

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
September 27, 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 AUGUST 23, 2007 MEETING OF THE LEGISLATIVE COUNCIL	Acceptance
	REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	
11	▪ Executive Director's Report (Mr. Boulter)	Information
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16	▪ Status of Legislative Studies (Mr. Norton)	Information
	REPORTS FROM COUNCIL COMMITTEES	
	• Personnel Committee (Speaker Cummings, Chair) Meeting held September 27, 2007	
	• State House Facilities Committee (Rep. Pingree, Chair) (No Report)	
	• Budget Subcommittee (Sen. Martin, Chair) Meeting held September 27, 2007	
	• Subcommittee to Administer Technology (President Edmonds, Chair) Meeting held September 19, 2007	

OLD BUSINESS

(No action required)

NEW BUSINESS

- | | | |
|-----------|---|-----------------|
| 20 | Item #1: Request by the Commission to Study Primary Care Medical Practice to Extend Reporting Deadline to December 14, 2007 | Decision |
| 21 | Item #2: Acceptance of Funds to Support the Working Group to Study the Effectiveness and Timeliness of Early Identification and Intervention for Children with Hearing Loss (Hear Me Now) | Decision |
| 27 | Item #3: Request for appointment and convening of a Work Group composed of (4) members from the Joint Standing Committee on Transportation and (4) members from Appropriations and Financial Affairs | Decision |
| 29 | Item #4: Acquisition of Constituent Services Management Software (Recommendation of Subcommittee to Administer Technology) | Decision |

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT



SEN. BETH EDMONDS
CHAIR

REP. GLENN A. CUMMINGS
VICE-CHAIR

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123RD MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

**MEETING SUMMARY
AUGUST 23, 2007**

CALL TO ORDER

Legislative Council Chair, President Edmonds called the Legislative Council meeting to order at 1:08 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. Robert Crosthwaite

Legislative Officers: Millie MacFarland, Clerk of the House
Michael Cote, Assistant Clerk of the House
David E. Boulter, Executive Director of the Legislative Council
Rose Breton, Legislative Finance 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 1:08 P.M. with a quorum of members present.

SUMMARY OF JUNE 18, 2007 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary of June 18, 2007 be accepted and placed on file. Motion by Representative Faircloth, second by Senator Mitchell. **Motion passed, unanimous (8-0). [Rep. Crosthwaite arrived after the vote; Rep. Tardy absent]**

REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES

Executive Director's Report

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

Building Evacuation Planning

Three training sessions were held with key evacuation personnel to discuss evacuations procedures, 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.

Legislative Digest

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

Employee Recognition Picnic

A recognition event and picnic for legislative employees will be held on September 6, 2007 in Capitol Park.

Legislative Council Chair President Edmonds asked if there was any objection to taking up one item that was not on the printed agenda. No objection was expressed so Legislative Council Chair President Edmonds invited Commissioner Jordan, Department of Public Safety, to address the Council regarding a concern involving the Welcome Center that was brought to the attention of the Department of Public Safety. Recently persons using the Welcome Center had their conversation listened to and recorded without their knowledge or permission. This is impermissible and the Commissioner recommended that the Legislative Council take the necessary steps to prevent any recurrence. Mr. Boulter indicated that he had been made aware of the incident, and that he was in the process of installing a sound system in the Welcome Center similar to that used in committee rooms. In that manner, persons in the room would be aware when the discussions were being broadcast outside of the room, and that it would preclude need for microphones by others to be used. President Edmonds suggested a sign be posted informing persons that the proceedings are being broadcast and may be recorded. The Legislative Council agreed that this approach should be implemented promptly.

Fiscal Report

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

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.

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.
- 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 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.

Information Technology Report

Scott Clark, Deputy Director, Office of Legislative Information Services, reported the following.

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

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 1st regular session is underway. There are issues related to the first time use of MELD in the update process. The issues are being identified and addressed. 2nd 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 2nd 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.

Status of Legislative Studies

Pat Norton, Director, Office of Policy and Legal Analysis, reported the following.

There are 31 studies that are assigned to legislative study commissions or studies that were assigned to a joint standing committee by the Council in June. Twenty of the studies have all the appointments completed and eleven have appointments yet to be made. Many of those studies that still need appointments do not become effective until September 20, 2007; therefore, the appointment process is still on-going. Study committees and commissions are starting to gear up for meetings starting in early September.

REPORTS FROM COUNCIL COMMITTEES

1. Personnel Committee

Speaker Cummings, Chair of the Personnel Committee, reported that the committee met on July 18th to consider three items:

- the committee voted to approve temporary disability income benefits for a member of the Senate staff;
- it voted to recommend to the full Legislative Council that it authorize salary adjustments for the Constitutional Officers and the State Auditor consistent with Executive Branch employees (decision later on in agenda); and
- it authorized the process for recruiting for the State Law Librarian to replace Lynn Randall who retired after many years of legislative service.

2. State House Facilities Committee

(No Report)

3. Subcommittee to Review the Study Committee Process

(No Report)

4. Budget Subcommittee

Senator Martin, chair of the Budget Subcommittee, reported that the subcommittee met on August 23, 2007 to look for areas in the legislative accounts where operational efficiencies or other savings can be achieved. At its meeting, the subcommittee discussed what would be the appropriate target level of savings to be achieved across all legislative accounts. The subcommittee has identified numerous areas of potential savings, a list of which will be distributed to Legislative Council members for their review.

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

(No Report)

OLD BUSINESS

ITEM 1: Legislative Council Actions Taken by Ballot

Votes on two items were taken by ballot by the Legislative Council since its June 18th, 2007 meeting. They were as follows:

1. Motion: That the Legislative Council amend its policy on the use of the Hall of Flags adopted on October 27, 2005 by adding a 2nd sentence after the 1st sentence in paragraph 2 of Section 2 as it relates to weddings and funerals as follows:

Paragraph 2 (in part)

“Furthermore, the Hall of Flags may not be used for acts of civil disobedience, petition signing for referenda, clemency petitions or advocacy, private events such as weddings, funerals, dinners or dances, or mercantilism. However, upon request and approval of the Legislative Council, the Governor or the Attorney General may perform a marriage ceremony or deliver a eulogy in the Hall of Flags. Such an event must be limited to the marriage ceremony or eulogy itself; receptions, wakes, or other informal activities related to the marriage or funeral are prohibited.” **Motion passed, (7-3) (Senator Mitchell, Senator Weston, Senator Rosen opposed)**

2. Request by Representative Sean Faircloth for use of the Hall of Flags on October 27, 2007, for the marriage of Sean Faircloth and Aymie Walshe by Attorney General G. Steven Rowe. Request is made pursuant to the Legislative Council’s Policy on the Use of the Hall of Flags as revised on August 10, 2007. Requester will be charged a fee for services and room use and the request is limited to civil ceremony, without reception. Requester agrees to abide by all terms and conditions of use. **Motion passed, (9-0-0-1) (Senator Mitchell unavailable for vote)**

No further action by the Legislative Council is required.

NEW BUSINESS**ITEM #1: Establishing Bill Cloture Date for Legislators and State Agencies For the Second Regular Session (Ms. Matheson)**

Suzanne Gresser, Deputy Revisor of Statutes, drew members' attention to the cloture date memo by Revisor Matheson found in the packet. She reported that the proposed Fall 2007 schedule establishing dates and deadlines for cloture and related events for the Second Regular Session of the 123rd Legislature is as follows:

October 3 rd (4 p.m.)	Filing Deadline (cloture)
October 25 th (10 a.m.)	Legislative Council Meeting – Screening of Legislators' requests
October 30 th	Notification of Council's action mailed to sponsors
November 6 th	Deadline for filing appeals
November 15 th	Legislative Council Meeting to consider appeals
December 14 th	Bill Signing Day (subject to approval by the Presiding Officers)
January 2 nd 2008	Legislature convenes

Motion: That the Legislative Council adopt the proposed Second Session Cloture Schedule and Related Dates. Motion by Representative Pingree. Second by Senator Mitchell. **Motion passed, unanimous (9-0).**

ITEM #2: Salary Increases for Constitutional Officers and the State Auditor for FY 08/09

Motion: That upon the recommendation of the Personnel Committee, the Legislative Council approve salary adjustments for the Constitutional Officers and the State Auditor consistent with those increases recently awarded to Confidential Employees of State Government, effective July 1, 2007. Motion by Speaker Cummings. Second by Representative Pingree. **Motion passed, unanimous (9-0).**

ITEM #3: Request to Authorize Funding for the Purpose of Purchasing Software and Computers to Allow For Paperless House Chamber Sessions

President Edmonds requested a brief recess at 1:42 P.M. to discuss the proposal to authorize funding for the purpose of purchasing software and computers to allow for paperless House Chamber sessions. The meeting was reconvened at 1:52.

