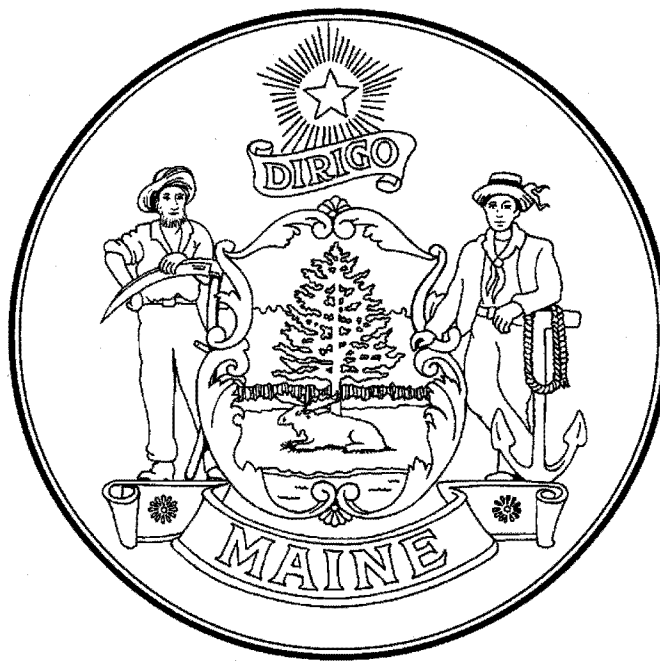


# MAINE STATE LEGISLATURE

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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

**May 29, 1997**

**Approved June 16, 1997**

### CALL TO ORDER

The Chair, Speaker Mitchell, called the Council meeting to order at 12:25 p.m. in the Legislative Council Chamber.

### 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  
David Boulter, Director, Office of  
Policy and Legal Analysis  
Margaret Matheson, Revisor of Statutes  
Paul E. Mayotte, Director, Legislative  
Information Services  
Joy O'Brien, Secretary of the Senate  
Joseph Mayo, Clerk of the House  
Millicent MacFarland, Assistant Clerk  
of the House

### SUMMARY OF MAY 8 MEETING

(Item not taken up).

## **EXECUTIVE DIRECTOR'S REPORT**

### **REPORTS FROM COUNCIL COMMITTEES**

#### **OLD BUSINESS**

**Item #1: Proposal from Business & Economic Development Committee to Review Agencies Pursuant to Government Evaluation Act**

(Item not taken up).

#### **NEW BUSINESS**

**Item #1: Consideration of Proposed Interim Studies**

The Chair, Speaker Mitchell, requested that the Council take this item out of order to facilitate the movement of bills off the Appropriations Table. She asked Sally Tubbesing to lead Council members through the materials that had been provided.

Ms. Tubbesing stated that the Council's review of proposed statutory studies had evolved several years ago: as committees moved away from formulating requests for "committee studies", (committee members only) to formulating statutory studies with more diverse membership, it became clear that the Council needed to look at the "big picture" before it could make good management decisions regarding the allocation of staff resources to these studies. The Appropriations Committee has worked cooperatively with the Council in past years to table all "study bills" to facilitate the Council's consideration of this big picture.

She then drew members' attention to the materials which summarized information regarding both the scope and various administrative characteristics of each proposed study (e.g. composition; proposed staffing; level of activity; eligibility of members for compensation and funding), in tabular form. The Tables, prepared by David Boulter and his staff grouped the proposed studies by committee in order to give Council members a sense of potential workload. Finally, she reminded Council members that they had agreed with the Appropriations Committee to set aside \$63,000 for studies and reported that the total cost of the studies incorporated in the bills about to be considered was more than \$250,000.

The Chair, Speaker Mitchell, suggested that the Council go through the list as it appeared. Senator Amero suggested that the Council set some general guidelines before proceeding, including the use of subcommittees rather than full committees and limiting the number of meetings to be

authorized. Speaker Mitchell asked Mr. Boulter for any recommendations, and he responded that it would be important for those study commissions that were authorized to be prepared to deliver their final reports, including any legislation, no later than January 1. This deadline would not only ensure that the Legislature would have study reports and legislation available when they first convene, but ensure that OPLA staff are fully available to turn their attention to committee support when the Second Regular Session convenes.

