

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

SEPTEMBER 29, 1989

REVISED AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

- Summary of August 21, 1989, Council Meeting.

EXECUTIVE DIRECTOR'S REPORT

Item #1: Personnel Actions

Resignations

- Andrew Newman, Proofreader, Office of the Revisor
- Lars Rydell, Legislative Analyst, OPLA
(Information previously provided to Council members)
- Mary Lou Smith, Proofreader, Office of the Revisor
- Selene Schach-Depackh, Proofreader, Office of the Revisor

Recommendations for Promotions

- Gerald Thibault, from the position of Computer Programmer to the position of Information Systems Manager
- Paul J. Saucier, from the position of Research Assistant to the position of Legislative Analyst, OPLA
- Cynthia L. Jackson, from the position of Technician to Sr. Technician, Office of the Revisor

Recommendations to Hire

- Patrick Norton, Cumberland Center, to the position of Legislative Analyst, OPLA
- Jill Ippoliti, Greenville, to the position of Research Assistant, OPLA

Approved Step Increases

(List attached).

Item #2: Approved Out-of-State Travel

- Eastern States Legislative Fiscal Officers Association, Annual Meeting, Bretton Woods, New Hampshire, September 19-22:

Bent Schlosser
Jim Clair
Tim Leet
Kevin Madigan
Grant Pennoyer
- NCSL Seminar on Legislative-Judicial Relationships, Denver, Colorado, October 1-3: David Kennedy
- CSG/ERC Executive/Legislative Task Force, Annual Seminar, Washington, D.C., October 10-13: Julie Jones
- Assembly on the Legislature, Santa Fe, New Mexico, October 18-21: Sally Diamond, Kevin Madigan
- NCSL Management Development Seminar "Evaluating and Motivating Employees", Panama City Beach, Florida, November 8-11: Dick Sawyer, John Wakefield, and Teen Griffin.
- NCSL Labor Issues Seminar, Honolulu, Hawaii, November 30-December 2: Gilbert Brewer

REPORTS FROM COUNCIL COMMITTEES

OLD BUSINESS

- Item #1: Supreme Judicial Court Plan & Design Commission: Request for Clarification of Council Position on the Scope of the Planning Effort with regard to the Law Library. (Letter from Rep. Ruth S. Foster, Commission Chair).
- Item #2: Schedule for Review of Bill Requests for Second Regular Session: (Original proposal attached: need to establish date following cloture on October 23).

NEW BUSINESS

- Item #1: Letter from Joint Standing Committee on Human Resources regarding the Van Buren Hospital Closing. (Item referred to the Committee at the August 21 Council meeting; letter from Sen. Gauvreau and Rep. Manning enclosed).
- Item #2: Request from Joint Standing Committee on Judiciary to expand the membership on Study Committees. (Letter from Sen. Hobbins and Rep. Paradis enclosed).

Item #3: Study Requests

Joint Standing Committee on Human Resources:
Delivery of Adult Protective Services to Dependent and
Incapacitated Adults

Joint Standing Committee on Labor: The Use of
Professional Strikebreakers

Item #4: Notification of Proposed Disposal of Surplus Real
Property in Dedham (Hancock County). (Memorandum from
John Cashwell enclosed).

Item #5: Request from Rep. Cashman to Retain Peat Marwick Main
& Co. for the Purpose of Assisting the Legislature in
Revenue Projections. (Letter enclosed).

Item #6: Request from Secretary of State to Obtain Office Space
in Downtown Augusta. (Letter from Secretary of State
Diamond enclosed).

Item #7: NCSL Legislative Staff Management Institute: Request
from the University of Southern Maine (a finalist) for
legislative support. (Letter from Richard Barringer,
Director, USM Public Policy and Management Program).

Item #8: Student Financial Aid Transition Advisory Committee:
Status Report. (Letter from Sen. Bost, Advisory
Committee Chair).

Item #9: Adjustments in Salaries of Constitutional Officers
pursuant to Ch. 501, P.L. 1989.

Item #10: Negotiations for City-Owned Portion of Capitol Park:
Status Report (at request of Sen. Cahill).



