

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL
January 13, 2004
2:00 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 DECEMBER 8, 2003 COUNCIL MEETING	Decision
	REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	Information
8	• Executive Director's Report	
10	• Fiscal Report (Pennoyer)	
11	• Office of Information Services' Report (Mayotte)	
	• Update on Interim Studies (Elliott)	
	REPORTS FROM COUNCIL COMMITTEES	
	• Personnel Committee (Rep. Richardson, Chair)	
	No report	
	• State House Facilities Committee (Sen. Gagnon, Chair)	
	No report	
	OLD BUSINESS	
13	Item #1: Council Actions Taken by Ballot	Information

NEW BUSINESS

- | | | |
|----|---|-------------|
| 14 | Item #1: Consideration of After Deadline Bill Requests | Decision |
| | Item #2: Requests to Meet and Request for Further Extension of Study Reporting Deadlines | Decisions |
| 21 | <ul style="list-style-type: none">• Commission to Study Obesity and Methods to Decrease the Cost of Health Care and Increase the Public Health<ul style="list-style-type: none">- Permission to meet on January 23, 2004 (extension to December 31, 2003 approved on November 18, 2003)- Legislation to change reporting date introduced this session | |
| 22 | <ul style="list-style-type: none">• Task Force to Study Parity and Portability of Retirement Benefits for State Law Enforcement Officers, Municipal and County Law Enforcement Officers and Firefighters<ul style="list-style-type: none">- Permission to meet on January 26, 2004- Request to extend Task Force deadline | |
| 23 | Item #3: Presentation by Steering Committee for Blaine House Conference on the Creative Economy (Alden Wilson, Director, Maine Arts Commission and John Rohman, Co-chair, Steering Committee) | Information |

COLLECTIVE BARGAINING (Executive Session)

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

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 December 8, 2003

CALL TO ORDER

The Vice-Chair, Speaker Colwell, called the Legislative Council meeting to order at 2:12 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators:	Sen. Treat, Sen. Davis, Sen. Gagnon Absent: President Daggett and Sen. Woodcock
Representatives:	Speaker Colwell, Rep. Bruno, Rep. Duplessie, Rep. Bowles Absent: Rep. Richardson
Legislative Officers:	David Shiah, Assistant 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 Margaret Matheson, Revisor of Statutes Lynn Randall, State Law Librarian Paul Mayotte, Director, Legislative Information Services

SUMMARY OF THE NOVEMBER 18, 2003 COUNCIL MEETING

Motion: That the Meeting Summary of November 18, 2003 be accepted and placed on file.
(Motion by Rep. Bruno, second by Sen. Davis, unanimous).

REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS

- Executive Director's Report

David Boulter, Executive Director, reported that a dedication of the portrait of former Governor King is scheduled for Saturday, December 27th, 10:00 a.m.

Mr. Boulter also reported that the interpretive panel information regarding the dioramas should be completed by museum staff in January. The benches for the diorama area should also be completed and installed in January.

The 2002 contract with Granger Northern, Inc., the managing contractor for the work at the State House has been signed for renovation work in the State House. The notable change in this contract is that the Legislature now has provisions that are intended to ensure timely work. A stipulated penalties provision has been added to the contract in the event of a failure to perform work in a timely manner.

Mr. Boulter announced the appointment of 2 staff persons:

Patricia Barney, Accounting Technician in the Office of the Executive Director. Ms. Barney's first day of employment is December 15, 2003.

Howard Boucher, Facilities Support Staff in the Office of the Executive Director. Mr. Boucher began working on December 8, 2003. Mr. Boulter introduced Mr. Boucher to the members of the Legislative Council.

The Vice-Chair, Speaker Colwell, on behalf of the entire Legislative Council, welcomed Mr. Boucher to the Legislature.

No Council action required.

- **Fiscal Report**

Grant Pennoyer, Director, Office of Fiscal and Program Review, reported to Council members that the timing of the December Council meeting precluded a report on final November revenues. Based on a preliminary review of the revenue figures, General Fund revenue was under projections by approximately \$18 million based on the old forecast, which he believed to be timing issues. When the Administration's report is released in the next week or so, the new forecast will be reflected and Mr. Pennoyer believes it will be close to budget.

He also reported that the Tax Amnesty program appears to be generating revenue at the amount projected.

A clarification was requested regarding information Mr. Pennoyer provided regarding negative variance and year-to-date balances for sales tax. He said that hopefully sales tax will hold up throughout the year. The Revenue Forecasting Committee is waiting for information about the Holiday season and, therefore, the committee did not change the forecast amounts for the short term.

No Council action required.

