

# 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

MAY 9, 1989

### MEETING SUMMARY

APPROVED MAY 24, 1989

### CALL TO ORDER

The Legislative Council was called to order by the Chair, Speaker Martin, at 5:10 p.m., in the Legislative Council Chambers.

### ROLL CALL

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

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

Absent: Rep. Marsano

### Legislative Officers:

Sally Diamond	Executive Director, Legislative Council
Lynn Randall	State Law Librarian
John Wakefield	Deputy 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
Joy O'Brien	Secretary of the Senate

**SECRETARY'S REPORT**

The Summaries of the April 25 and May 3, 1989, Council meetings were accepted and placed on file. (Motion by Sen. Pray; second by Sen. Dutremble; unanimous).

**EXECUTIVE DIRECTOR'S REPORT****Item #1: Revisor's Drafting Status Report**

Mr. Kennedy's report indicated that virtually all bills, with the exception of those After Deadline bills approved by the Council at its May 3 meeting, had been completed. Mr. Kennedy estimated that the total number of original bills introduced will exceed 1,720 - about 200 more than were drafted in the 113th Legislature's First Regular Session. Finally, he noted that the statistics reflected a sustained high level of effort from his entire staff as well as an extraordinary level of cooperation and support from both the Office of Policy and Legal Analysis staff and John Bailey and the Information Systems staff.

No Council action required.

**Item #2: Approved Step Increases**

Ms. Diamond reported that she had approved the following step increase, based on the favorable recommendation of her Office Director:

Norma Gruska, Library Assistant, Law and Legislative Reference Library, (Salary Range 3), from Step E to Step F, effective May 7, 1989.

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

**Item #3: Resignation of Annika Lane**

Ms. Diamond noted that most members of the Council had previously been informed of Ms. Lane's resignation, which was to be effective Friday, May 12. She reported that Sen. Clark, as Chair of the Personnel Committee, had requested that she work with the other Directors to develop proposals for strongly discouraging resignations during the legislative session.

**Motion:** That Ms. Lane's resignation be accepted and placed on file. (Motion by Sen. Pray; second by Sen. Clark; unanimous).

Sen. Clark also observed that she and other members of the Committee believed that the restructuring of the Office of Policy and Legal Analysis which Martha Freeman had instituted upon her appointment as Director had helped minimize the impact of Ms. Lane's resignation on the committees' work.

Item #4: Promotion of Hartley Palleschi

Ms. Diamond reported that, on Martha Freeman's recommendation, she had approved the promotion of Hartley Palleschi from the position of Research Assistant to the position of Legislative Analyst, effective immediately. The Analyst position is the one vacated by Annika Lane's resignation. Sen. Clark noted that the Personnel Committee endorsed this recommendation.

Motion: That this report be accepted. (Motion by Sen. Clark; second by Sen. Cahill; unanimous).

## REPORTS FROM COUNCIL COMMITTEES

### Personnel Committee

Sen. Clark, Committee Chair, presented the following report:

#### Longevity Steps

At the request of the Speaker, the Committee considered the addition of a longevity step to the salary scales for leadership staff. The scales for non-partisan staff contain two longevity steps - one available after 8 years of legislative service and the second after 10 years.

Motion: That the Legislative Council authorize creation of one additional step in each of the salary ranges for leadership staff, which would be available only upon completion of 8 years of service on the House or Senate staff. (Motion by Sen. Clark; second by Sen. Cahill; unanimous).

Motion: That the Council amend existing policy regarding the eligibility for assignment to longevity steps in the non-partisan salary ranges as follows: provide that, effective June 1, 1989, non-partisan staff be eligible to move into longevity steps which are already a part of their salary ranges upon completion of 8 to 10 years of service on the non-partisan staff, provided that a staff member has been in Step G for 1 year. (Motion by Sen. Clark; second by Sen. Cahill; unanimous).

Request for Assignment of Staff

## • AMHI Oversight Committee

**Motion:** That the request for staff assistance be tabled pending further developments in that situation. (Motion by Sen. Clark; second by Sen. Cahill; unanimous).

## • Committee on Audit and Program Review

Sen. Clark reported that the Personnel Committee had discussed the Audit Committee's request and strongly endorsed the action taken by the Council at its May 9 meeting to request the Audit Committee to develop a detailed description of the scope and objectives of the additional work they proposed to do related to Child Protective Services and that this be submitted to the Council for review and approval prior to the initiation of any work.

(No motion required)

Paid Overtime

Sen. Clark reported that this issue had been brought to the Committee's attention because the Senate had concluded that paid overtime was the best way to manage resources in those offices with small staff.

**Motion:** That the Legislative Council approve authorization for payment of overtime in the Senate, only beyond the 80 hour ceiling the Senate has placed on the accrual of compensatory time. (Motion by Sen. Clark; second by Sen. Cahill).

**Discussion** focussed on whether adoption of this motion would not inevitably result in extension of this policy to the House. Personnel Committee members reflected their discussion in committee that there were significant differences in the staffing levels in the House and Senate, and that this approach seemed to be an appropriate way to address those differences. Speaker Martin expressed his personal concern that it was not good management practice to treat the two chambers differently.

**Motion:** That this issue be re-referred to the Personnel Committee. (Motion by Sen. Webster; second by Rep. Webster, approved 8-1).

**OLD BUSINESS**

Item #1: Medical Malpractice Study: Progress Report

Item #2: Tax Revenue Study: Request for Extension of Final Report Date Until Monday, May 15

The Chair, Speaker Martin, asked for brief reports from the two contracted studies previously approved by the Legislative Council. He reported that the Medical Malpractice Liability Study was still on schedule. Rep. Mayo reported that the Taxation Committee had unanimously agreed to request a one-day extension for the submission of the draft final report for the Tax Revenue Study, pointing out that many members of the Committee would be in Washington on the original deadline date, May 12.

Motion: That the deadline for submission of the final report of the Tax Revenue Study by the contractor, Peat Marwick & Main, be extended to Monday, May 15. (Motion by Rep. Mayo; second by Rep. Webster; unanimous).

**NEW BUSINESS**

Item #1: Interim Studies: Issues and Procedures

Rep. Martin suggested that this item be tabled until the next Council meeting. There being no objection, the item was tabled.

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**

None.

**ADJOURNMENT**

The Legislative Council meeting was adjourned at 6:03 p.m., on the motion of Rep. Mayo.