

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

Tuesday, May 12, 1992

REVISED AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

Summary of April 14, 1992, Council Meeting

EXECUTIVE DIRECTOR'S REPORT

- Item #1: Resignation of Rose Breton, Office of Fiscal & Program Review
- Item #2: Status of Legislative Budget
- Item #3: Legislative Staff Management Institute: Application of Meg Matheson
- Item #4: Blue Ribbon Commission/Workers' Compensation: Status Report on Staffing

REPORTS FROM COUNCIL COMMITTEES

Subcommittee on Audit & Program Review Committee

OLD BUSINESS

- Item #1: Council of State Governments (Tabled at April 14 Council meeting)
 - a. Reconsideration of Dues
 - b. Invitation to Host 1995 ERC Meeting

NEW BUSINESS

Item #1: Total Quality Management

Item #2: Submission of Interim Reports

a. Jt. Select Committee to Study the Feasibility of a
Statewide Health Insurance Program

b. Commission to Study the Future of Maine's Courts

Item #3: Request for Council Authorization of an Interim Study
on Recall (letter from Rep. Lemke)

Item #4: 1992 State-Municipal Summit: Payment for Legislators'
Lunches

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT



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

April 14, 1992

MEETING SUMMARY

Approved May 12, 1992

CALL TO ORDER

The Chair, Senator Pray, called the Council to order at 4:07 p.m. in the Council Chambers.

ROLL CALL

Senators:	Sen. Pray, Sen. Clark, Sen. Webster, Sen. Dutremble Absent: 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 March 29, 1992, Council Meeting, which was reconvened and finally adjourned on March 30, was accepted and placed on file.
(Motion by Rep. Mayo; second by Rep. Whitcomb; unanimous).

EXECUTIVE DIRECTOR'S REPORT

Sally Tubbesing brought the following items to Council members' attention:

Item #1: Resignations

Ms. Tubbesing reported that two non-partisan employees had submitted their resignations. Mila Dwelley, who has been a Research Assistant in the Office of Policy & Legal Analysis for the past 2 years, has resigned

Marc Martin, the Senior Programmer Analyst in the Information Systems Office,

She observed that both of these resignations represent true losses to the non-partisan staff and to the entire Legislature.

Motion: That the resignations be accepted with regret and that letters of appreciation be sent to both Ms. Dwelley and Mr. Martin; and, further, that the Directors be authorized to fill currently vacant and funded positions as follows: the Senior Programmer Analyst position as of July 1 and the Analyst position in the Office of Fiscal & Program Review and the newly-vacated Research Assistant position in OPLA as of September 1. (Motion by Sen. Clark; second by Speaker Martin; approved unanimously).

Item #2: April 21: Shut Down Day

Ms. Tubbesing reported that this item was on the agenda simply as a reminder to Council members that although the State House and all legislative offices would be open, the rest of state government would essentially be closed.

No Council action was required.

Item #3: Friday, April 17 (Good Friday)

Ms. Tubbesing noted that the Council and the presiding officers had, in past years, authorized legislative offices to maintain only minimal coverage after 12 noon on Good Friday. She asked for confirmation that this would again be the policy, with the understanding that employees who take time off will use accrued leave; that is, no administrative leave will be granted.

Council members confirmed this without a formal motion.

Item #4: Impact of P.L. 1991, ch. 780 on the Legislative Budget

Ms. Tubbesing drew members' attention to materials in their agenda packets that summarized 1) the reductions in both the Legislative Account and the Law Library's account and 2) the impact of the budget on legislative employees' compensation. Rep. Mayo asked if it were possible to estimate the balance forward yet, and Ms. Tubbesing responded that more reliable information would be available by the May meeting.

Ms. Tubbesing stated that Council action was required to determine how to implement the 39-hour work week. She noted that there were numerous options for implementing the 39-hour work week mandated by the law, but observed that many of these options would be complex administratively, particularly in the smaller offices.

Motion: That the official work schedule of the non-partisan staff offices be changed to 8 am to 4 pm on Fridays, effective the week of June 8, 1992, and that the offices maintain the 8 am to 5 pm schedule Monday through Thursday. (Motion by Speaker Martin; second by Sen. Clark; unanimous).

Council members agreed that they would work as leadership with the presiding officers to determine how to implement the hour per week reduction in House and Senate Offices.

REPORTS FROM COUNCIL COMMITTEES

None.

OLD BUSINESS

None.

