

MAINE STATE LEGISLATURE

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SEN. BETH EDMONDS
CHAIR
REP. GLENN A. CUMMINGS
VICE-CHAIR

123RD MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. ELIZABETH H. MITCHELL
SEN. CAROL WESTON
SEN. JOHN L. MARTIN
SEN. RICHARD W. ROSEN
REP. HANNAH M. PINGREE
REP. JOSHUA A. TARDY
REP. SEAN FAIRCLOTH
REP. ROBERT H. CROSTHWAITE

LEGISLATIVE COUNCIL
February 22, 2007
1:00 P.M.
REVISED AGENDA

<u>Page</u>	<u>Item</u>	<u>Action</u>
	CALL TO ORDER	
	ROLL CALL	
1	SUMMARY OF THE JANUARY 25, 2006 MEETING OF THE LEGISLATIVE COUNCIL	Acceptance
	REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	
8	▪ Executive Director's Report (Mr. Boulter)	Information
9	▪ Fiscal Report (Mr. Pennoyer)	Information
10	▪ Information Services Report (Mr. Mayotte)	Information

REPORTS FROM COUNCIL COMMITTEES

- **Personnel Committee** (Speaker Cummings, Chair)
Meeting of January 25, 2007
- **State House Facilities Committee** (Rep. Pingree, Chair)
Meeting of February 16, 2007
- **Subcommittee to Review the Study Committee Process** (Sen. Mitchell, Chair)
- **Budget Subcommittee** (Sen. Martin, Chair)
Meeting of February 21, 2007

- Subcommittee to Administer Technology (President Edmonds, Chair)

OLD BUSINESS

11	Item #1: Council Actions Taken By Ballot (No action required)	Information
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NEW BUSINESS

12	Item # 1: Consideration of After Deadline Bill Requests (including addendum)	Roll Call Vote
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18	Item # 2: Letter from Maine Friends of Animals clarifying proposed Joint Resolution (LR 2093 – Rep. Savage)	Decision
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21	Item # 3: Request by the Task Force to Study Maine’s Homeland Security Needs for Joint Resolution Memorializing the Congress and President of the United States (LR 2529 – Sen. Strimling)	Decision
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23	Item #4: Letter from House Committee on Rules in support of providing laptop computers to each member of the House for Chamber use	Information
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ANNOUNCEMENTS AND REMARKS

ADJOURNMENT



SEN. BETH EDMONDS
CHAIR

REP. GLENN A. CUMMINGS
VICE-CHAIR

123RD MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. ELIZABETH H. MITCHELL
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REP. SEAN FAIRCLOTH
REP. ROBERT H. CROSTHWAITE

MEETING SUMMARY
January 25, 2007

CALL TO ORDER

Legislative Council Chair, President Edmonds called the Legislative Council meeting to order at 1:22 P.M. in the Legislative Council Chamber.

ROLL CALL

Senators: President Beth Edmonds, Sen. Elizabeth Mitchell, Sen. John Martin (*arrived at 2:12PM*), Sen. Carol Weston, Sen. Richard Rosen

Representatives: Speaker Glenn Cummings, Rep. Hannah Pingree, Rep. Sean Faircloth, Rep. Joshua Tardy, Rep. Robert Crosthwaite

Legislative Officers: Millie MacFarland, Clerk of the House
Joy O'Brien, Secretary of the Senate
Michael Cote, Assistant Clerk of the House
David E. Boulter, Executive Director of the Legislative Council
Rose Breton, Legislative Finance Director
Margaret Matheson, Revisor of Statutes
Patrick Norton, Director, Office of Policy & Legal Analysis
Grant Pennoyer, Director, Office of Fiscal and Program Review
Lynn Randall, State Law Librarian
Paul Mayotte, Director, Legislative Information Services

Legislative Council Chair, President Edmonds convened the meeting at 1:22 P.M. with a quorum of members present.

SUMMARY OF DECEMBER 7, 2006 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary of December 7, 2006 be accepted and placed on file. Motion by Sen. Martin, second by Sen. Weston. **Motion passed, unanimous (9-0-0-1).**

Legislative Council Chair President Edmonds asked if there was any objection to taking two items out of order. No objection was expressed so Legislative Council Chair Edmonds proceeded to Item 1 under New Business: Consideration of After Deadline Bill Requests.

NEW BUSINESS

ITEM #1: Consideration of After Deadline Bill Requests

The Legislative Council considered and acted on forty after deadline bill requests. The Legislative Council's actions on these requests are included on the attached list.

ITEM #2: REQUEST TO EXTEND BILL CLOTURE DATE FOR REP. GARY MOORE TO JANUARY 29, 2007

This matter was considered during the Legislative Council's review of Rep. Moore's after deadline request for introduction of LR #2462. The Legislative Council noted that Rep. Moore was sworn into office after the other members of the 123rd Legislature because of a ballot recount for his district seat. It also noted that by joint rule the Legislature, not the Legislative Council, established the bill cloture date of December 15th, and therefore the Legislative Council cannot alter that date.

Motion: That all after deadline bills filed by Rep. Moore until February 22, 2007, the date of the next Legislative Council meeting, be deemed to have been approved for introduction into the First Regular Session by the Legislative Council without further Legislative Council action. Motion by Rep. Tardy, second by Rep. Faircloth. **Motion passed, unanimous (9-0-0-1)**

The Legislative Council then returned to the other items on its agenda.

REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES

Executive Director's Report

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

State House renovations projects for 2006

The last of the State House renovation projects for 2006 is concluding this week with the completion of the emergency call box system at Parking Lots A & B near the State House. The call boxes will be connected to the Building Control Center and Capitol Security, be activated on Monday, and should provide an important measure of security to visitors, legislators and staff who use the parking lots.

