

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL
August 24, 2004
2:00 p.m.
Room 334, 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 13, 2004 COUNCIL MEETING	Decision
	REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	Information
6	• Executive Director's Report (Rose Breton)	
14	• Fiscal Report (Pennoyer)	
15	• Office of Information Services' Report (Mayotte)	
	• Update on Interim Studies (Elliott)	
	REPORTS FROM COUNCIL COMMITTEES	
	• Personnel Committee (Rep. Richardson, Chair)	
	No report	
	• State House Facilities Committee (Sen. Gagnon, Chair)	
	The State House Facilities Committee is scheduled to meet August 31, 2004 at 1:00 p.m.	

OLD BUSINESS

None

NEW BUSINESS

Item #5: Request from Study Commission to Hold Additional Meetings Decision

17

- Task Force to Study Parity and Portability of Retirement Benefits for State Law Enforcement Officers, Municipal and County Law Enforcement Officers and Firefighters (Memo from Sen. Beth Edmonds and Rep. Robert Duplessie, Chairs)

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 13, 2004

CALL TO ORDER

The Chair, Senate President Daggett, called the Legislative Council meeting to order at 2:17 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators: President Daggett, Sen. Treat, Sen. Gagnon
Absent: Sen. Davis and Sen. Woodcock

Representatives: Rep. Richardson, Rep. Bruno, Rep. Bowles
Absent: Speaker Colwell,
Rep. Duplessie joined the meeting in progress

Legislative Officers: Millicent MacFarland, Clerk of the House
David E. Boulter, Executive Director, Legislative Council
Grant Pennoyer, Director, Office of Fiscal and Program Review
Patrick Norton, Deputy Director, Office of Policy and Legal Analysis
Margaret Matheson, Revisor of Statutes
Paul Mayotte, Director, Legislative Information Services

SUMMARY OF THE JUNE 8, 2004 COUNCIL MEETING

Motion: That the Meeting Summary of June 8, 2004 be accepted and placed on file. (Motion by Sen. Treat, second by Rep. Bruno, unanimous).

REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS

- **Executive Director's Report**

David Boulter, Executive Director, reported on the following items:

1. The Legislature continues its work with contractors. Granger Northern, Inc., the construction manager for the State House projects, was purchased by Consigli Construction, Inc. from Massachusetts and Consigli will assume Granger's contract obligations.
2. Mr. Boulter is exploring alternatives to the late spring date for the YMCA's annual Youth in Government Program that would be less disruptive to the legislative session. Under consideration is a Fall date and January/February date.
3. Bids for the Living Memorial Garden in Capitol Park are due on Friday, July 23, 2004. The bid opening will be on Monday, July 26, 2004.
4. Mr. Boulter announced the appointment of **Debra Olken** as the Legislature's Human Resources Director in the Office of the Executive Director. Ms. Olken's first day of employment will be September 7, 2004. Ms. Olken was in attendance and Mr. Boulter introduced Ms. Olken to the members of the Legislative Council.

The Chair, President Daggett, on behalf of the entire Legislative Council, welcomed Ms. Olken to the Legislature.

Discussion: Rep. Bowles inquired as to when the north parking lot would re-open for legislator use. Mr. Boulter said the work on the West Wing should conclude sometime in October, 2004.

Rep. Bowles asked if Consigli Construction, Inc. had been a bidder for the 2004 renovation work. Mr. Boulter said that Consigli had not bid on any projects but had expressed a general interest in working at the State House as the general contractor not a subcontractor.

- **Fiscal Report**

Grant Pennoyer, Director, Office of Fiscal and Program Review, presented his report to the Council.

General and Highway Fund Revenue Variances for June, 2004

Mr. Pennoyer noted that his report for June is preliminary and there are closing transactions that will affect revenue.

The General Fund revenue for the month of June was running \$20 million above projections after adjusting for the \$75 million liquor wholesale privatization contract. For Fiscal Year 2004, the General Fund will have a positive variance of approximately \$60 million. Sales tax revenue was close to budget for the month of June and over budget for FY 04 by \$11 million; Individual income tax was over budget by \$1 million in June and over budget by

\$26 million for FY 04; Corporate income tax was over budget by \$3 million in June and over budget by approximately \$8 million for FY 04; Cigarette tax recovered in June and will be approximately \$1.5 million under budget for FY 04; Estate tax is over budget by \$2 million in June. Investment income may be over budget by \$1 million for FY 04 and Liquor and Lottery Revenue (excluding the liquor contract) may be very close to budget on a combined basis. Other Revenue may be over budget by more than \$15 million for FY 04.

The Highway Fund revenue is \$7 million over budget for FY 04. Based on PL 2003, c. 690, Part I, this surplus will be transferred to the Highway and Bridge Improvement, Highway Fund account in the Department of Transportation.

Mr. Pennoyer said, given the year end surplus of approximately \$60 million and with \$5 million in lapsed balances, the total surplus is about \$65 million. After the required distribution of the Budget Stabilization Fund, Retirement Allowance Fund, Reserve for General Fund Operating Capital, State Contingent Account, Loan Insurance Reserve Fund and the Fiscal Year 2003-2004 "Cascade" – PL 2003, c. 513, Part P, there is a net increase to unappropriated surplus of approximately \$7 million. The above items will be adjusted to FY 2005 appropriations. The Budget Stabilization Fund will have a balance in excess of \$31 million and the Reserve for Working Capital will increase to over \$15 million. The General Fund cash balance, (excluding the Reserves and Tax Anticipated notes) was negative by \$132 million in May, but by June it had decreased to \$88 million. The Tax Anticipation Notes that were issued July 1, 2004 for FY 05 were \$190 million, \$85 million less than what was issued in FY 04.

