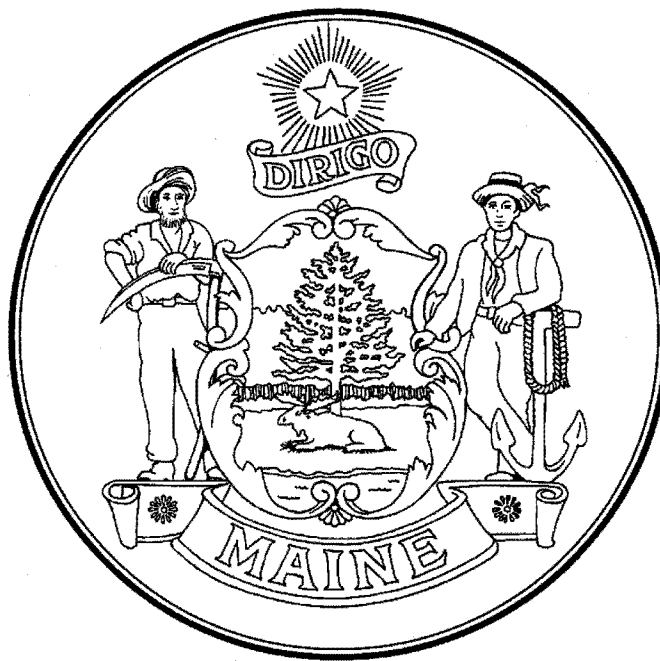


MAINE STATE LEGISLATURE

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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
FEBRUARY 23, 1998
Approved March 9, 1998

CALL TO ORDER

The Legislative Council Chair, Speaker Mitchell, called the Council to order at 1:43 p.m. in Room 134, State House.

ROLL CALL

| | |
|-----------------------|---|
| Senators: | Sen. Pingree, Sen. Amero, Sen. Rand, Sen. Kieffer Absent: President Lawrence |
| Representatives: | Speaker Mitchell, Rep. Kontos, Rep. Saxl, Rep. Campbell Absent: Rep. Donnelly |
| Legislative Officers: | Joy O'Brien, Secretary of the Senate Judi Delfranco, Assistant Secretary of the Senate Joseph Mayo, Clerk of the House Millicent MacFarland, Assistant 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 Lynn Randall, State Law Librarian Paul Mayotte, Director, Legislative Information Services |

The Chair, Speaker Mitchell, proceeded to take up the following items out of order.

NEW BUSINESS

Item #1: 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.

Item #2: Performance Budgeting: Discussion of Proposed Amendments to Current Law and Their Implications

The Chair, Speaker Mitchell, stated that she had included the issue of Performance Budgeting on the agenda for two reasons: first, to get a formal update on the development of plans to implement a performance budgeting program in the period since the Council had discussed the issue last October; and, second, to give Council members the opportunity to focus on the various amendments that have been introduced and are currently pending before the Appropriations Committee. She then recognized Jack Nicholas, the State Budget Officer; those members of the Appropriations and State & Local Government Committees who are members of the Commission on Performance Budgeting -- Senator Michael Michaud, Representative George Kerr, Senator Richard Bennett, Representative Richard Kneeland, and Representative Martha Bagley. She indicated that she had invited these individuals to participate in the discussion along with members of the Council staff who have worked closely with Performance Budgeting over the past 18 months -- John Wakefield and Jim Clair, Office of Fiscal and Program Review; David Boulter, Office of Policy and Legal Analysis; and Rose Breton from the Executive Director's Office.

The Chair suggested that Jack Nicholas lead off the discussion and specifically describe the proposed legislation that the Administration has proposed.

A lengthy discussion ensued, following which the Chair, Speaker Mitchell, asked members of the Appropriations Committee to revisit the pending amendments and try to develop language that ensures that a delay in implementation of Performance Budgeting will be used to strengthen the plans and benchmarks and general structure that will support the new budgeting process.

ANNOUNCEMENTS AND REMARKS

The Chair, Speaker Mitchell, announced that the Council would reconvene on Wednesday, February 25, to complete the rest of the agenda.

ADJOURNMENT

The Council meeting was adjourned at 3:50 p.m.

LEGISLATIVE COUNCIL
ACTION ON REQUESTS TO INTRODUCE LEGISLATION
SECOND REGULAR SESSION
February 23, 1998

| | Action |
|---|-----------|
| SPONSOR: Rep. Carleton, Jr., Joseph G. | WITHDRAWN |
| LR 3324 An Act Regarding the Issuance of Depuration Certificates by the Commissioner of Marine Resources | |
| SPONSOR: Rep. Donnelly, James O. | WITHDRAWN |
| LR 3333 An Act to Require that the Sex Offender List be Available to Businesses Hiring Personnel Who Will Have Contact With Children | |
| SPONSOR: Rep. Goodwin, Albion D. | FAILED |
| LR 3383 An Act to Reduce the Sales Tax to 5% and to Repeal Most Sales Tax Exemptions | |
| SPONSOR: Rep. Goodwin, Albion D. | FAILED |
| LR 3384 An Act to Allow the Department of Human Services to Insure all Uninsured Children Under 18 Years of Age Through a Competitively Awarded Contract | |
| SPONSOR: Rep. Jabar, Sr., Joseph M. | ACCEPTED |
| LR 3419 An Act to Make Public the Records of the Department of Corrections Relating to Inmate Furloughs and Requests Under the Uniform Act for Out-of-State Parolee Supervision | |
| SPONSOR: Sen. Longley, Susan W. | ACCEPTED |
| LR 3417 An Act to Permit the Department of Environmental Protection to Process an Application by Ivan Davis to Generate Power at a Dam on the St. George River | |
| SPONSOR: Rep. Mack, Adam | FAILED |
| LR 3416 An Act to Prohibit Employers' Unemployment Rates to Increase Due to the Ice Storm of 1998 | |

