

MAINE STATE LEGISLATURE

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REP. JOHN RICHARDSON
CHAIR

SEN. BETH EDMONDS
VICE-CHAIR



122ND MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. MICHAEL F. BRENNAN
SEN. PAUL T. DAVIS, SR.
SEN. KENNETH T. GAGNON
SEN. CAROL WESTON
REP. GLENN A. CUMMINGS
REP. DAVID E. BOWLES
REP. ROBERT W. DUPLESSIE
REP. JOSHUA A. TARDY

DAVID E. BOULTER
EXECUTIVE DIRECTOR

**122nd LEGISLATIVE COUNCIL
Organizational Meeting
December 2, 2004**

Agenda

Page

CALL TO ORDER

ROLL CALL

**ELECTION OF OFFICERS FOR THE 122ND LEGISLATIVE
COUNCIL**

- | | | |
|---|--|-------------|
| 1 | Legislative Council: authority and duties (relevant portions of Maine Statutes attached for general reference) | Information |
|---|--|-------------|

ADOPTION OF RULES OF PROCEDURE

- | | | |
|----|--|----------|
| 10 | Proposed Rules of Procedure for Legislative Council (attached) | Adoption |
|----|--|----------|

**REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL
STAFF OFFICES**

Executive Director's Report only

REPORTS FROM COUNCIL COMMITTEES

Item #1: Status Report by Search Committee for OPEGA Director Position

OLD BUSINESS

NEW BUSINESS

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| 13 | Item #1: Establishment of Initial Salary of Constitutional Officers and State Auditor | Decision |
| 15 | Item #2: Policy on Processing Duplicate Bill Requests by Legislators | Decision |
| 16 | Item #3: Proposals to Conduct Legislative Policy Forums | Decision |
| 22 | Item #4: Submission of Study Report | |
| | Health Care System and Health Care Security Board
(report and letter from Sen. John L. Martin, Senate Chair and
Rep. Marilyn E. Canavan, House Chair) | Acceptance |

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

Title 3, Chapter 7, LEGISLATIVE COUNCIL

Chapter 7: LEGISLATIVE COUNCIL

Subchapter 1: GENERAL PROVISIONS

§161. Legislative Council

There is established a Legislative Council to consist of 10 members, 5 of whom shall be members of the Senate and 5 of whom shall be members of the House of Representatives. They shall be the President of the Senate, the Speaker of the House of Representatives, the Floor Leaders and Assistants of the 2 major parties. Membership on the Legislative Council shall be by virtue of holding the above offices, and shall be during the term of the Legislature in which such offices are held. The Legislative Council shall elect a chairman from within its own membership.

The Legislative Council shall exercise such powers and duties as may be delegated by law or by rule of the Legislature. Any action by the Legislative Council shall require the affirmative votes of a majority of the members.

The Legislative Council shall meet at least once monthly when the Legislature is not in session and at such other times as the membership or the chairman deems necessary.

§162. Authority

The Legislative Council shall have the authority: [1973, c. 590, §4 (rpr).]

1. Legislative budgets. To prepare and approve all legislative budgets; [1973, c. 590, §4 (rpr).]

1-A. Budget requests. To authorize the Executive Director of the Legislative Council to prepare and submit a tentative consolidated legislative budget request and other budget requests necessary for the operation of the legislative branch and other additional information, as requested, directly to the State Budget Officer on or before September 1st of the even-numbered years prior to review by the Legislative Council. The Legislative Council shall review the tentative budget submission developed by the executive director, altering, revising, increasing or decreasing the items as may be determined necessary. Upon final approval of the full legislative budget request, the Legislative Council shall submit a report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs outlining any differences from the tentative legislative budget submission; [1997, c. 24, Pt. FF, §1 (new).]

1-B. Office of Program Evaluation and Government Accountability budget. To present the budget request of the Office of Program Evaluation and Government Accountability to the State Budget Officer as provided in Title 5, section 1665. If the budget presented pursuant to subsection 1-A differs from the budget request submitted by the Office of Program Evaluation and Government Accountability pursuant to this subsection, the Legislative Council shall simultaneously submit a report to that office and to the State Budget Officer explaining why the Legislative Council's budget request differs from the budget request of the Office of Program Evaluation and Government Accountability. [2001, c. 702, §1 (new).]

2. Legislative employee salary and benefit schedules. To establish salary schedules for all employees of legislative agencies, departments and offices, except as otherwise provided by law, to develop relatively uniform salary schedules for House and Senate employees and officers and, notwithstanding any other provision of law, to establish benefit schedules for legislative employees. Every publication that states the salary of an employee or a position must also include a statement of the dollar value of the fringe benefit package provided; [1995, c. 37, §1 (amd).]

3. Joint committees. When the Legislature is not in session, to assign bills, resolves and studies for consideration by the joint standing committees and joint select committees of the Legislature, to request reports, studies and legislation from said joint standing committees and to convene meetings of said joint standing committees and joint select committees and to exercise supervision over them; [1973, c. 590, §4 (rpr).]

4. Oaths, subpoenas and depositions. To administer oaths, issue subpoenas, compel the attendance of witnesses and the production of any papers, books, accounts, documents and testimony, and to cause the deposition of witnesses, whether residing within or without the State to be taken in the manner prescribed by law for taking depositions in civil actions in the Superior Court. In case of disobedience on the part of any person to comply with any subpoena issued in behalf of a committee, or on the refusal of any witness to testify to any matters regarding which he may be lawfully interrogated, it shall be the duty of the Superior Court of any county, on application of a member of a committee, to compel obedience by proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein. Each witness, other than a state officer or employee, shall receive for his attendance the fees and mileage provided for witnesses in civil cases in courts of record, which shall be audited and paid upon the presentation of proper vouchers sworn to by such witness and approved by the chairman of the council; [1973, c. 590, §4 (rpr).]

5. Legislative improvements. To assess ways and means to improve the legislative operation and to make improvements in the legislative organization, procedures, facilities and working conditions, and to make periodic reports to the Legislature concerning its findings. Changes in the organization of the legislative staff offices shall require the approval of two-thirds of the membership of the

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Legislative Council before they may take effect; [1985, c. 501, Pt. B, §1 (amd).]

6. Appointment of directors and officers. To appoint an Executive Director of the Legislative Council, a State Law Librarian and such other office directors as the council deems necessary. Each director shall be chosen without reference to party affiliations and solely on the grounds of fitness to perform the duties of his office; each to be appointed for a term of 3 years from the date of his appointment. Reappointment shall be based on performance in the office and shall be considered in accordance with policies and procedures established by the Legislative Council; [1985, c. 501, Pt. B, §2 (amd).]

6-A. Transition. Any person serving as Legislative Administrative Director, Director or Assistant Director of Legislative Research, Legislative Finance Officer or Assistant Legislative Finance Officer or Director or Assistant Director of Legislative Assistants, on September 19, 1985 may continue to so serve until the expiration of the term for which that person was appointed, unless that person resigns or vacates office before September 19, 1985; [RR 1997, c. 2, §4 (cor).]

