

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL
MARCH 26, 2002
1:00 p.m.
Room 334, Legislative Council Chamber
REVISED AGENDA

<u>Page No.</u>	<u>Item</u>	<u>Action</u>
	CALL TO ORDER	
	ROLL CALL	
1	SUMMARY OF THE FEBRUARY 27, 2002 COUNCIL MEETING	Decision
	REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	Information
7	• Executive Director's Report	
10	• Fiscal Report (Pennoyer)	
	• Office of Information Services' Report (Mayotte)	
	REPORTS FROM COUNCIL COMMITTEES	
11	• Subcommittee to Clarify the Law Enforcement Authority of Capitol Security	
	- Recommendations	
	• Personnel Committee	
	The Personnel Committee scheduled for March 27, 2002 is cancelled and will be rescheduled at a later time.	
	• Technology and Migration Committee (No report)	
	• Space Committee (No report)	

<u>Page No.</u>	<u>Item</u>	<u>Action</u>
OLD BUSINESS		
15	Item #1: Council Actions taken by Ballot (No action required)	
NEW BUSINESS		
18	Item #1: Consideration of After Deadline Bill Requests	Decision
21	Item #3: Submission of Study Report	Decision
	<ul style="list-style-type: none"> • Committee Study to Review Transition to a New School Funding Formula Based on the Essential Programs and Service Model (pursuant to the authority granted by the Legislative Council) 	

ANNOUNCEMENTS AND REMARKS

The next Legislative Council meeting is scheduled for April 24, 2002 at 1:00 p.m.

ADJOURNMENT

REP. MICHAEL V. SAXL
CHAIR

SEN. MICHAEL H. MICHAUD
VICE-CHAIR



120th MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. BEVERLY C. DAGGETT
SEN. MARY E. SMALL
SEN. PAUL T. DAVIS, SR.
SEN. SHARON ANGLIN-TREAT
REP. PATRICK COLWELL
REP. JOSEPH BRUNO
REP. WILLIAM S. NORBERT
REP. WILLIAM J. SCHNEIDER

DAVID E. BOULTER
EXECUTIVE DIRECTOR

**MEETING SUMMARY
FEBRUARY 27, 2002**

CALL TO ORDER

The Chair, Speaker Michael V. Saxl, called the Legislative Council meeting to order at 1:17 p.m. in the Legislative Council Chamber

ROLL CALL

Senators:	Sen. Bennett, Sen. Daggett, Sen. Small, Sen. Treat Absent: Sen. Davis
Representatives:	Speaker Saxl, Rep. Colwell, Rep. Bruno, Rep. Norbert, Rep. Schneider
Legislative Officers:	Pamela Cahill, Secretary of the Senate Millicent MacFarland, Clerk of the House David Shiah, Assistant Clerk of the House David Boulter, Executive Director, Legislative Council Grant Pennoyer, Director, Office of Fiscal and Program Review David Elliott, Principal Analyst, Office of Policy and Legal Analysis Margaret Matheson, Revisor of Statutes Lynn Randall, State Law Librarian Paul Mayotte, Director, Legislative Information Services

**SUMMARIES OF THE JANUARY 22, AND JANUARY 29, 2002
COUNCIL MEETINGS**

Motion: That the Summaries of January 22 and January 29, 2002 be accepted and placed on file.
(Motion by Rep. Bruno, second by Sen. Michaud, unanimous).

The Chair moved that the Council take an item out of order, unless there was objection. Hearing none, the Chair moved to Item 1 under New Business.

NEW BUSINESS

Item #1: Consideration of After Deadline Bill Requests

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

REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS

- **Executive Director's Report**

Executive Director Boulter presented two items to the Legislative Council.

1. **Renovations Activities**

Mr. Boulter reported that all offices were back into the State House and all areas of the building have been re-opened. The following are the next steps:

- a. Completing the punch list items within the next month or so. Contractors will work from 5:00 pm to 2:00 am to complete the work;
- b. Re-hanging the portraits and memorial plaques will begin in early March; and
- c. Until the Percent for Art Committee makes its final recommendations for commissioned artwork, there will be a temporary exhibit of artwork by Maine artists in the 1st floor lobby area to give the area a more finished appearance.

