

# MAINE STATE LEGISLATURE

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SEN. KEVIN L. RAYE  
CHAIR

REP. ROBERT W. NUTTING  
VICE-CHAIR

EXECUTIVE DIRECTOR  
DAVID E. BOULTER



125<sup>TH</sup> MAINE STATE LEGISLATURE  
LEGISLATIVE COUNCIL

SEN. JONATHAN T. E. COURTNEY  
SEN. BARRY J. HOBBS  
SEN. DEBRA D. PLOWMAN  
SEN. JUSTIN L. ALFOND  
REP. PHILIP A. CURTIS  
REP. EMILY ANN CAIN  
REP. ANDRE E. CUSHING III  
REP. TERRY HAYES

**MEETING OF LEGISLATIVE COUNCIL  
TUESDAY, JUNE 28, 2011  
12:30 PM  
AGENDA**

<u>Page</u>	<u>Item</u>	<u>Action</u>
	<b>CALL TO ORDER</b>	
	<b>ROLL CALL</b>	
1	<b>SUMMARY OF THE JUNE 16, 2011 MEETING OF THE LEGISLATIVE COUNCIL</b>	<b>Acceptance</b>
	<b>REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS</b>	
	▪ Executive Director's Report (Mr. Boulter) (No Report)	
6	▪ Fiscal Report (Mr. Pennoyer)	<b>Information</b>
	<b>REPORTS FROM COUNCIL COMMITTEES</b>	
	• Personnel Committee	
	• State House Facilities Committee (No Report)	
	<b>OLD BUSINESS</b>	
	Item #1: Council Actions Taken By Ballot (No Action Required) (None taken since June 16, 2011 meeting)	<b>Information</b>

## **NEW BUSINESS**

- |           |   |                       |
|-----------|---|-----------------------|
| <b>11</b> | Item #1: Consideration of Proposed Legislative Study and Related Funding<br>(HP1186: Joint Order Establishing the Commission to Reapportion Maine's<br>Congressional Districts; and LR 2217: An Act to Provide Funding for the<br>Reapportionment Commission) | <b>Roll Call Vote</b> |
| <b>14</b> | Item #2: Request to Carry Over Funds from FY11 to FY12<br>(Citizen Trade Policy Commission)   | <b>Decision</b>       |
| <b>16</b> | Item #3: Consideration of After Deadline Bill Requests  | <b>Roll Call Vote</b> |

## **ANNOUNCEMENTS AND REMARKS**

## **ADJOURNMENT**

SEN. KEVIN L. RAYE  
CHAIR  
REP. ROBERT W. NUTTING  
VICE-CHAIR



SEN. JONATHAN T. E. COURTNEY  
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125<sup>TH</sup> MAINE STATE LEGISLATURE  
LEGISLATIVE COUNCIL

**MEETING SUMMARY**  
**June 16, 2011**

**CALL TO ORDER**

Legislative Council Chair, Senate President Raye called the June 16, 2011 special meeting of the Legislative Council to order at 1:20 P.M. in the Legislative Council Chamber.

**ROLL CALL**

Senators: President Raye, Senator Courtney, Senator Plowman, Senator Hobbins, Senator Alfond

Representatives: Speaker Nutting, Representative Curtis, Representative Cushing, Representative Cain, Representative Hayes

Legislative Officers: David E. Boulter, Executive Director of the Legislative Council  
Heather Priest, Clerk of the House  
Patrick Norton, Director, Office of Policy and Legal Analysis  
Grant Pennoyer, Director, Office of Fiscal and Program Review  
Suzanne Gresser, Revisor of Statutes  
Scott Clark, Director, Legislative Information Technology  
John Barden, Director, Law and Legislative Reference Library  
Beth Ashcroft, Director, Office of Program Evaluation and Government Accountability  
Rose Breton, Legislative Finance Director  
Debra Olken, Human Resources Director

Senate President Raye convened the meeting at 1:20 P.M. with a quorum of members present.

**SUMMARY OF JUNE 3, 2011 MEETING OF LEGISLATIVE COUNCIL**

**Motion:** That the Meeting Summary of June 3, 2011 be accepted and placed on file. Motion by Senator Courtney. Second by Representative Cain. **Motion passed.** (9-0-0-1, with Representative Hayes abstaining).

