

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

JUNE 11, 1990

REVISED AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

Summary of May 7, 1990, Council Meeting

EXECUTIVE DIRECTOR'S REPORT

Item #1: Bent Schlosser's Decision to Retire
(Note: Bent's Letter of May 21 was sent to Council members directly).

Item #2: Out-of-State Travel

REPORTS FROM COUNCIL COMMITTEES

OLD BUSINESS

NEW BUSINESS

Item #1: Notification of Proposal to Dispose of Edmunds School House in Edmunds, Washington County. (Memo from John H. Cashwell, Director, Maine Bureau of Forestry)

Item #2: Request from the Joint Standing Committee on Judiciary for an Interim Study on Drug Enforcement Oversight. (Letter from Sen. Hobbins, Senate Chair, and Rep. Paradis, House Chair)

Item #3: Request to Appoint an Investigative Committee regarding Circumstances Related to the Death of Rick LeTourneau. (Letter from Rep. Boutilier)

Item #4: Cost-of-Living Increases for Constitutional Officers

Item #5: Report from Advisory Committee on Legislative Structure and Operations

ANNOUNCEMENTS AND REMARKS

Item #1: Overview of CSG/ERC Annual Meeting: Rep. Elizabeth S. Millard, House Majority Leader in New Hampshire and Chair, CSG/Eastern Regional Conference, and Alan Sokolow, Executive Director, Eastern Regional Office.

ADJOURNMENT



REP. JOHN L. MARTIN
CHAIR

SEN. DENNIS L. DUTREMBLE
VICE-CHAIR

STATE OF MAINE

114th LEGISLATURE

LEGISLATIVE COUNCIL

MAY 7, 1990

MEETING SUMMARY

APPROVED JUNE 11, 1990

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

CALL TO ORDER

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

ROLL CALL

Senators:	Sen. Pray, Sen. Clark, Sen. Dutremble, Sen. Cahill Absent: Sen. Webster
Representatives:	Rep. Martin, Rep. Gwadosky, Rep. Mayo, Rep. Webster, Rep. Marsano
Legislative Officers:	Sally Diamond, Executive Director, Legislative Council Martha Freeman, Director, Office of Policy and Legal Analysis Lynn Randall, Law Librarian Bent Schlosser, Director, Office of Fiscal and Program Review David Kennedy, Revisor of Statutes Joy J. O'Brien, Secretary of the Senate

SECRETARY'S REPORT

The summary of the April 13, 1990, Legislative Council meeting was approved and placed on file. (Motion by Sen. Clark; second by Rep. Mayo; unanimous).

EXECUTIVE DIRECTOR'S REPORT**Item #1: Approved Step Increases**

Ms. Diamond reported that she had approved the award of step increases to the following employees, based on a favorable performance review by their respective Office Directors:

James A. Clair, Principal Analyst, Office of Fiscal and Program Review, (Salary Range 12), from Step 4 to Step 5, effective May 21, 1990.

Janice C. Durham, Legal Proofreader, Office of the Revisor, (Salary Range 3), from Step 2 to Step 3, effective April 2, 1990.

Gro M. Flatebo, Legislative Analyst, Office of Policy and Legal Analysis, (Salary Range 10), from Step 5 to Step 6, effective April 30, 1990.

Janet L. Grard, Administrative Coordinator, Information Systems, (Salary Range 7), from Step 2 to Step 3, effective April 23, 1990.

Norma J. Gruska, Library Assistant, Law and Legislative Reference Library, (Salary Range 3), from Step 6 to Step 7, effective May 7, 1990.

Hartley Palleschi, Legislative Analyst, Office of Policy and Legal Analysis, (Salary Range 10), from Step 1 to Step 2, effective April 30, 1990.

Cheryl E. Ring, Principal Analyst, Office of Fiscal and Program Review, (Salary Range 12), from Step 5 to Step 6, effective May 21, 1990.

The following employee has completed another year of service but is at Step 9 and is not eligible for further step increases:

Laura Goss, Library Associate, Law and Legislative Reference Library.

Motion: That this Report be accepted and placed on file. (Motion by Sen. Clark; second by Rep. Cahill; unanimous).

Item #2: Interim Studies: Staffing Assignments

Ms. Diamond drew Council members' attention to a list of authorized interim studies and assigned staff.

No Council action required.

Item #3: Final Report from the Revisor

David Kennedy had prepared a statistical report which summarized the drafting workload for the entire Second Regular Session. Ms. Diamond observed that while the report demonstrated a prodigious work effort overall, two statistics had been of particular interest: the number of floor amendments (444 drafted; 393 released) and the number of Sentiments (671 requested; 663 released). Mr. Kennedy noted that the guidelines regarding Legislative Sentiments, which had been adopted toward the end of the session, had served to screen out some requests and promised to do so in future years.

Speaker Martin thanked the entire staff for their work during the session.

No Council action required.

Note: A copy of the report is attached to the Meeting Summary.

REPORTS FROM COUNCIL COMMITTEES**Personnel Committee****EXECUTIVE SESSION**

The Council went into Executive Session at 4:18 p.m. on the motion of Sen. Clark (second by Rep. Marsano; unanimous).

RECONVENE

The Legislative Council was reconvened at 4:40 p.m., by the Chair, Speaker Martin.

Sen. Clark presented the following report on behalf of the Personnel Committee:

Motion: That the Legislative Council adopt the proposed policy regarding Disciplinary Action and Appeals for inclusion in the **Personnel Policies and Guidelines for Non-Partisan Employees**. (Motion by Sen. Clark; second by Rep. Martin; unanimous).

Motion: That the Legislative Council officially authorize the immediate release of **Personnel Policies and Guidelines for Non-Partisan Employees** and that each non-partisan employee be provided with a copy. (Motion by Sen. Clark; second by Sen. Cahill; unanimous).

Motion: That the Council amend the following personnel policies in order to bring them into conformance with policies that were adjusted as part of the benefits package awarded to Confidential employees in August, 1989:

- a. Increase the "cap" on maximum accrual of vacation leave from 45 to 50 days for employees who have 16 or more years of state service.
- b. Authorize payment toward the cost of glasses or corrective lenses for employees whose assigned work requires unalleviated operation of a computer terminal for a significant number of hours on a daily basis (\$40 effective July 1, 1990 and \$50 effective July 1, 1991).

(Motion by Sen. Clark; second by Sen. Cahill; unanimous).

Motion: That coverage under the Council's Income Protection Plan be extended to legislative employees as recommended by the Personnel Committee. (Motion by Sen. Clark; second by Sen. Cahill; unanimous).

Motion: That the Legislative Council approve the recommendation of the State Law Librarian, Lynn Randall, which has been endorsed by both the Executive Director and the Personnel Committee, to hire Sheila Bearor to the currently vacant position of Associate Law Librarian/Technical Services. (Motion by Sen. Clark; second by Rep. Marsano; unanimous).

Motion: That the Legislative Council adopt the following policy regarding the availability of voluntary leave programs to full-time legislative employees:

Full-time legislative employees may request to take time off without pay through working a reduced work week (32 hours or less) or for a continuous period, with the following provisions:

- a. Both the immediate supervisor and the Office Administrator must confirm that the employee's leave will neither adversely affect the work of the office during the leave period nor shift an undue burden to other employees in the office;
- b. Any leave that is granted under this policy must terminate on or before December 1, 1990, in order to prepare for the convening of the First Regular Session;
- c. The employee must sign a written agreement which describes the specific terms of the leave, including dates, duration, salary, benefits and impact on creditable service for purposes of retirement; and
- d. The Legislature will continue to pay the employee's full health insurance premium and the state's share of dependent coverage for employees who are granted leave under this policy for the duration of the approved leave.

All leaves granted under this policy must be reviewed by the Personnel Committee and finally approved by the Legislative Council. Employees whose requests to take leave without pay are denied by an Office Administrator may request a further review by the Personnel Committee (Motion by Sen. Clark; second by Sen. Cahill; unanimous).

Motion: That the Legislative Council adopt a policy that offers Early Retirement to legislative employees who are otherwise qualified, with the same provisions available to other employees in state government. (Motion by Sen. Clark; second by Rep. Marsano; unanimous).

Motion: That the Legislative Council approve the Personnel Committee's recommendation that the following employees be promoted to the position of Senior Analyst in recognition of their consistently outstanding performance as Analysts: Peggy Reinsch, Haven Whiteside, and Gilbert Brewer, all in the Office of Policy and Legal Analysis. (Motion by Sen. Clark; second by Sen. Cahill; unanimous).

OLD BUSINESS

None.

NEW BUSINESS

Item #1: Notification from Bureau of Forestry of Disposal of Surplus Real Property.

Council members had received a memo from John Cashwell, Director, Bureau of Forestry, regarding the Bureau's intent to dispose of surplus real property located in the Town of Meddybemps, in Washington County. This notification to the Council was pursuant to statute (12 MRSA § 8003 §§ 3).

Motion: That Mr. Cashwell's memo be accepted and placed on file. (Motion by Rep. Webster; second by Rep. Gwadosky; unanimous).

Item #2: Proposed Study of the Development of Aquaculture in Maine: Letter from Sen. Brannigan and Rep. Mitchell, Chairs, Joint Standing Committee on Marine Resources.

