

# MAINE STATE LEGISLATURE

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SEN. BETH EDMONDS  
CHAIR

REP. GLENN A. CUMMINGS  
VICE-CHAIR

123<sup>RD</sup> 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**  
**August 23, 2007**  
**1:00 P.M.**  
**REVISED AGENDA**

<b><u>Page</u></b>	<b><u>Item</u></b>	<b><u>Action</u></b>
	<b>CALL TO ORDER</b>	
	<b>ROLL CALL</b>	
<b>1</b>	<b>SUMMARY OF THE JUNE 18, 2007 MEETING OF THE LEGISLATIVE COUNCIL</b>	<b>Acceptance</b>
	<b>REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS</b>	
<b>9</b>	▪ Executive Director's Report (Mr. Boulter)	<b>Information</b>
<b>10</b>	▪ Fiscal Report (Mr. Pennoyer)	<b>Information</b>
<b>13</b>	▪ Information Services Report (Mr. Mayotte)	<b>Information</b>
<b>14</b>	▪ Status of Legislative Studies (Mr. Norton)	<b>Information</b>
	<b>REPORTS FROM COUNCIL COMMITTEES</b>	
	• <b>Personnel Committee</b> (Speaker Cummings, Chair) Meeting held July 18, 2007	
	• <b>State House Facilities Committee</b> (Rep. Pingree, Chair) (No Report)	
	• <b>Budget Subcommittee</b> (Sen. Martin, Chair) (No Report)	
	• <b>Subcommittee to Administer Technology</b> (President Edmonds, Chair) (No Report)	

## **OLD BUSINESS**

<b>Item #1 Council Actions Taken By Ballot (No action required)</b>	<b>Information</b>
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## **NEW BUSINESS**

<b>19</b>	<b>Item #1: Establishing Bill Cloture Date For Legislators And State Agencies For The Second Regular Session (Ms. Matheson)</b>	<b>Information</b>
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<b>22</b>	<b>Item #2: Salary Increases For Constitutional Officers And The State Auditor For FY 08/09</b>	<b>Information</b>
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	<b>Item #3: Request To Authorize Funding For The Purpose Of Purchasing Software And Computers To Allow For Paperless House Chamber Sessions</b>	<b>Decision</b>
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<b>23</b>	<b>Item #4: Time Warner Cable Request To Rebroadcast Legislative Proceedings Cable Subscribers</b>	<b>Decision</b>
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<b>24</b>	<b>Item #5: Resolves 2007, C. 128, Commission To Study The Recruitment, Training, Compensation And Oversight Of Racing Officials</b>	<b>Information</b>
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**Request By Maine Harness Racing Promotion Board To Contribute \$4,760.00 To Support Study Commission.**

<b>28</b>	<b>Item # 6: Revenue Forecasting Committee Request to Change Reporting Date (Mr. Pennoyer)</b>	<b>Information</b>
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	<b>Item #6: Collective Bargaining Matters (Executive Session)</b>	<b>Information</b>
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## **ANNOUNCEMENTS AND REMARKS**

## **ADJOURNMENT**



SEN. BETH EDMONDS  
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123<sup>RD</sup> MAINE STATE LEGISLATURE  
LEGISLATIVE COUNCIL

**MEETING SUMMARY**  
**JUNE 18, 2007**

**CALL TO ORDER**

Legislative Council Chair, President Edmonds called the Legislative Council meeting to order at 6:45 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  
Debra Olken, Human Resources Director  
Patrick Norton, Director, Office of Policy & Legal Analysis  
Grant Pennoyer, Director, Office of Fiscal and Program Review

Legislative Council Chair, President Edmonds convened the meeting at 6:45 P.M. with a quorum of members present.

**SUMMARY OF MAY 24, 2007 MEETING OF LEGISLATIVE COUNCIL**

Motion: That the Meeting Summary of May 24, 2007 be accepted and placed on file. Motion by Representative Faircloth, second by Senator Weston. **Motion passed, unanimous (8-0).** [Sen. Martin, Speaker Cummings arrived after the vote]

**REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES**

**Executive Director's Report**

(No Report)

## Fiscal Report

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

### Revenue Update

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

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
May	254.3	252.8	(1.5)	-0.6%	255.3	-1.0%
FYTD	2,547.4	2,540.9	(6.6)	-0.3%	2,476.6	2.6%

- General Fund revenue was under budget by \$1.5 million in May. This increased the negative fiscal year-to-date (FYTD) variance to \$6.6 million (-0.3%). This variance reflects the \$17.8 million upward revision made to General Fund revenue in the special May 2007 revenue forecast.
- Sales tax receipts reflecting sales through April were below expectations; reflecting a very late spring and the effect of the Patriots Day winter storm. The hope is that some of the sales that would have occurred in April have been deferred and will increase May sales. Data for May sales is not yet available.
- Individual income tax revenue was under budget in May and for the FYTD due to lower than expected withholdings.

#### Total Highway Fund Revenue - FY 2007

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
May	28.2	25.7	(2.6)	-9.1%	27.7	-7.2%
FYTD	279.0	276.6	(2.3)	-0.8%	276.4	0.1%

- Highway Fund revenue was under budget by \$2.6 million in May, resulting in a negative variance of \$2.3 million (-0.8%) for the FYTD. Fuel tax revenue represents the largest negative variance, but most major lines are below expectations.

Motion: That the fiscal report be accepted. Motion by Senator Mitchell. **Motion passed, unanimous (8-0).** [Sen. Martin, Speaker Cummings absent for the vote.]

### Information Technology Report

(No Report)

### REPORTS FROM COUNCIL COMMITTEES

#### 1. Personnel Committee

(No Report)

#### 2. Subcommittee to Review the Study Committee Process

(No Report)

**3. Budget Subcommittee**

(No Report)

**4. Subcommittee to Administer Technology (President Edmonds, Chair)**

(No Report)

**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 May 24, 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 Legislative Study Requests**

Mr. Boulter reviewed the suggested protocol for authorizing legislative studies and the policy matters that require a council decision, as follows:

- The Legislative Council will review study requests alphabetically by policy area.
- Voting will be by a show of hands, and each Legislative Council member's vote on each bill will be recorded. The record of each vote will be made available for public inspection following the meeting.
- Committee chairs and others are welcome to observe the council's deliberations on the study requests, but discussion of the requests will be confined to council members. However, Legislative Council members may ask questions of committee chairs and other legislators regarding the proposed study if needed.
- Unless otherwise specified by the Legislative Council, authorized studies are to be drafted consistent with applicable standards and policies approved by the Council. Floor amendments to authorized studies making Council-authorized changes will be prepared in the name of the Senate Assistant Majority Leader, except for studies tabled in the House which will be in the name of the House Assistant Majority Leader.

**Policy Issues Needing Decision (and Recommendation)**

1. **Number of authorized meetings and meeting location-Recommendation:** Unless otherwise specified by the Legislative Council, the number of study meetings is not to exceed four (4) and meetings are to be held in the Augusta area.

