

# MAINE STATE LEGISLATURE

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REP. JOHN RICHARDSON  
CHAIR

SEN. BETH EDMONDS  
VICE-CHAIR



122<sup>ND</sup> 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

**MEETING SUMMARY**  
**April 5, 2005**  
**Approved April 28, 2005**

**CALL TO ORDER**

The Chair, Speaker Richardson, called the Legislative Council meeting to order at 12:02 p.m. in the Legislative Council Chamber

**ROLL CALL**

Senators: President Edmonds, Sen. Brennan, Sen. Davis,  
Sen. Weston  
(Sen. Gagnon joined the meeting in progress)

Representatives: Speaker Richardson, Rep. Cummings, Rep. Bowles,  
Rep. Tardy  
(Rep. Duplessie, joined the meeting in progress)

Legislative Officers: Joy O'Brien, Secretary of the Senate  
Millicent MacFarland, Clerk of the House  
David Boulter, Executive Director, Legislative Council  
Grant Pennoyer, Director, Office of Fiscal and Program Review  
David Elliott, Director, Office of Policy and Legal Analysis  
Margaret Matheson, Revisor of Statutes  
Paul Mayotte, Director, Legislative Information Services

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

There were no reports from the Executive Director or Council Staff Offices

**REPORTS FROM COUNCIL COMMITTEES**

- **Personnel Committee** (Rep. Cummings, Chair)

The Personnel Committee did not meet so made no report.

- **State House Facilities Committee** (Sen. Gagnon, Chair)

The State House Facilities Committee did not meet so made no report.

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **Item #1: Consideration of After Deadline Bill Requests**

Fifteen after deadline requests were considered by the Legislative Council. The Council's actions on these requests are included on the attached list.

### **Item #2: W. Tom Sawyer, Jr., et al v. Legislative Council et. al (CV-04-97)**

The Chair, Speaker Richardson, reported that the Legislative Council had to decide whether to appeal the Superior Court decision to the Maine Supreme Court.

**Motion:** That the Legislative Council recommend to the Attorney General that he not appeal the Superior Court decision regarding W. Tom Sawyer, Jr., et al v. Legislative Council et al. (Motion by President Edmonds, second by Sen. Gagnon, unanimous).

Chair Richardson requested that Executive Director Boulter prepare a letter to the Attorney General conveying the Legislative Council's decision on this matter.

Since the Legislature will not appeal the Court's decision, upon the expiration of the appeal period, the Executive Director's office will make payment to the four Plaintiffs. The Chair requested that the Attorney General be invited to the Legislative Council meeting on April 28, 2005 for the purpose of discussing the obligations of the Legislature to other members of the 121<sup>st</sup> who have or may request payment.

## **ANNOUNCEMENTS AND REMARKS**

None.

## **ADJOURNMENT**

The Legislative Council meeting was adjourned at 12:26 p.m. (Motion by President Edmonds, second by Sen. Gagnon, unanimous).

**LEGISLATIVE COUNCIL  
ACTION ON REQUESTS TO INTRODUCE LEGISLATION  
FIRST SPECIAL SESSION  
April 5, 2005**

	Action
<b>SPONSOR: Sen. Diamond, Bill</b>	<b>ACCEPTED</b>
LR 2321 An Act To Stem the Maine Brain Drain	
<b>SPONSOR: Rep. Duplessie, Robert W.</b>	<b>ACCEPTED</b>
LR 2325 An Act To Establish Harbor Fees for Commercial Vessels	
<b>SPONSOR: Rep. Edgecomb, Peter</b>	<b>WITHDRAWN</b>
LR 2233 Resolve, To Protect the Social Service Delivery System in Caribou	
<b>SPONSOR: Sen. Gagnon, Kenneth T.</b>	<b>ACCEPTED</b>
LR 2319 Resolve, To Establish a Study Commission To Examine Methods To Improve Ballot Access	
<b>SPONSOR: Rep. Greeley, Christian David</b>	<b>WITHDRAWN</b>
LR 2254 An Act Regarding the Taxation of Mobile Homes	
<b>SPONSOR: Rep. Hall, Darren M.</b>	<b>ACCEPTED</b>
LR 2328 An Act To Require the Secretary of State to Collect Information on Serious Driving Offenses from Other States Before Issuing a Driver's License in Maine	
<b>SPONSOR: Rep. Kaelin, Jeffrey H.</b>	<b>ACCEPTED</b>
LR 2331 Resolve, Requiring MaineCare to Reimburse Providers for Fees Incurred Because of MaineCare Reimbursement Delays	
<b>SPONSOR: Sen. Martin, John L.</b>	<b>ACCEPTED</b>
LR 2316 Resolve, To Require the Department of Professional Regulation to Suspend Recently Enacted Rules Pertaining to the Office of Licensing and Registration, Board of Boilers and Pressure Vessels.	
<b>SPONSOR: Sen. Mitchell, Elizabeth H.</b>	<b>ACCEPTED</b>
LR 2330 An Act To Allow Dual Liquor Licenses for On-premise Consumption and Off-premise Retail Sales	

**JOINT RESOLUTION**

**SPONSOR: Rep. Piotti, John F.**

**ACCEPTED**

LR 2318 JOINT RESOLUTION MEMORIALIZING CONGRESS TO ENSURE CONTINUED FUNDING FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

**TABLED BY THE LEGISLATIVE COUNCIL**

**SPONSOR: Rep. Dudley, Benjamin F.**

**TABLED  
02/24/05**

LR 2240 An Act To Ensure the Integrity and Independence of the Unemployment Insurance Commission

**SPONSOR: Rep. Lerman, Arthur L.**

**TABLED  
04/05/05**

LR 2329 Resolve, To Establish a Commission to Study How Best to Support Children Who are Subject to Custody Proceedings

**SPONSOR: Sen. Perry, Joseph Charles**

**TABLED  
02/24/05**

LR 2213 An Act To Allow a Prorated Refund of a Registration Fee Upon the Sale of a Motor Vehicle

**SPONSOR: Sen. Strimling, Ethan**

**TABLED  
1/26/05**

LR 2141 An Act To Change the Procedure by Which a Vacancy in the United States Senate is Filled

**SPONSOR: Rep. Twomey, Joanne T.**

**TABLED  
03/24/05**

LR 2282 Resolve, Directing that Signs Be Posted at Places Where Lobbyists are Not Allowed