

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

March 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 FEBRUARY 22, 2007 MEETING OF THE LEGISLATIVE COUNCIL	Acceptance
	REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	
13	▪ Executive Director's Report (Mr. Boulter)	Information
14	▪ Fiscal Report (Mr. Pennoyer)	Information
16	▪ Information Services Report (Mr. Mayotte)	Information
	REPORTS FROM COUNCIL COMMITTEES	
	• Personnel Committee (Speaker Cummings, Chair) No Report	
	• State House Facilities Committee (Rep. Pingree, Chair) No Report	
	• Subcommittee to Review the Study Committee Process (Sen. Mitchell, Chair)	
	• Budget Subcommittee (Sen. Martin, Chair)	
	• Subcommittee to Administer Technology (President Edmonds, Chair)	

OLD BUSINESS

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

18	Item # 1: Consideration of After Deadline Bill Requests	Roll Call Vote
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24	Item # 2: Invitation from Kids Consortium for Legislative Council to participate in a ceremony recognizing student's involvement in Project Citizen.	Information
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25	Item #3: Request by the Maine Citizen Trade Policy Commission to introduce a Joint Resolution (LR#2572)	Decision
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Decision

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT



SEN. BETH EDMONDS
CHAIR

REP. GLENN A. CUMMINGS
VICE-CHAIR

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

123RD MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

MEETING SUMMARY
February 22, 2007

CALL TO ORDER

Legislative Council Chair, President Edmonds called the Legislative Council meeting to order at 1:50 P.M. in the Legislative Council Chamber.

ROLL CALL

Senators: President Beth Edmonds, Sen. Elizabeth Mitchell, Sen. John Martin, 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 1:50 P.M. with a quorum of members present.

SUMMARY OF JANUARY 25, 2007 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary of January 25, 2007 be accepted and placed on file. Motion by Rep. Tardy, second by Rep. Pingree. **Motion passed, unanimous (10-0).**

Legislative Council Chair President Edmonds asked if there was any objection to taking one item 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 sixteen after deadline bill requests. The Legislative Council's actions on these requests are included on the attached list.

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.

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.

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.

Introduction of New Employee in the Executive Director Office

Mr. Boulter introduced Ms. Kimberly Sheff, who is an executive secretary in 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 over budget \$3.3 million in January, reducing the negative variance for the fiscal year-to-date (FYTD) to \$5.7 million (-0.4%). The negative variance in corporate income tax collections did not recover in January but 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 an efficient and early processing of tax refunds. The performance of the estate tax is still strong, about \$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 reduced fuel tax collections, which were under budget by \$1.3 million in January.

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 investigating the reason for the decrease in corporate income tax collections.

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 represents an improvement over the \$494.8 million for December. 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 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 low, which may affect the Department of Transportation's ability to carry out new projects.

Information Technology Report

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

Daylight Saving Time:

The period when Daylight Saving Time (DST) is in effect is changing this year as required under the Energy Policy Act of 2005. DST will start on Sunday, March 11, 2007 and will end on Sunday, November 4, 2007.

The Office of Legislative Information Services will be installing software updates before the start of DST to update the Legislature's information systems to adjust for the new DST start and end dates.

REPORTS FROM COUNCIL COMMITTEES

1. Personnel Committee

The Personnel Committee met on January 25, 2007 following the Legislative Council meeting and considered several personnel matters:

- It authorized a one-step salary increase for the State Treasurer, Secretary of State, and the State Auditor retroactive to their annual work anniversary date of December 1, 2006, as provided in Title 3. The Attorney General requested that he not receive a step increase; and
- It authorized temporary disability income benefits for a member of the Secretary of the Senate's office and a member of the Office of Policy and Legal Analysis, as provided in the Legislative Council's personnel policies and guidelines.

Motion: That the Personnel Committee's report be accepted. Motion by Sen. Mitchell, second by Rep. Pingree. **Motion passed, unanimous (10-0).**

2. State House Facilities Committee

The Facilities Committee met on February 16th and considered several facilities matters:

Use of Retiring Rooms & Senate Caucus room

The committee reviewed the Legislative Council's current policy on the use of retiring rooms in conjunction with a request by Senate Republican Leadership for a suitable room for its caucuses. After a full discussion of the issues and options, the committee members all generally agreed that:

- A. The current retiring room policy serves the legislature well, and there is no need for a change in the policy;
- B. One of the committee rooms on the fourth floor of the State House is suitable for Senate Republican caucuses, in particular Room 437 (LVA Committee room);
- C. The presiding offices should speak directly with the committee chairs to arrange for Senate Republican use of the committee room for caucuses and when the room is used for caucuses, committee staff should be given an alternative work location, the details to be worked out by staff managers and directors; and
- D. All necessary communications and arrangements for Senate Republican use of the room should be concluded before next Tuesday when the Senate resumes its sessions.

