

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

August 21, 1996

AGENDA

Lynn Randall
Legislative Council Info.

CALL TO ORDER

ROLL CALL

SUMMARY OF JULY 25, 1996, COUNCIL MEETING

(Enclosed)

EXECUTIVE DIRECTOR'S REPORT

Item #1: Personnel Actions

a. Hires

Rose Breton as Assistant for Administrative Services,
Office of the Executive Director (resume enclosed)

b. Resignations

Janet Grard, Senior Technical Support Coordinator,
Information Systems Office (letter enclosed)

Gerry Sawyer, Network Support Technician,
Information Systems Office

Item #2: Legislative Budget: FY 96 Year End Status and Preliminary Information Regarding FY 98 - FY 99 Biennial Budget Request

REPORTS FROM COUNCIL COMMITTEES

Strategic Planning Working Group

OLD BUSINESS

Item #1: Maine Development Foundation Proposal to Expand Institute Program for Incoming Legislators

NEW BUSINESS

Item #1: Requests to Introduce Legislation to the Proposed Second Special Session

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

SEN. JANE A. AMERO
CHAIR
REP. ELIZABETH H. MITCHELL
VICE-CHAIR



SEN. JEFFREY H. BUTLAND
SEN. R. LEO KIEFFER
SEN. MARK W. LAWRENCE
SEN. BEVERLY MINER BUSTIN
REP. DAN A. GWADOSKY
REP. PAUL F. JACQUES
REP. WALTER E. WHITCOMB
REP. JOSEPH G. CARLETON, JR.

117th MAINE STATE LEGISLATURE

LEGISLATIVE COUNCIL

SARAH C. TUBBESING
EXECUTIVE DIRECTOR

MEETING SUMMARY

July 25, 1996

CALL TO ORDER

The Chair, Senator Amero, called the Council meeting to order at 2:25 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators: President Butland, Sen. Lawrence, Sen. Kieffer, Sen. Bustin, Sen. Amero

Representatives: Speaker Gwadosky, Rep. Jacques, Rep. Whitcomb, Rep. Mitchell
Absent: Rep. Carleton

Legislative Officers: John Wakefield, Director, Office of Fiscal and Program Review
David Boulter, Director, Office of Policy and Legal Analysis
Margaret Matheson, Revisor of Statutes
May Ross, Secretary of the Senate
Joseph Mayo, Clerk of the House

SUMMARY OF JUNE 26, 1996, COUNCIL MEETING

Motion: That the Meeting Summary be approved as amended to reflect that May Ross was absent and be placed on file. (Motion by Rep. Jacques; second by Rep. Mitchell; unanimous).

EXECUTIVE DIRECTOR'S REPORT

John Wakefield drew Council members' attention to Sally Tubbesing's memorandum dated July 25, 1996.

Item #1: Administrative Services Position: Status Report

Sally Tubbesing reported in her memo that she had received nearly 100 applications for the position of Assistant for Administrative Services and has now completed interviews with 6 individuals. Ms. Tubbesing hopes to offer the position the week of August 5.

No Council action was required on this item.

Item #2: Repairs and Renovations: Status Report

A review team consisting of the architect, Earle Shettleworth, Goff French, and Sally Tubbesing have reviewed prequalification packages submitted by 8 contractors and concluded that 4 firms were qualified to submit bids on the roof repair project. The bid opening is scheduled for August 6th. Ms. Tubbesing requested that the Council consider authorizing her to proceed with negotiating a contract with the low bidder, provided that it is determined that the contractor has met all conditions of the bid.

Motion: That Ms. Tubbesing be authorize to negotiate a contract for roof repairs with the lowest bidder, provided that the bid does not exceed \$740,000. (Motion by Rep. Jacques, seconded by Rep. Mitchell, unanimous).

REPORTS FROM COUNCIL COMMITTEES

CSG/ERC '97 Steering Committee

Senator Amero reported that the Reception that Maine hosted at this year's Annual Conference in Princeton was a success and that it enjoyed great participation. She also noted that several delegates had commented that Maine had the best reception at the conference.

Rep. Kontos indicated that \$31,000 was raised to offset the expenses of the reception. She noted that Maine was represented by 15 legislators and staff, and that all assisted in staffing the Maine Information table in the hotel lobby, packing gift bags, and at the reception itself. She complimented all of those who assisted the effort and also stated that the gift bags were very very well received. Rep. Kontos indicated that there is a lot of work and planning to be done to prepare for next year's conference to be held in Maine. She anticipates that 1200 people could attend and that approximately \$150,000 will need to be raised for next year's event.

No Council action was required on this item.

