

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

August 26, 1992

REVISED AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

Summary of July 22, 1992, Council Meeting

EXECUTIVE DIRECTOR'S REPORT

Item #1: Legislative Budget

a. Proposed Reductions in FY 93 Related to Health Insurance

b. Budget Request for FY 94/FY 95 Biennium: Status

Item #2: Recommendations to fill Vacant Positions in the Revisor's Office and Legislative Information Office

Item #3: Contract Related to Conversion of Public Status System

Item #4: Blue Ribbon Commission on Workers' Compensation: Budget Status Report

Item #5: Recommendation to Authorize Attendance at Annual Meeting of Eastern States Legislative Fiscal Officers in Waterbury, Vermont, by Jim Clair, Kevin Madigan and Tim Leet

REPORTS FROM COUNCIL COMMITTEES

OLD BUSINESS

Item #1: Request for Staff Assistance for the Legislative Members of the Task Force to Provide Recommendations Regarding School Funding Issues. (Tabled at July 22, Council meeting pending further discussion with the Task Force members).

NEW BUSINESS

Item #1: Request to Upgrade the Vietnam Memorial in Capitol Park
(correspondence from David Lovejoy)

Item #2: Requests to Introduce Legislation to the Third Special
Session

ANNOUNCEMENTS AND REMARKS

Notice of September Council Meeting

Tuesday, September 22
4:00 p.m.

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

MEETING SUMMARY

Wednesday, July 22, 1992

Approved August 26, 1992

CALL TO ORDER

The Legislative Council meeting was called to order by the Chair, Senator Pray, at 1:10 p.m.

ROLL CALL

Senators:	Sen. Pray, Sen. Clark, Sen. Webster, Sen. Dutremble, Sen. Cahill
Representatives:	Rep. Martin, Rep. Gwadosky, Rep. Whitcomb, Rep. Mayo, Rep. Marsano
Legislative Officers:	Sally Tubbesing, Executive Director, Legislative Council James Clair, Deputy Director, Office of Fiscal and Program Review Martha Freeman, Director, Office of Policy and Legal Analysis David Kennedy, Revisor of Statutes

SECRETARY'S REPORT

The Summary of the June 24, 1992, 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: Resignation of Gro Flatebo, Office of Policy & Legal Analysis

Ms. Tubbesing noted that Ms. Flatebo's letter reported that her

She reminded Council members that Ms. Flatebo had been working half-time - in a job sharing arrangement - and reported that she and Martha Freeman would present a proposal to fill the position to the Council at its August meeting. In response to Rep. Gwadosky's questions about whether telecommuting had been considered as a way to accommodate situations similar to Ms. Flatebo's, Ms. Tubbesing responded that telecommuting would become a viable option with the implementation of the "new" Public Status System, but that this new resource would not have affected Ms. Flatebo's decision.

Motion: That Ms. Flatebo's resignation be accepted with regret and that a letter of appreciation be sent; and, further, that the Executive Director present a proposal for filling the vacancy at the next Council meeting. (Motion by Speaker Martin; second by Sen. Cahill; unanimous).

Item #2: State House Roof and Dome: Needed Repairs

Ms. Tubbesing drew Council members' attention to the memo which had been included in the agenda packet. She noted that the new leak at the base of the main dome is in an area that had not been included in any of the recent repair work. Rep. Mayo asked for clarification that if the Council were to approve replacing the roof in this area, this would be a "permanent" solution, and received an affirmative response.

Motion: That the Council authorize the Executive Director to make the necessary arrangements to have the roofing in the area at the base of the dome replaced at an estimated total cost of \$5,000. (Motion by Rep. Martin; second by Rep. Marsano; unanimous).

REPORTS FROM COUNCIL COMMITTEES

Committee on Total Quality Management

The Chair, Senator Pray, who also Chairs this Committee, reported briefly, noting that the Committee had had its third meeting that morning and had begun formulating its preliminary report to the Council, which is due September 1 pursuant to law. He reported that the Committee has approached its work using one of the basic principles of Total Quality Management -- that every organization consists of a series of customer-supplier relationships and that improvements in an organization's "products" -- be they tangible goods or services -- depend on examining and improving those relationships.

No Council action was required.

OLD BUSINESS

Item #1: Council of State Governments: Reconsideration of Dues and Invitation to Host 1995 Meeting (Tabled at June 24 meeting)

No motion was offered, and the Chair subsequently declared this issue to be "dead".

NEW BUSINESS

Item #1: Letter from Ronald Speckman, Office of Substance Abuse, regarding current status of DEEP Programs

Mr. Speckman noted that, although the statutory reporting requirement had been repealed, the Office had decided to submit a report to the Council on the status of DEEP programs.

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

Item #2: Request for Non-Partisan Staff Assistance to the Legislative Members of the Task Force to Provide Recommendations Regarding School Funding Issues

The Chair, Senator Pray, reminded Council members that they had tabled correspondence from the Education Committee Chairs at the previous Council meeting due to their concern that the high turnover in the Education Committee membership would preclude effective continuity of this committee's work to the next Legislature. He noted that this letter from Senator Estes superseded the earlier letter. Sen. Estes

requested that the Council authorize the assignment of non-partisan staff to provide support to the four legislators who had been appointed to the Task Force to Provide Recommendations Regarding School Funding issues, a Task Force created by an Executive Order recently issued by the Governor.

Rep. Gwadosky asked about the availability of staff for this purpose, a question which the Chair directed to Martha Freeman. Ms. Freeman responded that she and Sen. Estes had discussed his request, that she understood that his request was for staff support to the legislative members of the Task Force only and not to the Task Force itself; and, that given these limits, she felt staff could provide the requested support.

In the general discussion that followed, Council members expressed several concerns:

- That there had been a number of education funding studies already and that it was not clear why another one was needed.
- That the membership of the Task Force, as it was originally structured in the Executive Order, included no representation from the northern and eastern counties.
- That it was not the Legislature's job to staff an entity created by the executive branch.

Rep. Mayo asked whether it was not common practice for staff offices to simply respond to requests from individual legislators without Council approval. Ms. Freeman responded that it was indeed, but noted that this request was tied to a larger, formally constituted group and that the Council had traditionally been involved in allocation of resources in such cases.

