

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

NOVEMBER 28, 1988

PRELIMINARY AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

- Summaries of October 5 and November 14, 1988, Council Meeting

EXECUTIVE DIRECTOR'S REPORT

Item #1: Resignation of Robert Dunn, Research Assistant, Office of Policy and Legal Analysis

Item #2: Legislative Printing Contracts: Follow-up

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

Committee on Legislative Automation

Committee on Effective Utilization of Legislative Space

OLD BUSINESS

NEW BUSINESS

Item #1: Requests for Introduction of Legislation to the Fourth Special Session

ADJOURNMENT

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

OCTOBER 5, 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 4:15 p.m.

ROLL CALL

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

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

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
John H. Bailey	Information Systems Director

SECRETARY'S REPORTS

The summary of the Council's September 14 and September 15, 1988, meetings were 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 step increases for the following employees based on the recommendations of their respective Office Directors:

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.

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

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).

The Legislative Council proceeded to go into Executive Session at 4:20 p.m.

RECONVENE

The Legislative Council was reconvened by the Chair at 5:05 p.m.

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

Motion: That the staffing plan proposed for the Office of Policy and Legal Analysis by Martha Freeman, Director, be approved. (Motion by Rep. Martin; second by Sen. Dutremble; unanimous).

(Note: The proposal included the following):

- Organization of the Office staff into three working groups
- Appointment of 3 Principal Analysts, each of whom would have primary responsibility for one of the three working groups as well as a particular aspect of overall office administration. These are not new positions, but involve reclassification of two existing positions.
- Appoint of the following individuals to these three positions:
 - Julie Jones, Principal Analyst for Legal Services
 - Tim Glidden, Principal Analyst for Policy Research and Administration
 - David Elliott, Principal Analyst for Bill Drafting Coordination
- Conversion of one Research Assistant position to an Analyst position and appointment of Annika Lane to that position.

OLD BUSINESS

None.

NEW BUSINESS

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

Rep. Carter's letter requested Council approval of two additional meetings, including a trip to a solid waste disposal site in New Hampshire.

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

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

Motion: That the notification be accepted and placed on file. (Motion by Rep. Martin; second by Sen. Webster; unanimous).

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

Rep. Martin reported that the members of both the Joint Standing Committee on Education and the Special Commission on Early Childhood Development & Education had been polled; and both committees have expressed support. Rep. Paradis pointed out the letter from Representatives Dellert and Pines expressing concern that appropriate Department of Education staff be involved in the project if Maine is selected as one of the recipients of an NCSL Technical Assistance award.

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

Item #4: Request from Helen Ginder for authorization to participate in a special seminar at Harvard University.

Motion: That the matter be referred to the Executive Director for action. (Motion by Rep. Martin; second by Sen. Dutremble; unanimous).

Item #5: Legislative Ethics

Motion: That the presiding officers be authorized to engage the assistance of an attorney both for the purpose of addressing the issues raised in the preliminary report of the Commission on Governmental Ethics and Election Practices and to work with the special panel appointed by the presiding officers; and that the total amount to be expended for this purpose not exceed \$10,000. (Motion by Rep. Martin; second by Sen. Clark; unanimous).

ADJOURNMENT

The Legislative Council meeting was adjourned at 5:07 p.m. upon the motion of Senator Dutremble.

SEN. CHARLES P. PRAY
CHAIRMAN

REP. JOHN L. MARTIN
VICE-CHAIRMAN



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REP. EUGENE J. PARADIS

LEGISLATIVE COUNCIL

NOVEMBER 14, 1988

MEETING SUMMARY

APPROVED NOVEMBER 28, 1988

CALL TO ORDER

The meeting of the Legislative Council was called to order in the Council Chambers by the Chair, Senator Pray, at 3:09 p.m.

ROLL CALL

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

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

Legislative Officers:

Sally Diamond	Executive Director, Legislative Council
Martha Freeman	Director, Office of Policy and Legal Analysis
David Kennedy	Revisor of Statutes
Bent Schlosser	Director, Office of Fiscal and Program Review
Lynn Randall	State Law Librarian
John H. Bailey	Information Systems Director
David Silsby	Director, State Capitol Commission

SECRETARY'S REPORT

None.