Strategic Planning Working Group

Sen. Amero reported to the Council that the Working Group had met once since the last meeting and had made significant progress on the Legislature's Strategic Plan. Copies of the draft mission statement, goals and objectives were distributed for review and comment. Sen. Amero indicated that the draft plan will be completed to meet the August 1, 1996 deadline and that the Work Group would reschedule its next meeting from July 29 to August 7.

Rep. Whitcomb suggested that he would like to have an objective or strategy added to the plan that addressed improving attendance at legislative hearings.

OLD BUSINESS

None.

NEW BUSINESS

Item #1: Maine Development Foundation Proposal to Expand Institute Program for Incoming Legislators (Presentation by Henry Bourgeois and Meredith Jones)

The Chair, Sen. Amero, introduced Henry Bourgeois, President, and Meredith Jones, Director of Communications and Development, of the Maine Development Foundation, who presented a proposal to develop a Policy Leaders Academy for legislative leadership, committee chairs and new legislators for the 118th Legislature. The components of the program could include a one day "state of the state economy" conference, a four day bus tour, a three day intensive training workshop for elected/appointed legislative leaders, and follow-up workshops on leadership challenges faced by committee Chairs and Council members.

Mr. Bourgeois and Ms. Jones estimate that the total cost of this program would be \$153,868 and proposed that MDF contribute \$33,000, with the balance to be funded out of the legislative account.

Discussion: Council members engaged in considerable discussion regarding the bus tours and the leadership training. Sen. Amero requested that the Maine Development Foundation separate the training component from the bus tours, giving more detail as to the cost of each. Sen. Kieffer requested that Sally Tubbesing identify the Legislature's expenditure for last year's bus tours, and also how much was available in the budget. He would like the information available at the August meeting. Rep. Jacques felt that the leadership training should be a

priority and agreed that the bus tours and training should be treated separately. There appeared to be consensus on separating the components. Rep. Whitcomb favored integrating in-house orientation with the Maine Development Foundation's leadership training proposal.

The Council took no formal action at this time.

ANNOUNCEMENTS AND REMARKS

The next Council meeting is scheduled on August 21 at 2:00 p.m.

ADJOURNMENT

The Council meeting adjourned at 3:15 p.m. (Motion by Rep. Jacques; seconded by Rep. Mitchell).

GENERAL LEGISLATIVE ACCOUNT
EXPENDITURE SUMMARY: FISCAL YEARS 1990-91 to 1995-96
(General Fund Only)

