

# MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

JUNE 9, 1987

PRELIMINARY AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

- Summaries of May 27 and June 2, 1987, Council Meetings

DIRECTOR'S REPORT

REPORTS FROM COUNCIL COMMITTEES

OLD BUSINESS

NEW BUSINESS

- Item #1: Study Requests
- Item #2: Carry Over Requests
- Item #3: After Deadline Requests

SEN. CHARLES P. PRAY  
CHAIRMAN

REP. JOHN L. MARTIN  
VICE-CHAIRMAN



STATE OF MAINE  
LEGISLATIVE COUNCIL  
STATE HOUSE  
AUGUSTA, MAINE 04333

SEN. NANCY RANDALL CLARK  
SEN. DENNIS L. DUTREMBLE  
SEN. THOMAS R. PERKINS  
SEN. CHARLES M. WEBSTER  
REP. JOHN N. DIAMOND  
REP. DAN A. GWADOSKY  
REP. THOMAS W. MURPHY, JR.  
REP. EUGENE J. PARADIS

## LEGISLATIVE COUNCIL

MAY 27, 1987

### MEETING SUMMARY

APPROVED JUNE 9, 1987

#### CALL TO ORDER

The meeting of the Legislative Council was called to order in the Council Chambers by the Chair, Senator Pray, at 10:32 a.m.

#### ROLL CALL

Senators: Sen. Clark, Sen. Dutremble, Sen. Pray, Sen. Webster  
Absent: Sen. Perkins

Representatives: Rep. Diamond, Rep. Gwadosky, Rep. Murphy, Rep. Paradis  
Absent: Rep. Martin

#### Legislative Officers:

Sally Diamond	Executive Director, Legislative Council
Peter Siegel	Law Librarian
Bent Schlosser	Director, Office of Fiscal and Program Review
Helen Ginder	Director, Office of Policy and Legal Analysis
David Silsby	Revisor of Statutes

#### SECRETARY'S REPORT

The summary of the Council's May 19, 1987, meeting was approved and placed on file (Motion by Rep. Diamond; second by Rep. Gwadosky; unanimous).

DIRECTOR'S REPORT

Item #1: Approved Step Increases

Sally Diamond reported that she had approved step increases for the following:

Jim Clair, Principal Analyst (Salary Range 12), from Step A to Step B, effective May 20.

Martha Freeman, Principal Attorney (Salary Range 12), from Step C to Step D, effective May 28.

Laura Goss, Law Library Associate (Salary Range 5), from Step G to Step Q, effective May 15.

Cheryl Ring, Principal Analyst (Salary Range 12), from Step B to Step C, effective May 20.

Motion: That the Director's Report be accepted and placed on file (Motion by Rep. Diamond; second by Sen. Clark; unanimous).

REPORTS FROM COUNCIL COMMITTEES

Item #1: Committee on Effective Utilization of Legislative Space

Sen. Pray, Committee Chair reported that the Committee had met and agreed, although a quorum was not present, to recommend the following to the full Council.

Motion: That the Council authorize engaging the services of the architectural firm of Moore/Weinrich & Woodward for the purpose of developing designs and specifications for handicapped access to the House Gallery, for creating additional space both on the mezzanine level, above the Office of Fiscal and Program Review, and on the first floor at the south end of the building; and that the Executive Director be directed to request funds in the Part II budget sufficient to cover these services and estimated costs of completing construction (Motion by Sen. Pray; second by Rep. Diamond; unanimous).

OLD BUSINESS

Item #1: Proposal to NCSL to Study Education Fund Formulas

Motion: That the communication be accepted and placed on file (Motion by Sen. Clark; second by Rep. Diamond; unanimous).

NEW BUSINESS

Item #1: After Deadline Requests

A list of After Deadline Requests considered by the Council and a summary of the Council's action is attached.

Item #2: Requests to Carry Bills Over to the Second Regular Session

A list of Carry Over Requests considered by the Council and a summary of the Council's action is attached.

