

MAINE STATE LEGISLATURE

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**LEGISLATIVE COUNCIL
NOVEMBER 30, 1990
REVISED AGENDA**

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

Summary of October 21, 1990, Council Meeting.

EXECUTIVE DIRECTOR'S REPORT

Item #1: Approved Step Increases.

Item #2: Resignation: Gil Brewer, Office of Policy and Legal Analysis.

Item #3: Other Personnel Actions.

Item #4: Policy Regarding Use Of Legislative Hearing Rooms.

REPORTS FROM COUNCIL COMMITTEES

OLD BUSINESS

Item #1: Pre-Legislative Conference: Status Report

Item #2: Constituent Service Allowance: First Payment

NEW BUSINESS

Item #1: Submission of Study Reports

- Joint Standing Committee on Judiciary: Staff Studies on Penalties Outside the Criminal Code.
- Joint Standing Committee on Marine Resources: Subcommittee to Study Salmon Aquaculture in Maine.

Item #2: Requests for Extension:

- Joint Standing Committee on Audit and Program Review: Letter from Sen. Bustin and Rep. Rolde.
- Joint Standing Committee on Human Resources/Study Subcommittee on Mental Health: Letter from Sen. Gauvreau.
- Commission to Assess the Impact of Increased State Spending on the University of Maine System: Letter from Rep. O'Dea.

Item #3: Designation of Recipient for Legislature's Copy of the 1990 Census Documents.

Item #4: Request from the Ellsworth American for Assignment of Space in the Press Area for the Session.

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT



REP. JOHN L. MARTIN
CHAIR

SEN. DENNIS L. DUTREMBLE
VICE-CHAIR

STATE OF MAINE

114th LEGISLATURE

LEGISLATIVE COUNCIL

**LEGISLATIVE COUNCIL
OCTOBER 21, 1990
MEETING SUMMARY**

APPROVED NOVEMBER 30, 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 12:10 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 Tubbesing, Executive Director, Legislative Council John Wakefield, Director, Office of Fiscal and Program Review Martha Freeman, Director, Office of Policy and Legal Analysis David Kennedy, Revisor of Statutes David Silsby, Director, State House & Capitol Park Commission Joy J. O'Brien, Secretary of the Senate

SECRETARY'S REPORT

The Summary of the September 20, 1990, Legislative Council meeting was approved and placed on file. (Motion by Rep. Marsano; second by Sen. Clark; unanimous).

EXECUTIVE DIRECTOR'S REPORT

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

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:

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.

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

Item #2: Office of Fiscal and Program Review: Recommendation to appoint James A. Clair as Deputy Director

Mr. Wakefield reported that he had had six applicants for the position, all currently members of the non-partisan staff. His recommendation of Mr. Clair's appointment followed interviews with each of the six and a thorough evaluation of the experience and skills

that each would bring to the position. In response to a question from Sen. Pray, Mr. Wakefield reported that Mr. Clair would continue to be responsible for managing the staffing of the Appropriations Committee.

Motion: That James A. Clair be appointed Deputy Director of the Office of Fiscal and Program Review, effective immediately. (Motion by Rep. Marsano; second by Sen. Clark; unanimous).

Item #3: Other Personnel Actions

Ms. Tubbesing drew Council members' attention to a list of individuals who had been selected to fill vacant positions in the non-partisan offices subject to the Council's final approval. They are:

Office of Fiscal and Program Review

Grant Pennoyer, as Principal Analyst, (Range 12, Step 4) to fill the vacancy created by Jim Clair's promotion, effective October 22.

Office of Policy and Legal Analysis

Mila Dwelley, Bangor, Maine, as Research Assistant, (Range 7, Step 1), to fill the vacancy created by Barbara McGinn's resignation, effective November 5.

Michael Higgins, Raymond, Maine, as Legislative Analyst, (Range 10, Step 1), to fill the vacancy occasioned by Hartley Palleschi's resignation, effective November 12.

Karen Hruby, Biddeford, Maine, as Legislative Analyst, (Range 10, Step 2), to fill the temporary vacancy created by Haven Whiteside's leave of absence, effective December 3.

Jill Ippoliti, currently a Research Assistant in OPLA, to the half-time Legislative Analyst position (to be shared with Gro Flatebo), effective November 19.

Roy Lenardson, Bowdoinham, Maine, as Research Assistant, (Range 7, Step 1), to fill the vacancy created by Jill Ippoliti's promotion, effective November 12.

Jane Orbeton, Augusta, Maine, as Legislative Analyst, (Range 10, Step 1), to fill the vacancy occasioned by Todd Burrowes' resignation, effective November 5.

Office of the Revisor of Statutes

Karen Farmer, North Whitefield, Maine, to fill the session position of Office Assistant/Receptionist, (Range 2, Step 2), effective December 1.

Motion: That these individuals be hired as recommended. (Motion by Sen. Clark; second by Rep. Webster; unanimous).

Item #4: Proposed Procedure for Handling After Deadline Bill Requests.