The letter from Senator Brannigan and Representative Mitchell requested that the Council authorize an interim study of the aquaculture industry since the Governor had pocket-vetoed the bill passed by the Legislature proposing a study. The Chairs requested that the Council authorize a subcommittee of 5 members to meet up to 4 times for the purpose of conducting this study, with the further provision that the subcommittee would complete its work by November 1, 1990.

Motion: That the Council approve the study as proposed. (Motion by Rep. Webster; second by Rep. Mayo; unanimous).

Item #3: Role of the Maine Low Level Waste Authority in selecting a Low Level Waste Site for the State:

The Chair recognized Peter DeAngelis, Chair of the Maine Low Level Waste Authority, who introduced the other members of the Authority, who were all present: Mr. Sheldon Richardson, Mr. John Gibbons, Mr. Tom Eastler; Ms. Meredith Murray; Walter Anderson, State Geologist; and former Rep. Daniel Callahan. Severin Beliveau, who serves as attorney for the Authority, was also present.

Mr. DeAngelis noted that he had requested the opportunity to meet with the Council to clarify the intent of a letter addressed to him, dated April 10, 1990, and signed by Sen. Pray, Representatives Gwadosky, Webster and Mitchell. That letter requested that the Authority include the Maine Yankee facility in its analysis of potential sites for the storage and/or disposal of Maine's low level radioactive waste.

Mr. DeAngelis reported that the members of the Authority were concerned by the letter because they had interpreted it as a request to give the Maine Yankee site special priority and that this request would lead the Authority in a different direction than the original legislation establishing the Authority. Moreover, taking Maine Yankee "out of order" would have major implications for the Authority's ability to complete its work and report to the Legislature by January, 1991. Finally, Mr. DeAngelis pointed out that the Maine Yankee site had a number of characteristics which would appear to pose problems given the federal requirements for storage sites. These include Maine Yankee's proximity to the water; various features of the facility's technical design; and the fact that Maine Yankee is privately-owned and not owned by the state as required by law. In addition, Mr. DeAngelis noted that liability coverage currently available to the site under federal law (Price-Anderson) would not cover non-utility waste. In conclusion, he asked whether the Legislative Council wished the Authority to pursue the study of Maine Yankee given these significant issues.

Speaker Martin noted that any direction from the Council would be advisory only: the Council could not take on a role which the law had assigned to the Legislature as a whole. He further recommended that the Authority proceed with its work as it had been authorized by law, but include Maine Yankee in its study process. Rep. Gwadosky clarified that the letter had been written to reflect some legislators' concern that Maine Yankee had received no response to formal requests to the Authority over an extended period of time. Mr. DeAngelis responded that Maine Yankee representatives had attended all of the Authority's meetings and had been assured verbally of the scope and status of the Authority's work. Council members expressed consensus regarding their interest in having Maine Yankee considered as a site; no formal Council action was required.

Speaker Martin thanked Mr. DeAngelis and all of the members of the Authority for bring their concerns to the Council and, on behalf of the entire Legislature, expressed appreciation for the challenging work the Authority was doing.

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Council meeting was adjourned at 5:00 p.m., on the motion of the Chair.

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

June 6, 1990

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

FROM: Sally

SUBJECT: Out of State Travel for Non-Partisan Staff

I have been working with the Office Directors to develop a consolidated list of proposed attendance at meetings and conferences between now and December. We have proceeded on the assumption that staff, like legislators, will work within a travel budget that has been reduced by 20%. Total staff travel last year, (Fiscal Year 1989) was \$30,350, which constituted 15.3% of the Legislature's total expenditures on out-of-state travel. Thus, we have about \$25,000 to work with for the coming fiscal year.

Our priorities in developing our list for Fiscal 1991 have been conferences whose topics are directly related to major study commissions (e.g. Oil Spills; Aquaculture) or have otherwise been identified as major policy issues in Maine, and those conferences that represent key professional affiliations for staff. We have encouraged people to stay with family/friends locally, if that is possible, in order to keep travel costs at a minimum; and we have opted for some in-state meetings rather than out-of-state programs even though these often provide more limited "networking" opportunities.

I estimate that the travel represented by this list will amount to approximately \$15,000. In addition to the trips listed here, we expect to add 1 - 2 trips once we have obtained additional information to allow us to weigh their cost - benefit more closely.

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

Enclosure

NON-PARTISAN STAFF
PROPOSED OUT-OF-STATE TRAVEL
JUNE THROUGH DECEMBER, 1990

New Brunswick Atlantic Aquaculture Fair, St. Andrews, New Brunswick, June 19-23

Tim Glidden or Bret Preston, OPLA

American Association of Law Libraries Annual Meeting, New Orleans, July

Lynn Randall

Note: Scholarships are available

Summer Institute on Education (Jointly-sponsored by NCSL and the Education Excellence Network), Nashville, Tennessee, July 26-29

David Elliott, OPLA

Note: Registration, room and board
are paid through a grant to
the Network; the only cost to the
Legislature will be the airfare

CSG/ERC Annual Meeting, Manchester, New Hampshire, July 29-August 2

Tim Glidden, OPLA

(Sessions on recycling, package recycling, and
environmental labeling)

NCSL Annual Meeting, Nashville, Tennessee, August 5-9

David Kennedy, Revisor

Lock Kiermaier, OFPR (Program Evaluation)

Paul Saucier, OPLA

Bob Michaud, Law Library

Dick Sawyer

Sally Diamond

(We sent 7 last year. I think it would be important for John Wakefield to attend as well even though Bent has not requested this).

American Fisheries Society Annual Meeting, Pittsburgh, Pennsylvania, August 26-30

Bret Preston, OPLA

(Aquaculture; marine interstate fisheries
management; contaminants in fish)

Eastern Legislative Fiscal Officers Association Annual Meeting,
Norwich, Connecticut, September 18-21

OFPR Fiscal staff (Wakefield, Clair, Madigan, Leet, Pennoyer,
Fredette)

Note: Staff car pool and room share Conservation Foundation
Training Seminar, "Negotiating Public Policy
Disputes", Washington D.C., October 3-4

Tim Glidden, OPLA
(Skills training in alternative dispute resolution to natural
resource controversies)

May 7, 1990

STATE OF MAINE

INTER-DEPARTMENTAL MEMORANDUM

TO: Sara Diamond, Executive Director Legislative Council

FROM: John H. Cashwell, III, Director
Maine Bureau of Forestry Dept. of Conservation

SUBJECT: SURPLUS REAL PROPERTY DISPOSAL - EDMUNDS SCHOOL HOUSE
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 surplus real property located in the township of Edmunds, Washington County.

The property located on the west side of the so-called Edmunds Road involves a parcel of less than one-half acre with a former school house in severe disrepair.

The site is restricted with respect to utility as topographical features reveal several outcroppings of ledge and severe slopes. Clay soils were observed restricting any proposed subsurface septic system.

According to the Department's policy and procedures for surplus real property, uneconomic parcels are offered to the abutters.

The only abutting property owner, Philip Broome, from whose land the parcel was originally taken, has made a formal offer of \$1,000.00 for the property. His intended use for the building would be for storage or shelter for his horse.

According to the deed to the State in 1914 the Grantor reserved the right of first refusal if the State sold the property. As a result of subsequent conveyances, it appears Mr. Broome may have that right.

The fee appraised value for the property was \$1200.00. The proposed sale to Mr. Broome will relieve the State of all liability at the site.

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

BL/rw

SENATE

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

MARGARET REINSCH, LEGISLATIVE ANALYST
TODD BURROWES, LEGISLATIVE ANALYST
SUSAN PINETTE, 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

May 23, 1990

Honorable John L. Martin, Chair
Legislative Council
114th Maine State Legislature
Augusta, Maine 04333

Re: Additional study request

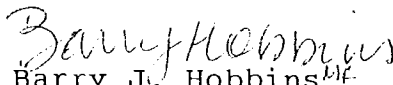
Dear Speaker Martin:

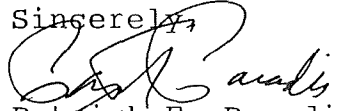
Due to the utmost importance and necessity of having a unified front in our war against illegal drugs, and due to the fact that there is continuing controversy regarding the State's Bureau of Intergovernmental Drug Enforcement role in this arena, we are requesting that the Legislative Council permit the Joint Standing Committee on Judiciary to form a 5-person select subcommittee on Drug Enforcement Oversight.

We are requesting authorization for up to 5 subcommittee meetings. We anticipate that each meeting will be held in Augusta. We further anticipate that a final report will be submitted to the Council by October 1, 1990.

Additional details are included in the attached outline.