Motion: That the Council Chair meet with the four legislative members of the Task Force to clarify the scope of their request and report to the Council at its next meeting. (Motion by Speaker Martin; second by Rep. Mayo; unanimous).

Item #3: Cloture Date for Third Special Session

Speaker Martin reported that in his conversation with the Governor earlier in the week, it was clear that the Governor had not yet decided whether or not to call a Special Session, and, further, that he would not make that decision until he had had an opportunity to review the report from the Blue Ribbon Commission. Sen. Webster stated that unless the Commission's recommendations resulted in significant savings, he would not support the convening of a Special

Session. The ensuing discussion centered on issues related to the scope and timing of a special session. Council members appeared to be in general agreement that they would want to have an opportunity to consult with members of their caucuses about what they want to accomplish in a Special Session (Rep. Gwadosky; Sen. Webster). Members also expressed several concerns about the timing of the Special Session: that the Governor wants 2-3 weeks to analyze the Blue Ribbon Commission's report before he decides whether to call a Special Session (Rep. Whitcomb); that the Legislature too, needs time to review the report (Sen. Pray; Sen. Cahill); and, finally, that the general public needs to have an opportunity to review the report (Sen. Pray). Representative Marsano stated that he understood that it had been agreed that the Legislature would act on this legislation as a Committee-of-the-Whole; and Senator Pray concurred, but stated that he thought the Committees and the public should still have an opportunity to review the proposed legislation before the Legislature acted.

Finally, Speaker Martin noted that he had just received a copy of a report from a Blue Ribbon Commission on Workers' Compensation that had been established under the auspices of NCSL, noting that John Lewis, who has been hired as the primary consultant to Maine's Blue Ribbon Commission had also a consultant to the NCSL Commission.

The Council took no action on this item.

Item #4: Requests to Introduce Legislation to the 3rd Special Session

Motion: That all Bill Requests be tabled until the next Council meeting. (Motion by Sen. Webster; second by Sen. Cahill; approved 9-1).

Item #5: Request from Senator Cleveland for Authorization for the Joint Standing Committee on Utilities to Conduct Two Days of Hearings

Sen. Cleveland, who was present at the meeting, requested Council approval for the Committee to conduct two days of hearings for the purpose of reviewing the contracting process by which qualifying facilities or small power producers are selected to provide electric power to Maine's utilities. Council members raised the following questions:

1. Whether these contracts are already available to intervenors in rate cases. (Speaker Martin)

Sen. Cleveland responded that those contracts involving CMP are not available except on a "need to know" basis.

2. Whether Sen. Cleveland had conferred with the House Chair before making his request. (Speaker Martin)

Sen. Cleveland responded that he had not been able to contact the House Chair (Rep. Clark), but that he would not proceed with the hearings without his concurrence.

3. Whether staff was available (Sen. Pray)
Martha Freeman responded affirmatively.

4. Whether it was necessary for the full Committee to be involved in these hearings. (Sen Pray)

Rep. Cleveland said "yes".

5. Whether the Committee could schedule one of the hearings on August 19, the date of the Senate Confirmation Hearing, in order to reduce the cost.

Sen. Cleveland responded that he would try to do this.

Motion: That the request be approved, pending the concurrence of the House Chair, and that Committee members be authorized to receive per diem and expenses for attending these hearings. (Motion by Speaker Martin; second by Sen. Clark; approved 8-1, with Rep. Marsano abstaining).

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Council meeting was adjourned at 1:55 p.m., on the motion of Speaker Martin.

EXECUTIVE DIRECTOR'S REPORT

RELATED MATERIALS

- Item #1: Legislature's FY 93 Budget: Proposed Reductions in Health Insurance (Memo)
- Item #2: Recommendations to fill Vacant Positions in the Revisor's Office and Legislative Information Office (Memo)
- Item #3: Contract Related to Conversion of Public Status System (Memo)
- Item #4: Blue Ribbon Commission on Workers' Compensation: Budget Status Report (Report)

OFFICE OF THE EXECUTIVE DIRECTOR

MEMORANDUM

August 19, 1992

TO: Honorable Charles P. Pray, Chair
and Members of the Legislative Council

FROM: Sally *Jeely*

SUBJECT: Legislature's FY 93 Budget: Proposed Reductions in Health Insurance

You will recall that Chapter 591, the budget passed last December during the Second Special Session, included a \$7.6 million General Fund deappropriation in anticipation of cost savings related to health insurance for FY 1993 and directed the Commissioner of Finance and Administration to identify the savings in this amount. The law authorized the State Budget Officer to distribute the deappropriation among affected General Fund accounts only in the executive branch: the language (enclosed) specifically excluded the Legislative and Judicial Departments.

The health insurance contracts for FY 93 have now been negotiated at a 1% increase effective October 1, rather than at the 12% increase which all agencies had budgeted from July 1. We have not seen the new contract yet and do not, therefore, have information about how the increase was "contained" to only 1%.

The Budget Office has now calculated the excess amount appropriated to each account based on the new contract. Based on his review of the initial figures, Dick has worked out revised amounts with the Budget Office as follows:

Legislative Account:	\$291,343
Law Library :	11,894

Based on the language in Chapter 591, legislation is required to actually deappropriate these amounts. Again, these funds are no longer needed for the purpose for which they were originally budgeted.

Dick and I would be happy to answer any questions.

Enclosure

Sec. P-20. Employees' health insurance adjustment. The cost to the State for the employees' health insurance for fiscal year 1992-93 is adjusted as a result of anticipated savings.

1. The State Budget Officer shall calculate the amount that applies against each General Fund account for all departments and agencies not within the Judicial Department or the Legislature based on the proportionate share of employee-paid health insurance in the Personal Services appropriations of those affected accounts.

2. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, the State Budget Officer shall distribute the calculated amount between each affected account.

Sec. P-21. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1992-93

**EXECUTIVE DEPARTMENTS
AND AGENCIES**

Personal Services (\$7,659,512)

Provides for the deappropriation of funds to reflect anticipated savings to the State for the cost of health insurance. The Commissioner of Finance shall report to the Joint Standing Committee on Appropriations and Financial Affairs during the Second Regular Session of the 115th Legislature prior to January 15, 1992 on the progress made toward achieving the additional savings identified for fiscal year 1992-93, including implementation of Health Maintenance Organization or Preferred Provider Organization options and any recommended legislation needed to facilitate the implementation of alternative plans such as self-insurance or minimum premium arrangements. The Department of Administration shall, through the State Employee Health Commission, offer the Health Maintenance Organization or Preferred Provider Organization options in addition to the current plan by July 1, 1992.