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

The following actions were taken by ballot by the Legislative Council since the last meeting.

A. LR 2212            **An Act to Provide Further Improvements to Maine's Health Insurance Law**

Submitted by:      Representative Wesley Richardson  
Approved:            June 15, 2011                      Vote: 9 - 1 in favor

B. LR 2213            **An Act to Ensure Local Control with Respect to Gaming Facilities**

Submitted by:      Senator Kevin Raye  
Approved:            June 16, 2011                      Vote: 9 - 1 in favor

**NEW BUSINESS****Item #1: Review of Legislative Studies**

Nine (9) legislative study requests and four (4) requests by joint standing committees to meet during the interim were considered and decided by the Legislative Council. The Legislative Council action on the requests is attached.

**Item #2: VoIP Telecommunications System - Recommendation**

Scott Clark, Director of the Office of Information Technology, presented to the Legislative Council his recommendation to proceed with review of two vendor proposals for a VoIP telecommunications system for final consideration. His evaluation of both proposals indicates they are technically sound, satisfy the feature requirements, have positive references and will cost less than our current telephone service. The estimated cost is \$2,000 to \$3,000 per month less than the Legislature currently pays while providing significantly improved telephone features. Based on the evaluation of the two vendors, Mr. Clark recommended the Legislative Council authorize the Information Technology Office to move forward with the procurement of a VoIP phone system to replace the 25+ year old existing system. The next steps include a discussion between the vendors and a management team to determine the final details of the system. The Information Technology Director and the Executive Director will then negotiate a contract with the lead vendor and present it to the Legislative Council for approval at a future meeting.

**MOTION:** That the Legislative Council approve the installation of a VoIP telephone system for the Legislature, subject to Legislative Council approval of a qualified vendor and contract for services. The Director of the Office of Information Technology, in consultation with the Executive Director, shall review proposals submitted by qualified vendors and recommend a VoIP system proposal for acceptance, with or without conditions, by the Legislative Council. Motion by Senator Courtney. Second by Representative Hayes. **Motion passed. (7-0-2-1,** with Senators Hobbins and Alford absent, and Representative Cushing abstaining).

**Item #3: Consideration of After Deadline Requests**

The Legislative Council took no action on the After Deadline Requests.

**ANNOUNCEMENTS AND REMARKS**

The Legislative Council meeting was adjourned at 2:30 P.M. on a motion by Representative Cushing, seconded by Representative Cain. **Motion passed unanimous (8-0**, with Senators Hobbins and Alford absent).

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**125<sup>th</sup> LEGISLATIVE COUNCIL  
FIRST REGULAR SESSION  
ACTION ON LEGISLATIVE STUDY REQUESTS  
June 16, 2011**

		<b>Action</b>
<b>POLICY AREA:</b> LD 1043	<b>Appropriations &amp; Financial Affairs</b> Streamline and Prioritize Core Government Services Task Force	<b>No Action (included in budget)</b>
LD 1043	Dorothea Dix Psychiatric Center Working Group	<b>No Action (included in budget)</b>
LD 1187	Downtown Revitalization Fund Board	<b>No Action (bill carry over requested)</b>
<b>POLICY AREA:</b> LD 656	<b>Education &amp; Cultural Affairs</b> Task Force on Franco-Americans	<b>APPROVED</b>
<b>POLICY AREA:</b> HP 597	<b>Health and Human Services</b> Joint Select Committee on Health Care Costs	<b>FAILED</b>
LD 1558	Commission to Study Allocations of the Fund for a Healthy Maine	<b>APPROVED</b>
<b>POLICY AREA:</b> LD 1338	<b>Insurance &amp; Financial Services</b> Department of Professional & Financial Regulation's Evaluation of Ways to Streamline the State's Foreclosure Prevention Outreach and Housing Counseling Program	<b>APPROVED</b>
<b>POLICY AREA:</b> LD 951	<b>Judiciary</b> Commission to Study Priorities and Timing of Judicial Proceeding in State Courts	<b>APPROVED</b>
LD 1477	Committee to Review Issues Dealing with Regulatory Takings	<b>APPROVED</b>
<b>POLICY AREA:</b> LD 841	<b>Labor, Commerce, Research &amp; Economic Development</b> Blue Ribbon Commission on Affordable Housing	<b>APPROVED</b>

