

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL
March 9, 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 FEBRUARY 10, 2004 COUNCIL MEETING	Decision
	REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	Information
6	• Executive Director's Report	
8	• Fiscal Report (Pennoyer)	
9	• Office of Information Services' Report (Mayotte)	
	• Update on Interim Studies (Elliott)	
	REPORTS FROM COUNCIL COMMITTEES	
	• Personnel Committee (Rep. Richardson, Chair)	
	Report of the March 9, 2004 Personnel Committee meeting	
	• State House Facilities Committee (Sen. Gagnon, Chair)	
11	Report of the March 4, 2004 State House Facilities Committee meeting	
	- Maintenance and improvements to State House	Decision
	- Consideration of legislative signage/symbol	Decision

OLD BUSINESS

15	Item #1: Council Actions Taken by Ballot	Information
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NEW BUSINESS

16	Item #1: Consideration of After Deadline Bill Requests	Decision
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Item #2: Submission of Study Reports

21	Task Force to Study the Needs of Deaf and Hard of Hearing Children and Adolescents (letter from Sen. Betheda Edmonds, Senate Chair and Rep. Elaine Makas, House Chair)	Acceptance
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22	Commission to Study the Revenue Sources of the Office of Consumer Credit Regulation (letter from Sen. Lynn Bromley, Senate Chair and Rep. Guy J. Duprey, Jr., House Chair)	Acceptance
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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
February 10, 2004

CALL TO ORDER

The Chair, President Daggett, called the Legislative Council Meeting to order at 2:24 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 Shiah, Assistant Clerk of the House David E. 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 JANUARY 13, 2004 COUNCIL MEETING

Motion: That the Meeting Summary of January 13, 2004 be accepted and placed on file. (Motion by Sen. Treat, second by Speaker Colwell, unanimous).

REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS

- **Executive Director's Report**

David Boulter, Executive Director, reported that the Revisor's Office has hired on a temporary basis, through the end of session, Peggy Lessard as a legal proofreader, filling the position formerly held by Thomas Downey. Ms. Lessard previously worked for the Revisor's Office from 1997 to 2000. Her first day of employment will be February 11, 2004.

Mr. Boulter informed Council members that he is preparing for the 2004 work to the State House and is developing an updated and revised Multi-year Plan for State House Maintenance and Improvements for 2004. Once prepared, the revised plan will be reviewed by the State House Facilities Committee before being presented to the Legislative Council at its next meeting.

Mr. Boulter reported that the reception for artist Robert Indiana that was sponsored by the Governor and the Maine Arts Commission went well. Nearly 200 people attended the event including many who had never been in the State House before. He also noted that the radio station 92 Moose was conducting an informal poll as to whether the Legislature should purchase a piece of artwork by Mr. Indiana.

No Council action required.

- **Fiscal Report**

Grant Pennoyer, Director, Office of Fiscal and Program Review presented his report to the Council.

General Fund and Highway Fund Revenue Variances

General Fund revenues were over budget in January by \$15.4 million and had a positive variance of \$25.2 million for the fiscal year-to-date. Better than expected revenues in the Individual Income Tax and Sales Tax lines were the primary reason for the positive variance. A portion of the Individual Income Tax positive variance is a result of delays in processing refunds, but it appears the positive variance will remain. Corporate Income Tax revenue was over budget by \$1.5 million in January but remains under budget by approximately \$400,000 for fiscal year-to-date. Estate Tax revenue was under budget in January by \$1.2 million and \$700,000 under budget for fiscal year-to-date. Also under budget was the Cigarette Tax revenue by \$2.4 million in January and under budget for fiscal year-to-date by \$1.7 million.

The total Highway Fund revenue was over budget by \$200,000 in January; increasing the positive variance to \$3.6 million for fiscal year-to-date.

Revenue Forecasting Commission

The Consensus Economic Forestry Commission concluded its February update and made a minor change to its forecast, increasing the calendar year 2003 personal income growth weight from 3.5% to 4.0%. That growth would normally have a sizable impact on the revenue forecast under the tax models but, because the State data was not correlating to the federal data, the Committee chose not to adjust the Individual Income and Sales Tax revenue for Maine at that time.

