

MAINE STATE LEGISLATURE

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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. OUTREMBLE
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

AUGUST 11, 1988

MEETING SUMMARY

APPROVED AUGUST 29, 1988

CALL TO ORDER

The meeting of the Legislative Council was called to order in the Council Chambers by the Chair, Senator Pray, at 1:06 p.m..

ROLL CALL

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

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

Absent: Rep. Murphy

Legislative Officers:

Sally Diamond

Lynn Randall

James Clair

Helen Ginder

David Silsby

Executive Director,
Legislative Council
Law Librarian
Principal Analyst, Office
of Fiscal and Program Review
Director, Office of Policy
and Legal Analysis
Revisor of Statutes

SECRETARY'S REPORT

The summary of the Council's July 21, 1988, meeting was approved and placed on file (Motion by Rep. Martin; second by Sen. Clark; unanimous).

DIRECTOR'S REPORT

Approved Step Increases

Sally Diamond, Executive Director, reported that she had approved the following Step Increase:

Kevin Madigan, Office of Fiscal & Program Review, from Step F to Step G, (Salary Range 10), effective August 29.

Other Personnel Activity

Ms. Diamond reported that Claire Pacquette, who served most recently as a Library Assistant in the Law Library, had submitted her resignation

Motion: That Ms. Pacquette's resignation be accepted with regret and that a letter be sent to Ms. Pacquette expressing the Council's appreciation for her service; and, further that the Law Librarian be authorized to proceed to fill the vacancy in consultation with the Executive Director. (Motion by Rep. Martin; second Sen. Clark; unanimous).

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

EXECUTIVE SESSION

Motion: That the Council go into Executive Session for the purpose of discussing matters related to personnel. (Motion by Rep. Martin; second by Sen. Clark; unanimous).

RECONVENE

The Legislative Council reconvened at 2:20 p.m.

Motion: That _____ be offered the position of Revisor of Statutes, and that the Executive Director be authorized to negotiate salary with Mr. Gordon and report the results to the Council. (Motion by Rep. Martin; second by Rep. Diamond; unanimous).

Motion: That Martha E. Freeman of Hallowell, be offered the position of Director, Office of Policy and Legal Analysis; and, further, that both appointments once accepted, be made for a three-year term in accordance with statute, provided that the Personnel Committee conduct a review with each appointee six months from the initial date of appointment and that reviews thereafter be at the recommendation of the Personnel Committee. (Motion by Rep. Martin; second by Sen. Clark; approved 8 - 1)

Rep. Martin, Committee Chair, commended the members of the Committee and those members of the staff who had participated in the interview process.

COMMITTEE ON LEGISLATIVE AUTOMATION

Rep. Diamond, Committee Chair, reported that although the Committee had not met, he wished to reiterate a prior recommendation from the Committee that games be removed from the computer system. Sally Diamond, Executive Director, agreed to look into the matter.

(No motion).

OLD BUSINESS

None

NEW BUSINESS

NOTE: Items #1 and 2 originally appeared on the Council's Agenda for its July 21 meeting; however, due to lack of a quorum, no action was taken.

Item #1: Utilities Committee/Subcommittee to Study Utility Easements Over Existing Rights-Of-Way: (Request from Rep. Marsano, Subcommittee Chair).

The Subcommittee's letter requested authorization to convene a public meeting in Pembroke on August 19. Discussion focussed on the question raised by Rep. Paradis about why the Committee could not convene a meeting in Augusta.

Motion: That the request be approved. (Motion by Rep. Martin; second by Sen. Clark; failed 4-4).

Motion to Reconsider: (Motion by Sen. Pray; second by Sen. Dutremble; unanimous 9 - 0).

Motion: That the Subcommittee's request be approved (Motion by Sen. Pray; second by Sen. Dutremble; passed 6-3).

Item #2: Cost-of-Living Increases for Constitutional Officers

Ms. Diamond noted that a 3% cost-of-living increase had been awarded to all state employees effective July 1, and that the statute requires Council to apply this increase to the constitutional officers and the State Auditor.

Motion: That a 3% cost-of-living increase be awarded to the constitutional officers and the State Auditor retroactive to July 1, 1988. (Motion by Rep. Martin; second by Sen. Clark; unanimous).

Item #3: Request from Study Subcommittee on Municipal Solid Waste for authorization for additional meetings, including one field trip to New Hampshire. (Letter from Rep. Carter, Study Chair).

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

Item #4: Legislative Study on Rehabilitation: Request for authorization to contract for services pursuant to legislation. (Letter from Rep. Ruhlin, Chair).. The letter from Rep. Ruhlin noted that the legislation authorizing the study had included funds to hire two consultants to help the committee

Item #4 (cont.)

complete its work. Rep. Ruhlin reported that a bid process was underway, and that the study committee anticipated reviewing proposals and selecting the consultants in late August. In order to facilitate the committee's work, Rep. Ruhlin requested Council authorization to make initial payments to the consultants pending final Council approval of the contracts.

Motion: That the Committee to Study Rehabilitation be authorized to proceed with contracting for services pursuant to legislation and to rules previously adopted by the Legislative Council regarding Council oversight of contracts. (Motion by Rep. Martin; second by Sen. Dutremble; unanimous).

Item #5: Request from Commission To Review Overcrowding At AMHI-BMHI for authorization to request technical assistance from NCSL. (Letter from Sen. Beverly Miner Bustin, Co-Chair).

Sen. Bustin's letter requested authorization to request technical assistance from NCSL to arrange for LaVonne Daniels, a consultant, to serve as a facilitator for a two-day meeting the Commission has tentatively scheduled for September 12-13. Ms. Diamond noted that the technical assistance would involve no cost to the Legislature

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

Item #6: Request from Commission On Marine Research for funds for an additional meeting of the Commission. (Letter from Sen. John Tuttle).

Motion: That the request be tabled pending clarification from the Commission Chair, Rep. Coles, that the request was an official request from the Commission. (Motion by Sen. Webster; second by Rep. Martin; unanimous).

Item #7: Requests for Introduction of Legislation to Third Special Session

Requests for Introduction of Legislation to the Third Special Session were considered by the Legislative Council. The Council's action on these requests is included on the attached list.

ADJOURNMENT

The Legislative Council meeting was adjourned at 3:05 (Motion by Sen. Dutremble; second by Sen. Clark; unanimous).