**SECTION P-21
TOTAL APPROPRIATIONS**

(\$7,659,512)



HOUSE OF REPRESENTATIVES

STATE HOUSE

AUGUSTA 04333-0002

289-1400

James O. Donnelly

P.O. Box 1883
Presque Isle, Maine 04769

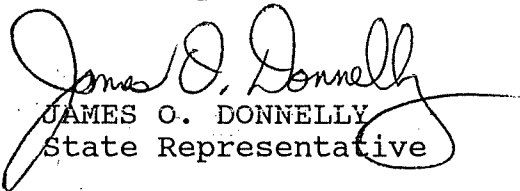
July 30, 1992

Chairman and Members
Legislative Council
State House Station # 115
Augusta, Maine 04333

In regard to your request for input for the upcoming special session, I feel this session should be dedicated to fixing and concentrating on making our Workers' Compensation system work for all of the employers and workers in the State of Maine.

I appreciate this opportunity to share my input with you, and hope you will come to the conclusion that we have enough on the plate for the special session without allowing new legislation to be introduced.

Sincerely,


JAMES O. DONNELLY
State Representative

District 143 Part of Mapleton and part of Presque Isle

BLUE RIBBON COMMISSION TO EXAMINE
ALTERNATIVES TO THE WORKERS' COMPENSATION SYSTEM
AND TO MAKE RECOMMENDATIONS CONCERNING REPLACEMENT
OF THE CURRENT SYSTEM

Chapter 59, Resolves of 1991

Budget Status as of 8/19/92

BUDGET		\$250,000.00
EXPENDITURES		
Reimbursements to Commissioners		
Dalbeck	\$1,116.01	
Hathaway	1,738.36	
Levesque	<u>323.84</u>	
		\$ 3,178.21
Contractual Services		
Bushey		
Fees (\$500/week)	\$ 8,500.00	
Expenses	266.56	
Sivon		
Expenses	<u>124.49</u>	
		\$ 8,891.05
Consultant Services		
David Gregory	\$ 9,178.00	
John Lewis	21,693.34	
Ed Welch	1,694.47	
Peter Barth	<u>3,341.50</u>	
		\$ 35,907.31
Telephone Charges		\$ 564.84
Postage		9.00
Equipment/Supplies		<u>767.39</u>
Total through 8/19/92		\$ 49,317.80
BALANCE		\$200,682.20

502212

PUBLIC HEARING NOTICE

BLUE RIBBON COMMISSION TO EXAMINE
ALTERNATIVES TO THE WORKERS' COMPENSATION SYSTEM

Time:

Monday, August 31, 1992, 10 a.m.

Location:

Room 228, State House, Augusta

Purpose:

The Blue Ribbon Commission to Examine Alternatives to the Workers' Compensation System will hold a public hearing at which time it will formally present its recommendations regarding workers' compensation in Maine to the Governor and the Legislature.

Questions:

Office of the Blue Ribbon Commission, tel. 780-4578

OLD BUSINESS

RELATED MATERIALS

Item #1: Request for Staff Assistance for the Legislative Members of the Task Force to Provide Recommendations Regarding School Funding Issues. (Letter from Sen. Estes and copy of Executive Order)

Senator Stephen C. Estes
District 35
State House Station 3
Augusta, Maine 04333



THE MAINE SENATE
115th Legislature

P.O. Box 4
Kittery Point, Maine 03905

July 22, 1992

Hon. Charles P. Pray, Chair
Legislative Council
State House Station #115
Augusta, ME 04333

Dear President Pray:

With the Governor having already established a task force on education funding, your consideration of the request to you and the Legislative Council in the letter from Rep. Nathaniel Crowley and me dated May 13, 1992 is no longer necessary. However, I am writing to make a new request.

At the July 10 Task Force organizational meeting, I spoke with the other legislative members of the Task Force, Representatives Omar Norton, Donnell Carroll, and Gary Reed, and they were in full agreement that access to non-partisan staff assistance would be extremely valuable in assisting us as the Task Force reviews and makes recommendations for changes to Maine's school funding formula.

Concern about the funding formula has been building on a variety of fronts over the last several years. The suspension of the formula during the last two sessions of the 115th Legislature has convinced many that changes to the formula are necessary to both restore confidence and stability in the process and provide equity to school finance in Maine.

On behalf of my legislative colleagues on the Task Force, I am writing to request that the Legislative Council provide non-partisan staffing to do research and support work for the legislative membership and provide general assistance to the Task Force as approved by the Director of the Office of Policy and Legal Analysis.

Resolution of the school funding dilemma will be one of the most urgent matters before the Legislature next session. It is my hope that this study will make significant progress toward solutions. A final report and recommendations will be sent to the Legislature by mid-December.

Your approval of non-partisan staff assistance would be very helpful to us and much appreciated. Thank you for your consideration of this matter.

Sincerely yours,

A handwritten signature in cursive script that reads "Stephen Estes".

Sen. Stephen C. Estes, Chair
Joint Standing Committee on
Education



OFFICE OF
THE GOVERNOR

NO. 1 FY 92/93

DATE July 8, 1992

AN ORDER ESTABLISHING A TASK FORCE TO PROVIDE RECOMMENDATIONS
REGARDING SCHOOL FUNDING ISSUES

WHEREAS, the education of Maine students is among the highest priorities of state and local government; and

WHEREAS, between FY 80 and FY 90 total spending on general purpose aid for education by the state rose from \$183.4 million to \$475.5 million; and

WHEREAS, spending for K-12 education at the local level rose from \$364.5 million to \$939.1 million over this same period; and

WHEREAS, over the past two years Maine and the Nation have been caught in a severe economic recession; and

WHEREAS, the resultant decline in state revenues has forced the restriction of general purpose aid to \$523.2 million in FY 1991 and \$512.9 million in 1992; and

WHEREAS, the current economic down-turn has also produced unusual pressures on local governments and on local property taxpayers; and