Mr. Boulter explained that the Office of Information Services is working with the Clerk of the House and the Speaker's Office on a Request for Proposals (RFP) for software development to reduce paper and allow greater automation of the House chamber. The goal is to allow House members to view calendar items and related information electronically at their desks in the chambers beginning in the second regular session. The costs for the software development would come from the unspent balances in legislative accounts, and therefore requires Legislative Council authorization. Issuing an RFP, i.e. selecting bids, will likely result in a variety of technical approaches proposed, and competitive pricing.

Speaker Cummings then provided background information and the context for pursuing a “paperless chamber.” He explained that the House spends a considerable amount of time handing out paper supplements during sessions. With paper documents, members must wait to access amendments and full copies of bills. Maine is one of the few states (8-9 states) who are not electronically connected in their chambers. Hopefully elimination of paper would provide some level of savings in the long term. The House is looking for efficiencies long term and the ability for legislators to have better access to revised statutes and bills/amendments. The Speaker noted that the number of legislators who used a laptop in 2000 was a small handful of people. Now 40-60% of the members of the Maine House are regularly using a laptop for a variety of purposes. Other states have indicated that it has been most effective to use what is called “push” software. The Legislators will see the calendar item on their screen. In addition to software, hardware must be considered as well. The Speaker recommended deferring the decision as to the type of hardware to be used (i.e. laptop, monitor) to display the calendar information at members’ desk. He recommended moving forward with the RFP for software development but look at a variety of options for display at a later time. The motion he would put forward is the acceptance of Item 3 but eliminate “and computers” so as to develop the software right away. Speaker Cummings then made a motion to authorize an RFP for software development only for a paperless chamber. Motion by Speaker Cummings. Second by Representative Pingree. (Vote not taken at this time.)

Senator Martin stated his opposition to the state (legislature) purchasing laptops for legislators at any time, as he believes it would be inappropriate and also that use of laptops in the chambers would distract from floor discussions and debates. He did express support for a more passive, paperless approach. A general discussion then followed regarding the benefits and limitations of “push” software, a system in which a document or other information is displayed on members’ monitors without member interaction by the system/chamber operator. An alternative approach is a “pull” system in which a member must seek to obtain or “pull” the information from a menu of information sources.

Senator Mitchell commented that the RFP should solicit proposals that can address the issues discussed, and allow for the public to access documents as well. Mr. Clark responded that the RFP could remain sufficiently broad so that a vendor would have the ability for options; requirements, not solutions would be specified. Representative Pingree commented that access security should be a priority so that systems cannot be hacked or information altered. She also encouraged better ways for the public to view documents being distributed in the chambers.

Senator Martin then sought clarification as to whether the motion included authorization to actually purchase the software development or whether it is limited to soliciting proposals for services. He did not support authorizing the expenditure of funds at this time. He felt the Legislative Council should review the proposals received and make a decision at that time. He suggested the Legislative Council review the RFP prepared by staff before it is released.

Senator Weston noted that most information being discussed for electronic distribution in the chambers is already available on the legislative website. She also noted the legislators receive a “constituent services” allowance that could be used to purchase a laptop if the member so chose.

Senator Rosen stated that the purpose and goal sought by this RFP is unclear, and the Legislative Council discussion reinforced for him that there appear to be multiple, and apparently conflicting goals among the members. He noted that if the sole goal is to remove paper distribution from the chamber process, the website provides the capacity to do that now. He felt that the Legislative Council should develop a clear expectation as to the purpose to be served by the proposal. Representative Pingree commented that members need flexibility to view information other than just what pertains to the item immediately being debated in order to

prepare for upcoming items. Representative Faircloth felt that the state should not purchase laptops for members, that the RFP should be issued but the Legislative Council should withhold authorization for funding until proposals can be reviewed. Senator Martin suggested that the process may benefit from a group traveling to another state, such as Connecticut, to see that state's chamber automation system. By doing so, members would develop a better understanding of what and how the system worked, especially a "push" system of which he is supportive.

President Edmonds clarified that the motion made by Speaker Cummings would authorize spending as well as release of the RFP. If funding authorization is not to be included, the pending motion would need to be amended.

Speaker Cummings then explained that such a system would result in long-term cost savings in three areas: 1) reducing the paper and printing which is quite expensive; 2) reducing the number of personnel in the chambers (at least 2 chamber staff); and 3) reducing the delay in chamber action by not having to distribute paper supplements. By doing so, the length of the legislative sessions could be reduced by a day or two days, and for each day the legislature would save somewhere between \$20,000 - \$30,000.

Senator Mitchell supported issuance of the RFP but felt both chambers should be included; i.e. the Maine Legislature as a whole. Senator Rosen stated that he did not support authorizing the issuance of an RFP at this time. He felt that the objectives have not been clearly articulated.

Mr. Boulter noted that the draft RFP would invite a series of options to be presented by the vendors. He said that the RFP should provide flexibility for options to be proposed by the vendors, who are supposed to be the experts in this area. Issuance of the RFP should not preclude options for different technologies and approaches. When the proposals are received, the Legislative Council should have a series of options and at that time, the Legislative Council will need to choose from among those options. He suggested that in this way, the Legislative Council can receive the information to build an information base without committing to a specific development at this time.

Speaker Cummings summarized the goals as he saw them based on the discussion: 1) better, faster communication and information to legislators than we presently have; 2) time savings in the chamber; and 3) long-term cost savings. He then withdrew his earlier motion, and moved that the Legislative Council authorize the release of an RFP for the purposes of soliciting proposals for the development of software to allow for paperless chambers in the Maine Legislature for Legislative Council review (with no authorization to select and purchase software at this time). The motion was seconded by Representative Pingree.

Senator Martin sought assurance that this motion would allow for proposals and technological options for the Legislative Council to review and ultimately decide. President Edmonds concurred and further stated that if the costs are too great, all bids can be rejected.

Motion passed, 6-3 (Senator Weston, Senator Rosen, Representative Crosthwaite opposed, Representative Tardy absent).

ITEM #4: Time Warner Cable Request to Rebroadcast Legislative Proceedings to Cable Subscribers

Mr. Boulter explained that Time Warner Cable recently purchased Adelphia cable company which has the cable network in the Augusta area among other areas. Time Warner Cable asked to meet for the purposes of exploring whether it could obtain broadcast rights for legislative proceedings and whether sufficient technology was in place that would allow broadcasting over the cable network. A meeting was held and subsequent inspection revealed that legislative cameras broadcast using a "broadcast" quality signal. With the addition of some equipment to be provided at its own expense, Time Warner Cable determined rebroadcasting is feasible. If the Legislative Council is interested in pursuing the proposal, it must decide some policy issues relating to rebroadcasting. Time Warner proposes to broadcast in real time and perhaps to "time shift" the proceedings as cable programming warrants.

Senator Martin moved to refer the request by Time Warner Cable to the Subcommittee to Administer Technology. Second by Senator Mitchell.

Senator Martin raised several issues, including potential payment of royalties for the right to rebroadcast, and to making broadcasts available to other cable companies outside of Time Warner Cable service area. It was noted that Time Warner Cable charges for its cable subscription service. Several members including Senator Rosen and Senator Martin expressed their interest in making legislative proceedings more readily available to the public. Done well, it could be a great public service.

Motion: That Time Warner Cable request to rebroadcast legislative proceedings be referred to the Subcommittee to Administer Technology. **Motion passed, unanimous. (9-0)**

ITEM #5: Resolve 2007, C. 128, Commission to Study the Recruitment, Training, Compensation and Oversight of Racing Officials

Request by Maine Harness Racing Promotion Board to Contribute \$4,760.00 to Support Study Commission

Mr. Boulter explained that the Maine Harness Racing Promotion Board proposes to fund the cost of the study and acceptance of those funds by the Legislature requires an approval by the Council. He drew the member's attention to the relevant provisions of the study language (budget) which specifies under what conditions contributions may be accepted.

