MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL
January 16, 1997
REVISED AGENDA

Lynn Randall
Legislative Council Info.

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

Summary of December 5, 1996, Council Meeting

EXECUTIVE DIRECTOR'S REPORT

Item #1: The "Pace": Status Report on Drafting

Item #2: Emergency Budget: Impact on Legislative Appropriations

Item #3: Legislature's Strategic Plan: Status

REPORTS FROM COUNCIL COMMITTEES

Item #1: Review of Committees and Chairs' Appointments

Item #2: CSG/ERC Legislative Steering Committee

OLD BUSINESS

Item #1: Part I Budget Request for Legislative Accounts: Status and Review

NEW BUSINESS

Item #1: Judicial Compensation Commission: Submission of First Report

Item #2: Request from Senator Daggett for Extension of Cloture of her Bills

Item #3: Recommendation that the Legislative Council Join the National Council of Legislators from Gaming States. (Letter from Gerald E. Rudman, Chair, Advisory Committee on Gambling).

Item #4: After Deadline Bill Requests

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

JUDICIAL COMPENSATION COMMISSION

c/o 13 State House Station
Augusta, Maine 04333-0013
Telephone: (207) 287-1670
FAX: (207) 287-1275

Commission Members
John DiMatteo, Chair
Ival Cianchette
Elaine D. Rosen

December 1, 1996

The Honorable Mark W. Lawrence, President of the Senate

Dear President Lawrence:

It is our pleasure to submit to you the first report of the Judicial Compensation Commission pursuant to Title 4, chapter 35. After reviewing the broad topic of judicial compensation, we have developed a proposal to ensure that Maine can attract and retain the most highly qualified candidates to the bench.

We arrived at three fundamental conclusions which serve as the premise for making recommendations to improve various aspects of judicial compensation:

- Maine's Judicial Department is a ***separate and equal branch*** of state government and performing a function as vital to our state as the executive and legislative branches. That stature is not reflected in the recent history of state budget appropriations to the judiciary.
- Maine's judiciary has a ***tradition of excellence and productivity***; however, Maine cannot rely on that tradition to take the place of an equitable compensation package for the judiciary.
- Maine's judiciary has not been treated fairly with respect to their compensation:
  - The changes recommended by the 1984 State Compensation Commission linked a certain level of salary increases to a reduction in pension benefits. Since that time, that commitment has been breached by a retreat from the anticipated salary increases while retaining the lower pension benefits.
  - In light of the extremely important role of the judiciary, current compensation for judges compares unfavorably to other public sector positions in Maine and to compensation of judges in other states.

As we prepared this report, we were guided by the statutory directive from the Legislature to develop recommendations to ensure that *"...the most highly qualified lawyers in this State, drawn from diverse life and professional experiences, are not deterred from serving or continuing to serve in the state judiciary and do not become demoralized during service because of [inadequate] compensation levels..."*. The recommendations in this report are designed to fulfill this directive in a manner which is affordable to the people of the State of Maine. We submit this report to you and ask that our recommendations be implemented without delay to continue the outstanding level of service provided by members of Maine's judiciary.

Each member of the Commission has come to feel strongly about the validity and need for these reforms. We are anxious to discuss this report and look forward to doing so with you.

Sincerely,

John DiMatteo, Chair

Ival R. Cianchette, Commission Member

Elaine D. Rosen, Commission Member

xc: Members, Legislative Council

Senator Beverly C. Daggett
District 15
3 State House Station
Augusta, Maine 04333
(207) 287-1540

THE SENATE OF MAINE
118th Legislature

16 Pine Street
Augusta, Maine 04330
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Rep. Elizabeth H. Mitchell, Chair
Sen. Mark W. Lawrence, Vice-Chair
Legislative Council

January 2, 1997

Dear Rep. Mitchell and Sen. Lawrence:

I am requesting permission to file my remaining legislation beyond the cloture date because of an unplanned hospital admission on December 20, 1996. It was necessary for me to have a test done which required overnight hospitalization. I was unable to get home to my computer to run off the information I needed to provide to the Revisor's Office. Several of these pieces of legislation are requests from my constituents.