2. **Studies conducted using non-General Fund sources-Recommendation:** When a study committee is required to be funded by outside funds, the study committee may not convene until sufficient funds are received to pay for the study.
3. **Interim committee meetings-Recommendation:** Unless otherwise specified by the presiding officers, the number of interim meetings per committee is limited to four (4) days. Joint standing committees must complete all assigned work within their authorized meeting days.

Motion: That the suggested protocol and the recommendations on the policy issues be adopted.  
Motion by Senator Mitchell. (No second.) **Motion passed, unanimous (8-0).** [Senator Martin, Speaker Cummings arrived after the vote.]

Further Motion: That unless otherwise authorized by the Legislative Council in deciding specific study requests, that the number of interim committee meetings be limited to three (3). Motion by Representative Pingree. Second by Senator Mitchell. **Motion passed, unanimous (8-0).** [Senator Martin, Speaker Cummings arrived after the vote.]

Thirty-five (35) legislative study requests were reviewed and decided by the Legislative Council. Results are attached.

**ITEM #2: Memo from Joint Standing Committee on Criminal Justice and Public Safety Regarding Security in the State House and Capitol Complex.**

The Joint Standing Committee on Criminal Justice and Public Safety recently voted unanimously ought not to pass on LD 1706, "Resolve, Establishing a Commission to Review State House and Capitol Complex Security Issues" (a copy of the letter is attached). The committee sent a letter to the Legislative Council recommending that greater attention be given to security within the State House and Capitol Complex. Mr. Boulter suggested that the State House Facilities Committee review building security issues at its next meeting during the interim.

No action by the Legislative Council was required.

**ITEM #3: Constituent Services Computer application (Not on Agenda)**

Senator Weston asked about the schedule of the Technology committee to discuss acquiring and using constituent services software. This matter had been referred to the committee by the Legislative Council earlier this year. President Edmonds indicated that the Subcommittee to Administer Technology will review the constituent services application opportunities and issues at its July or other summer meeting.

No action by the Legislative Council was taken.

**ITEM #4: Request to Access Legislative Website (Not on Agenda)**

Mr. Boulter presented a request by the Joint Standing Committee on Appropriations and Financial Affairs to establish a "Suggestion Box" on the Legislature's web page as part of its efforts to invite public suggestions on potential savings to the state budget. A copy of the request is attached.

Mr. Boulter indicated that if the Legislative Council was so inclined, it could direct the director of the Office of Fiscal and Program Review to work with the Office of Information Services to develop a

webpage that is appropriate and meets the needs of the committee. The details of the webpage could be handled by the director. The chair of the Legislative Council, President Edmonds, asked if that approach was acceptable to the council members. The members present all generally agreed to the approach. (No vote was taken.)

## **ADJOURNMENT**

## **ANNOUNCEMENTS AND REMARKS**

The Legislative Council meeting was adjourned at 9:15 P.M. **Motion passed, unanimous (9-0).**  
[Senator Rosen absent for the vote.]

G:\Council\123rd Legislative Council\Meeting Summaries\June 2007



**123<sup>rd</sup> LEGISLATIVE COUNCIL  
FIRST REGULAR SESSION  
ACTION ON LEGISLATIVE STUDY REQUESTS  
June 18, 2007**

		<b>Action</b>
<b>POLICY AREA:</b>	<b>Agriculture, Conservation and Forestry</b>	
LD 1073	Commission to Study the Promotion, Expansion and the Regulation of the Harness Racing Industry	<b>APPROVED</b>
<b>POLICY AREA:</b>	<b>Business, Research, and Economic Development</b>	
HP 1018	Joint Select Committee on Future Maine Prosperity	<b>APPROVED</b>
LD 1163	Committee Study of Business Compliance	<b>FAILED<sup>1</sup></b>
LD 0270	Committee Study of outdated and unnecessary laws and rules (by letter)	<b>FAILED<sup>1</sup></b>
<b>POLICY AREA:</b>	<b>Criminal Justice and Public Safety</b>	
HP 1334	Committee Study of Prison Industries Program	<b>APPROVED</b>
	Committee Review of Sex Offender Registration and Notification Act (by letter)	<b>APPROVED</b>
<b>POLICY AREA:</b>	<b>Education and Cultural Affairs</b>	
HP 1330	Commission to Study Strategies to Promote Financial Literacy	<b>FAILED</b>
SP 0717	Commission to Develop Strategies to Increase Postsecondary Access, Retention and Completion for Low-wage, Low-skilled Adults	<b>APPROVED</b>
LD 1758	Alternative Education Programs Committee	<b>APPROVED</b>
<b>POLICY AREA:</b>	<b>Health and Human Services</b>	
SP 0720	Committee Study of MaineCare	<b>APPROVED</b>
SP 0724	Committee Review of Eligibility for and Transitioning of the MaineCare Program	<b>APPROVED</b>
SP 0732	Commission to Study Primary Care Medical Practice	<b>FAILED</b>
LD 0755	Commission to Develop a Strategic Priorities Plan for Maine's Young Children	<b>APPROVED</b>

<b>POLICY AREA:</b>	<b>Health and Human Services</b>	
LD 1239	Working Group to Study the Effectiveness and Timeliness of Early Identification and Intervention for Children with Hearing Loss	<b>APPROVED</b>
LD 0977	Working Group on Funding Needs of Air and Ground Emergency and Critical Care Medical Services (not legislative study)	<b>ACTION NOT REQUIRED</b>
LD 1371	Commission to Study Funding Issues Regarding Emergency Homeless Shelters (not legislative study)	<b>ACTION NOT REQUIRED</b>
LD 1849	Advisory Council on Health Systems Development	<b>APPROVED</b>
<b>POLICY AREA:</b>	<b>Insurance and Financial Services</b>	
LD 1521	Committee Review of Lyme Disease	<b>FAILED<sup>1</sup></b>
LD 1760	Maine Individual High-Risk Reinsurance Pool Association (Title 5)	<b>FAILED</b>
LD 1890	Board of Directors of the Maine Individual Reinsurance Program (Title 5)	<b>FAILED</b>
<b>POLICY AREA:</b>	<b>Judiciary</b>	
LD 0216	Council on Financial Literacy	<b>APPROVED</b>
LD 0391	Adoption Laws and Practices Task Force	<b>FAILED</b>
LD 1263	Continue Tribal-State Work Group	<b>APPROVED</b>
<b>POLICY AREA:</b>	<b>Marine Resources</b>	
SP 0689	Marine Resources Committee Review of Maine's Groundfishing Industry (to be conducted during 2 <sup>nd</sup> Regular Session)	<b>APPROVED</b>
SP 726	Committee Study of the Depletion of Finfish Stocks in the Gulf of Maine	<b>FAILED<sup>1</sup></b>
<b>POLICY AREA:</b>	<b>Natural Resources</b>	
HP 1355	Committee Study of Solid Waste Management	<b>FAILED<sup>1</sup></b>
LD 0336	Community Preservation Advisory Committee	<b>APPROVED</b>

