

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

JANUARY 26, 1989

PRELIMINARY AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

- Summary of January 19, 1989, Council Meeting

EXECUTIVE DIRECTOR'S REPORT

REPORTS FROM COUNCIL COMMITTEES

OLD BUSINESS

NEW BUSINESS

Item #1: Welcome Back Day

Item #2: After Deadline Requests

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

REP. JOHN L. MARTIN
CHAIR

SEN. DENNIS L. DUTREMBLE
VICE-CHAIR



STATE OF MAINE

114th LEGISLATURE

LEGISLATIVE COUNCIL

LEGISLATIVE COUNCIL

JANUARY 19, 1989

MEETING SUMMARY

APPROVED JANUARY 26, 1989

SEN. CHARLES P. PRAY
SEN. NANCY RANDALL CLARK
SEN. CHARLES M. WEBSTER
SEN. PAMELA L. CAHILL
REP. DAN A. GWADOSKY
REP. JOSEPH W. MAYO
REP. MARY CLARK WEBSTER
REP. FRANCIS C. MARSANO

SARAH C. DIAMOND
EXECUTIVE DIRECTOR

CALL TO ORDER

The meeting of the Legislative Council was called to order in the Council Chambers by Senator Clark, at 12:20 p.m.

ROLL CALL

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

Representatives: Rep. Mayo, Rep. Gwadosky, Rep. Marsano, Rep. Webster
Absent: Rep. Martin

Legislative Officers:

Sally Diamond	Executive Director, Legislative Council
Lynn Randall	State Law Librarian
Bent Schlosser	Director, Office of Fiscal and Program Review
Martha Freeman	Director, Office of Policy and Legal Analysis
David Kennedy	Revisor of Statutes
John H. Bailey	Information Systems Director
David Silsby	Director, State Capitol Commission
Helen Ginder	Director, Legislative Oversight
Joy J. O'Brien	Secretary of the Senate

SECRETARY'S REPORT

The summary of the Council's January 12, 1989, meeting was approved and placed on file (Motion by Rep. Gwadosky; second by Sen. Cahill; unanimous).

EXECUTIVE DIRECTOR'S REPORT

- Item #1: Recommendation to hire Suzanne Gresser for the position of Legislative Attorney, Office of the Revisor of Statutes

Sally Diamond, Executive Director, reported that she had approved David Kennedy's recommendation to hire Suzanne Gresser for the position of Legislative Attorney in the Revisor's Office. Ms. Diamond reminded Council members that the position is currently occupied by Mark Rosen, who will be leaving in March. Ms. Gresser

will be
joining the Legislature on February 27.

Motion: That the Director's report be accepted and placed on file. (Motion by Sen. Cahill; second by Rep. Webster; unanimous).

- Item #2: Status Report on Bill Drafting

David Kennedy, Revisor of Statutes, reported that the office had determined that 374 of the bill requests filed by cloture were potential duplicates. Mr. Kennedy indicated that he was in the process of contacting the sponsors of each of these bill requests to inform them of the potential duplication and offer them the opportunity of consolidating their bill with one or more others. He noted that the process of identifying duplicates is both complicated and sensitive: sponsors of duplicates need some information before they can be expected to agree to withdraw their request, yet the confidentiality of the information precludes revealing too much.

Finally, Mr. Kennedy reported that he had established a "first in, first out" policy for bill drafting and that this policy would apply unless the bill is related to an "external event" over which the Legislature has no control.

Discussion focussed on the following points:

1. The sponsor with the earliest filing date should have the first opportunity to retain the privilege of sponsorship in the case of duplicates. Members were in general agreement that this would be an important piece of information to convey as Mr. Kennedy contacted legislators (ie., whether or not the individual was the earliest filer). (Rep. Gwadosky).
2. The information Mr. Kennedy was relaying to sponsors (chamber and party of the other sponsor(s)) is appropriate and necessary to help sponsors make a decision.
3. Some sponsors are reluctant to withdraw bill requests, even though they are duplicates, out of concern that the other sponsor may eventually agree to "Leave to Withdraw", a report which virtually assures that there will be no floor debate. (Rep. Marsano)

Rep. Gwadosky encouraged other Council members to share the Revisor's policies with their respective caucuses.

The Council took no formal action following this discussion, agreeing that conveying the sense of the Council was adequate.

REPORTS FROM COUNCIL COMMITTEES

Committee on Legislative Automation

Rep. Mayo, Committee Chair, reported that the Committee had met prior to the Council meeting to review requests from offices for computer equipment, and the review procedures that had been used in prior years. He shared the list of requests with Council members.

Motion: That the Committee's recommendations regarding acquisition of computer equipment be accepted. (Motion by Rep. Mayo; second by Rep. Marsano; unanimous).

Note: Requests for work stations included the following:

Senate	: 4
House	: 12
Non-Partisan	
Staff	: 13
Press	: 1

Rep. Mayo also noted that the Committee had decided to recommend no changes in the current procedures for requesting workstations and printers: requests from all Senate Offices are to be directed through the Secretary of the Senate; House Offices are to go through the Clerk of the House; and requests from non-partisan staff offices go to John Bailey for review and approval by the Executive Director before they go to the Council.