WHEREAS, the reliance of the current school funding formula (20-A M.R.S.A. Chapter 606) upon the assessed value of local property is perceived by many to have placed an undue burden on certain sectors of the state; and

WHEREAS, a strong consensus continues to require a school funding formula that is designed to assure an equitable distribution of the property taxpayer burden throughout the state; and

WHEREAS, the allocation of the general purpose aid appropriations in the past two years have required a significant departure from the "certified funding level" and from the standard allocation mechanism of the current formula; and

WHEREAS, a strong consensus continues to require a school funding formula designed to achieve equity, with the fundamental recognition that the educational opportunities available to Maine children should not be determined by family wealth or by the wealth of the community;

NOW THEREFORE, I, John R. McKernan, Jr., Governor of the State of Maine, do hereby establish a Task Force To Provide Recommendations Regarding The School Funding Formula as follows:

Purpose

The purpose of the Task Force to Provide Recommendations Regarding The School Funding Formula is to consider the current issues regarding school funding in Maine and to suggest resolutions for these issues, particularly in the form of a new mechanism for the allocation of state resources to local school districts. In developing its recommendations, the Task Force should seek and consider public input and aim towards the development of a mechanism which is likely to have the support of the majority of the Maine citizens and their elected representatives.

The responsibilities of the committee shall be:

1. To consider the elements of the "recommended funding level," and to determine what factors should be considered in setting the total statewide appropriation for educational subsidies;
2. Consider the mechanisms necessary to adapt the recommended funding level to the amount actually appropriated by the Legislature and approved by the Governor for each budget year;
3. To consider how pupil educational needs and unit-wide educational needs should be measured, and how the total allocation of funds for school units should be calculated to equitably reflect these needs;
4. To consider the fiscal capacity of each school administrative unit and to develop a method of measuring the fiscal capacity for the purpose of the equitable allocation of resources in any school funding formula recommended by the Task Force;
5. To consider what incentives for local unit performance, size, and efficiency should be incorporated into the new school funding formula;
6. To consider the relationship between school funding and the cost of state educational mandates, along with the cost of optional local programs and services;
7. To consider means by which the school funding formula could promote cost-awareness so that there is full awareness of pupil and school unit needs and of the funds needed to address these needs, and how scarce the state and local revenues can be most efficiently used and targeted at the greatest of these needs;
8. To consider how the school funding formula, and the statutory language which describes this funding model, should be constructed to make the school funding formula more understandable to all groups that are affected by it;
9. To consider the interrelationship of the above issues to each other, or such other issues as the Task Force may deem necessary.

Goals

By September 14, the Task Force should issue a preliminary report to the Governor containing the following:

1. For each of the issues listed above:
 - a. A brief description of the issue and resolutions that were considered by the Task Force;
 - b. A more detailed description of the recommended resolution, including its relationship with each of the other recommended resolutions; and
 - c. A recommended implementation year (based on considerations of the immediacy of the need for resolution, and the availability of data and programming resources that would be necessary to implement the recommendation).
2. The Task Force's public comment plan, describing the activities which the Task Force will perform to (a) disseminate its preliminary recommendations to Maine citizens, (b) encourage public comment on these recommendations, and (c) receive comments from interested individuals and groups.
3. By December 9, the Task Force will present its final report to the Governor, the Education Committee of the Legislature, and the State Board of Education. The content of the final report will reconsider the issues discussed in the preliminary report, with the following additions:
 - a. A summary of the major concerns and recommendations, as provided during the statewide discussions, together with Task Force recommendations.
 - b. A list of statutory changes recommended by the Task Force, to be effective beginning July 1, 1993.
 - c. All necessary details needed to support the Task Force recommendations for implementation in FY 94, including any necessary detail sufficient to collect further data, develop appropriate computer programs, and draft additional statutory language.
 - d. A list of additional statutory changes recommended by the Task Force, to be effective beginning July 1, 1994.
 - e. All necessary details needed to support the Task Force recommendations for implementation in FY 95, including any necessary detail sufficient to collect further data, develop appropriate computer programs, and draft additional statutory language.
4. During the first regular session of the 116th Legislature, the Task Force will communicate its recommendations according to a plan developed by the Task Force.

Membership

The membership of the Task Force shall be composed of representatives from the following organizations:

1. The State Board of Education
2. The Maine Department of Education
3. The Education Committee of the Maine Legislature
4. The Appropriations Committee of the Maine Legislature
5. The Maine Aspirations Foundation
6. The Maine Department of Administrative and Financial Services.

The membership of the Task Force shall also include individuals who, by background and experience, are affiliated with the following interests:

1. School Superintendents
2. K-12 Teachers
3. Elected municipal officials
4. The Chamber of Commerce
5. The local school boards

The Task Force shall have the following joint chairs:

Jane Amero, currently the Chairman of the State Board of Education, and Senator Stephen Estes, currently Senate Chair of the Legislature's Education Committee.

Others may be asked to participate from time-to-time as needed.

The committee membership shall be appointed by the Governor in consultation with the joint chairs. Members shall be selected with consideration for geographic distribution and the need for balance in representation among high-receivers, middle-receivers, and low-receivers under the current school funding formula.

Terms of Membership

The members of this committee shall serve until the business of the Task Force is completed, unless they should resign from the Task Force before that time. In the event of a vacancy, the Governor, in consultation with the joint chairs of the Task Force, shall select an appropriate replacement.

Administration

The Maine Department of Education shall serve as executive secretary to the Task Force and provide technical and administrative support, as needed.

Meetings

The co-chairs shall develop a meeting schedule for the Task Force. Subcommittees may be established as needed to carry out the work of the Task Force.

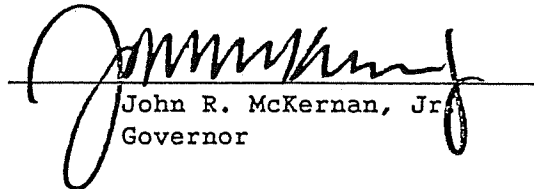
Compensation

Members shall serve without compensation. Necessary expenses incurred by members in the performance of their duties which are allowed by state law shall be reimbursed as allowable expenses. If the member's parent organization does not provide this reimbursement, then reimbursement will be provided by the Department of Education.

Period of Authorization

The Task Force shall perform its duties through the final day of the first regular session of the 116th Legislature. The Task Force will dissolve following this date, unless the Governor further extends its work.