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

AUGUST 21, 1989

MEETING SUMMARY

APPROVED SEPTEMBER 29, 1989

CALL TO ORDER

The Legislative Council meeting was called to order by the Chair, Speaker Martin, at 10:13 a.m.

ROLL CALL

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

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

Legislative Officers:

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

SECRETARY'S REPORT

The Summary of the August 14, 1989, Legislative Council meeting was approved and placed on file. (Motion by Rep. Webster; second by Sen. Cahill; unanimous).

EXECUTIVE DIRECTOR'S REPORT

None

REPORTS FROM COUNCIL COMMITTEES

None

OLD BUSINESS

None

NEW BUSINESS

Item #2: Requests to Introduce Legislation to First Special Session. (This item was taken out of order)

Requests to Introduce Legislation to the First Special Session were considered by the Legislative Council. The Council's action on these requests is included on the attached list.

Item #1: Department of Motor Vehicles: Location of New Building (By request of Sen. Clark)

Speaker Martin suggested that the Council, in discussing this issue, should be aware that this item was still being discussed in executive session by the Augusta City Council.

EXECUTIVE SESSION

Motion: That the Legislative Council go into Executive Session for the purpose of discussing the disposition of certain properties. (Motion by Sen. Clark; second by Sen. Cahill; unanimous).

Accordingly, the Council proceeded to go into Executive Session at 10:37 a.m.

RECONVENE

The Legislative Council was reconvened by the Chair at 11:08 a.m.

RECESS

The Legislative Council recessed at 11:10 a.m., on the motion of Rep. Webster.

RECONVENE

The Council was reconvened at 4:40 p.m. by the Chair. All Council members were present.

EXECUTIVE SESSION

Motion: That the Council go into Executive Session for the purpose of continuing its discussion regarding the disposition of certain properties. (Motion by Sen. Clark; second by Rep. Marsano; unanimous)

The Council proceeded to go into Executive Session at 4:42 p.m.

RECONVENE

The Legislative Council reconvened in open session at 5:25 p.m. and proceeded with its consideration of items on the agenda.

NEW BUSINESS (cont.)

Item #3: Request from the Joint Standing Committee on Energy and Natural Resources to convene a Public Hearing.

A letter from Sen. Kany and Rep. Michaud, Committee Chairs, requested the Council's authorization to convene a public hearing on the issue of the solid waste facility in Norridgewock.

Motion: That the Committee's request for a single day of hearings be approved. (Motion by Sen. Clark; second by Sen. Pray; approved 8-2).

RECESS

The Council meeting was recessed by the Chair at 5:33 p.m.

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Council meeting was adjourned upon a unanimous vote taken by ballot. (The ballot was circulated during the evening of August 21, while both houses were in session).

SARAH C. DIAMOND
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL

JOHN H. BAILEY
INFORMATION SYSTEMS
DIRECTOR

RICHARD N. SAWYER, JR.
ADMINISTRATIVE SERVICES
DIRECTOR



MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

EXECUTIVE DIRECTOR'S REPORT

SEPTEMBER 29, 1989

Approved Step Increases

Kimberly Morrow Allen, Paralegal Assistant, Revisor's Office,
(Salary Range 7), from Step C to Step D, effective September 25,
1989.

Gilbert W. Brewer, Legislative Analyst, Office of Policy and
Legal Analysis, (Salary Range 10), from Step E to Step F, effective
September 11, 1989.

Rosemarie Fredette, Legislative Analyst, Office of Fiscal and
Program Review, (Salary Range 10), from Step B to Step C, effective
September 4, 1989.

Valarie Parlin, Senior Secretary, Office of Policy and Legal
Analysis, (Salary Range 4), from Step E to Step F, effective
September 18, 1989.

Dorothy Rollins, Administrative Coordinator, Information
Office, (Salary Range 7), from Step G to Step Q, effective September
18, 1989.

Kathryn Van Note, Legislative Analyst, Office of Fiscal and
Program Review, (Salary Range 10), from Step B to Step C, effective
September 4, 1989.

The following employee has completed another year of service but is
at Step G and has not been employed the required length of time to
advance to Step Q.

Diane M. Maheux, Accounting Technician, Office of the Executive
Director.