The Revenue Forecasting Committee was originally scheduled to meet on February 26, 2004 but the meeting was rescheduled to accommodate the Governor's February 20th submission for the second supplemental budget. The Committee will be meeting on February 12, 2004 at 10:00 am in Room 228 of the State House.

Cash Balances

Cash balances are posted on the Office of Fiscal and Program Review's website. Mr. Pennoyer reported that the trend has changed regarding the general fund cash position. The effect of depleting the reserves has finally played out regarding the negative trend in the State's cash position and it is heading upward. The cash balances are still negative and will likely have to rely on tax anticipation notes for some time.

No Council required.

- **Office of Information Services' Report**

Paul Mayotte, Director, Legislative Information Services, reported the following:

Bill Drafting System

HP installed the latest version of the bill drafting system software on February 9, 2004 and is currently readying the system for testing. Acceptance testing will begin shortly.

Internet Audio

Committee proceedings can now be broadcast over the Internet from all committee rooms. After monitoring the quality of the Internet audio broadcasts, the Office of Information Services is taking steps to improve the quality of the audio in some committee rooms.

Wireless Network Access Pilot

Approximately 35 legislators are using the wireless service in the State House. Virus and SPAM protection have been added which allows users to safely access their outside e-mail using Microsoft Outlook or Outlook Express mail.

SPAM Filtering

SPAM fitting software is being refined this week to provide effective blocking of SPAM.

No Council action required.

- **Update on Interim Studies**

David Elliott, Director, Office of Policy and Legal Analysis, presented the status of legislative studies, noting that most studies are now completed. He brought to the Council's attention several studies that have not yet been completed. He noted that the Commission to Study Public Health and the 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 have received extensions. The Commission to Arrange for a Plaque or

Plaques study received an extension to March 1, 2004 and is in the process of finalizing the decision-making process on the plaques and drafting the report. The Public Health study had been granted an extension to November 3, 2004. This study committee will recess during the session and resume its work during the interim.

A copy of the Progress Report on Legislative Studies is attached for Legislative Council's reference.

No Council action required.

REPORTS FROM COUNCIL COMMITTEES

- **Personnel Committee**

The Personnel Committee did not meet this past month.

- **State House Facilities Committee**

The State House Facilities Committee did not meet this 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 13, 2004 meeting.

No Council action required.

NEW BUSINESS

Item #1: Consideration of After Deadline Bill Requests

Forty-four after deadline bill requests were considered by the Legislative Council. The Council's actions on these requests are included on the attached list.

Item #2: Submission of Study Reports

The Legislative Council received the following study reports.

- **Committee to Study Compliance With Maine's Freedom of Access Laws**
- **Commission to Improve Community Safety and Sex Offender Accountability**
- **Commission to Review the Budget Process of the Workers' Compensation Board**

Motion: That the Legislative Council accept the reports and that they be placed on file. (Motion by Sen. Treat, second by Rep. Bowles, unanimous).

Item #3: Request for Further Extension of Study Reporting Deadline

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

- The Task Force requested an extension of its reporting deadline from February 6, 2004 to November 3, 2004 (extension to February 6, 2004 had been approved by the Legislative Council on January 13, 2004).

Motion: That the request for a further extension of the study reporting deadline be approved from February 6, 2004 to November 3, 2004. (Motion by Rep. Richardson, second by Sen. Treat, 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 Speaker Colwell, second by Sen. Treat, unanimous).

The Legislative Council went into Executive Session at 3:10 p.m.

MEETING RECONVENED

The Council ended its Executive Session and reconvened in open session at 3:13 p.m. on the motion of Sen. Treat, second by Sen. Davis, unanimous.

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Legislative Council meeting was adjourned at 3:13 p.m. (Motion by Sen. Treat, second by Sen. Davis, unanimous).

Fiscal Briefing for the Legislative Council

March 9, 2004 Meeting

Prepared by the Office of Fiscal & Program Review

1. General Fund and Highway Fund Revenue Variances for February 2004 (See Attached - Preliminary Data reflecting March 2004 Revenue Revisions)

- **General Fund**
 - Total General Fund revenue is ahead of budget in February by \$1.9M and is just slightly ahead of budget (+\$0.6M or +0.04%) YTD through February.
- **Highway Fund**
 - Total Highway Fund revenue was over budget by \$1.2M in February; increasing the positive variance to \$3.7M or 2.0% YTD through February.

