

MAINE STATE LEGISLATURE

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EXECUTIVE DIRECTOR
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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
March 28, 2024
Approved April 30, 2024**

CALL TO ORDER

President Jackson called the March 28, 2024 meeting of the 131st Legislative Council to order at 2:29 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators: President Jackson, Senator Vitelli, Senator Daughtry, Senator Stewart (joined via Zoom after start of meeting), and Senator Keim

Representatives: Speaker Talbot Ross, Representative Terry, and Representative Cloutier and Representative Faulkingham (arrived after start of meeting)

Absent: Representative Arata

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

President Jackson convened the meeting at 2:29 p.m. with a quorum of members present.

SUMMARY OF FEBRUARY 22, 2024 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary for February 22, 2024 be accepted and placed on file. Motion by Speaker Talbot Ross. Second by Sen. Daughtry. **Motion passed (7-0-0-3**, with Senator Stewart, Representative Faulkingham and Representative Arata recorded as absent).

REPORTS FROM COUNCIL OFFICE DIRECTORS

Fiscal Report

Christopher Nolan, Director of the Office of Fiscal and Program Review, presented the fiscal report found in the agenda packet.

REPORTS FROM COUNCIL COMMITTEES

State House Facilities Committee

Senator Daughtry reported that the State House Facilities Committee met on February 27th and March 13th to consider the following items:

1. Request for waiver of certain elements of the *Legislative Council Policy on the Use of Capitol Park*. The committee discussed a request for a waiver of the Capitol Park policy by the project named “the 2200” to hold a 100-mile, 30-hour ultramarathon in Capitol Park; heard from Earle Shettleworth, the State Historian, on the background of Capitol Park and the genesis of the restrictions contained in the policy, and discussed the precedential impact of authorizing the event. The committee asked Director Gresser to contact the organizers to determine whether the organizers are still interested in holding the event in Capitol Park, and convey to the committee members the results of the discussion.
2. State House Complex Security
The committee continues to work closely with Maine Capitol Police Chief Clancy on a number of initiatives designed to maximize the safety of staff, Legislators, and members of the public when they are in the State House Complex.

OLD BUSINESS

Item #1: Council Actions Taken by Ballot

Legislative Council Decisions:

Motion: That upon recommendation of the Personnel Committee, and pursuant to its authority under 26 MRSA, §979-A, sub-§5, the Legislative Council of the 131st Legislature ratify the collective bargaining agreement, for the period ending September 30, 2025, that was negotiated and tentatively agreed to by the authorized representatives of the Legislative Council and the Maine service Employees Association, Local 1080, SEIU (MSEA) on March 8, 2024. Further, that the Legislative Council authorize the Executive Director to take all necessary steps to carry out the terms of this agreement; Further, upon recommendation of the Personnel Committee, that the add/drop Salary Step provision for Grades 1 through 6 provided in the aforementioned ratified collective bargaining agreement be provided to

legislative employees who are not represented by a collective bargaining agent, the effective dated of such compensation provision to coincide with those contained in the aforementioned ratified collective bargaining agreement.

Motion by: President Jackson
Date: March 18, 2024
Vote: 9-0-0-1 Passed (with Representative Arata recorded as absent)

Requests for Introduction of Legislation:

LR 3133 An Act to Strengthen Maine’s Workforce Through Pre-Apprenticeship Training Programs

Submitted by: Senator Tipping
Date: February 26, 2024
Vote: 6-3-0-1 Passed (with Senator Stewart, Senator Keim, and Representative Arata recorded as opposed, and Representative Faulkingham recorded as absent)

LR 3144 An Act to Ensure That Any Rules Regarding the Atlantic States Marine Fisheries Commission Are Major Substantive Rules

Submitted by: President Jackson
Date: March 8, 2024
Vote: 6-0-0-4 Passed (with Senator Stewart, Senator Daughtry, Representative Terry, and Representative Cloutier recorded as absent)

