SEN. KEVIN L. RAYE
CHAIR

REP. ROBERT W. NUTTING
VICE-CHAIR

EXECUTIVE DIRECTOR
DAVID E. BOULTER

125TH MAINE STATE LEGISLATURE

LEGISLATIVE COUNCIL

SEN. JONATHAN T. E. COURTNEY
SEN. BARRY J. HOBBINS
SEN. DEBRA D. PLOWMAN
SEN. JUSTIN L. ALFOND
REP. PHILIP A. CURTIS
REP. EMILY ANN CAIN
REP. ANDRE E. CUSHING III
REP. TERRY HAYES

MEETING SUMMARY
June 3, 2011

CALL TO ORDER

Legislative Council Chair, Senate President Raye called the June 3, 2011 special meeting of the Legislative Council to order at 5:57 P.M. in the Legislative Council Chamber.

ROLL CALL

Senators:	President Raye, Senator Courtney, Senator Plowman, Senator Hobbins, Senator Alfond
Representatives:	Speaker Nutting, Representative Curtis, Representative Cushing, Representative Cain Absent: Representative Hayes
Legislative Officers:	David E. Boulter, Executive Director of the Legislative Council Patrick Norton, Director, Office of Policy and Legal Analysis Grant Pennoyer, Director, Office of Fiscal and Program Review Suzanne Gresser, Revisor of Statutes Scott Clark, Director, Legislative Information Technology John Barden, Director, Law and Legislative Reference Library Beth Ashcroft, Director, Office of Program Evaluation and Government Accountability Rose Breton, Legislative Finance Director

Senate President Raye convened the meeting at 5:57 P.M. with a quorum of members present.

SUMMARY OF MAY 26, 2011 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary of May 26, 2011 be accepted and placed on file. Motion by Senator Courtney. Second by Representative Cushing. **Motion passed unanimous. (9-0,** with Representative Hayes absent)

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NEW BUSINESS

Item #1: Review of Final Legislative Budget

Executive Director Boulter and Legislative Finance Director Breton reviewed for the Legislative Council the Budget Subcommittee's recommendations for the Legislature's FY2012/2013 budget. $3,494,090 of savings result from the Legislature's component of statewide deappropriations already included in the Governor's proposed budget; this amount is subject to change based on decisions by the Appropriations Committee. A second component of General Fund savings totals $4,463,606 representing additional savings not already accounted for in the proposed budget. Together these components total $8,876,520. However, the Budget Subcommittee also recommended a new appropriation to the Bureau of Capitol Police in the amount of $546,123 thus reducing the net savings to $8,330,397. The new appropriation would be used to hire officers to operate security screening equipment and increase security in the State House. Legislative Finance Director Breton concluded by explaining each component of a proposed motion by the Budget Subcommittee that was distributed to the Legislative Council members.

[Note: Subsequent to the June 3rd meeting, the Appropriations Committee voted changes that resulted in reducing overall savings to legislative accounts to $8,126,054. As a result of those changes made subsequent to the June 3rd meeting, the net savings are $7,579,931.]

The motion as presented was moved by Speaker Nutting, seconded by Representative Curtis.

Senator Alfond expressed his concern about increasing state appropriations for security in this time of economic uncertainty and when there are so many other state priorities competing for funding in the biennial budget. He commented that he felt that the State House already has heightened security, that he has not felt threatened, and that increasing security costs is not necessary at this time.

Senator Courtney stated that when one looks at the totality of the budgetary savings in the Legislative accounts, the expenditure for increasing security in the State House is reasonable, and the additional security measures are necessary.

Speaker Nutting concurred and noted that there are components of the Legislative budget with which individual members may be uncomfortable, but the Budget Subcommittee developed and presented its recommendation reflecting its best judgment.

Senator Plowman stated that she supports increasing building security and reminded Legislative Council members that each of the 3 threat assessments conducted on the State House has recommended measures that are consistent with this new funding proposal.

President Raye commented that the nation's Capitol and even the federal building in Augusta have extensive security/screening measures in place, and that increasing security would be in keeping with other state capitols. The budget proposed is not extreme when viewed in light of the security issues and threats in this day and age. He reiterated that the Legislative Council has a responsibility to protect the safety of people who enter the State House. He concluded by stating this budget action on security is the responsible action to take.

Senator Hobbins questioned whether this proposed security expenditure would be exempted from budget reductions had it already been part of the existing budget. He suggested that it likely would be subject to a budget cut.

Representative Cain commented that it is appropriate to articulate a philosophical perspective on the security matter, a perspective that was expressed by Legislative Council members during the discussions of the State House Facilities Committee and the Budget Subcommittee. It does not necessarily reflect opposition to the budget, but instead a statement of priorities. The Budget Subcommittee's recommendation reflects compromise, as it should.

President Raye agreed.

Motion: That upon the recommendation of the Budget Subcommittee, the Legislative Council approve General Fund budget savings totaling $4,463,606 to be achieved in legislative accounts during the 2012-2013 biennium through a combination of General Fund deappropriations and by lapsing funds to the General Fund in accordance with the subcommittee's recommendations;

FURTHER, that upon the recommendation of the Budget Subcommittee, the Legislative Council approve a General Fund appropriation in the amount of $244,974 in fiscal year 2011-12 and $301,149 in fiscal year 2012-13 to the Bureau of Capitol Police for the express purpose of hiring law enforcement and security officers to fully provide security screening and law enforcement presence on a full-time basis in and in the immediate vicinity of the State House;

FURTHER, that upon the recommendation of the Budget Subcommittee, the Legislative Council approve adjustments related to the Legislature's share of the statewide deappropriations from changes to future state pension obligations, changes to future retiree health insurance obligations and a recalculation of the baseline pension budget. These adjustments remove the value of the projected savings calculated for the Legislature from the statewide deappropriations and place them in the appropriate legislative programs. These adjustments do not affect the overall statewide savings to be achieved as a result of these proposals;

FURTHER, that upon the recommendation of the Budget Subcommittee, the Legislative Council implement Personal Services cost savings measures regarding step increases and longevity stipends affecting legislative employees, consistent with measures recommended by the Joint Standing Committee on Appropriations and Financial Affairs for Executive and Judicial Branch employees and reflected in its committee amendment;

FURTHER, that upon the recommendation of the Budget Subcommittee, the Legislative Council approve the subcommittee's recommended language pertaining to the suspension of the COLA for legislators, clarification of the attrition rate for the 2012-2013 budget and clarification of the scope of the duties of the Streamline and Prioritize Core Government Services Task Force; and

FURTHER, that the Executive Director be directed to prepare and transmit all necessary implementing language reflecting this decision 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 2012-2013 budget bill. Motion by Speaker Nutting. Second by Representative Curtis. **Motion passed. (8-1,** with Senator Alfond opposed and Representative Hayes absent)

ANNOUNCEMENTS AND REMARKS

President Raye remarked that he appreciated the discussion today and the manner in which the Legislative Council members approached the budget and building security issues.

The Legislative Council meeting was adjourned at 6:26 P.M. on a motion by Speaker Nutting, seconded by Representative Cain. **Motion passed unanimous (9-0,** with Representative Hayes absent).

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