

MAINE STATE LEGISLATURE

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SEN. CHARLES P. PRAY
CHAIR

REP. DAN A. GWADOWSKY
VICE-CHAIR

STATE OF MAINE

115th LEGISLATURE

LEGISLATIVE COUNCIL

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

SARAH C. TUBBESING
EXECUTIVE DIRECTOR

MEETING SUMMARY

August 26, 1992

Approved September 30, 1992

CALL TO ORDER

The Legislative Council meeting was called to order by the Chair, Senator Pray, at 11:12 a.m.

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 Margaret Matheson, Principal Attorney, Revisor of Statutes

SECRETARY'S REPORT

The Summary of the July 22, 1992, meeting was approved and placed on file. (Motion by Rep. Mayo; second by Rep. Whitcomb; unanimous).

EXECUTIVE DIRECTOR'S REPORT

Sally Tubbesing, Executive Director, presented the following items for the Council's consideration:

Item #1: Legislative Budget

a. Proposed Reductions in FY 93 Related to Health Insurance

Ms. Tubbesing first drew members' attention to a memo which described the opportunity for savings in the Legislature's current fiscal year budget (FY 93) as a result of the State's final negotiation of health insurance rates for the current year. The Legislature, like all other departments, budgeted a 12% increase; however, the actual increase is only 1%, producing a savings of \$291,343 in the general legislative account and an additional \$11,894 in the Law Library's account. Ms. Tubbesing stated that while the Commissioner of Finance and Administration had the authority to deappropriate these savings from all executive department budgets, legislation would be required for this purpose with regard to the legislative and judicial department budgets.

After a brief discussion, Council members concluded that such legislation could wait until the First Regular Session of the 116th. The Council took no formal action on this item.

b. Budget Request for FY 94/FY 95 Biennium: Status

Ms. Tubbesing then reported that she had received the preliminary instructions for preparing the new biennial budget request for Fiscal Years 1994 and 1995. Based on her review of the material, she has concluded that the budget preparation will require important policy decisions and that the Council should, therefore, be directly involved.

Motion: That the Council Chair appoint a Budget Subcommittee to work with the Executive Director and her staff in preparing the FY 94/95 budget request. (Motion by Rep. Mayo; second by Sen. Clark; unanimous).

Rep. Mayo volunteered to serve on this Subcommittee.

Item #2: Recommendations to fill Vacant Positions in the Revisor's Office and Legislative Information Office

This item was tabled, pending a report of the Personnel Committee later in the meeting.

Item #3: Contract Related to Conversion of Public Status System

Council members had received a memo in their advance agenda packet regarding the need for a contract for the purpose of acquiring access to a telecommunications network that would support public access to the Legislature's Bill Status System. Ms. Tubbesing summarized the memo briefly, noting that of the 3 firms that provide such a service in this area, one appears to offer a unique service because its system is already completely compatible with Wang software and hardware. This would significantly reduce the initial costs of tying into the network - both to the Legislature and to individual subscribers. Given this feature and the need to begin conversion of the bill status system in the next month, she recommended that the Council authorize entry into a sole source contract with Cable & Wireless, Inc. on a trial basis through the First Regular Session.

Motion: That the Legislative Council authorize the Executive Director to enter into a contract with Cable & Wireless, Inc. on a trial basis through the end of the First Regular Session. (Motion by Sen. Clark; second by Speaker Martin).

Discussion:

Rep. Marsano wanted to clarify that the next Legislative Council would review the contract to determine whether it was advisable to initiate a bid procedure for this service at the end of the trial period. Senator Clark confirmed that, based on Ms. Tubbesing's presentation, this was the intent of her motion.

The vote on the motion was unanimous, with two Council members absent at the time of the vote.

In further discussion, the Chair, Senator Pray, asked Ms. Tubbesing to comment on the recent announcement that Wang had filed for Chapter 11 protection under the bankruptcy laws. Ms. Tubbesing reported that Gerry Thibault had been in close touch with Wang, both prior to and since the announcement, and that he has received assurances that support from Wang will continue to be available. She further noted that it is Wang's hope to emerge from its Chapter 11 status as a smaller company and one focussed solely on software and that, at this point in the Legislature's computer development, our system is much more dependent on Wang software than on Wang hardware. She concluded that while there appears to be no immediate crisis as far as the Legislature's work is concerned, the Information Systems staff would continue to monitor the situation closely.

Item #4: Blue Ribbon Commission on Workers' Compensation: Budget Status Report

Ms. Tubbesing drew members' attention to the Budget Status Report, noting that as of August 19, the Commission had a balance of just over \$200,000 out of its original appropriation of \$250,000.