Rep. Bowles inquired as to how the revenues compared to the prior year. Mr. Pennoyer said it represents a modest growth of 4 to 5 percent. (**Note:** the growth was actually over 12%, not 4-5%, when checked by Mr. Pennoyer following the meeting).

- **Office of Information Services' Report**

Paul Mayotte, Director, Legislative Information Services, presented his report to the Council on the status of the HP contract to develop a bill drafting system. At this time HP has tentatively agreed to correct 3 unresolved issues: Add Pre-engrosser date printing; correct uniform code bill formatting; and correct joint order/resolution items.

Following the Council's instructions in May, Mr. Mayotte developed an assessment of the Legislature's strength of position for the Legislature regarding those items. Mr. Mayotte scheduled a meeting with HP; however, HP postponed a July 12, 2004 meeting. It is being rescheduled to a later date.

Discussion: Sen. Gagnon asked if Mr. Mayotte had sent a letter to HP since the June Council meeting outlining the Legislature's position. Mr. Mayotte said he has been in communication with the project manager to follow up on the Council's discussion at the June, 2004 meeting, but he had not sent a letter. Mr. Boulter noted that a letter had been sent to HP prior to the June Council meeting outlining the Legislature's position.

Discussion followed as to what the Legislature's response should be at this time. Mr. Mayotte stated that if the new system is not in place and working within the next three weeks, it will be another legislative session before the system would be available for use.

Some members suggested that if HP was not willing to meet immediately, the Legislature should move directly to litigation to enforce the terms of the contract. Mr. Mayotte and Mr. Boulter will relay the Legislative Council's view to the Legislative Council's legal counsel in this matter.

- **Update on Interim Studies**

Patrick Norton, Deputy Director, Office of Policy and Legal Analysis, gave an update on the interim studies. There are six studies continuing from the last interim; 3 have had one meeting and 3 others are in the process of planning their interim meeting schedule. Four new studies have been authorized for this interim. Member appointments to those studies have not yet been completed so no committees have met. Once appointments have been completed, the study committees will meet.

REPORTS FROM COUNCIL COMMITTEES

- **Personnel Committee** (Rep. Richardson, Chair)

The Personnel Committee did not meet.

- **State House Facilities Committee** (Sen. Gagnon, Chair)

The State House Facilities Committee did not meet.

OLD BUSINESS

None

NEW BUSINESS

Item #1: Background Information on the Office of Program Evaluation and Governmental Accountability (OPEGA)

Executive Director Boulter had received several inquiries about the law that establishes the Office of Program Evaluation and Government Accountability (OPEGA). The law has been amended several times since it was first passed and the latest amendments become effective on July 30, 2004.

Mr. Boulter indicated that most of the administrative work and policy decisions under OPEGA are vested in the legislative committee established to oversee program evaluation and governmental accountability matters, including hiring of staff, development of budgets and annual work plans and evaluating the director in his or her work performance. Much of the substantive work conducting program evaluations and audits and issuing reports is the work of the OPEGA staff.

The Legislative Council is charged with appointing the director of the office and establishing the director's compensation. Under the law, the director must be nonpartisan and is appointed for an initial 5-year term upon an affirmative vote of 8 members of the Legislative Council.

Also under the law, the Commissioner of Administrative and Financial Services must provide office space to house the OPEGA offices within the Cross Building at no charge.

Motion: That the Executive Director prepare a job description and outline of a recruitment process and a schedule for recruiting and selecting a director of OPEGA and to bring the information back to the Council for its review and ratification. (Motion by Sen. Gagnon, second by Rep. Bruno, unanimous).

Item #2: Commission to Arrange for World War II and Korean War Memorial Plaques in the Hall of Flags

Sen. Gagnon said it was his understanding that the \$20,000 appropriated by the Legislature for the World War II and Korean War plaques that should have been directed to the Office of the Executive Director, was directed to the Department of Defense, Veterans' and Emergency Management Services. It was Sen. Gagnon's understanding that a financial order to redirect the funds was under consideration. Rose Breton, Legislative Finance Director, said that the Bureau of Veterans' Services had researched having a financial order to transfer the \$20,000 to the Legislature, but because it was a direct appropriation that action is impermissible. It is her understanding that the Bureau of Veterans' Services will issue a contract for the \$20,000 specifying that the funds be used to pay for one of the plaques. Donated funds will be used to pay for the second plaque.

Motion: That the recommendations of the Commission to Arrange for World War II and Korean War Memorial Plaques in the Hall of Flags as contained in its final report be referred to the State House Facilities Committee. (Motion by Sen. Gagnon, second by Sen. Treat, unanimous).

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 Sen. Treat, second by Rep. Bruno, unanimous).

The Council proceeded into Executive Session at 2:59 p.m.

MEETING CONVENED

The Council ended its Executive Session and reconvened in open session at 3:36 p.m. on the motion of Sen. Gagnon, second by Rep. Bowles, unanimous.

ANNOUNCEMENTS AND REMARKS

None

ADJOURNMENT

The Legislative Council meeting was adjourned at 3:37 p.m. (Motion by Rep. Duplessie, second by Rep. Bowles, unanimous).

Fiscal Briefing for the Legislative Council

August 24, 2004 Meeting

Prepared by the Office of Fiscal & Program Review

1. General Fund & Highway Fund Revenue Summaries for July 2004

• General Fund

- July 2004 General Fund revenue performance continued to be positive with some exceptions (that appear to be timing issues). Overall General Fund revenue was under budget by \$3.5M for the 1st month of FY05.
- Overview of major revenue lines:
 - Sales Tax – \$2.8M over budget despite the weather and indicators of a lackluster tourist season;
 - Individual Income Tax – \$7.5M under budget in July as a result of a timing issue, which is expected to be back on budget after August;
 - Corporate Inc. Tax – Over by \$3.8M in July;
 - Cigarette Tax – Over budget by \$0.4M after being under by approximately \$1.5M in FY04;
 - Insurance Company Tax – Under budget by \$0.6M;
 - Estate Tax – Under by \$1.9M, monthly variances are expected; and
 - Lottery Revenue – Under budget in July by \$0.3M.

