both the General Fund and the Highway Fund ended FY 2009 with positive ending balances. However, the negative revenue variances in each of the funds will create shortfalls in the 2010-2011 biennium as both used balance forward to keep the biennium in balance. The amount of the shortfall will depend on the amount of lapsed balances and final closing accounting transactions recorded by the Office of the State Controller. Final budgeted balances based on actions through the 124th Legislature, 1st Regular Session were:

General Fund 2010-2011 Biennium Beginning Balance	\$52.2 Million
General Fund 2010-2011 Biennium Ending Balance	\$ 1.3 Million
Highway Fund 2010-2011 Biennium Beginning Balance	\$ 1.0 Million
Highway Fund 2010-2011 Biennium Ending Balance	\$ 0.5 Million

Cash Update

Presented below is a summary of the State's average cash balances in June compared to June 2008. The General Fund's poor revenue performance over the last 2 months and the use of all reserves continued to worsen cash balances. The average balance for the total cash pool in June was \$109.2 million below June 2008 and significantly below June's 2002 to 2008 historical average of \$629.5 million. At the Appropriations committee meeting, the State Treasurer and the State Controller announced that they would need to issue a Tax Anticipation Note (TAN) of \$125 million to help with cash flow issues through FY 2010. The last time the State issued TAN's was in FY 2006 in the amount of \$123.6 million.

Summary of Treasurer's Cash Pool		
June Average Daily Balances		
Millions of \$'s		
	2008	2009
General Fund (GF) Total	\$25.9	\$40.1
General Fund (GF) Detail:		
Budget Stabilization Fund	\$118.9	\$75.5
Reserve for Operating Capital	\$40.6	\$40.6
Tax Anticipation Notes	\$0.0	\$0.0
Internal Borrowing	\$13.5	\$200.0
Other General Fund Cash	(\$147.1)	(\$276.1)
Other Spec. Rev. - Interest to GF	\$155.0	\$6.2
Other State Funds - Interest to GF	(\$12.7)	(\$10.8)
Highway Fund	\$18.4	\$25.5
Other Spec. Rev. - Retaining Interest	\$78.7	\$21.2
Other State Funds	\$200.7	\$280.9
Independent Agency Funds	\$87.5	\$81.2
Total Cash Pool	\$553.5	\$444.4

REPORTS FROM COUNCIL COMMITTEES

1. Personnel Committee

Chair Pingree reported that the Personnel Committee met briefly earlier in the day to discuss the process and schedule for recruiting candidates for the directors of OPLA and Information Services, and it authorized temporary disability income benefits for a member of the Senate Secretary's office, consistent with the Personnel Policies and Guidelines.

2. State House Facilities Committee

(No Report)

3. Budget Subcommittee

(No Report)

4. CSG Annual Meeting Planning Subcommittee

Mr. Boulter reported that on August 4th Maine is hosting a reception at the CSG/ERC annual meeting in Burlington, Vermont. Senator Bartlett and Representative Nancy Smith have been working with Moose Ridge Associates to arrange for that event. Senator Bartlett has sent out letters to select Maine firms seeking donations to offset the cost of the event.

Representative Pingree asked if conference registration figures were available.

Mr. Boulter replied that he did not have actual registration numbers but that CSG had informed him that there had been a flurry of late registrations so the number of attendees has increased significantly in the last few weeks.

Senator Mitchell noted that the state of Nevada did not pay its annual dues to NCSL this year due to severe fiscal constraints.

Representative Berry indicated that he would be attending the CSG conference and would make an effort to have all Maine attendees attend the reception to promote next year's event.

OLD BUSINESS

(There was no Old Business.)

NEW BUSINESS

ITEM #1: University of Maine System Task Force Report [Chancellor Pattenauode] (Executive Summary attached)

University of Maine System Chancellor Richard L. Pattenauode and Lyndel J. Wishcamper, Chair of the Board of Trustees made a presentation to the Legislative Council on the recent task force report on the University of Maine System. The report is entitled "*Meeting New Challenges, Setting New Directions: The Task Force Report*," issued on July 7, 2009. The Chancellor and the Chair explained that the University of Maine System Task Force was given a broad mandate to address the challenges to the University of Maine System posed by the economic crisis and a persistent structural deficit equivalent to about 10% of its budget, without considering the closure of any of its seven operating campuses.

The Task Force organized into three subcommittees that specifically addressed the issues of how to provide governance and System-wide services, how to allocate resources, and how to sharpen campus missions. For the University of Maine System, working its way through the current challenges to a successful future will require:

- Assigning accountability to specific people to achieve key objectives;
- Systematically and objectively restructuring the strategic plans of the various campuses;
- Instituting systems for incentivizing excellent performance; and
- Establishing a system of metrics relevant to the performance of various functions of the System.

Within this general framework, the Task Force identified four key goals for the University of Maine System. Within the sections discussing each goal, specific recommendations are contained. The broad goals are:

1. Establish a public agenda
2. Act as a union and not a confederation
3. Restructure System-wide services
4. Use financial policy to realize System goals

They concluded by saying that public meetings will be held on the task force report to invite comments and suggestions by the public.

ITEM #2: Proposed Fee Schedule for *Laws of Maine*

Mr. Boulter suggested that the Legislative Council consider establishing a fee to cover the printing and binding costs for the *Laws of Maine*. Currently the Legislative Council spends over \$60,000 biennially to print copies of the *Laws of Maine*. Hundreds of copies are distributed to public and private sector entities without charge.

Motion: That the Legislative Council authorize the Executive Director of the Legislative Council to charge a fee for distribution of the *Laws of Maine* to cover the legislative costs of printing and binding, excluding copies distributed for legislative use and a reasonable number of volumes to be distributed to the Judicial Branch for use by Maine justices and judges. Motion by Senate President Mitchell. Second by Senator Marraché. **Motion passed unanimous (7-0).** [Representative Piotti, Senator Courtney and Senator Bartlett absent]

ITEM #3: *Legislative Digest of Bill Summaries and Enacted Laws*

Copies of the *Legislative Digest*, produced by Office of Policy and Legal Analysis and the Office of Fiscal and Program Review were distributed to the Legislative Council members. No action was required.

ITEM #4: Updated Schedule for Review of Legislator Requests to Introduce Legislation [2nd Regular Session cloture date]

An updated *Schedule for Review of Legislator's Requests to Introduce Legislation* was distributed to the Legislative Council members for their review. The schedule established the cloture date for filing bill requests for the 2nd Regular Session as September 23, 2009 as directed at the June 9, 2009 Legislative Council meeting. No further action was required.

ITEM #5: Executive Session

Motion: That, in accordance with 1 MRSA section 405, subsection 6, the Legislative Council enter into an executive session for the purposes of discussing collective bargaining negotiations between the employee representative for the Administrative Unit of Legislative Employees and the Legislative Council. Motion by Senate President Mitchell. Second by Representative Berry. **Motion passed unanimous (7-0).** [Representative Piotti, Senator Courtney and Senator Bartlett absent]

The Council recessed at 2:18 PM to go into an executive session.

The Legislative Council adjourned its executive session at 2:31 P.M. Motion by Senate President Mitchell. Second by Representative Berry. **Motion passed (6-1).** [Representative Piotti, Senator Courtney and Senator Bartlett absent; Representative Tardy opposed]

The Chair reconvened the Legislative Council meeting at 2:31 p.m.

ANNOUNCEMENTS AND REMARKS

Speaker Pingree extended an invitation to the Legislative Council and members of the audience to a reception for retiring OPLA Director Patrick Norton immediately following the Legislative Council meeting. At the reception, the Legislative Council members and Mr. Boulter thanked Mr. Norton for his 20 years of extraordinary service to the Legislature, and wished him well in his retirement. The effective date of his retirement is August 1, 2009. Mr. Norton was presented with a retirement gift. Deputy Commissioner of Inland Fisheries and Wildlife Paul Jacques, a former Legislator, Legislative Chair and Leader presented Mr. Norton with a framed wildlife print as an expression of appreciation for his service to the Legislature.

ADJOURNMENT

The Legislative Council meeting was adjourned following the reception for Mr. Norton.

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Meeting New Challenges, Setting New Directions: The Task Force Report



Dear Chancellor Pattenau:

On behalf of the Task Force on the Structure and Governance of the University of Maine System, I am pleased to submit to you our final report, which received our unanimous approval.

