

# MAINE STATE LEGISLATURE

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REP. JOHN L. MARTIN  
CHAIR

SEN. DENNIS L. DUTREMBLE  
VICE-CHAIR



STATE OF MAINE

114th LEGISLATURE

LEGISLATIVE COUNCIL

SEN. CHARLES P. PRAY  
SEN. NANCY RANDALL CLARK  
SEN. CHARLES M. WEBSTER  
SEN. PAMELA L. CAHILL  
REP. DAN A. GWADOSKY  
REP. JOSEPH W. MAYO  
REP. MARY CLARK WEBSTER  
REP. FRANCIS C. MARSANO

SARAH C. DIAMOND  
EXECUTIVE DIRECTOR

**LEGISLATIVE COUNCIL**  
**AUGUST 17, 1990**  
**MEETING SUMMARY**  
**APPROVED SEPTEMBER 20, 1990**

**CALL TO ORDER**

The Legislative Council meeting was called to order in the Council Chambers by the Chair, Speaker Martin, at 9:26 a.m.

**ROLL CALL**

Senators:	Sen. Pray, Sen. Clark, Sen. Webster, Sen. Cahill Absent: Sen. Dutremble
Representatives:	Rep. Martin, Rep. Gwadosky, Rep. Mayo, Rep. Webster, Rep. Marsano
Legislative Officers:	Sally Tubbesing, Executive Director, Legislative Council Martha Freeman, Director, Office of Policy and Legal Analysis David Kennedy, Revisor of Statutes John Wakefield, Acting Director, Office of Fiscal and Program Review

**SECRETARY'S REPORT**

The Summary of the July 18, 1990, Legislative Council meeting was approved and placed on file. (Motion by Sen. Clark; second by Rep. Marsano; unanimous).

## EXECUTIVE DIRECTOR'S REPORT

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

### Item #1: Approved Step Increases

Ms. Tubbesing reported that she had approved step increases for the following employees, based on the recommendations of their respective Office Directors:

Monique R. Caron, Library Associate, Law and Legislative Reference Library, (Salary Range 5), from Step G to Step Q, effective July 2, 1990.

Joan M. Gagne, Senior Legislative Technician, Office of the Revisor, (Salary Range 5), from Step Q to Step X, effective August 6, 1990.

Bret A. Preston, Research Assistant, Office of Policy and Legal Analysis, (Salary Range 7), from Step A to Step B, effective August 20, 1990.

Stephanie Ralph, Associate Law Librarian, Law and Legislative Reference Library, (Salary Range 10), from Step C to Step D, effective July 2, 1990.

She also reported that Kevin Madigan, Analyst in the Office of Fiscal and Program Review, had completed another year of service, but had not been employed the required number of years to advance to the first longevity Step, Step Q.

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

### Item #2: Other Personnel Actions

Ms. Tubbesing reported that Edythe ("E.J.") Hampson, Legislative Information Assistant in the Legislative Information Office, had submitted her resignation, with the request that it be effective September 28.

Motion: That Ms. Hampson's resignation be accepted with regret and with the Council's expression of appreciation for her service to the Legislature. (Motion by Sen. Webster; second by Rep. Webster; unanimous).

### Item #3: Peat Marwick Study Recommendations

Ms. Tubbesing reported that a set of the Recommendations, organized according to the Advisory Committee's recommended disposition, would be mailed to Council members early the week of August 20.

No Council action required.

## REPORTS FROM COUNCIL COMMITTEES

### Search Committee for Director, Office of Fiscal and Program Review

President Pray, who chaired the Search Committee, reported that the Committee had conducted interviews with five finalists on Thursday, August 16. Members of the Committee included Speaker Martin; Sen. Cahill; Rep. Mayo (substituting for Rep. Gwadosky); Rep. Webster (in place of Rep. Marsano); Cheryl Ring, Office of Fiscal & Program Review; Sally Tubbesing; and himself. He noted that the Committee had been particularly impressed with both of the internal candidates for the position and that their excellent qualifications and presentations at the interview made a difficult selection process even more difficult.

**Motion:** That John D. Wakefield be appointed to the position of Director of the Office of Fiscal and Program Review and that he be assigned to Step 7, Salary Range 14, in accordance with the Classification and Pay Plan, effective immediately. (Motion by Sen. Pray; second by Rep. Mayo; unanimous).

