

MAINE STATE LEGISLATURE

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SEN. MICHAEL D. THIBODEAU
CHAIR

REP. MARK W. EVES
VICE-CHAIR

EXECUTIVE DIRECTOR
GRANT T. PENNOYER



127TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. GARRETT P. MASON
SEN. ANDRE E. CUSHING
SEN. JUSTIN L. ALFOND
SEN. DAWN HILL
REP. JEFFREY M. MCCABE
REP. SARA GIDEON
REP. KENNETH W. FREDETTE
REP. ELEANOR M. ESPLING

**LEGISLATIVE COUNCIL
MEETING SUMMARY
December 3, 2014
Approved January 8, 2015**

CALL TO ORDER

Speaker Eves called the December 3, 2014 organizational meeting of the Legislative Council to order at 9:37 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators: President Thibodeau, Senator Mason, Senator Cushing, Senator Alfond and Senator Hill

Representatives: Speaker Eves, Representative McCabe, Representative Gideon, Representative Fredette and Representative Espling

Legislative Officers: Heather Priest, Secretary of the Senate
Robert Hunt, Clerk of the House
Jennifer McGowan, Assistant Clerk of the House
Grant T. Pennoyer, Executive Director of the Legislative Council
Dawna Lopatosky, Legislative Finance Director
Marion Hylan Barr, Director, Office of Policy and Legal Analysis
Chris Nolan, Director, Office of Fiscal and Program Review
Suzanne Gresser, Revisor of Statutes
John Barden, Director, Law and Legislative Reference Library

Speaker Eves convened the meeting at 9:37 p.m. with a quorum of members present.

Speaker Eves, declaring that a quorum was present and pursuant to the Rules of Procedure adopted by the 126th Legislative Council and the Joint Rules adopted by the 127th Maine Legislature, called the first meeting of the 127th Legislative Council to order for the purposes of electing a Chair and a Vice-chair of the Legislative Council, adoption of rules of procedures and such other matters of the Legislative Council.

The Legislative Council's Rules of Procedure prescribe the following with regard to the election of Legislative Council Officers:

Rule #2 provides that the position of Chair alternate in succeeding biennial sessions between a member from the Senate and a member from the House of Representatives. Thus, pursuant to these Rules, the Chair for this new Legislative Council should be a Legislative Council member who serves in the Maine Senate.

Rule #3 provides that the Vice-chair not be a member of the same body of the Legislature as the Chair. Thus, the Vice-chair for the 127th Legislative Council should be a member who serves in the House of Representatives.

Speaker Eves stated that unless there was objection, the Legislative Council would continue its long-standing practice of conducting the vote by a showing of hands. Upon the election of a chair, the chair will preside over the remainder of this meeting.

Hearing no objection, Speaker Eves opened the floor for nominations for Chair of the Legislative Council.

Nomination: That Senate President Michael Thibodeau of Winterport serve as Chair of the Legislative Council for the 127th Legislature. (Nominated by Senator Mason, seconded by Representative McCabe).

Speaker Eves asked if there were further nominations. Hearing none, Speaker Eves closed the nominations. The vote for Legislative Council Chair was taken. Senate President Thibodeau was elected to serve as Chair of the Legislative Council for the 127th Legislature. Unanimous **(9-0-1-0)**, with Senator Thibodeau abstaining).

President Thibodeau then presided for the remainder of the meeting. President Thibodeau proceeded to open the floor for nominations for Vice-chair of the Legislative Council.

Nomination: That House Speaker Mark Eves of North Berwick serve as Vice-chair of the Legislative Council for the 127th Legislature. (Nominated by Senator Alford, seconded by Senator Mason).

President Thibodeau asked if there were further nominations. Hearing none, President Thibodeau closed the nominations. The vote for Legislative Council Vice-chair was taken. Speaker Eves was elected to serve as Vice-chair of the Legislative Council for the 127th Legislature. Unanimous **(10-0)**.

ADOPTION OF RULES OF PROCEDURE

Proposed Rules of Procedure for Legislative Council Adoption

Executive Director Pennoyer briefly explained each provision of the suggested *Rules of Procedure* for the Legislative Council of the 127th Legislature, which is based on the rules for the Legislative Council of the 126th Legislature.

