

# MAINE STATE LEGISLATURE

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## **LEGISLATIVE COUNCIL**

**Tuesday, April 27, 1993**

### **PRELIMINARY AGENDA**

#### **CALL TO ORDER**

#### **ROLL CALL**

#### **SECRETARY'S REPORT**

Summary of April 6, 1993, Council meeting (enclosed)

#### **EXECUTIVE DIRECTOR'S REPORT**

#### **REPORTS FROM COUNCIL COMMITTEES**

Personnel Committee

#### **OLD BUSINESS**

#### **NEW BUSINESS**

Item #1: Request for Comment on Procedures for the Next-Census  
(correspondence enclosed)

Item #2: Requests to Carry Bills Over to the Second Regular  
Session

Item #3: After Deadline Bill Requests (List enclosed)

#### **ANNOUNCEMENTS AND REMARKS**

#### **ADJOURNMENT**

Lynn Randall  
Legislative Council Info.

REP. DAN A. GWADOSKY  
CHAIR

SEN. DENNIS L. DUTREMBLE  
VICE-CHAIR



STATE OF MAINE

116th LEGISLATURE

LEGISLATIVE COUNCIL

SEN. DONALD E. ESTY, JR.  
SEN. PAMELA L. CAHILL  
SEN. BEVERLY MINER BUSTIN  
SEN. DAVID L. CARPENTER  
REP. JOHN L. MARTIN  
REP. WALTER E. WHITCOMB  
REP. PATRICK E. PARADIS  
REP. STEPHEN M. ZIRNKILTON

SARAH C. TUBBESING  
EXECUTIVE DIRECTOR

**April 6, 1993**

## **MEETING SUMMARY**

**Approved April 27, 1993**

### **CALL TO ORDER**

The Legislative Council meeting was called to order by the Chair, Rep. Gwadosky, at 3:16 p.m.

### **ROLL CALL**

**Senators:** Sen. Dutremble, Sen. Esty, Sen. Cahill,  
Sen. Bustin, Sen. Carpenter

**Representatives:** Speaker Martin, Rep. Gwadosky, Rep.  
Whitcomb, Rep. Paradis, Rep. Zirkilton

**Legislative Officers:** Sally Tubbesing, Executive Director,  
Lynn Randall, State Law Librarian  
John Wakefield, Director, Office of  
Fiscal and Program Review  
Martha Freeman, Director, Office of  
Policy and Legal Analysis  
David Kennedy, Revisor of Statutes  
Richard N. Sawyer, Jr., Administrative  
Services Director  
Joy O'Brien, Secretary of the Senate  
Joseph Mayo, Clerk of the House

### **SECRETARY'S REPORT**

The Summary of the March 30, 1993, Council meeting was approved and placed on file. (Motion by Sen. Dutremble; second by Sen. Cahill; unanimous).

## EXECUTIVE DIRECTOR'S REPORT

Sally Tubbesing suggested that Council members discuss briefly the procedures for dealing with any amendments to the bill that may be offered. Speaker Martin asked when the Reapportionment bill would be available and if any amendments had been filed. Mr. Kennedy responded that his office was releasing the Commission's bill within hours, and the Clerk of the House, Joseph Mayo confirmed that copies of the printed bill would be available tomorrow (Wednesday) morning.

Sen. Dutremble reminded Council members that although they had tentatively scheduled Friday, April 9 as a shut down day, the Constitutional deadline for legislative action is actually Sunday, April 11 and that the Legislature would have to remain in session if there are pending amendments. Ms. Tubbesing pointed out that amendments to this bill will go through a different drafting process, requiring the participation of the reapportionment caucuses, the Information Systems staff, and the Revisor's Office. David Kennedy emphasized that "time is of the essence" and encouraged Council members to communicate this to their caucus members. Speaker Martin clarified that the Legislative Council has no authority to set deadlines for filing amendments.

No Council action was required on this item.

## REPORTS FROM COUNCIL COMMITTEES

None.

## OLD BUSINESS

None.

## NEW BUSINESS

**Item #1:** Memorandum from Senator Bustin regarding Parking in the State House Complex

Sen. Bustin clarified that her only purpose in writing the letter was to draw Council members' attention to the issue.

**Motion:** That this item be referred to the Council's Committee on State House Space. (Motion by Speaker Martin; second by Sen. Dutremble; unanimous).

**Item #2:** After Deadline Bill Requests

After deadline requests were considered by the Legislative Council. The Council's Action on these requests is included on the attached list.

## **ANNOUNCEMENTS AND REMARKS**

None.

## **ADJOURNMENT**

The Council meeting was adjourned at 4:48 p.m., on the motion of Sen. Dutremble.

STATE OF MAINE

Inter-Departmental Memorandum Date April 16, 1993

To Sarah C. Tubbesing, Exec. Direct. Dept Legislative Council

From Richard Sherwood *RS* Dept State Planning Office

Subject U.S. Census Bureau Request for Comments on Criteria for  
Tests of Alternative Designs for the 2000 Census

=====

The attached letter from Marshall Turner of the U.S. Census Bureau asks each of the Legislative Leaders to review and comment on proposed criteria for testing alternative designs for the 2000 census.