**Joint Standing  
Committee**

LD 1534

**Agriculture, Conservation & Forestry**

Committee meeting to review progress of the Commission on Reform of the Governance of Land Use Planning in the Unorganized Territory (1 meeting)

**APPROVED**

**Joint Standing  
Committee**

LD 1582

**Insurance & Financial Services**

Committee meetings to consult with the Advisory Committee on Maine's Health Insurance Exchange (3 meetings)

**APPROVED**

**Joint Standing  
Committee**

Request by Memo

**Taxation**

Committee meetings to identify areas of Maine's tax law that need review and restructuring and work on 9 carry over bills (4 meetings)

**APPROVED**

**Joint Standing  
Committee**

LD 848

**Veterans & Legal Affairs**

Committee meeting to review report of the Commission on Governmental Ethics and Election Practices Study Modifying the Maine Clean Election Act (2 meetings)

**APPROVED**



# Fiscal Briefing

## Legislative Council Meeting

June 28, 2011

*Prepared by the Office of Fiscal & Program Review*

### 1. General Fund Revenue Update (also see attached tables)

**Total General Fund Revenue - FY 2011 (\$'s in Millions)**

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
May	\$214.7	\$233.4	\$18.7	8.7%	\$224.0	4.2%
FYTD	\$2,467.1	\$2,482.6	\$15.5	0.6%	\$2,310.5	7.4%

General Fund revenue was over budget by \$18.7 million (8.7%) in May and was \$15.5 million (0.6%) over budget for the Fiscal Year-to-date (FYTD). These positive variances reflected the May 2011 revenue forecast, which increased budgeted General Fund revenue by \$12.1 million for FY 2011. General Fund revenue growth remained strong and through May was 7.4% higher than the same period last fiscal year. The strength of the sales and income tax collections remained the major factors in the positive FYTD variance. It is still too early to tell what the FY 2011 revenue surplus will be.

Individual Income Tax revenue was \$10.1 million over budget through May and Corporate Income Tax was \$2.7 million over budget through May. Corporate Income Tax will also be ahead of budget in June, but it is too early to gauge Individual Income Tax. Sales and Use Tax performed well in May, coming in \$5.8 million over budget, but Service Provider Tax revenue offset some of this. Combined these taxes are only \$2.9 million ahead of revised projections.

Revenue sharing transfers continue to exceed projections (a negative revenue variance) based on the performance of the income and sales tax categories and will end the year roughly \$0.8 million above revised projections.

Fine revenue and Inland Fisheries and Wildlife revenue continue to fall below projections despite downward adjustments in the May revenue forecast.

### 2. Highway Fund Revenue Update (also see attached tables)

**Total Highway Fund Revenue - FY 2011 (\$'s in Millions)**

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
May	\$25.1	\$23.4	(\$1.7)	-6.7%	\$25.3	-7.4%
FYTD	\$264.1	\$263.3	(\$0.8)	-0.3%	\$264.9	-0.6%

Highway Fund revenue was under budget by \$1.7 million (6.7%) in May and was under budget for the FYTD through May by \$0.8 million (0.3%). The May 2011 revenue revision increased Highway Fund budgeted revenue by \$0.6 million in FY 2011.

Within the broader category of Fuel Taxes, Gasoline Tax collections were under budget for the month by \$3.1 million due to an approximately \$4 million refund of taxes collected in April on exempt sales. Through May, Gasoline Tax collections were under budget by \$2.6 million. Other components of the Fuel Taxes category were holding up well compared to the revised forecast, so that overall the Fuel Taxes category was under budget by \$2.1 million through May. The Gasoline Tax monthly distribution was distorted by this unusually large refund, so that June's benchmark may be easier to achieve and help offset some of this negative variance.

The Motor Vehicle Registration and Fee category has performed well relative to the revised forecast and was over budget by \$1.0 million in May and \$1.3 million for the FYTD, further reducing the negative variance for the Highway Fund driven by the Gasoline Tax variance.

## Fiscal Briefing (continued)

### 3. FY 2011 "Cascade"

Presented below are the planned transfers from the uncommitted unappropriated surplus of the General Fund at the close of this current fiscal year. It is uncertain at this point whether the amounts available will fully fund the 3<sup>rd</sup> priority transfer to the Maine Budget Stabilization Fund, and it seems unlikely, based on preliminary June data, that the amounts will fund items beyond that priority transfer.

