

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**LEGISLATIVE COUNCIL  
OCTOBER 21, 1990  
REVISED AGENDA**

**CALL TO ORDER**

**ROLL CALL**

**SECRETARY'S REPORT**

Summary of September 20, 1990, Council Meeting

**EXECUTIVE DIRECTOR'S REPORT**

Item #1: Approved Step Increases

Item #2: Office of Fiscal and Program Review: Recommendation to appoint James A. Clair as Deputy Director. (Letter from John Wakefield)

Item #3: Other Personnel Actions. (Memoranda and resumes enclosed)

Item #4: Proposed Procedure for Handling After Deadline Bill Requests. (Memo enclosed)

**REPORTS FROM COUNCIL COMMITTEES**

**OLD BUSINESS**

**NEW BUSINESS**

- Item #1: Proposed Fees for Legislative Documents and Publications for 115th Legislature/First Regular Session
- Prospectus from Clerk Pert for Legislative Document Service (attached)
  - Legislative Drafting Manual: \$15.00
  - Cumulative Index to the Laws of Maine: \$25.00

Item #2: Recommendation to Copyright the Legislative Drafting Manual and to Develop Policy and Procedures for Copyrighting Selected Legislative Publications

Item #3: Request from Maine Merchants Association to Approve an Easement Across State-Owned Property. (Request of Representative Hickey).

**ANNOUNCEMENTS AND REMARKS**

**ADJOURNMENT**



REP. JOHN L. MARTIN  
CHAIR

SEN. DENNIS L. DUTREMBLE  
VICE-CHAIR

STATE OF MAINE

114th LEGISLATURE

LEGISLATIVE COUNCIL

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

SARAH C. DIAMOND  
EXECUTIVE DIRECTOR

## **LEGISLATIVE COUNCIL SEPTEMBER 20, 1990 MEETING SUMMARY**

**APPROVED OCTOBER 21, 1990**

### **CALL TO ORDER**

The Legislative Council meeting was called to order in the Council Chambers by the Chair, Speaker Martin, at 5:12 p.m.

### **ROLL CALL**

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

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

Legislative Officers: Sally Tubbesing, Executive Director,  
Legislative Council  
Lynn Randall, State Law Librarian  
John Wakefield, Director, Office of  
Fiscal and Program Review  
Martha Freeman, Director, Office of  
Policy and Legal Analysis  
David Kennedy, Revisor of Statutes  
Richard N. Sawyer, Administrative  
Services Director  
Joy O'Brien, Secretary of the Senate

### **SECRETARY'S REPORT**

The Summary of the August 17, 1990, Legislative Council meeting was approved and placed on file. (Motion by Sen. Clark; second by Rep. Webster; unanimous).

## EXECUTIVE DIRECTOR'S REPORT

Sally Tubbesing, Executive Director, presented the following items to the Council for action and/or information:

- Item #1: Resignation of Hartley Palleschi, Office of Policy and Legal Analysis

Ms. Diamond drew members' attention to Mr. Palleschi's letter of resignation.

**Motion:** That Mr. Palleschi's resignation be accepted with regret and that a letter of appreciation be sent to him; and, further, that Martha Freeman be authorized to fill the position immediately, in consultation with the Executive Director. (Motion by Sen. Pray; second by Sen. Clark; unanimous).

- Item #2: 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:

Kimberly M. Allen, Paralegal Assistant, Office of the Revisor, (Salary Range 7), from Step 4 to Step 5, effective October 1, 1990.

Rosemarie Fredette, Legislative Analyst, Office of Fiscal and Program Review, (Salary Range 10), from Step 3 to Step 4, effective September 13, 1990.

Cynthia L. Jackson, Senior Legislative Technician, Office of the Revisor, (Salary Range 5), from Step 6 to Step 7, effective September 17, 1990.

Diane M. King-Maheux, Accounting Technician, Office of the Executive Director, (Salary Range 4), from Step 7 to Step 8, effective September 3, 1990.

Marc D. Martin, Senior Computer Programmer, Information Systems Office, (Salary Range 9), from Step 3 to Step 4, effective September 3, 1990.

Valarie Parlin, Senior Secretary, Office of Policy and Legal Analysis, (Salary Range 4), from Step 6 to Step 7, effective September 17, 1990.

Dorothy Rollins, Administrative Coordinator, Information Office, (Salary Range 7), from Step 8 to Step 9, effective September 17, 1990.

Gerald Sawyer, Computer Operator, Information Systems Office, (Salary Range 3), from Step 2 to Step 3, effective September 24, 1990.