ADJOURNMENT

The Legislative Council meeting was adjourned at 11:05 a.m. (Motion by Sen. Dutremble; second by Rep. Diamond; unanimous).

SEN. CHARLES P. PRAY  
CHAIRMAN

REP. JOHN L. MARTIN  
VICE-CHAIRMAN



STATE OF MAINE  
LEGISLATIVE COUNCIL  
STATE HOUSE  
AUGUSTA, MAINE 04333

SEN. NANCY RANDALL CLARK  
SEN. DENNIS L. DUTREMBLE  
SEN. THOMAS R. PERKINS  
SEN. CHARLES M. WEBSTER  
REP. JOHN N. DIAMOND  
REP. DAN A. GWADOSKY  
REP. THOMAS W. MURPHY, JR.  
REP. EUGENE J. PARADIS

## LEGISLATIVE COUNCIL

JUNE 2, 1987

### MEETING SUMMARY

APPROVED JUNE 9, 1987

### CALL TO ORDER

The meeting of the Legislative Council was called to order in the Council Chambers by the Chair, Senator Pray, at 11:50 a.m.

### ROLL CALL

Senators: Sen. Clark, Sen. Dutremble, Sen. Perkins, Sen. Pray,  
Absent: Sen. Webster

Representatives: Rep. Diamond, Rep. Gwadosky, Rep. Martin, Rep. Murphy, Rep. Paradis

#### Legislative Officers:

Sally Diamond	Executive Director, Legislative Council
Peter Siegel	Law Librarian
Bent Schlosser	Director, Office of Fiscal and Program Review
Helen Ginder	Director, Office of Policy and Legal Analysis
David Silsby	Revisor of Statutes

### SECRETARY'S REPORT

No Report.

DIRECTOR'S REPORT

Item #1: Approved Step Increases

Sally Diamond reported that she had approved step increases for the following:

Tim Glidden, Analyst, from Step F to G, effective June 12.

Teen Lerette, Administrative Coordinator, from Step B to Step C, effective June 15.

Bent Schlosser, Director of Fiscal and Program Review, from Step E to Step F, effective June 9.

Motion: That the Executive Director's Report be accepted and placed on file (Motion by Sen. Clark; second by Sen. Dutremble; unanimous).

REPORTS FROM COUNCIL COMMITTEES

No Reports.

OLD BUSINESS

None.

NEW BUSINESS

None.

REPORTS FROM COUNCIL COMMITTEES

Item #1: After Deadline Requests

A list of After Deadline Requests considered by the Council and a summary of the Council's action is attached

Item #2: Requests to Carry Bills Over to the Second Regular Session

A list of Carry Over Requests considered by the Council and a summary of the Council's action is attached.

ADJOURNMENT

The Legislative Council meeting was adjourned at 12:23 p.m.  
(Motion by Sen. Dutremble; second by Rep. Diamond; unanimous).



LEGISLATIVE COUNCIL

ACTION ON INTERIM STUDY REQUESTS

JUNE 9, 1987

<u>Committee</u>	<u>Study Topic</u>	<u>Proposed Study Committee</u>	<u>Meetings</u>	
Agriculture	(See Statutory List)			
Banking and Insurance	a) Feasibility of Establishing a 3 Member Insurance Commission	5 member subcommittee	4 subcommittee	APPROVED
	b) Oversight of Department's Study of Sales of Insurance Products by Financial Institutions (See also Statutory List)	Full committee	1	APPROVED
Business Legislation	Uniform Unclaimed Property Act (L.D. 1298)	Full Committee	4	APPROVED
Economic Development	Regional Economic Development Strategies and Policies and the Implementation of these Strategies	Full Committee	4 (in different regions of the state)	APPROVED
Judiciary	Surrogate Parenting	Full Committee	4	APPROVED
Legal Affairs	Law Enforcement Training and Funding for the Maine Criminal Justice Academy (See also Statutory List)	Sen. Kany, Rep. Priest Rep. Paul, Rep. Stevens Rep. Tupper	3	APPROVED
Marine Resources	Establish a Tax to Provide for the Comprehensive Monitoring of Paralytic Shellfish Poison (L.D. 1328)	Rep. Mitchell Sen. Matthews Rep. Coles, Rep. Rice Rep. Look	3	APPROVED
State & Local Govt.	a) Reimbursement to Political Subdivisions of State for Costs Incurred by Political Subdivisions to Implement State-Mandated Programs and Agency Rules	5 member subcommittee	4 subcommittee 1 full committee	APPROVED
	b) Conflicts of Interest/State Employees and Members of Boards and Commissions (See also Statutory List)	5 member subcommittee	4 subcommittee 1 full committee	APPROVED

