

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
OCTOBER 25, 2007
10:00 A.M.
REVISED AGENDA**

<u>Page</u>	<u>Item</u>	<u>Action</u>
	CALL TO ORDER	
	ROLL CALL	
1	SUMMARY OF THE SEPTEMBER 27, 2007 MEETING OF THE LEGISLATIVE COUNCIL	Acceptance
	REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	
8	▪ Executive Director's Report (Mr. Boulter)	Information
9	▪ Fiscal Report (Mr. Pennoyer)	Information
12	▪ Information Services Report (Mr. Mayotte)	Information
13	▪ Status of Legislative Studies (Mr. Norton)	Information

REPORTS FROM COUNCIL COMMITTEES

- **Personnel Committee** (Speaker Cummings, Chair)
Reappointment of David E. Boulter, Executive Director of the
Legislative Council
- **State House Facilities Committee** (Rep. Pingree, Chair)
(No Report)
- **Budget Subcommittee** (Sen. Martin, Chair)
(No Report)
- **Subcommittee to Administer Technology** (President Edmonds, Chair)
(No Report)

OLD BUSINESS

(No action required)

NEW BUSINESS

- | | | |
|----|---|-----------------|
| 17 | Item # 1: Suggested Procedures for Deciding Legislative Bill Requests | Decision |
| | Item #2: Consideration of Legislative Bill Requests for Introduction
In the Second Regular Session of the 123rd Legislature
[Separate Binder] | Decision |
| 19 | Item # 3: Request by Representative Koffman and Representative Rector To
Authorize Expenditures For Legislator's Lunch While
Attending a Legislative Training Workshop | Decision |
| 21 | Item # 4: Request by the Joint Standing Committee on Criminal Justice and
Public Safety to Partially Fund a Sentencing Summit | Decision |
| 23 | Item # 5: Revised Request to Establish a Joint Subcommittee on Transportation
Funding | Decision |
| 25 | Item # 6: Request by the Joint Standing Committee on Future Maine Prosperity
For Subcommittee Meeting on November 6
[Not on the Preliminary Agenda] | Decision |
| 26 | Item # 7: Proposed Fee Schedule for Legislative Documents for Second Regular
Session of the 123rd Legislature (Clerk of the House Millicent
MacFarland)
[Not on the Preliminary Agenda] | Decision |
| | Item #8: Collective Bargaining Matters (Executive Session) | |

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT



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123RD MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

MEETING SUMMARY
September 27, 2007

CALL TO ORDER

Legislative Council Vice-Chair, Speaker Glenn Cummings called the Legislative Council meeting to order at 1:21 P.M. in the Legislative Council Chamber.

ROLL CALL

Senators: 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
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
Margaret Matheson, Revisor of Statutes
Patrick Norton, Director, Office of Policy & Legal Analysis
Grant Pennoyer, Director, Office of Fiscal and Program Review
Paul Mayotte, Director, Legislative Information Services

Legislative Council Vice-Chair, Speaker Glenn Cummings convened the meeting at 1:21 P.M. with a quorum of members present.

SUMMARY OF AUGUST 23, 2007 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary of August 23, 2007 be accepted and placed on file. Motion by Senator Weston, second by Representative Faircloth. **Motion passed, unanimous (6-0).** [Senator Edmonds, Senator Mitchell, Senator Martin and Representative 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.

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.

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 station have been installed to improve pedestrian safety.

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 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
August	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 2007 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 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 2008 (\$'s in Millions)

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
August	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 through August 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. No Highway Fund fine revenue has been recorded in FY 2008, should catch up in September as accounting data entry issues are resolved.

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).

Information Technology Report

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

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 Services 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.

Information Services and the Revisor's office 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 be 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.

Electronic 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 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.

Status of Legislative Studies

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

Twenty-four of the thirty-one studies are fully appointed with most of them now underway. The majority of the studies is scheduled to report during the first of December and is anticipating completing on time.

REPORTS FROM COUNCIL COMMITTEES

1. Personnel Committee

Speaker Cummings, Chair of the Personnel Committee, reported that the committee met on September 27th to consider four items:

- It reviewed the performance of OPLA Director Pat Norton, and approved a one step increase, consistent with the personnel policies.
- It also reviewed the performance of Executive Director Dave Boulter.
- The committee voted to pursue developing a uniform time accounting system for legislative offices.
- The recruitment process for the State Law Librarian is underway. A subcommittee of the Personnel Committee has reviewed applications received and has selected six candidates for interview. Interviews will begin next week.

2. State House Facilities Committee

Representative Pingree reported that the State House Facilities Committee will be meeting soon to review the security measures in the State House.

3. Subcommittee to Review the Study Committee Process

(No Report)

4. Budget Subcommittee

In the absence of Senator Martin, chair of the Budget Subcommittee, Speaker Cummings reported that the subcommittee met on September 27, 2007 and discussed a number of options to achieve \$301,210 in savings as part of the larger \$10.1 million in savings for FY09. Several items will be forwarded to the entire Legislative Council. Discussion included:

- Technology savings – a paperless chamber system could lead to some savings, but will await the RFP therefore, not in time for FY09 budget.

- Administrative savings – with a more automated information management system in the chamber, a number of pages positions might be cut, but not for the 09 budget.
- Reduce funding for interim and miscellaneous studies.
- Eliminate year round payment of health and dental savings for session only employees. Such a change would need to be negotiated as it involves the parity between union and non-union contracts.
- Automatic COLA adjustments for legislators. The AFA committee is planning to examine this issue.
- Reducing funding for OPEGA contractual services. It was pointed out that OPEGA's funding for contractual services carries, and there is about \$500,000 in reserve. It was suggested that the All budget be reduced by \$75,000 per year, equaling \$150,000 for the biennium.