<b>POLICY AREA:</b>	<b>Natural Resources</b>	
LD 1845	Technical Advisory Group on Surface Water Ambient Toxic Monitoring	<b>APPROVED</b>
	OPLA Staff Study on Required Reports	<b>FAILED</b>
<b>POLICY AREA:</b>	<b>State and Local Government</b>	
LD 1091	Committee Review of the Need for Sesquicentennial Commission	<b>FAILED<sup>1</sup></b>
<b>POLICY AREA:</b>	<b>Taxation</b>	
LD 0261	Committee Review of Property Tax Assessment	<b>FAILED<sup>1</sup></b>
<b>POLICY AREA:</b>	<b>Transportation</b>	
LD 0245	Secretary of State Study of Dealer Plates (not legislative study)	<b>ACTION NOT REQUIRED</b>
SP 0725	Committee to Study Appropriate Funding of the State Police	<b>APPROVED</b>
SP 0731	Committee Study of Certain Transportation-Related Matters	<b>APPROVED</b>
LD 1919	Committee Study of Motor Fuels	<b>FAILED</b>

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<sup>1</sup> Policy committee directed to study the matter during its authorized interim committee meetings.



MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR  
LEGISLATIVE COUNCIL

**Legislative Council  
Executive Director's Report**

**August 23, 2007**

**1. Building Evacuation Planning**

Three training sessions were held with key evacuation personnel to discuss evacuations, the plan and the roles. Of the 50 people identified in the plan as having key roles, 30 have attended the sessions. Hopefully, the remainder will receive training in August. Session-only staff will receive training when they return for the session.

A mock evacuation event is being planned for September using chamber bells (rather than the fire alarm system). The mock event will allow the evacuation team members to practice their roles without the building actually being evacuated. It is anticipated that a pre-session drill will be held to practice evacuating the building with an in-session drill to follow.

**2. Legislative Digest**

The *Legislative Digest of Bill Summaries and Enacted Laws* for the first regular session was released earlier this month and is available in paper copy and on-line.

**3. Employee Recognition Picnic**

A recognition event and picnic for legislative employees is scheduled for September 6, 2007 in Capitol Park.

# Fiscal Briefing

## Legislative Council Meeting

### August 23, 2007

*Prepared by the  
Office of Fiscal & Program Review*

#### 1. Revenue Update

##### Total General Fund Revenue - FY 2008 (\$'s in Millions)

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
July	231.5	223.3	(8.2)	-3.5%	222.4	0.4%

- General Fund revenue for the first month of FY 2008 was under budget by \$8.2 million or -3.5%. Growth over July 2006 was 0.4%. Major negative variances included the Corporate Income Tax, Estate Tax and Other Revenue.
- The Corporate Income Tax and Estate Tax variances are timing issues related to the distribution of revenue. The negative variance in Other Revenue, under budget by \$6.7 million in July, was driven primarily by very poor performances in Judicial Department fine revenue and Department of Health and Human Services (DHHS) revenue. The Judicial Department believes that much of the fine revenue variance is related to process adjustments due to the transition of the accounting system. The DHHS revenue variance is primarily related to timing issues and billing delays due to staff turnover, but a portion of it reflects an on-going change that will require a revenue forecast adjustment this fall.

##### Total Highway Fund Revenue - FY 2008 (\$'s in Millions)

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
July	29.6	25.8	(3.8)	-12.8%	28.3	-8.9%

- Highway Fund revenue was under budget in July by \$3.8 million or -12.8% and actual declined by 8.9% from last July's revenue. Fuel taxes were off by \$2.9 million in July. \$2.4 million of this variance was related to special fuels, some of which is expected to be offset over the next few months. Motor vehicle fee revenue was off as well (registrations and title fees are down) and no Highway Fund fine revenue was recorded in July.

#### 2. Fund Balance Status

- The General Fund revenue surplus combined with lapsed balances and other accounting adjustments to produce an uncommitted surplus of \$19.1 million. After deducting \$1.3 million to replenish the State Contingent Account and to transfer funds to the Loan Insurance Reserve Fund, \$17.8 million was available for the transfer to MaineCare for hospital payments. There were no additional transfers to other General Fund reserves at the end of FY 2007 as these were preempted by the transfer to MaineCare. The General Fund balance at the end of the 2008-2009 biennium is currently budgeted to be \$0.3 million.
- The unexpected Highway Fund revenue at the end of June combined with lapsed balances and other accounting adjustments to produce an uncommitted Highway Fund surplus of \$1.7 million; all but \$100,000 of this was transferred to the Highway and Bridge Improvement program in the Department of Transportation. The Highway Fund balance at the end of the 2008-2009 biennium is currently budgeted to be \$1.0 million.

**General Fund and Highway Fund Revenue**  
**Fiscal Year Ending June 30, 2008**  
**Reflecting Budgeted Amounts Through 123rd Legislature, 1st Regular Session**

**JULY 2007 REVENUE VARIANCE REPORT**

Revenue Line	July '07 Budget	July '07 Actual	July '07 Variance	FY08 YTD Budget	FY08 YTD Actual	FY08 YTD Variance	FY08 YTD Variance %	FY07 Budgeted Totals
<b>General Fund</b>								
Sales and Use Tax	96,299,197	96,425,943.06	126,746.06	96,299,197	96,425,943.06	126,746.06	0.1%	1,006,131,180
Service Provider Tax	4,266,226	4,269,329.99	3,103.99	4,266,226	4,269,329.99	3,103.99	0.1%	51,181,910
Individual Income Tax	95,118,505	94,757,221.94	(361,283.06)	95,118,505	94,757,221.94	(361,283.06)	-0.4%	1,382,788,225
Corporate Income Tax	8,500,000	7,127,700.88	(1,372,299.12)	8,500,000	7,127,700.88	(1,372,299.12)	-16.1%	202,052,405
Cigarette and Tobacco Tax	14,743,933	14,365,548.31	(378,384.69)	14,743,933	14,365,548.31	(378,384.69)	-2.6%	163,774,241
Public Utilities Tax	0	0.00	0.00	0	0.00	0.00	N/A	17,476,987
Insurance Companies Tax	419,295	1,787,969.51	1,368,674.51	419,295	1,787,969.51	1,368,674.51	326.4%	76,751,673
Estate Tax	3,500,000	2,017,093.52	(1,482,906.48)	3,500,000	2,017,093.52	(1,482,906.48)	-42.4%	45,258,169
Property Tax - Unorganized Territory	0	0.00	0.00	0	0.00	0.00	N/A	12,263,986
Income from Investments	0	27,352.24	27,352.24	0	27,352.24	27,352.24	N/A	1,424,000
Transfer to Municipal Revenue Sharing	(10,413,381)	(10,331,589.99)	81,791.01	(10,413,381)	(10,331,589.99)	81,791.01	0.8%	(134,749,842)
Transfer from Lottery Commission	3,833,400	4,359,853.37	526,453.37	3,833,400	4,359,853.37	526,453.37	13.7%	49,834,250
Other Revenue	15,188,062	8,444,056.68	(6,744,005.32)	15,188,062	8,444,056.68	(6,744,005.32)	-44.4%	231,506,341
<b>Totals</b>	<b>231,455,237</b>	<b>223,250,479.51</b>	<b>(8,204,757.49)</b>	<b>231,455,237</b>	<b>223,250,479.51</b>	<b>(8,204,757.49)</b>	<b>-3.5%</b>	<b>3,105,693,525</b>
<b>Highway Fund</b>								
Fuel Taxes	21,627,326	18,682,142.91	(2,945,183.09)	21,627,326	18,682,142.91	(2,945,183.09)	-13.6%	234,550,398
Motor Vehicle Registration and Fees	6,827,335	6,206,512.71	(620,822.29)	6,827,335	6,206,512.71	(620,822.29)	-9.1%	87,290,064
Inspection Fees	382,100	421,379.50	39,279.50	382,100	421,379.50	39,279.50	10.3%	4,433,458
Fines	169,106	0.00	(169,106.00)	169,106	0.00	(169,106.00)	-100.0%	2,018,239
Income from Investments	0	0.00	0.00	0	0.00	0.00	N/A	795,000
Other Revenue	601,840	504,917.94	(96,922.06)	601,840	504,917.94	(96,922.06)	-16.1%	10,195,906
<b>Totals</b>	<b>29,607,707</b>	<b>25,814,953.06</b>	<b>(3,792,753.94)</b>	<b>29,607,707</b>	<b>25,814,953.06</b>	<b>(3,792,753.94)</b>	<b>-12.8%</b>	<b>339,283,065</b>

