

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

JANUARY 19, 1989

REVISED AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

- Summary of January 12, 1989, Council Meeting

EXECUTIVE DIRECTOR'S REPORT

- Item #1: Recommendation to hire Suzanne Gresser for the position of Legislative Attorney, Office of the Revisor of Statutes

REPORTS FROM COUNCIL COMMITTEES

Committee on Legislative Automation

OLD BUSINESS

NEW BUSINESS

- Item #1: Letter from David S. Silsby, Director State Capitol Commission (enclosed)
- Item #2: Letter from Earle G. Shettleworth, Jr. Chair, State Capitol Commission (enclosed)
- Item #3: Request from Dale Thistle, Chair, Commission on Children in Need of Supervision and Treatment for additional funds to cover cost of printing final report
- Item #4: After Deadline Requests (List enclosed)

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

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 12, 1989

MEETING SUMMARY

APPROVED JANUARY 19, 1989

CALL TO ORDER

The meeting of the Legislative Council was called to order in the Council Chambers by the Council Chair, Speaker Martin, at 12:20 p.m.

ROLL CALL

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

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

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 Kennedy	Revisor of Statutes
John H. Bailey	Information Systems Director
David Silsby	Director, State Capitol Commission
Helen Ginder	Director, Legislative Oversight

SECRETARY'S REPORT

The summary of the Council's January 3, 1989, meeting was approved and placed on file. (Motion by Sen. Dutremble; second by Rep. Marsano; unanimous).

SPECIAL GUESTS

Speaker Martin recognized the Honorable Samuel Shapiro, State Treasurer, who, in turn, introduced Ms. Claire Cohen, Vice-President and Managing Director for State Ratings, Moody's Investment Services. Ms. Cohen was accompanied by two associates who work with bond ratings for local communities in Maine and the Maine Municipal Bond Bank.

At the invitation of the Chair, Ms. Cohen addressed the Council briefly. She noted that Maine had succeeded in returning its rating to AA-1 which puts Maine "at the top of the rating spectrum." Only 13 states that issue general obligation bonds have ratings of AA-1 or higher (AAA). Questions from Council members focused on whether the State of Maine could take specific steps to improve Maine's rating. Ms. Cohen replied in the negative, noting that Moody's tracks economic and other indicators in Maine on a continual basis. She reported that the next formal review of Maine's rating would be at the time of the state's next issue of bonds under its existing bonding authority, which will occur in March, 1989.

Speaker Martin expressed appreciation to Ms. Cohen and her associates on behalf of the entire Council for meeting with the Council.

(No Council action required).

EXECUTIVE DIRECTOR'S REPORT

Sally Diamond reported that she had approved the following:

Item #1: New Employees to Fill Positions in the Revisor's Office

Angela Hallett, Augusta, Maine, to the position of Office Assistant II (Salary Range 2), Step A, effective January 9, 1989.

Andrew A. Newman, Portland, Maine, to the position of Legal Proofreader I (Salary Range 3), Step A, effective January 17, 1989.

Steven C. Sandford, Winthrop, Maine, to the position of Legislative Technician I (Salary Range 4), Step B, effective January 23, 1989.

Linda Schopman, Gardiner, Maine, to the position of Legislative Technician I (Salary Range 4), Step B, effective January 23, 1989.

Dotty Shaw, Augusta, Maine, to the position of Legal Proofreader I (Salary Range 3), Step A, effective January 17, 1989.

Robin A. Switzer, Mechanic Falls, Maine, to the position of Legal Proofreader (Salary Range 3), Step B, (Starting date still being negotiated).

Motion: That this report be accepted and placed on file. (Motion by Sen. Clark; second by Rep. Mayo, unanimous).

Item #2: Approved Out-of-State Travel

Bent Schlosser, to attend CSG/ERC's annual Economic Outlook Seminar, February 8 - 10, Washington, D.C.

Motion: That this report be accepted and placed on file. (Motion by Sen. Webster; second by Sen. Clark; unanimous).

REPORTS FROM COUNCIL COMMITTEES

Speaker Martin drew members' attention to the list of his appointments to Council Committees that had been distributed. He asked that the Committee on Legislative Automation meet immediately to review pending requests for work stations.

John Bailey, Information Systems Director, reported that, in consultation with Sally Diamond, an order had already been placed in anticipation of requests in order to shorten the delivery schedules.

OLD BUSINESS

None.