2. **West Wing Re-piping**

Mr. Boulter has received notice from Granger Northern, Inc., that the rubber tubing in the West Wing has been removed and replaced with suitable piping at no cost to the Legislature. The contractor worked closely with Weinrich + Burt Architects and Continental Casualty Insurance Company to reach a settlement agreement that excludes the Legislature from any financial liability. Mr. Boulter expressed his appreciation of Rick Burt and Bruce Hilfrank from Granger Northern for resolving the matter in such a positive manner. The settling parties asked Mr. Boulter to sign a general release from the insurance company on behalf of the Legislative Council. He is currently reviewing the proposed release with the Attorney General's Office.

Executive Director Boulter sought authorization from the Legislative Council to execute a limited Release in order to allow the piping settlement to go forward. His request was made with the understanding that the release terms and conditions would be acceptable to the Attorney General's Office, that it require no financial payment by the Legislative Council as a condition of release and that the release would not waive any warranty or rights of recourse by the Council in the event of subsequent failure or defect of the replacement piping.

Motion: That the Executive Director be authorized to execute a limited Release, the parties, terms and scope of which are acceptable to the Attorney General's Office, for causes of action and claims related to the original design and installation of the rubber

tubing in the West Wing for the HVAC system installed as part of the State House renovations; Further, that the Release require no financial payment by the Legislative Council and that the Release not waive any warranty or rights of recourse by the Legislative Council in the event of failure or defect of the replacement piping. (Motion by Speaker Saxl, seconded by Rep. Bruno, unanimous 7-0, absent: Senators Davis, Daggett and Michaud).

- **Renovations: Status Report**

Stanley Fairservice, the Owner's Representative, reported he has been working with the Bureau of General Services to familiarize the maintenance and trades personnel with the mechanical, electrical, and other facility systems before his employment contract ends on March 15, 2002. At that time he will be transmitting all renovation-related documents including change orders, architects' revisions, and all blue prints to the Executive Director's Office or BGS.

Speaker Saxl thanked Mr. Fairservice for his work.

- **Status of Interim Studies**

David Elliott, Principal Analyst from OPLA, reported that of the 22 legislative studies OPLA had worked on during the interim, 17 have been completed with final reports issued, 4 of the studies are on ongoing and will report later this year or next year, and the 1 remaining, the Essential Program Services and School Funding Study, will be completed shortly.

Speaker Saxl inquired as to why full committees were having study recommendations and legislation referred to them for further study. Sen. Treat said that for studies with which she was familiar, having committees study the issues afforded an opportunity for public hearing and comment that was not available earlier.

- **Fiscal Report**

Grant Pennoyer, Director, OFPR, presented a report on revenues for January, 2002. He noted that the revenue variances do not reflect the recent reprojections for February. Rather the figures were based on the old forecast. The General Fund Revenue was up by \$4.5 million for year-to-date, but the January revenue was down \$4.8 million. The Highway Fund continued to be up \$1.7 million for the month, and up \$3.9 million for year-to-date.

He noted that the Revenue Forecasting Committee has concluded its revenue re-forecast. The forecast restored \$91.2 million of the \$248.6 million projected shortfall in November. The sales tax line was where almost \$70 million of the \$106 million was restored. \$20 million was restored to the individual income tax. Other major elements: cigarette taxes increased by \$7 million for the current biennium, liquor and lottery were re-forecast upward by \$4.1 million and DHS revenues was projected upward by \$9.6 million. The Highway Fund had strong performances in fuel tax and motor vehicles; the forecast was upward by \$1.1 million for the biennium. The Fund for Healthy Maine had a one time downward reprojection of \$5.35 million, although there was not total agreement with that amount. It is not in the 2002 forecast and has been set aside in escrow, until the disagreement is resolved.

The current General Fund budget shortfall is now projected to be \$58.3 million in Fiscal Year 02 and \$95 million in Fiscal Year 03. Mr. Pennoyer noted that to balance the budget in Fiscal Year 02, \$58.3 million of savings in Fiscal Year 02 will be required.

Rep. Bruno said a budget was needed by the end of March and asked what would happen if the projected numbers were not met. Mr. Pennoyer said that after the Legislature adjourns it would be the Governor's responsibility to respond to any significant shortfalls to assure that the budget remains balanced. His course of action would be a curtailment of allotments. It is too early to look at the performance of February's sales and to say that forecast will not be met. He noted that if the Revenue Forecasting Committee sees a revenue picture in the short term that is dramatically different, it would call themselves back in to meet to discuss the change.

