

MAINE STATE LEGISLATURE

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REP. JOHN L. MARTIN
CHAIR

SEN. DENNIS L. DUTREMBLE
VICE-CHAIR



STATE OF MAINE

114th LEGISLATURE

LEGISLATIVE COUNCIL

SEN. CHARLES P. PRAY
SEN. NANCY RANDALL CLARK
SEN. CHARLES M. WEBSTER
SEN. PAMELA L. CAHILL
REP. DAN A. GWADOSKY
REP. JOSEPH W. MAYO
REP. MARY CLARK WEBSTER
REP. FRANCIS C. MARSANO

SARAH C. DIAMOND
EXECUTIVE DIRECTOR

LEGISLATIVE COUNCIL

JANUARY 3, 1989

MEETING SUMMARY

APPROVED JANUARY 12, 1989

CALL TO ORDER

The meeting of the Legislative Council was called to order in the Council Chambers by the Chair, Speaker Martin, at 4:17 p.m.

ROLL CALL

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

Representatives: Rep. Martin, Rep. Gwadosky, Rep. Mayo, Rep. Webster, Rep. Marsano

Legislative Officers:

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

SECRETARY'S REPORT

On the motion of Sen. Pray, the reading of the summary of the December 7, 1988, Council meeting was dispensed with and placed on file.

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

Ms. Diamond reported that she had approved step increases for the following employees as indicated, based on the favorable recommendation of their respective Office Directors:

Etta Begin, Senior Secretary, (Salary Range 4), from Step F to Step G, effective January 7, 1989.

Jean Blair, Engrossing Technician, (Salary Range 5), from Step F to Step G, effective December 1, 1988.

Jacqueline Calcagni, Administrative Secretary, (Salary Range 6), from Step F to Step G, effective January 14, 1989.

Theresa Coughlin, Senior Secretary, (Salary Range 4), from Step E to Step F, effective December 23, 1988.

Joyce Garside, Legislative Technician, (Salary Range 4), from Step C to Step D, effective December 9, 1988.

Elizabeth Gosselin, Computer Programmer, (Salary Range 8), from Step G to Q, effective December 1, 1988.

Teen Ellen Griffin, Administrative Coordinator, (Salary Range 7) from Step D to Step E, effective January 2, 1989.

Janet Jean, Secretary, (Salary Range 3) from Step B to Step C, effective January 23, 1989.

Theresa Lahey, Senior Legislative Technician, (Salary Range 5), from Step F to G, effective December 1, 1988.

Steven Lane, Computer Programmer, (Salary Range 8) from Step C to Step D, effective December 30, 1988.

Germaine Longley, Legislative Information Assistant, (Salary Range 4), from Step C to Step D, effective December 13, 1988.

Margaret E. Matheson, Principal Analyst, (Salary Range 12) from Step C to Step D, effective January 6, 1989.

Stephanie Ralph, Assistant Law Librarian, (Salary Range 8) from Step D to Step E, effective January 5, 1989.

Margaret Reinsch, Legislative Analyst, (Salary Range 10), from Step D to Step E, effective January 14, 1989.

Mark Rosen, Legislative Attorney, (Salary Range 10), from Step A to Step B, effective December 10, 1988.

Gerald Thibault, Computer Programmer, (Salary Range 8), from Step D to Step E, effective December 24, 1988.

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 advance to Step Q:

Laurette Knox, Senior Secretary, Office of Policy and Legal Analysis.

Kathy Crowley-Pendelton, Office Assistant II, Office of Fiscal and Program Review.

The following employee has completed another year of service but is at Step Q and has not been employed the required length of time required to advance to Step X:

Lars Rydell, Legislative Analyst, Office of Policy and Legal Analysis.

Item #2: Resignation of Mark Rosen, Legislative Attorney

Ms. Diamond noted that Mr. Rosen was resigning
 Mr. Kennedy added
 that although the resignation would not be
 effective until some time in March, he hoped to
 have the position filled before Mr. Rosen actually
 left in order to provide a smooth transition during
 the session.

Motion: That Mr. Rosen's resignation be accepted
 with regret and that a letter of appreciation be
 sent to him from the Council Chair. (Motion by
 Sen. Pray; second by Sen. Dutremble; unanimous).