Kathryn Van Note, Legislative Analyst, Office of Fiscal and Program Review, (Salary Range 10), from Step 3 to Step 4, effective September 3, 1990.

Sue A. Wright, Associate Law Librarian, Law and Legislative Reference Library, (Salary Range 10), from Step 1 to Step 2, effective September 3, 1990.

Item #3: Legislative Printing Contracts: Status Report

Ms. Tubbesing reported that she, the Secretary of the Senate, Joy O'Brien, and Ed Pert, Clerk of the House, had recently met with Bureau of Purchases officials to initiate the bid preparation process for the printing contracts for the 115th biennium. In accordance with past practice, the following documents will be issued for competitive bids: LD's, House & Senate Calendars, Legislative Record, the Senate and House Register and the Roster. All bids will request two quotes this year, with one price based on the use of recycled paper. Bids should be in by mid-October and, thus, available for final Council consideration at the October meeting.

No Council action required.

Item #4: Proposed Fee Schedule for Legislative Publications and Related Services

Ms. Tubbesing drew members' attention to materials in their packet which represented the combined efforts of Ed Pert, who administers the Legislative Document Service, David Kennedy, Lynn Randall and herself. The proposal for a comprehensive fee schedule had been prepared at the Council's direction and had been designed with the goal of rationalizing current practice rather than maximizing revenues. The recommendation included proposed legislation which would give the Council explicit authority to charge fees for publications.

**Motion:** That the fee schedule be adopted as proposed and that the proposed amendment to the statutes be prepared with an emergency preamble so that it can be considered on the first day of the 115th legislative session. (Motion by Sen. Clark; second by Sen. Dutremble; unanimous).

**Item #5: Voluntary Leave: Status Report**

Ms. Tubbesing reported that the Legislature had exceeded the target of \$45,300 in additional savings in personal services which had been established as part of the final compromise on the budget last session. As of September 1, the Legislature had achieved \$51,812 through deferring filling vacancies and voluntary leaves which involve either a reduced work week or an unpaid leave of absence.

**Motion:** That the report be accepted and placed on file and that this information be communicated to the Joint Standing Committee on Appropriations and Financial Affairs in accordance with the Statute (P.L. 1989, ch 875, § N-2). (Motion by Sen. Dutremble; second by Rep. Webster; unanimous).

**Item #6: Office of Fiscal & Program Review: Progress Report from John Wakefield, Director**

John Wakefield, who assumed the position of Director of the Office in August, presented a status report on his plans for restructuring the Office. He reported that, following interviews with each member of the Office, he had established the following priorities: 1) increasing the supervisory responsibilities of the Deputy Director; 2) moving staffing of the Taxation Committee from a direct reporting relationship to the Director to the fiscal division; and 3) improving the quantity and quality of communication both in the office and with other offices. He requested authorization to fill the vacant Deputy Director position and any other vacancy which might result.

**Motion:** That Mr. Wakefield be authorized to proceed with his plans as presented. (Motion by Sen. Clark; second by Rep. Webster; unanimous).

**REPORTS FROM COUNCIL COMMITTEES****Personnel Committee**

Sen. Clark, Committee Chair, reported that the Committee had met earlier in the day and had voted unanimously to present the following recommendations to the Council:

**Motion:** That the Council accept the Committee's unanimous recommendation to extend coverage under the Legislature's Income Protection Plan in accordance with the Personnel Policies. (Motion by Sen. Clark; second by Rep. Marsano; unanimous)

**Motion:** That the policy on Income Protection be amended to incorporate a 30-day waiting period from the onset of disability to the commencement of a benefit payment under the policy. (Motion by Sen. Clark; second by Rep. Marsano; unanimous)

**Motion:** That the policy in effect for non-partisan employees regarding Appointment be amended to incorporate a probationary period. (Motion by Sen. Clark; second by Rep. Marsano; unanimous).

**Motion:** That step increases be awarded to Martha Freeman, Director, Office of Policy and Legal Analysis, and Richard N. Sawyer, Jr., Administrative Services Director, pursuant to the Committee's review of their performance evaluations. (Motion by Sen. Clark; second by Rep. Marsano; unanimous).

## OLD BUSINESS

**Item #1: Legislative Study Commissions and Interim Study Committees: Status Report**

Ms. Tubbesing noted that members' packets contained a summary of the status of each of the statutory study commissions and interim committee studies for which the Office of Policy and Legal Analysis has staffing responsibility. Budget status summaries were also appended. All studies appear to be on schedule.

