

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL
August 27, 2003
2:00 pm
Legislative Council Chamber
REVISED AGENDA

| <u>Page No.</u> | <u>Item</u> | <u>Action</u> |
|-----------------|-------------------------------------------------------------------|---------------|
| | CALL TO ORDER | |
| | ROLL CALL | |
| 1 | SUMMARY OF THE JULY 30, 2003 COUNCIL MEETING | Decision |
| | REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS | Information |
| | • Executive Director's Report | |
| 6 | • Fiscal Report (Pennoyer) | |
| 11 | • Office of Information Services' Report (Mayotte) | |
| | • Office of Policy and Legal Analysis (Elliott) | |
| | REPORTS FROM COUNCIL COMMITTEES | |
| | • Personnel Committee (Rep. Richardson, Chair) | |
| | Report of the August 27, 2003 Personnel Committee meeting | |
| | • State House Facilities Committee (Sen. Gagnon, Chair) | |
| | No report | |

OLD BUSINESS

- | | | |
|----|--------------------------------------------------------------|-------------|
| 12 | Item #1: Council Actions Taken by Ballot | Information |
| 13 | Item #2: Funding of Human Resources Director Position | Decision |

NEW BUSINESS

Item #1: First Park Corporation, Oakland, Maine (at the request of Rep. Lisa Marraché and Rep. Stanley Moody)

Request has been withdrawn.

Item #2: Authorization for Acceptance of Funds for Legislative Studies

- | | | |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 16 | - The Commission to Study the Scope and Quality of Citizenship Education (letter from Terry Pickeral, Executive Director, National Center for Learning and Citizenship) | Decision |
| 17 | - The Commission to Study the Scope and Quality of Citizenship Education (Certification Relating to Contribution for Study from Patrick Phillips, Deputy Commissioner, Corporation for National and Community Services) | Decision |
| 18 | - Resolve To Study Obesity and Methods to Decrease the Cost of Health Care and Increase the Public Health (letter and Certification Relating to Contribution for Study from John A. LaCasse, President and CEO, Medical Care Development) | Decision |

COLLECTIVE BARGAINING (Executive Session if needed)

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT



SEN. BEVERLY C. DAGGETT
CHAIR

REP. PATRICK COLWELL
VICE-CHAIR

121st MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. SHARON ANGLIN TREAT
SEN. PAUL T. DAVIS, SR.
SEN. KENNETH T. GAGNON
SEN. CHANDLER E. WOODCOCK
REP. JOHN RICHARDSON
REP. JOSEPH BRUNO
REP. ROBERT W. DUPLESSIE
REP. DAVID E. BOWLES

DAVID E. BOULTER
EXECUTIVE DIRECTOR

MEETING SUMMARY

July 30, 2003

CALL TO ORDER

The Chair, President Daggett, called the Legislative Council meeting to order at 2:18 p.m. in the Legislative Council Chamber.

ROLL CALL

| | |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Senators: | President Daggett, Sen. Davis Absent: Sen. Treat, Sen. Gagnon and Sen. Woodcock |
| Representatives: | Speaker Colwell, Rep. Richardson, Rep. Bruno, Rep. Duplessie, Rep. Bowles |
| Legislative Officers: | Joy O'Brien, Secretary of the Senate David Shiah, Assistant Clerk of the House David Boulter, Executive Director, Legislative Council Grant Pennoyer, Director, Office of Fiscal and Program Review David Elliott, Director, Office of Policy and Legal Analysis Margaret Matheson, Revisor of Statutes Lynn Randall, State Law Librarian Paul Mayotte, Director, Legislative Information Services |

SUMMARY OF THE JUNE 10, COUNCIL MEETING

Motion: That the Meeting Summary of June 10, 2003 be accepted and placed on file. (Motion by Rep. Bruno, second by Rep. Richardson, unanimous)

REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS

- **Executive Director's Report**

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

1. **Renovations – Summer Projects 2003**

Renovation projects will begin the week of August 4, 2003 and will continue through the summer. Bids for the replacement of the west wing roof will be opened on August 1, 2003. A more detailed report will be available once the bids have been opened, but he anticipates the work for the roof will begin in late summer, at the earliest.

2. **Retirements in Law Library**

Simone Antworth, Administrative Secretary and Laura Goss, Library Associate are retiring from legislative service this summer.

Ms. Antworth has worked for the Law Library for more than 25 years and Ms. Goss has worked more than 30 years. They have both contributed greatly to the effectiveness of the Library and will be missed.

3. **Dioramas**

The Dioramas are completed, with the exceptions of certain lighting adjustments that are being made.

4. **Portraits in the State House**

Mr. Boulter is working with the Maine State Museum to develop a schedule and portrait hanging plan to return the 144 portraits to the State House. The work is expected to be completed before the start of the 2nd Regular session.

5. **Flag Replicas in the Hall of Flags**

The Museum staff are preparing flag cases in the Hall of Flags to receive the newly completed replicas of civil war flags. The flags are to be installed by mid-August.