MDF Legislative Policy Forum on Health Care

As a reminder, the Maine Development Foundation is holding a legislative policy forum on health care. The forum is scheduled for Friday, January 26, 2007 from 8:30 to 4:00 at the Augusta Civic Center, and is the last of the legislative orientation programs organized by the Legislative Council for this session.

Bill drafting progress

Bill drafting is well underway in the Revisor's office, OPLA and OFPR. The Revisor's office reports that the current number of live LRs stands at 2,097, the number of bills that have been drafted and are out for sponsor review and signature is 244, the number of

completed bills that have been sent for printing is 400, and the number of LR's that have been withdrawn to date is 380.

Availability of Compact Edition of Maine Revised Statutes

Under the terms of an agreement with Thompson West Publishing, the compact edition of the most current version of the Maine statutes is available for purchase by legislators. The cost is approximately \$155 per set, a very favorable rate. The Law and Legislative Reference Library will be sending out an announcement of the availability of the compact edition shortly. If legislators would like to purchase a set of the statutes, they should contact the Executive Director's office.

Fiscal Report

Grant Pennoyer, Director, Office of Fiscal and Program Review, reported the following.

Revenue update

General Fund revenue was under budget by \$11.1 million in December, resulting in a negative variance of \$9.0 million (-0.7%) for the fiscal year-to-date. This variance is from the revised revenue forecast, which increased General Fund revenue by \$86.4 million for FY07, and was driven by the December's corporate income tax collections which were under budget by \$16.9 million for the month and FYTD. The Highway Fund revenue is now performing much closer to budget projections with the recent \$9.6 million downward revision of FY07 revenue in the December 2006 revenue forecast.

Revenue forecasting schedule

The Consensus Economic Forecasting Commission met on Tuesday, January 23rd and modestly improved its consensus economic forecast. The Revenue Forecasting Committee will likely meet in the latter part of February to conclude the update in time for the March 1st statutory report deadline.

Cash pool and cash balance trends

The average cash pool balance has dropped from \$689.3 million in July 2006 to \$494.8 million in December. This decline is largely due to the recent trend in General Fund cash balances and the reliance on internal borrowing from Other Special Revenue Funds rather than using Tax Anticipation Note (TAN) borrowing. TAN borrowing in FY 06 was \$123.6 million. The General Fund increased its internal borrowing from Other Special Revenue Funds to over \$100 million in December. The State Controller and State Treasurer will be consulting soon to see what type of additional cash flow borrowing may be required until receipt of April's income tax collections. The Highway Fund average cash balance continued its downward trend in December with the average balance dropping below \$10 million. Highway Fund cash balances typically recover somewhat during the winter months.

Information Technology Report

Paul Mayotte, Director, Office of Legislative Information Services, reported the following.

MELD bill drafting system

The MELD bill drafting system is in full production. A software consulting firm Omnisphere has been retained to provide software support for the MELD system, and issues with the MELD system are being addressed as they arise.

Bill text on website

Working with the Secretary of the Senate and the Clerk of the House, the office has put into place process changes that allow bill text to be posted to the legislative website more quickly so bill text is readily available to the public. Work is now underway to further automate this process.

Email processing times

The office is monitoring the speed of email transmissions and has made some adjustments to improve the speed of email processing. Large PDF files are moving through the email system more slowly and the office is working to speed transmission of those files as well.

Chamber video broadcasting

Mr. Mayotte is working with the Secretary of the Senate and the Clerk of the House and system vendors to resolve outstanding technical issues with the Senate and House video broadcasting systems.

REPORTS FROM COUNCIL COMMITTEES

1. Personnel Committee (No report)

The Personnel Committee is scheduled to meet on January 25, 2007 at 3:00 P.M.

2. State House Facilities Committee (No report)

3. Subcommittee to Review the Study Committee Process (No report)

The subcommittee had scheduled a meeting for January 19th, but Subcommittee Chair Senator Mitchell cancelled the meeting due to the lack of a quorum. The next meeting of the subcommittee is scheduled for January 25, 2007 at 3:30 P.M.

Legislative Council Chair President Edmonds noted that the Legislative Council had established a *Subcommittee to Administer Technology in the Chambers*. She recommended that the name of the committee be changed to *Subcommittee to Administer Technology* unless other members of the Legislative Council had objection. No members expressed objection to the name change.

OLD BUSINESS

ITEM 1: Legislative Council Actions Taken by Ballot

A copy of the list of actions taken by ballot by the Legislative Council since its December 7, 2006 meeting is attached. No further action by the Legislative Council is required.

There was no other Old Business.

NEW BUSINESS

ITEM 3: REQUEST BY MAINE ENERGY COUNCIL TO EXTEND REPORTING DATE FROM JANUARY 15, 2007 TO MARCH 15, 2007

Motion: That the request by the Maine Energy Council to extend the date by when it must submit its report from January 15, 2007 to March 15, 2007. Motion by Rep. Pingree, second by Sen. Rosen. **Motion passed, unanimous (10-0).**

ITEM #4: REQUEST BY MS. PEGGY BEAMAN FOR PERMISSION TO USE "THE STATE OF MAINE SONG" IN AN EDUCATIONAL MUSIC BOOK

Motion: That permission for Peggy Beaman of Mount Olive, North Carolina to use the copyright protected song, "The State of Maine Song" be granted. Motion by Speaker Cummings, second by Rep. Crosthwaite. **Motion passed, unanimous (10-0).**

ITEM #5: REQUEST BY OPEGA TO CARRY FORWARD UNSPENT FY 06 FUNDS TO FY 07

Legislative Finance Director Rose Breton presented the request by the Office of Program Evaluation and Governmental Accountability to carry forward certain unspent funds from FY06 to FY07 and to transfer certain funds from All Other to the Capital line category as described in OPEGA Director Beth Ashcroft's memo to January 10, 2007.