## Comparison of Actual Year-to-Date Revenue Through July of Each Fiscal Year

REVENUE CATEGORY	FY 2004	% Chg	FY 2005	% Chg	FY 2006	% Chg	FY 2007	% Chg	FY 2008	% Chg
<b>GENERAL FUND</b>										
Sales and Use Tax	\$86,508,519.32	4.5%	\$91,816,108.05	6.1%	\$91,925,611.73	0.1%	\$93,534,191.99	1.7%	\$96,425,943.06	3.1%
Service Provider Tax	\$0.00	N/A	\$0.00	N/A	\$3,637,926.31	N/A	\$4,102,139.88	12.8%	\$4,269,329.99	4.1%
Individual Income Tax	\$83,052,539.92	19.1%	\$79,910,313.30	-3.8%	\$81,609,866.28	2.1%	\$91,540,695.33	12.2%	\$95,539,504.76	4.4%
Individual Income Tax (Circuitbreaker)	\$0.00	N/A	(\$902,443.76)	N/A	(\$1,240.30)	99.9%	(\$711,441.36)	-57260.4%	(\$782,282.82)	-10.0%
Individual Income Tax (BETR)	\$0.00	N/A	\$0.00	N/A	(\$96,624.00)	N/A	\$0.00	100.0%	\$0.00	N/A
Corporate Income Tax	\$1,844,585.80	-53.1%	\$5,652,128.01	206.4%	\$6,572,991.46	16.3%	\$10,487,769.39	59.6%	\$7,127,700.88	-32.0%
Cigarette and Tobacco Tax	\$8,549,404.45	-0.2%	\$8,431,327.15	-1.4%	\$9,398,358.31	11.5%	\$14,563,501.15	55.0%	\$14,365,548.31	-1.4%
Public Utilities Tax	(\$293,687.83)	-95.8%	(\$150,000.00)	48.9%	\$0.00	100.0%	\$0.00	N/A	\$0.00	N/A
Insurance Companies Tax	\$1,824,335.58	1.4%	\$1,043,066.93	-42.8%	\$736,893.40	-29.4%	\$325,410.48	-55.8%	\$1,787,969.51	449.5%
Estate Tax	\$2,618,823.10	104.9%	\$895,568.17	-65.8%	\$8,939,072.87	898.1%	\$2,017,602.79	-77.4%	\$2,017,093.52	0.0%
Property Tax - Unorganized Territory	\$0.00	N/A	\$0.00	N/A	\$0.00	N/A	\$0.00	N/A	\$0.00	N/A
Income from Investments	\$0.00	N/A	\$0.00	N/A	\$4,207.14	N/A	\$61.67	-98.5%	\$27,352.24	44252.6%
Revenue Sharing Transfers	(\$8,741,687.91)	-9.6%	\$0.00	100.0%	(\$9,366,075.10)	N/A	(\$10,146,621.11)	-8.3%	(\$10,331,589.99)	-1.8%
Liquor Transfers	\$0.00	-100.0%	\$50,021,472.08	N/A	\$150.00	-100.0%	\$3,930.05	2520.0%	\$0.00	-100.0%
Lottery Transfers	\$0.00	-100.0%	\$3,299,583.75	N/A	\$3,953,794.97	19.8%	\$4,170,265.27	5.5%	\$4,359,853.37	4.5%
Other Revenue	\$10,577,364.39	-9.1%	\$13,091,344.36	23.8%	\$11,037,488.77	-15.7%	\$12,516,518.25	13.4%	\$8,444,056.68	-32.5%
<b>TOTAL GENERAL FUND REVENUE</b>	<b>\$185,940,196.82</b>	<b>4.9%</b>	<b>\$253,108,468.04</b>	<b>36.1%</b>	<b>\$208,352,421.84</b>	<b>-17.7%</b>	<b>\$222,404,023.78</b>	<b>6.7%</b>	<b>\$223,250,479.51</b>	<b>0.4%</b>
<b>HIGHWAY FUND</b>										
Fuel Taxes	\$17,083,324.18	6.1%	\$18,150,810.02	6.2%	\$17,732,329.87	-2.3%	\$20,682,151.50	16.6%	\$18,682,142.91	-9.7%
Motor Vehicle Registration and Fees	\$6,838,538.96	4.5%	\$6,612,845.87	-3.3%	\$6,554,161.22	-0.9%	\$6,613,980.83	0.9%	\$6,206,512.71	-6.2%
Inspection Fees	\$467,980.77	72.0%	\$272,571.90	-41.8%	\$407,492.80	49.5%	\$365,218.86	-10.4%	\$421,379.50	15.4%
Fines	\$174,069.59	-27.3%	\$167,189.70	-4.0%	\$0.00	-100.0%	\$135,942.08	N/A	\$0.00	-100.0%
Income from Investments	\$0.00	N/A	\$0.00	N/A	\$0.00	N/A	\$0.00	N/A	\$0.00	N/A
Other Revenue	\$257,099.62	-50.3%	\$533,581.31	107.5%	\$770,704.72	44.4%	\$549,277.49	-28.7%	\$504,917.94	-8.1%
<b>TOTAL HIGHWAY FUND REVENUE</b>	<b>\$24,821,013.12</b>	<b>4.9%</b>	<b>\$25,736,998.80</b>	<b>3.7%</b>	<b>\$25,464,688.61</b>	<b>-1.1%</b>	<b>\$28,346,570.76</b>	<b>11.3%</b>	<b>\$25,814,953.06</b>	<b>-8.9%</b>

Adjusted for Service Provider Tax Split

**Information Services Report to Legislative Council**  
**Scott Clark, Deputy Director, Office of Information Services**  
**August 23, 2007**

**Internet bandwidth service upgrade**

Internet services for the Legislature are now being provided by Oxford Networks. The switch was completed mid July. In addition, Oxford Networks is providing a direct connection to the secure computer center at the Central Maine Commerce Center. That connection allows offsite backups of legislative data to a secure location on a daily basis. Backups are being transferred, but we continue working with Oxford to improve the speed for the data transfer. There were email issues related to the switch that have been addressed.

