

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

# **LEGISLATIVE COUNCIL**

**Wednesday, June 24, 1992**

## **REVISED AGENDA**

### **CALL TO ORDER**

### **ROLL CALL**

### **SECRETARY'S REPORT**

Summary of May 12, 1992, Council Meeting (enclosed)

### **EXECUTIVE DIRECTOR'S REPORT**

#### **Item #1: Personnel Actions**

- Retirement of Dot Rollins, Legislative Information Office
- Resignation of Bret Preston, Research Assistant, Office of Policy and Legal Analysis
- Recommendation to hire Alexandra Avore for the position of Legislative Analyst, Office of Fiscal & Program Review, effective August 3, 1992.

#### **Item #2: Recommendations for Out-of-State-Travel**

#### **Item #3: 116th Legislature/1st Regular Session: Cloture Date (memo from David Kennedy)**

#### **Item #4: Blue Ribbon Commission/Workers' Compensation: Status Report on Staffing and Budget**

#### **Item #5: Proposal to Revamp Public Bill Status System**

#### **Item #6: Legislative Budget: Status Report**

### **REPORTS FROM COUNCIL COMMITTEES**

Subcommittee on Audit & Program Review Committee

Personnel Committee

Committee on Total Quality Management

## **OLD BUSINESS**

- Item #1:** Council of State Governments: Reconsideration of Dues and Invitation to Host 1995 Meeting (Tabled at May 12 meeting, pending further information regarding the legislative budget)
- Item #2:** Request for Council Authorization of an Interim Study on Recall (Tabled at May 12 meeting, pending further information regarding the legislative budget)

## **NEW BUSINESS**

- Item #1:** Constitutional Officers and State Auditor: Salary Status (copy of letter, which had previously been sent, enclosed)
- Item #2:** Recommendation from the Speaker regarding the Salary for the Clerk of the House, Debbie Wood
- Item #3:** Request from Joint Standing Committee on Education for Interim Study of Maine's School Funding Formula (letter from Committee Chairs, Senator Estes and Representative Crowley, enclosed)
- Item #4:** Letter from David Silsby



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

**Tuesday, May 12, 1992**

### MEETING SUMMARY

**Approved June 24, 1992**

## CALL TO ORDER

The Chair, Senator Pray, called the Council to order at 4:10 p.m., in the Council Chamber.

## ROLL CALL

**Senators:** Sen. Pray, Sen. Clark, Sen. Dutremble,  
Sen. Cahill  
Absent: Sen. Webster

**Representatives:** Rep. Martin, Rep. Whitcomb, Rep. Mayo,  
Rep. Marsano  
Absent: Rep. Gwadosky

**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 14, 1992, Council meeting was accepted and placed on file. (Motion by Sen. Dutremble; second by Rep. Marsano; unanimous).

## EXECUTIVE DIRECTOR'S REPORT

Sally Tubbesing, Executive Director, presented the following items to the Council for its consideration:

**Item #1: Resignation of Rose Breton, Office of Fiscal & Program Review**

Ms. Tubbesing noted that she had sent copies of Ms. Breton's letter of resignation to Council members soon after she received it, but that formal Council action was still required. She also stressed that, although Ms. Breton's

Finally, Ms. Tubbesing requested Council authorization to fill this position as soon after July 1 as possible, given that this represents the second vacant Analyst position in the Office of Fiscal & Program Review.

**Motion:** That Ms. Breton's resignation be accepted with sincere regret and that the Executive Director and Director of the Office of Fiscal & Program Review be authorized to fill the position any time after July 1. (Motion by Sen. Clark; second by Speaker Martin; unanimous).

**Item #2: Status of Legislative Budget**

Ms. Tubbesing drew members' attention to two reports in the agenda packet: a summary of expenditures through March 31 and balances remaining in the General Legislative account and a comparable report for the other accounts administered by the Legislature. Ms. Tubbesing reported that with one quarter of the fiscal year remaining, it was still too early to estimate ending balances with any precision; however, she stated that if expenditures continued at the current rate, it appeared that the balance forward in the General Legislative account could exceed \$1 million.

**Discussion:**

Sen. Cahill stated that she would like to see some of the balance forward used to do some work on the exterior of the State House. Sen. Pray expressed appreciation for these concerns, but noted that the State as a whole still has a negative cash flow and that it would be unwise to spend any of the apparent surplus yet.

The Council took no formal action on this item.

**Item #3: Legislative Staff Management Institute: Application of Meg Matheson**

Ms. Tubbesing reported that the Humphrey Institute for Public Affairs, University of Minnesota, was once again offering a 2-week Legislative Staff Management Institute in cooperation with the National Conference on State Legislatures (NCSL). She noted that two Maine staff

members had attended the Institute last year - Grace Cleaves, Senate Majority Office, and Julie Jones, OPLA - and that Ms. Jones had received a scholarship which covered the full cost of tuition, room and board for the 2 weeks, valued at \$1,950.

Because most states have budget problems, NCSL and the Humphrey Institute have decided to offer no full scholarships this year so that they can offer partial support to more applicants. Ms. Tubbesing requested Council support for sending Meg Matheson if she received a partial scholarship, noting that the non-partisan staff directors considered the Humphrey Institute program to be one of the best investments available for senior non-partisan staff.

**Motion:** That the Council authorize payment of up to half the tuition cost, if necessary, in order for Margaret Matheson to attend the Legislative Staff Management Institute. (Motion by Rep. Mayo; second by Sen. Cahill; unanimous).

**Item #4: Blue Ribbon Commission/Workers' Compensation: Status Report on Staffing**

At Ms. Tubbesing's request, the Chair, Sen. Pray, asked Martha Freeman to report. Ms. Freeman noted that the Commission had met on four occasions thus far and had scheduled its next meeting for the following Friday, May 15. Two staff members from the Office of Policy & Legal Analysis -- Jane Orbeton and Lisa Copenhaver -- have been attending the meetings in order to keep abreast of the Commission's progress; however, the Commission has, as yet, defined no formal role for the non-partisan staff. The Commission has hired a law student, a consultant, John Lewis, and may also have engaged the services of a professor at the Law School, David Gregory.

Ms. Freeman expressed the shared concern of the non-partisan staff Directors that it was essential for members of the Commission to understand the legislative process at an early point in their work, if their efforts were to be successful. She reported that she had sent a letter to the Chairs following the April Council meeting, as directed by the Council, and now proposed that she contact the Chairs again to request an opportunity for the non-partisan staff directors to present to the entire Commission a description of the legislative process and the bill drafting process.

**Discussion:**

The Chair, Sen. Pray, noted that he had had discussions with the Governor and members of the Commission, in which both had expressed their concerns that OPLA staff were an extension of the Legislature's Democratic staff, which was why the non-partisan staff had not been invited to make a presentation. Notwithstanding the concerns about

non-partisan staff, Sen. Pray noted that members of the Administration and members of the Governor's own staff had been active with the Commission, briefing individual members. He expressed his high degree of confidence in the personal and professional character and integrity of the Legislature's non-partisan staff.

