

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
November 9, 2023
Approved December 21, 2023**

CALL TO ORDER

President Jackson called the November 9, 2023 meeting of the 131st Legislative Council to order at 12:12 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 (via Zoom), Representative Terry (via Zoom), Representative Cloutier, and Representative Arata

Absent: Representative Faulkingham

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

President Jackson convened the meeting at 12:12 p.m. with a quorum of members present.

President Jackson announced his intention to take items out of order, and hearing no objection, moved to New Business, Item 3.

NEW BUSINESS

Item #3: Procedures for Deciding Legislative Bill Requests and Consideration of Bill Requests for the Second Regular Session.

Ms. Gresser reviewed the procedures for the review of Legislative Bill Requests and the proposed protocol for deciding those requests.

Motion: That the Legislative Council approves the proposed protocol for deciding Legislative Bill Requests. Motion by Sen. Stewart. Second by Sen. Daughtry **Motion passed unanimously (9-0-0-1, with Representative Faulkingham absent).**

The Legislative Council proceeded to consider and vote on two hundred eighty three (283) bill requests in accordance with the adopted protocol, and using an electronic voting system. The Legislative Council authorized fifty-eight (58) bills for introduction in the Second Regular Session. Nine (9) bill requests were withdrawn by the sponsors prior to the Legislative Council's vote. The Legislative Council's action on the bill requests is attached.

President Jackson then returned to the printed agenda.

SUMMARY OF JUNE 30, 2023 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary for June 30, 2023 be accepted and placed on file. Motion by Senator Daughtry. Second by Senator Vitelli. **Motion passed unanimously (9-0-0-1, with Representative Faulkingham absent).**

REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES

Fiscal Report

President Jackson drew the Legislative Council's attention in the Council's meeting materials to the written fiscal report prepared by Christopher Nolan, Director, Office of Fiscal and Program Review.

Studies Report

President Jackson drew the Legislative Council's attention in the Council's meeting materials to the studies report prepared by Danielle Fox, Director, Office of Policy and Legal Analysis.

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

President Jackson reported that the Personnel Committee met on Wednesday, July 27, 2023, to consider the following matters:

1. Restructuring of the Legislative Information Technology Office

The committee resumed its review of the Legislative Information Technology Office (LIT) staffing and restructuring proposal developed to address the Legislature's increased needs for information technology resources and support, which was initially presented to the committee at its March 8, 2023 meeting. The Personnel Committee members noted that the Legislature's reliance on information technology resources and support has significantly increased as the Legislature moves to improve the efficiency of internal operations, enhance member and staff access to information, facilitate the production of and access to legislative documents, and enhance public access to,

transparency of, and participation in the legislative process. The committee approved the plan as proposed and voted to recommend approval of the proposal to the full Legislative Council. The Legislative Council has since approved by ballot the LIT staffing and restructuring proposal, so no additional Legislative Council action is required.

2. Planning for the 2024 Harassment Prevention Training

The committee reviewed options for harassment prevention training for the upcoming legislative session. The committee endorsed the plan of holding lengthier, introductory trainings during the First Regular Session; and during the Second Regular Session, holding a large group review of the basic information, paired with optional small trainings for legislators, staff and lobbyists who wished to discuss topics in more depth in small group settings. The committee approved conducting an onsite training for legislators in the House Chamber, ideally on the first day of the Second Regular Session, and asked the Executive Director and the Clerk of the House to work together on details. No Legislative Council action is required.

3. Employee Request to Transfer Sick Leave to Another Employee

The committee reviewed an employee's request to transfer sick leave to a sick employee in the same office. Committee members noted that the Executive Branch has a policy that allows, on a case-by-case basis, for the establishment of a catastrophic leave bank to benefit an employee that suffers a catastrophic accident or illness, and that the Legislature has such a policy in the past. The committee asked the Executive Director to research the circumstances that led to the elimination of the Legislature's policy. The committee supported the employee's request and voted to recommend approval of the request to the full Legislative Council.

The Legislative Council has since approved by ballot this employee's request to transfer sick leave to another employee, so no additional Council action is required.

4. Performance Evaluations

The committee reviewed the performances of:

- Nik Rende, Director of the Office of Legislative Information Technology; and
- Peter Schleck, Director of the Office of Program Evaluation and Government Accountability.

