

MAINE STATE LEGISLATURE

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SEN. BEVERLY C. DAGGETT
CHAIR

REP. PATRICK COLWELL
VICE-CHAIR



121st MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. SHARON ANGLIN TREAT
SEN. PAUL T. DAVIS, SR.
SEN. KENNETH T. GAGNON
SEN. CHANDLER E. WOODCOCK
REP. JOHN RICHARDSON
REP. JOSEPH BRUNO
REP. ROBERT W. DUPLESSIE
REP. DAVID E. BOWLES

DAVID E. BOULTER
EXECUTIVE DIRECTOR

MEETING SUMMARY
June 4, 2003
Approved June 10, 2003

CALL TO ORDER

The Chair, President Daggett, called the Council meeting to order at 4:18 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators: President Daggett, Sen. Treat, Sen. Davis, Sen. Gagnon
Sen. Woodcock

Representatives: Speaker Colwell, Rep. Richardson, Rep. Bruno,
Rep. Duplessie, Rep. Bowles

Legislative Officers: Millicent MacFarland, Clerk of the House
David Boulter, Executive Director, Legislative Council
Grant Pennoyer, Director, Office of Fiscal and Program Review
David Elliott, Director, Office of Policy and Legal Analysis

**REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE
DIRECTORS**

No Reports

REPORTS FROM COUNCIL COMMITTEES

• **Personnel Committee**

No Report

• **State House Facilities Committee** (Sen. Gagnon, Chair)

The State House Facilities Committee is scheduled to meet Thursday, June 5, 2003 at 1:00 pm in the Legislative Council Chamber.

OLD BUSINESS

None

NEW BUSINESS

The only business before the Legislative Council was to review the special study committees.

Item #1: Requests for Interim Studies

President Daggett requested that David Boulter, Executive Director of the Legislative Council, remind the members of the Legislative Council of the guidelines for the legislative studies.

Mr. Boulter referred Legislative Council members to the informational sheet in their material regarding the requirements and protocols relevant to studies in the First Regular Session for review of the study requests. A copy of the requirements and protocols is attached to this Meeting Summary.

Mr. Boulter requested further guidance on several study elements if the Council were to accept the suggested protocol. The policy issues needing decisions are:

- a) Number of authorized meetings and locations. The Legislative Council has generally authorized 4 meetings or less, unless the Council specifically authorized an exception. He suggested that the members may want to consider a similar approach for these study requests;
- b) Compensation of Members. Some studies compensate all members with a per diem and necessary expenses, and some do not. Consistent with the Council's guidelines, Mr. Boulter recommended that legislators receive per diem and reimbursement of necessary expenses, other members who are not otherwise compensated, receive reimbursement of expenses, and a per diem only a bona fide demonstration of financial hardship;
- c) Studies conducted using non-General Fund monies. Director Boulter recommended that a study may not convene until sufficient funds are received to pay for the study; and
- d) Preferred legislative instrument for establishing study committee recommendation. Study committees can be through resolves. If a study is by a resolve, it requires passage, and the signature of the governor and, absent an emergency preamble, the study would not begin until 90 days following adjournment (September or October). joint study orders have been preferred by the Legislative Council in past years since. Joint orders take effect immediately and are controlled totally within the Legislature. Mr. Boulter recommended use of joint study orders when feasible.

Motion: That the Legislative Council adopt the recommendations of the executive director regarding the 4 policy issues to be decided (a – d of the handout). (Motion by Sen. Treat, second by Sen. Gagnon, unanimous).

Motion: That the Legislative Council adopted the Suggested Protocol for deciding legislative study requests (A through D of the handout). (Motion by Speaker Colwell, second by Rep. Duplessie, unanimous).

Sen. Treat asked who would be redrafting the studies to meet the guidelines or the joint rules and whether the joint standing committees would be consulted. Mr. Boulter replied that the redrafting would be a joint effort among OPLA, OFPR, Revisor, and the Executive Director's Office. Mr. Boulter said that generally the Council-authorized floor amendments for studies have been given to Council members (or the chair and vice-chair of the Council) and have not gone back to committees since the study requests at this stage in the process are within the purview of the Legislative Council.

The Legislative Council's action on study requests is included on the attached list.

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Legislative Council was adjourned at 5:47 p.m. (Motion by Sen. Davis, second by Rep. Duplessie, unanimous).