

MAINE STATE LEGISLATURE

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SEN. JANE A. AMERO
CHAIR

REP. ELIZABETH H. MITCHELL
VICE-CHAIR



Lynn Randall
Legislative Council Info.

EFFREY H. BUTLAND
. LEO KIEFFER
MARK W. LAWRENCE

SEN. BEVERLY MINER BUSTIN
REP. DAN A. GWADOSKY
REP. PAUL F. JACQUES
REP. WALTER E. WHITCOMB
REP. JOSEPH G. CARLETON, JR.

SARAH C. TUBBESING
EXECUTIVE DIRECTOR

117th MAINE STATE LEGISLATURE

LEGISLATIVE COUNCIL

MEETING SUMMARY

OCTOBER 22, 1995

Approved November 9, 1995

CALL TO ORDER

The Council Chair, Senator Amero, called the Council meeting to order at 1:16 p.m. in the Council Chamber.

ROLL CALL

Senators:	President Butland, Sen. Lawrence, Sen. Kieffer, Sen. Bustin, Sen. Amero
Representatives:	Speaker Gwadosky, Rep. Jacques, Rep. Whitcomb, Rep. Mitchell, Rep. Carleton
Legislative Officers:	May Ross, Secretary of the Senate Joseph Mayo, Clerk of the House Sally Tubbesing, Executive Director, Legislative Council John Wakefield, Director, Office of Fiscal and Program Review David Boulter, Director, Office of Policy and Legal Analysis Margaret Matheson, Revisor of Statutes

SUMMARY OF SEPTEMBER 25, 1995, COUNCIL MEETING

Motion: That the Meeting Summary be approved with the correction noted on page 5. (Motion by Rep. Mitchell; second by Sen. Kieffer; unanimous).

EXECUTIVE DIRECTOR'S REPORT

Sally Tubbesing brought the following items to the Council's attention:

Item #1: Personnel Activity

Ms. Tubbesing reported the resignation of 2 members of the staff in the Revisor's Office -- Margaret Jones, a session-only Legal Proofreader, and Ann White, a full-time Legal Proofreader.

Motion: That the Revisor of Statutes be authorized to proceed to fill these positions in consultation with the Executive Director. (Motion by Rep. Carleton; second by Rep. Mitchell; unanimous).

Ms. Tubbesing also reported that Linda Weston had been hired to fill the position of Administrative Secretary in the Office of Policy and Legal Analysis, as previously authorized by the Council.

No further Council action was required on this appointment.

Item #2: Request From the Productivity Realization Task Force for Staffing Assistance from the Office of Fiscal & Program Review

Ms. Tubbesing deferred to John Wakefield, Director of the Office of Fiscal and Program Review, who reported that his office had been formally requested by the Productivity Realization Task Force to review and verify those proposals that the Task Force had already received from departments, as well as those yet to come. He stated that he had met with the Task Force to clarify the role of his Office in the review process and that it had been agreed that OFPR staff would work with staff from the State Budget Office on these reviews and prepare a report for the Task Force on each department's proposal. He noted that the Task Force has a very ambitious schedule and predicted that the reviews may raise questions about some of the numbers presented by the departments.

Council members did not take formal action on this item, since the legislation creating the Task Force includes a provision for seeking assistance from Legislative Council staff. However, Rep. Mitchell asked Mr. Wakefield to keep Council members apprised of his office's work for the Task Force and, further, to keep track of the time involved in performing this work for the Task Force.

REPORTS FROM COUNCIL COMMITTEES

None.

OLD BUSINESS

None.

NEW BUSINESS

- Item #1: Contingency Planning in Anticipation of Reduced Federal Funding of Federal Block Grants (correspondence from Janet E. Waldron, Commissioner of Administrative & Financial Services)**

Motion: That the correspondence be accepted and placed on file. (Motion by Speaker Gwadosky; second by Senate President Butland; unanimous).