- **Office of Information Services' Report**

Paul Mayotte, Director, Legislative Information Services reported the following

1. **Backup System Upgrade**

The new upgraded backup system is complete, and has a backup performance time that is better than expected.

2. **Legislative Direct Internet Access**

Mr. Mayotte reported the hardware infrastructure is in place and his office is working on a shared global address list with the Executive Branch, a backup connection to BIS for certain accounting transfers and finalizing the new legislative internet address. The system will be ready to test after the session. Mr. Mayotte believes direct legislative access will occur in late April or early May.

3. **Migration/Bill Drafting System**

Mr. Mayotte said that a draft contract amendment with Compaq has been developed. Attorney General William Laubenstein is currently reviewing the contract. A Migration Technology Committee meeting will be scheduled in the near future to review the Compaq package, and the Committee will prepare recommendations for the Council to consider.

REPORTS FROM COUNCIL COMMITTEES

- **Subcommittee to Clarify the Law Enforcement Authority of Capitol Security**

Sen. Treat, Co-chair of the Subcommittee to Clarify the Law Enforcement Authority of Capitol Security reported to the Council that the Subcommittee met on February 13, 2002. They are looking at 3 issues:

1. The level of training for a Capitol Security officer;
2. how many officers are needed; and
3. reporting structure, whether Capitol Security should be merged with the State Police.

The Subcommittee requested that Commissioner Kelly work with David Boulter to provide the committee with information on the following:

- a) a copy of current rules and procedures adopted by the Department of Public Safety that limited the use of law enforcement powers of Capitol Security personnel;

- b) an organization chart, listing positions and incumbents, of the current structure of Capitol Security and the new structure proposed by the Governor in his bill budget;
- c) a proposal for Capitol Security that provides a comparable staffing level as the Governor's proposal but without organizational merger with the Bureau of State Police. The proposal should include position titles and functions, costs, training levels required for each position and potential placement of incumbents;
- d) proposals for Capitol Security that provide for a net increase of 2 law enforcement officers under the current and proposed organizational structures, incorporating 220 hours of training. The proposal should include position titles and functions, typical areas for the training and costs.

When the above information is received, the Subcommittee will meet and will then make its recommendation to the Council.

No Council action required.

- **Personnel Committee**

Speaker Saxl reported that the Personnel Committee would be meeting following the Council meeting.

- **Technology and Migration Committee**

The Technology Committee did not meet during the past month.

- **Space Committee**

The Space Committee did not meet during the past month.

OLD BUSINESS

Item #1: Council Actions Taken by Ballot

Executive Director Boulter provided Council members with a list of actions taken by ballot by the Legislative Council since its January 29, 2002 meeting.

No Council action required.

NEW BUSINESS

Item #2: Restoration of East Entrance to the State House

Rep. Colwell reported to the Council that the restoration of the East Entrance to the State House had been deferred pending funding sources and said the Executive Director had information to present to the Council regarding funding. Executive Director Boulter said the Council had identified the East steps (the grand entrance facing Capitol Park) as high priority but for fiscal reasons it was not funded until the interior renovations were completed. Mr. Boulter became aware of potential money through the Department of Transportation. John Melrose, Commissioner of Transportation has recently offered to provide \$100,000 in funding assistance toward restoration of the East Entrance under the

federal Transportation Enhancement Program. Mr. Boulter believes there will be money left in the contingency account for the building renovations that could be applied to the steps restoration. The combination of funds should be sufficient to pay for the renovations costs. With funding in place restoration could be completed this summer. The estimates for the work range from \$215,000 to \$275,000.

Motion: That the Executive Director be authorized to develop and issue, in consultation with the Legislative Council's Space Committee, a Request for Proposals to repair and restore the East Entrance to the State House. Further, that the Executive Director seek approval from the Legislative Council before awarding a contract for the restoration work.

Further, that the Executive Director be authorized to accept funding assistance in the amount of \$100,000 from the Department of Transportation to be used toward restoration of the East Entrance to the State House. (Motion by Rep. Colwell, second by Rep. Bruno, unanimous, 6-0, absent: Senators Michaud, Davis, Small and Daggett).

