

MAINE STATE LEGISLATURE

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CHAIR

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VICE-CHAIR

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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

120th MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

DAVID E. BOULTER
EXECUTIVE DIRECTOR

MEETING SUMMARY
MARCH 26, 2002
APPROVED APRIL 23, 2002

CALL TO ORDER

The Chair, Speaker Michael V. Saxl, called the Legislative Council meeting to order at 1:56 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators: Sen. Michaud, Sen. Small, Sen. Davis, Sen. Treat
Absent: Sen. Daggett,

Representatives: Speaker Saxl, Rep. Colwell, Rep. Bruno, Rep. Norbert,
Rep. Schneider

Legislative Officers: Pamela Cahill, Secretary of the Senate
Millicent MacFarland, Clerk of the House
David E. Boulter, Executive Director, Legislative Council
Grant Pennoyer, Director, Office of Fiscal and Program Review
Patrick Norton, Interim Director, Office of Policy and Legal Analysis
Margaret Matheson, Revisor of Statutes
Lynn Randall, State Law Librarian
Paul Mayotte, Director, Legislative Information Services

SUMMARY OF THE FEBRUARY 27, 2002 COUNCIL MEETING

Motion: That the Summary of February 27, 2002 be accepted and placed on file. (Motion by Rep. Bruno, second by Rep. Schneider, unanimous).

REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS

- **Executive Director's Report**

Executive Director Boulter presented 3 items to the Legislative Council.

West Wing Re-piping Update

Mr. Boulter reported he and an attorney from the Attorney General's Office had reviewed the proposed release presented by the Settling Parties regarding the installation and replacement of rubber tubing in the West Wing. The release was revised to conform to the conditions set by the Legislative Council at its last meeting. The revised release was accepted by the Settling Parties and is being circulated for signatures. The Legislative Council will not assume any costs or liability for the piping replacement.

Renovations Activities

Mr. Boulter reported most items on the renovation's punch list are scheduled to be completed by April 15, 2002. The dioramas in the connector will require work beyond April 15, 2002.

Speaker Saxl suggested that if anyone is aware of items that should be added to the punch list that they let Mr. Boulter know right away and he would have them added to the punch list.

Balancing of the air system in the building is now ongoing and should be completed within the next two weeks. The water system balancing requires workers to adjust each fan coil unit several times, making this work more intrusive to the offices and is planned for sometime in April, after the session. Mr. Boulter said that the Executive Director's Office will circulate a schedule so offices will know when fan coil adjustment work will be done.

YMCA Model Legislature

Mr. Boulter reminded members of the Legislative Council that the State YMCA Camp of Maine's Youth in Government Program (Model Legislature) will take place at the State House from Friday, May 3 through Sunday, May 5.

No Council action required.

- **Fiscal Report**

Grant Pennoyer, Director, OFPR, presented a report on revenues for February 2002. He noted that February revenues for the General Fund were approximately \$115,000 ahead for the month but were down \$2,039,000 year-to-date. Problem areas are Corporate Income Tax and Estate Tax. Individual Income Tax, although down at the present, should recover over the remainder of the fiscal year. Income from investments was down over \$1 million, \$1 million of that amount was associated with a TAN authorization which was resolved by the budget. Positive areas continue to be: Insurance Companies Taxes, ahead of budget by \$2.2 million; the Other Revenue is ahead by \$3.6 million; and Cigarette Tax up \$2.7 million. Sales taxes are on budget. The Highway Fund continues ahead of projections.

No Council action required.

- **Office of Information Services' Report**

Paul Mayotte, Director, Legislative Information Services reported the following:

1. **Legislative Internet Access**

Director access to the Internet remains on schedule. This project will be completed at the end of April or early May depending on adjournment of the session. Legislative Information Services has reached an agreement on the technical aspects of exchanging global addressing with the Executive Branch. Only a few technicalities need to be resolved.

2. **Migration/Bill Drafting System**

Mr. Mayotte reported that the migration and bill drafting system is taking longer than anticipated. Mr. Boulter has informed Compaq that a prompt resolution was required. Mr. Mayotte also reported they were working with the Revisor of Statutes' office to make sure the Revisor's requirements were met in the proposed amendment to the Compaq contract. The amendment will be presented to the Technology Committee for review before the next Legislative Council meeting.

No Council action required.