Ms. Tubbesing reported that David Kennedy, Martha Freeman and she had drafted an outline of a proposed procedure that had been prepared at the Council's direction. The proposal would channel after deadline bill requests to the joint standing committees for recommendations to the Council about a) whether separate legislation was required and b) whether the bill request should be let in. The Council's discussion of the proposal included the following questions and observations:

- Why is the committee role enhanced? (Sen. Clark)
Ms. Tubbesing responded that the Council had specifically directed staff to develop a procedure to involve committees in the review of after deadline bill requests.
- The proposal might provide a vehicle for weeding out duplicates. (Rep. Mayo)
- An alternative to this proposal would be to require a 2/3 vote of the Council to approve an after deadline bill for introduction. This would assure bipartisan support. (Rep. Webster)
 - Disagree: There is a role for the majority party here. (Sen. Clark)
- All members would have the option of going to the floor with an after deadline request under the proposal. (Sen. Pray)
 - But, this would add significantly to floor debate, and current process (through Council) is preferable to that. (Rep. Martin)
- We need to re-examine and enforce cloture rules for Department and Governor's bills. (Rep. Martin)
- The less after deadline legislation we allow, the more smoothly the process will work. (Rep. Marsano)
- Referring requests to committees might actually slow the process because it represents an additional step. (Sen. Dutremble)

Martha Freeman, Director of the Office of Policy and Legal Analysis, in response to a question, suggested that Committees might have difficulty dealing with after deadline requests in a timely manner given the other demands on their time at many points during the session.

Motion: That the proposal be rejected. (Motion by Sen. Clark; second by Rep. Webster; this motion was superseded by the following motion to Table).

Motion: That the proposal be tabled. (Motion by Rep. Marsano; second by Rep. Mayo; motion failed 5-4).

The vote was then taken on the previous motion by Sen. Clark, and it failed 5-4.

Motion: That the proposal be tabled. (Motion by Rep. Marsano; second by Rep. Mayo; motion failed 5-4).

Motion: That the proposal be accepted. (Motion by Rep. Mayo; second by Rep. Gwadosky; motion failed 2-6-1, with Rep. Marsano abstaining).

Item #5: Legislative Printing Contracts for the 115th Biennium

Ms. Tubbesing reported that the deadline for submitting bids had been the previous Wednesday, October 17. She had distributed a summary of the low bidders for each of the contracts, noting that the bids were all based on the use of recycled paper, and recommended that the Council authorize the Bureau of Purchases to execute contracts on behalf of the Legislature as follows:

Senate and House Calendars:	J.S. McCarthy*
LD's	: J.S. McCarthy*
Acts & Resolves	: Quality Copy*
Legislative Record	: Quality Copy*
Rosters	: J.S. McCarthy (\$7,335)
Senate and House Register :	Pen Mor (\$39,702)

Note: Those marked with an asterisk
are bid on a price per page
rather than a total price.

Motion: That the Legislative Council accept the recommendations regarding printing contracts for the 115th legislative biennium. (Motion by Sen. Pray; second by Sen. Cahill; unanimous).

REPORTS FROM COUNCIL COMMITTEES

None.

OLD BUSINESS

None.

NEW BUSINESS

Item #1: Proposed Fees for Legislative Documents and Publications for 115th Legislature/First Regular Session

Ms. Tubbesing reported that the Council needed to act on proposed prices for the following:

1. Legislative Document Service

Council members had Clerk Pert's prospectus for those publications which are distributed through the Legislative Document Room. In response to a question from Sen. Pray regarding why the Clerk was proposing to reduce prices for some items, Ms. Tubbesing responded that while the Clerk was proposing some decreases, most services reflected increases, and that his objective overall had been to restructure Document Service pricing so that all categories reflected the Legislature's actual costs. She further noted that Clerk Pert had factored the increased postal rates, which are scheduled to take effect February 1, 1991, into the his recommendations.

Motion: That the Clerk's recommendations regarding pricing for the Legislative Document Service for the 1st Regular Session of the 115th Legislature be approved. (Motion by Sen. Pray; second by Sen. Dutremble; unanimous).

2. Legislative Drafting Manual and Cumulative Index to the Laws of Maine

Ms. Tubbesing reported that these publications were newly issued and that the recommended price of \$15.00 for the Drafting Manual covered the actual cost of printing and initial mailing, as well as the anticipated cost of providing updated sections to subscribers. The recommended price of the Cumulative Index was \$25.00.

Motion: That the recommended prices be approved. (Motion by Sen. Clark; second by Sen. Dutremble; unanimous).

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

David Kennedy, Revisor of Statutes, reported that he had already been asked if the recently-completed Legislative Drafting Manual had been copyrighted by the State. He had discussed the issue with the Executive Director, and they had agreed that the decision about

whether to copyright the Manual or any other legislative publication raised policy issues that required Legislative Council consideration. The primary rationale for copyrighting the Drafting Manual is that it is a manual in which specific parts will change over time to reflect current law, practice, etc.; a copyright would allow the Legislature to maintain control over the integrity of the publication. Rep. Marsano asserted that since the Manual had been developed with public funds, it was in the Legislature's interest to assure the widest possible distribution and, therefore, not try to control distribution through claiming a copyright.

