MAINE STATE LEGISLATURE

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REP. ELIZABETH H. MITCHELL
CHAIR

SEN. MARK W. LAWRENCE
VICE-CHAIR

118th MAINE STATE LEGISLATURE

LEGISLATIVE COUNCIL

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

SARAH C. TUBBESING
EXECUTIVE DIRECTOR

MEETING SUMMARY

January 23, 1997

Approved February 27, 1997

CALL TO ORDER

The Chair, Speaker Mitchell, called the Council to order at 3:20 p.m.

ROLL CALL

Senators:	President Lawrence, Sen. Pingree, Sen. Amero, Sen. Rand, Sen. Kieffer
Representatives:	Speaker Mitchell, Rep. Kontos, Rep. Donnelly, Rep. Saxl, Rep. Campbell
Legislative Officers:	Sally Tubbesing, Executive Director, Legislative Council Lynn Randall, State Law Librarian John Wakefield, Director, Office of Fiscal and Program Review Margaret Matheson, Revisor of Statutes Joy O'Brien, Secretary of the Senate Joseph Mayo, Clerk of the House Millicent MacFarland, Assistant Clerk of the House

MEETING SUMMARY

None.

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None.

EXECUTIVE DIRECTOR'S REPORT

Sally Tubbesing, Executive Director, drew members' attention to a copy of a Report that summarizes the status of bills by committee and noted that it was originally developed to help staff Directors and members of leadership plan session schedules and spot logjams in committee.

This was an informational item; no Council action was required.

REPORTS FROM COUNCIL COMMITTEES

None.

OLD BUSINESS

Item #1: Legislature's "Part I" Budget: Presentation to Joint Standing Committee on Appropriations & Financial Affairs

Motion: That the item be tabled. (Motion by President Lawrence; second by Rep. Kontos; unanimous).

NEW BUSINESS

Item #1: Implementation of Collective Bargaining Agreement for Legislative Employees

The Chair, Speaker Mitchell, recognized Senate President Lawrence, who, after distributing copies of a motion, proceeded to read it:

Motion: That the Legislative Council authorize the provision of salary increases for legislative employees, the Constitutional Officers and State Auditor, consistent with those increases awarded to employees covered by collective bargaining agreements **and** other state employees who are unclassified as follows:

- A 2 1/4% lump sum payment to all employees **except** the Secretary of the Senate, the Clerk of the House, the Executive Director of the Legislative Council, the Constitutional Officers and the State Auditor, consistent with the provisions of the collective bargaining agreement;

- A 2% adjustment in all salary schedules within the jurisdiction of the Legislative Council effective at the beginning of the pay week in which July 1, 1997 falls consistent with the terms of the collective bargaining agreement; and

- A 2% adjustment in all salary schedules within the jurisdiction of the Legislative Council effective at the beginning of the pay week in which July 1, 1998 falls consistent with the terms of the collective bargaining agreement.

(Motion by Senate President Lawrence; second by Sen. Rand).

Discussion Council members raised several questions, which are summarized here, along with the responses that were provided in the course of the discussion.

- When would the 2 1/4% lump sum payment be paid? (Sen. Kieffer)

  Senate President Lawrence responded that the pending legislation contained a provision that this payment be issued within 30 days of the signing of the legislation by the Governor.

- What would be the total cost of implementation to Legislative employees? (Sen. Amero).

  Ms. Tubbesing drew members' attention to the information that had been distributed and noted that the bill includes an appropriation to the Salary Fund to cover the cost of the agreement.

- Whether the legislation has been signed. (Sen. Kieffer).

  The Chair, Speaker Mitchell, noted that it had been scheduled for public hearing the following Monday.

- Whether the Council's approval of the motion is premature, given the fact that the legislation is still pending. (Sen. Kieffer).

  Speaker Mitchell pointed out that the motion is worded so that it would be void unless the pending legislation was enacted.

  The vote was taken, and the motion was approved 6-3.

Item #2: After Deadline Requests

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

RECESS

Motion: That the Council stand in recess pending the receipt of additional material. (Motion by Sen. Lawrence; second by Sen. Rand).