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


Barry J. Hobbs
Senate Chair

Sincerely,

Patrick E. Paradis
House Chair

1122LHS

STUDY REQUEST

COMMITTEE: Joint Standing Committee on Judiciary

STUDY GROUP: 5-member subcommittee, appointed by the Speaker and the President
Subcommittee to elect chair at first meeting

SUBJECT: Drug Enforcement Oversight

PURPOSE: The purpose of the study is to inform the subcommittee about:

- Drug enforcement activities currently occurring in the State
- The procedures and strategies involved in fighting the war on drugs
- The participation and cooperation among all actors in the enforcement efforts
- The roles of the various actors
- The success rate and progress made in enforcement efforts
- Planning procedures
- Drug enforcement needs and plans for the future

MEETINGS: 5 subcommittee meetings in Augusta

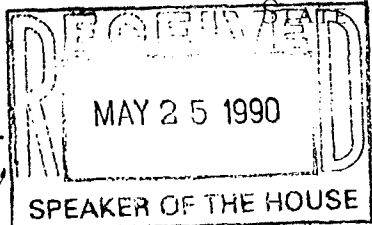
ACTIVITIES: Accept testimony from invited speakers
Review written information
Determine and summarize the programs undertaken in the State
Make findings and recommendations regarding drug enforcement activities in Maine

REPORT DUE: October 1, 1990, with any recommended legislation

STAFFING: The subcommittee may request staff assistance from the Legislative Council

1122LHS/2

HOUSE OF REPRESENTATIVES



STATE HOUSE

AUGUSTA 04330

289-1400

Received by: <i>Sally</i>	
KPA	_____
KWG	_____
RLC	_____
PAE	_____
BPD	_____
OPS	_____
AS	_____



Bradford E. Boutillier

P.O. Box 3046

Lewiston, Maine 04240

May 23, 1990.

John L. Martin, Chair
Legislative Council
Station 2
Augusta, Maine 04333

Dear Speaker Martin:

You are probably aware of a Cumberland County civil lawsuit involving the death of a four-year old Durham boy, Rick LeTourneau.

The natural mother has filed a civil suit against the boy's foster mother, Deborah Wolfenden, claiming that Wolfenden intentionally beat the child to death. According to police, she admitted pushing the child to the floor moments before he hit his head and lost consciousness. He choked to death on his own vomit while unconscious. The autopsy report stated that the child had numerous abrasions and bruises on his body.

Wolfenden faces an assault charge, which has resulted in public outrage within the community. The attorney general's office decided not to press manslaughter charges against Wolfenden because they feel they do not have sufficient evidence to prosecute.

I feel the assault charge is inappropriate and inconsistent with manslaughter charges in other state cases and several questions remain unanswered.

Since the State of Maine does not have the authority to call in a special prosecutor to investigate the decision by the attorney general's office, does the Legislative Council have the ability to appoint an investigative committee? If it does, I am formally requesting that one be established.

An investigative committee would need to address the following issues:

District 66: Lewiston

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1) What process was used by the Department of Human Services to determine the competence of the Wolfendens as foster parents?

2) What were the events that led to the child's death?

3) What type of follow-up did the department provide after the child was placed in this foster home?

4) What process did the Department of Human Services use to handle allegations of abuse by the Wolfendens?

5) Why did the department choose not to take action regarding the continued placement of this child with the Wolfendens prior to this time?

6) What do the boy's medical records show? Do they indicate that physical abuse may have taken place prior to the incident that led to his death?

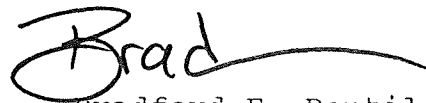
7) What was the process the attorney general's office used to determine the charges brought against Mrs. Wolfenden?

8) How is this case consistent or inconsistent with other state cases?

If a foster child is killed, issues are raised about other foster parents -- and the foster care system as a whole. I feel strongly that these issues should be addressed and that an investigative committee is an appropriate mechanism to respond to these questions. The committee should be charged with making recommendations to the Governor and the Legislature regarding this issue to help deter similar incidents in the future.

I look forward to hearing from you. Please do not hesitate to contact me with any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad", with a long horizontal flourish extending to the right.

Bradford E. Boutilier
State Representative

cc: Legislative Council members
Jane Sheehan, Child Welfare Services Ombudsman

LIST OF PERSONS WRITING REQUESTING
THE APPOINTMENT OF AN INVESTIGATIVE COMMITTEE
REGARDING THE DEATH OF RICKY LETOURNEAU

Jessie M. Bixler

Margaret M. Hartley

Elizabeth V. Sawyer

Kate Theberge

Monica Judith Vurgason

Copies of the letters are available upon request from Sally
Diamond's Office

6/11/90



MAINE STATE LEGISLATURE

Augusta, Maine 04333

ADVISORY COMMITTEE ON LEGISLATIVE STRUCTURE AND OPERATIONS

May 30, 1990

Honorable John L. Martin, Chair
and Members of the Legislative Council
114th Maine Legislature
Augusta, Maine 04333

Dear John and Members of the Legislative Council:

The Advisory Committee on Legislative Structure and Operations has met at the direction of the Council to review the Final Report submitted by Peat Marwick and the specific recommendations contained in that Report. Our review consisted of a two-step process. First, Committee members evaluated the recommendations on a 5 point scale ("Strongly Agree" to "Strongly Disagree"). The Committee then worked with a compilation of the results of this "survey" in order to determine both the degree of consensus on each recommendation and the specific position we would take regarding further consideration and/or implementation of each. We have enclosed a copy of the Peat Marwick recommendations, which have been annotated with our Committee recommendations.

The Committee is in agreement with many of Peat Marwick's recommendations; however, we also have some observations about the report and the entire study. First, we think it is important to point out that many of Peat Marwick's recommendations are actually **endorsements** of things that were already underway. Examples include the increased use of computers to support fiscal analysis; greater coordination among the staff offices; the development of an automated indexing system for bill requests; and the adoption of guidelines and procedures for interim studies. We acknowledge the continuing efforts of staff to improve the efficiency and effectiveness of the Legislature's operation and the Council's active direction and support of these efforts. Second, the quality of the Report and the recommendations seemed to us to be uneven in that some of the recommendations reflect a lack of understanding of the legislative process, and of the Maine Legislature in particular, and other recommendations deal with issues which we find to be of so little consequence that we recommend that they receive no further attention by the Council at this time.

In addition to reviewing the Report, the Committee has devoted considerable thought to its role vis a vis that of the Legislative Council as we proceed with implementation of some of the recommendations. The majority of Peat Marwick's recommendations concern one of the following: 1) the legislative budget; 2) changes in staffing; or 3) the proposed bill system. The Committee strongly supports Peat Marwick's recommendations regarding strengthening and formalizing the process for development and oversight of the legislative budget; we are deeply divided about the proposed bill system; and we do not feel well-enough informed to recommend to the Council specific priorities among the many recommendations that call for additional staff. We have concluded, however, that our support, or lack thereof, is not the critical factor. Each of these recommendations represents a significant policy and/or budgetary issue, and the implementation of each would have significant impact on the structure and management of the institution. For these reasons, we believe that it is essential for the Legislative Council itself to assume the primary role in developing specific implementation plans and strategies in any or all of these areas.

We would be happy to discuss our work with you and appreciate having had the opportunity to serve on the Advisory Committee.

Sincerely,

Nancy Randall Clark
Co-Chair

Kenneth P. MacLeod
Co-Chair

Enclosure

MANAGEMENT OF THE LEGISLATURE

A. LEGISLATIVE COUNCIL

1. The members of the Legislative Council must give increased priority and commitment to their statutory management and oversight responsibilities. Many of the recommendations in this report relating to the Council's budgeting, planning, financial oversight and personnel management role will require more active participation and commitment of time by the Council members. The principle focus of and activities of the Council should be in support of the Council's mandated statutory responsibilities.
2. The creation of a Budget and Planning sub-committee of the full Council composed of four members: the Senate Majority leader, the Senate Minority leader, the House Majority leader and the House Minority leader. The committee would be subordinate to the full Council and responsible for communicating the Council's budget objectives to the Executive Director, for detailed review of budget requests, and for oversight and monitoring of the budget after adoption.
3. We recommend consideration of a policy commencing with the 115th Legislature to require a two-thirds vote of the Council to effectuate its most significant statutory responsibilities in the areas of budget, personnel, and improvements to legislative facilities and operations. The current practice of a simple majority provides the opportunity for a partisan vote when one party controls both houses (6-4 membership) and does not provide for a strong consensus when each party controls one house (5-5 membership).

ADVISORY COMMITTEE'S RECOMMENDATION

Committee strongly supports this recommendation.

Committee strongly supports this recommendation.

Committee is unable to reach consensus on this issue.

MANAGEMENT OF THE LEGISLATURE

B. OFFICE OF THE EXECUTIVE DIRECTOR

4. Establish a Senior Budget Analyst position within the Office of the Executive Director to report to the Administrative Services Director. The new position will be responsible for budgeting, accounting and personnel systems, analysis and reporting. This position is necessary to support many of the new budget, accounting and personnel administration recommendations presented in Chapters III and IV.
5. The Executive Director and the Legislative Council should develop a formal policy regarding dissemination of budgetary and financial information to interested legislators, managers and the public. The availability of various standardized budget reports will reduce random ad-hoc information demands on the Office, will promote confidence in the Legislature's financial management practice on the part of interested parties, and will promote accountability for sound financial management and decision-making.
6. We concur with the plans of not filling the Director of Information Systems position. We agree with this decision given the size of the organization and the level of activity, and due to the fact that the Legislature has completed significant automation initiatives in recent years. However, given the needed level of work volume to maintain and update existing software applications, software training, and possibly hardware conversion/expansion, the Office should hire at least one if not two programmers/system analysts. In making this decision, the Office should continue to develop a five-year system plan that would be approved by the Executive Director, before it is included in the budget and submitted to the Legislative Council.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee supports this recommendation, but recommends that the Legislative Council refer this issue to the Personnel Committee for further research regarding how these functions are staffed in other state agencies of comparable size.