Motion: To accept Maine Harness Racing Promotion Board's proposal to fund the study. Motion by Senator Martin. Second by Senator Mitchell. **Motion passed, unanimous. (9-0)**

ITEM #6: Revenue Forecasting Committee Request to Change Reporting Date

The Council reviewed the matter but did not take any action.

ITEM #7 Collective Bargaining Matters (Executive Session)

Motion: That in accordance with 1 MRSA section 405, subsection 6, the Legislative Council enter into an executive session for the purposes of discussing collective bargaining negotiations between MSEA and the Legislative Council. Motion by Representative Crosswaite. Second by Senator Mitchell. **Motion passed, unanimous. (9-0)**

The Council ended its Executive Session at 3:10 P.M.

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

The Legislative Council meeting was adjourned at 3:10 P.M. Motion by Representative Crosthwaite. Second by Representative Pingree. **Motion passed, (9-0)**

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MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

**Legislative Council
Executive Director's Report**

September 27, 2007

1. **Welcome Center Sound System**
The Welcome Center has now been connected to the building's central sound broadcasting system. Press conferences and other public events can now be heard on channel 30 of the audio system. This is in keeping with the Legislative Council's request and Commissioner Jordan's recommendation made at the last Legislative Council meeting.
2. **Parking Lot Update**
The Lot B parking lot is scheduled to reopen for general use by Friday, October 5th. In addition to the parking lot reconstruction, lighting, sidewalks and an emergency call box has been installed to improve pedestrian safety.
3. **Introduction of New Employee**
OPEGA has hired Mary Gingrow-Shaw as a principal analyst in the office. She began work on September 4, 2007. Ms. Gingrow-Shaw was a long-term employee of the Maine Department of Audit.

Fiscal Briefing

Legislative Council Meeting

September 27, 2007

Prepared by the
Office of Fiscal & Program Review

1. Revenue Update

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

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
Jan	82.7	91.4	8.7	10.6%	89.5	2.1%
FYTD	314.1	314.6	0.5	0.2%	311.9	0.9%

- General Fund revenue for August was over budget by \$8.7 million, erasing all of the negative variance that resulted from July's revenue performance. For the Fiscal Year-to-date (FYTD), General Fund revenue was \$0.5 million over budget or +0.2%. However, growth over the same period in FY 2006 was only 0.9%. Although there appears to be a positive variance, there are some problem areas that will require a revenue adjustment and some temporary positive variances due to timing issues, primarily BETR program payments, IF&W revenue and fine revenue.
- Individual Income Tax collections, while over budget largely as a result of the timing of BETR payments, which contributed \$6.8 million to the positive variance, shows some weakness in withholding payments.
- Sales and Use Tax collections were under budget by \$3.2 million through August and Cigarette and Tobacco Products Taxes continued to fall below budget (\$0.9 million or -2.9% for the FYTD).
- Corporate Income Tax has been under budget each month this fiscal year, but September filings will be a more important indicator of performance for the fiscal year.
- Within the positive variance in the Other Revenue category, Judicial Department fine revenue and IF&W revenue contributed artificially to this positive variance due to the delay in accounting entries. September revenue will reflect the adjustments and reduce the positive variance in Other Revenue.

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

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
Jan	6.7	7.6	0.9	13.2%	6.5	16.9%
FYTD	36.3	33.4	(2.9)	-8.0%	34.9	-4.1%

- Highway Fund revenue was under budget in July by \$2.9 million or -8.0% and actual revenue declined by 4.1% from the same period last fiscal year. The negative variance in the Fuel Taxes line continued to be the primary factor in the poor performance of Highway Fund revenue. Highway Fund fine revenue, no revenue recorded in FY08, should catch up in September as accounting data entry issues are resolved.

2. Revenue Forecasting Committee Schedule

- The Consensus Economic Forecasting Commission meets on Tuesday, October 16th at 9:30 AM in the Appropriations Committee Room (Room 228 of the State House).

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

AUGUST 2007 REVENUE VARIANCE REPORT

Revenue Line	August '07 Budget	August '07 Actual	August '07 Variance	FY08 YTD Budget	FY08 YTD Actual	FY08 YTD Variance	FY08 YTD Variance %	FY07 Budgeted Totals
General Fund								
Sales and Use Tax	1,222,665	(2,080,849.70)	(3,303,514.70)	97,521,862	94,345,093.36	(3,176,768.64)	-3.3%	1,006,131,180
Service Provider Tax	47,325	(167,789.58)	(215,114.58)	4,313,551	4,101,540.41	(212,010.59)	-4.9%	51,181,910
Individual Income Tax	46,146,425	52,138,736.38	5,992,311.38	141,264,930	146,895,958.32	5,631,028.32	4.0%	1,382,788,225
Corporate Income Tax	4,500,000	(1,099,888.37)	(5,599,888.37)	13,000,000	6,027,812.51	(6,972,187.49)	-53.6%	202,052,405
Cigarette and Tobacco Tax	16,725,663	16,182,679.23	(542,983.77)	31,469,596	30,548,227.54	(921,368.46)	-2.9%	163,774,241
Public Utilities Tax	0	347,980.26	347,980.26	0	347,980.26	347,980.26	N/A	17,476,987
Insurance Companies Tax	61,550	51,926.25	(9,623.75)	480,845	1,839,895.76	1,359,050.76	282.6%	76,751,673
Estate Tax	(3,500,000)	(2,800,286.45)	699,713.55	0	(783,192.93)	(783,192.93)	N/A	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	507,457.03	507,457.03	0	534,809.27	534,809.27	N/A	1,424,000
Transfer to Municipal Revenue Sharing	(2,647,738)	(2,488,300.65)	159,437.35	(13,061,119)	(12,819,890.64)	241,228.36	1.8%	(134,749,842)
Transfer from Lottery Commission	3,833,400	5,119,655.92	1,286,255.92	7,666,800	9,479,509.29	1,812,709.29	23.6%	49,834,250
Other Revenue	16,283,072	25,684,435.72	9,401,363.72	31,471,134	34,128,492.40	2,657,358.40	8.4%	231,506,341
Totals	82,672,362	91,395,756.04	8,723,394.04	314,127,599	314,646,235.55	518,636.55	0.2%	3,105,693,525
Highway Fund								
Fuel Taxes	(1,682,407)	(1,689,082.23)	(6,675.23)	19,944,919	16,993,060.68	(2,951,858.32)	-14.8%	234,550,398
Motor Vehicle Registration and Fees	7,000,172	7,858,716.39	858,544.39	13,827,507	14,065,229.10	237,722.10	1.7%	87,290,064
Inspection Fees	497,095	484,292.25	(12,802.75)	879,195	905,671.75	26,476.75	3.0%	4,433,458
Fines	176,550	0.00	(176,550.00)	345,656	0.00	(345,656.00)	-100.0%	2,018,239
Income from Investments	130,000	175,291.67	45,291.67	130,000	175,291.67	45,291.67	34.8%	795,000
Other Revenue	614,551	794,872.82	180,321.82	1,216,391	1,299,790.76	83,399.76	6.9%	10,195,906
Totals	6,735,961	7,624,090.90	888,129.90	36,343,668	33,439,043.96	(2,904,624.04)	-8.0%	339,283,065