Motion: That the recommendation to claim a copyright on the Legislative Drafting Manual be approved. (Motion by Sen. Pray; second by Rep. Mayo; motion failed 2-5).

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

Ms. Tubbesing noted that the Maine Merchant Association's request to the Council had originally been a request to the Bureau of Public Improvements. The Association is currently constructing a new building on Grove Street and needs an easement across state property to permit the installation of an underground pipe to an existing storm water pipe. Easements across State property require approval by the Legislature; however, since the Legislature is not currently in session, the Attorney General's Office had suggested that the Association approach the Legislative Council. Delaying installation of the pipe until December or later would cost the Association an additional \$45,000 - \$50,000.

In the ensuing discussion, Council members acknowledged their interest in having the State be a "good neighbor", but concluded that they had no legal authority to grant the Association's request.

No formal action was taken.

EXECUTIVE SESSION

Motion: That the Council go into Executive Session for the purpose of discussing matters related to personnel. (Motion by Sen. Clark; second by Sen. Cahill). There being no objection, the Council went into Executive Session at 12:55 p.m.

RECONVENE

Motion: That the resignation of John Selser be accepted effective February 1, 1991, with regret; and, further, that Martha Freeman be authorized to fill Mr. Selser's position as early as November 1, 1990. (Motion by Sen. Pray; second by Sen. Clark; unanimous).

ANNOUNCEMENTS AND REMARKS

The Chair reported that he would notify members of the date of the November Council meeting.

ADJOURNMENT

The Legislative Council was adjourned at 1:13 p.m., on the motion of Sen. Dutremble.

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
NOVEMBER 30, 1990**

APPROVED STEP INCREASES

Judith A. Armstrong, Senior Legal Proofreader, Office of the Revisor, (Salary Range 4), from Step 8 to Step 9, effective November 5, 1990.

Jane E. Edwards, Principal Law Librarian, Law and Legislative Reference Library, (Salary Range 12), from Step 3 to Step 4, effective November 26, 1990.

Linda D. Gay, Paralegal Assistant, Information Systems Office, (Salary Range 7), from Step 1 to Step 2, effective November 5, 1990.

John L. Kiermaier, Legislative Analyst, Offices of Fiscal and Program Review, (Salary Range 10), from Step 6 to Step 7, effective November 5, 1990.

Evelyn J. Knopf, Legislative Attorney, Office of the Revisor, (Salary Range 10), from Step 2 to Step 3, effective October 29, 1990.

Sharon Linton, Senior Legal Proofreader, Office of the Revisor, (Salary Range 4), from Step 8 to Step 9, effective November 26, 1990.

Deanne Ricker, Administrative Secretary, Office of the Revisor,, (Salary Range 6) from Step 6 to Step 7, effective November 26, 1990.

Donna Sullivan, Senior Legislative Technician, Information Systems Office, (Salary Range 5), from Step 6 to Step 7, effective November 19, 1990.

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

Judy A. O'Brien, Senior Secretary, Office of Fiscal and Program Review.

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
JULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
JON CLARK
AN M. DYTTER
O FLATEBO
DEBORAH C. FRIEDMAN
MICHAEL D. HIGGINS



KAREN L. HRUBY
JILL IPPOLITI
JOHN B. KNOX
PATRICK NORTON
MARGARET J. REINSCH
PAUL J. SAUCIER
HAVEN WHITESIDE
MILA M. DWELLEY, RES. ASST.
ROY W. LENARDSON, 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

November 8, 1990

To: Sally Tubbesing, Executive Director, Legislative Council

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

Subj: Resignation of Gilbert Brewer, Legislative Analyst

This is to inform you that Gil Brewer is resigning from his legislative analyst position, effective at the close of business on December 21, 1990. I've told Gil that he needs to make the usual arrangements with Dick Sawyer to effectuate his resignation.

Gil's letter of resignation and my acceptance are attached for your information. Gil has been a valuable employee in the six years he has been with us. We will miss his good work, dedication, good will, and humor.

Thank you, and Dick, for your help in making this transition and with filling this new vacancy.

cc: Dick Sawyer

LEGISLATIVE STAFF APPOINTMENTS
PENDING FINAL COUNCIL ACCEPTANCE

November 30, 199 Revised

Office of Fiscal and Program Review

Shirrin Blaisdell, as Legislative Analyst, to fill the vacancy created by Grant Pennoyer's promotion.

Office of Policy and Legal Analysis

Jon Clark, as Legislative Analyst, to fill the vacancy created by Gil Brewer's resignation.

Dyan Dyttmer, as Legislative Analyst, to fill the vacancy created by John Selser's resignation.

Office of the Executive Director/Legislative Information Office

Jo-Ellen Staples, as Information Office Assistant, to fill the vacancy created by E.J. Hampson's resignation.

Office of the Revisor

Nancy Mullins, as Legal Proofreader (session position), to fill a vacant position.

