

MAINE STATE LEGISLATURE

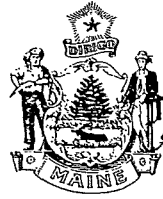
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REP. JOHN RICHARDSON
CHAIR

SEN. BETH EDMONDS
VICE-CHAIR



122ND MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. MICHAEL F. BRENNAN
SEN. PAUL T. DAVIS, SR.
SEN. KENNETH T. GAGNON
SEN. CAROL WESTON
REP. GLENN A. CUMMINGS
REP. DAVID E. BOWLES
REP. ROBERT W. DUPLESSIE
REP. JOSHUA A. TARDY

DAVID E. BOULTER
EXECUTIVE DIRECTOR

**LEGISLATIVE COUNCIL
OCTOBER 27, 2005
10:00 a.m.
REVISED AGENDA**

<u>Page</u>	<u>Item</u>	<u>Action</u>
	CALL TO ORDER	
	ROLL CALL	
1	SUMMARY OF THE SEPTEMBER 22, 2005 COUNCIL MEETING	Acceptance
	REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	
7	• Executive Director's Report (David Boulter)	
8	• Fiscal Report (Grant Pennoyer)	
22	• Update of Interim Studies (Patrick Norton)	
	• Office of Information Services' Report (Paul Mayotte)	
	REPORTS FROM COUNCIL COMMITTEES	
	• Personnel Committee (Rep. Cummings, Chair)	
	Report of the October 27, 2005 Personnel Committee Meeting	
	• State House Facilities Committee (Sen. Gagnon, Chair)	
	Report of the October 17, 2005 meeting of the State House Facilities Committee and Working Group on Capitol Security	
24	Recommended Policy of Use of the Hall of Flags	Approval

OLD BUSINESS

- 29 **Item #1: Health Policy Forum for Legislators** Approval

Proposal by the Maine Development Foundation, jointly with Margaret Chase Smith Policy Center, Muskie School of Public Service, and the Maine Health Access Foundation.

NEW BUSINESS

Item #1: Submission of Study Work Plans and Budgets

- 35 • Blue Ribbon Commission on the Future of MaineCare Decision
- 38 • Commission to Study the Cost of Providing Certain Services in the Unorganized Territories Decision
- 41 • Commission to Study Alternative Voting Procedures, the Citizens Initiative Process and Minor Party Ballot Access Decision
- 43 • Task Force to Study Maine's Homeland Security Needs Decision

Item #2: Request for Additional Meetings

- 48 • Study Commission Regarding Liveable Wages request two additional meetings Decision

- 49 **Item #3: Fee Schedule for Document Service for the Second Regular Session of the 122nd Legislature** Decision

- 51 **Item #4: Suggested Procedures for Deciding Legislative Bill Requests** Decision

- Item #5: Requests to Introduce Legislation for Consideration in the Second Regular Session** Decision

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

REP. JOHN RICHARDSON
CHAIR

SEN. BETH EDMONDS
VICE-CHAIR



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EXECUTIVE DIRECTOR

**MEETING SUMMARY
SEPTEMBER 22, 2005**

CALL TO ORDER

The Chair, Speaker Richardson, called the Legislative Council meeting to order at 1:24 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators:	Sen. Brennan, Sen. Davis, Sen. Gagnon Absent: President Edmonds, Sen. Weston
Representatives:	Speaker Richardson, Rep. Cummings, Rep. Bowles, Rep. Duplessie, Rep. Tardy
Legislative Officers:	Joy O'Brien, Secretary of the Senate Michael Cote, Assistant Clerk of the House David Boulter, Executive Director, Legislative Council Patrick Norton, Deputy Director, Office of Policy and Legal Analysis Paul Mayotte, Director, Legislative Information Services

SUMMARY OF THE AUGUST 25, 2005 COUNCIL MEETING

Motion: That the Meeting Summary of August 25, 2005 be accepted and placed on file. (Motion by Rep. Bowles, second by Rep. Duplessie, unanimous).

REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS

• Executive Director's Report

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

1. The MELD bill drafting system is now in production, and will be used for Second Regular Session bill requests. The WANG system will remain online as backup. Mr. Boulter noted the special efforts by Mr. Mayotte and Ms. Matheson to prepare their offices and to place the system into production.
2. The legislative employee picnic and recognition ceremony, held on September 15th, was a success. Twenty-six staff members received a recognition award for 20/25 years of state service.
3. Granite benches have been installed at the west (main) entrance to the State House, providing seating areas outside the building, giving a finished appearance to the entrance.

Mr. Boulter mentioned that most of the construction work will be concluded by the end of October. The northwestern walkway is scheduled to be open by mid October. The painting in the House Chamber will be completed by October 5th. Repointing of the north wing of the State House, including the 3rd floor porch, is scheduled for 2006. All roof work will be completed this year.

The Speaker said that on the 2nd floor, north side, there is mildew or deterioration and asked what was being done. Mr. Boulter said small repairs are being done annually as needed but that every 2nd or 3rd years there will be more comprehensive repairs on each floor of the State House. It was asked if the building repointing schedule can be changed to immediately address water problems on the north side of the building. Mr. Boulter said that to change the contract would require a contract amendment and is usually expensive. That work is now scheduled for Spring and Summer 2006.

• Fiscal Report

Grant Pennoyer, Director, Fiscal and Program Review Office, was unable to attend the Legislative Council meeting, therefore an oral report was not given. His written report was included in the Council packet.

• Update of Interim Studies

Patrick Norton, Deputy Director, Office of Policy and Legal Analysis, referred members to the Studies Progress Report for the 23 legislative studies. He said that as of September 22, 2005, over 80% of the appointments to the study committees have been made and 8 studies committees are scheduled to have their first meeting within the next two weeks.

Mr. Norton said three interim studies require private funding in order to proceed:

1. Task Force to Study Cervical Cancer Prevention, Detection and Education's funding is on today's Council's Agenda for action;

2. Commission to Arrange for a Monument Honoring Women Veterans of Maine will be received shortly; and
3. Committee to Establish a Memorial for Emergency Medical Services Personnel and to Set Aside Space for That Memorial is not required to be received until mid November.

A copy of the Progress Report on Legislative Studies is attached.

• **Office of Information Services' Report**

Paul Mayotte, Director Legislative Information Services, reported the following to the Council. His report stated:

Bill Drafting System:

The MELD bill drafting system passed final user acceptance testing on August 26th and the software was accepted by the Legislature as of September 1st. The MELD implementation plan jointly prepared by the Revisor's Office and Information Systems is being carried out and logging LRs using the MELD system is underway

SPAM

The Legislature's SPAM screening process is being updated and further filtered to address technical advances being made by the spammers.

Use of Legislative Systems Resources:

Mr. Mayotte has sent a notice to all legislative staff advising them that legislative systems resources are to be used for legislative business only. This notice was prompted by a server crash caused by a staff person downloading and saving an extremely large file of a personal nature that used the available storage space on the legislative server.

REPORTS FROM COUNCIL COMMITTEES

• **Personnel Committee**

Rep. Cummings, Chair of the Personnel Committee, reported that the Committee had met earlier in the month and again before today's Council meeting regarding the committee's search for a new OPLA director.

Rep. Cummings reported that the Committee reviewed applications for the position and selected 4 candidates to interview. After fully considering the qualities of each candidate, the Personnel Committee unanimously recommended that Patrick Norton be appointed as OPLA director.

Motion: That the Legislative Council accept the recommendation of the Personnel Committee that Patrick T. Norton of Freeport be appointed to the position of Director, Office of Policy and Legal Analysis for a 3-year term pursuant to 3 MRSA, section 162 (6), and that Mr. Norton be assigned to Step 7 in Salary Grade 14 of the Legislative salary schedule. The effective date of the appointment is Monday, September 26, 2005. (Motion by Sen. Brennan, second by Rep. Tardy, unanimous).

- **State House Facilities Committee**

Report of the September 15, 2005 meeting of the Working Group on Capitol Security

Senator Gagnon, Chair, State House Facilities Committee, reported that the Facilities Committee's Work Group on Capitol Security held its initial meeting on September 15, 2005. Among the Members are the Commissioner of Public Safety, Chief of the Augusta Police Department and Capitol Security Chief Sutter.

The working group's charge is to review Capitol Security as it relates to providing adequate security to the State House complex. The working group is focusing on:

- 1 - understanding what security and law enforcement resources are available and who provides them;
- 2 - communications and reporting chains of command among the various law enforcement, security and dispatch units;
- 3 - adequacy of security and incident prevention measures;
- 4 - adequacy of Capitol Security resources to perform the necessary security; and
- 5 - assessing appropriate coordination and allocation of duties among the various units.

The Working Group will be scheduling another meeting in the near future to further discuss security in the State House.

Recommended Policy on Use of the Hall of Flags

Sen. Gagnon reported that the State House Facilities Committee had met several times, reviewed several drafts of a new policy on the Use of the Hall of Flags, made numerous changes to address concerns raised by members, and voted to recommend that the Legislative Council adopt the policy. The revised and recommended policy was included in the Legislative Council packet.

Motion: That the Legislative Council approve the Policy on the Use of the Hall of Flags. (Motion by Sen. Gagnon, second by Rep. Tardy, motion failed, 4-3). (Speaker Richardson, Rep. Cummings and Sen. Davis opposed).

Rep. Cummings suggested that the item be tabled to the next meeting. Speaker Richardson supported tabling the policy since Clerk of the House MacFarland was not at the meeting, and he said she had issues with the proposal.

Motion: That the Legislative Council table action on the Policy on the Use of the Hall of Flags. (Motion by Rep. Cummings, second by Rep. Tardy, failed 4-3). (Sen. Brennan, Sen. Gagnon and Rep. Bowles opposed).

After further discussion, Sen. Gagnon moved that the item be referred back to the State House Facilities Committee for further review and recommendation.

Motion: That the proposed Policy on the Use of the Hall of Flags be referred back to the State House Facilities Committee. (Motion by Sen. Gagnon, second by Sen. Brennan, unanimous).

Multi Year Plan for Improvements to Capitol Park

The Chair noted that the proposed work plan for improvements to Capitol Park was in the Legislative Council packet. He asked if there were any questions regarding the Multi Year Plan for Improvements to Capitol Park. Hearing none, Senator Gagnon then made the following motion.

Motion: That the Legislative Council approved the Multi Year Plan for Improvements to Capitol Park. (Motion by Sen. Gagnon, second by Rep. Tardy, unanimous).

OLD BUSINESS

None

NEW BUSINESS**Item #1: Acceptance of Private Funds for the Task Force to Study Cervical Cancer Prevention, Detection and Education**

Executive Director Boulter said that pursuant to Resolve, c. 121, acceptance of private funds to support the task force is subject to Legislative Council approval. The American Cancer Society proposes to fund the study and has committed \$4,480.00 to cover all first year costs of the 2-year study. It plans to fund the second year as well and will so certify. The American Cancer Society has certified that it has no pecuniary or other vested interest in the outcome of the study, as required by the resolve.

Motion: That the Legislative Council accept the private funds for the Task Force to Study Cervical Cancer Prevention, Detection and Education offered by the American Cancer Society and authorize the Task Force to convene. (Motion by Sen. Gagnon, second by Rep. Tardy, unanimous).

Item #2: Health Policy Forum for Legislators

The Maine Development Foundation, jointly with the Margaret Chase Smith Policy Center, Muskie School of Public Service and the Maine Health Access Foundation, proposes to develop and conduct a 1-day health policy forum for legislators. The policy forum would be held in December 2005 or in early 2006. The Maine Development Foundation is proposing to work with the Maine Health Access Foundation to provide funding to cover all policy forum costs.

If the Council approves the Health Policy Forum, the Maine Development Foundation proposes that the Council appoint a small, bipartisan group of Legislators to help guide the policy forum agenda.

Motion: That the Legislative Council approve the Health Policy Forum for Legislators. (Motion by Sen. Gagnon, no second, motion failed).

Some members expressed concerns of scheduling such forums during the legislative session because they may make it more difficult for scheduling session and other legislative business.

Motion: That the Legislative Council approve the request by Maine Development Foundation, the Margaret Chase Smith Policy Center, Muskie School of Public Service and the Maine Health Access Foundation to hold a Health Policy Forum for Legislators. (Motion by Sen. Gagnon, second by Rep. Cummings, failed 4-3). (Speaker Richardson, Rep. Bowles, Rep. Davis opposed).

Sen. Brennan , having voted on the prevailing side, then moved to reconsider the action of the Council. Seconded by Rep. Tardy, passed 7-0, unanimous.

Sen. Gagnon then made a Motion to table the request by the Maine Development Foundation, Margaret Chase Smith Policy Center, Muskie School of Public Service and the Maine Health Access Foundation, for a Health Policy Forum for Legislators, seconded by Davis, unanimous.

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

That the Legislative Council meeting was adjourned at 2:03 p.m. (Motion by Sen. Davis, second by Rep. Bowles, unanimous).

DAVID E. BOULTER
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

**Legislative Council Meeting
October 27, 2005**

Executive Director's Report

1. This week, Human Resources Director Debby Olken organized two seminars on insurances and other employee benefits for legislative employees. She has also arranged for an on-site flu shot clinic to be held on December 15th for Legislators, legislative staff and their adult dependents. Both events are part of our Human Resources office's outreach efforts to legislators and staff on human resource matters.
2. On November 10, 2005, the Maine Veterans Services will be holding a ceremony to unveil the Korean War plaque that is to hang permanently in the Hall of Flags. The ceremony will begin at 10:00A.M. and legislators are invited to attend. Members of legislative leadership should be receiving an invitation by the end of October.
3. New directional signage is being installed in the State House to help direct visitors to and within the State House. The signage includes a bronze plaque at the east and north stairways to the State House directing visitors to the west (public) entrance.