Comparison of Actual Year-to-Date Revenue Through August of Each Fiscal Year

REVENUE CATEGORY	FY 2004	% Chg	FY 2005	% Chg	FY 2006	% Chg	FY 2007	% Chg	FY 2008	% Chg
GENERAL FUND										
Sales and Use Tax	\$87,855,037.80	6.3%	\$90,326,360.01	6.5%	\$94,130,145.85	4.2%	\$94,721,686.60	0.6%	\$94,345,093.36	-0.4%
Service Provider Tax	\$0.00	N/A	\$3,207,756.32	N/A	\$2,803,093.80	-12.6%	\$4,147,644.88	48.0%	\$4,101,540.41	-1.1%
Individual Income Tax	\$108,768,823.43	4.2%	\$133,075,823.82	22.3%	\$138,155,445.89	3.8%	\$154,136,425.52	11.6%	\$159,154,477.36	3.3%
Individual Income Tax (Circuitbreaker)	\$0.00	N/A	(\$7,699,529.93)	N/A	(\$9,088,938.64)	-18.0%	(\$9,430,364.58)	-3.8%	(\$9,062,568.04)	3.9%
Individual Income Tax (BETR)	\$0.00	N/A	\$0.00	N/A	(\$6,545,688.00)	N/A	(\$9,490,372.00)	-45.0%	(\$3,195,951.00)	66.3%
Corporate Income Tax	\$300,290.82	-94.5%	\$6,035,418.07	1909.9%	\$7,923,972.45	31.3%	\$12,762,917.51	61.1%	\$6,027,812.51	-52.8%
Cigarette and Tobacco Tax	\$18,005,689.52	-3.7%	\$17,226,431.28	-4.3%	\$18,887,158.86	9.6%	\$31,034,312.39	64.3%	\$30,548,227.54	-1.6%
Public Utilities Tax	(\$293,687.83)	-95.8%	(\$150,000.00)	48.9%	\$0.00	100.0%	\$0.00	N/A	\$347,980.26	N/A
Insurance Companies Tax	\$1,933,548.96	-16.5%	\$1,273,111.20	-34.2%	\$805,659.41	-36.7%	\$419,795.01	-47.9%	\$1,839,895.76	338.3%
Estate Tax	(\$754,759.48)	38.6%	(\$2,345,886.94)	-210.8%	\$11,291,841.40	581.3%	\$130,227.50	-98.8%	(\$783,192.93)	-701.4%
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	\$294,745.70	897.7%	\$399,054.61	35.4%	\$507,745.71	27.2%	\$688,196.32	35.5%	\$534,809.27	-22.3%
Revenue Sharing Transfers	(\$10,043,131.77)	-2.3%	(\$11,472,237.24)	-14.2%	(\$11,596,279.59)	-1.1%	(\$12,589,244.83)	-8.6%	(\$12,819,890.64)	-1.8%
Liquor Transfers	\$5,498,639.90	3.9%	\$50,020,092.94	809.7%	\$750.00	-100.0%	\$5,971.36	696.2%	\$0.00	-100.0%
Lottery Transfers	\$7,124,075.40	-3.7%	\$8,182,556.26	14.9%	\$7,813,966.67	-4.5%	\$8,231,109.41	5.3%	\$9,479,509.29	15.2%
Other Revenue	\$30,127,796.76	38.2%	\$28,496,403.92	-5.4%	\$25,216,507.59	-11.5%	\$37,128,964.92	47.2%	\$34,128,492.40	-8.1%
TOTAL GENERAL FUND REVENUE	\$248,817,069.21	5.1%	\$316,575,354.32	27.2%	\$280,305,381.40	-11.5%	\$311,897,270.01	11.3%	\$314,646,235.55	0.9%
HIGHWAY FUND										
Fuel Taxes	\$17,673,849.82	23.1%	\$20,546,046.20	16.3%	\$18,528,755.70	-9.8%	\$19,000,525.60	2.5%	\$16,993,060.68	-10.6%
Motor Vehicle Registration and Fees	\$13,191,654.45	-1.9%	\$13,742,299.53	4.2%	\$14,408,024.57	4.8%	\$13,525,941.86	-6.1%	\$14,065,229.10	4.0%
Inspection Fees	\$910,806.33	20.9%	\$660,521.40	-27.5%	\$778,715.10	17.9%	\$839,581.68	7.8%	\$905,671.75	7.9%
Fines	\$332,164.68	-27.9%	\$167,189.70	-49.7%	\$373,642.31	123.5%	\$284,013.02	-24.0%	\$0.00	-100.0%
Income from Investments	\$56,980.39	-71.5%	\$70,933.17	24.5%	\$210,262.79	196.4%	\$129,235.35	-38.5%	\$175,291.67	35.6%
Other Revenue	\$1,153,122.70	6.1%	\$1,122,934.91	-2.6%	\$1,456,791.13	29.7%	\$1,091,761.59	-25.1%	\$1,299,790.76	19.1%
TOTAL HIGHWAY FUND REVENUE	\$33,318,578.37	10.0%	\$36,309,924.91	9.0%	\$35,756,191.60	-1.5%	\$34,871,059.10	-2.5%	\$33,439,043.96	-4.1%

Adjusted for Service Provider Tax Split

Information Services Report to the Legislative Council
Paul Mayotte, Director, Office of Legislative Information Services
September 19, 2007

Bill Drafting System:

The post session statute update and publishing process is in process. Completion of the publication and Web page posting of the Laws of Maine will be completed during the week of September 17th. Information Systems developed enhancements to the drafting application and are being installed and tested by ROS. The outside maintenance support contractor, OmniSphere, is working a prioritized list of software fixes that were identified during the session and update process. Priority is being given to the fixes needed to complete the update and publishing process.

As reported in August, ROS is entering bill requests for the 2nd Session into the drafting system. ROS and Systems are working jointly to prepare the various reports needed by the Legislative Council at its October Meeting. Bill requests to be voted on by the Council will be transferred electronically from MELD to the automated voting system.

Production Tracking System:

Conversion of the historical data starting with the 112th Legislature through the 123rd Legislature from WANG format to MS-SQL format has been completed. The contractor, Voyager, has delivered advanced releases of the software for early review by the production offices. The Tracking System server hardware and database software have been installed and fully tested. An initial training course has been provided to staff members that will be testing the software. User acceptance testing is scheduled to start at the end of September and completed in October. Links to exchange data between applications have been developed and will be fully tested on receipt of the test version of the software from the contractor. Upon final acceptance, production staff will be provided training prior to activation of the system.

If needed, the existing WANG tracking system is available as a backup should there be issues implementing the upgraded system.

A follow up with the Secretary and Clerk will take place in October to finalize the macro level data reporting they have requested.

Paperless Chamber Request for Proposals (RFP):

The changes directed by the Council at its August Meeting were made to the RFP. A copy of the RFP is being provided to the Council Members. The RFP will be released during the week of September 17th. Subject to final revisions, the RFP responses will be due on Friday, October 19th. The RFP is being advertised in the Maine newspapers, with a notice posted on the State Web page. A list of potential vendors has been prepared for a direct mailing of the RFP.

Legislative Study Commissions and Authorized Joint Standing Committee Interim Studies
Interim 2007 (As of 9/20/07)

#	Policy Area	Study Name	Number of Meetings	Total Members	Senate Appts specified	House Appts Specified	Other Appts Specified	Appointments remaining	Staff (OPLA staff unless otherwise specified)	Appointments Complete?
1	ACF	Commission to Study the Promotion, Expansion and the Regulation of the Harness Racing Industry (LD 1073)	4 meetings	11	Two Senators	Four members of the House	Commissioner of Agriculture appoints four members; Chair of Harness Racing Promotion Board		Jill Ippoliti/ Danielle Fox	YES
2	AFA	Steering Committee to Streamline State Government (P.L. 2007, c. 240, Part QQQ)	As needed	13	Three Senators	Ten members of the House	0		OFPR	YES
3	BRED	Joint Select Committee on Future Maine Prosperity (H.P. 1018)	5 meetings	15	Four Senators	Eleven members of the House	0		Natalie Haynes/ Elizabeth Cooper/ Julie Jones (OFPR)	YES
4	BRED	<u>Committee Study</u> of Business Compliance (Council authorized from LD 1163)	Must be completed by the BRED committee within its 4 authorized interim meetings	13	0	0	0		Natalie Haynes	YES
5	BRED	<u>Committee Study</u> of Outdated and Unnecessary Laws and Rules (by letter)	Must be completed by the BRED committee within its 4 authorized interim meetings	13	0	0	0		Natalie Haynes	YES
6	CRJ	<u>Committee Study</u> of Prison Industries Program (H.P. 1334)	Must be completed by the CJPS committee within its 5 authorized interim meetings	13	0	0	0		Marion Hylan Barr/ Anna Broome	YES
7	CRJ	<u>Committee Study</u> of Prison Overcrowding (by letter)	Must be completed by the CJPS committee within its 5 authorized interim meetings	13	0	0	0		Marion Hylan Barr	YES
8	CRJ	<u>Committee Review</u> of Sex Offender Registration and Notification Act (by letter)	Must be completed by the CJPS committee within its 5 authorized interim meetings	13	0	0	0		Marion Hylan Barr	YES
9	EDU	Commission to Develop Strategies to Increase Postsecondary Access, Retention and Completion for Low-wage, Low-skilled Adults (S.P. 717)	4 meetings	13	Two Senators and four non-legislators	Five members of the House and two non-legislators	0		Phil McCarthy/ Lucia Nixon	YES
12	HHS	<u>Committee Study</u> of MaineCare (S.P. 720)	Must be completed by the HHS Committee within its 6 authorized interim meetings	14	0	0	0		Jane Orbeton	YES
13	HHS	<u>Committee Review</u> of Eligibility for and Transitioning of the MaineCare Program (S.P. 724)	Must be completed by the HHS Committee within its 6 authorized interim meetings	14	0	0	0		Jane Orbeton	YES
14	HHS	Commission to Study Primary Care Medical Practice (S.P. 732)	4 meetings	13	Three Senators and three non-legislators	Five members of the House and two non-legislators	0		Elizabeth Cooper	YES