5. Subcommittee to Administer Technology

In President Edmond's absence, Mr. Boulter reported that the subcommittee met on September 19, 2007 to discuss several technology-related matters.

- Time Warner Cable Proposal - It heard from representatives of Time Warner Cable about its request to broadcast House and Senate proceedings using the legislature's broadcast system. After discussion, the subcommittee authorized the preparation of a limited period license agreement to be presented for review by the full Legislative Council.
- Electronic Chamber Project - The subcommittee reviewed a draft RFP for soliciting proposals for software development. After discussion, the subcommittee authorized the release of the RFP. Proposals are due by October 19th, at which time the subcommittee will review them and make a recommendation to the full Legislative Council.
- Constituent Services Management Software - The subcommittee discussed the need for acquiring commercial software to assist legislative offices in managing and tracking constituent service requests and correspondence. It briefly reviewed information from several vendors, in particular Capitol Correspond. The subcommittee voted to recommend to the Legislative Council that it purchase constituent services management software for legislative use.
- Meld Bill Drafting Systems Post-Session Evaluation - The subcommittee received a briefing from Paul Mayotte and Meg Matheson on the use of the system for the first regular session. While improvements and corrections need to be made as with any new computer system, overall it functioned well. Over 2,200 bills and orders were processed in the MELD system this session.

OLD BUSINESS

ITEM 1: Legislative Council Actions Taken by Ballot

No Action Required

NEW BUSINESS

ITEM #1: Request by the Commission to Study Primary Care Medical Practice To Extend Reporting Deadline to December 14, 2007

Motion: That the Legislative Council extend the reporting deadline to December 14, 2007. Motion by Representative Pingree. Second by Representative Faircloth. **Motion passed, unanimous (6-0).**

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)

Pam Dawson, Executive Director of Hear Me Now, reported that her organization has raised \$8,200 of the \$9,500 required to fund the Working Group to Study the Effectiveness and Timeliness of Early Identification and Intervention for Children with Hearing Loss and could certify the additional \$1,300 that is necessary to fund the study, with a loan if necessary. The balance of the funds would be obtained before the first meeting.

Motion: That an extension be granted to raise the remaining \$1,300 and to accept the funds raised, with a condition that the first meeting of the work group may not occur until full funding is received by the Executive Director. Motion by Representative Faircloth. Second by Senator Weston. **Motion passed, unanimous (6-0)**

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

The chairs of the two committees requested that the committees be authorized to convene a work group to study the fiscal challenges facing the Legislature 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, and to meet two times. Staffing would be by the Office of Fiscal & Program Review. When asked about available staffing resources, Mr. Pennoyer reported that due to the timing of this request this fall, it will be very difficult for the office to provide any substantive analysis to the group due to current interim workload and two recent retirements in the office.

Senator Weston inquired as to how many study groups are meeting related to transportation issues. Mr. Norton responded that there were three on-going studies and OPLA has devoted its Transportation Committee staff to that as well as the deputy director to some extent.

Senator Rosen stated in light of the information provided and the overlap with the charge to the committee to study the funding of the State Police, that perhaps the charge of that existing study committee could be broadened and membership slightly expanded, such that it could study this issue.

Mr. Norton noted that whether the matter is studied separately or in conjunction with another study, the required analyses remain to be done. Representative Pingree asked how many more meetings the State Police study has. Mr. Norton reported that it has met once and the Transportation Committee has met twice on the other two issues. The committee itself has a total of four meetings so they would have two more. The State Police study can meet 3 additional times.

Representative Pingree noted that in light of how busy OPLA, OFPR, and the Appropriations Committee's are and the fact that there is some overlap of tasks among studies, the State Police study should be asked to address the questions raised by this request. Of the remaining issues, a work group that meets starting in January could be part of the committees' session work.

Speaker Cummings agreed with Representative Pingree and recommended the Executive Director write a letter encouraging the committee to do that. Both Speaker Cumming's and Representative Pingree commented that the issues encompassing LD 1790 are extremely important to the Legislature, but that at this point, there is not sufficient staffing to support the analyses until January.

Motion: That the joint request by the Appropriations and Financial Affairs and Transportation committees to convene a work group be denied and that the Executive Director write a memo to the committees regarding the Council's decision. Motion by Representative Crosthwaite. Second by Senator Rosen. **Motion passed, unanimous. (6-0)**

ITEM #4: Acquisition of Constituent Services Management Software (Recommendation of Subcommittee to Administer Technology)

Mr. Boulter reported that at its September 19, 2007 meeting, the Subcommittee to Administer Technology discussed the need for acquiring commercial software to assist legislative offices in managing and tracking constituent service requests and correspondence. It concluded that the software would be helpful to many of the offices that handle constituent services inquiries and would be appropriate for the legislature to purchase. It was the unanimous recommendation of the technology subcommittee to recommend the Legislative Council to go forward with the purchase.

Representative Crosthwaite inquired about the \$9,503.20 annual maintenance fee. Mr. Boulter explained that since a computer application such as this has not been previously used, it might be worth inquiring to see whether a maintenance and upgrade service is needed. It may be a simple enough program that after one year, support is not needed and the Legislature can pay as it goes if there is an upgrade. Mr. Boulter suggested if the Legislative Council authorizes the purchase, at least for the first year, that there be maintenance and software support.