MAINE STATE LEGISLATURE
Augusta, Maine 04333

August 28, 1989

Hon. John L. Martin
Speaker of the Maine House
State House Station 2
Augusta, Maine 04333

Dear John:

As a result of the Supreme Judicial Court Plan & Design Commission meeting on August 23, 1989, I find it necessary and ask to appear on behalf of the commission at the next meeting of the Legislative Council. The purpose of this meeting is to report the commissions progress to date and to clarify certain matters relating to inclusion of the Law Library in the planning effort.

Please advise me of the time and date at your earliest possible convenience.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ruth S. Foster".

Ruth S. Foster, Chair
Supreme Judicial Court
Plan & Design Commission

cc: Sally Diamond

114th LEGISLATURE
SECOND REGULAR SESSION

PROPOSED SCHEDULE FOR SUBMISSION
OF LEGISLATION

Wednesday, September 6	Notification mailed
Monday, October 23 - 5 pm	Filing deadline for legislators
Thursday, November 2	Screening by Legislative Council
Monday, November 6	Notification of Council action mailed
Tuesday, November 14	Deadline for letters of appeal
Thursday, November 16	Council consideration of appeals and incomplete requests
Friday, December 1	Deadline for receipt of legislation from executive department and agencies
	Deadline for submission of study legislation
Wednesday, January 3	Second Regular Session convenes

1989—OCTOBER—1989—

SUN	MON	TUE	WED	THUR	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

—1989—NOVEMBER—1989—

SUN	MON	TUE	WED	THUR	FRI	SAT
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—1989—DECEMBER—1989—

SUN	MON	TUE	WED	THUR	FRI	SAT
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24 31	25	26	27	28	29	30

SENATE

N. PAUL GAUVREAU, DISTRICT 23, CHAIR
BONNIE L. TITCOMB, DISTRICT 25
EDWIN C. RANDALL, DISTRICT 7

JULIE JONES, LEGISLATIVE ANALYST
ANNIKA LANE, LEGISLATIVE ANALYST
MARK E. SIROIS, COMMITTEE CLERK

SEP 06 1989



HOUSE

PETER J. MANNING, PORTLAND, CHAIR
NEIL ROLDE, YORK
BRADFORD E. BOUTILIER, LEWISTON
MARGARET FRUITT CLARK, BRUNSWICK
CHRISTINE F. BURKE, VASSALBORO
MARY R. CATHCART, ORONO
EVERETT O. PEDERSON, BANGOR
JEAN T. DELLERT, GARDINER
MICHAEL F. HEPBURN, SKOWHEGAN
PEGGY A. PENDLETON, SCARBOROUGH

STATE OF MAINE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
COMMITTEE ON HUMAN RESOURCES

August 22, 1989

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

Dear Rep. Martin:

The Joint Standing Committee on Human Resources has met to consider the situation referred to us by the Legislative Council relating to Cary Hospital's plans to operate services out of facilities formerly operated as the Van Buren Hospital which has recently closed and the need to resolve issues of debt incurred by Van Buren before its closing.

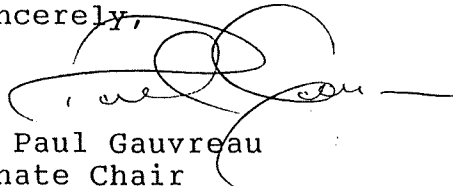
The Committee has followed the problems of small hospitals with declining patient volumes for some time and has been very concerned about situations such as that in Van Buren where substantial debt was accumulated before the hospital ultimately closed. This is a complicated problem which is not unique to Van Buren and may soon be affecting other communities with hospitals which are experiencing financial distress.

We have spoken with Elaine Fuller, Director of the Bureau of Medical Services and representatives of Blue Cross at a meeting on Monday. More than 90% of Van Buren's debt is owed to these two entities. It appears that negotiations are still under way between the interested parties in this situation and we believe that legislative action at this time would be premature.