Legislative Study Commissions and Authorized Joint Standing Committee Interim Studies
Interim 2007 (As of 9/20/07)

#	Policy Area	Study Name	Number of Meetings	Total Members	Senate Appts specified	House Appts Specified	Other Appts Specified	Appointments remaining	Staff (OPLA staff unless otherwise specified)	Appointments Complete?
15	HHS	Commission to Develop a Strategic Priorities Plan for Maine's Young Children (LD 755)	4 meetings	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		Lucia Nixon/ Danielle Fox	YES
17	HHS	Advisory Council on Health Systems Development (LD 1849)	ongoing advisory council	19	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		Governor's Office	YES
18	IFS	<u>Committee Review</u> of Lyme Disease (Council authorized from LD 1521)	Must be completed by IFS Committee within its 3 authorized interim committee meetings	13	0	0	0		Colleen McCarthy Reid	YES
19	JUD	Right to Know Advisory Commission (P.L. 2005, c. 631)	At least 4 times annually	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.		Peggy Reinsch/ Colleen McCarthy Reid	YES
23	MAR	<u>Committee Study</u> of the Depletion of Finfish Stocks in the Gulf of Maine (S.P.726)	Must be completed by the MAR committee within its 4 authorized interim meetings	13	0	0	0		Curtis Bentley	YES
24	NAT	<u>Committee Study</u> of on Solid Waste (H.P. 1355)	Must be completed by the NAT committee within its 4 authorized interim committee meetings	13	0	0	0		Susan Johannesman	YES
25	NAT	Community Preservation Advisory Committee (P.L. 2001, c. 648, as reauthorized by LD 336)	No more than 4 times annually	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		State Planning Office (with OPLA drafting assistance by Susan Johannesman)	YES
27	SLG	<u>Committee Review</u> of the Need for Sesquicentennial Commission (Council authorized from LD 1091)	Must be completed by the SLG committee within its 3 authorized interim meetings	13	0	0	0		Anna Broom	YES

Legislative Study Commissions and Authorized Joint Standing Committee Interim Studies
Interim 2007 (As of 9/20/07)

#	Policy Area	Study Name	Number of Meetings	Total Members	Senate Appts specified	House Appts Specified	Other Appts Specified	Appointments remaining	Staff (OPLA staff unless otherwise specified)	Appointments Complete?
28	TAX	<u>Committee Review of Property Tax Assessment</u> (Council authorized from LD 261)	Must be completed by TAX committee within its 4 authorized interim meetings	13	0	0	State Tax Assessor		OFPR	YES
29	TRA	<u>Committee to Study Appropriate Funding of the State Police</u> (SP 725)	4 meetings	13	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		Karen Nadeau-Drillon/ Jon Clark	YES
30	TRA	<u>Committee Study of Certain Transportation-Related Matters</u> (SP 731)	Must be completed by the TRA committee within its 4 authorized interim meetings	13	0	0	0		Karen Nadeau-Drillon	YES
31	TRA	<u>Committee Study of Motor Fuels</u> (Council authorized from LD 1919)	Must be completed by the TRA committee within its 4 authorized interim meetings	13	0	0	0		Karen Nadeau-Drillon	YES
31	EDU	<u>Legislative Youth Advisory Commission</u> (P.L. 2001, c. 439 as amended by P.L. 2005, c. 462, Part C)	6 times annually with two public hearings annually	20	Two Senators and eight youth members	Ten members of the House and eight youth members	0	One House Youth member	Patrick Nelson	NO
31	EDU	<u>Alternative Education Programs Committee</u> (LD 1798)	4 meetings	13	Three Senators and three non-legislators	Four members of the House and three non-legislators	0	Two Senate/One House	Anna Broome' Hill Ippoliti	NO
32	HBES	<u>Working Group to Study the Effectiveness and Timeliness of Early Identification and Intervention for Children with Hearing Loss</u> (LD 1239)	4 meetings	17	Three Senators with preference to members of each major political party and members of the EDU and HBES 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 HBES Committees and four non-legislators	0	Two Senate/One House	Susan Johannesen/ Paul McCarthy	NO
33	JUD	<u>Council on Financial Literacy</u> (LD 216)	ongoing advisory council	12	One Senator	One member of the House	The Treasurer of State and nine others appointed by the Treasurer	Nine Treasurer appointments	Treasurer of State	NO
34	JUD	<u>Tribal-State Work Group</u> (LD 1263)	6 meetings	17	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 Secretariat, one member appointed by the Governor, and one representative of the Maine Indian Tribal-State Commission	Eight Indian State Tribal Commission Appointments	Maine Indian Tribal-State Commission	NO

Legislative Study Commissions and Authorized Joint Standing Committee Interim Studies
Interim 2007 (As of 9/20/07)

#	Policy Area	Study Name	Number of Meetings	Total Members	Senate Appts specified	House Appts Specified	Other Appts Specified	Appointments remaining	Staff (OPLA staff unless otherwise specified)	Appointments Complete?
22	LAB	Citizen Trade Policy Commission (PL 2003, c. 699)	At least twice annually plus two annual public hearings	22	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.	Three vacancies	Curtis Bentley	NO
26	NAT	Technical Advisory Group on Surface Water Ambient Toxic Monitoring (LD 1845)	ongoing advisory group	12	One Senator from the NAT Committee	One member of the House from the MAR Committee	Commissioner of DEP appoints ten members	Ten appointments by DEP needed	DEP and DMR	NO

	SENATE	HOUSE	OTHER	TOTAL
Appointments Required	75	111	61	247
Appointments Completed	<u>73</u>	<u>107</u>	<u>33</u>	<u>213</u>
Appointments Remaining	2	4	28	34
% Complete	97.3%	96.4%	54.1%	86.2%

Studies with all appointments complete	24
Studies still needing appointments	<u>7</u>
Total number of studies tracked	31



COMMISSION TO STUDY PRIMARY CARE MEDICAL PRACTICE

MEMORANDUM

TO: Senator Beth G. Edmonds, President of the Senate, Chair
Representative Glenn A. Cummings, Speaker of the House, Vice-chair
Legislative Council

c/o David Boulter, Executive Director, Legislative Council

FROM: Senator Lisa T. Marrache *Sen. Marrache by EC*
Representative Gary A. Connor *Rep Connor by EC*
Co-Chairs, Commission to Study Primary Care Medical Practice

DATE: September 20, 2007

RE: **Request for Deadline Extension**

Pursuant to this committee's authorizing legislation, *Joint Order 732*, we are requesting a limited extension of our reporting deadline. Our current reporting deadline is December 5, 2007. We would like an extension to December 14, 2007.

We are not requesting additional meetings or additional funding. This extension of a week will allow the Commission members to resolve schedule conflicts for our last meeting so that we may complete our work in a timely fashion.

Thank you for your consideration of this request. If you have any questions, please do not hesitate to contact us.

cc: Members, Commission to Study Primary Care Medical Practice
Patrick Norton, Director, OPLA

Sheff, Kimberly

From: Pamela Rand Dawson [pdawson@hear-me-now.org]
Sent: Friday, September 21, 2007 7:42 AM
To: Sheff, Kimberly; Boulter, David
Cc: dunger@hear-me-now.org
Subject: LD1239

Dear Mr. Boulter,

In anticipation of the Executive Council decision on 9/27/07, I am writing to give you an update of our fundraising efforts on LD 1239. We are moving forward in our planned solicitations, and we expect to have the funds in hand at that time. To date, we have raised \$3000 from a variety of sources. As you know, we are reaching out to other stakeholders in the Early Referral system for children with hearing loss – with limited success. We appreciate your patience.

