

# MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

August 29, 1988

REVISED AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

- Summary of August 11, 1988, Council Meeting

DIRECTOR'S REPORT

Item #1: Recommendation to hire Rosemarie B. Fredette for position of Analyst, Office of Fiscal and Program Review

Item #2: Step Increase for Richard N. Sawyer, Administrative Services Director

REPORTS FROM COUNCIL COMMITTEES

OLD BUSINESS

NEW BUSINESS

Item #1: Legislative Document Service: Proposed Fee Schedule for 114th Legislative Biennium (Letter from Ed Pert, Clerk of the House)

Item #2: Subcommittee on Rehabilitation: Proposed Contractors for Studies Pursuant to Statute. (Letter from Rep. Ruhlin, Subcommittee Chair)

Item #3: Bill Requests for Third Special Session (List attached)

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).





*State of Maine*  
*House of Representatives*  
*Augusta 04333*

*Ed Pert*  
Clerk

July 11, 1988

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

Dear Mr. Chairman:

The following proposed schedule of fees for Document Service for the First Regular Session of the 114th Legislature is hereby submitted for the consideration of the Legislative Council.

	<u>113th Rate</u>	<u>Proposed 114th Rate</u>
1. Bills and Resolves FIRST CLASS MAIL - Mailed Daily	\$475.00	\$475.00
2. Bills and Resolves FIRST CLASS MAIL - Mailed Twice Weekly	370.00	370.00
3. Bills and Resolves THIRD CLASS MAIL - Mailed Twice Weekly	275.00	275.00
4. Bills and Resolves PICKED UP AT DOCUMENT ROOM	140.00	140.00
5. Amendments (As a combination with any Legislative Document Service) Mailed Weekly	80.00	80.00
6. Amendments PICKED UP AT DOCUMENT ROOM	42.50	42.50
7. Legislative Record FIRST CLASS MAIL - Mailed Weekly	115.00	115.00
8. Legislative Record PICKED UP AT DOCUMENT ROOM	85.00	85.00
9. Public and Private and Special Laws, Resolves, and Constitutional Amendments FIRST CLASS MAIL - Mailed Weekly	157.50	157.50

The Honorable Charles P. Pray

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July 11, 1988

10. Weekly Computer Printout - Status of Bills FIRST CLASS MAIL	\$200.00	\$200.00
11. Weekly Computer Printout - Status of Bills THIRD CLASS MAIL	100.00	100.00
12. Weekly Computer Printout - Status of Bills PICKED UP AT DOCUMENT ROOM	50.00	50.00
13. Advance Notice of Public Hearings on Bills FIRST CLASS MAIL	20.00	20.00
14. Weekly Listing of Bills Printed and Enacted FIRST CLASS MAIL	20.00	20.00
15. Joint Resolutions FIRST CLASS MAIL	75.00	75.00

These rates are the same as those charged for the First Regular Session of the 113th Maine Legislature.

I will be happy to respond to any questions the Council may have on this proposed schedule which has been discussed with appropriate legislative support agencies.

Sincerely,



Edwin H. Pert  
Clerk of the House

EHP/mmm



MAINE STATE LEGISLATURE

Augusta, Maine 04333

LEGISLATIVE STUDY ON REHABILITATION

August 26, 1988

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

Dear President Pray:

The Subcommittee on Rehabilitation met last week and chose two consultants to help us fill our mandate. Kathryn Maietta from Winterport was chosen to do the outreach portion of our work. Kathryn's strategy for soliciting input and her work plan was favored by a majority of the Subcommittee at our meeting.

Dr. Monroe Berkowitz and Dr. John Burton will be assisting the Subcommittee in doing an overview of Maine's current rehabilitation system and suggesting alternatives.

We hope to develop and sign letters of understanding with both these parties within the coming weeks and will keep the Legislative Council up-to-date on our efforts.

Sincerely,

*Dick Ruhlin*

Rep. Richard Ruhlin  
Chairman  
Subcommittee on Rehabilitation

LEGISLATIVE COUNCIL

BILL REQUESTS: 113TH THIRD SPECIAL SESSION

AUGUST 25, 1988

(NOTE: List of bills previously considered is attached)

SPONSOR: Sen. Pray

COSPONSORS: Sen. Bustin  
Sen. Baldacci  
Rep. Carroll

LR 5826 AN ACT to Establish a Board of Overseers of  
the State Mental Health Institutes.