Speaker Martin reported that he had had similar encounters with the Governor and one of the Commission's Co-Chairs, Richard Dahlbeck, and that he shared Sen. Pray's concerns about any questioning of the integrity of the non-partisan staff. He stated that it is essential that Council members understand who the non-partisan staff are and the roles they play -- as well as the roles they do not assume by virtue of who they are.

In the general discussion that followed, Council members expressed the following concerns:

- That it is essential for the Commission to avoid the politics of workers' compensation and to focus on the substantive issues. (Sen. Dutremble)
- That it is essential that non-partisan staff be formally involved in the actual drafting effort. (Sen. Pray; Sen. Dutremble; Sen. Cahill)
- That it is vital that the Commission's independence be protected and that the Council be the vehicle for all further communication regarding the role of non-partisan staff, rather than members of the Council acting individually. (Sen. Clark; Rep. Mayo; Sen. Pray; Sen. Cahill)

In summary, Ms. Freeman noted that the Directors' primary concerns are: first, that if the Commissioners do not understand the technical process, they will submit a document that they do not want changed, but that needs technical changes; and, second, the questions about the non-partisanship of non-partisan staff. She stressed that the only way for the non-partisan staff to address these concerns is directly and encouraged Council members to bring any questions or concerns to Sally or the other Directors.

**Motion:** That Ms. Freeman be authorized to again contact the Chairs of the Blue Ribbon Commission to request that the non-partisan Directors be invited to present a description of the process and, further, that Ms. Freeman report again to the Council at its next meeting. (Motion by Rep. Mayo; second by Rep. Whitcomb; unanimous).

## REPORTS FROM COUNCIL COMMITTEES

### Subcommittee on Audit & Program Review Committee

Speaker Martin, Subcommittee Chair, drew members' attention to the letter in the agenda packet which summarized the results of the Subcommittee's meeting with the Chairs of the Audit & Program Review Committee, Senator Bustin and Representative Erwin, and Representative Eleanor Murphy. Also serving on the Subcommittee were Senators Clark and Cahill. The letter details agreements regarding both the scope and schedule for the Committee's work. Speaker Martin stressed that the Committee understood that all of its work must be completed by December 1, and that any deviations from the agreed upon scope would require prior approval by the Council.

**Motion:** That the Subcommittee's report be accepted. (Motion by Speaker Martin; second by Rep. Mayo; unanimous).

## OLD BUSINESS

### Item #1: Council of State Governments

#### a. Reconsideration of Dues

#### b. Invitation to Host 1995 ERC Meeting

This item had been tabled previously, pending additional information about the status of the budget for the legislative account and the probability of a balance forward. The Chair, Sen. Pray, noted that CSG was asking Maine to pay its dues for the year nearly completed, FY 92, as well as for the coming year which begins July 1. CSG has just announced that it has "rolled back" its FY 93 dues to FY 92 rates; thus, the total amount of Maine's outstanding dues is \$103,400 for the 2 years.

**Motion:** That the item be tabled until more complete information about the Balance Forward is available. (Motion by Rep. Whitcomb; second by Sen. Dutremble; motion failed 4-4).

Discussion following the failed motion raised the following questions and concerns:

1. Whether the Council could pay the dues for FY 93 only? (Sen. Clark)

Speaker Martin indicated that Maine would have to pay both years in order to be eligible to host the 1995 meeting of CSG's Eastern Regional Conference. Sen. Pray added that such conferences are beneficial to the State's economy.



2. It is important to have more information not only about Legislature's budget status, but the state budget overall before the Council takes final action on this item. (Rep. Marsano)

**Motion:** That the item be tabled. (Motion by Rep. Mayo; second by Rep. Marsano; approved 6-2).

## NEW BUSINESS

### Item #1: Total Quality Management

The Chair, Sen. Pray, noted that each of the 3 branches of government is required to file a plan for achieving Total Quality Management pursuant to a Resolve passed during the Second Regular Session (Resolves, ch. 73). He then suggested that staff present a proposal to the Council; however, in the brief discussion that ensued, it was agreed that members of the Council should also participate in the development of a plan.

**Motion:** That the Council Chair appoint a Committee to address this issue. (Motion by Sen. Dutremble; second by Sen. Cahill).

**Amendment of the Motion:** That the above motion be amended to clarify that the Committee shall include members of the Council, other members of the Legislature, and members of the legislative staff. (Amendment offered by Speaker Martin and accepted by Sen. Dutremble).

The vote on the motion, as amended, was approved unanimously.

### 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

**Motion:** That both reports be accepted and placed on file. (Motion by Speaker Martin, second by Sen. Dutremble; unanimous).

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

**Motion:** That the item be tabled. (Motion by Rep. Mayo; second by Sen. Dutremble; approved 7-1).

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

This item was on the agenda at Sen. Pray's request. He explained that members of both the Senate and House received a letter from MMA stating that if they chose to attend the luncheon billed in conjunction with the State-Municipal Summit, they would have to pay for the luncheon. Sen. Pray had reiterated this policy to Senators in an announcement from the rostrum. Speaker Martin stated that his office was not involved in planning for the Summit and that he had not been consulted about the policy regarding payment for the luncheon in advance so that he did not alert House members. He further indicated that he had been opposed to scheduling the Summit on a session day because of the accelerated schedule in the Second Regular Session and that he was opposed to having MMA be reimbursed for the luncheon from the legislative account because the State would, in effect, be paying twice for legislators' lunch on that day since House members had already received their meal allowance for that day (the meal had previously been deducted from Senators' expense checks). Senators Clark and Dutremble agreed that the double payment would be inappropriate. Further discussion yielded the concern that if the Council approved payment, it would be setting a precedent for other groups. (Rep. Whitcomb).

Finally, Speaker Martin agreed that if MMA could produce a list of House members who attended, he would write each member and ask them to send a check to MMA for the luncheon. Sen. Pray agreed to find out if MMA had such a list.

**Motion:** That the item be tabled pending further information. (Motion by Sen. Clark; second by Rep. Marsano; unanimous).

## ANNOUNCEMENTS AND REMARKS

None.

## ADJOURNMENT

The Council meeting was adjourned at 5:31 p.m., on the motion of the Chair, Sen. Pray.

## **EXECUTIVE DIRECTOR'S REPORT**

### **RELATED MATERIALS**

Item #1: Personnel Actions

Item #3: 116th Legislature/1st Regular Session: Cloture Date

Item #4: Blue Ribbon Commission/Workers' Compensation:  
Status Report of Staffing and Budget

Item #5: Proposal to Revamp Public Bill Status System

Item #6: Legislative Budget: Status Report

**MAINE STATE LEGISLATURE  
OFFICE OF THE REVISOR OF STATUTES**

MEMO

**TO:** Sally Tubbesing  
**FROM:** David Kennedy *D.K.*  
**RE:** Cloture Dates for 116th First Regular Session  
**DATE:** May 8, 1992

---

As you know, cloture for the First Regular Session is set by Joint Rule 25 which provides that:

25. Cloture at the First Regular Session. During any first regular session, all other requests for bills and resolves submitted by returning Legislators shall be submitted in complete form to the Revisor of Statutes by 5:00 p.m. on the 2nd Friday in December. Requests for bills and resolves submitted by new Legislators shall be submitted in complete form to the Revisor of Statutes by 5:00 p.m. on the last Friday in December.