Item #3: Submission of Study Reports

- Committee to Study Access to Private and Public Lands in Maine (pursuant to H.P. 1387)
- Commission to Develop a Plan to Implement the Closure of the State Liquor Stores (pursuant to Public Law, chapter 358)

The Legislative Council accepted the final reports for the above noted studies and placed them on file.

ANNOUNCEMENTS AND REMARKS

The next Legislative Council meeting is scheduled for March 27, 2002 at 1:00 p.m.

ADJOURNMENT

The Legislative Council meeting was adjourned at 2:13 p.m. (Motion by Sen. Treat, second by Rep. Schneider, unanimous).

Fiscal Briefing for the Legislative Council

Legislative Council Meeting
March 26, 2002

*Prepared by the
Office of Fiscal & Program Review*

1. February 2002 Revenue Variances

- a. General Fund – Up by \$0.1M for the month but Down FY-T-D by \$2.0M**
- b. Highway Fund – Up \$2.5M for the month/Up \$5.5M FY-T-D**
(Revenue variances reflect Feb. 2002 Revisions)
(See Variances Attached and Monthly Revenue Sheets)

Revenue Update - Fiscal Year 2001-02

General Fund Revenue Variance Summary For the Month of February 2002 (Based on Budgeted Amounts through 120th Legislature, 1st Reg. Session) Revised to Reflect February 2002 Revenue Forecasting Committee Recommendations In Millions		
Revenue Source	February 2002	Fiscal Year-to-Date February 2002
Sales and Use Tax	\$0.4	\$0.4
Individual Income Tax	(\$2.2)	(\$4.4)
Corporate Income Tax	(\$1.7)	(\$1.7)
Cigarette and Tobacco Tax	(\$1.2)	\$2.8
Public Utilities Tax	\$0.0	\$0.2
Insurance Companies Tax	\$0.5	\$2.2
Estate Tax	\$0.0	(\$4.1)
Property Tax - Unorganized Territories	\$0.0	(\$0.7)
Income from Investments	(\$1.3)	(\$2.0)
Transfer to Municipal Revenue Sharing	\$0.2	\$0.3
Transfer from Liquor	(\$0.0)	\$0.1
Transfer from Lottery	\$0.1	\$1.2
Other Revenues	\$5.3	\$3.7
Total General Fund - Variances	\$0.1	(\$2.0)

Highway Fund Revenue Variance Summary For the Month of February 2002 (Based on Budgeted Amounts through 120th Legislature, 1st Reg. Session) Revised to Reflect February 2002 Revenue Forecasting Committee Recommendations In Millions		
Revenue Source	February 2002	Fiscal Year-to-Date February 2002
Fuel Taxes	\$2.3	\$4.2
Motor Vehicle Registration and Fees	\$0.2	\$2.3
Inspection Fees	\$0.2	(\$0.0)
Other Revenues	(\$0.2)	(\$0.9)
Total Highway Fund - Variances	\$2.5	\$5.5

*Prepared by the Office of Fiscal and Program Review
Based on Preliminary Data; Subject to Change
Does not reflect February 2002 Reprojections*