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

November 7, 1990

TO: Sally Tubbesing, Executive Director
FROM: John D. Wakefield, Director
RE: APPOINTMENT OF LEGISLATIVE ANALYST

I wish to recommend the appointment of Shirrin L. Blaisdell as Legislative Analyst to fill the vacancy created by the promotion of Grant Pennoyer. Shirrin's resume is attached to this memo for your review. I recommend that Shirrin be appointed effective December 3, 1990 and be compensated at the salary assigned to Grade 10, step 6.

Shirrin was selected from a field of twenty-four candidates. She is currently employed as a Resource Development Manager in the Department of Mental Health and Mental Retardation.

I believe that Shirrin's knowledge of state finances, her solid analytical skills, and her past experience in the State Budget Office and the Office of Fiscal and Program Review will be an asset to us in both the upcoming and future legislative sessions.

JDL/efb
enclosure

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, PRINCIPAL ANALYST
JULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
GILBERT W. BREWER
TODD R. BURROWES
O FLATEBO
LEBORAH 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 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

November 13, 1990

To: Sally Tubbesing, Executive Director, Legislative Council

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

Subj: Employment of Jon Clark as a Legislative Analyst

I'm writing to recommend that we employ Jon Clark to fill a position we have open for a lawyer in the Office of Policy and Legal Analysis. Jon's resume is attached to this memo for your review.

Jon will be able to begin work with us on November 19, 1990. I recommend that he be employed at the salary assigned to Grade 10, Step 1.

Jon 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 November meeting.

I am excited that Jon will be joining our staff. As you can see from his resume, Jon has an excellent educational background, is a skilled writer, has experience in natural resources law, and has a broad working background that should serve him well in dealing with legislators and the public. In addition, Jon presented himself extremely well in interviews with us, which indicated to us that he has the interpersonal skills needed to do the work of the nonpartisan staff. I am truly pleased that Jon, with his particular skills and background, will be joining our office.

Thank you for your attention and consideration.

cc: Jon Clark

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, PRINCIPAL ANALYST
JULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
GILBERT W. BREWER
GRO FLATEBO
BORAH C. FRIEDMAN
JOHN B. KNOX



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

STATE OF MAINE
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TEL.: (207) 289-1670

MEMORANDUM

November 8, 1990

To: Sally Tubbesing, Executive Director, Legislative Council

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

Subj: Employment of Dyan Dyttmer as a Legislative Analyst

I'm writing to recommend that we employ Dyan Dyttmer to fill a position we have open for a lawyer in the Office of Policy and Legal Analysis. Dyan's resume is attached to this memo for your review.

Dyan will be able to begin work with us on December 10, 1990. I recommend that she be employed at the salary assigned to Grade 10, Step 2.

Dyan 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 November meeting.

I am excited that Dyan will be joining our staff. As you can see from her resume, she has an excellent educational background, experience in two Maine state government agencies, and a commitment to working to help others. Her work as a neutral hearing officer and interest in legal services practice should serve her and us well in her nonpartisan staffing role and in her exposure to all types of legislators and members of the public. I am truly pleased that Dyan, with her particular skills and knowledge, will be joining our office.

Thank you for your attention and consideration.

cc: Dyan Dyttmer

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

November 16, 1990

TO: Honorable John L. Martin, Chair
Legislative Council

FROM: Sally *Sally*

SUBJECT: Policy Regarding Use of Legislative Hearing Rooms

In the past month, several situations have raised questions about the current policy regarding the use of legislative hearing rooms. As you know, the current policy reflects both the custom of many years and our attempts to establish a few rules so that the priorities for use would be clear.

I have enclosed a copy of the current policy for your review.

Enclosure

114TH MAINE LEGISLATURE

POLICIES REGARDING USE OF LEGISLATIVE HEARING ROOMS

Introduction

The Legislative Council has the authority pursuant to statute (3 MRSA § 162, para. 12) "To insure that adequate physical facilities are provided for the efficient operation of the Legislature; to provide for and determine the utilization of legislatively-controlled facilities both within and without the Statehouse; and to control and assign the use of all rooms in the Statehouse, except the offices occupied by the Governor and his immediate staff on January 1, 1982."

Since the Maine Legislature is a part-time Legislature, it has been the policy of the Legislative Council to make legislative hearing rooms available to others for public meetings and staff working sessions when they are not in use by the Legislature in accordance with the following guidelines:

Policy During The Legislative Session

Availability

Legislative hearing rooms will be limited solely to use for direct legislative purposes during the legislative session. This includes public hearings, work sessions and other meetings of joint standing committees, county delegations, caucuses, other legislatively-sponsored meetings and legislators' own press conferences. All requests must be made by a legislator and are subject to the review and final approval of the Legislative Council Chair.

Priority

All rooms are scheduled with the explicit understanding that legislative committee hearings and work sessions have priority. This means that the party can be "bumped" up to meeting time, though everything will be done to avoid this.

Those hearing rooms that are assigned to joint standing committees during the session will not be scheduled - even for other legislative purposes - without first clearing the arrangement with both Chairs and the Committee Clerk.