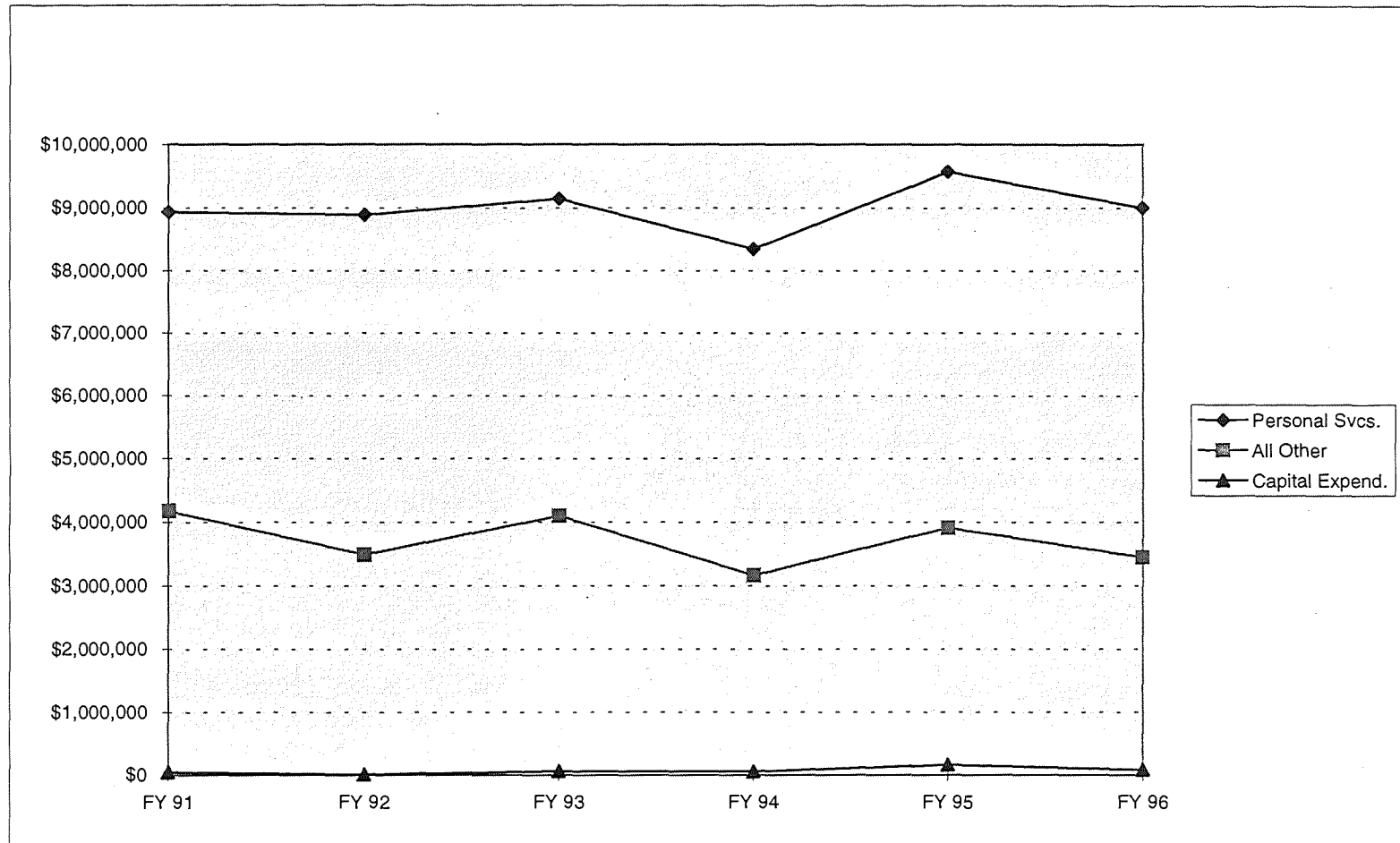
LINE CATEGORY	FISCAL YEAR 1990-91 ACTUAL	FISCAL YEAR 1991-92 ACTUAL	FISCAL YEAR 1992-93 ACTUAL	FISCAL YEAR 1993-94 ACTUAL	FISCAL YEAR 1994-95 ACTUAL	FISCAL YEAR 1995-96 ACTUAL
Personal Services						
Salaries	\$6,641,385	\$6,611,000	\$6,766,655	\$6,272,775	\$7,213,774	\$6,580,131
Benefits	2,296,190	2,280,695	2,379,364	2,074,927	2,360,842	2,422,574
Total Personal Services	8,937,575	8,891,695	9,146,019	8,347,702	9,574,616	9,002,705
All Other (1)	4,178,826	3,487,765	4,100,927	3,164,947	3,912,007	3,446,472
Capital Expenditures	46,905	9,603	60,351	53,643	165,245	82,275
Total Expenditures - Legislative Account	\$13,163,306	\$12,389,063	\$13,307,297	\$11,566,292	\$13,651,868	\$12,531,452
Total General Fund Expenditures	\$1,550,964,763	\$1,533,848,603	\$1,606,620,231	\$1,592,804,301	\$1,686,997,644	\$1,733,842,806 (2)
Legislative Account Expenditures as % of Total GF Expenditures	0.85%	0.81%	0.83%	0.73%	0.81%	0.72%

Notes: (1) All Other expenditures include encumbered balances at year end.

(2) FY 1995-96 Total General Fund Expenditures represents appropriations through the 2nd Regular Session of the 117th Legislature.

Source: Bureau of Accounts and Control, MFASIS and Annual Financial Report

GENERAL LEGISLATIVE ACCOUNT
EXPENDITURE SUMMARY: FISCAL YEARS 1990-91 TO 1995-96



LEGISLATIVE ACCOUNT
FINAL BALANCES : FISCAL YEAR 1996

Salaries

	Available	Thru 6/30	Balance
3110 Permanent Regular	\$ 2,941,961	\$ 2,786,509	\$ 155,452
3210 Limited Period Regular	3,223,330	3,086,626	136,704
3310 Seasonal	730,983	450,503	280,480
3612 Overtime	61,742	96,294	(34,552)
3616 Retro Lump Sum	----	----	----
3631 Longevity Bonus	19,960	15,473	4,487
3810 Unemployment Compensation	46,500	67,836	(21,336)
3890 Per Diem	64,500	76,890	(12,390)
Total Salaries	\$ 7,088,976	\$ 6,580,131	\$ 508,845

Benefits

3901 Health Insurance	\$ 1,406,818	\$ 1,139,886	\$ 266,932
3905 Dental Insurance	69,478	65,364	4,114
3908 Retirees'/Health Ins.	1,246,171 }	100,572	{ 102,882
3910 Retirement		1,042,771	
3911 Group Life	19,187	15,669	3,518
3912 Medicare	59,771	56,412	3,359
3973 Child Care	900	1,900	(1,000)
Total Benefits	\$ 2,802,325	\$ 2,422,574	\$ 379,805
TOTAL PERSONAL SERVICES	\$ 9,891,295	\$ 9,002,705	\$ 888,650

