

MAINE STATE LEGISLATURE

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SEN. CHARLES P. PRAY
CHAIR

REP. DAN A. GWADOWSKY
VICE-CHAIR

STATE OF MAINE

115th LEGISLATURE

LEGISLATIVE COUNCIL

SEN. NANCY RANDALL CLARK
SEN. DENNIS L. DUTREMBLE
SEN. CHARLES M. WEBSTER
SEN. PAMELA L. CAHILL
REP. JOHN L. MARTIN
REP. JOSEPH W. MAYO
REP. WALTER E. WHITCOMB
REP. FRANCIS C. MARSANO

SARAH C. TUBBESING
EXECUTIVE DIRECTOR

LEGISLATIVE COUNCIL

Thursday, January 31

MEETING SUMMARY

APPROVED FEBRUARY 26, 1991

CALL TO ORDER

The Legislative Council was called to order in the Council Chambers by the Vice-Chair, Rep. Gwadosky, at 3:29 p.m.

ROLL CALL

Senators:	Sen. Pray, Sen. Clark, Sen. Webster, Sen. Dutremble, Sen. Cahill
Representatives:	Rep. Gwadosky, Rep. Whitcomb, Rep. Mayo, Rep. Marsano Absent: Rep. Martin
Legislative Officers:	Sally Tubbesing, Executive Director, Legislative Council Lynn Randall, State Law Librarian Martha Freeman, Director, Office of Policy and Legal Analysis David Kennedy, Revisor of Statutes Joy O'Brien, Secretary of the Senate

SECRETARY'S REPORT

The Summary of the January 8, 1991, Legislative Council meeting was accepted and placed on file. (Motion by Sen. Dutremble; second by Sen. Webster; unanimous).

EXECUTIVE DIRECTOR'S REPORT

Item #1: Resignation letter from David S. Silsby, Director, State House and Capitol Park Commission.

Sally Tubbesing, Executive Director, noted that Council members had received the letter from Mr. Silsby individually. She reported that while Mr. Silsby had not been able to attend the Council meeting due to a prior commitment, he had asked her to request that the Council give him an opportunity to present a report regarding his work at a future meeting.

Motion: That Mr. Silsby's letter announcing his decision to retire be accepted with much affection and deep regret. (Motion by Sen. Clark; second by Sen. Cahill; unanimous).

REPORTS FROM COUNCIL COMMITTEES

Sen. Pray took his place as Chair at this point.

Legislative Budget Committee

Ms. Tubbesing drew members' attention to the materials that had been distributed, which included a 2-page summary of the reductions which the Budget Committee had identified and which had subsequently been presented to the Appropriations Committee. The summary listed each account administered by the Legislature and the reductions that had been proposed, and provided more detail about the specific line items that had been affected in the legislative account.

- Sen. Clark asked that the record show that the \$1,257,000 reduction which the Committee had proposed was equal to the target that had been established by the Governor and that this amount, combined with the reductions that had been made in the current budget last spring, represented a 13.2% reduction in the Legislature's budget overall.

The ensuing discussion focussed on whether Council action was required at this time.

- Sen. Webster recommended that the Council endorse the proposal at this time, fully realizing that the Council would be revisiting the issue of the legislative budget in the near future.
- Rep. Whitcomb noted that the members of the Committee had expressed a variety of opinions in the course of their meetings and that although there had not been complete agreement, Committee members had concluded that they had completed their charge, which was to identify cuts totalling \$1,257,000.

- Sen. Pray expanded on Rep. Whitcomb's point, noting that some members of the Committee had felt that the legislative budget should be cut by more than \$1,257,000. Sen. Pray further noted that some of the cuts were actually within the purview of the presiding officers, and not the Legislative Council.
- Rep. Mayo recalled that the Budget Committee's recommendations regarding budget cuts had been presented in a leadership meeting and that all Council members, as leadership, had agreed that Sen. Pray should present the proposed \$1,257,000 reduction plan to the Appropriations Committee.
- Rep. Marsano asked if the figures presented in the summary included balances from the prior fiscal year that had carried to the current year. Ms. Tubbesing reported that they did not include the balances forward. Rep. Marsano requested further information about the balances forward.

