

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

JANUARY 25, 1990

REVISED AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

Summary of January 11, 1990, Council Meeting

EXECUTIVE DIRECTOR'S REPORT

Item #1: Approved Step Increases

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

Committee on the Legislative Budget (memo enclosed)

OLD BUSINESS

NEW BUSINESS

Item #1: Submission of Study Reports

Joint Standing Committee on Judiciary: Study of the
Jurisdiction of the District Court and the
Administrative Court and the Relationship to the
Jurisdiction of the Superior Court

Item #2: Request to Provide an Interpreter for the Deaf at
Public Hearings (memo enclosed)

Item #3: After Deadline Bill Requests

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT



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
THURSDAY, JANUARY 11, 1990
MEETING SUMMARY**

APPROVED JANUARY 25, 1990

CALL TO ORDER

The Legislative Council meeting was called to order in the Council Chambers by the Chair, Representative Martin, at 2:55 p.m.

ROLL CALL

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

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

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

SECRETARY'S REPORT

The Summary of the January 4, 1990, Council meeting was accepted and placed on file. (Motion by Rep. Mayo; second by Rep. Webster; unanimous).

EXECUTIVE DIRECTOR'S REPORT

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

Item #1: Approved Step Increases

Ms. Diamond reported that she had granted step increases to the following employees based on the recommendation of their respective Office Directors:

Julie C. Carrier, Office Assistant II, Maine Canadian Legislative Advisory Office, (Salary Range 2), from Step 1 to Step 2, effective January 1, 1990.

Jayne D. Deneen, Legal Proofreader, Office of the Revisor, (Salary Range 3), from Step 2 to Step 3, effective January 22, 1990.

Alice K. Gray, Legal Proofreader, Office of the Revisor, (Salary Range 3), from Step 4 to Step 5, effective January 1, 1990.

Teen Ellen Griffin, Administrative Coordinator, Office of the Executive Director, (Salary Range 7), from Step 5 to Step 6, effective January 1, 1990.

Angela W. Hallett, Office Assistant II, Office of the Revisor, (Salary Range 2), from Step 1 to Step 2, effective January 8, 1990.

Sharon A. Linton, Senior Proofreader, Office of the Revisor, (Salary Range 4), from Step 7 to Step 8, effective November 28, 1989.

Margaret E. Matheson, Principal Analyst, Office of the Revisor, (Salary Range 12), from Step 4 to Step 5, effective January 8, 1990.

Sarah Reid, Legal Proofreader, Office of the Revisor, (Salary Range 3), from Step 2 to Step 3, effective January 1, 1990.

Steven C. Sanford, Legislative Technician, Office of the Revisor, (Salary Range 4), from Step 2 to Step 3, effective January 22, 1990.

Linda Shopmann, Legislative Technician, Office of the Revisor, (Salary Range 4), from Step 2 to Step 3, effective January 22, 1990.

Dotty Shaw, Legal Proofreader, Office of the Revisor, (Salary Range 3), from Step 1 to Step 2, effective January 15, 1990.

The following employees have completed another year of service but have not been employed the required length of time to advance to Step 8.

Etta J. Begin, Senior Secretary, Office of the Executive Director.

Jacqueline P. Calcagni, Administrative Secretary, Office of the Executive Director.

Kathy Crowley-Pendelton, Office Assistant II, Office of Fiscal and Program Review.

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

Item #2: Resignation of Robin Switser, Engrossing Proofreader, Office of the Revisor, and Recommendation to hire Mary Lou Smith to fill this vacancy

Ms. Diamond reported that Ms. Switser had submitted her resignation

Given that the session is already underway, Ms. Diamond recommended that David Kennedy be authorized to fill the position immediately. In response to a question from Rep. Marsano, Mr. Kennedy stressed the need to fill the position promptly. He also reported that he was recommending that the position be converted from a full-year position to session only.

Motion: That Robin Switser's resignation be accepted and that Mr. Kennedy be authorized to proceed immediately to fill the position with Mary Lou Smith. (Motion by Sen. Pray; second by Sen. Cahill; unanimous).

Item #3: Revisor's Drafting Status Report

No Council action necessary.

REPORTS FROM COUNCIL COMMITTEES

None.

OLD BUSINESS

Item #1: Letter from the Chairs of the Joint Standing Committee on Taxation to the Governor Regarding the Study of the Tax Reform Act of 1986 by KMPG Peat Marwick

Motion: That the letter be accepted and placed on file. (Motion by Sen. Pray; approved without objection).