6. **NCSL Training Seminar**

NCSL is holding a professional development seminar for senior research and committee staff in Portland, Maine in early October. The seminar is expected to bring legislative staff from across the county and it is a good opportunity to showcase Maine.

No Council action required.

- **Fiscal Report**

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

1. **General Fund and Highway Fund Revenue Variances for FY 03**

Total General Fund revenue was ahead of projections by \$15.9 million in June and ended with a positive variance of \$22.4 million for the fiscal year. Individual Income Tax revenues were ahead of budget projections by \$13.7 million in June and by \$8.2 million year-to-date. Corporate Income was ahead of budget projections by \$2.4 million in June and by \$3 million year-to-date. Also ahead of budget projections, were Insurance Tax by \$5.8 million for June, \$14.4 million year-to-date and the Estate Tax by \$0.6 million in June and \$6.7 million year-to-date.

Cigarette Tax revenues were below projections by \$2.6 million in June and by \$7.3 million for fiscal year-to-date. Sales Tax revenues were also below projections by \$1.2 million in June and \$4.1 million for fiscal year-to-date.

Highway Fund revenues were below budget projections by \$0.5 million in June but had a positive variance of \$4.0 million for the fiscal year.

2. **Cash Pool Status**

Mr. Pennoyer reported that the June 2003 Cash Pool status. He said the General Fund balance has a positive balance of \$33.0 million in June, despite having no reserve fund balances. Absent the \$250 million TAN, the General Fund would have been \$217 million negative in June. The TAN amount for fiscal year 2004 was increased to \$275 million.

Mr. Pennoyer said the General Fund's downward trend of cash balances has flattened out and recently has begun an upward trend. It may be due to the positive variances but also a higher TAN is being issued.

Mr. Pennoyer reported that with the positive variances in the General Fund and additional unbudgeted lapsed balances, the unappropriated surplus increased by \$33.1 million. \$10.6 million went to the Budget Stabilization Fund (successor to the Maine Rainy Day Fund); \$10.6 million set aside for retirement, a portion to be used to fund past service liability of the game warden retirement plan enacted the 120th/1st Regular Session; and \$5.3 million was set aside in the Working Capital Reserve. Unappropriated surplus after the transfers increased by \$5.3 million.

- **Office of Information Services' Report**

Paul Mayotte, Director Legislative Information Services, reported to the Council that H-P is at the State House, having installed the revised bill drafting system software to address the remaining problem log items, increase functionality and address the slow performance that caused the software to fail the last test. A full performance test is being performed, and is scheduled to be completed by Friday, August 1, 2003. On Monday, August 4, 2003 the Revisor, Executive Director and Mr. Mayotte will meet to discuss the performance of the bill drafting system and will discuss how best to proceed.

Mr. Mayotte said remote access to legislative email accounts is now available to legislators and staff. He suggested that members contact the Legislative Information Services' office if they are interested in being set up for remote access.

Mr. Mayotte also reported that actions are being taken to reduce the volume of SPAM being received by staff and legislators. Presently he is reviewing options for installing SPAM filters that would further reduce the unwanted mail.

No Council action required.

REPORTS FROM COUNCIL COMMITTEES

• Personnel Committee

Rep. Richardson, Chair of the Personnel Committee, reported that the committee met earlier in the day. It considered a request for unpaid leave of absence for a legislative employee to allow the employee to pursue advanced education. The Committee recommended approval of the request.

Motion: That the Legislative Council approve the request by legislative employee Patrick Norton for a leave of absence for up to 10 months to pursue advanced educational opportunities, and delegate to the Executive Director's administration of the leave provisions consistent with Section 7 (F) of the Legislative Council Personnel Policies. (Motion by Rep. Richardson, second by Sen. Davis, unanimous).

The Personnel Committee also considered and tabled, for further policy discussion, a request for re-employment after retirement by a legislative employee. The matter was tabled so that the Personnel Committee would have the opportunity to discuss and consider a policy to handle requests for re-employment after retirement was made. The Personnel Committee will report their recommendations to the Council.

No Council action required at this time.

• State House Facilities Committee (Sen. Gagnon, Chair)

The State House Facilities Committee did not meet.

OLD BUSINESS

None.

NEW BUSINESS

Item #1: Request that Maine's Public Affairs Network Provide Live & Taped Coverage of the Maine Legislature, Public Hearings, News Conferences and Public Policy Forums

President Daggett referred Council members to the letter from the Honorable Michael V. Saxl, former Speaker of the House and Senator Richard A. Bennett, former President of the Senate, requesting authorization for Maine Public Affairs Network to broadcast live and taped coverage of the Maine Legislature, public hearings, news conferences and public policy forums.

Motion: That the Legislative Council refer the request by Maine Public Affairs Network for televised broadcasting of legislative proceedings and related issues to the State House Facilities Committee for review, and following that review that the committee make a recommendation to the Legislative Council on an appropriate course of action. (Motion by Speaker Colwell, second by Rep. Richardson, unanimous).