2. Revenue Forecasting

- Provided below is a summary of the March 2004 Revenue Revisions. The Revenue Forecasting Committee March 2004 report is at the printers and should be available soon.

Reprojection for General Fund and Highway Fund (millions of dollars)

	FY2004	FY2005	FY2006	FY2007
General Fund	6.4	(1.6)	(4.9)	(4.8)
Highway Fund	1.2	0.6	0.6	0.7

(No Changes were made to the Fund for a Healthy Maine)

**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 March 2004 Revenue Forecast

FEBRUARY 2004 - VARIANCE REPORT

FUND Revenue Line	Feb. '04 Budget	Feb. '04 Actual	Feb. '04 Var.	FY04 YTD Budget	FY04 YTD Actual	FY04 YTD Variance	FY04 Budgeted Totals
GF Sales and Use Tax	57,555,993	57,598,237.60	42,244.60	555,405,145	555,447,398.08	42,253.08	905,721,382
GF Individual Income Tax	26,494,607	26,333,491.63	(161,115.37)	698,979,298	698,823,811.00	(155,487.00)	1,130,761,691
GF Corporate Income Tax	504,100	2,086,830.93	1,582,730.93	50,248,622	51,461,066.13	1,212,444.13	103,752,841
GF Cigarette and Tobacco Tax	7,233,457	7,241,058.07	7,601.07	65,730,914	64,034,846.01	(1,696,067.99)	97,616,940
GF Public Utilities Tax	0	0.01	0.01	(150,000)	(293,687.82)	(143,687.82)	28,900,000
GF Insurance Companies Tax	930,610	2,170,364.26	1,239,754.26	15,210,540	15,054,038.51	(156,501.49)	69,415,308
GF Estate Tax	2,760,085	1,996,798.66	(763,286.34)	15,543,118	14,093,784.44	(1,449,333.56)	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	87,692	173,365.66	85,673.66	1,105,753	1,316,553.54	210,800.54	1,287,885
GF Transfer to Municipal Revenue Sharing	(4,312,290)	(4,386,946.57)	(74,656.57)	(66,536,287)	(66,592,346.05)	(56,059.05)	(109,152,033)
GF Transfer from Liquor Commission	1,835,275	1,773,669.16	(61,605.84)	18,823,418	18,525,522.65	(297,895.35)	27,056,396
GF Transfer from Lottery Commission	3,353,438	3,085,493.27	(267,944.73)	28,089,511	27,708,259.00	(381,252.00)	42,321,885
GF Other Revenue	14,970,116	15,224,117.57	254,001.57	123,204,579	126,690,710.21	3,486,131.21	280,648,777
GF Totals	111,413,083	113,296,480.25	1,883,397.25	1,514,591,704	1,515,207,047.70	615,343.70	2,620,637,327
HF Fuel Taxes	15,257,924	16,539,961.84	1,282,037.84	124,784,293	126,920,749.63	2,136,456.63	210,496,449
HF Motor Vehicle Registration and Fees	7,255,582	6,749,922.58	(505,659.42)	48,612,824	49,148,222.60	535,398.60	79,605,062
HF Inspection Fees	78,528	282,152.50	203,624.50	2,349,849	3,174,958.68	825,109.68	3,461,771
HF Fines	167,640	137,998.78	(29,641.22)	1,386,654	1,225,592.30	(161,061.70)	2,122,901
HF Income from Investments	30,155	51,488.06	21,333.06	313,038	355,853.64	42,815.64	425,217
HF Other Revenue	475,001	701,031.71	226,030.71	6,217,437	6,553,917.41	336,480.41	8,632,917
HF Totals	23,264,830	24,462,555.47	1,197,725.47	183,664,095	187,379,294.26	3,715,199.26	304,744,317

**MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL
TECHNOLOGY REPORT**

March 9, 2004

Bill Drafting System:

- **Final User Acceptance Testing was completed on February 19th**
- **HP improved the systems application noticeably and the performance speed of the application has improved, but the application is not yet completely compliant with the Legislature's requirements**
- **We are working with HP to classify the nature of each item and define the seriousness of each item**
- **HP has requested a meeting with the Executive Director, Revisor and Systems Director to discuss bringing this to a conclusion**

Committee Internet Audio:

- **Sound quality improvements are in place**

Wireless Network Access Pilot:

- **40 +/- Legislators are taking advantage of the wireless service**

SPAM Filtering:

- **The filtering "rules" have been tightened several times since to February Council Meeting**
- **Continue to review all items identified as Spam**

Virus Blocking:

- **The Legislature is experiencing record levels of virus activity**
- **3,500 infected e-mails were blocked in the past week**

Progress Report on Legislative Studies
(Studies authorized or undertaken following the 121st Legislature/1st Regular Session)
Status as of 03/04/04 10:24:17 AM

<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	No more meetings	12/03/03	Final report and legislation submitted.
Equity in Mortgage Volume Fees , An Act to Ensure (LD 969 – P.L. 2003, c. 462)	11/20/03	No more meetings	12/03/03	Final report and legislation submitted.
Financing of Long-term Care , Resolve Establishing a Blue Ribbon Commission to Address (Resolve 2001, c. 114)	Continuation	No meetings	11/06/03	Do not plan to meet; will leave the financing issue for consideration by the LTC Oversight Committee created in 2003.
Health Care System and Health Security Board , An Act to Extend the Authority of the (LD 20 – P.L. 2003, c. 492)	Continuation	No meetings	11/01/04	Will not meet this interim; report due in fall '04
Logging Industry , Study New Payment Models for the (JSO, HP 724)	9/12/03		12/03/03	Jt. Order passed extending reporting deadline to 1/20/04; committee has not finalized recommendation.
Maine's Freedom of Access Laws , Resolve to Study Compliance with (LD 1079 – Resolve 2003, c. 83)	11/20/03	No more meetings	12/03/03	Final report and legislation submitted
Needs of Deaf and Hard-of – hearing Children and Adolescents , Resolve to Study (LD 553 – Resolve 2003, c. 84)	11/20/03	No more meetings	12/03/03	Final report submitted; no legislation
Obesity and Methods to Decrease the Cost of Health Care , Resolve to Study (LD 471 – Resolve 2003, c. 95)		Weds., February 25 th Subcommittee meeting 1:30 p.m. Anthem Office, Portland	12/05/03	Extension granted to 11/03/04; subcommittees formed.
Prepare Maine's Students for Active Citizenship , Resolve to (LD 425 – Resolve, 2003, c. 85)	11/5/03	No more meetings	12/03/03	Final report and legislation sent to printer..
Recodification of Title 12 (substantive and technical pieces) (LD 1600 – P.L. 2003, c. 414)	Continuation	No meetings	12/15/03	Recod enacted last year. This year's bill addressing technical and substantive changes is in production.
Recodification of Title 7 , Joint Order Directing (JSO, SP 586)		No meetings	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 03/04/04 10:24:17 AM

<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	Extension granted to 11/03/04.
State's Wholesale Liquor Business , Joint Order to Study Implementation of Privatization of the (JSO, SP 552)	9/25/03	No more meetings	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	Thurs., February 26 th 1:00 p.m. Room 211, CSOB	11/03/03	Extension to 3/1/04 granted; final report drafted; design of plaques being finalized.
Worker's Compensation Board , Review the Budget Process of the (LD 35 – P.L. 2003, c. 425)	8/20/03	No more meetings	12/03/03	Final report submitted; no legislation.
Youth in Maine , Presiding Officers Task Force on Creating a Future for (P.O. Order)	9/5/03	No more meetings	12/08/03	Final report and legislation submitted.

