

# MAINE STATE LEGISLATURE

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**LEGISLATIVE COUNCIL**  
**June 3, 1993**  
**AGENDA**

**CALL TO ORDER**

**ROLL CALL**

**SECRETARY'S REPORT**

Summaries of May 27 and May 28 Council Meetings.

**EXECUTIVE DIRECTOR'S REPORT**

**REPORTS FROM COUNCIL COMMITTEES**

**OLD BUSINESS**

**NEW BUSINESS**

Item #1: Requests to Carry Bills Over to the Second Regular  
Session

Item #2: After Deadline Bill Requests

**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

N. DONALD E. ESTY, JR.  
N. 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

## MEETING SUMMARY

May 27, 1993

Approved June 3, 1993

### CALL TO ORDER

The Chair, Rep. Gwadosky, called the Council to order at 11:17 a.m., in the Speaker's Office.

### ROLL CALL

**Senators:**

Sen. Dutremble, Sen. Esty, Sen. Bustin,  
Sen. Carpenter  
Absent: Sen. Cahill

**Representatives:**

Speaker Martin, Rep. Gwadosky, Rep.  
Whitcomb, Rep. Paradis, Rep. Zirnkilton

**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 May 19, 1993, Council meeting was approved and placed on file. (Motion by President Dutremble, second by Rep. Paradis; unanimous).

## **EXECUTIVE DIRECTOR'S REPORT**

Sally Tubbesing presented the following items for the Council's consideration:

**Item #1: Progress Report on Various State House Improvements**

Ms. Tubbesing reported that more than \$600 has been collected to plant flowers in the gardens surrounding the State House. She suggested that any monies that were left after paying for the flowers be used for bulbs to be planted in the fall.

She then updated Council members on the status of the investigation of the fence and wall. She has received preliminary estimates for both recasting and replacing the missing fence posts -- totalling \$10,000 and noted that it would take 10-12 weeks for delivery of the fence posts. Finally, she reported that an initial survey of the granite wall that serves as the foundation for the fence has revealed that improper drainage and lack of routine maintenance are the primary causes of the deterioration of both the wall and fence. She is working to develop a phased approach to repair of these elements and will bring a proposal to the Council when the information has been assembled.

No Council action was required on this item.

**Item #2: Preliminary List of Statutory Studies to be Staffed through the Council**

Ms. Tubbesing drew Council members' attention to a listing of the bills that are still pending that would create study commissions to be staffed by the Legislative Council. She noted that the Council has, in past years, arranged to have such bills tabled in the Senate in order to give the Council an opportunity to ensure that staff resources were adequate to support all of the proposed studies and to set priorities.

**Motion:** That this item be tabled until a complete list is available. (Motion by President Dutremble; second by Rep. Paradis; unanimous).

In discussion that followed the vote, members expressed their support for a letter to be sent to all Committee Chairs from the Council Chair asking them to set priorities for studies.

**Item #3: Status of Bills in Committees**

Ms. Tubbesing referred Council members to a status report that summarized the status of bills still in committee, and Martha Freeman briefly described the significance of the information in the various columns. A general discussion ensued about the presiding officers' desire to get all of the remaining bills on the calendar by the middle of the next week and the fact that this would involve staff in all 3 offices - OPLA, OFPR and the Revisor's -- working through the Holiday weekend. Ms. Freeman observed that the non-partisan staff were committed to help leadership meet their targets, regardless of whether this involved weekend work. John Wakefield reiterated Ms. Freeman's statement; however, he reminded Council members that the fact that the holiday weekend would be extended by a shutdown day for the executive branch presented an obstacle for completing some fiscal notes.

No Council action was required on this item.

**REPORTS FROM COUNCIL COMMITTEES**

None.

**OLD BUSINESS**

None.

**NEW BUSINESS****Item #1: Request from Judiciary Committee for Council Authorization of a Staff Study on Federal and State Access Laws**

Rep. Farnsworth, who was present, stated that an interim study would be the most cost-effective way to do the necessary research.

Motion: That the request be tabled pending the Council's review of all study requests. (Motion by Speaker Martin; second by Rep. Whitcomb; unanimous).

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

In response to a question, Sally Tubbesing reported that the list included requests from Committees to carry over 35 bills. Rep. Whitcomb asked if the Council had considered reviewing all of the carry over requests it had already approved and perhaps paring the list. Rep. Gwadosky responded that he did not think the total number approved for carry over was unusual given the Committees' intense participation in the budget process.

Motion: That all of the requests be approved. (Motion by President Dutremble; second by Sen. Carpenter; unanimous).

**Item #3: 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 12:03 p.m., on the motion of Sen. Carpenter.



REP. DAN A. GWADOSKY  
CHAIR

SEN. DENNIS L. DUTREMBLE  
VICE-CHAIR

STATE OF MAINE

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REP. PATRICK E. PARADIS  
REP. STEPHEN M. ZIRNKILTON

SARAH G. TUBBESING  
EXECUTIVE DIRECTOR

## MEETING SUMMARY

May 28, 1993

Approved June 3, 1993

### CALL TO ORDER

The Chair, Representative Gwadosky, called the Council to order at 10:41 a.m. in the Legislative Council Chamber.

### ROLL CALL

**Senators:**

Sen. Dutremble, Sen. Esty, Sen. Bustin,  
Sen. Carpenter  
Absent: Sen. Cahill

**Representatives:**

Speaker Martin, Rep. Gwadosky,  
Rep. Paradis, Rep. Zirnkilton  
Absent: Rep. Whitcomb

**Legislative Officers:**

Sally Tubbesing, Executive Director  
Joy O'Brien, Secretary of the Senate  
Joseph Mayo, Clerk of the House

### SECRETARY'S REPORT

None.