This report represents the culmination of thousands of hours of time and effort by many people—the members of the Task Force, university staff, higher education and policy experts, and scores of witnesses and other contributors. The Task Force recommends a whole series of reforms in focus, missions, support services and financial policies to better enable Maine's public university system to play a leading role in addressing the tremendous economic, demographic, and educational challenges and opportunities ahead.

I was honored to be asked to serve as Task Force Chair. In that role, I was fortunate to serve and work with Task Force colleagues who shared a deep commitment to Maine, its people, and its public universities. The Task Force members offered their talents and perspectives thoughtfully and tirelessly.

Thank you again for the opportunity to be a part of the New Challenges, New Directives initiative. I look forward to presenting our report to you and the Board of Trustees on July 13 in Bangor.

Sincerely,

David T. Flanagan, Chair
Task Force on the Structure and Governance of the University of Maine System

Task Force Committee Members

Chair

David T. Flanagan, Manchester
Former President/CEO, Central Maine Power Company
Former Chair of the Board of Trustees, University of Maine System

Task Force Members

James F. Bradley, Mechanic Falls
Staff Member, University of Southern Maine
President, Associated C.O.L.T. Staff of the Universities of Maine

Dr. Sandra Featherman, Kennebunkport
Former President, University of New England

Norman L. Fournier, Wallagrass
UMS Trustee

M. Michelle Hood, Bar Harbor
President/CEO, Eastern Maine Healthcare Systems

Dr. Allyson Hughes Handley, Readfield
President, University of Maine at Augusta

Dr. Bertram H. Jacobs, Wilton
Faculty, University of Maine at Farmington

Marjorie M. Medd, Norway
UMS Trustee

Dr. Ronald A. Mosley, Machias
Faculty, University of Maine at Machias
President, Associated Faculties of the University of Maine System

Dr. Robert W. Rice, Veazie
Faculty, University of Maine (Orono)

Valerie Seaberg, Damariscotta
Chief of Staff, Maine Department of Education

Charles Weiss, Presque Isle
Student, University of Maine at Presque Isle

Ex-Officio (University of Maine System):

Dr. James H. Breece

Vice Chancellor for Academic Affairs

Rebecca M. Wyke

Vice Chancellor for Finance and Administration

Consultants

Aims McGuinness, Senior Associate

National Center for Higher Education Management Systems

Dennis Jones, President

National Center for Higher Education Management Systems

Frank O'Hara, Vice President

Planning Decisions, Inc.

Financial Support

We would like to express our thanks to the Davis Educational Foundation, which provided the resources necessary to hire expert consulting services for the Task Force.

Personal Acknowledgements of the Task Force Chair

We would also like to thank the hundreds of people who have assisted in making this report possible, including the Chancellor, the members of the Board of Trustees, the hard working staff of the Chancellor's Office, and the hundreds of students, professors, staff, and citizens who have offered comments, suggestions, and encouragement to our efforts. In this regard, we wish to particularly note the generous contributions of time and ideas of former Chancellor Bob Woodbury, former Governor John McKernan, and Maine Community College System President John Fitzsimmons.

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EXECUTIVE SUMMARY

This Task Force was given a broad mandate to address the challenge to the University of Maine System posed by the deep recession and a persistent structural deficit equivalent to about 10% of its budget, without considering the closure of any of its seven operating units.

We undertook this work in early February, 2009, with 42 data requests relevant to our mandate, resulting in hundreds of pages of data to review from the University of Maine System.

We then proceeded to an ambitious winter public hearing circuit which took us to every campus, listening to over 250 citizens at some 21 separate meetings.

Next, we met as a committee with four national experts—Stephen Reno, Chancellor of the University of New Hampshire System; Terry MacTaggart, former Chancellor of the University of Maine System; Tom Layzell, former President of the Kentucky Council on Postsecondary Education; and Robert Zemsky, professor and former Chief Planning Officer of the University of Pennsylvania—to get a sense of how other higher education institutions across the country are tackling similar problems.

Throughout the process, we also received and carefully reviewed dozens of email comments from members of the public.

Subsequently, after considering various alternatives, the Task Force chose the Colorado-based nonprofit the National Center for Higher Education Management Systems to serve as its overall advisor, and to place Maine data into a national context of university benchmarking and best practices. Aims McGuinness and Dennis Jones from the Center have given generously of their time and expertise to our Task Force.

The Task Force then organized into three subcommittees to specifically address the issues of how to provide governance and system-wide services, how to allocate resources, and how to sharpen campus missions. The three subcommittees quickly reported back with recommendations that turned out to be compatible and supportive of each others' work. The recommendations were drafted into a rough report format. The Task Force began meeting as a committee of the whole and worked its way through draft after draft of the report, each one subject to careful scrutiny and debate.

The twelve members of the Task Force, along with Vice Chancellors Wyke and Breece, have contributed countless hours and deep commitment to this work. But notwithstanding this huge amount of effort and the broad mandate of the Task Force it would be impossible for a volunteer group of this nature to address all of the conceivable issues.

The University of Maine System is a huge enterprise by Maine standards, with an educational and general budget of approximately \$420 million; an auxiliary budget of \$90 million; and

restricted operations (grants and contracts) of \$140 million; over 5,000 employees; and more than 30,000 full-time-equivalent students from all over the state.

There are many ways we could have approached constraining spending—from making recommendations about compensation and benefits, to consolidating programs, to the cutting of specific purchases in particular categories of spending. But with limited time, there was no realistic way we could review all the administrative decisions of such a large enterprise.

Instead, we found the best use of our time and capabilities to be to concentrate on a few strategic issues— in a sense “constitutional questions”—going to the heart of the organization of the University of Maine System. These core issues included:

- 1) How to optimize a seven-university System to make the best use of resources;
- 2) How to align our System with overall state objectives relating to economic growth and a well-informed citizenry, with educational access and attainment equal to the New England average;
- 3) How to move from a rigid system of resource allocation based, on a forty-year-old formula, to a new system where priorities and performance count for something, while retaining needed stability and predictability;
- 4) How to realize genuine economies of scale from consolidation of back-office services, yet encourage responsive and nimble customer services;
- 5) How to proactively utilize financial policies to serve policy goals relating to the public agenda, including access, retention, and science and technology education;
- 6) How to use technology to advance our public agenda goals, particularly by instituting a cohesive distance education policy that helps with access, efficient use of various campuses, and degree attainment; and
- 7) How to increase utilization of the capacity of smaller universities by developing distinctively differentiated missions.

In furtherance of achieving these strategic objectives, we believe an overall University of Maine System policy should take into account that:

- The University of Maine System is in intense competition for a diminishing population of traditional students not only in Maine, but throughout New England;
- The University of Maine System suffers from low retention rates among the students it does attract;

- The University of Maine System should be preparing students to compete in a global economy;
- The University of Maine System is insufficiently related to other educational institutions in Maine, particularly pre-kindergarten through high school (PK-12), and the Maine Community College System;
- The University of Maine System is at risk of the dynamic described by our expert, Professor Zemsky, who wrote “When faced with the kind of revenue shortfalls that now confront higher education, most presidents and their institutions simply hunker down by making the preservation of current jobs and operations their top priority. Confronting the inevitable, those institutions hew to a largely conservative strategy of across the board cuts and postponed investments. The result, despite everyone’s best intentions, is an institution even more dependent on its current markets and less able to invest in its own future, let alone pursue policies and programs of public, as opposed to private, interest.”¹
- The University of Maine System is a \$650 million enterprise with insufficient strategic plans, direction, innovation, and flexibility to compete robustly with other New England public university systems, community college systems, private colleges and proprietary institutions.

For the University of Maine System, working its way through this thicket of challenges to a successful future will be a formidable challenge. It will require:

- Assigning accountability to specific people to achieve key objectives;
- Systematically and objectively restructuring the strategic plans of the various campuses;
- Instituting systems for incentivizing excellent performance; and
- Establishing a system of metrics relevant to the performance of various functions of the System.

Within this general framework, we have identified four key goals for the University of Maine System. Within the sections discussing each goal, specific recommendations are contained. The broad goals are:

¹ Zemsky et al. Remaking the American University—Market Smart and Mission Centered, p. 7

- The University of Maine System should be preparing students to compete in a global economy;
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¹ Zemsky et al. Remaking the American University—Market Smart and Mission Centered, p. 7

1. Establish a public agenda

Maine needs to transform itself economically in the future. The University System has an essential role in this process. However, that role is not spelled out in a clear and compelling way, with measurable benchmarks of performance, and the buy-in of key constituencies in the state. This is what is referred to as having a “public agenda.” This section contains recommendations for establishing leadership roles for the Board of Trustees and the Chancellor to establish and carry out a public agenda for Maine. The first step will be to reform the budget process, and prioritize the half billion dollars in university spending (education and general operations, E&G, and auxiliary) annually to match the priorities of the public agenda.