During the First Regular Session the Legislature enacted LD 1322 to begin addressing the problems of access to health care. That legislation required two studies which we believe will be useful. One, the Commission to Study the Certificate of Need Law and the Impact of Competitive Forces on Ambulatory Health Care Services, was directed to look at health services planning and the certificate of need law. The other directed the Department of Human Services to review systems of licensure for health care facilities to determine what additional levels of licensure might be created to ease the problems of hospitals which are experiencing financial difficulty. We believe that either or both of these contexts would be better forums for consideration of the situation with Cary and Van Buren than a subcommittee of this Committee and recommend that the issue be incorporated as part of these efforts.

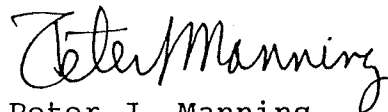
If we can be of any further assistance, please do not hesitate to contact us.

Sincerely,



N. Paul Gauvreau
Senate Chair

Sincerely,



Peter J. Manning
House Chair

SENATE

BARRY J. HOBBS, DISTRICT 31, CHAIR
N. PAUL GAUVREAU, DISTRICT 23
MURIEL D. HOLLOWAY, DISTRICT 20

PEGGY REINSCH, LEGISLATIVE ANALYST
TODD BURROWES, LEGISLATIVE ANALYST
PAULA ASHTON, COMMITTEE CLERK



HOUSE

PATRICK E. PARADIS, AUGUSTA, CHAIR
CONSTANCE D. COTE, AUBURN
GERARD P. CONLEY, JR., PORTLAND
PATRICIA M. STEVENS, BANGOR
CUSHMAN D. ANTHONY, SOUTH PORTLAND
SUSAN FARNSWORTH, HALLOWELL
MARY H. MACBRIDE, PRESQUE ISLE
DANA C. HANLEY, PARIS
PETER G. HASTINGS, FRYEBURG
JOHN H. RICHARDS, HAMPDEN

STATE OF MAINE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
COMMITTEE ON JUDICIARY

September 11, 1989

Honorable John L. Martin, Speaker of the House
Chair, Legislative Council
Maine State Legislature

RE: Study subcommittee membership

Dear Speaker Martin:

The Legislative Council approved two interim studies requested by the Joint Standing Committee on Judiciary. The Committee requested that the full committee be approved to study **Termination of Medical Care** (in response to LD 1010) and **Trial Court Jurisdiction** (as part of LD 232); the Council approved a 5-member subcommittee for each study. We now request approval to expand that membership by one committee member for each study subcommittee, so that each subcommittee will consist of 6 Judiciary Committee members.


As originally planned, the whole Committee would have participated throughout each study. We understand how budget constraints make 13-member study groups unrealistic. We do believe, however, that these 2 subject areas are very important components of the Judiciary Committee's pending workload. Both studies are designed to provide in-depth, comprehensive information that we were not able to collect during the Session. Obviously, the more Committee members who are privy to that information as soon as possible will help the Committee... in its work.

We believe that expanding the study subcommittee membership from 5 members to 6 members each will help the Committee lay the necessary foundation for the upcoming session and provide an additional opportunity for those Committee members who can participate; it also recognizes the realistic constraints which all study subcommittees must face.

We hope you will approve this slight expansion of the study subcommittee membership. Each subcommittee has already been approved to meet 4 times, with the full Committee meeting once for each study.

Please contact us if you have any questions. Thank you for your consideration.


Barry J. Hobbins
Senate Chair

Sincerely,

Patrick E. Paradis
House Chair

SENATE

N. PAUL GAUVREAU, DISTRICT 23, CHAIR
BONNIE L. TITCOMB, DISTRICT 25
EDWIN C. RANDALL, DISTRICT 7

JULIE JONES, LEGISLATIVE ANALYST
ANNIKA LANE, LEGISLATIVE ANALYST
MARK E. SIROIS, COMMITTEE CLERK



HOUSE

PETER J. MANNING, PORTLAND, CHAIR
NEIL ROLDE, YORK
BRADFORD E. BOUILIER, LEWISTON
MARGARET PRUITT CLARK, BRUNSWICK
CHRISTINE F. BURKE, VASSALBORO
MARY R. CATHCART, ORONO
EVERETT O. PEDERSON, BANGOR
JEAN T. DELLERT, GARDINER
MICHAEL F. HEPBURN, SKOWHEGAN
PEGGY A. PENDLETON, SCARBOROUGH

STATE OF MAINE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
COMMITTEE ON HUMAN RESOURCES

September 12, 1989

Rep. John L Martin, Chair
Legislative Council
State House Station 115
Augusta, Maine 04333

Dear Rep. Martin:

We request the Legislative Council to approve a subcommittee of the Joint Standing Committee on Human Resources to study the delivery of adult protective services to dependent and incapacitated adults.

