

MAINE STATE LEGISLATURE

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SEN. BEVERLY C. DAGGETT
CHAIR

REP. PATRICK COLWELL
VICE-CHAIR



121st MAINE STATE LEGISLATURE

LEGISLATIVE COUNCIL

**MEETING SUMMARY
APRIL 27, 2004
APPROVED MAY 11, 2004**

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

CALL TO ORDER

The Chair, President Daggett, called the Legislative Council meeting to order at 1:50 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:	Joy O'Brien, Secretary of the Senate Millicent MacFarland, Clerk of the House David E. Boulter, Executive Director, Legislative Council 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** (Rep. Richardson, Chair)

The Personnel Committee did not meet.

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

The State House Facilities Committee did not meet.

OLD BUSINESS

None

NEW BUSINESS

Item #1: Requests for Interim Studies

President Daggett referred members to the suggested requirements and protocol information in their packet and asked David Boulter, Executive Director of the Legislative Council, to summarize for Council members the guidelines for the legislative studies.

Mr. Boulter outlined the informational sheet regarding the requirements and protocols relevant to studies in the 121st Legislature, 2nd Special Session for review of the study requests. A copy of the requirements and protocols is attached to this Meeting Summary.

Policy Issues Needing Decision

- a) **Number of authorized meetings and meeting location-Recommendation:** Number of meetings not to exceed 4 and meetings to be held in Augusta area unless the Legislative Council specifies otherwise.
- b) **Studies conducted using non-General Fund sources-Recommendation:** Study committee may not convene until sufficient funds are received to pay for the study.
- c) **Preferred legislative instrument for establishing study committees-Recommendation:** Use joint study orders, rather than resolves, when feasible.

Motion: That the Legislative Council adopt the suggested protocol for deciding requests for interim studies and accept the recommendations of the policy issues. (Motion by Speaker Colwell, second by Sen. Treat, unanimous).

Discussion: Rep. Bruno asked what the Legislature's budget was for interim studies. Mr. Boulter said the study line in the budget is \$20,300. The estimated costs of the proposed studies is approximately \$25,000, but if changes are made to study requests to conform to the Council's decision to limit the number of meetings to 4, (e.g. Taxation from 8 to 4 meetings), the budgeted amount would be sufficient to fund all the proposed studies.

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

Item #2: Submission of Study Report

The Legislative Council received the following study report:

Committee to Study the Implementation of Privatization of the State's Wholesale Liquor Business

Motion: That the Legislative Council accept the report and that it be placed on file. (Motion by Rep. Bowles, second by Sen. Davis, unanimous).

Item #3: Consideration of After Deadline Bill Requests

One deadline bill request was considered by the Legislative Council. The Council's action on this request is included on the attached list.

ANNOUNCEMENTS AND REMARKS

None.

COLLECTIVE BARGAINING (Executive Session)

None.

ADJOURNMENT

The Legislative Council meeting was adjourned at 2:40 p.m. (Motion by Sen. Treat, second by Rep. Bowles, unanimous).

**LEGISLATIVE COUNCIL
ACTION ON REQUESTS TO INTRODUCE LEGISLATION
SECOND SPECIAL SESSION
April 27, 2004**

		Action
SPONSOR:	Sen. Bromley, Lynn	TABLED 01/13/04
LR 2651	An Act to Clarify the Authority of the Community Preservation Advisory Committee	
SPONSOR:	Sen. Beverly Daggett	ACCEPTED
LR 2902	An Act to Provide a Consistent Deadline for Filing Regulatory Agendas	
SPONSOR:	Rep. Dudley, Benjamin F.	TABLED 02/10/04
LR 2682	Resolve, Directing the Attorney General to Study Whether the Homeless Should be a Protected Class under the Human Rights Act	
SPONSOR:	Sen. Gagnon, Kenneth T.	TABLED 04/13/04
LR 2836	An Act To Implement the Recommendations of the MMA/MEA Working Group	
SPONSOR:	Rep. Jackson, Troy D.	TABLED 04/13/04
LR 2862	Resolve, To Direct the Department of Transportation to Hold a Public Hearing in Smyrna to Review a Proposed Crossing on Route 2	
SPONSOR:	Rep. Moore, Gary W.	TABLED 04/13/04
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. O'Neil, Christopher P. **TABLED**
04/13/04

LR 2842 An Act To Control Insurance Costs for Maine Ambulance Services

SPONSOR: Rep. Perry, Joseph C. **TABLED**
02/10/04

LR 2723 An Act to Ban Smoking in Private Clubs

SPONSOR: Rep. Sampson, Sonya G. **TABLED**
02/10/04

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

JOINT RESOLUTIONS

SPONSOR: Rep. Dudley, Benjamin F. **TABLED**
04/13/04

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. Jackson, Troy D. **TABLED**
04/13/04