7. Legislative agency operating policy. To establish operating policies for each legislative agency and office; [1973, c. 590, §4 (rpr).]

8. Oversight of legislative appropriations and accounts. To oversee the appropriations and other financial accounts of the Legislature and of all legislative agencies, departments and offices. Appropriations for carrying out the purposes of this chapter shall be made annually by the Legislature. All appropriations or allocations by the Legislature for specific studies to be carried out by the joint standing committees or joint select committees shall not lapse but shall be carried forward and expended for the purpose for which the appropriation or allocation was made. The balance of any appropriation or allocation for such studies that is not fully expended shall be refunded to the Legislature; [1973, c. 590, §4 (rpr).]

8-A. Sale of publications. If the Legislative Council determines it advisable for the effective dissemination of statutory information or other information of general interest to the public, to fix the price, sell and deliver publications and materials produced by legislative agencies; [1991, c. 1 (new).]

9. [1975, c. 770, §4 (rp).]

10. Intergovernmental, interstate and interlegislative organizations. To coordinate and oversee intergovernmental relations programs on behalf of the Legislature, and to recommend to the Legislature participation by the Legislature and its members in interstate and inter-legislative organizations; and to apply for, receive and administer all grants and appropriations for these purposes; [1973, c. 590, §4 (rpr).]

11. Legislative equipment and supplies. To provide necessary furniture, stationery and other supplies and equipment for the use of the members, committees, agencies and offices of the Legislature; [1973, c. 590, §4 (rpr).]

12-A. Reserve Fund for State House Preservation and Maintenance. To administer the Reserve Fund for State House Preservation and Maintenance, established and maintained as provided in this subsection. The State Controller at the close of each fiscal year and at the request of the Legislative Council shall transfer from unexpended balances of General Fund appropriations to the Legislature to the Reserve Fund for State House Preservation and Maintenance available amounts up to \$250,000 a year until a maximum of \$1,500,000 is achieved. The State Controller is further authorized to transfer from the Reserve Fund for State House Preservation and Maintenance to the Blaine House Renovations and Repairs Fund the amounts recommended by the Legislative Council. The Reserve Fund for State House Preservation and Maintenance may also receive and accept allocations, appropriations, grants and contributions of money to be held, used or applied to carry out this subsection, subject to the conditions upon which these allocations, appropriations, grants and contributions are made. Expenditures from the Reserve Fund for State House Preservation and Maintenance are subject to legislative allocation, may be made only for major repairs and renovations to the State House, must be reviewed and recommended by the State House and Capitol Park Commission and must receive a majority vote of the Legislative Council. Funds allocated or appropriated to the Reserve Fund for State House Preservation and Maintenance may not lapse but must be carried forward; [2001, c. 358, Pt. E, §1 (amd).]

13. Transfers within the legislative appropriation. To approve any transfers within the legislative appropriation; [1975, c. 770, §5 (rpr).]

14. Council procedures. To establish published rules of procedure for the conduct of the business of the council; [1973, c. 590, §4 (rpr).]

15. Other duties and responsibilities. To perform such other duties and responsibilities as may be assigned to the council from time to time by the 2 Houses; [1989, c. 410, §2 (amd).]

16. Funds from State, Federal Government and private sources. To accept, use, expend and dispose on behalf of the State funds, equipment, supplies and materials from any agency of the United States, from any private foundation and from any other private source; [1991, c. 622, Pt. L, §1 (amd).]

16-A. Intellectual property. To use, manage or administer on behalf of the Legislature any copyright held by the Legislature or

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license to use copyrighted materials and to manage the copying, use and dissemination of copies of copyrighted materials in which the Legislature holds the copyright or a license; [1999, c. 1, §2 (new).]

17. Approve plans to preserve and develop the State House and the immediate grounds. To approve architectural, aesthetic and decorative alterations to the State House. The Legislative Council also has authority to preserve and develop the aesthetic and historical integrity of the State House and the immediate grounds. The exercise of this authority with respect to Capitol Park must be consistent with the plan for Capitol Park developed by the Olmsted Brothers firm in 1920 as revised by the Pressley firm in 1990. The Legislative Council has the power to enter into contracts and other powers necessary to implement this subsection and chapter 31; [2001, c. 468, §1 (amd).]

18. Out-of-state travel report. To submit to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs a quarterly report on out-of-state travel activity of the Legislature. The report must be submitted within 15 days after the end of each quarter and must include, for each individual who has been authorized to travel, the destination, purpose and cost by funding source of each trip; and [1997, c. 43, §2 (amd).]

19. Legislative information available through the Internet. To make the following information available through the Internet: legislative documents, committee hearing schedules, work session schedules, status of legislation, voting records of Legislators, the laws of Maine, study reports and reports of other study groups established by the Legislature and any other information designated by the Legislative Council.

§162-A. Salaries subject to adjustment by Legislative Council

Notwithstanding any other provisions of law, the salaries of the following legislative officials are at the salary ranges indicated in this section. Except as provided below, at the time of initial appointment the salary of each of these officials may be set at Step A or Step B, but no higher than Step B, of their respective ranges, except that any employees of the office of the Secretary of the Senate or the office of the Clerk of the House of Representatives at the time of initial appointment must have their salary set at a step within their respective salary range so that no loss of gross pay is experienced by those employees. The Legislative Council may adjust the salary of each official by one step for each year of continuous service after the initial appointment to office. [1993, c. 6, Pt. J, §1 (amd).]

The salary ranges shall be those established by the Legislative Council for legislative staff. No other state salary may be paid to these officials. [1987, c. 349, Pt. K, §1 (new).]

1. Range 14. The salaries of the following state officials and employees shall be within salary range 14:

Secretary of the Senate; and

Clerk of the House of Representatives.

[1987, c. 349, Pt. K, §1 (rpr).]

2. Range 9. [1993, c. 707, Pt. FF, §1 (rp).]

3. Range 86. [1983, c. 862, §4 (rp).]

4. Range 88. [1983, c. 862, §4 (rp).]

5. Range 89. [1983, c. 862, §4 (rp).]

PL 1981, Ch. 702, §X11 (NEW).

PL 1983, Ch. 853, §3-5 (AMD).

PL 1983, Ch. 862, §2-4 (AMD).

PL 1987, Ch. 349, §K1 (RPR).

PL 1987, Ch. 769, §A2 (AMD).

PL 1993, Ch. 6, §J1 (AMD).

PL 1993, Ch. 707, §FF1 (AMD).

§162-B. Salaries of constitutional officers

Notwithstanding any other provisions of law, the salaries of the following state officials shall be at the salary ranges indicated in this section. At the time of initial appointment, the salary of the Secretary of State and the Treasurer of State shall be set at the Step C of the official's respective range. At the time of initial appointment, the salaries of the Attorney General and the State Auditor shall be set at Step E of their salary ranges. The Legislative Council may adjust the salary of each official by one step for each year of continuous service after the initial appointment to office. [1989, c. 501, Pt. O, §§7, 22 (amd); c. 596, Pt. C, §8 (amd); c. 600, Pt. B, §§9, 10 (amd); c. 878, Pt. D, §§14, 15 (amd).]