Committee strongly supports this recommendation.

Committee recommends deferring action on the staffing recommendation until the plan justifies it.

MANAGEMENT OF THE LEGISLATURE

C. OFFICE OF FISCAL AND PROGRAM REVIEW

- 7a. The Director of OFPR should more closely integrate the staff of the two units in the Office in order to more effectively utilize the knowledge of the program review staff during the legislative session for budget analysis. This would provide better utilization of similar analytical and research skills to address the divergent peaks in workloads for the two units and would provide additional job enrichment opportunities for professional staffers. This need to optimize professional staff is further supported by our recommendation to streamline the program review time cycle in Chapter V.
- 7b. This is more important in consideration of the management structure within OFPR that provides both Director and Deputy Director level positions. This structure and level of management is appropriate only if both units of the Office interact extensively and are interdependent. To maintain the current management structure, we recommend the more active involvement of management in coordinating staff resources and in providing direction and consistent support and services to the Taxation Committee and the Audit and Program Review Committee.
8. This coordination of OFPR's activities and actions with OPLA and ORS is very important to the total support of the legislative process; accordingly we recommend that OFPR participate more actively in all procedures and tracking systems, both to facilitate the communications and interactions among these three key support functions and to further support the team staffing approach which is explained in the OPLA section of our study.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee supports the recommendation, but does not believe this is a major issue.

Committee supports the recommendation.

Committee supports the recommendation, but understands that the 3 staff offices are already involved in reviewing this issue.

MANAGEMENT OF THE LEGISLATURE

C. OFFICE OF FISCAL AND PROGRAM REVIEW (Cont.)

9. We recommend that the Maine Legislature require analysis of and statements of municipal impact in fiscal notes in the future. This information is increasingly more important in decision-making, and we recommend that the Legislative staff be responsible for the preparation of this information.

The municipal impact analysis should focus on narrative statements as to the degree of impact, an estimated cost range, and -- in terms of very important pieces of legislation -- an analysis of the impact on a large, mid-size, and small municipalities. OFPR should utilize outside sources of information (professional associates and interest groups) and municipal finance directors; however, OFPR analysts must bring a level of independence to the process and be responsible for the final assessment as to the degree of impact.

10. The State of Maine is currently upgrading the State's financial budgeting and accounting systems. This system will have the capacity for tie-in access to budgeting and accounting information relative to the activities and programs of all agencies and departments. Subsequent to the completion of this project we recommend that the OFPR be given the capacity and clearance to tie-in to the system (access only) for information and budget status. On-line access to this information would allow for more efficient and timely review of information and enhance the legislature's budget review and oversight responsibilities.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee recommends that the Legislative Council direct the Office of Fiscal and Program Review to further explore the resource requirements involved in implementing these recommendations and to present a report of their findings to the Personnel Committee by November 1, 1990.

(See also Recommendation #12)

Committee supports the concept of a direct tie-in to the MFASIS system for analytical purposes and recommends that the Legislative Council take the initiative in working with the appropriate parties to establish the parameters of this access.

MANAGEMENT OF THE LEGISLATURE

C. OFFICE OF FISCAL AND PROGRAM REVIEW (Cont.)

11. In order to facilitate and enhance fiscal analysts' review of the Governor's budget requests, we recommend that all staff analysts receive on-going training in computerized financial/budgetary analysis applications and that the Legislature continue the recent initiative to increase the numbers of personal computers to accomplish this work. This will reduce the current level of manual analysis and calculations which is time consuming and hinders staff productivity.
12. We recommend the addition of at least three analyst positions (full-time equivalents) within OFPR. The new positions are required to support the need for analysis of intergovernmental budgetary and fiscal impacts. Specifically, OFPR can enhance support to the Appropriations Committee through analysis of Maine programs that are federally funded or subsidized, and through analysis of local government impact. It is important to recognize that all fiscal analysts would then be responsible for analysis of state impacts, municipal impacts, and budget programs within a specialized program/policy area.

We also recommend the further specialization of staff within OFPR by program area. This supports our proposal in Chapter V for specialized standing sub-committees of the Appropriations Committee to serve as the most appropriate structure in the future to review the Governor's Budget.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee supports the recommendation, but understands that there has already been substantial progress in this area during the past year.

(See recommendation #9 above).

MANAGEMENT OF THE LEGISLATURE

D. OFFICE OF THE REVISOR

13. The Office of the Revisor of Statutes should be restructured to provide for a mid-management level of staff to provide day-to-day direction and oversight to staff, to control workflow and to effectively utilize enhanced systems within the office. The creation of middle management staff would allow the Revisor to more effectively use his time to plan for and manage major issues affecting the office. The middle management capacity should consist of two attorney positions: one position to direct the bill drafting, amendment, statutory updates and committee deadline system; and one position to direct the support functions of the office, including the legislative technicians (work processing), engrossing and proofreading. This will require the addition of one new attorney position.
14. The professional staff in this office should be organized under and report to the principal attorneys (as recommended above). The professional staff should be organized and have responsibility according to major substantive area: environment, human services, government, etc., (similar to the distribution of responsibility in OPLA). This structuring of staff will allow the development of an expertise in defined areas, and facilitate drafting efforts as one attorney will generally be responsible for the preparation of or review of the original draft, all committee amendments, and floor amendments on the same bills.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee supports this recommendation with one dissenting vote.

Committee supports the concept, but recommends that the Legislative Council direct the Personnel Committee to further explore the issues involved in implementing this recommendation.

MANAGEMENT OF THE LEGISLATURE

D. OFFICE OF THE REVISOR (Cont.)

18. The adoption of the proposed bill system as recommended in Chapter V will reduce the volume of work activity within ORS primarily in the word processing and proofreading areas. As the new process becomes operational, the Legislature should consider a total staffing reduction of two legislative technicians and four proofreaders. As the ORS has generally had success in use of contractual support employees during limited peaks of activities, the Office could use temporary staff for peaks in activity.
19. After a bill is engrossed, we recommend a final legal review of the bill by attorneys in ORS to identify any potential conflicts and review it for form and constitutionality. The Joint Rules should be modified to require this procedure and place responsibility in the Revisor of the Statutes. The Revisor should be required to certify all bills after engrossment for consistency, form, and constitutionality. The Joint Rules should allow a minimum of 24 hours for this final legal review.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee believes this is a long-term issue and encourages the Legislative Council to undertake a thorough and serious review of the recommendations related to the adoption of a concept drafting system. (See also Recommendations #64, #84).

Committee disagrees with this recommendation, based on the fact that requiring the Revisor to **certify** a bill with regard to its constitutionality is inappropriate: constitutionality at this level is the purview of the court.

MANAGEMENT OF THE LEGISLATURE

D. OFFICE OF THE REVISOR (Cont.)

15. The current procedure of first-in first-out drafting of bills in the ORS should be replaced with a procedure that focuses on getting a complete package of bills to a respective committee in order to allow committees to effectively commence their review and deliberations. In concert with our staggered, committee reporting-out deadlines (discussed in Chapter V), we also recommend implementation of a Joint Rule whereby the ORS will adhere to a schedule to provide bill drafts to each respective committee by a staggered deadline schedule. This recommendation should be implemented in conjunction with our proposed changes in bill drafting policies and requirements (discussed in Chapter V).
16. It is clearly important to foster integrated working styles and processes between the ORS and its two counterparts: OPLA and OFPR. However, there should be a clear division of responsibility such that the legal staff in ORS has involvement in and final approval for all amendments (committee amendments as well as floor amendments) in order to assure proper legal review and to maintain a centralized legal expertise with final accountability for the full-statutory legal drafts in the ORS.
17. The ORS should continue its efforts to provide for an automated bill indexing system to allow the categorization of bills by category and sub-categories. This system will serve to identify duplicate bills, allow simultaneous drafting of similar bills and facilitate preparation of bills to meet deadlines for transferring bills to respective committees.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee believes the successful implementation of the bill indexing system during the past session is an important component of this and supports the continued efforts of the presiding officers, the committee chairs and the Revisor to coordinate their efforts to expedite the flow of bills to committee.

Committee supports the recommendation and encourages the Legislative Council to foster coordination among the staff offices. The Committee believes, however, that the more important issue here is the time that must be built into the process to assure proper legal review and recommends that the Legislative Council focus its attention on this issue.

Committee supports the idea, but believes the recommendation is superfluous; such a system **was** employed during the Second Regular Session.