Item #3: Cloture: Status Report from David Kennedy, Revisor of Statutes

David Kennedy, Revisor of Statutes, reported that
 his office had logged in 2,083 bill requests by the
 cloture deadline, which was Friday, December 30 at
 1:00 p.m. He provided Council members with the
 following statistics regarding the nature of these
 bill requests:

Requests filed by Legislators:	1,775
Requests filed but	
subsequently withdrawn	: 50
Requests filed after 1:00 p.m.	
on 12/30	: 26
Study legislation	: 32
Agency bill requests	: 168
Other	: <u>32</u>
Total	: 2,083

Mr. Kennedy noted that although the rules regarding
 cloture had not changed, the Revisor's Office had
 treated them differently this year: notably,
 legislators had all received a preliminary list of
 the bill requests they had filed which included the
 "status" of these requests. This provided the
 opportunity for legislators to handle requests
 which were incomplete under Joint Rule 25 within
 the cloture deadline.

Mr. Kennedy recommended that the Council consider
 adopting the following "transition rules" in
 recognition that cloture procedures had changed.

1. That those bill requests filed on December
 30, but after 1:00 p.m., be accepted as
 having met the cloture requirement.

2. That legislators be extended a "grace period" to complete their bill requests once they have received a final list of their requests. Mr. Kennedy reported that these lists would be available on January 10, when the Legislature reconvenes.

Council discussion focused on the need to balance the importance of enforcing deadlines with the recognition that the non-partisan staff represent the primary research and drafting resource for many legislators.

Council members expressed unanimous support for allowing Mr. Kennedy to proceed with both of his recommendations, with the understanding that the grace period would extend until Friday, January 13, at 5 p.m. No formal motions were offered.

Finally, Mr. Kennedy noted that the assistance of John Bailey and the Information Systems staff had been critical in his efforts to design and implement new tracking and drafting systems.

REPORTS FROM COUNCIL COMMITTEES

Speaker Martin noted that he would be appointing Council members to the Committees which had been established in prior years to support the Legislative Council in its management and oversight roles. These include the Personnel Committee; the Committee on Effective Utilization of Legislative Space; and the Committee on Legislative Automation.

OLD BUSINESS

Item #1: Review of Water and Sewer District Charter
Legislation: Staff Report pursuant to Legislative Council order. (Report enclosed).

Martha Freeman, Director of the Office of Policy and Legal Analysis, noted that the staff study had been initiated at the Council's request to determine whether there were alternatives to district-specific legislation dealing with the needs of water and sewer districts. Copies of the report had been distributed to members of the Joint Standing Committee on Utilities of the 113th Legislature and would also be distributed to the newly-appointed Utilities Committee.

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

NEW BUSINESS

Item #1: Step Increases for Secretary of the Senate, Clerk of the House and their Assistants.

Rep. Martin drew members' attention to Ms. Diamond's letter which summarized the statutory authority for the proposed action.

Motion: That step increases be awarded as follows; and, further, that these increases be retroactive to December 7, 1988.

Joy J. O'Brien, Secretary of the Senate, to Step E (Salary Range 14).

Edwin H. Pert, Clerk of the House, to Step E (Salary Range 14).

Pamela E. Lovley, Assistant Secretary of the Senate, to Step G (Salary Range 9).

Note: Ms. Wood is "topped out" in her statutory salary range

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

Item #2: Salaries of Constitutional Officers.

Speaker Martin referred members to Ms. Diamond's letter, which outlined the Council's statutory authority to award these increases.

Motion: That the increases be awarded in accordance with statutory provisions and that the Council formally request that the State Compensation Commission review the existing statutory language and make recommendations to the 114th Legislature.

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

Note: The motion included the following increases:

Attorney General: (Attorney General Tierney is "topped out" according to current statutory provisions).

Secretary of State to Range 87, Step A.

Treasurer of State: (Treasurer Shapiro is "topped out" according to current statutory provisions).

State Auditor to Range 88, Step B.

Item #3: Submission of Study Reports

- Committee to Study the Necessity and Feasibility of Establishing a Health Information Recording System (authorized by the Legislative Council and funded by Chapter 138, Private & Special Laws of 1987).
- Commission on Marine Research (authorized by the Legislative Council and funded by Resolves 1987, chapter 112).
- Joint Standing Committee on Banking and Insurance: Study of Laws Regulating Antitrust Activities of the Insurance Industry (authorized by Chapter 122, Private & Special Laws of 1987).
- Committee to Study Municipal Solid Waste Management: Study of Recycling Options for Municipal Solid Waste (authorized by the Legislative Council in April, 1988).

Motion: That these Study Reports be accepted and placed on file. (Motion by Sen. Webster; second by Sen. Dutremble; unanimous).

Item #4: After Deadline Requests

Sponsor: Rep. Allen

AN ACT to Clarify Permitted Uses of
Reimbursement Fund Provided to Counties
for Housing State Prisoners

ACCEPTED

ADJOURNMENT

The Legislative Council meeting was adjourned at 4:46 p.m., upon the motion of Sen. Cahill.