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SEN. BEVERLY C. DAGGETT
CHAIR

REP. PATRICK COLWELL
VICE-CHAIR



121ST MAINE STATE LEGISLATURE

LEGISLATIVE COUNCIL

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REP. JOSEPH BRUNO
REP. ROBERT W. DUPLESSIE
REP. DAVID E. BOWLES

DAVID E. BOULTER
EXECUTIVE DIRECTOR

Meeting Summary State House Facilities Committee Meeting March 4, 2004

Members Present:

Sen. Gagnon, Chair
Rep. Duplessie
Rep. Bowles
Joy O'Brien, Secretary of the Senate (nonvoting)
Millicent MacFarland, Clerk of the House (nonvoting) (joined in progress)
David Boulter, Executive Director of the Legislative Council (nonvoting)

Members Absent:

Sen. Woodcock

The chair, Sen. Gagnon, convened the meeting at approximately 1:45 p.m. with a quorum present. The committee considered the following matters.

1. Use of volunteer interns to staff citizen's lobby center

Rep. McKee addressed the committee about her concerns that the "citizen lobby center" envisioned for the State House is not operational for lack of volunteer interns. Rep. McKee gave members an explanation of the development of the citizen lobby center concept and Legislative Council action supporting the creation of a citizen lobby center on the 1st floor of the State House. Rep. McKee stated that the room is furnished but is not utilized. She felt that interns had not been arranged for because of lack of attention or interest by the Executive Director's Office. She reiterated the importance of having a lobby center staffed by interns for citizens as distinguished from lobby support services now available to paid lobbyists on the third floor.

Executive Director responded by explaining what efforts had been made to obtain interns and the current use of the 1st floor lobby center by citizens and legislators for brief conferences and other informal activities. In 2003, the Executive Director's Office obtained a volunteer intern to begin assisting in development of the citizen lobby function. For a variety of reasons, including limited legislative activity at the time, the arrangement was not particularly effective. The Executive Director's Office has since contacted the University of Maine at Augusta to explore the possibility of using volunteers from UMA's Senior College to staff the lobby center on a limited basis. Those discussions are on-going and potentially could result in availability of interns on a regular or periodic basis.

Committee members then discussed how best to provide assistance to citizens who come into the State House occasionally. Several members questioned the use of interns, due to highly variable interest, commitment, availability and knowledge of the legislative process, all factors that would affect the usefulness of the lobby center to citizens. They also briefly discussed the appropriateness of having a lobby service in the building for paid lobbyists and how that may relate to a service center for citizen lobbyists. Members questioned whether there is a more effective way to assist citizens than through reliance on volunteer interns, although there were no objections to pursuing discussions with the Senior College as an option for securing limited staffing of the lobby center.

No action was taken.

2. Rededication of the Klir Beck dioramas

The restoration of the dioramas in the underground connector is now fully completed and some interest has been expressed for holding a brief ceremony dedicating the dioramas. Coincidentally 30 years ago, on March 20, 1974, then Governor Ken Curtis held a Klir Beck Memorial Dedication in the State House and unveiled the Klir Beck plaque that is now on display in the underground connector.

The members felt that a re-dedication ceremony would be fitting, and provide an opportunity to celebrate the restoration of the dioramas as well as to thank those who worked to restore the dioramas. The chair asked Director Boulter to arrange, in consultation with the chair and vice-chair of the Legislative Council, for a dedication ceremony. The suggested date for the dedication is March 23rd in the afternoon.

3. Implementation of State House Security Measures

Chief Suttter updated the committee on the status of security measures for the State House. The federal grant was approved for approximately \$200,000 and the equipment ordered. The magnetometers and the package scanner (x-ray) have been received and are ready for deployment. Chief Suttter expressed confidence that the new equipment would be an important addition to enhance the security of Legislators, the Governor and other governmental officials, staff and the public. He emphasized that deploying the equipment raises staffing issues. He indicated that although certain legislative staff, including chamber staff, could be trained to assist in the use of the equipment, additional law enforcement personnel would be required given the purpose of the screening. Chief Suttter suggested that an appropriate next step would be to develop policies and protocols in the use of the equipment and response measures to security threats. Rep. Duplessie made the following motion, seconded by Rep. Bowles.

Motion: That the Bureau of Capitol Security develop a security plan for installation of portable magnetometer and package screening units in the State House, and develop recommended policies and procedures for operation of the equipment in an effective manner that is not unduly burdensome to occupants or visitors to the State House. The Office of the Executive Director shall assist the bureau, as appropriate, in the plan development. The plan and recommendations should be submitted to the committee for its review by April 30, 2004.