The effective date of this Order is July 9, 1992.


John R. McKernan, Jr.
Governor

NEW BUSINESS

RELATED MATERIALS

Item #1: Request to Upgrade the Vietnam Memorial in Capitol Park
(Letter from David Lovejoy)

Item #2: Request to Introduce Legislation to the Third Special
Session (Preliminary List)

July 14, 1992

Sally Tubbesing
Legislative Council

David Lovejoy
Vietnam Memorial Project

Dear Sally Tubbesing:

The Purpose of this letter and enclosed sketch is to inform and update this Committee on our proposal for approval, on upgrading the Vietnam Memorial in Capitol Park.

The current Memorial is an appropriate one, but we feel that two flag poles should be added, flying the American as well as the POW/MIA flag, which would be illuminated during darkness. Also, we would like to plant several types of flowering shrubs that would be maintenance free, around the greater area of the Memorial, not in front of the Memorial.

We are currently raising donations and contributions for this project and will continue to raise the necessary funds to complete this project. We are not asking for any money, we will generate the funds.

During various Holidays and special times of the year we feel that the Memorial would attract more groups for special services if the flags were present.

I am an Air Force veteran and have spoken with many other veterans who all feel that this Memorial should have the appropriate flags flying at all times.

It would be greatly appreciated by all veterans and their families if this project was approved by this committee, your support is strongly needed.

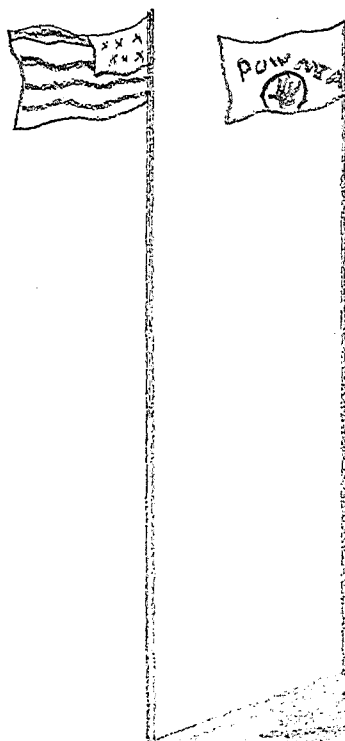
Please feel free to contact me if any additional information is needed, I'm more than willing to assist in any way necessary to make this project a success.

Respectfully yours,

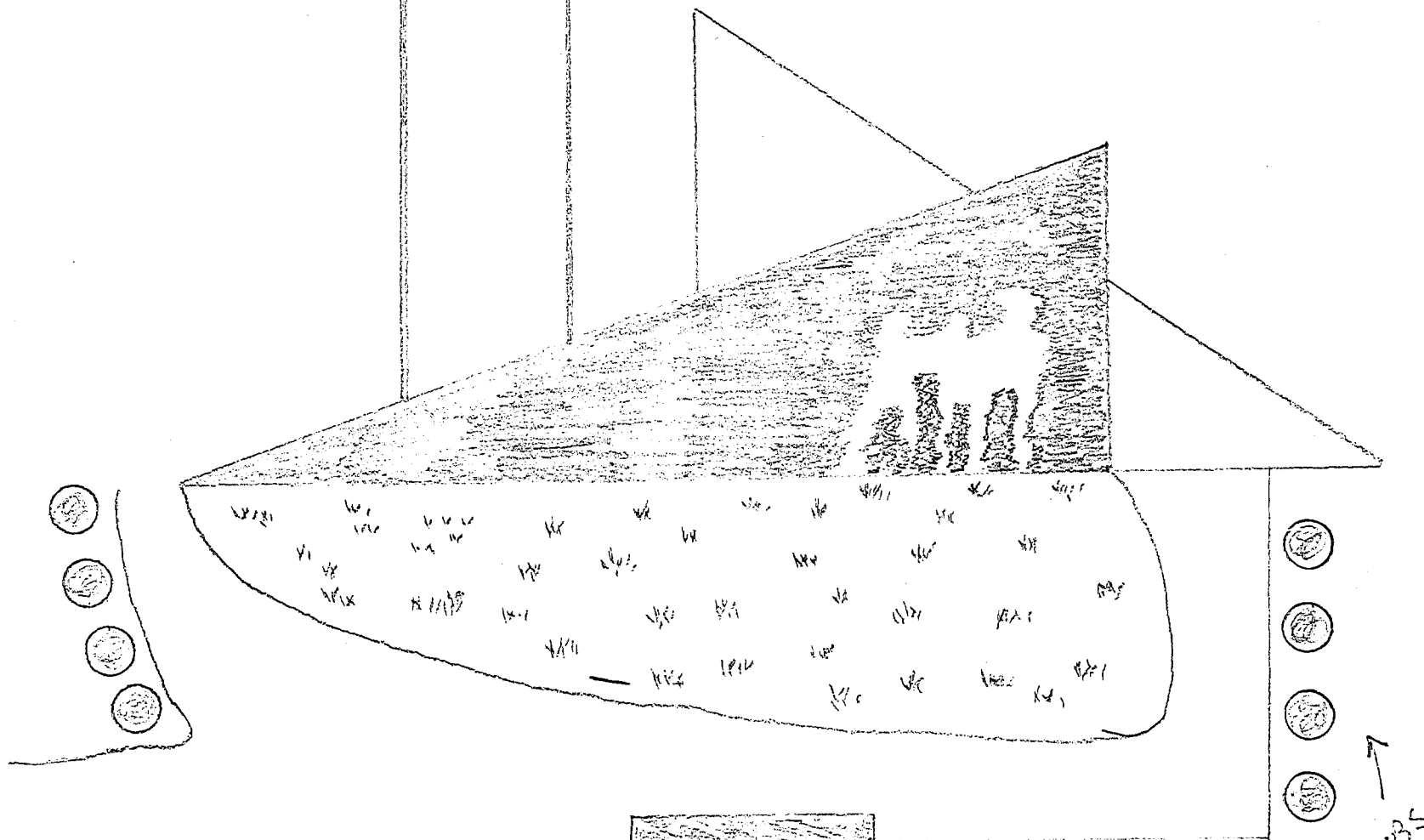


David Lovejoy
Project Adviser
626-0216 work

PRIMARY
CHOICE



ALTERNATE
FLAG POLE
CHOICE



↑
SHRUBS →

← SHRUBS ↑

LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION

August 19, 1992

Action

SPONSOR: Rep. Anthony

LR 3932 An Act to Restore Funding to the Maine Youth Center

SPONSOR: Sen. Baldacci

An Act to Clarify the Procedures Under Which Fees
are Collected Under the Petroleum Market Share Act

SPONSOR: Rep. Clark, Herbert E.