#### Fixed Dollar Transfers

- Replenish Contingent Account up to \$350,000 (5 MRSA §1507)
- Transfer to Loan Insurance Reserve up to \$1,000,000 (5 MRSA §1511)
- Budget Stabilization Fund transfer up to \$25,000,000 (PL 2011, c. 28, I-1)
- Health and Human Services, Bureau of Medical Services up to \$5,000,000 (PL 2011, c. 28, I-2)
- Health Insurance Internal Services Fund up to \$2,500,488 (PL 2001, c. 28, I-3)

#### % Transfers After Fixed Dollar Transfers (5 MRSA §1536)

Maine Budget Stabilization Fund	35%
Retirement Allowance Fund	20%
Reserve for General Fund Operating Capital	20%
Retiree Health Internal Service Fund	15%
Capital Construction & Improvements Reserve Fund	10%

### 4. Cash Balances

The average total cash pool balance for April was \$571.4 million, \$123.0 million higher than one year ago. General Fund internal cash flow borrowing was \$88.7 million less than a year ago. The Maine Budget Stabilization Fund balance below does not yet reflect roughly \$3.1 million budgeted increase at the close of FY 2011 nor does it include a \$50,000 deduction for a law enforcement officer death benefit payment.

#### Summary of Treasurer's Cash Pool

##### May Average Daily Balances

Millions of \$'s

	2010	2011
General Fund (GF) Total	\$26.2	\$58.3
General Fund (GF) Detail:		
Budget Stabilization Fund	\$0.2	\$25.5
Reserve for Operating Capital	\$0.0	\$11.2
Tax Anticipation Notes	\$0.0	\$0.0
Internal Borrowing	\$199.7	\$111.0
Other General Fund Cash	(\$173.7)	(\$89.5)
Other Spec. Rev. - Interest to GF	(\$3.7)	\$53.9
Other State Funds - Interest to GF	\$8.3	\$18.2
Highway Fund	\$42.2	\$67.8
Other Spec. Rev. - Retaining Interest	\$79.7	\$27.2
Other State Funds	\$204.8	\$233.3
Independent Agency Funds	\$91.0	\$112.7
<b>Total Cash Pool</b>	<b>\$448.4</b>	<b>\$571.4</b>

**General Fund Revenue**  
**Fiscal Year Ending June 30, 2011 (FY 2011)**

**May 2011 Revenue Variance Report**

Fiscal Briefing - Page 3 of 5

Revenue Category				Fiscal Year-To-Date					FY 2011 Budgeted Totals
	May '11 Budget	May '11 Actual	May '11 Variance	Budget	Actual	Variance	Variance %	% Change from Prior Year	
Sales and Use Tax	63,721,355	69,561,775	5,840,420	754,222,924	760,063,344	5,840,420	0.8%	3.4%	916,746,307
Service Provider Tax	4,612,032	2,158,052	(2,453,980)	45,508,071	42,546,958	(2,961,113)	-6.5%	-6.6%	55,214,486
Individual Income Tax	99,670,806	107,407,598	7,736,792	1,224,658,278	1,234,772,917	10,114,639	0.8%	8.8%	1,387,946,604
Corporate Income Tax	(5,183,424)	(230,203)	4,953,221	167,664,611	170,399,012	2,734,401	1.6%	18.9%	197,937,962
Cigarette and Tobacco Tax	11,004,917	11,383,476	378,559	131,619,793	130,068,207	(1,551,586)	-1.2%	-2.7%	146,209,555
Insurance Companies Tax	13,065,333	14,035,017	969,684	51,700,420	52,950,446	1,250,026	2.4%	-2.2%	76,765,000
Estate Tax	2,717,807	3,534,766	816,959	38,582,098	39,399,057	816,959	2.1%	63.0%	45,052,787
Other Taxes and Fees *	26,788,916	26,120,242	(668,674)	136,591,190	135,387,968	(1,203,222)	-0.9%	2.3%	149,672,089
Fines, Forfeits and Penalties	3,002,331	1,955,125	(1,047,206)	26,339,008	25,782,724	(556,284)	-2.1%	-12.9%	28,799,339
Income from Investments	822	6,981	6,159	201,528	208,051	6,523	3.2%	118.0%	245,127
Transfer from Lottery Commission	3,771,862	4,091,362	319,500	45,262,390	45,977,867	715,477	1.6%	-2.8%	49,034,250
Transfers to Tax Relief Programs *	(1,739,224)	(1,264,785)	474,439	(112,419,904)	(112,385,507)	34,397	0.0%	0.4%	(113,986,593)
Transfers for Municipal Revenue Sharing	(10,601,059)	(10,575,977)	25,082	(84,245,565)	(84,640,655)	(395,090)	-0.5%	5.9%	(91,930,345)
Other Revenue *	3,837,880	5,207,773	1,369,893	41,411,877	42,022,088	610,211	1.5%	28.2%	48,357,956
<b>Totals</b>	<b>214,670,354</b>	<b>233,391,202</b>	<b>18,720,848</b>	<b>2,467,096,719</b>	<b>2,482,552,476</b>	<b>15,455,757</b>	<b>0.6%</b>	<b>7.4%</b>	<b>2,896,064,524</b>