Motion: That the Legislative Council authorize the purchase of constituent services management software suited to legislative use. Further, that the cost of the initial purchase of the software must be paid for from prior year unexpended balances in legislative accounts, and on-going maintenance costs for House and Senate offices must be paid for from existing funds from the House and Senate portions of the legislative budget. Motion by Speaker Cummings. Second by Representative Pingree. **Motion passed, unanimous. (6-0)**

ANNOUNCEMENTS AND REMARKS

Speaker Cummings encouraged all members to attend the October 25th Legislative Council meeting. At that time, the Legislative Council will be screening bills for introduction in the Second Regular Session. Speaker Cummings also reminded the council members that cloture deadline is October 3, 2007.

ADJOURNMENT

The Legislative Council meeting was adjourned at 2:03 P.M. **Motion passed unanimous. (6-0)**



MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

Legislative Council

October 25, 2007

Executive Director's Report

1. Legislative policy forum proposal

The University of Maine System's policy and law schools along with the Maine Development Foundation will be submitting a joint proposal to the Legislative Council to hold a brief policy seminar for legislators on "Bill Signing Day" (if one is authorized) and several breakfast or lunch time seminars in January and early February. Unlike the forums held for legislators at the beginning of last session, the group is suggesting a shorter, small group discussion-oriented format for the seminars that will invite discussion between legislators and university faculty/presenters. As part of the proposal, various topics that are relevant to legislators will be suggested but the emphasis will not be on urgent issues facing the legislature in the upcoming session. A formal proposal will be forthcoming soon.

2. Citizen Trade Policy Commission staffing

OPLA Director Patrick Norton is working with the chairs of the Citizen Trade Policy Commission to contract with a person to provide staff support to the commission on a part-time basis. The commission was appropriated funds last session to contract for staff support, and Mr. Norton is assisting with the recruitment process. Position announcements will be sent to the Muskie School of Public Service and the Margaret Chase Smith Policy Center since students in the graduate programs may be excellent candidates for this limited position. Once a person is hired, OPLA will assist with administration of the contract and oversight of the staff. The commission hopes to have a contract staff person hired by December.

3. File back-up and off-site storage of electronic data

The Office of Information Services is completing the installation of hardware and software at the Central Maine Commerce Center (CMMC) on Civic Center Drive that allows for key legislative files on our computer system to be automatically backed up and stored in a secure location at the CMMC. These procedures provide greater security of legislative files and much greater efficiency by backing them up to an off-site location electronically. Off-site back-up of files on hard drives and tape drives is scheduled for completion by the end of the year.

Fiscal Briefing

October 25, 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
September	\$286.6	\$281.5	(\$5.1)	-1.8%	\$287.2	-2.0%
FYTD	\$601.2	\$596.1	(\$5.1)	-0.8%	\$599.1	-0.5%

- General Fund revenue for September was under budget by \$5.1 million and was under budget for the 1st Quarter of FY 2008 by the same amount. The negative variance for the 1st Quarter represents a variance of less than 1%, but does represent a decline in collections from the same period in FY 2007 by 0.5%. As noted last month, some timing issues still remain that reflect some temporary positive variances, primarily tax reimbursement programs and IF&W revenue.
- Notable problem areas include Corporate Income Tax and Cigarette Tax collections. Revenue adjustments in these particular categories will be decided by variables determined by the Revenue Forecasting Committee (RFC) and not the Consensus Economic Forecasting Commission (CEFC). Sales and Use Tax collections were modestly over budget in September reflecting strong August tourism spending, but concerns over the effect of record high oil prices (also forecast by the RFC and not the CEFC) will likely create a greater downward revision to the forecast than the changes to the economic forecast would suggest.

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

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
September	31.8	30.2	(1.5)	-4.8%	30.4	-0.5%
FYTD	68.1	63.7	(4.4)	-6.5%	65.3	-2.4%

- Highway Fund revenue for the 1st Quarter of FY 2008 was under budget by \$4.4 million or -6.5% and was below the same quarter in FY 2007 by 2.4%. Most of the negative variance is driven by the negative variances in Fuel Taxes.

2. Preliminary Economic Forecast and Schedule for Revenue Forecast

- The Consensus Economic Forecasting Commission met on Tuesday, October 16th and concluded its preliminary forecast, the summary of which is presented below.

Preliminary Recommendations for November 2007 Economic Forecast						
Calendar Years	2006	2007	2008	2009	2010	2011
• W&S Employment (Annual Percentage Change)						
> Consensus 02/2007	0.5	0.7	0.8	0.8	0.7	0.6
> Consensus 11/2007	0.5	0.5	0.3	0.6	0.7	0.7
Net Change in Forecast		-0.2	-0.5	-0.1	0.0	0.1
• Personal Income (Annual Percentage Change)						
> Consensus 02/2007	5.2	4.3	4.5	4.5	4.3	4.2
> Consensus 11/2007	3.9	4.9	4.4	4.5	4.5	4.6
Net Change in Forecast		0.6	-0.1	0.0	0.2	0.4
• CPI (Annual Percentage Change)						
> Consensus 02/2007	3.5	2.5	2.2	2.2	2.2	2.2
> Consensus 11/2007	3.2	2.8	2.5	2.5	2.5	2.5
Net Change in Forecast		0.3	0.3	0.3	0.3	0.3

- The Revenue Forecasting Committee will meet on Monday, November 19th at 9:30AM in Room 228 of the State House to conclude the fall forecast for the December 1st Report Date.