• Highway Fund

- Highway Fund revenue also continues to perform well and was \$0.9M ahead of budget in July.

2. General Fund Status and Distribution of FY04 Unappropriated Surplus

- \$70.3M increase in General Fund unappropriated surplus from excess revenue, lapsed balances and other accounting adjustments.
- After statutory distributions and FY04 “Cascade”, there is an \$8.4M increase in 2004-2005 biennium ending balance, which now is budgeted to be \$10.7M.

3. Highway Distribution of FY04 Unallocated Surplus

- Highway Fund excess revenue, lapsed balances and other accounting adjustments resulted in an increase in the Highway Fund unallocated surplus of \$13.7M, all of which was transferred to DOT’s Highway and Bridge Improvement program.
- The projected ending balance in the Highway Fund for the 2004-2005 biennium remains at \$1.4M.

4. Cash Pool Status

- June 2004 Cash Pool Summary (see attached)
- General Fund and Highway Fund cash trends through July 2004 (see attached)

General Fund and Highway Fund Revenue

Fiscal Year Ending June 30, 2005

Based on All Actions of the 121st Legislature through 2nd Special Session and March 2004 Revenue Forecast

JULY 2004 VARIANCE REPORT

FUND	Revenue Line	Budget July '04	Actual July '04	July '04 Var.	FY05 YTD Budget	FY05 YTD Actual	FY05 YTD Variance	FY05 Budgeted Totals
GF	Sales and Use Tax	89,034,278	91,816,108.05	2,781,830.05	89,034,278	91,816,108.05	2,781,830.05	896,092,063
GF	Service Provider Tax	0	0.00	0.00	0	0.00	0.00	46,700,000
GF	Individual Income Tax	86,525,976	79,007,869.54	(7,518,106.46)	86,525,976	79,007,869.54	(7,518,106.46)	1,166,441,294
GF	Corporate Income Tax	1,853,147	5,652,128.01	3,798,981.01	1,853,147	5,652,128.01	3,798,981.01	104,391,604
GF	Cigarette and Tobacco Tax	8,056,647	8,431,327.15	374,680.15	8,056,647	8,431,327.15	374,680.15	96,919,864
GF	Public Utilities Tax	(150,000)	(150,000.00)	0.00	(150,000)	(150,000.00)	0.00	28,050,000
GF	Insurance Companies Tax	1,680,772	1,043,066.93	(637,705.07)	1,680,772	1,043,066.93	(637,705.07)	65,848,416
GF	Estate Tax	2,760,085	895,568.17	(1,864,516.83)	2,760,085	895,568.17	(1,864,516.83)	31,941,909
GF	Property Tax - Unorganized Territory	0	0.00	0.00	0	0.00	0.00	10,580,086
GF	Income from Investments	0	0.00	0.00	0	0.00	0.00	1,020,345
GF	Transfer to Municipal Revenue Sharing	(9,048,087)	(9,000,281.39)	47,805.61	(9,048,087)	(9,000,281.39)	47,805.61	(112,894,875)
GF	Transfer from Lottery Commission	3,561,517	3,299,583.75	(261,933.25)	3,561,517	3,299,583.75	(261,933.25)	52,074,827
GF	Other Revenue	63,305,113	63,112,816.44	(192,296.56)	63,305,113	63,112,816.44	(192,296.56)	264,442,965
GF	Totals	247,579,448	244,108,186.65	(3,471,261.35)	247,579,448	244,108,186.65	(3,471,261.35)	2,651,608,498
HF	Fuel Taxes	17,553,454	18,150,810.02	597,356.02	17,553,454	18,150,810.02	597,356.02	218,638,488
HF	Motor Vehicle Registration and Fees	6,358,485	6,612,845.87	254,360.87	6,358,485	6,612,845.87	254,360.87	78,693,539
HF	Inspection Fees	315,242	272,571.90	(42,670.10)	315,242	272,571.90	(42,670.10)	3,470,359
HF	Fines	162,903	167,189.70	4,286.70	162,903	167,189.70	4,286.70	2,165,359
HF	Income from Investments	0	0.00	0.00	0	0.00	0.00	1,026,195
HF	Other Revenue	478,644	533,581.31	54,937.31	478,644	533,581.31	54,937.31	13,443,932
HF	Totals	24,868,728	25,736,998.80	868,270.80	24,868,728	25,736,998.80	868,270.80	317,437,872

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Updated: 08/06/04

PRELIMINARY DRAFT - STILL PENDING RECONCILIATION WITH ACCOUNTS AND CONTROL

GENERAL FUND STATUS

Based on all actions of the 121st Legislature through 2nd Special Session and FY04 Closing Transactions