NEW BUSINESS**Item #1: After Deadline Requests**

David Kennedy, Revisor of Statutes reported that 4 requests had been filed, but that his office had not had an opportunity to notify the sponsors of the Council meeting. Council members agreed to consider one of the 4 requests in the absence of the sponsor and to defer the others to the next Council meeting.

SPONSOR: Sen. Whitmore

**AN ACT to Make Participation in the
Legislative Retirement System Optional**

ACCEPTED

Item #2: Legislative Confirmation Process

Senator Clark requested that Council members discuss an issue that had been raised during the meeting of Committee Chairs earlier in the day. She noted that the Governor's letters of nomination are often received by the Senate on Fridays late in the afternoon. The effect of this is to reduce the 20-day statutory period that the Legislature has to convene a public hearing on the nomination to 17 or 18 days. She asked if those Council members who were of the Governor's party would be willing to convey this concern to the Governor. Rep. Webster reported that she would be happy to do this.

(No Council action required)

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Legislative Council meeting was adjourned at 1:46 p.m., upon the motion of Sen. Dutremble.



Joy J. O'Brien
Secretary of the Senate

Maine State Senate
Augusta, Maine 04333

January 18, 1989

TO: Rep. Mayo, Chair
Member of the Legislative Automation Committee

FROM: JOJO'Brien
Secretary of the Senate

RE: Computer Equipment Requests

I would like to request the following computer equipment for Senate offices. In order to expedite the ordering process, John Bailey and I discussed these additions last October. This request does require approval of the Legislative Council:

3 workstations - 1 for the Majority Caucus staff
1 for the Minority Caucus staff
1 for the President's fourth floor office

John and I also discussed upgrading existing printers. I understand printer's can be upgraded without Council approval.

2 Printer's:
I would like to replace the daisy printer in the steno office.

Senator Clark is considering the available options and equipment to replace the Daisy Printer in the Majority office.

In addition, Senator Cahill has since requested a workstation for her office.

I would respectfully request the Automation Committee consider recommending the Council approve an additional desktop printer for the fourth floor Minority Caucus Staff Office.

Thank you for your consideration.

COMPUTER EQUIPMENT REQUESTS

January, 1989

From the House Majority Office:

- 1 Wang terminal (Rep. Gwadosky's Office)
- 1 Wang terminal (Rep. Mayo's Office)
- *2 Wang terminals (upstairs Office)

From the House Minority Office:

- *1 Wang terminal (Rep. Webster's Office)
- *1 Wang terminal (Rep. Marsano's Office)

From the Office of the Speaker:

- 1 Wang terminal (3rd Floor Office)
- 4 Wang terminals (4th Floor Office)
- **1 Laser printer (4th Floor Office)

From the Office of the Clerk:

- 1 Wang terminal (3rd Floor Office)
- 1 Desk model printer (House Reporter's Office)

*Approved at subcommittee meeting 1/12/89

**Replaces existing inefficient printer

STAFF OFFICE WORKSTATION REQUESTS
January 19, 1989

<u>OFFICE</u>	<u># REQUESTED</u>
Executive Director	
Director	1
Information Systems	3
Law Library	1
Revisor of Statutes	2
Fiscal and Program Review	1
Policy and Legal Analysis	3
State House Commission/Rules Review	2
Press Area	<u>1</u>
TOTAL	14



MAINE STATE LEGISLATURE

Augusta, Maine 04333

January 11, 1989

Hon. John. L. Martin,
Chairman of the Legislative Council
State House Station #2
Augusta, Maine 04333

Dear John:

In the course of my work over the past 3 months with the State Capitol Commission and the Supreme Judicial Court Commission, I have discovered several disturbing circumstances, some of which are alarming in proportion or urgency. These developments will likely necessitate the prompt action of the legislature and therefore I bring them to your attention.

I have reviewed the master plan, (attached, passed by the Legislature pursuant to Private and Special Law 1967, chapter 458 and enacted into law under the Maine Revised Statutes, Title 1, section 814, by the 104th Legislature,) and note that it:

A. has existed for over 19 years but has seldom, if ever, been followed;

B. has not been reviewed periodically or updated every 5 years as the originating commission recommended; and

C. has no provisions for present day developments or the needs of the future.

Since a master plan has direct bearing on the activities of both my commissions, plus most other activities within the capitol complex, it is imperative that a blue print be created and enforced as directed by the Legislature and that there be coordination of all development activities and ample notice to all parties concerned which is not the case at present.

