

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



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

**Monday, March 2, 1992**

**MEETING SUMMARY**

**Approved March 11, 1992**

## **CALL TO ORDER**

The Chair, Senator Pray, called the Council meeting to order at 12:10 p.m., in the Taxation Committee hearing room.

## **ROLL CALL**

<b>Senators:</b>	Sen. Pray, Sen. Clark, Sen. Webster, Sen. Dutremble, Sen. Cahill
<b>Representatives:</b>	Rep. Martin, Rep. Gwadosky, Rep. Whitcomb, Rep. Mayo, Rep. Marsano
<b>Legislative Officers:</b>	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 J. O'Brien, Secretary of the Senate

## **SECRETARY'S REPORT**

The Summaries of the February 4 and February 10 Council meetings were approved and placed on file. (Motion by Sen. Webster; second by Rep. Mayo; unanimous)

## EXECUTIVE DIRECTOR'S REPORT

### Item #1: Status of Bills in Drafting and Committee

Sally Tubbesing, Executive Director, deferred to David Kennedy and Martha Freeman to update the Council on the status of bills in drafting and in committee. Mr. Kennedy reported that approximately 20 of the bills approved for introduction to date had yet to be released by his office and that all but 2 of these were out for final sponsor review and signature. He added that the Revisor's Office was anticipating receiving the budget shortly.

Ms. Freeman then drew Council members' attention to the Committee Status Report, noting that Committees had yet to complete their deliberations on 146 bills and that the presiding officers had set Wednesday, March 4, as the final deadline for all but the four Committees with the largest workloads (and the Appropriations and Taxation Committees). Finally, she predicted that Committee amendments would more than take up any slack in the Revisor's Office as initial bill drafting winds down and that these amendments would all require fiscal review by OFPR.

The Chair, Sen. Pray, thanked Mr. Kennedy and Ms. Freeman for their report; and Sen. Clark expressed appreciation for the staff's efforts.

## REPORTS FROM COUNCIL COMMITTEES

None.

## OLD BUSINESS

None.

## NEW BUSINESS

### Item #1: Request from Joint Standing Committee on Education to report out 2 bills.

The Chair, Senator Pray, recognized Representative Crowley, House Chair of the Joint Standing Committee on Education. Rep. Crowley reported the Committee's interest in having the Legislature act on two issues during the current session. The first is the proposed consolidation of Maine's two public broadcasting companies. Rep. Crowley noted that Sen. Brannigan had already filed an After Deadline Request which was on today's agenda. Sen. Clark asked for clarification about issues related to the employees of the two existing stations and about the disposition of property that has been purchased with public funds. Rep. Crowley responded that the Committee would be addressing these issues as it debated the bill.

The Chair, Sen. Pray, then asked why the consolidation couldn't be handled as an amendment to the budget; and Rep. Crowley replied that the issue was significant enough to have the substantive committee work on it.

Rep. Crowley reported that the Committee's second concern grows out of a report from the Advisory Committee on Medical Education, which suggests changes in the existing financial assistance for postgraduate medical students.

The Council deferred action on these two specific After Deadline Requests until it took up additional requests later in the meeting.

**Motion:** That the Committee's letter be accepted and placed on file. (Motion by Rep. Mayo; second by Sen. Clark; unanimous).

**Item #2: Correspondence from the Joint Standing Committee on Audit & Program Review regarding the Capitol Planning Commission and the Special Committee on the New Capitol Area Master Plan.**

Council members had received a letter from the Audit Committee which proposed to restore the Capitol Planning Commission's sole authority to review and approve all construction and improvement projects within the statutorily defined Capitol Area. The Committee argued that this was appropriate since funds were not currently available to support the continued activity of the Special Committee on the New Capitol Area Master Plan.

Speaker Martin expressed his concern that the Committee's proposal would subvert the entire long range planning process that has been set up by law under the oversight of the Special Committee on the New Capitol Area Master Plan.

**Motion:** That the Joint Standing Committee on Audit & Program Review be informed that its proposal is unacceptable. (Motion by Speaker Martin; second by Sen. Clark; unanimous).

**Item #3: Final Report of the Motorcycle Driver Education Study Committee (submitted pursuant to Ch. 522, P.L. 1991).**

**Motion:** That the report be accepted and placed on file. (Motion by Sen. Clark; second by Sen. Dutremble; unanimous).

**Item #4: 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.

**Item #5: Proposal to Use Minimum Security Prisoners from the Kennebec County Jail for Maintenance and Repair Projects in the State House**

The Chair, Senator Pray, introduced the Kennebec County Sheriff, Frank Hackett, who was in attendance at the meeting. Sheriff Hackett proposed that the Council consider using minimum security prisoners to supplement the workforce in the Bureau of General Services for maintenance of the State House and grounds. He noted that Kennebec County had just assumed responsibility for prisoners in Sagadahoc County as well; thus, he would have a workforce of between 12 and 40 at any given time.

Council members expressed general support for the idea, but raised the following questions:

1. What liability issues were raised under such an arrangement. (Sen. Dutremble).

Rep. Marsano responded that such arrangements were specifically exempted in the statute.

2. What supervision would be available. (Speaker Martin).

Sheriff Hackett responded that this would have to be worked out with the Bureau of General Services. He noted that if a corrections officer were required to supervise, he would request reimbursement from the State.

**Motion:** That Dick Sawyer, Administrative Services Director, meet with representatives from the Bureau of General Services and Sheriff Hackett to see what arrangements can be worked out. (Motion by Speaker Martin; second by Rep. Whitcomb; unanimous).

## **ANNOUNCEMENTS AND REMARKS**

None.

## **ADJOURNMENT**

The Legislative Council meeting was adjourned at 1:11 p.m., on the motion of the Chair.