Motion: That the report be accepted and placed on file. (Motion by Speaker Martin; second by Sen. Dutremble; unanimous).

The Chair, Senator Pray, then suggested that it would be important for the members of the Banking & Insurance and Labor Committees to have an opportunity to meet with the Blue Ribbon Commission to review the Commission's findings and recommendations.

Motion: That the Joint Standing Committees on Banking & Insurance and Labor be authorized to meet with the Blue Ribbon Commission and that members be paid per diem and expenses for attendance at this meeting. (Motion by Speaker Martin; second by Rep. Marsano).

After further discussion, Speaker Martin withdrew his original motion and offered the following substitute:

Motion: That the presiding officers be authorized to approve meetings prior to the Special Session for those Committees that have jurisdiction in areas addressed by the Blue Ribbon Commission's report and that committee members be eligible for per diem and reimbursement of expenses. (Motion by Speaker Martin; second by Rep. Marsano; unanimous).

Item #5: Recommendation to Authorize Attendance at Annual Meeting of Eastern States Legislative Fiscal Officers in Waterbury, Vermont, by Jim Clair, Kevin Madigan and Tim Leet

Ms. Tubbesing noted that this organization is the primary professional affiliation for legislative staff who work in the area of budget and fiscal analysis. She pointed out that the location of the meeting in Vermont will permit staff to travel in one car.

Motion: That the recommendation be approved. (Motion by Speaker Martin; second by Sen. Clark; approved 7-2).

EXECUTIVE SESSION

Motion: That the Council proceed into Executive Session for the purpose of discussing matters related to Personnel. (Motion by Speaker Martin; second by Sen. Clark; unanimous)

The Council went into executive Session at 11:35 a.m.

RECONVENE

The Council reconvened in open session at 12:13 p.m. (Motion by Sen. Clark; second by Rep. Whitcomb; unanimous).

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

Rep. Gwadosky, Committee Chair, presented the following recommendations on behalf of the Committee:

Motion: That the Legislative Council authorize extension of the Income Protection Plan to eligible employees as recommended. (Motion by Rep. Gwadosky; second by Speaker Martin, unanimous).

Motion: That the Legislative Council approve the proposals to fill vacant positions in the Office of the Revisor, the Office of Policy and Legal Analysis, and the Legislative Information Office as presented by the Executive Director. (Motion by Speaker Martin; second by Rep. Marsano; unanimous).

Motion: That the Council authorize the Executive Director to arrange payment from the legislative account for the purpose of settling a pending claim. (Motion by Sen. Clark; second by Sen. Dutremble; unanimous).

Committee on Total Quality Management

The Committee Chair, Senator Pray, reported that the Committee is in the process of developing its Interim Report to the Council in accordance with the requirements of Resolves, chapter 73. He further noted that the Committee had begun discussing issues related to the legislative confirmation process and had decided to form a special subcommittee for this purpose.

No Council action was required.

OLD BUSINESS

Item #1: Request for Staff Assistance for the Legislative Members of the Task Force to Provide Recommendations Regarding School Funding Issues. (Tabled at July 22, Council meeting pending further discussion with the Task Force members).

Motion: That the letter be placed on file. (Motion by Speaker Martin; second Rep. Mayo; approved 8-1).

NEW BUSINESS

Item #1: Request to Upgrade the Vietnam Memorial in Capitol Park
(correspondence from David Lovejoy)

Motion: That this item be referred to the State House and Capitol Park Commission for review and recommendations.
(Motion by Speaker Martin; second by Sen. Clark; unanimous).

Item #2: Requests to Introduce Legislation to the Third Special Session

Motion: That the Legislative Council accept no bills for introduction to the Third Special Session. (Motion by Sen. Dutremble; second by Sen. Whitcomb).

Discussion:

Senator Dutremble stated that the purpose of his motion was to clarify that the Special Session was being called to deal solely with Workers' Compensation. The Chair, Senator Pray, noted that the Legislature had carried over several bills that would have to be finally disposed of during the Special Session even if Sen. Dutremble's motion was approved. Rep. Marsano expressed his concern that consideration of these carryovers would circumvent Sen. Dutremble's motion; however, the Speaker noted that since these bills had been carried over by the action of the full Legislature, the Council had no authority to modify it.

ANNOUNCEMENTS AND REMARKS

The Chair, Senator Pray, drew members' attention to the date of time of the September Council meeting:

Tuesday, September 22
4:00 p.m.

ADJOURNMENT

The Council meeting was adjourned at 12:30 p.m., on the motion of Senator Webster.