**MELD bill drafting system**

Our contractor Omnisphere continues work on corrections to issues discovered during the session as well as upgrades requested by the offices of the Revisor and Information Services. The statute update process for the 1<sup>st</sup> 123<sup>rd</sup> is underway. There are issues related to the first time use of MELD in the update process. The issues are being identified and addressed. 2<sup>nd</sup> 123<sup>rd</sup> session drafting is scheduled to start in early October. ROS is now entering new Legislative Requests (LRs) into MELD.

**Conversion of Wang Tracker and Bill Status data**

Voyager Inc. is in the process of converting the Tracker and Bill Status systems to a SQL platform. The process begins as an automated conversion of existing functions and data. The project is on schedule. A follow up with the Secretary and Clerk will be scheduled.

**Scheduled upgrades and computer system improvements**

The routine interim upgrades are in progress. This includes: server & PC replacements; network hardware upgrades and replacements; software installation/updates; small programming projects for various offices; servicing equipment; taking inventory; and staff training. The servers supporting the existing chamber applications are being upgraded during the interim.

**Paperless House Chamber project**

The office is working with the Speaker's and Clerk's offices to develop RFPs for laptops and software for a paperless chamber for the 2<sup>nd</sup> Regular Session. The preparation of the software RFP is in the final stages. Preparation of the hardware RFP is underway. The initial RFPs have been drafted to include the Senate. Should the Senate decide to become part of the project at this time, the RFP requirements will need to be reviewed and accepted by the Senate.



**Legislative Study Commissions and Authorized Joint Standing Committee Interim Studies**  
Interim 2007 (As of 8/22/07)

#	Policy Area	Study Name	Total Members	Appointments made to date	Senate Appts specified	House Appts Specified	Other Appts Specified	Appointments Complete?
1	ACF	Commission to Study the Promotion, Expansion and the Regulation of the Harness Racing Industry (LD 1073)	11	6	Two Senators	Four members of the House	Commissioner of Agriculture appoints four members; Chair of Harness Racing Promotion Board	NO
2	AFA	Steering Committee to Streamline State Government (P.L. 2007, c. 240, Part QQQ)	13	13	Three Senators	Ten members of the House	0	YES
3	BRED	Joint Select Committee on Future Maine Prosperity (H.P. 1018)	15	15	Four Senators	Eleven members of the House	0	YES
4	BRED	<u>Committee Study of Business Compliance</u> (Council authorized from LD 1163)	13	To be done by BRED Committee	0	0	0	YES
5	BRED	<u>Committee Study of Outdated and Unnecessary Laws and Rules</u> (by letter)	13	To be done by BRED Committee	0	0	0	YES
6	CRJ	<u>Committee Study of Prison Industries Program</u> (H.P. 1334)	13	To be done by CJPS Committee	0	0	0	YES
7	CRJ	<u>Committee Study of Prison Overcrowding</u> (by letter)	13	To be done by CJPS Committee	0	0	0	YES
8	CRJ	<u>Committee Review of Sex Offender Registration and Notification Act</u> (by letter)	13	To be done by CJPS Committee	0	0	0	YES
9	EDU	Commission to Develop Strategies to Increase Postsecondary Access, Retention and Completion for Low-wage, Low-skilled Adults (S.P. 717)	13	13	Two Senators and four non-legislators	Five members of the House and two non-legislators	0	YES
10	EDU	Legislative Youth Advisory Commission (P.L. 2001, c. 439 as amended by PL 2005, c. 662, Part C)	20	18	Two Senators and eight youth members	Two members of the House and eight youth members	0	NO

**Legislative Study Commissions and Authorized Joint Standing Committee Interim Studies**  
Interim 2007 (As of 8/22/07)

#	Policy Area	Study Name	Total Members	Appointments made to date	Senate Appts specified	House Appts Specified	Other Appts Specified	Appointments Complete?
11	EDU	Alternative Education Programs Committee (LD 1758)	13	4	Three Senators and three non-legislators	Four members of the House and three non-legislators	0	NO
12	HHS	<u>Committee Study</u> of MaineCare (S.P. 720)	14	To be done by HHS Committee	0	0	0	YES
13	HHS	<u>Committee Review</u> of Eligibility for and Transitioning of the MaineCare Program (S.P. 724)	14	To be done by HHS Committee	0	0	0	YES
14	HHS	Commission to Study Primary Care Medical Practice (S.P. 732)	13	6	Three Senators and three non-legislators	Five members of the House and two non-legislators	0	NO
15	HHS	Commission to Develop a Strategic Priorities Plan for Maine's Young Children (LD 755)	13	13	Three Senators, one from the majority party and one from the minority party with one that serves on HHS; one serving on TAX and one serving on BRED Committees and two non-legislators	Five members of the House, including three from the minority party; one of whom has experience working on issues affecting children, one each from the HHS Committee, EDU Committee, TAX Committee and BRED Committee and two non-legislators	Attorney General	YES
16	HHS	Working Group to Study the Effectiveness and Timeliness of Early Identification and Intervention for Children with Hearing Loss (LD 1239)	17	9	Three Senators; with preference to members of each major political party and members of the EDU and HHS Committees and four non-legislators	Six members of the House, with preference to members of each major political party and members of the EDU and HHS Committees and four non-legislators	0	NO

**Legislative Study Commissions and Authorized Joint Standing Committee Interim Studies**  
Interim 2007 (As of 8/22/07)

#	Policy Area	Study Name	Total Members	Appointments made to date	Senate Appts specified	House Appts Specified	Other Appts Specified	Appointments Complete?
17	HHS	Advisory Council on Health Systems Development (LD 1849)	19	0	Two Senators, including one member recommended by the Senate Minority Leader	Three members of the House, including one member recommended by the House Minority Leader	Governor appoints fourteen members with the approval of the HHS Committee	NO
18	IFS	Committee Review of Lyme Disease (Council authorized from LD 1521)	13	To be done by IFS Committee	0	0	0	YES
19	JUD	Right to Know Advisory Commission (P.L. 2005, c. 631)	15	15	One Senator from JUD and five non-legislators	One member of the House from JUD and four non-legislators	Governor appoints three members. AG serves as ex-officio member.	YES
20	JUD	Council on Financial Literacy (LD 216)	12	1	One Senator	One member of the House	The Treasurer of State and nine others appointed by the Treasurer	NO
21	JUD	Tribal-State Work Group (LD 1263)	17	9	Two Senators, one from the Majority party and one from the Minority party	Six members of the House, three from the Majority party and 3 from the Minority party	Seven representatives of the Native American Community; one member appointed by the Governor; and one representative of the Maine Indian Tribal-State Commission	NO
22	LAB	Citizen Trade Policy Commission (PL 2003, c. 699)	22	17	Three Senators (from 2 parties) and three non-legislators (all appointments already made)	Three members of the House (from 2 parties) and three non-legislators	Governor appoints four members. Also one ex-officio member is named.	NO
23	MAR	Committee Study of the Depletion of Finfish Stocks in the Gulf of Maine (S.P.726)	13	To be done by MAR Committee	0	0	0	YES