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

**Item #2: Concept Drafting: Staff Report Prepared at the Council's Request**

Council members had received a discussion paper prepared by Martha Freeman and David Kennedy in advance of the meeting. Mr. Kennedy noted that it was important for the Council to understand that concept drafting represented only one of several approaches to expediting the flow of bills to Committee and that the Council had already endorsed several others, including enforcement of deadlines and rules for filing. He further indicated that he and Ms. Freeman were in agreement that it was too late to implement a full-blown concept drafting system for the First Regular Session and that, at most, the Council should think about experimenting with concept drafting on a limited basis.

**Motion:** That the report be accepted and placed on file and be referred to the 115th Legislative Council. (Motion by Rep. Marsano; second by Sen. Pray; unanimous).

## NEW BUSINESS

Item #1: Proposed Legislative Budget for Fiscal Years 1992 - 1993

Speaker Martin noted that the budget material, which had been sent to Council members in advance of the meeting, represented an actual decrease in many expenditure lines over prior years and should be viewed as a "bare-bones" budget.

Rep. Webster inquired whether the Council's Budget Subcommittee would have an opportunity to review the proposed budget in greater detail before its submission. The Chair, Speaker Martin, reported that the deadline for submission to the Budget Office was October 1, but reminded Council members that the final legislative budget, like every other department's budget was structured in the appropriations process. Rep. Webster expressed her concern that while this was a "current services budget", it precluded opportunities for the Council to consider whether it might be desirable to implement some of the recommendations in the Peat Marwick report - recommendations which might be accomplished with some restructuring of the current budget rather than require additional funds.

Before the vote on this motion was taken, Council members agreed that the new Legislative Council, which will be organized following the election of leadership for the 115th Legislature, should review the proposed budget in detail, including the assumptions underlying it, and make any additional recommendations to the Appropriations Committee.

**Motion:** That the proposed budget for the Legislative Department for Fiscal Years 1992 and 1993 be submitted as presented, provided that the 115th Legislative Council review it and propose amendments as it sees fit. (Motion by Sen. Pray; second by Sen. Dutremble; unanimous).

Item #2: Letter from the Honorable John R. McKernan, Jr., Regarding 3% Increase Due October 1

The Chair, Speaker Martin, observed that the Governor had proposed deferring the 3% cost-of-living increase that was scheduled to take effect October 1 for state employees in senior management positions. Rep. Martin proposed that the Legislative Council adopt a similar policy, thus deferring the increase for the following legislative employees: Secretary of the Senate; Clerk of the House; Executive Director of the Legislative

Council; Director, Office of Policy and Legal Analysis; Director, Office of Fiscal and Program Review; Revisor of Statutes; State Law Librarian; Administrative Services Director; and Director, State House and Capitol Park Commission. The following points emerged from the ensuing discussion.

- The Governor's action is merely a deferral, and it is clearly his intention to lift the freeze at a later point. (Speaker Martin).
- The Governor's action was necessary because the executive branch did not meet its target for savings through voluntary efforts. The Legislature exceeded its target and should not penalize the very group of employees whose prudent management produced those savings. (Rep. Mayo; Rep. Gwadosky; Sen. Pray; Sen. Clark).
- If the Governor's action is a signal that additional reductions will be necessary, the Council should defer the 3% at this time and rescind its action if the financial situation improves. (Rep. Marsano; Rep. Webster).
- It is important for the Legislative Council to adopt a similar policy to avoid attacks on the Legislature as an institution. (Speaker Martin).

**Motion:** That the recommendation to defer implementation of the 3% increase for the nine legislative senior managers be adopted: (Motion by Rep. Webster; second by Rep. Marsano).

Speaker Martin asked that the motion be amended to request the Governor to deal with those executive departments that did not meet their targets. The motion to amend the original motion was offered by Rep. Mayo and Sen. Dutremble.

The motion, as amended, was approved, 6-2.

**Motion:** That the Chair send a letter to each of the Legislature's department heads congratulating them on meeting their target. (Motion by Sen. Pray; second by Rep. Webster; unanimous).

**Item #3:** Request to Extend the Reporting Deadline for the Subcommittee on Dedicated and Federal Funds

The letter from Rep. Carter, Subcommittee Chair, requested an extension of the Subcommittee's reporting deadline from December 1 to December 31, 1990.

**Motion:** That the request be approved. (Motion by Sen. Clark; second by Rep. Webster; approved 7-1).

Item #4: Request from Sen. Hobbins and Rep. Paradis to Establish a Subcommittee on Drug Enforcement Oversight.

Rep. Gwadosky noted that Sen. Hobbins and Rep. Paradis, Chairs of the Joint Standing Committee on Judiciary, were present to resubmit a request which they had originally presented to the Council in May and which had been denied at the July Council meeting. Both Chairs asserted that, since July, questions had continued to arise about the effectiveness of the BIDE program, thus demonstrating the need for active legislative involvement.

