

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

WEDNESDAY, MAY 24, 1989

MEETING SUMMARY

APPROVED JUNE 8, 1989

CALL TO ORDER

The Legislative Council was called to order by the Chair, Speaker Martin, at 4:15 p.m..

ROLL CALL

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

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

Legislative Officers:

Sally Diamond

Lynn Randall
Bent Schlosser

Martha Freeman

David Kennedy
John H. Bailey

David Silsby

Tim Glidden

Joy O'Brien

Executive Director,
Legislative Council
State Law Librarian
Director, Office of Fiscal
and Program Review
Director, Office of Policy
and Legal Analysis
Revisor of Statutes
Information Systems
Director
Director, State Capitol
Commission
Principal Analyst, Office of
Policy and Legal Analysis
Secretary of the Senate

SECRETARY'S REPORT

The summary of the May 9, 1989, Council meeting was accepted and placed on file. (Motion by Sen. Pray; second by Rep. Marsano; unanimous).

EXECUTIVE DIRECTOR'S REPORT

Sally Diamond, Executive Director, presented the following items for the Council's consideration:

Item #1: Approved Step Increases

Ms. Diamond reported that she had approved the following step increases, based on the favorable recommendation of their Office Director, Bent Schlosser:

James Clair, Principal Analyst, Office of Fiscal and Program Review, (Salary Range 12), from Step C to Step D, effective May 20, 1989.

Cheryl Ring, Principal Analyst, Office of Fiscal and Program Review, (Salary Range 12), from Step D to Step E, effective May 20, 1989.

Item #2: Step Increases Requiring Consideration by Personnel Committee

Ms. Diamond reported that both Bent Schlosser, Director of the Office of Fiscal and Program Review, and Lynn Randall, State Law Librarian, have anniversary dates in the month of June and are thus eligible for consideration of step increases. It is established Council policy that the Personnel Committee participate in the annual review of those assigned to Salary Range 14.

Motion: That these step increases be referred to the Personnel Committee for review and a report to the full Council. (Motion by Sen. Pray; second by Sen. Clark; unanimous).

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

Sen. Clark, Committee Chair, reported that the Committee had met to consider the item re-referred to it at the May 9 Council meeting - overtime pay for House and Senate staff. She reported that the Committee's discussion had resulted in a unanimous endorsement of its initial recommendation and presented a motion to that end.

Motion: That the Legislative Council authorize paid overtime to House and Senate staff once they have exceeded the established ceilings for the accrual of compensatory time; and, further, that this policy extend only to adjournment of the First Regular Session sine die. (Motion by Sen. Clark; second by Rep. Marsano). Discussion focussed on the following issues:

- Whether the policy would be restricted to a) staff in Salary Range 6 or below (i.e. clerical staff), and b) particular House and Senate offices (Speaker Martin).
- Whether traditional differences in the services provided by staff to members in each body (e.g. weekly mailings) justified a difference in policies related to overtime (Sen. Clark).

EXECUTIVE SESSION

Motion: That the Council go into Executive Session for the purpose of discussing matters related to personnel. (Motion by Sen. Pray; second by Rep. Marsano; unanimous)

The Council thus went into Executive Session at 4:25 p.m.

RECONVENE

The Council was reconvened by the Chair, Speaker Martin, at 4:56 p.m.

Motion: That the Council approve an amendment to Sen. Clark's original motion that paid overtime would be available only to secretarial staff in the Offices of the Clerk and Secretary and the leadership offices, thus excluding Chamber staff. (Motion by Sen. Webster; second by Rep. Wester; approved 8-1).

The Chair then asked for a vote on Sen. Clark's original motion with this amendment. The motion was approved 8-1.

Committee on Legislative Automation

Rep. Mayo, Committee Chair, reported that the Committee had met and had been given a complete tour of the Legislature's computer facilities by John Bailey, Information Systems Director. He noted that the Committee had also begun a discussion of the future direction of automation in the Legislature and would be developing some recommendations for Council consideration at a later date. Finally, Rep. Mayo noted that the Committee had discussed the current procedures and tools available to handle power interruptions, but had no specific recommendation at this time.

No Council action required.

OLD BUSINESS

Item #1: Interim Studies (Tabled at May 9 Council Meeting)

Speaker Martin briefly described the types of interim study requests that the Council would be considering before adjournment sine die. These include:

A. Statutory Study Commissions

These studies are proposed in legislation. Once accepted by both houses, the bills are generally referred to the Appropriations Table, where they sit until the Table is cleared during the final days of the session. In recent years, the Appropriations Committee has essentially turned the study bills over to the Council, along with a "budget". The Council schedules a special meeting to consider these; and the Appropriations Committee has accepted its recommendations.

B. Council-Approved Interim Studies

The Council has operated under procedures for several years that provide an opportunity for Joint Standing Committees to submit requests by letter to study a particular issue. Generally, these proposed studies are related to legislation the Committee has been dealing with or with an issue it knows it will be addressing in the coming session.

The Council considers these requests at a single meeting, and the recommendation to approve includes: a) Topic and scope of study; b) size of study committee (generally 5 - all legislators); and c) number of meetings.

NEW BUSINESS

Item #1: Request for Amendment to Contract with Peat Marwick Main & Co. to Review the State's Individual Income Tax Withholding Tables. (Letter from Rep. Cashman and Proposal from Peat Marwick)

Motion: That the contract with Peat Marwick & Main be amended to authorize expenditure of up to \$5,000 above the original contract amount for the purpose of conducting an analysis of the individual income tax withholding tables currently in use and recommendations for revising these. (Motion by Sen. Pray; second by Sen. Dutremble; unanimous).

- Item #2: Joint Standing Committee on Audit and Program Review:
Submission of Draft Reports.

Copies of these draft reports had been distributed to Council members previously.

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

- Item #3: Repair of State House Roof. (Letter from Earle Shettleworth, Chair, State Capitol Commission)

A letter from Earle Shettleworth, Chair of the State Capitol Commission, reported that the Commission had pursued both architectural and engineering studies of the roof of the West Wing of the State House, which had experienced severe leakage during the summer of 1988. Mr. Shettleworth requested the Council's support of the Commission's request to the Appropriations Committee for funds to replace the existing roof and to complete the necessary structural work to support the new roof. The preliminary estimate for this work is \$99,125. Ms. Diamond, who sits as a nonvoting member of the State Capitol ex officio, observed that tests results for asbestos in the existing roof had been positive, but that no estimate was available yet for the removal of the contaminated material.

Motion: That Ms. Diamond forward the Commission's request to the Joint Standing Committee on Appropriations and Financial Affairs with a cover letter from the Council Chair indicating the Council's unanimous support of the request. (Motion by Sen. Clark; second by Rep. Marsano; unanimous).

- Item #4: 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.

- Item #5: Requests to Carry Bills Over to the Second Regular Session

A list of the requests considered by the Council with the Council's action noted is attached.

ANNOUNCEMENTS AND REMARKS

Rep. Webster inquired about the status of the study of legislative operations which has been enacted and signed by the Governor (Chapter 15 Resolves, 1989).

Motion: That the Legislative Council authorize introduction of legislation which would change the date by which a contract was to be awarded, provided that this date was no later than July 15. (Motion by Sen. Pray). The Chair then polled the Council members individually in accordance with Council procedures for After Deadline Requests. The bill was unanimously approved.

ADJOURNMENT

The Council meeting was adjourned by the Chair at 5:32 p.m.