

# MAINE STATE LEGISLATURE

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CHAIR

REP. SARA GIDEON  
VICE-CHAIR

EXECUTIVE DIRECTOR  
GRANT T. PENNOYER



129<sup>TH</sup> MAINE STATE LEGISLATURE  
LEGISLATIVE COUNCIL

SEN. NATHAN L. LIBBY  
SEN. ELOISE A. VITELLI  
SEN. DANA L. DOW  
SEN. JEFFREY L. TIMBERLAKE  
REP. MATTHEW W. MOONEN  
REP. RYAN M. FECTEAU  
REP. KATHLEEN R.J. DILLINGHAM  
REP. HAROLD TREY STEWART III

**LEGISLATIVE COUNCIL  
MEETING SUMMARY  
December 6, 2018  
Approved January 24, 2019**

**CALL TO ORDER**

Speaker Gideon called the December 6, 2018 organizational meeting of the 129<sup>th</sup> Legislative Council to order at 3:07 p.m. in the Legislative Council Chamber.

**ROLL CALL**

Senators: President Jackson, Senator, Libby, Senator Vitelli, Senator Dow and Senator Timberlake

Representatives: Speaker Gideon, Representative Moonen and Representative Dillingham

Absent: Representative Fecteau (arrived late), and Representative Stewart

Legislative Officers: Robert Hunt, Clerk of the House  
Grant T. Pennoyer, Executive Director of the Legislative Council  
Dawna Lopatosky, Legislative Finance Director  
Jackie Little, Human Resources Director  
Suzanne Gresser, Revisor of Statutes  
Chris Nolan, Director, Office of Fiscal and Program Review  
John Barden, Director, Law and Legislative Reference Library  
Nik Rende, Director, Legislative Information Technology

Speaker Gideon convened the meeting at 3:07 p.m. with a quorum of members present.

Speaker Gideon, declaring that a quorum was present and pursuant to the Rules of Procedure adopted by the 128<sup>th</sup> Legislative Council and the Joint Rules adopted by the 128<sup>th</sup> Maine Legislature, called the first meeting of the 129<sup>th</sup> 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 129<sup>th</sup> Legislative Council should be a member who serves in the House of Representatives.

Speaker Gideon 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 Gideon opened the floor for nominations for Chair of the Legislative Council.

**Nomination:** That Senate President Troy Jackson of Allagash serve as Chair of the Legislative Council for the 129<sup>th</sup> Legislature. (Nominated by Senator Libby, seconded by Representative Moonen).

Speaker Gideon asked if there were further nominations. Hearing none, Speaker Gideon closed the nominations. The vote for Legislative Council Chair was taken. Senate President Jackson was elected to serve as Chair of the Legislative Council for the 129<sup>th</sup> Legislature. **Motion passed unanimously (9-0-0-1, with Representative Stewart absent).**

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

**Nomination:** That House Speaker Gideon of Freeport serve as Vice-chair of the Legislative Council for the 129<sup>th</sup> Legislature. (Nominated by Senator Libby, seconded by Representative Moonen).

President Jackson asked if there were further nominations. Hearing none, President Jackson closed the nominations. The vote for Legislative Council Vice-chair was taken. Speaker Gideon was elected to serve as Vice-chair of the Legislative Council for the 129<sup>th</sup> Legislature. **Motion passed unanimously (9-0-0-1, with Representative Stewart absent).**

## **ADOPTION OF RULES OF PROCEDURE**

### **Proposed Rules of Procedure for Legislative Council Adoption**

Executive Director Pennoyer briefly explained the provisions of the suggested *Rules of Procedure* for the Legislative Council of the 129<sup>th</sup> Legislature, which was revised from the rules for the Legislative Council of the 128<sup>th</sup> Legislature.