**Motion:** That the request be approved. (Motion by Rep. Gwadosky, second by Rep. Mayo; approved 6-2).

## **ANNOUNCEMENTS AND REMARKS**

After discussion, the Chair, Speaker Martin, announced that the Council's October meeting would be

Sunday, October 21  
12 noon

## **ADJOURNMENT**

The Legislative Council was adjourned at 6:28 p.m. on the motion of the Chair.

SARAH C. TUBBESING  
EXECUTIVE DIRECTOR  
OF THE LEGISLATIVE COUNCIL

RICHARD N. SAWYER, JR.  
ADMINISTRATIVE SERVICES  
DIRECTOR



MAINE STATE LEGISLATURE  
OFFICE OF THE EXECUTIVE DIRECTOR  
LEGISLATIVE COUNCIL

**EXECUTIVE DIRECTOR'S REPORT  
OCTOBER 21, 1990**

**APPROVED STEP INCREASES**

David C. Elliott, Principal Analyst, Office of Policy and Legal Analysis, (Salary Range 12), from Step 5 to Step 6, effective October 8, 1990.

Molly Gallant, Office Assistant II, Law and Legislative Reference Library, (Salary Range 2), from Step 2 to Step 3, effective October 8, 1990.

William T. Glidden, Jr., Principal Analyst, Office of Policy and Legal Analysis, (Salary Range 12), from Step 5 to Step 6, effective October 8, 1990.

Judith L. Hayes, Paralegal Assistant, Office of the Revisor, (Salary Range 7), from Step 2 to Step 3, effective October 1, 1990.

Julie S. Jones, Principal Analyst, Office of Policy and Legal Analysis, (Salary Range 12), from Step 5 to Step 6, effective October 8, 1990.

Jeanne C. Morang, Office Assistant II, Law and Legislative Reference Library, (Salary Range 2), from Step 2 to Step 3, effective October 8, 1990.

Patrick T. Norton, Legislative Analyst, Office of Policy and Legal Analysis, (Salary Range 10), from Step 1 to Step 2, effective October 1, 1990.

Paul J. Saucier, Legislative Analyst, Office of Policy and Legal Analysis, (Salary Range 10), from Step 1 to Step 2, effective October 1, 1990.

Director  
*Bent Schlosser*  
Deputy Director  
*John D. Wakefield*  
Principal Analysts  
*James A. Clair*  
*Cheryl E. Ring*



Analysts  
*Rosemarie Fredette*  
*Lock Kiermaier*  
*J. Timothy Leet*  
*Kevin M. Madigan*  
*Grant T. Pennoyer*  
*Kathryn Van Note*

MAINE STATE LEGISLATURE  
OFFICE OF FISCAL AND PROGRAM REVIEW

STATE HOUSE, STATION 5  
AUGUSTA, MAINE 04333  
Telephone: (207) 289-1635

October 16, 1990

TO: Honorable John L. Martin, Chair  
Members of the Legislative Council  
FROM: John D. Wakefield *JDW* Director  
RE: COUNCIL APPROVAL OF DEPUTY DIRECTOR

I wish to recommend the appointment of James A. Clair to the position of Deputy Director of the Office of Fiscal and Program Review effective immediately. Jim was selected from a field of six candidates, all of whom are currently employed by non-partisan offices of the Legislature.

I believe that Jim's knowledge of state budget and financial procedures, his strong commitment to provide quality services to the Legislature, and his leadership and management skills will serve the Legislature and this office well. If this appointment is approved by the Legislative Council, Jim will be responsible for managing the staffing of the Committee on Appropriations and Financial Affairs in addition to his new responsibilities.

Thank you for your consideration in this matter.

JDW/efb

**LEGISLATIVE STAFF APPOINTMENTS  
PENDING FINAL COUNCIL ACCEPTANCE**

**October 21, 1990**

**Office of Fiscal and Program Review**

Grant Pennoyer, as Principal Analyst, to fill the vacancy created by Jim Clair's promotion.

**Office of Policy and Legal Analysis**

Mila Dwelley, Bangor, Maine, as Research Assistant to fill the vacancy created by Barbara Ginn's resignation.

Michael Higgins, Raymond, Maine, as Legislative Analyst to fill the vacancy occasioned by Hartley Palleschi's resignation.

Karen Hruby, Biddeford, Maine, as Legislative Analyst to fill the temporary vacancy created by Haven Whiteside's leave of absence.

