

# 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

**Wednesday, March 11, 1992**

### MEETING SUMMARY

**Approved March 19, 1992**

### CALL TO ORDER

The Chair, Senator Pray, called the Council meeting to order at 1:13 p.m., in the Council Chamber.

### ROLL CALL

<b>Senators:</b>	Sen. Pray, Sen. Clark, Sen. Webster, Sen. Cahill Absent: Sen. Dutremble
<b>Representatives:</b>	Rep. Martin, Rep. Gwadosky, Rep. Whitcomb, Rep. Mayo Absent: Rep. Marsano
<b>Legislative Officers:</b>	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 March 2, 1992, Council meeting was approved and placed on file. (Motion by Speaker Martin; second by Sen. Clark; unanimous).

## EXECUTIVE DIRECTOR'S REPORT

**Item #1: Verification of Public Notice of Public Hearing on LD 2159, "An Act Related to Hydropower Relicensing Standards."**

Sally Tubbesing, Executive Director, drew members' attention to the notice of public hearing on LD 2159, "An Act Related to Hydropower Relicensing Standards." She noted that the hearing could not be scheduled until March 27 in order to conform with federal requirements that the notice of hearing be posted 30 days in advance of the hearing.

No Council action was required.

## REPORTS FROM COUNCIL COMMITTEES

### Committee on Redistricting Planning

Rep. Mayo, Committee Chair, reported that the Committee had developed a proposal for the Council's review, which included a recommendation to acquire computer software and hardware with a total price of \$48,610 to support the 116th Legislature in carrying out its constitutional charge to develop a redistricting plan. He noted that although Rep. Marsano was absent from today's Council meeting, he had indicated his support of the proposal.

Rep. Mayo drew members' attention to a memo that Sally Tubbesing had prepared for the Committee that summarized the options staff had reviewed at the Committee's direction and that demonstrated that most states have spent far in excess of the proposed amount. He reported that the Committee proposes that the Legislature's existing computer system be the "host" for the redistricting project. This will not only minimize the cost entailed in acquiring the necessary software and hardware, but it means that all of the hardware will be totally compatible with the existing system and can thus be "recycled" to legislative staff offices once the redistricting plan has been adopted. Rep. Mayo further noted that the Legislature had spent nearly \$113,000 on the redistricting effort in 1983, noting that a significant portion of this cost had been to hire outside consultants who had access to the computer technology that the Legislature lacked at that time.

The discussion that followed centered on the following points:

1. Whether the Legislature couldn't "borrow" software from another state that will have completed its redistricting plan by next December. (Sen. Cahill).

Ms. Tubbesing responded that software was not only copyrighted, but licensed by the vendor to a particular state; thus, "sharing" would be in violation of the licensing agreement.

2. How the Council could "cap" the total expenditures for redistricting. (Rep. Whitcomb)

Rep. Mayo reiterated that he hoped the Committee's proposal would eliminate the need for hiring consultants and that in-house staff could do the work. The Chair, Sen. Pray, added that the Legislature, and/or the Council, could establish some guidelines, but that this would be the responsibility of the 116th Legislature and its Council.

Motion: That the Committee's recommendation be approved and that the Council Chair request the Appropriations Committee to include \$48,610 in the Legislature's FY 93 budget for this purpose. (Motion by Rep. Mayo; second by Sen. Clark; unanimous).

## OLD BUSINESS

- Item #1: Request to Reconsider Council's Action to Approve an After Deadline Request sponsored by Rep. Lebowitz, "An Act to Eliminate the Position and Office of the Chancellor of the University of Maine System" (LR 3791).

Motion: That the Council reconsider its action to approve introduction of this bill. (Motion by Sen. Pray; second by Sen. Clark; motion failed 5 - 1).

- Item #2: Capitol Planning Commission and the Special Committee on the New Capitol Area Master Plan: Authority and Responsibilities

Motion: That the item be tabled. (Motion by Speaker Martin; Second by Rep. Gwadosky; unanimous).

## NEW BUSINESS

- Item #1: 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

None.

## ADJOURNMENT

The Council meeting was adjourned at 1:40 p.m., on the motion of Sen. Webster.