NEW BUSINESS**Item #1: Interim Studies****a. Requests from Committees**

- (1) **Staff Study on Enhancement of Penalties for Environmental Crimes**

Motion: That the joint request from the Committees on Energy & Natural Resources and Judiciary be approved. (Motion by Speaker Martin; second by Sen. Clark; approved 8-1).

b. Statutory Studies**(1) Blue Ribbon Commission to Examine Alternatives to the Workers' Compensation System (Resolves of 1991, ch. 59)**

Ms. Tubbesing reported that the Blue Ribbon Commission had met earlier in the day, and that the issue of how it would be staffed and by whom was not yet resolved.

The Chair, Senator Pray, and Speaker Martin, both of whom had joined the Commission members for lunch with the Governor, reported that there was consensus that non-partisan staff would be involved in drafting the legislation that emerged from the Commission's work and that all understood that this would require a continued presence by non-partisan staff at the Commission's meetings. Rep. Mayo expressed his support for use of the non-partisan staff as the primary staff for the Commission.

Motion: That Martha Freeman be authorized to communicate with the Co-Chairs of the Blue Ribbon Commission to more completely define the role of the non-partisan staff in the Commission's work. (Motion by Speaker Martin; second by Sen. Clark; unanimous).

c. Joint Standing Committee on Audit & Program Review: Proposed Scope and Schedule of Reviews

The Chair, Senator Pray, drew members' attention to correspondence in the agenda packet. The first was a letter from him to the Committee Chairs asking them to lay out the scope, schedule and resource requirements of their reviews during the interim, and the second was their response.

Discussion focused on several points:

- 1) The number and scope of the reviews proposed by the Committee given the time and the staff resources available;
- 2) The large number of reviews that the Committee had carried over from prior years;
- 3) The focus of some of the proposed reviews given other concurrent statutory reviews of the same agencies and/or programs.

The Chair, Senator Pray, stated that, based on his conversations with the Senate Chair of the Committee, there was consensus that the audit process needed to be changed; and he suggested that the Council had an opportunity to work with the Committee to begin this process this summer. The Chair further asserted that he thought it was important for the Director of the Office of Fiscal & Program Review to have the full authority to assign staff within his office, as does the Director of the Office of Policy & Legal Analysis.

Motion: That the Council Chair be authorized to appoint a committee of up to 4 Council members to meet with the Committee Chairs, the minority party lead members on the Committee, and staff to work out a revised agenda; and, further, that meetings of the Audit & Program Review Committee be suspended until a new plan has been developed. (Motion by Speaker Martin; second by Sen. Dutremble; unanimous).

d. Proposals for Staff Studies

The Chair, Sen. Pray, drew members' attention to three proposals that OPLA staff had developed for staff studies during the interim. Martha Freeman explained that, while these had not been specific requests from Committees, they were topics that had emerged from the committees' work during the biennium and topics that were likely to resurface during the 116th legislature. Council members expressed general agreement that the proposals captured issues that were of particular policy importance.

Motion: That the proposals for staff studies be approved. (Motion by Speaker Martin; second by Rep. Marsano; approved 7-1).

Item #2: Council of State Governments

a. Reconsideration of Dues

Speaker Martin indicated that it was his understanding that the Council of State Governments had asked the Legislature to pay its dues for both the current fiscal year 1992 (due last July) and the upcoming year. Funds for both years had been eliminated from the budget.

b. Invitation to Host 1995 ERC Annual Meeting

Motion: that the entire item be Tabled until the next Council meeting. (Motion by Rep. Whitcomb; second by Sen. Clark; unanimous).

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Chair, Senator Pray, adjourned the meeting, without objection, at 4:48 p.m.

LEGISLATIVE COUNCIL

BUDGET & EXPENDITURE SUMMARY: FY 1992 (thru March 31, 1992)

Salaries

	FY 90 Actual	FY 91 Actual	Original Request	FY 92 Revised Budget ¹	Actual Thru 3/31/92	Balancing Remaining
3110 Permanent Regular	\$ 2,289,765	\$ 2,505,853	\$ 3,057,739	\$ 2,747,609	\$ 2,021,819	\$ 725,790
3210 Limited Period Regular	2,003,289	3,506,805	3,207,781	3,120,381	2,520,935	599,446
3310 Seasonal	342,737	459,475	925,721	742,852	360,238	382,614
3410 Project Regular	1,045,940	---	---	---	---	---
3612 Overtime	60,387	50,273	59,256	59,256	66,655	(7,399)
3616 Retro Lump Sum	19,788	2,777	---	---	43,674	(43,674)
3640 Longevity Bonus	499	11,538	15,850	15,538	15,678	(140)
3810 Unemployment Compensation	5,067	58,574	5,067	65,500	45,680	19,820
3890 Per Diem	100,750	46,090	112,000	112,000	72,380	39,620
Total Salaries	\$ 5,868,222	\$ 6,641,385	\$ 7,383,414	\$ 6,863,136	\$ 5,147,059	\$ 1,716,077