A list summarizing the Council's action, including its amendments to the original proposals is attached to this Summary. It includes actions taken by the Council when it reconvened after a Recess (see below).

## **RECESS**

The Chair, Speaker Mitchell, with the approval of all members present, moved that the Council stand in Recess until later in the day.

Accordingly, the Council recessed at 3:00 p.m.

## **RECONVENE**

The Chair, Speaker Mitchell, brought the Council to order at 6:35 p.m., for the purpose of completing its action on proposed studies.

Present were Senate President Lawrence, Senator Pingree, Speaker Mitchell, and Representatives Kontos, Donnelly, Saxl and Campbell.

### **Item #2: After Deadline Requests**

(Item not taken up)

## **ANNOUNCEMENTS AND REMARKS**

## **ADJOURNMENT**

The Council meeting was adjourned at 7:10 p.m. on the motion of the Chair.

**LEGISLATIVE COUNCIL ACTION  
ON  
PROPOSED STUDY COMMISSIONS  
May 29, 1997**

COMMISSION/STUDY	COUNCIL ACTION	MEMBERSHIP	STAFFING	# MTGS	REPORT	COMPENSATION	FUNDING
Comm/Study the Use of Pharmaceuticals in Long-term Care Settings LD 146	Approved as amended ( 9 - 1 )	10 members; including 3 legislators	Leg. Council	3	1/1/98	Per diem and expenses: legislators only	PS: \$495 AO: 950
Task Force on Production & Issuance of Registration Plates LD 260	(No action required: continuation of study)	11 members; including 4 legislators	Secy' of State; Leg. Council (drafting only)		118th/2nd	Legislators: expenses only	Highway funds available from unexpended balance previously allocated for this purpose
Comm/Study the Unemployment Compensation System LD 332 (Emergency)	Approved as amended ( 8 - 1 )	11 members; including 4 legislators	Leg. Council	4	1/1/98	Per diem and expenses: legislators only	PS: \$ 800 AO: 1,300
Task Force/Study Feasibility of Single Claims Processing System for 3rd-party Payors of Health Care Benefits LD 350 (Emergency)	Approved as amended ( unanimous )	15 members; including 4 legislators	Leg. Council	8	1/1/98	Per diem and expenses: legislators only	PS: \$ 1,700 AO: 2,100 (Allocation of funds from Bureau of Insurance)
Comm/Determine the Adequacy of Services to Persons with Mental Retardation LD 581 (Emergency)	Approved as amended ( unanimous )	17 members; including 3 legislators	Leg. Council	4	1/1/98	Per diem and expenses: legislators only	PS: \$ 600 AO: 1,100
Comm/Examine Rate Setting in the Financing of Long-term Care Facilities LD 657 (Emergency)	Approved ( unanimous )	15 members; including 4 legislators	Leg. Council	5	12/15/97	Per diem and expenses: legislators only	PS: \$1,100 AO: 1,500
Work Group to Examine Legal Rights of Children who Testify as Alleged Victims of Sexual Abuse LD 803	Approved as amended ( unanimous )	9 members; including 2 legislators	Dept. of Human Services & AG	4	1/1/98	Per diem and expenses: legislators only	PS: \$440 AO: 400
Task Force to Determine the Tuition Rates of a Receiving School for a Student from Another School District LD 857 (Emergency)	Approved as amended ( unanimous )	Department directed to study	Dept. of Education	---	1/1/98	---	---