- **Office of Information Services' Report**

Bill Drafting System

Paul Mayotte, Director, Legislative Information Services, reported that the Legislature, through the Attorney General's Office, has sent a letter to HP clarifying the Legislature's position on what is an acceptable performance for the bill drafting system. HP informed the Legislature on December 5, 2003 that it would be installing the final version software in early January, 2004. Mr. Mayotte said he has made it clear to HP that the legislative session begins January 7, 2004 and the ability to support them would depend on the needs

of the Legislature. HP also proposed for improving performance of the application installing a larger and faster server for the bill drafting system at their expense. HP has been informed that the Legislature wants the software fixed, and will not accept a hardware option to address a software problem.

The Legislature is seeking modifications to the software warranty to provide coverage through a complete legislative session.

SPAM Filtering

The level of incoming SPAM emails is approximately 4,200 per week, which were successfully screened by SPAM filers.

- **Office of Policy and Legal Analysis**

David Elliott, Director, Office of Policy and Legal Analysis, reported that a majority of the studies will be completed by the end of December. A copy of the Progress Report on Legislative Studies is attached for the Legislative Council's reference.

- **Office of the Revisor of Statute**

Margaret Matheson, Revisor of Statutes, reported to the Legislative Council that as of Thursday evening, December 4, 2003, all legislators' bills that had been accepted at the October 22 and November 18, 2003 Council meetings, with two exceptions that had been sanctioned by the Presiding Officers, are out for legislator signature, the total being 160. In addition, approximately 70 agency and independent agency bills have been sent out to the agencies. Cycle two changes are now being received. The Secretary of the Senate, Clerk of the House and Revisor's Office have worked together to expedite the handling of signatures for the bills.

No Council action required.

REPORTS FROM COUNCIL COMMITTEES

- **Personnel Committee**

The Personnel Committee had met earlier in the day. Rep. Richardson was not in attendance but had requested that the Speaker chair the meeting. Speaker Colwell reported on the following:

1. **Administrative Leave for Christmas Holiday**

Speaker Colwell said the Personnel Committee discussed and voted unanimously to recommend administrative leave for legislative employees. He offered the following motion:

Motion: That legislative offices be closed on Wednesday, December 24th beginning at noon and all day on Friday, December 26th, and that all legislative employees who are in pay status as of December 24th be granted paid administrative leave for that time. (Motion by Speaker Colwell, second by Sen. Treat, unanimous).

2. Request to Amend Military Leave Provision of Personnel Policies

Speaker Colwell asked Mr. Boulter to summarize this matter. A member of the Personnel Committee has made a request to amend the military leave provision of the personnel policies handbook for legislative staff members who are serving in the Iraqi conflict. A draft proposal was prepared and reviewed by the committee. The proposal makes technical corrections to be consistent with federal and state law.

Under the proposal, employees who either volunteer or are ordered to active duty to serve in the Iraqi conflict would continue to have their health insurance paid to the same extent that it is paid for while they are working for the Legislature. The employee's current share of health insurance costs is paid by the State and 60% of the dependent care coverage is paid by the State. Currently, if an employee is called to active duty, up to 30 days is paid for in that manner. There is no requirement that employers pay beyond the 30 days. Members of the armed forces are eligible for military health insurance under TRICARE as soon as they are ordered to active duty. TRICARE does include medical coverage for dependents. The proposed change would provide a legislative staff member who is called to service in the Iraqi conflict, the option of whether to receive health care coverage under TRICARE or continue with the insurance provisions offered by the Maine Legislature, for a period of up to 18 months. The Personnel Committee recommended approval of the following motion:

Motion: That the Legislative Council adopt the suggested revisions to the military leave provisions of the personnel policies and guidelines for legislative employees, in place of the current provisions. (Motion by Speaker Colwell, second by Sen. Treat, unanimous).

Rep. Duplessie suggested that the Personnel Committee consider a long-term policy regarding military leave at some time in the future.

3. Human Resources Position

Speaker Colwell requested that Executive Director Boulter provide an update on the human resources position for the legislature. Mr. Boulter reminded members that in February, 2003 the Legislative Council unanimously authorized the creation of a human resources position to serve the legislature and asked that he develop a funding proposal that allowed the position to be funded within existing budgeted resources. The information was presented to the Legislative Council at an earlier meeting and had been tabled so members could assess the information and authorize the position when it believed it most appropriate to do so. The position will be funded within existing budgeted resources by using vacant positions and transferring some positions that are full-time to session only. Mr. Boulter said the Personnel Committee believed that it is the appropriate time to authorize the human resources position and unanimously recommended approval of the funding plan.

Motion: That the Legislative Council authorize the Executive Director's Office to establish a Human Resources Director position and fill the position effective April 1, 2004. The position is to be funded within existing budgeted resources and in accordance with the position changes identified in the proposed funding plan. (Motion by Speaker Colwell, second by Rep. Bruno, unanimous).