Motion: That the Legislative Council adopt the proposed Rules of Procedure for the Legislative Council of the 127th Legislature. Motion by Senator Cushing. Second by Senator Alford. **Motion passed unanimously (10-0)**.

[Note: A copy of the Rules of Procedure as adopted by the Legislative Council is attached.]

OLD BUSINESS

None

NEW BUSINESS

Item #1: Summary of Legislative Council Authority and Duties

Mr. Pennoyer gave an overview of the authority and duties of the Legislative Council as set forth in Maine law. No action by the Legislative Council was required.

Item #2: Establishment of Salaries for Constitutional Officers and the State Auditor

One of the initial decisions required of the Legislative Council once a new Legislature is convened is the assignment of the salary for newly elected Constitutional Officers and a newly elected State Auditor. State law prescribes the salary grade and the initial salary step for each official.

Motion: That the Legislative Council establish the initial salary for the State Treasurer at Step 3 of Salary Grade 88; and authorize a one-step step increase from Step 4 to Step 5 for the Secretary of State, and a one-step step increase from Step 6 to Step 7 for the Attorney General as well as the State Auditor. Motion by Speaker Eves. Second by Senator Alford. **Motion passed unanimously (10-0).**

Item #3: Establishment of Initial Salaries for Secretary of the Senate and Clerk of the House

Another initial decision required of the Legislative Council once a new Legislature is convened is establishing the initial salary for a newly elected Secretary of the Senate and a newly elected Clerk of the House. State law also prescribes the salary grade and the initial salary options for each of the Legislative officials. Both the Secretary of the Senate and the Clerk of the House were newly elected at the convening of the 127th Legislature, and as such, the Legislative Council must establish their initial salaries.

Motion: That the Legislative Council establish the initial salaries for the Secretary of the Senate and the Clerk of the House at Step 2 of Salary Grade 14 of the Legislature's salary schedule, in accordance with State law. Motion by Senator Mason. Second by Senator Alford. **Motion passed unanimously (10-0).**

Item #4: Legislative Council Policy on Processing Closely-Related Legislator Bill Requests

Revisor Suzanne Gresser explained that in past sessions, the Legislative Council has established a policy whereby the Office of the Revisor of Statutes was directed to combine legislator bill requests for duplicate or closely related bills (Joint Rule 206). This provision of Joint Rule 206 has existed since the 118th Legislature.

Joint Rule 206, Section 2 provides that:

For duplicate or closely related bills or resolves, the Legislative Council may establish a policy for combination of requests and the number of cosponsors permitted on combined requests.

Before the above language was adopted by the 118th and subsequent legislatures, every bill was simply processed and printed without regard to whether it was closely related to another. Since the advent of the rule, however, each Legislative Council has used its authority to direct that the Revisor's Office in some manner combine closely related bills in order to facilitate the efficient processing of bills.

When the 124th Legislature adopted a cloture deadline of mid-January, the process was modified slightly in order to allow the printing of some bills in advance of the later cloture deadline. The Legislative Council of the 124th Legislature directed the Revisor's Office to make reasonable efforts to identify duplicate bills as the office processed them before cloture and to notify sponsors as in the past, setting up primary and "mandatory" cosponsors. The Council recognized that by printing bills prior to cloture, a number of potential duplicates would not be identified and combined; however, the Council did not want to suspend the printing of bills until after the cloture date because it would not further the Legislature's goal of expeditious processing and printing of bills.

Because the cloture deadline of the 127th Legislature is January 2, 2015, in order to facilitate the expeditious processing of bills in the same manner as was done in the first regular sessions of the 124th, 125th and 126th legislatures, Ms. Gresser recommended that the Legislative Council adopt the process that was established by the 124th, 125th and 126th legislatures.

Motion: That the Legislative Council adopt the Policy on Processing of Closely-Related Legislator Bill Requests recommended by the Revisor for the 127th Legislature. Motion by Senator Cushing. Second by Speaker Eves. **Motion passed unanimously (10-0).**

Item #5: Legislative Council meeting schedule for 2015

Mr. Pennoyer reviewed the proposed Legislative Council meeting schedule for 2015.

Motion: That the Legislative Council adopt the proposed Legislative Council meeting schedule for 2015. Motion by Speaker Eves. Second by Senator Mason. **Motion passed unanimously (10-0).**

ANNOUNCEMENTS AND REMARKS

With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 9:53 p.m.