Motion by Sen. Martin to approve the request by OPEGA, second by Sen. Weston. **Motion passed, unanimous (10-0).**

Item # 6: REQUEST BY LAW & LEGISLATIVE REFERENCE LIBRARY TO CARRY FORWARD UNSPENT FY 06 FUNDS TO FY 07

Legislative Finance Director Rose Breton presented a similar request by the Law and Legislative Reference Library to carry forward certain unspent funds from FY06 to FY07 and to transfer certain funds from All Other to the Capital line category as described in State Law Librarian Lynn Randall's memo of January 10, 2007.

Motion by Sen. Martin to approve the request by the Law & Legislative Reference Library, second by Sen. Mitchell. **Motion passed, unanimous (10-0).**

CLARIFICATION OF NEWLY ADOPTED POLICY BY LEGISLATIVE COUNCIL ON MAKING ADJUSTMENTS TO LEGISLATIVE ACCOUNTS

Ms. Breton then asked the Legislative Council for clarification of administration of the Legislative Council's new policy with respect to budget adjustments that it adopted at its November 16, 2006 meeting. She noted that the clear intent of the council's policy was to no longer submit budget adjustments for legislative accounts to a review and approval by the State

Budget Officer and the Governor (Financial Order process). She explained that the wording of the policy as adopted carries out that intent; however, in addition it could be read to mean that certain budget adjustments that were previously considered routine and transmitted directly by the Executive Director's office to the budget office must now be decided by the full Legislative Council before the budget adjustments can be processed. For example, she explained that carrying forward unspent funds from a prior fiscal year to the current fiscal year to pay for goods or services ordered in one fiscal year but received in the subsequent fiscal year was considered routine and previously was handled directly by her without presentation to the Legislative Council.

President Edmonds explained that it was her understanding that intent of the Legislative Council in adopting the new policy was to discontinue the long-standing practice of submitting Financial Orders to adjust legislative budgets to the Executive Branch for review and approval but not to change the legislature's internal process for making budget adjustments or to impose new requirements for Legislative Council approval for routine budget adjustments.

Ms. Breton explained her understanding that those budget adjustments considered to be "routine" and, therefore, authority for which is delegated to the Executive Director include those adjustments within line item categories when fiscally prudent or necessary to properly manage legislative accounts provided that the funds budgeted to each major organizational unit of the legislature are not exceeded and the adjustments will not result in on-going unbudgeted legislative costs.

Legislative Council Chair President Edmonds asked the council members if that was their understanding as well. The members agreed with the clarification presented by Ms. Breton, and President Edmonds then stated that the Executive Director's office should carry out future budgets adjustments in accordance with that clarification.

ITEM # 7: SUBMISSION OF FINAL REPORT OF HUMAN TRAFFICKING TASK FORCE

ITEM # 8: SUBMISSION OF ANNUAL REPORT OF THE LEGISLATIVE YOUTH ADVISORY COUNCIL

ITEM # 9: SUBMISSION OF FINAL REPORT OF THE COMMISSION TO STUDY THE COST OF PROVIDING CERTAIN SERVICES IN THE UNORGANIZED TERRITORIES

ITEM # 10: SUBMISSION OF REPORT OF THE RIGHT TO KNOW ADVISORY COMMITTEE

ITEM # 11: SUBMISSION OF THE FINAL REPORT OF THE TASK FORCE TO STUDY MAINE'S HOMELAND SECURITY NEEDS

ITEM # 12: SUBMISSION OF THE FINAL REPORT OF THE JOINT SELECT COMMITTEE ON RESEARCH, ECONOMIC DEVELOPMENT AND THE INNOVATION ECONOMY

ITEM # 13: SUBMISSION OF THE FINAL REPORT OF THE COMMISSION TO STUDY THE HENDERSON BROOK BRIDGE IN THE ALLAGASH WILDERNESS WATERWAY (addendum to agenda- report was submitted after the revised agenda was prepared but prior to the Legislative Council meeting)

Motion: That the Legislative Council accept the above noted seven reports and place them on file. Motion by Sen. Mitchell, second by Sen. Weston. **Motion passed, unanimous (10-0).**

ANNOUNCEMENTS AND REMARKS

Legislative Council members were reminded of the Personnel Committee meeting that is scheduled for 3:00 and the meeting of the Subcommittee to Review the Study Committee Process that is scheduled for 3:30 in the afternoon.

ADJOURNMENT

The Legislative Council meeting was adjourned at 2:21 P.M. Motion by Sen. Weston, second by Rep. Faircloth. **Motion passed, unanimous (10-0).**

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DAVID E. BOULTER
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

**Legislative Council
Executive Director's Report**

February 22, 2007

1. Council of State Governments Officials Visit to Maine

Alan Sokolow, Executive Director of CSG/ERC and several of his staff will be in Maine from February 28 – March 1 for CSG's annual visit with various Legislators and staff and to observe committee and chamber sessions. Mr. Sokolow hopes to meet with each member of Leadership during his visit.

2. Completion of Lighting for Klir Beck Dioramas

For the first time since their re-installation, all four of the wildlife dioramas located in the underground connector are sufficiently lit. The result is a dramatic improvement in the ability to observe the wildlife as well as the detailed background scenes. The lighting used is low maintenance and not destructive to the dioramas. Much credit goes to Conservator Ronald Harvey, Tuckerbrook Conservation of Lincolnville who developed the supplemental lighting system.