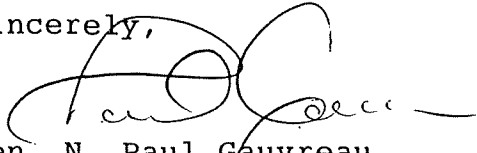
As you are aware, the issue of adult protective services arose last session as a result of publicity surrounding the Tracy case in Sidney. The Human Resources Committee met with representatives of the Department of Human Services to discuss this case during the most recent Special Session. We feel that the issue surrounding adult protective services is broader than the Tracy case. More time and attention is necessary in order to review current laws and procedures to determine whether changes are necessary to facilitate the proper balance between protection of vulnerable elderly persons and the maintenance of the maximum degree of individual independence.

The efforts of the subcommittee would include: a review of current state adult protective laws; a review of the legal rights of incapacitated adults to consent or withhold consent for medical treatment or other services; an evaluation of the adequacy of the current structure for the provision of adult protective services, including case management and other services and an evaluation of the need for additional training of adult protective service workers.

We recommend that the subcommittee be composed of five members and be authorized to conduct five subcommittee meetings with a reporting date of December 1, 1989.

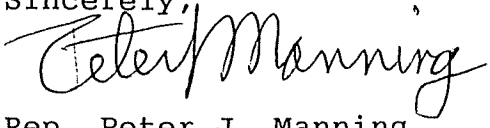
Thank you for your consideration.

Sincerely,



Sen. N. Paul Gauvreau
Senate Chair

Sincerely,



Rep. Peter J. Manning
House Chair

362P

SENATE

DONALD E. ESTY, JR., DISTRICT 28, CHAIR
ZACHARY E. MATTHEWS, DISTRICT 13
R. PETER WHITMORE, DISTRICT 22

GILBERT BREWER, LEGISLATIVE ANALYST
MOLLY PITCHER, COMMITTEE CLERK



HOUSE

EDWARD A. MCHENRY, MADAWASKA, CHAIR
ANTONIO J. TAMMARO, BAILEYVILLE
RICHARD P. RUHLIN, BREWER
ANNE M. RAND, PORTLAND
M. IDA LUTHER, MEXICO
ELDEN MCKEEN, WINDHAM
EDWARD L. PINEAU, JAY
GARY W. REED, FALMOUTH
JEFFREY H. BUTLAND, CUMBERLAND
JOHN S. McCORMICK, JR., ROCKPORT

STATE OF MAINE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
COMMITTEE ON LABOR

August 22, 1989

Hon. John L. Martin
Chair, Legislative Council
Augusta, Maine 04333

Dear Speaker Martin:

As you may recall, when the Labor Committee was asked to prioritize our study requests at the end of the 1st Regular Session, we dropped our priority for a study on the use of professional strikebreakers due to the apparent unanimous support for L.D. 1756. As a result, this study was not funded. However, the Governor ultimately vetoed L.D. 1756 after he sought and obtained an Opinion of the Justices that held that the proposed law would be unconstitutional. Given these developments, we wish to resubmit this request for approval of the Legislative Council to study the use of strikebreakers in Maine.

The study would be conducted by a subcommittee of the Labor Committee composed of 5 members appointed by the committee chairs. We anticipate that the study would require no more than 3 meetings with one additional full meeting of the Labor Committee. Having the benefit of an advisory opinion of the Maine Supreme Court, the study issues can now be drawn more narrowly as the following 2 questions.

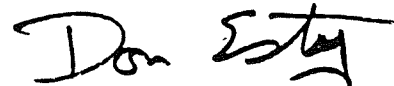
1. Given the apparent broad scope of federal preemption by the National Labor Relations Act, can the State constitutionally regulate the use of strikebreakers in any manner?
2. Can the State act in any other manner to reduce the potential for public harm (isolated from the effect upon the individual labor dispute involved) caused by the use of strikebreakers, such as the potential for environmental harm or injury to persons near the worksite where strikebreakers are employed?