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

The State House Facilities Committee did not meet.

OLD BUSINESS

None.

NEW BUSINESS

Item #1: Submission of Study Report

- Study Group to Examine an Emergency Alert Notification System for Deaf and Hard-of-Hearing Individuals

Motion: That the Legislative Council accept and place on file the above study report. (Motion by Sen. Treat, second by Rep. Bruno, unanimous).

Item #2: Submission of Work Plans and Proposed Budgets for Approval:

David Elliott explained to the Legislative Council that most legislation authorizing studies contains a provision that directs the study entity to submit a work plan and a budget to the Legislative Council for approval.

The work plans and proposed budgets submitted for approval are:

- Committee to Study Compliance with Maine's Freedom Access Laws
- Task Force to Study the Needs of Deaf and Hard-of-Hearing Children and Adolescents

Motion: That the Legislative Council approve the work plans and proposed budgets. (Motion by Sen. Treat, second by Rep. Bowles, unanimous).

Item #3: Requests For Extension of Study Reporting Deadlines

- Commission to Study Compliance With Maine's Freedom of Access Laws (from December 3, 2003 to January 15, 2004)

Motion: That the request for an extension of the study reporting deadline be approved from December 3, 2003 to January 9, 2004. (Motion by Sen. Treat, second by Rep. Duplessie, unanimous).

- Commission to Review the Workers' Compensation Board Budget Process (from December 3, 2003 to December 31, 2003)

Motion: That the request for an extension of the study reporting deadline be approved from December 3, 2003 to December 31, 2003. (Motion by Sen. Treat, second by Rep. Duplessie, unanimous).

- Committee to Study the Revenue Sources of the Office of Consumer Regulation (from December 3, 2003 to January 16, 2004)

Motion: That the request for an extension of the study reporting deadline be approved from December 3, 2003 to January 9, 2004, unanimous).

- Commission to Arrange for a Plaque or Plaques and a Flag or Flags to be Displayed in the Hall of Flags in the State House to Honor the Maine Veterans of World War II and the Korean War (from November 1, 2003 to March 1, 2004)

Motion: That the request for an extension of the study reporting deadline be approved from November 1, 2003 to March 1, 2004). (Motion by Sen. Gagnon, second by Sen. Davis, unanimous).

Item #4: Request For Further Extension of Study Reporting Deadlines

- Task Force to Study the Needs of Deaf and Hard-of-hearing Children and Adolescents (from January 9, 2004 to January 23, 2004)

Motion: That the request for a further extension of the study reporting deadline be approved from January 9, 2004 to January 23, 2004. (Motion by Sen. Treat, second by Sen. Gagnon, approved 6-1). (Rep. Bruno opposed)

- Commission to Study the Scope & Quality of Citizenship Education (from January 9, 2003 to January 23, 2004)

Motion: That the request for a further extension of the study reporting deadline be approved from January 9, 2003 to January 23, 2004. (Motion Sen. Gagnon, second by Sen. Davis, failed 5-2). (Rep. Bruno, Rep. Bowles opposed)

Item #5: Eastern States Legislative Fiscal Officers Association Meeting

Mr. Pennoyer said the Association invited Maine to host the annual meeting of the Eastern States Legislative Fiscal Officers Association in 2001, but due to significant turnover in his office, Maine declined. Maine has now been invited to host the annual meeting in 2004. The estimated funds available from the Association to support Maine hosting the meeting in 2004 is approximately \$4,600. Mr. Pennoyer expects that approximately \$3,000 would be generated from registration revenue. Mr. Pennoyer requested that the Legislative Council approve his request that Maine host the 2004 meeting and to make a contribution to the Eastern States Legislative Fiscal Officers Association to help fund the meeting in the amount of \$2,500.

Motion: That the Legislative Council agree to host the Eastern States Legislative Fiscal Officers Association Annual Meeting in 2004 and to assist in the funding of the meeting in an amount not to exceed \$2,500. (Motion by Sen. Treat, second Sen. Gagnon, unanimous).

COLLECTIVE BARGAINING (Executive Session)

Motion: That, in accordance with 1 MRSA section 405, subsection 6, the Legislative Council enter into an executive session with its counsel and negotiators for the purposes of discussing labor contracts and proposals involving MSEA and its represented legislative employees. (Motion by Sen. Treat, second by Rep. Bruno, unanimous).

The Council proceeded to go into Executive Session at 3:00 p.m.

MEETING RECONVENED

The Council ended its Executive Session and reconvened in open session at 3:14 p.m. on the motion of the Vice-Chair.

ANNOUNCEMENTS AND REMARKS

None

ADJOURNMENT

The Legislative Council meeting was adjourned at 3:15 p.m. (Motion by Rep. Bruno, second by Sen. Davis, unanimous).