Policy During The Interim

Availability

Legislative hearing rooms are available to outside groups for public meetings and staff working sessions. During the interim, as during the regular session, all rooms are scheduled with the explicit understanding that the Legislature has priority. Rooms are generally available for use during normal business hours only.

Special Provisions

Room 228/Appropriations Hearing Room

This room is scheduled through the Office of Fiscal & Program Review (our contact is Betty Bartlett xl635). Refer other legislative groups to the Committee Chairs to make arrangements.

Room 334/Legislative Council Chamber

The following have priority for the use of the Chamber in the order listed below:

- Legislative Council
- State & Local Government Committee -
for scheduled hearing and
work sessions
- House Caucuses

All other events in this room should be cleared through Sally Tubbesing, who will work with the Council Chair and assume responsibility for necessary follow-up.

Procedures

- Requestor calls Info Office to inquire about availability of room for a specific day/time and is asked to provide the following information:
 - Organization name
 - Meeting time (start & finish)
 - Contact person and phone #
 - Indicate whether the meeting should be listed in the Clerk's Weekly Legislative Calendar ("Yes" or "No")
- Info Office completes a "Request to Use Hearing Room form" and submits to Council Chair for approval. (If the request is for use of an assigned committee room, chairs must be contacted).

- Info Office calls requestor back with decision.
- Info Office enters information in Red Book
- Info Office prepares weekly room schedule, which is distributed to the following:
 - Building Control (DELTA)
 - BPI
 - State House Custodian

Meeting Arrangements

Smoking is prohibited by law in all legislative hearing rooms.

All special arrangements for meetings (e.g. coffee, easels, audio-visual equipment, etc.) are the responsibility of the meeting group.

Food is strongly discouraged because it puts an undue burden on limited custodial resources. Any group that has food or drink is responsible for cleaning up the room immediately following the meeting.

Furniture. If the group rearranges the furniture in the room for its meeting, it has sole responsibility for restoring the room to its original condition.

SENATE

BEVERLY MINER BUSTIN, DISTRICT 19, CHAIR
GEORGETTE B. BERUBE, DISTRICT-16
LINDA CURTIS BRAWN, DISTRICT 21

STAFF

OFFICE OF FISCAL AND PROGRAM REVIEW
CHERYL RING, PRINCIPAL ANALYST
LOCK KIERMAIER, ANALYST
KATHRYN VAN NOTE, ANALYST



HOUSE

NEIL ROLDE, YORK, CHAIR
PHYLLIS R. ERWIN, RUMFORD
HARRIET A. KETOVER, PORTLAND
BEVERLY C. DAGGETT, AUGUSTA
HAROLD M. MACOMBER, SOUTH PORTLAND
JOHN A. ALIBERTI, LEWISTON
GEORGE A. TOWNSEND, EASTPORT
ELEANOR M. MURPHY, BERWICK
CATHARINE KOCH LEBOWITZ, BANGOR
WESLEY FARNUM, SOUTH BERWICK

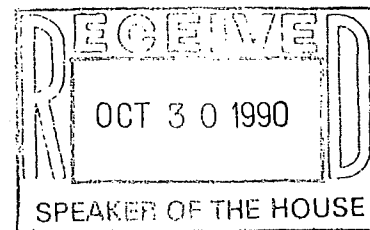
STATE OF MAINE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
COMMITTEE ON AUDIT AND PROGRAM REVIEW

October 30, 1990

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

Received by:

KPA	_____
KWG	_____
PAE	_____
BDP	_____
ALS	_____
JMR	_____
CPS	_____
JCH	_____



Dear Honorable Martin:

As Chairs of the Joint Standing Committee on Audit and Program Review, we are writing to ask the Council to rescind its motion to:

"amend the Joint Rules to establish February 1 as the deadline for submission of the Audit Committee's legislation" (from "Policies and Procedures Related to Bill Filing and Drafting" August 2, 1990, page 3)

Instead, we ask the Council to accept a submission date to the Legislature of April 1, 1991. We ask the Council's approval of the April 1 submission date for 3 reasons:

- the two subcommittees of the full Committee have a substantial amount of outstanding business yet to complete;
- the Committee itself would be unable to complete its review goals by the February 1 date, let alone have its legislation ready for submission to the Legislature by that date; and

- Audit Committee meetings and progress during the month of January may be frequently interrupted by the "Institute on the Maine Economy" and MMA orientation/briefing workshops which are due to be held consecutively throughout the month.

In order to move forward with the reviews underway, both subcommittees have agreed to add another meeting to the three already scheduled prior to year's end, as well as to commence each meeting one hour earlier, starting at 9:00, rather than 10:00 am. We will, of course, meet as frequently as time permits when the session convenes, notwithstanding the January "Maine Economy" tours.

If the Council adheres to the February 1 deadline for submission of the Committee's legislation, the Committee would seek to comply by artificially closing its review by its December meeting, giving staff time to draft a bill for review by the full Committee which would not reflect the Committee's usual thoroughness as well as leaving several agencies unreviewed in this review cycle.