The Census Bureau plans to test several different methods of collecting decennial census information in 1995. The purpose of the tests is to ascertain which methods: 1) miss the fewest residents, 2) minimize race, sex, age and geographic differences in accuracy and 3) minimize costs.

The notice sent by Mr. Turner sets forth proposed mandatory criteria which an alternative must meet if it is to be acceptable for the 2000 census. It also sets forth criteria which it is desirable for an alternative to meet if it is to be acceptable for the 2000 census.

Mr. Turner requests the Council members' comments now, because the various methods to be tested must be decided by September 1993.

Jean Martin, Director of the State Data Center, Donald Lemieux, Director of the Statistical Services Unit of the Office of Research and Vital Statistics, and I are meeting May 10th with the regional director of the Census Bureau, Arthur Dukakis, to discuss the specific tests under consideration.

I've reviewed the proposed criteria and find them acceptable. However, the criteria allow for the test of sampling to obtain population counts. This may be problematic for sparsely, settled rural blocks. I don't think we should object to testing sampling designs, but should express our reservations about whether these will turn out to be acceptable.

I thought that, if the Council concurs, it would make sense for the Council to send a single letter to Mr. Turner; rather than every member writing a separate letter. I'm enclosing a draft letter which the Council can send if it wishes. Mr. Turner asks for a reply by April 24, but I can ask him for more time if the Council needs it.

Let me know if there's anything else I can do to assist you

or the Council. I shall be on leave next week (April 19-April 23).

The Speaker has written me about Mr. Turner's letter and I'm sending the Speaker a copy of this memo.

cc: The Honorable John L. Martin, Speaker

**DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT**

Mr. Marshall L. Turner Jr.  
Chief, Census Redistricting Data Office  
Bureau of the Census  
Rm. 330, Washington Plaza  
Washington, D.C. 20233

Dear Mr. Turner:

The Maine Legislative Council (the President of the Maine Senate, the Speaker of the Maine House and the majority and minority leaders in both the Maine Senate and Maine House) have reviewed the proposed criteria for design alternative recommendations.

We find the criteria generally acceptable. We are, however, concerned about the potential use of sampling to obtain counts for blocks. Much of the State of Maine is sparsely settled and many blocks contain few residents. The boundaries of Maine's Legislative and County Commissioner Districts coincide with block boundaries. Hence, we shall require assurance that any design which uses sampling to obtain population counts does not yield unacceptable sampling errors at the block level.

Thank you for alerting us to this issue.

Very truly yours,



UNITED STATES DEPARTMENT OF COMMERCE  
Bureau of the Census  
Washington, DC 20233-0001

MAR 25 1993

## IMPORTANT NOTICE FOR LEGISLATIVE LEADERS AND STAFF

MEMORANDUM FOR Stakeholders in the Redistricting Process

From: Marshall L. Turner, Jr. *MLT*  
Chief, Census Redistricting Data Office

Subject: Federal Register Notice

The Census Bureau has issued a Federal Register notice of proposals that could significantly affect the provision of "small area" (e.g., blocks, block groups, election precincts) redistricting data from Census 2000.

Although the next census is a little over 7 years away, key decisions must be made in the next two years.

It is important that you comment on this notice (copy enclosed) if you have need for block and election precinct census counts for the total population (and race, Hispanic origin and voting age data) from the next census.

At this time, we have not received designations of all majority and minority leaders for each state's house and senate. The distribution list below indicates to whom we have written. If you know of other leaders, please let us know.

In the meantime, if you have questions, my address, voice and facsimile numbers are shown below:

Marshall L. Turner, Jr.  
Chief, Census Redistricting Data Office  
Bureau of the Census  
Rm. 330, Washington Plaza  
Washington, D.C. 20233

Voice: 301-763-5820. Fax: 301-763-4597.

### Distribution List:

Hon. Dennis L. Dutremble, Lieutenant Governor  
Hon. Donald E. Esty, Jr., Senate Majority Leader  
Hon. Pamela L. Cahill, Senate Minority Leader  
Hon. John L. Martin, Speaker of the House  
Hon. Dan A. Gwadosky, House Majority Leader  
Hon. Walter E. Whitcomb, House Minority Leader  
Mr. Richard A. Sherwood, State Planning Office  
Ms. Jean Martin, State Data Center

Enclosure



Legislative Council  
Requests to Carry Over Bills  
to the Next Special Session

DB: TEST6  
RPT: SPEC04

April 26, 1993

<u>Committee Name</u>	<u>Title</u>	<u>Sponsors</u>	
Business Legislation L.D. 720	An Act to License Athletic Trainers	KNEELAND	
Corrections (Jt. Select) L.D. 421	An Act Concerning Split Sentences	HANDY	
Energy & Natural Resources L.D. 923	An Act to Amend the Underground Oil Storage Tank Replacement Fund	JACQUES LUDWIG	
Utilities L.D. 305	An Act to Require the Public Utilities Commission to Include Externalities in Least-cost Planning Procedures	KONTOS	WS/FDA 3/31 A