Fiscal Briefing for the Legislative Council

January 13, 2004 Meeting

*Prepared by the
Office of Fiscal & Program Review*

1. General Fund and Highway Fund Revenue Variances for December 2003 (Summary Sheet Attached)

- **General Fund**

Total General Fund revenue was over budget by \$16.3M for December and is now running ahead of budget for the 1st half of FY04 by \$11.9M.

- Individual Income Tax – Up by \$10.7M in Dec./Up by \$11.0M for FY-T-D
- Sales Tax – Up by \$4.6M in Dec./Up by \$4.4M for FY-T-D
- Cigarette Tax – Up by \$0.6M in Dec./Up by \$0.7M for FY-T-D
- Estate Tax – Up by \$1.6M in Dec./Up by \$0.5M for FY-T-D
- Insurance Taxes – Up by \$0.7M in Dec./Down by \$1.2M for FY-T-D
- Corporate Income Tax – Down by \$2.1M in Dec./Down by \$1.9M for FY-T-D

It is too early to determine yet whether this positive variance, particularly, the individual income tax variance, will hold up through the remainder of FY04.

- **Highway Fund**

Total Highway Fund revenue was over budget by \$1.8M in December; increasing the positive variance to \$3.8M through the 1st half of FY04. Motor Vehicle Registration and Fees revenue variances account for \$0.9M of the December variance and \$2.7M of 1st half variance over and above the upward revision to the forecast for this revenue line. Fuel taxes also were ahead of budget, \$1.2M for December and \$1.0M for the 1st half.

2. Revenue Forecasting

- The Consensus Economic Forecasting Commission (CEFC) and the Revenue Forecasting Committee (RFC) met in a joint meeting on Monday, January 12, 2004 at the State Planning Office to review process and discuss proposed changes to the process and to discuss FY04 revenue revisions. The RFC adopted an increase of Other Revenue of \$2,066,000 in FY04 associated with 2 unusual and unanticipated events - an insurance settlement affecting fine revenue and the sale of the Maine Mall affecting Real Estate Transfer Tax.
- The CEFC will be meeting Wednesday, January 27, 2004 to review and potentially revise the current economic forecast. CEFC has a statutory reporting date of February 1st.
- The RFC has not yet set its meeting schedule, but will meet sometime in mid-February to review and update the revenue forecasts for the General Fund, Highway Fund and Fund for a Healthy Maine. The RFC has a statutory reporting date of March 1st.

General Fund and Highway Fund Revenue

Fiscal Year Ending June 30, 2004

Based on All Actions of the 121st Legislature through 1st Special Session and December 2003 Revenue Forecast

DECEMBER 2003 - VARIANCE REPORT

FUND	Revenue Line	Dec. '03 Budget	Dec. '03 Actual	Dec. '03 Var.	FY04 YTD Budget	FY04 YTD Actual	FY04 YTD Variance	FY04 Budgeted Totals
GF	Sales and Use Tax	66,174,325	70,728,225.46	4,553,900.46	403,746,062	408,189,897.08	4,443,835.08	899,259,382
GF	Individual Income Tax	107,802,055	118,510,419.92	10,708,364.92	513,810,872	524,838,576.81	11,027,704.81	1,132,802,013
GF	Corporate Income Tax	23,940,829	21,808,954.59	(2,131,874.41)	48,453,084	46,599,878.38	(1,853,205.62)	103,697,841
GF	Cigarette and Tobacco Tax	7,703,498	8,330,928.24	627,430.24	49,962,853	50,662,442.32	699,589.32	97,616,940
GF	Public Utilities Tax	0	0.00	0.00	(150,000)	(293,687.83)	(143,687.83)	28,900,000
GF	Insurance Companies Tax	118,164	812,961.08	694,797.08	14,092,709	12,855,317.23	(1,237,391.77)	69,415,308
GF	Estate Tax	2,760,085	4,389,820.29	1,629,735.29	10,022,948	10,531,610.72	508,662.72	32,103,631
GF	Property Tax - Unorganized Territory	0	0.00	0.00	8,937,093	8,937,092.00	(1.00)	10,202,624
GF	Income from Investments	107,292	129,599.88	22,307.88	957,821	1,014,755.07	56,934.07	1,287,885
GF	Transfer to Municipal Revenue Sharing	(10,093,777)	(10,763,427.60)	(669,650.60)	(49,266,511)	(49,961,045.98)	(694,534.98)	(108,923,722)
GF	Transfer from Liquor Commission	2,805,793	2,737,466.70	(68,326.30)	14,155,312	14,837,299.16	681,987.16	26,356,396
GF	Transfer from Lottery Commission	3,476,633	3,723,676.53	247,043.53	21,503,973	20,950,501.64	(553,471.36)	42,321,885
GF	Other Revenue	15,145,826	15,785,629.48	639,803.48	91,609,670	90,565,379.39	(1,044,290.61)	275,488,367
GF	Totals	219,940,723	236,194,254.57	16,253,531.57	1,127,835,886	1,139,728,015.99	11,892,129.99	2,610,528,550
HF	Fuel Taxes	16,678,633	17,868,997.25	1,190,364.25	91,928,375	92,886,837.98	958,462.98	210,496,449
HF	Motor Vehicle Registration and Fees	5,461,546	6,332,033.73	870,487.73	34,062,421	36,775,727.29	2,713,306.29	78,405,062
HF	Inspection Fees	480,010	199,921.68	(280,088.32)	2,074,108	2,144,487.68	70,379.68	3,461,771
HF	Fines	167,640	136,593.63	(31,046.37)	1,051,374	939,306.68	(112,067.32)	2,122,901
HF	Income from Investments	40,520	44,683.15	4,163.15	251,511	256,310.33	4,799.33	425,217
HF	Other Revenue	430,459	494,712.01	64,253.01	5,122,099	5,275,722.94	153,623.94	8,632,917
HF	Totals	23,258,808	25,076,941.45	1,818,133.45	134,489,888	138,278,392.90	3,788,504.90	303,544,317

**MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL
TECHNOLOGY REPORT**

January 13, 2004

Bill Drafting System:

- HP is scheduled to install the “acceptable” version of the bill drafting software on Friday, January 23, 2004
- Acceptance testing will follow installation (HP is aware of session constraints on staff)

Committee Internet Audio:

- Audio from all Committees is now available over the Internet
- Sound quality and impact on bandwidth will be monitored throughout the session

Wireless Network Access Pilot:

- Legislators can now take advantage of the ability to access the Internet and Legislative E-mail
- Wireless access is available throughout the Legislative Campus (except the connector)

SPAM Filtering:

- The “rules” in place are working effectively, very few valid e-mails are being tagged as SPAM
- Will continue to review all items tagged

Progress Report on Legislative Studies
 (Studies authorized or undertaken following the 121st Legislature/1st Regular Session)
 Status as of 01/12/04 4:00:51 PM

<u>Study Commission</u>	<u>Date First Convened</u>	<u>Date, Time & Location of Next Meeting</u>	<u>Report Date</u>	<u>Comments/Status Of Study Commission</u>
Community Safety and Sex Offender Accountability, Resolve to Improve (LD 372 – Resolve 2003, c. 75)	9/12/03		12/03/03	Final report and legislation being drafted.
Equity in Mortgage Volume Fees, An Act to Ensure (LD 969 – P.L. 2003, c. 462)	11/20/03		12/03/03	Final report and legislation being drafted.
Financing of Long-term Care, Resolve Establishing a Blue Ribbon Commission to Address (Resolve 2001, c. 114)	Continuation		11/06/03	Do not plan to meet; plan to leave the financing issue for consideration by the LTC Oversight Committee created this year.
Health Care System and Health Security Board, An Act to Extend the Authority of the (LD 20 – P.L. 2003, c. 492)	Continuation		11/01/04	Will not meet this interim; report due next year. Applying for Health Access Foundation grant.
Logging Industry, Study New Payment Models for the (JSO, HP 724)	9/12/03	Mon., January 12 1:00 p.m. Room 206, CSOB	12/03/03	Jt. Order passed extending reporting deadline to 1/20/04.
Maine's Freedom of Access Laws, Resolve to Study Compliance with (LD 1079 – Resolve 2003, c. 83)	11/20/03		12/03/03	Final report being drafted; no legislation.
Needs of Deaf and Hard-of-hearing Children and Adolescents, Resolve to Study (LD 553 – Resolve 2003, c. 84)	11/20/03	Weds., January 14 8:00 a.m. – 12:00 p.m. Room 126, SH	12/03/03	Extension granted to 1/23/04.
Obesity and Methods to Decrease the Cost of Health Care, Resolve to Study (LD 471 – Resolve 2003, c. 95)			12/05/03	Extension granted to 1/9/04; LD 1823 would extend reporting deadline to 11/3/04.
Prepare Maine's Students for Active Citizenship, Resolve to (LD 425 – Resolve, 2003, c. 85)	11/5/03		12/03/03	Final report and legislation being drafted.
Recodification of Title 12 (substantive and technical pieces) (LD 1600 – P.L. 2003, c. 414)	Continuation		12/15/03	Recod enacted last year. This year's bill addressing technical and substantive changes is being drafted.
Recodification of Title 7, Joint Order Directing (JSO, SP 586)			01/15/05	Recod due next year; initial outline being developed.