LR 3941 An Act Concerning Local Participation in Decisions
Concerning Low-level Radioactive Waste Sites
Proposed to be Located in the Unorganized Territory

SPONSOR: Rep. Clark, Herbert E.

LR 3946 An Act to Amend the Maine Municipal Bond Bank Act

SPONSOR: Sen. Clark, Nancy R.

LR 3944 An Act Concerning Employees of the Maine Technical
College System

SPONSOR: Rep. Crowley

LR 3928 Resolve, to Require the Attorney General to
Institute a Grand Jury Investigation of the Shooting
of Katherine Hegarty

SPONSOR: Rep. Erwin

LR 3922 Resolve, Instructing the Department of Veterans'
Services to Transfer a Surplus Facility to the
Town of Rumford

SPONSOR: Rep. Farnsworth

LR 3912 An Act to Ensure Continuity of State-contracted
Services

Cosponsors: Rep. Treat

Action

SPONSOR: Rep. Farnsworth

LR 3914 An Act to Cover Employees of the Maine National Guard under the Maine Human Rights Act and the Whistleblowers' Protection Act

Cosponsors: Rep. Joseph

SPONSOR: Rep. Farnsworth

LR 3919 An Act to Preserve a Woman's Right to Privacy

Cosponsors: Sen. Clark, Nancy R.

SPONSOR: Rep. Farnsworth

LR 3926 Resolve, to Establish a Moratorium on the Search for a Maine Site for Low-level Radioactive Waste and to Provide for a Review of the State's Role in the Disposal of Low-level Radioactive Waste

Cosponsors: Sen. McCormick

SPONSOR: Sen. Gauvreau

LR 3945 An Act to Amend the Maine Civil Rights Law Regarding Violations of Constitutional Rights

Cosponsors: Rep. Stevens, Patricia M.
Rep. Anthony
Rep. Richards

SPONSOR: Rep. Heino

LR 3935 An Act to Retain the Current Standard for the Release of Tributyltin in Marine Antifouling Paints

Cosponsors: Rep. Townsend
Sen. Vose

SPONSOR: Rep. Lawrence

LR 3938 An Act to Amend the Laws Concerning Transfers of Commercial Moorings

Action

SPONSOR: Rep. Lemke

LR 3915 An Act to Require Legislative Confirmation of the
Director of the Maine Drug Enforcement Agency

Cosponsors: Rep. Paradis, Patrick E.

SPONSOR: Rep. Lord

LR 3930 An Act to Amend the Voter Ratification Provisions
of the Charter of the Waterboro Water District

Cosponsors: Sen. Titcomb

SPONSOR: Rep. Luther

LR 3907 An Act to Allow Hunting of Small Game Animals on
Sundays

SPONSOR: Rep. Luther

LR 3908 An Act Permitting the Bureau of General Services to
Provide Insurance to Certain Group Homes for Children
and Persons with Mental Retardation

Cosponsors: Rep. Erwin
Sen. Mills
Rep. Lord

SPONSOR: Rep. Luther

LR 3933 An Act to Require Just Cause for Dismissal of
Employees

SPONSOR: Rep. MacBride

LR 3940 An Act to Extend the Mars Hill Utility District to
Include the Town of Blaine

Cosponsors: Rep. Mahany
Sen. Ludwig

SPONSOR: Rep. Marsano

LR 3910 An Act to Restore the Practice of Interior Design
in the State

SPONSOR: Rep. Marsano

LR 3925 An Act to Expand the Membership of the National
Conference of Commissioners on Uniform State Laws

SPONSOR: Rep. Marsano

LR 3943 An Act to Allow School Districts to Be Included
in the State's Risk Management Pool

SPONSOR: Rep. Michaud

LR 3927 An Act to Repeal the Requirement for Registration
of Truck Campers

SPONSOR: Sen. Pearson

LR 3931 An Act to Exempt Warden Service Vehicles from
Participation in the Central Motor Pool

Cosponsors: Sen. Summers
Rep. Rotondi
Rep. Swazey

SPONSOR: Sen. Pray

LR 3918 An Act to Clarify the Laws Concerning Beano and Bingo

SPONSOR: Rep. Rotondi

LR 3936 An Act to Increase the Number of Moose Permits

Cosponsors: Sen. Webster
Rep. Jacques

SPONSOR: Rep. Stevens, Patricia M.

LR 3929 An Act to Require Fair Notice Prior to the Imposition
of Municipal Penalties

SPONSOR: Sen. Titcomb

LR 3923 Resolve, to Allow Neil and Linda Chute to Bring an
Action against the State of Maine

SPONSOR: Sen. Vose

LR 3920 An Act to Improve Access to Maine's Veterans' Homes

Cosponsors: Sen. Pray
Rep. Townsend
Rep. Farren, Jr.

115TH LEGISLATURE - THIRD SPECIAL SESSION
BILL REQUESTS FOR SCREENING
August 26, 1992

Action

SPONSOR: Rep. Anthony of South Portland

LR: 3932 An Act to Restore Funding to the Maine Youth Center

SUMMARY: This bill restores \$1,101,917 in funding to the Maine Youth Center to enable it to retain 33 positions and return the Center to its full complement of staffing.

SPONSOR: Sen. Baldacci of Penobscot

LR: 3948 An Act to Clarify the Procedures under Which Fees Are Collected under the Petroleum Market Share Laws

SUMMARY: This bill clarifies that the remittance of fees under the petroleum market share law arises from those who first bring motor fuels or home heating oil into the State, thereby avoiding the possibility of assessing the fees more than once on the same gallon.

SPONSOR: Rep. Clark of Millinocket

LR: 3941 An Act Concerning Local Participation in Decisions Concerning Low-level Radioactive Waste Sites Proposed to be Located in the Unorganized Territory

SUMMARY: This bill would prohibit the Low-level Radioactive Waste Authority from locating a disposal or storage facility entirely within an unorganized territory that has no registered voters unless the site is approved by the county commissioners representing that territory.