	<u>FY 04</u>	<u>FY 05</u>
AVAILABLE FUNDS		
Transfers/Adjustments to Balance:		
Legislation Enacted During 121st Legislature, 1st Regular Session	(\$59,115,742)	\$10,915,243
Legislation Enacted During 121st Legislature, 2nd Regular Session	\$59,172,406	\$121,118
Legislation Enacted During 121st Legislature, 2nd Special Session	\$0	\$39,094,359
Lapsed Balances - Unbudgeted	\$11,269,153	
Statutory Year-end Transfers ¹	(\$61,868,065)	
Prior Period and Other Accounting Adjustments	(\$4,061,995)	
Subtotal - Transfers/Adjustments to Balance	(\$54,604,243)	\$50,130,720
Undedicated Revenue:		
December 2002 Base Revenue Estimate	\$2,442,713,204	\$2,541,213,351
March 2003 Revenue Revision	(\$24,330,049)	(\$23,933,097)
May 2003 Revenue Revision	\$3,500,000	\$0
December 2003 Revenue Revision	\$6,663,092	\$248,871
January 2004 Revenue Revision	\$2,066,000	\$0
March 2004 Revenue Revision	\$6,411,381	(\$1,604,795)
Legislation Enacted During 121st Legislature, 1st Regular Session	\$181,599,545	\$121,983,857
Legislation Enacted During 121st Legislature, 1st Special Session	\$382,758	\$0
Initiated Bills Approved by the Voters November 2003 ²	\$161,116	(\$337,327)
Legislation Enacted During 121st Legislature, 2nd Regular Session	\$1,470,280	\$3,500
Legislation Enacted During 121st Legislature, 2nd Special Session	(\$161,116)	\$14,034,138
Revenue Variance - Actual minus Budgeted	\$63,063,346	
Subtotal - Undedicated Revenue	\$2,683,539,557	\$2,651,608,498
TOTAL PROJECTED RESOURCES	\$2,628,935,314	\$2,701,739,218
APPROPRIATIONS		
Current Services Appropriations - Prior to Adjustments	\$2,904,908,056	\$3,037,223,745
Other Appropriations Enacted During 121st Legislature, 1st Regular Session	(\$349,384,189)	(\$375,379,773)
Appropriations Enacted During 121st Legislature, 1st Special Session	\$382,758	\$0
Appropriations Enacted During 121st Legislature, 2nd Regular Session ³	\$86,342,860	(\$10,776,407)
Appropriations Enacted During 121st Legislature, 2nd Special Session	\$750,000	\$54,888,851
TOTAL APPROPRIATIONS	\$2,642,999,485	\$2,705,956,416
NET CHANGE (PROJECTED RESOURCES LESS APPROPRIATIONS)	(\$14,064,171)	(\$4,217,198)
BEGINNING BALANCE ⁴	\$28,936,649	\$14,872,478
NET CHANGE (FROM ABOVE)	(\$14,064,171)	(\$4,217,198)
ENDING BALANCE	\$14,872,478	\$10,655,280

Notes:

¹ Closing Transfers reflects those transfers authorized by Maine Revised Statutes Title 5, chapter 141 and transfers authorized by PL 2003, c. 513, Part P (the "Cascade").

² Reflects the revenue changes associated with LD 1371, IB 2003, c. 1, effective January 4, 2004. The requested additional appropriations associated with that initiated bill of \$360,439 in FY04 and \$346,182 in FY05 are not reflected because the initiated bill was not amended to reflect those additional General Fund costs.

³ Includes LD 274, PL 2003, c. 510 enacted during the 1st Regular Session, but not signed by the Governor, returned to the 2nd Regular Session of the Legislature.

⁴ Reflects the actual beginning balance, including all adjustments through the close of the fiscal year ending June 30, 2003.

Distribution of General Fund Unappropriated Surplus at Year's End

Detail for Fiscal Year 2003-04

Changes to Unappropriated Surplus over Budgeted Balance	
Prior Period and Other Accounting Adjustments	(\$4,061,995)
Total Lapsed Balances ¹	\$13,948,935
Less Budgeted Lapsed Balances ¹	(\$2,679,782)
Excess/Surplus Revenue	<u>\$63,063,346</u>
Total Increase (Decrease) of Unappropriated Surplus	<u><u>\$70,270,504</u></u>
 Distributions in Order of Priority	
1) Budget Stabilization Fund (32% of Unappropriated Surplus)	\$22,486,561
2) Retirement Allowance Fund (32% of Unappropriated Surplus)	\$22,486,561
3) Reserve for General Fund Operating Capital (16% of Unappropriated Surplus)	\$11,243,281
4) State Contingent Account (up to \$350,000 to replenish account - 5 MRSA §1507)	\$306,000
5) Loan Insurance Reserve Fund (up to \$1,000,000 - 5 MRSA §1511)	\$1,000,000
6) Fiscal Year 2003-04 "Cascade" - PL 2003, c. 513, Part P ²	\$4,345,662
a) Finance Authority of Maine - Student Financial Assistance	\$564,287
b) Higher Education	
- University of Maine System	\$850,000
- Maine Community College System	\$350,000
- University of Maine System - Economic Improvement Fund	\$2,000,000
c) Library and Public Broadcasting	
- Maine State Library	\$57,538
- Maine Public Broadcasting Corporation	\$123,837
d) Conservation - Shore and Harbor Management Fund	\$400,000
Net Increase (Decrease) to Unappropriated Surplus after Year-end Transfers	<u><u>\$8,402,439</u></u>

Notes:

¹ Total of lapsed balances is from data provided by the Bureau of Accounts and Control. Budgeted lapsed balances are those items already included in Transfers and Adjustments to Balance in the Budgetary Status maintained by the Office of Fiscal and Program Review and are typically statutory language requiring certain amounts to lapse from General Fund carrying accounts.

² Total transfers authorized in Part P total "up to \$4,495,662", but detail only totals to \$4,345,662. These transfers are considered adjustments to appropriations (increasing total appropriations) in FY05.