Debbie Wood called earlier this week and alerted me to the fact that by strict application of the rule, cloture dates for the next First Regular Session will fall on Friday, December 11 and Friday, December 25.

Cloture on either Christmas or Christmas Eve would be a unique experience, and not a pleasant one. After an analysis of this office's cloture related tasks, I would recommend moving the second cloture date to 5 p.m. on Monday, December 21. Options to implement this include the Council concluding that it can vary this date pursuant to its explicit and inherent authority under Title 3 § 163 or amending Joint Rule 25 at the next Special Session.

In any event, we ought to resolve this fairly promptly since we and the Clerk and Secretary's offices will be getting more inquiries as the summer progresses.

JDK/der  
Revis3136

MONTH: DECEMBER, 1992

SUN	MON	TUE	WED	THU	FRI	SAT
		1	2 116 <sup>th</sup> Convenes	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25 HOLIDAY	26
27	28	29	30	31		

MONTH: NOVEMBER, 1992

SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3 Election Day	4	5	6	7
8	9	10	11 HOLIDAY	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26 HOLIDAY	27 HOLIDAY	28
29	30					

**BLUE RIBBON COMMISSION TO EXAMINE  
ALTERNATIVES TO THE WORKERS' COMPENSATION SYSTEM  
AND TO MAKE RECOMMENDATIONS CONCERNING REPLACEMENT  
OF THE CURRENT SYSTEM  
Chapter 59, Resolves of 1991  
Budget Status as of 6/15/92**

<b>BUDGET</b>		<b>\$250,000.00</b>
<b>EXPENDITURES</b>		
Reimbursements to Commissioners		
Dalbeck		\$ 560.60
Hathaway	\$1,738.36	
Levesque	<u>323.84</u>	
		\$ 2,622.80
Contractual Services		
Bushey		
Fees (\$500/week)	\$4,000.00	
Expenses	<u>88.47</u>	
		\$ 4,088.47
Postage		\$ 9.00
Equipment/Supplies		<u>\$ 623.82</u>
Total through 6/15		\$ 7,344.09
<b>Balance</b>		<b>\$242,655.91</b>

# OFFICE OF THE EXECUTIVE DIRECTOR

## MEMORANDUM

June 18, 1992

TO: Honorable Charles P. Pray, Chair  
and Members of the Legislative Council

FROM: Sally *Pray*

SUBJECT: Status Report on the Legislature's Current year Budget

At your May meeting, you requested that Dick and I put together an analysis of expenditures to date and remaining balances in the general Legislative Account. We have just received the figures from the Controller's Office that reflect all spending through May 31. Our analysis, which follows, incorporates those figures, our projections for expenditures during June, and our estimates of the balances that we will carry in each of the major categories.

- Based on 11 months of actual expenditures and our estimates for June, it appears that the Legislature's total expenditures will be about \$12.5 million. This represents virtually "flat-level" spending compared to FY 90 (the comparable 2nd session year).

	FY 90 Actual	FY 91 Actual	FY 92 Budget	FY 92 Est. Actual
Personal				
Services	\$ 7,818,031	\$ 8,937,575	\$ 9,392,280	\$ 8,882,000
All Other	4,524,335	4,037,747	4,768,997	3,650,000
Capital	167,660	46,905	52,250	10,500
Total	\$12,510,026	\$13,022,227	14,213,527	\$12,542,500

This means that the spending controls that the Council and the presiding officers imposed on various "All Other" expenditures were effective enough not only to achieve the budgeted cuts, but to depress spending in that category by an additional amount that entirely offset the increases required in Personal Services to fund step increases and cost-of-living increases as provided by law. Total All Other expenditures will be nearly \$1 million less than they were in FY 90.

- Thus, we will again have a balance forward in the General Legislative Account of approximately \$1.5 million.

The estimated balance forward breaks down as follows:

	Est. Balance Forward	% Adjusted Budget
Personal Services	\$ 510,280	5.4%
All Other	1,118,997	23.5%
Capital	41,750	80.0%

#### Analysis of Performance in Specific Expenditure Lines

A closer analysis of each line category suggests that, in addition to the cuts that we made in the FY 92 budget, many of the policies you adopted achieved savings that exceeded our advance estimates.

- We have, after 11 months, **exceeded** our revised budget in the 3 areas listed below; we anticipate no other overruns.

#### In-State Travel

Budget:	\$1,066,082
Actual (thru May):	<u>1,123,330</u>
Difference:	\$ 57,248 (5.4%)

As you know, we had cut this line substantially to reflect an early adjournment date. In fact, we shaved it a little too close: the overrun is approximately equal to the total expenses we paid for the 4 legislative days beyond March 27.

#### Insurance

Budget:	\$ 4,500
Actual (thru May):	<u>7,727</u>
Difference:	\$ 3,227

This line was under-budgeted even before the FY 92 - 93 budget was originally passed. Our budget is based on historical expenditures; the actual expenditures reflect increases in rates and the Risk Management Division's decision to add liability insurance to our required general coverage.



#### Microfiche/Software

Budget:	\$ 10,000
Actual (thru May):	<u>30,736</u>
Difference:	\$ 20,736

The overrun is entirely attributable to the purchase of the software to support the Legislature's redistricting process next winter as approved by the Legislative Council.

- We have also examined those areas where our expenditures to date and our estimates for expenditures in June are far below the adjusted budget. These are:

#### Personal Services

Most of the estimated balance forward of \$510,000 in this category will come from savings achieved in the following areas:

- Prompt layoff of all session employees. In several cases, session employees left before adjournment sine die and were not replaced.
- Some session positions were never filled (e.g., second Senate Reporter; 2 House Pages). The budget for these positions had been preserved through the various reductions "rounds".
- Delayed filling of vacant positions. We have realized some salary savings from these positions in the current fiscal year, which are primarily on the non-partisan staff.

#### All Other

The anticipated balance forward in this category suggests that the Legislature has reduced its activity in many areas to extraordinarily low levels. Those specific lines in which we anticipate having the largest balances (in both absolute dollars and % of budget) include:

#### Professional Services/State

Budget:	\$30,000
Actual (thru May):	<u>30</u>
Difference	\$29,970

We budgeted an amount to cover the on-line charges associated with both MFASIS (the State's accounting system) and the State's personnel system. The central service agencies have not allocated these charges to date; thus, we were overbudgeted.