Item #2: 121st/Second Regular Session Cloture Schedule and Related Dates

Margaret Matheson, Revisor of Statutes, referred the Council members to her memo of July 23, 2003 in their packet. The memo requested that pursuant to the Joint Rules, the Legislative Council establish a cloture date and related schedule for the filing of bill requests for the 2nd Regular Session. The members reviewed the proposed schedule and generally agreed that the schedule was workable, with the exception of December 19th as a bill signing day. Members felt the date was too close to the Christmas holidays to assure availability of members. December 12th was suggested as a better date.

Motion: That the Legislative Council adopt the cloture schedule for filing of legislative requests as recommended by the Revisor of Statutes with a change in the Bill Signing Day to December 12, 2003 and directed that Legislators, state agencies and the Governor's office be notified of the bill filing deadlines. (Motion by Rep. Duplessie, second by Rep. Bruno, unanimous).

A copy of the 121st Cloture Schedule is attached.

COLLECTIVE BARGAINING (Executive Session)

Motion: That, in accordance with 1 MRSA section 405, subsection 6, the Legislative Council enter into an executive session with its counsel and negotiators for the purposes of discussing labor contracts and proposals involving MSEA and its represented legislative employees. (Motion by Speaker Colwell, second by Rep. Duplessie, unanimous).

The Legislative Council went into Executive Session at 2:50 p.m.

MEETING RECONVENED

The Council ended its Executive Session and reconvened in open session at 3:03 p.m. on the motion of Sen. Davis, second by Rep. Colwell, unanimous.

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Legislative Council meeting was adjourned at 3:04 p.m. (Motion by Rep. Bruno, second by Rep. Colwell, unanimous).

Fiscal Briefing for the Legislative Council

August 27, 2003 Meeting

*Prepared by the
Office of Fiscal & Program Review*

1. General Fund and Highway Fund Revenue Variances for July 2003 (See attached summary)

- **General Fund**

Total General Fund revenue was over budget by \$11.3M in July

Major Positives:

- Individual Income – Over budget by \$11.9M
- Estate Tax – Over by \$0.7M
- Sales Tax – Over by \$0.6M

Major Negatives:

- Corporate Income - Under by \$2.4M
- Insurance Tax - Under budget by \$0.5M

- **Highway Fund**

Total Highway Fund revenue was over budget by \$0.8M in July. The Highway Fund's positive revenue variances continue to be led by Motor Vehicle Registration and Fees

2. General Fund Year-end Transfers (See attached)

Attached is a side-by-side of the General Fund year-end transfers comparing the new transfer priorities and amounts established during the 121st Legislature's 1st Regular Session to the law prior to these changes

3. Cash Pool Status

- July 2003 Cash Pool Summary (see attached)
 - General Fund balance was +62.3M in July
 - Absent the \$275 million TAN balance and amounts in Reserves, General Fund cash would have been negative by \$212.7M in July
 - Other items of note:
 - Budget Stabilization Fund (formerly the Maine Rainy Day Fund) retains interest earnings on its balances beginning in FY04
 - Other Major Reserves includes Federal Relief Funds Reserve (\$26.7M)
- General Fund Cash Balances History (see attached)
 - Trend line continues to show some modest improvement from its low point in July 2002

General Fund and Highway Fund Revenue

Fiscal Year Ending June 30, 2004

Based on All Actions of the 121st Legislature, 1st Regular Session and May 2003 Revenue Revisions