The salary ranges shall be as provided by law for confidential employees who take the salary increase option instead of state payment

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of retirement contribution. No other state salary may be paid. These officials are not eligible for state payment of employee retirement contributions. [1983, c. 862, §§5, 6 (new).]

1. Range 88. The salary of the following state officials and employees shall be within salary range 88, but shall not be less than Step C in that range: [1989, c. 501, Pt. O, §§7,22 (amd); c. 596, Pt. C, §8 (amd); c. 600, Pt. B, §§9, 10 (amd); c. 878, Pt. D, §§14, 15 (amd).]

A. Secretary of State; and

[1989, c. 501, Pt. O, §§7,22 (amd); c. 596, Pt. C, §8 (amd); c. 600, Pt. B, §§9, 10 (amd); c. 878, Pt. D, §§14, 15 (amd).]

B. Treasurer of State.

[1989, c. 501, Pt. O, §§7,22 (amd); c. 596, Pt. C, §8 (amd); c. 600, Pt. B, §§9, 10 (amd); c. 878, Pt. D, §§14, 15 (amd).]

2. Range 89. The salary of the State Auditor shall be within salary range 89, but shall not be less than Step E in that range. [1989, c. 501, Pt. O, §§7,22 (amd); c. 596, Pt. C, §8 (amd); c. 600, Pt. B, §§9, 10 (amd); c. 878, Pt. D, §§14, 15 (amd).]

3. Range 91. The salary of the Attorney General shall be within salary range 91, but shall not be less than Step E in that range. [1989, c. 501, Pt. O, §§7,22 (amd); c. 596, Pt. C, §8 (amd); c. 600, Pt. B, §§9, 10 (amd); c. 878, Pt. D, §§14, 15 (amd).]

PL 1983, Ch. 862, §5,6 (NEW).

PL 1989, Ch. 501, §07,22 (AMD).

PL 1989, Ch. 596, §C8 (AMD).

PL 1991, Ch. 824, §B13,14 (AFF).

§163. Executive Director of the Legislative Council; duties

The duties of the Executive Director of the Legislative Council are: [2003, c. 673, Pt. QQQ, §1 (amd).]

1. Executive officers. To act as executive officer of the Legislature when it is not in session and unless the Legislature otherwise orders, the Executive Director shall, with the cooperation of the Secretary of the Senate and the Clerk of the House of Representatives have custody of all legislative property and material, arrange for necessary supplies and equipment through the State Bureau of Purchases, arrange for necessary services, make all arrangements for incoming sessions of the Legislature, have general oversight of chambers and rooms occupied by the Legislature and permit state departments to use legislative property. The Executive Director may sell, in accordance with procedures established by the Legislative Council, unneeded legislative equipment and materials and, with the approval of the President of the Senate and the Speaker of the House of Representatives, dispose of obsolete or unusable equipment and materials through the Bureau of General Services' surplus property program. Proceeds from the sale of unneeded equipment and materials must be credited to the legislative account. The Executive Director has the authority to enter into contracts authorized by the Legislative Council and shall approve accounts and vouchers for payment. A perpetual inventory of all legislative property must be maintained under the supervision of the Legislative Council and an accounting of the inventory must be made to the Legislature upon its request. [2003, c. 673, Pt. QQQ, §2 (amd).]

2. Supervision. To assign, direct and supervise, subject to the control of the council, the activities of the legislative staff offices. The Executive Director shall have no supervisory authority with respect to any persons employed pursuant to chapter 1 or section 168 of this title; [1985, c. 501, Pt. B, §4 (amd).]

2-A. Appointment of legislative staff. To appoint, upon recommendation of the appropriate office director and subject to the approval of the Legislative Council, qualified persons to legislative staff positions based solely on their ability to perform their duties and without regard to party affiliation. The general duties and compensation of these positions shall be established under the direction of the council and in accordance with organizational and performance objectives established by the council. These legislative staff positions shall be unclassified and not subject to the civil service law. [1985, c. 785, Pt. B, §4 (amd).]

3. Vehicle for requests. To act as a vehicle through which the several agencies, departments and offices of the Legislature may report to the council their budget requests, personnel and supply requirements and to assist the council in the orderly disposition of these requests. [1973, c. 590, §5 (rpr).]

4. Policy implementation. To be responsible for implementing policy resulting from decisions of the council. [1973, c. 590, §5 (rpr).]

5. Reports. To prepare such reports as are required of the council and maintain minutes of the regular meetings of the council. [1983, c. 590, §5 (rpr).]

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6. **Staff assistants.** [1983, c. 2, § 3 (rp).]

7. **Other duties.** To undertake such other duties as are assigned by the council. [1973, c. 590, § 5 (rpr).]

Revision: subsections 1-4 should end ";", subsection 5 should end "; and"

§163-A. Legislative staff services

Legislative staff shall provide the following services under the direction of the Executive Director: [1985, c. 501, Pt. B, § 5 (new).]

1. **Bill drafting.** To furnish to the members of the Legislature the assistance of expert draftsman qualified to aid the Legislature in the preparation of bills for introduction into the Legislature; [1985, c. 501, Pt. B, § 5 (new).]

2. **Revision.** Upon request, to assist any agency appointed to revise the statutes of the State or any portion of the statutes and, at the direction of such agency, to consolidate, revise and clarify the statutes of the State; [1985, c. 501, Pt. B, § 5 (new).]

2-A. **Engrossing.** To engross all bills passed by the Legislature; [1987, c. 816, Pt. KK, §2 (new).]

3. **Session laws.** To prepare and index for printing as promptly as possible, after the adjournment of each session, the session laws, which compilation shall include all Acts and resolves which the Legislature has adopted during the session and which have received the approval of the Governor, when such approval is necessary, and any other material of a general nature that the Executive Director may determine; [1985, c. 501, Pt. B, § 5 (new).]

4. **Copy of public laws.** After each session of the Legislature, to cause the public laws enacted at that session to be printed on good paper and in suitable type and to distribute the same within the State to all citizens making a request for those laws; [1985, c. 501, Pt. B, § 5 (new).]

5. **Pocket supplements.** After each session of the Legislature, to cause to be published cumulative pocket supplements of the volumes of the Revised Statutes, and any replacement or recompiled volumes, which shall contain an accurate transcription of all public laws, the material contained in the next preceding pocket supplement, complete and accurate annotations to the statutes, appendix and other material accumulated since the publication of the next preceding pocket supplement and a cumulative index of that material; [1985, c. 501, Pt. B, § 5 (new).]

6. **Continuing revision.** After each session of the Legislature, to prepare a report inserting in their proper places in the Revised Statutes public laws enacted since the last revision of the statutes and, after each subsequent session of the Legislature, to prepare a report supplementing the report so that those reports and supplements shall form the basis of the next revision of the statutes; [1985, c. 501, Pt. B, § 5 (new).]