### Telephone

Budget:	\$289,852
Actual (thru May):	<u>175,837</u>
Difference	\$114,015

The variance is due primarily to significant decreases in the rate structure for all long-distance calls (both in-State and out-of-State) since we developed our original budget. Many of these rate reductions are a result of the upgrade of the State's CENTREX system, which is still in process. Our monthly bill from the Telecommunications Division has decreased by \$5,000 (interim) to up to \$10,000 during the peak of the legislative session since FY 89, our "base year" for the current year budget.

### Rents

Budget:	\$398,234
Actual (12-month est.):	<u>313,234</u>
Difference	\$ 85,000

This line captures a significant part of the operating cost of the Legislature's computer system. The savings in this line reflect the decreasing cost of technology in part, but also the concerted efforts of our Information Systems staff to find the most advantageous financing for our system's components.

### Repairs

Budget:	\$352,144
Actual (12-month est.):	<u>217,144</u>
Difference	\$135,000

This line included a balance forward of approximately \$275,000, the bulk of which we carried through the year as a contingency until all of the repairs to the roof and supporting structure were complete. The variance also reflects the Council's decision to defer all repairs that were non-emergencies. Some of these deferred projects are reaching points where we need to balance issues of safety -- and the Legislature's potential liability -- again short-term savings.

## General Operations

The most significant areas of savings in this line are

	Estimated Savings
Postage	\$135,000 (42.2%)
Printing	90,000 ( 9.7%)
Periodicals/ Subscriptions	170,000 (81.4%)
Maintenance Contracts	175,000 (92.1%)

The anticipated balances in **postage, printing and subscriptions** are all a result of savings that we could not accurately forecast. They were budgeted at levels consistent with historical data; and all three lines were cut in our various reduction cycles. These items are largely controlled by policies established by the presiding officers.

The balance in the budget for the **maintenance contracts** that we carry for the computer system and all of its components is due to two things. First, we have significantly decreased our maintenance costs overall by carrying coverage only on those parts of the system that are more expensive to replace than to repair. Second, by prepaying the maintenance for the entire year last July, we saved nearly \$50,000, or 1/3, of the total cost that we would have been charged had the payments been spread over the 12 months.

## Other Supplies/Books

Budget:	\$256,810
Actual (12-month est.):	<u>106,810</u>
Difference	\$150,000

We anticipate delivery of several revised volumes of the Statutes from West this summer; West's original schedule called for April delivery. We will need to carry this amount to pay for the Legislature's copies when they arrive.

A complete summary of expenditures to date is enclosed for your review prior to next week's Council meeting. Dick and I would both be happy to try and answer any questions you may have between now and then.

Enclosures

**LEGISLATIVE DEPARTMENT**  
**SUMMARY OF ACCOUNTS: FISCAL YEAR 1992**

ACCOUNT	ORIGINAL REQUEST	BALANCE FORWARD (7/1/91)	TOTAL ADJUSTMENTS	TOTAL AVAILABLE	EXPENDITURES (thru 5/31/92)	BALANCE REMAINING 6/1/92
Commission to Advise DHS on AIDS	\$ 6,700	\$ 11,082	(\$ 16,700)	\$ 1,073	\$ 607	\$ 466
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 <sup>1</sup>	\$ 325,121	\$ 24,690	\$ 300,431 (92.4%)
Commission on Uniform State Laws	\$ 10,326	\$ 1,102	(\$ 2,838)	\$ 8,590	\$ 8,100	\$ 490
Interstate Cooperation Commission	\$ 125,628	\$ 11,413	(\$ 71,113)	\$ 65,928	\$ 65,928	\$ —
Maine-Canadian Legislative Advisory Office	\$ 89,649	\$ 2,343	(\$ 1,973)	\$ 90,025	\$ 74,937	\$ 15,088 (16.8%)
Law & Legislative Reference Library	\$ 1,059,461	\$ 24,103	(\$ 134,383)	\$ 949,181	\$ 838,034	\$ 111,147 (11.7%)
State House & Capitol Park Commission	\$ 156,161	\$ 150,224	(\$ 101,686)	\$ 204,699	\$ 189,683	\$ 15,016 ( 7.3%)
Legislature/General Account	\$14,936,847	\$3,031,783	(\$3,835,612)	\$14,133,018	\$11,577,905	\$2,555,113 (18.1%)
 Subtotal All Accounts	 \$16,410,720	 \$3,370,579	 (\$4,003,967)	 \$15,777,629	 \$12,779,884	 \$2,997,745 (19.0%)

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

Revised 6/92

**LEGISLATIVE COUNCIL**

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

**Salaries**

	FY 90 Actual	FY 91 Actual	Original Request	FY 92 Revised Budget <sup>1</sup>	Actual Thru 5/31/92	Balancing Remaining
3110 Permanent Regular	\$ 2,289,765	\$ 2,505,853	\$ 3,057,739	\$ 2,747,609	\$ 2,416,766	\$ 330,843
3210 Limited Period Regular	2,003,289	3,506,805	3,207,781	3,120,381	3,110,260	10,121
3310 Seasonal	342,737	459,475	925,721	742,852	429,525	313,327
3410 Project Regular	1,045,940	---	---	---	---	---
3612 Overtime	60,387	50,273	59,256	59,256	91,884	( 32,628)
3616 Retro Lump Sum	19,788	2,777	---	---	43,909	( 43,909)
3640 Longevity Bonus	499	11,538	15,850	15,538	15,678	( 140)
3810 Unemployment Compensation	5,067	58,574	5,067	65,500	56,010	9,490
3890 Per Diem	100,750	46,090	112,000	112,000	96,415	15,585
<b>Total Salaries</b>	<b>\$ 5,868,222</b>	<b>\$ 6,641,385</b>	<b>\$ 7,383,414</b>	<b>\$ 6,863,136</b>	<b>\$ 6,260,447</b>	<b>\$ 602,689</b>

**Benefits**

3901 Health Insurance	\$ 743,847	\$ 909,337	\$ 1,249,340	\$ 1,083,947	\$ 848,982	\$ 234,965
3905 Dental Insurance	43,584	64,632	65,049	62,494	45,101	17,393
3906 Employee Health Plan	---	---	26,474	---	---	---
3910 Retirement	1,117,643	1,262,072	1,426,659	1,315,529	1,170,149	145,380
3911 Group Life	15,009	15,650	20,222	18,033	14,311	3,722
3912 Medicare	29,026	40,799	48,362	45,441	39,144	6,297
3973 Child Care	700	800	800	800	900	( 100)
3982 Early Retirement	---	2,900	2,900	2,900	2,900	---
<b>Total Benefits</b>	<b>\$ 1,949,809</b>	<b>\$ 2,296,190</b>	<b>\$ 2,875,806</b>	<b>\$ 2,529,144</b>	<b>\$ 2,121,487</b>	<b>\$ 407,657</b>
<b>TOTAL PERSONAL SERVICES</b>	<b>\$ 7,818,031</b>	<b>\$ 8,937,575</b>	<b>\$ 10,223,220</b>	<b>\$ 9,392,280</b>	<b>\$ 8,381,934</b>	<b>\$ 1,010,346</b>

Note:

1. Includes balances forward and all appropriations to and deappropriations from the Legislative Account

**All Other**

	FY 90 Actual	FY 91 Actual	Original Request	FY 92 Revised Budget <sup>1</sup>	Actual Thru 5/31/92 <sup>2</sup>	Balance Remaining
4000 Professional Services (Non-State)	\$ 310,606	\$ 119,983	\$ 126,563	\$ 126,563	\$ 115,289	\$ 11,274
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	1,123,330	( 57,248)
4300 Travel/Out-of-State	234,172	164,384	199,245	80,000	61,914	18,086
4500 Utilities	262,904	218,709	278,678	289,852	175,837	114,015
4600 Rents	415,227	415,855	398,234	398,234	286,988	111,246
4700 Repairs	77,184	108,342	75,600	352,144	122,788	229,356
4800 Insurance	3,435	2,367	3,985	4,500	12,227	( 7,727)
4900 General Operations	(1,775,043)	(1,224,920)	(1,934,796)	(1,914,293)	(957,701)	( 956,592)
Postage	442,988	220,819	---	320,000	160,890	159,110
Printing/Binding	962,973	702,018	---	930,549	641,145	289,404
Photocopying	110,022	75,614	---	95,600	79,266	16,334
Advertising	46,788	56,993	---	65,000	22,614	42,386
Periodicals/Subscriptions	18,035	10,135	---	215,000	7,640	207,360
Microfiche/Software	820	16,433	---	10,000	30,736	( 20,736)
Tuition/Dues	14,241	21,962	---	20,000	3,301	16,699
Maintenance Contracts	(See Rents)	120,199	---	190,000	11,137	178,863
Miscellaneous	179,176	747	---	68,144	972	67,172
5100 Food	2,457	1,927	2,500	2,500	88	2,412
5300 Office Supplies	50,518	52,871	54,559	55,624	40,617	15,007
5400 Clothing	5,295	4,963	5,719	6,620	2,923	3,697
5600 Other Supplies/Books	232,935	149,480	251,570	256,810	99,593	157,217
6800 Constituent Service Allowance	94,500	99,750	249,000	185,275	185,025	250
6900 Misc. Payments/Claims	6,185	1,264	---	---	4,033	( 4,033)
8008 Interest	578	511	---	500	369	131
<b>Total All Other</b>	<b>\$ 4,524,335</b>	<b>\$ 4,037,747</b>	<b>\$ 4,633,627</b>	<b>\$ 4,768,997</b>	<b>\$ 3,188,752</b>	<b>\$ 1,580,245</b>

**Capital**

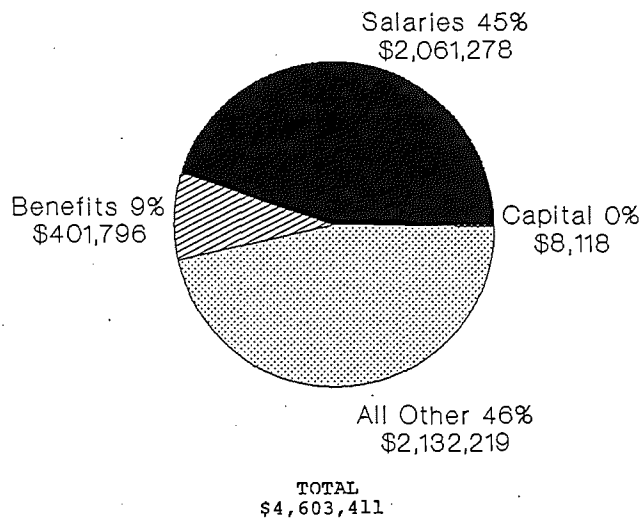
7200 Equipment	\$ 167,110	\$ 32,214	\$ 45,000	\$ 42,250	\$ 7,219	\$ 35,031
7300 Major Improvement	550	14,691	35,000	10,000	---	10,000
<b>Total Capital</b>	<b>\$ 167,660</b>	<b>\$ 46,905</b>	<b>\$ 80,000</b>	<b>\$ 52,250</b>	<b>\$ 7,219</b>	<b>\$ 45,031</b>
<b>TOTAL ACCOUNT</b>	<b>\$ 12,510,026</b>	<b>\$ 13,022,227</b>	<b>\$ 14,936,847</b>	<b>\$ 14,213,527</b>	<b>\$ 11,577,905</b>	<b>\$ 2,635,622</b>

**Notes:**

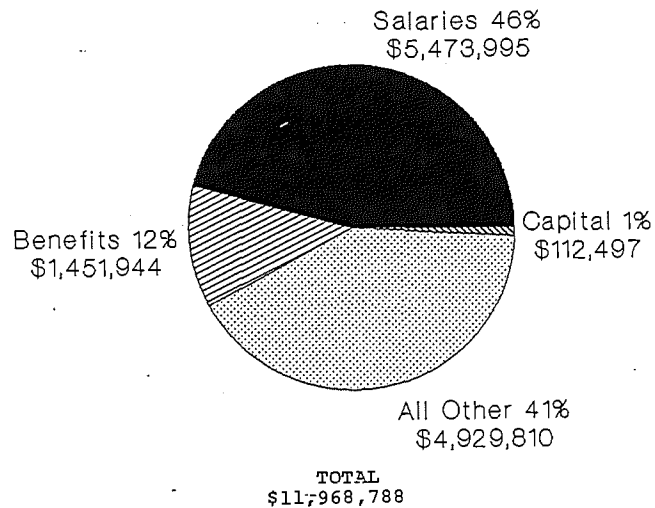
1. Includes balances forward and all appropriations to and deappropriations from the Legislative Account
2. Includes encumbered balances

