

# 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



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MAINE STATE LEGISLATURE  
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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
<b>PERSONAL SERVICES</b>				
<b>Salaries</b>				
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>
<b>Total Salaries</b>	<b>\$ 6,765,668</b>	<b>\$ 277,781</b>	<b>\$ 7,748,632</b>	<b>\$ 166,610</b>
<b>Per Diem</b>	<b>\$ 129,245</b>	<b>---</b>	<b>\$ 129,245</b>	<b>---</b>
<b>Benefits</b>				
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>
<b>Total Benefits</b>	<b>\$ 2,085,092</b>	<b>\$ 54,140</b>	<b>\$ 2,319,305</b>	<b>\$ 33,390</b>
<b>TOTAL PERSONAL SERVICES</b>	<b>\$ 8,980,005</b>	<b>\$ 331,921</b>	<b>\$10,197,182</b>	<b>\$ 200,000</b>
<b>ALL OTHER</b>				
<b>Professional Services</b>				
Non/State	\$ 251,167	\$ ---	\$ 263,229	\$ 66,865*
State	285,452	100,000	299,865	200,000
<b>Travel</b>				
Out-Of-State	241,290	---	231,575	---
In-State	1,322,973	55,000	1,688,910	---

	FISCAL YEAR 1990 BUDGET	PROPOSED REDUCTION	FISCAL YEAR 1991 BUDGET	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			
• Legislative Management Study: Contract with Peat, Marwick Maine & Co. (Authorized by Resolves of 1989, Ch. 15)			150,000
• Expansion contract with Space Management Consultants, Inc. to define functional and space requirements to relocate Law Library in proposed court facility (Authorized by the Legislative Council 9/29/89)			43,000
• Payment of contractual services to prepare maps to be used in 1990 Census (Authorized by the Legislative Council 7/19/89)			3,400
• 1st Special Session			
- Legislators' Meals/Lodging/ Mileage	50,715		
- Printing	10,500		
- Advertising	1,000		
- Chamber Staff (Session)	565		
	<u>\$ 62,780</u>		
Total All Other			\$259,180
Capital			<u>0</u>
TOTAL SUPPLEMENTAL REQUIREMENT			\$259,180

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

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



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