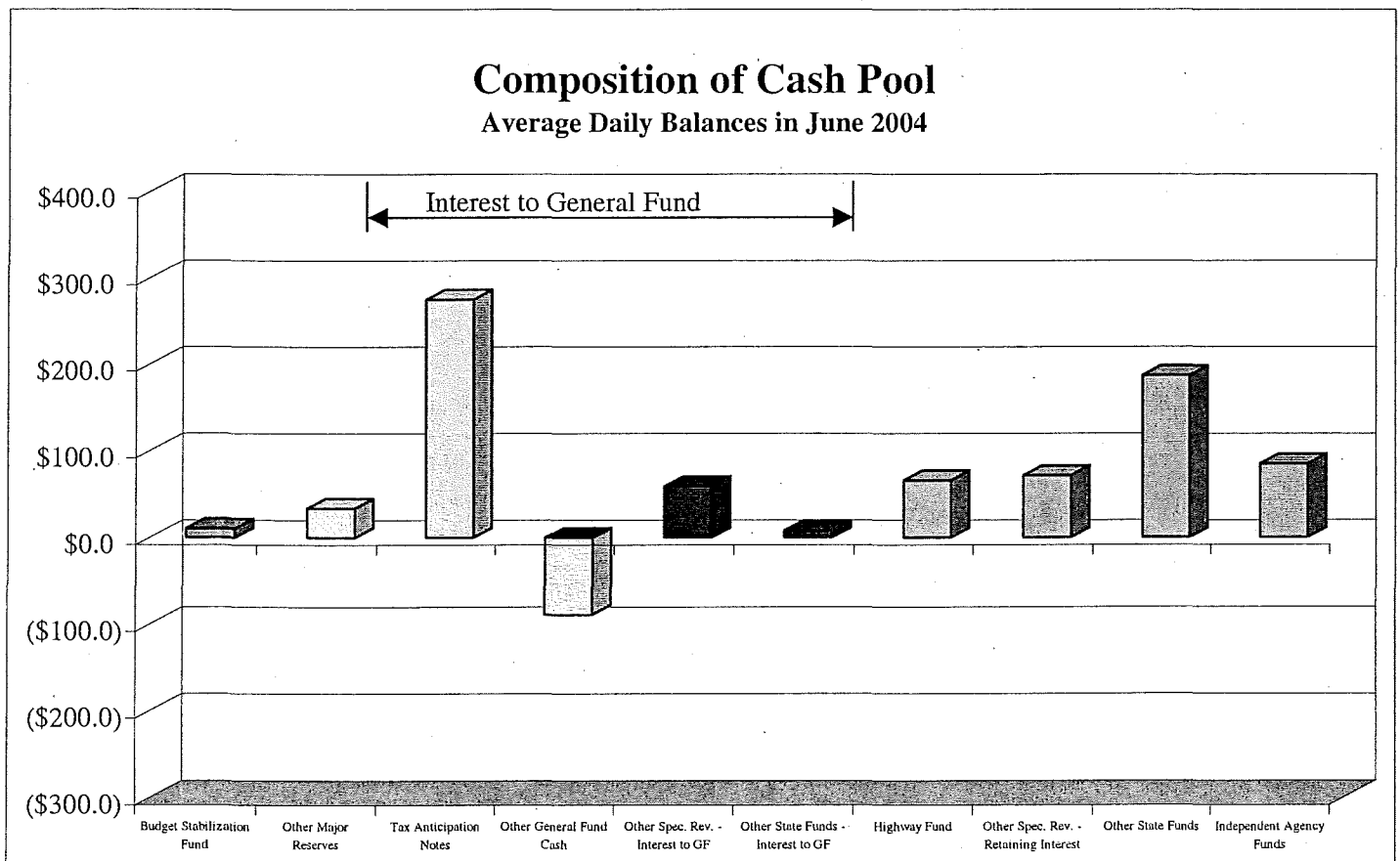
Updated: July 13, 2004

Composition of State's Cash Pool

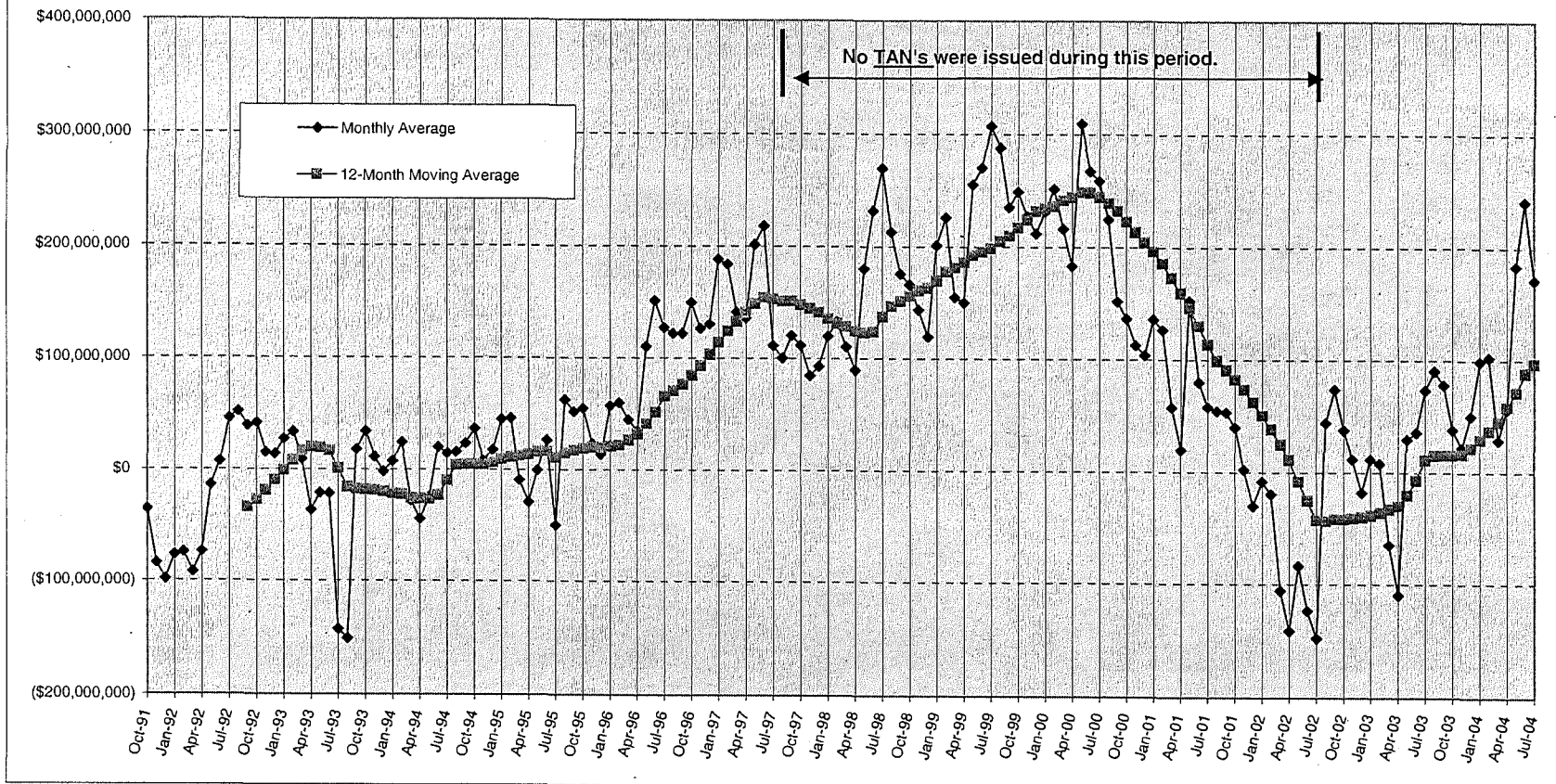
June 2004 Average Daily Balances

	June 2004
General Fund - Total	\$230,686,854
General Fund - Detail	
Budget Stabilization Fund (Rainy Day Fund)	\$10,651,479
Other Major Reserves *	\$33,842,639
Tax Anticipation Notes	\$275,000,000
General Fund - Other	(\$88,807,264)
Highway Fund	\$66,309,306