# LEGISLATIVE BUDGET

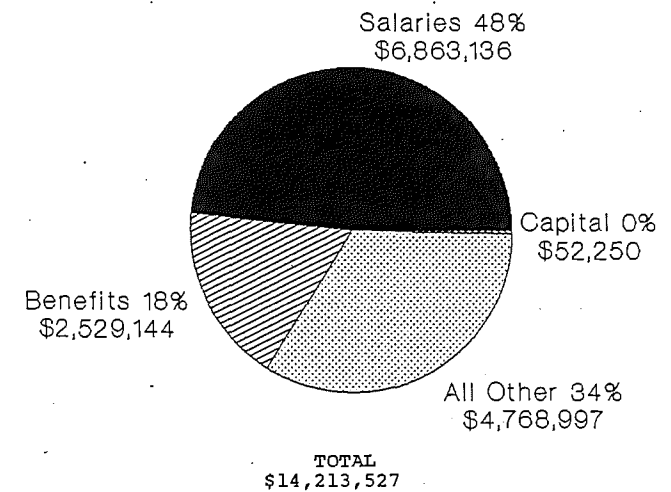
FY 82  
Actual



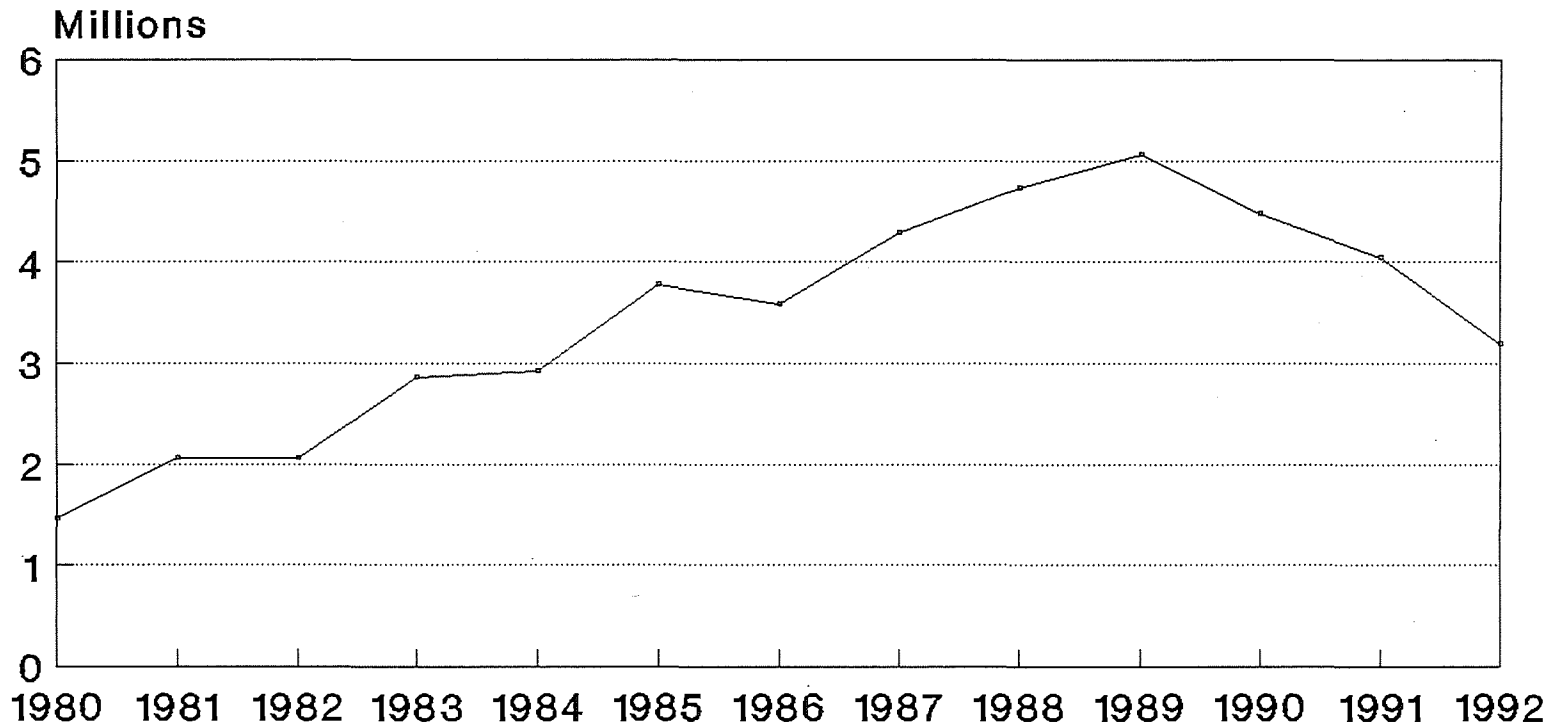
FY 88  
Actual



FY 92  
Budget



# LEGISLATIVE ACCOUNT ALL OTHER EXPENDITURES



— Series 1

June 1992



## GENERAL LEGISLATIVE ACCOUNT

## FY 93 BUDGET

	Original Appropriation	Adjustments (Ch. 780, P.L.)	"Interim" Revised Budget <sup>4</sup>
Personal Services	\$ 10,722,443	(\$ 196,612) <sup>1</sup>	
		( 157,637) <sup>2</sup>	
		( 93,314) <sup>3</sup> Est.	\$ 10,274,880 (4.2%)
All Other	\$ 4,572,207	( 41,150) <sup>3</sup> Est.	\$ 4,531,057
Capital	<u>\$ 80,000</u>	<u>( 720)</u> <sup>3</sup> Est.	<u>\$ 79,280</u>
Total	\$ 15,374,650	(\$ 489,433)	\$ 14,885,217 (3.2%)

## Notes

1. Amount of freezing step increases throughout Fy 93
2. Amount saved by reducing work week by 1 hr.
3. Estimate of additional amount to be deappropriated to achieve .9% "permanent savings" in each line. These figures are estimates; we have not yet received the official figures from the Budget Office for this deappropriation.
4. The figures in this column are unofficial; they include our estimates for the .9% reduction yet to be calculated (see 3 above).

**REPORTS FROM COUNCIL COMMITTEES**  
**RELATED MATERIALS**

Subcommittee on Audit & Program Review Committee

SENATE

BEVERLY MINER BUSTIN, DISTRICT 19, CHAIR  
JOHN J. CLEVELAND, DISTRICT 22  
DONALD L. RICH, DISTRICT 27

STAFF

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



STATE OF MAINE

ONE HUNDRED AND FIFTEENTH LEGISLATURE  
COMMITTEE ON AUDIT AND PROGRAM REVIEW

HOUSE

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

May 20, 1992

The Honorable Charles P. Pray, Chair  
Legislative Council  
State House Station 115  
Augusta, Maine 04333

Dear Chair Pray;


We are writing to obtain clarification from the Council as to when the Audit and Program Review Committee should schedule a Public Hearing for the reviews currently in progress.

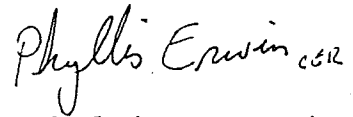
In accordance with the Council's wishes, the Committee has developed a schedule that will enable the Committee to complete its work and give final drafting instructions to staff by December 1, 1992. However, we remain unclear as to when the Council would like the Committee to hold a public hearing on these recommendations; in the Council's view, should the Committee plan to hold its hearings in **December** or in **January**?

We are aware that timing of the appointment of the 116th Legislative Committee is an issue here and wanted to obtain clarification of this question, if possible, at this time, for planning purposes.

Thank you.

Sincerely,

  
Beverly M. Bustin  
Senate Chair

  
Phyllis R. Erwin  
House Chair

cc. Sally Diamond, Executive Director Legislative Council;  
John Wakefield, Director OFPR

**115th LEGISLATIVE COUNCIL**  
**COMMITTEE TO DEVELOP A TOTAL QUALITY MANAGEMENT**  
**PLAN FOR THE LEGISLATURE**

**Membership**

(Appointments to be confirmed)

Pamela L. Cahill, Senate Assistant Minority Leader

Senator N. Paul Gauvreau

Representative Peter Hastings

Representative Carol A. Kontos

Representative Anne M. Larrivee

Joseph W. Mayo, House Majority Whip

Representative Hugh A. Morrison

Charles P. Pray, President of the Senate

Joy J. O'Brien, Secretary of the Senate

Deborah Bedard Wood, Clerk of the House

Lock Kiermaier, Office of Fiscal and Program Review

Julie Jones/Deborah Friedman, Office of Policy & Legal Analysis\*

Meg Matheson, Office of the Revisor

Lynn Randall, State Law Librarian

Staff: Sally Tubbesing

Karen Hruba, Office of Policy & Legal Analysis

\*Membership to be "shared" due to vacation schedules.