Progress Report on Legislative Studies
(Studies authorized or undertaken following the 121st Legislature/1st Regular Session)
Status as of 01/12/04 4:00:51 PM

<u>Study Commission</u>	<u>Date First Convened</u>	<u>Date, Time & Location of Next Meeting</u>	<u>Report Date</u>	<u>Comments/Status Of Study Commission</u>
Salmonid Sport Fish in Maine, Resolve to Reestablish the Commission to Study the Needs and Opportunities Associated with the Production of (LD 1358 – Resolve 2003, c. 89)	Continuation		None Required	Final meeting will be in the spring; no report or legislation.
Retirement Benefits for State, Municipal, and County Law Enforcement Officers and Firefighters, Resolve to Study Parity and Portability of (LD 1343 – Resolve 2003, c. 76)	11/10/03		01/09/04	3 meetings held; extension granted to 1/9/04; further extension to requested.
State's Wholesale Liquor Business, Joint Order to Study Implementation of Privatization of the (JSO, SP 552)	9/25/03		12/03/03	Final report and legislation being drafted.
Veterans of World War II and Korean War in the State House Hall of Flags, Resolve to Extend the Commission to Recognize (LD 40 – Resolve 2003, c. 77)	Continuation		11/03/03	Extension to 3/1/04 granted.
Worker's Compensation Board, Review the Budget Process of the (LD 35 – P.L. 2003, c. 425)	8/20/03		12/03/03	Final report and legislation being drafted..
Youth in Maine, Presiding Officers Task Force on Creating a Future for (P.O. Order)	9/5/03		12/08/03	Final report and legislation being drafted..

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**Actions Taken by Ballot by
the Legislative Council**

1. Request for Introduction of Legislative

A. LR 2687: Resolve, Authorizing the City of Biddeford to Consolidate Voting
 Districts for a Special House Election in District 18

Submitted by: Speaker Patrick Colwell
Accepted: January 6, 2004, 9 - 0 - 0 - 1

LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
SECOND REGULAR SESSION
January 6, 2004

Action

SPONSOR: Sen. Bromley, Lynn

LR 2651 An Act to Clarify the Authority of the Community
Preservation Advisory Committee

SPONSOR: Sen. Bryant, Bruce

LR 2685 Resolve, To Study Flood Prevention on Rivers in Oxford
County and Franklin County

SPONSOR: Rep. Bunker Jr., George H.

LR 2673 An Act to Decrease Insurance Fraud in this State

SPONSOR: Sen. Damon, Dennis

LR 2652 An Act To Authorize a General Fund Bond Issue in the Amount
of \$1,200,000 for the Downeast Institute for Applied Marine
Research and Education

SPONSOR: Sen. Damon, Dennis

LR 2662 Resolve, To Designate the Site of the Resting Place of 2
Planes and the Remains of the Pilots in Sebago Lake as a
Protected Area

SPONSOR: Sen. Davis, Sr., Paul T.

LR 2663 An Act To Delay the Implementation of Restructuring of
Information on Electronically Printed Receipts

SPONSOR: Rep. Dudley, Benjamin F.

LR 2682 An Act to Include Homelessness as a Protective Class
Under the Civil Rights Act

Action

SPONSOR: Rep. Dunlap, Matthew

LR 2668 An Act for Better Enforcement of Maine's Business Protection Laws

SPONSOR: Rep. Duprey, Jr., Guy J.

LR 2648 An Act to Amend the Laws Governing Purchase of Military Time Served Under the Maine State Retirement System

SPONSOR: Rep. Duprey, Jr., Guy J.

LR 2657 An Act to Name Township 5, Range 9 Ebemee and to Allow County Commissioners to Name Unorganized Townships

SPONSOR: Rep. Gagne-Friel, Rosita

LR 2667 An Act To Allow Speakers in Vehicles To Enable a Person in the Vehicle To Communicate with a Person Outside the Vehicle

SPONSOR: Sen. Gagnon, Kenneth T.

LR 2649 An Act to Ensure Competitive Bidding for Maine's School Systems

SPONSOR: Sen. Gagnon, Kenneth T.

LR 2684 An Act To Clarify the Nursing Facility Certificates of Need Law

SPONSOR: Rep. Ketterer, Susanne P.

LR 2661 An Act To Decriminalize First-Time Invasion of Computer Privacy

SPONSOR: Sen. Lemont, Kenneth F.

R 2660 An Act to Establish Reciprocity in Laws Governing the Allowable Mode of Transporting Lobsters

SPONSOR: Sen. Lemont, Kenneth F.