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

SEPTEMBER 2007 REVENUE VARIANCE REPORT

Revenue Line	September '07 Budget	September '07 Actual	September '07 Variance	FY08 YTD Budget	FY08 YTD Actual	FY08 YTD Variance	FY08 YTD Variance %	FY07 Budgeted Totals
General Fund								
Sales and Use Tax	98,155,832	98,465,444.99	309,612.99	195,677,694	192,810,538.35	(2,867,155.65)	-1.5%	1,006,131,180
Service Provider Tax	4,196,474	4,419,397.13	222,923.13	8,510,025	8,520,937.54	10,912.54	0.1%	51,181,910
Individual Income Tax	116,695,027	118,358,297.54	1,663,270.54	257,959,957	265,254,255.86	7,294,298.86	2.8%	1,382,788,225
Corporate Income Tax	40,750,000	37,994,765.93	(2,755,234.07)	53,750,000	44,022,578.44	(9,727,421.56)	-18.1%	202,052,405
Cigarette and Tobacco Tax	14,129,405	11,867,920.90	(2,261,484.10)	45,599,001	42,416,148.44	(3,182,852.56)	-7.0%	163,774,241
Public Utilities Tax	0	0.00	0.00	0	347,980.26	347,980.26	N/A	17,476,987
Insurance Companies Tax	201,119	63,022.35	(138,096.65)	681,964	1,902,918.11	1,220,954.11	179.0%	76,751,673
Estate Tax	3,500,000	2,323,653.43	(1,176,346.57)	3,500,000	1,540,460.50	(1,959,539.50)	-56.0%	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	400,000	419,858.24	19,858.24	900,000	954,667.51	54,667.51	6.1%	1,424,000
Transfer to Municipal Revenue Sharing	(13,249,663)	(13,221,133.17)	28,529.83	(26,310,782)	(26,041,023.81)	269,758.19	1.0%	(134,749,842)
Transfer from Lottery Commission	4,791,762	4,066,759.06	(725,002.94)	12,458,562	13,546,268.35	1,087,706.35	8.7%	49,834,250
Other Revenue	16,997,290	16,693,325.01	(303,964.99)	48,468,424	50,821,817.41	2,353,393.41	4.9%	231,506,341
Totals	286,567,246	281,451,311.41	(5,115,934.59)	601,194,845	596,097,546.96	(5,097,298.04)	-0.8%	3,105,693,525
Highway Fund								
Fuel Taxes	23,212,603	23,141,660.70	(70,942.30)	43,157,522	40,134,721.38	(3,022,800.62)	-7.0%	234,550,398
Motor Vehicle Registration and Fees	6,909,159	5,983,862.76	(925,296.24)	20,736,666	20,049,091.86	(687,574.14)	-3.3%	87,290,064
Inspection Fees	338,616	272,878.29	(65,737.71)	1,217,811	1,178,550.04	(39,260.96)	-3.2%	4,433,458
Fines	168,042	433,829.28	265,787.28	513,698	433,829.28	(79,868.72)	-15.5%	2,018,239
Income from Investments	85,000	146,770.60	61,770.60	215,000	322,062.27	107,062.27	49.8%	795,000
Other Revenue	1,044,772	268,646.15	(776,125.85)	2,261,163	1,568,436.91	(692,726.09)	-30.6%	10,195,906
Totals	31,758,192	30,247,647.78	(1,510,544.22)	68,101,860	63,686,691.74	(4,415,168.26)	-6.5%	339,283,065