JULY 2003 - VARIANCE REPORT

| FUND | Revenue Line | Budget July '03 | Actual July '03 | July '03 Var. | FY04 YTD Budget | FY04 YTD Actual | FY04 YTD Variance | FY04 Budgeted Totals |
|------|---------------------------------------|--------------------|-----------------------|----------------------|--------------------|-----------------------|----------------------|----------------------|
| GF | Sales and Use Tax | 85,899,957 | 86,508,519.32 | 608,562.32 | 85,899,957 | 86,508,519.32 | 608,562.32 | 899,259,382 |
| GF | Individual Income Tax | 71,127,568 | 83,052,539.92 | 11,924,971.92 | 71,127,568 | 83,052,539.92 | 11,924,971.92 | 1,132,802,013 |
| GF | Corporate Income Tax | 4,211,506 | 1,844,585.80 | (2,366,920.20) | 4,211,506 | 1,844,585.80 | (2,366,920.20) | 95,277,841 |
| GF | Cigarette and Tobacco Tax | 8,310,875 | 8,549,404.45 | 238,529.45 | 8,310,875 | 8,549,404.45 | 238,529.45 | 104,958,014 |
| GF | Public Utilities Tax | (150,000) | (293,687.83) | (143,687.83) | (150,000) | (293,687.83) | (143,687.83) | 29,500,000 |
| GF | Insurance Companies Tax | 2,315,308 | 1,824,335.58 | (490,972.42) | 2,315,308 | 1,824,335.58 | (490,972.42) | 69,409,975 |
| GF | Estate Tax | 1,966,615 | 2,618,823.10 | 652,208.10 | 1,966,615 | 2,618,823.10 | 652,208.10 | 29,213,470 |
| GF | Property Tax - Unorganized Territory | 0 | 0.00 | 0.00 | 0 | 0.00 | 0.00 | 10,202,624 |
| GF | Income from Investments | 0 | 0.00 | 0.00 | 0 | 0.00 | 0.00 | 1,652,000 |
| GF | Transfer to Municipal Revenue Sharing | (8,223,191) | (8,741,687.91) | (518,496.91) | (8,223,191) | (8,741,687.91) | (518,496.91) | (108,494,302) |
| GF | Transfer from Liquor Commission | 2,583,155 | 2,962,247.41 | 379,092.41 | 2,583,155 | 2,962,247.41 | 379,092.41 | 26,356,396 |
| GF | Transfer from Lottery Commission | 3,500,154 | 3,533,842.99 | 33,688.99 | 3,500,154 | 3,533,842.99 | 33,688.99 | 42,321,885 |
| GF | Other Revenue | 9,819,616 | 10,765,418.20 | 945,802.20 | 9,819,616 | 10,765,418.20 | 945,802.20 | 271,023,402 |
| GF | Totals | 181,361,563 | 192,624,341.03 | 11,262,778.03 | 181,361,563 | 192,624,341.03 | 11,262,778.03 | 2,603,482,700 |
| HF | Fuel Taxes | 16,738,583 | 17,083,324.18 | 344,741.18 | 16,738,583 | 17,083,324.18 | 344,741.18 | 211,786,463 |
| HF | Motor Vehicle Registration and Fees | 6,056,315 | 6,838,538.96 | 782,223.96 | 6,056,315 | 6,838,538.96 | 782,223.96 | 76,805,062 |
| HF | Inspection Fees | 367,203 | 467,980.77 | 100,777.77 | 367,203 | 467,980.77 | 100,777.77 | 3,461,771 |
| HF | Fines | 266,652 | 174,069.59 | (92,582.41) | 266,652 | 174,069.59 | (92,582.41) | 3,118,323 |
| HF | Income from Investments | 0 | 0.00 | 0.00 | 0 | 0.00 | 0.00 | 1,128,000 |
| HF | Other Revenue | 582,459 | 257,099.62 | (325,359.38) | 582,459 | 257,099.62 | (325,359.38) | 9,091,970 |
| HF | Totals | 24,011,212 | 24,821,013.12 | 809,801.12 | 24,011,212 | 24,821,013.12 | 809,801.12 | 305,391,589 |

**Distribution of Unappropriated Surplus at Year's End
 Comparison of Old Law vs. Changes enacted in PL 2003, c. 451**

Distributions based on Preliminary Actual Data for FY 2002-03

| Old Law Prior to 121st Legislature | | 121st Legislature's Changes | | |
|----------------------------------------------------------------------------------------------------|---------------------|--------------------------------------------------------------------------------------|---------------------|-----------------------------------|
| Unappropriated Surplus | | Unappropriated Surplus | | |
| Prior Period and Other Accounting Adjustments | \$7,342,326 | Prior Period and Other Accounting Adjustments | \$7,342,326 | |
| Total Lapsed Balances | \$53,132,046 | Total Lapsed Balances | \$53,132,046 | |
| Less Budgeted Lapsed Balances | (\$49,798,556) | Less Budgeted Lapsed Balances | (\$49,798,556) | |
| Excess/Surplus Revenue | \$22,384,636 | Excess/Surplus Revenue | \$22,384,636 | |
| Total Unappropriated Surplus Available | \$33,060,452 | Total Unappropriated Surplus Available | \$33,060,452 | |
| Distributions in Order of Priority | | Distributions in Order of Priority | | Differences Old vs New |
| 1) Maine Rainy Day Fund ¹ (calculated based on 50% of excess revenue - 5 MRSA §1513) | \$11,192,318 | 1) Budget Stabilization Fund (32% of Unappropriated Surplus) | \$10,579,345 | (\$612,973) |
| 2) State Contingent Account (up to \$350,000 to replenish account - 5 MRSA §1507) | \$287,962 | 2) Retirement Allowance Fund (32% of Unappropriated Surplus) | \$10,579,345 | \$4,983,186 |
| 3) Reserve for General Fund Operating Capital (up to \$1,000,000 - 5 MRSA §1511) | \$1,000,000 | 3) Reserve for General Fund Operating Capital (16% of Unappropriated Surplus) | \$5,289,672 | \$4,289,672 |
| 4) Loan Insurance Reserve Fund (up to \$1,000,000 - 5 MRSA §1511) | \$1,000,000 | 4) State Contingent Account (up to \$350,000 to replenish account - 5 MRSA §1507) | \$287,962 | \$0 |
| 5) Retirement Allowance Fund (calculated based on 25% of excess revenue - 5 MRSA §1517) | \$5,596,159 | 5) Loan Insurance Reserve Fund (up to \$1,000,000 - 5 MRSA §1511) | \$1,000,000 | \$0 |
| Unappropriated Surplus after Year-End Transfers | \$13,984,013 | Unappropriated Surplus after Year-End Transfers | \$5,324,128 | (\$8,659,885) |