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Fiscal Briefing for the Legislative Council

Legislative Council Meeting
October 27, 2005

*Prepared by the
Office of Fiscal & Program Review*

- 1. General Fund and Highway Fund Revenue
Variances for September 2005 (See
Attachment A)**
- 2. September Cash Pool and Cash Trends
(See Attachment B)**
- 3. Economic and Revenue Forecasts (See
Attachment C)**

**Note: Revenue Forecasting Committee (RFC) will
meet on Monday, November 21st at 9:30AM in Room
228 of the State House (AFA Committee Room) to
revise the revenue forecast for the December 1st
statutory report date.**

Attachment A

General Fund and Highway Fund Revenue Update

General Fund Revenue – September 2005 Variance Report (Page 3):

General Fund revenue was \$41.0 million over budget for the month of September. After the 1st Quarter of FY 06, the fiscal year-to-date (FYTD) positive variance increased to \$51.5 million (+10.1%). As noted below, \$27.8 million of this variance was related to a timing issue of Circuit Breaker and BETR payments. Ignoring the variances related to these tax programs, General Fund revenue was \$23.7 million (+4.7%) ahead of budget. Provided below is an overview of each of the major revenue lines:

- **Sales and Service Provider Taxes** - Sales and Service Provider Taxes performance continued to under perform. These lines combined were under budget by \$2.2 million in September. FYTD or 1st Quarter was under budget by \$5.3 million (-2.7%).
- **Individual Income Tax** – September estimated payments were very strong and offset the withholding receipts that have lagged slightly below budget. Excluding Circuit Breaker and BETR payments, Individual Income Tax revenue was \$5.2 million over budget in September and \$4.5 million (+2.1%) for the FYTD. The timing of payments in the Circuit Breaker and the BETR programs added to the positive variance in the Individual Income Tax line, \$25.2 million in September and \$29.3 million for the FYTD. Again, this is not an indicator of a surplus in these programs, only a timing issue.
- **Corporate Income Tax** – September estimated payments were also very strong for Corporate Income Tax, resulting in a positive variance of \$9.3 million for the month of September and \$12.2 million (+42.6%) for the 1st Quarter or FYTD. Like the individual income tax estimated payments, it is too early to tell whether this strong performance in estimated payments will be reversed in January and April.
- **Cigarette and Tobacco Tax** – This line was \$2.4 million over budget in September, increasing the positive variance for the 1st Quarter to \$4.8 million (+17.6%). September was the first month of implementation of the tax increase. It is too early to tell how much of this positive variance is related to the effect of pre-buying of tax stamps and early purchases in advance of the tax increase, which was effective September 19th.
- **Public Utilities Tax** – No revenue is budgeted in this line until May.
- **Insurance Company Tax** – This line was under budget in September, increasing the negative revenue variance for the 1st Quarter to \$1.0 million (-47.3%). It is too early to gauge performance of this line.
- **Estate Tax** – The strong performance of July and August continued in September, running ahead of budget by \$1.2 million in September and increasing positive revenue variance for the 1st Quarter to \$12.5 million (+672.2%).
- **Property Tax -Unorganized Territory** – No revenue budgeted in this line until October.
- **Income from Investments** – This line was running ahead of budget through the end of the 1st Quarter by \$0.1 million (+8.6%).
- **Revenue Sharing Transfers** – This revenue line is calculated based on 5.1% of Sales, Service Provider, Individual Income and Corporate Income Taxes. See discussions above.
- **Lottery Transfer** – Lottery revenue continued to run under budget in September and through the end of the 1st Quarter had a negative variance of \$1.7 million (-12.5%).

Powerball sales have been underperforming. Recent changes in the Powerball game format designed to increase jackpots and sales have not yet had the intended effect. Lottery officials feel that the forecast may need to be revised downward, despite the recent substantial jackpots and the changes to the Powerball game.

- **Other Revenue** – The “Other Revenue” line was over budget by \$2.0 million in September, reducing the FYTD negative variance in this line. The negative variance through the 1st Quarter was \$1.8 million (-4.2%). The major contributor to this negative variance has been the revenue associated with Medicaid related billings of the Department of Health and Human Services delayed by the implementation issues of the Medicaid Claims Management System. Overall, the Department of Human Services had a negative variance of \$7.4 million (-64.0%) through the end of the 1st Quarter. The Judicial Department also had some delays in processing, particularly in the department’s Violations Bureau. The negative variance of \$1.9 million (-21.2%) in Judicial fine revenue is expected to correct itself over the course of the fiscal year.

Highway Fund Revenue – September 2005 Variance Report (Page 3):

Highway Fund revenue was over budget in September by \$1.3 million, eliminating a previous negative FYTD variance. Through the 1st Quarter of FY 06, Highway Fund revenue is \$0.5 million (+0.8%) over budget. Provided below is an overview of each of the major revenue lines:

- **Fuel Taxes** – This line was over budget by \$0.4 million in September, which reduced the FYTD negative variance to \$1.2 million (-3.0%). The negative variance in this line appears to demonstrate the effect of higher fuel prices and lower discretionary consumption. The negative variance is higher for the Gas Tax portion (more discretionary consumption), but it has also affected the Special Fuel Tax portion (primarily diesel), which was now under budget for the FYTD as well.
- **Motor Vehicle Registration and Fees** – This revenue line was over budget in September by \$0.7 million, increasing the positive variance for the 1st Quarter to \$1.4 million (+7.1%). At this point, the Bureau of Motor Vehicles believes that this positive variance is largely a timing issue and that final revenue amounts for the fiscal year will be close to budget.
- **Inspection Fees** – This revenue line was slightly over budget in September, reducing the negative variance for the 1st Quarter to \$0.1 million (-8.3%).
- **Fines** – Highway Fund fine revenue was slightly under budget in September, but remained ahead of budget through the 1st Quarter.
- **Income from Investments** – This revenue line was over budget by \$0.1 million in September, eliminating the negative FYTD variance to move slightly positive through the end of the 1st Quarter.
- **Other Revenue** – This revenue line was over budget in September and for the FYTD, largely due to revenue from the sale of land, which was inadvertently credited to the Highway Fund, rather Other Special Revenue. When the correcting entries are made, this revenue line will be much closer to budget.

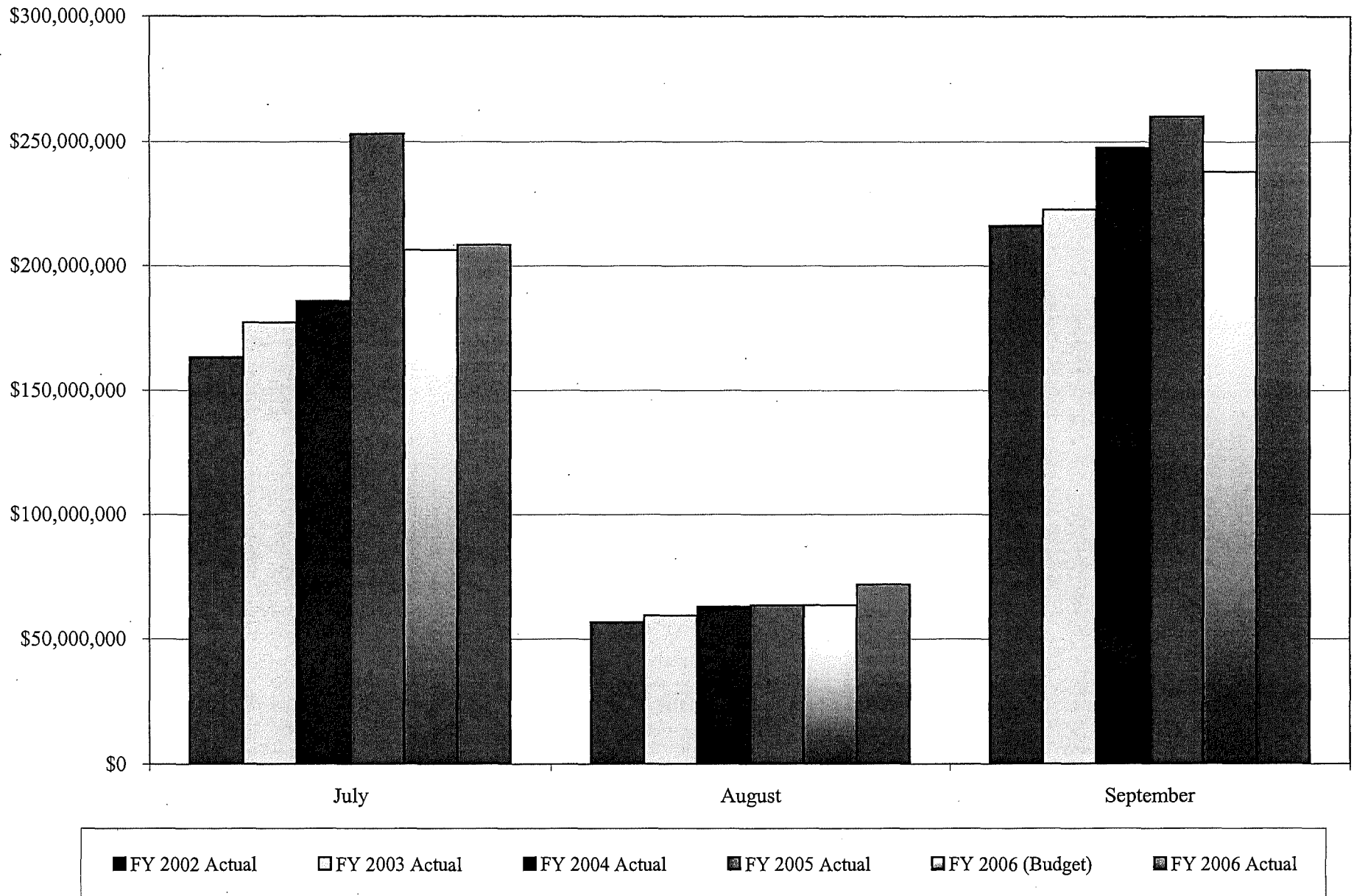
Historical Comparisons of Monthly General Fund and Highway Fund Revenue
(See Bar Graphs on Pages 4 and 5)

General Fund and Highway Fund Revenue
Fiscal Year Ending June 30, 2006
Based on All Actions of the 122nd Legislature through 2nd Special Session