Comparison of Actual Year-to-Date Revenue Through September 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	\$178,658,572.17	6.5%	\$177,825,339.46	3.1%	\$185,385,402.22	4.3%	\$190,057,787.25	2.5%	\$192,810,538.35	1.4%
Service Provider Tax	\$0.00	N/A	\$6,396,850.10	N/A	\$6,419,578.03	0.4%	\$8,182,715.67	27.5%	\$8,520,937.54	4.1%
Individual Income Tax	\$221,420,706.18	4.2%	\$254,880,033.41	15.1%	\$271,085,229.30	6.4%	\$286,778,252.74	5.8%	\$301,429,061.91	5.1%
Individual Income Tax (Circuitbreaker)	\$0.00	N/A	(\$13,212,065.74)	N/A	(\$16,191,303.55)	-22.5%	(\$20,895,690.68)	-29.1%	(\$21,055,449.41)	-0.8%
Individual Income Tax (BETR)	\$0.00	N/A	\$0.00	N/A	(\$6,546,430.41)	N/A	(\$16,428,717.73)	-151.0%	(\$15,119,356.64)	8.0%
Corporate Income Tax	\$20,779,903.82	1.0%	\$32,611,042.51	56.9%	\$40,938,903.42	25.5%	\$49,772,986.29	21.6%	\$44,022,578.44	-11.6%
Cigarette and Tobacco Tax	\$27,327,820.94	6.7%	\$26,791,393.51	-2.0%	\$31,854,556.76	18.9%	\$45,034,243.06	41.4%	\$42,416,148.44	-5.8%
Public Utilities Tax	(\$293,687.83)	76.8%	(\$150,000.00)	48.9%	\$0.00	100.0%	\$0.00	N/A	\$347,980.26	N/A
Insurance Companies Tax	\$2,040,409.88	-21.5%	\$1,797,449.71	-11.9%	\$1,083,332.44	-39.7%	\$550,539.47	-49.2%	\$1,902,918.11	245.6%
Estate Tax	\$1,004,445.53	-59.4%	\$1,876,875.17	86.9%	\$14,311,042.97	662.5%	\$13,747,384.69	-3.9%	\$1,540,460.50	-88.8%
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	\$530,354.03	47.2%	\$787,382.05	48.5%	\$1,299,556.81	65.0%	\$1,241,485.64	-4.5%	\$954,667.51	-23.1%
Revenue Sharing Transfers	(\$21,463,818.31)	-5.0%	(\$23,383,561.18)	-8.9%	(\$24,535,660.32)	-4.9%	(\$25,370,834.00)	-3.4%	(\$26,041,023.81)	-2.6%
Liquor Transfers	\$7,934,132.89	10.6%	\$50,018,110.46	530.4%	\$750.00	-100.0%	\$8,821.36	1076.2%	\$0.00	-100.0%
Lottery Transfers	\$10,385,895.69	10.7%	\$12,927,830.94	24.5%	\$11,663,852.83	-9.8%	\$13,649,030.60	17.0%	\$13,546,268.35	-0.8%
Other Revenue	\$48,181,626.55	47.5%	\$47,616,244.12	-1.2%	\$42,506,730.98	-10.7%	\$52,794,255.46	24.2%	\$50,821,817.41	-3.7%
TOTAL GENERAL FUND REVENUE	\$496,506,361.54	8.1%	\$576,782,924.52	16.2%	\$559,275,541.48	-3.0%	\$599,122,259.82	7.1%	\$596,097,546.96	-0.5%
HIGHWAY FUND										
Fuel Taxes	\$38,792,488.87	16.0%	\$41,997,483.18	8.3%	\$40,371,777.15	-3.9%	\$41,086,309.76	1.8%	\$40,134,721.38	-2.3%
Motor Vehicle Registration and Fees	\$19,653,735.85	-0.8%	\$20,116,342.96	2.4%	\$21,400,880.61	6.4%	\$20,304,836.99	-5.1%	\$20,049,091.86	-1.3%
Inspection Fees	\$1,295,646.35	17.8%	\$1,034,203.41	-20.2%	\$1,156,561.34	11.8%	\$1,156,827.83	0.0%	\$1,178,550.04	1.9%
Fines	\$496,597.49	-24.6%	\$305,183.93	-38.5%	\$504,770.14	65.4%	\$453,473.75	-10.2%	\$433,829.28	-4.3%
Income from Investments	\$111,220.23	-67.3%	\$143,040.99	28.6%	\$416,066.73	190.9%	\$211,205.98	-49.2%	\$322,062.27	52.5%
Other Revenue	\$1,695,872.58	-5.9%	\$1,620,996.02	-4.4%	\$2,153,381.18	32.8%	\$2,060,753.89	-4.3%	\$1,568,436.91	-23.9%
TOTAL HIGHWAY FUND REVENUE	\$62,045,561.37	8.6%	\$65,217,250.49	5.1%	\$66,003,437.15	1.2%	\$65,273,408.20	-1.1%	\$63,686,691.74	-2.4%

Adjusted for Service Provider Tax Split

Information Services Report to the Legislative Council
Paul Mayotte, Director, Office of Legislative Information Services
October 18, 2007

Bill Drafting System:

The post session statute update and publishing process is reaching a conclusion. The process has required Systems Office and contractor support to address issues identified during the update process. The work of the staff in the Revisor's Office in using the new system for the first time has been excellent.

The updated Maine Revised Statutes on the Legislature's Web page will be available shortly after the statute update process is completed.

Having used the bill drafting system for one complete session we are now preparing a long-term plan for maintaining and improving the bill drafting application.

Production Tracking System:

The contractor, Voyager, has delivered a release of the software for user testing by the production offices. User acceptance testing is scheduled to start at the end of September and complete in October.

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

Chamber Automation Request for Proposals (RFP):

A bidder's conference took place on October 4th. Seven firms were represented.

Three firms submitted requests for an extension of time for the submission of the RFP response. The basis for the requests was to enable the vendors to factor in the results of the bidder's conference and to prepare more complete proposals. After consultations with the Presiding Officers, The Presiding Officers authorized a two week extension of time to submit the proposals from Friday, October 19th to Friday, November 2nd.

2nd 123rd Session Preparation:

Work is in progress to prepare for the start of the next legislative session. This includes the installation of upgraded servers and PCs that support chamber operations, performing the annual preventive maintenance program on all legislative printers and sound system checks. Work is also being performed to improve wireless and network services in the Office Building.

Information Services is working with the Secretary's Office to formalize the management and operations of the Senate video system based on the lessons learned during the last session.

Legislative Study Commissions and Authorized Joint Standing Committee Interim Studies
Interim 2007 (As of 10/18/07)

#	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
11	EDU	Alternative Education Programs Committee (LD 1758)	4 meetings	13	Three Senators and three non-legislators	Four members of the House and three non-legislators	0		Anna Broome/ Jill Ippoliti	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 10/18/07)

#	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
21	JUD	Tribal-State Work Group (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 Community; one member appointed by the Governor; and one representative of the Maine Indian Tribal-State Commission		Maine Indian Tribal-State Commission	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

Legislative Study Commissions and Authorized Joint Standing Committee Interim Studies
Interim 2007 (As of 10/18/07)