Rep. Pingree asked Mr. Boulter to summarize the committee's discussion on parking. He did so as follows:

Disability Parking Spaces

The committee received an update on the availability of disability parking in the State House complex. Capitol Security Chief Gauvin has developed a plan to add disability parking spaces. However, options are limited since creating more disability parking will proportionately reduce the number of general parking spaces. The plan calls for 7-8 additional spaces to be created by next week, all near fully accessible entrances. In addition, several disability spaces will be designated for limited period parking (2-hour) to assure that

spaces become available to members of the public throughout the day. This should be especially useful when members of the public arrive for legislative hearings.

Motion: That the State House Facilities Committee report be accepted. Motion by Sen. Mitchell, second by Rep. Faircloth. **Motion passed, unanimous (10-0).**

3. Subcommittee to Review the Study Committee Process

Senator Mitchell, chair of the committee, announced that the subcommittee had scheduled a meeting for February 14, 2007 but due to the winter storm, it was rescheduled to February 22nd at 3:30 PM.

4. Budget Subcommittee

Sen. Martin, chair of the subcommittee, reported that the subcommittee had met on Wednesday, February 21st. He summarized the subcommittee's discussion about the proposed budget and the reasons for an increase in Personnel Services. He explained that increases were due to a number of cost areas including:

- Increase in Legislator salaries (COLA)
- Salary increases for unionized employees
- Salary increases for other legislative employees
- Payment of longevity stipends
- Insurance cost increases
 - Retirement
 - Life insurance
- Fully funding joint standing committees to meet four times during the legislative interim. Sen. Martin noted that the Subcommittee to Review the Study Committee Process is likely to recommend that joint standing committees conduct more of the legislative studies rather than outside groups.
- He also noted that there is no proposed increase in legislative staff, and very few position vacancies exist now.

Senator Martin concluded by saying the subcommittee recommended approval.

Motion: That the Legislative Council approve the legislative budget for FY 2008-2009 as presented to the Budget Subcommittee. Motion by Sen. Martin, second by Rep. Faircloth. **Motion passed, unanimous (10-0).**

5. Subcommittee to Administer Technology (President Edmonds, Chair)

President Edmonds, chair of the subcommittee, reported that the subcommittee has scheduled a meeting for February 22nd at 2:30 P.M.

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 January 25, 2007 meeting is attached. No further action by the Legislative Council is required.

There was no other Old Business.

NEW BUSINESS

ITEM #1: Consideration of After Deadline Bill Requests (including addendum)

(See above discussion.)

ITEM #2: Letter from Maine Friends of Animals clarifying proposed Joint Resolution (LR 2093 – Rep. Savage)

The Legislative Council reviewed the letter but did not take action on the proposed Joint Resolution. (The matter was tabled by the Legislative Council on January 25th and remains tabled.)

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)

The Legislative Council discussed the request. Several members commented that the 40% contribution of costs referenced in the title to the Joint Resolution appears incorrect. The cost-sharing percentage is believed to be 50% or 60%.

Motion by Sen. Martin, second by Sen. Mitchell to approve introduction of the Joint Resolution with the correct percentage indicated. **Motion passed, unanimous (10-0).**

ITEM #4 Letter from House Committee on Rules in support of providing laptop computers to each member of the House for Chamber use

The Legislative Council reviewed the letter. No action by the Legislative Council was required or taken.

ANNOUNCEMENTS AND REMARKS

None

ADJOURNMENT

The Legislative Council meeting was adjourned at 2:36 P.M. Motion by Sen. Mitchell, second by Rep. Faircloth. **Motion passed, 8-0-0-2 (Sen. Martin and Rep. Tardy absent for the vote).**

**LEGISLATIVE COUNCIL ACTION ON
AFTER DEADLINE REQUESTS TO INTRODUCE LEGISLATION
FIRST REGULAR SESSION, 123rd LEGISLATURE
FEBRUARY 22, 2007**

Action

SPONSOR: Rep. Barstow, Christopher R.