--- End of Report ---

**LEGISLATIVE COUNCIL  
REQUESTS TO INTRODUCE LEGISLATION  
FIRST REGULAR SESSION  
April 26, 1993**

**Action**

**SPONSOR: Sen. Brannigan**

**LR 2317** An Act to Make Allocations from the Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Fiscal Year Ending December 31, 1994

**SPONSOR: Rep. Coffman**

**LR 2323** Resolve, to Require an Independent Audit of the Office of the Chancellor of the University of Maine System

**SPONSOR: Rep. Coffman**

**LR 2324** An Act to Establish Zero-based Budgeting for the University of Maine System Chancellor's Office and System-wide Services

**SPONSOR: Sen. Conley, Jr.**

**LR 2314** An Act to Allow Police Officers to Prosecute Traffic Infractions

**SPONSOR: Rep. Hichborn**

**LR 2309** An Act to Reapportion Maine School Administrative District Number 30

**JOINT RESOLUTION**

**SPONSOR: Rep. Ahearne**

**LR 2322** JOINT RESOLUTION MEMORIALIZING CONGRESS AND THE PRESIDENT TO URGE THE RETENTION OF SMALL ISSUE INDUSTRIAL DEVELOPMENT BONDS

**TABLED BY THE LEGISLATIVE COUNCIL**

<b>SPONSOR:</b>	<b>Rep. Coffman</b>	<b>TABLED</b>
		<b>02/02/93</b>
LR 2117	An Act to Freeze Tuition Rates for all In-State University of Maine System Students	
<b>SPONSOR:</b>	<b>Rep. Fitzpatrick</b>	<b>TABLED</b>
		<b>03/02/93</b>
LR 2194	An Act to Prevent Criminalization and to Promote Jail Diversion	
<b>SPONSOR:</b>	<b>Rep. Gray</b>	<b>TABLED</b>
		<b>01/07/93</b>
LR 2104	An Act to Abolish the Workers' Compensation System	
<b>SPONSOR:</b>	<b>Rep. Gwadosky</b>	<b>TABLED</b>
		<b>03/16/93</b>
LR 2248	An Act to Establish the Maine Street Revitalization Program	
<b>SPONSOR:</b>	<b>Rep. Hatch</b>	<b>TABLED</b>
		<b>03/16/93</b>
LR 2241	An Act to Enhance the Ability of the Department of Human Services to Collect Child Support Payments	
<b>SPONSOR:</b>	<b>Rep. Larrivee</b>	<b>TABLED</b>
		<b>03/02/93</b>
LR 2196	An Act to Create a Sales Tax Exemption for Eye Banks	
<b>SPONSOR:</b>	<b>Rep. Martin, John L.</b>	<b>TABLED</b>
		<b>03/02/93</b>
LR 2213	An Act Relating to Private Property Rights	
<b>SPONSOR:</b>	<b>Sen. McCormick</b>	<b>TABLED</b>
		<b>03/02/93</b>
LR 2200	An Act to Encourage Economic Recovery in the Construction Industry	
<b>SPONSOR:</b>	<b>Rep. Mitchell, James</b>	<b>TABLED</b>
		<b>03/02/93</b>
LR 2209	An Act to Authorize a Referendum Vote for Approval of a Contract for Disposal of Low-level Radioactive Waste Generated in this State	

**SPONSOR: Rep. Oliver**

**TABLED  
04/06/93**

**LR 2293    An Act to Prohibit Discrimination in the Assignment of  
School Attendance Areas**

**SPONSOR: Sen. Paradis, Judy**

**TABLED  
03/02/93**

**LR 2217    An Act to Provide Savings for the State While Providing  
Services for the State's Long-term Care Consumers**

**SPONSOR: Sen. Paradis, Judy**

**TABLED  
03/30/93**

**LR 2276    An Act to Expand Access to Recreational Hunting**

**SPONSOR: Rep. Plowman**

**TABLED  
03/16/93**

**LR 2229    Resolve, Directing the Trustees of the University of  
Maine to Develop a Plan**

#### **JOINT RESOLUTION**

**SPONSOR: Rep. Simoneau**

**TABLED  
01/07/93**

**LR 0960    JOINT RESOLUTION MEMORIALIZING CONGRESS ALLOWING  
STATES TO SET THEIR OWN TAX POLICIES FOR CREDIT UNIONS**

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**ADDENDUM**

**LEGISLATIVE COUNCIL  
REQUESTS TO INTRODUCE LEGISLATION  
FIRST REGULAR SESSION  
April 27, 1993**

**Action**

**SPONSOR: Rep. Tardy**

**LR 2327 An Act to Provide Franchise and Dealership Protection**