Other Special Revenue - Contributing to General Fund	\$59,002,784
Other Special Revenue - Retaining Interest Earned	\$71,747,012
Other State Funds - Contributing Interest to General Fund	\$8,043,640
Other State Funds	\$187,221,250
Independent Agency Funds	\$85,375,856
Total Cash Pool	\$708,386,702

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



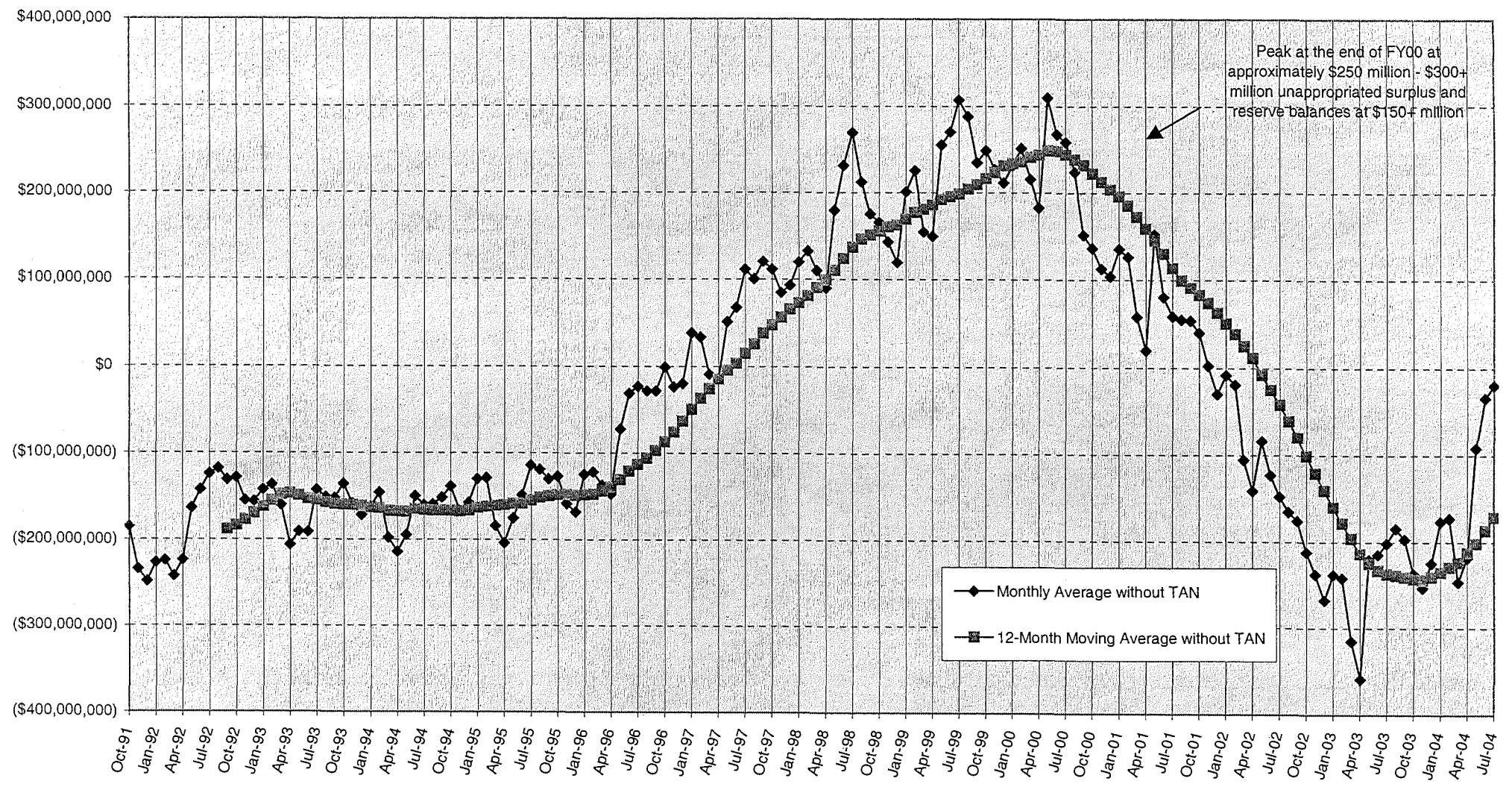
GENERAL FUND DAILY STARTING CASH BALANCES

