

# MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

OCTOBER 5, 1988

REVISED AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORTS

- Summaries of September 14, and September 15, 1988, Council Meetings

DIRECTOR'S REPORT

- Approved Step Increases

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

OLD BUSINESS

NEW BUSINESS

Item #1: Request for Additional Meetings of the Study Subcommittee on Municipal Solid Waste. (Letter from Rep. Carter, Study Committee Chair).

Item #2: Notification of Disposal of Surplus Real Property pursuant to Statute. (Memoranda from John Cashwell, Director, Bureau of Forestry).

Item #3: Request for Technical Assistance from NCSL in Child Care/Early Childhood Education.

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

SEPTEMBER 14, 1988

### MEETING SUMMARY

#### CALL TO ORDER

The meeting of the Legislative Council was called to order in Room 221 of the State House by the Chair, Senator Pray, at 4:12 p.m..

#### ROLL CALL

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

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

#### Legislative Officers:

Sally Diamond	Executive Director, Legislative Council
Lynn Randall	State Law Librarian
Jim Clair	Principal Analyst, Office of Fiscal and Program Review
Martha Freeman	Director, Office of Policy and Legal Analysis
David Silsby	Revisor of Statutes
John H. Bailey	Director, Informations Systems
Helen Ginder	Director, Legislative Oversight

## SECRETARY'S REPORT

- The summary of the Council's August 29, 1988, meeting was approved and placed on file. (Motion by Rep. Diamond; second by Sen. Perkins, unanimous).

## EXECUTIVE DIRECTOR'S REPORT

### Item #1: Approved Step Increases

Sally Diamond, Executive Director, reported that she had approved step increases for the following employees based on the recommendations of their respective Office Directors:

Gilbert Brewer, Legislative Analyst (Salary Range 10), from Step D to Step E, effective September 1.

Cynthia Jackson, Legislative Technician (Salary Range 4), from Step D to Step E, effective September 17.

Diane Maheux, Legislative Technician (Salary Range 4), from Step F to Step G, effective September 7.

Kimberly Morrow, Paralegal Assistant (Salary Range 7), from Step B to Step C, effective September 29.

Valerie Parlin, Senior Secretary (Salary Range 4), from Step D to Step E, effective September 17.

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

### Item #2: Approved Out-of-State Travel

Ms. Diamond reported that she had approved Julie Jones' participation in an NCSL Management Development Seminar in Coeur'd Alene, Idaho, September 25-27, 1988.

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

## REPORTS FROM COUNCIL COMMITTEES

## Committee on Legislative Automation

Rep. Diamond, Committee Chair, referred Council members to a letter from Governor McKernan requesting establishment of a computer link between the Office of the Governor and the Legislature to facilitate communication. Rep. Diamond noted that the Committee had met briefly with John Bailey, Information Systems Director, to discuss the request with particular focus on the security issues and recommended that the Council approve the Governor's requests.

Motion: That the Legislative Council approve the Governor's request to establish a computer link. (Motion by Rep. Diamond; second by Rep. Paradis).

Discussion: Council members raised questions concerning both the process by which security is maintained and monitored on the Legislature's computer system and whether the establishment of a computer link would facilitate receipt by the Legislature of information requested from executive agencies. Mr. Bailey noted that the latter questions would not be resolved by the proposed link between the Governor's Office and the Legislature.

Motion: That the item be tabled pending further consideration. (Motion by Sen. Clark; second by Sen. Dutremble; unanimous).

## OLD BUSINESS

None.

## NEW BUSINESS

Item #1: Requests for Introduction of Legislation for Third Special Session.

Requests for Introduction of Legislation for 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 5:25 p.m. (Motion by Rep. Diamond; second by Sen. Dutremble; 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  
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SEN. CHARLES M. WEBSTER  
REP. JOHN N. DIAMOND  
REP. DAN A. GWADOSKY  
REP. THOMAS W. MURPHY, JR.  
REP. EUGENE J. PARADIS

## LEGISLATIVE COUNCIL

SEPTEMBER 15, 1988

### 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 8:55.

#### 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
Lynn Randall	State Law Librarian
Bent Schlosser	Director, Office of Fiscal and Program Review
Martha Freeman	Director, Office of Policy and Legal Analysis
David Silsby	Revisor of Statutes
John H. Bailey	Director, Informations Systems
Helen Ginder	Director, Legislative Oversight

Senator Pray also introduced David Kennedy, the incoming Revisor of Statutes. Mr. Kennedy will officially assume his duties on October 24.