FUND	Revenue Line	Feb. '02 Budget	Feb. '02 Actual	Feb. '02 Var.	Budget FY02 YTD	Actual FY02 YTD	FY02 Variance
GF	Sales and Use Tax	52,679,002	53,082,711.79	403,709.79	502,286,380	502,690,089	403,709.38
GF	Individual Income Tax	34,078,979	31,861,660.86	(2,217,318.14)	652,710,672	648,331,066	(4,379,606.01)
GF	Corporate Income Tax	(759,994)	(2,437,164.92)	(1,677,170.92)	36,691,004	34,964,312	(1,726,691.80)
GF	Cigarette and Tobacco Tax	8,141,573	6,965,361.04	(1,176,211.96)	62,236,921	64,987,007	2,750,085.55
GF	Public Utilities Tax	0	0.00	0.00	(150,000)	53,241	203,240.72
GF	Insurance Companies Tax	159,605	683,391.58	523,786.58	7,339,652	9,554,135	2,214,483.13
GF	Estate Tax	2,134,751	2,140,823.21	6,072.21	12,573,518	8,498,496	(4,075,021.92)
GF	Property Tax - Unorganized Territory	0	0.00	0.00	9,533,774	8,827,588	(706,186.00)
GF	Income from Investments	1,397,673	120,413.67	(1,277,259.33)	5,026,927	3,054,575	(1,972,352.15)
GF	Transfer to Municipal Revenue Sharing	(4,385,896)	(4,207,867.59)	178,028.41	(60,776,090)	(60,485,259)	290,831.16
GF	Transfer from Liquor Commission	1,621,158	1,618,315.90	(2,842.10)	17,040,290	17,155,184	114,894.19
GF	Transfer from Lottery Commission	2,994,559	3,045,731.07	51,172.07	25,210,180	26,361,987	1,151,806.66
GF	Other Revenue	11,382,283	16,686,131.13	5,303,848.13	95,411,963	99,103,494	3,691,530.80
GF	Totals	109,443,693	109,559,507.74	115,814.74	1,365,135,191	1,363,095,914.71	(2,039,276.29)
HF	Fuel Taxes	11,953,497	14,225,967.21	2,272,470.21	104,463,916	108,638,035	4,174,118.93
HF	Motor Vehicle Registration and Fees	6,332,919	6,509,320.13	176,401.13	47,885,865	50,161,909	2,276,044.00
HF	Inspection Fees	215,484	439,469.00	223,985.00	2,052,760	2,044,426	(8,333.51)
HF	Other Revenue	1,022,319	801,743.01	(220,575.99)	7,609,705	6,679,447	(930,258.32)
HF	Totals	19,524,219	21,976,499.35	2,452,280.35	162,012,246	167,523,817.10	5,511,571.10

**120th MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL**

TECHNOLOGY REPORT

March 26, 2002

I. Legislative Direct Internet Access

a. Completing Remaining Project Tasks

i. Approach to share global addressing with Executive Branch being designed

ii. Auxiliary connection to BIS is being discussed with BIS

iii. Finalizing the new Legislative address

b. Implementation late April or early May

II. Migration/Bill Drafting System

a. Confirming all issues are addressed in Contract Amendment 4

b. Working to finalize cost issues with Compaq

c. Next steps pending Compaq's position on cost issues

Legislative Council
Subcommittee to Clarify the Law
Enforcement Authority of Capitol Security Personnel

Meeting Summary of
March 11, 2002 Meeting

Subcommittee members:

Present: Sen. Treat, Rep. Schneider, Rep. Colwell, Sen. Davis, David Boulter, Executive Director
Absent: Millie MacFarland, Clerk of the House, Pam Cahill, Secretary of the Senate

Invited participants from Joint Standing Committee on Criminal Justice:

Present: Rep. Snowe-Mello
Absent: Sen. McAlevey, Rep. Povich, and Rep. Quint

Invited guests:

Present: Commissioner Michael Kelly, Department of Public Safety
Director, Don Sutter, Capitol Security

Sen. Treat convened the meeting at 1:20 p.m. She welcomed the committee members and other participants. Sen. Treat then summarized what she believed were the major issues to be decided with respect to the law enforcement authority of Capitol Security personnel. There were three:

1. Whether a restructuring of the Bureau of Capitol Security is warranted, and if so should it be as proposed by the Governor in his budget bill;
2. Whether an increase in the number of Capitol Security officers is warranted, and if so what level of increase is appropriate; and
3. The minimum level of training that should be required of Capitol Security officers before they can be given law enforcement powers.

Sen. Treat asked Mr. Boulter to review for the subcommittee the information request that the subcommittee had made to Commissioner Kelly. Mr. Boulter reminded the subcommittee that it had asked for the following information:

- 1 - a copy of current rules and procedures adopted by the Department of Public Safety that limit the use of law enforcement powers of Capitol Security personnel;

- 2 - an organizational chart, listing positions and incumbents, of the current structure of Capitol Security and the new structure proposed by the Governor in his budget bill;
- 3 - a proposal for Capitol Security that provides a comparable staffing level as the Governor's proposal but without the proposed organizational merger with the Bureau of State Police. The proposal was to include position titles and functions, costs, training levels required for each position and potential placement of incumbents; and
- 4 - proposals for Capitol Security that provide for a net increase of 2 law enforcement officers under the current and proposed organizational structures, incorporating 220 hours of training. The proposals were to include position titles and functions, typical areas for the training and costs.