2. Act as a union and not a confederation

Historically, the University System has emphasized freedom for its individual campuses to pursue their own dreams and to engage in expensive competition amongst each other. This has led to a proliferation of majors and programs, a loss of focus at the campus level, difficulty for students in transferring credits, and a reduction in quality. The recommendations in this section spell out the steps that must be taken to provide focus, quality, and customer-friendliness to the System. They include clearly differentiating campus missions; transforming distance education; and taking several steps to make credit transfers easier, such as designing common introductory courses, and working with the presidents and the Community College System to create integrated programs.

3. Restructure System-wide Services

System-wide Services are those administrative functions that operate centrally under the leadership of the Vice Chancellor for Finance and Administration, and serve all seven campuses. There is a general recognition that System-wide Services are an important and logical function for the University System, but there also has been some level of discontent with how these services are provided. We recommend several steps to make System-wide Services more accountable, while at the same time urging the University System to explore the expansion of common service provision and purchases in such areas as printing, fleet management, travel management, and the like, when it makes economic and programmatic sense.

4. Use financial policy to realize System goals

Traditionally, the University System has looked at state funding, tuition, and student aid, as three independent financial questions. We urge the Board and Chancellor to see these as additional tools available to achieve the University System’s public purpose goals. The pricing of tuition and the provision of student aid are tools for improving access for first-generation students, attracting out-of-state students, and reducing dropouts caused by finances. The mix of funding available to each campus from State funds and tuition should be decided

strategically, based upon access, quality, and research and development goals. This is a complex subject to treat in an executive summary, and is discussed in detail in the chapter addressing this issue.

Finally, in the last section ("Start Now"), we urge the Board, Chancellor, and presidents to move quickly on the recommendations contained herein. Major budget challenges have already arrived, and it is important that those financial decisions reflect the long-term interests of the State and the University System.

The University of Maine System, like other institutions in Maine, is facing a level of change that no one anticipated or desired. The economy of Maine depends upon the success of its businesses, governments, schools, and nonprofit institutions, in adapting to this new era. As the intellectual incubator for the state's citizens, it is essential that the University of Maine System lead the way in showing how such adaptation can happen with positive results. The purpose of our report is to show the way.



MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

**Executive Director's Report
September 23, 2009**

1. Email notification of legislator expense payments
The Bureau of Accounts and Control is testing an email notification system that will allow legislators to register for and receive email notification whenever their Legislator expense payments are deposited into their accounts via EFT. This process should allow Legislators to have ready access to detailed remittance advice information and would be an alternative to "PayMode," already available to Legislators. If testing is successful, the system will be available by the start of the 2nd regular session.
2. Historic pamphlet on excise tax laws
Found among various previously uncatalogued volumes in the Law and Legislative Reference Library was a pamphlet regarding excise tax laws that was printed in Philadelphia in 1795. The author was James Thomson Callender, a noted pamphleteer and friend of Thomas Jefferson. The original owner appears to have been Mr. Aaron Burr, then a U.S. Senator from New York.
3. Bill production system upgrades
The current bill production system (MELD) will be beginning its fifth year of operation but uses technology and standards that are much more dated. Significant upgrades, revisions and improvements are planned to be developed over the next year or two to avoid system obsolescence, better utilize open source architecture and prevent negative impacts to legislative bill production operations. System changes will be developed in a test environment that will not affect the current bill production system, with a goal to have a current, better integrated and more responsive (i.e. faster production) system within 24 months.
4. Margaret Matheson's retirement
After having served on the Legislature's nonpartisan staff for more than 26 years, 16 of which as the state's Revisor of Statutes, Meg Matheson is retiring from State service. She has served ably as Revisor, providing accuracy, consistency and clarity to Maine law during her tenure and has been a dedicated staff member who has greatly contributed to the professionalism and strength of the Legislative Branch as a separate, co-equal branch of State government. Legislators and staff alike will miss her and we wish her much happiness in her retirement years. A retirement celebration for Meg will be held at 3:00 P.M. in the Legislative Council chamber or immediately following the council meeting today.

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Fiscal Briefing

Legislative Council Meeting – September 23, 2009

Prepared by the Office of Fiscal & Program Review

1. Revenue Update

Total General Fund Revenue - FY 2010 (\$'s in Millions)

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
August	\$54.4	\$51.0	(\$3.4)	-6.2%	\$61.9	-17.6%
FYTD	\$288.7	\$274.4	(\$14.2)	-4.9%	\$309.2	-11.2%

General Fund revenue was under budget by \$3.4 million in August increasing the negative variance for the first 2 months of FY 2010 to \$14.2 million or 4.9%. General Fund revenue fell by 11.2% during the first 2 months of FY 2010 compared to the same period in FY 2009.

The negative variance in August was less than those of the previous 3 months, but August revenue may have been distorted by the offset or reversal of FY 2009 year-end revenue accruals. While sales tax collections appeared to be much closer to budget than in recent months, the monthly distribution did not accurately reflect the amount of the accrual reduction in August. The accrual reduction was understated by roughly \$8 million. The lower budgeted amount in August also distorts other monthly budgeted amounts to create a timing issue within the fiscal year. July taxable sales (August revenue) still declined by 8.7% compared to last July. The nice weather in August and the temporary boost to automobile sales from the "Cash for Clunkers" program will hopefully keep September sales tax collections closer to budget despite the timing issue.

Negative variances also continued in the Individual Income Tax category. While income tax withholding was just slightly over budget in August, for the first 2 months of FY 2010 it remained roughly \$5.0 million under budget. September will be a crucial month for gauging the health of individual income tax collections as estimated payments are due on September 15th.

A new problem area arose in August with Cigarette and Tobacco Tax collections coming in under budget by \$2.1 million. However, in aggregate excluding sales and individual income taxes, General Fund revenue categories have been performing well relative to budget.

Total Highway Fund Revenue - FY 2010 (\$'s in Millions)

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
August	\$6.1	\$8.0	\$2.0	32.4%	\$6.9	16.6%
FYTD	\$31.1	\$36.1	\$5.0	16.1%	\$32.1	12.5%

Highway Fund revenue was above budget by \$2.0 million or 32.4% in August, increasing the positive variance for the first 2 months of FY 2010 to \$5.0 million (16.1%) with a 12.5% positive growth rate compared to the same period in FY 2009.

Fuel taxes for the first 2 months grew by 17.7% compared with the same period last year. Legislative changes to fuel tax rates effective July 1, 2009 from the treatment of gasoline with 10% ethanol and indexing (based on 3.8% inflation in 2008) were major contributors to this growth. Like the sales tax, some of the \$3.3 million positive variance in the Fuel Taxes category is the result of a distortion caused by the calculation of the FY 2009 year-end revenue accrual that erroneously lowered budgeted revenue in August.

While August motor vehicle fee revenue collections were well under budget, this was also due to a timing issue in the monthly distribution. This category remained over budget for the first 2 months of FY 2010. Some of this positive variance may also reflect a temporary increase in activity from the "Cash for Clunkers" program.

Fiscal Briefing – September 23, 2009 (Continued)

2. Fund for a Healthy Maine Budgeted Balances

As reported in the August issue of the *Fiscal News*, the Fund for a Healthy Maine (FHM) ended FY 2009 with a positive revenue variance and positive ending balances. The new positive budgeted balance of \$5.1 million at the end of the 2010-2011 biennium, which at the end of the session was nearly \$0, is more than sufficient to offset a \$536,000 fund-wide deallocation that would have been distributed as reductions to FHM programs. Final budgeted balances based on actions through the 124th Legislature, 1st Regular Session and FY 2009 balances forward were:

Fund for a Health Maine 2010-2011 Biennium Beginning Balance	\$11.8 Million
Fund for a Health Maine 2010-2011 Biennium Ending Balance	\$ 5.1 Million

3. Cash Update

Presented below is a summary of the State's average cash balances in August 2009 compared to August 2008. Despite poor General Fund revenue performances over the last 2 months and the use of virtually all reserves, the State has not yet had to implement any external borrowing. Some variances on the expenditure side, largely school subsidy payments, have partially offset the effect of the negative revenue variances. The average balance for the total cash pool in August was \$37.9 million below August 2008 and more than \$200 million below August's 2001 to 2008 historical average of \$631.8 million. Internal borrowing to shore up the General Fund was \$147.3 million more than last August. This largely reflects the reduction of reserve balances which were \$163.8 million below August 2008.