The Personnel Committee voted unanimously to approve a step increase for Mr. Rende and Mr. Schleck. No Legislative Council action is required.

OLD BUSINESS

Item #1: Council Actions Taken by Ballot

Legislative Council Decisions:

Motion: **That the Legislative Council accept the funds contributed for the Blue-Ribbon Commission to Design a Plan for Sustained Investment in**

Preventing Disease and Improving the Health of Maine Communities, and upon completion of appointments to the commission, authorize the Blue-Ribbon Commission to Convene.

Motion by: Speaker Talbot Ross
Date: September 28, 2023
Vote: 10-0-0-0 Passed

Motion: In accordance with the unanimous recommendations of the Personnel Committee, that the Legislative Council establish legislative position count in the Legislative Information Technology Office for one Information Security Administrator, one Virtual Meeting Administrator, two Senior Program Analysts and one session-only Desktop Support Administrator, and reclassify one Programmer Analyst position to one Chamber System Administrator position. And Further, the Legislative Council directs the Executive Director to establish the positions by financial order, to be self-funded from available balances in FY 24 and FY 25, and to prepare and submit implementing language reflecting the decisions of the Legislative Council for inclusion in the committee amendment to the Governor's next supplemental budget bill.

Motion by: President Troy Jackson
Date: October 13, 2023
Vote: 8-0-2-0 Passed

Motion: That, because a majority of the appointments have been made to the Commission Regarding Foreign-trained Physicians Living in Maine, in accordance Resolves 2023, chapter 93, the Legislative Council authorizes the Commission to convene.

Motion by: President Troy Jackson
Date: October 16, 2023
Vote: 8-0-2-0 Passed

Motion: That the Legislative Council approve the request presented to the Personnel Committee on July 27, 2023 from a Legislative staff member to transfer sick leave from that staff member to another employee within that same office, notwithstanding any policy to the contrary.

Motion by: Speaker Rachel Talbot Ross
Date: October 16, 2023
Vote: 9-0-1-0 Passed

Motion: That, because a majority of the appointments have been made to the Blue Ribbon Commission to Design a Plan for Sustained Investment in Preventing Disease and Improving the Health of Maine Communities, in accordance Resolves 2023, chapter 100, the Legislative Council authorizes the Blue Ribbon Commission to convene.

Motion by: Speaker Rachel Talbot Ross
Date: October 4, 2023
Vote: 9-0-1-0 Passed

Motion: That, in accordance with Joint Rule 353(7), the Legislative Council extends to December 15, 2023, the reporting deadline of the Blue Ribbon Commission to Study Emergency Medical Services in the State.

Motion by: Speaker Rachel Talbot Ross
Date: October 20, 2023
Vote: 9-0-1-0 Passed

NEW BUSINESS

Item #1: Proposed Document Service Fee Schedule for 131st Legislature, Second Regular Session

Ms. Gresser presented the proposed Document Service fee schedule submitted by Clerk of the House, Robert Hunt, for the Second Regular Session. The fees remain the same as the First Regular Session.

Motion: That the Legislative Council approves proposed Document Service Fee Schedule for the 131st Legislature Second Regular Session. Motion by Senator Vitelli. Second by Senator Daughtry. **Motion passed unanimously (8-0-0-2**, with Senator Stewart and Representative Faulkingham absent).

Item #2: Legislative Council meeting schedule for 2023

Ms. Gresser reviewed the proposed meeting schedule for the Legislative Council for 2023, and suggested removing the December 2024 date, as it will follow the convening of a new Legislature..

Motion: That the Legislative Council approve the 2023 Legislative Council meeting schedule, with the removal of the entry for December 2024. Motion by Senator Keim. Second by Senator Vitelli. **Motion passed unanimously (8-0-0-2**, with Senator Stewart and Representative Faulkingham absent)

ANNOUNCEMENTS AND REMARKS

Senator Keim asked the chair about the process for considering bill requests filed after the established cloture deadline. President Jackson responded that his general preference is that after-deadline bill requests be taken up at Legislative Council meetings, but that occasionally timing concerns result in requests to the Presiding Officers to authorize the circulation of a ballot.

With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 2:57 p.m.