Personnel Committee

Sen. Clark, Committee Chair, reported that she planned to schedule a Committee meeting the week of January 23.

OLD BUSINESS

None.

NEW BUSINESS

Item #1: Letter from David S. Silsby, Director State Capitol Commission

Item #2: Letter from Earle G. Shettleworth, Jr.
Chair, State Capitol Commission

Sen. Clark asked David Silsby, director, State Capitol Commission, to speak briefly about both letters addressed to the Council. Mr. Silsby briefly summarized the major points raised by the two letters and indicated his concern that the Legislative Council would find an appropriate way to become involved in both oversight and resolution of the issues.

Following preliminary discussion about referring this item to the Committee on State House Space, there appeared to be general agreement among those present that this issue needed the attention and participation of the entire Council.

Sen. Clark suggested that the entire Council convene for a more detailed presentation by Mr. Silsby the week of January 23.

Motion: That Items 1 and 2 be tabled pending further and prompt consideration by the Council. (Motion by Sen. Cahill; second by Rep. Mayo; unanimous).

Item #3: Request from Dale Thistle, Chair, Commission on Children in Need of Supervision and Treatment, for additional funds to cover cost of printing final report

Ms. Diamond reported that she needed to confirm the current status of the Commission's budget in order to advise the Council about the amount the Commission needs to complete its work. She agreed to have this information available for the next Council meeting.

Motion: That the item be tabled pending the receipt of additional information from the Executive Director. (Motion by Rep. Marsano; second by Rep. Webster; unanimous).

Item #4: After Deadline Requests

Mr. Kennedy noted that sponsors had been sent notes regarding the Council meeting; however, because of the Institute on the Maine Economy tour, many of them had probably not received the information.

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

ANNOUNCEMENTS AND REMARKS

Sen. Clark reminded members that an orientation session would immediately follow the Council meeting.

ADJOURNMENT

The Legislative Council meeting was adjourned at 1:08 p.m., upon the motion of Rep. Marsano.

LEGISLATIVE COUNCIL
JANUARY 26, 1989
REQUESTS TO INTRODUCE LEGISLATION
FIRST REGULAR SESSION

TABLED REQUESTS

SPONSOR:	Joseph	Tabled 1/19/89
LR 2104	An Act to Clarify the Maine Municipal Bond Bank's and the Maine Public Utility Financing Bank's Ability to Hold, Own and Sell Real and Personal Property	
SPONSOR:	Lapointe	Tabled 1/19/89
LR 2112	An Act to Increase Fees Charged by County Government	
SPONSOR:	Speaker Martin	Tabled 1/19/89
LR 2105	An Act Concerning the Passamaquoddy Tribal Court	
	COSPONSOR: Townsend Pearson P. Paradis	
SPONSOR:	E. Paradis	Tabled 1/19/89
LR 2106	An Act to Allow Corporations to Appear without Legal Counsel for Minor Civil Infractions	
	COSPONSOR: Perkins	
SPONSOR:	P. Paradis	Tabled 1/19/89
LR 2114	An Act to Increase the Penalty for Destruction of Law Enforcement Canines	

SPONSOR: D. Dutremble

LR 2088 An Act Concerning Dredging in the
Saco River

SPONSOR: Norton

LR 2145 An Act to Allow Solicitation for Law
Enforcement Memorials

COSPONSOR: Ludwig

SPONSOR: Tammaro

LR 2143 An Act Converting Baring Plantation
into the Town of Baring

SPONSOR: Twitchell

LR 2146 An Act to Allow all Candidates for an
Electrician's License to take the
Examination Immediately upon Completing
their Education

SPONSOR: M. Webster

LR 2144 An Act to Provide, Increase and Improve
Accessibility to Adult Day Care Services

REQUESTS TO INTRODUCE JOINT RESOLUTIONS
MEMORIALIZING THE CONGRESS OF
THE UNITED STATES

January 26, 1989

LR 0597 JOINT RESOLUTION MEMORIALIZING THE
CONGRESS OF THE UNITED STATES TO
GRANT PRESUMPTIVE COMPENSATION TO
VIETNAM VETERANS WITH CERTAIN MEDICAL
CONDITIONS

(Pursuant to Private and Special Law 1987, chapter 129)

LR 2107 JOINT RESOLUTION MEMORIALIZING THE
CONGRESS OF THE UNITED STATES TO
EXEMPT FUNDS AWARDED TO VIETNAM
VETERANS FROM THE CLASS ACTION SUIT
AGAINST DOW CHEMICAL CORPORATION FROM
THE DETERMINATION OF ELIGIBILITY FOR
FEDERALLY ESTABLISHED PUBLIC ASSISTANCE
PROGRAMS

(Pursuant to Private and Special Law 1987, chapter 129)

LR 2108 JOINT RESOLUTION MEMORIALIZING THE
CONGRESS OF THE UNITED STATES TO
MANDATE THAT THE UNITED STATES
VETERANS ADMINISTRATION MAKE TESTS
AVAILABLE TO VIETNAM VETERANS WHICH
MEASURE THE AMOUNT OF DIOXIN IN AN
INDIVIDUAL

(Pursuant to Private and Special Law 1987, chapter 129)