

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

APRIL 25, 1989

MEETING SUMMARY

APPROVED MAY 9, 1989

CALL TO ORDER

The meeting of the Legislative Council was called to order in the Council Chambers by the Vice-Chair, Senator Dutremble, at 1:45 p.m.

ROLL CALL

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

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

Absent: Rep. Mayo,

Legislative Officers:

| | |
|----------------|---|
| Sally Diamond | Executive Director, |
| Lynn Randall | Legislative Council |
| Bent Schlosser | State Law Librarian |
| Martha Freeman | Director, Office of Fiscal and Program Review |
| David Kennedy | Director, Office of Policy and Legal Analysis |
| John H. Bailey | Revisor of Statutes |
| David Silsby | Information Systems Director |
| | Director, State Capitol Commission |

SECRETARY'S REPORT

The summary of the March 30, 1989, Council meeting was approved and placed on file. (Motion by Rep. Webster; second by Sen. Webster, unanimous).

EXECUTIVE DIRECTOR'S REPORT**Item #1: Approved Step Increases**

Ms. Diamond noted that she had approved step increases for the following non-partisan employees, based on favorable recommendations from their respective office directors:

Janice C. Durham, Legal Proofreader, (Salary Range 3), from Step A to Step B, effective April 1, 1989.

Gro Flatebo, Legislative Analyst, (Salary Range 10), from Step D to Step E, effective April 28, 1989.

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

**Item #2: Resignation: Carolyn Chick, Research Assistant,
Office of Policy and Legal Analysis**

Ms. Diamond reported that Ms. Chick was resigning

effective May 12. In response to an inquiry from Speaker Martin regarding the timing of her departure, she noted that Martha Freeman had asked Ms. Chick to delay her departure; however, the position would not still have been open after adjournment.

Motion: That Ms. Chick's letter of resignation be accepted and placed on file and that Martha Freeman be authorized to fill the position in consultation with the Executive Director. (Motion by Sen. Clark; second by Rep. Webster; unanimous)

Speaker Martin asked that the Personnel Committee consider what steps might be taken to strongly discourage employees from leaving during the session.

Item #3: Drafting Status Report: David Kennedy

Ms. Diamond referred Council members to the printed report which had been distributed. Mr. Kennedy announced that he and his staff were working to have all bill requests, including after deadline requests that had been approved prior to this Council meeting, drafted by May 1 and produced and signed by May 10.

No Council action required.

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

Sen. Clark, Committee Chair, noted that the Committee had had to reschedule its meeting and, therefore, had no report.

Automation Committee

Speaker Martin noted that he would ask Rep.. Mayo, who was absent due to illness, to schedule a meeting of the Committee as soon as possible to deal with pending items.

OLD BUSINESS

Item #1: Contracted Studies: Progress Reports

- Tax Revenue Study
- Medical Malpractice Liability Study

There were no formal reports; however, discussion established that both studies seem to be on schedule and meeting the expectations set forth by the Legislature, at least in the early stages.

No Council action required.

NEW BUSINESS

Item #1: Notification of Proposed Disposition of Surplus Real Property in Island Falls.

Ms. Diamond noted that this notification was pursuant to law.

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

Item #2: Suspension of Joint Rule 22: Reports of Committees.

The Joint Rule authorizes the Legislative Council to establish the deadline for committees to report out all bills and resolves. Following a brief discussion, Speaker Martin recommended that the deadline be Saturday, May 20, at 5:00 p.m., and that bills referred to the committees on or before Tuesday, April 25, could remain in committee after the deadline only with the prior approval of the presiding officers.

Motion: That the deadline for reporting out bills and resolves referred on or before April 25 be Saturday, May 20, at 5:00 p.m. (Motion by Sen. Dutremble; second by Rep. Webster; unanimous)

Item #3: AMHI Oversight Committee: Staff Support.

Sen. Gauvreau, who was present, noted that the Oversight Committee was currently relying on staff provided by the Dept. of Mental Health and Mental Retardation and that the Committee had concluded that this was inappropriate, given the nature of their charge. Sen. Gauvreau noted that this request had the unanimous support of the Oversight Committee. He further suggested that staff support might be required until January, 1990.

Motion: That this request be referred to the Personnel Committee for review and a recommendation to the Council. (Motion by Sen. Clark; second by Rep. Webster; unanimous).

Item #4: Joint Standing Committee on Audit and Program Review: Request to Recommence Review of Child Protective Services.

The letter from Sen. Bustin and Rep. Rolde presented their request that the Council authorize the Committee to recommence its review of the Department of Human Services Child Protective Services program. The Committee had begun its statutory review during the 112th Legislature, in 1985, and extended it through 1986 and 1987.

Motion: That the Audit & Program Review Committee be authorized to meet with Jane Sheehan, the newly-appointed Child Welfare Services Ombudsman, and to come back to the Council with recommendations regarding the scope and duration of work that they felt was essential at this time. (Motion by Rep. Gwadosky, second by Sen. Clark; unanimous)

Item #5: Commission to Study the Status of the Nursing and Health Care Professions in Maine: Request for Funds to Print Report.

Sally Diamond reported that although a final bill for printing had not yet been issued, the total amount requested by Rep. Boutilier would be approximately \$500. Rep. Webster, noting that the report had already been issued, inquired how this could have happened without Council approval. Speaker Martin speculated that the Commission had probably scheduled the printing in anticipation of the Council's favorable action; however, the Council had not met for three weeks.

Motion: That the request for funds to print the final report be approved. (Motion by Sen. Webster; second by Rep. Webster; unanimous)

Item #6: State House Day.

David Silsby, Director, State Capitol Commission, announced that, with the support of the Governor and the presiding officers, State House Day had been set for Monday, June 5. The Day will commemorate the 160th anniversary of the laying of the cornerstone for the original State House on July 4, 1829. The program includes a parade from what is now the Lithgow Library to the State House, retracing the route taken 160 years ago; a joint convention of the Legislature on the east lawn of the State House; and the laying and dedication of a new cornerstone.

No Council action required.

Item #7: 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

None.

ADJOURNMENT

The Legislative Council meeting was adjourned at 3:02 p.m. upon the motion of Sen. Dutremble.