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

ACCEPTED

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

ACCEPTED

SPONSOR: Rep. Patrick, John L.

LR 2525 An Act To Allow a Casino in Oxford County

ACCEPTED

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

WITHDRAWN

SPONSOR: Sen. Weston, Carol

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

ACCEPTED

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

ACCEPTED

JOINT RESOLUTION

SPONSOR: Sen. Strimling, Ethan

ACCEPTED

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.

ACCEPTED

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.

ACCEPTED

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. **ACCEPTED**

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. **WITHDRAWN**

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

JOINT RESOLUTION

SPONSOR: Rep. Bliss, Lawrence

ACCEPTED

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

SPONSOR: Sen. Hobbins, Barry J.

ACCEPTED

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

SPONSOR: Sen. Mitchell, Elizabeth H.

ACCEPTED

LR 2547 An Act To Incorporate the Greater Augusta Utility District

SPONSOR: Rep. Pingree, Hannah

ACCEPTED

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

SPONSOR: Sen. Weston, Carol

ACCEPTED

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

SPONSOR: Sen. Snowe-Mello, Lois A.

ACCEPTED

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

SPONSOR: Rep. Marean, Donald G.

ACCEPTED

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

SPONSOR: Rep. Patrick, John L.

FAILED

LR 2555 An Act To Allow a Person Who Is 65 Years of Age or Older and
Has Been Convicted of Operating under the Influence To
Receive a Conditional License To Drive To Medical

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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**

March 22, 2007

1. State House Facilities Work Plan 2007

A tentative plan for State House renovation and improvement work is being developed for 2007 in consultation with our architect and general contractor. It is anticipated that a draft plan will be presented to the State House Facilities for its review prior to presentation to the Legislative Council, hopefully in April.

2. Artwork in the State House

The artwork currently on display in the first floor lobby of the State House is scheduled to be removed next week and a new arts exhibit will be installed on March 28th. The exhibit will be by *Very Special Arts of Maine*, entitled, "A Matter of Perception." The exhibit is being coordinated by the Maine Arts Commission.

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Fiscal Briefing

Legislative Council Meeting

March 22, 2007

*Prepared by the
Office of Fiscal & Program Review*

1. Revenue Update

Total General Fund Revenue - FY 2007 (Millions of \$'s)

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
Feb '07	140.6	139.5	(1.1)	-0.8%	122.5	13.9%
FYTD	1,707.9	1,701.0	(6.8)	-0.4%	1,641.6	3.6%

- General Fund revenue was under budget \$1.1 million in February, increasing the negative variance for the Fiscal Year-to-date (FYTD) to \$6.8 million (-0.4%). The 3.6% FYTD growth over last year for the same period compares favorably to the 3.0% growth forecasted for FY 2007.
- Although Corporate Income Tax collections were over budget in February, this resulted from a \$4.0 million audit and would have been negative otherwise. At this time, it is still too early to project the outcome of the March 15th corporate income filing.
- Individual Income Tax was \$4.8 million under budget in February, but remained \$1.7 million over budget for the FYTD. Excluding the \$13.9 million FYTD positive variance from the BETR and Circuitbreaker Program Transfers, Individual Income Tax was under budget by \$11.9 million for the FYTD. However, Maine Revenue Services' analysis of individual income tax refunds indicates positive signs for April final payments.
- Some problem areas that will be reviewed by the Revenue Forecasting Committee include Judicial Fine revenue (negative FYTD variance of \$2.3 million) and Cigarette and Tobacco Tax (negative FYTD variance of \$3.3 million).

Total Highway Fund Revenue - FY 2007 (Millions of \$'s)

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
Feb '07	24.4	25.4	1.0	4.0%	23.8	6.7%
FYTD	197.9	197.6	(0.3)	-0.1%	196.4	0.6%

- Highway Fund revenue rebounded in February with a \$1.0 million positive variance, which reduced the FYTD negative variance to \$0.3 million (-0.1%). Fuel tax collections were over budget by \$0.5 million in February, but remained under budget for the FYTD by \$0.3 million.

2. Revenue Forecasting Schedule

- The Revenue Forecasting Committee (RFC) will meet on Monday, March 26th at 9:30AM in the Legislative Council Chambers. The RFC will review the results of the March 15th corporate income tax filing deadline and conclude the March update.