COMMISSION/STUDY	COUNCIL ACTION	MEMBERSHIP	STAFFING	# MTGS	REPORT	COMPENSATION	FUNDING
Comm/Study Insurance Fraud LD 933 (Emergency)	Approved as amended ( 9 - 1 )	12 members; including 2 legislators	Bureau of Insurance; Leg. Council	5	1/1/98	Per diem and expenses: legislators only	PS: \$ 550 AO: 1,000
Comm/Study the Funding & Distribution of Teletypewriters & Other Telecommunications Equipment for People with Disabilities LD 944	Approved as amended ( unanimous )	13 including 3 legislators	Leg. Council	4	1/1/98	Per diem and expenses legislators only	PS: \$ 660 AO: 2,350
Task Force to Study Backyard Burning LD 967	Approved as amended ( unanimous )	Department directed to study	Department	---	1/1/98	---	---
Comm/Study Certificate of Need Laws LD 998 (Emergency)	Approved as amended ( unanimous )	15 members; including 2 legislators	Dept. of Human Services	5	12/1/97	Per diem and expenses: legislators only	PS: \$550 AO: 500
Task Force to Review the Applied Technology Centers and Applied Technology Regions LD 1048	Approved as amended ( unanimous )	11 members; including 2 legislators	Dept. of Education & Me. Council on Vocational Education	3	12/1/97	Per diem and expenses: legislators only	PS: \$330 AO: 300
Legislative Review of Revisions to the State's Clean Air Strategy LD 1058	Approved as amended ( unanimous )	Joint Standing Committee on Natural Resources	Leg. Council	1	11/10/2nd	Per diem and expenses	PS: \$715 AO: 650 (Costs absorbed within Legislative Budget)
Task Force/Develop a Single Payment System for State & Federal Taxes for Small Businesses LD 1368	Approved as amended ( unanimous )	11 members; including 3 legislators	Bureau Taxation & Leg. Council	4	1/1/98	Per diem and expenses: legislators only	PS: \$ 660 AO: 1,100
Task Force/Study the Feasibility of Creating a Maine Mobility Fund LD 1377 (Emergency)	Approved as amended ( 6 - 4 )	19 members; including 4 legislators	Leg. Council	4	1/1/98	Per diem and expenses: legislators only	PS: \$880 AO: 800 (Alloc: 500)

COMMISSION/STUDY	COUNCIL ACTION	MEMBERSHIP	STAFFING	# MTGS	REPORT	COMPENSATION	FUNDING
State Compensation Commission LD 1391	Approved as amended (6 - 4)	5 members; no legislators	Leg. Council	FY 98: 8 FY 99: 8	Biannual (by January 1st)	Legislative per diem & expenses	FY 98 PS: \$2,200 AO: 3,500  FY 99 PS: \$2,200 AO: 2,000
Study the State's Regional Service Center Communities LD 1437	Approved (unanimous)	13 members; including 3 legislators	Various Exec. Depts.	6	1/1/98	Per diem and expenses: legislators only	PS: \$ 980 AO: 1,900
Comm/Review the Asbestos Hazard Emergency Response Act LD 1447	Approved as amended (unanimous)	Department directed to study	Department	---	1/1/98	---	---
Task Force/Study Equal Economic Opportunity for All Regions of the State LD 1452	Approved as amended (unanimous)	14 members; including 5 legislators	Leg. Council	4	1/1/98	Per diem and expenses: legislators only	PS: \$1,100 AO: 1,500
Task Force/Study Cost-Effectiveness of the Child Development Services System LD 1581	Approved as amended (unanimous)	16 members; including 4 legislators	Leg. Council	3	1/1/98	Per diem and expenses legislators only	PS: \$ 660 AO: 1,100
Task Force/Information Technology in the Public Sector LD 1589	Approved as amended (unanimous)	23 members; including 2 legislators	DAFS; SPO	4  6	1/1/98	Per diem and expenses: legislators only	PS: \$440 AO: 400
Comm/Study the Development of Maine's Franco-American Resource LD 1603 (Emergency)	Approved as amended (unanimous)	27 members; including 4 legislators	Maine Franco- American Center	5	12/1/97	Legislators: per diem & expenses Others: expenses only payable by the University of Maine System  UMS Direct Appropriation	PS: \$1,100 AO: 1,500 [Alloc: 500]  AO: \$47,400
Comm/Study the Stocking of Alewives LD 1604 (Emergency)	Approved as amended (Staff Study)	Staff study only	---	---	11/15/97	---	---
Oversight of DEP Study of Options for Complying with Federal Clean Air Act LD 1651	Approved as amended (unanimous)	5 member subcommittee of Natural Resources Committee	Leg. Council	2	1/1/98	Per diem and expenses	PS: \$550 AO: 500 (Costs absorbed within Legislative Budget)