Sincerely,

Pamela Dawson, M.Ed.
Executive Director

Hear ME Now
Suite 201 Yarmouth Hall
Pineland Farms
New Gloucester, ME 04260
207-688-4544

STATE OF MAINE

COPY

IN THE YEAR OF OUR LORD
TWO THOUSAND AND SEVEN

H.P. 881 - L.D. 1239

**Resolve, To Establish a Working Group To Study the Effectiveness and
Timeliness of Early Identification and Intervention for Children with
Hearing Loss in Maine**

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

Whereas, this resolve establishes a working group to study the effectiveness and timeliness of early identification and intervention for children with hearing loss; and

Whereas, this resolve requires that the working group submit a report and recommended legislation by December 7, 2007, and the work needs to begin as soon as possible; 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. Working group established. Resolved: That the Working Group To Study the Effectiveness and Timeliness of Early Identification and Intervention for Children with Hearing Loss in Maine, referred to in this resolve as "the working group," is established; and be it further

Sec. 2. Working group membership. Resolved: That the working group consists of 17 members appointed as follows:

1. The following members appointed by the President of the Senate:

A. Three members of the Senate. When making the appointments, the President of the Senate shall give preference to members of each of the 2 major political parties

and to members of the Joint Standing Committee on Education and Cultural Affairs and to members of the Joint Standing Committee on Health and Human Services;

- B. One representative of the Maine Academy of Audiology;
- C. One representative of the Department of Education, Child Development Services;
- D. One representative of the Warren Center for Communication and Learning; and
- E. One representative of the Maine chapter of the American Academy of Pediatrics; and

2. The following members appointed by the Speaker of the House of Representatives:

- A. Six members of the House of Representatives. When making the appointments, the Speaker of the House shall give preference to members of each of the 2 major political parties and to members of the Joint Standing Committee on Education and Cultural Affairs and to members of the Joint Standing Committee on Health and Human Services;
- B. One representative of the Maine Speech-Language-Hearing Association;
- C. The Director of Statewide Educational Services for the Maine Educational Center for the Deaf and Hard of Hearing or the director's designee;
- D. The Executive Director of hear ME now! or the director's designee; and
- E. One representative of the Maine Society of Otolaryngology; and be it further

Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair of the working group and the first-named House of Representatives member is the House chair of the working group; and be it further

Sec. 4. Appointments. 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 working group, which must be no later than 30 days after the appointment of all members is complete; and be it further

Sec. 5. Duties. Resolved: That the working group shall examine issues of access to timely and accurate diagnosis of hearing loss by 3 months of age, and review and assess the processes by which families are informed of their options for communication and for finding providers in the State.

In examining these issues, the working group shall specifically examine:

- 1. The definition of a "highly qualified provider" in various professions serving this population;
- 2. The operation and effectiveness of existing programs and resources for families who have children who have been identified as having hearing loss;

3. Opportunities for coordination to maximize the effects of available resources;
4. The need for state or private programs to supplement state programs or to enable existing programs to serve a greater portion of those eligible;
5. Techniques to use resources in new ways or new combinations that have the potential for easing the burden on current providers and enhancing the training of current and new providers to enable equal access to highly qualified providers to all children statewide;
6. The effects of limited resources for diagnostic testing and poor reimbursement rates; and
7. Programs and techniques that are employed in other states or countries; and be it further

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

Sec. 7. Compensation. Resolved: That the legislative members of the working group 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 working group. 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 working group; and be it further

Sec. 8. Report. Resolved: That, no later than December 7, 2007, the working group shall submit a report that includes its findings and recommendations, including suggested legislation, to the Second Regular Session of the 123rd Legislature. The working group is not authorized to introduce legislation; and be it further

Sec. 9. Outside funding. Resolved: That the working group shall seek outside funding to fully fund all costs of the working group. If sufficient outside funding has not been received by the working group by October 1, 2007 to fully fund all costs of the working group, no meetings are authorized and no expenses of any kind may be incurred or reimbursed; be it further

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

LEGISLATURE

Study Commissions - Funding 0444

Initiative: Allocates funds for the per diem and expenses of the Working Group To Study the Effectiveness and Timeliness of Early Identification and Intervention for Children with Hearing Loss in Maine.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$1,980	\$0
All Other	\$7,510	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	<hr/> \$9,490	<hr/> \$0

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

In House of Representatives, 2007

Read and passed finally.

..... Speaker

In Senate, 2007

Read and passed finally.

..... President

Approved 2007

..... Governor



MAINE STATE LEGISLATURE
Augusta, Maine 04333

To: President Beth Edmonds, Chair, Legislative Council
Speaker Glenn Cummings, Vice-Chair, Legislative Council
Members, Legislative Council

From: Sen. Peggy Rotundo, Senate Chair, Appropriations and Financial Affairs
Rep. Jeremy Fischer, House Chair, Appropriations and Financial Affairs
Sen. Dennis S. Damon, Senate Chair, Transportation
Rep. Boyd P. Marley, House Chair, Transportation

Handwritten signatures of the legislators mentioned in the 'From' field.

BPM KN-D

Date: September 20, 2007

Re: Transportation Funding Work Team

We are requesting Council approval for the appointment and convening of a work group, referred to as the "Transportation Funding Work Team" or the "Team." We are requesting that the Team be composed of eight members: four members from the Joint Standing Committee on Appropriations and Financial Affairs and four members from the Joint Standing Committee on Transportation to be appointed by the presiding officers in accordance with Joint Rule 353(3).

The basic mission of the Team will be to work to understand the fiscal challenges facing their respective committees and the Legislature as a whole, and to achieve the goals as stated in Part H of Senate Amendment "A" S-391 to LD 1790, "An Act To Secure Maine's Transportation Future," while continuing to meet General Fund commitments. Those goals include the following:

- a) Increase the percentage of State funding appropriated from the General Fund for the Department of Public Safety, Bureau of State Police to 51% by fiscal year 2011-12; and
- b) Provide, by July 1, 2009, a State operating subsidy from the General Fund for the Downeaster commuter rail service.

Areas of inquiry of the Team may include, but need not be limited to, the following:

- a) A review of general sources and uses of the General Fund and the Highway Fund including updated projections of the structural gaps facing both funds;
- b) An analysis of other Highway Fund eligible expenses in other agencies;
- c) An analysis of Highway Fund revenue sources and alternatives to fuel tax indexing;
- d) An analysis of the funding sources for transit operations including Downeaster rail service and island ferry service; and
- e) An analysis of the source and proper amount, if any, of General Fund or other funding to meet the capital goals set forth in LD 1790.

Additionally, as you know, the 123rd Legislature has established the “Committee to Study Appropriate Funding of the State Police” pursuant to joint order (S.P. 725). All appointments have been made and the study committee will hold its first meeting at the end of September. The committee has been charged with examining the formula for funding the Department of Public Safety, Bureau of State Police, from the General Fund and the Highway Fund. The committee will also examine the final report of the Office of Program Evaluation and Government Accountability (OPEGA) entitled “Highway Fund Eligibility at the Department of Public Safety – an Analysis of Select Departmental Activities” and other information the committee determines appropriate. The Team will monitor the deliberations of the state police funding committee and consideration will be given to the committee’s findings and recommendations.

We request authorization for the Team to hold up to two meetings during the interim before the Second Regular Session of the 123rd Maine Legislature and to make a report of its findings and recommendations to the Appropriations Committee and the Transportation Committee no later than December 5, 2007.

We are requesting staff assistance from the Office of Fiscal and Program Review or the Office of Policy and Legal Analysis or both to assist the Team with analysis of proposals.

cc: David Boulter, Executive Director of the Legislative Council
Grant Pennoyer, Director, OFPR
Patrick Norton, Director, OPLA



CAPITOL CORRESPOND 6

The Constituent Services Solution

InterAmerica Technologies offers State and local government offices the next generation constituent services application: *Capitol Correspond*®6, a total enterprise solution for managing external and internal communications.

Capitol Correspond is a comprehensive Web-based constituent services solution that combines sophisticated correspondence tracking and processing with imaging, document management, and workflow. Enterprises now have a powerful means to collaborate on constituent communication and services.