MANAGEMENT OF THE LEGISLATURE

E. OFFICE OF POLICY AND LEGAL ANALYSIS

20. We believe that the current staffing pattern in OPLA which combines legal staff with policy analysts is an extremely efficient use of staff and has to date been effective in eliminating dual staffing of committees with attorneys in ORS. In 3 to 5 years, the Legislature should assess the option of providing each committee with two primary staffers: a policy/research staff person and a separate staff attorney. This would be appropriate based on continued increases in volume of legislation and the need to provide substantive policy expertise to assist in the non-legal aspects of committee deliberations.
21. Long-term staff specialization by committee and policy area should be promoted. A policy of staff specialization will provide committees with specialized skill sets for their needs, and with a staff person who has historical perspective on similar legislative initiatives from prior sessions. Ongoing committee staffing is always affected by turnover and specific needs for transfers at the discretion of the Director of OPLA; we believe that rotations of professional staff should not be encouraged and should be left to the judgment of the Office Director.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee recommends that the Legislative Council direct the Personnel Committee to work with the Director of OPLA and the Executive Director to develop a more complete analysis of staffing needs and priorities.

Committee supports the recommendation, but understands that it reflects existing policy.

MANAGEMENT OF THE LEGISLATURE

E. OFFICE OF POLICY AND LEGAL ANALYSIS

- 22a. Chapter V of this study presents our recommendation with respect to reducing the number of joint standing committees. This recommendation will have positive benefits for OPLA. OPLA analysts would no longer serve as staff to 16 committees (and the Select Committee on Corrections), but to 13 committees. Clearly the volume of legislation will remain the same, but the Legislature's work will be structured through 13 policy committees, eliminating some of the problems of staff serving dual committee assignments and deadlines, and will also preclude conflicts in hearings and work sessions of their respective committees.
- 22b. Also under a more consolidated committee structure, committees will still not have equivalent workloads. In the future, committees such as Energy and Natural Resources and Judiciary should be supported by two staff analysts, and a few of the lower volume committees (such as Agriculture) should continue to "share" staff.
23. Consistent with our support of and recommendation for further specialization of staff within OPLA, ORS and OFPR, we recommend that a team approach be established by these three offices. Under this approach, a team of staff would be responsible to support environmental legislation, another team for business legislation, etc. These teams would be an informal structure that would not change the organization and management of the three non-partisan offices. This approach would integrate the operations of the three offices; provide staff support more focused on the complete process as opposed to a fragmented part (i.e., preparation of a fiscal note); and would require office directors to coordinate resources to facilitate the legislative process as a whole.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee makes no recommendation.

(See Recommendation #20 above).

Committee does not oppose this recommendation, but understands that it reflects current practice in both OPLA and OFPR. The Committee supports specialization in the Revisor's Office to the extent that this is possible and desirable given the nature of that Office's work and recommends that the Legislative Council work with the Directors to further define the issues involved in supporting an effective team approach.

MANAGEMENT OF THE LEGISLATURE

F. LAW & LEGISLATIVE REFERENCE LIBRARY

24. The Legislature has made major strides in automation of many applications in recent years; the Legislature should give priority and resources to additional automation within the Library in such areas as circulation. The Library's automation requirements should be prioritized by the Executive Director of the Legislative Council as part of the five-year systems plan.
25. We strongly recommend periodic training programs for all legislative staff in the services and resources of the library, which in turn will facilitate staff service to constituents and increase their knowledge of valuable existing information sources and available studies and reports on relevant issues.
26. The Library prepares and distributes an Acquisition List of all new materials, documents, studies and reports. This list should be distributed on a very timely basis to all non-partisan professional staff, partisan analytical and constituent service staff, and committee clerks. Also, the Library should be more proactive in addressing staff's information needs through institution of a selective dissemination of information (SDI) program. Under SDI, individual legislators' or staff's areas of interest are recorded; all current information resources are printed out for the individual listed; the individual then would receive ongoing, periodic updates of new sources (studies, journals, magazine articles) of information on the relevant topic.
27. The future space and physical location plans for the library must recognize the strong preference of both staff and of legislators to be in close proximity to the Legislative Reference and Law Library as an invaluable research service and resource. The future planning for the Library should also give priority to increased access to the library through expanded hours of service for the public.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee supports the spirit of the recommendation, but believes that it is the role of the Legislative Council to establish overall system priorities given available system and budget resources.

Committee supports the recommendation.

Committee supports the recommendation to the extent that it can be accomplished within the existing budget.

Committee concurs with the finding regarding proximity, but finds the present hours of service to be adequate.

MANAGEMENT OF THE LEGISLATURE

F. LAW & LEGISLATIVE REFERENCE LIBRARY (Cont.)

28. The billing and collection activities related to sales of publications should be transferred to the fiscal staff within the Office of Executive Director. At some point, it may be most appropriate to have a centralized state bookstore assume responsibility for sales and distribution of all state publications.

ADVISORY COMMITTEE'S RECOMMENDATION

Not a priority: Committee thinks that the location of this function is unimportant as long as the associated accounting and record keeping are carried out in conformance with policies and procedures established by the Executive Director's Office.

MANAGEMENT OF THE LEGISLATURE

G. OFFICES OF THE SECRETARY AND CLERK

29. We recommend that the Office of the Clerk of the House transfer one calendar clerk position from full-time permanent status to session-only status.
30. We recommend that the Maine Legislature continue to prepare a verbatim Legislative Record in all House and Senate debates. This record is used by over 40 subscribers, and the Library's reference staff has indicated that the Legislative Record is used on a consistent basis by attorneys and researchers. We recommend that the Secretary of the Senate and Clerk of the House provide staff to transcribe the Record on an as-needed basis only through temporary employees.
31. We recommend that the Sergeant-at-Arms and the Assistant Sergeant-at-Arms positions be returned to session-only status. We also recommend that the Legislature establish written policy requiring the termination of session-employees within a limited number of days after the session ends.
32. It is appropriate for the House and Senate to elect their chief administrative officer. In order to promote responsibility and accountability within one position, we recommend that in the future that only the Clerk and Secretary be elected, and that they in turn have responsibility to appoint their chief assistants. House Rule 1 should be amended to provide for election of the Clerk and that similarly the Senate rules make provision for the election of the Secretary only.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee recommends that the Legislative Council direct the Personnel Committee to meet with the Clerk of the House to fully explore the feasibility and implications of this recommendation.

Committee supports the recommendation to continue recording House and Senate debates, but recommends that the Legislative Council explore further how other states make the debate available to the public.

Committee recommends that the Legislative Council direct the Personnel Committee to meet with the Secretary of the Senate to fully explore the feasibility and implications of this recommendation.

Committee **disagrees** with the recommendation.

MANAGEMENT OF THE LEGISLATURE

G. OFFICES OF THE SECRETARY AND CLERK (Cont.)

33. As key officers within the Legislature, the Clerk and Secretary should have responsibility for planning for the House and Senate support services and for presenting a budget request of the resources required for their offices. This request should be subjected to review and approval of the Legislative Council. This recommendation is further elaborated upon in Chapter V regarding the Legislature's budget process.
34. Finally, we recommend the transfer of the House stenographic (typists) function from the Clerk's Office to the House Majority Office and the House Minority Office. This will place oversight supervisory responsibility in the two offices that should appropriately provide these support services to their respective caucuses.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee strongly agrees and recommends that the Legislative Council Chair appoint a Subcommittee to develop policies and procedures for budget planning and development.

Committee strongly supports the recommendation.

MANAGEMENT OF THE LEGISLATURE

H. LEADERSHIP OFFICES

35. The staffing allocations for the leadership offices should provide for a certain level of fixed staff support that is not related to the number of members; for example, both the House Majority Office and House Minority Office should have two professionals and a secretarial position to support the leaders and additional legislative aide positions to support the caucus. The legislative aides should be allocated on the basis of the number of members to be served.
36. In order to provide a clear dichotomy of responsibility between the Office of the President of the Senate and the Senate Majority Office, we recommend transfer of one full-time professional from the Office of the President to the Senate Majority Office. This will provide the Senate Majority caucus with three full-time aides dedicated to the caucus and to constituent service. Based on the minority representation in the Senate, and the same needs for constituent service, we recommend the addition of one professional staff position to the Senate Minority Office.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee supports the concept of a core staff in each of the four leadership offices which is independent of the size of the caucus. Committee recommends that the Legislative Council refer this issue to the Personnel Committee for further review and the development of specific recommendations for Council consideration.

Committee is unable to reach consensus regarding this recommendation.

MANAGEMENT OF THE LEGISLATURE

H. LEADERSHIP OFFICES (Cont.)

37. The partisan offices, Speaker, President, House Majority, Senate Majority, House Minority as partisan offices should have independence with respect to staffing their operations. We recommend the implementation of annual budgets for the House Majority, House Minority, Senate Majority and Senate Minority to provide funding for fixed staff to support the majority and Minority leaders and supplemental staff based on representation, in order to serve the caucus. The development of separate budgets would achieve three objectives:
- it provides dedicated resources for each party's partisan functions
 - partisan leaders would be accountable and responsible for their budgets and operations, and
 - it provides a degree of autonomy for each of the leadership offices

Also it is important to note that all personal services budgets should continue to be developed in conformance with existing pay and classification plans; all personal services costs, adjustments and increases should be calculated and administered centrally by the Office of the Executive Director.