Dirigo Health Fund's cash position declined further in August dropping to -\$23.9 million, which was offset by a FY 2010 \$25 million cash advance from the General Fund. The hope is that Dirigo Health Fund's cash position begins to turn around beginning in September.

Summary of Treasurer's Cash Pool		
August Average Daily Balances		
Millions of \$'s		
	2008	2009
General Fund (GF) Total	\$27.6	\$38.5
General Fund (GF) Detail:		
Budget Stabilization Fund	\$123.4	\$0.2
Reserve for Operating Capital	\$40.6	\$0.0
Tax Anticipation Notes	\$0.0	\$0.0
Internal Borrowing	\$48.4	\$195.6
Other General Fund Cash	(\$184.8)	(\$157.4)
Other Spec. Rev. - Interest to GF	\$104.1	\$1.5
Other State Funds - Interest to GF	(\$15.6)	(\$14.4)
Highway Fund	\$12.9	\$20.7
Other Spec. Rev. - Retaining Interest	\$77.5	\$35.0
Other State Funds	\$178.6	\$255.1
Independent Agency Funds	\$79.0	\$89.9
Total Cash Pool	\$464.1	\$426.2

General Fund and Highway Fund Revenue
Fiscal Year Ending June 30, 2010
Reflecting Budgeted Amounts Through 124th Legislature, 1st Regular Session

AUGUST 2009 REVENUE VARIANCE REPORT

Revenue Line	August '09 Budget	August '09 Actual	August '09 Variance	FY10 YTD Budget	FY10 YTD Actual	FY10 YTD Variance	FY10 YTD Variance %	FY10 Budgeted Totals
General Fund								
Sales and Use Tax	(524,335)	(1,215,510.45)	(691,175.45)	96,857,589	84,827,710.78	(12,029,878.22)	-12.4%	981,766,394
Service Provider Tax	164,722	1,294,720.34	1,129,998.34	4,973,492	5,689,213.34	715,721.34	14.4%	55,590,852
Individual Income Tax	47,750,000	44,760,767.03	(2,989,232.97)	162,650,000	151,376,284.28	(11,273,715.72)	-6.9%	1,410,317,850
Corporate Income Tax	300,000	1,870,063.27	1,570,063.27	7,200,000	11,729,391.42	4,529,391.42	62.9%	144,697,500
Cigarette and Tobacco Tax	14,268,222	12,175,070.49	(2,093,151.51)	27,689,977	27,146,927.29	(543,049.71)	-2.0%	137,881,705
Insurance Companies Tax	56,185	106,702.64	50,517.64	1,060,988	820,898.46	(240,089.54)	-22.6%	71,985,000
Estate Tax	(2,878,326)	(3,991,447.42)	(1,113,121.42)	0	(1,278,793.35)	(1,278,793.35)	N/A	30,124,796
Other Taxes and Fees	9,575,490	8,487,221.52	(1,088,268.48)	19,273,304	20,423,377.45	1,150,073.45	6.0%	143,840,376
Fines, Forfeits and Penalties	3,920,428	3,375,561.84	(544,866.16)	7,512,372	6,935,193.06	(577,178.94)	-7.7%	43,654,018
Income from Investments	169,324	60,079.99	(109,244.01)	179,733	60,297.96	(119,435.04)	-66.5%	947,908
Transfer from Lottery Commission	4,762,916	5,161,482.83	398,566.83	8,573,239	8,918,999.92	345,760.92	4.0%	49,534,250
Transfers to Tax Relief Programs	(14,289,685)	(13,298,963.64)	990,721.36	(14,873,699)	(13,903,460.03)	970,238.97	6.5%	(116,953,498)
Transfers for Municipal Revenue Sharing	(9,569,107)	(8,715,202.98)	853,904.02	(26,440,806)	(23,694,340.67)	2,746,465.33	10.4%	(112,509,131)
Other Revenue	675,774	926,191.78	250,417.78	(5,990,305)	(4,616,790.80)	1,373,514.20	22.9%	23,703,648
Totals	54,381,608	50,996,737.24	(3,384,870.76)	288,665,884	274,434,909.11	(14,230,974.89)	-4.9%	2,864,581,668
Highway Fund								
Fuel Taxes	(3,373,912)	(62,978.44)	3,310,933.56	14,376,067	19,012,266.08	4,636,199.08	32.2%	220,305,526
Motor Vehicle Registration and Fees	8,620,981	7,577,086.86	(1,043,894.14)	14,832,759	15,502,759.44	670,000.44	4.5%	77,674,394
Inspection Fees	424,504	344,064.03	(80,439.97)	759,920	590,979.53	(168,940.47)	-22.2%	4,157,802
Fines, Forfeits and Penalties	160,594	150,253.91	(10,340.09)	308,439	313,783.39	5,344.39	1.7%	1,795,049
Income from Investments	10,000	23,134.66	13,134.66	10,000	23,134.66	13,134.66	131.3%	203,237
Other Revenue	213,794	(12,134.65)	(225,928.65)	789,752	641,495.51	(148,256.49)	-18.8%	8,605,431
Totals	6,055,961	8,019,426.37	1,963,465.37	31,076,937	36,084,418.61	5,007,481.61	16.1%	312,741,439

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

REVENUE CATEGORY	FY 2006	% Chg	FY 2007	% Chg	FY 2008	% Chg	FY 2009	% Chg	FY 2010	% Chg
GENERAL FUND										
Sales and Use Tax	\$94,130,145.85	4.2%	\$94,721,686.60	0.6%	\$94,345,093.36	-0.4%	\$99,553,816.04	5.5%	\$84,827,710.78	-14.8%
Service Provider Tax	\$2,803,093.80	-12.6%	\$4,147,644.88	48.0%	\$4,101,540.41	-1.1%	\$4,759,314.71	16.0%	\$5,689,213.34	19.5%
Individual Income Tax	\$138,155,445.89	3.8%	\$154,136,425.52	11.6%	\$159,154,477.36	3.3%	\$158,933,123.36	-0.1%	\$151,376,284.28	-4.8%
Corporate Income Tax	\$7,923,972.45	31.3%	\$12,762,917.51	61.1%	\$6,027,812.51	-52.8%	\$7,644,422.60	26.8%	\$11,729,391.42	53.4%
Cigarette and Tobacco Tax	\$18,887,158.86	9.6%	\$31,034,312.39	64.3%	\$30,548,227.54	-1.6%	\$29,204,587.89	-4.4%	\$27,146,927.29	-7.0%
Insurance Companies Tax	\$805,659.41	-36.7%	\$419,795.01	-47.9%	\$1,839,895.76	338.3%	\$1,347,883.07	-26.7%	\$820,898.46	-39.1%
Estate Tax	\$11,291,841.40	581.3%	\$130,227.50	-98.8%	(\$783,192.93)	-701.4%	(\$1,617,414.83)	-106.5%	(\$1,278,793.35)	20.9%
Other Taxes and Fees	\$19,027,331.25	11.7%	\$22,859,672.71	20.1%	\$20,546,601.13	-10.1%	\$19,836,796.66	-3.5%	\$20,423,377.45	3.0%
Fines, Forfeits and Penalties	\$4,972,543.43	-18.5%	\$6,497,216.04	30.7%	\$8,443,413.14	30.0%	\$8,268,822.58	-2.1%	\$6,935,193.06	-16.1%
Earnings on Investments	\$507,745.71	27.2%	\$688,196.32	35.5%	\$534,809.27	-22.3%	\$120,229.62	-77.5%	\$60,297.96	-49.8%
Lottery Transfers	\$7,813,966.67	-4.5%	\$8,231,109.41	5.3%	\$9,479,509.29	15.2%	\$8,854,003.94	-6.6%	\$8,918,999.92	0.7%
Transfer from Lottery Commission	(\$15,634,626.64)	-103.1%	(\$18,920,736.58)	-21.0%	(\$12,258,519.04)	35.2%	(\$17,330,986.99)	-41.4%	(\$13,903,460.03)	19.8%
Transfers to Tax Relief Programs	(\$11,596,279.59)	-17.5%	(\$7,589,244.83)	34.6%	(\$12,819,890.64)	-68.9%	(\$12,931,544.17)	-0.9%	(\$23,694,340.67)	-83.2%
Transfers for Municipal Revenue Sharing	\$1,217,382.91	-97.7%	\$2,778,047.53	128.2%	\$5,486,458.39	97.5%	\$2,550,925.65	-53.5%	(\$4,616,790.80)	-281.0%
Other Revenue	\$280,305,381.40	-11.5%	\$311,897,270.01	11.3%	\$314,646,235.55	0.9%	\$309,193,980.13	-1.7%	\$274,434,909.11	-11.2%
HIGHWAY FUND										
Fuel Taxes	\$18,528,755.70	-9.8%	\$19,000,525.60	2.5%	\$16,993,060.68	-10.6%	\$16,157,304.52	-4.9%	\$19,012,266.08	17.7%
Motor Vehicle Registration and Fees	\$14,408,024.57	4.8%	\$13,525,941.86	-6.1%	\$14,065,229.10	4.0%	\$13,643,951.37	-3.0%	\$15,502,759.44	13.6%
Inspection Fees	\$778,715.10	17.9%	\$839,581.68	7.8%	\$905,671.75	7.9%	\$719,623.85	-20.5%	\$590,979.53	-17.9%
Fines	\$373,642.31	123.5%	\$284,013.02	-24.0%	\$0.00	-100.0%	\$279,209.20	N/A	\$313,783.39	12.4%
Income from Investments	\$210,262.79	196.4%	\$129,235.35	-38.5%	\$175,291.67	35.6%	\$23,245.26	-86.7%	\$23,134.66	-0.5%
Other Revenue	\$1,456,791.13	29.7%	\$1,091,761.59	-25.1%	\$1,299,790.76	19.1%	\$1,242,852.97	-4.4%	\$641,495.51	-48.4%
TOTAL HIGHWAY FUND REVENUE	\$35,756,191.60	-1.5%	\$34,871,059.10	-2.5%	\$33,439,043.96	-4.1%	\$32,066,187.17	-4.1%	\$36,084,418.61	12.5%