The motion was approved unanimously.

Sen. Gagnon mentioned his concern about the lack of a security station in the State House lobby, to assist officers in their security work and as a deterrent to disruptive or threatening activities. The other committee members and Chief Suitter agreed, and suggested that a security station be constructed separate from the information kiosk and in such a manner to allow for camera monitoring by on-duty officers. It was generally agreed that construction of a security station, of a design that is in keeping with the State House, be pursued.

4. Parking request by State House Press Corps

Sen. Gagnon suggested deferring action on the request by the State House Press Corps for a parking permit for each member of the press corp since no members of the press were in attendance at the meeting (advanced notice was given to the State House press corps). A postponement would also provide an opportunity for the committee to ascertain the extent of the parking problem for State House reporters, if any, and consider viable options. The other members agreed to defer action until a subsequent meeting.

Rep. Duplessie then brought up a request by snack bar operator Dan Burns for an exclusive parking space for Burnsie's Under the Dome. Chief Suitter remarked that the parking lots and the parking garage have not been full any day this session. (They are not at capacity at any time when the Legislature is not in session). He was aware of Mr. Burns' request for special parking but felt the resolution was really one of better use of the 10-minute parking spaces nearby and compliance with the current parking rules (to avoid receiving tickets). Sen. Gagnon noted that the committee would be reviewing the Burnsies' overall operation sometime in the future and perhaps the parking matter could be discussed at that time.

The committee took no action on this item.

5. Maintenance and improvements to State House – 2004

The committee reviewed the work plan for 2004 prepared by Richard Burt Architects for the Executive Director's Office, and Executive Director Boulter summarized the modifications and additions to the earlier approved plan for 2004. He distributed summaries of the changes and the 2003 expenditures. The net cost increase beyond the earlier approval was about \$82,000 (if all projects were to be authorized). Money has been budgeted to pay for all projects in the work plan.

Mr. Boulter drew the members' attention to 2 proposed projects of note: relocation of the press corps cable connection box and installation of operable windows in the north and south mezzanine areas. The committee members supported the relocation of the press cable connection box for reasons of building security, pedestrian safety and convenience. Some members felt that the proposal for operable windows (option 1:4 windows, option 2:7 windows) needed further study, and members wanted to consult with staff who occupy offices in the mezzanines to better determine the necessity of the project. It was suggested that action on the windows be deferred for a month. The committee was supportive of the other projects. Rep. Bowles asked that some consideration be given to reduce the potential for people slipping on the center marble staircase leading to the third floor when the stairs are restored. He noted that he had witnessed several people tripping or slipping, especially on the upper steps leading to the landing.

Rep. Bowles then made the following motion.

Motion: That the State House Facilities Committee recommend to the Legislative Council that it authorize the modifications and additions to the State House maintenance and improvement work plan for 2004, as described in 2004 Plan as revised.

Rep. Duplessie seconded the motion. The motion passed unanimously.

6. Visually distinctive look for Legislative Branch

Sen. Gagnon introduced this item to the committee by explaining his interest in establishing a visually distinctive look for the Legislature to help identify it as a separate, co-equal branch of state government. Often people who are unfamiliar with government do not appreciate the distinct roles of each Branch and the Legislature often gets confused with the Executive Branch. Sen. Gagnon said that by creating consistent, visually distinctive signage, legislative license plates, logos, and perhaps a legislative seal/logo, people could more readily identify with the Legislature and legislative proceedings and events.

Sen. Gagnon suggested that the committee seek authorization from the Legislative Council on the general matter of developing a visually distinct look when communicating legislative actions and matters. The committee concurred unanimously that it should proceed to explore this proposal more fully with the Legislative Council at its next meeting.

No further action was taken.

With all scheduled matters having been considered, the committee was adjourned at approximately 4:05 p.m.