Mr. Boulter noted that the information received from Commissioner Kelly was in the subcommittee's packet of meeting materials.

Rep. Colwell commented that he agreed with Sen. Treat's characterization of the issues to be decided. He further commented that he did not sense support among Legislators for reorganizing the Bureau of Capitol Security. He felt that given the responsibilities assigned to Capitol Security personnel, an increase in law enforcement officers was justified; he suggested an increase of 2-3 officers.

Chief Suitter was asked whether Capitol Security was monitoring the security cameras currently installed in the State House and the Cross Building. Chief Suitter said that function is not performed by Capitol Security officers, but by Building Control personnel. Using internal procedures, Building Control notifies Capitol Security of potential security or other law enforcement situations.

Chief Suitter was asked to compare the current staffing level of Capitol Security with historic staffing levels. Chief Suitter said that in the mid-1980s, Capitol Security was authorized 10 uniformed officer positions, 1 sergeant position and the director position, for a total of 12 officers. In the late 1980s and early 1990s, the number of officer positions was reduced due to budgetary constraints. He noted that 3 watch (not uniformed officer) positions were added in the late 1980s. The current staffing level is 7 uniformed officers, 1 sergeant position and 1 director position, for a total of 9 officers.

	<i>Director</i>	<i>Sergeant</i>	<i>Uniformed officers</i>	<i>Watch positions</i>
<i>Historic level (1980s)</i>	1	1	10	--
<i>Current level</i>	1	1	7	3

The change represents a net decrease of 3 officer positions within the past decade or so.

A general discussion followed regarding the costs of the Governor's proposal and the proposal to add 2 positions, including costs for position reclassifications. In response to a

question about the process used for position reclassifications, Mr. Boulter described the general process used by the Executive Branch and Commissioner Kelly concurred with that description:

Employees usually initiate positions reclassifications when there is a perceived change in the fundamental responsibilities or requirements for a position. Position reclassifications are not automatic, however, whenever there is a change. It would require an assessment based on the extent of the changes in job responsibilities or requirements. In the case of the Governor's proposal, the proposed 750-hour training requirement would be directly comparable to training requirements for a state police trooper, such that a reclassification request by Capitol Security employees is virtually assured. If the minimum training requirements were to be changed from 100 to 220 hours, it may or may not trigger position reclassifications.

Rep. Snowe-Mello asked whether part-time positions were feasible. Chief Suitter commented that the workload is fairly constant year-round (especially with legislative activities occurring regularly during the legislative interim) and that recruitment and retention of officers would be a major problem. He concluded that part-time officer positions were infeasible.

Other members inquired as to Capitol Security coverage in the State House. Chief Suitter commented that the officers' shifts vary considerably during the week in order to provide coverage 2 person or greater coverage during the day, and night and weekend coverage. On some evening shifts, there is only 1-person coverage.

With respect to costs, Commissioner Kelly presented the annual increased costs associated with the varying proposals to add 2 officer positions, as follows.

- At 100-hour training level: \$103,260.40 (at current salary grade 12) Total: \$103,260
- At 220-hour training level: \$103,260.40 + \$24,300 Total: \$128,000
(assuming reclassification of all officers in Capitol Security to salary grade 14)
- At 750-hour training level: \$340,000 + \$42,000 Total: \$382,000
(Governor's proposal & assuming reclassification of all officers to salary grade 18)

Members commented that the alternative staffing proposal, requiring 220 hours of training and increasing the Capitol Security force by 2 officers, would represent a significantly less costly alternative to the Governor's proposal.

Rep. Schneider made a motion to recommend to the Legislative Council at its next meeting that:

1. the current organizational and reporting structure of the Bureau of Capitol Security be retained;
2. the Bureau of Capitol Security be authorized to hire 2 additional officers on a full-time basis;

3. the minimum level of training for law enforcement officers employed by the Bureau of Capitol Security be increased from 100 hours to 220 hours, with the additional hours of training being tailored to the specific functions of the Bureau of Capitol Security¹; and
4. the Bureau of Capitol Security develop a written agreement with the Bureau of State Police, Special Services unit providing for a protocol for greater coordination of resources, services and communication as they relate to security in the State House complex.