ADVISORY COMMITTEE'S RECOMMENDATION

The Committee supports this with some dissent, but recommends that this issue be included in the charge to the Legislative Council's Budget Subcommittee recommended previously.

MANAGEMENT OF THE LEGISLATURE

H. LEADERSHIP OFFICES (Cont.)

38. The majority staffs of the House and Senate, as well as the minority staff in the House and Senate should initiate a process to encourage coordination on similar projects that both staffs undertake. Some areas that would be very appropriate to facilitate common efforts include:
- development and preparation of the House and Senate sessional constituent questionnaires
 - writing and preparation of bill summaries for legislators' newsletters
 - sharing of generic issue letters and of materials for speeches
39. The partisan offices should consider development of formal policies and guidelines with respect to the separation of partisan legislative activities versus political campaign activities to assure that staff have a sounder understanding of their appropriate roles.
40. In future years, the Legislature should provide for the addition of an analysis capacity within the four majority and minority offices. A full-time policy analyst in each office could support initiatives of each party for analysis that is relevant for partisan objectives; the analyst would provide this capacity for leadership of both parties in both houses. At the present time, respective leaders should have the authority and resources to staff their offices as they believe is most appropriate to service partisan objectives.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee believes the recommendation is superfluous.

Committee strongly supports the recommendation, but understands that the issue is already being addressed in individual offices.

Committee is unable to reach complete consensus on this recommendation, but strongly endorses the concept that adequate staff be allocated to these four offices to assist members in carrying out their responsibilities in an increasingly complex legislative environment.

MANAGEMENT OF THE LEGISLATURE

I. PERSONNEL MANAGEMENT

41. The draft personnel manual on policies and procedures for non-partisan employees should be completed and formally promulgated as soon as possible. Such a document provides clear, consistent guidelines for all employees and supervisors to follow in the important areas of benefits, leave, overtime and compensatory time, and other conditions of employment. We also suggest that a similar manual be developed and issued for partisan staff, to assure that a consistent application of personnel rules is achieved, to the maximum extent possible, between and within partisan and non-partisan staff offices.
42. We recommend that the Legislative Council engage an outside human resources firm to conduct a compensation study of both part-and full-time partisan and non-partisan personnel positions that are presently not part of the adopted classification and pay plans. This seems most appropriate for committee clerks, and for positions within the Office of Secretary of the Senate and Clerk of the House. Once implemented, the risk of salary inequities among positions would dissipate, and personnel would not feel mistreated and/or not recognized for job performance. Also, appropriate grade and/or step differentials would be provided to reflect varying workloads and position requirements.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee notes that the Manual for non-partisan employees has now been formally distributed and strongly supports the recommendation to develop a comparable manual for partisan staff.

Committee supports the recommendation.

MANAGEMENT OF THE LEGISLATURE

I. PERSONNEL MANAGEMENT (Cont.)

43. We recommend that the Executive Director and Office Directors continue their efforts to develop a standardized program for performance appraisals to be implemented by all non-partisan offices as soon as possible. We also recommend that a similar effort be undertaken by the partisan offices both in format and context so that both employer and employee will both complete the evaluation and then have dedicated time to compare results, negotiate the individual's strengths and weaknesses and participate in the final evaluation which both persons will sign and then be included in the employee's personnel file. Such a program is an essential part of the classification and pay plans adopted by the Legislative Council in 1986, and was anticipated to be a major component in annual salary increases. The recommendation in the classification plan to create "a task force of legislators, staff and managers to develop the appraisal process and identify performance criteria" is still a valid one and should be completed as time permits.
44. As a follow-up to our recommendation for performance appraisal, we also recommend that all non-partisan and partisan offices replace individual anniversary date performance and salary reviews with a formal once-a-year (annual) compensation/promotion review of all personnel. This would allow management to compare employees' performance against level of expectations and each other, and then allocate available funds based upon step increases, performance ranking and available funds. This process should be completed just prior to fiscal year-end and be responsive to available funds in the next year's approved budget.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee strongly endorses the implementation of performance appraisal programs in **all** legislative offices.

Committee recommends that the Legislative Council refer this issue to the Personnel Committee for further study and the development of specific recommendations.

MANAGEMENT OF THE LEGISLATURE

J. STAFF UTILIZATION

45. Full-time positions with assigned responsibilities which are primarily session related should be evaluated on a regular basis; an objective determination of their work tasks and duties during the interim period should be made as part of the biennial budget process.
46. Vacancies that occur in staff positions during the interim should be fully justified as to current workload levels before they are authorized to be filled; delays in filling vacant positions at various times during the year can provide cost savings and may have little or no effect on legislative support capabilities.
47. The use of legislative interns to provide staff assistance in a variety of areas should be considered; a formal internship program for college and graduate-level students can provide useful assistance to legislators and staff, and can help to offset the need for year-round personnel.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee recommends that this be referred to the Council's Budget Subcommittee.

Committee understands that this is current practice.

Committee recognizes that interns have worked in various offices previously and supports the concept of interns with the following caveats:

1. Interns should **not** be viewed as a way to offset the need for year-round basis; and
2. The employment of interns involves both cost and commitment to supervision.

MANAGEMENT OF THE LEGISLATURE

K. INFORMATION SYSTEMS

48. The bill tracking system currently available to executive branch users and public users (through on-line access) should be directly linked to the Legislature's bill-tracking system by means of an appropriate computer network; access to the system by the executive branch and public users (through subscriptions) should be made more "user friendly", so as to facilitate its use outside of the Legislature.
49. As a second priority, we recommend that the actual text of bills that have been referred to committee and drafted be made available to not only non-partisan staff, but to all system users as part of future system upgrades. This information is of great value to interested citizens and lobbyists who may not be able to obtain hard-copies of bill texts on a timely basis. The information will be available to all legislative offices this summer.

The costs of such a system upgrade, as well as the cost of providing this information to the Executive Branch and outside subscribers, should be partially or totally recouped through increased subscription fees, which are now only a nominal amount.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee supports this as a long-term goal and recommends that the Legislative Council direct its Automation Committee to explore in more detail the costs involved and the level of interest.

Committee understands that this is already underway.

THE LEGISLATIVE BUDGET AND FINANCIAL MANAGEMENT

A. EFFECTIVE BUDGETING

Planning

50. The Legislative Council and Executive Director should initiate a more formalized short-term planning process for legislative operations. This process should occur on an annual basis and should include working sessions in which the Council, Executive Director, non-partisan office directors, the Clerk of the House and Secretary of the Senate discuss the:

- objectives for legislative operations
- current service levels and activities and proposed changes
- current policies and proposed changes

The planning process should be accomplished in three work sessions, should be for a relatively short planning horizon, (approximately two years), and should focus on both operating and capital improvement requirements. The benefits of these planning sessions will be the identification of operational issues and the formalization of objectives with respect to each office or unit to support legislative requirements. These results will provide managers with the baseline for development and preparation of their biennial budgets to identify the total resources required to meet the objectives of the Council.

This process should occur during July and August of each year to precede the development of budget requirements. It is important to note that the interim between the 1st and 2nd regular sessions is a key period for budget planning as the current Legislative Council will have had a reasonable period of time to prioritize its objectives and legislative needs which can then be presented, in the future, as part of the Legislature's Part II Budget request during the 2nd regular session.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee supports and recommends that this be referred to the Council's Budget Subcommittee recommended previously.

THE LEGISLATIVE BUDGET AND FINANCIAL MANAGEMENT

A. EFFECTIVE BUDGETING (Cont.)

Development

51. The budget preparation and development process should be decentralized to allow formal, written input by office/unit Directors and the Clerk of the House and Secretary of the Senate to identify the resources required to achieve the plans for their operations in the ensuing biennium.
52. The preparation of budget requests by office/unit should include development of two budgets, to identify resources required to fund:
 - the continuation of current services and functions through the biennium
 - the implementation of changes in service levels (increases or decreases) and the impact on service levels.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee supports and recommends that this be referred to the Council's Budget Subcommittee.

Committee supports and recommends that this be referred to the Council's Budget Subcommittee.

THE LEGISLATIVE BUDGET AND FINANCIAL MANAGEMENT

A. EFFECTIVE BUDGETING (Cont.)

Development

53. There should be standard requirements for budget preparation and presentation such that each Director/manager responsible for a budget provides:

- current positions vs. requested
- activity measures to document changes in workload
- brief statements of activity revisions and budgeted estimate of cost
- resources requested by appropriate categories of expenditure for their unit:
 - full-time salaries and wages
 - part-time salaries and wages
 - professional services
 - purchased services
 - supplies

ADVISORY COMMITTEE'S RECOMMENDATION

Committee supports and recommends that this be referred to the Council's Budget Subcommittee.

THE LEGISLATIVE BUDGET AND FINANCIAL MANAGEMENT

A. EFFECTIVE BUDGETING (Cont.)

Adoption

54. The format and information contained in the proposed budget request that is submitted to the Council is critical to facilitate a meaningful review of the proposed budget request. We recommend that the budget document submitted to the Council include:

- a message to the Council outlining the thrust of the proposed budget, an overview of the budget and its major elements and proposed changes in operations
- historical (two prior year) budget actuals by office or function by appropriate summary level accounts.
 - estimate of this FY's expenditures
 - position count by category of employee
 - brief narrative with relevant statistics supporting budget requests

ADVISORY COMMITTEE'S RECOMMENDATION

Committee supports and recommends that this be referred to the Council's Budget Subcommittee.