# Legislative Study Commissions and Authorized Joint Standing Committee Interim Studies

Interim 2007 (As of 8/22/07)

#	Policy Area	Study Name	Total Members	Appointments made to date	Senate Appts specified	House Appts Specified	Other Appts Specified	Appointments Complete?
24	NAT	<u>Committee Study of</u> on Solid Waste (H.P. 1355)	13	To be done by NAT Committee	0	0	0	YES
25	NAT	<b>Community Preservation Advisory Committee</b> (P.L. 2001, c. 648, as reauthorized by LD 336)	13	13	Two Senators, one from Majority and one from Minority parties, with preference to members from the NAT, SLG, EDU, TRA, Tax and BRED Committees and three non-legislators	Four members of the House, one from Majority and one from Minority parties, with preference to members from the NAT, SLG, EDU, TRA, TAX and BRED Committees and two non-legislators	Director of State Planning and Director of the Maine Historic Preservation Commission	YES
26	NAT	<b>Technical Advisory Group on Surface Water Ambient Toxic Monitoring</b> (LD 1845)	12	1	One Senator from the NAT Committee	One member of the House from the MAR Committee	Commissioner of DEP appoints ten members	NO
27	SLG	<u>Committee Review of the Need for Sesquicentennial Commission</u> (Council authorized from LD 1091)	13	To be done by SLG Committee	0	0	0	YES
28	TAX	<u>Committee Review of Property Tax Assessment</u> (Council authorized from LD 261)	13	To be done by TAX committee	0	0	State Tax Assessor	YES
29	TRA	<b>Committee to Study Appropriate Funding of the State Police</b> (SP 725)	13	3	Three Senators, two from the TRA Committee and one from the CRJ Committee	Ten members of the House, five from the TRA Committee and 5 from the CRJ Committee	0	NO
30	TRA	<u>Committee Study of Certain Transportation-Related Matters</u> (SP 731)	13	To be done by TRA Committee	0	0	0	YES
31	TRA	<u>Committee Study of Motor Fuels</u> (Council authorized from LD 1919)	13	To be done by TRA Committee	0	0	0	YES

	SENATE	HOUSE	OTHER	TOTAL
Appointments Required	75	111	61	247
Appointments Completed	<u>58</u>	<u>85</u>	<u>14</u>	<u>157</u>
Appointments Remaining	17	26	47	90
% Complete	77.3%	76.6%	23.0%	63.6%

Studies with all appointments complete 20

Studies still needing appointments 11

Total number of studies tracked 31

MARGARET E. MATHESON  
Revisor of Statutes

SUZANNE M. GRESSER  
Principal Attorney

EDWARD A. CHARBONNEAU IV  
Senior Attorney

MARK A. SWANSON  
Legislative Attorney



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Date: July 16, 2007

To: Beth Edmonds, Chair of the Legislative Council  
Glenn Cummings, Vice Chair of the Legislative Council  
Members of the Legislative Council

From: Margaret E. Matheson, Revisor *MEM*

RE: Second Session Cloture Schedule and Related Dates

---

The attached draft schedule establishing dates and deadlines for cloture and related events for the Second Regular Session of the 123<sup>rd</sup> Legislature is offered for your review, discussion and adoption.

The cloture deadline as set out tracks the traditional cloture date for a second regular session, namely the first week in October. The requirement that a request be accompanied on the cloture date by sufficient instructions from which a bill may be drafted or it will be drafted as a concept draft is one that was instituted by the Legislative Council of the 120<sup>th</sup> Legislature to provide sufficient time to draft and process bills for the Second Regular Session. This cloture requirement for sufficiency is now consistent with that of the First Regular Session. The schedule also requires departments and agencies to submit final drafts on the cloture date, which is also consistent with past practice and the First Regular Session.

During the period of time between cloture and the next meeting of the Legislative Council to undertake the initial screening of Legislators' bill requests, the Revisor's Office will prepare and distribute a loose-leaf volume that includes all requests filed by Legislators that are subject to affirmative votes of the council. Each request to be voted upon is indexed by subject matter by the Legislative Indexer and given a brief summary by the Revisor's Office. The office, with the assistance of the Office of Policy and Legal Analysis and the Office of Fiscal and Program Review, also identifies requests that appear to be closely related to other requests, to bills carried over to the second regular session or to bills that might be considered finally rejected in the first regular session. The volume also includes a listing of those bills carried over and a listing of bill titles submitted by

executive and independent agencies, which, traditionally, have never been subject to the screening process.

After the initial screening of Legislators' requests, the results are compiled and the Revisor's Office notifies each individual Legislator of the Council's actions and provides instructions on how to appeal a decision.

A supplemental volume will be prepared and distributed between the appeal deadline and the meeting of the Council to hear those appeals.

Last on the schedule is a suggested bill signing day. The Legislative Council for the 120<sup>th</sup> Legislature recommended to the Presiding Officers that they establish a bill signing day in order to ensure a more productive beginning of the session. Four years ago, out of 362 Legislator-filed bill requests submitted, the Legislative Council admitted a total of 130. Two years ago, out of 496 Legislator-filed bill requests submitted, the Legislative Council admitted a total of 211. Of those admitted both years, the vast majority were completed and signed on the applicable bill signing day and transmitted to the Secretary of the Senate and the Clerk of the House for printing and referral to committees before the Second Regular Session convened. Departments and agencies were also subject to the bill signing day, and all of their bill requests filed by cloture date were also completed and sent to the chambers before the session convened.

If I can provide you any further information, please do not hesitate to contact me.

123rd LEGISLATIVE COUNCIL  
SECOND REGULAR SESSION  
REVIEW OF REQUESTS TO INTRODUCE LEGISLATION  
PROPOSED FALL 2007 SCHEDULE

---

**October 3<sup>th</sup> (Wednesday)**  
**4 p.m.**

**Filing Deadline (Cloture) \***

- Legislators (With sufficient information to draft or process a concept draft)
- Department/Agencies (Final Drafts)

**October 25<sup>th</sup> (Thursday)**  
**10 a.m.**

**Legislative Council Meeting –  
Screening of Legislators' requests**

**October 30<sup>th</sup> (Tuesday)**

**Notification of Council's action  
mailed to sponsors**

**November 6<sup>th</sup> (Tuesday)**

**Deadline for filing appeals**

**November 15<sup>th</sup> (Thursday)**  
**10 a.m.**

**Legislative Council Meeting to  
consider appeals**

**December 14<sup>th</sup> (Friday)**

**Bill Signing Day \*\***

**January 2<sup>nd</sup> (Wednesday)**

**Legislature convenes**

\* Legislators are encouraged to file bill requests well in advance of this deadline.

