

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

Tuesday, February 4, 1992

Legislative Council Chamber

REVISED AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

Summary of January 28, 1992, Council Meeting

EXECUTIVE DIRECTOR'S REPORT

REPORTS FROM COUNCIL COMMITTEES

OLD BUSINESS

NEW BUSINESS

Item #1: Request from the Maine Nordic Ski Council for Use of
Capitol Park on March 3 (Tourism Day)

Item #2: After Deadline Bill Requests

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT



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

Tuesday, January 28, 1992

MEETING SUMMARY

Approved February 4, 1992

CALL TO ORDER

The Chair convened the Council meeting at 5:32 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators:	Sen. Pray, Sen. Clark, Sen. Dutremble, Sen. Cahill Absent: Sen. Webster
Representatives:	Rep. Martin, Rep. Gwadosky, Rep. Whitcomb, Rep. Mayo, Rep. Marsano
Legislative Officers:	Sally Tubbesing, Executive Director, Legislative Council Lynn Randall, State Law Librarian John Wakefield, Director, Office of Fiscal and Program Review 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 14, 1992, Council meeting was approved and placed on file. (Motion by Rep. Marsano; second by Rep. Mayo; unanimous).

EXECUTIVE DIRECTOR'S REPORT

Sally Tubbesing, Executive Director, presented the following items for the Council's consideration:

Item #1: Request for Authorization to Award Contracts for the Printing of Amendments.

Ms. Tubbesing drew members' attention to a memo in the agenda packet that summarized the results of the bids for printing amendments. She reported that the Secretary of the Senate, the Clerk of the House and she concurred in the recommendation that the primary contract be awarded to the low bidder, the Copy Center, and a contract for back-up service be awarded to Letter Systems.

Motion: That the Council authorize the Executive Director to enter into contractual agreements for printing amendments as recommended. (Motion by Rep. Mayo; second by Sen. Clark; unanimous).

Item #2: Resignation of Kathryn Van Note, Office of Fiscal & Program Review.

In response to an inquiry from the Council, John Wakefield, Director of the Office of Fiscal & Program Review, noted that Ms. Van Note had been employed by the Legislature for a little more than 5 years, having been hired initially as a Research Assistant in the Office of Policy & Legal Analysis and then transferring to his office about 3 1/2 years ago to work as an Analyst providing staff support to the Joint Standing Committee on Audit and Program Review.

Motion: That Ms. Van Note's resignation be accepted with regret. (Motion by Sen. Clark; second by Rep. Gwadosky; unanimous).

Item #3: Drafting and Committee Status Report.

The Chair, Sen. Pray, asked both Martha Freeman and David Kennedy to provide a status report on the flow of bills through the process. Ms. Freeman reported that Committees had finally disposed of 125 of the 151 carryover bills by the January 24 deadline and that they should complete their work on the remaining 26 bills in this category by this Friday, January 31. She further noted that committees had completed their work on approximately 30% of the total bills accepted for introduction to date.

Mr. Kennedy stated that of a total of 482 bill requests, 304 had been sent up for introduction, 85 had been withdrawn, about 50 were still in drafting, and 45 were out for sponsor review and signature. The Chair expressed some concern about the number of bills still in the process, given the goal of adjourning early; and Mr. Kennedy replied that his staff were pursuing sponsors much more aggressively to supply needed information.

No Council action was required.

REPORTS FROM COUNCIL COMMITTEES

None.

OLD BUSINESS

Item #1: Staffing for Special Commission to Study the Insurance Industry and Special Commission to Study the Workers' Compensation Commission. (Item tabled at January 14 Council meeting by Sen. Dutremble).

The Chair asked Ms. Freeman to report on the current status of the two commissions. Ms. Freeman stated that both commissions were in the process of drafting letters to request extensions of their reporting deadlines to November or December of this year. She further noted that the Commission to Study the Insurance Industry had already agreed to suspend its activity until after the adjournment of the Second Regular Session and that, although the Commission to Study the Workers' Compensation Commission had scheduled two more meetings over the next few weeks, the Commission Chair felt that the Commission could handle these particular meetings, whose primary purpose is to hear testimony from outside parties, without staff assistance.

Rep. Marsano then reported that he had talked with the Governor after the last Council meeting about the availability of staff from the executive branch and that no staff are available.

Motion: That both commissions be notified that no staff will be available to them for the balance of the Second Regular Session. (Motion by Speaker Martin; second by Rep. Whitcomb; unanimous).

NEW BUSINESS

Item #1: Recommendations from the Department of Corrections Related to Maine's Juvenile Code (submitted pursuant to statute, 15 MRSA, § 3006).

Ms. Tubbesing noted that the report had also been submitted to the Joint Select Committee on Corrections pursuant to law.

Motion: That the recommendations be accepted and placed on file. (Motion by Speaker Martin; second by Sen. Dutremble; unanimous).