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Fiscal Briefing

Legislative Council Meeting

February 22, 2007

*Prepared by the
Office of Fiscal & Program Review*

1. Revenue Update

- General Fund revenue was over budget \$3.3 million in January, reducing the negative variance for the Fiscal Year-to-date (FYTD) to \$5.7 million (-0.4%). As feared, the negative variance in Corporate Income Tax collections did not recover in January and actually worsened by \$1.6 million to \$18.5 million for the FYTD. This represents a 16.7% decline over the same period last year. Individual Income Tax remained over budget through January. BETR and Circuit Breaker transfers account for a \$13.0 million positive variance for the FYTD, which was offset by a negative variance in Individual Income Tax refunds of \$9.2 million. Both of these variances within the Individual Income Tax are largely timing issues resulting from delays or extensions in BETR filings and a very efficient and early processing of tax refunds. The performance of the Estate Tax is still surprisingly strong running \$3.2 million over budget for the FYTD.
- Some areas of concern in addition to the Corporate Income Tax are the Cigarette Tax and Income from Investments.
- Highway Fund revenue, which was running slightly ahead of budget in December, suffered a set-back in January, largely as a result of Fuel Tax collections, which were under budget by \$1.3 million in January.

2. Revenue Forecasting Schedule

- The Revenue Forecasting Committee (RFC) will meet on Friday, February 23rd at 9:30AM in the Legislative Council Chambers. The RFC is still trying to find an answer to the drop in corporate income tax collections.

3. Cash Pool and Cash Balance Trends

- Average Cash Pool balance was \$564.9 million in January, which is below the \$689.3 million in July 2006, but does represent an improvement over the \$494.8 million in December. As noted earlier, this decline from the start of the fiscal year is largely due to the reliance on General Fund internal borrowing from Other Special Revenue Funds rather than using Tax Anticipation Note (TAN) borrowing. TAN borrowing in FY 06 was \$123.6 million.
- General Fund internal borrowing from Other Special Revenue Funds, which averaged over \$100 million in December, dropped to \$74 million in January. The State Controller and State Treasurer still believe that no TAN borrowing will be required this fiscal year.
- Highway Fund average cash balance trends recovered slightly in January, but average balances remain very low, which may affect the Department of Transportation's ability to implement new projects.

123rd MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL
Technology Report
February 22, 2007

Daylight Saving Time:

- Effective in 2007 the start and end dates for daylight saving time (DST) are changing to comply with the Energy Policy Act of 2005.
- DST will start on Sunday, March 11th, 2007 and will end on Sunday, November 4th, 2007.
- Legislative Information Systems Office will be installing software updates before the start of DST to update the Legislatures information systems for the new DST start and end dates.
- Over the March 11th weekend, a number of systems platforms will be rebooted to implement DST.

**Legislative Council Actions
Taken by Ballot Since the
January 25, 2007 Council Meeting**

Request for Introduction of Legislation

- A. LR 2527: **An Act to Authorize a Bond Issue for Improvements
to Passenger Rail Service**

Submitted by: Senator President Beth Edmonds

Accepted: February 1, 2007 Vote: 10 – 0 in favor

- A. LR 2526: **An Act to Clarify the Confirmation Process of the Director of the
Maine Emergency Management Agency**

Submitted by: Senator Ethan Strimling

Accepted: February 1, 2007 Vote: 6 – 0 – 0 – 4 in favor

**LEGISLATIVE COUNCIL
AFTER DEADLINE REQUESTS TO INTRODUCE LEGISLATION
FIRST REGULAR SESSION, 123rd LEGISLATURE
January 18, 2007**

Action

SPONSOR: Rep. Barstow, Christopher R.

LR 2540 An Act To Modify Daylight Savings Time According to Federal Statute

SPONSOR: Rep. MacDonald, W. Bruce

LR 2545 Resolve, Directing the Department of Transportation To Conclude Its Study of the Alternative Routes for the Wiscasset Bypass, Choose One and Begin Work on the Bypass

SPONSOR: Rep. Patrick, John L.

LR 2525 An Act To Allow a Casino in Oxford County

SPONSOR: Rep. Saviello, Thomas B.

LR 2535 Resolve, Directing the Department of Conservation To Convey an Easement across a Rail Trail in Jay to the Owner of the Look Brook Subdivision

SPONSOR: Sen. Weston, Carol

LR 2536 An Act To Revise the Statute of Limitations for Actions Against Professional Land Surveyors

SPONSOR: Rep. Wheeler, Sr., Walter A.

LR 2543 An Act To Require Municipalities To Enforce the Collection of the State Excise Tax on Motor Vehicles, Boats and Recreational Vehicles Owned by Maine Residents Registered in Foreign States

JOINT RESOLUTION

SPONSOR: Sen. Strimling, Ethan

LR 2529 JOINT RESOLUTION MEMORIALIZING CONGRESS AND THE PRESIDENT OF
THE UNITED STATES TO ENSURE THE ABILITY OF STATES TO
EFFECTIVELY SUPPORT NATIONAL HOMELAND SECURITY GOALS

SPONSOR: Rep. Berry, Seth A.

TABLED
01/25/07

LR 2440 An Act To Declare a Moratorium on the Sale and Installation
of Outdoor Wood Boilers That Do Not Meet the Current EPA
Standards for Wood Stoves

SPONSOR: Rep. Craven, Margaret M.

WITHDRAWN
02/21/07

LR 2441 An Act To Allow Union Members to Collect Unemployment
Benefits during a Strike

SPONSOR: Rep. Craven, Margaret M.

TABLED
01/25/07

LR 2442 An Act To Increase MaineCare Reimbursement for Speech and
Language Therapists and Provide Treatment for Adults with
Developmental Disabilities

SPONSOR: Rep. Greeley, Christian D.

TABLED
01/25/07

LR 2480 An Act To Amend the Law Regarding Failure To Provide a
Correct Name

SPONSOR: Rep. Greeley, Christian D.