Benefits

3901 Health Insurance	\$ 743,847	\$ 909,337	\$ 1,249,340	\$ 1,083,947	\$ 681,067	\$ 402,880
3905 Dental Insurance	43,584	64,632	65,049	62,494	41,578	20,916
3906 Employee Health Plan	---	---	26,474	---	---	---
3910 Retirement	1,117,643	1,262,072	1,426,659	1,315,529	964,226	351,303
3911 Group Life	15,009	15,650	20,222	18,033	12,054	5,979
3912 Medicare	29,026	40,799	48,362	45,441	31,881	13,560
3973 Child Care	700	800	800	800	900	(100)
3982 Early Retirement	---	2,900	2,900	2,900	2,900	---
Total Benefits	\$ 1,949,809	\$ 2,296,190	\$ 2,875,806	\$ 2,529,144	\$ 1,734,606	\$ 794,538
TOTAL PERSONAL SERVICES	\$ 7,818,031	\$ 8,937,575	\$ 10,223,220	\$ 9,392,280	\$ 6,881,665	\$ 2,510,615

Note:

1. Includes balances forward

All Other

	FY 90 Actual	FY 91 Actual	Original Request	FY 92 Revised Budget ¹	Actual Thru 3/31/92 ²	Balance Remaining
4000 Professional Services (Non-State)	\$ 310,606	\$ 119,983	\$ 126,563	\$ 126,563	\$ 107,039	\$ 19,524
4100 Professional Services (State)	3,940	1,000	3,822	30,000	30	29,970
4200 Travel/In-State	1,049,356	1,471,421	1,049,356	1,066,082	986,515	79,567
4300 Travel/Out-of-State	234,172	164,384	199,245	80,000	57,556	22,444
4500 Utilities	262,904	218,709	278,678	289,852	150,934	138,918
4600 Rents	415,227	415,855	398,234	398,234	240,794	157,440
4700 Repairs	77,184	108,342	75,600	352,144	121,321	230,823
4800 Insurance	3,435	2,367	3,985	4,500	11,866	(7,366)
4900 General Operations	(1,775,043)	(1,224,920)	(1,934,796)	(1,914,293)	(758,053)	(1,156,240)
Postage	442,988	220,819	---	320,000	129,562	190,438
Printing/Binding	962,973	702,018	---	930,549	531,332	399,217
Photocopying	110,022	75,614	---	95,600	58,114	37,486
Advertising	46,788	56,993	---	65,000	20,332	44,668
Periodicals/Subscriptions	18,035	10,135	---	215,000	6,944	208,056
Microfiche/Software	820	16,433	---	10,000	201	9,799
Tuition/Dues	14,241	21,962	---	20,000	3,041	16,959
Maintenance Contracts	(See Rents)	120,199	---	190,000	7,660	182,340
Miscellaneous	179,176	747	---	68,144	867	67,277
5100 Food	2,457	1,927	2,500	2,500	88	2,412
5300 Office Supplies	50,518	52,871	54,559	55,624	32,992	22,632
5400 Clothing	5,295	4,963	5,719	6,620	2,829	3,791
5600 Other Supplies/Books	232,935	149,480	251,570	256,810	98,343	158,467
6800 Constituent Service Allowance	94,500	99,750	249,000	185,275	134,525	50,750
6900 Misc. Payments/Claims	6,185	1,264	---	---	4,033	(4,033)
8008 Interest	578	511	---	500	363	137
Total All Other	\$ 4,524,335	\$ 4,037,747	\$ 4,633,627	\$ 4,768,997	\$ 2,707,281	\$ 2,061,716

Capital

7200 Equipment	\$ 167,110	\$ 32,214	\$ 45,000	\$ 42,250	\$ 6,640	\$ 35,610
7300 Major Improvement	550	14,691	35,000	10,000	---	10,000
Total Capital	\$ 167,660	\$ 46,905	\$ 80,000	\$ 52,250	\$ 6,640	\$ 45,610
TOTAL ACCOUNT	\$ 12,510,026	\$ 13,022,227	\$ 14,936,847	\$ 14,213,527	\$ 9,595,586	\$ 4,617,941

