

# MAINE STATE LEGISLATURE

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SEN. CHARLES P. PRAY  
CHAIR

REP. DAN A. GWADOWSKY  
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

JUNE 19, 1991

### MEETING SUMMARY

Approved July 9, 1991

### CALL TO ORDER

The Legislative Council meeting was called to order by the Chair, Sen. Pray, at 2:31 p.m., in the Legal Affairs Committee Room, Room 437, State House.

### 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 Richard N. Sawyer, Administrative Services Director Joy O'Brien, Secretary of the Senate

### SECRETARY'S REPORT

Motion: That the Summary of the June 17, 1991, Council meeting be approved and placed on file. (Motion by Sen. Webster; second by Sen. Cahill; unanimous).

## EXECUTIVE DIRECTOR'S OFFICE

None.

## REPORTS FROM COUNCIL COMMITTEES

None.

## OLD BUSINESS

### Item #1: Review of the Legislative Budget

The Chair, Sen. Pray, noted that the primary objective of the meeting was to try to reach closure on the budget reduction package that the Council would forward to the Appropriations Committee for inclusion in the FY 1992-93 biennial budget. At his request, Sally Tubbesing, Executive Director, reviewed with Council members the information that she and Dick Sawyer had prepared regarding the costs associated with various implementation options as follows:

- Option 1: Award 3% COLA in accordance with the policy that had been applied to Confidential employees in the Executive branch.
- Option 2: Award 3% COLA in accordance with policy applied by the Governor to his personal staff.
- Option 3: Award 3% COLA to all legislative employees.

**Motion:** That Option 2 be adopted. (Motion by Sen. Webster; second by Sen. Cahill).

**Discussion:** Rep. Gwadosky asked for clarification regarding the effective date of Sen. Webster's motion. Sen. Webster responded that he was indifferent about the effective date, but that his priority was to reduce the Legislature's total budget request.

Rep. Gwadosky then asked where the \$40,000 ceiling proposed by Rep. Whitcomb at the previous day's meeting would fall in terms of the Legislature's salary ranges. Ms. Tubbesing responded that the lowest range it affects is Range 9.

Continued discussion of Sen. Webster's motion added the following points:

- Adoption of Option 2 would treat the Legislature's non-partisan staff the same as the partisan staff in the Governor's Office (Speaker Martin). The Speaker went on to advocate Option 1, noting that this would treat legislative employees in a manner consistent with the way in which the majority of confidential employees had been treated.
- It is important that the Council's action on this issue support - to the greatest extent possible - the objective, equitable salary structure which the 112th Legislative Council had originally adopted in 1986 following a comprehensive salary and classification study by NCSL. (Sen. Clark)

Finally, Sen. Clark, advocating adoption of Option 3, voiced her concern that the Council was communicating to legislative employees that some deserved the raise and others didn't.

Speaker Martin then offered an amendment to Sen. Webster's motion, whereby the Legislature's partisan employees would be treated consistent with Option 2 and non-partisan employees with Option 1.

In discussion, the Chair, Sen. Pray, clarified that the Offices of the Secretary of the Senate and Clerk of the House would be treated in accordance with Option 1, since they function in a non-partisan manner.

The votes were taken as follows:

The vote on Speaker Martin's amendment to the original motion by Sen. Webster was approved 7-1.

The vote on the motion as amended was approved 7-1.

The effect of the Council's action is to award cost-of-living increases to Legislative employees as follows:

- Employees in Leadership offices who are assigned to Salary Range 7 and below will receive the 3%; those in Ranges 8 and above will not.
- All employees in the Offices of Secretary of the Senate and the Clerk of the House will receive the increase, with the exception of the Secretary and Clerk.
- All employees in the non-partisan staff offices will receive the increase except those assigned to Salary Ranges 14 and 15 (Office Directors, Administrative Services Director and Executive Director).

The treatment of the Secretary, Clerk and staff office Directors follows the treatment of Confidential employees in the executive branch whose positions are listed in Titles II and V, MRSA.

## EXECUTIVE SESSION

**Motion:** That the Legislative Council go into Executive Session for the purpose of discussing matters related to personnel. (Motion by Rep. Mayo; second by Rep. Gwadosky).

The Council proceeded to go into Executive Session at 2:59 p.m.

## RECONVENE

The Council reconvened its open session at 3:15 p.m., on the motion of Sen. Dutremble, which was seconded by Rep. Mayo.

**Motion:** That the award of the 3% cost-of-living increase be retroactive to April 1, 1991. (Motion by Rep. Mayo; second by Sen. Clark; approved 8-1).

**Motion:** That the Council submit to the Appropriations Committee the revised legislative budget request as acted upon by the Council to date. (Motion by Rep. Mayo, second by Sen. Clark).

**Discussion** Rep. Whitcomb inquired about the status of repairs to the State House roof. Ms. Tubbesing responded that she was currently working with the State House and Capitol Park Commission, the architect, (Moore/Weinrich) and BPI to develop final bid specifications for repairs to critical portions of the roof. This project would be funded with funds previously appropriated for the purpose; and work is expected to begin in late July.

Rep. Mayo withdrew his motion.

The Chair, Sen. Pray, then walked Council members through the list of proposed budget reductions, item by item. The list was adopted unanimously, and the Executive Director was instructed to forward it to the Appropriations Committee with a cover letter.

## NEW BUSINESS

**Item #1:** Request from the Joint Standing Committee on Human Resources for Approval of a Staff Study of the Drugs for Maine's Elderly Program

**Motion:** That the item be tabled until such time as the Council considers all pending statutory and committee study requests. (Motion by Sen. Webster; second by Rep. Mayo; unanimous).

Item #2: After Deadline Requests

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

**ANNOUNCEMENTS AND REMARKS**

None.

**ADJOURNMENT**

The Council meeting was adjourned at 3:38 p.m., on the motion of Sen. Dutremble.