Unique Features of *Capitol Correspond* Include:

- ▶ Time-saving data entry features include duplicate checking and auto-population of the constituents city, state and country from a zip code.
- ▶ Easily process incoming Internet mail, either generated by web form or email.
- ▶ Scan and/or OCR incoming paper documents and save them in either TIF or PDF format.
- ▶ Generate a response or outgoing document quickly using form and paragraph templates stored in the *Capitol Correspond* Letter Library.
- ▶ Advanced searching capabilities, including full text searching for documents.
- ▶ Respond via hard copy, email, or fax.
- ▶ Web-based components enhance wide-area performance for off-site users.
- ▶ Integrates with Microsoft Word, SharePoint, and Corel Wordperfect.
- ▶ A powerful interface allows users to move dynamically between options within components.
- ▶ Cost-effective, easy to use and easy to integrate.

The Constituent Services Specialists

Founded in 1971, InterAmerica Technologies has 35 years experience delivering superior products and services to government and commercial clients. An information management practices company, we introduced our first constituent services software application in 1992. We are committed to delivering the best in cutting-edge correspondence management technology,

What is Correspondence Management?

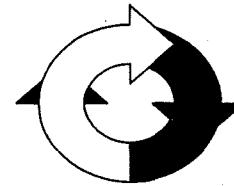
An inquiry is received from the public via U.S. mail, email, fax, telephone or the Internet.



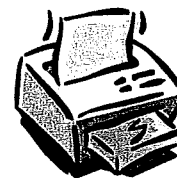
Incoming information is captured via computer input or scanner.



Response is generated by individual or using Workflow routing for multi-level or multi-department processing.



Approved response generated back to sender via U.S. mail, email, fax, telephone or Internet.



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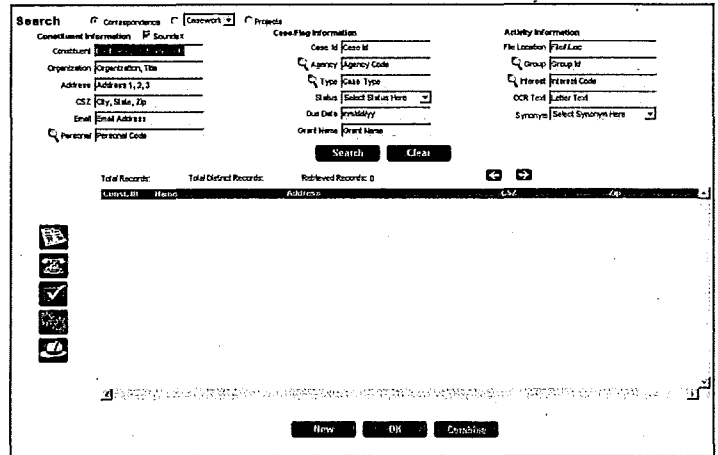
The Constituent Services Solution

POWER SEARCH

When you log into the system, you are brought directly to the Power Search screen. You can search for existing constituents, create new constituents, or move to other system modules. Never before has searching been so fast and easy.

Key Features:

- ▶ **Powerful search capabilities** allow you to search for existing constituent records by entering search criteria into multiple fields. The system will only retrieve those records that meet the request, meaning less data to scroll through to find the record you need.
- ▶ **Create new constituent records** quickly and easily. A quick entry screen allows you to enter the minimal information necessary to start a constituent record so you can concentrate on generating a response. Timesaving data entry features capitalize words as well as populate city, state, and county fields from an entered zip code. Automatic duplicate check eliminates the creation of multiple records in your database.
- ▶ **Standardize your constituent addresses** using USPS address verification.

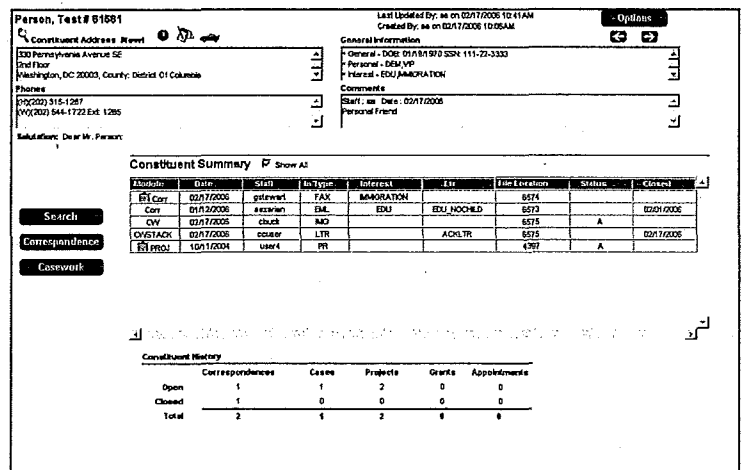


CONSTITUENT SUMMARY

The Constituent Summary is your quick reference to all biographical information as well as the history of a constituent's contacts with your office. This screen is indispensable when you need a quick overview of a constituent's relationship with your office, particularly for staff who may not consistently work in the Capitol Correspond system.

Key Features:

- ▶ A **powerful system interface** captures and displays constituent information on the top half of the screen while you perform any correspondence or casework activities.
- ▶ **Edit constituent information** quickly and easily. Simply double-click in the top half of the screen to access the constituent information. Easy-to-tab data entry fields allow you to quickly enter or edit address and biographical information and add personal codes and/or comments.
- ▶ **Create up to nine user defined fields** to capture additional constituent information.
- ▶ **Color code** constituent records for easy visual identification.
- ▶ **Generate directions** to or from your office using MapTrac.



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CAPITOL CORRESPOND 6

The Constituent Services Solution

CORRESPONDENCE MANAGEMENT

The Correspondence Management module manages constituent mail and tracks your office mail process. From the first day you input constituent data, you have a powerful tool at your fingertips to manage incoming and outgoing correspondence. Fully integrated with *Capitol Correspond's* Document Library, Correspondence generates correspondence in Microsoft Word or Corel WordPerfect, and works with Outlook and fax systems. Experience the ease of correspondence management with *Capitol Correspond 6*.

Key Features:

- ▶ **Log in correspondence** and generate responses quickly and easily. Log in correspondence in one of two ways: the activity line method captures basic information about incoming and outgoing correspondence; the activity detail method displays additional data entry fields to track more detailed information.
- ▶ **Assign mail to staff** right on the activity line. Choosing a staff member automatically puts the assignment in his/her Tickler so s/he knows there is pending work waiting.
- ▶ **View the incoming email**, phone message, fax, or scanned letter with the click of an icon.
- ▶ **Track topics of incoming correspondence** through Interest Codes. These can be used to group individuals in the database as well as to perform follow-up or targeted mailings.
- ▶ **Quickly generate a response** using a form letter, an ad-hoc letter, or an assembly letter. *Capitol Correspond* allows you to store an unlimited number of form letters and paragraphs, which are accessed from the activity line. Form letters can also be easily customized "on the fly".
- ▶ **Send mail, email, or faxes** directly from the activity line. Choose the preferred out type to automatically print a letter or generate a fax or email.
- ▶ **Set due dates** for every piece of correspondence to monitor each staff person's productivity. A number of system reports allow management to track staff productivity and turnaround times.
- ▶ **View polling results.** A thumbs up icon represents a "Pro" vote and a thumbs down icon represents a "Con" vote.
- ▶ **If your office uses Virtual Attaché**, scan and attach incoming correspondence and all supporting documents to an activity line.
- ▶ **If your office uses Workflow**, electronically route correspondence information using pre-defined workflow processes.

The screenshot displays the software interface for a constituent named 'Doe, Jan # 1041'. It includes fields for constituent address (930 Pennsylvania Avenue SE, Washington, DC 20003-1174), phone numbers, and general information (DOB: 01/19/1968, SSN: 111-22-3333). A table of correspondence activities is shown below, with columns for Date, In/Out, Interest, Staff, Response, Letter, Group, File Location, and Closed. The table contains three rows of activity data.

W	A	E	Received	In	Interests	Staff	Out	Response	Letter	Group	File Location	Closed
			11/08/2004	LTR	MONEY	Isoney	Net	Form	EDUCATION	MAY	1289	
			10/28/2004	LTR	ENV	Isowers					1167	
			10/18/2004	POL	EDUBUDGET	Isoney	Email	Form	BUDGET		1089	
			09/01/2004	EmL	ENV	Isalina	Email	Quick	ENVIRONMENT		1063	



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CASEWORK

An integral part of *Capitol Correspond 6*, Casework is a powerful tool for managing and organizing casework for your constituents. Casework allows you to effectively assist your constituents in their interaction with federal or other state agencies or Congressional offices. Innovative features make creating and monitoring cases a snap. Like Correspondence, Casework is fully integrated with the Document Library and works with Microsoft Word or Corel WordPerfect, Outlook and standard fax systems.