Fiscal Briefing (continued)

3. Cash Balances Update

- Average Cash Pool balance was \$532.0 million in February. This is below the average of the last 5 years of \$625.1 million. However, 4 of those last 5 years included substantial Tax Anticipation Note (TAN) borrowings (\$250 million in FY 2003, \$275 million in FY 2004, \$190 million in FY 2005 and \$123.6 million in FY 2006). The General Fund has relied on internal borrowing from Other Special Revenue Funds rather than using Tax Anticipation Note (TAN) borrowing, which has reduced the total Cash Pool.
- General Fund internal borrowing has increased during recent months as the General Fund headed into a period of its greatest cash shortages before individual income tax collections in April buoy General Fund cash balances. General Fund internal borrowing averaged \$103.3 million in February and grew to \$186.0 million in the middle of March. The State Controller and the State Treasurer still believe that we can make it through this fiscal year without external borrowing.
- Highway Fund average cash balance remained relatively low in February when typically the Highway Fund cash balances recover more substantially. Highway Fund average balance was only \$14.9 million this past February as opposed to average February balances of the last 5 years of \$60.6 million. These low Highway Fund cash balances will have a substantial effect on the Department of Transportation's ability to implement major projects.

Summary of Treasurer's Cash Pool February 2007 Average Daily Balances

Millions of \$'s

General Fund (GF) Total	\$17.5
General Fund (GF) Detail:	
Budget Stabilization Fund	\$112.3
Reserve for Operating Capital	\$40.6
Tax Anticipation Notes	\$0.0
Internal Borrowing	\$103.3
Other General Fund Cash	(\$238.7)
Other Spec. Rev. - Interest to GF	\$63.9
Other State Funds - Interest to GF	\$19.1
Highway Fund	\$14.9
Other Spec. Rev. - Retaining Interest	\$68.6
Other State Funds	\$232.7
Independent Agency Funds	\$115.3
Total Cash Pool	\$532.0

4. OFPR Publications

- **Compendium of State Fiscal Information** – Available on line at <http://www.maine.gov/legis/ofpr/06compendium/c06toc.html>. This document is a very valuable resource, particularly as the Legislature discusses tax reform and a bond package.
- **The Fiscal Note Process: An Overview** – Available on the web at <http://www.maine.gov/legis/ofpr/fiscalnote.htm>. This document provides a good description of the fiscal note and special appropriations table processes and provides two appendices on the state mandate law.

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

Daylight Saving Time (Update):

- The DST switch on March 11th for the majority of applications and systems went without any problems
- A number of desktop PCs jumped ahead 2 hours. At this writing (3/15/07), Systems is troubleshooting the problem to determine the best corrective action.
- Systems staff assisted several offices with the synchronization of Palm Pilot calendars

MELD Bill Drafting:

- ROS and Systems continue to work jointly to identify and correct MELD issues
- Issue fixes are being addressed on a priority basis

Voyager Systems:

- The contract for the conversion of Wang Tracker and Bill Status applications is expected to be finalized shortly

**Legislative Council Actions
Taken by Ballot Since the
February 22, 2007 Council Meeting**

Request for Introduction of Legislation

- A. LR 2561: **Joint Resolution Memorializing the President and Congress
to fully fund S-Chip Children's Health Fund**

Submitted by: Senator Joseph Brannigan
Accepted: February 27, 2007 Vote: 10 – 0 in favor

- B. LR 2566: **An Act to Reduce the Capital Gains Tax**

Submitted by: Representative Janet Mills
Accepted: March 9, 2007 Vote: 9 – 0 – 0 – 1 in favor

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LEGISLATIVE COUNCIL
AFTER DEADLINE REQUESTS TO INTRODUCE LEGISLATION
FIRST REGULAR SESSION, 123rd LEGISLATURE
March 15, 2007

Action

SPONSOR: Rep. Babbidge, Christopher W.

LR 2575 An Act To Permit Greater Voter Participation Regarding
Municipal Expenditures

SPONSOR: Rep. Barstow, Christopher R.

LR 2576 An Act To Allow a County Jail To Assess a Surcharge on
Bail as a Processing Fee

SPONSOR: Rep. Berry, Seth A.

LR 2565 An Act To Repeal the Use Tax on Employee Meals

SPONSOR: Rep. Blanchette, Patricia A.