#	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?
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 Snsan 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
28	TAX	<u>Committee Review</u> of Property Tax Assessment (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	Committee to Study Appropriate Funding of the State Police (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</u> of Certain Transportation-Related Matters (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</u> of Motor Fuels (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
10	EDU	Legislative Youth Advisory Commission (P.L. 2001, c. 439 as amended by P.L. 2005, c. 662, Part C)	4 times annually with two public hearings annually	20	Two Senators and eight youth members	Two members of the House and eight youth members	0	One House Youth member	Patricia Morris	NO
16	HHS	Working Group to Study the Effectiveness and Timeliness of Early Identification and Intervention for Children with Hearing Loss (LD 1239)	4 meetings	17	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	One Senate/One House	Susan Johannesman/ Phil McCarthy	NO
20	JUD	Council on Financial Literacy (LD 216)	ongoing advisory council	12	One Senator	One member of the House	The Treasurer of State and one other appointed by the Treasurer	None Treasurer appointments	Treasurer of State	NO

Legislative Study Commissions and Authorized Joint Standing Committee Interim Studies
Interim 2007 (As of 10/18/07)

#	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	LAR	Citizen Trade Policy Commission (PL 2001 c. 459)	At least twice annually plus two limited public hearings	21	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 1345)	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	One member of the House	DEP and DMR	NO

Legislative Council Meeting
October 25, 2007

Procedures for Review of Legislative Bill Requests

Requirements relevant to bills in the Second Regular Session

1. Under the terms of the Maine Constitution, Section 1 of Article IV, Part Third, Legislative Power, the business of the second regular session must be limited to budgetary matters; legislation in the Governor's call; legislation of an emergency nature admitted by the Legislature; legislation referred to committees to study and report by the Legislature in the first regular session; and legislation presented to the Legislature by written petition of the electors (direct citizen initiative).
2. Under the 123rd Legislative Council's Rules of Procedure, any action of the Council requires the affirmative vote of at least 6 members.
3. Under Rule 203 of the Joint Rules of the 123rd Legislature, any vote of the Legislative Council to accept or reject a bill or resolve for introduction under the procedures established under the Joint Rules must be taken by the yeas and nays, and that vote must be recorded and made available for public inspection.
4. Under Rule 217 of the Joint Rules, a bill that has been introduced and finally rejected in a regular or special session may not be introduced in a subsequent session of the same Legislature except by a vote of 2/3 of both chambers. Therefore, determinations as to the relevancy of Rule 217 are within the purview of the presiding officers, not the Legislative Council.

Suggested Protocol for deciding legislative bill requests

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

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



EXECUTIVE DIRECTOR'S
OFFICE

2007 OCT -4 A 7:58

Memo

Ted Koffman
Chris Rector
State Representatives

October 3, 2007

To: Legislative Council
Cc: David Boulter

Re: Legislator training opportunity

Dear Colleagues,

As you may recall, Legislative Council approved a workshop on collaboration in the latest legislative orientation program. Rep. Rector and I co-sponsored the workshop as co-chairs of Maine Solutions. The workshops attracted over 25 colleagues in two sessions. At that time the Council also authorized that lunch be provided to legislators for participation in the session at Maple Hill Farm at which 16 legislators participated. The evaluations were very positive – which is why we'd like to continue the program in November.

On November 14, 2007 we plan to offer another training opportunity for legislators at Maple Hill Farm. The cost of the program will be covered by private funds, but we again request that Legislative Council authorize expenditures for legislators' lunch at \$10 per person.

The program for November is outlined below:

The public expects us to solve problems collaboratively and be responsive to its needs and concerns. Citizens appreciate legislators who facilitate public discourse on the problems and opportunities facing their districts. Opportunities missed and problems handled poorly can destroy social capital and leave communities divided. This program will offer tips and techniques to help satisfy public expectations and strengthen communities.

This workshop will provide a brief overview of legislators' and agency staff's under-appreciated role as conveners of problem-solving processes in the legislature and in our communities. We will learn about conducting informal situation assessments to determine if we should be involved, how to identify who else should be involved to foster successful solutions, and determine what process options exist to bring people together to find common ground.

John Stephens, director of the Public Dispute Resolution program at the University of North Carolina-Chapel Hill School of Government, will be the guest presenter for this program and will be joined by others with experience in Maine and Massachusetts. We will conclude the morning with a problem-solving clinic to help you tackle tough issues.

Please RSVP with Ron Beard at rbeard@umext.maine.gov.

BILL DIAMOND, DISTRICT 12, CHAIR
 EARLE L. MCCORMICK, DISTRICT 21
 ROGER L. SHERMAN, DISTRICT 34

MARION HYLAN BARR, LEGISLATIVE ANALYST
 FERN NEILSON, COMMITTEE CLERK



STATE OF MAINE

STAN GERZOFKY, BRUNSWICK, CHAIR
 PATRICIA A. BLANCHETTE, BANGOR
 ANNE M. HASKELL, PORTLAND
 STEPHEN P. HANLEY, GARDINER
 DAWN HILL, YORK
 BRYAN T. KAENRATH, SOUTH PORTLAND
 RICHARD M. SYKES, HARRISON
 CHRISTIAN D. GREELEY, LEVANT
 GARY E. PLUMMER, WINDHAM
 JOSEPH L. TIBBETTS, COLUMBIA

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

 COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY
 October 11, 2007

President Beth Edmonds, Chair
 Speaker Glenn Cummings, Vice Chair
 Members, 123rd Legislative Council

Dear President Edmonds, Speaker Cummings and Legislative Council Members:

On behalf of the Joint Standing Committee on Criminal Justice and Public Safety, we are writing to request legislative support in helping to fund the Sentencing Summit, which is scheduled for October 30, 2007 from 9:30 a.m. to 4:00 p.m. at the Augusta Armory. As mentioned in a letter to you dated October 1, 2007, members of the Legislative Council, as well as members of the Joint Standing Committees on Appropriations and Financial Affairs, Judiciary and Criminal Justice and Public Safety, have been invited to attend this important meeting with other critical stakeholders in the criminal justice system. Also mentioned in that letter was the fact that earlier in the First Session of the 123rd Legislature, the Subcommittee of Criminal Justice and Appropriations Committee members (Corrections Subcommittee) that looked at immediate solutions to the corrections overcrowding issue recommended holding a stakeholders' summit to highlight best practices in criminal justice. During this interim, the Judicial Branch and the Department of Corrections, in cooperation with other interested parties, have been working to organize this event for you.