**Motion:** That the Legislative Council adopt the proposed Rules of Procedure for the Legislative Council of the 129<sup>th</sup> Legislature. Motion by Senator Libby. Second by Speaker Gideon. **Motion passed unanimously (9-0-0-1, with Representative Stewart absent).**

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

## SUMMARY OF SEPTEMBER 20, 2018 MEETING OF LEGISLATIVE COUNCIL

**Motion:** That the Meeting Summary for September 20, 2018 be accepted and placed on file. Motion by Speaker Gideon. Second by Senator Libby. **Motion passed unanimously (9-0-0-1, with Representative Stewart absent).**

## OLD BUSINESS

### Item #1: Council Actions Taken by Ballot

#### Decisions by Legislative Council Ballot:

**Motion:** That the Legislative Council approve the proposed Legislative Document Service Rates for the First Regular Session of the 129<sup>th</sup> Legislature as submitted by the Clerk of the House.

Motion by: Speaker Gideon                      Second by: President Thibodeau  
Date: October 29, 2018  
Vote: 10-0 Passed

## 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 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 or allows for step-increases for continuous service. The State Auditor has already obtained the highest step in her salary grade.

**Motion:** That the Legislative Council establishes the salaries for the Constitutional Officers and the State Auditor as follows: The Secretary of State to receive a step increase from Step 8 to Step 9, effective January 1, 2019; the State Treasurer's initial salary upon taking office to be set at Step C (Step 3) within Salary Grade 88; and the Attorney General's initial salary upon taking office to be set at Step E (Step 5) within Salary Grade 91. Motion by Speaker Gideon. Second by Senator Libby. **Motion passed unanimously (9-0-0-1, with Representative Stewart absent).**

**Item #3: Establishment of 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 having previously served in these positions qualify for step increases.

**Motion:** That the Legislative Council approves step increases for the Secretary of the Senate to **Step 4** and the Clerk of the House to **Step 7** of Salary Grade 14 of the Legislature's salary schedule, in accordance with State law, effective December 5, 2018. Motion by Speaker Gideon. Second by Senator Libby. **Motion passed unanimously (9-0-0-1, with Representative Stewart absent).**

**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 118<sup>th</sup> 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 118<sup>th</sup> 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 124<sup>th</sup> 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 124<sup>th</sup> 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 129<sup>th</sup> Legislature is December 31, 2018, in order to facilitate the expeditious processing of bills in the same manner as was done in the first regular sessions since the 124<sup>th</sup> Legislature, Ms. Gresser recommended that the Legislative Council adopt the process that was established by the those legislatures.

**Motion:** That the Legislative Council adopt the Policy on Processing of Closely-Related Legislator Bill Requests recommended by the Revisor for the 129<sup>th</sup> Legislature. Motion by Senator Libby. Second by Senator Timberlake. **Motion passed unanimously (9-0-0-1, with Representative Stewart absent).**

**Item #5: Legislative Council Policy on Legislator Attendance**

Mr. Pennoyer reviewed provisions of the policy on Legislator Attendance. Pursuant to statute, the Legislative Council must adopt this policy at the beginning of each new legislature.

**Motion:** That the Legislative Council adopt the Policy on Legislator Attendance for the 129<sup>th</sup> Legislature. Motion by Senator Libby. Second by Senator Vitelli. **Motion passed unanimously (9-0-0-1, with Representative Stewart absent).**

**Item #6: Legislative Council meeting schedule for 2019**

Mr. Pennoyer reviewed the proposed Legislative Council meeting schedule for 2017. Representative Fredette requested an additional Legislative Council meeting to be added to the schedule. Speaker Gideon said that she would consider adding an additional meeting to the schedule after she has had the opportunity to meet with the Governor.

**Motion:** That the Legislative Council adopt the proposed Legislative Council meeting schedule for 2019. Motion by Senator Libby. Second by Senator Timberlake. **Motion passed unanimously (9-0-0-1, with Representative Stewart absent).**

**Item #7: Acceptance of Task Force on Health Care Coverage for All of Maine**

The Task Force on Health Care Coverage for All of Maine submitted its report for acceptance by the Legislative Council.

**Motion:** That the report from the Task Force on Health Care Coverage for All of Maine be accepted and placed on file. Motion by Senator Vitelli. Second by Senator Timberlake. **Motion passed unanimously (9-0-0-1, with Representative Stewart absent).**

**ANNOUNCEMENTS AND REMARKS**

With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 3:43 p.m.