## SECRETARY'S REPORT

None.

## EXECUTIVE DIRECTOR'S REPORT

None.

## REPORTS FROM COUNCIL COMMITTEES

None.

## OLD BUSINESS

None.

## NEW BUSINESS

Item #1: Request to Authorize a Joint Meeting of the Joint Standing Committees on Human Resources and Banking and Insurance (letters from Sen. Gauvreau and Rep. Manning for the Committee on Human Resources and Sen. Theriault and Rep. Rydell for the Committee on Banking and Insurance.)

The Committees requested a joint meeting for the purpose of discussing proposed rules concerning written informed consent for persons required to take the HIV test prior to purchasing for insurance with the Superintendent of Insurance.

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

Item #2: Request for Delay of Final Committee Meeting for the Committee on Economic Development's Study of International Trade (letter from Sen. Andrews and Rep. Crowley, Chairs).

The Chairs' letter clarified that the request was only to authorize the study subcommittee to convene its final meetings after the October 1 deadline initially established by the Council: the request does not include additional meetings.

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

Item #3: Request to Delay the Final Committee Meeting for the Study of the Feasibility of Creating a Public Defender System in Maine (letter from Sen. Brannigan and Rep. Paradis).

Like the preceding request, the Committee Chairs requested only a delay in the meeting schedule beyond the October 1 deadline.

Motion: That the request be approved with the understanding that the Committee would complete its work no later than November 1. (Motion by Rep. Martin; second by Sen. Dutremble; unanimous).

Item #4: Bill Requests

Bill requests 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 9:17 a.m. (Motion by Rep. Diamond; second by Sen. Dutremble; unanimous).



SARAH C. DIAMOND  
EXECUTIVE DIRECTOR  
OF THE LEGISLATIVE COUNCIL

JOHN H. BAILEY  
INFORMATION SYSTEMS  
DIRECTOR

RICHARD N. SAWYER, JR.  
ADMINISTRATIVE SERVICES  
DIRECTOR



MAINE STATE LEGISLATURE  
OFFICE OF THE EXECUTIVE DIRECTOR  
LEGISLATIVE COUNCIL

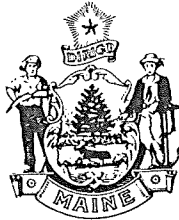
LEGISLATIVE COUNCIL  
OCTOBER 5, 1988  
EXECUTIVE DIRECTOR'S REPORT

**Approved Step Increases**

John Knox, Legislative Analyst (Salary Range 10), from Step F to Step G, effective October 31, 1988.

Hartley Palleschi, Research Assistant (Salary Range 7), from Step B to Step C, effective October 3, 1988.

Note: Ted Potter has completed his 12th year of legislative service, but is topped out on the currently assigned salary scale.



STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
AUGUSTA, MAINE 04333

September 26, 1988

The Honorable Charles Pray  
Chair, Legislative Council  
State House Station #115  
Augusta, ME 04333

Dear President Pray:

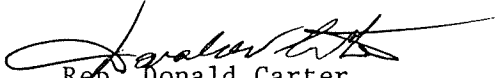
I am writing to request the Council's authorization for two additional meetings of the Study Subcommittee on Municipal Solid Waste. At its last meeting, the Subcommittee directed the staff to draft a set of legislative recommendations for various recycling and waste reduction initiatives.

I have tentatively scheduled a meeting for early November shortly after the elections to review the draft recommendations and make corrections. The Subcommittee would then finalize its report and recommendations at a second and final meeting before Thanksgiving. This would allow the introduction of any study legislation at the beginning of the next session.