Thank you for your consideration of our request.

Sincerely,



Beverly M. Bustin
Senate Chair



Neil Rolde
House Chair

cc.

Audit Committee members

Sally Tubbesing, Executive Director of the Legislative Council

John Wakefield, OFPR Director

Senator N. Paul Gauvreau
District 23
State House Station 3
Augusta, Maine 04333



MAINE STATE SENATE
114th Legislature

56 Tampa Street
Lewiston, Maine 04240

November 20, 1990

Honorable John L. Martin
Chair Legislative Council
State House Station #115
Augusta, Maine 04333

RE: Joint Standing Committee on Human Resources, Sub Committee on
Mental Health

Dear John:

As you know, I am serving as the Chair of the Subcommittee on Mental Health of the Joint Standing Committee on Human Resources. The subcommittee has been charged with the responsibility of overseeing structural changes in the Augusta Mental Health Institute together with considering proposals for alternative delivery systems of mental health care in the state of Maine. The committee has been actively meeting since June and has had occasion to meet with officials of the Department of Mental Health and Retardation, the Maine Hospital Association, the community mental health providers, advocates and families and relatives of persons with mental illness. The committee has also been reviewing the licensure and accreditation status of our acute care mental health facilities in Augusta and Bangor and reviewing prospects for regaining medicare accreditation at the Augusta Mental Health Hospital.

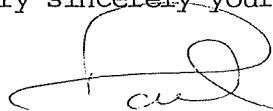
The subcommittee last met on November 15, 1990 and received an indepth presentation from the Systems of Assessment Commission regarding long range proposals for restructuring the delivery of mental health services in the state of Maine.

Due to the complexity of the issues it is facing the subcommittee is unable to develop to its final report on or before its statutory

deadline of December 1, 1990. I would request the Legislative Council to grant the subcommittee an extension until December 15, 1990 in which to tender its final report to the 115th Legislature.

I appreciate your attention to this matter.

Very sincerely yours,

A handwritten signature in dark ink, appearing to be 'N. Paul Gauvreau', written over a horizontal line.

N. Paul Gauvreau

NPG/rms

cc: President, Charles P. Pray
Rep., Peter Manning
Julie S. Jones, Esquire



MAINE STATE LEGISLATURE
Augusta, Maine 04333

**COMMISSION TO ASSESS THE IMPACT
OF INCREASED STATE SPENDING ON THE
UNIVERSITY OF MAINE SYSTEM**

November 26, 1990

Hon. John L. Martin, Chair
114th Legislative Council
State House
Augusta, Maine

Dear Speaker Martin:

The Commission to Assess the Impact of Increased State Spending on the University of Maine System has attempted diligently to meet its December 1, 1990 reporting deadline. However, we are forced to ask for an extension of this statutory deadline due to recent circumstances beyond our control and the importance of the remaining deliberations.

The Commission was not able to convene a quorum at its November 19, 1990 meeting due to weather conditions. Without the completion of the very full agenda scheduled for this all-day meeting, it is impossible to complete the extremely important remaining deliberations within the established time period. In addition, the broadness of the Commission's charge, the volumes of material analyzed by the Commission, and the unplanned, but necessary, scheduling of a public meeting to gather input from students and faculty of the University of Maine System resulted in a very protracted data gathering period.

We request the extension of the deadline until January 15, 1991 so that the Commission can hold two additional meetings and allow sufficient time for printing. The additional staffing requirements will not be significant as the completed preliminary draft of the report and the analysis behind it represent the greatest part of the staff's commitment. Funding for the additional meetings will be covered by the University. Thank you for your consideration.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "John O'Dea".

Rep. John O'Dea, Chair

cc: Sally Tubbesing, Executive Director
John Wakefield, Director



STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333

JOHN L. MARTIN
SPEAKER

November 9, 1990

Marshall L. Turner, Jr., Chief
1990 Census Redistricting Data Office
Bureau of the Census
U. S. Department of Commerce
Washington, D.C. 20233

Dear Marshall:

Just a quick note to let you know that I received your letter of November 1 in regard to selecting the recipient of the Legislature's copy of census documents.

I will have this matter put on the agenda of the Legislative Council and will get back to you with the designee. Best wishes.

Sincerely,

John L. Martin
Speaker of the House

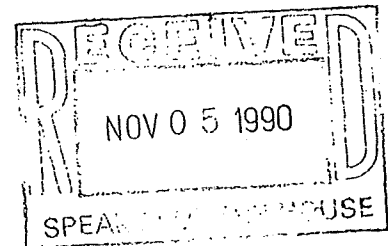
CC: Sally Tubbesing, Director
Legislative Council

JLM/kwg/166-67



UNITED STATES DEPARTMENT OF COMMERCE
Bureau of the Census
Washington, D.C. 20233

OFFICE OF THE DIRECTOR	
Received by:	
KPA	_____
KNC	_____
PAE	_____
EDF	_____
ALS	_____
JMR	_____
CPS	_____
JCH	_____



November 1, 1990

Honorable John L. Martin
Speaker of the House
Augusta, Maine 04333

Dear Mr. Martin:

This is in regard to the U.S. Bureau of the Census' provision of 1990 census population counts and census maps for redistricting purposes in accordance with Public Law 94-171, Title 13, U.S.C. 141(c). Under the provisions of this law, we will provide copies of these materials to the Governor and the legislature in a nonpartisan manner. We are sending a similar letter of notification to the Governor and the legislative officials indicated below.