Committee

Study Topic

Proposed Study Committee Meetings

Utilities

Electric Power Planning

5 member subcommittee

4 subcommittee  
1 full committee

APPROVED

(See also Statutory List)



MAINE STATE LEGISLATURE  
Augusta, Maine 04333

COMPENSATION COMMISSION

June 4, 1987

Honorable Charles P. Pray, President of the Senate  
Honorable John L. Martin, Speaker of the House  
113th Maine Legislature  
State House  
Augusta, Maine 04333

Dear Senator Pray and Representative Martin:

Pursuant to its Interim Report, which was submitted to the Legislature on April 30, the State Compensation Commission is pleased to present its findings and recommendations regarding the compensation of the Secretary of the Senate, the Clerk of the House and their assistants.

We would be happy to answer any questions you may have regarding our recommendations.

Sincerely,

A handwritten signature in dark ink, appearing to read "Stephen R. Crockett".

Stephen R. Crockett  
Chairman

Enclosure

MAINE STATE  
COMPENSATION COMMISSION

REPORT  
MAY 26, 1987

Commission Members:

Stephen R. Crockett, Chair  
Phillip Annis  
Robert J. Dunfey, Jr.  
Paul K. McCann  
Jane M. Roy

MAINE STATE COMPENSATION COMMISSION  
SPECIAL REPORT  
MAY 26, 1987

INTRODUCTION

Prior to the 111th Legislature, the specific weekly salaries of the Secretary of the Senate and Clerk of the House and their Assistants were set by statute. In its report to the 110th Legislature the Maine State Compensation Commission recommended that these positions be assigned to pay ranges in the classified state service. The 111th Legislature enacted this recommendation, and the Secretary and Clerk and their Assistants are now assigned to Salary ranges 32 and 24 respectively. The law further specifies that the Legislative Council has the authority to assign the occupants of these positions to specific steps within these ranges.

Succeeding Compensation Commissions have reviewed these salary assignments and found them to be appropriate. However, this Commission was specifically asked by the Legislative Council to review these salaries in the context of the recently adopted classification and pay plans for both non-partisan and leadership staff. This Commission has completed its review of these salary assignments and presents the following findings and recommendations.

FINDINGS

The Secretary of the Senate, Clerk of the House and their Assistants are all assigned to the highest step in their respective salary ranges giving them current annual salaries as follows:

Secretary/Clerk	\$41,680.
Ass't Secretary/ Ass't Clerk	\$30,414.

They were placed in these steps in December, 1985, by action of the Legislative Council.

The Legislative Council unanimously adopted comprehensive classification and salary plans for both the non-partisan staff and staff in the leadership offices in the fall of 1986. These plans provide internal consistency and equity among the legislative offices and among positions having comparable responsibility and authority.

In its review the Commission has related both classification plans, as well as the salary schedules for confidential employees and classified state employees to the offices of Secretary, Clerk, and to those of the two assistants. The Commission also collected information regarding the scope of administrative and supervisory duties and responsibilities of each position. Salaries of the positions were also compared to those of others elected to office by the Legislature.

The Commission's recommendations are designed to balance issues of equity within the Legislative staff and to place the Clerk and Secretary with their peers.