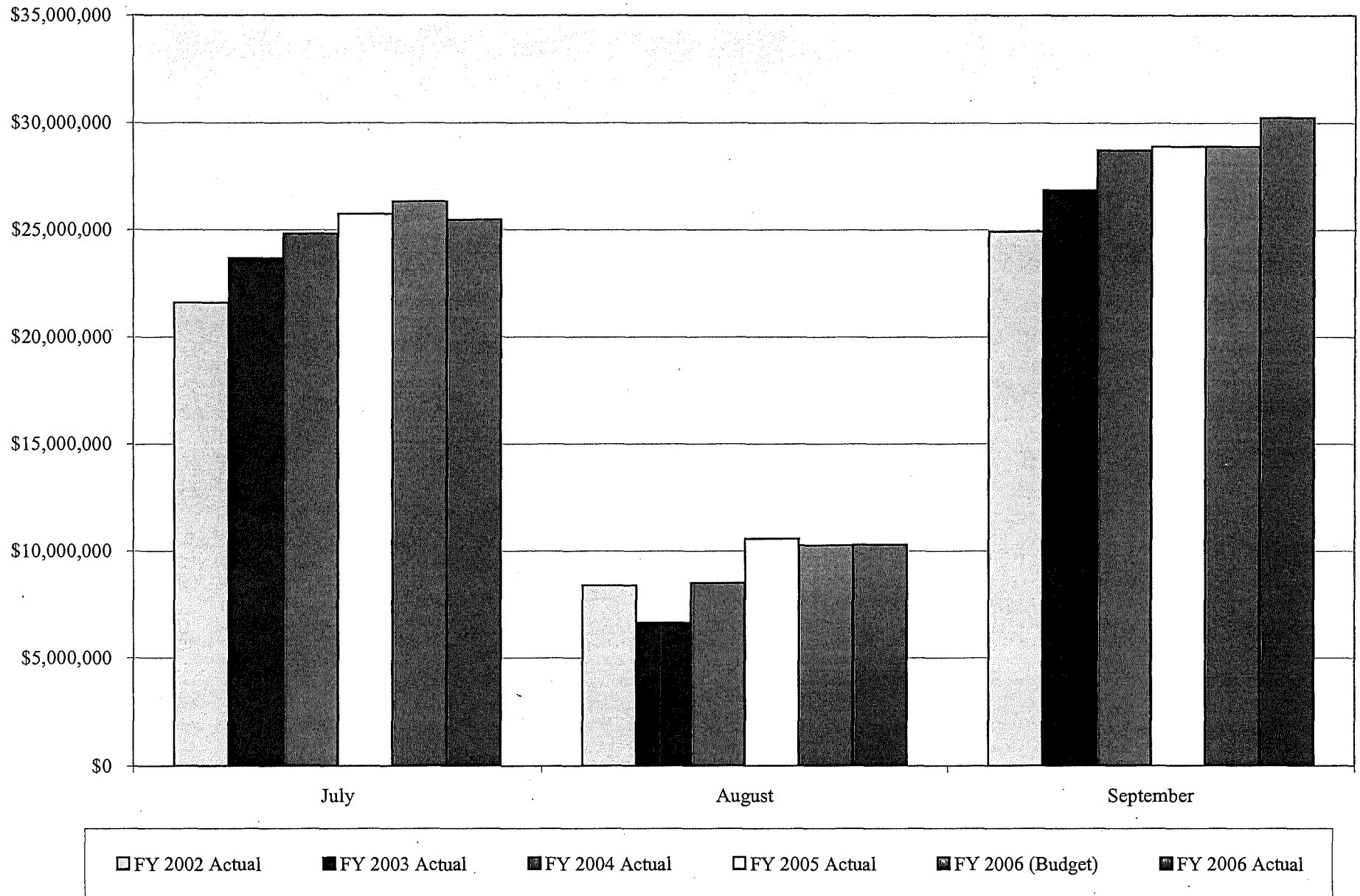
SEPTEMBER 2005 VARIANCE REPORT

Revenue Line	September Budget	September Actual	September Variance	FY06 YTD Budget	FY06 YTD Actual	FY06 YTD Variance	FY06 YTD Variance %	FY06 Budgeted Totals
General Fund								
Sales and Use Tax	93,404,008	91,255,256.37	(2,148,751.63)	191,092,641	185,385,402.22	(5,707,238.78)	-3.0%	961,457,885
Service Provider Tax	3,652,194	3,616,484.23	(35,709.77)	5,994,477	6,419,578.03	425,101.03	7.1%	49,287,167
Individual Income Tax	95,379,259	125,826,676.09	30,447,417.09	214,583,330	248,347,495.34	33,764,165.34	15.7%	1,167,504,222
Corporate Income Tax	23,727,721	33,014,930.97	9,287,209.97	28,715,819	40,938,903.42	12,223,084.42	42.6%	118,877,558
Cigarette and Tobacco Tax	10,586,122	12,967,397.90	2,381,275.90	27,089,339	31,854,556.76	4,765,217.76	17.6%	147,238,325
Public Utilities Tax	0	0.00	0.00	0	0.00	0.00	0.0%	25,440,000
Insurance Companies Tax	338,285	277,673.03	(60,611.97)	2,054,539	1,083,332.44	(971,206.56)	-47.3%	77,141,931
Estate Tax	1,853,363	3,019,190.18	1,165,827.18	1,853,163	14,311,031.58	12,457,868.58	672.2%	30,603,203
Property Tax - Unorganized Territory	0	0.00	0.00	0	0.00	0.00	0.0%	11,278,476
Income from Investments	710,638	791,811.10	81,173.10	1,196,641	1,299,556.81	102,915.81	8.6%	6,046,546
Transfer to Municipal Revenue Sharing	(11,024,323)	(12,939,380.73)	(1,915,057.73)	(22,466,838)	(24,535,660.32)	(2,068,822.32)	9.2%	(117,153,468)
Transfer from Lottery Commission	4,102,631	3,849,886.16	(252,744.84)	13,333,563	11,663,852.83	(1,669,710.17)	-12.5%	53,334,250
Other Revenue	15,287,875	17,290,234.78	2,002,359.78	44,353,056	42,507,492.37	(1,845,563.63)	-4.2%	212,238,647
Totals	238,017,773	278,970,160.08	40,952,387.08	507,799,730	559,275,541.48	51,475,811.48	10.1%	2,743,294,742
Highway Fund								
Fuel Taxes	21,447,672	21,843,021.45	395,349.45	41,611,583	40,371,777.15	(1,239,805.85)	-3.0%	228,958,605
Motor Vehicle Registration and Fees	6,298,416	6,992,851.04	694,435.04	19,979,164	21,400,875.61	1,421,711.61	7.1%	83,090,358
Inspection Fees	359,365	377,846.24	18,481.24	1,261,200	1,156,561.34	(104,638.66)	-8.3%	4,397,970
Fines	152,388	131,127.83	(21,260.17)	437,684	504,770.14	67,086.14	15.3%	1,973,665
Income from Investments	125,000	205,803.94	80,803.94	375,000	416,066.73	41,066.73	11.0%	1,556,478
Other Revenue	518,134	696,595.05	178,461.05	1,816,279	2,153,386.18	337,107.18	18.6%	9,362,596
Totals	28,900,975	30,247,245.55	1,346,270.55	65,480,910	66,003,437.15	522,527.15	0.8%	329,339,672

Monthly Historical Comparisons - General Fund Revenue FY 2002 - FY 2006



Monthly Historical Comparisons - Highway Fund Revenue FY 2002 - FY 2006



Attachment B

Cash Pool and Cash Trends

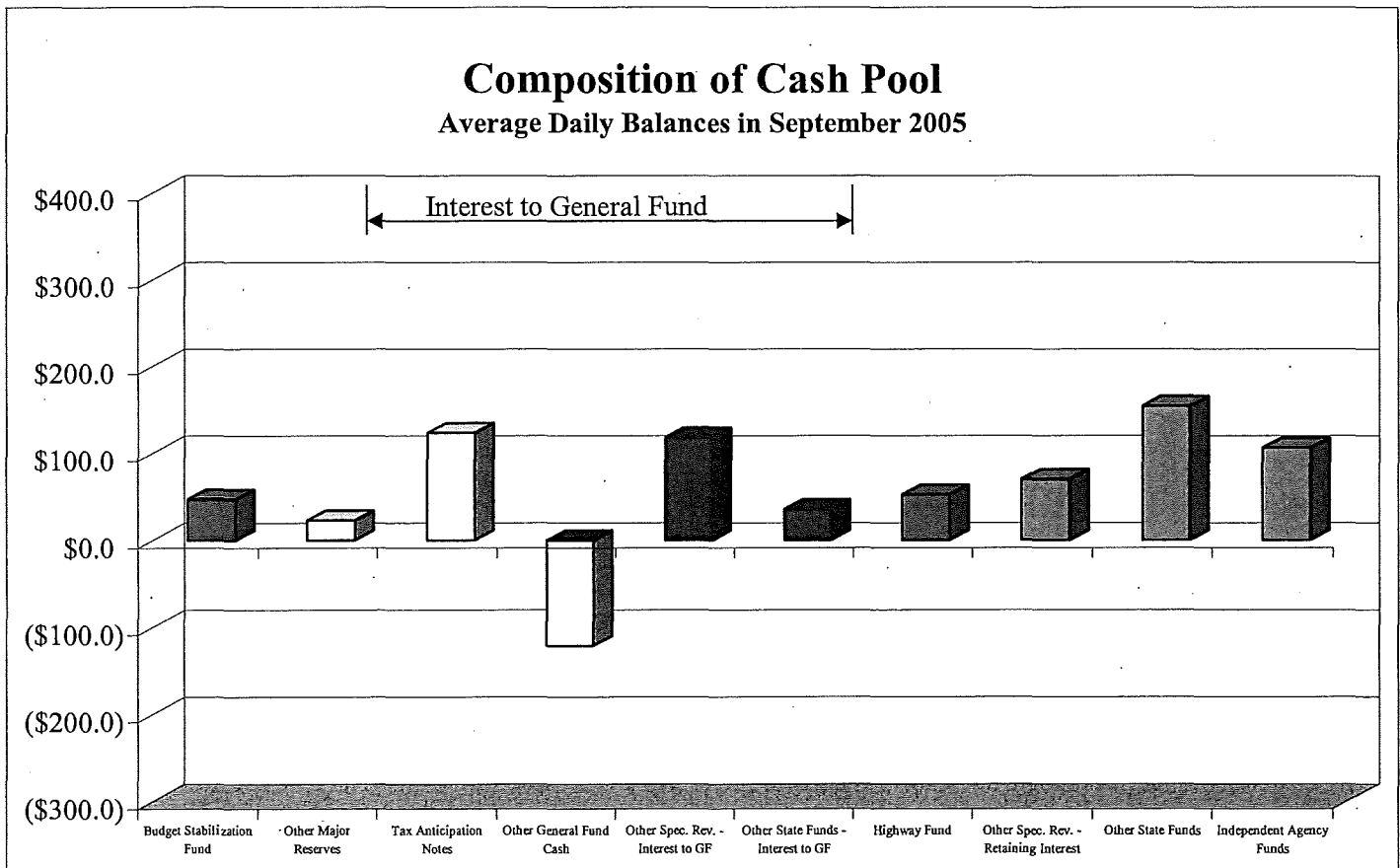
September 2005 Cash Pool Average Balances (Page 2) – General Fund cash position averaged \$72.6 million in September. This amount includes \$123.6 million in Tax Anticipation Notes (TAN's), \$47.3 million in the Budget Stabilization Fund and \$23.1 million in the Reserve for General Fund Operating Capital. Without the TAN and these Reserve Fund balances, the General Fund cash position would have had a negative average balance of -\$121.4 million. While this amount is still negative, it has improved over the last year. Last September, this equivalent average balance was -\$147.6 million. See trend discussion below.

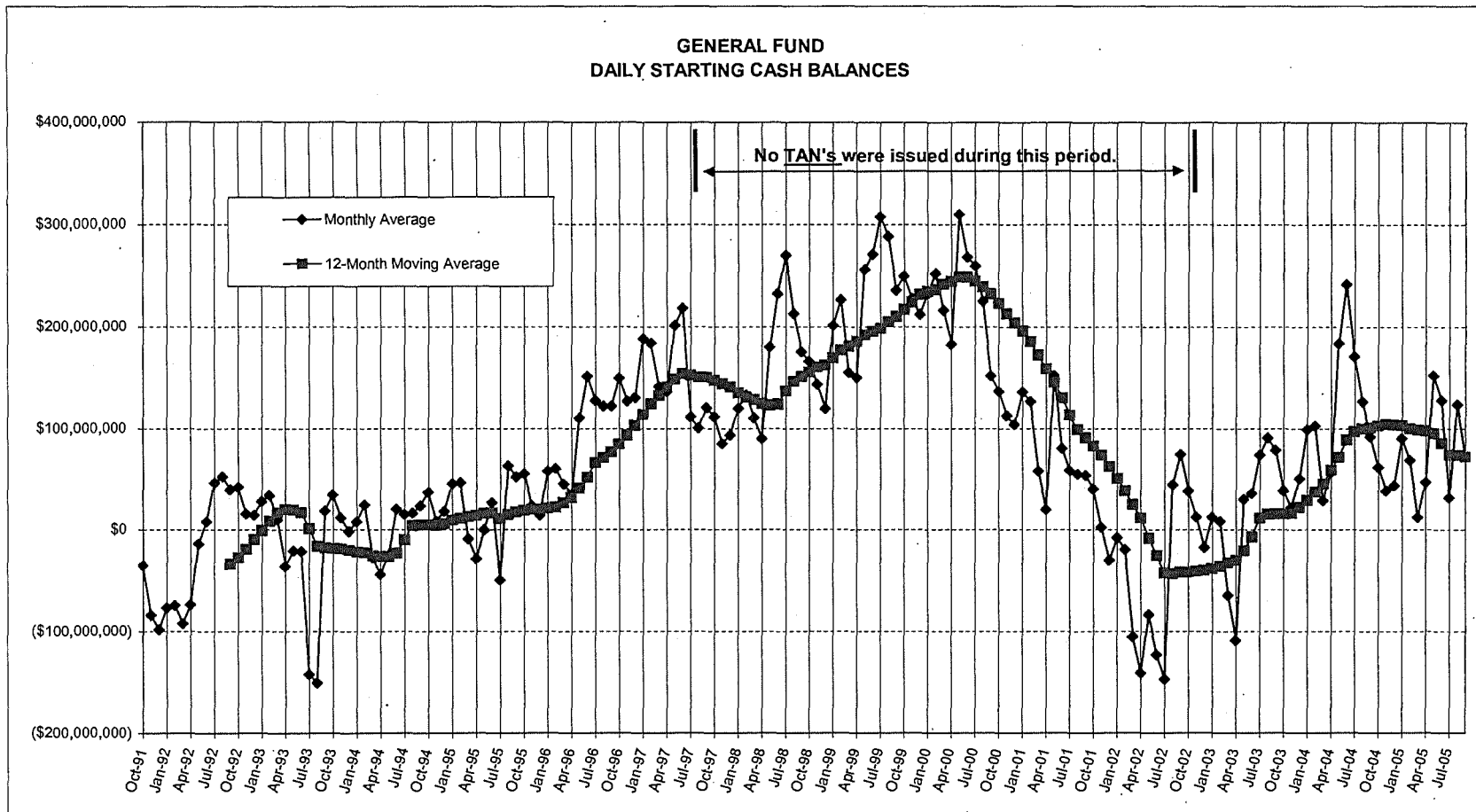
General Fund Cash Balances (Page 3 & 4) – The 2 graphs on page 3 and 4 of this attachment show the historical trends in General Fund cash balances. The average monthly balances in these graphs are generated by OFPR staff looking up and entering daily beginning balances and averaging them over each month. The first graph includes TAN's. A table at the bottom below the graph provides a table of the history of TAN authorizations and amounts issued. The second graph on page 3 excludes TAN's. The trend (measured by a 12-month moving average to smooth out monthly fluctuations) in the first graph has recently declined. This decline was largely due to the reduced reliance on TAN's and the amounts issued. The second graph eliminates the effect of the reduced TAN borrowing and gives a better sense of the General Fund trend. The trend through June 2005 initially looked like the General Fund had peaked and was heading downward. However, this decline was temporary; due largely to the substantial initial lease payments for the wholesale liquor operation received at the end of FY 04 and beginning of FY 05. The General Fund trend now appears to be upward.

Highway Fund Cash Balances (Page 5) – The graph on page 5 of this attachment shows the historical trends in Highway Fund cash balances, very similar to the General Fund graphs (this data is also compiled by OFPR staff). After trending upward during the second half of FY 04, the Highway Fund trend headed downward for several months at the end of FY 05. This reduction was largely due to the budgeted transfers to the General Fund, which were recorded in April 2005. The most recent trend-line seems to have recovered and seems to be heading upward again.