LR 2569 An Act Regarding the Offense of Failure To Yield the
Right-of-way to an Emergency Vehicle

SPONSOR: Sen. Marrache, Lisa T.

LR 2563 An Act To Prevent Access for Underage Children for
Mature or Restricted DVDs and Videos

SPONSOR: Rep. McFadden, Howard E.

LR 2560 An Act To Exempt Legislators from Jury Duty

SPONSOR: Sen. Rosen, Richard W.

LR 2564 Resolve, Directing the Department of Transportation To
Place Signs on Interstate 95 to Identify the Route to
the Fort Knox Historic Site and the Penobscot Narrows
Bridge and Observatory Tower

SPONSOR: Rep. Tuttle, Jr., John L.

LR 2580 An Act To Allow Members of the Maine National Guard to
Run for Office in a Partisan Public Election

JOINT RESOLUTION

SPONSOR: Sen. Rotundo, Margaret

LR 2572 JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE
UNITED STATES AND THE CONGRESS OF THE UNITED STATES TO
SAFEGUARD THE STATE'S ROLE IN INTERNATIONAL TRADE
AGREEMENTS

TABLED BY THE LEGISLATIVE COUNCIL

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: 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

ADDENDUM

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

Action

SPONSOR: Sen. Rosen, Richard W.

LR 2582 An Act To Allow Pressure Boiler Inspections by National Board Certified Inspectors

SPONSOR: Rep. Jackson, Troy D.

LR 2587 An Act To Protect Inland Water Access

SPONSOR: Rep. Tardy, Joshua A.

LR 2588 An Act To Ensure the Development of a Quality Provider Payment Plan

SPONSOR: Rep. Tardy, Joshua A.

LR 2589 An Act To Ensure Transparency in Interscholastic Sports

SPONSOR: Rep. Tardy, Joshua A.

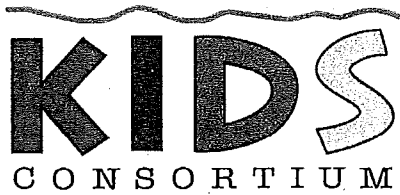
LR 2590 An Act To Enhance Local Control in the Administration of Interscholastic Athletics

SPONSOR: Rep. Percy, Leila J.

LR 2591 An Act To Create a Saltwater Recreational Fishing License and To Improve Apprenticeships for Recreational Fishermen

SPONSOR: Rep. Percy, Leila J.

LR 2592 An Act To Strengthen the Laws Concerning Surface Water Ambient Toxic Monitoring



Learning Through Community Involvement
215 Lisbon Street, Suite 12
Lewiston, ME 04240
207-784-0956
www.kidsconsortium.org

March 5, 2007

Legislative Council
Senator Beth Edmonds, Senate President, Chair
Representative Glenn Cummings, Speaker of the House, Vice-Chair
State House Station 3
Augusta, ME 04330

Dear President Edmonds and Speaker Cummings:

I am writing to invite you to participate in a special event we have planned at the State House on May 17, 2007 for Maine students involved in Project Citizen. Project Citizen is a national program, administered by the Center for Civic Education in partnership with the National Council of State Legislatures (NCSL), designed to engage middle and high school students in learning about public policy by working on real problems in their communities.

My organization, KIDS Consortium, has been managing Project Citizen in Maine since 2003; each spring we bring about 100 students to the State House to present their work on local and state policy issues to panels of adult policy-makers and each other. One project is selected to represent Maine at the annual NCSL conference.

We would be honored to **have Legislative Leadership join us on May 17 at approximately 12:30 p.m. in the Hall of Flags** to greet the students and participate in a brief ceremony to recognize their work and announce the project that will represent Maine at the NCSL event (we have a panel of judges who will be evaluating student work all morning). If at all possible, it would mean a great deal to the students, teachers and their parents to be recognized in the House and Senate Chambers on May 17.

Information about Project Citizen can be viewed on the KIDS Consortium website at www.kidsconsortium.org. Some materials from last year are attached.

I appreciate your consideration of this request and look forward to hearing from you.

Sincerely,

A handwritten signature in cursive script, reading "Francine Rudoff".