### EXECUTIVE DIRECTOR'S REPORT

None.

### REPORTS FROM COUNCIL COMMITTEES

None.

## OLD BUSINESS

None.

## NEW BUSINESS

### Item #1: 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.

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

**Motion:** That the pending requests to carry bills over be approved. (Motion by Speaker Martin; second by Senate President Dutremble; unanimous).

### Item #3: Funding for Reapportionment

Senator Esty noted that because the development of a redistricting plan was still in progress, the two redistricting caucuses continued to work. He then suggested that the Council has a responsibility to assure that both caucuses are able to continue their work and offered the following motion to that end.

**Motion:** That \$10,000 of the remaining balance in the Commission Chair's account be distributed equally to the Democratic and Republican caucuses so that the continued work of the caucuses can be properly supported. (Motion by Sen. Esty; second by Speaker Martin).

**Discussion:** In response to Rep. Zirnkilton's question about what the money would be used for, Speaker Martin specified the preparation of briefs to submit to the Supreme Judicial Court, which now has responsibility for drawing the plan. Rep. Zirnkilton then asked if this money could be used for related expenses, such as attorneys, and the Speaker replied affirmatively.

The motion was approved unanimously.

Following the vote, the Chair, Rep. Gwadosky, clarified that the Council's action would result in the addition of \$5,000 to the original budget of \$50,000 for each caucus.

## ANNOUNCEMENTS AND REMARKS

None.

## ADJOURNMENT

The Council meeting was adjourned at 10:47 a.m., on the motion by Speaker Martin, which was seconded by Sen. Dutremble.



Legislative Council  
Action on Requests to Carry Over Bills  
to the Second Regular Session  
as of May 28, 1993

DB: TEST6  
RPT: SPEC05

<u>Committee Name</u>	<u>Title</u>	<u>Sponsors</u>	<u>Action</u>
Housing & Economic Development L.D. 1528	An Act to Establish the Maine Education and Training Export Partnership within the Department of Economic and Community Development	CAHILL	Approved 5/28/93
State & Local Government L.D. 1111	Resolve, to Create the Commission to Establish Criteria and Qualifications for Certain State Officers	LIBBY J D	Approved 5/28/93

— End of Report —

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

DB: TEST6  
RPT: SPEC04

June 3, 1993

<u>Committee Name</u>	<u>Title</u>	<u>Sponsors</u>
Appropriations & Financial Affairs		
L.D. 302	RESOLUTION, to Amend the Constitution of Maine Regarding the Rainy Day Fund	FOSS
L.D. 1167	An Act Creating the Maine Budget and Economic Stabilization Fund	CAHILL
L.D. 1505	An Act to Encourage More Efficient Spending of State Tax Dollars	DAGGETT
Banking & Insurance		
L.D. 1285	An Act to Provide Family Security through Quality, Affordable Health Care	RYDELL MCCORMICK
Taxation		
L.D. 757	An Act to Eliminate the Sales Tax on Snack Foods	MURPHY
L.D. 1143	An Act Concerning the Definition of Telecommunications Under the Tax Laws	DAGGETT

— End of Report —

Legislative Council  
Action on Requests to Carry Over Bills  
to the Second Regular Session  
as of June 3, 1993

DB: TEST6  
RPT: SPEC05

Committee Name	Title	Sponsors	Action
Appropriations & Financial Affairs			
L.D. 302	RESOLUTION, to Amend the Constitution of Maine Regarding the Rainy Day Fund	FOSS	Approved 6/3/93
L.D. 1167	An Act Creating the Maine Budget and Economic Stabilization Fund	CAHILL	Approved 6/3/93
L.D. 1505	An Act to Encourage More Efficient Spending of State Tax Dollars	DAGGETT	Approved 6/3/93
Banking & Insurance			
L.D. 1285	An Act to Provide Family Security through Quality, Affordable Health Care	RYDELL MCCORMICK	Approved 6/3/93
Judiciary			
L.D. 1266	An Act to Allow a Casino to be Constructed by the Passamaquoddy Tribe in Calais for the Purpose of Gambling	VOSE	Approved 6/3/93
Taxation			
L.D. 757	An Act to Eliminate the Sales Tax on Snack Foods	MURPHY	Approved 6/3/93
L.D. 1143	An Act Concerning the Definition of Telecommunications Under the Tax Laws	DAGGETT	Approved 6/3/93

— End of Report —

**LEGISLATIVE COUNCIL  
REQUESTS TO INTRODUCE LEGISLATION  
FIRST REGULAR SESSION  
June 3, 1993**

**Action**

**SPONSOR: Rep. DiPietro**

**LR 2405    An Act to Amend the Solid Waste Laws**

**SPONSOR: Rep. Foss**

**LR 2407    An Act to Amend the Laws Governing the Required  
Qualifications to Practice Law in the State**

**Cosponsors: Rep. Paradis, Patrick E.**

**TABLED BY THE LEGISLATIVE COUNCIL**

**SPONSOR: Rep. Rotondi**

**TABLED  
05/28/93**

**LR 2394    An Act Regarding Sales of Real Property to Compensation  
for Tax Debt**

**SPONSOR: Rep. Rotondi**

**TABLED  
05/28/93**

**LR 2395    An Act Regarding Bench Warrants**

**SPONSOR: Rep. Rotondi**

**TABLED  
05/28/93**

**LR 2396    Resolution, Proposing an Amendment to the Constitution of  
Maine Regarding Home Rule**