

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

REP. JOHN L. MARTIN
CHAIR

SEN. DENNIS L. DUTREMBLE
VICE-CHAIR



STATE OF MAINE

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

114th LEGISLATURE

LEGISLATIVE COUNCIL

MARCH 14, 1989

MEETING SUMMARY

APPROVED MARCH 30, 1989

CALL TO ORDER

The meeting of the Legislative Council was called to order in the Council Chambers by the Chair, Speaker Martin, at 9:50 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

NEW BUSINESS

The Council considered the following After Deadline Request:

An Act Concerning the Effective Date of County and Municipal Laws **ACCEPTED**

Sponsor: Rep. Martin of Eagle Lake

RECESS

The Council recessed at 10:04 a.m., on the motion of the Chair.

RECONVENE

The Council reconvened at 11:36 a.m., and proceeded with consideration of the agenda.

SECRETARY'S REPORT

The Summary of the Council's February 23, 1989, meeting was approved and placed on file. (Motion by Sen. Dutremble, second by Rep. Gwadosky; unanimous)

EXECUTIVE DIRECTOR'S REPORT

Sally Diamond brought the following items to Council members' attention:

Item #1: Approved Step Increases

Ms. Diamond reported that step increases had been awarded to the following employees on their anniversary dates based on the favorable recommendations of their respective Office Directors:

Elaine Choate, Senior Secretary, Office of Fiscal and Program Review, (Salary Range 4) from Step F to Step G, effective March 7, 1989.

Jennifer Locke, Library Associate, Law and Legislative Reference Library, (Salary Range 5) from Step A to Step B, effective March 14, 1989.

Robert Michaud, Associate Law Librarian, Law and Legislative Reference Library, (Salary Range 10) from Step E to Step F, effective March 5, 1989.

Ms. Diamond also noted that although they were not eligible for step increases, the following employees had completed another year of legislative service and merited recognition for this accomplishment:

Elizabeth Bartlett, Administrative Secretary, Office of Fiscal and Program Review.

Haven Whiteside, Legislative Analyst, Office of Policy and Legal Analysis.

Item #2: Legislature's Part I Budget Request for Fiscal Years 1990-1991

Ms. Diamond announced that the Legislature's Part I Budget Request would be considered by the Appropriations Committee in a public hearing on Thursday, March 16, at 1 p.m. The budget request had been approved last fall by the 113th Legislative Council prior to submission to the Budget Office; thus no Council action was required at this time. Copies of the materials that had been submitted to the Appropriations Committee were distributed to Council members. Speaker Martin confirmed that the figures included in these materials were identical to those included in the printed budget and that the request represented the funds required to sustain current operations.

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

Senator Clark, Committee Chair, reported that the Committee had met twice since the last Legislative Council meeting. She submitted the following recommendations on behalf of the Committee

Motion: That John H. Bailey, Information Systems Director, be awarded a step increase from Step C to Step D, retroactive to his anniversary date, which was January 1, 1989. (Motion by Sen. Clark; second by Sen. Cahill; unanimous).

Sen. Clark noted that the Committee's recommendation was pursuant to Sally Diamond's recommendation and followed a meeting with Sally and John which centered on a discussion of the scope of Mr. Bailey's responsibilities.

Motion: That the Legislative Council adopt a policy to provide Family Medical Leave to all full-time legislative employees. (Motion by Sen. Clark; second by Rep. Marsano).

Discussion: Sen. Clark noted that the impetus for establishing this policy was legislation enacted by the 113th Legislature in its Second Regular Session (ch. 661, P.L. 1987). She pointed out that the Council has already adopted a policy to provide Income Protection to legislative employees, which assures partial salary benefits during periods of illness or disability that preclude work. The primary purposes of adopting a policy regarding Family Medical Leave are to have a clear statement of all employee's right to take leave in the defined situations and to provide for continuation of state-paid benefits during the period of such leave. (A copy of the policy statement is attached to the Meeting Summary).

Speaker Martin questioned the Committee's decision to offer the benefit only to full-time legislative employees and not session employees. Sen. Clark responded that the Committee had determined after careful consideration, that the Legislative Council had already made provisions for session employees; they receive state-paid health insurance on a year round basis and are eligible to apply for income protection during periods of extended illness or disability. The Committee had concluded that it was important to gain some experience with the Family Medical Leave Policy on a more limited basis before extending it to session employees.

The vote on the previously-stated motion was unanimous.

OLD BUSINESS

Item #1: Responses to Request for Proposals to Conduct a Study of Medical Malpractice Liability

The Chair drew members attention to a letter from Rep. Patrick Paradis and Rep. Rydell, whom he had previously appointed to co-chair a committee to review proposals submitted in response to the RFP previously authorized by the Council (2/23/89).

Motion: That the Legislative Council authorize award of a contract to Public Health Resource Group, Inc., Portland, Maine, for the purpose of conducting a study of medical malpractice liability, and that the Executive Director be authorized to proceed with the development of a contract agreement in consultation with the members of the Oversight Committee. (Motion by Sen. Clark; second by Sen. Dutremble; unanimous).

Sen. Cahill asked that the Senate Chairs of the two joint standing committees (Banking & Insurance and Judiciary) be included as members of the Oversight Committee

Item #2: Report from David Silsby, Director, State Capitol Commission

Mr. Silsby was not able to attend the Council meeting. Speaker Martin reported that he had developed drafts of two bills pursuant to the Council's direction at an earlier meeting. These are included on the attached list of After Deadline Requests.

(No other action required).

NEW BUSINESS

Item #1: Maine High Risk Insurance Organization: Submission of Annual Report. (Copy of Report attached).

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

Item #2: After Deadline Requests

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

Speaker Martin drew Council members' attention to the following items:

Revisor's Status Report: The report indicates that the progress of bills through the drafting process, including the number of bills printed, is now on schedule compared to two years ago. The Chair took the occasion to publicly thank David Kennedy and his staff for their extraordinary efforts.

Press Space: The Speaker reported that he had instructed the Executive Director to arrange to have MPBN billed for its assigned space in the new press area on the same basis that all of the other resident press are charged. MPBN had not previously been charged rent by BPI, apparently on the basis that it was part of the University of Maine and operated as a not-for-profit enterprise. MPBN occupies 123 square feet in the new facility and will be billed a total of \$1,255.83 over the next year at the current rate (\$10.23/square foot).

ADJOURNMENT

The Legislative Council meeting was adjourned at 12:26 p.m., on the motion by Sen. Cahill.