

MAINE STATE LEGISLATURE

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REP. MICHAEL V. SAXL
CHAIR

SEN. RICHARD A. BENNETT
VICE-CHAIR



SEN. BEVERLY C. DAGGETT
SEN. MARY E. SMALL
SEN. PAUL T. DAVIS, SR.
SEN. SHARON ANGLIN TREAT
REP. PATRICK COLWELL
REP. JOSEPH BRUNO
REP. WILLIAM S. NORBERT
REP. WILLIAM J. SCHNEIDER

JAMES A. CLAIR
EXECUTIVE DIRECTOR

120th MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

MEETING SUMMARY
JUNE 6, 2001
APPROVED JULY 31, 2001

CALL TO ORDER

The Chair, Speaker Michael V. Saxl, called the Council meeting to order at 1:38 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators:	Sen. Bennett, Sen. Small, Sen. Davis, Sen. Treat Absent: Sen. Daggett,
Representatives:	Speaker Saxl, Rep. Colwell, Rep. Bruno, Rep. Norbert, Rep. Schneider
Legislative Officers:	Millicent MacFarland, Clerk of the House James A. Clair, Executive Director, Legislative Council Grant Pennoyer, Director, Office of Fiscal and Program Review David Boulter, Director, Office of Policy and Legal Analysis

REPORTS FROM COUNCIL COMMITTEES

None.

OLD BUSINESS

None.

NEW BUSINESS

The only business before the Legislative Council today was to review the special study committees.

Item #1: 120th Legislature Study Requests

Speaker Saxl thought it might be helpful, before going through the list to explain how the Council was going to proceed. For the last several years they had prescribed for each study that had been approved a certain number of meetings, etc. and he asked David Boulter to give an overview of the structure.

Mr. Boulter explained that in terms of the layout for the studies themselves, it generally had been preference for studies by joint order, which allows the Legislature to act independent of the executive consistency in terms of appointment of chairs by the presiding officers, appointment of the members with the exceptions of other appointments by the Governor or others to make the appointments. Total amount to be budgeted within that was a requirement that the study commissions report their plan so the Council could see the plan on how the money was being allocated. Many of these studies proposed are not consistent with those guidelines and he proposed that the Council go through to identify them or to make general corrections to make them consistent. He did want to point out the compensation. In the past it was decided, the joint rules require, Legislative members to be compensated per diem and travel expenses and members of the public who are not otherwise compensated in some manner, would receive expenses only for travel as necessary.

Rep. Bruno commented that in the past only legislators were compensated and now it seemed the scope had been broadened to pay expenses and per diems for others. Mr. Boulter said the guidelines and the joint rules clearly express preference if it is a legislative study then it should be legislators primarily on it, with some exceptions. The committees, for various reasons, had chosen to go beyond that on a number of occasions. If they wanted other members to serve, the Council in the past, had played the role of making decisions as to how far beyond the guidelines to go. Those are committee decisions, but the preference, at least expressed in the joint rules, was to keep legislative studies principally among legislators.

Motion: To accept the guidelines and make it the rule and if there are certain studies believed did not fit within the guidelines to exempt them from that rule. (Motion by Rep. Colwell, second by Rep. Norbert, vote results: see p. 3).

Discussion: Rep. Bruno asked for clarification on exactly what the guidelines were. Was it that legislators would be funded and then would make exceptions, or that everyone would be funded. Speaker Saxl believed Mr. Boulter outlined that there would be a goal to conform between all the study groups, that preponderance of the membership should be legislative, they should meet for 4 meetings, every legislator should receive per diem and mileage, and those uncompensated members of the private sector could request reimbursement for mileage. Mr. Boulter said at the last Council meeting when the guidelines were talked about, the Council asked for clarification of the language regarding compensation for public members. "Public members not otherwise compensated by their employers, or other entities whom they represent, are entitled to receive reimbursement of necessary expenses." If you want per diem, which I understand you don't, you would have other language.

Senator Bennett had concern on the overall number of studies, the impact on the staff and the overall costs. While he believed it a working operating thesis, but believed at the end of the Council meeting, they should review what had been created so they could determine what would be best given the reality.

Sen. Treat asked if Sen. Daggett could revisit some decisions made regarding studies.

Speaker Saxl asked if there were other comments on the pending issue of the conformity of special study committees. Seeing none, it has been moved and seconded, the yeas have it.

Speaker Saxl asked Sen. Bennett to discuss his concerns of the number of study committees. Sen. Bennett said as few as possible studies should be approved. He had concern it appeared there would be more than a dozen. Sen. Treated believed the number of studies should be related to the issues, the number was certainly an issue but noted the range in cost. Some committees made recommendations that did not cost much, so hoped the Council could look at the overall cost as opposed to the number of studies. Speaker Saxl said according to the legislative budget, individual committees would be granted on their own to meet once a month during the off session to deal with a lot of issues before them and reminded members they agreed to a structure for all select committees unless explicitly exempt them from that structure, they will all be at a similar number of meetings, all will have a similar make up of members of the public and private side.

Before proceeding with the list of study requests, Speaker Saxl said it had been typical in the past that the Council had listened very closely to the priorities of the committees of jurisdiction whenever possible and tried to respect them and the members.

Proposed Interim Studies were considered by the Legislative Council. The Council's action on these requests are included on the attached list.

Speaker Saxl said there will not be another full meeting of the Council to discuss each and every item on the list but rather a meeting just to discuss selected items that members of the Council themselves wish to revisit or items sitting on the table.

Motion: Everything that was passed over, not acted on otherwise, is defeated. (Motion by Rep. Schneider, second by Rep. Bruno, failed 2-7).

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Council meeting was adjourned at 3:15 p.m. (Motion by Rep. Colwell, second by Rep. Bruno, unanimous)