Composition of State's Cash Pool September 2005 Average Daily Balances

	September 2005
General Fund - Total	\$72,560,526
General Fund - Detail	
Budget Stabilization Fund (Rainy Day Fund)	\$47,250,333
Reserve for General Fund Operating Capital	\$23,093,792
Tax Anticipation Notes	\$123,625,000
General Fund - Other	(\$121,408,599)
Highway Fund	\$52,657,256
Other Special Revenue - Contributing to General Fund	\$118,170,707
Other Special Revenue - Retaining Interest Earned	\$70,406,895
Other State Funds - Contributing Interest to General Fund	\$35,771,128
Other State Funds	\$154,545,423
Independent Agency Funds	\$106,632,313
Total Cash Pool	\$610,744,247



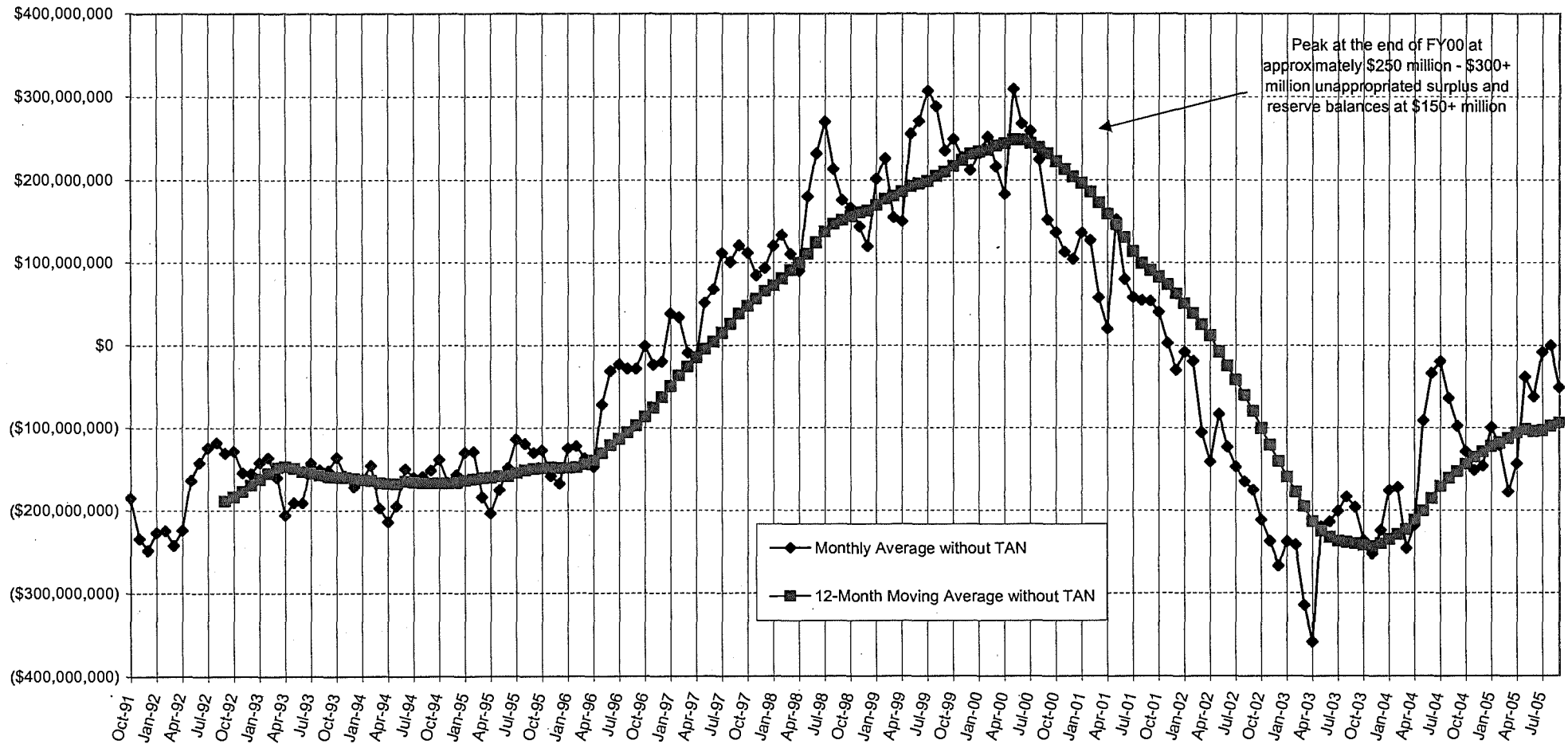


TAX ANTICIPATION NOTES (TAN's) - History from FY 1990-91 ⁽¹⁾

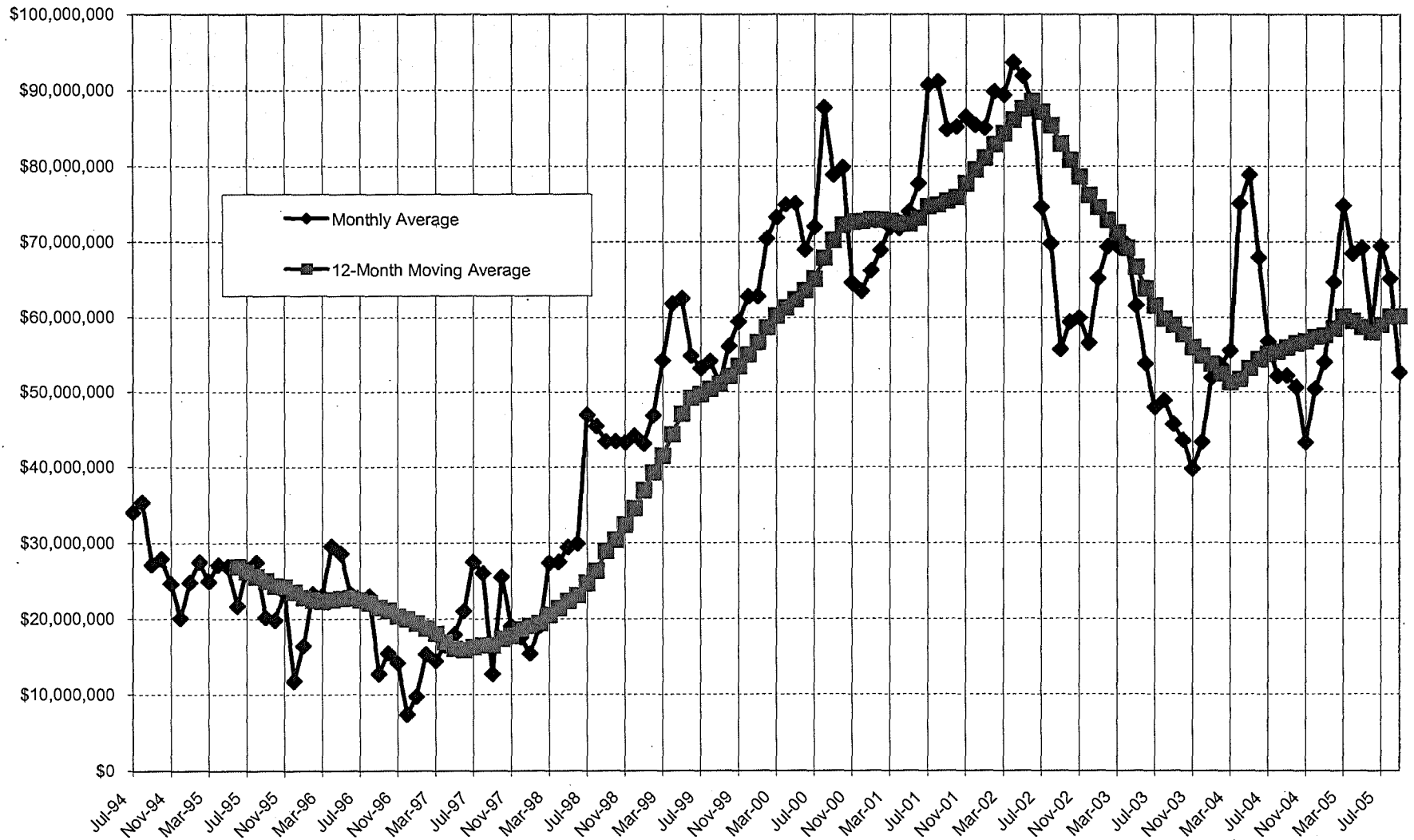
Fiscal Year	Amount Authorized	Amount Issued	Reference
2005-06 ⁽¹⁾	\$314,718,914 ⁽¹⁾	\$123,625,000	5 MRSA, §150 (as amended by PL 2001, c. 705)
2004-05 ⁽¹⁾	\$309,540,537 ⁽¹⁾	\$190,000,000	5 MRSA, §150 (as amended by PL 2001, c. 705)
2003-04 ⁽¹⁾	\$293,657,381 ⁽¹⁾	\$275,000,000	5 MRSA, §150 (as amended 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 through 2004-05 reflect final General Fund appropriations and Highway Fund allocations. Amounts for fiscal year 2005-06 reflect budgeted amounts through the 122nd 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



Attachment C Revenue Forecasting – Fall Forecast Update

Consensus Economic Forecasting Commission

- The Commission met on October 13th to revise its forecast of February. That report was distributed earlier. Attached is a historical look at this current forecast compared with some recent projections of the commission (see pages 2 and 3 of this attachment).
- Presented below is a summary of the effect of the revisions to the economic forecast as presented in the monthly revenue report of the Commissioner of Administrative and Financial Services.

The Consensus Economic Forecasting Committee (CEFC) met last week to review their February forecast and made a number of adjustments that will impact the upcoming review of General Fund and Highway Fund revenues by the Revenue Forecasting Committee (RFC). While the CEFC lowered the annual forecast of employment growth to approximately .8% a year from an average of 1.3% a year, they significantly increased their forecast of personal income. Based on revisions of Maine's personal income by the Bureau of Economic Analysis the CEFC adjusted many of the non-wage components of Maine personal income that have been growing much faster than originally estimated. As a result, Maine's personal income growth is now forecasted to grow an average of 5% a year compared to 4% forecasted by the committee in February. In addition, the annual inflation rate is forecasted to be much higher in the near term (3.2% vs. 2%) and slightly higher in the out-years (2.2% vs. 2%). The increase in inflation will impact the indexing of various individual income tax parameters and motor fuel excise taxes.

While the revised CEFC forecast will most likely increase state revenues, there are a number of factors that the RFC will need to consider when they meet in November that may offset some or all of the impact from the new economic forecast. The rise in energy prices is affecting the sales tax line and with the onset of the home heating season is expected to further erode sales tax receipts. Rising interest rates and how they may slow the hot housing market has implications for both sales tax and real estate transfer tax revenues. Another big issue for the RFC is how much this past April's surge in income tax payments is ongoing versus one-time. All of these factors make for a challenging revenue forecast.

Revenue Forecasting Committee

- The Revenue Forecasting Committee will meet on:

Monday, November 21st at 9:30AM
Room 228 of the State House

- The committee will review and revise the revenue forecasts for the General Fund, Highway Fund, Fund for a Healthy Maine and certain dedicated Health Care Provider Taxes.

Consensus Economic Forecasting Commission

Recommendations - Historical Projections vs. Current Projections

<u>Calendar Years</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
• W&S Employment (Annual Percentage Change)									
> Consensus 11/2001	1.0	-0.7	1.4	1.0	1.0				
> Consensus 1/2002	1.0	0.5	1.2	1.2	1.2				
> Consensus 7/2002	1.0	0.4	1.0	1.0	1.0				
> Consensus 11/2002	1.0	0.0	0.7	1.0	1.0	1.0	1.0		
> Consensus 2/2003	0.8	-0.3	0.0	0.8	1.0	1.0	1.0		
> Consensus 11/2003	0.8	-0.4	0.0	0.8	1.0	1.0	1.0		
> Consensus 2/2004	0.8	-0.3	0.0	0.8	1.0	1.0	1.0		
> Consensus 11/2004	0.8	-0.3	-0.1	0.9	1.7	1.5	1.1	1.3	1.3
> Consensus 2/2005	0.8	-0.3	-0.1	0.9	1.7	1.5	1.1	1.3	1.3
> Consensus 11/2005	0.8	-0.3	0.1	1.1	0.8	0.9	0.7	0.8	0.8

• Personal Income (Annual Percentage Change)

<u>Calendar Years</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
> Consensus 11/2001	5.0	3.0	4.7	4.5	4.5				
> Consensus 1/2002 *	5.0	5.0	5.0	5.0	5.0				
> Consensus 7/2002	4.6	3.8	4.0	4.5	4.5				
> Consensus 11/2002	4.6	3.0	3.5	4.0	4.5	4.5	4.5		
> Consensus 2/2003	4.9	4.3	3.2	4.0	4.5	4.5	4.5		
> Consensus 11/2003	4.9	4.3	3.5	4.0	4.5	4.5	4.5		
> Consensus 2/2004	4.9	4.3	4.0	4.0	4.5	4.5	4.5		
> Consensus 11/2004	5.8	3.4	4.1	5.5	4.0	4.0	4.0	4.0	4.0
> Consensus 2/2005	5.8	3.4	4.1	5.5	4.0	4.0	4.0	4.0	4.0
> Consensus 11/2005	5.8	2.4	3.6	6.0	5.5	5.5	5.0	5.0	5.0

* 2001 Personal Income growth percentage reduced from 5.5% to 5.0% by the Revenue Forecasting Committee

• CPI (Annual Percentage Change)

> Consensus 11/2001	2.0	2.0	2.0	2.0	2.0				
> Consensus 1/2002	2.8	2.0	2.0	2.0	2.0				
> Consensus 7/2002	2.8	1.7	2.5	2.5	2.5				
> Consensus 11/2002	2.8	1.7	2.5	2.5	2.5	2.5	2.5		
> Consensus 2/2003	2.8	1.7	2.5	2.5	2.5	2.5	2.5		
> Consensus 11/2003	2.8	1.6	2.0	2.0	2.0	2.5	2.5		
> Consensus 2/2004	2.8	1.6	2.3	2.0	2.0	2.5	2.5		
> Consensus 11/2004	2.8	1.6	2.3	2.8	2.0	2.0	2.0	2.0	2.0
> Consensus 2/2005	2.8	1.6	2.3	2.8	2.0	2.0	2.0	2.0	2.0
> Consensus 11/2005	2.8	1.6	2.3	2.7	3.2	2.8	2.5	2.2	2.2

(Amounts in italics and boxes represent actuals; shaded amounts reflect revised forecasts and change from previous forecasts)

Consensus Economic Forecasting Commission
Major Components of Personal Income
History and Change from Prior Forecast

