

# MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

DECEMBER 22, 1987

REVISED AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

- Summary of November 18, 1987, Council Meeting

DIRECTOR'S REPORT

- Approved Step Increases
- Authorization to Hire Mark Rosen, Office of Revisor of Statutes
- Resignation: Christos Gianopoulos, Office of Policy & Legal Analysis

REPORTS FROM COUNCIL COMMITTEES

Item #1: Personnel Committee

Item #2: Committee on Legislative Automation

OLD BUSINESS

- Item #1: Request From Blue Ribbon Commission to Study the Regulation of Health Care Expenditures for Technical Assistance From NCSL ((Previously tabled at 11/18/87 meeting)

NEW BUSINESS

- Item #1: Step Increases for Constitutional Officers
- Item #2: Institute on Maine Economy: Request For Leadership Participation
- Item #3: Submission of Study Report on Reimbursement for State Mandates from Jt. Standing Committee on State & Local Government
- Item #4: Request from Jt. Standing Committee on State and Local Government for Extension of Reporting Date of Conflict of Interest Study

- Item #5: Request for Clarification of Procedures for  
Reclassification and Awarding Salary Increases  
to Leadership Staff (Memo from Rep. Diamond and  
Rep. Gwadosky)
- Item #6: Request from Jt. Standing Committee on Banking  
and Insurance for Extension of Statutory Study  
of Relationship Between Nonprofit Service  
Agencies And Professional Liability And Other  
Hard-To-Obtain Lines Of Liability Insurance  
(Letter from Sen. Theriault and Rep. Rydell)
- Item #7: Request from Committee to Study Teacher Training  
in the University of Maine System for funds to  
print final report
- Item #8: 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

NOVEMBER 18, 1987

### MEETING SUMMARY

#### CALL TO ORDER

The meeting of the Legislative Council was called to order in the Council Chambers by the Chair, Senator Pray, at 2:45 p.m.

#### ROLL CALL

Senators: Sen. Clark, Sen. Dutremble, Sen. Perkins, Sen. Pray, 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
John H. Bailey	Information Systems Director

#### SECRETARY'S REPORT

The summary of the Council's October 30, 1987, meeting was approved and placed on file (Motion by Rep. Gwadosky; second by Rep. Murphy; unanimous).

DIRECTOR'S REPORT

Sally Diamond, Executive Director, recommended step increases for the following:

Rita Bouchard, Associate Law Librarian, Law & Legislative Reference Library, (Salary Range 12), from Step A to Step B, effective November 7.

Elizabeth H. Gosselin, Programmer, Office of the Revisor, (Salary Range 8), from Step F to Step G, effective December 1.

Dorothy Rollins, Information Officer, Office of Legislative Information, (Salary Range 5) from Step Q to Step X, effective October 18.

John Knox, Legislative Analyst, Office of Policy and Legal Analysis, (Salary Range 10), from Step E to Step F, effective October 29.

REPORTS FROM COUNCIL COMMITTEES

Item #1: Committee on Allocation of Legislative Space

Sen. Pray, Chair, reported that the Committee had met earlier today with representatives from the architectural firm of Moore/Weintrich & Woodward. The Committee will present some recommendations regarding reassignment of offices for the Second Regular Session at the December Council meeting.

OLD BUSINESS

None.

## NEW BUSINESS

Item #1: Request to Convene Education Committee for one day in December to meet with Chancellor Woodbury

Sen. Estes and Rep. Bost, Committee Chairs, sent a letter requesting authorization to convene the full Committee for one day to meet with Chancellor Woodbury to discuss several topics which will be of significance during the Second Regular Session.

Motion: That the request be approved (Motion by Rep. Diamond second by Rep. Murphy; unanimous).

Item #2: Requests to Extend Reporting Deadlines

Several Commissions and Committees requested extensions of reporting deadlines. These requests and the Council's action are summarized below:

- Commission to Review Overcrowding at Augusta and Bangor Mental Health Institutes (letter from Sen. Bustin)

Motion: That the request be approved (Motion by Rep. Murphy; second by Rep. Diamond; unanimous).

- Joint Standing Committee on Economic Development Committee: Regional Economies in Maine (letter from Sen. Andrews and Rep. Crowley)

Motion: That the request be approved (Motion by Rep. Paradis; second by Rep. Murphy; unanimous).

- Joint Standing Committee on State & Local Government: Study of Conflict of Interest in State Government (letter from Sen. Tuttle & Rep. Carroll)

Motion: That the request be approved (Motion by Rep. Diamond; second by Rep. Paradis; unanimous).