Rep. Colwell seconded the motion. With the legislative members voting, the motion carried unanimously. Following the vote, Sen. Davis noted that although he supported the motion, he was not fully convinced that adding 2 officers to the Bureau of Capitol Security would significantly change the overall level of security in the State House complex.

Sen. Treat asked Mr. Boulter to draft the motion as approved by the subcommittee and share it with members. Mr. Boulter agreed to do so.

The meeting was adjourned at 1:40 P.M.

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¹ It is presumed that the Trustees of the Maine Criminal Justice Academy would develop the training curriculum in consultation with the Commissioner of Public Safety and the Director of Capitol Security. In addition, the training requirement would be required for all Capitol Security officers, with currently employed officers being given a limited period in which to receive the additional training.

**Actions Taken by Ballot by
the Legislative Council Since
the February 27, 2002 Council Meeting
(as of March 25, 2002)**

1. Request for Introduction of Legislation

- A. LR 3410: Resolve, Authorizing Michelle Booker to Sue the State

Submitted by: Rep. Joseph Perry

Accepted: March 7, 2002, 6 - 0 - 0 - 4

- B. LR 3486: An Act To Conform State Law to Federal Law Regarding Deferred Compensation Plans

Submitted by: Sen. Michael Michaud

Accepted: March 4, 2002, 6 - 0 - 0 - 4

- C. LR 3515: An Act to Amend the Charter of the Corinna Water District to Allow for the Appointment of Trustees

Submitted by: Sen. Paul Davis, Sr.

Accepted: February 28, 2002, 6 - 0 - 0 - 4

- D. LR 3531: An Act to Provide Maine State Retirement System Representation on the State Employee Health Commission

Submitted by: Sen. Betheda Edmonds

Accepted: March 18, 2002, 6 - 0 - 0 - 4

- E. LR 3533: An Act to Amend the Clean Elections Act to Ensure Proper Disbursement of Matching Funds

Submitted by: Rep. John Tuttle

Accepted: March 4, 2002, 8 - 0 - 0 - 2

- F. LR 3538: An Act to Encourage Agricultural Cooperative Association to Sponsor and Establish Health Benefit Plans for Farmers and Agricultural Workers

Submitted by: Rep. Christopher O'Neil

Accepted: March 5, 2002, 6 - 0 - 0 - 4

- G. LR 3541: An Act to Make an Affirmative Decision to Not Participate With a Part of the Federal Welfare Act of 1996

Submitted by: Rep. Judith Peavey

Accepted: March 6, 2002, 10 - 0 - 0 - 0

- H. LR 3542: An Act Regarding the Withdrawal of Lake View Plantation from School Administrative District No. 41

Submitted by: Sen. Paul Davis, Sr.

Accepted: March 5, 2002, 6 - 0 - 0 - 4

- I. LR 3546: JOINT RESOLUTION MEMORIALIZING CONGRESS TO PROVIDE ADEQUATE FUNDING FOR ACADIA NATIONAL PARK

Submitted by: Sen. Jill Goldthwait

Accepted: March 7, 2002, 10 - 0 - 0 - 0

- J. LR 3557: An Act to Enable Maine Residents to Purchase Low Cost Pharmaceuticals

Submitted by: Speaker Michael V. Saxl

Accepted: March 11, 2002, 6 - 0 - 0 - 4

- K. LR 3558: An Act to Ensure Consistent Regulation of Air Emissions in the State

Submitted by: Rep. Robert Daigle

Accepted: March 12, 2002, 6 - 0 - 0 - 4

- L. LR 3559: JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO LIFT SANCTIONS AND ESTABLISH PERMANENT NORMAL TRADE RELATIONS WITH CUBA