While I realize that this request is the second from the Subcommittee, I feel that the issue involved, Maine's solid waste crisis, warrants the attention.

Thank you for your attention to this request.

Sincerely,

  
Rep. Donald Carter  
Chair, Solid Waste Study

cc: Sally Diamond

SARAH C. DIAMOND  
EXECUTIVE DIRECTOR  
OF THE LEGISLATIVE COUNCIL

JOHN H. BAILEY  
INFORMATION SYSTEMS  
DIRECTOR

RICHARD N. SAWYER, JR.  
ADMINISTRATIVE SERVICES  
DIRECTOR



MAINE STATE LEGISLATURE  
OFFICE OF THE EXECUTIVE DIRECTOR  
LEGISLATIVE COUNCIL

September 30, 1988

Honorable Charles P. Pray, Chair  
Legislative Council  
113th Maine Legislature

Dear Senator Pray:

I have recently received notices from the Bureau of Forestry regarding 1) the proposed disposition of real property in Kingfield and 2) a change in the status of the Greenbush Nursery.

The first notice is pursuant to Statute (12 MRSA § 8003 §§ 3, Part M) which requires notification to the Legislative Council of surplus real property disposal; the second is simply for the Council's information.

Please call me if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "S. Diamond".

Sarah C. Diamond  
Executive Director

Enclosures

September 26, 1988

STATE OF MAINE

INTER-DEPARTMENTAL MEMORANDUM

TO: Sara Diamond, Ex. Director                      Legislative Council  
FROM: John Cashwell, Director                      Conservation  
       Bureau of Forestry  
RE: SURPLUS REAL PROPERTY DISPOSAL, 12 MRSA §8003 §§3, Par. M,  
     as Amended by P.L. 1987, Ch. 308

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The Director of the Bureau of Forestry, with the consent of the Commissioner of Conservation, proposes to dispose of the surplus real property located in Kingfield and Moscow as described on the enclosed memo.

Notification is hereby made with respect to the proposed disposition of the property.

## STATE OF MAINE

## Inter-Departmental Memorandum

Date September 26, 1988

To Various Agencies, Bureaus and  
Town of Kingfield  
 From Fred Bartlett, Director *JBW*  
Engineering & Realty Division  
 Subject SURPLUS SITE DISPOSITION

Dept. \_\_\_\_\_

Dept. Conservation

The Maine Department of Conservation is considering disposal of the following real property. If your bureau, or department is interested in acquiring the property please contact:

Department of Conservation  
 Engineering & Realty Division  
 State House Station #22  
 Augusta, ME 04333  
 Telephone: 289-4970

All inquiries must be submitted prior to October 24, 1988.

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LOCATION: Town of Kingfield, Franklin County

SITE DESCRIPTION: 0.25 acre site with 100' frontage on Route 27, 1 mile north of Kingfield Village, former Maine Forest Service fire control facility