<u>Calendar Years</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
• Personal Income - Wage and Salary Component (Annual Percentage Change)								
> Consensus 11/2002	2.5	3.2	3.6	4.5	5.0	5.0		
> Consensus 2/2003	2.5	3.0	3.6	4.5	5.0	5.0		
> Consensus 10/2003	2.9	3.0	3.6	4.5	5.0	5.0		
> Consensus 2/2004	2.9	3.0	3.6	4.5	5.0	5.0		
> Consensus 11/2004	2.9	3.6	5.2	4.9	4.9	4.6	4.6	4.6
> Consensus 2/2005	2.9	3.6	5.2	4.9	4.9	4.6	4.6	4.6
> Consensus 11/2005	3.2	3.8	4.9	4.7	4.8	4.6	4.6	4.6
• Personal Income - Other Labor Income Component (Annual Percentage Change)								
> Consensus 11/2002	2.0	3.5	5.0	5.0	5.0	5.0		
> Consensus 2/2003	5.0	3.5	5.0	5.0	5.0	5.0		
> Consensus 10/2003	9.6	3.5	5.0	5.0	5.0	5.0		
> Consensus 2/2004	9.6	8.0	5.4	5.9	4.9	5.3		
> Consensus 11/2004	9.7	6.3	5.2	3.2	3.1	3.0	2.6	2.6
> Consensus 2/2005	9.7	6.3	5.2	3.2	3.1	3.0	2.6	2.6
> Consensus 11/2005	9.0	4.7	8.8	6.6	6.8	6.6	6.6	6.6
• Personal Income - Non-farm Proprietors' Income Component (Annual Percentage Change)								
> Consensus 11/2002	2.0	3.0	4.3	4.5	4.5	4.5		
> Consensus 2/2003	2.0	3.0	4.3	4.5	4.5	4.5		
> Consensus 10/2003	3.3	3.0	4.3	4.5	4.5	4.5		
> Consensus 2/2004	3.3	7.6	7.6	5.9	5.1	4.5		
> Consensus 11/2004	0.3	6.2	6.2	6.9	5.7	5.2	4.8	4.8
> Consensus 2/2005	0.3	6.2	6.2	6.9	5.7	5.2	4.8	4.8
> Consensus 11/2005	-8.0	7.0	9.2	8.0	8.2	6.2	6.0	6.0
• Personal Income - Dividends, Interest & Rents Component (Annual Percentage Change)								
> Consensus 11/2002	1.1	3.0	4.4	4.5	4.5	4.5		
> Consensus 2/2003	0.8	2.0	4.4	4.5	4.5	4.5		
> Consensus 10/2003	1.3	2.0	4.4	4.5	4.5	4.5		
> Consensus 2/2004	1.3	0.3	4.0	5.5	4.6	5.1		
> Consensus 11/2004	-2.0	-1.9	6.9	0.4	0.5	2.8	2.9	2.8
> Consensus 2/2005	-2.0	-1.9	6.9	0.4	0.5	2.8	2.9	2.8
> Consensus 11/2005	-3.9	-4.2	4.2	4.2	4.6	2.4	2.7	2.6
• Personal Income - Transfer Payments Component (Annual Percentage Change)								
> Consensus 11/2002	8.0	5.5	4.5	4.5	3.0	3.0		
> Consensus 2/2003	8.0	5.5	4.5	4.5	3.0	3.0		
> Consensus 10/2003	8.7	7.0	4.4	4.5	3.1	3.0		
> Consensus 2/2004	8.7	8.0	3.0	2.5	2.5	2.0		
> Consensus 11/2004	7.4	8.3	5.6	4.3	3.8	4.2	4.0	3.8
> Consensus 2/2005	7.4	8.3	5.6	4.3	3.8	4.2	4.0	3.8
> Consensus 11/2005	7.6	8.4	6.8	6.4	6.2	6.0	6.0	6.0

(Amounts in italics and boxes represent actuals; shaded amounts reflect revised forecasts and change from previous forecasts)

2005 Interim Study Status Report

(as of October 20, 2005)

#	Study Name	Policy Area	Recent or Planned Meeting Dates	Report Dates/Reports to:	Total Members	Appointments made to date	Responsible Agency/Staffing	Study Status to date
1	Study of Forest Ownership in Maine (staff study in conjunction with C/O of LD 1406)	ACF	N/A	ACF	None		OPLA staff study	On-going
2	Commission to Reform the State Budget Process (PL 2005, c. 386, Part Q)	AFA	9/29/2005	To AFA Committee by 1/3/06	12	12	Bureau of the Budget	On-going
3	CRJ Committee review of Sex Offender Laws (PL 2005, c. 423)	CRJ	8/9/05; 9/8/05; 9/28/05	No report	CRJ Committee		OPLA staffing	CRJ met on 8/9/05 and 9/8/05. Third mtg on 9/28/05
4	Task Force to Study Maine's Homeland Security Needs (Resolve 2005, c. 126)	CRJ	10/17/2005	12/7/05 Interim Report; 11/1/06 Final Report (both to Legislature)	11	11	OPLA and MEMA	On-going
5	Legislative Youth Advisory Council (PL 2001 c.439, as amended by PL 2005, c. 414)	EDU	N/A	Annually; Legislature	22	13	OPLA staffing	Awaiting completion of appointments
6	Review and Recodify Laws Pertaining to Violence in Our Schools (Resolve 2005, c. 120)	EDU	N/A	Legislation due 12/7/05 to EDU	None		OPLA and ROS	On-going
7	Blue Ribbon Commission on the Future of MaineCare (Resolve 2005, c. 117)	HHS	10/11/05; 11/1/05; 11/15/05; 12/6/05	12/7/05 to HHS and AFA	10	10	OPLA and OFPR staffing	On-going
8	Governor's Committee to Study the Feasibility of the Importation of Prescription Drugs (P&S 2005, c. 24)	HHS	TBD	1/15/06 to HHS	2	2	Governor's Office	On-going
9	Task Force to Study Cervical Cancer Prevention, Detection and Education (Resolve 2005, c. 121)	HHS	TBD	12/7/05 to HHS and Gov; Final Report 11/1/06 to HHS and Gov	16	16	OPLA staffing	Appointments complete; first meeting being scheduled
10	DHHS Working Group on Department's Accounting Structure (PL 2005, c. 412)	HHS	TBD	10/1/05 to HHS; AFA and Gov	None		OPLA/OFPR will participate in working group	Interim report received.
11	Review the Establishment of the DHHS (PL 2003, c. 689)	HHS	N/A	No report	None		DHHS is lead agency (with drafting assistance from OPLA and ROS)	DHHS briefing to HHS Committee on Dept structure to be scheduled
12	Health Care System and Health Security Board (PL 2001, Part 223)	IFS	10/11/2005	12/7/05 to IFS	20	20	OPLA staffing	On-going
13	Freedom of Access Advisory Committee (Resolve 2005, c. 123)	JUD	TBD	12/7/05 to LC, JUD and Governor	13	10	OPLA staffing	Awaiting completion of appointments (3 Governor appointments needed)
14	Study State Compliance with Federal Indian Child Welfare Act of 1978 (Resolve 2005, c. 118)	JUD	TBD	12/7/05 to LC & JUD	12	10	OPLA staffing	Awaiting completion of appointments

2005 Interim Study Status Report

(as of October 20, 2005)

#	Study Name	Policy Area	Recent or Planned Meeting Dates	Report Dates/Reports to:	Total Members	Appointments made to date	Responsible Agency/Staffing	Study Status to date
15	Study Commission Regarding Livable Wages (<i>Resolve 2005, c. 128</i>)	LAB	10/5/2005; 10/27/05; 11/16/05	12/7/05 to Legislature	12	12	OPLA staffing	On-going
16	Task Force on Substance Abuse Testing and Treatment (<i>PL 2005, c. 443</i>)	LAB	N/A	12/7/05 to LAB	None		Department of Labor	On-going
17	Citizen Trade Policy Commission (<i>PL 2003, c. 699</i>)	LAB	9/30/05 meeting to review final 2005 report (legislation anticipated; 10/28/05)	Annually to Legislature, Gov and others	22	22	OPLA staffing	On-going: Reviewing draft final report.
18	Commission to Arrange for a Monument Honoring Women Veterans of Maine (<i>Resolve 2005, c. 116</i>)	LVA	TBD	1/2/06 and 3/1/06 to Capitol Planning Commission	8	8	OPLA staffing	Appointments complete. No outside funding received.
19	Commission to Study Alternative Voting Procedures, and Citizen Initiative Process and Minor Party Ballot Access (<i>Resolve 2005, c. 127</i>)	LVA	10/3/05; 10/24/05; 11/7/05	12/7/05 to Legislature	11	11	OPLA staffing	On-going
20	Study of State Regulation of Groundwater Withdrawal (<i>PL 2005, c. 452</i>)	NAT	TBD	11/1/07 to NAT	Working group		Maine Geological Survey	3 Legislators budgeted. Appointing authority not specified
21	Committee to Establish a Memorial for Emergency Medical Services Personnel (<i>Resolve 2005, c. 124</i>)	SLG	11/20/2005	1/15/06 to SLG; 3/15/06 to SLG and Capitol Planning Commission	9	9	DAFS	On-going
22	Commission to Study the Cost of Providing Certain Services in the Unorganized Territories (<i>Resolve 2005, c. 125</i>)	TAX	9/29/05; 11/10/05	12/7/05 to Legislature	17	17	OFPR	Ongoing

Appointment Summary

Number of appointed positions	199
Appointments made to date	183
Percent of appointments complete	92.0%

Study Activity Summary

Studies awaiting appointments	4
Initial activity/research started	<u>18</u> 22

**Report of the
Personnel Committee
for meeting of October 27, 2005**

(Report by Rep. Cummings, Chair)

The Personnel Committee met earlier today to consider 2 matters:

1. It scheduled performance evaluations for 2 nonpartisan directors, one of whom is subject to re-appointment this year.
2. It unanimously approved a request for temporary disability income benefits, consistent with the Personnel Policies and Guidelines for legislative employees for a member of Leadership staff. No action by the council is needed in this matter.

This concludes the Personnel Committee's report.

**Report of the
State House Facilities Committee
for meeting of October 17, 2005**

(Report by Sen. Gagnon, Chair)

1. The facilities committee met on October 17, 2005 and considered 2 matters:

- A. Policy of the Use of the Hall of Flags

The committee reviewed a revised draft of a policy on the use of the Hall of Flags that had been prepared by staff. After discussion, the committee made several changes to the draft to improve clarity and workability and voted to recommend that the Legislative Council adopt the policy as revised. I will present the committee's recommendation in a moment.

- B. Handicap access to third floor porch

The committee reviewed the architect's proposal to install a platform on the 3rd floor porch of the State House to allow wheelchair access. After viewing the porch and the proposal, the committee asked that the platform not be installed until the committee could meet with the architect and the State Historian to discuss any alternatives to the current proposal. The committee will consider and decide the matter by Spring 2006.

2. The facilities committee's Working Group on Capitol Security also met on October 17, 2005. The meeting yielded a great deal of information about current security procedures and gaps, and Capitol Security's working relationships with other security-related entities. The working group heard presentations by the Building Control Center and the

Executive Protection Unit, reviewed the budgets and position counts for Capitol Security and learned about the cost of private security firms now used at selected state facilities. At its next meeting, the working group will consider various options and reorganizations that can improve security in the State House complex.

This concludes my report. If there are no questions or additional comments by other members of the facilities committee, I will now offer a motion on the Hall of Flags policy.

DAVID E. BOULTER
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

Memo

To: Members of the Legislative Council

From: *Dave*
Dave Boulter, Executive Director

Date: October 25, 2005

Re: Final committee-approved version of Hall of Flags policy

Please find attached for your consideration the Policy on the Use of the Hall of Flags that was approved by the State House Facilities Committee. At its last meeting, the facilities committee voted to recommend that the Legislative Council adopt the policy, effective January 1, 2006.

If you have questions, please feel free to speak with any member of the facilities committee or me.

Thank you.

Attachment

G:\COUNCIL\122nd\Memo to LC re Hall of Flags policy (10-24-05).doc (October 25, 2005 8:30:00 AM)

REP. JOHN RICHARDSON
CHAIR

SEN. BETH EDMONDS
VICE-CHAIR



122ND MAINE STATE LEGISLATURE

LEGISLATIVE COUNCIL

SEN. MICHAEL F. BRENNAN
SEN. PAUL T. DAVIS, SR.
SEN. KENNETH T. GAGNON
SEN. CAROL WESTON
REP. GLENN A. CUMMINGS
REP. DAVID E. BOWLES
REP. ROBERT W. DUPLESSIE
REP. JOSHUA A. TARDY

DAVID E. BOULTER
EXECUTIVE DIRECTOR

Legislative Council Policy On the Use of the Hall of Flags

[Final Recommended Policy by S.H. Facilities Committee]

1. Introduction

Since its construction, the Hall of Flags has had a long and distinguished tradition as a Reception room and gathering area for Legislators and the public. With its historic collection of battle flags from the Civil War forward, the Hall of Flags is a place for Maine citizens to honor and reflect upon the many Maine men and women who defended our Country and made the ultimate sacrifice defending freedom and our democratic values and way of life. It is also the most public room in the Maine State House, where members of the public, Executive and Judicial officials and Legislators freely intermingle and communicate in the course of legislative affairs.

In adopting this Hall Use Policy, the Legislative Council establishes protocols for use of the Hall of Flags that: protect the safety of the public; prohibit uses that are inappropriate in the presence of schoolchildren or others; and provide for social discourse and forums for education on governmental matters in ways that bestow respect for the Hall of Flags and honor to the people and events it symbolizes.

2. Authorized Uses

The Hall of Flags may be used only for organized events that have a bona fide educational purpose relating to governmental matters, legislative affairs, legislative or gubernatorial ceremonies or other like category of activity. The Hall of Flags may not be used for any substantially private activity or event unrelated to the conduct of the public's business.

Furthermore, the Hall of Flags may not be used for acts of civil disobedience, petition signing for referenda, clemency petitions or advocacy, private events such as weddings, funerals, dinners or dances, or mercantilism. In addition, activities, including the display or distribution of materials that a person would reasonably find to be offensive, harassing, degrading or unduly disruptive or activities that are inappropriate in the presence of schoolchildren are prohibited.

3. Health and Safety

Protection of the health and safety of persons in the State House takes precedence over all activities and events in the Hall of Flags. The Legislative Council authorizes the Executive Director to establish such procedures and standards as necessary to protect the

health and safety of occupants in the State House at all times and to protect the integrity of the building and its contents. At a minimum: adequate clearances for safe ingress and egress must be maintained at all times in the Hall of Flags; equipment or activities that pose a risk of fire or explosion are prohibited; toxic, noxious or infectious materials are prohibited; and any activity requiring the disabling of smoke detectors, fire alarms or security devices is prohibited. Except for Welcome Back Day and Maine Agriculture Day, the number of tables in the Hall of Flags may not exceed 15.

4. Security

Entities using the Hall of Flags must comply with all facility security requirements and all instructions by security personnel. The Bureau of Capitol Security may remove persons who are threatening, disruptive or in violation of provisions of this policy. Persons who violate this policy or who are disruptive or threatening may be denied future use of the Hall of Flags for any organized event.

5. Limitation on Food Service

The Legislature compensates legislators for some legislative expenses including meals, and legislative staff are sufficiently compensated in their work such that it is unnecessary for others to provide legislators or staff with complementary meals. Escalating levels of food service at Hall of Flag events in recent years have had the unintended but inevitable result of increasing expectations of meal service to be provided by other groups as well as increasing costs to those groups using the Hall of Flags. Furthermore, the serving of meals is unduly disruptive, increases facility maintenance costs, detracts from the overall purposes for use of the Hall of Flags and presents potential facility security risks.