#### RECOMMENDATIONS

The Commission recommends the following:

1. Effective, July 1, 1987, assign the Secretary of the Senate, the Clerk of the House and their Assistants to salary ranges in the Salary Schedule adopted by the Legislative Council for legislative employees as follows:

Secretary of the Senate/ Clerk of the House:	Range 14
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Ass't Secretary of the Senate/ Ass't Clerk of the House:	Range 09
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The recommended range and step assignments of the Secretary and Clerk within this salary schedule reflect the Commission's conclusion that the scope and level of duties and responsibilities assigned to these two officers are comparable to those of the non-partisan Office Directors.

The Commission recommends that the Assistant Secretary and Assistant Clerk be assigned to Salary Range 09. This salary level is comparable to positions in the legislative plan whose duties require some previous work experience, but are performed under direct supervision.

Proposed legislation to amend 3 MRSA § 162-A to incorporate this recommendation is attached to this report.

2. Assign the incumbents in these positions to steps within the recommended ranges on July 1, 1987, as follows:

Secretary/Clerk:	Step C	(\$46,272)
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Assistant Secretary/ Assistant Clerk:	Step E	(\$31,363)
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These increases recognize that the individuals occupying these positions have been "topped out" since December, 1985.

3. The Legislative Council should consider an additional step increase in December, 1987, as follows:

Secretary/Clerk:                      Step D    (\$48,586)

Assistant Secretary/  
Assistant Clerk:                      Step F    (\$32,932)

This recommendation is designed to re-establish, to the extent possible, a schedule for consideration of annual increases that is consistent with the term of office.

4. Assign persons newly elected to these positions to Steps A or B of the recommended ranges. Commission members recognize the need for the Legislative Council to have some flexibility to consider a newly-elected individual's prior related experience and salary history. The proposed recommendation for salary at initial appointment is consistent with the statutory provisions for the other state officials elected by the Legislature, with the policies the Legislative Council has adopted for non-partisan and leadership staff.

The result of this recommendation is that the Secretary and the Clerk and their Assistants will not necessarily be in the same steps of their respective ranges in future years. The Commission believes it is essential that the salaries of the incumbents in these positions reflect their actual length of service in the position.

5. Award step increases to the two final steps, or "career steps"; on the legislative salary schedules in a manner consistent with policies already established for non-partisan legislative staff. The ranges in the legislative pay plan consist of nine steps, to provide the starting salary (Step A), six annual increments and two "career" steps, which provide increments to individuals in recognition of their length of service. As with non-partisan employees, movement to these career steps is dependent upon years of service in the particular position and not total legislative service.

FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY SEVEN

AN ACT TO

Be it enacted by the People of the State of Maine as follows

Sec. 1. 3 MRSA § 162-A, as amended by P.L. 1985, c. 862, § 4, is repealed and the following enacted in its place:

Notwithstanding any other provisions of law, the salaries of the following legislative officials shall be at the salary ranges indicated in this section. At the time of initial appointment the salary of each of these officials shall be set at Step A and, in no case, shall it exceed Step B of their respective ranges. The Legislative Council may adjust the salary of each official by one step for each year of continuous service after the initial appointment of office.

The salary ranges shall be those established by the Legislative Council for legislative staff. No other state salary may be paid to these officials.

1. **Range 14:** The salaries of the following state officials and employees shall be within Salary range:

Secretary of the Senate; and  
Clerk of the House of Representatives.

2. **Range 9:** The salaries of the following State Officials and employees shall be within salary range:

Assistant Secretary of the Senate; and  
Assistant Clerk of the House of Representatives.