- Commission to Study Integration of Maine State Retirement System with Social Security System (letter from Sen. Clark)

Motion: Noting that this extension requires legislation, the Council voted unanimously to approve the request (Motion by Sen. Clark; second by Rep. Diamond; unanimous).

- Judiciary Committee:

- Surrogate Parenting

Motion: That the request be approved (Motion by Rep. Diamond; second by Rep. Murphy; unanimous).

- Driving Under the Influence of Illegal Drugs (letters from Sen. Brannigan and Rep. Paradis)

Motion: That the request be approved (Motion by Sen. Webster; second by Rep. Diamond; unanimous).

- Joint Select Committee on Corrections (letter from Sen. Bustin)

Motion: That the request and the contract extension be approved (Motion by Rep. Diamond; second by Sen. Perkins; unanimous). Sally Diamond noted that it would be necessary to extend the contract with Annika Lane, who was hired to provide staff assistance to the Committee through February.

Item #3: Request from the Blue Ribbon Commission to Study Regulation of Health Care Expenditures to apply for technical and financial assistance from NCSL

Sen. Gauvreau, Commission Chair, sent a letter to the Council requesting authorization to apply for technical and financial assistance from NCSL through a special Health Care Cost Containment Project.

Motion: That the request be tabled and that the Executive Director contact Sen. Gauvreau to obtain more information and report to the Council (Motion by Rep. Diamond; second by Sen. Clark; unanimous).

Item #4: Legislators' Appeals on Requests to Introduce Legislation to the Second Regular Session

Appeals on Requests to Introduce Legislation to the Second Regular Session were considered by the Legislative Council. A record of the Council's action is on file in the Executive Director's Office.

Item #5: After Deadline Requests

After Deadline Requests were considered by the Council. A record of the Council's action is on file in the Executive Director's Office.

Item #6: Carry Over Request

The Joint Standing Committee on Labor requested permission to carry over L.D. 1919, "An Act to Encourage Prompt and Peaceful Settlements of Labor Disputes" to the Second Regular Session of the 113th Legislature.

The Council approved the request (6-1).

**ADJOURNMENT**

The Legislative Council meeting was adjourned at 6:17 p.m.  
(Motion by Rep. Diamond; second by Rep. Murphy; unanimous).





MAINE STATE LEGISLATURE  
OFFICE OF THE EXECUTIVE DIRECTOR  
LEGISLATIVE COUNCIL

DIRECTOR'S REPORT

DECEMBER 21, 1987

Approved Step Increases

Carrie S. Berry, Engrossing Technician, Office of Revisor of Statutes,  
(Salary Range 5), from Step Q to Step X, effective December 1.

Jean S. Blair, Engrossing Technician, Office of Revisor of Statutes,  
(Salary Range 5), from Step E to Step F, effective December 1.

Theresa Coughlin, Senior Secretary, Office of Fiscal & Program Review,  
(Salary Range 4), from Step D to Step E, effective December 23.

Barbara Gage, Legislative Analyst, Office of Fiscal & Program Review,  
(Salary Range 10), from Step B to Step C, effective December 16.

D. Joyce Garside, Legislative Technician, Office of Revisor of Statutes,  
(Salary Range 4), from Step B to Step C, effective December 9.

Elizabeth H. Gosselin, Computer Programmer, Office of Revisor of Statutes,  
(Salary Range 8), from Step F to Step G, effective December 1.

Laurette Knox, Senior Secretary, Office of Policy & Legal Analysis,  
(Salary Range 4), from Step F to Step G, effective December 6

Theresa M. Lahey, Senior Legislative Technician, Office of Revisor of  
Statutes, (Salary Range 5), from Step E to Step F, effective  
December 1.

Steve Lane, Computer Programmer, Office of Information Systems,  
(Salary Range 8), from Step B to Step C, effective December 30.

Germaine Longley, Leg. Information Assistant, Office of Information  
(Salary Range 4), from Step B to Step C, effective December 13.

Margaret E. Matheson, Legislative Attorney, Office of Revisor of Statutes,  
(Salary Range 10), from Step E to Step F, effective December 27.

Sandra Mayer, Administrative Coordinator, Office of Information Systems,  
(Salary Range 7), from Step C to Step D, effective December 9

Madeleine Roy, Office Assistant II, Office of Law & Legislative Reference  
Library, (Salary Range 2), from Step B to Step C, effective  
December 1.

Lars Rydell, Legislative Analyst, Office of Policy & Legal Analysis  
(Salary Range 10), from Step G to Step Q, effective December 17.