7. **Committee assistance.** To provide research, analysis and bill drafting assistance for joint standing or select committees, including, but not limited to, the Joint Standing Committee on Appropriations and Financial Affairs, the Joint Standing Committee on Audit and Program Review and other legislative agencies; [1985, c. 501, Pt. B, § 5 (new).]

8. **Reports and legislation.** To prepare narrative reports on matters referred to joint standing committees for review or study and prepare legislation to be introduced pursuant to those reports; [1985, c. 501, Pt. B, § 5 (new).]

9. **Research services.** To provide a comprehensive research service for Legislators, legislative joint standing or select committees and commissions and the Legislative Council; [1985, c. 501, Pt. B, § 5 (new).]

10. **Collection of fiscal information.** To collect and assemble factual information concerning the fiscal affairs of the State for the use of the Joint Standing Committee on Appropriations and Financial Affairs of the Legislature in formulating its proposals for appropriations and to collect and assemble fiscal information concerning other revenue funds for the use of any joint standing committee in formulating proposals for allocation acts; [1985, c. 501, Pt. B, § 5 (new).]

11. **Appropriation requests.** To examine all requests for appropriations made by the various agencies of State Government and attend any hearings necessary to obtain complete information; [1985, c. 501, Pt. B, §5 (new).]

12. **Statement of costs.** To prepare statements pertaining to the existence of cost or the amount of cost to municipalities or counties for implementing or complying with a proposed law. The statement of cost shall be made within the limits of information provided to the office designated by the Legislative Council as having responsibility for financial analysis. The statements shall be furnished to the appropriate committee for the information of its members and for inclusion in bills which receive an ought to pass report when reported by the committee. A statement shall not be necessary for any bill which has no cost to municipalities or counties; and [1985, c. 501, Pt. B, § 5 (new).]

13. **Other duties.** To undertake such other duties as are assigned by the Executive Director. [1985, c. 501, Pt. B, § 5 (new).]

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PL 1985, Ch. 501, §B5 (NEW) .

PL 1987, Ch. 816, §KK2 (AMD) .

§164. Director of Legislative Research; functions and duties (REPEALED)

§165. Joint committees, authority

The Legislature may by rule establish such joint standing committees and joint select committees as it deems necessary. Such committees shall have the authority, both when the Legislature is in session and when it is not in session: [1973, c. 590, § 8 (new) .]

1. **Collect information.** To collect information concerning the government and general welfare of the State as related to assignments received from the council; [1973, c. 590, § 8 (new) .]

2. **Information and reports provided.** To assist the Legislature in the proper performance of its constitutional functions by providing its members with impartial and accurate information and reports concerning the legislative problems which are assigned by the Legislative Council which information may be obtained by independent studies or by cooperation with and information from similar agencies in other states as to the practice of other states in dealing with similar problems; [1973, c. 590, § 8 (new) .]

3. **Quorum.** A majority of the members of a committee shall constitute a quorum, and a majority thereof shall have the authority to act in any matter falling within the jurisdiction of the committee. A committee may hold either public or private hearings and may hold executive sessions, excluding all except members of the committee; [1973, c. 590, § 8 (new) .]

4. **State department to furnish information.** Each state department shall furnish to a committee such documents, material or information as may be requested by a committee; [1973, c. 590, § 8 (new) .]

5. **Minutes.** A committee shall keep minutes of matters considered and votes taken at its meetings and shall make reports to the Legislature on all matters which come before the committee, the actions taken thereon and the progress made in relation thereto; [1973, c. 590, § 8 (new) .]

6. **Reports to Legislature and public.** Reports of a committee may be made from time to time to members of the Legislature and to the public; [1973, c. 590, § 8 (new) .]

7. **Other subpoenas, etc.** When the duties assigned to a committee so require, the Legislature may grant to it the power to administer oaths, issue subpoenas, compel the attendance of witnesses and the production of any papers, books, accounts, documents and testimony, and to cause the deposition of witnesses, whether residing within or without the State to be taken in the manner prescribed by law for taking depositions in civil actions in the Superior Court. When the Legislature grants this power to a joint standing committee or joint select committee, such committee shall function as an investigating committee and shall be subject to the provisions of chapter 21. No appropriation or allocation may be made for a specific study unless the Legislative Council has first approved a budget adopted by the joint standing committee which is to conduct the study. No appropriation or allocation may be made for the operation of any joint select committee unless the Legislative Council has first approved a budget adopted by the joint select committee. In case of disobedience on the part of any person to comply with any subpoena issued in behalf of a committee, or on the refusal of any witness to testify to any matters regarding which he may be lawfully interrogated, it shall be the duty of the Superior Court of any county, on application of a member of a committee, to compel obedience by proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein. Each witness, other than a state officer or employee, who appears before a committee by its order or subpoena shall receive for his attendance the fees and mileage provided for witnesses in civil cases in courts of record, which shall be audited and paid upon the presentation of proper vouchers sworn to by such witness and approved by the chairman of the committee; [1985, c. 377, § 1 (amd) .]

8. [1975, c. 750, § 2 (rp) .]

§166. Director of Legislative Assistants (REPEALED)

§167. Legislative Finance Officer; duties (REPEALED)

§168. Staff assistants to legislative leadership

The President of the Senate, the Majority and Minority Floor Leaders of the Senate, the Speaker of the House of Representatives, and

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the Majority and Minority Floor Leaders of the House of Representatives shall each have the authority to appoint, at his discretion, a personal staff assistant, or more than one assistant if their aggregate salary does not exceed that of the single personal staff assistant, when the Legislature is in session and at such other times as might be necessary, with the approval of the Legislative Council. [1983, c. 2, Pt. H (amd).]

§168-A. Legislative Youth Advisory Council

There is established the Legislative Youth Advisory Council, referred to in this section as the "council." [2001, c. 439, Pt. PPPP, §1 (new); §4 (aff).]

1. **Duties.** The council shall perform the following duties: [2003, c. 20, Pt. F, §2 (amd).]

A. Advise the Legislature, the President of the Senate and the Speaker of the House of Representatives on proposed and pending legislation, state budget expenditures and policy matters related to youth;

[2001, c. 439, Pt. PPPP, §1 (new); §4 (aff).]

B. Advise the joint standing committees of the Legislature and study commissions, committees and task forces regarding issues related to youth;

[2001, c. 439, Pt. PPPP, §1 (new); §4 (aff).]

C. Conduct periodic seminars for its members regarding leadership, government and the Legislature;

[2003, c. 20, Pt. F, §2 (amd).]

D. Meet at least 3 times but not more than 6 times per year, including not more than 2 public hearings on issues of importance to youth; and

[2003, c. 20, Pt. F, §2 (amd).]

E. Report annually to the Legislature on its activities by February 15th of each year. The council may submit legislation to the Legislature to implement its recommendations.

[2003, c. 20, Pt. F, §2 (amd).]

