

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL
WEDNESDAY, FEBRUARY 15, 1989
PRELIMINARY AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

- Summary of January 31, 1989, Council Meeting

EXECUTIVE DIRECTOR'S REPORT

Item #1: Approved Step Increases

REPORTS FROM COUNCIL COMMITTEES

OLD BUSINESS

NEW BUSINESS

Item #1: Report from the Maine Low-Level Radioactive Waste Authority (material enclosed).

Item #2: Request for Committee on Marine Resources to attend the Fisherman's Forum, March 19 (letter from Sen. Brannigan and Rep. Mitchell, Committee Chairs).

Item #3: After Deadline Bill Requests

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 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,

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

EXECUTIVE DIRECTOR'S REPORT
FEBRUARY 15, 1989

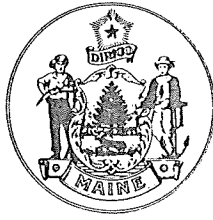
Approved Step Increases

Jayne D. Deneen, Legal Proofreader, (Salary Range 3), from Step A to Step B, effective January 23, 1989.

Sarah Reid, Legal Proofreader, (Salary Range 3), from Step A to Step B, effective January 2, 1989.

Maine Low-Level Radioactive Waste Authority

99 Western Avenue, Suite 101
Augusta, Maine 04330
(207) 626-3249
Matthew Scott
Executive Director



Authority Members

Peter DeAngelis, Chairman
Meredith H. Murray, Vice Chairman
Walter Anderson
Edward S. Boulos
Thomas E. Eastler, Ph.D.
John F. Gibbons, M.D.
Sheldon G. Richardson

MEMO

JANUARY 9, 1989

TO: Sarah C. Diamond, Executive Director
Office of the Legislative Council

FROM: Matthew Scott, Executive Director

SUBJECT: Legislative Council meeting with the Authority

Last year we mailed two memos to you requesting a meeting with the Council to discuss some of the Authority's activities. However, it was late in the calendar year and you suggested that we wait until the new legislature was elected and new leadership established. We are now at that point.

Would it now be possible for the Council to put the Authority on its agenda to discuss:

1. Authority's progress for Maine
2. Proposed Authority legislation

One of the Authority members suggested a breakfast meeting with the Council, if possible. Thank you very much for your help.

Regards,

A handwritten signature that appears to read 'Matt'.

Matthew Scott

Maine Low-Level Radioactive Waste Authority

99 Western Avenue, Suite 101
Augusta, Maine 04330
(207) 626-3249
Matthew Scott
Executive Director



Authority Members

Peter DeAngelis, Chairman
Meredith H. Murray, Vice Chairman
Walter Anderson
Edward S. Boulos
Thomas E. Eastler, Ph.D.
John F. Gibbons, M.D.
Sheldon G. Richardson

MEMO

February 3, 1989

TO: Sarah C. Diamond, Executive Director
Legislative Council

FROM: ^{Scott} Matthew Scott, Executive Director

SUBJECT: Proposed budget work plan for FY 1990

In accordance with Title 38, MRSA Section 1526(1) the Authority is required to file our operating plan and budget with your office by January 1st. My apologies for the delay. This budget work plan has been approved by the Authority and I am filing same with the Governor's Office and the Advisory Commission (Jim Mitchell). However, it is the Legislature that must approve this budget by a Resolve. The other two mentioned groups must only review the budget.

Funds for our administration budget come directly from the generators of whom Maine Yankee pays the largest share. This budget does not represent any request from the General Fund.

If I can provide you with any further information then please do not hesitate to call.

Enclosure

MAINE LOW-LEVEL RADIOACTIVE WASTE AUTHORITY

FY 1990

BUDGET WORKPLAN (Administration and Operating Account)

	TOTAL	1st	2nd	3rd	4th
PERSONAL SERVICES					
Salaries	120,000--	30000 --	30000 --	30000--	30000 --
Part Time	20,000--	5000 --	5000 --	5000--	5000 --
Per Diem \$100/day	25,000--	6250 --	6250 --	6250--	6250 --
Health Insurance	6,000--	1500 --	1500 --	1500--	1500 --
Dental Insurance	2,000--	500 --	500 --	500--	500 --
Retirement/					
Unemployment Costs	10,000--	2500 --	2500 --	2500--	2500 --
Workers Compensation	1,000--	250 --	250 --	250--	250 --
Sub-Total	184,000--				
ALL OTHER					
Contracts	50,000--	12500 --	12500 --	12500--	12500 --
Sole Source	5,000--	5000 --			
Travel-In State	15,000--	3750 --	3750 --	3750--	3750 --
Travel-Out of State	15,000--	3750 --	3750 --	3750--	3750 --
Authority & Staff Expenses	15,000--	3750 --	3750 --	3750--	3750 --
Hearings	10,000--	2500 --	2500 --	2500--	2500 --
Telephone	10,000--	2500 --	2500 --	2500--	2500 --
Rent, incl heat					
lights, custodial	20,000--	5000 --	5000 --	5000--	5000 --
Insurance - Liab., Bonding					
Furn. & Fix.	3,000--	3000 --			
Copier Payment-Rental	4,400--	1100 --	1100 --	1100--	1100 --
Educational Training	3,000--	750 --	750 --	750--	750 --
Office Supplies	3,000--	750 --	750 --	750--	750 --
Postage, Printing & Mailing	10,000--	2500 --	2500 --	2500--	2500 --
Other Supplies & Library Fees	7,000--	1750 --	1750 --	1750--	1750 --
Money Management Fees	2,000--	500 --	500 --	500--	500 --
Auditors	3,000--	1500 --	750 --	750--	
Service Contracts	5,000--	2000 --	1000 --	1000--	1000 --
Sub-Total	180,400--				
CAPITAL					
Office Equipment & Av	30,000--				
Sub-Total	30,000--				
GRAND TOTAL	394,400--				