Submitted by: Sen. Richard Kneeland

Accepted: March 13, 2002, 9 - 0 - 0 - 1

- M. LR 3560: An Act to Permit Hunting on Sunday in the Unorganized Territories

Submitted by: Rep. Monica McGlocklin

Accepted: March 13, 2002, 7 - 0 - 0 - 3

- N. LR 3570: Resolve, to Study the Impact of a Maine Based Casino on the Economy, Transportation Infrastructure, State Revenues and the Job Market
- Submitted by: Rep. Roderick Carr
Accepted: March 18, 2002, 6 - 0 - 0 - 4
- O. LR 3580: An Act to Address the Unfunded Liability of the Maine State Retirement System and the Equity of Retirement Benefits for State Employees and Teachers
- Submitted by: Sen. Michael Michaud
Accepted: March 18, 2002, 6 - 0 - 0 - 4
- P. LR 3584 JOINT RESOLUTION MEMORIALIZING CONGRESS TO ADOPT PATRIOTS DAY AS A HOLIDAY IN EACH OF THE UNITED STATES OF AMERICA
- Submitted by: Rep. Joseph Bruno
Accepted: March 19, 2002, 9 - 0 - 0 - 1
- Q. LR 3611 An Act to Assist the Displaced Workers at Hathaway Shirt
- Submitted by: Sen. Kenneth Gagnon
Accepted: March 25, 2002, 6 - 0 - 0 - 4

LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
SECOND REGULAR SESSION
March 21, 2002

Action

SPONSOR: Rep. Canavan, Marilyn E.

LR 3549 An Act to Enhance the Ability of People to Donate
Perishable Food to Charity

SPONSOR: Rep. Collins, Ronald F.

LR 3550 An Act to Exempt Certain Sales of Drinking Water
from the Sales Tax

SPONSOR: Sen. John Martin

LR 3603 An Act to Adjust the Valuation of St. John
Plantation as a Result of a Fire

ACCEPTED
BY BALLOT
3/25/02

JOINT RESOLUTION

SPONSOR: Rep. Kane, Thomas J.

LR 3583 JOINT RESOLUTION MEMORIALIZING CONGRESS TO CHANGE
THE SCHEDULED DESIGNATION OF MARIJUANA TO ALLOW FOR
LIMITED MEDICAL USE

TABLED BY THE LEGISLATIVE COUNCIL

SPONSOR:	Rep. Lemoine, David G.	TABLED 01/29/02
LR 3331	An Act to Restore the Passage of Alewives on the Lower St. Croix River	
SPONSOR:	Rep. Matthews, Zachary E.	TABLED 02/27/02
LR 3487	An Act to Raise the Cigarette and Beer and Wine Tax	
SPONSOR:	Rep. Saxl, Michael V.	TABLED 02/27/02
LR 3480	Resolve to Create the Commission on Affordable Housing	
SPONSOR:	Rep. Twomey, Joanne T.	TABLED 02/27/02
LR 3441	An Act to Make All Durable Medical Equipment Tax Exempt	

JOINT RESOLUTION

SPONSOR:	Rep. Michaud, Marc	TABLED 01/29/02
LR 2810	JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO REMOVE THE ALLAGASH WILDERNESS WATERWAY FROM THE AUSPICES OF THE WILD AND SCENIC RIVERS ACT	

ADDENDUM

LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
SECOND REGULAR SESSION
March 26, 2002

Action

SPONSOR: Rep. Koffman, Theodore

LR 3613 Resolve, to Consider the Challenges of Creating
Housing, Including Affordable Housing, in Certain
Areas of the State



MAINE STATE LEGISLATURE
Augusta, Maine 04333

COMMITTEE STUDY TO REVIEW TRANSITION TO A NEW SCHOOL FUNDING
FORMULA BASED ON THE ESSENTIAL PROGRAMS AND SERVICE MODEL

March 4, 2002

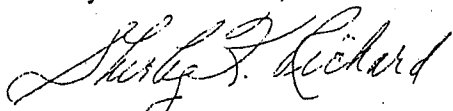
The Honorable Michael V. Saxl, Chair
The Honorable Michael H. Michaud, Vice Chair
Legislative Council
115 State House Station
Augusta, ME 04333

Dear Representative Saxl and Senator Michaud:

This letter is to inform you that the Education and Cultural Affairs Committee Study to Review Transition to a New School Funding Formula Based on the Essential Programs and Service Model has submitted the attached report including recommended legislation to the 120th Maine Legislature, pursuant to the authority granted by the Legislative Council. Copies of the report have been placed on the file with the Law and Legislative Reference Library.

Sincerely,


Betty Lou Mitchell, Senate Chair


Shirley K. Richard, House Chair

cc: Members of the Legislative Council (w/enc.)
Senate President Richard A. Bennett