2. **Jurisdiction.** The council shall examine issues of importance to youth, including, but not limited to, education, employment, strategies to increase youth participation in municipal government and State Government, safe environments for youth, substance abuse, emotional and physical health, foster care, poverty, homelessness and youth access to services on municipal and statewide bases. [2001, c. 439, Pt. PPPP, §1 (new); §4 (aff).]

3. **Membership.** The council consists of 22 voting members and 5 nonvoting members who are Maine residents in accordance with this subsection. In appointing members, the appointing authorities shall consider geographic distribution and shall appoint at least one member from each of the 3 service regions of the Department of Health and Human Services. Members shall serve for terms of 2 years and, if eligible, may be reappointed for subsequent 2-year terms, except that the appointing authorities shall appoint 1/2 of the members first appointed to the council to terms of one year. [2003, c. 481, §1 (amd); c. 689, Pt. B, §6 (rev).]

A. The President of the Senate shall appoint 11 members as follows:

- (1) Six youths who are students in secondary schools or who are enrolled in programs that lead to a secondary school diploma or certificate of attendance or a general equivalency diploma;
- (2) One youth who is enrolled in an equivalent instruction program under Title 20-A, chapter 211, subchapter 1-A;
- (3) Two students at postsecondary educational institutions located in the State; and
- (4) Two members of the Senate whose terms coincide with the term of office in the Senate.

[2003, c. 481, §1 (amd).]

B. The Speaker of the House shall appoint 11 members as follows:

- (1) Six youths who are students in secondary schools or who are enrolled in programs that lead to a secondary school diploma or certificate of attendance or a general equivalency diploma;
- (2) One youth who is enrolled in an equivalent instruction program under Title 20-A, chapter 211, subchapter 1-A;
- (3) Two students at postsecondary educational institutions located within the State; and
- (4) Two members of the House of Representatives whose terms coincide with their terms of office in the House of Representatives.

[2003, c. 481, §1 (amd).]

Title 3, Chapter 7, LEGISLATIVE COUNCIL

C. The members of the Children's Cabinet, established pursuant to Title 5, section 19131, serve ex officio and may not vote.

[2001, c. 439, Pt. PPPP, §1 (new); §4 (aff).]

4. **Chairs.** There is a legislative chair and a youth chair of the council. The legislative chair alternates every 2 years between the first-appointed member of the House of Representatives and the first-appointed member of the Senate, beginning in 2003 with the first-appointed member of the House of Representatives serving as the legislative chair for the 121st Legislature. The members shall elect one of their youth members to serve as the youth chair for a term of one year. [2003, c. 481, §2 (rpr).]

5. **Cooperation with Department of Education.** The council shall work cooperatively with the Department of Education on the integration of council experience into the learning results standards in student service and career preparation. [2001, c. 439, Pt. PPPP, §1 (new); §4 (aff).]

6. **Priorities.** The council shall set priorities and shall determine the function of subcommittees, standards of conduct, process, procedures and the use of technology to convene meetings. Council members shall review and consider the procedures and rules used by the Legislature as they may be appropriate for use as models for the council. [2001, c. 439, Pt. PPPP, §1 (new); §4 (aff).]

7. **Communication.** The council may provide testimony on legislation pending before the Legislature. [2001, c. 439, Pt. PPPP, §1 (new); §4 (aff).]

8. **Compensation.** Members of the council who are Legislators are entitled to the legislative per diem and to reimbursement of reasonable expenses incurred in order to serve on the council as provided in Title 5, section 12004-I, subsection 54-C. All other members who are not otherwise reimbursed for their service on the council are entitled to compensation for reasonable expenses incurred in order to serve on the council as provided in Title 5, section 12004-I, subsection 54-C. [2001, c. 439, Pt. PPPP, §1 (new); §4 (aff).]

9. **Freedom of access.** Meetings of the council are public meetings and all records of the council are public records as defined by Title 1, section 402, subsection 3. [2001, c. 439, Pt. PPPP, §1 (new); §4 (aff).]

10. **Staff.** The Edmund S. Muskie School of Public Service shall provide funding and staff assistance to the council from within its existing budgeted resources or from grants received by the school for that purpose. The Office of Policy and Legal Analysis shall draft all legislation submitted to the Legislature by the council. [2003, c. 20, Pt. F, §3 (amd).]

§169. Constituent Service Officer; functions and duties (REPEALED)

PL 1973, Ch. 590, §12 (NEW).

PL 1985, Ch. 501, §B9 (RP).

§170. Partisan employees; restricted activities

Partisan legislative employees who assume active roles in campaigns shall either limit their activities to evenings and weekends or take leave to pursue these activities if they occur during the Legislature's regular business day, which is 8 a.m. to 5 p.m. This includes fund raising for campaign efforts as well as other activities that are directly related to election or reelection efforts. [1995, c. 100, §1 (new).]

PL 1995, Ch. 100, §1 (NEW).

§170-A. Use of legislative equipment and resources

Legislative employees are prohibited from at any time using the computer system, telephones, copying machines and other legislative equipment for work related to campaigns. [1995, c. 100, §1 (new).]

PL 1995, Ch. 100, §1 (NEW).

Subchapter 2: LAW AND LEGISLATIVE REFERENCE LIBRARY

§171. Declaration of policy

The Legislature declares that it is the policy of the State to provide a law and legislative reference library adequate to the informational needs of the Legislature, other branches of State Government and the citizens of Maine. [1971, c. 480, §1 (new)]

PL 1971, Ch. 480, §1 (NEW).

Title 3, Chapter 7, LEGISLATIVE COUNCIL

§172. State Law Librarian (REPEALED)

§172-A. State Law Library; administration

The Executive Director of the Legislative Council shall assign, direct and supervise, subject to the control of the council, the activities of the State law and legislative reference library. [1985, c. 501, Pt. B, § 10 (new).]

PL 1985, Ch. 501, §B10 (NEW).

§173. State Law Library; services

The State Law Library shall provide the following services: [1985, c. 501, Pt. B, § 11 (amd).]

1. **Legislative reference service.** Provide a comprehensive reference service on legislative problems for all members of the Legislature and its committees, equally and impartially, and to the limits of its staff and facilities. Such reference services shall be available also to public officials and to citizens generally. [1971, c. 480, § 1 (new).]

Collect, index and make available in the most suitable form information relative to governmental subjects which will aid the Legislature, other public officials and citizens to perform their duties in an enlightened manner. [1971, c. 480, § 1 (new).]

2. **Law library.** Provide a law library for the use of all agencies of State Government, the judiciary, attorneys and citizens of Maine. [1985, c. 501, Pt. B, § 11 (amd).]

3. **Distribution, sale and exchange of law books.** Copies of the Revised Statutes, supplements thereto and session laws shall be delivered by the printer to the State Law Librarian for distribution and sale in accordance with prices, policies and procedures established by the Legislative Council. All proceeds from such sales shall be deposited to the credit of the General Fund. [1985, c. 501, Pt. B, § 11 (amd).]

A.

Copies shall be sent, on an exchange basis, to the Library of Congress, secretary of the Maine State Bar Association, the Supreme Court Library of Canada and to each state or territorial library in the United States.