Key Features:

- ▶ **Quickly create a case** with tab fields for fast data entry. Caseworkers can toggle between correspondence and casework to check on prior communications with a constituent. Because the constituent information is displayed on the top half of the screen, caseworkers can also reference personal information quickly.
- ▶ **Categorize cases** and maintain statistical and management information about the types of cases your office handles by associating a case type from an office-defined list.
- ▶ **Generate a snapshot report** for a quick overview of the case and all related case correspondence.
- ▶ **Track the status of a case** and case correspondence. Casework gives you the ability to track who is working on a case or case correspondence, the case status, the case duration, and the case or correspondence due date. Easily check to see how many open cases or correspondence activities are in your office. You can even choose to close cases favorably or unfavorably to track the effectiveness of your casework operations.
- ▶ **Associate constituents and agency contacts** to a case. Caseworkers can associate an unlimited number of stored constituents, contacts, and agencies to a case. Mailing information is automatically merged into correspondence from the existing records with no need for additional data entry.
- ▶ **Maintain a case journal** of notes and activity line information for a case. *Capitol Correspond* automatically creates the first journal entry by stamping the case creation date. Caseworkers can then free-type journal entries and post correspondence and case activity line information to the journal to build a comprehensive history of all case-related activities.
- ▶ **Casework Process** allows offices to standardize and simplify their casework and project management. You are provided with the ability to create Casework (or Project) templates where all phases of the process — including default assigned staff, dues dates, and response letters — are defined for each step.

Person, Test # 01001
 Last Updated By: sa on 02/17/2006 10:50AM
 Created By: sa on 02/17/2006 10:50AM

Constituent Address: Newell
 130 Pennsylvania Avenue SE
 2nd Floor
 Washington, DC 20003, County, District Of Columbia
 Phone(s)
 POC(2): 316-1287
 POC(2): 316-1287 Ext. 1285
 Salutation: Dear Mr. Parent

Case Details - 6575
 Type: [M] Case: [ACTIVE] Status: Active Case Updated: 02/17/2006
 Office: DC File Location: [147]1400 Date: Closed
 Grant Name: Interest County: District Of C

Associated Constituent(s)
 [1]191 - Test Person
 Contact(s)
 Agency(ies)
 [1]11 - Home Address

Apply OK Cancel Summary Correspondence

Casework Process Definition

Code: SSA - BENEFITS
 Description: CWP for Social Security benefits

Process Steps

Select	Step #	Action Description	Const/Agency	Letter	Due	Classification	Staff	Close?
[X]	1	contact SSA	[P] Test Person	SS BEN	2	URO	Croftman	N
[X]	2	contact Caseworker	[P] Test Person	ADAMFAM_TR	1		Croftman	N
[X]	3	follow-up letter to constituent	[P] Test Person	CONST FOLL-UP	4	PR	Gfickel	N

OK Cancel



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MESSAGE CENTER

The Message Center lets you easily handle phone calls and walk-ins. This capability is invaluable for front desk staff who need to quickly record incoming phone calls or walk-in visitors to your office and assign them to the appropriate staff. Through the Message Center, you can quickly capture constituent personal and demographic information and messages and import them directly into either Correspondence or Casework. You can also send email notification messages to staff.

Key Features:

- ▶ **Quick entry features** allow you to input essential personal and demographic information about constituents from a phone call or office walk-in visit. Timesaving data entry features capitalize words and populate city and state from an entered zip code.
- ▶ **Record the incoming message** through a free-type unlimited data-entry window. You can categorize the incoming message subject by associating an interest code. Interest codes let you group constituents for follow-up or targeted mailings.
- ▶ **Assign incoming messages** to the appropriate staff member right from the message window. By choosing a staff name, *Capitol Correspond* automatically places the incoming message in their Tickler so they know they have new assignments.
- ▶ **Import automatically into *Capitol Correspond*** when all necessary information has been captured. Users can import the message into either Correspondence or Casework. *Capitol Correspond* will automatically perform a duplicate check and either add the message to an existing constituent record or create a new constituent record.
- ▶ **Notify staff through email** of incoming messages and assignments.
- ▶ **View the message** right from the constituent record. The message is stored on the activity line. Users simply click on the icon and *Capitol Correspond* will automatically launch WordPad to view a text file of the original message from the constituent.

Messages - Microsoft Internet Explorer

Messages

Phone Call Office Visit Other

Addressed To

Prefix

First Name

Last Name

Address 1

Address 2

Address 3

CSZ

Phone 1 Home

Phone 2 Work

Received By isa

Organization

Title

Message

Email Address

Interest Code

Classification

Group

Assigned To

Send Email Notification Import Into Correspondence Do Not Import

OK Clear Close



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CAPITOL CORRESPOND 6

The Constituent Services Solution

A CORPORATE OVERVIEW

For more than three decades, InterAmerica Technologies has created innovative, cutting-edge solutions for information management in the public and private sectors. InterAmerica is a leading provider of correspondence management technology solutions to the United States Congress, Federal agencies, and state and local governments.

In its first decade, InterAmerica enjoyed a strong reputation for designing and operating large-scale information dissemination programs by marrying leading microprocessor technology and bibliographic retrieval software. By the early 1980's, InterAmerica was a leader in the operation of large public information clearinghouses.

In its second decade, InterAmerica was quick to recognize the ascending importance of local area network (LAN) technology and installed one of the first LANs in the U.S. House of Representatives. Within two years of that installation, InterAmerica was positioned as a key information technology supplier and systems integrator for the United States Congress.

InterAmerica commenced its third decade by repositioning its expertise in systems integration and becoming an independent software developer. In 1992, the company successfully launched its DOS-based correspondence management software, *Capitol Correspond*. It celebrated its Silver Jubilee with the introduction of *Capitol Correspond's* Windows-based version, which quickly became the constituent mail management software of choice for members of the United States Senate and House of Representatives. This success was followed by the introduction of an expanded *Capitol Correspond* with workflow, designed for use in the non-legislative arena.

InterAmerica entered the millennium with the introduction of its latest offering, *Capitol Correspond 6*, a Web-based enterprise level correspondence management application that includes email management, imaging, workflow and document management capabilities.

InterAmerica is a Hispanic-owned business, consistently featured in Hispanic Magazine's annual listing of leading Hispanic companies. At InterAmerica's corporate office in Vienna, Virginia, and our satellite office in Washington, D.C., a staff of more than sixty-five (65) professionals tailor tomorrow's technology to meet our clients' present and future information management goals. Our reputation for superior quality in products and services assures our clients the highest quality application software, project implementation and ongoing support services.



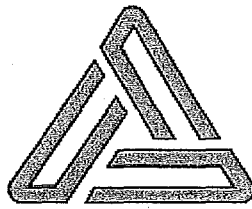
InterAmerica Technologies

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**InterAmerica
Technologies**

**Draft Proposal
Representatives for the Maine State Legislature
September 13, 2007**

Capitol Correspond Price Quote 40 User System

Item	Users	Cost per User	Total Cost	Installation Implementation	Maintenance Per Year
Base System: Includes	40	\$ 674.00	\$ 26,960.00	\$ 6,030.00	\$ 5,715.20
Search					
Correspondence					
Casework					
Scheduler					
Message Center					
Polling					
<hr/>					
Additional Modules per User					
Virtual Attache	40	\$ 118.00	\$ 4,720.00	\$ -	\$ 960.00
WebRespond	1	\$ 5,521.00	\$ 5,521.00	\$ -	\$ 1,108.00
Additional WebRespond					
Mailboxes	TBD				
Workflow	40	\$ 213.00	\$ 8,520.00	\$ -	\$ 1,720.00
Services					
Training per day (For 40 users, 5 day minimum training suggested)	5	\$ 1,100.00	\$ 5,500.00		
Data Conversion Appx (If required)	0	\$ 2,500.00	\$ -		
Total			\$ 51,221.00	\$ 6,030.00	
Total Purchase					\$ 57,251.00
Total Maintenance					\$ 9,503.20
<u>Grand Total</u>					\$ 66,754.20

Notes:

Client must provide word processor and MS SQL database software, media and licenses
 Installation /Implementation (5 day on site installation/implementation)
 This proposal is valid for 30 days.