Therefore, except as provided below, the offering of food and beverages in the Hall of Flags is strictly limited to refreshments such as milk, juices, coffee, tea, soda, water, doughnuts, pastries, cookies, fruit, nuts, healthy snacks and other similar category of foods that does not constitute the offering or serving of a meal or partial meal.

Entities who use the Hall of Flags are not obligated to make available any food or beverage as a condition of their use of the hall. However, to the extent that allowable foods are offered, the proprietor of the State House café must be contacted by those entities for the opportunity to provide the desired food service. Furthermore, the Legislative Council encourages the use of locally grown or produced foods to the maximum extent practical when food is served in the State House.

Exceptions: The Legislative Council hereby authorizes such an exception for the following events: Welcome Back Day, New Member Orientation, the Pre-Legislative Conference and other legislative receptions hosted by the Legislature; Maine Community College Day; Maine Agriculture Day; County Day(s); Maine Tourism Day; and school food service day.

6. Equipment and Furnishings

Equipment and furnishing such as chairs, tables, lights, podiums and sound systems used in the Hall of Flags must be those provided by the Legislative Council. However, The Legislative Council authorizes the use of LCD and slide projectors, laptop computers, tabletop displays and other such portable information presentation equipment to be provided by the entity authorized to use the Hall of Flags. Use of other equipment is not allowed unless it is consistent with the intent of this policy and is specifically authorized by the Clerk of the House when accepting hall reservations under paragraph 11.

7. Nonexclusive Use

The Hall of Flags is a public hall and entities authorized to reserve and use the Hall of Flags often are expected to share the hall with other entities or coordinate activities and schedules. Accordingly, such entities should neither expect nor demand exclusive use of the Hall of Flags. Legislative uses take precedent over other uses in the Hall of Flags, regardless of whether other, nonlegislative entities obtained advance reservations for its use.

8. Times Held for Legislative and Visitor Use

The Clerk of the House shall establish a reservation schedule that provides for unreserved blocks of time in the Hall of Flags each week for legislative press conferences or other unscheduled legislative activities that may arise during the course of the legislative session. In addition, the schedule must provide for convenient times when visitors to the State House may view and reflect upon the collection of historic flags uninterrupted by organized events in the Hall of Flags.

9. Prohibitions

At a minimum, the following are prohibited from the Hall of Flags:

- A. open flames except when used in a safe manner for warming dishes
- B. propane, gasoline, accelerants and other flammable materials
- C. compressed gases and helium-filled balloons
- D. toxic, noxious and infectious materials
- E. grills, frying pans and fryolators
- F. alcohol
- G. animals, except for service animals
- H. noisemakers, bullhorns and other sound amplification or broadcast devices. However, bona fide members of the news media may use broadcast equipment in the course of their work
- I. strobe lights
- J. signs and banners on wooden or rigid supports that may cause injury
- K. weapons of any type except on the person of a law enforcement who is on duty and when the presence of such weapons has first been disclosed to the Bureau of Capitol Security
- L. altering or disabling electrical, telecommunication or security devices or wiring

- M. affixing signs, banners, displays or other materials to walls, columns, flag cases or portraits
- N. active distribution of materials or leaflets
- O. soliciting, marketing or selling of goods or services

10. Security Deposit and Use Agreement

Nonlegislative entities, other than the Chief Executive, Chief Justice or Constitutional Officers, who reserve and use the Hall of Flags must, at the time of reservation or prior to use, provide a security deposit of \$100 and enter into a Use Agreement accepting the terms and conditions of use of the Hall of Flags. The agreement must require such entities to immediately report and accept financial responsibility for any damages to the facility or equipment occurring during their use of the Hall of Flags. The security deposit will be returned unless the entity that uses the Hall of Flags damages legislative equipment or facilities, does not set up or remove all items in a timely fashion, including removing all litter following use, or violates the terms of the Use Agreement. The Executive Director will notify the Clerk of the House when the director believes that an entity has caused damage to the facility, improperly used the Hall of Flags or left the Hall of Flags in an improper condition.

The security deposit may be waived for those entities using the Hall of Flags that require three or fewer tables to be set up. Furthermore, the security deposit may be waived or reduced in situations where paying the deposit would result in a serious economic hardship to the entity using the Hall of Flags.

11. Administration

The Clerk of the House of Representatives and the Executive Director of the Legislative Council, jointly, shall administer this policy. The Clerk is responsible for scheduling and reserving the Hall of Flags for authorized activities during regular business hours and for collecting applicable security deposits. The Executive Director is responsible for preparing the Hall for the scheduled activities and maintaining the Hall of Flags.

12. Authority and Effective Date

Pursuant to its authority under 3 MRSA, §162, the Legislative Council hereby adopts this Policy on the Use of the Hall of Flags on this 22nd day of September, 2005.

This policy becomes effective on January 1, 2006.

BY: _____
Maine Legislative Council

Proposed Motion
Relating to Policy on the Use
of the Hall of Flags

Motion to be offered by: Sen. Gagnon, Chair, State House Facilities Committee

Motion: That the Legislative Council adopt the Policy on the Use of the Hall of Flags as recommended by the State House Facilities Committee, the policy to become effective on January 1, 2006. Further, that after 1 year, the Legislative Council review the policy to consider revisions that may be warranted to meet operational considerations and the Legislative Council's intent for appropriate uses in the Hall of Flags.

DAVID E. BOULTER
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

Memo

To: Members of the Legislative Council

From: *Dave* Dave Boulter, Executive Director

Date: October 25, 2005

Re: Health Policy Forum proposal

At the last Legislative Council meeting, the council tabled its decision on a request by the Maine Development Foundation et al to conduct a policy forum for legislators on health policy as it relates to Maine. Following the vote to table the proposal, Legislative Council Chair Richardson suggested that representatives of MDF meet with members of the Legislative Council individually before the next meeting to discuss the proposal in more detail. It is my understanding from Ms. Laurie Lachance, President of MDF that she has spoken with most if not all council members about the proposal.

As you may recall, the proposal is for MDF, in conjunction with the Muskie School of Public Service, Margaret Chase Smith Policy Center and the Maine Health Access Foundation, to conduct a one-day policy forum. The forum would be held either this December (perhaps in conjunction with Bill Signing Day) or in early January 2006 at a time when it does not interfere with committee schedules. MDF is currently pursuing funding to offset forum costs so there would be no or nominal cost to the Legislature.

If the Legislative Council accepts the proposal, MDF asks that the Legislative Council appoint a small, bipartisan group of legislators (2-3 members) to help develop the policy forum agenda so it will be directly relevant to legislative needs and interests.

Attachment

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DAVID E. BOULTER
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

Memo

To: Members, Legislative Council
From: *Dave* Dave Boulter
Executive Director of the Legislative Council
Date: September 21, 2005
Re: Health Policy Forum Proposal

As the attached letter indicates the Maine Development Foundation, jointly with the Margaret Chase Smith Policy Center, Muskie School of Public Service, and the Maine Health Access Foundation, proposes to develop and conduct a 1-day health policy forum for legislators. The policy forum would be held in December or in early 2006, whichever is more convenient for the Legislature. The proposed forum is intended to offer in-depth presentations and small group discussions on selected health policy issues and options relevant to Maine.

The Maine Development Foundation is proposing to work with the Maine Health Access Foundation to provide funding to cover all policy forum costs.

If the Legislative Council accepts the proposal, the Maine Development Foundation proposes that the Legislative Council appoint a small, bipartisan group of Legislators to help guide the policy forum agenda.

Attachment



MAINE DEVELOPMENT FOUNDATION

POLICY LEADERS ACADEMY



September 21, 2005

David Boulter
Executive Director
Legislative Council
Maine State Legislature
115 State House Station
Augusta, Maine 04333-0115

Dear David:

On behalf of the Margaret Chase Smith Policy Center at the University of Maine, the Muskie School of Public Service at the University of Southern Maine, and the Maine Development Foundation, I am delighted to submit this proposal to the Legislative Council for a day-long health policy forum for the 122nd Maine Legislature.

Our aim in this workshop will be to offer an intensive, in-depth set of presentations and smaller group discussions of a limited set of health policy issues and options that can inform the upcoming legislative session. This new approach with an enhanced focus on "hot topics" was developed in consultation with the Maine Health Access Foundation, and we have collaboratively developed this draft list of potential topics.

We invite the Legislative Council to guide the selection of the most relevant and timely topics from this list, and/or suggest others. The list is by no means exhaustive; and we welcome any revisions or suggestions you and the Council might have to make these sessions as helpful and relevant as possible. To this end, we would ask that you please appoint a small, bi-partisan group of Legislators to help us select the top 3 or 4 topics that would be of greatest interest to the Legislature.

We plan to draw on the expertise of nationally recognized policy analysts, University of Maine System faculty, and others to present informed, balanced, nonpartisan information. All presenters, panelists, and moderators will place particular emphasis on showing legislators how they can use the information in policy decision making.

We are working closely with the Maine Health Access Foundation to secure funding to cover all costs related to speaker honoraria and travel, meals, and facilities.

We will be in touch after the Council's September 22 meeting to discuss your response and look forward to working with you and the Legislative Council in developing a timely, non-partisan, educational forum on this extremely important topic.



MAINE DEVELOPMENT FOUNDATION

POLICY LEADERS ACADEMY



Thank you very much for your time and consideration.

Sincerely,

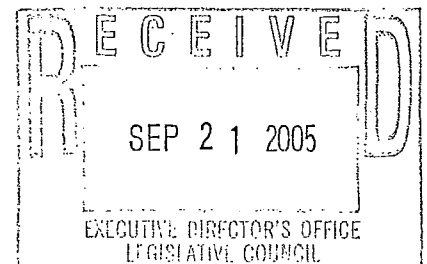
A handwritten signature in cursive script, appearing to read 'Laurie G. Lachance'.

Laurie G. Lachance
President, Maine Development Foundation

Cc:
Jonathan Rubin, Ph.D.
Interim Director
Margaret Chase Smith Policy Center

Andrew Coburn, Director
Institute for Health Policy
Muskie School of Public Service

Wendy Wolf, MD, MPH
President & CEO
Maine Health Access Foundation





MAINE DEVELOPMENT FOUNDATION

POLICY LEADERS ACADEMY



Legislative Health Policy Workshop Potential Topics (3-4 would be selected)

National Developments

- Prescription Drugs: Implementing Medicare Part D—Implications for Maine
- Medicaid: State responses to changing federal policy and the Medicaid Commission Report
- Federal Policy on Drug Re-importation

State Health Reform Strategies

- Policy and program strategies from other states for addressing issues of access, quality and cost

A Review and Discussion of State Roles in Health Care:

- Protecting the public's health
- Ensuring adequate infrastructure, including work force, facilities, and technology
- Being a provider of last resort (safety net role)
- Ensuring quality
- Purchasing services (through MaineCare, Corrections, State Employee Health Plan, etc.)

Maine's Mental Health System

- How is the State's role changing in the post-institutional era?
- What are the key elements of current reform efforts?
- The status and effectiveness of managed behavioral health care

Long-term Care

- New development in long term care policy-estate recovery, managed care, community partnerships

Health Information and Communication Technologies

- How can the state enhance current technology initiatives to increase access, reduce urban-rural disparities, and control costs?
- The prospects for interoperable electronic medical records and interconnectivity of health providers—federal and state perspectives and opportunities



MAINE DEVELOPMENT FOUNDATION

POLICY LEADERS ACADEMY



“Consumer-driven strategies” for Health Benefits Design

- Evaluating trends in health benefit design nationally and in Maine

Public Health

- Prevention strategies for addressing the growing burden of chronic illness
- Building a prevention strategy for addressing substance abuse
- Emergency preparedness: How prepared are we?

Sustaining and Maintaining Rural Healthcare Access

- How to maintain small, rural hospitals
- Telemedicine
- How to attract and retain practitioners
- Hospitals as economic development entities



Blue Ribbon Commission on the Future of MaineCare

To: Rep. John E. Richardson, Speaker of the House, Chair, Legislative Council
Sen. Beth G. Edmonds, President of the Senate, Vice Chair, Legislative Council
c/o David E. Boulter, Executive Director, Legislative Council

From: Sen. Michael F. Brennan, Senate Chair
Rep. William R. Walcott, House Chair

Date: October 18, 2005

Re: Work Plan and Budget, Blue Ribbon Commission on the Future of MaineCare

Enclosed please find the work plan and budget for the Blue Ribbon Commission on the Future of MaineCare, which we are submitting in accordance with the requirements set forth in Resolves 2005, Chapter 117, Resolve, To Establish the Blue Ribbon Commission on the Future of MaineCare.

Cc: Patrick Norton, Director, Office of Policy and Legal Analysis
Members, Blue Ribbon Commission on the Future of MaineCare

Blue Ribbon Commission on the Future of MaineCare (Resolves 2005, c. 117)

Work Plan

1. **PROJECT:** Blue Ribbon Commission on the Future of MaineCare
2. **OBJECTIVES:**
To study the MaineCare program and make recommendations on how to improve the quality, adequacy, effectiveness and delivery of services under the program in the most cost-effective manner possible in an effort to ensure its sustainability over time, including various options for providing coverage for persons in need of health care services.
3. **PROJECT TEAM:**
Co-Chairs: Senator Michael Brennan, Representative William Walcott
Commission Staff: Jane Orbeton (OPLA), Lucia Nixon (OPLA), Christopher Nolan (OFPR)
Research support: Alison Ames (OPLA); Secretarial support: Donna Pelletier (OPLA)
4. **FINAL WORK PRODUCT(S):** Report, including findings and recommendations for legislation, to be submitted to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Appropriations and Financial Affairs by December 7, 2005.
5. **INTENDED AUDIENCE:** Legislators, health care community, members of the public.
6. **ANTICIPATED START & COMPLETION DATES:** Start: October 11, 2005. Complete: December 7, 2005.
7. **PROJECT TASKS / MEETING PLAN:**

Key Elements	Meeting Date	Person(s) responsible	Consultation Needed with
1 st meeting: Review commission charge and duties; review report of federal Medicaid Commission; briefing on status of MaineCare with DHHS and Governor's Office of Health Policy and Finance (GOHPF)	10/11/05	Chairs/Staff	DHHS GOHPF
2 nd meeting: Consideration of MaineCare responsibilities and policy goals; briefing on policy innovations and alternatives in state Medicaid programs; briefing on estimation of future MaineCare costs by DHHS; briefing and follow-up discussion on MaineCare issues and policy options with DHHS and GOHPF	11/1/05	Chairs/Staff	DHHS GOHPF
3 rd meeting: Briefing on federal Medicaid Commission short-run and procedures for developing recommendations on long-run sustainability of Medicaid with former Governor Angus King; preliminary discussion of recommendations and outline of final report	11/15/05	Chairs/Staff	
4 th meeting: Development of recommendations and final report	12/6/05	Chairs/Staff	

RESOLVES 2005, C. 117
Blue Ribbon Commission on the Future of MaineCare

Proposed Budget

	<u>2005-06</u>
Personal Services Costs	\$880
(4 Legislators, 4 meetings, \$55 per diem)	
All Other Costs	
Member Expenses (9 members eligible, 4 meetings, \$50)	\$1,800
Staff Travel	\$50
Postage, Printing and Miscellaneous	\$750
Total - All Other	\$2,600
Total Cost	\$3,480



MAINE STATE LEGISLATURE
Augusta, Maine 04333

**COMMISSION TO STUDY THE COST OF
PROVIDING CERTAIN SERVICES IN
THE UNORGANIZED TERRITORIES**

October 24, 2005

Legislative Council
State House Station 115
Augusta, Maine 04333

Dear Members of the Legislative Council

Pursuant to Resolves 2005, chapter 125, we submit to you the proposed budget and work plan for the Commission to Study the Cost of Providing Certain Services in the Unorganized Territories.