UTILITIES: electricity, telephone

IMPROVEMENTS: 745 Sq. Ft. garage/office/storage building

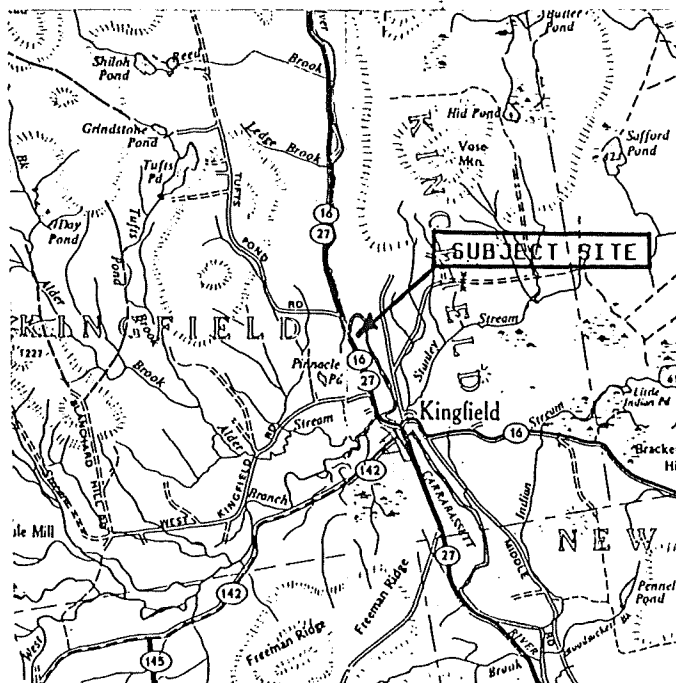
ZONING: Rural

RESTRICTIONS: None

APPRAISED VALUE: \$12,000 8/88

LOCATION MAP

1"=2 Miles



## STATE OF MAINE

## Inter-Departmental Memorandum

Date September 26, 1988

To Various Agencies, Bureaus and  
Town of Moscow *JBW*  
 From Fred Bartlett, Director  
Engineering & Realty Division  
 Subject SURPLUS SITE DISPOSITION

Dept. \_\_\_\_\_

Dept. Conservation

The Maine Department of Conservation is considering disposal of the following real property. If your bureau, or department is interested in acquiring the property please contact:

Department of Conservation  
 Engineering & Realty Division  
 State House Station #22  
 Augusta, ME 04333  
 Telephone: 289-4970

All inquiries must be submitted prior to October 24, 1988.

LOCATION: Town of Moscow, Somerset County

SITE DESCRIPTION: 0.37 acre with 100' frontage on Route 201 near Wyman Dam, former Maine Forest Service fire control facility

UTILITIES: electricity, public water supply, telephone, private sewage disposal

IMPROVEMENTS: 584 S. Ft. single story residence  
 1225 S. Ft. 3-Bay garage/storage building/office  
 200 S. Ft. storage shed

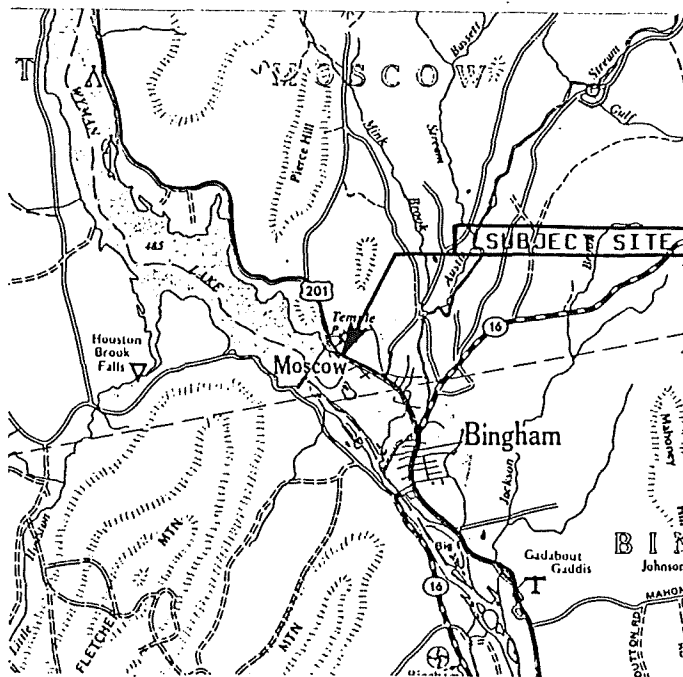
ZONING: Rural

RESTRICTIONS: None

APPRAISED VALUE: \$25,000 8/88

LOCATION MAP

1"=2 Miles



MAINE FOREST SERVICE  
DEPARTMENT OF CONSERVATION  
STATE HOUSE STATION #22  
AUGUSTA, MAINE 04333

September 12, 1988

M E M O R A N D U M

TO : Sally Diamond, Executive Director of the Legislative Council  
FROM : John H. Cashwell, III, Director

This is to serve as a notification to you that the Director of Forestry intends to enter into a lease agreement with Dean Lawrence of Lawrence Mountain Nursery on the Greenbush Nursery for the purpose of growing primarily forest tree planting stock. While not necessary by state law, we feel that you should be kept informed of this change in the status of the nursery.