Status of Interim 2009 Legislative Studies and Committee Meetings

Updated 9/23/2009

Study Name	Meetings Held to Date	Next Meeting Date	Number of Authorized Meetings	Report Date	Status
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New Legislative Studies

Study commission regarding teacher compensation (Resolve 138)	0	Not yet scheduled	4 meetings	12/1/2010	Awaiting final appointments
Task force on kinship families (Resolve 136)	0	Not scheduled	4 meetings	12/2/2009	Contingent on outside funding. No funding provided to date. No appointments made to date
Commission to study energy infrastructure (PL 372, Sec. F4)	1	9/21, 9/28, 10/19, 11/6, 11/18	6 meetings	12/2/2009	One meeting held, five more scheduled.
Broadband Strategy Council (Resolve 108)	2	TBA	11 in FY 2010	No report required. Council terminates on 12/1/2010	Staffed by ConnectME Authority.
Study the feasibility of establishing a single payer health care system in the State (Resolve 135)	N/A	N/A	No authorized meetings	1/15/2010	Staff administered study that is contingent on outside funding. No outside funding identified.

On-going Legislative Studies

Citizen Trade Policy Commission (PL 2003, c. 699)	3	10/15/2009	At least 2 per year	12/2/2009	Planning to renew contract with DOL for administrative staffing support. Planning to contract with for completion of biennial assessment. Planning to hold an evening public hearing (6:30-10:30 pm) in AFA committee room on 10/15. Annual report being prepared.
Legislative Youth Advisory Council (3 MRSA, section 168-A)	0	Not scheduled	Meetings suspended for FY 2009-10	None	Legislative members using interim to discuss ways to improve effectiveness of LYAC.
Right to Know Advisory Committee (PL 2005, c. 631)	1 (full committee) Multiple sub-committees	9/23 (full committee)	At least 4 times annually	1/15 annually to JUD, Governor and Chief Justice	2 vacancies

Authorized Interim Committee Meetings

32 meetings were budgeted; 30 meetings have either taken place or have been authorized (6 for AFA, 4 for TAX, 6 confirmations and 14 various committee meetings)

ACF review of LURC proposed comprehensive land use plan (PL 375)	0	Not scheduled	1 meeting	No report required	LURC public hearing on 9/28-9/30; Comments due to LURC by 10/28; ACF may meet some time after comments received.
AFA streamlining state government (PL 213)	5	9/23 and 9/24	6 meetings (more if needed)	1/6/2010	
BRED committee meetings on 8 carry over bills	0	11/2 and 11/13	2 meetings	No report required	Meetings authorized by presiding officers
CJPS meeting on corrections issues	1	N/A	1 meeting	No report required	Meeting authorized by presiding officers.
CJPS review of litter control laws (PL 424)	0	Not scheduled	1 meeting	No report required	
EDU budget discussions	9/17 and 9/18	None planned	2 meetings	No report required	Meetings authorized by presiding officers
HHS budget discussions	0	9/30 and 10/14	2 meetings	No report required	Meetings authorized by presiding officers

Study Name	<u>Meetings</u> Held to Date	<u>Next Meeting</u> Date	<u>Number of</u> <u>Authorized</u> <u>Meetings</u>	<u>Report Date</u>	<u>Status</u>
JUD meeting to discuss BRED bill on Predatory Marketing Practices against Minors (PL 230)	0	10/15 and 10/16	2 meetings	No report required	Meetings authorized by presiding officers
LVA to develop comprehensive policy regarding slot-machines and casino-style gambling in Maine (Resolve 141)	0	10/27/2009	1 meeting	No report required	
TRA highway and bridge light capital program (PL 372, Sec. X-4)	2	N/A	2 meetings	No report required	Meetings held, no additional meetings anticipated.
TAX review of telecommunications personal property tax and review of Tax Assessor's reports on sales tax (PL 382, Sec. B-50 and PL 213, Part P-2)	1	10/1/2009	4 meetings	1/15/08 to AFA committee	One meeting held, one future meeting scheduled. Status of additional meetings awaiting outcome of SOS certification decision on Peoples' Veto petition signatures.

DAVID E. BOULTER
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

Memo

To: Members of the Legislative Council

From: David E. Boulter, Executive Director
Legislative Council

Date: September 15, 2009

Re: Dates requested to hold annual State YMCA of Maine Youth in Government Program, a civic education and engagement program for Maine's high school youth

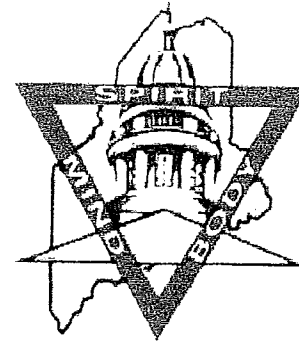
First choice:	April 9 – 11, 2010 (Friday – Sunday)
Second choice:	March 26 – 28, 2010 (Friday – Sunday)
Third choice:	March 19 – 21, 2010 (Friday – Sunday)

Key dates to consider: March 13, 2010 (SAT test date)
April 4, 2010 (Easter Sunday)
April 14, 2010 (adjournment date for budgetary purposes)
April 21, 2010 (statutory adjournment date)
May 1, 2010 (SAT test date)
May 9, 2010 (Mother's Day)

Program opening event:	Approximately 2:00 PM on Friday
Program closing event:	Approximately 1:00 PM on Sunday

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STATE YMCA of MAINE
Youth in Government Program
31 Town Hall Lane
Winthrop, ME 04364



I am the Director of the State YMCA of Maine Youth in Government program. Our program for over 60 years has provided students in Maine a unique opportunity in Civic Engagement. They see first hand how our Legislative process works, and have a chance to learn how to make positive change in the school, community and State. I have the pleasure of working with Dave Boulter in setting our dates for our program, and arranging the details of our weekend at the Statehouse. As we talked at the end of this year's program he suggested I contact the members of the Legislative Council in hopes of getting a chance to tell you more about our program.

As a member of the Legislative Council, I am looking to ask for your help in setting our dates for the 2010 program. For the past 2 years we have been in May on Mother's Day weekend and have seen a continuous decline in participation. In 2006 we have 160 participants, and last year we had only 90. We know that if it continues a great program may cease to exist. Youth in Government happens in 41 States and Maine's program is the 4th or 5th oldest. . I know how tight the schedule in the legislature has become and how important the work done at the State House is. We are more than willing to make changes to our program to continue to be able to use the facility. Being at the State House is the #1 reason students tell us they love our program. Our annual program evaluation we will read that from almost every student and example is this quote. "Being at the State House makes us feel important; we really are the legislature for the weekend."