SPONSOR: Rep. Clark of Millinocket

LR: 3946 An Act to Amend the Maine Municipal Bond Bank Act

SUMMARY: This bill amends the Maine Municipal Bond Bank Act to expand the definition of "municipality" to include water utilities, thus authorizing banks under the Act to borrow money and make the proceeds available to water utilities.

Action

SPONSOR: Sen. Clark of Cumberland

LR: 3944 An Act Concerning Employees of the Maine Technical College System

SUMMARY: This bill repeals the merit pay freeze for employees of the Maine Technical College System.

SPONSOR: Sen. Cleveland of Androscoggin

LR: 3951 An Act to Provide Funding for School Bus Purchases

SUMMARY: This bill provides the necessary appropriation to reimburse school units the appropriate state share of the cost of school buses purchased in fiscal year 1991-92.

SPONSOR: Rep. Crowley of Stockton Springs

LR: 3928 Resolve, to Require the Attorney General to Institute a Grand Jury Investigation of the Shooting of Katherine Hegarty

SUMMARY: This resolve would require the Attorney General to Institute a Grand Jury Investigation of the Shooting of Katherine Hegarty.

SPONSOR: Rep. Daggett of Augusta

LR: 3947 An Act to Approve an Additional Allotment of a Federal Block Grant

SUMMARY: This bill approves an additional allotment of a federal block grant in the amount of \$800,000 for alcohol, drug abuse and mental health programs.

SPONSOR: Rep. Erwin of Rumford

LR: 3922 Resolve, Instructing the Department of Veterans' Services to Transfer a Surplus Facility to the Town of Rumford

SUMMARY: This resolve would instruct the Department of Veterans' Services to transfer the Rumford Armory to the town of Rumford for \$1.

SPONSOR: Rep. Farnsworth of Hallowell

COSPONSORS: Rep. Treat of Gardiner

LR: 3912 An Act to Ensure Continuity of State-contracted Services

SUMMARY: This bill requires the state to pay for state-contracted providers of social services in a timely manner. Bills paid over one week late would be subject to payment of 18% interest.

SPONSOR: Rep. Farnsworth of Hallowell

COSPONSORS: Rep. Joseph of Waterville

LR: 3914 An Act to Cover Employees of the Maine National Guard under the Maine Human Rights Act and the Whistleblowers' Protection Act

SUMMARY: This bill would clarify that both the Maine Human Rights Act and the Whistleblower's Protection Act are applicable to members of the Maine National Guard.

SPONSOR: Rep. Farnsworth of Hallowell

COSPONSORS: Sen. Clark of Cumberland

LR: 3919 An Act to Preserve a Woman's Right to Privacy

SUMMARY: This bill will repeal the 48-hour period that a woman must wait before she can consent to have an abortion.

SPONSOR: Rep. Farnsworth of Hallowell

COSPONSORS: Sen. McCormick of Kennebec

LR: 3926 Resolve, to Establish a Moratorium on the Search for a Maine Site for Low-level Radioactive Waste and to Provide for a Review of the State's Role in the Disposal of Low-level Radioactive Waste

SUMMARY: This bill would establish a moratorium on the search for a Maine site for a low-level radioactive waste facility.

SPONSOR: Sen. Gauvreau of Androscoggin

COSPONSORS: Rep. Stevens of Bangor
Rep. Anthony of South Portland
Rep. Richards of Hampden

LR: 3945 An Act to Amend the Maine Civil Rights Laws
Regarding Violations of Constitutional Rights

SUMMARY: This bill makes 2 changes to the civil rights law.
First, the bill provides that intentional interference
with secured rights through damage or destruction to,
tampering with or trespassing on property violates the law.
Second, the bill provides that a violation of an order or
injunction issued under the Act constitutes a crime.

SPONSOR: Rep. Heino of Boothbay

COSPONSORS: Rep. Townsend of Eastport
Sen. Vose of Washington

LR: 3935 An Act to Retain the Current Standard for the
Release of Tributyltin in Marine Antifouling Paints

SUMMARY: This bill repeals an amendment to current law
scheduled to take effect September 1, 1992 and will
leave the existing standard for the release of
tributyltin from antifouling paints at 4.0 micrograms
per square centimeter per day.

SPONSOR: Rep. Lawrence of Kittery

LR: 3938 An Act to Amend the Laws Concerning Transfers of
Commercial Moorings

SUMMARY: This bill would allow the transfer of a commercial
fishing mooring to the holder's spouse on the death
of the holder or at the holder's request.

SPONSOR: Rep. Lemke of Westbrook

COSPONSORS: Rep. Paradis of Augusta

LR: 3915 An Act to Require Legislative Confirmation of the
Director of the Maine Drug Enforcement Agency

SUMMARY: This bill would require legislative confirmation
of the current and any future Director of the Maine Drug
Enforcement Agency.

Action

SPONSOR: Rep. Lord of Waterboro

COSPONSORS: Sen. Titcomb of Cumberland

LR: 3930 An Act to Amend the Voter Ratification Provisions
of the Charter of the Waterboro Water District

SUMMARY: A referendum to ratify the creation of the Waterboro
Water District failed for lack of sufficient votes.
This bill would allow the question to be presented to
the voters of Waterboro at the November election.

SPONSOR: Rep. Luther of Mexico

LR: 3907 An Act to Allow Hunting of Small Game Animals
on Sundays

SUMMARY: This bill would allow hunting of small game animals
on Sunday during small game hunting season.

SPONSOR: Rep. Luther of Mexico

COSPONSORS: Rep. Erwin of Rumford
Sen. Mills of Oxford
Rep. Lord of Waterboro

LR: 3908 An Act Permitting the Bureau of General Services
to Provide Insurance to Certain Group Homes for
Children and Persons with Mental Retardation

SUMMARY: This bill authorizes the Director of the Bureau
of General Services to offer insurance services to
group homes for children and to group homes for
persons with mental retardation.

SPONSOR: Rep. Luther of Mexico

LR: 3933 An Act to Require Just Cause for Dismissal of
Employees

SUMMARY: This bill requires just cause for dismissal of
employees.