\* Additional detail by subcategory for these categories is presented on the following page.

**General Fund Revenue  
Fiscal Year Ending June 30, 2011 (FY 2011)**

**May 2011 Revenue Variance Report**

Revenue Category				Fiscal Year-To-Date					FY 2011 Budgeted Totals
	May '11 Budget	May '11 Actual	May '11 Variance	Budget	Actual	Variance	Variance %	% Change from Prior Year	
<b>Detail of Other Taxes and Fees:</b>									
- Property Tax - Unorganized Territory	0	0	0	12,080,762	11,896,097	(184,665)	-1.5%	5.0%	13,794,109
- Real Estate Transfer Tax	795,529	549,306	(246,223)	12,042,550	11,976,725	(65,825)	-0.5%	13.5%	13,721,052
- Liquor Taxes and Fees	1,887,849	1,816,635	(71,214)	18,761,494	18,970,219	208,725	1.1%	3.0%	20,864,662
- Corporation Fees and Licenses	1,598,650	1,011,565	(587,085)	6,540,851	5,964,645	(576,206)	-8.8%	6.8%	7,697,099
- Telecommunication Personal Prop. Tax	16,775,988	17,768,836	992,848	16,775,988	17,749,468	973,480	5.8%	0.0%	16,775,988
- Finance Industry Fees	1,471,751	1,662,050	190,299	22,208,151	22,546,720	338,569	1.5%	4.2%	23,679,930
- Milk Handling Fee	(14,412)	50,179	64,591	3,659,803	3,724,393	64,590	1.8%	-58.6%	3,645,392
- Racino Revenue	979,862	908,844	(71,018)	9,038,019	8,792,389	(245,630)	-2.7%	0.2%	10,804,600
- Boat, ATV and Snowmobile Fees	646,000	616,722	(29,278)	4,069,947	3,484,254	(585,693)	-14.4%	-6.5%	4,500,295
- Hunting and Fishing License Fees	2,002,107	1,082,078	(920,029)	14,979,383	13,512,454	(1,466,929)	-9.8%	-2.4%	17,320,998
- Other Miscellaneous Taxes and Fees	645,592	654,027	8,435	16,434,242	16,770,604	336,362	2.0%	43.6%	16,867,964
<b>Subtotal - Other Taxes and Fees</b>	<b>26,788,916</b>	<b>26,120,242</b>	<b>(668,674)</b>	<b>136,591,190</b>	<b>135,387,968</b>	<b>(1,203,222)</b>	<b>-0.9%</b>	<b>2.3%</b>	<b>149,672,089</b>
<b>Detail of Other Revenue:</b>									
- Liquor Sales and Operations	2,292	0	(2,292)	7,303,523	7,306,803	3,280	0.0%	7.7%	7,305,811
- Targeted Case Management (DHHS)	999,124	1,944,499	945,375	14,783,596	15,728,969	945,373	6.4%	-11.4%	15,029,612
- State Cost Allocation Program	1,045,575	1,133,416	87,841	13,382,600	13,139,697	(242,903)	-1.8%	-8.8%	14,899,059
- Unclaimed Property Transfer	0	0	0	0	0	0	N/A	N/A	2,333,420
- Toursim Transfer	0	0	0	(9,048,877)	(9,048,877)	0	0.0%	-0.3%	(9,048,877)
- Transfer to Maine Milk Pool	(5,999)	(10,637)	(4,638)	(4,245,141)	(4,249,777)	(4,636)	-0.1%	66.0%	(4,245,141)
- Transfer to STAR Transportation Fund	0	0	0	(3,100,352)	(3,100,352)	0	0.0%	1.1%	(3,100,352)
- Other Miscellaneous Revenue	1,796,888	2,140,494	343,606	22,336,528	22,245,624	(90,904)	-0.4%	20.1%	25,184,424
<b>Subtotal - Other Revenue</b>	<b>3,837,880</b>	<b>5,207,773</b>	<b>1,369,893</b>	<b>41,411,877</b>	<b>42,022,088</b>	<b>610,211</b>	<b>1.5%</b>	<b>28.2%</b>	<b>48,357,956</b>
<b>Detail of Transfers to Tax Relief Programs:</b>									
- Me. Resident Prop. Tax Program (Circuitbreaker)	(1,500,000)	(1,224,414)	275,586	(40,712,619)	(40,437,032)	275,587	0.7%	-3.4%	(42,098,648)
- BETR - Business Equipment Tax Reimb.	(182,000)	(40,372)	141,628	(55,362,480)	(55,220,851)	141,629	0.3%	6.8%	(55,543,140)
- BETE - Municipal Bus. Equip. Tax Reimb.	(57,224)	0	57,224	(16,344,805)	(16,727,624)	(382,819)	-2.3%	-15.7%	(16,344,805)
<b>Subtotal - Tax Relief Transfers</b>	<b>(1,739,224)</b>	<b>(1,264,785)</b>	<b>474,439</b>	<b>(112,419,904)</b>	<b>(112,385,507)</b>	<b>34,397</b>	<b>0.0%</b>	<b>0.4%</b>	<b>(113,986,593)</b>
<b>Inland Fisheries and Wildlife Revenue - Total</b>	<b>2,736,016</b>	<b>1,775,507</b>	<b>(960,509)</b>	<b>19,949,933</b>	<b>18,017,368</b>	<b>(1,932,565)</b>	<b>-9.7%</b>	<b>-2.7%</b>	<b>22,803,767</b>

