

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

Thursday, March 19, 1992

AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

Summary of March 11, 1992, Council Meeting

EXECUTIVE DIRECTOR'S REPORT

REPORTS FROM COUNCIL COMMITTEES

OLD BUSINESS

NEW BUSINESS

Item #1: 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

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

Senators:	Sen. Pray, Sen. Clark, Sen. Webster, Sen. Cahill Absent: Sen. Dutremble
Representatives:	Rep. Martin, Rep. Gwadosky, Rep. Whitcomb, Rep. Mayo Absent: 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 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.

LEGISLATIVE COUNCIL
ACTION ON REQUESTS TO INTRODUCE LEGISLATION
SECOND REGULAR SESSION
March 11, 1992

		Action
SPONSOR:	Rep. Daggett	FAILED
LR 3826	An Act to Dedicate Certain Funds	
SPONSOR:	Rep. Gwadosky	WITHDRAWN
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	WITHDRAWN
LR 3603	An Act Pertaining to Workers Compensation Cosponsors: Rep. Mitchell, Elizabeth H.	
SPONSOR:	Rep. Mitchell, Elizabeth H.	WITHDRAWN
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. Murphy	ACCEPTED
LR 3835	An Act to Require Proof of Liability Insurance Before Registering a Motor Vehicle	
SPONSOR:	Rep. Murphy	WITHDRAWN
LR 3836	An Act to Allow Existing Zoning Ordinances to Remain Valid Pending Adoption of New Ordinances	
SPONSOR:	Rep. Murphy	WITHDRAWN
LR 3837	An Act to Amend the Laws Governing the Publication of Municipal Annual Reports	

JOINT RESOLUTIONS

SPONSOR:	Rep. Lawrence	ACCEPTED
LR 3840	JOINT RESOLUTION MEMORIALIZING CONGRESS ON THE FUTURE OF THE UNITED STATES NAVAL SHIPYARD AT KITTERY, MAINE	

TABLED BY THE LEGISLATIVE COUNCIL

SPONSOR:	Sen. Berube	TABLED
LR 3776	An Act to License Civil Process Servers	02/10/92
SPONSOR:	Rep. Boutilier	TABLED
LR 3769	An Act to Authorize Department of Transportation Bond Issues in the Amount of \$45,000,000 for Infrastructure Improvements and to Create Jobs	02/10/92
	Cosponsors: Rep. Bailey, Ronald C. Sen. Twitchell Rep. Macomber	
SPONSOR:	Rep. DiPietro	TABLED
LR 3742	An Act to Prevent Sexual Exploitation of Minors	01/28/92
SPONSOR:	Sen. Gauvreau	TABLED
LR 3796	RESOLUTION, Proposing an Amendment to the Constitution of Maine Revising Grand Jury Requirements	03/11/92
	Cosponsors: Rep. Paradis, Patrick E.	
SPONSOR:	Rep. Goodridge	TABLED
LR 3668	An Act Authorizing the Issuance of Limited Licenses for Plumbers	01/28/92
SPONSOR:	Rep. Kilkelly	TABLED
LR 3765	An Act Concerning the Lincoln County Budget Committee	02/04/92
SPONSOR:	Rep. Manning	TABLED
LR 3737	An Act to Preserve the Benefits of Former Employees of the Division of Community Services	01/28/92
SPONSOR:	Sen. Matthews	TABLED
LR 3777	An Act to Create a Retirees Pension Fund to Generate Economic Growth	03/02/92

SPONSOR: Rep. Mitchell, James

TABLED
01/28/92

LR 3593 An Act Amending the Maine Insurance Code

SPONSOR: Rep. Oliver

TABLED
01/28/92

LR 3357 An Act to Restructure the Division for the Blind and
Visually Impaired

LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
SECOND REGULAR SESSION
March 17, 1992

Action

SPONSOR: Sen. Clark, Nancy R.

LR 3853 Resolve to Waive Notice Requirements for Filing
Claims under the Maine Torts Claims Act for
Stephanie Burton

SPONSOR: Rep. Lipman

LR 3844 Resolve, to Establish Terms of Appointment of Members
and the First Meeting and Reporting Dates for the
Commission to Study the Feasibility of a Capitol
Cultural Center

TABLED BY THE LEGISLATIVE COUNCIL

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SPONSOR:	Rep. Boutilier	TABLED 02/10/92
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SPONSOR:	Rep. Oliver	TABLED 01/28/92
LR 3357	An Act to Restructure the Division for the Blind and Visually Impaired	

ADDENDUM

LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
SECOND REGULAR SESSION
March 19, 1992

Action

SPONSOR: Rep. Lemke

LR 3864 Resolve, to Provide for a Commemorative Motor
Vehicle License Plate for the Westbrook High School
Band

SPONSOR: Rep. Mayo

LR 3858 An Act Concerning Fuel Oil and Wood Used in the
Manufacturing Process

SPONSOR: Rep. Pineau

LR 3859 An Act to Extend the Reporting Date of the
Commission to Study the Use of Professional
Strikebreakers

ADDENDUM II

LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
SECOND REGULAR SESSION
March 19, 1992

Action

SPONSOR: Sen. Kany

LR 3866 An Act to Deregulate Workers' Comp Insurance
Voluntary Market Rates and to Establish
the Workers' Compensation Employers' Mutual Fund

Cosponsor: Rep. Elizabeth Mitchell