The Council meeting was recessed at 3:30 p.m.

RECONVENE

The Chair, Speaker Mitchell, reconvened the Council at 3:45 p.m. The Chair returned to the Tabled Item under **Old Business:**

Item #1: Legislature's Part I Budget: Presentation to Joint Standing Committee on Appropriations & Financial Affairs

The Chair, Speaker Mitchell, stated the Council was scheduled to testify before the Appropriations Committee on the Legislature's Part I Budget Request the following day; thus, it would be necessary for the Council to take a formal position on the request. She then recognized Sen. Amero, who presented recommended reductions in the Legislature's 1998 - 1999 Part I request on behalf of her party's colleagues on the Council.

Motion: That the Majority Report, including the recommendation to fully fund the Law and Legislative Reference Library, be accepted. (Motion by Senate President Lawrence; second by Rep. Kontos; approved 6-4).

Note: Copies of both the majority and minority recommendations are attached to these minutes.

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Council meeting was adjourned at 4:08 p.m., on the motion of Senate President Lawrence.

LEGISLATIVE COUNCIL
ACTION ON REQUESTS TO INTRODUCE LEGISLATION
FIRST REGULAR SESSION
January 23, 1997

		Action
	JOINT RESOLUTIONS	
SPONSOR:	**Rep. Donnelly, James O.**	**FAILED**
LR 1393	JOINT RESOLUTION MEMORIALIZING CONGRESS TO PASS A CONSTITUTIONAL AMENDMENT PROTECTING THE UNITED STATES FLAG	
SPONSOR:	**Rep. Winsor, Tom J.**	**FAILED**
LR 2191	JOINT RESOLUTION MEMORIALIZING CONGRESS TO ADOPT A BALANCED BUDGET OR CALL A CONSTITUTIONAL CONVENTION IF PASSAGE FAILS	
	TABLED BY THE LEGISLATIVE COUNCIL	
SPONSOR:	**Rep. Gagnon, Kenneth T.**	**TABLED 01/22/97**
LR 2379	An Act Regarding the Tax Exempt Status of Literacy Volunteers of America	
SPONSOR:	**Rep. Jones, Kyle W.**	**TABLED 01/22/97**
LR 2383	An Act to Provide an Appeal to the Public Utilities Commission for a Party Involved in Cable Television Franchising	
SPONSOR:	**Rep. Jones, Kyle W.**	**TABLED 01/22/97**
LR 2384	An Act to Provide the Public Utilities Commission with Franchising Authority with Respect to Cable Television	
SPONSOR:	**Rep. Tuttle, Jr., John L.**	**TABLED 01/22/97**
LR 2375	An Act to Allow Micropigmentation	

JOINT RESOLUTIONS TABLED

SPONSOR: **Rep. Donnelly, James O.** — **TABLED 01/16/97**

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.** — **TABLED 01/16/97**

LR 2320 JOINT RESOLUTION MEMORIALIZING CONGRESS CONCERNING FLAG DESECRATION

SPONSOR: **Sen. Ruhlin, Richard P.** — **TABLED 01/16/97**

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

LEGISLATIVE ACCOUNTS
IMPACT OF GOVERNOR'S "NET" RECOMMENDATIONS
(Reflects Council Actions Through 1/22/97)

Activity	Original Request FY 98	Original Request FY 99	Council Reductions FY 98	Council Reductions FY 99	Comments
Legislative Account					
Position Count	(128) (54.154)	(128) (54.154)	--	--	
Personal Services	$10,405,903	$11,489,845	--	--	
All Other					
4000 Professional Services	$ 26,000	$ 51,500	--	--	
4100 Prof Services/State	12,500	12,500			
4200 Travel/Instate	1,067,390	1,608,740	240,000	310,000	Reduce Session length (2 wks/3 wks) : $350,000 Maintain reduced session schedule in early weeks of session (2-3 session days): $100,000 Reduce budget available for interim work by committees : $100,000
4300 Travel/Out of State	55,000	55,000	--	--	
4500 Utilities (telephone)	361,700	367,485	11,500	17,500	Defer upgrading of telephone in Committee Offices & Hearing Rooms : $ 29,000
4600 Rents	51,750	53,560	--	--	
4700 Repairs	207,990	211,295	70,000	62,537	Reduce funds available for routine maintenance (e.g. patching & painting; replacement of carpeting & window treatments, etc.) : $132,537
4800 Insurance	20,705	20,915	--	--	
4900 General Operations	1,284,630	1,505,070	130,000	330,000	Projected savings from making legislative documents/ publications available on the WEB (reduction in number of hard copies required) : $400,000 Eliminate final binding of Legislative Record : $ 60,000

