

MAINE STATE LEGISLATURE

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SEN. CHARLES P. PRAY
CHAIRMAN

REP. JOHN L. MARTIN
VICE-CHAIRMAN



STATE OF MAINE
LEGISLATIVE COUNCIL
STATE HOUSE
AUGUSTA, MAINE 04333

SEN. NANCY RANDALL CLARK
SEN. DENNIS L. DUTREMBLE
SEN. THOMAS R. PERKINS
SEN. CHARLES M. WEBSTER
REP. JOHN N. DIAMOND
REP. DAN A. GWADOSKY
REP. THOMAS W. MURPHY, JR.
REP. EUGENE J. PARADIS

LEGISLATIVE COUNCIL

MARCH 1, 1988

MEETING SUMMARY

APPROVED MARCH 15, 1988

CALL TO ORDER

The meeting of the Legislative Council was called to order in the Council Chambers by the Chair, Senator Pray, at 10:32 a.m..

ROLL CALL

Senators: Sen. Clark, Sen. Dutremble, Sen. Perkins, Sen. Pray
Absent: Sen. Webster

Representatives: Rep. Diamond, Rep. Gwadosky, Rep. Martin, Rep. Murphy, Rep. Paradis

Legislative Officers:

Sally Diamond	Executive Director, Legislative Council
Peter Siegel	Law Librarian
John Wakefield	Deputy Director, Office of Fiscal and Program Review
Helen Ginder	Director, Office of Policy and Legal Analysis
David Silsby	Revisor of Statutes
John H. Bailey	Information Systems Director

SECRETARY'S REPORT

The summary of the Council's February 23, 1988, meeting was approved and placed on file. (Motion by Rep. Martin; second by Rep. Murphy; unanimous)

DIRECTOR'S REPORT

None.

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

Rep. Martin, Committee Chair, announced that the Committee would meet in his office at 12 noon on Wednesday, March 2.

Committee on Effective Utilization of Legislative Space

Sen. Pray, Committee Chair, reminded Committee members that they would be meeting Friday, March 11, with the architectural consultant, John Weinrich.

OLD BUSINESS

Tabled Item: Request for Funding of State and Local Legal Center. (Tabled at 2/23/88 meeting).

Council members had received copies of a letter addressed to the Speaker cosigned by Ted Strickland, NCSL President, and Mary McClure, CSG President, requesting financial support from State legislatures for the State and Local Legal Center.

The Center was established in 1984 to effectively represent state and local interests before the U.S. Supreme Court, including cases involving federal preemption, state taxing and spending powers and the Tenth Amendment. As "seed" funding for the Center expires, the consortium of organizations involved in establishing it have agreed that state and local governments should each assume responsibility for 50% of the funds required to assure the Center's continuation. Maine's share, which has been calculated according to a formula similar to those used by NCSL and CSG to calculate annual dues, would be \$30,000 over a 10-year period.

Motion: That the request be approved and that the Executive Director be authorized to request the necessary funds through the Appropriations process. (Motion by Rep. Martin; second by Sen. Clark; approved 6-1, with Rep. Murphy dissenting).

NEW BUSINESS

Item #1: Submission of Study Report on Long Term Planning for the Corrections System in Maine, from the Joint Select Committee on Corrections

Motion: That the Report be accepted and placed on file. (Motion by Rep. Martin; second by Sen. Clark; unanimous).

Item #2: Taxation of State and Local Workers' Benefits: Memorandum from NCSL

NCSL has issued an informational letter to its members announcing that, effective January 1, 1988, state and local governmental employees will be subject to taxation on all employee benefits as credit toward future benefits is earned. These benefits include sick and vacation leave, compensatory time, severance pay, and death and disability benefits.

Motion: That the Legislative Council send a communication on behalf of the Legislature to the members of Maine's Congressional delegation supporting the adoption of technical corrections to prevent taxation of benefits at the time they are earned. (Motion by Sen. Clark; second by Rep. Martin; 7-1, with Rep. Murphy dissenting).

Item #3: After Deadline Requests

After deadline requests were considered by the Legislative Council. The Council's action on these requests is included on the attached list.

Item #4: Distribution of Committee Drafts

Rep. Martin informed Council members that a committee draft had been provided to a member of the lobby earlier that morning before it had been distributed to members of the Committee and expressed his concern that policies and procedures to protect the privilege of certain legislative papers as provided by the Freedom of Access law needed to be strengthened.

Item #4 (cont.):

Motion: That staff offices be directed that drafts of legislation may be provided to members of the lobby only by the sponsor of the legislation, or in the case of legislation pending in Committee, with the express authorization of both committee chairs. (Motion by Rep. Martin; second by Rep. Diamond).

Rep. Paradis offered an amendment to the motion, that staff should not provide copy of legislation to a lobbyist in any case; the sponsor must be the one to provide the copy. The amendment was accepted by Rep. Diamond, who had offered the original motion.

Unanimous.

Motion: That the Executive Director and the Office Directors work with the Personnel Committee to develop guidelines regarding confidentiality for presentation to the Council. (Motion by Sen. Clark; second by Rep. Martin; unanimous).

Motion: That the guidelines include language to prohibit dissemination of bills and amendments before they come back from the printer. (Motion by Sen. Clark; second by Rep. Martin; unanimous)

Item #5:

Drafting Status

Sen. Pray asked David Silsby, Revisor of Statutes, for an update on the status of drafting. Mr. Silsby informed the Council that the 119 bills in progress could be classified as follows:

Awaiting signatures:	51
Typing/Proofing :	68
In Drafting :	7
On Hold (with :	7
approval of	
presiding officers)	

No Council action required.

ADJOURNMENT

The Legislative Council meeting was adjourned at 11:23 a.m. (Motion by Rep. Martin;; second by Sen. Perkins; unanimous).