TABLED
01/25/07

LR 2481 An Act To Allow Refusal To Submit to a Test Grounds for
Conviction for Operating under the Influence

SPONSOR: Rep. Greeley, Christian D. **TABLED**
01/25/07

LR 2482 An Act To Increase the Penalty for Failure To Appear on a
Summons

SPONSOR: Rep. Greeley, Christian D. **TABLED**
01/25/07

LR 2483 An Act To Require Registered Sex Offenders To Reveal that to
the Police

SPONSOR: Rep. Greeley, Christian D. **TABLED**
01/25/07

LR 2484 An Act To Include Children as Persons Eligible under the
Military Family Leave Act

SPONSOR: Rep. Greeley, Christian D. **TABLED**
01/25/07

LR 2485 An Act To Exempt from Income Tax Military Reenlistment
Bonuses

SPONSOR: Rep. Greeley, Christian D. **TABLED**
01/25/07

LR 2486 An Act To Increase the Penalties for Cruelty to Animals

JOINT RESOLUTION

SPONSOR: Rep. Berry, Seth A. **TABLED**
01/25/07

LR 1694 JOINT RESOLUTION MEMORIALIZING THE PRESIDENT AND THE
CONGRESS OF THE UNITED STATES TO REPEAL THE LAWS THAT
REDUCE SOCIAL SECURITY BENEFITS FOR RETIRED TEACHERS

JOINT RESOLUTION

SPONSOR: Rep. Berry, Seth A. **TABLED**
01/25/07

LR 2416 JOINT RESOLUTION, MEMORIALIZING CONGRESS TO REQUEST THAT
MAINE'S HIGHWAY TAX DOLLARS COME BACK TO MAINE

JOINT RESOLUTION

SPONSOR: Rep. Bliss, Lawrence

TABLED
01/25/07

LR 1156 JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE CONGRESS OF THE UNITED STATES TO FULFILL THE INTENT TO FUND 40% OF THE COSTS OF SPECIAL EDUCATION AND TO END UNFUNDED MANDATES

JOINT RESOLUTION

SPONSOR: Sen. Bowman, Peter B.

TABLED
01/25/07

LR 1542 JOINT RESOLUTION MEMORIALIZING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO EXEMPT SCHOOL ADMINISTRATIVE UNITS FROM THE FEDERAL NO CHILD LEFT BEHIND ACT OF 2001 WHEN STUDENT ATTENDANCE FALLS BELOW THE STATE TARGET DUE TO EXCESSIVE STUDENT ABSENTEEISM

JOINT RESOLUTION

SPONSOR: Sen. Courtney, Jonathan T.E.

TABLED
01/25/07

LR 0040 JOINT RESOLUTION MEMORIALIZING CONGRESS TO REINSTATE THE MILITARY CLASSIFICATION OF "POW" OR "PRISONER OF WAR"

JOINT RESOLUTION

SPONSOR: Rep. Marley, Boyd P.

TABLED
01/25/07

LR 1983 JOINT RESOLUTION MEMORIALIZING CONGRESS TO BOYCOTT CANADIAN SEAFOOD UNTIL THE SLAUGHTER OF PUP SEALS STOPS

JOINT RESOLUTION

SPONSOR: Rep. Savage, David G.

TABLED
01/25/07

LR 2093 JOINT RESOLUTION MEMORIALIZING CONGRESS TO BOYCOTT CANADIAN SEAFOOD DUE TO THE CONTINUING CANADIAN SEAL HUNT

JOINT RESOLUTION

SPONSOR: Rep. Schatz, James M.

**TABLED
01/25/07**

LR 0949 JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED
STATES IN OPPOSITION TO MANDATORY IDENTIFICATION OF ANIMALS

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ADDENDUM

**LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
FIRST REGULAR SESSION
February 22, 2007**

Action

SPONSOR: Sen. Hobbins, Barry J.

LR 2541 An Act To Prevent Disclosure of Certain Identifying
Information in Child Protective Procedures

SPONSOR: Sen. Mitchell, Elizabeth H.

LR 2547 An Act To Incorporate the Greater Augusta Utility District

SPONSOR: Rep. Pingree, Hannah

LR 2549 An Act To Fund Maine's Health Infonet Program

SPONSOR: Sen. Weston, Carol

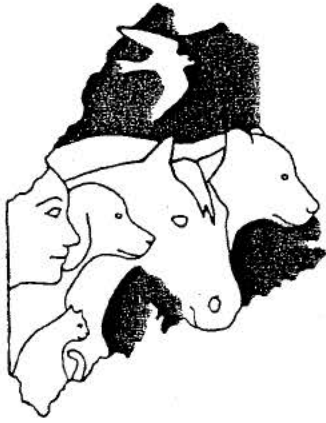
LR 2551 An Act To Restore Transparency and Accountability in State
Government

SPONSOR: Sen. Snowe-Mello, Lois A.

LR 2552 An Act To Make Real Estate Taxation Stable, Equitable and
Predictable

SPONSOR: Rep. Marean, Donald G.

LR 2554 An Act To Require Nonresidents To Pay Sales Tax on
Snowmobiles and ATV's



MAINE FRIENDS OF ANIMALS

EXECUTIVE DIRECTOR'S
OFFICE
SILENCE IS THE VOICE OF COMPLICITY.
SPEAK UP FOR ANIMALS.

2007 JAN 33 P 4: 22

January 31, 2007

Executive Council
c/o Speaker Glenn A. Cummings
2 State House Station
Augusta, ME 04333-0002

Dear Members of the Executive Council:

It is my understanding that the Executive Council determines whether resolutions are moved to consideration. I would like to bring to your attention that the original title was listed incorrectly. Enclosed is the correct title and language which the Revisor's office has.

The resolution itself does not call for a boycott of Canadian tourism or Canadian seafood, although we support those measures. It simply calls for the state to ask the government of Canada to end the sanctioning of the annual seal pup hunt. It is the most brutal and inhumane slaughter of marine mammals in the world. See attached.

This resolution means a great deal to our 1,200 members throughout the state and we very much hope you will move it forward for consideration in the 123rd legislative session.

