

MAINE STATE LEGISLATURE

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SEN. TROY JACKSON
CHAIR

REP. RACHEL TALBOT ROSS
VICE-CHAIR

EXECUTIVE DIRECTOR
SUZANNE M. GRESSER



131ST MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. ELOISE A. VITELLI
SEN. MATTHEA DAUGHTRY
SEN. HAROLD "TREY" STEWART III
SEN. LISA KEIM
REP. MAUREEN F. TERRY
REP. KRISTEN CLOUTIER
REP. BILLY BOB FAULKINGHAM
REP. AMY ARATA

**LEGISLATIVE COUNCIL
MEETING SUMMARY
January 5, 2023**

CALL TO ORDER

President Jackson called the January 5, 2023 organizational meeting of the 131st Legislative Council to order at 1:47 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators: President Jackson, Senator Vitelli, Senator Daughtry, Senator Stewart and Senator Keim

Representatives: Speaker Talbot Ross, Representative Terry, Representative Cloutier, Representative Faulkingham and Representative Arata

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

President Jackson convened the meeting at 1:47 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 130th Legislative Council, called the first meeting of the 131st 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 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 131st Legislative Council should be a member who serves in the House of Representatives.

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 Senate President Troy Jackson serve as Chair of the Legislative Council for the 131st Legislature. (Nominated by Speaker Talbot Ross, seconded by Rep. Terry).

With no further nominations or discussion, President Jackson closed the nominations. The vote for Legislative Council Chair was taken. President Jackson was elected to serve as Chair of the Legislative Council for the 131st Legislature. **Motion passed unanimously (10-0-0)**

President Jackson opened the floor for nominations for Vice-chair of the Legislative Council.

Nomination: That Speaker of the House Rachel Talbot Ross serve as Vice-chair of the Legislative Council for the 131st Legislature. (Nominated by President Jackson, seconded by Representative Faulkingham).

With no further nominations or discussion, President Jackson closed the nominations. The vote for Legislative Council Vice-chair was taken. Speaker Talbot Ross was elected to serve as Vice-chair of the Legislative Council for the 131st Legislature. **Motion passed unanimously (9-0-0-1**, with Representative Cloutier 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 based on the rules for the Legislative Council of the 130th Legislature; the only new language appears in the section on voting, and tracks the language adopted in the Joint Rules that requires that members who are permitted to participate by electronic means vote in a manner that allows that the voting to be seen and heard.

Motion: That the Legislative Council adopt the proposed Rules of Procedure for the Legislative Council of the 131st Legislature. Motion by Speaker Talbot Ross. Second by Rep. Terry. **Motion passed unanimously (10-0-0-0).**

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

SUMMARY OF OCTOBER 27, 2022 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary for October 27, 2022 be accepted and placed on file. Motion by Senator Daughtry. Second by Speaker Talbot Ross. **Motion passed unanimously (10-0-0-0).**

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

Ms. Gresser drew the members' attention to the memorandum in their packet describing the State law governing the setting of salaries, and authorizing an annual increase, for each of the Constitutional Officers.

Motion: That the Legislative Council authorize a one-step increase in salary for the State Treasurer, for the Attorney General, and for the Secretary of State, in accordance with State law. Motion by Senator Stewart. Second by Representative Terry. **Motion passed unanimously (10-0-0-0).**

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 authorize a one-step increase in salary for the Secretary of the Senate, and for the Clerk of the House, in accordance with State law. Motion by Senator Daughtry. Second by Representative Terry. **Motion passed (10-0-0-0).**

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

Mr. Charbonneau gave a brief overview of the history of, and process for, addressing closely related legislator bills. Mr. Charbonneau explained that, although it is not possible to identify all closely related legislator bill requests, Legislative Councils in past sessions 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.

Mr. Charbonneau explained that, under the policy adopted most recently in the 129th Legislature, the Revisor's Office would draft the first bill that had been filed with sufficient information, after

which sponsors of each bill request identified as closely related were given the opportunity to sign on to the first bill as a “mandatory cosponsor.” Because those potential mandatory cosponsors could at that point decline to sign on to the first bill and request that their own bill be produced, the delay between printing of the first bill and similar bills could be extensive, posing problems for committees wishing to schedule them together.

Mr. Charbonneau recommended adoption of a policy that authorizes the Revisor’s Office, upon identification of similar filings, working with OPLA and OFPR and using as a guide for determining whether requests were closely related was whether the requests would likely be heard at the same committee hearing, to contact all of the sponsors who had filed such similar bills and provide them with an opportunity to work together on one bill and inform the Revisor’s Office of their decision regarding bill consolidation within a relatively short timeframe. Under this process, the Revisor’s Office would know upfront how many bills on similar topics were going forward and would draft the similar bills as a block, thus increasing the likelihood that similar bills could be referred to a committee within the same general timeframe.