Notes:

1. Includes balances forward
2. Includes encumbered balances

LEGISLATIVE DEPARTMENT

SUMMARY OF ACCOUNTS

FY 92

ACCOUNT	ORIGINAL REQUEST	BALANCE FORWARD (7/1/91)	TOTAL ADJUSTMENTS	TOTAL AVAILABLE	EXPENDITURES (thru 3/31/92)	BALANCE REMAINING 4/1/92
Commission to Advise DHS on AIDS	\$ 6,700	\$ 11,082	(\$ 16,700)	\$ 1,073	\$ 606.84	\$ 466.16
Special Select Committee on Access to Health Care	\$ 5,684	\$ 1,333	(\$ 7,023)	\$ (6)	\$ —	\$ (6.00)
Miscellaneous Studies	\$ 20,564	\$ 137,196	\$ 167,361 ¹	\$ 325,121	\$ 19,609.60	\$ 305,511.40 (94.0%)
Commission on Uniform State Laws	\$ 10,326	\$ 1,102	(\$ 2,838)	\$ 8,590	\$ 8,100.00	\$ 490.00
Interstate Cooperation Commission	\$ 125,628	\$ 11,413	(\$ 71,113)	\$ 65,928	\$ 65,928.00	\$ —
Maine-Canadian Legislative Advisory Office	\$ 89,649	\$ 2,343	(\$ 1,973)	\$ 90,025	\$ 62,550.00	\$ 27,475.00 (25.0%)
Law & Legislative Reference Library	\$ 1,059,461	\$ 24,103	(\$ 134,383)	\$ 949,181	\$ 713,358.34	\$ 235,822.66 (24.8%)
State House & Capitol Park Commission	\$ 156,161	\$ 150,224	(\$ 101,686)	\$ 204,699	\$ 189,362.25	\$ 15,336.75 (7.5%)
Legislature/General Account	\$14,936,847	\$ 3,031,783	(\$3,835,612)	\$14,133,018	\$ 9,536,961.81	\$4,596,056.19 (32.5%)
Subtotal All Accounts	\$16,410,720	\$ 3,370,579	(\$4,003,967)	\$15,777,629	\$10,596,476.84	\$5,181,152.16

1. Net of \$90,329 in reductions and \$257,690 in additions (Blue Ribbon Commission on Workers' Comp and Commission to Study Professional Strikebreakers).



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

JOHN L. MARTIN
SPEAKER

April 30, 1992

Honorable Charles P. Pray, Chair
Legislative Council
115th Maine Legislature
Augusta, Maine 04333

Dear Senator Pray:

The Committee that you appointed pursuant to the Council's action at its April 14 meeting met with the Chairs of the Joint Standing Committee on Audit & Program Review on April 22 to pursue the Council's concerns regarding the Committee's proposed scope and schedule for work during the interim. Members of the Committee included Senator Clark, Senator Cahill and myself. In addition to the Committee Chairs, Rep. Murphy attended the meeting, as did John Wakefield.

We had a thorough and constructive discussion about the need to focus the Committee's reviews more clearly and about the need to develop an overall scope of work that is feasible given the available staff and budgetary resources. Our discussion resulted in the development of a revised scope of work and schedule for the Committee, which I have summarized below. I would note that this revised plan has the unanimous endorsement of the three Council members, and I think it reflects the priorities of the Audit & Program Review Committee members who were present as well.

Revised Scope of Review

Department of Human Services

The Committee will limit their review to the following areas:

1. "Tax and Match"
2. Waivered Programs (AFDC and Medicaid)

The focus of this review is to assess whether Maine is taking appropriate advantage of all the waivers the Federal government offers.

Honorable Charles P. Pray, Chair
Legislative Council
April 30, 1992
Page Two

3. Adult Protective Services
4. Relocation of Assistant Attorneys General from DHS to the AG's Office

This will involve a brief review of the impact of this relocation on the Department's operations and service capacity.

In addition to these four areas, the Committee will request that the State Auditor conduct a review of the Department's auditing function. This is an area of concern to the Committee, but we agreed that legislative staff had neither the credentials nor the expertise to carry out the type of review that is required. The Committee Chairs plan to contact the State Auditor as soon as possible in order to initiate this review.