TABLED  
8/11/88

SPONSOR: Sen. Bustin

LR 5854 AN ACT Related to Watershed Areas.

SPONSOR: Rep. Carter

LR 5850 AN ACT to Clarify the Issuance of Securities  
by the Maine Court Facilities Authority.

SPONSOR: Sen. Clark

LR 5849 AN ACT to Provide Funds for a Secure Fence  
Around the Perimeter of the Maine Youth Center.

SPONSOR: Sen. Clark

LR 5855 AN ACT to Create the Maine Motor Fuel Sales  
Competition Improvement Act.

SPONSOR: Sen. Estes

LR 5853 AN ACT to Clarify the Implementation of the  
Overboard Discharge Replacement Fund and the  
Overboard Discharge Assistance Fund.

SPONSOR: Rep. Joseph

LR 5848 AN ACT to Make Technical Changes in the  
Charter of the Waterville Sewerage District.

SPONSOR: Rep. LaPointe

LR 5844 AN ACT to Provide Compensation to United  
States Military Veterans.

**SPONSOR:** Rep. Lord

LR 5847 AN ACT to Create the South Waterboro  
Water District.

**SPONSOR:** Rep. Paradis

**COSPONSORS:** Rep. Martin  
Sen. Brannigan  
Sen. Black

LR 5851 AN ACT to Ensure the Integrity of the Judicial  
Process under the Bail Law.

**COSPONSORS:** Sen. Bustin  
Rep. Hickey  
Rep. Daggett

LR 5852 AN ACT to Amend Property Tax Exemption Laws.

**SPONSOR:** Sen. Perkins

LR 5845 AN ACT to Increase the Borrowing Capacity  
of the Stonington Water District.

**SPONSOR:** Rep. Zirnkilton

LR 5846 AN ACT to Provide Assistance with the  
Installation of Septic Treatment Systems  
in Homes Owned by the Elderly.

LR 5856 AN ACT to Define the Liability of Directors  
of Nonprofit Clubs.

LEGISLATIVE COUNCIL

TABLED BILL REQUESTS: 113TH THIRD SPECIAL SESSION

AUGUST 29, 1988

SPONSOR: Sen. Clark

LR 5855 AN ACT to Create the Maine Motor Fuel Sales  
Competition Improvement Act.

SPONSOR: Rep. Zirnkilton

LR 5846 AN ACT to Provide Assistance with the  
Installation of Septic Treatment Systems  
in Homes Owned by the Elderly.

LR 5856 AN ACT to Define the Liability of Directors  
of Nonprofit Clubs.

SPONSOR: Sen. Brawn

LR 5864 a bill re: Union Chemical in Hope

SPONSOR: Rep. Manning

LR 5859 An Act to Establish a Home Detention Program.

SPONSOR: Rep. Ridley

LR 5867 An Act to Allow the Raffling of Livestock at  
Agricultural Fairs.

SPONSOR: Rep. Hale

LR An Act to Authorize Payment of Ecuation and  
Care Costs for Sharon Wormwood

SPONSOR: Rep. Diamond

LR 5865 An Act to Fund a Full Time Position for the  
Maine Ethics Commission.

SPONSOR: Rep. J. Martin

LR 5866 An Act to Authorize Additional Staff for the Land  
Use Regulation Commission.

SPONSOR: Rep. Ridley

LR 5867 An Act to Allow the Raffling of Livestock at  
Agricultural Fairs.

8/29/88

LEGISLATIVE COUNCIL

SUPPLEMENT

BILL REQUESTS: 113TH THIRD SPECIAL SESSION

AUGUST 29, 1988

SPONSOR: Sen. Brawn

LR 5864 a bill re: Union Chemical in Hope

SPONSOR: Rep. Manning

LR 5859 An Act to Establish a Home Detention Program.

SPONSOR: Rep. G. Nadeau

LR 5861 An Act Relating to Municipal General  
Obligation Securities.

SPONSOR: Sen. Pray

LR 5860 An Act to Stagger the Filing of Annual  
Corporation Reports with the Secretary of State.

SPONSOR: Sen. Usher

LR 5862 An Act to Provide for One Additional Meeting for  
the Special Commission on Boating.

SPONSOR: Rep. Vose

LR 5858 An Act Relating to the Process by which the  
Position of Elected County Treasurer is  
Replaced by an Appointed County Treasurer.