THE LEGISLATIVE BUDGET AND FINANCIAL MANAGEMENT

A. EFFECTIVE BUDGETING (Cont.)

Adoption

55. As part of the development of the budget phase, non-partisan office/unit budget requests should be submitted to the Executive Director who must continue to have the initial authority to add to, or delete from any non-partisan offices budget proposal. While budget requests should receive procedural review and be coordinated by the Executive Director's office, the budget for the Clerk of the House and Secretary of the Senate should be subject to substantive review by the Legislative Council only. The Executive Director should prepare the general operating budgets for the House and the Senate based on the directives of the Speaker and the President of the Senate.
56. The adoption phase should include two to three Legislative Council budget review sessions to allow the Executive Director and other key managers to present their proposed budgets for substantive review by the Council. The Council's review should consider the office/unit requests in light of the objectives set in the planning phase and in light of total resources available and a prioritization of the various offices' budget requests. Based upon the revisions and decision-making of the Council the Executive Director should finalize the Legislature's budget and submit it for review by the Appropriations Committee.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee supports and recommends that this be referred to the Council's Budget Subcommittee.

Committee supports and recommends that this be referred to the Council's Budget Subcommittee.

THE LEGISLATIVE BUDGET AND FINANCIAL MANAGEMENT

A. EFFECTIVE BUDGETING (Cont.)

Implementation/Oversight

57. The annual Appropriations Acts with respect to the legislature's budget should continue to provide three total appropriations for the Legislature:

- personal services
- non-personal services
- capital

This will provide minimal control at the Executive Branch level, however the budgeting and accounting system should be set up to assure that the Office of Executive Director can properly administer and control the budget allocations by office and major category of expenditure consistent with the intent of the Council.

58. The Legislature's budget process, procedures, calendar and budget development standards should be formalized and documented in a Budget Manual.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee finds that this recommendation is superfluous: this is the current policy of the State's Budget Office, and is an issue over which the Legislature has no control.

Committee supports and recommends that this be referred to the Council's Budget Subcommittee.

THE LEGISLATIVE BUDGET AND FINANCIAL MANAGEMENT

A. EFFECTIVE BUDGETING (Cont.)

Implementation/Oversight

59. The Legislature should continue to participate in the centralized financial management reporting and accounting system of the Executive Branch. It is important to note that the Legislature will benefit from the diverse capabilities of a statewide system, yet the Executive Branch will not exercise control over the Legislature's budget or expenditures: The Department of Finance is about to implement a fully automated Budget and accounting system which will allow for improved budget and financial reporting. The Legislature should take advantage of the new system, and its additional chart of accounts capabilities to provide "budget vs. actuals" reports by office; and to provide management level budget and financial reports (on an automated basis) to the Legislative Council.
60. The Legislative Council should be the body that is responsible for decision-making as to resource allocation changes after the budget is adopted to assume that the budget is executed based upon the intent of the Council and that the Council is the sole decision-maker with respect to:
- transfers of funds between offices and functions (i.e.: OPLA to Revisor of Statutes)
 - transfers of funds between categories of expenses within an office (i.e., personal services to non-personal services/all other)

ADVISORY COMMITTEE'S RECOMMENDATION

Committee supports the recommendation, but understands that the Executive Director's Office has been working actively with the Department of Finance to ensure that useful information is available.

Committee supports and recommends that this be referred to the Council's Budget Subcommittee.

THE LEGISLATIVE BUDGET AND FINANCIAL MANAGEMENT

B. FINANCIAL MANAGEMENT (Cont.)

61. The design of the Legislature's chart of accounts should serve as the basis for not only recording the expenditures of the Legislature, but also for the provision of meaningful financial reports to Legislative offices and managers; the Legislative Council, and the Office of Executive Director. The Legislature should take full advantage of the State of Maine's current project which has upgraded the capabilities for financial reporting and budgeting control and which is currently being implemented within state government.

Specifically, the Office of the Executive Director should define the most appropriate chart of accounts for both budgeting and financial reporting based upon the recommendations in this report. This process should be a collaborative process allowing input as to the information requirements of key officers and managers, and the Legislative Council. The definition of different levels of financial information (summary versus detail) will provide for automated, standardized reports to address differing levels of information requirements and will reduce the need for staff in the Office of the Executive Director to prepare special reports to address ad-hoc inquiries.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee finds that this recommendation duplicates previous recommendations and requires no further comment.

THE LEGISLATIVE BUDGET AND FINANCIAL MANAGEMENT

B. FINANCIAL MANAGEMENT (Cont.)

62. As an alternative to spending without appropriations, the Legislature should consider establishing a contingency account, as is done in some other states. This account should be limited in amount and should be subject to a formal transfer and approval process by the Legislative Council

A contingency account will provide a specific allocation to fund unforeseen or emergency requirements over the course of the fiscal year. The contingency account allocation should be limited to approximately two percent of the total Legislative appropriation.

The Legislative Council, as the management body of the Legislature, should be responsible for and accountable for decisions to transfer funds from the contingency account for unforeseen purposes and emergencies. The Council should approve transfers based upon formal vote authorizing the transfer of funds from contingency to a specific function/expense account for a specific use.

63. The payment process for vendors of the Legislature should improve based upon:
- provision of financial reports and status of payments processed to officers and managers
 - more active involvement of officers and managers in the administration of budgets
 - the implementation, in 1990, of on-line payment/vendor data entry to the state's accounting system at the Legislature (Office of Executive Director) in contrast to the current practice requiring all data entry by the Department of Finance -- Bureau of Accounts and Control.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee is divided on this issue and recommends that it be referred to the Council's Budget Subcommittee with this notation.

Committee does not disagree, but understands that this is a statewide problem.

THE LEGISLATURE AND THE LEGISLATIVE PROCESS

A. USE OF LEGISLATIVE TIME

64. Establish a new bill filing procedure (the proposed bill system) as described herein whereby all requests for bills and resolves would be drafted and referred to committee in a non-statutory, layman's language format.
65. Amend Joint Rule 28. "Cosponsorship" to permit an unlimited number of members to sponsor any bill or resolve.
66. Develop and enumerate in the Joint Rules a new series of deadlines to regulate the flow of legislation from bill drafting requests to committee reports.
67. Amend Joint Rule 27. "Filing After Cloture" to require a two-thirds vote of both houses before any late filed measure can be introduced.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee is unable to reach consensus on this issue and brings no recommendation to the Council for further action on any of these recommendations.



THE LEGISLATURE AND THE LEGISLATIVE PROCESS

B. JOINT COMMITTEE OPERATIONS

68. Establish a set of uniform rules of committee procedure.
69. Enumerate and formally define the jurisdictions of each of the joint standing committees.
70. Establish two groups or sets of committees to eliminate scheduling conflicts.
71. Reduce the number of joint standing committees to a maximum of sixteen.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee supports and recommends that the Legislative Council pursue implementation.

Committee supports and recommends that the Council consider disseminating the informal guide that is used in reference of bills more widely.

Committee supports, but understands that the presiding officers already work with Committee Chairs to accomplish this.

Committee is unable to reach consensus on this issue.
(See Recommendation #22 above.)

THE LEGISLATURE AND THE LEGISLATIVE PROCESS

C. APPROPRIATIONS AND FINANCIAL AFFAIRS COMMITTEE

72. Increase the commitment of legislative leaders of both houses to assure that measures of a policy nature are first referred to the respective policy committee.
73. Establish a new definition of the jurisdiction of the Appropriations and Financial Affairs Committee which will enumerate the procedure whereby legislation of a policy nature is first referred to the respective policy committee.
74. Expand the size of the Appropriations Committee to allow more legislators to have direct involvement in this critical process.
75. Create standing subcommittees of the Appropriations and Financial Affairs Committee to specialize in their review of the Governor's Budget.
76. Appoint two members of each joint standing committee to the specialized subcommittees of Appropriations.
77. Reconfigure the table and seating arrangements in the Appropriations Committee room.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee finds that this recommendation is superfluous.

Committee supports the intent of this recommendation.

Committee is unable to reach consensus on this issue, although the number **disagreeing** with the recommendation outweighed those in agreement.

Committee is unable to reach consensus regarding this recommendation.

Committee is unable to reach consensus regarding this recommendation.

Committee agrees that this is desirable, but that it is not the highest priority among those recommendations that entail a cost.