\*\* Subject to approval by the Presiding Officers

	Mon	Tue	Wed	Thu	Fri	Sat
OCTOBER 2007						
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			
NOVEMBER 2007						
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	
December 2007						
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					



DAVID E. BOULTER  
EXECUTIVE DIRECTOR  
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR  
LEGISLATIVE COUNCIL

**Memo**

To: Legislative Council Members

From: *D.B.*  
Dave Boulter, Executive Director  
Legislative Council

Date: July 18, 2007

Re: Increased Compensation for Constitutional Officers and the State Auditor

---

As part of its passage of LD 499 (budget bill), the Legislature authorized the Legislative Council to approve salary and benefit increases for the Constitutional Officers and the State Auditor. In the past, such increases have been consistent with increases awarded to confidential employees in the Executive Branch. The salary and benefit increases awarded to employees in the Executive Branch beginning this July is as follows:

- A. Effective July 1, 2007, a \$700 lump sum payment.
- B. Effective July 1, 2008, a COLA of 2% on base salary.
- C. Effective January 1, 2009, an automatic step increase. In addition, a new step is added and the 1<sup>st</sup> step is eliminated, the effect of which is a salary increase of 4-5%.
- D. Addition of an additional longevity stipend for 25+ years of state service, the value of which is \$1,040.

The Legislative Council last approved general salary adjustments for the Constitutional Officers and the State Auditor in July 2005.

The cost of implementing the salary adjustments must be borne by the general operating budgets of the respective Constitutional Officers or the State Auditor.



June 18, 2007

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

Dear David:

It was a pleasure meeting with you and your staff to discuss the opportunity for Time Warner Cable to televise the House of Representatives and Senate chambers of the Maine State Legislature to our customers. After reviewing the financial and technical needs for the project I am pleased to let you know that we would like to move forward and offer this to our customers for the 2008 legislative session. We truly feel that this is an important public service initiative that will help connect, educate and inform Maine residents to the important work happening in Augusta.

Time Warner Cable will dedicate two digital channels to airing the House and Senate feeds when in session. With an additional investment of materials, estimated cost of \$25K, which Time Warner Cable is willing to absorb, we can take the current feeds that are streamed on the Internet and put them on our cable system. Due to bandwidth constraints on our system we will initially be limited as to where we can offer these two digital channels. Eventually these channels will be available to approximately 90% of our customers in Maine once we have fully installed technology which will allow us to conserve bandwidth. The first areas to receive the channels will be York and Cumberland Counties. We will continue to roll it out to more areas in the state in 2008 although some of our remote systems (Calais, Rangeley, Searsmont, Temple, Weld, Stockholm) will probably never get those channels due to technical limitations.

There are a few details that we still need to work out, specifically channel number assignments and the roll out schedule of when/where these channels will be available. In addition we will need to create a PR/marketing campaign to let customers know that this is available. This is something that we can collaborate on with a designated person from the Legislature.

Let me know if you have any questions. We look forward to working with the Maine Legislature on this initiative.

Yours truly,

A handwritten signature in black ink, appearing to read 'Melinda Poore'.

Melinda Poore  
Vice President, Government & Public Affairs

July 24, 2007

**From: Robert J. Tardy, Chairman**  
**Maine Harness Racing Promotion Board**  
**P. O. Box 336**  
**Newport, Maine 04953**  
**Cell: 341-0343**

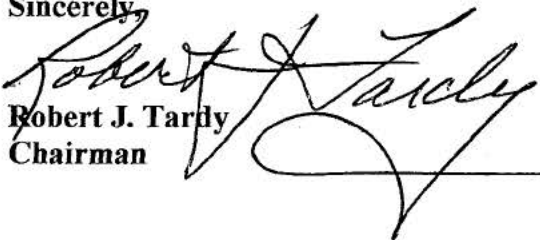
**To: David E Boulter**  
**Executive Director**  
**Legislative Council**

This letter is to certify that the Maine Harness Racing Promotion Board is a public instrumentality of the State as created by Title 8, Chapter 11, Section 285, MRSA.

LD1073

We are pleased to fund the study of the promotion, expansion and regulation of harness racing as provided for in ~~LD1023~~. Enclosed please accept check to Treasurer, State of Maine for \$4,760.00. I would point out that this bill had an emergency preamble and would urge leadership and the Department to make the appointments to the study in a timely manner as there is a lot that needs to be done.

Sincerely,

  
Robert J. Tardy  
Chairman

LD1073

STATE OF MAINE  
—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND AND SEVEN

APPROVED	CHAPTER
JUN 27 '07	128
BY GOVERNOR	RESOLVES

—  
H.P. 791 - L.D. 1073

**Resolve, To Study the Promotion, Expansion and Regulation of the Harness  
Racing Industry**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Commission To Study the Promotion, Expansion and Regulation of the Harness Racing Industry is established to review the racing industry in Maine; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Commission established. Resolved:** That the Commission To Study the Promotion, Expansion and Regulation of the Harness Racing Industry, referred to in this resolve as "the commission," is established; and be it further

**Sec. 2. Commission membership. Resolved:** That the commission consists of 11 members appointed as follows:

1. Two members of the Senate, one member of the party holding the highest number of seats and one member of the party holding the 2nd highest number of seats, appointed by the President of the Senate. At least one Senate member must be serving on the Joint Standing Committee on Agriculture, Conservation and Forestry;

2. Four members of the House of Representatives, at least one member of the party holding the highest number of seats and at least one member of the party holding the 2nd highest number of seats, all appointed by the Speaker of the House. At least one House member must be serving on the Joint Standing Committee on Agriculture, Conservation and Forestry;

3. The chair of the Maine harness racing promotion board;
4. Two members recommended by an association of horsemen appointed by the Commissioner of Agriculture, Food and Rural Resources;
5. One member who is a racing director for an agricultural fair recommended by a statewide fair association and appointed by the Commissioner of Agriculture, Food and Rural Resources; and
6. One member representing commercial harness racing tracks appointed by the Commissioner of Agriculture, Food and Rural Resources; and be it further

**Sec. 3. Chairs. Resolved:** That the Senate member named by the President is the Senate chair of the commission and the House of Representatives member named by the Speaker is the House chair of the commission; and be it further

**Sec. 4. Appointments; convening of commission. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. Within 15 days after appointment of all members, the chairs shall call and convene the first meeting of the commission, which must be no later than 60 days following the effective date of this resolve; and be it further