**Actions Taken by Ballot by
the Legislative Council Since
the February 10, 2004 Council Meeting**

1. Request for Introduction of Legislative

- A. LR 2825: An Act to Authorize a General Fund Bond Issue to Provide Funds to Repair and Upgrade Army National Guard Armories and Facilities and for the Maine Challenger Learning Center

Submitted by: Representative Paul Hatch
Accepted: March 3, 2004, 7 – 0 – 0 – 3

- B. LR 2770: An Act to Amend the Boiler and Pressure Vessel Law

Submitted by: Senator John Martin
Accepted: February 18, 2004, 10 – 0 – 0 – 0

- C. LR 2814: JOINT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO SEEK THE RESIGNATION OF THE UNITED STATES SECRETARY OF EDUCATION

Submitted by: Senator John Martin
Accepted: March 1, 2004, 6 – 0 – 0 – 4

- D. LR 2768: An Act to Amend the Law Governing the Storage of Spirits

Submitted by: Senator Arthur Mayo
Accepted: February 18, 2004, 10 – 0 – 0 – 0

- E. LR 2790: An Act to Name Township 17, Range 5 in the Unorganized Authority Territory as Cross Lake

Submitted by: Representative Rosaire Paradis
Accepted: March 3, 2004, 10 – 0 – 0 – 0

- F. LR 2807: An Act to Authorize a Municipality to Establish a Local Tax Relief Program

Submitted by: Senator Ethan Strimling
Accepted: March 2, 2004, 10 – 0 – 0 – 0

DAVID E. BOULTER
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

March 4, 2004

TO:

FROM:  Dave Boulter, Executive Director

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

The Legislative Council has scheduled its next meeting for:

**Tuesday, March 9, 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

LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
SECOND SPECIAL SESSION
March 9, 2004

		Action
SPONSOR:	Sen. Bromley, Lynn	TABLED
LR 2651	An Act to Clarify the Authority of the Community Preservation Advisory Committee	01/13/04
SPONSOR:	Rep. Bunker Jr., George H.	ACCEPTED
LR 2673	An Act to Decrease Insurance Fraud in this State	BY BALLOT
SPONSOR:	Sen. Cathcart, Mary R.	WITHDRAWN
LR 2806	Resolve, Concerning the Landfill in the City of Old Town	03/05/04
SPONSOR:	Sen. Damon, Dennis	TABLED
LR 2568	JOINT RESOLUTION MEMORIALIZING CONGRESS AND THE PRESIDENT TO PRESERVE THE FISHERIES AND FISHING COMMUNITIES IN THE GULF OF MAINE	01/13/04
SPONSOR:	Sen. Davis, Paul	TABLED
LR 2757	An Act To Make Mother's Day a Free Day for Fishing	02/11/04
SPONSOR:	Rep. Dudley, Benjamin F.	TABLED
LR 2682	Resolve, Directing the Attorney General to Study Whether the Homeless Should be a Protected Class under the Human Rights Act	02/10/04
SPONSOR:	Rep. Dudley, Benjamin F.	
LR 2828	JOINT RESOLUTION MEMORIALIZING THE PRESIDENT, THE CONGRESS OF THE UNITED STATES AND THE SECRETARY OF HEALTH AND HUMAN SERVICES REGARDING MEDICAID ASSISTANCE	
SPONSOR:	Rep. Gagne-Friel, Rosita	TABLED
LR 2667	An Act To Allow Speakers in Vehicles To Enable a Person in the Vehicle To Communicate with a Person Outside the Vehicle	01/13/04

SPONSOR: Rep. Gagne-Friel, Rosita

LR 2826 An Act To Improve Enforcement of Laws Governing Operating Under the Influence by Amending the Laws Governing Blood Tests for Persons Suspected of Operating Under the Influence

SPONSOR: Sen. Gagnon, Kenneth T.

LR 2836 An Act To Implement the Recommendations of the MMA/MEA Working Group

SPONSOR: Sen. Lemont, Kenneth F.

**TABLED
01/13/04**

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

SPONSOR: Sen. Martin, John L.

LR 2829 An Act To Appropriate Funds to the Department of Agriculture for the Maine Potato Board to Purchase Potatoes in Need of Disposal Due to Weather Conditions During the Harvest in 2003

SPONSOR: Rep. Moore, Gary W.

LR 2821 An Act To Require Certain Public Water Districts To Install Sand Filtration Systems To Ensure the Safety of Public Water Supplies

SPONSOR: Rep. Perry, Joseph C.