Gerry Thibault, Computer Programmer, Office of Information Systems,  
(Salary Range 8), from Step C to Step D, effective December 24.

The following employees have completed another year of service but are at Step  
G and have not been employed the required length of time required to Step Q:

David Elliott, Legislative Analyst, Office of Policy & Legal Analysis  
Julie Jones, Legislative Analyst, Office Policy & Legal Analysis

SARAH C. DIAMOND  
EXECUTIVE DIRECTOR  
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE  
OFFICE OF THE EXECUTIVE DIRECTOR  
LEGISLATIVE COUNCIL

December 1, 1987

TO: Members of the Legislative Council

SUBJECT: Blue Ribbon Commission on the Regulation of Health Care  
Expenditures: Request for Technical Assistance from NCSL

You will recall that the Council considered a request from Senator Gauvreau, who chairs the Commission, to apply to NCSL for technical assistance. You tabled the request pending the receipt of additional information regarding cost to the Legislature, etc.

John Selser has sent me the enclosed, and I would point out two things:

1. The technical assistance available through this particular project involves development of on-site presentations which have been developed jointly with members and staff of the committee so that the presentation is tailored to the committee's specific interests.
2. This project entails no cost to the state.

I think these two points address the concerns you raised at the Council meeting and would recommended that you give Senator Gauvreau and the Commission approval to proceed with NCSL.

Enclosure

A handwritten signature in cursive script, likely belonging to Sarah C. Diamond.



MAINE STATE LEGISLATURE  
Augusta, Maine 04333

BLUE RIBBON COMMISSION ON HEALTH CARE EXPENDITURES

December 16, 1987

Sen. Charles P. Pray, Chair  
Legislative Council  
State House Station 115  
Augusta, ME 04333

Dear Senator Pray:

I have met with David Landes, the project director for the NCSL Cost Containment Project, to discuss details of potential NCSL assistance to the Blue Ribbon Commission on Health Care Expenditures. NCSL is able to provide staff and consultant services to our commission at no cost.

We have discussed scheduling at least two meetings with David Landes for NCSL technical assistance. At the initial meeting, which has been suggested for early January, David Landes would meet with the Commission to discuss current state health care regulatory initiatives, development of an analytic agenda and procedural format. We hope to have a second meeting with him in late spring or early summer. He will be bringing a health care consultant with him at that time as part of the technical assistance project.

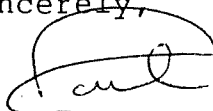
NCSL services under this project, including consultation fees, are available without the necessity of a state match. It does appear that it may be necessary to provide air fare for one of Mr. Landes trips; however we will not be asked to pay for any consultant services. Because of the current uncertainty of federal funding for NCSL, Mr. Landes has asked if we would be able to pay for his January trip.

We believe that small cost would be an appropriate use of the Commission's resources and the return on that cost would be substantial. We hope you will approve our request to seek technical assistance from the NCSL Health Care Cost Containment Project, including the minimal use of Commission funds for Mr. Landes' air transportation.

Should you approve this request, NCSL requires a letter from the Legislative Council requesting NCSL assistance as a predicate to NCSL involvement with our Commission.

We appreciate your interest in our progress and hope you will approve our request in time to set up a meeting in early January with David Landes. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Paul', with a large, sweeping loop at the end.

N. Paul Gauvreau  
Commission Chair

3051\*



MAINE STATE LEGISLATURE  
Augusta, Maine 04333

BLUE RIBBON COMMISSION TO STUDY THE REGULATION  
OF HEALTH CARE EXPENDITURES

Charles P. Pray, Chair  
Legislative Council  
State House Station # 115  
Augusta, ME. 04333

December 21, 1987

Dear Senator Pray,


David Landes, of the National Conference of State Legislatures (NCSL), has agreed to provide assistance to the Blue Ribbon Commission on Health Care Expenditures. He would be available to meet with the Commission on at least two occasions in 1988, once in early January and once later on in the year.

Although we would not be required to pay for any consultant services, NCSL has requested that we pay David's expenses for the first trip, tentatively scheduled for January 6. The second trip's expenses would be paid for by the NCSL.

I would appreciate it if you could request Council approval of this at the next meeting. NCSL requires correspondence from the Council as soon as possible.

Thank you for your consideration of this request.