If you have any questions about this study, please do not hesitate to contact us.

Sincerely:

A handwritten signature in cursive script, reading "Bruce Bryant".

Sen. Bruce S. Bryant
Senate Chair

Sincerely:

A handwritten signature in cursive script, reading "Robert Duplessie".

Rep. Robert W. Duplessie
House Chair

Encl:

cc: David Boulter
Grant Pennoyer
Julie Jones
Teen Griffin

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OCT 24 2005

WORK PLAN

Commission to Study the Cost of the Provision of Certain Governmental Services in the Unorganized Territories

122nd Legislature (2005)

1. **PROJECT:** Commission to Study the Cost of the Provision of Certain Governmental Services in the Unorganized Territories
2. **OBJECTIVE:** The Commission is charged with studying the provision of fire preparedness and protection services, land use planning services, education and other services in the unorganized territories
3. **PROJECT TEAM:** Sen. Bryant and Rep. Duplessie, co-chairs; Julie Jones (Staff), Karen Nadeau-Drillen (researcher), Donna Sullivan (Secretarial support)
4. **FINAL WORK PRODUCT(S):** Report, including findings and recommendations, submitted to the 122nd Legislature by 7 Dec. 05. Committee is authorized to introduce legislation to the 2nd Reg. Sess. of the 122nd Legislature
5. **INTENDED AUDIENCE:** Legislature and the public.
6. **ANTICIPATED START & COMPLETION DATES:** Start: Sept 29, 2005 Complete: December 7, 2005

7. **COMMITTEE MEETING PLAN:**

Meeting # ¹	Key Elements	Person(s) Responsible	Other Staff Resources Needed and Type	Meeting Dates	Consultation Needed With
1	Briefings and overview of law and issues	Chairs, Staff	Researcher, Secretary	9/29/05	
2	Presentations on issues involved in study focusing on forest fire protection, land use regulation, and trends and projections for the Maine forest	Chairs, Staff	Researcher, Secretary	11/1/05	Relevant agencies, UT landowners, forest trend experts
3	Identification of problems that need to be addressed by the Commission and generation of options, preliminary decisionmaking	Chairs, Staff	Researcher, Secretary		
4	Final meeting: finalize report	Chairs, Staff	Researcher, Secretary		

¹ The Commission will be seeking permission separately to hold 2 subcommittee meetings in or near the unorganized territory to gather information about the concerns of unorganized territory residents about services and taxation in the UT. It is envisioned that subcommittee members would not be authorized to receive per diems or expenses for attendance at such meetings.

**Commission to Study the Cost of the Provision of Certain Governmental Services in the
Unorganized Territories
2005**

B U D G E T

17 members; 4 Meetings;

6 legislative members: \$105 (\$55 per diem + \$50 expenses)/legislator/meeting	\$2,415
6 public members not otherwise compensated (expenses only): \$50/ member /meeting	\$1,100
5 executive branch representatives	\$0
1 staff expenses (\$50) (Unnecessary if no off-site meetings)	\$50
Report printing and distribution	\$750
Miscellaneous expenses for 2 subcommittee meetings without expenses or per diems ¹	\$305
TOTAL STUDY BUDGET	\$4,520.00

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¹ The Commission will be seeking permission separately to hold 2 subcommittee meetings in or near the unorganized territory to gather information about the concerns of unorganized territory residents about services and taxation in the UT. It is envisioned that subcommittee members would not be authorized to receive per diems or expenses for attendance at such meetings.



Commission to Study Alternative Voting Procedures, the Citizen Initiative Process and Minor Party Ballot Access

MEMORANDUM

Date: October 26, 2005

To: Rep. John E. Richardson, Speaker of the House, Chair, Legislative Council
Sen. Beth G. Edmonds, President of the Senate, Vice Chair, Legislative Council
c/o David E. Boulter, Executive Director, Legislative Council

From: Senator William Diamond, Co-chair
Representative Sean Faircloth, Co-chair
Commission to Study Alternative Voting Procedures, the Citizen Initiative Process and Minor Party Ballot Access

RE: Work Plan and Budget Report

Enclosed please find the work plan and budget for the Commission to Study Alternative Voting Procedures, the Citizen Initiative Process and Minor Party Ballot Access, which we are submitting in accordance with the requirements set forth in Resolves 2005, Chapter 127, Resolve, Commission to Study Alternative Voting Procedures, the Citizen Initiative Process and Minor Party Ballot Access. The Commission will meet its reporting deadline of December 7, 2005, and will finish within its existing budget.

cc: Patrick Norton, Director, Office of Policy and Legal Analysis
Members, Commission to Study Alternative Voting Procedures, the Citizen Initiative Process and Minor Party Ballot Access

OCT 26 2005

WORK PLAN
Committee to Study Alternative Voting Procedures, the Citizen Initiative Process and Minor Party Ballot Access
122nd Legislature (2005)

1. **PROJECT:** Committee to Study Alternative Voting Methods, the Citizen initiative process and minor party ballot access
2. **OBJECTIVE:** The Committee is charged with studying the following issues:
 - a.) Examining the institution of Instant Run –off voting, fusion voting, and voting by mail as voting method alternatives.
 - b.) Facilitating the formation of minor political parties
 - c.) The citizen initiative process and informing voters about the fiscal impact of citizen initiated legislation
3. **PROJECT TEAM:** Sen. Diamond and Representative Faircloth– co-chairs, commission membership; Danielle Fox and Curtis Bentley (Staff), D. Shores Lynch (researcher), K. Norris(Secretarial support)
4. **FINAL WORK PRODUCT(S):** Report, including any necessary implementing legislation, to be submitted to the 2nd Regular Session of the 122nd Legislature
5. **INTENDED AUDIENCE:** Legislature, Legal and Veterans’ Affairs Committee and members of the public.
6. **ANTICIPATED START & COMPLETION DATES:** Start: Sept 26, 2005 Complete: December 7, 2005

7. **COMMITTEE MEETING PLAN:**

<u>Key Elements</u>	<u>Person Responsible</u>	<u>Other Staff Resources Needed and Type</u>	<u>Meeting Dates</u>	<u>Consultation Needed With</u>
Meeting 1: Review of Citizen Initiative Process, recent legislative proposals on the process, comment from relevant agencies/groups.	Chairs, Staff	Policy Analyst, Researcher	10/3/05	Secretary of State, Ethics Commission, AG, NCSL
Meeting 2: Review of Alternative Voting Methods, Minor Party Ballot Access, comment from IRV and Fusion supporters	Chairs, Staff	Policy Analyst, Researcher	10/14/05	Secretary of State
Meeting 3: Final meeting – development of final report	Chairs, Staff	Policy Analyst , Researcher	10/24/05	Committee members



TASK FORCE TO STUDY MAINE'S HOMELAND SECURITY NEEDS

To: Rep. John E. Richardson, Speaker of the House, Chair, Legislative Council
Sen. Beth G. Edmonds, President of the Senate, Vice Chair, Legislative Council
c/o David E. Boulter, Executive Director, Legislative Council

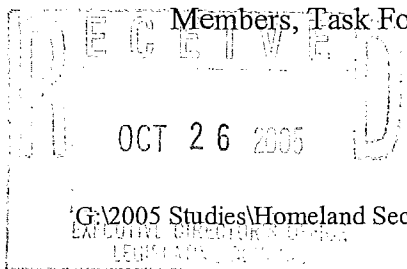
From: Sen. Ethan Strimling, Senate Chair
Rep. Stan Gerzofsky, House Chair

Date: October 18, 2005

Re: Work Plan and Budget, Task Force to Study Maine's Homeland Security Needs

Enclosed please find the work plan and proposed budget for the Task Force to Study Maine's Homeland Security Needs, which we are submitting in accordance with the requirements set forth in Resolves 2005, Chapter 126, Resolve, To Establish the Task Force to Study Maine's Homeland Security Needs.

Cc: Patrick Norton, Director, Office of Policy and Legal Analysis
Members, Task Force to Study Maine's Homeland Security Needs



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WORK PLAN
Task Force to Study Maine's Homeland Security Needs
122nd Legislature (2005)

1. **PROJECT**: Task Force to Study Maine's Homeland Security Needs
2. **OBJECTIVE**: The Task Force is charged with studying the following issues:
 - (a) Review Maine's homeland security needs in areas, including, but not limited to, law enforcement, emergency preparedness, public health, port and airport security and sensitive-target security;
 - (b) Review the current state of homeland security preparedness, spending priorities and any gap between available resources and identified needs in such areas as personnel, equipment and training, including review of the impact of Maine National Guard and Reserve deployments abroad on Maine's emergency preparedness;
 - (c) As part of its review of needs and preparedness, receive a report on the status of the Governor's Advisory Council on Homeland Security, its vision and plans and the status of those plans as of May 2005;
 - (d) Hold at least 2 of its meetings outside of Augusta and provide an opportunity for public comment at those meetings; and
 - (e) Review ways to improve the flow of information to the Legislature and the general public about Maine's homeland security needs.
3. **PROJECT TEAM**: Senator Strimling and Representative Gerzofsky-- co-chairs; Maine Emergency Management (MEMA) will staff with support during the interim from OPLA (Natalie Haynes, LA), D. Shores Lynch (researcher), Charlene Cunningham (secretarial support).
4. **FINAL WORK PRODUCT(S)**: (A) Interim report, including any necessary suggested legislation, to be submitted to the 2nd Regular Session of the 122nd Legislature at the time of submission of the report. (B) Final report, including the Task Force's findings and recommendations, including suggested legislation, to the First Regular Session of the 123rd Legislature.
5. **INTENDED AUDIENCE**: Legislators, state agencies, departments and members of the public.
6. **ANTICIPATED START & COMPLETION DATES**: Start: October 17, 2005 Interim Report: December 7, 2005 Final Report: November 1, 2006
7. **REQUEST FOR INCREASED FUNDING FROM MEMA**: In order for the Task Force to fully accomplish its duty to review homeland security needs and levels of emergency preparedness statewide, it requests an increase in funds from the Maine Emergency Management Agency in the amount of \$8,485 [\$7,260 to conduct 5 public hearings across the state in November and December 2005 and \$1,225 to cover expenses for two meetings during the Second Regular Session]. Task Force meetings during the Second Regular Session of the 122nd Legislature will be staffed by MEMA. Art Cleaves, Director of MEMA, has confirmed that the requested funding amount is available and can be transferred out of MEMA's homeland security funds.

8. **COMMITTEE MEETING PLAN**:

<u>Key Elements</u>	<u>Person Responsible</u>	<u>Other Staff Resources Needed and Type</u>	<u>Meeting Dates</u>	<u>Consultation Needed With</u>
Meeting 1: Public hearing in Augusta with panel presentations from federal, state and local agencies on Maine's homeland security strategies and level of emergency preparedness.	Chairs, Staff	Researcher	10/17/05	MEMA

Meeting 2: Public Hearing in Saco to receive public comment from city and town leaders and members of the public on homeland security/emergency preparedness concerns.	Chairs, Staff	Researcher	November (TBD)	MEMA
Meeting 3: Public Hearing in Brunswick to receive public comment from city and town leaders and members of the public on homeland security/emergency preparedness concerns.	Chairs, Staff	Researcher	November (TBD)	MEMA
Meeting 4: Public Hearing in Rockland to receive public comment from city and town leaders and members of the public on homeland security/emergency preparedness concerns.	Chairs, Staff	Researcher	November (TBD)	MEMA
Meeting 5: Public Hearing in Oxford Hills to receive public comment from city and town leaders and members of the public on homeland security/emergency preparedness concerns.	Chairs, Staff	Researcher	November (TBD)	MEMA
Meeting 6: Public Hearing in Orono to receive public comment from city and town leaders and members of the public on homeland security/emergency preparedness concerns.	Chairs, Staff	Researcher	November (TBD)	MEMA
*Meeting 7: Task Force meeting during the second session of the 122nd legislative session.	Chairs, MEMA		Winter 2006 (TBD)	
*Meeting 8: Task Force meeting during the second session of the 122nd legislative session.	Chairs, MEMA		Winter 2006 (TBD)	

* Dependent on approval of additional funding requests.

Task Force to Study Maine's Homeland Security Needs Proposed Budget¹

SCHEDULE UNDER CURRENT APPROVED FUNDING LEVEL: 2005-06

- ⇒ Funding for 4 meetings and 1 public hearing (\$5,320)
 - Task Force has held 1 meeting, which was a public hearing on 10/17/05;
 - Funding for 3 meetings remains; yet no further funding for public hearings remains for FY 05-06.