Motion: That the Committee's report be accepted and that the members of the Committee be commended for a job well done.
(Motion by Sen. Clark; second by Sen. Dutremble).

Motion: That the item be tabled. (Motion by Sen. Cahill, second by Rep. Marsano; unanimous).

OLD BUSINESS

Item #1: Deadline for Naming Cosponsors: Review

Sen. Pray reported that his conversations with the Revisor of Statutes, David Kennedy, indicated that the Council should develop a more flexible policy regarding cosponsor signatures on bills. He proposed that, from this point on in the session, bill sponsors be given the opportunity to add or change cosponsors within the 5-day period that they already have to review the bill, provided that the sponsors assume responsibility for getting those cosponsors' signatures.

During a period of general discussion, Council members agreed that it was unrealistic to ask sponsors to get cosponsors without having a copy of the bill, and, further, that the irregular schedule to this point in the session had only exacerbated the problem. Rep. Mahany, of Easton, was recognized and expressed her concern that an inflexible policy could potentially disenfranchise her and jeopardize her efforts to serve her constituents. Discussion then shifted to how best to build in the flexibility that appeared to be warranted.

Motion: That the rule that Sponsors may add or change cosponsors within the 5 days that they have to review their finally-drafted bill stand and that the Legislative Council reaffirm the right of any legislator to request from the presiding officers, or the Legislative Council, an extension beyond the 5 days for getting cosponsors. (Motion by Rep. Marsano; second by Rep. Mayo; approved 7-1).

Item #2: Step Increase for Assistant Secretary of the Senate: Reconsideration. (Request of Sen. Pray).

Sen. Pray noted that this step increase, along with those for the Secretary of the Senate and the Clerk of the House, had appeared on the Council agenda at its December 21 meeting and had failed at that time. Rep. Whitcomb asked for clarification of the process, noting that his request was for the purpose of trying to understand Council policy in view of the current budget crisis. Sen. Pray noted that the Council's action to approve the Assistant Secretary's step increase would be consistent with current policy in all legislative offices, based on her assigned salary range.

Motion: That a step increase from Step 8 to Step 9 in Salary Range 9 be awarded to the Assistant Secretary of the Senate retroactive to her anniversary date. (Motion by Sen. Clark; second by Rep. Mayo; unanimous).

NEW BUSINESS

Item #1: Submission of Study Reports

- Special Committee on the New Capitol Area Master Plan.
- Commission to Assess the Impact of Increased State Spending on the University of Maine System.
- Joint Standing Committee on Judiciary - Staff Study on Grandparents' Visitation Rights.

Motion: That the three Reports be accepted and placed on file. (Motion by Rep. Mayo; second by Rep. Marsano; unanimous).

Item #2: Request from the Joint Standing Committee on Audit and Program Review for an Extension of the Reporting Deadline.

Motion: That the Committee's request for an extension be approved until March 1. (Motion by Rep. Marsano; second by Sen. Pray; approved 6-2).

Motion: That the Council reconsider its previous action to approve the request. (Motion by Sen. Cahill; second by Sen. Dutremble; approved 6-1-1, with Rep. Marsano abstaining).

Motion: That the extension be granted to February 15 only. (Motion by Sen. Cahill; second by Rep. Mayo; unanimous).

Item #3: Request from Maine Low-Level Radioactive Waste Authority to meet with the Legislative Council.

Sen. Pray offered to send a letter on behalf of the Council suggesting that the Council meet with members of the Authority at a future time to be scheduled.

The Council took no formal action on this item.

Item #4: After Deadline Requests.

At the Chair's request, the Revisor of Statutes briefly summarized the current status of drafting, noting that the Office's gains in efficiency have been neutralized by the increases in volume. He noted that the Council's decision to give members an opportunity to voluntarily withdraw bills had been moderately successful, resulting in the withdrawal of approximately 150 bills. Sen. Cahill asked if it would be worthwhile to try this a second time. Mr. Kennedy responded that it might at some future point, but that the administrative overhead involved in the effort warranted against it at this time.

The Council then proceeded to consider after deadline bill requests and requests to introduce Joint Resolutions. The Council's action is summarized on the attached list.

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Legislative Council meeting was adjourned at 4:44 p.m., on the motion of the Chair.