State Board of Funeral Services Board of Hearing Aid Dealers and Fitters

These reviews will be deferred until 1997, when the Department of Professional & Financial Regulation is scheduled for review.

Advisory Commission on Radioactive Waste

We have agreed to defer this review indefinitely.

Department of Transportation

The Committee's review will focus on the following:

1. Right of Way
2. Use of Certificates of Participation (COP's) as a funding mechanism for purchasing equipment and vehicles.
3. Use of former DOT employees (specifically, engineers) as consultants to DOT.

Maine Turnpike Authority

The Committee will defer this review; future scheduling will depend on the outcome of the study mandated by the most recent budget bill (chapter 780, P.L. 1991).

Honorable Charles P. Pray, Chair
Legislative Council
April 30, 1992
Page Three

State Planning Office

We agreed that the Committee would complete its review of the energy programs this summer. This is the only area that was not completed during the recently completed review cycle.

Capitol Planning Commission

This agency will be continued for 10 more years; thus, the Committee will pursue no activity in this area this year. Legislative action is required to continue the agency.

State Lottery Commission

The Committee has expressed an interest in pursuing one issue related to privatization.

Finally, I would note that we reiterated with the Committee Chairs the Council's position that any deviation from the specific areas outlined above will require Council approval in advance.

Staffing and Schedule

We also communicated to the Committee Chairs and Representative Murphy the Council's actions with regard to schedule and staffing as follows:

Schedule

The Committee plans to conduct its work as a full committee this year, rather than breaking down into subcommittees. We support this approach as one that will reduce the Committee's costs and maximize the use of available staff.

The Committee is to have completed all of its work by December 1. Consistent with the policy that the Council has established for the work of other joint standing committees and study commissions, this means that the Committee must have taken final votes on all issues by this date, and that staff must have any final instructions that would affect drafting.

Honorable Charles P. Pray, Chair
Legislative Council
April 30, 1992
Page Four

Staffing

The Committee understands that, pursuant to the Council's action, assignment of staff is the responsibility of the Office Director, John Wakefield. John has assured the Chairs that he would work with them to determine both the level and specific expertise required for the various reviews and to match these needs with the resources available.

This concludes the Committee's report to the Council. On behalf of the other Committee members, I would, again, note that we felt that this meeting was a successful attempt to balance the Audit & Program Review Committee's commitment to fully discharging its oversight responsibilities with the Council's interest in focussing the Committee's efforts on issues of particular policy interest to the Legislature. We trust the Council will ratify the plan we have worked out and would be happy to answer any questions at the May Council meeting.

Sincerely,



John L. Martin
Speaker of the House

cc: Members of the Legislative Council
Honorable Beverly Miner Bustin
Honorable Phyllis R. Erwin
Honorable Eleanor M. Murphy
John Wakefield, Director, Office of Fiscal
and Program Review



Eastern Regional Conference

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Assemblyman Robert C. Wertz
Assembly Assistant Minority Leader
New York

Vice Chairman

Representative Richard A. Voke
House Majority Leader
Massachusetts

Director

Alan V. Sokolow

April 20, 1992

Honorable Charles Pray
Senate President
State House
Augusta, ME 04333

Dear Senator Pray:

As officers of the Council of State Governments' (CSG) Eastern Regional Conference (ERC), we are pleased to alert you that the National CSG Executive Committee, in an unprecedented step, has **rescinded the FY '93 dues increase of 6%** to our member states. The unanimous decision was taken at its April 12 meeting and will mean that CSG, your service organization, will operate at the FY '92 schedule for the coming year which means a savings for Maine of \$3,100. A revised dues listing is enclosed.


This action has been taken in response to the overwhelming pressures on your state finances resulting from the national recession, unfunded or underfunded federal mandates and growing demands from constituent groups wanting more services and lower taxes at the same time. As you and sister state leaders are learning to do more with less, so must we at CSG. The decision to eliminate the dues increase is our commitment to you to share the burden of tough times.

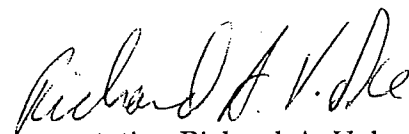
Our promise to you is to continue our important information, technical assistance and training services to you in your capitol, but to do so in the most efficient and cost effective manner.

Your budget and accounting offices will soon be receiving a letter from our headquarters office with details on how the dues rollback will be implemented. If you or your staff have any questions, please do not hesitate to call ERC Director, Alan V. Sokolow, at (212) 912-0128.