Francine Rudoff
Executive Director

2007 MAR - 5 P 12: 21

EXECUTIVE DIRECTOR'S
OFFICE

cc: David Boulter, Executive Director of the Legislative Council

Maine Citizen Trade Policy Commission



Senator Margaret Rotundo, Co-Chair

Representative John Patrick, Co-Chair

MEMORANDUM

TO: Beth Edmonds, Chair, Legislative Council
Glenn Cummings, Vice Chair, Legislative Council
FROM: Senator Margaret Rotundo, Senate Chair
Representative John Patrick, House Chair
DATE: March 13, 2007
RE: Request to Introduce a Joint Resolution

On behalf of the Maine Citizen Trade Policy Commission we are requesting the approval of the Legislative Council to introduce to the Legislature the attached Joint Resolution dealing with the impending expiration of the national Trade Promotion Authority (Fast Track.)

On March 8, 2007 the Citizen Trade Policy Commission unanimously voted to support the Joint Resolution Memorializing the Maine Delegation, the Congress of the United States and the President to Safeguard the State's Role in International Trade Agreements and also voted to request your approval for this memorial.

We are requesting that you place this item on your Agenda for the March 22, 2007 meeting and approve this memorial.

Sincerely,

A handwritten signature in cursive script, appearing to read "Margaret Rotundo".

Senator Margaret Rotundo
Co-Chair

Sincerely,

A handwritten signature in cursive script, appearing to read "John L. Patrick".

Representative John Patrick
Co-Chair

cc: David Boulter, Executive Director, Legislative council
ATT:

**JOINT RESOLUTION MEMORIALIZING THE MAINE DELEGATION, THE
CONGRESS OF THE UNITED STATES AND THE PRESIDENT TO SAFEGUARD
THE STATE'S ROLE IN INTERNATIONAL TRADE AGREEMENTS**

WHEREAS, the State of Maine strongly supports international trade when fair rules of trade are in place, and seeks to be an active participant in the global economy; and

WHEREAS, the State of Maine seeks to maximize the benefits and minimize any negative impacts of international trade; and

WHEREAS, existing trade agreements have impacts which extend significantly beyond the bounds of traditional trade matters such as tariffs and quotas, and can undermine Maine's constitutionally guaranteed authority to protect the public health, safety and welfare, and regulatory authority; and

WHEREAS, a succession of federal trade negotiators from both political parties over the years have failed to operate in a transparent manner and have failed to meaningfully consult with states on the far-reaching impact of trade agreements on State and local laws, even when binding the State of Maine to the terms of these agreements; and

WHEREAS, existing trade agreements have not done enough to ensure a level playing field for Maine workers and businesses, or to include meaningful human rights, labor, and environmental standards, which hurts Maine businesses, workers, and communities; and

WHEREAS, the negative impact of existing trade agreements on the State's constitutionally guaranteed authority to protect the public health, safety and welfare, and regulatory authority has occurred in part because U.S. trade policy has been formulated and implemented under the Trade Promotion Authority (Fast Track) process; and

WHEREAS, Trade Promotion Authority (Fast Track) eliminates vital checks and balances established in the U.S. Constitution by broadly delegating to the Executive Branch authority reserved for Congress to set the terms of international trade; and

WHEREAS, Trade Promotion Authority (Fast Track) circumvents normal congressional review and amendment committee procedures, limits debate to 20 hours total, forbids any floor amendments to the implementing legislation that is presented to Congress, and generally creates a non-transparent trade policymaking process; and

WHEREAS, Trade Promotion Authority (Fast Track) is not necessary for negotiating trade agreements, as demonstrated by the existence of scores of trade agreements, including major pacts such as the agreements administered by the WTO, implemented without use of Fast Track; and

WHEREAS, the current grant of Trade Promotion Authority (Fast Track) expires in July 2007; now, therefore be it

RESOLVED: That the State of Maine respectfully requests that the United States Congress create a replacement for the Trade Promotion Authority (Fast Track) system so that U.S. trade agreements are developed and implemented using a more democratic and inclusive mechanism that entails meaningful consultation with states: and be it further

RESOLVED: That the State of Maine respectfully requests that the United States Congress fully fund and support export promotion programs and Trade Adjustment Assistance programs: and be it further

RESOLVED: That copies of this Joint Resolution be immediately transmitted to Senator Olympia Snowe, Senator Susan Collins, Representative Michael Michaud, and Representative Tom Allen and be copied to the Honorable George W. Bush, President of the United States; Ambassador Susan Schwab, United States Trade Representative; the President of the United States Senate; and the Speaker of the House of Representatives.