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

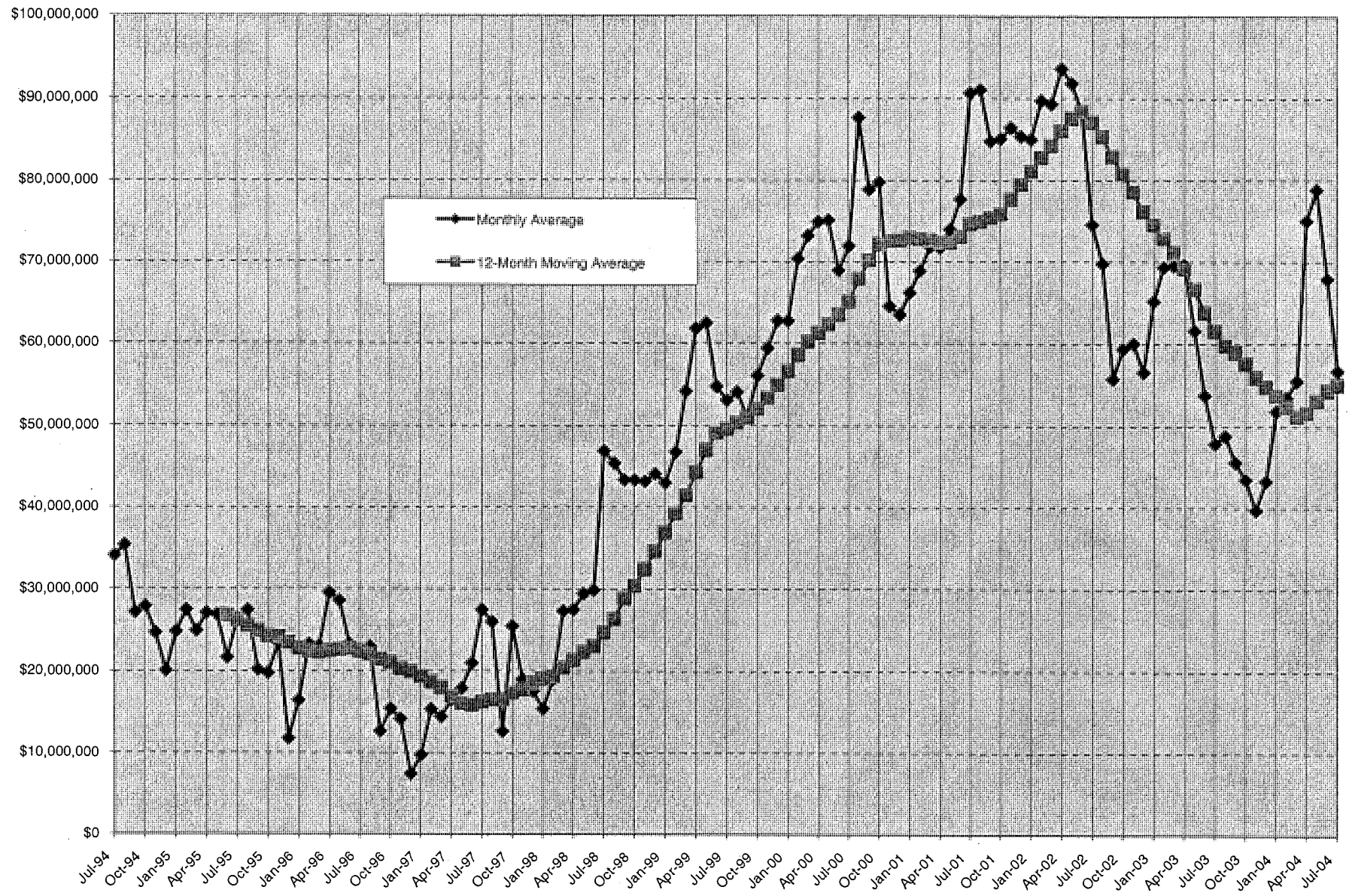
Fiscal Year	Amount Authorized	Amount Issued	Reference
2004-05 ⁽¹⁾	\$301,688,831 ⁽¹⁾	\$190,000,000	5 MRSA, §150 (as amended by PL 2001, c. 705)
2003-04 ⁽¹⁾	\$284,492,042 ⁽¹⁾	\$275,000,000	5 MRSA, §150 (as amended by PL 2001, c. 705)
2002-03 ⁽¹⁾	\$282,869,203 ⁽¹⁾	\$250,000,000	5 MRSA, §150 (as amended 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. Amounts for fiscal year 2004-05 reflect budgeted amounts at the end of the 121st Legislature, 2nd Special Session. Special exceptions to the general authorization levels are detailed in this table.

