

MAINE STATE LEGISLATURE

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REP. RYAN FECTEAU
CHAIR

SEN. TROY JACKSON
VICE-CHAIR

EXECUTIVE DIRECTOR
SUZANNE M. GRESSER



130TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. NATHAN L. LIBBY
SEN. ELOISE A. VITELLI
SEN. JEFFREY L. TIMBERLAKE
SEN. MATTHEW POULIOT
REP. MICHELLE DUNPHY
REP. RACHEL TALBOT ROSS
REP. KATHLEEN R.J. DILLINGHAM
REP. JOEL STETKIS

**LEGISLATIVE COUNCIL
MEETING SUMMARY
December 3, 2020
Approved January 28, 2021**

CALL TO ORDER

President Jackson called the December 3, 2020 organizational meeting of the 130th Legislative Council to order at 1:57 p.m. in the House Chamber.

ROLL CALL

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

Representatives: Speaker Fecteau, Representative Dunphy, Representative Talbot Ross, and Representative Stetkis

Absent: Representative Dillingham

Legislative Officers: Darek Grant, Secretary of the Senate
Robert Hunt, Clerk of the House
Suzanne Gresser, Executive Director of the Legislative Council
Ed Charbonneau, Deputy Director, Office of Revisor of Statutes
Chris Nolan, Director, Office of Fiscal and Program Review
Danielle Fox, Director, Office of Policy and Legal Analysis
Nik Rende, Director, Legislative Information Technology

President Jackson convened the meeting at 1:57 p.m. with a quorum of members present.

President Jackson, declaring that a quorum was present and pursuant to the Rules of Procedure adopted by the 129th Legislative Council and the Joint Rules adopted by the 129th Maine Legislature, called the first meeting of the 130th 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 House of Representatives.

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 130th Legislative Council should be a member who serves in the Senate.

President Jackson 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, President Jackson opened the floor for nominations for Chair of the Legislative Council.

Nomination: That House Speaker Ryan Fecteau of Biddeford serve as Chair of the Legislative Council for the 130th Legislature. (Nominated by Senator Libby, seconded by Representative Dunphy).

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

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

Nomination: That Senate President Troy Jackson of Allagash serve as Vice-chair of the Legislative Council for the 129th Legislature. (Nominated by Senator Vitelli, seconded by Representative Talbot Ross).

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

ADOPTION OF RULES OF PROCEDURE

Proposed Rules of Procedure for Legislative Council Adoption

Ms. Gresser briefly explained the provisions of the suggested *Rules of Procedure* for the Legislative Council of the 130th Legislature, which was revised from the rules for the Legislative Council of the 129th Legislature.

Motion: That the Legislative Council adopt the proposed Rules of Procedure for the Legislative Council of the 130th Legislature. Motion by Senator Libby. Second by Rep. Dunphy. **Motion passed unanimously (9-0-0-1**, with Representative Dillingham absent).

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

SUMMARY OF NOVEMBER 5, 2020 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary for November 5, 2020 be accepted and placed on file. Motion by Senator Libby. Second by Representative Dunphy. **Motion passed unanimously (9-0-0-1, with Representative Dillingham absent).**

OLD BUSINESS

None.

NEW BUSINESS

Item #1: Summary of Legislative Council Authority and Duties

Ms. Gresser 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 first 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. Ms. Gresser clarified that there exists no discretion in the setting of the salary grade and initial step for these newly elected officials as State law prescribes the salary grade and the initial salary step for each official, and State law authorizes step-increases for continuous service.

Motion: That the Legislative Council establish the initial salary of the Secretary of State at Step C (Step 3) within Salary Grade 88. Motion by President Jackson. Second by Senator Libby. **Motion passed unanimously (9-0-0-1, with Representative Dillingham absent).**

Motion: That the Legislative Council authorize the State Treasurer to receive a step increase from Step 4 to Step 5 effective January 1, 2021. Motion by President Jackson. Second by Senator Libby. **Motion passed unanimously (9-0-0-1, with Representative Dillingham absent).**

Motion: That the Legislative Council authorize the Attorney General to receive a step increase from Step 6 to Step 7 effective January 1, 2021. Motion by President Jackson. Second by Senator Libby. **Motion passed unanimously (9-0-0-1, with Representative Dillingham absent).**

Motion: That the Legislative Council establish the initial salary of the State Auditor at Step E (Step 5) within Salary Grade 89. Motion by President Jackson. Second by Senator Libby. **Motion passed unanimously (8-0-1-1, with Representative Dunphy abstaining and Representative Dillingham 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 6** and the Clerk of the House to **Step 9** of Salary Grade 14 of the Legislature's salary schedule, in accordance with State law, effective December 5, 2020. Motion by President Jackson. Second by Senator Libby. **Motion passed (6-3-0-1**, with Senators Timberlake, Senator Pouliot and Rep. Stetkis opposed, and Representative Dillingham absent).

