

# 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 31, 1989

### MEETING SUMMARY

APPROVED FEBRUARY 15, 1989

### CALL TO ORDER

The meeting of the Legislative Council was called to order in the Council Chambers by Speaker Martin at 11:00 a.m.

### ROLL CALL

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

**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 26, 1989 meeting was approved and placed on file. (Motion by Sen. Dutremble; second by Rep. Webster; unanimous).

**EXECUTIVE DIRECTOR'S REPORT**

Sally Diamond, Executive Director, presented notification to the Council of her approval of the following:

- Item #1: Step Increases for the following employees, based on the favorable recommendation of their respective Office Directors:

Charlene Brann, Secretary, Office of Policy and Legal Analysis, (Salary Range 3), from Step A to Step B, effective February 8, 1989.

Janet L. Grard, Office Support Technician, Office of Executive Director/Information Systems, (Salary Range 5), from Step B to Step C.

Annika Lane, Legislative Analyst, Office of Policy and Legal Analysis, (Salary Range 10), from Step A to Step B, effective February 8, 1989.

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

Earl Knox, Administrative Secretary, Office of Policy And Legal Analysis.

The following employee has completed another year of service but is topped out at Step X:

John Selser, Legislative Analyst, Office of Policy and Legal Analysis.

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

- Item #2: Hiring of Barbara McGinn to fill the position of Research Assistant in the Office of Policy and Legal Analysis. Ms. Diamond noted that this position was vacant due to the resignation of Bob Dunn in December.

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

## REPORTS FROM COUNCIL COMMITTEES

(See NEW BUSINESS, Item #2 below).

## OLD BUSINESS

Item #1: Commission on Children in Need of Supervision and Treatment: Request for Additional Funds to Print Final Report (Tabled January 19 pending further information regarding current budget status).

Sally Diamond directed Council members to an item in the materials which had been distributed which summarized the Commission's budget status. Speaker Martin reminded Council members that this Commission had initially been authorized by statute with no provision for either funding or staff. Funds were ultimately appropriated to cover the Commission's work during the 1988 interim and included money to hire staff on a contractual basis. Ms. Diamond estimated that the Commission would require approximately \$4,500 to complete its work.

**Motion:** That the necessary funds to complete the final report of the Commission on Children In Need Of Supervision And Treatment be taken from the Legislative Account. (Motion by Sen. Clark; second by Sen. Cahill; unanimous).

Item #2: Public Bill Status System

The item appeared on the agenda at the request of Senator Clark, who reported that she had had a request from one of the current subscribers to the system that the Council affirm its commitment to continue to provide access to this system during the 114th legislative biennium.

At the Chair's invitation, John Bailey, Information Systems Director, presented a brief report of the status of the public bill status system. He noted that the system had been initiated on a "pilot" basis at the beginning of the 113th Legislature's Second Regular Session. The system, which is completely separate from the system that is currently available to state agency users, was designed to extend access to the interested public. Users currently pay an annual subscription fee of \$100 and the charges related to their actual "connect time" to the system; the Legislature has, to this point, paid the costs associated with providing "dedicated access" to the system and updating the information available on the system twice a day during the legislative session.

Mr. Bailey provided Council members with a list of those organizations who had actually established a link with the system and noted that of the 19 in this group, only 2 or 3 had used the system on more than an occasional basis.

Discussion centered around whether the service should be continued at all given the level of participation; on the broader issue of the Legislature's responsibility to provide access regardless of current levels of use; and on whether to pass on more of the actual costs of system operation to the users.

**Motion:** That the system be continued and that the annual subscription fee be increased to \$300.  
(Motion by Sen. Dutremble; second by Sen. Clark).

**Motion:** That the pending motion be amended to reduce the annual fee to \$200 for public institutions. (Motion by Sen. Pray; second by Rep. Mayo; failed 2-7).

The amendment having failed, the vote was taken on the original motion, which was passed 7-3.

The Chair clarified that the motion included increasing the subscription fees to all non-legislative users, including executive agencies.

## NEW BUSINESS

**Item #1:** Report from David Silsby, Director, State Capitol Commission

David Silsby, Director, State Capitol Commission, presented members of the Council with an overview of the historical and architectural evaluation of the State House and its environs with the objective of highlighting the significance of some of the issues which are currently pending. These issues include the siting of the new supreme judicial court building; the proposed sale of the railroad which is below Capitol Park; the proposed acquisition of the D.O.T. garage by the Maine State Retirement System; and the proposed construction of a new building to house the Division of Motor Vehicles.

Mr. Silsby pointed out that these decisions are being considered without the benefit of a master plan for the Capitol district; the master plan of record was developed and approved 19 years ago and has neither been amended nor used as a means to ensure that subsequent development within the Capitol Planning District has adhered to defined aesthetic and functional standards.

**Motion:** That Mr. Silsby proceed with the following:

1. Meet with the Capitol Planning Commission for the purposes of making a similar presentation and conveying the Legislative Council's active interest and support.
2. Meet with the Commissioner of Transportation, Dana Connors, to discuss the current status of the railroad property and, again, to convey the Legislative Council's interest.
3. Draft legislation for the Council's review to address the issues Mr. Silsby had raised, including the need to establish an Office of State House Architect for the purpose of developing and overseeing the implementation of long-range plans.

(Motion by Speaker Martin; second by Sen. Clark; unanimous).

**Item #2:** After Deadline Requests: Council Policy and Procedures.

Rep. Webster presented a memo to Council members which proposed establishing a table for After Deadline Requests until all drafting of legislation filed before cloture has been completed.

The major points of the ensuing discussion included:

- Start-up of drafting was slowed by several major organizational and administrative changes, but the systems are now in place and working. Moreover, the Revisor's status report suggests that production of drafts is lagging only slightly compared to the status of drafting in 1987 (113th/1st Regular) in spite of these changes. (Speaker Martin).
- At the Council's direction, and with its continued support, the initial drafting effort has focussed on getting study bills and the Emergency and Part I Budget bills into circulation so that committees can begin deliberations on some of the major substantive issues. (Speaker Martin).
- Legislators need to assume the primary responsibility for making sure that they sign their bills in a timely manner. (Rep. Webster).

- The Council's action to approve after deadline bills does not really slow down the production of bills because the Revisor's "first in - first out" policy would drop them to the bottom anyway. (Rep. Mayo; confirmed by Mr. Kennedy).
- The Council needs to consider the strong tradition that the 1st Regular Session has been "accessible" - this is, available for the consideration of constituents' requests. (Sen. Dutremble; Rep. Martin).

**MOTION:** That the proposal to establish an After Deadline Request Table be adopted. (Motion by Rep. Webster; second by Rep. Marsano; failed 4-6).

**Item #3: Requests for Introduction of Legislation**

After deadline requests were considered by the Legislative Council. The Council's action on these requests is included on the attached list.

**ANNOUNCEMENTS AND REMARKS**

Sen. Clark noted that the Personnel Committee would meet on February 1 in her office. (Note: the Committee was forced to reschedule subsequently and met on Wednesday, February 8).

**ADJOURNMENT**

The Legislative Council meeting was adjourned at 12:33 p.m. on the motion of Sen. Clark,