Thank you for your consideration.

Sincerely,

Beverly Daggett

Senator Beverly C. Daggett

cc: Sen. Chellie Pingree
Sen. Jane A. Amero
Sen. Anne M. Rand
Sen. R. Leo Kieffer
Rep. Carol A. Kontos
Rep. James O. Donnelly
Rep. Michael V. Saxl
Rep. Richard H. Campbell

LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
FIRST REGULAR SESSION
January 10, 1997

Action

SPONSOR: Sen. Bennett, Richard A.

LR 2322 An Act to Amend the Real Estate Brokerage Act

SPONSOR: Sen. Butland, Jeffrey H.

LR 2327 An Act to Establish Minimum Safety Requirements for Ash Recycling Facilities

SPONSOR: Sen. Daggett, Beverly C.

LR 2340 An Act to Promote Fiscal Accountability in State Contracts

SPONSOR: Sen. Daggett, Beverly C.

LR 2341 Resolve, to Require the Maine State Housing Association to Review Safety Standards in Public Housing

SPONSOR: Sen. Daggett, Beverly C.

LR 2342 An Act to Democratize the Board of Trustees of the University of Maine System

SPONSOR: Sen. Daggett, Beverly C.

LR 2343 An Act to Promote the Health of Maine's Children

SPONSOR: Sen. Daggett, Beverly C.

LR 2344 An Act to Prevent Insurance Prejudice Against Those Who have Genetic Testing

SPONSOR: Sen. Daggett, Beverly C.

LR 2345 An Act to Permit the Creation of Cooperative Municipal Fire Districts

SPONSOR: Sen. Daggett, Beverly C.

LR 2346 An Act to Clarify the Appeal Period and Process after the Service of a Writ of Possession

Action

SPONSOR: Sen. Daggett, Beverly C.

LR 2347 An Act to Establish Guidelines for Putting Certain Social Service Contracts out to Bid

SPONSOR: Sen. Daggett, Beverly C.

LR 2348 An Act to Promote Access to Health Care

SPONSOR: Sen. Jenkins, John T.

LR 2323 An Act to Authorize a Bond Issue to Assist Individuals with Disabilities and to Assist Small Businesses in Improving Accessability

SPONSOR: Sen. Jenkins, John T.

LR 2325 An Act to Amend the Finance Authority of Maine Act and the Adaptive Equipment Loan Program

SPONSOR: Sen. Kilkelly, Marjorie L.

LR 2351 An Act to Create a Centralized Listing of Municipal Ordinances that Apply to Forest Practices

SPONSOR: Rep. Lemont, Kenneth F.

LR 2355 An Act Concerning Fuel Taxes for Carriers Operating as School Buses

SPONSOR: Rep. Mitchell, Elizabeth H.

LR 2326 An Act to Provide for the 1997 and 1998 Allocations of the State Ceiling on Private Activity Bonds

SPONSOR: Rep. Mitchell, Elizabeth H.

LR 2360 An Act to Authorize a General Fund Bond Issue to Make Necessary Improvements to the State House

SPONSOR: Rep. Mitchell, J. Elizabeth

LR 2317 An Act to Amend the Pesticide Control Act of 1975

Action

SPONSOR: Rep. Muse, Christopher T.

LR 2353 An Act to Close the Criminal Justice Academy

SPONSOR: Sen. Pendleton, Peggy A.

LR 2324 An Act to Authorize a Tuition Savings Plan to Encourage Attendance at Institutions of Higher Education

JOINT RESOLUTIONS

SPONSOR: Rep. Belanger, Duane J.

LR 1459 JOINT RESOLUTION MEMORIALIZING THE MEMBERS OF THE GOVERNOR'S CABINET TO VISIT EACH COUNTY IN THIS STATE AT LEAST ONCE A YEAR

SPONSOR: Sen. Bennett, Richard A.

