

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

114th LEGISLATURE

SARAH C. DIAMOND
EXECUTIVE DIRECTOR

LEGISLATIVE COUNCIL

LEGISLATIVE COUNCIL
SUNDAY, OCTOBER 29, 1989
MEETING SUMMARY

APPROVED BY THE LEGISLATIVE COUNCIL
NOVEMBER 10, 1989

CALL TO ORDER

The Legislative Council meeting was called to order by the
Chair, Speaker Martin, at 12:00 noon.

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

Lynn Randall

Martha Freeman

David Kennedy

Executive Director,

Legislative Council

State Law Librarian

Director, Office of Policy

and Legal Analysis

Revisor of Statutes

SECRETARY'S REPORT

The summary of the September 29, 1989, Council Meeting was
accepted and placed on file. (Motion by Rep. Webster; second by Rep.
Mayo; unanimous).

EXECUTIVE DIRECTOR'S REPORT

• Approved Step Increases

Sally Diamond, Executive Director, reported that step increases had been awarded to the following employees based on the favorable recommendations of their respective Office Directors:

-Jane E. Edwards, Principal Law Librarian, Law and Legislative Reference Library, (Salary Range 12), from Step B to Step C, effective October 2, 1989.

David C. Elliott, Principal Analyst, Office of Policy and Legal Analysis, (Salary Range 12), from Step D to Step E, effective October 9, 1989.

Molly Gallant, Office Assistant II, Law and Legislative Reference Library, (Salary Range 2), from Step A to Step B, effective October 9, 1989.

William T. Glidden, Jr., Principal Analyst, Office of Policy and Legal Analysis, (Salary Range 12), from Step D to Step E, effective October 9, 1989.

Judith L. Hayes, Paralegal Assistant, Office of the Revisor, (Salary Range 7), from Step A to Step B, effective October 2, 1989.

Julie S. Jones, Principal Analyst, Office of Policy and Legal Analysis, (Salary Range 12), from Step D to Step E, effective October 9, 1989.

Jeanne C. Morang, Office Assistant II, Law and Legislative Reference Library, (Salary Range 2), from Step A to Step B, effective October 9, 1989.

Jonathan D. Williams, Office Assistant II, Law and Legislative Reference Library, (Salary Range 2), from Step C to Step D, effective October 23, 1989.

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

John B. Knox, Legislative Analyst, Office of Policy and Legal Analysis.

Motion: That the Executive Director's Report be accepted and placed on file. (Motion by Sen. Clark; second by Rep. Cahill; unanimous).

REPORTS FROM COUNCIL COMMITTEES

None.

OLD BUSINESS

Item #1: L.D. 943, AN ACT To Provide Needed Services Identified by the Task Force on Incapacitated and Dependent Adults, and Required by the United States Omnibus Budget Reconciliation Act of 1987.

Council members had received a brief memo from Sally Diamond reporting that this bill, which the Council had approved for carryover at its July 1, 1989 meeting, had inadvertently been Indefinitely Postponed in the closing days of the session.

Motion: That the bill be recalled from the files on the first day of the Second Regular Session and that an order be prepared for this purpose. (Motion by Sen. Clark; second by Rep. Marsano; unanimous).

Item #2: Secretary of State's Request to Relocate the Bureau of Corporations, Elections and Commissions to Leased Space: Status Report.

Secretary of State Diamond, who was present, distributed additional information to Council members in accordance with the Council's request at its September 29 meeting. Mr. Diamond noted that the space currently assigned to the Bureau in the State Office Building comprised 5200 square feet and accommodated 44 employees (33 permanent, full-time and 11 part-time). With the addition of the 11 new positions approved by the Legislature last spring and the new computer system - also approved and funded by the Legislature during the First Regular Session - BPI estimates that the Bureau will require a total of 8,344 square feet. Secretary Diamond's proposal involves moving the entire Bureau to the new location in order to pursue his previously-defined organizational goals. Finally, he noted that he had asked the lessor to quote a rate based on a 5-year lease rather than a 10-year lease, (as the Council had requested) and that the lessor had extended the shorter-term lease at the original rate - \$11.90/square foot.

Questions from Council members included the following:

1. How many employees would be moved to the new space? (Rep. Webster)

Answer: All of the Bureau's 55 employees. The new space would also accommodate the new computer system, which would otherwise require a significant area within the existing State Office Building space, and allow the department to give up some off-site storage space which it is currently renting.

2. Is the proposed use of the space currently occupied by the Bureau in the State Office Building a recommendation from anyone but the Council? (Rep. Marsano).

Answer: No. Speaker Martin reiterated the need for additional legislative space in the Capitol Complex.