MAINE STATE LEGISLATURE
Augusta, Maine 04333

February 14, 1989

Honorable John L. Martin, Chairperson
Legislative Council
State House Station 115
Augusta, Maine 04333

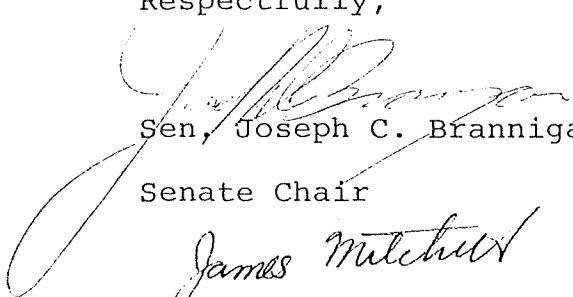
Dear Representative Martin:

The Committee on Marine Resources requests permission to attend the Fisherman's Forum on March 17, 1989, in Rockport. This is an annual event of great importance to members of the Committee, as it gives them the opportunity to interface with many levels of the marine industry, marine education and enforcement establishments.

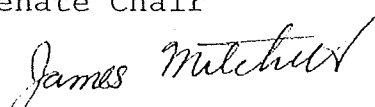
In addition to seminars on numerous topics of interest, the Committee frequently holds a public hearing during the course of the event. While one has not been scheduled at this time, this option is being considered.

Thank you for your consideration in this matter.

Respectfully,


Sen. Joseph C. Brannigan

Senate Chair


Rep. James Mitchell

House Chair

LEGISLATIVE COUNCIL
February 15, 1989
REQUESTS TO INTRODUCE LEGISLATION
FIRST REGULAR SESSION

Action

SPONSOR: Sen. Andrews

LR 2191 An Act to Provide Assistance to Businesses
Adversely Affected by Snow Drought

COSPONSOR: Sen. Perkins
Rep. Kilkelly
Rep. Nadeau

SPONSOR: Sen. Bustin

LR 2184 An Act to Create the Lineman's Safety Act

COSPONSOR: Rep. Dore

SPONSOR: Rep. Curran

LR 2203 An Act to Provide a Fund for Preparation and
Training of Class I and Class II Drivers

SPONSOR: Rep. Farnum

LR 2183 An Act to Allow Nonresident to Serve as
Appointed Municipal Law Enforcement Officers

SPONSOR: Rep. Foster

LR 2199 Resolve, to Provide for a Commemorative
Motor Vehicle License Plate to Celebrate the
Bicentennial of Hancock County

COSPONSOR: Sen. Perkins

SPONSOR: Sen. Gauvreau

LR 631 An Act Concerning Drug Set-asides

SPONSOR: Sen. Gauvreau

LR 2179 An Act to Improve the Standards of
Care at the Augusta Mental Health
and Bangor Mental Health Institute

COSPONSOR: Rep. Manning

SPONSOR: Rep. Higgins

LR 2177 An Act to Change the Confidentiality
Law to Include Social Workers

SPONSOR: Rep. Hussey, Jr.

LR 2190 An Act to Prohibit Persons under 21
Years of Age from Delivering Alcoholic
Beverages as Part of their Employment

COSPONSOR: Sen. Pray
Sen. Gould

SPONSOR: Rep. Hussey, Jr.

LR 2202 An Act to Amend the Law Incorporating
the Milo Water District

SPONSOR: Rep. Joseph

LR 2200 An Act to Establish the Departmennt of
Child and Family Services

SPONSOR: Rep. Martin

LR 2189 An Act Regarding the Removal of Hazardous
Chemicals from Schools

SPONSOR: Rep. Merrill

LR 2178 An Act to Set-Aside 100 Moose Permits for
Hunters 65 Years of Age and Older

SPONSOR: Rep. Mills

LR 2205 An Act to Amend the Real Estate Brokerage
License Act

SPONSOR: Rep. E. Paradis

LR 2192 An Act to Extend the Handicap Parking
Privilege to Disabled Veterans License Plates

COSPONSOR: Rep. McSweeney
Rep. Holt
Sen. Weymouth

SPONSOR: Rep. Paradis

LR 2193 An Act to Provide a Complimentary Maine
Drivers' License to 100% Combat Service
Connected Disabled Veterans

COSPONSOR: Rep. Holt
Sen. Perkins
Rep. Anderson

SPONSOR: Rep. Rolde

LR 2201 An Act to Insure Notification and
Participation by the Public in Licensing
and Relicensing of Hydroelectric Dams
and to further Insure the Equal Consideration
of Fisheries and Recreational Uses in
Licensing and Relicensing

SPONSOR: Rep. Sheltra

LR 2198 An Act Regarding the Composition of the
Real Estate Commission

SPONSOR: Rep. Tracy

LR 2197 An Act Authorizing Reallocation of Surplus
Franklin County Funds

COSPONSOR: Rep. Pineau
Sen. Erwin
Rep. Heeschen

REQUEST TO INTRODUCE JOINT RESOLUTIONS

SPONSOR: Sen. Clark

LR 2168 JOINT RESOLUTION MEMORIALIZING CONGRESS
REGARDING THE CURRENT CONGRESSIONAL PAY
INCREASES

SPONSOR: Rep. Nadeau

LR 2196 JOINT RESOLUTION REQUESTING THE TRUSTEE OF THE
UNIVERSITY OF MAINE TO CONSIDER AMENDMENTS
TO CERTAIN UNIVERSITY POLICIES