I have included a couple of items to help explain our program and what we would like to propose:

- a) Fact Sheet that gives you some idea about our program
- b) Reason we ask for dates in March and April, this a listing of the conflicts we face in other times of year
- c) A proposed new schedule for the program that we think would eliminate conflicts that have occurred in the past; by starting later in the day we hope will make it work for the legislature.

The dates we would like to request with Easter weekend being the 1st weekend in April in 2010 would be:

First Choice: April 9th to 11th


Second Choice: March 26th to 28th

Third Choice March 19th to 21st

For several years we had a great delegation from Nokomis HS, and hope the Mrs Paradis will be able to get them involved again once we are away from the AP Testing and Mother's Day weekend. I would be more than willing to meet with you at your convenience to talk about the Youth in Government program, and what we could do to work our program into the calendar at the State House. We hope that the changes we would like to make to our program, by starting later in the day on Friday that this would make it easier for us to hold our program earlier in the year.

If you have any questions or would like to schedule a time to meet, I would welcome the opportunity. Thank you very much for your time, and good luck with the next session of the Maine Legislature.

Sincerely:


Lonney A. Steeves, Director
Maine YMCA Youth in Government

Eaton
Peabody

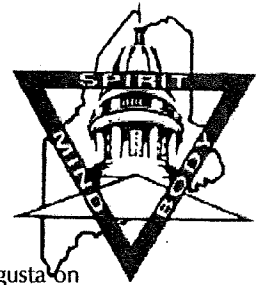
Democracy must be learned by each Generation

State YMCA of Maine

YOUTH IN GOVERNMENT™

We build strong kids, strong families, strong communities.

Lonney A. Steeves, Director
31 Town Hall Lane
Winthrop, ME 04364
207-377-9686
www.yiginme.org
winymca@aol.com



PROGRAM HISTORY

Youth in Government began in New York State in 1936. Maine's first program was held at the State House in Augusta on May 1st and 2nd 1943. The program was not held every year during World War 2 and there were several years in the 1950's and 1960's that the program was not held. From 1971 to 1980 the program alternated between the State House and a University Campus. From 1969 until the current year program it has been held every year. The current resource for Parliamentary Procedure was in the original Youth in Government Manual for the 1943 program, it came from the FFA (Future Farmers Association) manual of that era, and is a great way for our participants to learn correct procedures, and ties our program to its past.

PROGRAM GOALS

- *** To Provide a first hand experience in Civic Engagement
- *** To provide an awareness of the present issues and concerns of the State of Maine
- *** To develop leadership skills in the program participants
- *** To provide the opportunity for participants to become independent thinkers, in solutions to issues facing our State, communities, and schools.
- *** To become involved citizens seeing how they can effect change in their State and communities
- *** To learn how to make positive change a reality in the school and community
- *** To foster an environment that brings leaders from schools throughout Maine together.

PROGRAM STATISTICS

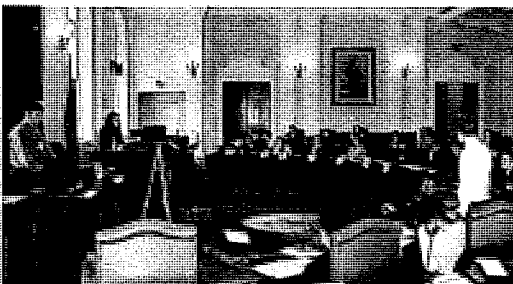
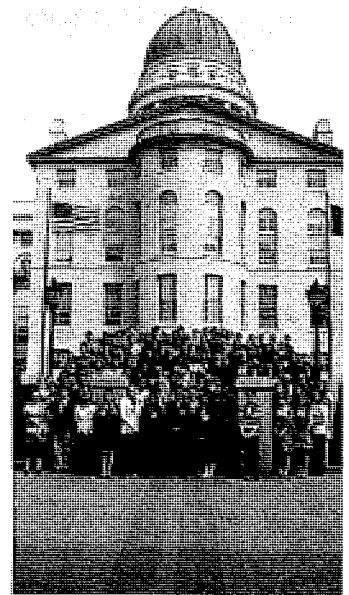
1877	Participants over the past 10 years
27	Average number of volunteers
26	Schools Participating over the past 10 years
5	YMCA involved over the past 10 years

CURRENT INFORMATION

Youth Governor Jacob Messer, Kennebunk High School

Schools participating: Washington Academy, Machias Memorial HS, Hall-Dale HS, Winthrop HS, Kennebunk HS, Bonny Eagle HS, Carrabec HS, Lawrence HS, Erskine Academy, Maine School of Science and Math, Ashland Community HS, Presque Isle HS.

Program Dates for 2010: To be Determined



Eaton
ATTORNEYS
AT LAW
Peabody

Democracy must be learned by each Generation

YMCA Youth in Government Date Conflicts

FALL Dates (Oct-Nov)

1. Schools in Aroostook County being out on Harvest Break make doing pre-legislature training session difficult.
2. Fall Sports, especially football at many of our schools would keep large numbers of students from attending because of traditional rival games and playoff games. Soccer, Field Hockey, Cross Country, and Golf all have State Championships in Late October and Early November weekends.
3. Mock Trial Program: The State Bar Association runs a Statewide Mock Trial competition that begins in October and finishes in mid-November. Many of the students that participate in Youth in Government are involved in this program, and we would lose several advisors who are already a part of that program.

WINTER Dates (Dec—Jan—Feb)

1. Winter Weather, the chances of the winter storm that would make transportation difficult and schools may not be able to attend if their school will not allow their bus to come. The amount of work that goes into finding housing, booking facilities, could be all wiped out with a storm.
2. Basketball Season, many students are involved with teams, as players, managers, and cheerleaders.

LATE SPRING (May-June)

1. Proms—every weekend in May we have conflicts with some schools and proms
2. 1st weekend of May is mandated SAT testing, this would eliminate every Junior in Maine from Participating, as well as several advisors who are in charge of testing at their schools
3. 2nd weekend of May, Mother's Day weekend, and this is the date for AP Testing at Maine High Schools, many seniors take these advance placement tests for college credit
4. 3rd weekend in May is conference championship Track meets on Saturday, as well as 1st round of Tennis State Championships
5. 4th weekend is Memorial Day

REASON FOR MARCH or APRIL

1. So long as we can avoid, Easter and April School vacation any other weekend works.
2. This is the only time period during which High School sports are between seasons, some will just be beginning but very few conflicts.
3. This time avoids State Music and Drama festivals' as well.



2010 YOUTH IN GOVERNMENT *Proposed* SCHEDULE



Complete program would not come to the State House until 5:00pm on Friday night, and not need committee rooms until 5:30pm

Leadership Training event we would make the hotel available to anyone who wants to come in on Thursday evening. Others can come to State House on Thursday morning and arrive by 10:00am. We would need only 2 rooms on Friday to do our Training for our leadership.

FRIDAY

10:00 Leadership Training

VISITOR'S CENTER—2 other rooms

Lobbyist and Committee Chair

Governor's Cabinet

Newspaper

Presiding Officers

4:00 Registration **Visitors Center**

House and Senate members should take their assigned seats at this time

4:00-5:30 Dinner **Cross Cafe**

5:30 House and Senate Convene **Chambers**

Take oaths of office and prepare for Joint Session

5:45 Joint Session **House Chambers**

Youth Governor Address

Speeches of Dignitaries

Official Welcome and Housekeeping Details

Committee session procedures, and dismiss to committee

6:30 Committees Public Hearings **Committee Room**

Committees will meet in their assigned rooms

8:30 Joint Session **House Chambers**

Information about meeting Host Families

Governor Baldacci will speak

9:00 Adjourn to Host Families

Augusta-Hallowell-Gardiner Hosts meet at Visitor's Center

Winthrop-East Winthrop-Manchester-Monmouth hosts

load buses

SATURDAY

8:30 Delegation Meeting

Advisors meet with your delegation check make sure host assignment ok, and that everything is ok with participants, each group should select a location to meet

9:00 Governor's Campaign Kickoff

Governor's candidates may now begin campaign

8:45 Committees Work Sessions **Committee Room**

Committees will meet in their assigned rooms

9:30 House & Senate Convene

Parliamentary Procedure Workshop

House and Senate Rules Session

Lunch **Cafeteria**

12:00 House of Representatives

12:30 Senate, Governor and Cabinet, and Newspaper

3:00 GROUP PHOTO

Steps of State House

5:00 SPECIAL JOINT SESSION **House**

3 Governor's Candidates will give campaign speeches

Special Proclamation passed

5:30 DINNER **Cafeteria**

We will dismiss last year's premier delegations first to go eat.