Activity	Original Request FY 98	Original Request FY 99	Council Reductions FY 98	Council Reductions FY 99	Comments
5100 Food	1,765	7,440	--	--	
5300 Office Supplies	79,908	82,225	10,000	10,000	Reduce request to flat funding: $ 20,000
5400 Clothing	3,000	8,000	--	--	
5600 Books/Other Supplies	315,860	325,965	--	--	
6800 Misc. Grants	$ 200,250	$ 99,250	--	--	
6900 Workers Comp	5,000	5,000	--	--	
Total All Other	**$ 3,693,448**	**$ 4,413,945**	**$ 461,500**	**$ 730,037**	
Capital					
7200 Equipment	55,000	55,000	--	--	
Total Capital	**$ 55,000**	**$ 55,000**			
TOTAL ACCOUNT	$14,154,351	$15,958,790	$ 461,500	$ 730,037	
State House & Capitol Park Commission	$ 127,596	$ 131,600	$ 15,547	$ --	Reduce funds budgeted for continued work by architects/ engineers on implementation of Master Plan
Interstate Cooperation Commission	$ 143,087	$ 145,966	--	--	
Comm./Uniform State Laws	$ 18,800	$ 19,200	--	--	
TOTAL/ALL ACCOUNTS	$14,443,834	$16,255,556	$ 477,047	$ 730,037	

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(Reflects Council Actions Through 1/22/97)

Activity	Original Request FY 98	Original Request FY 99	Council Reductions FY 98	Council Reductions FY 99	Comments
Position Count	(14.5)	(14.5)			
Personal Services	$ 750,241	$ 781,271			No reductions recommended by the Legislative Council to this account
All Other	294,786	318,616			
Capital	10,000	10,000			
TOTAL ACCOUNT	**$ 1,055,027**	**$ 1,109,887**			

Activity	Original Request FY 98	Original Request FY 99	Minority Reductions FY 98	Minority Reductions FY 99	Comments
Position Count	(128) (54.154)	(128) (54.154)	--	--	
Personal Services					
Regular Salaries	$ 7,102,841	$ 7,924,641	$ 140,000	$ 143,087	Freeze step increases : $283,087
Overtime	$ 91,720	$ 56,495	$ ---	$ ---	
Longevity Stipend	$ 19,968	$ 25,168	$ 19,968	$ 25,168	Eliminate longevity payment : $ 45,136
Per Diem	$ 88,000	$ 79,750	$ --	$ --	
Unemploy. Comp	$ 75,740	$ 60,800	--	--	
Health Insurance	$ 1,504,838	$ 1,640,301	825,173	749,891	Session only for session employees: $212,220 Session only for legislators : $970,075 80/20 co-pay on health insurance Legislators: $140,642 Employees : $252,127
Dental Insurance	$ 80,154	$ 84,972	44,724	39,808	Session only for session employees: $ 14,980 Session only for legislators : $ 49,406 80/20 co-pay on health insurance Legislators: $ 7,128 Employees : $ 13,018
Retirement	$ 1,349,695	$ 1,513,128			
Life Insurance	$ 20,488	$ 21,366	--	--	
Medicare	$ 70,359	$ 81,125	--	--	
Child Care	$ 2,100	$ 2,100	--	--	
TOTAL PERSONAL SERVICES	**$10,405,903**	**$11,489,846**	**$ 1,029,865**	**$ 957,954**	
ALL OTHER					
Constituent Service Allowance			$ 200,250	$ 99,250	Eliminate Allowance : $299,500
TOTAL			**$1,230,115**	**$1,097,012**	