**Highway Fund Revenue  
Fiscal Year Ending June 30, 2011 (FY 2011)**

**May 2011 Revenue Variance Report**

Fiscal Briefing - Page 5 of 5

Revenue Category				Fiscal Year-To-Date					FY 2011 Budgeted Totals
	May '11 Budget	May '11 Actual	May '11 Variance	Budget	Actual	Variance	% Variance	% Change from Prior Year	
Fuel Taxes:									
- Gasoline Tax	14,850,630	11,788,358	(3,062,272)	162,631,633	160,034,316	(2,597,317)	-1.6%	-2.0%	194,220,000
- Special Fuel and Road Use Taxes	2,924,690	3,288,975	364,285	36,332,401	36,652,675	320,274	0.9%	-2.6%	43,760,000
- Transcap Transfers - Fuel Taxes	(1,265,330)	(1,113,495)	151,835	(16,105,665)	(15,968,008)	137,657	0.9%	1.0%	(17,476,736)
- Other Fund Gasoline Tax Distributions	(371,371)	(296,378)	74,993	(4,567,042)	(4,505,776)	61,266	1.4%	0.6%	(4,956,860)
Subtotal - Fuel Taxes	16,138,619	13,667,460	(2,471,159)	178,291,327	176,213,207	(2,078,120)	-1.2%	-2.3%	215,546,404
Motor Vehicle Registration and Fees:									
- Motor Vehicle Registration Fees	5,953,432	6,469,458	516,026	57,067,784	57,485,634	417,850	0.7%	1.8%	64,775,312
- License Plate Fees	337,283	419,506	82,223	2,874,594	2,948,186	73,592	2.5%	0.1%	3,348,300
- Long-term Trailer Registration Fees	162,494	356,299	193,805	8,793,399	9,340,936	547,537	5.9%	23.0%	8,884,523
- Title Fees	877,577	990,620	113,043	10,202,930	10,119,534	(83,396)	-0.8%	4.4%	10,871,056
- Motor Vehicle Operator License Fees	450,691	528,108	77,417	5,368,631	5,486,231	117,600	2.1%	4.4%	5,937,732
- Transcap Transfers - Motor Vehicle Fees	0	0	0	(10,792,777)	(10,547,010)	245,767	2.3%	0.2%	(14,830,531)
Subtotal - Motor Vehicle Reg. & Fees	7,781,477	8,763,991	982,514	73,514,561	74,833,510	1,318,949	1.8%	4.8%	78,986,392
Motor Vehicle Inspection Fees	306,060	122,381	(183,679)	2,716,700	2,532,501	(184,200)	-7.3%	-2.9%	3,032,500
Other Highway Fund Taxes and Fees	127,420	144,153	16,733	1,188,501	1,186,437	(2,064)	-0.2%	-0.8%	1,325,823
Fines, Forfeits and Penalties	71,991	71,991	(0)	1,061,679	1,061,778	99	0.0%	-21.6%	1,205,049
Interest Earnings	7,844	7,745	(99)	112,594	105,426	(7,168)	-6.8%	-24.5%	120,434
Other Highway Fund Revenue	668,613	644,008	(24,605)	7,205,996	7,400,309	194,313	2.6%	-5.9%	8,072,531
<b>Totals</b>	<b>25,102,024</b>	<b>23,421,728</b>	<b>(1,680,296)</b>	<b>264,091,358</b>	<b>263,333,167</b>	<b>(758,191)</b>	<b>-0.3%</b>	<b>-0.6%</b>	<b>308,289,133</b>