By April 1, 1991, we will send one set of the following products to the Governor and one set to the legislature:

- o A computer tape file containing the 1990 census P.L. 94-171 population counts for counties, cities, towns, census tracts, blocks and voting districts (e.g., wards, precincts) for areas participating in the 1990 Census Redistricting Data Program. These data will be shipped, on a flow basis by state, between late January and late March 1991. We also will furnish one copy of a paper listing of the P.L. 94-171 data if the legislature requests it. Please be aware that, depending on the size of the state, the volume of this listing will range from 300 to over 23,000 pages. The estimated number of listing pages, per state, is indicated on the enclosed chart.
- o A set of census maps depicting the boundaries of counties, county subdivisions, places, census tracts, census blocks and voting districts for participating areas. These maps are of four types:
 1. A county subdivision map for the state,
 2. 1990 census block maps for each county within a state,
 3. A voting district outline map for each county for which the state identified voting districts in the 1990 Census Redistricting Data Program,
 4. A census tract/block numbering area outline map for each county for which the state did not identify voting districts in the 1990 Census Redistricting Data Program.

There will be from 100 to over 5,000 map sheets per state; the number of sheets depending on the number of census blocks in a state. The estimated number of map sheets, per state, is indicated on the enclosed chart. The dimensions of these sheets are 36" x 42".

Please send me a letter, signed by the leadership of both political parties in both houses, confirming in this single, jointly signed document the name and address of the recipient for the legislature's copy of these products. We need this information before December 8, 1990, as maps for some states may be ready for shipment in December. For your information, the state-designated liaison for the 1990 Census Redistricting Data Program is indicated below.

We encourage the legislative leaders of both parties, in both houses, to share access to these materials on a nonpartisan basis. If we do not receive the requested letter jointly agreeing to such an arrangement, we will, on request, provide one copy of the data and maps to the leadership of both parties in the house and both parties in the senate.

Again, please send me written notification of your jointly designated liaison officer by December 8, 1990, according to the procedure described above so that we can discuss with this liaison the computer specifications for the legislature's copy of the P.L. 94-171 tape. In the meantime, please let me know if you have questions (301-763-3856).

Sincerely,



MARSHALL L. TURNER, JR.
Chief, 1990 Census Redistricting
Data Office
Bureau of the Census

Enclosure

Distribution List:

Honorable Charles P. Pray, President of the Senate
Honorable Nancy Randall Clark, Senate Majority Leader
Honorable Charles M. Webster, Senate Minority Leader
Honorable John L. Martin, Speaker of the House
Honorable Dan A. Gwadosky, House Majority Leader
Honorable Mary Clark Webster, House Minority Leader

cc:

Honorable John R. McKernan, Jr., Governor of Maine
Redistricting Data Program Liaison: Mr. Richard Sherwood,
State Planning Office

1990 CENSUS PRODUCTS FOR USE IN REDISTRICTING

	Estimated 1990 Census Maps (All Types)	Initial VTD Codes TIGER/Line Files (Estimated Megabytes)	P.L. 94-171 Files (Estimated Megabytes)	P.L. 94-171 Files (Estimated Reels of Tape at 6250 bpi)	P.L. 94-171 Counts (Estimated Paper Listing Pages)
Alabama	1,650	520.77	81.4	1	7,800
Alaska	750	101.70	9.2	1	900
Arizona	1,350	545.17	52.6	1	4,800
Arkansas	1,400	509.49	60.9	1	6,600
California	4,450	1,343.51	218.8	2	21,000
Colorado	1,550	498.52	58.5	1	5,600
Connecticut	300	119.06	28.4	1	2,500
Delaware	130	35.55	8.0	1	800
D.C.	16	6.95	3.1	1	300
Florida	3,150	762.40	157.7	2	14,200
Georgia	2,200	582.89	98.5	1	9,300
Hawaii	300	66.96	7.4	1	700
Idaho	1,150	388.24	29.1	1	2,700
Illinois	2,800	679.04	145.9	1 or 2	15,200
Indiana	1,800	410.97	97.0	1	9,400
Iowa	1,800	411.81	73.0	1	7,500
Kansas	1,700	592.47	80.8	1	7,900
Kentucky	1,750	429.46	63.4	1	5,100
Louisiana	1,400	469.02	69.5	1	6,900
Maine	550	186.49	27.8	1	2,400
Maryland	900	191.39	39.6	1	3,700
Massachusetts	750	228.31	57.8	1	5,000
Michigan	2,100	562.36	126.6	1	11,800
Minnesota	1,750	541.46	86.7	1	8,800
Mississippi	1,150	458.64	55.1	1	4,700
Missouri	2,050	649.69	97.9	1	10,000
Montana	1,300	644.32	30.3	1	2,400
Nebraska	1,300	402.02	54.1	1	5,400
Nevada	800	375.80	16.5	1	1,600
New Hampshire	300	90.37	18.3	1	1,600
New Jersey	850	237.45	72.0	1	6,500
New Mexico	1,000	528.39	38.4	1	3,700
New York	2,250	598.39	156.6	2	14,200
North Carolina	2,000	648.47	106.5	1	10,500
North Dakota	900	334.47	41.3	1	4,200
Ohio	2,200	576.89	130.4	1	12,100
Oklahoma	1,600	537.72	80.7	1	7,600
Oregon	1,500	597.84	51.8	1	4,100
Pennsylvania	2,550	708.01	172.8	2	15,400
Rhode Island	140	40.18	10.8	1	1,000
South Carolina	1,250	373.32	68.7	1	6,400
South Dakota	900	397.36	34.3	1	3,500
Tennessee	1,650	506.36	86.1	1	7,900
Texas	5,100	1,834.75	263.6	2	23,600
Utah	750	321.37	22.6	1	2,300
Vermont	275	64.77	12.3	1	1,100
Virginia	1,650	495.83	76.2	1	6,900
Washington	1,500	533.75	69.2	1	6,200
West Virginia	950	278.74	36.3	1	3,600
Wisconsin	1,750	501.20	89.8	1	9,000
Wyoming	650	434.23	26.8	1	2,400
Totals	74,011	23,354.00	3,600.7		338,800