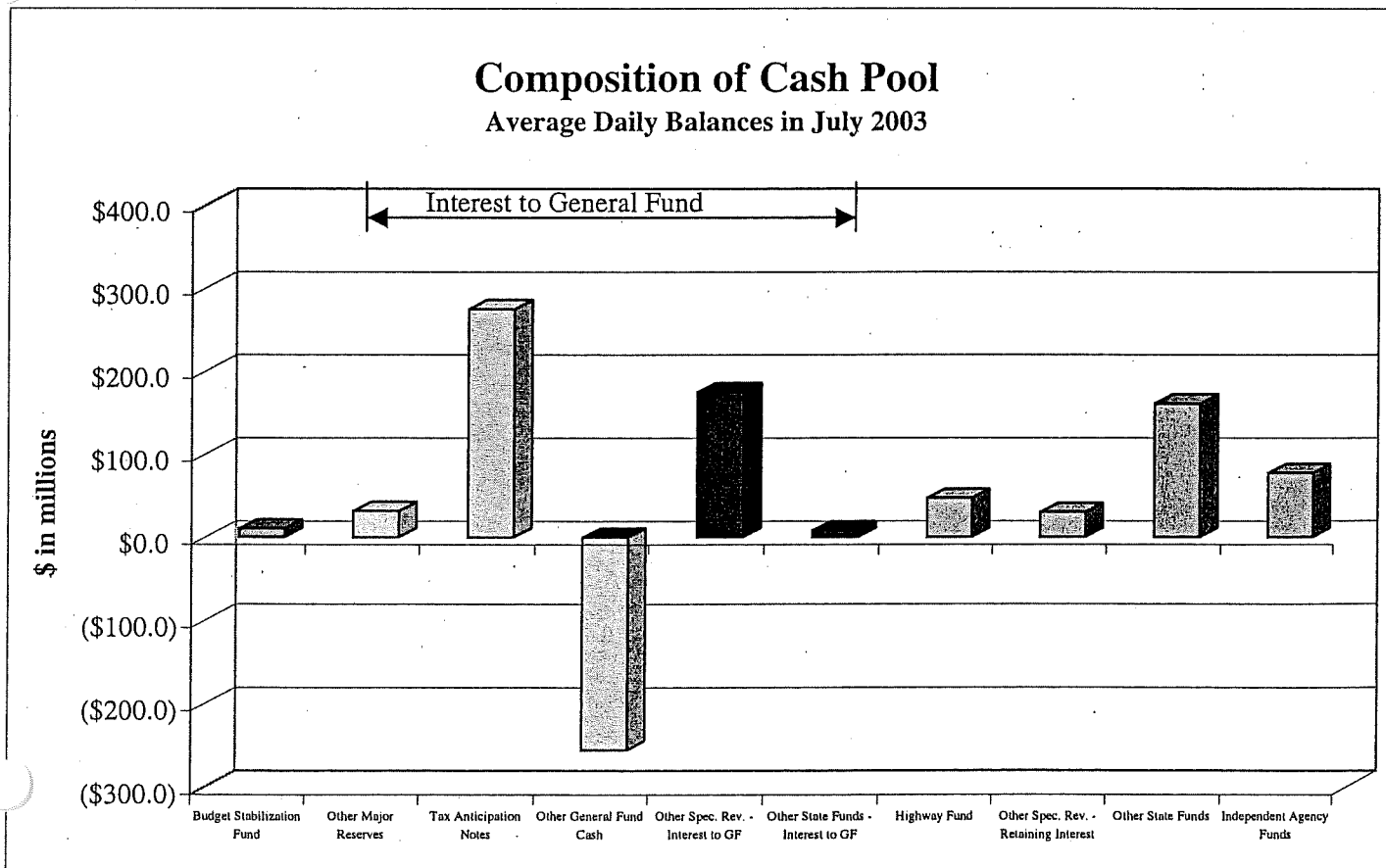
¹If the Maine Rainy Day Fund is at statutory cap then the amounts would be transferred to Retiree Health Insurance Internal Service Fund

Shaded amounts reflect Year-end Transfers that only would have occurred if actual revenue collections exceed final budgeted revenue, "excess" revenue