We would also request the Council to provide the study with staff assistance from the legislative staff.

We apologize for the lateness of this request. As stated earlier, we had hoped that the study would not be necessary. We do not believe that a late start would hinder our ability to complete the study (including the drafting of a final report and any accompanying legislation) by December 1st. Since the Labor Committee has been considering this issue for some time, we will be able to complete the study with a minimum of additional effort, and as stated earlier, the availability of the court's opinion has actually focused the issues to be studied.

Given the divisive history of this issue and its potential importance to the State, we hope that you approve this request. Thank you.

Sincerely,



Donald E. Esty, Jr.
Senate Chair



Edward A. McHenry
House Chair

August 31, 1989

STATE OF MAINE

INTER-DEPARTMENTAL MEMORANDUM

TO: Sara Diamond, Ex. Director Legislative Council
FROM: John Cashwell, Director Conservation
 Bureau of Forestry
RE: **SURPLUS REAL PROPERTY DISPOSAL, 12 MRSA §8003 §§3, Par. M,
as Amended by P.L. 1987, Ch. 308**

The Director of the Bureau of Forestry, with the consent of the Commissioner of Conservation, proposes to dispose of the surplus real property located in Dedham, Hanock as described on the enclosed information sheet.

Notification is hereby made with respect to the proposed disposition of the property.

Inter-Departmental Memorandum

To Various Agencies, Bureaus and Town of Dedham Dept. _____

Dept. Conservation

Subject SURPLUS SITE DISPOSITION

Department of Conservation
Engineering & Realty Division
State House Station #22
Augusta, ME 04333
Telephone 289-4970

All inquiries must be submitted prior to September 30, 1989.

SITE DESCRIPTION: One acre rectangular in shape; forested with seasonal brook, 165 feet on town maintained Bald Mountain gravel road and 265 feet in depth. Site formerly used with watchman's camp/mobile home (now removed) in conjunction with Bald Mountain fire tower.

IMPROVEMENTS: Gravel drive

ZONING: Rural

RESTRICTIONS: None

APPRAISED VALUE: \$ 10,000 8/31/89



STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA, MAINE 04333

September 8, 1989

Hon. John L. Martin
Chair
Legislative Council
State House Station #2
Augusta, Maine 04333

Dear Rep. Martin:

I would like to request that KPMG Peat Marwick be retained to assist the Maine State Legislature in revenue projections.

If this is affirmed by vote in the next Legislative Council meeting please advise Billy Hamilton at Peat Marwick by letter that they have been officially hired so that they may proceed.

Thank you for your time and assistance.

Sincerely,

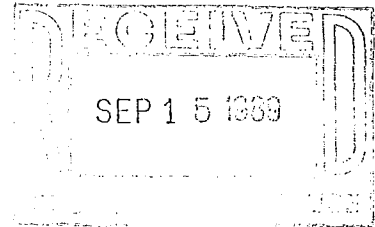
A handwritten signature in cursive script, appearing to read 'Jack'.

Rep. Jack A. Cashman

JAC/cs



STATE OF MAINE
DEPARTMENT OF STATE
AUGUSTA, MAINE 04333



G. William Diamond
Secretary of State

September 15, 1989

Hon. John L. Martin
Speaker of the House
Maine State Legislature
State House Station #2
Augusta, Maine 04333

Dear John,

I got the message from you via Pat Eltman to keep our options open on the downtown Augusta space for the Bureau of Corporations, Elections and Commissions. We have been able to secure a "First Refusal" until October 25, 1989. I would be pleased to meet with you at your convenience to give you more details. BPI has provided some initial help with assessing the space, costs, etc.

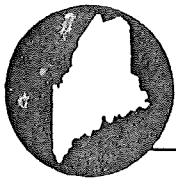
Such a move appears like it would provide us with some badly needed space and would give you prime hearing room space at the same time.

Let me know when you'd like to get together.