Once again, we believe that this clear and tangible step underlines CSG's understanding of and sensitivity to the real and harsh fiscal world that our states face today. We hope that you will support and appreciate this necessary and sobering decision taken by CSG.

Sincerely yours,


Assemblyman Robert C. Wertz
Assistant Assembly Minority Leader, NY
Chairman, CSG Eastern Regional Conference


Representative Richard A. Voke
House Majority Leader, MA
Vice-Chairman, CSG Eastern Regional Conference

cc: Senator Nancy Randall Clark
Senator Dennis Dutremble
Senator Joseph Brannigan
Senator Charles Webster
Senator Pam Cahill
Senator Bonnie Titcomb
Sally Tubbesing

THE COUNCIL OF STATE GOVERNMENTS SCHEDULE OF STATE APPROPRIATIONS

STATE	1992-93 SCHEDULE APPROVED BY EXECUTIVE COMMITTEE DECEMBER 1989	REVISED 1992-93 SCHEDULE APPROVED BY EXECUTIVE COMMITTEE APRIL 1992
ALABAMA	\$ 81,100.00	\$ 76,600.00
ALASKA	48,600.00	45,800.00
ARIZONA	75,500.00	71,300.00
ARKANSAS	65,600.00	61,900.00
CALIFORNIA	301,500.00	284,800.00
COLORADO	73,800.00	69,700.00
CONNECTICUT	73,200.00	69,100.00
DELAWARE	49,800.00	47,000.00
FLORIDA	156,000.00	147,400.00
GEORGIA	101,500.00	95,800.00
HAWAII	53,800.00	50,700.00
IDAHO	52,900.00	49,900.00
ILLINOIS	149,500.00	141,200.00
INDIANA	94,400.00	89,100.00
IOWA	69,600.00	65,700.00
KANSAS	66,500.00	62,800.00
KENTUCKY	77,700.00	73,400.00
LOUISIANA	83,900.00	79,200.00
MAINE	54,800.00	51,700.00
MARYLAND	85,900.00	81,000.00
MASSACHUSETTS	97,400.00	91,900.00
MICHIGAN	127,900.00	120,800.00
MINNESOTA	83,000.00	78,300.00
MISSISSIPPI	67,600.00	63,800.00
MISSOURI	90,600.00	85,500.00
MONTANA	51,100.00	48,200.00
NEBRASKA	58,400.00	55,100.00
NEVADA	53,400.00	50,400.00
NEW HAMPSHIRE	53,700.00	50,600.00
NEW JERSEY	114,100.00	107,700.00
NEW MEXICO	57,500.00	54,300.00
NEW YORK	206,800.00	195,300.00
NORTH CAROLINA	102,800.00	97,100.00
NORTH DAKOTA	49,900.00	47,000.00
OHIO	142,600.00	134,700.00
OKLAHOMA	73,300.00	69,200.00
OREGON	69,000.00	65,100.00
PENNSYLVANIA	153,000.00	144,500.00
RHODE ISLAND	52,800.00	49,800.00

(CONTINUED ON BACK)

STATE	1992-93 SCHEDULE	REVISED 1992-93 SCHEDULE
SOUTH CAROLINA	75,400.00	71,100.00
SOUTH DAKOTA	50,300.00	47,400.00
TENNESSEE	88,300.00	83,400.00
TEXAS	197,100.00	186,100.00
UTAH	59,200.00	55,800.00
VERMONT	48,900.00	46,100.00
VIRGINIA	98,500.00	93,000.00
WASHINGTON	86,100.00	81,300.00
WEST VIRGINIA	60,900.00	57,400.00
WISCONSIN	88,000.00	83,100.00
WYOMING	48,200.00	45,400.00

SCHEDULE OF DUES FOR TERRITORIES

TERRITORY	1992-93 SCHEDULE	REVISED 1992-93 SCHEDULE
AMERICAN SAMOA	\$ 3,700.00	\$ 3,400.00
GUAM	45,100.00	42,500.00
NORTHERN MARIANA	3,700.00	3,400.00
PUERTO RICO	73,800.00	69,700.00
VIRGIN ISLANDS	3,700.00	3,400.00
DISTRICT OF COLUMBIA	49,400.00	46,600.00