This unfortunate situation offers an opportunity for you and the legislative leadership to set the course for the future of the Capitol complex. By developing a comprehensive program for the orderly and aesthetic development of future state buildings, structures and grounds in the Capitol area of the City of Augusta, you will be viewed as foresighted builders.

Among the issues which must be addressed immediately are the following.

1. A February 28th deadline has been imposed for the proposed sale of city land bordering Capitol Park.
2. The Naval Training Center which is part of the aforementioned parcel, is leased from the city. The facility is presently under utilized and the lease will soon expire.
3. Discontinued use of Guilford Railroad Line means an option to purchase it before resale for parking or fiber optic transmission lines. Capitol grounds originally ran to the river edge and there's a possibility of restoring State ownership and use of that land.
4. Sale of Department of Transportation Highway garage buildings and grounds on Capitol Street to the State Retirement System for investment and private development has been proposed.
5. Proposed construction of new Department of Motor Vehicles building should be put on hold pending several options.
6. Master plan needs to be updated and adopted by the Legislature. (See old plan attached)
7. Master plan needs to be expanded to include state land on east bank of the Kennebec (including the US Arsenal and AMHI grounds). The statutory description will also need to be changed.

8. Capitol Park should be under the Capitol Commission as the park and the State House are inseparable. Statutory authority should be revised to include the park or left under the Capitol Planning Commission but subject to review by the Capitol Commission.

9. A moratorium should be imposed by the Legislature on all sales, purchases, leases and construction in and bordering the capitol area until the master plan is updated. No development should be allowed without being integrated into an overall plan accepted by the Legislature.

10. The Legislature needs to oversee these erratic activities. It is disgraceful that the statutory structure and authority is not in place to prevent the invasion of developers and for profit schemes which would buy State land, build on it and then lease the space back to the State at a premium.

11. At present there is no coordination between commissions groups or agencies; each has limited self interest. No person has been authorized or designated to coordinate all these activities. Without authority the Director of the Capitol Commission cannot effectively assist the Legislature in further pursuing these matters.

Each of these items has a major impact on the overall development of the Capitol Complex. I urge you to look at these in greater detail at your earliest possible chance. I would welcome the opportunity to take the lead in this.

Sincerely,



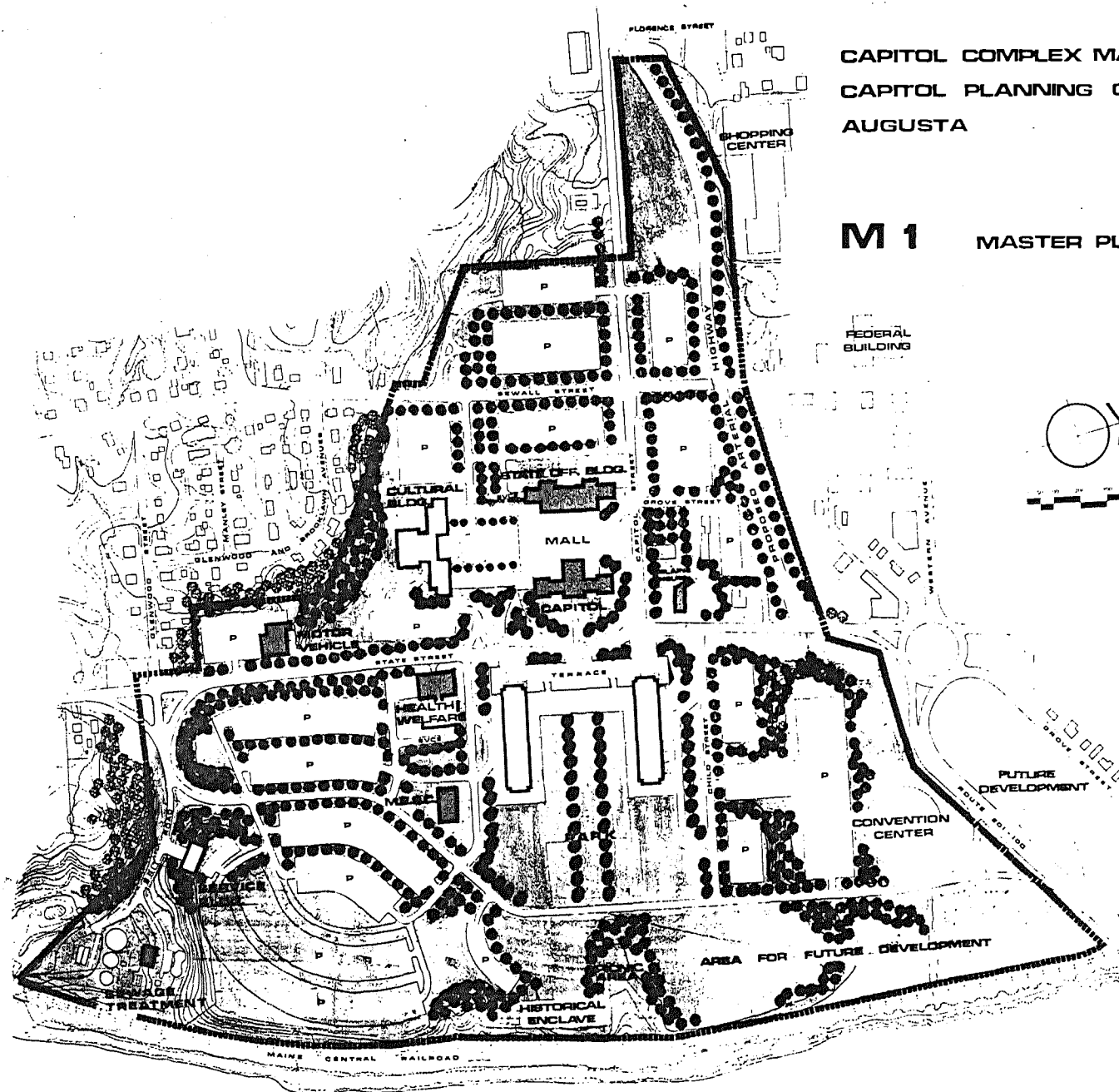
David S. Silsby,
Director
State Capitol Commission