GENERAL FUND
DAILY STARTING CASH BALANCES - EXCLUDING TAX ANTICIPATION NOTES



HIGHWAY FUND DAILY STARTING CASH BALANCES



**121st MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL
Preliminary Technology Report
August 19, 2004**

- This is a preliminary report and will be updated at the August 24th Council Meeting
- HP has returned to the table and discussions are ongoing
- A memorandum of agreement (MOA) has been drafted between the Legislature and HP. At this time, we are awaiting HP's review and signoff on the wording in the MOA
- Points covered in the MOA include:
 - HP will install at their cost a new upgraded server to address the performance issue
 - The Legislature will conduct a performance test to Legislative performance requirements
 - If the upgraded solution meets the Legislature's performance requirements, the parties will negotiate the resolution of the remaining functional issues
 - The negotiation period will have a time limit
- The Legislature is prepared to begin performance testing once HP signs the MOA and confirms the new server is ready for testing

Progress Report on Legislative Studies
(Studies authorized or undertaken following the 121st Legislature)

Status as of 8/24/2004 9:02:01AM

<u>Study Name</u>	<u>First Meeting Date</u>	<u>Date, Time & Location of Next Meeting</u>	<u>Report Dates/ Reports To</u>	<u>Comments/Status of Study</u>
Recodification of Title 7 SP0586 -			January 15, 2005: ACF Committee	2-year study begun in 2003; OPLA/ROS developing draft for ACF Committee review
Commission to Study Public Health LD0471 - Resolve 2003, Chapter 95	12/5/03	9/24/04 9:00 am	November 3, 2004: 1st Regular Session, 122nd Legislature	Continuation of 2003 study; subcommittees formed to develop recommendations; full committee met 8/2/04; will hold public hearing to take comments on preliminary recommendations
Health Care System and Health Security Board LD0855 - Public Law 2001, Chapter 439, Part ZZZ	10/12/01		January 1, 2004: Health and Human Services Committee	Multi-year study begun 2001; tentatively scheduled to meet mid September for update on Dirigo
Commission to Study Compliance with Maine's Freedom of Access Laws LD1079 - Resolve 2003, Chapter 83	11/19/03	9/28/04 9:30 am Rm 438, SH	November 3, 2004: Joint Standing Committee on Judiciary	Study extended from 2003 by PL 2003, c. 709; commission is forming subcommittees to address new charge
Task Force to Study Parity and Portability of Retirement Benefits for State Law Enforcement Officers, Municipal and County Law Enforcement Officers and Firefighters LD1343 - Resolve 2003, Chapter 76	11/10/03	9/29/04 9:00 am Labor Committee, Room # 220, COB	November 3, 2004: 1st Reg. Session of 122nd Legislature	Continuation of 2003 study; met 8/11/04; requesting additional meetings
Commission to Improve the Sentencing, Supervision, Management and Incarceration of Prisoners LD1614 - Public Law 2003, Chapter 451	9/4/03		2/5/2004: Criminal Justice and Public Safety Committee 1/1/2005: Criminal Justice and Public Safety Committee	Study extended from 2003 by PL 2003, c. 707

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<u>Study Name</u>	<u>First Meeting Date</u>	<u>Date, Time & Location of Next Meeting</u>	<u>Report Dates/ Reports To</u>	<u>Comments/Status of Study</u>
Citizen Trade Policy Commission LD1815 - Public Law 2003, Chapter 699			Annual: Governor, Legislature AG and municipalities Annually: Congressional delegation, Maine International Trade Center : Maine International Trade Center : Maine Municipal Association : United States Trade Representative's Office : NCSL and NAAG	10 of 22 appointments made
Maine Drug Return Implementation Group LD1826 - Public Law 2003, Chapter 679			January 31, 2005: Health and Human Services Committee	6 of 11 appointments made
Health and Human Services Committee Review of the Establishment of the Department of Health and Human Services LD1913 - Public Law 2003, Chapter 689	7/27/04	9/15/04 10:00 am Health and Human Services Committee, Room 202, COB	None Required	1st meeting held 7/27/ 04; 2nd meeting scheduled 9/15/04
Intergovernmental Advisory Group LD1930 - Public Law 2003, Chapter 696			Annually in January: State and Local Government Committee	2 of 15 appointments made

Selection criteria:
Session ID = 121
Study Type = Legislative



Task Force to Study Parity and Portability of Retirement Benefits for State Law Enforcement Officers, Municipal and County Law Enforcement Officers and Firefighters

August 18, 2004

To: Hon. Beverly C. Daggett, Chair
Hon. Patrick Colwell, Vice Chair
Legislative Council
121st Maine Legislature

From: Senator Beth Edmonds, Senate Chair
Representative Robert Duplessie, House Chair
Task Force to Study Parity and Portability of Retirement Benefits for State Law Enforcement Officers, Municipal and County Law Enforcement Officers and Firefighters

Re: Additional meeting request

We are writing to request permission to hold 2 more meetings of the Task Force, which is a study that was continued from the 2003 interim. Initially, the Task Force had authority to hold 4 meetings. We held 3 meetings last interim and our 4th meeting on August 11, 2004.

At our 4th meeting, we began to define some possible recommendations and need at least one more meeting to collect the necessary information to determine whether we want to include those possible recommendations in our report.

Currently, our deadline for reporting is December 1, 2004, having been extended in January of this year. However, the deadline extension did not appear to authorize additional meetings.

We have sufficient funds in our budget to cover the costs of 2 additional meetings: as of August 11, we had \$2,498 remaining from a budget of \$3,500. We may, however, need permission to move some funds from the "All Other" category to "Personnel."

We would be happy to answer any questions you may have about this request. Please let us (or our analyst, Deb Friedman in OPLA) know of your decision. We have tentatively scheduled a meeting for September 29th. Thank you for your consideration.