Rep. Webster noted that she would vote to approve a proposal based on renting space for the new employees, but not a move of the entire Bureau for two reasons: 1) other issues have higher priority in terms of the funds available; and 2) her concern about the accessibility of the new location to the general public.

Motion: That the Council support the plan to relocate the Bureau of Corporations, Elections and Commissions as presented by Secretary Diamond and that the Council Chair inform the members of the Joint Standing Committee on Appropriations and Financial Affairs of its action. (Motion by Sen. Clark; second by Rep. Mayo; approved 8-2).

- Item #3: Proposal from Peat Marwick to Prepare Revenue Estimates Under Contract to the Legislature.

Speaker Martin asked the Council's approval to Table the item at this time pending the outcome of the effort within the executive branch to hire a consultant to assist in the development of the State's revenue estimating tools. The item was tabled with no objection.

NEW BUSINESS

- Item #1: Notification of Disposal of Surplus Real Property (pursuant to Statute).

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

- Item #2: Proposed Schedule for Fees for Legislative Document Service for the Second Regular Session.

Speaker Martin noted that the proposed fee schedule for the Second Regular Session was the same as that used during the First Regular Session.

Motion: That the Clerk's proposed Fee Schedule for the Legislative Document Service for the Second Regular Session be approved. (Motion by Sen. Pray; second by Rep. Webster; unanimous).

- Item #3: Request from the Joint Standing Committee on Audit and Program Review to Authorize Expenditures Related to the Committee's Study of Child Protective Services.

Ms. Diamond, responding to a request from the Chair, noted that the total additional cost to the Legislature for this request would be approximately \$100.

Motion: That the Committee's request be approved.
(Motion by Sen. Pray; second by Sen. Clark; unanimous).

- Item #4: Request from the Joint Standing Committee on Banking and Insurance for an Additional Meeting for the Study of State Insurance Guarantee Funds.

Rep. Webster asked for clarification that the Committee's request would not delay the completion of its work beyond the December 1 deadline previously established by the Council. She was assured that it would not.

Motion: That the Committee's request be approved.
(Motion by Sen. Pray; second by Sen. Clark; unanimous).

- Item #5: Correspondence from the State House and Capitol Park Commission regarding State House Museum Display Cases.

Motion: That the item be referred to the Council's Committee on the Utilization of Legislative Space and that the Committee be directed to meet with members of the State House and Capitol Park Commission to review the Commission's proposal in greater detail and reach final agreement. (Motion by Sen. Pray; second by Rep. Gwadosky; unanimous).

- Item #6: Request to Develop a Conference Jointly with the Maine Municipal Association.

Sen. Pray brought to the Council members' attention the interest expressed by officials at MMA in working with members of the Legislature to develop a 1-2 day symposium on economic and fiscal matters of concern to municipalities.

Motion: That the Chair appoint a 3-member Committee to work with the Maine Municipal Association to plan a 1-2 day symposium. (Motion by Sen. Clark; second by Sen. Dutremble; unanimous).

- Item #7: Parking Privileges for Custodians on the Night Shift

Sen. Clark reported that she had learned that the night-shift custodians had been told not to park in the designated "Handicapped" spaces on the north and west sides of the State House despite the concerns they had expressed about walking to their cars late at night.

Motion: That the Council authorize the use of the Handicapped parking spaces in the immediate vicinity of the State House after regular business hours unless the Legislature is actually in session. (Motion by Sen. Clark; second by Sen. Cahill; unanimous).

Item #8: Legislators' Requests to Introduce Legislation to Second Regular Session.

The Council considered those requests from legislators that had been filed by the cloture date, October 16. Speaker Martin noted that 722 bill requests had been filed by legislators by the established cloture date, Monday, October 16, at 5 p.m. He pointed out those approved by the Council would constitute one component of the Legislature's "agenda" for the Second Regular Session: other components include 99 carryover bills, approximately 30 bills that would emerge from approved interim and statutory studies, and an estimated 100 bills the Governor expects to file. The Speaker acknowledged the fine efforts expended by David Kennedy and his staff in preparing the material for the Council meeting.

The Council's action on all requests was distributed to all Council members. Copies are available for review in the Law Library, in the Executive Director's Office, and in other legislative staff offices.

ANNOUNCEMENTS AND REMARKS

EXECUTIVE SESSION

Motion: That the Legislative Council move into Executive Session. (Motion by Sen. Pray; second by Sen. Clark; unanimous).

The Council proceeded to go into Executive Session at 7:11 p.m.

RECONVENE

The Council reconvened at 7:14 p.m.

ADJOURNMENT

On the motion of Sen. Pray, the Council adjourned at 7:15 p.m.