Sincerely,

G. William Diamond
Secretary of State

GWD/ks



UNIVERSITY OF SOUTHERN MAINE

Public Policy and Management

96 Falmouth Street
Portland, Maine 04103
(207) 780-4380

September 27, 1989

The Hon. John Martin
Speaker of the House
State House 3
Augusta, Maine 04333

Dear John:

As you know, we are very pleased that USM is one of four universities still competing nationally to cosponsor the NCSL's annual Legislative Staff Management Institute. (The other finalists in the competition are The Johnson School of Public Affairs at the University of Texas, the Humphrey School at the University of Minnesota, and a joint proposal by Rutgers and SUNY-Albany).

We have been reminded frequently by the NCSL of how important cost will be to legislative leaders across the nation in deciding whether they will send their staff to the Institute each year. We have been urged to keep the cost to a minimum and, in addition, to find ways that will permit staff from as many States as possible to attend the Institute.

We are now working to find private foundation support for part of the Institute's operation, should USM be selected; but we expect this will take some time and will most likely require a year of successful operation of the Institute. President Plante is also committed to finding ways that USM can contribute to minimizing costs.

It would be of the greatest assistance to our cost proposal to NCSL if the Legislative Council could agree to send two of your legislative staff to the Institute in each of the next two years. The cost of attending will be approximately \$1700 per person, which will cover all tuition and room and board fees for a two week management training seminar.

We hope that in any event the Council will wish to send your staff to the Institute to enhance their ability to manage the many, complex functions of the Maine Legislature. By agreeing to do so at this time, you will significantly enhance our chances of bringing the Institute to Maine on a permanent basis.

If you or any Council members have any questions concerning this proposal, please do not hesitate to call me or Charlie Colgan. Please extend my thanks to the Council for considering this request, as well as my very best personal regards. We deeply appreciate your support.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dick", with a long horizontal stroke extending to the right.

Richard E. Barringer
Professor and Director

ps

SENATE

STEPHEN C. ESTES, DISTRICT 35, CHAIR
STEPHEN M. BOST, DISTRICT 11
BARBARA A. GILL, DISTRICT 32

DAVID ELLIOTT, LEGISLATIVE ANALYST
DEBORAH FRIEDMAN, LEGISLATIVE ANALYST
JULIE FORTIN, COMMITTEE CLERK



HOUSE

NATHANIEL J. CROWLEY, SR., STOCKTON SPRINGS,
CHAIR
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STATE OF MAINE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
COMMITTEE ON EDUCATION

September 21, 1989

Sally Diamond
Executive Director
Legislative Council

Dear Sally:

The Student Financial Aid Transition Advisory Committee was directed by law (P.L. 1989, c. 559) to report by September 15, 1989 to the Legislature on the consolidation of financial aid services under FAME.

The committee hired a consultant and has nearly completed its charge. There is one piece of work remaining for it, however. That is the assumption of the existing MELA supplemental loan program by FAME. A recommendation on the timing of that takeover is dependent on several factors, including the rate at which MELA has been making loans for this school year. Up to date information will be available to the committee in early October following the start of the new school year. After analysis of that information, our final report will be prepared and should be available by late October. Necessary implementing legislation will also be available at that time.

Although the committee's study is not a Council authorized study and we are operating under a statutory reporting deadline, the Council has been instrumental in the committee's work up to now. For that reason, we felt it necessary to let you and the Council know the status of our work and of our intention to submit a complete final report as soon as possible.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Stephen Bost".

Sen. Stephen M. Bost, Chair
Transition Advisory Committee

88/GEA

cc: Sen. Stephen Estes
Rep. Nathaniel Crowley

CONSTITUTIONAL OFFICERS AND STATE AUDITOR

	Current			Eligibility Pursuant to Ch. 501, P.L. 1989		
	Range	Step	Salary	Range	Step	Salary
Attorney General	90	G*	\$59,820.80	91	H	\$68,556.80
Secretary of State	87	A	\$37,523.20	88	C**	\$44,595.20
Treasurer of State	87	G*	\$50,044.80	88	H	\$56,659.20
State Auditor	88	B	\$41,204.80	89	F**	\$55,078.40