The Sentencing Summit offers a unique opportunity for those who work with offenders in the criminal justice system and those who make criminal justice policy to come together and examine what is working in Maine, what is not working in Maine and what we can do together to implement corrections services that are consistent and effective statewide. It is essential that all branches of government and local and county officials participate in a dialogue to improve our sentencing practices. In order to support this effort, we are asking that the Legislature contribute \$550 toward the cost of the Sentencing Summit. The Department of Corrections and the Judicial Branch will also each be contributing \$550 to help fund the summit. The Department of Corrections is making the arrangements, so any contribution should be payable to the department.

Again, we strongly encourage you to plan to attend this important event and to support this financial request to help make the summit happen. We look forward to hearing from you and would be happy to answer any questions that you may have. Thank you.

Sincerely,

Sen. Bill Diamond

Rep. Stan Gerzofsky

cc: David Boulter, Executive Director, Legislative Council

SENATE

BILL DIAMOND, DISTRICT 12, CHAIR
EARLE L. MCCORMICK, DISTRICT 21
ROGER L. SHERMAN, DISTRICT 34

MARION HYLAN BARR, LEGISLATIVE ANALYST
FERN NEILSON, COMMITTEE CLERK



STATE OF MAINE

HOUSE

STAN GERZOFSKY, BRUNSWICK, CHAIR
PATRICIA A. BLANCHETTE, BANGOR
ANNE M. HASKELL, PORTLAND
STEPHEN P. HANLEY, GARDINER
DAWN HILL, YORK
BRYAN T. KAENRATH, SOUTH PORTLAND
RICHARD M. SYKES, HARRISON
CHRISTIAN D. GREELEY, LEVANT
GARY E. PLUMMER, WINDHAM
JOSEPH L. TIBBETTS, COLUMBIA

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

October 1, 2007

President Sen. Beth Edmonds, Chair
Speaker Glenn Cummings, Vice Chair
Members, 123rd Legislative Council

Sen. Barry Hobbins, Chair
Rep. Deborah Simpson, Chair
Members, Joint Standing Committee on Judiciary

Sen. Margaret Rotundo, Chair
Rep. Jeremy Fischer, Chair
Members, Joint Standing Committee on
Appropriations and Financial Affairs

Dear Honorable Chairs and Members:


On behalf of the Joint Standing Committee on Criminal Justice and Public Safety, we are inviting you to please save the date of Tuesday October 30, 2007 to attend an important meeting with other critical stakeholders in the criminal justice system. Earlier in the First Session of the 123rd Legislature, the Subcommittee of Appropriations and Criminal Justice Committee members (Corrections Subcommittee) that looked at immediate solutions to the corrections overcrowding issue recommended holding a stakeholders' summit to highlight best practices in criminal justice. The Judiciary and the Department of Corrections, in cooperation with other interested parties, have been working to organize this event for you.

The Corrections Subcommittee and the entire Criminal Justice and Public Safety Committee that received and endorsed the recommendation, requested that "...district attorneys, judges, county commissioners, and the Department of Corrections establish a summit to highlight best practices currently in use. It is the intent of the Subcommittee for these entities to develop strategies and make recommendations."

This summit offers a unique opportunity for those who work with offenders in the criminal justice system and those who make criminal justice policy to come together and examine what is working in Maine, what is not working in Maine and what we can do together to implement corrections services that are consistent and effective statewide.

Please mark your calendars for Tuesday October 30, 2007. A detailed agenda of the meeting will follow soon.

Sincerely,


Sen. Bill Diamond


Rep. Stan Gerzofsky

cc: Members, Joint Standing Committee on Criminal Justice and Public Safety
100 STATE HOUSE STATION, AUGUSTA, MAINE 04333-0100 TELEPHONE 207-287-1122



MAINE STATE LEGISLATURE
Joint Standing Committee on Appropriations & Financial Affairs
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

A handwritten signature in black ink, appearing to be "J. R. Z.", written over the "From:" line.

Date: October 18, 2007

Re: Revised Request to Establish a Joint Subcommittee on Transportation Funding

The Appropriations Committee was disappointed with the Legislative Council's decision on the joint request from the committees on Transportation and Appropriations and Financial Affairs to establish a work group, but we understand the concerns. We are revising our request to address those concerns. The Committee discussed this proposal at its meeting on October 17th and concluded that it is important to at least establish a plan for studying Maine's transportation infrastructure needs before January. Developing a plan will greatly assist the Office of Fiscal and Program Review in preparing for the analyses it will need to do in January.

Our revised request is three-fold. That the Legislative Council:

- Establish a Joint Subcommittee to Study Transportation Funding, comprised of 4 members each from the committees on Appropriations and Transportation to be appointed by the presiding officers in accordance with Joint Rule 353(3);
- Authorize the Transportation Committee chairs and minority leads to meet with the full Appropriations Committee at the Appropriations Committee's regularly scheduled meeting in November to begin the discussion and planning; and
- Authorize the subcommittee to meet once in December and once in January.