All Other

	Available	Expenditures Thru 6/30	Year-End Balance
4000 Professional Services (Non-State)	\$ 179,236	\$ 142,189	\$ 37,047
4100 Professional Services (State)	2,525	1,503	1,022
4200 Travel/In-State	1,012,415	816,099	196,316
4300 Travel/Out-of-State	87,719	51,545	36,174
4500 Utilities	290,041	355,682	(65,641)
4600 Rents	399,640	93,108	306,532
4700 Repairs	81,670	135,738	(54,068)
4800 Insurance	15,300	19,437	(4,137)
4900 General Operations			
Postage	\$ 225,000	\$ 238,365	\$ (13,365)
Printing/Binding	630,000	558,318*	71,682
Photocopying	65,000	94,003	(29,003)
Advertising	64,390	84,171	(19,781)
Periodicals/Subscriptions	20,000	30,503	(10,503)
Microfiche/Software	94,531	107,560	(13,029)
Tuition/Dues	16,500	31,920	(15,420)
Maintenance Contracts	15,000	37,326	(22,326)
Miscellaneous	2,000	664	1,336
5100 Food	5,281	1,659	3,622
5300 Office Supplies	75,103	50,299	24,804
5400 Clothing	8,684	2,459	6,225
5600 Other Supplies/Books	172,703	297,723	(125,020)
6800 Constituent Service Allowance	200,250	200,250	----
6900 Misc. Payments/Claims	----	3,596	(3,596)
8008 Interest	----	306	(306)
Total All Other	\$ 3,662,988	\$ 3,354,420	\$ 308,565

Capital

7200 Equipment
7300 Major Improvements

Total Capital

TOTAL ACCOUNT

\$ 87,713 ----	\$ 82,275 ----	\$ 5,438 ----
\$ 87,713	\$ 82,275	\$ 5,438
\$ 13,641,996	\$ 12,439,400	\$ 1,202,596

117th Legislature/ 1st Regular Session
Maine Development Foundation/ Economic Institute
Costs Paid by the Legislature

December 13 - 14	Maine's Economic Future: Civic Center	
Meals	\$ 2,289.00	
Civic Center	<u>2,285.18</u>	
		\$ 4,574.18
 January 17 - 20	 Southern Maine Tour	
Transportation	\$ 3,029.00	
Meals	3,683.96	
Lodging	<u>9,062.00</u>	
		\$15,774.96
 February 6 - 9	 Eastern & Northern Tour	
Transportation	\$ 3,616.02	
Meals	632.60	
Lodging	<u>\$ 7,530.56</u>	
		\$11,778.58
 TOTAL		 \$32,127.72

POLICY LEADERS ACADEMY

BUDGET SUMMARY

ANNUAL PROGRAM COST (EST.)

1.	One-day conference: Overview of the Economy (150 participants)	\$22,650
	--Facility rental, food, parking @ \$25 per person	\$ 3,750
	--Other direct costs	4,900
	--Staff/curriculum design	<u>14,000</u>
2.	First three-day economic tour of eastern/ northern Maine (100 participants)	\$33,200
	--2 overnights and meals @ \$140 per person	\$14,000
	--Other direct expenses	8,000
	--Staff/economic data collection	<u>11,200</u>
3.	Second three-day economic tour of central/ southern Maine (100 participants)	\$31,200
	--2 overnights and meals @ \$140 per person	\$14,000
	--Other direct expenses	6,000
	--Staff/economic data collection	<u>11,200</u>
4.	Three days leadership training (<i>off-site</i>), four 2-hour follow-up workshops (<i>Augusta</i>), and four days committee facilitation (<i>State House</i>)--50 participants; 8 training days	\$53,250
	--3 overnights and meals @ \$210 per person	\$10,500
	--Other direct expenses	14,750
	--Staff/curriculum design	<u>28,000</u>
5.	Other	\$15,000
	--Univ. graduate credits @ \$300/person x 40 people	\$12,000 (tent.)
	--Staff travel	1,000
	--Misc.	<u>2,000</u>

TOTAL PROGRAM COSTS: \$155,300

Sources of Income

1. State Legislature \$120,100
2. MDF through member contributions and other support . 35,200

TOTAL: \$155,300

**LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
TO THE SECOND SPECIAL SESSION**

**Revised
as of August 21, 1996 (12 noon)**

Action

SPONSOR: Sen. Abromson

LR 3232 An Act to Create a New Assistant District Attorney
Position for Cumberland County

SUMMARY

This bill provides funds to create a new Assistant District Attorney position in Cumberland County.