LR 2190 JOINT RESOLUTION MEMORIALIZING CONGRESS TO ENACT A BALANCED BUDGET AMENDMENT

SPONSOR: Rep. Davidson, Thomas M.

LR 1977 JOINT RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO URGE FOR A BAN ON THE USE OF ANTIPERSONNEL LANDMINES WORLDWIDE

SPONSOR: Rep. Donnelly, James O.

LR 1393 JOINT RESOLUTION MEMORIALIZING CONGRESS TO PASS A CONSTITUTIONAL AMENDMENT PROTECTING THE UNITED STATES FLAG

SPONSOR: Rep. Donnelly, James O.

LR 2319 JOINT RESOLUTION MEMORIALIZING CONGRESS TO CONSIDER PREVAILING WINDS CAUSING POLLUTION FROM OTHER AREAS IN PRIORITIZING ENVIRONMENTAL STANDARD REQUIREMENTS

SPONSOR: Rep. Donnelly, James O.

LR 2320 JOINT RESOLUTION MEMORIALIZING CONGRESS CONCERNING FLAG DESECRATION

Action

SPONSOR: Rep. Gerry, Belinda A.

LR 2328 JOINT RESOLUTION MEMORIALIZING CONGRESS TO ENACT FEDERAL TERM LIMITS AND TO CALL A CONSTITUTIONAL CONVENTION

SPONSOR: Sen. Ruhlin, Richard P.

LR 2318 JOINT RESOLUTION MEMORIALIZING THE UNITED STATES POSTAL SERVICE AND MAINE'S CONGRESSIONAL DELEGATION TO RETAIN AND PRESERVE THE HISTORIC POST OFFICE IN CASTINE, MAINE

SPONSOR: Rep. Vigue, Marc J.

LR 1475 JOINT RESOLUTION REQUESTING THAT THE BALANCED BUDGET AMENDMENT TO THE UNITED STATES CONSTITUTION BE SUBMITTED TO THE STATES FOR RATIFICATION

SPONSOR: Rep. Winsor, Tom J.

LR 2191 JOINT RESOLUTION MEMORIALIZING CONGRESS TO ADOPT A BALANCED BUDGET OR CALL A CONSTITUTIONAL CONVENTION IF PASSAGE FAILS

ADDENDUM

LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
FIRST REGULAR SESSION
January 14, 1997

Action

SPONSOR: Rep. Bolduc, Brian

LR 2368 An Act to Require that All State-owned Flag Poles Fly the Prisoner of War Flag

SPONSOR: Rep. Bolduc, Brian

LR 2369 An Act to Decrease the Width of a Right-of-way Required to Build on a Parcel of Land Lacking Road Frontage

SPONSOR: Sen. Daggett, Beverly C.

LR 2371 An Act to Assist At Risk Students and Strengthen Their Families

SPONSOR: Sen. Daggett, Beverly C.

LR 2372 An Act to Expand Retirement System Options

SPONSOR: Sen. Daggett, Beverly C.

LR 2373 An Act to Encourage the Payment of Delinquent Taxes

SPONSOR: Sen. Daggett, Beverly C.

LR 2374 An Act to Prohibit the Sale of Disposable Diapers

SPONSOR: Sen. Paradis, Judy

LR 2370 An Act Regarding the Regulation of Livestock Raised for Commercial Purposes in the Unorganized Territory

ADDENDUM

LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
FIRST REGULAR SESSION
January 16, 1997

Action

SPONSOR: Rep. Muse, Christopher T.

NEW TITLE:

LR 2353 An Act to Transfer All Training and Certification of Police and Correctional Personnel from the Maine Criminal Justice Academy to the State's Vocational Colleges

ADDENDUM

LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
FIRST REGULAR SESSION
January 16, 1997

Action

SPONSOR: Rep. Underwood, John H.

LR 2376 An Act to Require the Department of Inland Fisheries and Wildlife to File Monthly Revenue Reports