Sincerely,

Robert Fisk

Robert Fisk, Jr.
President & Director

2007 JAN 33 P 1: 11
EXECUTIVE DIRECTOR'S
OFFICE

HELP MFOA SUPPORT THE ENDING OF THE CRUEL SLAUGHTER OF CANADIAN SEAL PUPS

Maine Friends of Animals is asking its members and animal protection activists in Maine to please support its effort in ending one of the most egregious forms of animal cruelty, which is now being perpetrated by the Canadian government's sanctioning of the annual slaughter of over 300,000 harp or hooked seal pups. Maine being the closest American state to this extremely inhumane hunt must support all means possible to end it. MFOA's strategy is political and financial in nature and needs your support. Three ways you can help MFOA in this effort:

Action #1

Support MFOA's Joint Resolution before the Maine legislature by contacting your State Representative and Senator to support LR 2093. Find contact information on your legislators by going to <http://janus.state.me.us/house/townlist.htm>. Follow up with a letter to the editor in your local newspaper.

JOINT RESOLUTION CALLING ON THE GOVERNMENT OF CANADA TO END ITS SANCTIONING OF THE ANNUAL SEAL PUP HUNT

Whereas, Maine being the state closest to New Brunswick and the Canadian Maritime Provinces, sharing a common border and the Atlantic Ocean; and

Whereas, the Canadian commercial seal hunt is the largest mass slaughter of marine mammals in the world; and

Whereas, the annual shooting, clubbing and often live skinning of 300,000 seal pups in front of their mothers has outraged much of the international community, including the European Union banning all trade in harp and hooked seal products, and the international effort to boycott Canadian seafood products; and

Whereas, the slaughter is done mainly for unessential needs and vanity as a luxury fur item, and therefore is unnecessary; and

Whereas, Maine citizens believe in the humane treatment of animals; and

Whereas, the Canadian government once banned this practice, but then recently removed the ban three years ago, which has resulted in the brutal death of over 1,000,000 seal pups; now, therefore, be it

Resolved: That We, the members of the One Hundred and Twenty-third Legislature now assembled in the First Regular Session, on behalf of the people we represent, be resolved that the State of Maine calls on the government of Canada to end its sanctioning of the annual baby seal hunt.

- *Sponsored by Maine Friends of Animals*



Sea Shepherd

HELP STOP THE SEAL SLAUGHTER

OVER 320,000 SEALS WERE SLAUGHTERED THIS SPRING

The Canadian commercial seal hunt is the largest mass slaughter of marine mammals in the world.

To no one's surprise, the ruthless Canadian sealers exceeded the Department of Fisheries and Oceans (DFO) 3-year kill

quota of 975,000 baby and adult harp seals and 30,000 adult hood seals. In the first place, there was no scientific justification for these quotas as the seal counting techniques used amount to little more than guesswork, and worse, the sealers do the counting.

From February to April of 2005, Sea Shepherd Conservation Society (SSCS) founder and president, Captain Paul Watson and the volunteer crew onboard our flagship *Farley Mowat* were present in the icy waters of the Gulf of St. Lawrence and the Labrador Front to oppose this annual, cruel slaughter of the innocents.

Our plan to save the seals continues: Expose what the Canadian government would like to keep hidden. Once again we documented the horror of the blood-drenched ice floes and the pitiful suffering of the young seal pups as they die. We need to make the world look at the horrific images to keep this atrocity from disappearing out-of-sight and, therefore, out-of-mind. To this end, we were successful in elevating international public and media awareness of the slaughter, and the Canadian government was forced on the defensive. However, our work is not done and we need your help.

In the early 1980's, the world's outcry of opposition brought the hunt to a close, only to be opened again by this government intent on creating an industry that is, in effect, a glorified welfare system for their off-season fisherman. The fishing industry controls the seal "hunt" and that is why we ask you to join the Boycott of Canadian Seafood. We need to bring sufficient economic pressure to bear on the fishing industry to outweigh the miniscule amount brought in by the seal slaughter.

Please stand with us on the ice floes off Eastern Canada and hold up the banner for life, for the defenseless baby harp seals and their mothers.

SHEPHERDS TO THE SEALS

• Captain Paul Watson and Sea Shepherd have been fighting sealers since 1973.

• Over the course of a quarter of a century SSCS has saved hundreds of thousands of seals from slaughter.

• SSCS shut down the gray seal hunt in the Scottish Orkney Islands and is considered to be the most aggressive threat to Canadian sealers by the Canadian government and the Canadian Sealing Association.

This is a fight Sea Shepherd doesn't intend to quit until the senseless slaughter of seals is ended.



MAINE STATE LEGISLATURE
Augusta, Maine 04333

TASK FORCE TO STUDY MAINE'S HOMELAND SECURITY NEEDS

To: Sen. Beth G. Edmonds, President of the Senate, Chair, Legislative Council
Rep. Glenn Cummings, Speaker of the House, Vice Chair, Legislative Council

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

Date: February 2, 2006

Re: Joint Resolution Memorializing the Congress and President of the United States

The Task Force to Study Maine's Homeland Security Needs respectfully requests your approval to introduce a joint resolution memorializing the Congress and the President of the United States to shift funding priorities and to support the equitable disbursement of homeland security funds. This joint resolution was included as proposed legislation within the Task Force's interim report and a copy of the resolution is attached.

Pursuant to Joint Rule 214, "*a memorial is not in order for introduction unless approved by a majority of the Legislative Council.*" The Task Force strongly believes that this joint resolution is necessary to ensure that Maine and all other states receive their fair share of homeland security funds in order to provide our emergency management agency, law enforcement and first responders with the necessary tools to protect our citizens from security threats and to achieve our national preparedness goals. Accordingly, the Task Force would greatly appreciate your support and approval of this memorial.