DSS/job

CAPITOL COMPLEX MASTER PLAN
CAPITOL PLANNING COMMISSION
AUGUSTA MAINE

M 1 MASTER PLAN

FRANK
GRAD
& SONS





MAINE STATE LEGISLATURE
Augusta, Maine 04333

January 12, 1989

Hon. John L. Martin,
Chairman of the Legislative Council
State House
Augusta, Maine 04333

Dear John:

The State Capitol Commission is agreed that there should be integration of the State Capitol building and Capitol Park in the future and hence with the land that borders on Capitol Park. This concept existed early in the history of the State House and is confirmed by the Olmsted Plan of 1920.. (attached.)

In view of this and the City of Augusta's, urgent proposal to sell the city owned portion of Capitol Park, the State Capitol Commission unanimously voted the following motion while meeting January 5, 1989 at Augusta:

"Because the Augusta Capitol Park is so important to the Maine State Capitol Park and being fearful that the State will be foreclosed from appropriate use of the Augusta Capitol Park by development while issues are being studied, the State Capitol Commission recommends to the 114th Legislature that Augusta Capitol Park be tied up by purchase, option or otherwise for potential State ownership."

The Commission appreciates the serious commitment you have already made in protecting this area. In so doing we offer our full support to that position, knowing it will

ultimately cost taxpayers money, that the integrity of the site of the State Capitol Building must be protected, and the Capitol should remain the dominant object in the neighborhood.

If we can be of any further assistance in this regard, please feel free to call on us.