UNITED STATES DEPARTMENT OF COMMERCE
Bureau of the Census
Washington, D.C. 20233

OFFICE OF THE DIRECTOR

November 1, 1990

Honorable John R. McKernan, Jr.
Governor of Maine
Augusta, Maine 04330

Dear Governor McKernan:

This is in regard to the U.S. Bureau of the Census' provision of 1990 census population counts and census maps for redistricting purposes in accordance with Public Law 94-171, Title 13, U.S.C. 141(c). Under the provisions of this law, we will provide copies of these materials to the Governor and the legislature in a nonpartisan manner. We are sending a similar letter of notification to the legislative leadership.

By April 1, 1991, we will send one set of the following products to the Governor and one set to the legislature:

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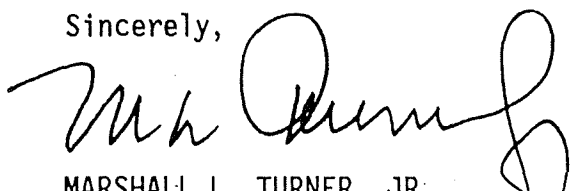
Honorable John R. McKernan, Jr.

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Please send me a letter with the name and address of the recipient for the Governor's copy of these products. We need this information before December 8, 1990, as maps for some states may be ready for shipment in December. In addition, we will need to discuss computer specifications for the Governor's copy of the P.L. 94-171 tape with the designated recipient. The state-designated liaison for this 1990 Census Redistricting Data Program is indicated below.

In the meantime, please let me know if you have questions (301-763-3856).

Sincerely,



MARSHALL L. TURNER, JR.
Chief, 1990 Census Redistricting
Data Office
Bureau of the Census

Enclosure

cc:

Honorable Charles P. Pray, President of the Senate
Honorable Nancy Randall Clark, Senate Majority Leader
Honorable Charles M. Webster, Senate Minority Leader
Honorable John L. Martin, Speaker of the House
Honorable Dan A. Gwadosky, House Majority Leader
Honorable Mary Clark Webster, House Minority Leader
Ms. Jean Martin, Maine Department of Labor
Redistricting Data Program Liaison: Mr. Richard Sherwood,
State Planning Office

The Ellsworth American
63 MAIN STREET — P.O. BOX 509
ELLSWORTH, MAINE 04605
667-2576

November 26, 1990

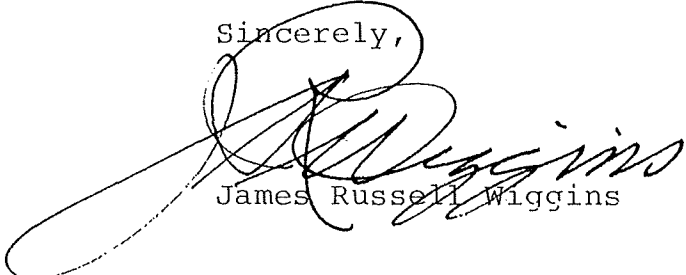
Speaker John Martin
Chairman of Legislative Council
State House Station 115
Augusta, ME 04333-0115

Dear Ms. Diamond:

This is to support a request that the legislative council assign a desk space in the news room at the state capitol for our regular columnist, Mike Brown.

He has been covering the capitol regularly for us for the last year working out of his own home. His work would be greatly facilitated if he could have desk space in the building.

Sincerely,



James Russell Wiggins

cc: Sally Diamond
JRW/ee