COMMISSION/STUDY	COUNCIL ACTION	MEMBERSHIP	STAFFING	# MTGS	REPORT	COMPENSATION	FUNDING
Progress Meetings with DMHMR/SAS and DHS on Design of Comprehensive Mental Health Services Delivery System for Children LD 1744	Approved as amended (7-2)	3 member subcommittee of Health and Human Services Committee	Leg. Council	4	12/15/97	Per diem and expenses	PS: \$660 AO: 600
Task Force to Study Strategies to Support Parents as Children's First Teachers LD 1832	Approved as amended (9-1)	16 members; including 2 legislators	Department of Human Services	4	12/1/97	Per diem and expenses: legislators only	PS: \$440 AO: 400
Education Research Institute LD 1841	Approved as amended (unanimous)	N/A	(Contract with UMS)	N/A		N/A	FY 98 AO: \$75,000 FY 99 AO: \$75,000 (Funding provided through deappropriation to GPA and UMS in amount of \$37,500 each for both fiscal years)
Comm/Review the Effectiveness of Statewide Confidentiality Laws Dealing with the Care of People with Mental Illness LD 106	Failed (1-9)	24 members; including 2 legislators	Leg. Council	4	1/1/98	Per diem & expenses for legislators and other members who are not State employees (20 members eligible)	PS: \$4,400 AO: 4,500
Task Force on Youth & Families LD 787 (Emergency)	Failed (1-8)	16 members; including 6 legislators	Leg. Council	5	12/1/97	All members: Per diem and expenses	PS: \$4,400 AO: 4,500
Legal Counsel for Legislative Committees LD 1152	Failed (unanimous)	N/A	N/A	N/A	N/A	N/A	...
Blue Ribbon Comm/Study the Effect of Gov't Regulation on Small Businesses in Maine LD 1343 (Emergency)	Failed (3-7)	13 members; including at least 4 legislators	Leg. Council	6	12/15/97	Legislators: per diem & expenses Others : none	PS: \$1,320 AO: 1,700 [Alloc: 500]
Maine Commission on Outstanding Citizens LD 1610	Failed (unanimous)	8 members; including 1 legislator	Leg. Council	5	1/15/98	Legislator: per diem & expenses Others : expenses only	PS: \$ 275 AO: 2,150



COMMISSION/STUDY	COUNCIL ACTION	MEMBERSHIP	STAFFING	# MTGS	REPORT	COMPENSATION	FUNDING
Privacy of Genetic Information (see LD 1243)	Approved ( Unanimous )	Banking & Insurance Committee (5 member subcommittee)	OPLA	Subcomm: 2 Full Comm: 1	12/15/97	Per diem & expenses	PS: \$1,265 AO: 1,650
Scope of Juvenile Justice Problems and Services in Maine	Approved as amended ( Unanimous )	Criminal Justice Committee (5 member subcommittee)	OPLA	Full Comm: 1 Subcomm: 1	11/1/97	Per diem & expenses	PS: \$990 AO: 1,400
Study of Occupational Disease Laws ( see LD 835 )	Approved as amended ( Unanimous )	Staff Study only	OPLA	---	12/1/97	---	---
Privatization of State Liquor Stores	Approved as amended ( Unanimous )	Staff Study only	OPLA	---	12/1/97	---	---
Citizen Initiative Process	Approved as amended ( Unanimous )	Staff Study only	OPLA	---	12/1/97	---	---
Confidentiality of Patient Care Information ( see LD 1737 ; LD 1779 )	Failed ( 7 - 2 )	(Requested by Health/ Human Services Comm.)	---	---	---	---	---
Issues Related to Access, Privacy & the New Computer Technology in Maine	Failed ( Unanimous )	(Requested by Judiciary Committee )	---	---	---	---	---

COMMISSION/STUDY

COUNCIL ACTION

MEMBERSHIP

STAFFING

# MTGS

REPORT

COMPENSATION

FUNDING

**SELECT COMMITTEES**

Note: Council action is contingent upon  
action by full Legislature

Jt. Select Committee on Research & Development	Approved ( Unanimous )	14 legislators	Leg. Council	3	1/1/90	Per diem & expenses	PS: \$2,310 AO: 2,600
Jt. Select Committee to Oversee Maine Yankee Atomic Power Company	Approved ( 6 - 4 )	7 legislators	Leg. Council	4	1/1/90	Per diem & expenses	PS: \$1,540 AO: 1,900
Select Committee to Study the Health Effects of Reformulated Gasoline	Failed ( 8 - 2 )	---	---	---	---	---	---