THE LEGISLATURE AND THE LEGISLATIVE PROCESS

D. INTERIM ACTIVITIES

78. Our central recommendation calls for the Legislature to establish and enumerate in the Joint Rules a specific set of procedures to govern all interim studies. These procedures should address the form and content of interim study requests, the method of appointing members, schedule of activities, and reporting requirements.
79. To assure that the authorizing agency, whether it be the Legislature or the Legislative Council, has a clear understanding of what they are being called upon to approve, all requests for interim studies should clearly specify: the subject of the study, the specific issues to be examined, the entity which will be undertaking the study (Joint Standing Committee, commission, etc.), the staffing requirements, and whether an appropriation is requested.
80. Secondly, a time limit must be established relating to the appointment of members, especially in the case where study commissions are used as the vehicle for dealing with complex issues. Unlike interim studies conducted by sub-committees of regular joint standing committees, study commissions usually are comprised of legislators, citizens, executive agency personnel, etc. who may be appointed by the presiding officers and the Governor. Often, because the group is more diverse, it takes more time to complete the appointment process for commissions. Indeed, in a number of cases, commission members may not actually be appointed until September. This is far too late for the interim commission study to begin its work. To address this situation, we recommend that a uniform date be promulgated requiring that all interim commissions must be appointed within 30 days following the adjournment of the legislative session.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee supports this additional step, but recognizes that the Legislative Council has already adopted specific guidelines and procedures.

Committee finds that this recommendation is superfluous given the previous recommendation.

Committee supports the recommendation.

THE LEGISLATURE AND THE LEGISLATIVE PROCESS

D. INTERIM ACTIVITIES

81. In addition to these steps, a schedule of activities and tasks should be promulgated to help assure that studies are completed on time and to assist the designated staff agency in planning its own agenda for the interim. This schedule should stipulate that interim commissions or committees must establish a work plan setting forth a schedule for regular meetings.
82. The time limit for requests for bill drafts should be moved up to mid-November rather than December 1 in the odd year. Permitting interim study bill drafting requests to be introduced on December 1, or even later in the case of approved extensions, unnecessarily adds to the already high volume of bill drafting requests being processed by ORS and OPLA prior to the beginning of the regular session.
83. Finally, we recommend that the Drafting Guidelines for Enacted and Council-Approved Studies, issued in a memorandum on April 28, 1990, from the Senate President and Speaker of the House, should be formalized by the Council and issued to all Joint Standing Committees and appointed commissions. These guidelines contain clear language addressing nearly every facet of interim study activities and are consistent with the recommendations offered herein.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee supports the recommendation, but understands that this is current practice.

Committee believes this recommendation is unrealistic in the first regular session and strongly recommends that the Legislative Council explore other ways to relieve the drafting logjam at the beginning of the session.

Committee finds that this recommendation duplicates previous recommendations.

THE LEGISLATURE AND THE LEGISLATIVE PROCESS

E. SECOND YEAR REGULAR SESSION

84. We recommend that the proposed bill format be applied to the second year session in the same fashion as we have recommended for the first year. We believe the Legislature would recognize the same benefits in improved use of time, reduction in the total number of bills and resolves drafted in statutory form for consideration, and a more even flow of activity throughout the session.

85. Our second recommendation pertains to the role of the Legislative Council in dealing with late-filed measures. During the 114/2nd, as of March 5, 1990, over 80 measures were allowed in after deadline. While this may not present a serious administrative problem for the ORS, it does place added pressure on committees attempting to meet deadline and on OPLA staff. Again, as we recommended for the first regular session, we believe the Legislative Council's role in screening after-deadline requests should be eliminated and that this responsibility should be vested in both houses of the Legislature.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee is unable to reach consensus regarding this recommendation.

Committee is unable to reach consensus regarding this recommendation.

THE LEGISLATURE AND THE LEGISLATIVE PROCESS

F. LEGISLATIVE OVERSIGHT

- 86a. Continue the Audit and Program Review Committee as a joint standing committee of the Legislature with centralized responsibility for program review. It is important to recognize that a committee dedicated to this function has the opportunity to be more effective than if the audit function were dispersed across the policy committees; however, to prioritize the role and authority of the Audit and Program Review Committee, we recommend the commitment and support of the leadership of both parties to appoint to the Committee outstanding legislators who are committed to the function and who have expertise in the agencies and departments scheduled for review.
- 86b. Without this change in direction and commitment to program review, we recommend elimination of the Audit and Program Review Committee as a joint standing committee of the Legislature. As an alternative, the Legislature should retain the full complement of audit and program review professional staff to perform the studies, which are clearly required, under the auspices of the individual policy committees.
87. The agenda for the Audit and Program Review Committee is established per statute over an eleven-year period. All state agencies, boards and commissions are targeted for review based on the eleven-year cycle. We believe that this approach and cycle for program review is a major impediment to an effective and aggressive program review function in Maine government. Specifically, a statutory schedule most often will provide for reviews of agencies that may have sound operations and programs, and there is not true basis or need to a review.

In order to provide an opportunity for a high degree of support and commitment to the study, the Legislature should focus studies on agencies that are of current concern to the Legislature and that are prioritized and approved by the Legislative Council.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee finds the recommendation regarding the commitment and support of leadership to be superfluous; however, the Committee strongly encourages the Council to undertake a thorough review of the scope and structure of the audit and program review process, including the goals and objectives of the process, the resources required to carry it out, and whether a joint standing Committee is needed.

Committee is unable to reach consensus regarding this recommendation

(See Recommendation #86a. above).

THE LEGISLATURE AND THE LEGISLATIVE PROCESS

F. LEGISLATIVE OVERSIGHT (Cont.)

ADVISORY COMMITTEE'S RECOMMENDATION

88. The Audit and Program Review Committee does not operate as effectively as it should due to the practice of creating large subcommittees, composed of most members of the full committee, to conduct reviews. The large size of the subcommittees does not promote specialization or a good division of labor. The size of the subcommittees also delays the review process, as it becomes more difficult to schedule meetings of the subcommittee. At a maximum, five legislators of the committee should serve on a subcommittee.
89. Reduce the time cycle for agency reviews which normally commence in late summer and continue throughout most of the legislative session. The reviews should be conducted over a four-to-five month time frame; and subcommittees of Audit and Program Review should report their findings and recommendations to the full committee by late January.
90. The Audit and Program Review committee invites adjunct members from the joint standing committees who have expertise and interest in the relevant area: education, energy and natural resources, agriculture, etc. This practice is important in that it helps assure that the subcommittee has additional expertise and current knowledge in the issues facing the specific agency. This practice should continue, and the chairs and Audit and Program Review and of the relevant policy committee should appoint at least two policy committee members to each A&PR subcommittee.

(See Recommendation #86a above).



THE LEGISLATURE AND THE LEGISLATIVE PROCESS

F. LEGISLATIVE OVERSIGHT (Cont.)

91. The Legislature's initial attempts at reviewing agency rules and regulations should continue. The function should be transferred from a high-level staff function reporting to the Legislative Council to an ongoing activity of the Legislative Council's program review unit staff within the Office of Fiscal and Program Review. It is important to consolidate the regulatory review with the program review activities of this office, as it is already a normal task of program review studies. This ad-hoc regulatory review process should become an on-going regulatory responsibility and should be assigned to a "new" analyst position within OFPR. This new position will not be an additional position within the Legislature, but a reclassification or downgrading of the Director of Legislative Oversight position.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee concurs that the function should be reassigned, and understands that the Legislative Council has already directed staff to develop specific recommendations regarding this for Council consideration.

THE LEGISLATURE AND THE LEGISLATIVE PROCESS

G. THE MINORITY PARTY IN THE MAINE LEGISLATURE

92. The House Minority Leader and Senate Minority Leader should be the appointing authorities responsible for assignment of minority members to the joint standing committees. Vesting authority for minority party committee assignments with minority leadership provides greater assurance that the minority party will have a reasonable and meaningful role in the legislative process by assignment of their own members to appropriate committees based upon their interest and expertise. Under this system, the majority party committee assignments would be made by the Speaker of the House and President of the Senate; and the minority party committee assignments would be made by the House Minority Leader and the Senate Minority Leader.
93. The Committee's role in shaping legislation increases under the short-bill format and process (Recommendation No. 64). In conjunction with this recommendation, we believe that there should be a petition procedure such that the minority members of a committee can petition for the support of 10 of the 35 members of the Senate and 40 of the 151 members of the House in order to draft a particular bill and allow it to reach the floor for debate. This petition procedure should become part of the Joint Rules and should be modified for each Legislature (115th, 116th, etc.) to establish reasonable petition requirements consistent with changes in the numbers of minority members of the House and Senate.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee is unable to reach consensus regarding this recommendation.

Committee supports the recommendation if concept drafting is adopted following the Legislative Council's further study.

THE LEGISLATURE AND THE LEGISLATIVE PROCESS

G. THE MINORITY PARTY IN THE MAINE LEGISLATURE (Cont.)

94. As the committee is a critical decision-making body within the Legislature, we recommend that commencing with the 115th Legislature, the composition of the joint standing committees (i.e., the number of majority members to minority members) more closely reflect the representation of the political parties within the Legislature as a whole.
95. The minority party should also have both independence and accountability for those offices' budgets, including both personal and non-personal services. This would provide the minority with some level of independence in resource allocation, but consistent with our recommendations in Chapter IV, all budgets would be centrally administered through the Office of the Executive Director.

ADVISORY COMMITTEE'S RECOMMENDATION

Committee is unable to reach consensus regarding this recommendation, but is in agreement that it is important for both major parties to be represented on all joint standing committees.

Committee strongly agrees that **both** parties should have independence and accountability with regard to their office budgets, consistent with policies and procedures adopted by the Legislative Council.