SPONSOR: Rep. MacBride of Presque Isle

COSPONSORS: Rep. Mahany of Easton
Sen. Ludwig of Aroostook

LR: 3940 An Act to Extend the Mars Hill Utility District
to Include the Town of Blaine

SUMMARY: This bill extends the boundaries of the Mars Hill
Sewer District to include the Town of Blaine.

SPONSOR: Rep. Mahany of Easton

COSPONSORS: Rep. MacBride of Presque Isle
Sen. Ludwig of Aroostook

LR: 3950 An Act to Amend the Charter of the Mars Hill
Utility District

SUMMARY: This bill amends the Mars Hill Utility District.

SPONSOR: Rep. Marsano of Belfast

LR: 3910 An Act to Restore the Practice of Interior Design
in the State

SUMMARY: This bill would amend recently enacted law to clarify
that the architect's registration law does not prohibit
interior designers from performing their activities
within the State.

SPONSOR: Rep. Marsano of Belfast

LR: 3925 An Act to Expand the Membership of the National
Conference of Commissioners on Uniform State Laws

SUMMARY: This bill would allow a person who has been
President, Secretary or Chair of the Executive
Committee of the National Conference of Commissioners
on Uniform State Laws to serve indefinitely as an
additional Maine commissioner. This change would allow
former Chief Justice McKusick to serve as a Maine
commissioner.

Action

SPONSOR: Rep. Marsano of Belfast

LR: 3943 An Act to Allow School Districts to Be
Included in the State's Risk Management Pool

SUMMARY: This bill would allow school districts to participate
in the State's Risk Management Pool.

SPONSOR: Rep. Michaud of East Millinocket

LR: 3927 An Act to Repeal the Requirement for Registration
of Truck Campers

SUMMARY: Public Law 1991, chapter 788 requires the owners
of truck campers to register those vehicles. This
bill repeals that requirement.

SPONSOR: Sen. Pearson of Penobscot

COSPONSORS: Sen. Summers of Cumberland
Rep. Rotondi of Athens
Rep. Swazey of Bucksport

LR: 3931 An Act to Exempt Warden Service Vehicles from
Participation in the Central Motor Pool

SUMMARY: This bill would exempt vehicles operated by the
Bureau of Warden Service from inclusion in the
Central Motor Pool for state-owned motor vehicles
established by PL 1991, c. 591, Part III.

SPONSOR: Sen. Pearson of Penobscot

COSPONSORS: Sen. Bost of Penobscot

LR: 3939 An Act to Make Corrections to the Salary
Reductions Authorized in Public Law 1991,
Chapter 780, Part III

SUMMARY: This bill would clarify the application of salary
reductions in fiscal year 1993 for certain employees
of the University of Maine System.

SPONSOR: Rep. Rotondi of Athens

COSPONSORS: Sen. Webster of Franklin
Rep. Jacques of Waterville

LR: 3936 An Act to Increase the Number of Moose Permits

SUMMARY: This bill increases the number of moose hunting permits the commissioner may issue annually from 1,000 to 1,500.

SPONSOR: Rep. Simonds of Cape Elizabeth

COSPONSORS: Sen. Brannigan of Cumberland

LR: 3949 An Act to Amend Death Benefits under the Maine State Retirement System as it Affects Terminally Ill Members

SUMMARY: This bill would amend the law concerning death benefits under the Maine State Retirement System as it affects terminally ill members. The bill would clarify the definition of "terminally ill" to reflect the member's current condition as approved to the member's condition at the time benefits were awarded.

SPONSOR: Rep. Stevens of Bangor

LR: 3929 An Act to Require Fair Notice Prior to the Imposition of Municipal Penalties

SUMMARY: This bill would require that municipalities provide a notice of deficiency and a reasonable opportunity to cure before imposing a penalty for failure to file a reforestation plan.

SPONSOR: Rep. Tardy of Palmyra

LR: 3952 An Act to Maintain the Integrity of Commodity Tax Accounts

SUMMARY: This bill exempts 5 commodity tax accounts from the 0.9% reallocation of funds mandated by Public Law 1991, chapter 780.

SPONSOR: Sen. Titcomb of Cumberland

LR: 3923 Resolve, to Allow Neil and Linda Chute to Bring
an Action against the State of Maine

SUMMARY: This request would authorize a lawsuit against the
state to recover \$2,812 plus attorney's fees.
The claimants were ordered to pay that amount twice
allegedly due to advice given by the Department of
Human Services.

SPONSOR: Sen. Vose of Washington

COSPONSORS: Sen. Pray of Penobscot
Rep. Townsend of Eastport
Rep. Farren, Jr. of Cherryfield

LR: 3920 An Act to Improve Access to Maine's Veterans' Homes

SUMMARY: This bill would amend current law to provide that more
than one Maine Veterans' Homes can be constructed in
eastern and western Maine. The number of beds authorized
is not changed.

SPONSOR: Sen. Vose of Washington

COSPONSORS: Rep. Norton of Winthrop

LR: 3953 An Act to Allow the Issuance of Temporary Emergency
Aquaculture Leases

SUMMARY: This bill permits the Commissioner of Marine Resources
to issue a temporary emergency lease for the aquaculture
of finfish to a person who has demonstrated the need
for an emergency lease and has submitted an application
to the Department of Marine Resources for an aquaculture
lease under the provisions of Title 12, section 6072.

115TH LEGISLATURE - THIRD SPECIAL SESSION
ADDENDUM BILL REQUESTS FOR SCREENING
August 26, 1992

Action

SPONSOR: Rep. Simpson of Casco

LR: 3954 An Act to Require Partial Reimbursement of Concealed
Weapons Permits Fees

SUMMARY: This bill requires a refund rather than a credit
for part of the fee assessed for concealed weapons
permits.



SEN. CHARLES P. PRAY
CHAIR

REP. DAN A. GWADOWSKY
VICE-CHAIR

STATE OF MAINE

115th LEGISLATURE

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EXECUTIVE DIRECTOR

LEGISLATIVE COUNCIL

ACTION ON REQUESTS TO INTRODUCE LEGISLATION TO THE THIRD SPECIAL SESSION

August 26, 1992

The Legislative Council voted unanimously today to accept **none** of the legislative requests that have been filed for introduction to the Third Special Session. No votes were taken on individual bills.