**Motion:** That the Search Committee be authorized to meet with Mr. Wakefield and the Executive Director later in the fall for the purpose of reviewing any recommendations he may have related to staffing and organization within the office. (Motion by Sen. Pray; second by Rep. Mayo; unanimous).

**Discussion:** Prior to the vote on this motion, there was discussion regarding the need for a separate Committee to work with Mr. Wakefield and Ms. Tubbesing on the organization and staffing of the Office. The motion was passed with the agreement that all Council members would be notified of the meeting and that any who were interested were free to attend and participate in the discussion.

Rep. Gwadosky then expressed his hope that the Peat Marwick study recommendations regarding the Office of Fiscal and Program Review would be incorporated in the review of the Office's staffing and organization.

Rep. Webster noted that, as a member of the Council who had not been involved in a search previously, she had been very impressed with the way the process had been structured and carried out.

## EXECUTIVE SESSION

**Motion:** That the Council go into Executive Session for the purpose of discussing matters related to personnel. (Motion by Sen. Clark). There being no objection, the Council went into Executive Session at 9:44 a.m.

## RECONVENE

The Council reconvened at 9:52 a.m. on the motion of the Chairs.

### Personnel Committee

Sen. Clark, Committee Chair offered the following motion:

Motion: That \_\_\_\_\_ be granted a leave of absence for the period December 1, 1990, through July 15, 1991, and that the Director of the Office of Policy and Legal Analysis, Martha Freeman, be authorized to fill the temporary vacancy resulting from the leave effective December 1. (Motion by Sen. Clark; second by Sen. Webster; unanimous).

## OLD BUSINESS

None.

## NEW BUSINESS

Item #1: Request for Funds for Interpreter Services for the Advisory Council on Telecommunications Relay Services

Ms. Tubbesing drew Council members' attention to a letter from William H. Nye, Chair of the Advisory Council on Telecommunications Relay Services. The 11-member Advisory Council was created by statute (P.L. 1990, ch 851), and had its first meeting in late June of this year. Several of the Council members are, themselves, hearing-impaired, and interpreter services are essential if all Council members are to have the opportunity to participate fully in the Council meetings. The law establishing the Council had no appropriation, and the Advisory Council's request was for the Legislative Council to provide funds to procure interpreter services for its future meetings at a total projected cost of \$750.

Discussion: In their consideration of this request, Council members raised 2 issues:

1. Are funds available for this purpose? (Rep. Mayo)

Ms. Tubbesing reported that several of the study commissions which have now completed their work had small balances remaining at the end of Fiscal Year 1990; thus, there was a source to fund the Advisory Council's request.

2. Have legislative funds been used in other cases for expenses related to independent commissions? (Rep. Marsano)

Ms. Tubbesing reported that commissions' expenses have been paid out of the general legislative account in the past; notably, the expenses related to the State Compensation Commission.

**Motion:** That the Advisory Council's request be granted and that funds be paid out of the legislative account to procure interpreter services for meetings of the Advisory Council on Telecommunications Relay Services in the coming year. (Motion by Sen. Pray; second by Rep. Webster; unanimous).

## **ANNOUNCEMENTS AND REMARKS**

Speaker Martin announced the following:

1. Due to incomplete information about members' schedules, the September Council meeting date will be announced at a later time.
2. The Speaker and President had met recently with Martha Freeman, David Kennedy, and Sally Tubbesing to discuss opportunities for improving the flow of bills to committee during the First Regular Session. That discussion produced several ideas which the presiding officers have adopted. A summary of these was distributed to Council members and Speaker Martin urged Council members to support the changes. Most are procedural and would not require changes to the Joint Rules.

Council members discussed each of the proposals and indicated their enthusiastic support. No formal Council action was required.

### **3. Concept Drafting**

In response to a question from Sen. Cahill, Speaker Martin suggested that this topic be discussed in greater detail at the September Council meeting. He further requested that Martha Freeman and David Kennedy prepare materials to facilitate that discussion.

## **ADJOURNMENT**

The Legislative Council was adjourned at 10:25 a.m. on the motion of the Chair.