**TABLED
02/10/04**

LR 2723 An Act to Ban Smoking in Private Clubs

SPONSOR: Rep. Rosen, Richard W.

**TABLED
01/13/04**

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: Rep. Sampson, Sonya G.

**TABLED
02/10/04**

LR 2755 An Act To Facilitate Public Best Interest Conduct by State Employees

SPONSOR: Sen. Shorey, Kevin L.

LR 2830 An Act to Create the Starboard Water District

SPONSOR: Rep. Snowe-Mello, Lois A.

LR 2784 An Act To Impose Residency Requirements for Purposes of Receiving State Aid

SPONSOR: Sen. Stanley, Stephen

LR 2792 An Act to Define Critical Care Access Hospital in Compliance with Federal Law

SPONSOR: Sen. Stanley, Stephen

LR 2837 An Act To Authorize the Town of Millinocket to Annex a Certain Parcel of Land

SPONSOR: Sen. Treat, Sharon Anglin

**TABLED
01/13/04**

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

SPONSOR: Sen. Treat, Sharon Anglin

**TABLED
01/13/04**

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

SPONSOR: Rep. Twomey, Joanne T.

LR 2797 Resolve, to Require a Public Hearing Be Held for Residents of Surrounding Communities and Others Concerned About the Old Town Dump



MAINE STATE LEGISLATURE
Augusta, Maine 04333

**TASK FORCE TO STUDY THE NEEDS OF DEAF AND HARD OF HEARING
CHILDREN AND ADOLESCENTS**

February 23, 2004

The Honorable Beverly C. Daggett, Chair
The Honorable Patrick Colwell, Vice-Chair
Legislative Council
121st Maine Legislature
115 State House Station
Augusta, Maine 04333

Dear Senator Daggett and Representative Colwell:

This letter is to inform you that the Task Force To Study The Needs Of Deaf And Hard Of Hearing Children And Adolescents has completed its work and submitted its report, pursuant to Resolve 2003, chapter 84.

Sincerely,

A handwritten signature in cursive script that reads "Betheda Edmonds".

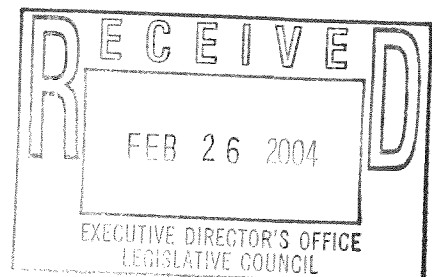
Senator Betheda Edmonds, Senate Chair

A handwritten signature in cursive script that reads "Elaine Makas".

Representative Elaine Makas, House Chair

cc: Members of the Legislative Council (w/enc.)

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MAINE STATE LEGISLATURE
Augusta, Maine 04333

**COMMITTEE TO STUDY THE REVENUE SOURCES
OF THE OFFICE OF CONSUMER CREDIT REGULATION**

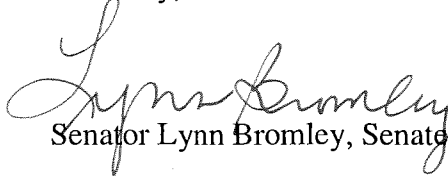
March 2, 2004

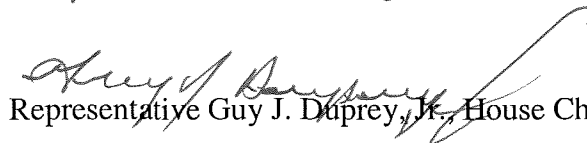
The Honorable Beverly C. Daggett, Chair
The Honorable Patrick Colwell, Vice-Chair
Legislative Council
121st Maine Legislature
115 State House Station
Augusta, Maine 04333

Dear Senator Daggett and Representative Colwell:

This letter is to inform you that the Committee to Study the Revenue Sources of the Office of Consumer Credit Regulation has completed its work and submitted its report, including recommended legislation, pursuant to Public Law 2003, chapter 462.

Sincerely,


Senator Lynn Bromley, Senate Chair


Representative Guy J. Duprey, Jr., House Chair

cc: Legislative Council Members

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