cc: T. Skinner  
S. Bell  
R. LaBonta



## National Conference of State Legislatures

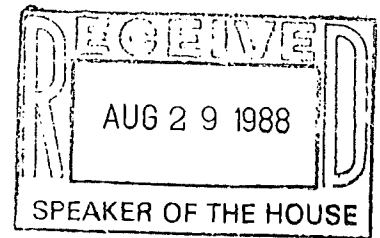
1050 17th Street  
Suite 2100  
Denver, Colorado 80265  
303/623-7800

President Ted Strickland  
President of the Senate  
Colorado

William T. Pound  
Executive Director

August 25, 1988

Honorable John L. Martin  
Speaker of the House  
State House Station 2  
Augusta, ME 04330



Dear Mr. Speaker:

The National Conference of State Legislatures (NCSL) is pleased to announce that technical assistance under the Child Care/Early Childhood Education Project will be available to six states during the upcoming year--September 1988 through August 1989. The project supports collaboration within legislatures in the development of both child care and early childhood education policies and is funded by the Carnegie Corporation of New York. The focus of the project is to assist state legislatures in designing coordinated policies to meet the educational and day care needs of young children in order to minimize duplication and fragmentation of services. A more detailed project description is enclosed for your information.

During the past three years, 10 states have received technical assistance--Alaska, Connecticut, Iowa, Kentucky, Minnesota, New Hampshire, New York, Rhode Island, Tennessee, and Vermont. Activities have ranged from providing expert testimony before legislative committees and assistance in drafting reports to coordinating statewide conferences.

Applications for technical assistance will soon be mailed to all chairs of education and human services committees. NCSL will require your support for any technical assistance activity in your state. The due date for applications and letters of support is September 30, 1988.

If you have any questions about technical assistance or the project, please contact us in the Denver office.

Sincerely,

Shelley Smith  
Program Manager  
Children, Youth, and Families

Cate Sonnier  
Staff Associate  
Child Care/Early Childhood  
Education

SS/CS/brh  
Enclosures



CHILD CARE/EARLY CHILDHOOD EDUCATION PROJECT  
APPLICATION FOR TECHNICAL ASSISTANCE

State Contact:

Date Applicant Completed:

Name: Sen. Stephen C. Estes  
(Education Comm. Rep.)

Rep. Margaret P. Clark  
(Hum. Res. Comm Rep.)

Title]Affiliation

Address: c/o David C. Elliott  
Office of Policy and Legal Analysis  
State House Station 13

City]State: Augusta, Maine 04333

Phone: (207) 289-1670

PLEASE RETURN BY SEPTEMBER 30, 1988 TO:

Ms. Cate Sonnier  
Staff Associate  
Child Care]Early Childhood Education  
National Conference of State Legislatures  
1050 17th Street, Suite 2100  
Denver, Colorado 80265

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Please respond to the following questions:

- I. On which child care and early childhood education issues are you interested in receiving technical assistance? Please identify and briefly describe each issue.
- + Implementation of child-centered developmentally appropriate preschool and early elementary school curriculum (consistent with recommendations of the report of the Legislature's Special Commission on Early Childhood Education and Development to be issued in December 1988).
  - + Development of a comprehensive long-range (5-10 yr.) plan to meet the State's child care needs, focusing especially on child care programs with a developmentally appropriate education component to meet the needs of at risk children ages birth to 5.
  - + Coordinate (1)family education and training to provide information on the developmental stages and needs of children, (2)family support group services for parents of children likely to be at risk of school failure and (3)efforts to expand parent's involvement in their child's education.

II. What form of technical assistance would be most helpful in addressing these issues? (e.g. assistance with planning or conducting hearings, conferences, or workshops; access to expert consultation; policy analysis and recommendations on pending or potential legislation; assistance in developing a strategy for studying the issues; research on methods other states use to address the issues, etc.).