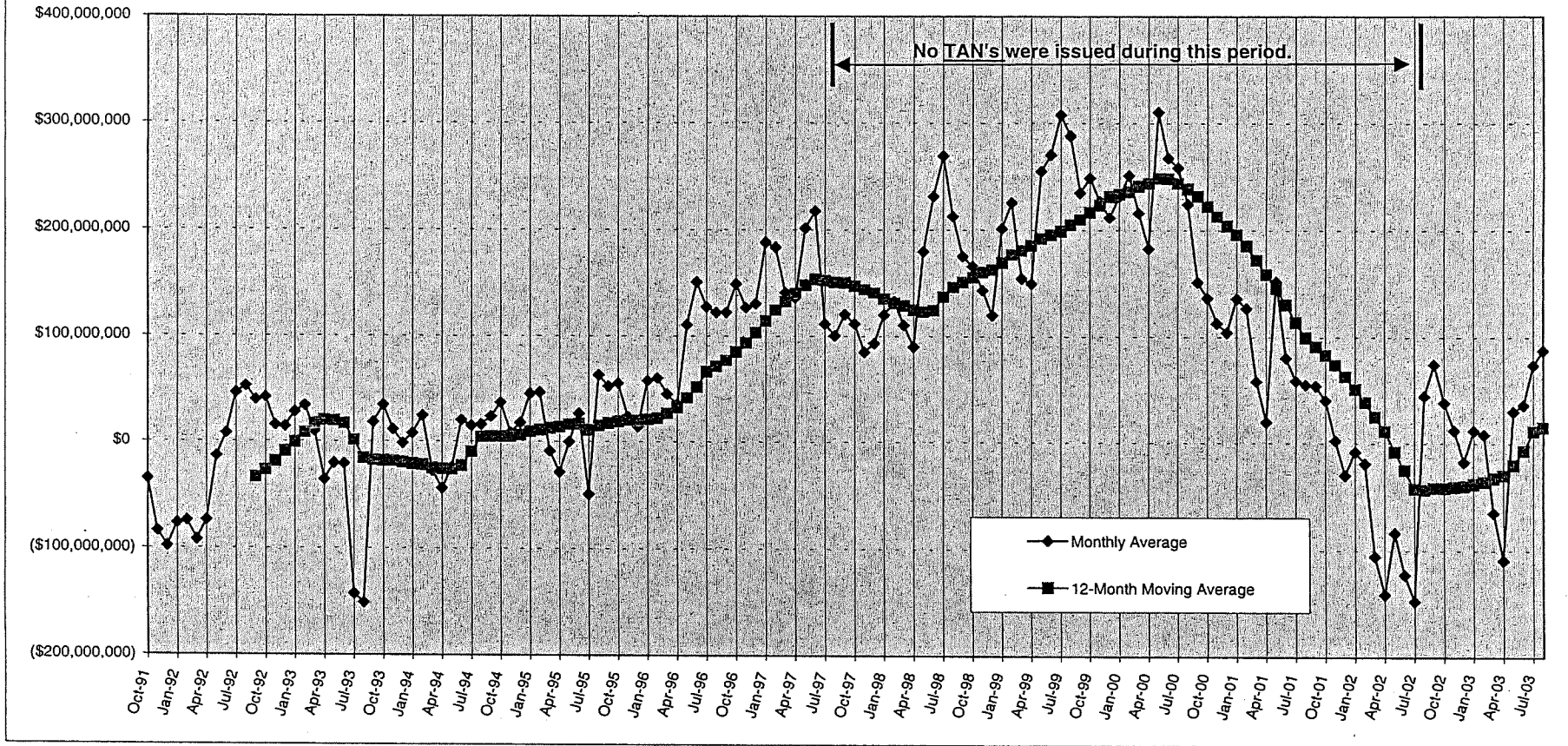
Composition of State's Cash Pool July 2003 Average Daily Balances

| | July 2003 |
|-----------------------------------------------------------|----------------------|
| General Fund - Total | \$62,303,515 |
| General Fund - Detail | |
| Budget Stabilization Fund (Rainy Day Fund) | \$10,579,345 |
| Other Major Reserves * | \$31,977,145 |
| Tax Anticipation Notes | \$275,000,000 |
| General Fund - Other | (\$255,252,975) |
| Highway Fund | \$47,212,332 |
| Other Special Revenue - Contributing to General Fund | \$175,213,579 |
| Other Special Revenue - Retaining Interest Earned | \$30,356,777 |
| Other State Funds - Contributing Interest to General Fund | \$8,470,743 |
| Other State Funds | \$161,251,186 |
| Independent Agency Funds | \$77,492,299 |
| Total Cash Pool | \$562,300,431 |

* Includes Reserve for General Fund Operating Capital and Federal Relief Funds Reserve