**OLD BUSINESS**  
**RELATED MATERIALS**

Item #1: Council of State Governments: Reconsideration  
of Dues and Invitation to Host 1995 Meeting

Item #2: Request for Council Authorization of an Interim Study  
on Recall



**Eastern Regional Conference**

5 World Trade Center, Suite 9241, New York, New York 10048

Tel. (212) 912-0128

Fax (212) 912-0549

*Chairman*

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.

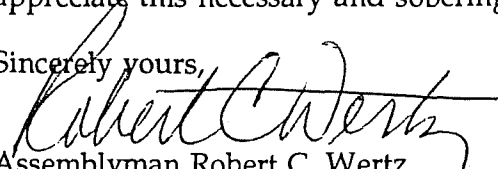
This action has been taken in response to the overwhelming pressures on your state finances resulting from the national recession, unfunded or underfunded federal mandates and growing demands from constituent groups wanting more services and lower taxes at the same time. As you and sister state leaders 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.

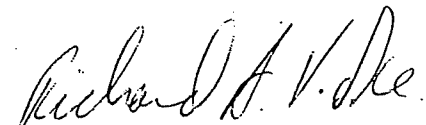
Our promise to you is to continue our important information, technical assistance and training services to you in your capitol, but to do so in the most efficient and cost effective manner.

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	APPROVED BY EXECUTIVE COMMITTEE DECEMBER 1989	APPROVED BY EXECUTIVE COMMITTEE APRIL 1992
	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





# 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

**NEW BUSINESS**

**RELATED MATERIALS**

- Item #1: Constitutional Officers and State Auditor: Salary Status
- Item #2: Recommendation from the Speaker regarding the Salary  
for the Clerk of the House, Debbie Wood
- Item #3: Request from Joint Standing Committee on Education  
for Interim Study of Maine's School Funding Formula

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

May 28, 1992

Honorable Samuel Shapiro  
State Treasurer  
State House Station 39  
Augusta, Maine 04333

Dear Treasurer Shapiro:

I am writing to clarify the Legislative Council's interpretation of the language included in Chapter 780, P.L. 1991 regarding the reduced work week (Sec. WW-1) and the 2% salary reduction for those employees, whose annual salary exceeds \$50,000 (Sec. III-2). The language in both of these provisions is inclusive: Sec. WW-1 mandates a reduction of one hour in the weekly work schedule "for each state employee in the executive branch, legislative branch and other agencies of state government" for all payrolls to be paid in Fiscal Year 1993. Thus, the reduced work week schedule will commence the week beginning June 8. Sec. III-2 effects a 2% reduction in the annual salary "of any person employed by the State" that exceeds \$50,000 effective with the pay period closest to July 1, 1992.

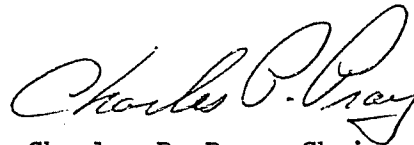
Based on the language in both of these sections, I have concluded that the law clearly applies to all legislative employees as well as to the Constitutional Officers and the State Auditor. I will report this conclusion to the other members of the Legislative Council at our June meeting, and expect the Council to take no further action with regard to these matters.

Honorable Samuel Shapiro  
State Treasurer  
May 28, 1992  
Page Two

Finally, I would note that the Council has not yet taken any action with regard to the 7% cost-of-living increase for legislative employees, the increase that was awarded to employees in the executive branch July 1, 1992, with the provision that each employee take sufficient furlough and shut down days to offset the cost of the increase.

I would be happy to answer any questions you may have.

Sincerely,

A handwritten signature in cursive script, reading "Charles P. Pray". The signature is fluid and stylized, with the first letters of the first and last names being capitalized and prominent.

Charles P. Pray, Chair  
Legislative Council

cc: Members of the Legislative Council

## LEGISLATIVE COUNCIL

## 3 § 162-A

### Ch. 7

Mileage fees, see title 16 § 251 et seq.  
Oaths of witnesses see title 16, § 151.  
Public's right to know, see title 1 § 401 et seq.  
State law librarian, see § 173 of this title.  
Subpoenas for witnesses, see title 16 § 101.  
Transfers of unexpended legislative appropriations, see title 5 § 1585.  
Witnesses, examination of, see title 16 § 151 et seq.  
Witnesses to testify under oath, see title 3 § 426.

### Notes of Decisions

Acceptance of funds 2  
Transfers and payments 1

#### 1. Transfers and payments

Legislative Council did not exceed its authority in paying expenses of the Legislative Apportionment Commission out of the legislative account. Op. Atty. Gen. No. 83-33, June 20, 1983.

#### 2. Acceptance of funds

Section 1014 of title 1 relating to conflict of interest, and § 601 et seq. of title 17-A, relating

to bribery and corrupt practices, did not establish blanket prohibition against legislator's soliciting contributions for proposed Kennebec River Future Commission; however, legislator lacked authority to accept funds on behalf of proposed commission and it was necessary that any funds raised prior to commission's formation be received by Governor under § 5 of title 2 or by the Legislative Council under this section. Op. Atty. Gen., Feb. 17, 1981.

### § 162-A. Salaries subject to adjustment by Legislative Council

Notwithstanding any other provisions of law, the salaries of the following legislative officials shall be at the salary ranges indicated in this section. At the time of initial appointment, the salary of each of these officials shall be set at Step A and, in no case, may it exceed Step B of their respective ranges. The Legislative Council may adjust the salary of each official by one step for each year of continuous service after the initial appointment to office.

The salary ranges shall be those established by the Legislative Council for legislative staff. No other state salary may be paid to these officials.

1. **Range 14.** The salaries of the following state officials and employees shall be within salary range 14:

Secretary of the Senate; and

Clerk of the House of Representatives.

2. **Range 9.** The salaries of the following state officials and employees shall be within salary range 9:

Assistant Secretary of the Senate; and

Assistant Clerk of the House of Representatives.

3 to 5. Repealed. Laws 1983, c. 862, § 4, eff. Sept. 19, 1984.  
1981, c. 702, § X, 11, eff. May 4, 1982; 1983, c. 853, §§ A, 3, 4, eff. Dec. 1, 1984; 1983, c. 862, § 2, eff. Dec. 1, 1984; 1983, c. 862, § 4, eff. Sept. 19, 1984; 1987, c. 349, § K, 1, eff. June 18, 1987; 1987, c. 769, § A, 2, eff. April 26, 1988.