Sincerely,

  
Senator N. Paul Gauvreau,  
Commission Chair

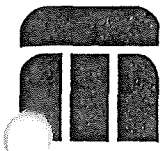
CONSTITUTIONAL OFFICERS

AND

STATE AUDITOR

	<u>Range</u>	<u>Current Salary</u>	<u>Next Step</u> *
Attorney General	90	Step (G) \$56,388.80	*
Secretary of State	87	Step (G) \$47,153.60	*
Treasurer of State	87	Step (F) \$44,928.00	Step (G) \$47,153.60
State Auditor	88	Step (A) \$37,044.80	Step (B) \$38,854.40

\* Statute (3 MRSA § 162-B) provides that Salary of Constitutional Officers may not exceed Step G.



THE MAINE  
DEVELOPMENT  
FOUNDATION

INSTITUTE ON THE  
MAINE ECONOMY

December 7, 1987

Hon. Charles P. Pray  
President of the Senate  
State House Sta. #3  
Augusta, ME 04333

Dear Charlie:

As you are aware, the Institute will inaugurate its 1988 program with an introductory workshop for legislators and business leaders on Thursday, January 7. One of the elements of the workshop is a segment for the business leaders on "How the Legislature Works." We are hopeful we can engage the members of the legislative council in participating in this portion of the workshop; we also would like the council to be apprised of the entire 1988 Institute program.

Please let me know whether or not it would be convenient and appropriate for Henry and me to attend the next council meeting on December 22 to provide the council with a summary of the program and to elicit their support.

Sincerely,

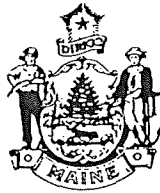
Meredith H. Jones  
Institute Director

cc: Sally C. Diamond ✓



SENATE

JOHN L. TUTTLE, JR., DISTRICT 33, CHAIR  
JOHN E. BALDACCI, DISTRICT 10  
ROBERT R. GOULD, DISTRICT 14



TED POTTER, LEGISLATIVE ANALYST  
JOHN KNOX, LEGISLATIVE ANALYST  
MICHAEL T. FLOOD, COMMITTEE CLERK

HOUSE

DONNELL P. CARROLL, GRAY, CHAIR  
DOROTHY A. ROTONDI, ATHENS  
BRADFORD E. BOUTILIER, LEWISTON  
ELAINE LACROIX, OAKLAND  
ROBERT E. HUSSEY, JR., MILO  
CUSHMAN D. ANTHONY, SOUTH PORTLAND  
ALBERTA M. WENTWORTH, WELLS  
GARY BICKFORD, JAY  
THEONE F. LOOK, JONESBORO  
BARBARA E. STROUT, WINDHAM

STATE OF MAINE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
COMMITTEE ON STATE AND LOCAL GOVERNMENT

December 7, 1987

Senator Charles P. Pray  
Chairman  
Legislative Council  
Maine State Legislature  
State House Station #115  
Augusta, ME 04333

Dear Chairman Pray:

Enclosed is the final report of the Committee to Study Reimbursement for State Mandates. In conjunction with this report, the Committee has submitted to the Revisor of Statutes the following legislation and proposed changes in the joint rules:

- An Act Concerning State Mandates to Local Government
- Joint Rule 5-A - Mandate Legislation

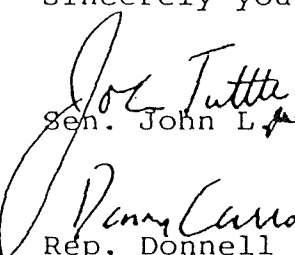
In addition to its own legislation, the Committee is supporting the following legislation that it is believed will

be placed before the Legislature by other sponsors during the coming session:


- Property tax reduction through increased revenue sharing
- Reactivation of the State's Commission on Intergovernmental Relations
- Greater and earlier two-way communication in the rule-making process

The Committee trusts that the Council will find this report of value and welcomes questions or comments concerning it.

Sincerely yours,



Sen. John L. Tuttle



Rep. Donnell P. Carroll

Chairmen of the Committee on  
State and Local Government

2835\*  
00224

SENATE

JOHN L. TUTTLE, JR., DISTRICT 33, CHAIR  
JOHN E. BALDACCI, DISTRICT 10  
ROBERT R. GOULD, DISTRICT 14

TED POTTER, LEGISLATIVE ANALYST  
JOHN KNOX, LEGISLATIVE ANALYST  
MICHAEL T. FLOOD, COMMITTEE CLERK



HOUSE

DONNELL P. CARROLL, GRAY, CHAIR  
DOROTHY A. ROTONDI, ATHENS  
BRADFORD E. BOUTILIER, LEWISTON  
ELAINE LACROIX, OAKLAND  
ROBERT E. HUSSEY, JR., MILO  
CUSHMAN D. ANTHONY, SOUTH PORTLAND  
ALBERTA M. WENTWORTH, WELLS  
GARY BICKFORD, JAY  
THEONE F. LOOK, JONESBORO  
BARBARA E. STROUT, WINDHAM