One copy of the laws passed by each session of the Legislature shall be given to each Member thereof, the Secretary of the Senate, the Assistant Secretary of the Senate, the Clerk of the House and the Assistant Clerk of the House.

[1985, c. 501, Pt. B, § 11 (rp).]

Revision note: Paragraph A repealed, but these 2 paragraphs are blocked paragraphs of A. (see PL1985, c. 501, Pt. B, § 11). [1985, c. 501, Pt. B, § 11 (amd).]

B.

[1985, c. 501, Pt. B, § 11 (rp).]

C.

[1985, c. 501, Pt. B, § 11 (rp).]

The State Law Librarian may, in his discretion, sell surplus copies of volumes entrusted to him or use them for exchange purposes to increase the usefulness of the library. Proceeds from all sales shall be deposited to the credit of the General Fund. [1985, c. 501,

§174. Administrative provisions (REPEALED)

MAINE LEGISLATIVE COUNCIL
122nd LEGISLATURE

DRAFT

RULES OF PROCEDURE
December 2, 2004

1. **Organizational Meeting:** The President of the Senate shall call the biennial organizational meeting of the Legislative Council into session in December following the convening of the new Legislature and shall preside until the election of the Chair.
2. **Chair:** At its organizational meeting, the Council shall elect a Chair, who shall preside at all meetings of the Council when present. The position of Chair must alternate in succeeding biennial sessions between a member from the Senate and a member from the House of Representatives. Therefore, for the 122nd Legislature, the Chair must be a member from the House.
3. **Vice Chair:** The Council shall elect a Vice Chair who shall act as Chair in the absence of the Chair. The Vice Chair may not be a member of the same chamber of the Legislature as that of the Chair.
4. **Quorum:** The Council may conduct business only when a quorum of members is present, which consists of six members. Any action of the Council requires the affirmative votes of not less than 6 members.
5. **Meetings:** The Council's meeting schedule is determined by majority vote of the Council or by call of the Chair for the 122nd Legislature. The Council shall meet at least once per month, on a regularized schedule .
6. **Meeting Location:** The official meeting location of the Legislative Council is the Legislative Council Chambers in the State House, and the Chair shall convene all meetings there unless an alternative location is specified in the call of the meeting.
7. **Meeting Notice:** The Chair shall issue written calls for all regular and special meetings of the Council. The call must give the date, time, and place of the meeting and such other information as the Chair directs.
8. **Public Meetings:** All meetings of the Council are public meetings except for executive sessions; The Council may not take any final action in an executive session.
9. **Council Committees:** The Chair shall make all appointments to committees established by the Council. The committees must include at least three members and must have representation from each of the two major political parties. At a minimum, the Council shall establish Personnel and State House Facilities committees.

10. **Approval of Step Increases:** All step increases that require a vote of the 122nd Legislative Council are approved for the term of this Council if, after review, a majority of the Personnel Committee approves a step increase.
11. **Council Agenda and Records:** The Executive Director of the Legislative Council shall prepare, in consultation with the chair, meeting notices and a Council agenda in advance of each meeting. The executive director shall also maintain an accurate, permanent public record of all meetings, proceedings and votes of the Council.
12. **Order of Business:** The regular order of business of the Council is:
1. Call to Order
 2. Roll Call
 3. Summary of Previous Council Meeting
 4. Executive Director's Report
 5. Reports from Council Committees
 6. Old Business
 7. New Business
 8. Announcements and Remarks
 9. Adjournment
- Items not on the Council agenda may be considered only by leave of the Council's presiding officer or by a majority vote of the Council.
13. **Circulation of Ballots:** The Chair and the Vice Chair, jointly, may authorize a Council member to circulate a ballot for Council action when they determine that the matter to be voted on must be decided before the next regular meeting of the Council. The executive director shall prepare all ballots authorized for circulation among Council members. A reasonable effort shall be made to provide each member an opportunity to vote on the ballot. Actions taken by Council ballot must be reported at the next or following regular meeting of the Council.
14. **Roll Call Votes:** Votes requiring a roll-call may be made by the executive director calling the roll, by a showing of hands or by electronic tabulation as long as the matter being voted on, how each member voted and the results of the vote are accurately determined and recorded. The executive director shall announce the vote following a roll-call. All decisions of the Council regarding the introduction of bills or other measures must be by a roll-call vote.
15. **Statements to News Organizations:** Only the Council Chair, executive director or persons specifically authorized by the Chair may make official statements to news organizations or to the public on behalf of the Legislative Council.
16. **Rules of Order:** The Council's presiding officer shall conduct the proceedings of the Council in accordance with Robert's Rules of Order except as otherwise specified in the Council's own rules or by law.

17. **Amendments to Rules:** The Council may amend these rules, with the exception of Rules 2 and 4, upon a two-thirds vote of the Council members present and voting, provided that a vote to amend is by at least six affirmative votes. Rules 2 and 4 may not be amended during the term of the 122nd Legislative Council.

18. **Capital Area Advisory Committee:** The Council establishes a Capital Area Advisory Committee ("Advisory Committee") to: facilitate communication between the Maine Legislature, the City of Augusta and area residents; and advise the Legislative Council on proposed actions relating to Capitol Park. The Advisory Committee is made up of 9 members as follows:

- a. Two members of the Legislative Council, appointed by the Chair. One member must be a member of the Senate and one member must be a member of the House of Representatives. The members may not be from the same political party;
- b. The Chair of the State House and Capitol Park Commission or the Chair's designee;
- c. Two legislators whose legislative districts include the City of Augusta or proximate communities, appointed by the Chair;
- d. Two members of the public who reside in the City of Augusta, appointed by the Mayor of Augusta; and
- e. Two members of the public who reside in Kennebec County, appointed by the Chair of the Kennebec County legislative delegation.

Members are appointed for a term coterminous with the Council. The Council Chair shall appoint a chair from among the Advisory Committee members.

Meetings of the Advisory Committee may be called by the Chair of the Advisory Committee or by a majority of the Advisory Committee. All meetings of the Advisory Committee are public meetings. Notice of meetings must include written notice to the Kennebec County legislative delegation and to the Executive Director of the Legislative Council.

19. **Decisions Affecting Capitol Park:** Any action affecting Capitol Park, be it a temporary or permanent alteration or change in use, must be approved by a majority of the Council, consistent with these rules and 3 MRSA § 162 (17). Prior to a final decision on any proposal affecting Capitol Park, the Council or its executive director shall consult with the State House and Capitol Park Commission.

Adopted by the Legislative Council of the 122nd Maine Legislature on December 2, 2004 in Augusta, Maine.