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APPROVED

CHAPTER

APR 09 '92

73

BY GOVERNOR

RESOLVES

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-TWO

S.P. 907 - L.D. 2327

**Resolve, to Implement Total Quality Management Procedures
in State Government**

Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, total quality management procedures offer the State an opportunity to immediately improve the efficiency and productivity of State Government; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Legislative findings. Resolved: That the Legislature finds that the customers of State Government are the recipients or beneficiaries of state services; that internal purchasing, personnel, space, budgeting and accounting systems all serve those customers and must all be improved to respond more effectively and efficiently; and that State Government has not given adequate attention to the potential for using the talents, skills, experience and commitment of its employees in improving the organization, cost-efficiency, cost-effectiveness and quality of state services; and be it further

Sec. 2. Definition. Resolved: That as used in this resolve, "total quality management" means a management system that emphasizes total customer satisfaction and the importance of front-line, rank-and-file workers in the improvement of production or services within an organization; and be it further

Sec. 3. Total quality management in the executive branch. Resolved: That the Governor shall develop and implement a plan for application of total quality management principles and methods in the executive branch. The plan for introduction of total quality management, including a description of its elements and a timetable for implementation, must be prepared and released by September 1, 1992. The plan must implement total quality management essentials of customer-driven work; results-oriented strategic planning; use of pertinent data; seeking continuous improvement; and emphasizing rank-and-file employee participation; and be it further

Sec. 4. Total quality management in the Legislature and Judiciary. Resolved: That the Legislature and the Judicial Department shall adopt plans by September 1, 1992 for the use of total quality management in their operations. Plans adopted by the Legislature and the Judiciary must address all total quality management issues specified under section 3; and be it further

Sec. 5. Implementation. Resolved: That all 3 branches of government shall implement the total quality management plans adopted under sections 3 and 4 no later than December 31, 1992; and be it further

Sec. 6. Employees. Resolved: That in developing plans under this resolve, each branch of government shall involve rank-and-file employees in devising total quality management programs that improve internal operations and making state operations less bureaucratic, more customer-oriented and more competitive with the private sector.

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

COMMISSION TO STUDY THE FUTURE OF MAINE'S COURTS

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Association of Registers of Probate—743-6671

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Vendean V. Vafiades

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Staff

Kathryn Monahan Ainsworth

Project Director

April 30, 1992

Mrs. Sarah C. Tubbesing
Executive Director
Maine Legislative Council
Statehouse Sta. 115
Augusta ME 04333

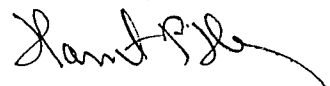
Dear Mrs. Tubbesing:

The Commission to Study the Future of Maine's Courts is pleased to send you its *Phase I: Interim Report*. This working document represents a compilation of the research performed and information gathered over the last 10 months.

The Commission now faces the equally interesting but more difficult task of making recommendations for a system of justice that will meet the needs of the citizens of Maine in the 21st century. We also must address issues of immediate concern to the Legislature.

We expect to have a preliminary draft report available for your inspection and public comment by November 1992. After a series of public hearings in November and December, the Commission will revise its preliminary draft to reflect comments received at such hearings. The final report will be published by February 28, 1993.

Sincerely,



Harriet P. Henry
Chair

HPH:sa

Commission to Study the Future of Maine's Courts



Phase I Report: A Working Document of the Commission to Study the Future of Maine's Courts

*Facts, Figures, and Futures:
Compilation of Information Gathered and Research
Performed for Task Force and Commission Deliberations*

April 1992

**COMMISSION
TO STUDY
THE FUTURE OF
MAINE'S COURTS**

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Persons whose names are in **bold** are Commission members.

*Funding for the Commission's work has been provided by the **State Justice Institute**, the **Libra Foundation** and the **National Institute for Dispute Resolution**. Any points of view expressed herein do not represent the official position or policies of the funding agencies.*

Additional funding and assistance for the Symposium on Court Structure was received from the Maine State Bar Association, Cumberland County Bar Association, Androscoggin Bar Association, and Downing & Peters Reporting Associates.

Table of Contents

Preface	1
Introduction	ii
Report of the Futures Coordinating Committee	1
Report of the Access to Justice Task Force	9
Report of the Alternative Dispute Resolution Task Force	21
Report of the Productivity and Utilization of Resources Task Force ..	47
Report of the Structure Task Force	55
Appendices.....	117
A. Reports Generated for the Commission and Task Forces	
B. Additional Background Documents Relied upon by Task Forces	
C. Partial Bibliography on Court Unification	
D. Selected Dispute Resolution Bibliography	

Preface

Purpose

The Commission's *Phase I Report* is published as a Working Document to compile the results of the Commission and Task Forces' research and information gathering which has been in progress over the last seven months. It is designed to serve as a convenient reference for materials developed by each Task Force and to provide each of them with a common body of knowledge to assist them in examining their own area of inquiry. It should also serve to inform each task force of the work in progress in other task forces and to highlight the overlapping interests and the interdependence of the work of each group.