Thank you very much for your time and attention to this matter.

cc: David E. Boulter, Executive Director, Legislative Council
Patrick Norton, Director, Office of Policy and Legal Analysis
Members, Task Force to Study Maine's Homeland Security Needs

**JOINT RESOLUTION MEMORIALIZING CONGRESS AND THE PRESIDENT OF
THE UNITED STATE TO ENSURE THE ABILITY OF STATES TO EFFECTIVELY
SUPPORT NATIONAL HOMELAND SECURITY GOALS**

WE, your Memorialists, the Members of the One Hundred and Twenty-third Legislature of the State of Maine now assembled in the First Session, most respectfully present and petition the Congress and the President of the United States as follows:

WHEREAS, the success of our nation's homeland security, emergency management and public health system preparedness strategy relies on the success of our cohesive Federal, State, and local prevention and response efforts; and

WHEREAS, the State of Maine's homeland security and emergency preparedness funding has declined an estimated \$15,630,000 from approximately \$31,853,000 in fiscal year 2004 to a projected \$16,223,000 in 2006; and

WHEREAS, all states and territories need a baseline level of funding to effectively support emergency management, law enforcement, public health professionals and first responders in their rigorous efforts to protect our citizens from and respond to security threats, natural and human-made disasters and public health emergencies; and

WHEREAS, all states and territories need a baseline level of funding to effectively support emergency management, law enforcement, public health professionals and first responders in their rigorous efforts to address the vulnerabilities of our ports, borders, agricultural food production and supply, water supply, fuel, computer systems and other sensitive targets; and

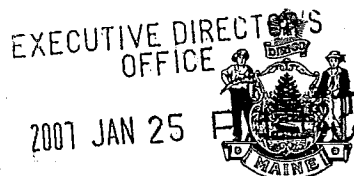
WHEREAS, all states and territories need flexibility to address unique local or regional needs while working cooperatively to achieve national preparedness goals; and

WHEREAS, Congress has the responsibility to ensure that all states and territories have the tools necessary to make their own individual contributions to our collective national security;

WHEREAS, the Task Force to Study Maine's Homeland Security Needs unanimously agree that these issues need to be addressed; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the United States Congress shift spending priorities and enact legislation that includes the content of the Homeland Security Grant Enhancement Act sponsored by Senator Susan Collins in 2005, to provide each state with their fair and reasonable share of homeland security funding as well as public health bioterrorism grant funding, to establish essential capabilities to prevent and respond to the next disaster or terrorist attack; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George W. Bush, President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and each member of the Maine Congressional Delegation.



Stan Gerzofsky, Chair
Herbert Adams
Nancy Smith
Henry Joy
Stacey Fitts

State of Maine
One Hundred and Twenty-Third
Legislature
House Committee on
House Rules

Staff

Millicent M. MacFarland
Michael J. Cote
Jennifer McGowan

January 23, 2007

Members, Legislative Council Subcommittee on Technology
State House
Augusta, ME 04333

Dear President Edmonds and Subcommittee Members:

The House Committee on Rules today voted unanimously to endorse the concept as presented by Representative Linda Valentino to provide laptops and the necessary software to support the electronic dissemination of calendars, supplements, bills, amendments, and other documents as appropriate to each member of the House.

The committee would appreciate receiving any information that may be helpful to this pursuit that your subcommittee may have to offer by June 1, 2007.

We thank you for your efforts and look forward to working on this project for the House.

Sincerely,

Representative Stan Gerzofsky, Chair

Cc: Members, Legislative Council
Secretary of the Senate
Clerk of the House
Office Directors
Executive Director

DRAFT – LR1694
February 26, 2007
Sponsor: Rep. Seth Berry

**JOINT RESOLUTION MEMORIALIZING THE PRESIDENT AND
THE CONGRESS OF THE UNITED STATES TO REPEAL THE
LAWS THAT REDUCE SOCIAL SECURITY BENEFITS FOR
RETIRED TEACHERS CONGRESS OF THE UNITED STATES TO
ENACT THE SOCIAL SECURITY FAIRNESS ACT OF 2007**

WE, your Memorialists, the Members of the One Hundred and Twenty-Third Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the members of the Congress of the United States as follows:

WHEREAS, the Social Security Trust Fund is intended as a compact between generations, yet has not always been treated in a manner similar to other trust funds; and

WHEREAS, Maine's educators, transportation workers, police, firefighters, and other civil servants, as well as their spouses, have collectively contributed tens of billions of dollars to Social Security, and should in good faith receive such benefits as have been projected to them annually in their personalized Social Security statements; and

WHEREAS, the federal "Government Pension Offset" and "Windfall Eliminations Provision," enacted, respectively, in 1977 and 1983, have effectively treated state government pensions as if they were a provenance of Social Security, which they are not, and have in this treatment appropriated hundreds of billions of dollars previously entrusted to Social Security by the civil servants of fifteen states, and by their spouses also; and

WHEREAS, by unfairly taking these hundreds of billions of dollars from just fifteen states, including Maine, these twin federal policies have adversely and disproportionately affected Maine's ability to attract and retain effective and qualified workers, as well as Maine's overall economy, its schools, its tax base, and its taxpayers and other residents; and

WHEREAS; Maine has worked hard, over generations, to attract, retain, and provide for its state workers in their retirement, and has scrupulously guarded and invested the funds entrusted to its Retirement System, bringing those reserves to one hundred times the value they had just four decades ago; and

WHEREAS, Maine's Senator Susan Collins, with others, has introduced legislation entitled the Social Security Fairness Act of 2007, proposing to repeal these unfair takings from Maine and from other states; and

WHEREAS, all other Members of the Maine Congressional Delegation are cosponsors of this legislation, along with more than 200 others as of mid-February; and

WHEREAS, Maine's previous Legislatures, Executives, Senators and Congressmen have also worked to overturn these unfair takings from Maine's economy in the past; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the United States Congress enact the Social Security Fairness Act of 2007; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George W. Bush, President of the United States, the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and to each Member of the Maine Congressional Delegation.

