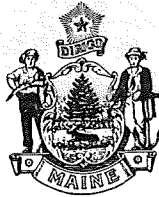


# MAINE STATE LEGISLATURE

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SEN. CHARLES P. PRAY  
CHAIR

REP. DAN A. GWADOSKY  
VICE-CHAIR

STATE OF MAINE

115th LEGISLATURE

LEGISLATIVE COUNCIL

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

## LEGISLATIVE COUNCIL

MAY 1, 1991

### MEETING SUMMARY

APPROVED MAY 7, 1991

### CALL TO ORDER

The Legislative Council meeting was called to order by Speaker Martin, in the absence of both the Chair, Sen. Pray, and the Vice-Chair, Rep. Gwadosky, at 3:15 p.m. (Both the Chair and Vice-Chair arrived soon thereafter).

### ROLL CALL

Senators:	Sen. Pray, Sen. Clark, Sen. Webster, Sen. Dutremble, Sen. Cahill
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 April 23, 1991, Council meeting was accepted and placed on file. (Motion by Sen. Dutremble; second by Sen. Cahill; unanimous).

## EXECUTIVE DIRECTOR'S REPORT

None.

## REPORTS FROM COUNCIL COMMITTEES

None.

## OLD BUSINESS

### Item #1: State House Steps

Ms. Tubbesing reported that she, David Silsby, and Dick Sawyer had all been involved in discussions with both BPI and the firm of William Pressley Associates who had developed a comprehensive plan for restoration of the State House grounds under contract with the State House and Capitol Park Commission. Three options for repairing the front steps had emerged from those discussions, and a summary of these was included in the materials distributed to Council members with the agenda.

Discussion centered on the following points:

- The symbolism of keeping the steps closed might be more important than taking steps to reopen them as quickly as possible. (Sen. Clark)
- The symbolic message needs to be balanced by the concern that injury and the possibility of a lawsuit might result if the steps are not fixed. (Sen. Dutremble)
- Whether it would be possible to go ahead with the full restoration plan, using one of the bond issues that the Legislature has already passed for historic preservation. (Sen. Webster) Rep. Mayo pointed out that the most recent bond issue, though passed by the Legislature, had failed to get approval of the voters on the ballot last fall.

Mr. Silsby reported that he was working on the early stages of a fund-raising effort, but that this would be a longer-term project. Sen. Webster asked if funds were currently available in the Legislative budget to pay for short term repairs. Ms. Tubbesing responded that, because all but essential repairs had been deferred this year, there were funds available.

**Motion:** That the Legislative Council authorize the Executive Director to proceed working with BPI to develop a scope of work that includes replacement of selected blocks in the walk and coating of the walk; resetting the top steps and repointing the granite steps, engaging a contractor as necessary, with the understanding that the total cost of the project will be about \$4,500. (Motion by Sen. Dutremble; second by Rep. Mayo).

Sen. Clark then asked that the record clarify that the Council's action was designed to address the liability issue, and that the Council continued to strongly, and unanimously, support implementation of the full restoration plan at a time when funds were available.

The motion, with Sen. Clark's clarification, was adopted unanimously.

**Item #2: Proposed Contract with David Silsby**

This item was tabled so that it could be considered in Executive Session as described below.

**Item #3: Legislative Staff Management Institute/Humphrey Institute of Public Affairs**

Ms. Tubbesing drew members' attention to a memorandum that presented the Directors' unanimous recommendation that Julie Jones be authorized to attend the Legislative Staff Management Institute at the Hubert H. Humphrey Institute of Public Affairs in July if she is awarded a scholarship to cover the cost of tuition, room and board.

In response to a question from Rep. Whitcomb, Ms. Tubbesing reiterated that Ms. Jones' participation was contingent upon receipt of the scholarship which would cover all costs except plane fare.

**Motion:** That Julie Jones be authorized to attend the Institute if she receives a scholarship. (Motion by Sen. Clark; second by Rep. Mayo; unanimous).

## **NEW BUSINESS**

**Item #1: Report from the Department of Human Services: "An Examination of the Relationship Between Legal Sanctions, DEEP Intervention and Repeat OUI Offenses"**

**Motion:** That the Report be accepted and placed on file. (Motion by Sen. Dutremble; second by Rep. Gwadosky; unanimous).

**Item #2: After Deadline Requests**

A summary of the Council's action on After Deadline Requests is attached.

**ANNOUNCEMENTS AND REMARKS**

At this point, David Kennedy was asked to give a status report on bill drafting. Mr. Kennedy reported that 19 bill requests were still to be drafted and approximately 124 were either in technical production or awaiting sponsor signature. Virtually all of the bills still to be drafted are after deadline requests which the Council had accepted previously, and this number would now become 36 as a result of the Council's action earlier in this meeting. He further noted that more bills had been printed by last Thursday than had been printed in the entire 1st Regular Session two years ago.

In response to a question from Sen. Cahill about whether the effort to eliminate duplicate bill requests had been productive, Mr. Kennedy noted that although more than 300 duplicates had been identified, the effort had resulted in the elimination of 150 bills at the most. He suggested that the rules regarding confidentiality be re-examined.

**EXECUTIVE SESSION**

**Motion:** That the Legislative Council go into Executive Session for the purpose of discussing matters related to personnel. (Motion by Sen. Cahill; second by Sen. Clark; unanimous).

The Council proceeded to go into Executive Session at 4:15 p.m.

**RECONVENE**

The Council meeting was reconvened on the motion of Sen. Webster at 4:25 p.m., and the Council took up Item #2 under OLD BUSINESS: the proposed contract with David Silsby.

**Motion:** That the Executive Director be authorized to execute a contract with David Silsby, as approved by the Council, for the purpose of providing ongoing support to the State House and Capitol Park Commission, the Special Committee on the New Capitol Area Master Plan and related projects. (Motion by Sen. Dutremble; second by Sen. Clark; unanimous)

**ADJOURNMENT**

The Legislative Council meeting was adjourned at 4:27 p.m., on the motion of the Chair.