Attested: _____
Executive Director, Legislative Council

DAVID E. BOULTER
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL

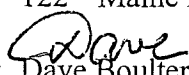


MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

Memo

To: Members of the Legislative Council
122nd Maine Legislature

From:  Dave Boulter, Executive Director
Legislative Council

Date: December 1, 2004

Re: Assignment of initial salaries for Constitutional Officers & the State Auditor

One of the many actions required of the Legislative Council once a new Legislature is convened is the assignment of the initial salary for the Constitutional Officers and the State Auditor. The assignment is made by majority vote of the Legislative Council, minimum 6 votes. State law prescribes the salary grade and the initial salary step for each official. Following the initial appointment of the Constitutional Officers and the State Auditor, the Legislative Council is authorized to adjust the salary of each official by one step for each year of continuous service.

"Notwithstanding any other provisions of law, the salaries of the following state officials shall be at the salary ranges indicated in this section. At the time of initial appointment, the salary of the Secretary of State and the Treasurer of State shall be set at the Step C of the official's respective range. At the time of initial appointment, the salaries of the Attorney General and the State Auditor shall be set at Step E of their salary ranges. The salary ranges shall be as provided by law for confidential employees who take the salary increase option instead of state payment of retirement contribution...These officials are not eligible for state payment of employee retirement contributions." 3 MRSA §162-B.

The salary of the following officials must be within Salary Grade 88 (\$58,146 - \$84,594). Step C is assigned an annual salary of \$64,064.

- Secretary of State
- Treasurer of State

Memo to Legislative Council
Re: Assignment of Initial Salaries
December 1, 2004
Page 2

The salary of the following official must be within Salary Grade 89 (\$62,244 - \$90,293).
Step E is assigned an annual salary of **\$75,442**.

- State Auditor

The salary of the following official must be within Salary Grade 91 (\$70,502 - \$102,627).
Step E is assigned an annual salary of **\$85,290**.

- Attorney General

Because Attorney General Rowe was re-appointed to his position on December 1, 2004 and, therefore, is not in his initial term, and furthermore is not seeking a step increase this year, the Legislative Council does not need to take any action regarding the Attorney General's salary. However, because the Secretary of State, the Treasurer of State and the State Auditor all were appointed to an initial term of office on December 1, 2004, their starting salaries require the approval of the Legislative Council.

G:\Execdir-122nd\constitutional officers salaries memo 12-1-04.doc (November 30, 2004 9:38 AM)

MARGARET E. MATHESON
Revisor of Statutes

SUZANNE M. GRESSER
Principal Attorney

EDWARD A. CHARBONNEAU IV
Senior Attorney

MARK A. SWANSON
Legislative Attorney



KIM M. ALLEN
JUDITH L. PAQUETTE
JAY SELBERG
Paralegals

MAINE STATE LEGISLATURE
OFFICE OF THE REVISOR OF STATUTES
STATE HOUSE STATION 7
AUGUSTA, MAINE 04333-0007
(207) 287-1650
FAX: (207) 287-6468

Date: December 2, 2004
To: Members of the Legislative Council, 122nd Legislature
From: Margaret E. Matheson, Revisor *MEM*
RE: Duplicate Bill Request Filings

Historically, the Legislative Council directs the Office of the Revisor of Statutes to combine similar bill requests pursuant to Joint Rule 206, section 2, which provides:

For duplicate or closely related bills or resolves, the Legislative Council may establish a policy for combination of requests and the number of cosponsors permitted on combined requests.

The following process has been developed over the past several years, and I offer it as a model for approval by this Council:

- The bill titles are reviewed in an attempt to identify bills that are so closely related that they are virtually alike. If the proposed solutions to the same problem are similar enough, the requests are combined into one measure.
- The sponsor who filed the first complete request is the primary sponsor of the measure. Completeness is determined by the standards set out in Joint Rule 208, i.e., whether the request has "sufficient instructions, information and data required for its preparation."
- The identified later filers are sent a copy of the draft and are given the opportunity to sign onto the measure as cosponsors; the primary sponsor also may collect the full complement of cosponsors authorized by Joint Rule 206.
- If a later filer indicates that the bill request he or she filed is not closely related, then his or her request will be fully drafted according to the sponsor's direction.

Thank you for your attention.

DAVID E. BOULTER
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

Memo

To: Members, Legislative Council
122nd Legislature

From: *David E. Boulter*
David E. Boulter, Executive Director

Date: December 1, 2004

Re: Legislative Policy Forum Proposals

Please find attached a proposal from the Muskie School of Public Service, Margaret Chase Smith Center for Public Policy and the Maine Development Foundation to jointly conduct a 1 to 2 day policy forum for Legislators on selected policy issues relevant to the Legislature. The proposal includes 7 potential policy areas to be considered. Presenters would include university faculty, MDF staff and other instate or out-of-state expertise in the selected policy areas.

Independent of this proposal, but related to it, a consortium of the Maine Chamber of Commerce, AARP Maine and the Maine Cultural Affairs Council is also proposing to hold a policy forum for the benefit of Legislators. As with the University/MDF proposal, information in this policy forum would be presented in a nonpartisan and balanced manner, absent advocacy of particular policy positions. The consortium's proposal is attached for your review as well.

Both groups propose that the policy forum(s) be held in late January or early February 2005, and the forum sponsors propose to share the forum costs with the Legislative Council. It is my understanding that the 2 groups have had preliminary discussions recently and consolidation or coordination of the two proposals appears feasible and welcomed.

The threshold decision for the Legislative Council is whether the council wants to hold a policy forum or forums for Legislators this session. If it wishes to pursue the feasibility of holding a forum, I recommend that the Legislative Council establish a small subcommittee (2-3 council members) to work with legislative staff to develop a program (including policy topics) and schedule, for review and approval by the Legislative Council.

Thank you.

Attachments

G:\legislative orientation programs and conferences\legislative policy forums\policy forum 122-1R\Memo re policy forum proposals 12-2-2004.doc (December 2, 2004 8:55 AM)



UNIVERSITY OF
SOUTHERN MAINE

DEC - 2 2004

Muskie School of Public Service

P.O. Box 9300, Portland, Maine 04104-9300
(207) 780-4430, FAX (207) 780-4417, TTY (207) 780-5646
www.muskie.usm.maine.edu

December 1, 2004

David Boulter
Executive Director
Legislative Council
Maine State Legislature
115 State House Station
Augusta, Maine 04333-0115

Dear David:

We are delighted to submit a joint proposal to the Legislative Council for public policy sessions for the 122nd Maine Legislature from the Maine Development Foundation, the Margaret Chase Smith Center for Public Policy at the University of Maine, and the Muskie School of Public Service at the University of Southern Maine.

As you know, our organizations have partnered with the Legislative Council in the past to present a "training day" for legislators where University of Maine System faculty and others brief legislators on critical public policy issues. We look forward to the opportunity to hold a similar event again in early 2005.

As a follow-up to our meeting with you last month, we have developed the enclosed list of proposed topics for sessions that focus on a variety of timely public policy issues. We invite the Legislative Council to select from this list the sessions that they would find the most helpful and relevant. Any combination is possible.

For the sessions, we will draw on the expertise of university faculty and others to present balanced, nonpartisan information. Please note that presenters during each session will place particular emphasis on showing legislators how they can use the information to impact policy and affect change.