This initial discussion would provide a framework for further discussion and requests for analysis of proposals that would be presented in a final report to the subcommittee in January. The charge of the subcommittee will be to work to understand the fiscal challenges facing their respective committees and the Legislature as a whole, and to develop possible funding solutions to address Maine's transportation infrastructure needs. Some of the areas of inquiry may include 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.

We are requesting staff assistance from the Office of Fiscal and Program Review to assist the subcommittee with analysis of proposals beginning in January. As noted above, the timing of the analysis and major staff commitments have been delayed until after the office is fully staffed and the workload from other interim commitments has abated.

Thank you for your consideration of this revised request.

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

Staff:
Natalie Haynes, Esq. Legislative Analyst
Elizabeth Cooper, Legislative Analyst
Julie Jones, Legislative Analyst



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: Dennis Damon, Senate Chair *DD*
John Piotti, House Chair *John Piotti kgcc*

DATE: October 24, 2007

RE: **Request for Subcommittee Meeting on November 6**

Pursuant to Joint Order H.P. 1018 as amended by S-19 and S-358, the Joint Select Committee on Future Maine Prosperity is working hard to develop a plan to achieve sustainable prosperity in the State. We have held 3 of our 5 meetings and have gathered a substantial amount of information through the review of reports and expert panel discussions. At our last meeting we started work on recommendations through a brainstorming session.

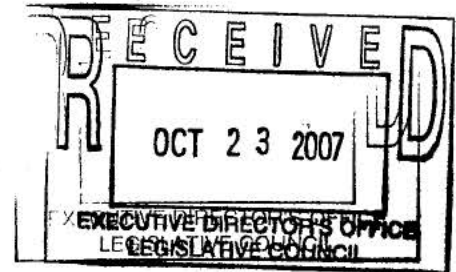
Due to the large volume of information, we would like 6 members to meet as an uncompensated subcommittee on November 6 to organize the ideas for recommendations. The work of this subcommittee will help us make the next full Joint Select Committee meeting as productive as possible so that we may complete 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, JSC on Future Maine Prosperity
Patrick Norton, Director, OPLA



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



Millicent M. MacFarland
Clerk of the House

October 25, 2007

The Honorable Beth Edmonds
Chair, Legislative Council
2 State House Station
Augusta, Maine 04333-0002

Dear President Edmonds:

The following proposed schedule is hereby submitted for the consideration of the Legislative Council. The Legislative Council approved a 5% increase for the First Regular Session of the 123rd Legislature. I also recommend a 5% increase be included in the Second Regular Session fee schedule.

All items listed below are available on the Legislature's website.

	122nd Rate	Proposed Rate 123 rd Rate
1. Bills & Resolves (L.D.s) FIRST CLASS-Mailed Daily	\$275.00	\$290.00
2. Bills & Resolves (L.D.s) FIRST CLASS-Mailed-Twice Weekly	\$225.00	\$235.00
3. Bills & Resolves (L.D.s) THIRD CLASS-Mailed Twice Weekly	\$175.00	\$185.00
4. Bills & Resolves (L.D.s) PICKED UP AT DOCUMENT ROOM	\$100.00	\$110.00
5. Amendments (Combined with any Legislative Document Service)-Mailed Weekly	\$100.00	\$110.00
6. Amendments PICKED UP AT DOCUMENT ROOM	\$ 75.00	\$ 80.00
7. Legislative Record FIRST CLASS-Mailed Weekly	\$ 75.00	\$ 80.00
8. Legislative Record PICKED UP AT DOCUMENT ROOM	\$ 50.00	\$ 60.00
9. Public & Private & Special Laws, Resolves, & Constitutional Resolutions FIRST CLASS-Mailed Weekly	\$150.00	\$160.00

10. Public & Private & Special Laws, Resolves & Constitutional Resolutions PICKED UP AT DOCUMENT ROOM	\$ 80.00	\$ 85.00
11. Weekly Computer Printout-Status of Bills FIRST CLASS MAIL	\$150.00	\$160.00
12. Weekly Computer Printout-Status of Bills PICKED UP AT DOCUMENT ROOM	\$ 75.00	\$ 80.00
13. Advance Notice of Public Hearings on Bills FIRST CLASS-Mailed Weekly	\$ 20.00	\$ 21.00
14. Weekly Listings of Bills Printed & Enacted FIRST CLASS MAIL	\$ 20.00	\$ 21.00
15. Joint Resolution FIRST CLASS MAIL	\$ 50.00	\$ 52.00
16. House & Senate Daily Calendars FIRST CLASS-Mailed Weekly	\$ 40.00	\$ 42.00
17. House & Senate Daily Calendars with Supplemental Calendars FIRST CLASS-Mailed Weekly	\$ 75.00	\$ 80.00
18. Legislative Council-Notice of Preliminary Agenda and Minutes, After Deadline List Pre and Post Versions	\$ 90.00	\$ 9500
19. Weekly Legislative Calendar (1 year Jan. - Jan.) FIRST CLASS MAIL	\$ 30.00	\$ 3100
20. Roll Call Votes (House & Senate) FIRST CLASS MAIL-Mailed Weekly	\$ 50.00	\$ 52.00
21. Roll Call Votes (House & Senate) PICKED UP AT DOCUMENT ROOM	\$ 25.00	\$ 27.00

I look forward to the council's adoption of the legislative document service fee schedule for the Second Regular session.

Sincerely,

Millicent M. MacFarland

Millicent M. MacFarland
Clerk of the House