CAVEAT: *The material contained in this report is raw data. It contains reports and information from many sources and authors, some of whom may have recommended certain avenues of action. It does not, however, reflect findings or any recommendations of the Commission as a whole or of any individual task force, except to the extent that each group has sharpened its focus in responding to its Charge by identifying areas and items of greatest concern.*

Methodology

The thrust of the Commission's work in Phase I was to identify problems and issues with respect to Maine's present system of justice, to determine what information was necessary to address the problems so identified, to collect or develop such material, and to draw upon the best thinking in the United States on court access, structure, operations, technology and alternate forums for dispute resolution.

The Commission sought the broadest citizen input in this process. To accomplish this end, it contracted for a public opinion survey to determine attitudes toward the courts and Maine's justice system. In addition, members of the justice system as well as representatives of other public entities were contacted for information via personal interviews, phone, letter, or questionnaires. A wealth of information has been assembled by staff and Commission members. National experts were retained to evaluate present programs, to brief members on their fields of expertise, and to recommend any further information needed to address identified issues. In addition, the Commission contracted with the National Center for State Courts to update its 1975 study of Maine's Courts and to advise the Commission on matters of productivity and utilization of resources.

The Phase I Report contains much of the information gathered and the results of research efforts. Because of the tremendous amount of material collected and the voluminous nature of some research efforts, many reports are summarized or merely referred to in the segments of this report provided by the various Task Forces. Such referenced materials are available at the Commission Office.



HOUSE OF REPRESENTATIVES

STATE HOUSE

AUGUSTA 04333-0002

289-1400

William Lemke

360 Pride Street

Westbrook, Maine 04092

May 12, 1992

Hon. Charles P. Pray
Chair, Legislative Council
State House Station 115
Augusta, ME 04333

Dear Senator Pray:

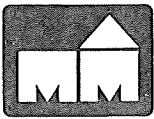
I would appreciate the Legislative Council taking whatever action is appropriate and feasible, either through creation of a select committee or another mechanism, to institute the Commission on Recall as proposed in LD 1964.

This legislation has a fiscal note of \$3,300, and was previously tabled by the Legislative Council. Insofar as LD 1964 would create a commission of representatives from the Legislature, Governor's office, local government, and the public, to draft an amendment providing for recall to be submitted to the 116th Legislature, I think it important that work be allowed to begin prior to the convening of the next Legislature.

Sincerely,

A handwritten signature in cursive script that reads "William Lemke".

William Lemke
State Representative



Maine Municipal Association

37 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428

May 1, 1992

Joseph McGonigle
Special Assistant to President of the Senate
State House Station 3
Augusta, ME 04333

Re: 1992 State-Municipal Summit

Dear Joe:


I am trying to close my file on the 1992 State-Municipal Summit. The only outstanding issue is the bill for lunches consumed by members of the Senate and House in the amount of \$1,454.48. As you will recall, Speaker Martin has declined to authorize payment from the legislative account for House members. In our discussions in March, you indicated that President Pray would attempt to get Speaker Martin to pay at least for those members of the House who actually attended the lunch. Alternatively, he thought it might be possible to get the Legislative Council to authorize payment. As a last resort, you indicated that the bill would be paid from the Senate account.

A copy of the bill is enclosed. It does not distinguish between the number of legislators who actually attended and the number who pre-registered but did not attend. This is the actual breakdown:

79 Representatives actually attended, at \$12.54 each:	\$ 990.66
20 pre-registered, but did not attend, at \$12.54 each:	250.80
11 Senators actually attended, at \$12.54 each:	137.94
2 pre-registered, but did not attend, at \$12.54 each:	25.08
Representatives' share of coffee and doughnuts (7:1 ratio):	42.86
Senators' share of coffee and doughnuts:	7.14
	<hr/>
	\$1,454.48

I would appreciate your attention to this matter so that we can prepare a final financial accounting of the 1992 Summit and I can close my file on the Summit until next year. I would be pleased to discuss the matter with you at your convenience.

Very truly yours,


Kenneth C. Young, Jr.
Director
State and Federal Relations

KCY/tm