We propose holding these sessions at a time in January or February that is useful vis-à-vis the legislative agenda. We are also flexible regarding the format of the forum. Sessions can occur in one full day, two half days, or several short sessions. We are happy to work within a schedule that is convenient for the Legislature. Our organizations will cover all costs related to speaker honoraria and travel, and ask the Legislative Council to cover costs related to meals and facilities.

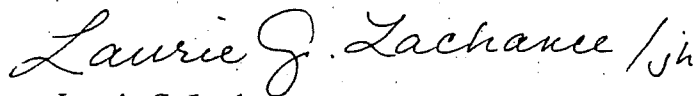
Clearly, members of the Legislative Council have the best idea as to what topics are the most urgent and require background information. The ideas we have proposed here are

not exhaustive. We welcome any revisions or suggestions you and the Council might have to make these sessions as helpful and relevant as possible.

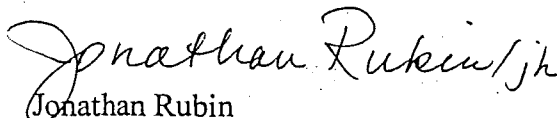
We will be in touch later in December to discuss your response, and look forward to working with you and the Legislative Council.

Thank you very much for your time and consideration.

Sincerely,

Handwritten signature of Laurie G. Lachance in cursive, followed by the initials "jh".

Laurie G. Lachance
President and CEO
Maine Development Foundation

Handwritten signature of Jonathan Rubin in cursive, followed by the initials "jh".

Jonathan Rubin
Interim Director
Margaret Chase Smith Center for Public Policy

Handwritten signature of Karl Braithwaite in cursive.

Karl Braithwaite
Dean
Muskie School of Public Service

cc: Braithwaite
Mary R. Cathcart
Lachance
Rubin

Public Policy Sessions for the 122nd Maine Legislature
January and/or February 2005

A proposal by the Maine Development Foundation,
the Margaret Chase Smith Center for Public Policy,
and the Muskie School of Public Service

Economic Development: New Initiatives

This session will introduce legislators to the major new economic development initiatives underway in the state, including the Natural Resource-Based Industries, the Creative Economy, and Realize Maine (youth out-migration). The purpose of the session will be to:

- Indicate why these initiatives are at the forefront of economic development policy in Maine
- Provide an overview of findings and action plans from the conferences
- Show legislators how they can impact economic development in their region via these initiatives

Investing in Maine's Future

This session will focus on the potential impact of higher education, research & development and technology on Maine's future. Its purpose will be to:

- Discuss the value of investing in higher education, R&D, and technology
- Outline the current activities underway in the state
- Show legislators how they can influence investments in these areas

Health Care Costs and Financing

This session will provide a general overview of Maine's health care cost problem. Its purpose will be to:

- Outline ways that others across the U.S. are trying to "solve" the problem
- Talk about the current ways that are being discussed/tried in Maine, including Dirigo
- Point to what legislators can do to affect change and apply knowledge from the session

Long-term Demographic, Structural and Economic Changes

This session will address the long-term demographic, structural, and economic trends in Maine that will have serious impacts on policy making in the years ahead. Its purpose will be to:

- Address what the legislature should know for future service delivery
- Outline trends related to the state's aging population, the uneven growth among regions, and the increasing stress that these will place on state and local government budgets

Principles of Tax Reform

This session will outline the issues Maine is currently facing regarding tax reform. Its purpose will be to:

- Outline the principles behind the development of a tax system
- Discuss how and why the state's tax system is a concern
- Look at ways other states have addressed similar challenges
- Outline the ways, giving pros and cons, of current proposals on the table
- Provide legislators with information to make an informed choice regarding tax reform

Governing with Term Limits

This session will provide recent research on the impact of term limits on Maine. Its purpose will be to:

- Examine the impact of member turnover, committee workload and efficiency
- Understand the changing dynamics between the House and Senate, and between the legislature and the executive branch

Land Management and Sprawl

This session will provide an overview of the public policy issues that are affected by land management practices in Maine. The purpose of the session will be to:

- Discuss current land management policy and practices
- Provide data and address trends to show what is happening in Maine

**Maine Chamber of Commerce
AARP Maine
Maine Cultural Affairs Council**

To: David Boulter, Executive Director, Legislative Council

From: Dana Connors, President, Maine State Chamber of Commerce
Judd Dolphin, President, AARP Maine
Deborah Smith, President, Maine Cultural Affairs Council

Re: Legislative Policy Forum

Date: December 2, 2004

Thank you for the opportunity to submit a proposal to the Legislative Council to assist with educational opportunities for Members of the 122nd Maine Legislature. Collectively, we represent diverse interests throughout our State. Individually, we are deeply dedicated to the State of Maine, and admire and support the work of the Maine Legislature. Our hope is to bring real Maine voices to your trainings.

We believe that it is important to have people who have had direct experience as a part of your educational program. We work with people who struggle to get access to prescription drugs, entrepreneurs who grapple with choices over healthcare and business expansion, and institutions such as libraries, historical societies, museums and other institutions which form the fabric of our communities.

Together, we believe we are emblematic of what makes Maine a wonderful place to live. We believe we can offer some practical depth to the policy experts ably provided by the Maine Development Foundation, Muskie School and Margaret Chase Smith School. We also understand that this endeavor is strictly non-partisan, educational endeavor and we will provide support without regard to any private interest.

At David Boulter's request, we enclose a short list of recommended topics for your consideration.

- ☐ **Tax Reform.** No one is without an opinion. Should we broaden the sales tax, cap revenues or both? Is the property tax the real problem or is it income, excise and others? How will good people of different minds come together to address what most consider to be Maine's most important issue?
- ☐ **Health Care.** Health reforms such as Dirigo remain an important issue. Maine is in the midst of a national experiment. It is important for a mid-way evaluation of the policy and of next steps.

- **Natural resource based economy to the knowledge-based economy.** Where are the jobs of the next decade in Maine? How do we hold on to the jobs we have while growing new jobs for Maine?

These ideas are merely starting points. We look to the Legislative Council for direction and advice.

Thank you very much for your time and consideration.



NOV 29 2004

MAINE STATE LEGISLATURE
Augusta, Maine 04333

**HEALTH CARE SYSTEM AND
HEALTH CARE SECURITY BOARD**

November 1, 2004

The Honorable Beverly C. Daggett, Chair
The Honorable Patrick Colwell, Vice-Chair
Legislative Council
115 State House Station
Augusta, ME 04333

Dear Chair Daggett and Vice-Chair Colwell

This letter is to inform you that the Health Care System and Health Security Board has completed its work and submitted its report, including recommended legislation, pursuant to Public Law 2003, chapter 492.

Sincerely,

A handwritten signature in dark ink, appearing to read "John L. Martin".

Senator John L. Martin, Chair

A handwritten signature in dark ink, appearing to read "Marilyn E. Canavan".

Representative Marilyn E. Canavan, Chair
Health Care System and Health Security Board

Attachment