Jill Ippoliti, currently a Research Assistant in OPLA, to the half-time Legislative Analyst position (to be shared with Gro Flatebo).

Roy Lenardson, Bowdoinham, Maine, as Research Assistant to fill the vacancy created by Jill Ippoliti's promotion.

Jane Orbeton, Augusta, Maine, as Legislative Analyst to fill the vacancy occasioned by Todd Burrowes' resignation.

**Office of the Revisor of Statutes**

Karen Farmer, North Whitefield, Maine, to fill the session position of Office Assistant/Receptionist.

Director  
*Bent Schlosser*  
Deputy Director  
*John D. Wakefield*  
Principal Analysts  
*James A. Clair*  
*Cheryl E. Ring*



Analysts  
*Rosemarie Fredette*  
*Lock Kiermaier*  
*J. Timothy Leet*  
*Kevin M. Madigan*  
*Grant T. Pennoyer*  
*Kathryn Van Note*

MAINE STATE LEGISLATURE  
OFFICE OF FISCAL AND PROGRAM REVIEW

STATE HOUSE, STATION 5  
AUGUSTA, MAINE 04333  
Telephone: (207) 289-1635

October 19, 1990

TO: Sally Tubbersing, Executive Director  
FROM: John D. Wakefield, Director  
RE: PROMOTION OF GRANT PENNOYER TO PRINCIPAL ANALYST

I wish to recommend the appointment of Grant Pennoyer to the position of Principal Analyst in the Office of Fiscal and Program Review. His resume is attached to this memo for your review. I recommend that Grant be appointed effective October 22, 1990 and be compensated at the salary assigned to Grade 12, step 4.

Grant was selected from a field of four very qualified candidates all of whom are currently employed by the Office of Fiscal and Program Review. He has been employed as an analyst in this office for the past six years and has demonstrated superior organizational, analytical, and communication skills. I believe Grant would be a most positive addition to the management team.

Thank you for your consideration to this matter.

JDW/efb

MARTHA E. FREEMAN, DIRECTOR  
WILLIAM T. GLIDDEN, PRINCIPAL ANALYST  
JULIE S. JONES, PRINCIPAL ANALYST  
DAVID C. ELLIOTT, PRINCIPAL ANALYST  
ILBERT W. BREWER  
LODD R. BURROWES  
GRO FLATEBO  
DEBORAH C. FRIEDMAN  
JOHN B. KNOX



PATRICK NORTON  
HARTLEY PALLESCHI  
MARGARET J. REINSCH  
PAUL J. SAUCIER  
JOHN R. SELSER  
HAVEN WHITESIDE  
JILL IPPOLITI, RES. ASST.  
BARBARA A. MCGINN, RES. ASST.  
BRET A. PRESTON, RES. ASST.

STATE OF MAINE  
OFFICE OF POLICY AND LEGAL ANALYSIS  
ROOM 101/107/135  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL.: (207) 289-1670

MEMORANDUM

October 2, 1990

To: Sally Tubbesing, Executive Director, Legislative Council

From: Martha Freeman, Director, Office of Policy and Legal Analysis *MBF*

Subj: Employment of Mila Dwelley as a Research Assistant

I'm writing to recommend that we employ Mila Dwelley to fill the currently vacant position for a research assistant in the Office of Policy and Legal Analysis. Her resume is attached to this memo for your review.

Mila will be able to begin work with us on November 5, 1990. I recommend that she be employed at the salary assigned to Grade 7, Step 1.

Mila understands that, if you accept my recommendation, she will soon receive a letter from you outlining in greater detail the salary, employee benefits, and other particulars of beginning work in our office. She understands that your employment offer will be contingent on final acceptance of our recommendation by the Legislative Council at their October 21, 1990, meeting.

Mila comes highly recommended, performed very well in her interview with us, offered a good writing sample, and possesses excellent credentials and a lot of enthusiasm for our work. I am pleased that she will be joining our staff.

Thank you for your attention and consideration.

cc: Mila Dwelley

MARTHA E. FREEMAN, DIRECTOR  
WILLIAM T. GLIDDEN, PRINCIPAL ANALYST  
JULIE S. JONES, PRINCIPAL ANALYST  
DAVID C. ELLIOTT, PRINCIPAL ANALYST  
ALBERT W. BREWER  
JODD R. BURROWES  
GRO FLATEBO  
DEBORAH C. FRIEDMAN  
JOHN B. KNOX



PATRICK NORTON  
HARTLEY PALLESCHI  
MARGARET J. REINSCH  
PAUL J. SAUCIER  
JOHN R. SELSER  
HAVEN WHITESIDE  
JILL IPPOLITI, RES. ASST.  
BARBARA A. MCGINN, RES. ASST.  
BRET A. PRESTON, RES. ASST.