NEW BUSINESS

Item #1: Submission of Study Reports

Joint Standing Committee on Banking and Insurance:

Survey of Victims of Uninsured Motorist
Accidents.

Joint Standing Committee on Human Resources:

Study of Mental Health Services.

Joint Standing Committee on State and Local
Government:

County Government: A Study of its Structure and
Possible Redistribution of Certain Functions.

Motion: That the Study Reports be accepted and
placed on file. (Motion by Sen. Pray; second by
Rep. Mayo; unanimous).

Item #2: After Deadline Bill Requests

After deadline requests were considered by the
Legislative Council. The Council's action on these
requests is included on the attached list.

EXECUTIVE SESSION

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

The Council proceeded to go into Executive Session at 3:15 p.m.

RECONVENE

The Council reconvened on the motion of Sen. Pray at 3:20 p.m.

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Legislative Council meeting was adjourned on the motion of
Sen. Pray at 3:21 p.m.

SARAH C. DIAMOND
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL

RICHARD N. SAWYER, JR.
ADMINISTRATIVE SERVICES
DIRECTOR



MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

EXECUTIVE DIRECTOR'S REPORT

JANUARY 25, 1990

Approved Step Increases

Janet L. Jean, Secretary, Office of Policy and Legal Analysis,
(Salary Range 3), from Step 3 to Step 4, effective January 29, 1990.

Margaret J. Reinsch, Legislative Analyst, Office of Policy and
Legal Analysis, (Salary Range 10), from Step 5 to Step 6, effective
January 15, 1990.

JOHN DAVID KENNEDY
Revisor of Statutes

MARGARET E. MATHESON
Principal Attorney

EVELYN KNOPF
SUZANNE M. GRESSER
Legislative Attorneys

ELIZABETH H. GOSSELIN
Technical Services



MAINE STATE LEGISLATURE
OFFICE OF THE REVISOR OF STATUTES
STATE HOUSE STATION 7
AUGUSTA, MAINE 04333
(207) 289-1650

MEMO

TO: The Honorable John L. Martin, Chair
and Members of the Legislative Council

FROM: David Kennedy *DK*

DATE: January 25, 1990

RE: Drafting Status Report as of January 25, 1990

I. Bill Requests to be Drafted

a. Legislator Pre-cloture Requests Approved	368
b. Legislator After Deadline Requests Approved	41
c. Department, Governor and Agency Requests	127
d. Study or Special Authority Bills Received	60

TOTAL 596

II. Bill Requests in Process and Drafted

a. Requests in Initial Drafting	20
b. Initial Draft Complete; in Production	61
c. Final Version Sent Out for Signature	46
d. Final Version Released for Printing	425
e. Voided or Withdrawn	44

TOTAL 596

III. Orders, Joint Orders and Joint Resolutions

a. Requests Received	14
b. Items in Progress	6
c. Items Completed	8

IV. Legislative Sentiments

a. Request Received Since Cloture	205
b. Items in Progress	24
c. Items Completed	181

SARAH C. DIAMOND
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ADMINISTRATIVE SERVICES
DIRECTOR



MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

January 24, 1990

TO: Honorable John L. Martin, Chair
Legislative Council

FROM: Sally *Sally*

SUBJECT: Budget Reductions for Fiscal Year 1991

Based on the reductions that the Council approved at its January 4 meeting, I have taken a preliminary look at the picture for FY 1991. The attached sheet shows the effect of extending those reductions approved for FY 90 into FY 91. I have also made a couple of proposals (noted with asterisks on the attachment) about "finding" the rest.

I would be happy to answer any questions you may have.

Attachment

LEGISLATIVE COUNCIL

SUMMARY OF PROPOSED REDUCTIONS FOR FISCAL YEARS 1990 AND 1991

	FISCAL YEAR 1990 BUDGET	PROPOSED REDUCTION	FISCAL YEAR 1991 BUDGET	PROPOSED REDUCTION
PERSONAL SERVICES				
Salaries				
Legislative/General	\$ 6,203,490	\$ 261,881	\$ 7,160,271	\$ 166,610
Library	417,265	15,900	441,701	---
Maine-Canadian Office	51,655	---	52,273	---
State House Commission	<u>93,258</u>	<u>---</u>	<u>94,387</u>	<u>---</u>
Total Salaries	\$ 6,765,668	\$ 277,781	\$ 7,748,632	\$ 166,610
Per Diem	\$ 129,245	---	\$ 129,245	---
Benefits				
Legislative/General	\$ 1,930,701	\$ 51,040	\$ 2,162,653	\$ 33,390
Library	115,462	3,100	116,986	---
Maine-Canadian Office	14,285	---	\$ 14,089	---
State House Commission	<u>24,644</u>	<u>---</u>	<u>25,577</u>	<u>---</u>
Total Benefits	\$ 2,085,092	\$ 54,140	\$ 2,319,305	\$ 33,390
TOTAL PERSONAL SERVICES	\$ 8,980,005	\$ 331,921	\$10,197,182	\$ 200,000
ALL OTHER				
Professional Services				
Non/State	\$ 251,167	\$ ---	\$ 263,229	\$ 66,865*
State	285,452	100,000	299,865	200,000
Travel				
Out-Of-State	241,290	---	231,575	---
In-State	1,322,973	55,000	1,688,910	---