Sincerely,

Earle

Earle G. Shettleworth, Jr.,
Chairman
State Capitol Commission

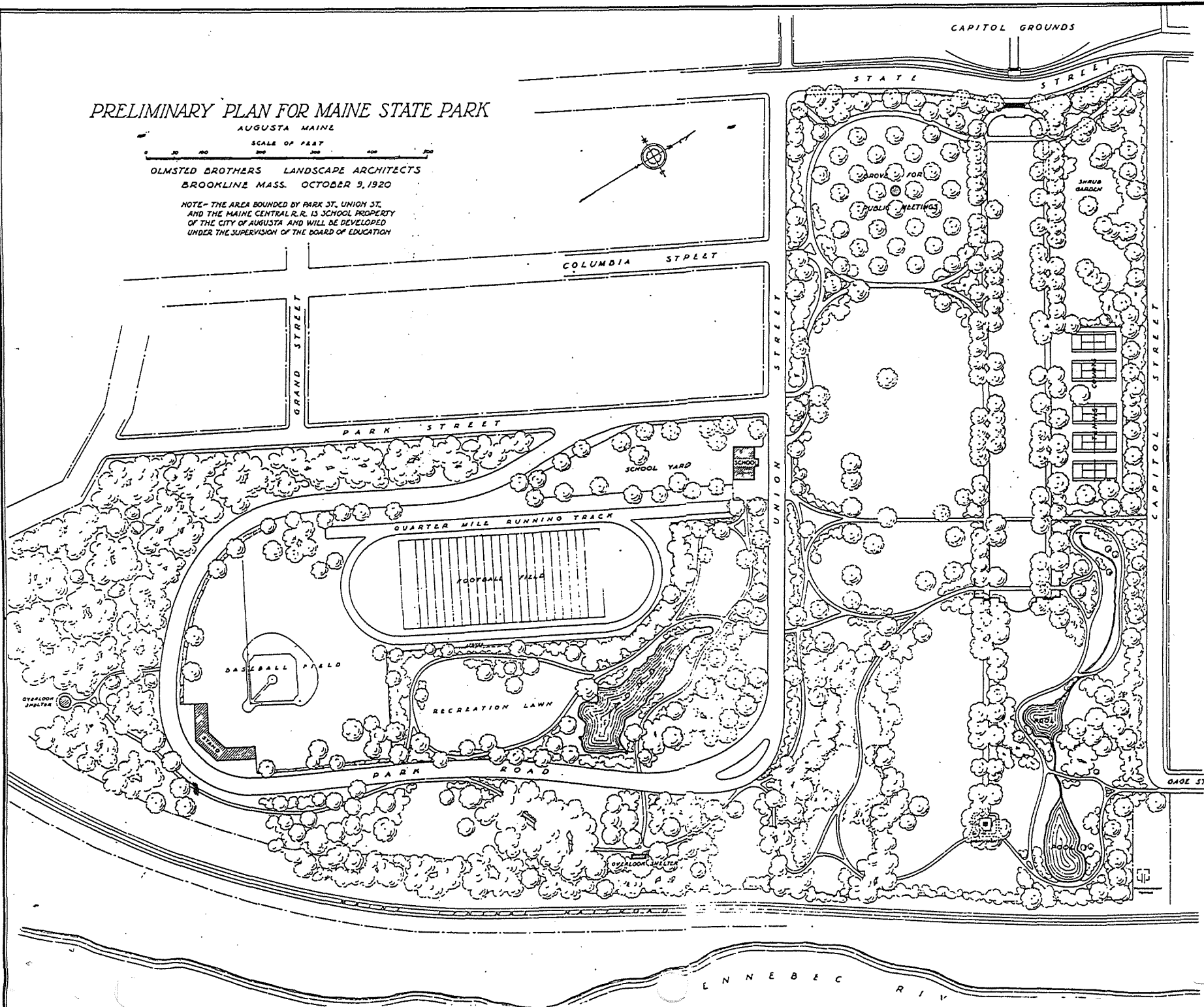
PRELIMINARY PLAN FOR MAINE STATE PARK

AUGUSTA MAINE

SCALE OF FEET
0 20 40 60 80 100

OLMSTED BROTHERS LANDSCAPE ARCHITECTS
BROOKLINE MASS. OCTOBER 9, 1920

NOTE- THE AREA BOUNDED BY PARK ST., UNION ST.,
AND THE MAINE CENTRAL R.R. IS SCHOOL PROPERTY
OF THE CITY OF AUGUSTA AND WILL BE DEVELOPED
UNDER THE SUPERVISION OF THE BOARD OF EDUCATION



LEGISLATIVE COUNCIL
JANUARY 19, 1989
REQUESTS TO INTRODUCE LEGISLATION
FIRST REGULAR SESSION

Action

SPONSOR: P. Paradis

LR 2114 An Act to Increase the Penalty
for Destruction of Law Enforcement
Canines

SPONSOR: Parent

LR 2113 An Act to Amend the Boundary Line
between the Towns of Albion and Benton

SPONSOR: Lapointe

LR 2112 An Act to Increase Fees Charged
by County Government

SPONSOR: E. Paradis

COSPONSOR: Perkins

LR 2106 An Act to Allow Corporations to Appear
without Legal Counsel for Minor
Civil Infractions

SPONSOR: J. Martin

COSPONSOR: Townsend
Pearson
P. Paradis

LR 2105 An Act Concerning the Passamaquoddy
Tribal Court

SPONSOR: Joseph

LR 2104 An Act to Clarify the Maine Municipal
Bond Bank's and the Maine Public Utility
Financing Bank's Ability to Hold,
Own and Sell Real and Personal Property

SPONSOR: Titcomb

LR 2102 An Act Concerning the Construction
of Portable Classrooms.