GENERAL FUND DAILY STARTING CASH BALANCES



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

| Fiscal Year | Amount Authorized | Amount Issued | Reference |
|------------------------|------------------------------|---------------|----------------------------------------------------------|
| 2003-04 ⁽¹⁾ | \$284,492,042 ⁽¹⁾ | \$275,000,000 | 5 MRSA, §150 (as amended by PL 2001, c. 705) |
| 2002-03 ⁽¹⁾ | \$282,869,203 ⁽¹⁾ | \$250,000,000 | 5 MRSA, §150 (as amended by PL 2001, c. 705) |
| 2001-02 | \$100,000,000 | \$0 | 5 MRSA, §150 (as amended by PL 2001, c. 467) |
| 1997-98 | \$100,000,000 | \$0 | PL 1997, c. 24, §F-1 (Repealed by PL 1997, c. 643, §E-5) |
| 1996-97 | \$190,000,000 | \$150,000,000 | PL 1995, c. 665 §P-1 |
| 1995-96 | \$182,000,000 | \$182,000,000 | PL 1995, c. 368, §V-1 |
| 1994-95 | \$175,000,000 | \$175,000,000 | PL 1993, c. 707, §P-2 |
| 1993-94 | \$170,000,000 | \$170,000,000 | PL 1993, c. 382, §1 |
| 1992-93 | \$170,000,000 | \$170,000,000 | PL 1991, c. 780, §BB-1 |
| 1991-92 | \$150,000,000 | \$150,000,000 | PL 1991, c. 589, §1 |
| 1990-91 | \$125,000,000 | \$115,000,000 | PL 1991, c. 5, §1 |

Notes: ⁽¹⁾ 5 MRSA, §150 provides the statutory authorization for Tax Anticipation Notes. As amended by PL 2001, c. 705, the limit is the same as that imposed by the Constitution of Maine, Article IX, Sec. 14, 10% of total General Fund appropriations and Highway Fund allocations or 1% of the State Valuation, whichever is less. The amounts authorized for fiscal years 2002-03 and 2003-04 reflect General Fund appropriations and Highway Fund allocations through the 121st Legislature, 1st Regular Session. Special exceptions to the general authorization levels are detailed in this table.

121st MAINE STATE LEGISLATURE
Legislative Council
Technology Report

August 27, 2003

Migration – Bill Drafting System

- **HP has installed the revised bill drafting system software**
 - **Correct remaining problem log items**
 - **Improved performance**
- **Testing completed on August 7th**
 - **Requires additional performance improvement**
 - **New problem log items**
- **HP to clear all problem log items and install the editing software upgrade no later than Sept. 24th.**
- **HP is working on making additional performance improvements (Schedule is waiting for sub-contractor input)**

VIRUS Protection

- **The Legislature is experiencing very high volumes of incoming infected e-mails**
- **Three levels of protection are in place**
 - **Firewall**
 - **Mail Server**
 - **Desktop**

**Actions Taken by Ballot by
the Legislative Council Since
the July 30, 2003 Council Meeting**

1. Request for Introduction of Legislation

A. JOINT RESOLUTION MEMORIALIZING CONGRESS TO CONTINUE THE
FULL EFFECTIVENESS OF THE HEAD START PROGRAM

Submitted by: Rep. Deborah Simpson
Accepted: August 19, 2003, 6 - 4 - 0 - 0

B. An Act to Provide an Effective Date for the County Districts as Apportioned by
Public Law 2003, Chapter 43, and as Codified by Public Law 2003, Chapter 291

Submitted by: Sen. Kenneth Gagnon
Accepted: August 20, 2003, 6 - 0 - 4 - 0

DAVID E. BOULTER
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

Memo

To: Members of the 121st Legislative Council
From: *Dave*
Dave Boulter, Executive Director
Date: August 27, 2003
Re: Human Resources Director for the Legislature

As you may recall, on February 19, 2003, the Legislative Council unanimously authorized the creation of a human resources position for the Legislature. Funding for the position was to be within existing budgeted resources subject to a final decision by the Legislative Council. I have developed a funding plan that will allow the position to be funded within existing resources by reallocating funding for several positions within the accounts for Legislative Council (nonpartisan) offices. I have discussed the changes with each of the affected offices and with the Personnel Committee. Given the premise that the position be funded internally, I believe that the reallocation of resources to create the human resources position is prudent and workable.

As was noted when the Legislative Council discussed and approved the position earlier this year, a senior level human resources position to serve the Legislature's human resources needs would not only be beneficial to legislators and staff alike, but is essential to carry out the legislature's personnel functions, including its obligations to administer collective bargaining contracts, investigate grievances and other labor relations requirements. The human resource needs of the Legislative Branch, that includes over 215 full-time and session employees and nearly 200 legislators, have only been partially met for many years. The position warrants a senior level individual, having extensive work experience managing human resources matters in an organization, and whose knowledge of human resources management is not only deep but also current, particularly in light of the myriad of laws, rules and judicial decisions in recent years that relate to human resources and personnel issues. A key function of the position would be to provide support and advice—to be a knowledgeable resource—to legislative offices and Leaders on personnel and other human resources matters.

The suggested funding arrangement for the position is attached. In summary, funding it in the current legislative budget requires the elimination of 1 position (in the law library, now

Memo To Legislative Council
Re: Funding of human resources position
August 27, 2003
Page 2

vacant), and converting 3 positions (2 in the Revisor's Office and 1 in OPLA) to session only or part-time positions. These changes will meet the Legislative Council's request that the costs of the position be absorbed within existing budgeted resources of the Legislature. Therefore, I recommend that the Legislative Council proceed with the position and authorize the Executive Director's Office to make necessary position and funding adjustments to fully fund the human resources position within the Legislature's budget.