STATE OF MAINE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
COMMITTEE ON STATE AND LOCAL GOVERNMENT

December 11, 1987

Senator Charles P. Pray, Chairman  
Legislative Council  
State House Station 3  
Augusta, ME 04333

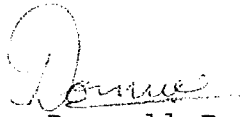
Dear Chairman Pray:

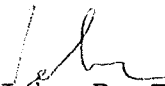
The Joint Standing Committee on State and Local Government, which is studying conflict of interest, respectfully requests an extension of the reporting date of its study to the second week in January 1988. The study subcommittee has completed its work, including the written report and the recommendations that are currently being drafted into legislation.

The next step is full committee approval of the subcommittee's report and recommendations. Although the subcommittee report and legislation will be completed this month, the holidays, along with providing sufficient time for the full committee to read the report and its recommendations prior to the committee meeting, make it impossible for the full committee to meet this month.

The committee appreciates your understanding of this problem. We look forward to your response.

Sincerely,

  
Rep. Donnell P. Carroll  
House Chair

  
Sen. John R. Tuttle, Jr.  
Senate Chair

2941\*



STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
MAJORITY OFFICE  
AUGUSTA, MAINE 04333

JOHN N. DIAMOND  
MAJORITY LEADER

DAN A. GWADOSKY  
ASST. MAJORITY LEADER

December 18, 1987

TO: Speaker John Martin, Chair,  
Personnel Committee

FROM: Rep. John Diamond, Majority Leader  
Rep. Dan Gwadosky, Asst. Majority Leader

This is to inform you that we would like to elevate Larry LaRochelle's status from Legislative Aide (Step C) to Special Assistant (Step A), effective January 7, 1988. On that date, Larry will meet the minimum requirements established by the Council for the position of Special Assistant (two years of on-the-job experience and a four-year degree); in light of his performance on the job and the structure of the classification plan adopted last year, we think it is appropriate that he be reclassified on the abovementioned date.

We also would like some clarification of how the step increases for other employees is to be handled. It is our understanding that a new "anniversary date" of January 1 was established last year for those employees employed when the Council adopted the classification plan last year; others hired after the implementation of the plan would have their actual date of hiring as an anniversary date. Apparently there is some confusion with other offices over this, so we thought it would be appropriate for the Personnel Committee (or the full Council, if you think that's more appropriate) to clarify this before the first of the year.

Thank you for your attention to this matter.

SENATE

RAYNOLD THERIAULT, DISTRICT 1, CHAIR  
BEVERLY MINER BUSTIN, DISTRICT 19  
DONALD F. COLLINS, DISTRICT 2

JERI GAUTSCHI, LEGISLATIVE ANALYST  
SANDRA CHESLEY, COMMITTEE CLERK



HOUSE

CHARLENE B. RYDELL, BRUNSWICK, CHAIR  
PHYLLIS R. ERWIN, RUMFORD  
HERBERT E. CLARK, MILLINOCKET  
P. KELLEY SIMPSON, CASCO  
ROBERT J. TARDY, PALMYRA  
RICHARD H.C. TRACY, ROME  
JOHN C. BOTT, ORONO  
MARY C. WEBSTER, CAPE ELIZABETH  
PHILIP E. CURRAN, WESTBROOK  
JOSEPH A. GARLAND, BANGOR

STATE OF MAINE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
COMMITTEE ON BANKING AND INSURANCE

December 21, 1987

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

Dear Chairman Pray,

The Joint Standing Committee on Banking and Insurance requests another extension until February 15, 1988 for its study, the Relationship between Nonprofit Service Agencies and Professional Liability and Other Hard-to-Obtain Lines of Liability Insurance. The research assistant has just completed a tabulation of the survey and a draft report. Based on the final report from the research assistant, the Subcommittee is requesting that the Bureau of Insurance look at these results to see if the differences in premiums for similar type agencies are unfair or unreasonable and report to the Subcommittee by January 13. The Subcommittee would like to wait for comments on the survey results from the Bureau before making any legislative recommendations to the full Committee. The Committee needs until February 15 to complete a comprehensive study report including proposed legislation..

Thank you for your consideration of this matter.

Sincerely,

*Raynold Theriault*

Raynold Theriault  
Senate Chair

*Charlene Rydell*

Charlene Rydell  
House Chair

JG/B&I/jj/3098\*