Item #4: Appointment of Revisor of Statutes

The Personnel Committee of the 129th Legislative Council met in November to interview and conclude its review of candidates for the vacant position of Revisor of Statutes, and forwarded to the Legislative Council of the 130th Legislature its consensus recommendation that the current Deputy Director of the Office of Revisor of Statutes, Edward Charbonneau, be appointed to the position of Revisor of Statutes.

Motion: That upon the consensus recommendation of the Personnel Committee of the 129th Legislature, the Legislative Council approves the appointment of Edward Charbonneau to the position of Revisor of Statutes effective December 7, 2020 at Step 11 in Salary Range 14. Motion by President Jackson. Second by Senator Libby. **Motion passed (9-0-0-1**, with Representative Dillingham absent).

Speaker Fecteau recognized Mr. Charbonneau and offered to him the congratulations of the Legislative Council.

Item #5: Legislative Council Policy on Processing Closely Related Legislator Bill Requests

Ms. Gresser gave a brief overview of the history of, and process for, addressing closely related legislator bills, and explained that in past sessions, Legislative Councils had requested that the Revisor of Statutes, pursuant to Joint Rule 206, attempt to combine legislator bill requests that may be viewed as closely-related bills.

Due to limitations necessitated by safety protocols due to the pandemic, and because the additional time required to implement the duplicate resolution process may not be offset to the same degree as in the past by the benefit of reducing the public's need to repeatedly travel to the Capitol to testify on similar bills, Ms. Gresser did not recommend that the Legislative Council adopt the process that was established by previous legislatures.

Motion: That the Legislative Council not adopt a policy directing the Revisor of Statutes to attempt to consolidate closely-related Legislator bill requests for the 130th Legislature.

Motion by Senator Libby. Second by Rep. Dunphy. **Motion passed unanimously (9-0-0-1, with Representative Dillingham absent).**

Item #6: Legislative Council Policy on Legislator Attendance

Ms. Gresser indicated that the provisions of the proposed Policy on Legislator Attendance were unchanged from the Policy on Legislator Attendance adopted in the 129th Legislative Council.

Motion: That the Legislative Council adopt the Policy on Legislator Attendance for the 130th Legislature. Motion by Senator Libby. Second by Rep. Dunphy. **Motion passed unanimously (9-0-0-1, with Representative Dillingham absent).**

Item #7: Proposed Legislative Council Policy on COVID-19 Prevention

Ms. Gresser indicated that the provisions of the proposed COVID-19 Prevention Policy were presented unchanged from the COVID-19 Prevention Policy adopted by the 129th Legislative Council, with the exception of the timeframe within which the policy would be in effect.

Senator Libby suggested amending the language to specify that Capitol Police are responsible for assisting with the enforcement of the COVID-19 Prevention Policy.

Senator Timberlake suggested tasking the Personnel Committee to assess to possibility of creating a process that would both comply with COVID-19 safety guidelines, and would allow Legislators to meet safely with constituents within the State House.

Motion: That the Legislative Council adopt the Policy on COVID-19 Prevention for the 130th Legislature, as amended by the language proposed by Sen. Libby, and that Personnel Committee investigate the possibility of creating a process that would comply with COVID-19 safety guidelines and allow Legislators to meet safely with constituents. Motion by President Jackson. Second by Sen. Libby. **Motion passed unanimously (9-0-0-1, with Representative Dillingham absent)**

Item #8: Proposed electronic interactive option for the in-person harassment training for the First Regular Session of the 130th Legislature

Ms. Gresser reviewed the proposed electronic interactive option for the in-person harassment training for the First Regular Session of the 130th Legislature. To ensure compliance with COVID-19 safety guidelines, the 129th Legislative Council approved the electronic interactive option for the end of the 129th Legislature; adoption of the proposed policy would permit continuation of that option for in-person harassment prevention training for the First Regular Session of the 130th Legislature.

Motion: That the Legislative Council adopt the Proposed electronic interactive option for the in-person harassment training for the First Regular Session of the 130th Legislature. Motion by President Jackson. Second by Senator Libby. **Motion passed unanimously (9-0-0-1, with Representative Dillingham absent)**

Item #9: Legislative Council meeting schedule for 2021

Ms. Gresser reviewed the proposed Legislative Council meeting schedule for 2021.

Motion: That the Legislative Council adopt the proposed Legislative Council meeting schedule for 2021. Motion by President Jackson. Second by Senator Vitelli. **Motion passed unanimously (9-0-0-1**, with Representative Dillingham absent).

Item #10: Acceptance of Committee To Study the Feasibility of Creating Basic Income Security report

The Committee To Study the Feasibility of Creating Basic Income Security submitted its report for acceptance by the Legislative Council.

Motion: That the report from the Committee To Study the Feasibility of Creating Basic Income Security be accepted and placed on file. Motion by Senator Libby. Second by President Jackson. **Motion passed unanimously (9-0-0-1**, with Representative Dillingham absent).

ANNOUNCEMENTS AND REMARKS

With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 2:39 p.m.