**Sec. 5. Duties. Resolved:** That the commission shall study the best way to expand racing opportunities for Maine horsemen and Maine-owned horses, including an orderly expansion of race dates and venues and how to better fund the State Harness Racing Commission in a way that serves the racing industry and the public. The commission shall review rules and regulations and issues such as drug testing to ensure the integrity of the sport. In addition, the commission shall explore ways to promote public interest and participation in harness racing for followers of the sport and horse owners; and be it further

**Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the commission; and be it further

**Sec. 7. Compensation. Resolved:** That the legislative members of the commission are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the commission. Public members not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses and, upon a demonstration of financial hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of the commission; and be it further

**Sec. 8. Report. Resolved:** That, no later than December 5, 2007, the commission shall submit a report that includes its findings and recommendations, including any suggested legislation, for presentation to the Joint Standing Committee on Agriculture, Conservation and Forestry. The Joint Standing Committee on Agriculture, Conservation

and Forestry is authorized to introduce legislation related to the harness racing industry to the Second Regular Session of the 123rd Legislature; and be it further

**Sec. 9. Commission budget. Resolved:** That the commission shall seek outside funds to fully fund all costs of the commission. If sufficient outside funding has not been received by the commission by September 15, 2007 to fully fund all costs of the commission, no meetings are authorized and no expenses of any kind may be incurred or reimbursed. Contributions to support the work of the commission may not be accepted from any party having a pecuniary or other vested interest in the outcome of the matters being studied. Any person, other than a state agency, desiring to make a financial or in-kind contribution must certify to the Legislative Council that it has no pecuniary or other vested interest in the outcome of the study. The certification must be made in the manner prescribed by the Legislative Council. All contributions are subject to approval by the Legislative Council. All funds accepted must be forwarded to the Executive Director of the Legislative Council along with an accounting record that includes the amount of the funds, the date the funds were received, from whom the funds were received and the purpose of and any limitation on the use of the funds. The Executive Director of the Legislative Council shall administer any funds received by the commission. The executive director shall notify the chairs of the commission when sufficient funding has been received. Within 10 days after its first meeting, the commission shall present a work plan and proposed budget to the Legislative Council for its approval. The commission may not incur expenses that would result in the commission's exceeding its approved budget; and be it further

**Sec. 10. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

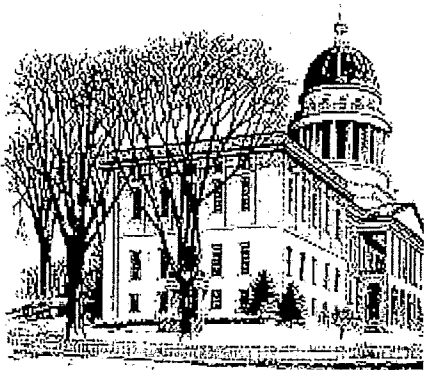
#### LEGISLATURE

##### Study Commissions - Funding 0444

Initiative: Provides an allocation of Other Special Revenue Funds in fiscal year 2007-08 in the event outside funds are received to fully fund the cost of the Commission To Study the Promotion, Expansion and Regulation of the Harness Racing Industry.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$1,760	\$0
All Other	\$3,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,760	\$0

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.



STATE OF MAINE  
REVENUE FORECASTING COMMITTEE

Members:

*Jerome Gerard, Chair, Acting State Tax Assessor*  
*James Breece, University of Maine System*  
*Marc Cyr, Principal Analyst, Office of Fiscal and Program Review*  
*Ellen Schneider, State Budget Officer*  
*Grant Pennoyer, Director, Office of Fiscal and Program Review*  
*Catherine Reilly, State Economist*

July 31, 2007

RE: Revenue Forecast Reporting Dates

Dear Governor Baldacci, Members of the Legislative Council, and Chairs of the Committee on Appropriations and Financial Affairs:

Members of the Consensus Economic Forecasting Commission (CEFC) and the Revenue Forecasting Committee (RFC) met on July 17, 2007 for their annual summer retreat. At the meeting, they reviewed the results of the preceding year's forecasts and considered procedural adjustments that might improve the accuracy of future forecasts.

This year, Committee members addressed concerns regarding the timing of the spring reporting deadlines. Maine law requires the RFC to forecast revenues twice each fiscal year, first by December 1 and again by March 1. In practice, the March 1 forecast is essentially a slight revision of the December 1 forecast because key economic data has not become available by the time the CEFC must meet in late January. This second report ultimately becomes the basis for the state budget.

Members of both Committees believe that the March 1 RFC deadline may not provide the Governor and Legislature with the best and most complete information possible on which to base the state budget. Thus, we propose changing the spring RFC forecast deadline to May 1, and the CEFC's corresponding deadline to April 1 for odd-numbered years when the Legislature has a long session. We are not proposing to change forecast deadlines for even-numbered years when the Legislature has a short session.

The present spring forecast report date requirement means the CEFC must work with only partial estimates of the preceding year's state income, employment, inflation, and gross domestic product growth. Moving the report date to April 1 would allow the CEFC to incorporate better and more complete information into its forecast.

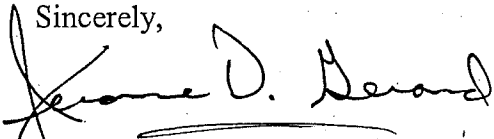
For its March 1 deadline, the RFC has partial information on corporate and personal income tax revenues, which are major revenue lines. Most importantly, April 15 income tax filing and payment deadline results, which provide vital information on State revenues are not available at the March 1 date. Given past so-called "April surprises," where refunds far exceeded forecasts,

it would be preferable to adjust forecast shortly after that significant deadline. In the past there have been a few forecasts made before April 15 that later needed significant downward revisions. Although current RFC reports often include cautionary notes regarding the volatility of some revenue lines, Committee members share concern that the need for large forecast adjustments shortly (6-8 weeks) after the March 1 deadline could erode confidence in the entire forecasting process.

RFC and CEFC members recognize that delaying the spring forecast to improve accuracy could reduce the amount of time that the Governor and Legislature have to develop a budget. However, we believe that the December 1 revenue forecast, combined with regular revenue updates from Maine Revenue Services, would allow budget writers to begin their work well informed of likely revenue levels. We would also be willing to provide a March 1 advisory briefing on the revenue outlook. The RFC's May 1 revenue forecast would likely be final, and not subject to later unexpected revisions, unlike current forecasts.

Please contact us if we can provide you with further information regarding this recommendation. Thank you for your consideration.

Sincerely,



Jerome D. Gerard, Chair  
Revenue Forecasting Committee



Charles S. Colgan, Chair  
Consensus Economic Forecasting Commission

2007 AUG 21 A 11:32

EXECUTIVE DIRECTOR'S  
OFFICE

Ref: MRSA Title 5, Chapter 151-B, 1710-1710J

CC: Members, Revenue Forecasting Committee  
Members, Consensus Economic Forecasting Commission  
Members, Committee on Appropriations and Financial Affairs  
Rebecca Wyke, Commissioner, Department of Administrative and Financial Affairs  
Martha Freeman, Director, State Planning Office