Bring everything with you, we will not be able to go back to the State House

6:30 Saturday Night Program

SUNDAY

8:30 Delegation Meeting

Advisors meet with your delegation check make sure host assignment ok, and that everything is ok with participants, each group should select a location to meet

8:30 Polls Open **3rd Floor Rotunda**

Please vote and turn in your evaluation forms

Governor's Candidates may not campaign on the 3rd Floor

9:00 House & Senate Convene

Chaplains will do their Worship Service

9:30 Polls Close

10:00 Advisor's Meeting in the

Meeting to evaluate the this years program and

Select best bill award winner

12:00 Joint Session Closing **House Chamber**

—Leadership Thank You

—Lost & Found

—Special Awards

—Results of Bills

—Best Bill Award

—2010 Youth Governor Announced

12:30 Adjournment





HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002

(207) 287-1400

TTY: (207) 287-4469

Emily Ann Cain

103 Forest Avenue

Orono, ME 04473

Residence: (207) 866-3753

E-Mail: CainOrono@hotmail.com

July 21, 2009

124th Legislative Council
Maine State Legislature
115 State House Station
Augusta, ME 04333-0115

Dear Council Members,

I am writing today to ask for your support in granting an extension to the fundraising requirements for LD: 1115; *Resolve, To Establish the Task Force on Kinship Families*. The Legislative Council approved this task force with the stipulation that private funds be raised for the task force to carry out its work.

The University of Maine Center on Aging and its partners, through the existing Statewide Relatives as Parents task force, have taken on this challenge and have committed \$3,000 of the \$4,490 to carry out the work. They believe that they can raise the additional funds shortly and have outlined their timeline for raising funds.

I have attached a letter from the Center on Aging explaining their timeline for securing final funding. I urge you to support an extension so that this important work can go forward. Thank you for your consideration on this matter and I would be happy to answer any questions you may have.

Respectfully,

Emily Ann Cain
State Representative

Funding deadline: July 17, 2009.
Funding received (YTD): \$0 -

No provision in resolve to
grant extensions.



July 20, 2009

Representative Emily Cain
103 Forest Avenue
Orono, ME 04473

Dear Representative Cain,

Thank you for your sponsorship of LD 1115: Resolve, To Establish the Task Force on Kinship Families. Given the quick turn around for Task Force implementation (30 days), the Center on Aging would like to request an extension on the timeline in order to raise the funds necessary to implement the Task Force. To date, we have identified that following potential sources of funds for the initiative:

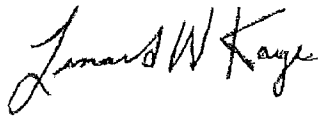
- * The Center on Aging currently has a grant from the Brookdale Foundation to develop education and outreach related to grandfamilies in Maine. We will be formally asking the Foundation to reconfigure our grant funds to include \$1,500 in support for the Task Force. Permission for this budget amendment will not be secured until after our grantee site visit on August 4, 2009.
- * \$1,500 in funding is anticipated from Maine FACES a non-profit that supports efforts to enrich the lives of foster and adoptive children. In the past, Maine FACES has encouraged funding requests from Families and Children Together a non-profit organization that serves grandfamilies across the state and is also serving as our partner in fundraising for this effort.
- * The remaining \$1,490 dollars will be sought from foundations and agencies that may be interested in this topic matter including: the Brookdale Foundation, Maine Community Foundation, the Betterment Foundation, Bangor Savings Bank, and Bank of America as well as interested individuals.

We anticipate that the funds for this initiative will be in place by September 15, 2009. I would like to emphasize that the funding listed above is currently tentative in nature. The extension in the Task Force timeline will allow the Center and its partners to solidify the funded needed to carryout the study. While we anticipate there may be challenges to this fundraising endeavour given the current economic climate, we are confident that we can succeed in raising the necessary funds if given the opportunity to do so.

The Center and its partners within the statewide Relatives as Parents Network feel that this Task Force is critical to raising awareness about the challenges faced by parenting relatives in the State of Maine and we are committed to raising the funds needed for the Task Force. Please do

not hesitate to contact me if you have any questions about this request. I appreciate your time in reviewing this matter.

Sincerely,

A handwritten signature in cursive script, reading "Lenard W. Kaye". The signature is written in dark ink and is positioned above the printed name.

Lenard W. Kaye, DSW/Ph.D.
Director

JUN 17 '09

136

STATE OF MAINE

BY GOVERNOR

RESOLVES

IN THE YEAR OF OUR LORD

TWO THOUSAND AND NINE

H.P. 770 - L.D. 1115

Resolve, To Establish the Task Force on Kinship Families

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Task Force on Kinship Families is created in this resolve in order to study issues facing kinship families; and

Whereas, the task force must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Task force established. Resolved: That the Task Force on Kinship Families, referred to in this resolve as "the task force," is established; and be it further

Sec. 2. Task force membership. Resolved: That the task force consists of 13 members appointed as follows:

1. Four members appointed by the President of the Senate as follows:

A. Two Senators; and

B. One member representing a private nonprofit agency that provides services to kinship families and one member who is a state-licensed pediatrician;

2. Seven members appointed by the Speaker of the House as follows:

A. Five Representatives; and

B. One member who is currently providing primary care for a relative's child and one member representing the Probate Court; and

3. The Commissioner of Health and Human Services or the commissioner's designee; and

4. The Commissioner of Education or the commissioner's designee; and be it further

Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the task force; and be it further

Sec. 4. Appointments; convening of task force. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. Within 15 days after appointment of all members, the chairs shall call and convene the first meeting of the task force, which must be no later than August 1, 2009; and be it further

Sec. 5. Duties. Resolved: That the task force shall examine the issues facing kinship families, defined here as family members who care for a relative's child, and how state policies and practices can be crafted to meet the special needs of kinship families. In examining this issue, the task force shall identify existing resources within the State for kinship families, determine the needs of kinship families and gaps in services, review legal and custody issues and concerns for kinship families and create strategies for sustaining and maintaining resources for kinship families; and be it further

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the task force; and be it further

Sec. 7. Report. Resolved: That, no later than December 2, 2009, the task force shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 124th Legislature. The Joint Standing Committee on Health and Human Services is authorized to introduce a bill related to the subject matter of the report to the Second Regular Session upon receipt of the report; and be it further

Sec. 8. Funding. Resolved: That the operations of the task force are contingent upon receipt of outside funding to fund all costs of the task force. Private financial or in-kind contributions to support the work of the task force may not be accepted from any party having a pecuniary or other vested interest in the outcome of the study. Any person, other than a state agency, authorized and desiring to make a financial or in-kind contribution must certify to the Legislative Council that it has no pecuniary or other vested interest in the outcome of the study. All such contributions are subject to the approval of the Legislative Council. All accepted contributions must be forwarded to the Executive Director of the Legislative Council along with an accounting record that includes the amount of contributions, the date the contributions were received, from whom the contributions were received and the purpose of and any limitation on the use of those contributions. The Executive Director of the Legislative Council shall administer the contributions and shall notify the chairs of the task force when those contributions have been received. If funding has not been received within 30 days after the effective

date of this resolve, then no meetings of the task force are authorized and no study-related expenses of any kind may be incurred or reimbursed; and be it further

Sec. 9. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

Study Commissions - Funding 0444

Initiative: Allocates funds for the costs to the Legislature of the Task Force on Kinship Families in the event that outside funding is received.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$1,540	\$0
All Other	\$2,950	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,490	\$0

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.



MAINE STATE MUSEUM
83 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0083



JOSEPH R. PHILLIPS
MUSEUM DIRECTOR

JOHN ELIAS BALDACCI
GOVERNOR

September 15, 2009

The Honorable Hannah Pingree
Chairman, Legislative Council
124th Maine Legislature
2 State House Station
Augusta, ME 04333

Subject: Possible addition to the State House Portrait Collection

Dear Chairman Pingree:

The Maine State Museum is occasionally offered a work of art appropriate to add formally to the State House Portrait Collection. The Colby College Museum of Art has offered us a life sized bronze bust of Maine Governor Nelson Dingley, Jr which I recommend for inclusion in the portrait collection for display within the State House.