LR 2863 JOINT RESOLUTION MEMORIALIZING THE CONGRESSS OF THE UNITED STATES NOT TO EXTEND THE CAP ON H2 BONDED LABOR

Authorized Studies

Sort Fields: Policy Area LD

Chapter #	LD/Paper	Emer?	Study Name	Policy Area	Purpose	Appointment Deadline	Start Date	Report Date	Fiscal Comments/ Costs	Staff Requirements	# Mtgs	Staff Assigned
	SP0586	N	Recodification of Title 7	ACF	OPLA and ROS to prepare a bill that recodifies MRSA Title 7	Not applicable	Continuation	January 15, 2005: ACF Committee	PS AO Total	OPLA and ROS	0	
P.L. 2003, c. 707	LD1856	Y	Commission to Improve the Sentencing, Supervision, Management and Incarceration of Prisoners	CRJ	Continuation of the Commission's examination of factors leading to prison overcrowding, the impact of current sentencing laws, the use of alternative sentences and ways to reduce recidivism.	No later than 15 days following adjournment	Continuation	November 3, 2004: Criminal Justice and Public Safety Committee	PS \$1,760.00 AO \$1,600.00 Total \$3,360.00	Department of Corrections	No more than 4 times	
Resolve 2003, c. 95	LD0471	N	Commission to Study Public Health	HHS	Study obesity in the State and methods to decrease the cost of health care and improve the public health.	No new appointments needed	Continuation	November 3, 2004 (Council approved extension of study by ballot on Jan. 20, 2004.): 1st Reg. Session of 122nd Legislature	PS AO Total	OPLA	2	
P.L. 2003, c. 679	LD1826	N	Maine Drug Return Implementation Group	HHS	Work on implementation issues for the "Unused Pharmaceutical Disposal Program"	September 1, 2004	No later than September 30, 2004	January 31, 2005: Health and Human Services Committee	LC motion removed legislative costs Must secure outside funding to fully fund all costs of the implementation group. PS \$660.00 AO \$2,200.00 Total \$2,860.00	Statewide association of medical professionals and OPLA	Not Specified	
P.L. 2003, c. 689	LD1913	N	Health and Human Services Committee Review of the Establishment of the Department of Health and Human Services	HHS	Meet during the interim to oversee the planning, service delivery and implementation of the newly created Department of Health and Human Services	No new appointments needed	Not specified	No report required	PS \$2,860.00 AO \$2,600.00 Total \$5,460.00	OPLA	At least three times during legislative interim	

Authorized Studies

Sort Fields: Policy Area LD

Chapter #	LD/Paper	Emer?	Study Name	Policy Area	Purpose	Appointment Deadline	Start Date	Report Date	Fiscal Comments/ Costs	Staff Requirements	# Mtgs	Staff Assigned
P.L. 2003, c. 492	LD0020	N	Health Care System and Health Security Board	IFS	Develop recommendations to provide health care to all citizens of Maine	No new appointments needed	Continuation	November 1, 2004: First Regular Session of the 122 Legislature	PS AO Total	OPLA	3	
P.L. 2003, c. 709	LD1957	N	Committee to Study Compliance with the Freedom of Access Laws	JUD	Continue the work of the Committee to Study Compliance with the Freedom of Access Laws	No new appointments needed	Continuation	November 3, 2004: First Regular Session of the 122 nd Legislature	\$2,800 available from unexpended balance. Sufficient to fund 4 additional meetings if meeting expenses are comparable to the first 4 meetings. PS \$880.00 AO \$1,920.00 Total \$2,800.00	OPLA	4	
Resolve 2003, c. 76	LD1343	N	Task Force to Study Parity and Portability of Retirement Benefits for State Law Enforcement Officers, Municipal and County Law Enforcement Officers and Firefighters	LAB	Examine issues related to retirement and health insurance benefits for state and municipal law enforcement officers and firefighters	No new appointments needed	Continuation	November 3, 2004 (The Legislative Council approved the extension of this study on Feb. 10, 2004.) 1st Reg. Session of 122nd Legislature	PS AO Total	OPLA	2	

Authorized Studies

Sort Fields: Policy Area LD

Chapter #	LD/Paper	Emer?	Study Name	Policy Area	Purpose	Appointment Deadline	Start Date	Report Date	Fiscal Comments/ Costs	Staff Requirements	# Mtgs	Staff Assigned
P.L. 2003, c. 699	LD1815	N	Citizen Trade Policy Commission	LAB	Assess and monitor the legal and economic impacts of trade agreements on state and local laws, working conditions and the business environment; to provide a mechanism for citizens and Legislators to voice their concerns and to make policy recommendations.	Not specified	Not specified	Annual: Governor, Legislature AG and municipalities Annually: Congressional delegation, Maine International Trade Center : Maine International Trade Center : Maine Municipal Association : United States Trade Representative's Office : NCSL and NAAG	Ongoing Title V Commission PS \$3,960.00 AO \$3,600.00 Total \$7,560.00	OPLA - Executive Director to administer any funds received.	at least 2 times annually	
P.L. 2003, c. 696	LD1930	N	Intergovernmental Advisory Group	SLG	Work on ways to improve communication, cooperation and efficiencies within all three levels of government and provide state assistance to encourage regionalization and cost effective service delivery	Not specified	Not specified	Annually in January: State and Local Government Committee	Ongoing Title V Commission PS \$1,320.00 AO \$1,200.00 Total \$2,520.00	State Planning Office	Up to 4 times a year	