STATE OF MAINE  
OFFICE OF POLICY AND LEGAL ANALYSIS  
ROOM 101/107/135  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL.: (207) 289-1670

**MEMORANDUM**

October 15, 1990

To: Sally Tubbesing, Executive Director, Legislative Council

From: Martha Freeman, Director, Office of Policy and Legal Analysis *MEF*

Subj: Employment of Jill Ippoliti in a job-sharing position as a Legislative Analyst

I'm writing to recommend that we employ Jill Ippoliti to fill the job-sharing position for a Legislative Analyst we have in the Office of Policy and Legal Analysis. Her resume is attached to this memo for your review.

Jill is currently a Research Assistant with us. I recommend transferring her to the job-sharing Legislative Analyst position on November 19, 1990. I recommend that she be employed at the salary assigned to Grade 10, Step 1, with the salary and benefits prorated in accordance with her job-sharing status.

Jill understands that, if you accept my recommendation, she will soon receive a letter from you outlining in greater detail the salary, employee benefits, and other particulars of beginning work in the job-sharing position. She understands that your employment offer will be contingent on final acceptance of our recommendation by the Legislative Council at their October 21, 1990, meeting.

I am excited that Jill will be moving to the job-sharing position. She has done an excellent job as a Research Assistant and we are fortunate to have someone we already know and admire to help us with our first attempt at job sharing.

Thank you for your attention and consideration.

cc: Jill Ippoliti

MARTHA E. FREEMAN, DIRECTOR  
WILLIAM T. GLIDDEN, PRINCIPAL ANALYST  
JULIE S. JONES, PRINCIPAL ANALYST  
DAVID C. ELLIOTT, PRINCIPAL ANALYST  
ALBERT W. BREWER  
JODD R. BURROWES  
GRO FLATEBO  
DEBORAH C. FRIEDMAN  
JOHN B. KNOX



PATRICK NORTON  
HARTLEY PALLESCHI  
MARGARET J. REINSCH  
PAUL J. SAUCIER  
JOHN R. SELSER  
HAVEN WHITESIDE  
JILL IPPOLITI, RES. ASST.  
BARBARA A. MCGINN, RES. ASST.  
BRETA. PRESTON, RES. ASST.

STATE OF MAINE  
OFFICE OF POLICY AND LEGAL ANALYSIS  
ROOM 101/107/135  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL.: (207) 289-1670

MEMORANDUM

October 15, 1990

To: Sally Tubbesing, Executive Director, Legislative Council

From: Martha Freeman, Director, Office of Policy and Legal Analysis *MEF*

Subj: Employment of Roy Lenardson as a Research Assistant

I'm writing to recommend that we employ Roy Lenardson to fill a vacant position for a Research Assistant in the Office of Policy and Legal Analysis. This position is open as a result of our recommendation that Jill Ippoliti, who currently serves as a Research Assistant with us, fill another currently vacant position in our office. Roy's resume is attached to this memo for your review.

Roy will be able to begin work with us on November 12, 1990. I recommend that he be employed at the salary assigned to Grade 7, Step 1.

Roy understands that, if you accept my recommendation, he will soon receive a letter from you outlining in greater detail the salary, employee benefits, and other particulars of beginning work in our office. He understands that your employment offer will be contingent on final acceptance of our recommendation by the Legislative Council at their October 21, 1990, meeting.

Roy performed very well in two interviews with us. He brings us good writing and computer skills and great enthusiasm. I am pleased that he will be joining our staff.

Thank you for your attention and consideration.

cc: Roy Lenardson

MARTHA E. FREEMAN, DIRECTOR  
WILLIAM T. GLIDDEN, PRINCIPAL ANALYST  
JULIE S. JONES, PRINCIPAL ANALYST  
DAVID C. ELLIOTT, PRINCIPAL ANALYST  
ALBERT W. BREWER  
JODD R. BURROWES  
GRO FLATEBO  
DEBORAH C. FRIEDMAN  
JOHN B. KNOX



PATRICK NORTON  
HARTLEY PALLESCHI  
MARGARET J. REINSCH  
PAUL J. SAUCIER  
JOHN R. SELSER  
HAVEN WHITESIDE  
JILL IPPOLITI, RES. ASST.  
BARBARA A. MCGINN, RES. ASST.  
BRET A. PRESTON, RES. ASST.

