

MAINE STATE LEGISLATURE

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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.



REP. JOHN L. MARTIN
CHAIR

SEN. DENNIS L. DUTREMBLE
VICE-CHAIR

STATE OF MAINE

114th LEGISLATURE

LEGISLATIVE COUNCIL

MARCH 23, 1989

MEETING SUMMARY

APPROVED MARCH 30, 1989

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

CALL TO ORDER

The meeting of the Legislative Council was called to order in the Speaker's Office by the Chair, Speaker Martin, at 9:42 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

NEW BUSINESS

Item #1: Administrative Leave for Legislative Staff on Friday, March 24.

Motion: That the Council authorize all legislative offices to maintain only minimal coverage from 12 noon until 5:00 p.m. on Good Friday, March 24, 1989, awarding administrative leave to legislative employees for this purpose, with the understanding that those employees who stayed to provide office coverage will be awarded compensatory time. (Motion by Rep. Webster; second by Sen. Clark; unanimous)

ADJOURNMENT

The Legislative Council meeting was adjourned at 9:45 a.m. on the motion of the Chair.

LEGISLATIVE COUNCIL
March 30, 1989
REQUESTS TO INTRODUCE LEGISLATION
FIRST REGULAR SESSION

TABLED REQUESTS

Action

SPONSOR: Rep. Constantine

TABLED
03/14/89

LR 2254 An Act Concerning Immunity for
Nonprofit Corporations

SPONSOR: Rep. Nadeau, Gregory

TABLED
03/14/89

LR 2234 An Act to Establish a Maine Savings
Bond Program

NEW REQUESTS

SPONSOR: Rep. Brewer

LR 2304 An Act to Amend the School Finance Act

SPONSOR: Rep. Carroll

LR 2296 An Act Allowing Full Time Deputies to
Hold Nonpartisan Municipal Office

SPONSOR: Rep. Carter

LR 2298 An Act to Establish a Commission on
State Finance

SPONSOR: Rep. Carter

LR 2314 An Act to Clarify the Borrowing
Authority of the University of
Maine System

SPONSOR: Sen. Clark

LR 2315 An Act Concerning the Workers'
Compensation Laws

SPONSOR: Rep. Constantine

LR 2286 An Act to Create a Combination Lobster
and Crab Fishing License

SPONSOR: Sen. Estes

LR 2282 An Act to Prohibit Firearms Within 500
Feet of School Property

SPONSOR: Rep. Farnsworth

LR 2289 An Act Relating to Hunting and
Fishing Licenses

SPONSOR: Sen. Gauvreau

LR 2274 An Act to Provide Community-Based
Support for Mental Health and
Mental Retardation Clients

SPONSOR: Rep. Gould

LR 2278 An Act to Create a Wildlife Sanctuary in
the Town of Beaver Cove

SPONSOR: Rep. Kilkelly

LR 2287 AN Act to Expand and Improve
Representative Membership on
the Manufactured Housing Board

SPONSOR: Rep. Kilkelly

LR 2288 An Act to Repeal State Minimum Standards
for Mobile Home Park Lots Sizes

SPONSOR: Rep. Luther

LR 2275 An Act to Require Proof of Insurance
as a Condition to Registration of a
Motor Vehicle

SPONSOR: Rep. McKeen

LR 2307 An Act Regarding the Licensing and
Examination of Psychologists

COSPONSOR: Sen. Esty, Jr.
Rep. Larrivee

SPONSOR: Rep. Melendy

LR 2293 An Act to Protect Adults at Risk

SPONSOR: Rep. Mitchell

LR 2303 An Act Regarding the Diesel Fuel Tax

SPONSOR: Rep. Moholland

LR 2316 An Act to Assure the Continuity of Mental
Health Services

COSPONSOR: Rep. Martin, John L.
Sen. Pray
Rep. Look

JOINT RESOLUTIONS FOR CONSIDERATION

SPONSOR: Sen. Clark

LR 2317 JOINT RESOLUTION MEMORIALIZING CONGRESS
AND THE PRESIDENT OF THE UNITED STATES TO
URGE THE RETENTION OF SMALL ISSUE INDUSTRIAL
DEVELOPMENT BONDS AS A FINANCIAL MECHANISM
AUTHORIZED BY THE FEDERAL TAX CODE TO ASSIST
IN ECONOMIC DEVELOPMENT AND HELP AMERICAN
MANUFACTURERS COMPETE IN THE INTERNATIONAL
ECONOMY

COSPONSOR: Rep. Gwadosky
 Sen. Dillenback
 Sen. Perkins

SPONSOR: Rep. Jalbert

LR 2109 JOINT RESOLUTION MEMORIALIZING THE CONGRESS
OF THE UNITED STATES TO RESTORE FUNDS TO THE
VETERANS ADMINISTRATION FOR FISCAL YEAR 1989

COSPONSOR: Sen. Erwin

SPONSOR: Sen. Twitchell

LR 2295 JOINT RESOLUTION MEMORIALIZING CONGRESS
OPPOSING A FEDERAL MOTOR FUEL FOR DEFICIT
REDUCTION

COSPONSOR: Rep. Moholland



STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA, MAINE 04333

March 29, 1989


John L. Martin
Chair
Legislative Council
State House
Augusta, Maine 04333


Dear John,

The Committee you appointed to review the request for proposals on Maine Income Taxes has unanimously selected and now recommends that the Legislative Council award a contract to Peat Marwick & Company for the purpose of conducting the study and making recommendations to the Legislative Council. We further recommend that Peat Marwick be released from the requirement of producing the corporate portion of the study by May 12th to allow them to devote all available time between now and May 12th to the individual portion of their study. The corporate portion may then be completed after May 12th.

We hope that the Council will take action promptly so that the contractor has as much time as possible to complete the study.

Sincerely,


Joseph W. Mayo
House Majority Whip


Jean E. Mattimore
Commissioner of Finance