- + Assistance in conducting a series of 3 regional conferences to disseminate current information and establish broad based support among school officials, social service and educational associations and agencies, the public, and legislators for:
  - quality preschool programs for at-risk children,
  - efforts to coordinate the transition from preschool to public school,
  - developmentally appropriate early elementary curriculum; and
  - family involvement in the development of children.
- + Outside consultation and policy analysis to assist in development of a long-range child care plan and legislative initiative which promote the coordination of the educational and child care needs of children and families at both the state and local level.
- + Several recent legislative initiatives (see discussion in IV below) have addressed various early childhood education and child care issues. The purpose of the conferences and development of the long range plan is to build public support and coordinate efforts in those areas by stimulating discussion and cooperation.

III. How will Education and Human Services Committee chairs and members work together on this technical assistance?

Three members of the two committees (including 2 who are also members of the Special Commission on Early Childhood Development and Education) have collaborated closely on the development of this proposal. That relationship will continue by the establishment of an ad hoc select commission consisting of representatives of the 2 legislative committees and other interested parties to oversee and coordinate implementation of technical assistance should it be awarded. There is a commitment from the chairs of each of the 2 committees (3 of the 4 are likely to

continue as chairs next session) to work with the ad hoc committee to coordinate the conferences soon after the start of the next session in January and for the establishment of a study commission next summer to work on the development of the long range plan.

IV. What evidence exists to suggest that progress will be made on child care and early childhood education issues in the next session of the Legislature?

A great deal of interest currently exists in Maine in the areas of child care and early elementary education. There have been a large number of related major study efforts, legislative initiatives and University projects developed in the last two years. The work of the Special Commission on Early Childhood Development and Education mentioned above is one example. A major commitment to child care made by both the present and previous administrations. This commitment includes additional state funding for Head Start programs and Title XX child care centers. As part of the current Governor's economic development strategy, the State has funded the establishment of 6 regional Child Care Development Centers and Project ASPIRE designed to provide coordinated services (including child care) to welfare recipients to encourage and prepare them to enter the workforce. Major educational programs to provide services to at risk youth and for young children with special needs have also been enacted. In addition, the University of Maine System has initiated measures to provide parenting skills training and to develop day care programs for employees.

The problem is that each of the programs has its particular approach to a related problem resulting in a lack of coordination and program overlap. Legislators on the 2 committees recognize the need for a comprehensive approach which will maximize the impact of available dollars on the targeted population. It is likely an additional amount of state resources will be available next session. What is needed is a consolidated effort by various constituencies to build support for and coordinate their efforts in order to use available resources to provide services to the appropriate persons in an efficient manner.

V. When would you like technical assistance activities to be conducted in your state?

Two phases:

Phase I - in the early part of the upcoming legislative session (January - February 1989) to build consensus behind the early childhood education and development report

Phase II - (post session (June - September 1989) to provide consultation and analysis in the initial stages of the development of a comprehensive child care plan for the state.

6392\*



STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
AUGUSTA, MAINE 04333

October 4, 1988

Honorable Charles P. Pray, President of the Senate  
Honorable John L. Martin, Speaker of the House  
Legislative Council  
State House Station 115  
Augusta, ME 04333

Dear Senator Pray and Speaker Martin:

We learned of the application for a grant from the National Conference of State Legislatures' (NCSL) Child Care/Early Childhood Education project by phone. This proposal was submitted by Senator Estes, Representatives Clark and Handy. Since we did not have the project before us, we could not comment or make suggestions.

Therefore, we wish to point out that the Department of Human Services' Office of Child Care Coordination, established by the Legislature in 1985, serves as state government's focus on child care issues including long-range planning. As this office was not consulted in the development of this proposal, we want to ensure that Senator Estes and Representative Clark work with the Office of Child Care Coordination on the child care planning component should this proposal be implemented.

The Office of Child Care Coordination works with a statewide advisory committee representing a broad-based constituency with a considerable amount of knowledge and expertise on child care issues. We encourage you to work together with them on the development of a child care system that meets the needs of Maine citizens and can serve as a model for the nation.

Sincerely,

Representative Jean T. Dellert

*Susan Pines*  
Representative Susan J. Pines

*Jean T. Dellert*

cc: Senator Stephen Estes  
Representative Margaret Clark  
Representative James Handy  
Members of the Legislative Council