## Legislative Council

Action on Requests to Carry Over Bills  
to the Second Regular Session  
June 9, 1987

Committee Name	Title	Sponsors	Action
Agriculture L.D. 1632	An Act Relating to the Maine Milk Commission	MATTHEWS Z NUTTING WEYMOUTH DILLENBACK	APPROVED
L.D. 1746	An Act to Conserve Agricultural Production Capability and to Promote Harmony between Agriculture and Adjacent Development	LISNIK NUTTING RIDLEY PERKINS	APPROVED
Business Legislation L.D. 1044	An Act to Establish a Voluntary Statewide Building Code and Require Basic Written Contracts for Home Construction Work	BRANNIGAN RYDELL	APPROVED
Energy & Natural Resources L.D. 247	An Act to Revise the Energy Building Standards Act	KERRY TUTTLE JACQUES HOGLUND	APPROVED
L.D. 1006	An Act to Establish a Moratorium on Land Leases Affecting Tree Growth Classification	MARTIN J PRAY WEBSTER C JACQUES	APPROVED
L.D. 1274	An Act Concerning Radioactive Waste Disposal Facilities on Indian Territory	KANY PEARSON MOHOLLAND VOSE	APPROVED
L.D. 1307	An Act to Enhance Public Access and Outdoor Recreation Opportunities	MATTHEWS Z MAYO WEYMOUTH	APPROVED

## Legislative Council.

Action on Requests to Carry Over Bills  
to the Second Regular Session  
June 9, 1987

<u>Committee Name</u>	<u>Title</u>	<u>Sponsors</u>	<u>Action</u>
Human Resources L.D. 1705	An Act to Amend the General Assistance Laws (Reported Pursuant to Private and Special Law, Chaps. 79 and 131 of 1985)		APPROVED
L.D. 1706	An Act to Amend the General Assistance Laws (Reported Pursuant to Private and Special Law, Chaps. 79 and 131 of 1985)		APPROVED

--- End of Report ---

SENATE

ZACHARY MATTHEWS, DISTRICT 13, CHAIR  
R. DONALD TWITCHELL, DISTRICT 15  
HENRY W. BLACK, DISTRICT 25

CHRISTOS GIANOPOULOS, LEGISLATIVE ANALYST  
HAVEN WHITESIDE, LEGISLATIVE ANALYST  
MARSHA GENDREAU, COMMITTEE CLERK



HOUSE

ROBERT J. TARDY, PALMYRA, CHAIR  
JOHN A. ALIBERTI, LEWISTON  
B. CAROLYNE T. MAHANY, EASTON  
JOHN N. NUTTING, LEEDS  
ROBERT E. HUSSEY, JR., MILO  
WESTON R. SHERBURNE, DEXTER  
PAUL PARENT, BENTON  
HARLAND W. BRAGG, SIDNEY  
WALTER E. WHITCOMB, WALDO  
SUSAN J. PINES, LIMESTONE

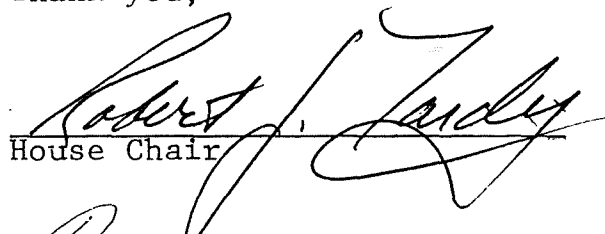
STATE OF MAINE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
COMMITTEE ON AGRICULTURE

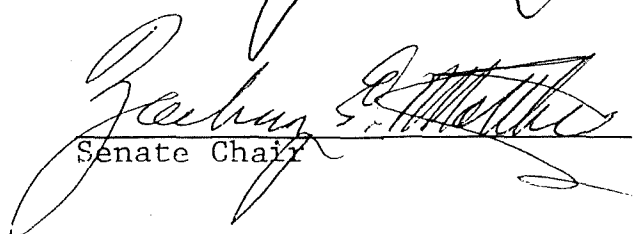
June 4, 1987

President of the Senate:

The Committee on Agriculture requests permission to hold over to the next regular session two bills.  
L.D. 1632 - "An Act Relating to the Maine Milk Commission"  
L.D. 1746 - "An Act to Conserve Agricultural Production Capability and to Promote Harmony between Agriculture and Adjacent Development."