- Item #2: Request from Work Group on Electric Industry Restructuring for Extension of Reporting Deadline (Memo from Rep. Kontos, Chair, Work Group)**

Members referred to the letter from Rep. Kontos, who chairs the Work Group, which requested that the Council approve an extension of the Work Group's reporting deadline from November 1 to December 15. Sen. Amero recognized Patrick Norton, a Principal Analyst in OPLA, who stated that this extension would require additional funds, which he estimated to be \$800 to \$1,000. He also noted that the Work Group had determined that the additional funds required were available in the executive branch.

Motion: That the Council approve an extension of the Work Group's reporting deadline for December 15 and, further, that the Work Group be authorized to seek the additional funding from the executive branch, in accordance with the language creating the Work Group. (Motion by Rep. Jacques; second by Rep. Whitcomb; unanimous).

- Item #3: Recommendation from Earle Shettleworth, Chair, State House & Capitol Park Commission, regarding a Commemorative Plaque**

Ms. Tubbesing summarized the letter from Earle Shettleworth, which recommended that the Council authorize a bronze plaque to be placed on one of the granite pillars at the State Street entrance to the Park, which would acknowledge and commemorate the work done by the Civilian Conservation Corp. in shaping the Park.

Motion: That the recommendation be approved. (Motion by Sen. Bustin; second by Rep. Whitcomb; unanimous).

Item #4: Proposed Rates for Legislative Document Service for Second Regular Session

The Chair, Sen. Amero, recognized Clerk of the House Joseph Mayo, who explained that the proposed fee schedule for the Second Regular Session incorporated the same rates that the Council had approved for the First Regular Session, pointing out that the differences reflect the fewer number of both bills and legislative days in the Second Regular Session. He further noted that the rates represent an increase over the rates for the Second Regular Session of the 116th Legislature in order to reflect increases in both postage rates and printing costs since then.

In response to a question from Rep. Whitcomb about whether the legislature budget had been adjusted accordingly, Clerk Mayo responded that the fees generated by the Document Service, which amounted to more than \$85,000 for the First Regular Session, are treated as undedicated revenue and go back into the General Fund, not the legislative account.

Motion: That the rate scheduled be adopted as presented.
(Motion by Rep. Jacques; second by Rep. Mitchell; unanimous).

Item #5: Requests to Introduce Legislation to the Second Regular Session

The Chair, Senator Amero, noted that the primary purpose of this meeting was to screen legislators' requests to introduce bills in the Second Regular Session. She expressed her appreciation to Margaret Matheson, Revisor of Statutes and her staff, as well as the staff in the other non-partisan offices who had been involved in preparing the materials for the meeting.

Sen. Amero then observed that the screening process is designed to give the Council the opportunity to manage the Legislature's workload for the Second Regular Session. She noted that legislators had filed 362 requests by the cloture deadline on October 5, which is almost 100 fewer requests than were filed 2 years ago, and reminded Council members that the requests it accepted would be added to an existing workload of 101 carryover bills, 64 bills that have been filed by departments and independent agencies, and any legislation which may emerge from the more than 20 interim studies that are underway. At Sen. Amero's request, Ms. Matheson then briefly reviewed the organization of the book.

Sen. Amero then reviewed the procedures that would be employed in considering the request:

- Each request would be taken up separately in the order it appears in the book (alphabetically by sponsor).

- Legislators who may be in attendance would not be given an opportunity to speak on behalf of their requests in order to keep the length of the meeting manageable, and in view of the fact that they will have an opportunity to speak on behalf of any bill they choose to appeal at the next Council meeting.
- Roll call votes must be recorded for each request pursuant to the Joint Rules; however votes will be taken by a show of hands, and staff will record the results.

Sen. Amero then shared with Council members Webster's definition of "emergency" and expressed her hope that Council members keep this in mind as they proceeded with their review of bill requests. Several Council members indicated their intention to adopt a very strict interpretation of the constitutional provision that "... the business of the second regular session be limited to budgetary matters; legislation in the Governor's call, legislation of an emergency nature admitted by the Legislature; etc. ..."

The Council then proceeded to consider legislators' requests to introduce bills to the Second Regular Session. A list of the requests approved for introduction at this meeting is attached to this Meeting Summary.

Note: The roll call tallies for individual requests are available on request and will be a part of the permanent record of this Council meeting.

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Council adjourned at 5:05 p.m., on the motion of Rep. Carleton.