FY 2008-2009 SUMMARY OF PROPOSED BIENNIAL BUDGET REQUEST-GENERAL FUND

	FISCAL YEAR 2004	FISCAL YEAR 2005	TOTAL FY 04/05	FISCAL YEAR 2006	FISCAL YEAR 2007	TOTAL FY 06/07	FISCAL YEAR 2008	FISCAL YEAR 2009	08/09 Proposed
ACCOUNT	Final Appropriation	Final Appropriation	BIENNIUM	Final Appropriation	Adj. Appropriation	BIENNIUM	Proposed Request	Proposed Request	Biennial Request
(col. 1)	(col. 2)	(col. 3)	(col. 4)	(col. 5)	(col. 6)	(col. 7)	(col. 8)	(col. 9)	(col. 10)
Legislative Account									
Personal Services	15,501,577	17,508,419	33,009,996	17,509,293	18,842,815	36,352,108	18,907,313	20,500,144	39,407,457
All Other	4,271,969	4,679,974	8,951,943	4,342,700	4,719,649	9,062,349	4,419,047	4,795,666	9,214,713
Capital	68,200	25,000	93,200	30,000	30,000	60,000	30,000	30,000	60,000
Total Legislative Account	19,841,746	22,213,393	42,055,139	21,881,993	23,592,464	45,474,457	23,356,360	25,325,810	48,682,170
Annual % Change		11.953%		-1.492%	7.817%		-1.001%	8.432%	
Biennium % Change						8.131%			7.054%
Comm on Interstate Cooperation									
All Other	172,229	172,668	344,897	172,668	172,668	345,336	206,120	218,998	425,118
Annual % Change		0.255%		0.000%	0.000%		19.374%	6.248%	
Biennium % Change						0.127%			23.103%
Comm on Uniform State Laws									
All Other	0	12,000	12,000	12,000	12,000	24,000	12,000	12,000	24,000
Annual % Change		#DIV/0!		0.000%	0.000%		0.000%	0.000%	
Biennium % Change						100.000%			0.000%
State House & Capitol Park Comm									
All Other	67,834	67,834	135,668	67,834	67,834	135,668	67,834	67,834	135,668
Annual % Change		0.000%		0.000%	0.000%		0.000%	0.000%	
Biennium % Change						0.000%			0.000%
Misc Studies-Legislative									
Personal Services	13,400	11,850	25,250	11,250	7,890	19,140	11,250	7,450	18,700
All Other	25,600	26,400	52,000	18,750	16,100	34,850	18,750	12,550	31,300
Total Misc Studies	39,000	38,250	77,250	30,000	23,990	53,990	30,000	20,000	50,000
Annual % Change		-1.923%		-21.569%	-20.033%		25.052%	-33.333%	
Biennium % Change						-30.110%			-7.390%
LEG. ACCTS SUMMARY:									
PERSONAL SERVICES	15,514,977	17,520,269	33,035,246	17,520,543	18,850,705	36,371,248	18,918,563	20,507,594	39,426,157
ALL OTHER	4,537,632	4,958,876	9,496,508	4,613,952	4,988,251	9,602,203	4,723,751	5,107,048	9,830,799
CAPITAL	68,200	25,000	93,200	30,000	30,000	60,000	30,000	30,000	60,000
TOTAL SUMMARY	20,120,809	22,504,145	42,624,954	22,164,495	23,868,956	46,033,451	23,672,314	25,644,642	49,316,956
Annual % Change		11.845%		-1.509%	7.690%		-0.824%	8.332%	
Biennium % Change						7.996%			7.133%

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9/21/2006 (Approved by the Legislative Council's Budget Subcommittee on 2/21/07)

FY 2008-2009 SUMMARY OF PROPOSED BIENNIAL BUDGET REQUEST-GENERAL FUND

	FISCAL YEAR 2004	FISCAL YEAR 2005	TOTAL FY 04/05	FISCAL YEAR 2006	FISCAL YEAR 2007	TOTAL FY 06/07	FISCAL YEAR 2008	FISCAL YEAR 2009	08/09 Proposed
ACCOUNT	Final Appropriation	Final Appropriation	BIENNIUM	Final Appropriation	Adj. Appropriation	BIENNIUM	Proposed Request	Proposed Request	Biennial Request
(col. 1)	(col. 2)	(col. 3)	(col. 4)	(col. 5)	(col. 6)	(col. 7)	(col. 8)	(col. 9)	(col. 10)
Reserve Fund for State House Preservation and Maintenance									
All Other	800,000	800,000	1,600,000	800,000	800,000	1,600,000	800,000	800,000	1,600,000
Annual % Change		0.000%		0.000%	0.000%		0.000%	0.000%	
Biennium % Change						0.000%			0.000%
OPEGA									
Personal Services	18,306	242,888	261,194	636,588	674,199	1,310,787	700,109	730,087	1,430,196
All Other	280,291	44,108	324,399	287,259	254,499	541,758	254,499	254,499	508,998
Capital		0	0		0	0	0	0	0
Total OPEGA	298,597	286,996	585,593	923,847	928,698	1,852,545	954,608	984,586	1,939,194
Annual % Change		-3.885%		221.902%	0.525%		2.790%	3.140%	
Biennium % Change						216.354%			4.677%
Law & Legislative Reference Library									
Personal Services	1,076,933	1,119,318	2,196,251	1,153,572	1,177,671	2,331,243	1,199,497	1,225,913	2,425,410
All Other	325,952	356,928	682,880	356,928	356,928	713,856	356,928	356,928	713,856
Capital	0	0	0	0	0	0	0	0	0
Total Library	1,402,885	1,476,246	2,879,131	1,510,500	1,534,599	3,045,099	1,556,425	1,582,841	3,139,266
Annual % Change		5.229%		2.320%	1.595%		1.422%	1.697%	
Biennium % Change						5.765%			3.092%