LR 2672 An Act Regarding the Use of Lights and Sirens on
Emergency Vehicles

SPONSOR: Rep. McGlocklin, Monica

LR 2658 An Act to Appropriate Funds for World War II and Korean
War Memorial Plaques in the Hall of Flags

SPONSOR: Sen. Mitchell, Betty Lou

LR 2690 An Act to Amend the Requirements for Publication of Legal
Notices

SPONSOR: Sen. Mitchell, Betty Lou

LR 2691 An Act to Extend the Deadline for Reconsideration by
Boards of Appeals

SPONSOR: Rep. Norbert, William

LR 2694 An Act to Make Emergency Changes to Recent Law

SPONSOR: Sen. Treat, Sharon Anglin

LR 2650 An Act to Ensure Disclosure of Prescription
Drug Prices

SPONSOR: Rep. Woodbury, Richard G.

LR 2647 An Act To Provide Fairness in Tax Amnesty

JOINT RESOLUTIONS

SPONSOR: Rep. Bliss, Lawrence

LR 2293 JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE
UNITED STATES AND THE CONGRESS OF THE UNITED STATES
TO FULFILL THE INTENT TO FUND 40% OF THE COSTS OF
SPECIAL EDUCATION OR AMEND THE INDIVIDUALS WITH
DISABILITIES EDUCATION ACT TO ALLOW THE STATES MORE
FLEXIBILITY IN IMPLEMENTING ITS MANDATES

Action

SPONSOR: Sen. Damon, Dennis

LR 2568 JOINT RESOLUTION MEMORIALIZING CONGRESS AND THE
PRESIDENT TO PRESERVE THE FISHERIES AND FISHING
COMMUNITIES IN THE GULF OF MAINE

SPONSOR: Rep. Hutton, Deborah J.

LR 2295 JOINT RESOLUTION MEMORIALIZING CONGRESS TO ENSURE
THE PROTECTION OF CIVIL LIBERTIES AND SECURITY OF
THE UNITED STATES

SPONSOR: Rep. Rosen, Richard W.

LR 2410 JOINT RESOLUTION MEMORIALIZING THE ENVIRONMENTAL
PROTECTION AGENCY, THE DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND MALLINCKRODT, INC. TO REACH A SWIFT
AND EQUITABLE AGREEMENT

SPONSOR: Sen. Strimling, Ethan

LR 2427 JOINT RESOLUTION MEMORIALIZING CONGRESS TO REPEAL
PORTIONS OF THE UNITED STATES PATRIOT ACT DETRIMENTAL
TO THE FUNDAMENTAL RIGHTS AND LIBERTIES OF UNITED
STATES CITIZENS

TABLED BY THE LEGISLATIVE COUNCIL

SPONSOR: Sen. Gagnon, Kenneth T.

TABLED
10/22/03

LR 2353 An Act To Delay the Implementation of the Commingling
Provisions of the Laws Governing Returnable Beverage
Containers

SPONSOR: Sen. Treat, Sharon Anglin

TABLED
11/18/03

LR 2580 An Act To Provide Consumer Representation in Health
Insurance Coverage Matters

SPONSOR: Sen. Treat, Sharon Anglin

TABLED
11/18/03

LR 2581 An Act To Clarify Health Care Cost-sharing Limits

ADDENDUM

LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
SECOND REGULAR SESSION
January 13, 2004

Action

SPONSOR: Sen. Bryant, Bruce

LR 2704 An Act To Increase Penalties for Certain Violent
Crimes Committed Against Senior Citizens

SPONSOR: Sen. Bryant, Bruce

LR 2705 An Act To Allow Hunting in Portions of the Lake
Christopher Wildlife Management Area

SPONSOR: Sen. Gagnon, Kenneth T.

LR 2706 An Act To Permit the Use of Regular Mail To Give
Notice of Dishonored Checks

SPONSOR: Sen. Gagnon, Kenneth T.

LR 2707 An Act To Modify Taxation of State Employee
Retirement Benefits

SPONSOR: Sen. Gagnon, Kenneth T.

LR 2708 An Act To Comprehensively Restructure Maine's
Tax System

SPONSOR: Rep. Norton, Jacqueline

LR 2702 An Act To Address the Inequities of the Laws Related to
Probationary Teachers

SPONSOR: Sen. Treat, Sharon Anglin

LR 2709 An Act Concerning Requirements for Payroll Processing
Companies

DAVID E. BOULTER
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL




MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

January 8, 2004

TO:

FROM:  Dave Boulter, Executive Director

SUBJECT: **Your After Deadline Bill Request(s)**

The Legislative Council has scheduled its next meeting for:

**Tuesday, January 13, 2004
2:00 p.m.
Room 334, Legislative Council Chamber**

In accordance with the Joint Rules, the Council will consider After Deadline Bill Requests at that time, including the request(s) you have filed with the Revisor's Office. In addition, the Council is required by Joint Rule 35 to decide all requests for Memorials (Joint Resolutions that memorialize another governmental agency or official) for introduction.