State of Maine  
House of Representatives  
125th Legislature  
First Regular Session  
**HOUSE ADVANCE JOURNAL AND CALENDAR**  
*<http://www.maine.gov/legis/house/hcalfr.htm>*  
Thursday, June 16, 2011  
**SUPPLEMENT NO. 5**

**ORDERS**

(4-1) On motion of Speaker NUTTING of Oakland, the following Joint Order: (H.P. 1186)  
(Cospponsored by Senator: COURTNEY of York)

ORDERED, the Senate concurring, that, notwithstanding Joint Rule 353, the Commission to Reapportion Maine's Congressional Districts is established as follows.

**1. Commission to Reapportion Maine's Congressional Districts established.** The Commission to Reapportion Maine's Congressional Districts, referred to in this order as "the commission," is established.

**2. Membership.** The commission consists of 15 members appointed or invited as specified in this section.

A. The commission consists of the following appointed members:

- (1) Three members from the political party holding the largest number of seats in the House of Representatives, appointed by the Speaker of the House;
- (2) Three members from the political party holding the majority of the remainder of the seats in the House of Representatives, appointed by the floor leader of that party in the House;
- (3) Two members of the political party holding the largest number of seats in the Senate, appointed by the President of the Senate; and
- (4) Two members of the political party holding the majority of the remainder of the seats in the Senate, appointed by the floor leader of that party in the Senate.

B. The Speaker of the House shall invite the following to be members of the commission:

- (1) The chairs of each of the 2 major political parties in the State or their designated representatives; and
- (2) Three members from the public generally, one to be selected by each group of members of the commission representing the same political party and the 3rd to be selected by the other 2 public members.

**3. Commission chair; quorum.** The Speaker of the House shall organize the commission and is the chair pro tempore thereof until a permanent chair is selected by the commission members

from among their own number. Action may not be taken by the commission without a quorum of 8 members present.

**4. Appointments; convening of commission.** All appointments must be made no later than 7 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chair of the commission shall call and convene the first meeting of the commission. If 7 days or more after the passage of this order a majority of but not all appointments have been made, the chair may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.

**5. Duties.** The commission shall review the State's existing congressional districts. If the districts do not conform to Supreme Judicial Court guidelines, the commission shall reapportion the State into 2 congressional districts for the election of representatives to the United States Congress in accordance with the requirements contained in the Maine Revised Statutes, Title 21-A, section 1206, subsection 1. The commission shall hold public hearings on any plan for apportionment prior to submitting the plan to the Legislature.

**6. Staff; compensation.** The commission may hire staff determined necessary by the chair to complete the duties specified in section 5. Public members of the commission must receive the same rate of per diem that is paid to Legislators for every day's attendance at special sessions of the Legislature as specified in the Maine Revised Statutes, Title 3, section 2. All members of the commission must be reimbursed for actual travel expenses incurred in carrying out the business of the commission.