Item #2: Request from Commission to Study a Long-Term Disability Program for the Maine State Retirement System (ch. 48, Resolves of 1991) for an Extension of the Reporting Deadline.

Motion: That the Revisor be directed to draft a bill to extend the Commission's reporting deadline. (Motion by Speaker Martin; second by Sen. Clark; unanimous).

Item #3: After Deadline Bill Requests.

Requests to introduce legislation to the Second Regular Session were considered by the Legislative Council. A summary of the Council's action on these requests is attached to this meeting summary.

ANNOUNCEMENTS AND REMARKS

The Chair, Senator Pray, announced the following:

- The next meeting of the Legislative Council will be next Tuesday, February 4, following adjournment of both houses.
- Following next Tuesday's meeting, the Council will meet every Tuesday morning until the end of the session.
- That he would be convening a Subcommittee on the Legislative Budget and that the Committee would convene the following day (January 29) at 1 p.m. in his office. He then proceeded to appoint Speaker Martin, Senator Cahill, and Representative Marsano to join him as members of the Subcommittee.

Having made the appointments, Senator Pray noted that the Administration had established a reduction target of 12.7% for the Legislature, but one of only 6.6% for the Governor's office. He advocated that the Legislature should go as far as possible to meet the reduction target without compromising its constitutional responsibilities, but that the 12.7% target was too high.

Motion: That the staff be directed to prepare an analysis of the percentage of time they have spent drafting and analyzing Governor's bills in the past year. (Motion by Speaker Martin)

The Speaker subsequently withdrew the motion.

ADJOURNMENT

The Council meeting was adjourned at 6:15 p.m., on the motion of Sen. Cahill.

Maine Nordic Ski Council

FEB 03 1992

February 1, 1992

Charles P. Pray, Chairman
Legislative Council
State House Station 3
Augusta, Maine 04333

Dear Senator Pray:

The Maine Nordic Ski Council would like to request the use of Capitol Park from 10 am to 3 pm, Tuesday, March 3, 1992. In conjunction with Tourism Day in the Legislature scheduled for March 3rd, the Nordic Council will offer complimentary ski equipment and instruction for members of the legislature, state office personnel and the general public. The event will not be publicized to the general public. However, everyone is welcome to participate. We will not be making snow for the event so it will be cancelled if Mother Nature does not co-operate. If there is snow, Natanis XC Area will provide a snowmobile to groom and track set a trail at the park. This snow preparation should not take more than a half hour and should not create any noise distraction greater than the general automobile traffic in the area.

We thank you for your consideration. If you have any questions please feel free to contact the MNSC office at 824-3694.

Yours truly,

Wende Gray

Wende Gray
MNSC Co-ordinator

Approved

Cross Country Skiing; A Maine Tradition

P.O. Box 645 • Bethel, ME 04217

**LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
SECOND REGULAR SESSION
January 31, 1992**

Action

SPONSOR: Rep. Rotondi

LR 3744 An Act to Create a Somerset County Budget Committee

SPONSOR: Sen. Conley

LR 3747 An Act to Rescind Changes in the Driver Education
Evaluation Program

SPONSOR: Rep. Holt

LR 3748 An Act to Create the Dresden Mills Water District

(Note: This file does not contain sufficient
information to prepare a draft.)

Cosponsors: Sen. Holloway

SPONSOR: Rep. Jacques

LR 3750 RESOLUTION, Proposing an Amendment to the
Constitution of Maine to Protect Revenues Raised
By the Department of Inland Fisheries and Wildlife

SPONSOR: Rep. Marsh

LR 3739 An Act to Broaden Reporting of Persons Operating
Vehicles Under the Influence of Intoxicating Liquor
or Drugs

(Note: This request was previously rejected)

Cosponsors: Rep. Jacques

SPONSOR: Rep. Mitchell, Elizabeth H.

LR 3751 An Act to Amend the Reporting Deadlines of the
Special Commissions to Study the Workers' Compensation
Commission and the Regulation of the Insurance Industry

SPONSOR: Rep. Reed, William F.

LR 3746 An Act to Amend the Law Creating the Dexter Utility
District

JOINT RESOLUTION

SPONSOR: Rep. Martin, John L.

LR 3749 Joint Resolution Memorializing the President
and the Congress of the United States to Reinvest
in Hometown America

Cosponsors: Sen. Clark, Nancy R.
Sen. Cahill, Pamela L.
Rep. Chonko

TABLED BY THE LEGISLATIVE COUNCIL

SPONSOR: Sen. Bustin **TABLED**
01/28/92

LR 3727 An Act to Bring Unemployment Compensation Benefit Practices into Compliance with Federal Law

SPONSOR: Rep. DiPietro **TABLED**
01/28/92

LR 3742 An Act to Prevent Sexual Exploitation of Minors

SPONSOR: Sen. Esty, Jr. **TABLED**
01/28/92

LR 3738 An Act to Amend the Process for Collecting Costs for Services of the Maine Labor Relations Board, the Panel of Mediators and the Maine Board of Arbitration and Conciliation

Cosponsors: Sen. Conley
Rep. Lipman
Rep. Reed, Gary W.