	FISCAL YEAR 1990 BUDGET	1990 PROPOSED REDUCTION	FISCAL YEAR 1991 BUDGET	1991 PROPOSED REDUCTION
ALL OTHER (cont.)				
Telephone	273,158	---	385,298	---
Rentals	673,068	---	694,218	---
Repairs	71,950	---	71,950	30,000*
Insurance	800	---	800	---
Office Supplies & Equipment	150,182	---	196,267	---
Clothing	4,403	---	10,925	---
General Operating Expenses				
Postage	510,791	25,000	536,330	25,000
Printing	1,082,304	80,000	1,445,647	80,000
Photocopying	79,411	---	91,323	---
Subscriptions/Books	187,830	---	206,613	---
Advertising	54,252	19,000	65,100	40,000
Service Contracts (Computer System)	74,033	---	81,435	---
Food	4,365	---	4,583	---
Tuition/Dues	3,100	---	6,500	---
Miscellaneous	14,200	---	14,910	---
Constituent Service Allowances	<u>94,000</u>	<u>---</u>	<u>149,750</u>	<u>---</u>
TOTAL ALL OTHER	\$ 5,378,729	\$ 279,000	\$ 6,445,228	\$ 441,865
CAPITAL				
Equipment Purchase	\$ 150,000	---	\$ 150,000	---
Structures & Improvements	<u>35,000</u>	<u>---</u>	<u>35,000</u>	<u>---</u>
TOTAL CAPITAL	\$ 185,000	---	\$ 185,000	---
GRAND TOTAL	\$14,543,734	\$ 610,921	---	\$ 641,865
REDUCTION TARGET (5%)		\$ 610,693		\$ 641,865

LEGISLATURE
SUPPLEMENTAL BUDGET REQUIREMENTS

Personal Services		\$ 0
All Other		
<ul style="list-style-type: none"> • Legislative Management Study: Contract with Peat, Marwick Maine & Co. 150,000 (Authorized by Resolves of 1989, Ch. 15) • Expansion contract with Space Management Consultants, Inc. to define functional and space requirements to relocate Law Library in proposed court facility 43,000 (Authorized by the Legislative Council 9/29/89) • Payment of contractual services to prepare maps to be used in 1990 Census 3,400 (Authorized by the Legislative Council 7/19/89) • 1st Special Session <ul style="list-style-type: none"> - Legislators' Meals/Lodging/ Mileage 50,715 - Printing 10,500 - Advertising 1,000 - Chamber Staff (Session) 565 	<hr style="width: 100%;"/>	<hr style="width: 100%;"/>
Total All Other		\$259,180
Capital		<u>0</u>
TOTAL SUPPLEMENTAL REQUIREMENT		\$259,180

SARAH C. DIAMOND
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DIRECTOR



MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

January 24, 1990

TO: Honorable John L. Martin, Chair
and Members of the Legislative Council

FROM: Sally *Sally*

SUBJECT: Request for an Interpreter for the Deaf
at Public Hearings

We received an inquiry through the Clerk's Office yesterday about whether we provided interpreters for the deaf at public hearings. The answer has been no; however, for bills of particular interest to the hearing-impaired, persons attending the hearing have sometimes brought their own interpreter.

This may be an area where the Council should establish policy since it involves a potential cost to the Legislature (\$23/hour for the services of an interpreter). I have talked at length with Norm Perrin, Director of the Division of Deafness in DHS, about what our stance should be. Norm points out that the Council should have a formal policy in order to conform with the spirit of an Executive Order that was issued several years ago. The main problem with implementing this policy throughout the state is the lack of qualified interpreters.

LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
SECOND REGULAR SESSION
January 22, 1990

Action

SPONSOR: Sen. Berube

LR 3603 An Act to Extend the Reporting Date
of the Commission on Codification
of Rules

SPONSOR: Rep. MacBride

LR 3601 An Act to Deorganize Plantation E in
Aroostook County

SPONSOR: Rep. Simpson

LR 3600 An Act to Allow Municipalities to Fully
Retain School Impact Fees

SPONSOR: Rep. Stevens, Albert

LR 3607 An Act to Release the State's Interest in
Certain Real Property in Richmond, Maine

Cosponsors: Sen. Cahill
Sen. Matthews
Rep. Priest

REQUESTS TO INTRODUCE JOINT RESOLUTIONS

SPONSOR: Rep. Boutilier

LR 3599 JOINT RESOLUTION MEMORIALIZING THE
PRESIDENT TO AWARD MEDALS TO CERTAIN
WOMEN IN INFANTRY

Cosponsors: Rep. Erwin

SPONSOR: Rep. Rolde

LR 3608 JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF
THE UNITED STATES TO OVERRIDE THE VETO OF THE
IMMIGRATION RELIEF ACT OF 1989

Cosponsors: Rep. Jalbert
Rep. Murphy
Rep. McGowan

SPONSOR: Rep. Rolde

LR 3610 JOINT RESOLUTION MEMORIALIZING THE
CONGRESS OF THE UNITED STATES TO PROTECT
the JOBS OF SHIPYARD WORKERS

TABLED BY THE LEGISLATIVE COUNCIL

SPONSOR:	Rep. Boutilier	TABLED
LR 3532	An Act to Create a Temporary Sizing of the Certificate of Need Development Account	01/11/90
SPONSOR:	Rep. Dexter	TABLED
LR 3578	An Act to Provide Greater Opportunities for Orphans and Foster Children	01/11/90
SPONSOR:	Rep. Farnsworth	TABLED
LR 3535	An Act Regarding the Department of Environmental Protection's Approval of Municipal Road Work	12/20/89
SPONSOR:	Rep. Holt	TABLED
LR 3586	An Act Regarding Liability for Nuclear Waste	01/11/90
SPONSOR:	Rep. Kilkelly	TABLED
LR 3432	An Act to Create Maine Statehood Day Cosponsors: Rep. Mayo Rep. Marsano	12/20/89
SPONSOR:	Sen. Pray	TABLED
LR 3474	An Act Relating to Education Costs in the Town of Lakeview	12/20/89
SPONSOR:	Rep. Richards	TABLED
LR 3552	An Act to Allow for Appointment of an Independent Prosecutor in Certain Cases Cosponsors: Rep. Conley, Jr. Rep. Hastings Sen. Hobbins	01/04/90
SPONSOR:	Rep. Rolde	TABLED
LR 3589	An Act to Establish a Uniform Sales Tax for Meals, Lodging and Alcohol	01/11/90

SPONSOR:	Rep. Sheltra	TABLED
LR 3582	An Act to Prohibit Retail Sales on New Year's Day	01/11/90
	Cosponsors: Rep. Graham	
SPONSOR:	Rep. Simpson	TABLED
LR 3585	An Act Concerning Sales and Use Taxes for Computer Game Rentals	01/11/90
SPONSOR:	Sen. Titcomb	TABLED
LR 3541	An Act to Establish A Poison Warning Program	01/04/90
SPONSOR:	Sen. Titcomb	TABLED
LR 3542	An Act to Establish a Demonstration Project to Aid Homeless Persons	01/04/90
SPONSOR:	Sen. Whitmore	TABLED
LR 3581	An Act Concerning Penalties for Failure to File State Income Tax Returns	01/11/90

LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
SECOND REGULAR SESSION
January 25, 1990

Action

SPONSOR: Rep. KilKelly

LR 3616 An Act to Conform Maine's Antifouling
Paint Law to Federal Standards

SPONSOR: Rep. Luther

LR 3614 An Act to Prohibit Ramps for Disabled
People from Adding to Property Tax Valuations

SPONSOR: Rep. Martin, John L.

LR 3615 An Act to Appropriate Funds for Nonresidential
Services and Sheltered Group Homes for Girls

Cosponsors: Rep. Pouliot
Sen. Hobbins
Sen. Pearson

LEGISLATIVE COUNCIL
REQUEST TO INTRODUCE LEGISLATION
SECOND REGULAR SESSION
ADDENDUM

January 25, 1990

Action

SPONSOR: Sen. Clark

LR 3621 An Act to Clarify the Definition of
Earnable Compensation in the Maine
State Retirement System Statutes

Cosponsor: Rep. Dellert