DIRECTOR'S REPORT**Item #1: Approved Step Increases**

Judith A. Armstrong, Senior Legal Proofreader, Office of the Revisor, (Salary Range 4), from Step F to G, effective November 7, 1988.

Locke Kiermaier, Legislative Analyst, Office of Fiscal and Program Review, (Salary Range 10), from Step D to Step E, effective November 5, 1988.

Grant Pennoyer, Legislative Analyst, Office of Fiscal and Program Review, (Salary Range 10), from Step D to E, effective November 13, 1988.

Priscilla Whitmore, Legislative Indexer, Office of Information Systems, (Salary Range 8), from Step A to B, effective November 23, 1988.

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

Item #2: Consideration of Step Increase for John Wakefield, Deputy Director, Office of Fiscal and Program Review

Motion: That this item be referred to the Personnel Committee in accordance with Council policy, for review and recommendation to the full Council. (Motion by Sen. Perkins; second by Sen. Clark; unanimous).

Item #3: Approved Out-of-State Travel

Ms. Diamond reported to Council members that four members of the staff had attended the meeting of the Assembly of the Legislature in Annapolis, Maryland, the previous week with her approval: Julie Jones, Kevin Madigan, John Bailey, and herself. The Council Chair and Vice-Chair were notified of this travel in advance since no Council meeting was scheduled.

No action required.

Item #4: Other Personnel Actions

Ms. Diamond reported that several vacancies, for which the Council had previously authorized recruitment, had now been filled. These include:

Office of Policy and Legal Analysis

- Todd R. Burrowes of New Gloucester, Maine, to the position of Legislative Analyst, effective November 28, 1988.
- Deborah C. Friedman of Cape Elizabeth, Maine, to the position of Legislative Analyst, effective December 5, 1988.

Office of the Executive Director/Information Systems

- Transfer Edythe Hampson from the position of Proofreader, Engrossing, to the position of Information Assistant in the Legislative Information Office, effective December 5, 1988.
- Transfer Donna Sullivan from the position of Accounting Technician to the position of Office Support Technician (effective date to be negotiated).

Motion: That these recommendations be accepted and placed on file. (Motion by Sen. Dutremble; second by Sen. Clark; unanimous).

Item #5: Legislative Printing Contracts

Ms. Diamond reported that, pursuant to the Council's authorization to proceed with negotiation of printing contracts for the 114th legislative biennium, she, Joy O'Brien, and Ed Pert, with the assistance of John Bailey, had worked with the Bureau of Purchases to develop bid requests. She reported the low bidders for each of the contracts:

LD's	:	J.S. McCarthy Augusta, Maine
House & Senate Calendars:		J.S. McCarthy Augusta, Maine
Acts & Resolves	:	Quality Copy Hallowell, Maine
Legislative Record	:	Quality Copy Hallowell, Maine

Ms. Diamond requested final Council approval to award each of these contracts.

Discussion focussed on Council members' concern about the price increases in each of the bids and the further steps that could be taken to reduce the overall cost. Ms. Diamond responded that, with the Council's support over recent years, major cost reductions had already been achieved through the use of computer technology and the provision of "camera-ready copy" to the printer. The single remaining exceptions with regard to camera-ready copy are the House and Senate Calendars, where the tight turnaround requirement and other factors have offset some of the advantages of camera-ready copy.

Council members also asked whether it would be possible to reduce the total number of copies of the Legislative Record that are provided by the contract. Ms. Diamond agreed to explore this further and to assess the impact of a reduction in the total price of the contract.

Motion: That the Executive Director be authorized to sign the contracts with the provision that the contract for the Legislative Record may be amended at a later date. (Motion by Sen. Webster; second by Sen. Clark; unanimous).

REPORTS FROM COUNCIL COMMITTEES

Item #1: Personnel Committee

No report.

Item #2: Committee on Allocation of Legislative Space

No report.