* Topped out under prior law

**Statute establishes minimum step (Sec'y of State: C; State Auditor: E)

9/28/89

Sec. 7. 3 MRSA §162-B, as enacted by PL 1983, c. 862, §§5 and 6, is amended to read:

§162-B. Salaries of constitutional officers

Notwithstanding any other provisions of law, the salaries of the following state officials shall be at the salary ranges indicated in this section. At the time of initial appointment, the salary of the Secretary of State, ~~the State Auditor~~ and the Treasurer of State shall be set at the ~~first-step~~ Step C of the official's respective range. At the time of initial appointment, the salary ~~salaries~~ of the Attorney General and the State Auditor shall be set at Step E of ~~his~~ their salary ~~range~~ ranges. The Legislative Council may adjust the salary of each official by one step for each year of continuous service after the initial appointment to office.

The salary ranges shall be as provided by law for confidential employees who take the salary increase option instead of state payment of retirement contribution. No other state salary may be paid. These officials are not eligible for state payment of employee retirement contributions.

1. Range 88. The salary of the following state officials and employees shall be within salary range 87 88, but shall not exceed be less than Step G C in that range:

A. Secretary of State; and

B. Treasurer of State.

2. Range 89. The salary of the State Auditor shall be within salary range 88 89, but shall not exceed be less than Step G E in that range.

3. Range 91. The salary of the Attorney General shall be within salary range 90 91, but shall not be less than Step E and ~~shall not exceed Step G~~ in that range.

Sec. 8. 3 MRSA §801, sub-§1-A is enacted to read:

3 § 162-A

LEGISLATURE

Title 3

step of respective ranges upon initial appointments.

Laws 1983, c. 853, § A, 4, added subsecs. 3 to 5.

Laws 1983, c. 862, § 2, in opening pars. deleted provisions relating to adjustment of salaries of Secretary of State, State Treasurer, State Auditor and Attorney General by Legislative Council.

Laws 1983, c. 862, § 4, repealed subsec. 3 relating to salary range of Secretary of State

and State Treasurer; repealed subsec. 4 relating to salary range of Auditor; and repealed subsec. 5 relating to salary range of Attorney General.

1987 Amendments. Laws 1987, c. 349, § K, 1, repealed and replaced this section, which formerly related to adjustment of salaries by the Legislative Council.

Laws 1987, c. 769, § A, 2, in opening pars. substituted reference to continuous service for reference to continuous service.

Library References

States ⇐60(1).

C.J.S. States §§ 104 to 108.

§ 162-B. Salaries of constitutional officers

Notwithstanding any other provisions of law, the salaries of the following state officials shall be at the salary ranges indicated in this section. At the time of initial appointment the salary of the Secretary of State, the State Auditor and the Treasurer of State shall be set at the first step of the official's respective range. At the time of initial appointment, the salary of the Attorney General shall be set at Step E of his salary range. The Legislative Council may adjust the salary of each official by one step for each year of continuous service after the initial appointment to office.

The salary ranges shall be as provided by law for confidential employees who take the salary increase option instead of state payment of retirement contribution. No other state salary may be paid. These officials are not eligible for state payment of employee retirement contributions.

1. ~~Range 87.~~ The salary of the following state officials and employees shall be within salary range 87, but shall not exceed Step G in that range:

- A. Secretary of State; and
- B. Treasurer of State.

2. ~~Range 88.~~ The salary of the State Auditor shall be within salary range 88, but shall not exceed Step G in that range.

3. ~~Range 90.~~ The salary of the Attorney General shall be within salary range 90, but shall not be less than Step E and shall not exceed Step G in that range.

1983, c. 862, § 5, eff. Dec. 1, 1984.

Historical Note

Transition

Laws 1983, c. 862, § 6 provided:

"Section 5 of this Act [enacting this section] shall take effect on December 1, 1984. Officials who hold the offices of Secretary of State, Treas-

urer of State, State Auditor or Attorney General on the effective date of this section shall be placed on that date in their respective statutory pay ranges on that date at the appropriate step for their initial appointment."

Cross References

Attorney General, see title 5 § 191 et seq.

*Replaced by
ch 501, PL 1989,
§ 7*