

MAINE STATE LEGISLATURE

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SEN. CHARLES P. PRAY
CHAIR

REP. DAN A. GWADOSKY
VICE-CHAIR



STATE OF MAINE

115th LEGISLATURE

LEGISLATIVE COUNCIL

LEGISLATIVE COUNCIL

March 12, 1991

MEETING SUMMARY

APPROVED APRIL 8, 1991

SEN. NANCY RANDALL CLARK
SEN. DENNIS L. DUTREMBLE
SEN. CHARLES M. WEBSTER
SEN. PAMELA L. CAHILL
REP. JOHN L. MARTIN
REP. JOSEPH W. MAYO
REP. WALTER E. WHITCOMB
REP. FRANCIS C. MARSANO

SARAH C. TUBBESING
EXECUTIVE DIRECTOR

CALL TO ORDER

The Legislative Council was called to order in the Council Chambers by the Vice-Chair, Rep. Gwadosky, at 3:54 p.m.

ROLL CALL

Senators:	Sen. Pray, Sen. Clark, Sen. Webster, Sen. Cahill Absent: Sen. Dutremble
Representatives:	Rep. Martin, Rep. Gwadosky, Rep. Whitcomb, Rep. Mayo, 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 Joy O'Brien, Secretary of the Senate

SECRETARY'S REPORT

The Summary of the February 26, Council meeting, which was recessed and finally concluded on March 5, was accepted and placed on file. (Motion by Sen. Webster; second by Rep. Marsano; unanimous).

EXECUTIVE DIRECTOR'S REPORT

Sally Tubbesing presented the following items:

Item #1: Resignation of Alice Gray, Engrossing Clerk, effective March 31.

Motion: That Ms. Gray's resignation be accepted with regret; and, further, that the Revisor of Statutes be authorized to proceed to fill the position immediately in consultation with the Executive Director. (Motion by Sen. Clark; second by Sen. Cahill; unanimous).

Item #2: Bill Drafting Status Report

David Kennedy reported that 2,537 drafting requests have been filed to date; the figure includes Governor's bills, joint resolutions, joint orders and after deadline requests. Of this total, 512 requests have been voided or withdrawn, 1,153 released for introduction, and 228 sent out for final review and signature. The remaining 650 are at some point in the drafting and production process.

No Council action was required.

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

Rep. Gwadosky appointed Sen. Clark as Chair ~~pro-tem~~. Sen. Clark then recognized Rep. Gwadosky, Chair of the Personnel Committee. Rep. Gwadosky reported that the Committee had met the previous afternoon to consider three pending items:

- 1) The treatment of leave for Monday, March 4, when State offices had officially been closed until 12 noon, due to the weather;
- 2) The Governor's request that the Legislative Council consider furloughs for legislative employees, consistent with the action he has already taken for all employees in the executive branch; and
- 3) David Kennedy's step increase, which was due last October.

Rep. Gwadosky presented the following recommendations in the form of motions:

1. Treatment of Leave on Monday, March 4

Motion: That the Legislative Council adopt the following policy with regard to treatment of leave for all legislative employees for Monday, March 4.

- Employees who did not report to work until 12 noon will be granted 4 hours administrative leave. He noted that this is paid leave that is not charged to any of the employee's leave balances.
- Employees who did report to work on Monday morning will receive compensatory time on an hour for hour basis, up to 4 hours, based on when they actually reported to work.
- Employees who were absent for the entire day will be granted 4 hours of administrative leave and must charge the remaining 4 hours to accrued vacation or compensatory leave balances.
- Any employees who were absent due to illness or planned leave will charge the entire day to the appropriate leave balance (they will not be granted any administrative leave).

Rep. Gwadosky clarified that these policies were consistent with the policies adopted by the Administration for employees in the executive branch. (Motion by Rep. Gwadosky; second by Sen. Cahill; unanimous).

2. Governor's Proposal to Institute a Furlough Program

Rep. Gwadosky reported that the Committee had next discussed the issue of furloughs at great length and that the Secretary of the Senate, Joy O'Brien, Clerk of the House, Ed Pert, and all of the non-partisan Directors -- Martha Freeman, Lynn Randall, John Wakefield, David Kennedy, Dick Sawyer, as well as Sally Tubbesing, had participated in this discussion at the Committee's invitation. He noted that Committee members shared a concern that the Legislature achieve the necessary cost savings, but that this be accomplished in a way that reflects that the Legislature is a separate branch of government and that its workload is unique in that virtually all of it must be completed in less than 6 months of the year. The Committee's recommendation was based on the following conclusions:

1. To absorb more than 600 days of leave between now and June would only inhibit the Legislature's efforts to adjourn early again this year; and, there is compelling evidence that the Legislature can realize the greatest savings through adjourning early.
2. The Voluntary Leave Program had been very successful last fall: the Legislature had exceeded its cost savings target for this program.

Motion: That the Legislative Council formally extend the Voluntary Leave Program that it instituted last summer through the remainder of this fiscal year, whereby legislative employees could, on a voluntary basis and with the approval of their respective supervisors, schedule time off without pay and thus contribute to the Legislature's overall cost savings effort. (Motion by Rep. Gwadosky; second by Sen. Cahill).

Discussion: Rep. Mayo asked how many days had been saved through the prior Voluntary Leave effort. Ms. Tubbesing responded that since the target of the earlier program had been a dollar amount rather than a particular number of days, she would have to calculate the figure. Rep. Gwadosky noted that the Legislature had taken a number of other steps to reduce the total number of days worked overall, including deferring the starting dates of session employees; bringing some session employees in on an intermittent basis only rather than employing them on a 5-day week schedule; and deferring the filling of vacant positions.

The vote on the motion was unanimous.

3. Step Increase for David Kennedy

Finally, Rep. Gwadosky presented the following motion on behalf of the Committee:

Motion: That David Kennedy be awarded the step increase due him on his anniversary date, October 24, 1990, and that it be retroactive to that date. (Motion by Rep. Gwadosky; second by Rep. Mayo; unanimous).

Following this report, Sen. Clark turned the gavel back to Rep. Gwadosky, who proceeded with the agenda.

OLD BUSINESS

None.

NEW BUSINESS

Item #1: After Deadline Bill Requests

The Council considered after deadline bill requests; the Council's action is summarized on the attached list.

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Council meeting was adjourned at 4:30 p.m., on the motion of Speaker Martin.