STATE OF MAINE  
OFFICE OF POLICY AND LEGAL ANALYSIS  
ROOM 101/107/135  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL.: (207) 289-1670

**MEMORANDUM**

October 2, 1990

To: Sally Tubbesing, Executive Director, Legislative Council

From: Martha Freeman, Director, Office of Policy and Legal Analysis *MEF*

Subj: Employment of Jane Orbeton as a Legislative Analyst

I'm writing to recommend that we employ Jane Orbeton to fill the currently vacant position for an attorney in the Office of Policy and Legal Analysis. Her resume is attached to this memo for your review.

Jane will be able to begin work with us on November 5, 1990. I recommend that she be employed at the salary assigned to Grade 10, Step 1.

Jane understands that, if you accept my recommendation, she will soon receive a letter from you outlining in greater detail the salary, employee benefits, and other particulars of beginning work in our office. She understands that your employment offer will be contingent on final acceptance of our recommendation by the Legislative Council at their October 21, 1990, meeting.

I am extremely excited that Jane will be joining our staff. We are fortunate to be able to employ a lawyer, mediator, and legislative observer of Jane's experience.

Thank you for your attention and consideration.

cc: Jane Orbeton

SARAH C. TUBBESING  
EXECUTIVE DIRECTOR  
OF THE LEGISLATIVE COUNCIL  
RICHARD N. SAWYER, JR.  
ADMINISTRATIVE SERVICES  
DIRECTOR



MAINE STATE LEGISLATURE  
OFFICE OF THE EXECUTIVE DIRECTOR  
LEGISLATIVE COUNCIL

October 15, 1990

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

FROM: Sally *Sally*

SUBJECT: Proposed Procedures for Handling After Deadline Bills

In the course of the discussion at the August Council meeting about "streamlining" the process, you directed staff to develop a proposal for channeling after deadline requests through committees.

The enclosed represents the product of our discussions to date. We have tried to include enough detail so that you can decide whether you want to pursue this or another approach in the 115th First Regular Session.

Enclosure

**PROPOSED PROCEDURE FOR ROUTING AFTER  
DEADLINE BILL REQUESTS THROUGH COMMITTEES**

1. Legislator files request in Revisor's Office.
2. Revisor prepares a Request Summary, which contains the following information:
  - Title/Sponsor
  - Cosponsors
  - Description of what the bill does
  - Notation regarding whether sufficient information is available to draft
3. Request appears on Council agenda for purposes of referral to a Joint Standing Committee for consideration.
  - Majority vote of Council required

**NOTE:** Council should adopt policy to Table a request until information is complete.

  - Notification of Council's referral decision sent to sponsor, so sponsor can appear at Council
4. Committee receives request with instructions to report to the Council at its next regularly-scheduled meeting regarding the Committee's disposition of the request. Committee's recommendation may be one of the following:
  - a. Recommend that the request be fully-drafted
    - Committee Clerk takes request immediately to Revisor's Office for complete drafting
  - b. Recommend that the request be incorporated in other legislation already pending in Committee
    - Specify which LD/LD's
  - c. Recommend that the request be denied and indicate the reason
  - d. Recommend that the request be referred to another Joint Standing Committee

**NOTE:** Committee would be required to send sponsor a copy of its recommendation to the Council.
5. Council to review status report of committee's actions on After Deadline Bill requests referred at subsequent meeting.



State of Maine  
House of Representatives  
Augusta 04333

Ed Pert  
Clerk

October 16, 1990

The Honorable John L. Martin  
Chairman  
The Legislative Council  
State House  
Augusta, Maine 04333

Dear Mr. Chairman:

The following proposed schedule of fees for Document Service for the First Regular Session of the 115th Legislature is hereby submitted for the consideration of the Legislative Council.

	<u>114th Rate</u>	<u>Proposed 115th Rate</u>
1. Bills and Resolves FIRST CLASS MAIL - Mailed Daily	\$475.00	\$450.00
2. Bills and Resolves FIRST CLASS MAIL - Mailed Twice Weekly	370.00	360.00
3. Bills and Resolves THIRD CLASS MAIL - Mailed Twice Weekly	275.00	300.00
4. Bills and Resolves PICKED UP AT DOCUMENT ROOM	140.00	180.00
5. Amendments (As a combination with any Legislative Document Service) Mailed Weekly	80.00	100.00
6. Amendments PICKED UP AT DOCUMENT ROOM	42.50	60.00
7. Legislative Record FIRST CLASS MAIL - Mailed Weekly	115.00	115.00
8. Legislative Record PICKED UP AT DOCUMENT ROOM	85.00	85.00
9. Public and Private and Special Laws, Resolves, and Constitutional Amendments FIRST CLASS MAIL - Mailed Weekly	157.50	250.00
10. Public and Private and Special Laws, Resolves, and Constitutional Amendments PICKED UP AT DOCUMENT ROOM	NEW SERVICE	150.00