You should plan to attend this Council meeting or present your request(s) to a member of the Legislative Council prior to the meeting. The Council may, but is not obligated to, table a request until the following meeting if the sponsor is not present, so it will have the benefit of information from the sponsor when it votes.

The Council's review of After Deadline Requests is pursuant to Joint Rule. Please be advised that the Council asks that all sponsors first research whether there is an existing bill or LR available to a committee that could accommodate their request. The review procedure then will be as follows:

1. The Council Chair, President Beverly Daggett, will read the name of the sponsor and the title of the request.
2. Once recognized to speak by the Chair, the sponsor may proceed to the microphone. The sponsor should be prepared to concisely answer the following:
 - Why the bill request is "late" (filed after the cloture date);
 - Why the bill request constitutes an emergency such that the Legislature needs to consider the bill this session; and
 - Whether the likely committee of jurisdiction has a bill already referred to it that could be amended to include the proposal.

Council members may also ask questions related to the content or the intent of the bill to clarify the request, although sponsors generally are not asked to speak to the merits of the bill.

3. Following the questions Council members will vote on bill requests individually; a roll call vote is required pursuant to Joint Rule.

A complete list of the Council's action on After Deadline Requests is distributed to Council members and all sponsors as soon after adjournment of the Council meeting as possible. The list and the roll call votes are available in the Executive Director's office if you should have any questions.

I hope this information is useful. Please drop by or call me if you have any questions.

Attachment

cc: Members, Legislative Council



MAINE STATE LEGISLATURE

Augusta, Maine 04333

To: The Honorable Beverly C. Daggett, Chair, Legislative Council

From: Senator John L. Martin, Chair
Representative Margaret M. Craven, Chair
Senator Karl W. Turner
Representative Sarah O. Lewin
Commission to Study Public Health

Date: December 19, 2003

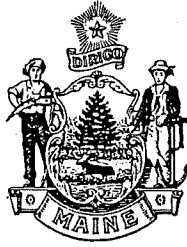
Re: OBESITY STUDY IN 2004

The Commission to Study Public Health met for the first time last Friday, December 5, in a productive meeting that reflected the members' great interest in the subject and willingness to accomplish the duties and tasks the Commission has been given. Based upon the study's enabling legislation, the Commission identified 10 detailed areas for which the Commission is expected to report findings and recommendations. The Commission believes that the most efficient and appropriate way to address these many issues is to form subcommittees, and tackle each issue in a smaller group. In order to appoint and organize these subcommittees, the Commission requests permission to meet on Friday, January 23, 2004 (not a session day) for this purpose.

The Commission also has decided to submit legislation to the Second Regular Session of the 121st Legislature enabling the Commission to continue its work in the interim after the Second Regular Session and submit a report, including recommended legislation, no later than December 1, 2004. We believe these steps will enable the Commission to do the important work with which it has been entrusted.

Thank you for your consideration of this proposal.

- c. The Honorable Patrick Colwell, Vice Chair, Legislative Council
Members of the Legislative Council
David Boulter, Executive Director, Legislative Council



Task Force to Study Parity and Portability of Retirement Benefits for State Law Enforcement Officers, Municipal and County Law Enforcement Officers and Firefighters

January 8, 2004

To: Hon. Beverly C. Daggett, Chair
Hon. Patrick Colwell, Vice Chair
Legislative Council
121st Maine Legislature

From: Senator Beth Edmonds, Senate Chair
Representative Robert Duplessie, House Chair
Task Force to Study Parity and Portability of Retirement Benefits for State Law Enforcement Officers, Municipal and County Law Enforcement Officers and Firefighters

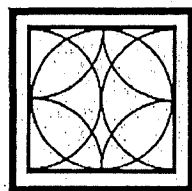
Re: Permission to Meet; Request for Deadline Extension

We are writing to request an extension of the reporting deadline for the Task Force named above. The Task Force met January 6th for our second meeting; an earlier-scheduled meeting was cancelled on December 15th due to the state snow-day shutdown.

At our January 6th meeting, we made significant progress in gathering background information and a clearer picture of the problem and possible solutions. We would like to continue the study and would especially like to have one more meeting in January so that we don't lose the momentum and understanding that we now have.

We have tentatively scheduled another meeting for January 26th and we request your permission to meet on that day and to extend our task force deadline until later this year. We do not anticipate meeting again during the legislative session, but we may need to begin the study again next interim.

Please let us (or our analyst, Deb Friedman in OPLA) know if you have questions. Thank you for your consideration.



MAINE ARTS COMMISSION

building Maine communities through the arts

BLAINE HOUSE CONFERENCE

ON THE

CREATIVE ECONOMY

May 6-7, 2004

BATES MILL, LEWISTON