**7. Report; legislative intent.** The commission shall submit a report no later than August 31, 2011 that includes its recommendations, including a suggested reapportionment plan and emergency legislation to implement that plan, to the 125th Legislature. It is the intent of the Legislature that these recommendations be acted on by the 125th Legislature convened in special session prior to September 30, 2011.





Sen. Roger Sherman, Chair  
Sen. Thomas Marin  
Sen. John Patrick  
Rep. Joyce Maker, Chair  
Rep. Re. Bernard Ayotte  
Rep. Margaret Rotundo

Malcolm Burson  
Michael Roland  
Wade Merritt  
Linda Pistner  
Barbara VanBurgel



Jay Wadleigh  
Stephen Cole  
Connie Jones  
Michael Hiltz  
John Palmer  
Kathleen Whitelaw  
Robert St, Peter  
Joseph Woodbury

Curtis Bentley, Legislative Analyst

STATE OF MAINE

## Citizen Trade Policy Commission

### MEMORANDUM

TO: Senate Chair, Kevin L. Raye, Legislative Council  
Representative Vice Chair, Robert W. Nutting, Legislative Council

FROM: Sherman Roger L. Sherman, Senate Chair *RLS*  
Joyce Maker, House Chair  
Maine Citizen Trade Policy Commission

DATE: June 28, 2011

RE: Request to carryover funds from FY 11 to FY 12

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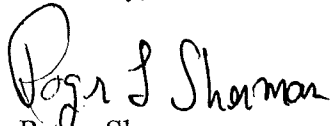
The Citizen Trade Policy Commission (commission) is an ongoing study commission that was established pursuant to Public Law 2003, chapter 699, in recognition of the need to establish a state-level mechanism to assess the impact of international trade agreements on Maine's state and local laws, business environment and working conditions. Public Law 2003, chapter 699, requires the commission to hold at least two public hearings annually and required the commission to issue an assessment on an annual basis. The commission has been budgeted \$5,000 annually to conduct that assessment. However, in 2007, Public Law 2007, chapter 266 changed the frequency of the assessment from yearly to every two years but the commission continues to receive its budget for the assessment on an annual basis. Over the last five years, the commission has requested and you have granted our request to carry \$5,000 over into the following biennium to conduct the assessment.

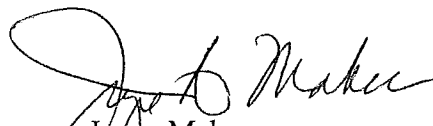
Additionally, we request that the funding held by the commission at the end of the 2011 fiscal year would be carried over to FY 2012. Without this funding, the commission will be unable to conduct the activities required by Public Law 2003, chapter 699 in FY 2011.

Therefore, for the above mentioned reasons, we respectfully request that the commission's remaining balance at the end of FY 2011 be carried over into FY 2012.

Thank you for your consideration of this matter.

Sincerely,

  
Roger Sherman  
Senate Co-Chair

  
Joyce Maker  
House Co-Chair

cc: Patrick Norton, Director, OPLA

**LEGISLATIVE COUNCIL**  
**AFTER DEADLINE REQUESTS TO INTRODUCE LEGISLATION**  
**FIRST REGULAR SESSION 125th LEGISLATURE**  
**As of: June 23, 2011**

**SPONSOR:**  
LR 2217

**Rep. Nutting, Robert W.**  
An Act To Provide Funding for the Reapportionment  
Commission

**Action**

**TABLED BY THE LEGISLATIVE COUNCIL**

**SPONSOR:**  
LR 2183

**Rep. Cebra, Richard M.**  
An Act To Protect Maine's Border Businesses

**Action**  
**TABLED 05/27/11**

**SPONSOR:**  
LR 2155

**Sen. Trahan, A. David**  
An Act To Ensure the Compensation of Public Employees  
Who Are Injured Due to Acts of Violence of Patients or  
Prisoners in Their Custody

**TABLED 04/28/11**

**SPONSOR:**  
LR 2139

**Rep. Turner, Beth P.**  
An Act To Reform the Land Use Regulation Commission

**TABLED 04/28/11**