Thank you,

  
House Chair

  
Senate Chair

SENATE

N. PAUL GAUVREAU, DISTRICT 23, CHAIR  
JOHN M. KERRY, DISTRICT 31  
BARBARA A. GILL, DISTRICT 32

JOHN SELSER, LEGISLATIVE ANALYST  
LARRY ALBEE, COMMITTEE CLERK



HOUSE

PETER J. MANNING, PORTLAND, CHAIR  
NEIL ROLDE, YORK  
P. KELLEY SIMPSON, CASCO  
BRADFORD E. BOUTILIER, LEWISTON  
MARGARET PRUITT CLARK, BRUNSWICK  
JO ANNE D. LAPOINTE, AUBURN  
SUSAN J. PINES, LIMESTONE  
PRISCILLA G. TAYLOR, CAMDEN  
JEAN T. DELLERT, GARDINER  
WESLEY FARNUM, SOUTH BERWICK

STATE OF MAINE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
COMMITTEE ON HUMAN RESOURCES

June 4, 1987

Senator Charles P. Pray  
Chairman, Legislative Council  
State House  
Augusta, Maine 04333

Dear Senator Pray:

The Committee on Human Resources requests permission to carry-over the following L.D.s:


L.D. 1705 - An Act to Revise the General Assistance Laws

L.D. 1706 - An Act to Amend the General Assistance Laws

These bills, with their complex nature, deserve careful study and consideration. Every effort will be made to study both the issue and substance of these critical pieces of legislation between sessions.

Thank you for your consideration.

Sincerely,

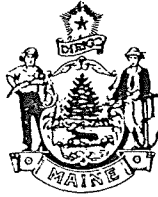
  
Rep. Peter J. Manning  
House Chair

  
Sen. N. Paul Gauvreau  
Senate Chair

/kj

SENATE

JOHN E. BALDACCI, DISTRICT 10, CHAIR  
JOSEPH C. BRANNIGAN, DISTRICT 29  
R. PETER WHITMORE, DISTRICT 22



HOUSE

CAROL ALLEN, WASHINGTON, CHAIR  
JOHN A. ALIBERTI, LEWISTON  
NORMAN O. RACINE, BIDDEFORD  
CARL F. SHELTRA, BIDDEFORD  
CHRISTOPHER SCOTT GURNEY, PORTLAND  
JOHN TELOW, LEWISTON  
GERALD A. HILLOCK, GORHAM  
CATHARINE K. LEBOWITZ, BANGOR  
ALBERT G. STEVENS, SABATTUS  
GARY W. REED, FALMOUTH

JOHN KNOX, LEGISLATIVE ANALYST  
DOUGLAS HOLMES, COMMITTEE CLERK

STATE OF MAINE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
COMMITTEE ON BUSINESS LEGISLATION

June 5, 1987

Senator Charles Pray, Chairman  
Legislative Council  
Maine State Legislature

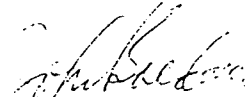
Dear Chairman Pray:


The Joint Standing Committee on Business Legislation requests permission to hold over to the 2nd session of the 113th Legislation LD 1044 "AN ACT to Establish a Voluntary Statewide Building Code and Require Basic Written Contracts for Home Construction work" as amended to be titled "AN ACT to Require Basic Written Contracts for Home Construction Work".

The reason for this holdover request is that on June 2nd a number of technical errors were discovered in this bill by the House Counsel. He has determined that time does not permit remedying these errors in this session and has recommended that the bill be referred back to Committee.

The content of this bill is important to the Attorney General's Office and the Committee and, since the Committee has spent considerable time with the bill, the Committee would like to hold the bill over to the next session so that these errors may be corrected.

Sincerely yours,

  
John Baldacci, Senate Chair  
Committee on Business  
Legislation

  
Carol Allen, House Chair  
Committee on Business  
Legislation

JK/BUS/jj/0718\*