LR 3135 An Act to Honor Older Maine Residents by Fully Funding Nursing Homes

Submitted by: President Jackson
Date: March 5, 2024
Vote: 6-2-0-2 Passed (with Representative Cloutier and Representative Arata recorded as opposed, and Speaker Talbot Ross and Representative Terry recorded as absent)

LR 3177 An Act to Enact the Crisis Intervention Order Act to Protect the Safety of the Public

Submitted by: Speaker Talbot Ross
Date: March 22, 2024
Vote: 6-1-0-3 Passed (with Senator Stewart recorded as opposed, and Senator Keim, Representative Faulkingham, and Representative Arata recorded as absent)

NEW BUSINESS

Item #1: Consideration of After Deadline Bill Requests and Joint Resolutions

Of the nineteen (19) requests on the list of after deadline bill requests, two (2) requests were withdrawn, and the Legislative Council accepted for introduction one (1), and rejected sixteen (16). Of the two (2) requests for Joint Resolutions, the Legislative Council accepted one (1) and rejected one (1) request. The Legislative Council also took up four (4) requests that had been tabled at prior meetings, and rejected the four (4) requests. The Legislative Council's action on the requests is attached to this meeting summary.

Item #2: Report from Department of Administrative and Financial Services pursuant to Public Law 2023, chapter 392

Director Gresser drew the members' attention to the report received from the Department of Administrative and Financial Services, Bureau of General Services, pursuant to Public Law 2023, chapter 392. According to the report, radon test results indicated that there exist elevated radon levels in areas on the First Floor of the State House. In response to these test results, BGS modified air exchanges in the State House to reduce the existing negative air pressure, and installed an energy recovery ventilator in the State House Café space to bring conditioned outdoor air into interior space. In addition, select windows on the First Floor of the State House have been slightly opened to further reduce negative air pressure in the State House. Director Gresser indicated that these measures had resulted in a reduction in the radon measurement; as a result, the intermediate plan is to install additional energy recovery ventilators on the First Floor. According to the DAFS report, the long-term solution will require the expertise of a mechanical engineer, which BGS is in the process of securing. President Jackson asked about the possibility of venting the tunnel as part of the long-term solution; Director Gresser said that that was one of the solutions that had been discussed. Representative Terry asked about potential health impacts resulting from radon. Director Gresser indicated that she had spoken about this to the Occupational Health and Safety Compliance Assistance Specialist in the Office of Safety and Environmental Services in DAFS, and the Maine Radon Coordinator within the Maine CDC's Radiation Control Program, who both indicated that health risks associated with radon result from chronic exposure to elevated levels of radon over the course of many, many years. President Jackson asked when the Cross Building was going to be tested; Director Gresser responded that BGS's current plan involves testing the Cross Building in the second week in April.

President Jackson, acting on the request made earlier during the meeting by Senator Vitelli, added the following additional item to the meeting agenda, designated as New Business Item #3.

Item #3: Request to Amend Certain Legislative Council Policies Regarding the Acceptance of Gifts

Director Gresser explained that the Legislative Council Personnel Policies for both Legislative Council staff and for committee clerks currently limits to \$30 the maximum value of a gift that may be accepted by those staff members from legislators or legislative committees. The members of the Council discussed increasing the maximum value to various amounts.

Motion: That the *Legislative Council Personnel Policies and Guidelines for Legislative Committee Clerks* and the *Legislative Council Personnel Policies and Guidelines for Legislative Council Staff* be amended to increase from \$30 to \$65 the maximum value of a gift that may be accepted by staff from legislators or legislative committees. Motion by Senator Daughtry. Second by Speaker Talbot Ross. **Motion passed unanimously (6-0-0-4,**

with Senator Vitelli, Senator Stewart, Representative Faulkingham, and Representative Arata absent).

ANNOUNCEMENTS AND REMARKS

With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 3:56 p.m.