The Maine State Museum holds title to bust of Governor Baxter and paintings of important leaders, which constitute the State House Portrait Collection, on behalf of the people of Maine. Formal inclusion of a work of art in this collection is accomplished through a vote of the Legislative Council.

Nelson Dingley, Jr. of Parkman, China and Auburn, Maine attended Waterville College (now Colby College). He became a lawyer after graduating from Dartmouth and, in the 1850s, purchased the weekly Lewiston Journal and added a daily edition in 1861. He served in the Maine Legislature and was Speaker of the House in 1863 and 1864. He was Governor for two terms, 1873 and 1874 and was later elected to the U.S. Congress. He died in 1899 and an oil portrait of him was hung a year later in the Maine State House.

The bust offered as a gift by the Colby College Museum of Art is a well executed likeness of this important Maine leader. We believe it was sculpted from life. The artist's name is not presently known, but we believe we can discover this through research.

I recommend that the Legislature Council endorse the Maine State Museum acceptance of this gift for inclusion within the Senate House Portrait Collection.

If approval is granted, the Executive Director of the Legislative Council, the chairman of the State House and Capitol Park Commission, and I will jointly recommend to you a display location for the bust.

I shall be pleased to answer any questions that your members may have.

Sincerely,

A handwritten signature in cursive script, reading "Joseph R. Phillips". The signature is written in dark ink and is positioned above the printed name.

Joseph R. Phillips
Museum Director

cc: David E. Boulter, Executive Director of the Legislative Council
Earle G. Shettleworth Jr, Chairman, State House and Capitol Park Commission
Deanna Bonner-Ganter, Curator of Photography, Art and Archives, Maine State
Museum



DAVID E. BOULTER
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

Memo

To: Legislative Council Members
124th Legislature

From: **D.B.**
David E. Boulter, Executive Director
Legislative Council

Date: September 16, 2009

Re: Resolve 2009, c. 135; Update Study of Single-payor Health Care System Study

This memo is to inform the council that we have concluded the search for outside grant funding to fully fund all costs of updating the study of the feasibility of establishing a single-payor health care system in the State and no entities able or willing to provide sufficient finding have been identified. As a result, as provided in the resolve, the study will not proceed.

By way of background, Resolve 2009, chapter 135: Resolve, To Conduct an Updated Study of the Feasibility of Establishing a Single-payor Health Care System in the State and the Impact of Any Federal Health Care Reform, directed that the Legislative Council contract with a qualified consultant to update the estimated costs and impact of a single-payor health care system as described in the December 2002 document titled "Feasibility Study of a Single-payor Health Plan Model for the State of Maine" produced by Mathematica Policy Research, Inc. The resolve specified that conducting the study is conditional upon the Legislative Council seeking and obtaining outside (non-state) grant funding to fully fund all costs of the updated study, estimated to be \$60,000. If full funding is not received by October 1, 2009, the resolved directed that the study not be conducted.

Working with Elizabeth Kilbreth, Associate Research Professor at the Muskie School of Public Service who assisted the legislature in securing funding for the original study, inquiries were made to grant making entities where potential funding for health care-related study was most likely. The Maine Health Access Foundation (MeHAF) was contacted but we were informed that the Board of MeHAF has committed all of its available grant funds for this year and has no funds for unanticipated projects. While it is possible to submit a grant request in the foundation's next fiscal year, the prospects for receiving funding for the study are low since the board is likely to give priority to work that will support implementation of programs in Maine that may arise from changes to the health care system made at the national level.

An inquiry was made to the Robert Wood Johnson Foundation's States Coverage Initiatives. The foundation did not respond to the inquiry, presumably an indication of the lack of interest in any further consideration of this study.

Memo to Legislative Council
Re: Search for funding for single-payor study update
September 16, 2009
Page 2

Other foundations that include among their funding priorities, either Maine-specific projects or health-related projects, that were contacted last year all stated that a project of this nature was outside of the scope of what they would consider so they were not approached again this year.

As was the case last year, there appears to be little interest at this time to fund an update of the earlier study that would allow this year's study to go forward, particularly with so much attention on health care reform now focused at the national level.

Since no viable funding entity has been identified unfortunately, the Legislative Council will not have secured funds by October 1, 2009 to support the study and so there are no plans to conduct the study.

If you have any questions, please let me know.

Thank you.

Attachment (Resolve 2009, c. 135)

Cc: Patrick T. Norton, Director, OPLA

PLEASE NOTE: The Office of the Revisor of Statutes **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Resolve
124th Legislature
First Regular Session

Chapter 135
H.P. 690 - L.D. 1002

**Resolve, To Conduct an Updated Study of the Feasibility
of Establishing a Single-payor Health Care System in the
State and the Impact of Any Federal Health Care Reform**

Sec. 1 Update to feasibility study. Resolved: That the Legislative Council shall contract with a qualified consultant to update the estimated costs and impact of a single-payor health care system as described in the December 2002 document titled "Feasibility Study of a Single-payer Health Plan Model for the State of Maine" produced by Mathematica Policy Research, Inc. In the event that federal legislation related to universal health care is enacted, the updated study must include a preliminary analysis of the impact of federal action on state legislation to establish a single-payor health care system or other mechanism for universal health care and the availability of federal funding and guidance for implementation in this State. The Legislative Council shall seek outside grant funding to fully fund all costs of the updated study, which may not exceed \$60,000. If sufficient outside funding has not been received by the Legislative Council by October 1, 2009 to fully fund all costs of the updated study, no expenses of any kind related to the study may be incurred. The updated study must be submitted no later than January 15, 2010 to the Second Regular Session of the 124th Legislature. The Joint Standing Committee on Insurance and Financial Services may submit legislation based on the updated feasibility study to the Second Regular Session of the 124th Legislature; and be it further

Sec. 2 Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

Legislature 0081

Initiative: Allocates funds to the Legislature to contract for an update to the 2002 study of the feasibility of establishing a single-payor health care plan for the State.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$60,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$60,000	\$0

Boulter, David

From: Fortin, Lynn A
Sent: Friday, September 18, 2009 9:51 AM
To: Boulter, David
Cc: Eltman, Pat
Subject: Hall of Flags

David:

Pat Eltman would like to officially request the use of the Hall of Flags on the evening of February 1, 2010 for the 2010 Governor's Conference on Tourism awards dinner.

I look forward to hearing from you.

Lynn Fortin

**Secretary Associate
Maine Office of Tourism
59 State House Station
3rd Floor, Cross Office Building
Augusta, Maine 04333-0059
Phone: (207) 624-7483
Fax: (207) 287-8070
Email: lynn.a.fortin@maine.gov**



OPEGA Biennial Work Plan for 2009-2010 - As approved on 5-8-09

Updated 9/3/09

Project Topic	Resp Dept	Phase	General Scope	Detailed Scope Avail?
Completed				
Durable Medical Equipment and Medical Supplies	DHHS	NA	Effectiveness of systems in place to control and contain costs associated with durable equipment and medical supplies purchases through Mainecare	Yes
Maine State Prison - Management Issues	Dept of Corrections	NA	Issues related to management and working environment	Yes
MaineCare Children's Outpatient Mental Health Services	DHHS	NA	Portion of funding expended on administrative costs (DHHS and providers) versus direct delivery of services. Primary factors driving administrative costs	Yes
In Progress				
Fund for Healthy Maine Programs	Various	Fieldwork	Systems in place for monitoring effectiveness and efficiency and providing accountability for programs (and expenditures in those programs) supported by FFHM	Yes
Medical Services in the Prison System	Dept of Corrections	Planning and Research	Costs and quality of medical services in prison system	No
Public Safety Answering Point and Dispatch Services (PSAP)	Dept of Public Safety	Fieldwork	Costs and quality of services provided	Yes
Special Projects In Progress				
Appropriations & Financial Affairs Committee Assistance	NA	Research	Working with AFA Committee and OFPR staff on the current effort to streamline or restructure State Government	No
Suspended				
Leased Office Space (formerly Real Estate/Public Buildings)	Dept of Admin and Fin Svcs	Fieldwork	Costs and use of office space leased by the State	Yes
Planned				
Maine Turnpike Authority	ME Turnpike Authority	NA	Use of resources; alignment of functions and activities with legislative intent	No