The Honorable John L. Martin

Page 2

October 16, 1990

11. Weekly Computer Printout - Status of Bills FIRST CLASS MAIL	\$200.00	\$200.00
12. Weekly Computer Printout - Status of Bills THIRD CLASS MAIL	100.00	100.00
13. Weekly Computer Printout - Status of Bills PICKED UP AT DOCUMENT ROOM	50.00	50.00
14. Advance Notice of Public Hearings on Bills FIRST CLASS MAIL	20.00	20.00
15. Weekly Listing of Bills Printed and Enacted FIRST CLASS MAIL	20.00	20.00
16. Joint Resolutions FIRST CLASS MAIL	75.00	75.00
17. House and Senate Daily Calendars FIRST CLASS MAIL - Mailed Weekly	NEW SERVICE	50.00
18. House and Senate Daily Calendars with Supplemental Calendars FIRST CLASS MAIL - Mailed Weekly	NEW SERVICE	100.00
19. Legislative Council - Notice of Preliminary Agenda and Minutes PICKED UP AT DOCUMENT ROOM	NEW SERVICE	100.00
20. Legislative Council - After Deadline List/Pre and Post Versions PICKED UP AT DOCUMENT ROOM	NEW SERVICE	50.00

As a result of a review of printing and postage costs from the Second Regular Session of the 114th Legislature the above recommendations reflect increases in some areas as well as decreases in others. You will note the addition of five new services

This Document Service schedule is in harmony with the Legislative Council's fee schedule for legislative publications which was adopted on September 20, 1990. I will be happy to respond to any questions the Council may have on this proposed schedule.

Sincerely,



Edwin H. Pert  
Clerk of the House

# COPYRIGHT OF LEGISLATIVE PUBLICATIONS: ISSUES

## Background

The imminent publication of the Legislative Drafting Manual has raised the question of whether the State should claim a copyright on this particular publication.

## Issues

- A copyright would be inappropriate for many legislative publications
  - Some material may not be "copyright able"
  - Publications which the Legislature wants to disseminate as widely as possible
- A copyright would appear to be desirable, however, for selected legislative publications
  - Those in which the Legislature has a strong interest in ensuring that excerpts are accurate and that any reprints reflect current policy
  - Claiming a copyright would not preclude the Legislative Council from granting permission to reprint copyrighted publications in whole or in part

## Recommendation

- That the Council authorize the Revisor of Statutes to claim copyright on behalf of the State of Maine for the Legislative Drafting Manual; and
- That the Legislative Council authorize the Executive Director to work with the Secretary of the Senate, the Clerk of the House and the non-partisan staff directors to analyze current publications and to develop both recommendations regarding which should have copyright protection and guidelines for evaluation of future publications; and
- That these recommendations be presented to the 115th Legislative Council

10/19/90

## EASEMENT

Dale Doughty, Director of Bureau of Public Improvements, State of Maine, of Augusta, Kennebec County, Maine, for consideration given, grants to Maine Merchants Association Inc., and Maine Merchants Association Insurance Trust, Maine corporations with their principal offices at 5 Wade Street, Augusta, Maine, and their assigns, to be assignable to the Augusta Sanitary District, an easement for the purpose of laying, installing, repairing and maintaining an eight (8) inch storm water force main line over, across, and/or under the surface of the land in Augusta, Maine. Said easement to be thirty (30) feet in width centered over said storm water line.

The location of said storm water line is as follows:

Starting at a point approximately fifteen feet (15') west of one iron rod found at the southeast corner of land owned by the Maine Merchants Association, Inc. located on Wade Street, Augusta, Kennebec County, Maine, running approximately one hundred and fifty feet (150') to an existing man-hole servicing a sixty inch (60") storm water line. Grantors property located on the corner of the southerly side of Wade Street and the westerly side of Grove Street, Augusta, Kennebec County, State of Maine.

The Grantee, its successors and assigns, may enter into the property of the Grantor for the purpose of maintaining said lines and may replace said lines as are necessary. All expense of work should be borne by the Grantee and the earth and any pavement shall be replaced and returned to its original condition at the completion of any work, all at the expense of the Grantee. The Grantor further covenants that no building shall take place over said line except upon ninety (90) days prior written notice to the Grantee.

Witness his hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ of 1990.

Signed Sealed and delivered  
in the Presence of

State of Maine

\_\_\_\_\_  
Witness

by: \_\_\_\_\_  
Dale Doughty, Director  
Bureau of Public Improvements  
State of Maine