Representative Terry expressed her appreciation of Mr. Charbonneau’s efforts to coordinate the issuance of similar bills for the purposes of committee consideration, and asked about the manner of informing sponsors of closely related filings. Mr. Charbonneau explained that a single email would be sent to all of the identified sponsors, with their legislative aides and Chiefs of Staff copied, asking them to inform the Revisor’s Office within three business days whether they would like to work together on a single bill. If any of the sponsors decline to work on a combined bill, the Revisor’s Office will separately produce those sponsors’ bills; if several sponsors choose to work together, the Revisor’s Office will work with the group to produce the combined bill. Mr. Charbonneau underscored that the goal is to draft bills identified as similar at the same time, whether or not the separate requests were combined into one, thus increasing the chance that the committees could hear similar bills at the same time. Representative Arata confirmed with Mr. Charbonneau that the group of identified sponsors could choose to assign primary sponsorship of the combined bill to a sponsor other than the sponsor who had filed the first complete request.

Motion: That the Legislative Council adopt the Policy on Processing of Closely Related Legislator Bill Requests recommended by the Revisor of Statutes for the 131st Legislature. Motion by Speaker Talbot Ross. Second by Senator Keim. **Motion passed unanimously (10-0-0-0).**

Item #5: 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 by the 130th Legislative Council. Speaker Talbot Ross moved to table the Policy on Legislator Attendance for further consideration of equity between the bodies in the implementation of the policies governing the recording and excusing of absences.

Motion: That the Legislative Council table the Policy on Legislator Attendance for the 131st Legislature. Motion by Speaker Talbot Ross. Second by Representative Terry. **Motion passed unanimously (10-0-0-0).**

Item #6: Legislative Council meeting schedule for 2023

Ms. Gresser reviewed the proposed Legislative Council meeting schedule for 2023. Senator Keim questioned the date of the February meeting, as it falls during school vacation week. Senator Stewart suggested changing the date to the prior week on February 16th.

Motion: That the Legislative Council adopt the proposed Legislative Council meeting schedule for 2023, with the exception that the meeting date in February be changed to February 16, 2023. Motion by Representative Terry. Second by Representative Cloutier. **Motion passed unanimously (10-0-0).**

Item #7: Proposed Document Service Fee Schedule for 131st Legislature, First Regular Session

Ms. Gresser drew members' attention to the proposed fee schedule for the Document Service of the Clerk of the House.

Motion: That the Legislative Council adopt the Document Service fee schedule for the 131st Legislature, First Regular Session as proposed by the Clerk of the House. Motion by Speaker Talbot Ross. Second by Representative Terry. **Motion passed unanimously (10-0-0).**

Item #10: Acceptance of Annual Report of the Loring Development Authority

In accordance with State law, the Loring Development Authority of Maine has submitted for acceptance by the Legislative Council its Annual Report for Fiscal Year 2022.

Motion: That the report from the Loring Development Authority of Maine be accepted and placed on file. Motion by Representative Terry. Second by Senator Keim. **Motion passed unanimously (10-0-0).**

President Jackson, as chair of the Legislative Council, indicated that he had one additional item to add to the agenda, and he invited Speaker Talbot Ross to speak. Speaker Talbot Ross stated that she wished to create a limited-period clerical position, to be housed in the House Republican Office, and that she wished to make permanent a limited-position Legislative Aide position that is currently housed in the House Republican Office.

Motion: That the Legislative Council establish one legislative position count for one Legislative Aide position; and authorizes legislative budget adjustments to offset the cost of the position by lapsing an amount sufficient to offset the additional General Fund costs from the position from unspent balances in the legislative accounts; and further, the Legislative Council directs the Executive Director to prepare and submit implementing language reflecting the decisions of the Legislative Council to the Joint Standing Committee on Appropriations and Financial Affairs on behalf of the Legislative Council for inclusion in the committee amendment to the Governor's unified budget bill; and further

That the Legislative Council authorize the establishment of one limited period Grade 6 position, to be implemented by allotting unspent balances in the Legislative General Fund account; and further, that the Legislative Council direct the Executive Director to prepare and submit implementing documentation reflecting this decision of the Legislative Council

to the Bureau of the Budget. Motion by Speaker Talbot Ross. Second by Representative Faulkingham. **Motion passed unanimously (10-0-0-0).**

ANNOUNCEMENTS AND REMARKS

With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 2:44 p.m.