SPONSOR: Rep. Barth

LR 3225 An Act to Fully Reimburse Municipalities for
Property Taxes Lost Due to the Maine Tree Growth
Tax Law in 1996

SUMMARY

This bill provides funding to reimburse eligible municipalities the full 90% amount required by law under the tree growth reimbursement program for the most recent property tax year. The current reimbursement amount is approximately 40%.

SPONSOR: Sen. Carey

LR 3237 An Act to Amend the Law Concerning Tax Increment Financing

SUMMARY

This bill allows reimbursement under the employment tax increment financing laws for businesses taking over any concern that would otherwise cease operations.

SPONSOR: Rep. Dexter

LR 3235 An Act to Allow County Commissioners to Serve on the
Land Use Regulatory Commission Board.

SUMMARY

This bill clarifies that county commissioners may serve on the Land Use Regulation Commission Board.

Action

PONSOR: Rep. Farnum

LR 3216 An Act to Strengthen the Penalties When a Person Cancels an Automobile Insurance Policy After Registering a Motor Vehicle

SUMMARY

This bill requires an insurance company to notify the Secretary of State when an insured cancels an automobile policy held by the insurance company. The Secretary of State is required to suspend the insured's driver's license unless further proof of insurance is provided.

SPONSOR: Sen. Ferguson

LR 3227 An Act to Reimburse Certain Towns in Connection with the Maine Tree Growth Tax Law

SUMMARY

This bill provides reimbursement for municipalities that were denied reimbursement under the Maine Tree Growth Tax Law for the 1995 program due to late filing.

SPONSOR: ~~Sen. Hanley~~

LR 3222 An Act to Provide Legislative Oversight of the Accounting Reserves Established in State Government

SUMMARY

This bill requires legislative approval for changes in reserve accounts established to recognize uncollectible receivables.

SPONSOR: Rep. Joyce

LR 3238 An Act to Exempt Contract Dance Instructors from the Unemployment Tax

SUMMARY

This bill exempts contract dance instructors from the unemployment tax.

Action

SPONSOR: Rep. Kerr

LR 3224 An Act to Clarify the Application of the Sales Tax for Agricultural Purposes

SUMMARY

This bill clarifies application of sales tax laws as they relate to horse breeding and feeding.

LR 3233 An Act to Conform the Maine Tip Credit to the Federal Tip Credit

SUMMARY

This bill conforms the Maine tip credit to the federal tip credit.

SPONSOR: Rep. Kilkelly

LR 3217 An Act to Exempt Nonprofit Ambulance Companies from the State's Sales Tax

SUMMARY

This bill amends the sales tax exemptions to make all nonprofit ambulance services tax exempt.

SPONSOR: Rep. Libby, James D.

LR 3218 An Act to Amend the Laws Regarding the Registration of Pickup Trucks

SUMMARY

This bill repeals language that requires pickup trucks pulling semitrailers to be registered as commercial vehicles if the combined gross weight of the pickup truck and the semitrailer exceeds 6,000 pounds.

LR 3223 An Act to Exempt Sales of Hay From the Sales Tax

SUMMARY

This bill exempts all sales of hay from the sales tax.

Action

SPONSOR: Sen. Pendexter

LR 3228 An Act to Amend the Confidentiality Laws

SUMMARY

This bill requires the Department of Mental Health, Mental Retardation and Substance Abuse Services to disclose confidential information and records to the joint standing committee of the Legislature on health and human services when the committee is acting as an investigating committee.

LR 3234 Resolve, Delegating to the Joint Standing Committee on Health and Human Services Authority to Act as an Investigating Committee

SUMMARY

This resolve gives the Joint Standing Committee on Health and Human Resources the authority to act as an investigating committee while studying the operation and administration of the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Augusta Mental Health Institute.

SPONSOR: Sen. Stevens

LR 3220 An Act Regarding the Use of Green Flashing Lights on Vehicles Used by Animal Control Officers

SUMMARY

This bill requires that a vehicle used by an animal control officer be equipped with a flashing green light that may be used in the event of an emergency.

LR 3230 Resolve, to Suspend Operation of the DeCoster Egg Farms Wastewater Disposal System in Leeds until it Meets Environmental Permit Requirements

SUMMARY

This resolve suspends the operation of the subsurface wastewater disposal system located at the DeCoster Egg Farms facility in the Town of Leeds in 30 days unless it satisfies the permitting requirements of the Department of Environmental Protection.