| | | |
|-----------------|---|------------------|
| SPONSOR: | Sen. Mitchell, Betty Lou | ACCEPTED |
| LR 3423 | An Act to Establish a Task Force to Study Access to Hospice Coverage and Palliative Pain Control for the Terminally Ill Citizens of Maine | |
| SPONSOR: | Rep. Mitchell, Elizabeth H. | ACCEPTED |
| LR 3449 | An Act to Amend the Law Concerning Tax Base Sharing | |
| SPONSOR: | Rep. Mitchell, Elizabeth H. | ACCEPTED |
| LR 3450 | An Act to Create the Kennebec Regional Development Authority | |
| SPONSOR: | Rep. Perkins, Royce W. | FAILED |
| LR 3308 | An Act to Exempt Adult Diapers from the Sales Tax | |
| SPONSOR: | Rep. Pieh, Wendy | WITHDRAWN |
| LR 3377 | An Act to Include Ketamine in the List of Schedule W Drugs | |
| SPONSOR: | Sen. Pingree, Chellie | FAILED |
| LR 3452 | An Act to Ensure Access to Halfway House Services for Prisoners Leaving the Maine State Prison | |
| SPONSOR: | Rep. Povich, Edward J. | ACCEPTED |
| LR 3365 | Resolve, Authorizing the Transfer of the Old Hancock County Jail on State Street, Ellsworth from Hancock County to the Ellsworth Historical Society | |
| SPONSOR: | Rep. Powers, Judith | FAILED |
| LR 3446 | An Act to Limit the Liability of Municipalities With Respect to Skateboarding Facilities | |
| SPONSOR: | Rep. Townsend, Elizabeth | WITHDRAWN |
| LR 3344 | An Act to License Building Contractors | |

SPONSOR: Rep. Usher, Ronald E.

ACCEPTED

LR 3296 An Act to Allow a Utility Company Vehicle to Use a Siren
When Responding to an Emergency

SPONSOR: Rep. Wheeler, Edgar

ACCEPTED

LR 3448 An Act Requiring Notification of Option to Request
Judicial Review

JOINT RESOLUTION

SPONSOR: Rep. Lemont, Kenneth F.

ACCEPTED

LR 3403 JOINT RESOLUTION MEMORIALIZING THE UNITED STATES POSTAL
SERVICE TO ISSUE A STAMP COMMEMORATING THE 200TH
ANNIVERSARY OF THE PORTSMOUTH NAVAL SHIPYARD

TABLED BY THE LEGISLATIVE COUNCIL

| | | |
|----------|---|--------------------|
| SPONSOR: | Rep. Bull, Thomas | TABLED 02/23/98 |
| LR 3453 | An Act to Require that Any Natural Gas Pipeline Constructed Be Constructed Within Existing Utility Right of Ways | |
| SPONSOR: | Rep. Chartrand, Paul | TABLED 02/23/98 |
| LR 3393 | An Act to Include Locally Funded Debt Service in the Formula for Purposes of the Circuit Breaker Program | |
| SPONSOR: | Sen. Cleveland, John J. | TABLED 02/23/98 |
| LR 3455 | Resolution, Proposing a Amendment to the Constitution of Maine to Amend the Timing of Elections Following the Submission of a Petition for People's Veto | |
| SPONSOR: | Rep. Gooley, Walter R. | TABLED 01/21/98 |
| LR 3368 | An Act to Extend the Deadline for Filing Updated Management Plans Under Tree Growth Tax Laws | |
| SPONSOR: | Rep. Mitchell, Elizabeth H. | TABLED 11/20/97 |
| LR 3289 | An Act Making Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of Law Necessary for the Operation of State Government for the Fiscal Year Ending June 30, 1998 and June 30, 1999 | |
| SPONSOR: | Sen. Pingree, Chellie | TABLED 11/20/97 |
| LR 3288 | An Act to Improve Access to Women's Heathcare | |
| SPONSOR: | Rep. Tuttle, Jr., John L. | TABLED 11/20/97 |
| LR 3283 | An Act to Permit Employees to Require Receiving Unemployment Benefits in Certain Cases | |
| SPONSOR: | Rep. Tuttle, Jr., John L. | TABLED 11/20/97 |
| LR 3284 | An Act to Authorize an Apprentice Cadet Program in the Bureau of State Police | |
| SPONSOR: | Rep. Tuttle, Jr., John L. | TABLED 11/20/97 |
| LR 3285 | An Act to Establish the State Police Law Enforcement Scholarship Program | |

SPONSOR: Rep. Tuttle, Jr., John L.

TABLED
12/18/97

LR 3303 An Act Regarding the Expanded Archery Deer Hunting Season

SPONSOR: Rep. Snowe-Mello, Lois A.

TABLED
02/23/98

LR 3454 Resolve, to Name the Timber Bridge in Byron the Richard
Lauze Memorial Bridge