### Historical Note

#### Amendments

1983 Amendments. Laws 1983, c. 853, § A, 3, added provision mandating Legislative Council to

adjust salaries of Secretary of State, Treasurer of State, Auditor and Attorney General to first

SENATE

STEPHEN C. ESTES, DISTRICT 35, CHAIR  
DALE McCORMICK, DISTRICT 18  
LINDA CURTIS BRAWN, DISTRICT 21

MICHAEL HIGGINS, LEGISLATIVE ANALYST  
JULIE FORTIN, COMMITTEE CLERK



HOUSE

NATHANIEL J. CROWLEY, SR., STOCKTON SPRINGS, CHAIR  
JAMES R. HANDY, LEWISTON  
WILLIAM B. O'GARA, WESTBROOK  
JAMES V. OLIVER, PORTLAND  
JOHN J. O'DEA, ORONO  
MARY F. CAHILL, MATTAWAMKEAG  
SOPHIA DOUGLAS PFEIFFER, BRUNSWICK  
OMAR P. NORTON, WINTHROP  
WENDY L. AULT, WAYNE  
ALVIN L. BARTH, JR., BETHEL

STATE OF MAINE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

COMMITTEE ON EDUCATION

May 13, 1992

The Honorable Charles P. Pray, Chair  
Legislative Council  
Maine Legislature  
State House Station 115  
Augusta, Maine 04333

Dear President Pray:

We are writing to request that the Legislative Council provide seed funding for a summer study designed to review and change Maine's school funding formula.


As you know, concern about the funding formula has been building on a variety of fronts for several years. The suspension of the formula during the last two legislative sessions has convinced many that a new formula is necessary to both restore confidence in the process and provide equity to school finance in Maine. We fear that unless the Legislature takes some action this summer to prepare recommendations for changes in the formula to the 116th Legislature, a serious breakdown will occur that could threaten the progress of education reform.


We are proposing a modest allocation that may lead to grants from private foundations or, failing that, that may be used to purchase the services of education finance experts at some later point in the process. We have had discussions with Maine School Management and others concerning formation of a school finance working group that could tackle the problem immediately. They have offered strong support for our proposal. If funded, we would also ask the Department of Education and other interested parties to join the group in an effort to gain the initial support necessary to eventually win legislative and executive branch support next year.

We are convinced that resolution of the school funding dilemma will be one of the most urgent matters before the Legislature during the next session. In our view, no significant progress can be made unless we begin immediately to work toward solutions. It is that spirit of urgency that compels us to make this request. We sincerely hope that you share our concern and will act favorably upon this request.

We would be happy to answer any questions you may have or provide further details if necessary. We look forward to hearing from you at your earliest convenience concerning our request.

Sincerely,

  
Sen. Stephen C. Estes<sup>ch</sup>  
Senate Chair

  
Rep. Nathaniel J. Crowley, Sr.  
House Chair

4323GEA

**RECORD OF PASSAGE UNIFORM AND MODEL ACTS  
STATE OF MAINE**

**ENACTED**

**AMENDED VERSION**

**SUBSTANTIALLY SIMILAR**

ALCOHOLISM AND INTOXICATION TREATMENT (1971)  
 ANATOMICAL GIFT (1968)(1987)  
 ARBITRATION (1956)  
 CHILD CUSTODY JURISDICTION (1968)  
 COMMERCIAL CODE - Article 8 (1977)  
 COMMERCIAL CODE - Article 9 (1972)  
 COMMON TRUST FUND (1938, 1952)  
 CONSERVATION EASEMENT (1981)  
 CONSUMER CREDIT CODE (1968, 1974)  
 DECEPTIVE TRADE PRACTICES (1964, 1966)  
 DECLARATORY JUDGMENTS (1922)  
 DISCLAIMER OF TRANSFERS BY WILL,  
     INTESTACY OR APPOINTMENT (1973, 1978)  
 DISCLAIMER OF TRANSFERS UNDER  
     NONTESTAMENTARY INSTRUMENTS (1973, 1978)  
 DIVISION OF INCOME FOR TAX PURPOSES (1957)  
 FRAUDULENT TRANSFER (1984)  
 INTERSTATE ARBITRATION OF DEATH TAXES (1943)  
 INTERSTATE COMPROMISE OF DEATH TAXES (1943)  
 JURY SELECTION AND SERVICE (1970)(1971)  
 MANAGEMENT OF INSTITUTIONAL FUNDS (1972)  
 PARTNERSHIP (1914)  
 PHOTOGRAPHIC COPIES AS EVIDENCE (1949)  
 PREMARITAL AGREEMENT (1983)

ATTENDANCE OF OUT OF STATE  
     WITNESSES (1931)(1936)  
 COMMERCIAL CODE (1951, 57, 62, 66)  
 CONDOMINIUM (1977, 1980)  
 DETERMINATION OF DEATH (1978, 1980)  
 ENFORCEMENT OF FOREIGN  
     JUDGMENTS (1948)(1964)  
 EVIDENCE, RULES OF  
     (1953, 1974, 1986, 1988)  
 FEDERAL LIEN REGISTRATION (1978, 82)  
 RECIPROCAL ENFORCEMENT OF SUPPORT  
     (1950)(1958)(1968)  
 RIGHTS OF THE TERMINALLY ILL (1985)(1989)  
 TRADE SECRETS (1979)(1985)  
 TRANSFERS TO MINORS (1983)(1986)  
 VETERANS' GUARDIANSHIP (1928)(1942)

CERTIFICATE OF QUESTIONS  
 OF LAW (1967)(1990)

In addition to the enactments indicated above there have been several uniform and model acts which have been superceded or withdrawn.



ENACTED

AMENDED VERSION

SUBSTANTIALLY SIMILAR

TESTAMENTARY ADDITIONS TO TRUSTS (1960)(1991)  
 UPC, Article II, 2-511 (1969)(1991)  
 SIMULTANEOUS DEATH (1940)(1953)(1991)  
 UPC ARTICLE II, 2-702 (1969)(1991)  
 GUARDIANSHIP AND PROTECTIVE PROCEEDINGS  
 (1982) (1987)  
 UPC, Article V, Parts 1-4 (1969)(1982)(1987)  
 DURABLE POWER OF ATTORNEY (1979)(1987)  
 UPC, Article V, Part 5 (1979)(1987)  
 UPC, Article VI, Part 2 (1969), Part 1 (1989)  
 MULTIPLE-PERSON ACCOUNTS (1989)  
 UPC, Article VI, Part 1 (1969), Part 2 (1989)  
 SECURITIES (1985)(1988)  
 SIMPLIFICATION OF FIDUCIARY SECURITY  
 TRANSFERS (1958)  
 UNCLAIMED PROPERTY (1981)  
 ACT TO PROVIDE FOR THE APPOINTMENT OF  
 COMMISSIONERS (1944)  
 JOINT OBLIGATIONS (1925)

PROBATE CODE (1969, 1975, 1982, 1987, 1989,  
 1990, 1991)

In addition to the enactments indicated above there have been several uniform and model acts which have been superceded or withdrawn.