REPORTS FROM COUNCIL COMMITTEES

- **Subcommittee to Clarify the Law Enforcement Authority of Capitol Security**

Sen. Treat, Co-chair of the Subcommittee to Clarify the Law Enforcement Authority of Capitol Security, reported the Subcommittee's recommendations. She noted that the Legislative Council does not need to take action because most of the recommendations were incorporated into the supplemental budget (Part KK). The Subcommittee's recommendations are that:

1. the current organizational and reporting structure of the Bureau of Capitol Security be retained;
2. the Bureau of Capitol Security be authorized to hire 2 additional officers on a full-time basis;
3. the minimum level of training for law enforcement officers employed by the Bureau of Capitol Security be increased from 100 hours to 220 hours, with the additional hours of training being tailored to the specific functions of the Bureau of Capitol Security; and
4. the Bureau of Capitol Security develop a written agreement with the Bureau of State Police, Special Services unit providing for a protocol for greater coordination of resources, services and communication as they related to security in the State House complex.

Sen. Treat said recommendations 1, 3 and 4 were included in the supplemental budget but recommendation 2 was not.

No Council action required.

- **Personnel Committee**

Speaker Saxl, Chair of the Personnel Committee, announced that the scheduled meeting for March 27, 2002 has been postponed and will be rescheduled at a later time.

Speaker Saxl, on behalf of Council members, congratulated and thanked Patrick Norton for agreeing to serve as the Interim Director for the Office of Policy and Legal Analysis. He noted that Mr. Norton was doing a fine job as Interim Director.

No Council action required.

- **Technology and Migration Committee (No report)**

- **Space Committee (No report)**

OLD BUSINESS

Item #1: Council Actions taken by Ballot

Executive Director Boulter provided Council members with a list of actions taken by ballot by the Legislative Council since its February 27, 2002 meeting.

No Council action required.

NEW BUSINESS

Item #1: Consideration of After Deadline Bill Requests

Ten after deadline requests were considered by the Legislative Council. The Council's action on these requests is included on the attached list.

Item #2: Request for Interim Studies

Interim study requests were considered by the Legislative Council. The Council's action on these requests is included on the attached list.

Item #3: Submission of Study Report

- **Committee Study to Review Transition to a New School Funding Formula Based on the Essential Programs and Service Model (pursuant to the authority granted by the Legislative Council)**

The Legislative Council accepted the final report for the above noted study and placed it on file.

ANNOUNCEMENTS AND REMARKS

The next Legislative Council meeting is scheduled for April 24, 2002 at 1:00 p.m.

ADJOURNMENT

The Legislative Council meeting was adjourned at 3:28 p.m. (Motion by Sen. Davis, second by Sen. Treat, unanimous).

LEGISLATIVE COUNCIL
ACTION ON REQUESTS TO INTRODUCE LEGISLATION
SECOND REGULAR SESSION
March 26, 2002

		Action
SPONSOR:	Rep. Canavan, Marilyn E.	WITHDRAWN
LR 3549	An Act to Enhance the Ability of People to Donate Perishable Food to Charity	
SPONSOR:	Rep. Collins, Ronald F.	FAILED
LR 3550	An Act to Exempt Certain Sales of Drinking Water from the Sales Tax	
SPONSOR:	Rep. Lemoine, David G.	WITHDRAWN
LR 3331	An Act to Restore the Passage of Alewives on the Lower St. Croix River	
SPONSOR:	Sen. John Martin	ACCEPTED BY BALLOT 3/25/02
LR 3603	An Act to Adjust the Valuation of St. John Plantation as a Result of a Fire	
SPONSOR:	Rep. Saxl, Michael V.	WITHDRAWN
LR 3480	Resolve to Create the Commission on Affordable Housing	

JOINT RESOLUTION

SPONSOR:	Rep. Kane, Thomas J.	ACCEPTED
LR 3583	JOINT RESOLUTION MEMORIALIZING CONGRESS TO CHANGE THE SCHEDULED DESIGNATION OF MARIJUANA TO ALLOW FOR LIMITED MEDICAL USE	
SPONSOR:	Rep. Michaud, Marc	WITHDRAWN
LR 2810	JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO REMOVE THE ALLAGASH WILDERNESS WATERWAY FROM THE AUSPICES OF THE WILD AND SCENIC RIVERS ACT	

TABLED BY THE LEGISLATIVE COUNCIL

SPONSOR: Rep. Koffman, Theodore

**TABLED
03/26/02**

LR 3613 Resolve, to Consider the Challenges of Creating
 Housing, Including Affordable Housing, in Certain
 Areas of the State

SPONSOR: Rep. Matthews, Zachary E.

**TABLED
02/27/02**

LR 3487 An Act to Raise the Cigarette and Beer and Wine Tax

SPONSOR: Rep. Twomey, Joanne T.

**TABLED
02/27/02**

LR 3441 An Act to Make All Durable Medical Equipment Tax Exempt