SCHEDULE UNDER PROPOSED ADDITIONAL FUNDING FROM MEMA: 2005-06 (\$8,485)

- ⇒ Fund 5 public hearings across the State during November and December '05 for \$7,260.
 - The funds currently remaining in the Task Force budget would only cover 3 meetings and are insufficient to cover the public hearing advertising/fee costs as well as member expenses for these 5 additional public hearings during November and December '05.
- ⇒ Fund 2 additional meetings during the Second Regular Session (\$1,225).

¹ See attached budget spreadsheet.

RESOLVE 2005, C. 126

LD 1645 - LEGISLATIVE COUNCIL

TITLE: Task Force to Study Maine's Homeland Security Needs

014-30A-0444-02 - Miscellaneous Studies

Task Force to Study Maine's Homeland Security Needs

Legislative Study - Cost Estimate

	OSR 2005-06	2005-06	PROPOSED ADDT'L COSTS 2005-06	PROPOSED ADDT'L COSTS 2005-06	OSR 2006-07
Number of Meetings (4 each year assumed)	4	2 add'l	2		4
Meetings During Session: 2 mtgs proposed during session				2	
Report Date(s): interim-December 7, 2005 Final-November 1, 2006					
Extension Provision: Yes					
# of Persons Eligible for Per Diem					
Legislators	6		6		6
Others					
# of Persons Eligible for Per Diem	6		6		6
# of Persons Eligible for Expenses but not Per Diem	5		5	11	5
Number of Department/Agency Personnel or Others for whom per diem and expenses are not calculated					
Total Number of Members	11		11	11	11
Personal Services Costs	1320		660	0	1320
All Other Costs					
Member Expenses	2200		1100	1100	2200
Staff Travel (two budgeted)	50	5 add'l	250	0	50
Postage, Printing and Miscellaneous	750		250	125	750
Public Hearings: (2 budgeted)	1000	5 add'l PH	5000	0	1000
Total - All Other	4000		6600	1225	4000
Total Cost	5320		7260	1225	5320

Notes: (Column G)

The additional costs for 2 meetings that would be held during the session is \$1,225. No per diem is budgeted as Legislators would be receiving salary and not eligible for per diem.

WORK PLAN
Task Force to Study Maine's Homeland Security Needs
122nd Legislature (2005)

1. **PROJECT:** Task Force to Study Maine's Homeland Security Needs
2. **OBJECTIVE:** The Task Force is charged with studying the following issues:
 - (a) Review Maine's homeland security needs in areas, including, but not limited to, law enforcement, emergency preparedness, public health, port and airport security and sensitive-target security;
 - (b) Review the current state of homeland security preparedness, spending priorities and any gap between available resources and identified needs in such areas as personnel, equipment and training, including review of the impact of Maine National Guard and Reserve deployments abroad on Maine's emergency preparedness;
 - (c) As part of its review of needs and preparedness, receive a report on the status of the Governor's Advisory Council on Homeland Security, its vision and plans and the status of those plans as of May 2005;
 - (d) Hold at least 2 of its meetings outside of Augusta and provide an opportunity for public comment at those meetings; and
 - (e) Review ways to improve the flow of information to the Legislature and the general public about Maine's homeland security needs.
3. **PROJECT TEAM:** Senator Strimling and Representative Gerzofsky-- co-chairs; Maine Emergency Management (MEMA) will staff with support during the interim from OPLA (Natalie Haynes, LA), D. Shores Lynch (researcher), Charlene Cunningham (secretarial support).
4. **FINAL WORK PRODUCT(S):** (A) Interim report, including any necessary suggested legislation, to be submitted to the 2nd Regular Session of the 122nd Legislature at the time of submission of the report. (B) Final report, including the Task Force's findings and recommendations, including suggested legislation, to the First Regular Session of the 123rd Legislature.
5. **INTENDED AUDIENCE:** Legislators, state agencies, departments and members of the public.
6. **ANTICIPATED START & COMPLETION DATES:** Start: October 17, 2005 Interim Report: December 7, 2005 Final Report: November 1, 2006
7. **REQUEST FOR INCREASED FUNDING FROM MEMA:** In order for the Task Force to fully accomplish its duty to review homeland security needs and levels of emergency preparedness statewide, it requests an increase in funds from the Maine Emergency Management Agency in the amount of \$8,485 [\$7,260 to conduct 5 public hearings across the state in November and December 2005 and \$1,225 to cover expenses for two meetings during the Second Regular Session]. Task Force meetings during the Second Regular Session of the 122nd Legislature will be staffed by MEMA. Art Cleaves, Director of MEMA, has confirmed that the requested funding amount is available and can be transferred out of MEMA's homeland security funds. (If possible within the confines of this budget, the Task Force requests the ability to have a 6th public hearing in Presque Isle).
8. **COMMITTEE MEETING PLAN:**

<u>Key Elements</u>	<u>Person Responsible</u>	<u>Other Staff Resources Needed and Type</u>	<u>Meeting Dates</u>	<u>Consultation Needed With</u>
Meeting 1: Public hearing in Augusta with panel presentations from federal, state and local agencies on Maine's homeland security strategies and level of emergency preparedness.	Chairs, Staff	Researcher	10/17/05	MEMA

Meeting 2: Public Hearing in Saco to receive public comment from city and town leaders and members of the public on homeland security/emergency preparedness concerns.	Chairs, Staff	Researcher	November (TBD)	MEMA
Meeting 3: Public Hearing in Brunswick to receive public comment from city and town leaders and members of the public on homeland security/emergency preparedness concerns.	Chairs, Staff	Researcher	November (TBD)	MEMA
Meeting 4: Public Hearing in Rockland to receive public comment from city and town leaders and members of the public on homeland security/emergency preparedness concerns.	Chairs, Staff	Researcher	November (TBD)	MEMA
Meeting 5: Public Hearing in Oxford Hills to receive public comment from city and town leaders and members of the public on homeland security/emergency preparedness concerns.	Chairs, Staff	Researcher	November (TBD)	MEMA
Meeting 6: Public Hearing in Orono to receive public comment from city and town leaders and members of the public on homeland security/emergency preparedness concerns.	Chairs, Staff	Researcher	November (TBD)	MEMA
<i>Meeting 7: If possible within the confines of this budget, a Public Hearing in Presque Isle to receive public comment from city and town leaders and members of the public on homeland security/emergency preparedness concerns.</i>	<i>Chairs, Staff</i>	<i>Researcher</i>	<i>November (TBD)</i>	<i>MEMA</i>
*Meeting 8: Task Force meeting during the second session of the 122nd legislative session.	Chairs, MEMA		Winter 2006 (TBD)	
*Meeting 9: Task Force meeting during the second session of the 122nd legislative session.	Chairs, MEMA		Winter 2006 (TBD)	

* Dependent on approval of additional funding requests.

STUDY COMMISSION REGARDING LIVEABLE WAGES

MEMORANDUM

TO: The Honorable John Richardson, Chair
Legislative Council

FROM: Senator Philip Bartlett, Senate Chair *PB*
Representative Arthur Lerman, House Chair *AL*
Study Commission Regarding Liveable Wages

DATE: October 26, 2005

SUBJ: REQUEST FOR ADDITIONAL MEETINGS

The Study Commission Regarding Liveable Wages is writing to request authorization to hold two additional meetings. The commission is currently authorized to hold 4 meetings.

The commission held its first meeting on October 7th and is scheduled to hold its second meeting on October 27th and its third meeting on November 16th. The fourth meeting is not yet scheduled.

Given the number of issues the commission is charged with reviewing, we anticipate that we will be unable to hear from all necessary experts, discuss solutions and make recommendations within the currently authorized 4 meetings. The commission thus far has made good progress and we want to finish our job in a responsible and complete manner.

Thank you for your consideration of this request for two additional meetings. Please feel free to contact either of us if you have any questions. We look forward to hearing from you.

cc: The Honorable Beth Edmonds, Vice-chair, Legislative Council
David Boulter, Executive Director, Legislative Council
Patrick Norton, Director, OPLA

OCT 26 2005



STATE OF MAINE
HOUSE OF REPRESENTATIVES
CLERK'S OFFICE
2 State House Station
Augusta, Maine 04333-0002

Millicent M. MacFarland
Clerk of the House

October 27, 2005

The Honorable John Richardson
Chair, Legislative Council
2 State House Station
Augusta, Maine 04333-0002

Dear Speaker Richardson:

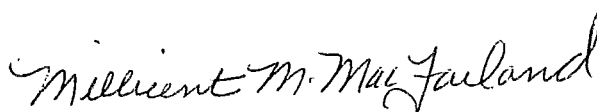
The following proposed schedule is hereby submitted for the consideration of the Legislative Council. I am not recommending an increase in the schedule of fees for Document Service for the Second Regular Session of the 122nd Legislature.

	121st Rate	Proposed Rate 122nd
1. Bills & Resolves (L.D.s) FIRST CLASS-Mailed Daily	\$275.00	\$275.00
2. Bills & Resolves (L.D.s) FIRST CLASS-Mailed-Twice Weekly	\$225.00	\$225.00
3. Bills & Resolves (L.D.s) THIRD CLASS-Mailed Twice Weekly	\$175.00	\$175.00
4. Bills & Resolves (L.D.s) PICKED UP AT DOCUMENT ROOM	\$100.00	\$100.00
5. Amendments (Combined with any Legislative Document Service)-Mailed Weekly	\$100.00	\$100.00
6. Amendments PICKED UP AT DOCUMENT ROOM	\$ 75.00	\$ 75.00
7. Legislative Record FIRST CLASS-Mailed Weekly	\$ 75.00	\$ 75.00
8. Legislative Record PICKED UP AT DOCUMENT ROOM	\$ 50.00	\$ 50.00
9. Public & Private & Special Laws, Resolves, & Constitutional Resolutions FIRST CLASS-Mailed Weekly	\$150.00	\$150.00

10. Public & Private & Special Laws, Resolves & Constitutional Resolutions PICKED UP AT DOCUMENT ROOM	\$ 80.00	\$ 80.00
11. Weekly Computer Printout-Status of Bills FIRST CLASS MAIL	\$150.00	\$150.00
12. Weekly Computer Printout-Status of Bills PICKED UP AT DOCUMENT ROOM	\$ 75.00	\$ 75.00
13. Advance Notice of Public Hearings on Bills FIRST CLASS-Mailed Weekly	\$ 20.00	\$ 20.00
14. Weekly Listings of Bills Printed & Enacted FIRST CLASS MAIL	\$ 20.00	\$ 20.00
15. Joint Resolution FIRST CLASS MAIL	\$ 50.00	\$ 50.00
16. House & Senate Daily Calendars FIRST CLASS-Mailed Weekly	\$ 40.00	\$ 40.00
17. House & Senate Daily Calendars with Supplemental Calendars FIRST CLASS-Mailed Weekly	\$ 75.00	\$ 75.00
18. Legislative Council-Notice of Preliminary Agenda and Minutes, After Deadline List Pre and Post Versions	\$ 90.00	\$ 90.00
19. Weekly Legislative Calendar (1 year Jan. - Jan.) FIRST CLASS MAIL	\$ 30.00	\$ 30.00
20. Roll Call Votes (House & Senate) FIRST CLASS MAIL-Mailed Weekly	\$ 50.00	\$ 50.00
21. Roll Call Votes (House & Senate) PICKED UP AT DOCUMENT ROOM	\$ 25.00	\$ 25.00

I will be happy to respond to any questions the Council may have on this proposed schedule.

Sincerely,



Millicent M. MacFarland
Clerk of the House

Legislative Council Meeting
October 27, 2005

Procedures for Review of Legislative Bill Requests

Requirements relevant to bills in the Second Regular Session

1. Under the terms of the Maine Constitution, Section 1 of Article IV, Part Third, Legislative Power, the business of the second regular session must be limited to budgetary matters; legislation in the Governor's call; legislation of an emergency nature admitted by the Legislature; legislation referred to committees to study and report by the Legislature in the first regular session; and legislation presented to the Legislature by written petition of the electors (direct citizen initiative).
2. Under the 122nd Legislative Council's Rules of Procedure, any action of the Council requires the affirmative vote of at least 6 members.
3. Under Rule 203 of the Joint Rules of the 122nd Legislature, any vote of the Legislative Council to accept or reject a bill or resolve for introduction under the procedures established under the Joint Rules must be taken by the yeas and nays, and that vote must be recorded and made available for public inspection.
4. Under Rule 217 of the Joint Rules, a bill that has been introduced and finally rejected in a regular or special session may not be introduced in a subsequent session of the same Legislature except by a vote of 2/3 of both chambers. Therefore, determinations as to the relevancy of Rule 217 are within the purview of the presiding officers, not the Legislative Council.

Suggested Protocol for deciding legislative bill requests

- A. The Legislative Council will review bill requests alphabetically by policy area. An exception to this order of review may be made for bill requests for which an ASL Interpreter is required for persons who are deaf or hard of hearing. Those bills will be taken out of order at a time during the meeting when an interpreter is available.
- B. For procedural consistency, when voting on a bill request, the initial motion on a bill will be presumed to be a motion to accept the bill request for introduction into the second regular session along with a second to that motion. (Yea is to let in a bill; nay is to reject the bill for introduction). Also for procedural consistency, unless otherwise stated, each motion is presumed to have been made by the vice-chair of the Legislative Council, seconded by the chair.
- C. In order to review all legislative requests in a timely manner, voting will be by electronic vote or a show of hands, with each Council Member's vote on each bill being recorded. The record of each vote will be made available for public inspection following the meeting.

- D. If a bill request has been identified by the Revisor as requiring a ruling under Joint Rule 217, the Legislative Council may vote to accept that bill for introduction, conditional upon a subsequent ruling by the presiding officers. Absent a vote to accept the bill, the bill is presumed to have been turned down by unanimous vote of the Legislative Council.
- E. Legislative sponsors and others are welcome to observe the Council's deliberations on the bill requests, but discussion of the requests will be confined to Council Members. Discussion of a bill request among Council Members will be limited to whether it is appropriate for introduction under Constitutional provisions for second regular session bills, and will not speak to the merits of the bill itself.
- F. If the Legislative Council turns down a bill request, a Legislator may appeal that decision. At a subsequent meeting of the Legislative Council, the Legislator may speak briefly to the bill request under appeal.
- G. A legislative request that has been identified by the Revisor's Office as being closely related to another legislative request that was earlier filed (i.e., having been assigned a lower LR number) or to a carryover bill is presumed to have been turned down by a unanimous vote of the Legislative Council.