Item #3: Committee on Legislative Automation

Ms. Diamond reported that John Bailey had sent a letter to Rep. Diamond, Committee Chair, which provided further information about issues raised previously by the Council regarding the Governor's request for access to the Legislative information systems. The Automation Committee had not yet met to review this information and formulate a recommendation to the Council. The Council Chair reported that he would contact Rep. Diamond to discuss how to proceed with resolving the pending request.

No action required at this time.

OLD BUSINESS

None.

NEW BUSINESS**Item #1: Pre-Legislative Conference: Progress Report**

Sally Diamond reported that plans were underway for both the orientation session and the banquet, which traditionally concludes the Conference, on Tuesday, December 6. No major departures from recent years are planned.

Sen. Pray informed Council members that all Senators would be required to attend a seminar on ethics, which would be scheduled at some point during the orientation period.

No action required.

Item #2: Request for Extension of Deadline for Commission on Marine Research (letter from Rep. Coles, Commission Chair)

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

Item #3: Submission of Final Study Reports

Motion: That the following study reports be accepted and placed on file:

- Joint Standing Committee on Economic Development: Study of International Trade
- Joint Standing Committee on Judiciary: Study of the Financial Feasibility of a Public Defender Program
- Joint Standing Committee on Utilities: Study of Utility Easements Over Existing Rights-of-Way

Motion: That these reports be accepted and placed on file.

(Motion by Sen. Clark; second by Sen. Perkins; unanimous).

Item #4: 4th Special Session: Bill Requests

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

NEXT COUNCIL MEETING

Sen. Pray suggested that the Council meet on Monday, November 28, at 9:00 a.m., prior to the convening of the Fourth Special Session. All present concurred.

ADJOURNMENT

The Legislative Council meeting was adjourned at 3:45 p.m. (Motion by Sen. Clark; second by Sen. Dutremble; unanimous).

LEGISLATIVE COUNCIL
NOVEMBER 28, 1988
REQUESTS TO INTRODUCE LEGISLATION
FOURTH SPECIAL SESSION

Action

SPONSOR: REP. LAPOINTE TABLED 11/14/88
COSPONSOR: REP. JALBERT

LR 5944 AN ACT to Establish the Position of
County Administrator for Androscoggin
County.

SPONSOR: SPEAKER MARTIN

LR 5948 AN ACT to Conform the Human Resource
Development Council with Federal Law.

SPONSOR: REP. CARTER

LR 5949 AN ACT to Extend the Reporting Deadline of
the Commission to Study the Impact of Game
and Nongame Species on Maine's Economy

SPONSOR: REP. BOST
COSPONSOR: SEN. ESTES
COSPONSOR: REP. DAVIS

LR 5951 AN ACT to Extend the Reporting Deadline of
the Special Commission to Study School Funding
and State Tax Law.

SPONSOR: SPEAKER MARTIN

LR 5952 AN ACT to Extend the Exemption from Sales Tax
for Certain Instrumentalities of Interstate
or Foreign Commerce.

Action

SPONSOR: REP. LISNIK
COSPONSOR: REP. CASHMAN

LR 5953 AN ACT to Provide a Sales Tax Exemption for
Items Sold in Schools.

SPONSOR: REP. LISNIK

LR 5961 AN ACT to Amend the Definition of Retail
Sales for Sales Tax Purposes.

SPONSOR: SEN. BRANNIGAN

LR 5954 AN ACT to Extend the Reporting Deadline
of the Commission to Implement the Computerization
of Criminal History Record Information.

SPONSOR: REP. MCSWEENEY

LR 5955 AN ACT to Amend the Real Estate
Licensure Laws.

SPONSOR: SEN. ESTES

LR 5956 AN ACT to Delay Implementation of
the 1989 Increase in Minimum Lobster Size.

SPONSOR: SEN. GAUVREAU

LR 5957 AN ACT to Continue the Blue Ribbon
Commission to Study the Regulation of Health
Care Expenditures.

Action

SPONSOR: PRESIDENT PRAY

LR 5958 AN ACT to Make an Appropriation to the
Secretary of State for Expenses Incurred
in Recent Elections.

SPONSOR: SEN. ESTES

LR 5960 AN ACT to Provide Funding for the Overboard
Discharge Assistance Program and the Overboard
Discharge Replacement Program.