SPONSOR: Sen. Gauvreau **TABLED**
01/28/92

LR 3741 An Act to Repeal the Community Corrections Act

SPONSOR: Rep. Goodridge **TABLED**
01/28/92

LR 3668 An Act Authorizing the Issuance of Limited Licenses for Plumbers

SPONSOR: Rep. Gray **TABLED**
01/28/92

LR 3604 An Act to Prohibit Improper Influence by Law Enforcement Officers

SPONSOR: Rep. Gwadosky **TABLED**
01/28/92

LR 3669 An Act to Support the Governor's Task Force on Defense Realignment and the Maine Economy to Ensure its Timely, Comprehensive, Statewide Response to Defense Spending Cuts and Realignments in Maine

SPONSOR: Sen. Kany **TABLED**
01/28/92

LR 3603 An Act Pertaining to Workers Compensation

(Note: This file does not contain sufficient information to prepare a draft.)

Cosponsors: Rep. Mitchell, Elizabeth H.

SPONSOR:	Sen. Kany	TABLED
		01/28/92
LR 3635	An Act Concerning Tax Deductions for Health Insurance Premiums and Health Service Payments	
	Cosponsors: Sen. Theriault Rep. Rydell Rep. Mitchell, Elizabeth H.	
SPONSOR:	Rep. Manning	TABLED
		01/28/92
LR 3737	An Act to Preserve the Benefits of Former Employees of the Division of Community Services	
SPONSOR:	Rep. Mitchell, James	TABLED
		01/28/92
LR 3593	An Act Amending the Maine Insurance Code	
	(Note: This file does not contain sufficient information to prepare a draft.)	
SPONSOR:	Rep. Nutting	TABLED
		01/28/92
LR 3703	An Act to Forestall the Spread of Rabies in the State of Maine	
	(Note: This file does not contain sufficient information to prepare a draft.)	
SPONSOR:	Rep. Oliver	TABLED
		01/28/92
LR 3357	An Act to Restructure the Division for the Blind and Visually Impaired	
	(Note: This request was rejected at initial screening. This file does not contain sufficient information to prepare a draft.)	
SPONSOR:	Rep. St. Onge	TABLED
		01/28/92
LR 3734	An Act to Require the Governor to Respond to Legislative Inquiries Following Certain Speeches and Addresses	
SPONSOR:	Sen. Titcomb	TABLED
		01/28/92
LR 3733	An Act to Permit the Recovery of Attorney's Fees in Cases Where Municipal Officers Improperly Refuse to Put Citizen Initiatives on the Ballot	
	Cosponsors: Rep. Lord	

ADDENDUM
LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
SECOND REGULAR SESSION
February 4, 1992

Action

SPONSOR: Rep. Anthony

LR 3655 An Act to Clarify the Authority of the Governor's
Emergency Budget Curtailment Powers

SPONSOR: Rep. Clark, Herbert E.

LR 3756 An Act Concerning Water Utilities

SPONSOR: Sen. Dutremble, Dennis L.

LR 3757 An Act to Amend the Charter of the Kennebunk,
Kennebunkport and Wells Water District

Cosponsors: Rep. Wentworth
Rep. Libby

SPONSOR: Sen. Dutremble, Dennis L.

LR 3766 An Act to Require that Sales Tax Exemptions and
Tax Credits Benefit the People of this State

SPONSOR: Rep. Kerr

LR 3758 An Act to Amend and Clarify the Law Enabling State
Tax Increment Financing

SPONSOR: Rep. Kilkelly

LR 3764 An Act to Repeal a State Mandate Requiring a National
Plumbing Code

Cosponsors: Sen. Rich
Rep. Sheltra
Sen. Baldacci

SPONSOR: Rep. Kilkelly

LR 3765 An Act Concerning the Lincoln County Budget Committee

Action

SPONSOR: Rep. Lord

LR 3760 An Act to Allow 4 Municipalities to Appeal the New
State Valuation

SPONSOR: Rep. Martin, John L.

LR 3759 An Act to Insure the Long Term Stability of
Sheltered Group Homes ~~for Girls~~ in this State

SPONSOR: Sen. Vose

LR 3755 An Act to Grant Immunity for Directors of Rural
Electrification Cooperatives

Cosponsors: Sen. Gauvreau
Rep. Tammaro
Sen. Foster

JOINT RESOLUTION

SPONSOR: Rep. Clark, Margaret P.

LR 3754 JOINT RESOLUTION MEMORIALIZING CONGRESS AND THE
PRESIDENT OF THE UNITED STATES TO AUTHORIZE TRANSFER
OF SAVINGS IN FEDERAL MILITARY ACCOUNTS TO THE
DOMESTIC BUDGET