Rose and I would be happy to answer any questions and provide any additional information that you might find helpful. Thank you for your consideration.

Attachment

G:\COUNCIL\120th\Personnel Committee\hr director position\hr director funding approval memo 08-26-03.doc (August 26, 2003 11:49 AM)

HUMAN RESOURCES DIRECTOR
ANNUALIZED COST

PERSONAL SERVICES

| Description | FY 04 | FY 05 |
|------------------------------------------------------------|-------------------|-------------------|
| HR Director R-12, Step 5 (typical) | | |
| 3110 Salary | 74,547.20 | 78,270.40 |
| 3908 Retiree Health | 7,074.53 | 9,048.06 |
| 3909 Retirement Administrative Costs | 402.55 | 414.83 |
| 3910 Normal Cost Component | 4,502.65 | 4,727.53 |
| 3960 Unfunded Liability | 5,479.22 | 5,972.03 |
| 3901 Health Insurance (US3G) | 11,683.00 | 13,552.00 |
| 3905 Dental Insurance | 256.00 | 297.00 |
| 3912 Medicare | 1,080.93 | 1,134.92 |
| 3911 Life Insurance | 273.00 | 287.56 |
| TOTAL PS | 105,299.09 | 113,704.34 |
| Potential Salary Savings to Fund: | | |
| Convert Engrossing Supv. Posi. To Session | 23,804.51 | 19,428.43 |
| Convert Leg. Tech. Position to Session | 19,685.74 | 16,068.15 |
| Elim. Library Asst. Position | 32,849.79 | 34,729.38 |
| Convert OPLA Leg. Analyst Posi. To Part-time (24 hrs./wk.) | 35,891.82 | 36,180.65 |
| Total Projected Savings | 112,231.86 | 106,406.61 |
| Balance (using salary savings) | 6,932.77 | (7,297.73) |



Education Commission
of the States

ECS OFFICERS, 2002-04

CHAIRMAN
Mark R. Warner
Governor, Virginia

VICE CHAIRMAN
JOHN ANDREASON
Senator, Idaho

TREASURER
ANDY TOMPKINS
Commissioner of Education,
Kansas

PRESIDENT
TED SANDERS

August 11, 2003

Office of the Executive Director of the Legislative Council
115 State House Station
Augusta, ME 04333-0115
Sent via fax: 207-287-1621

Re: The Commission to Study the Scope and Quality of Citizenship Education.
Resolve # 2003 c. 85

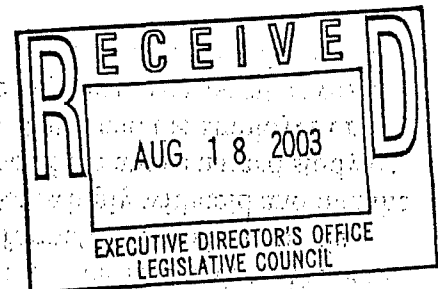
Dear Mr. Boulter:

This letter is to express the National Center for Learning and Citizenship at the Education Commission of the States financial support for the above Commission of \$2000. It is our understanding that this support will help Commission members by providing funds to staff the commission and other related office costs.

Representing the National Center for Learning and Citizenship, I, Terry Pickeral, he undersigned, hereby swear or affirm that the information contained in this letter is true and complete, that no information is knowingly withheld and that the purpose of the grant is not to influence the outcome of the above named study or any subsequent legislative action. I further certify that I, and the employer or organization I represent, if applicable, do not have any pecuniary or other vested interest in the outcome of the above named study. I understand that this grant is subject to acceptance by the Legislative Council.

Sincerely,

Terry Pickeral
Executive Director
National Center for Learning and Citizenship
700 Broadway, Suite 1200
Denver, CO 80203-3460
ECS Federal ID #: 31-0722194





Medical Care Development

11 Parkwood Drive • Augusta, Maine 04330
Phone: 207-622-7566 • TTY: 207-622-1209 • Fax: 207-622-3616 • www.mcd.org

August 13, 2003

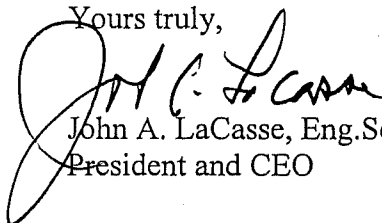
Office of the Executive Director
115 State House Station
Augusta, ME 04333-0115

ATTENTION: Diane Maheux

Dear Ms. Maheux:

Enclosed is a check for \$7,280 to support the expenses of the Obesity Commission. We would appreciate a reporting of how the funds are expended when the commission has completed its work.

Yours truly,



John A. LaCasse, Eng.Sc.D.,
President and CEO

JAL:er
Enclosure

