

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. PATRICK E. PARADIS
REP. WALTER E. WHITCOMB
REP. FRANCIS C. MARSANO

SARAH C. TUBBESING
EXECUTIVE DIRECTOR

October 6, 1992

MEETING SUMMARY

Approved November 13, 1992

CALL TO ORDER

The Legislative Council meeting was called to order by the Chair, Senator Pray, at 5:04 p.m.

ROLL CALL

Senators:	Sen. Pray, Sen. Clark, Sen. Cahill Absent: Sen. Webster, Sen. Dutremble
Representatives:	Rep. Martin, Rep. Paradis, Rep. Marsano Absent: Rep. Gwadosky, Rep. Whitcomb
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

SECRETARY'S REPORT

The Summary of the September 30 Council meeting was approved and placed on file. (Motion by Sen. Cahill; second by Rep. Marsano; unanimous).

EXECUTIVE DIRECTOR'S REPORT

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

Item #1: Public Bill Status System: Proposed Fee Schedule

Ms. Tubbesing drew members' attention to a proposed fee schedule for subscription to the Public Bill Status System during the 116th Legislature. She noted that the fees were comparable with subscription fees charged for the current system and that the additional costs to subscribers would be one-time costs related to the installation of software and a modem required to use the system. She expressed appreciation to David Kennedy for his assistance in working out mutually acceptable contract terms with Cable & Wireless and in developing the proposed fee structure.

After brief discussion, Council members concluded that they needed to take no additional formal action at this time, having previously approved both the conversion of the Public Status System and the entry into a contract with Cable & Wireless for this purpose.

Item #2 Pre-Legislative Conference: Preliminary Schedule

Ms. Tubbesing reported that she, Joy O'Brien, Secretary of the Senate, and Deborah Wood, former Clerk of the House, had met for the purpose of developing a preliminary agenda for the Pre-Legislative Conference, and that their draft agenda had now been shared with Joe Mayo, the newly-elected Clerk. She pointed out that the proposed program included bringing in all "freshman" legislators the day before returning members come back and the re-institution of mock sessions to provide new members with some familiarity of the basic order of events, with the rudiments of parliamentary procedure, and with a little practice in using their microphones, voting buttons, etc. The Chair, Senator Pray, clarified that the outgoing Legislative Council is the sponsor of the Pre-Legislative Conference.

In discussing the proposed program, Council members suggested that more detail be added to the program for Wednesday to give members advance notice that they should plan to be here for the entire day.

Although the Council took no formal action on this item, there appeared to be consensus that the proposed program met with approval.

REPORTS FROM COUNCIL COMMITTEES

Committee on the Legislative Budget

Senator Pray, Committee Chair, reported that the Committee had not been able to meet again to complete the formulation of its recommendations to the Council.

OLD BUSINESS

Item #1: Report from the Committee to Develop a Total Quality Management Plan for the Legislature. (Tabled at September 30 meeting).

The Chair, Senator Pray, who also chairs the Committee on Total Quality Management, recognized Sen. Paul Gauvreau and invited him to present the Committee's report to the Council. He noted that Sen. Gauvreau had chaired both the Subcommittees which the Committee had formed to date to pursue specific issues.

Sen. Gauvreau reported that the Maine Legislature is the first state legislature in the country to attempt to apply the principles of total quality management to its own structure and operations. He stated that the TQM Committee established by the Council pursuant to Resolves, Chapter 73 represented a cross-section of the legislative "community" and thus included staff as well as members. The Committee has structured its work to date around one of the essential concepts of total quality management: that is, TQM is a continuous, dynamic process whose objective is to improve an organization's ability to meet the needs of its customers. Senator Gauvreau then went on to describe the work the TQM Committee -- and its Subcommittees -- had done in two areas: a) Committee rules and procedures and b) the legislative confirmation process:

Rules and Procedures

Sen. Gauvreau reported that Committee members felt that both the general public and members of the Legislature deserved the assurance of uniform quality of treatment when they appeared before various legislative committees. To this end, the Committee has analyzed the Rules of Procedure that joint standing committees have adopted previously and determined that it is important to distinguish between "core rules" and issues of "home rule". The Committee is proposing that the former be incorporated in the Joint Rules adopted by the 116th Legislature as a means of reinforcing their importance and their standard application. These rules would include rules regarding quorums, notification to sponsors and cosponsors, and advance posting of committee schedules. The latter group -- "home rules" -- could be left to the discretion of the individual committee and would include such issues as the order for receiving testimony.

Sen. Gauvreau reported that the Committee would be reviewing a draft of the "Core Rules" at its next meeting and would formally submit these to the Council in early November.

Legislative Confirmation Process

Sen. Gauvreau reported that this subcommittee was working on developing "a rather significant overhaul" of the current process. He noted that the Committee had identified several objectives for its work including: assuring fair and considerate treatment of nominees; assuring that all committee members had consistent and comprehensive background information about nominees in advance of the hearing; developing a process that distinguishes between cabinet-level and judicial appointments and those which are to positions of an advisory nature; and minimizing partisan frictions which the current process often abets. Again, Senator Gauvreau assured Council members that the Committee would submit a complete written report in early November.

The Chair, Senator Pray, thanked Senator Gauvreau for his presentation and for the time he had devoted to the TQM Committee's efforts. He then re-iterated the importance of the total quality management process in the Legislature, noting that it had broadened participation in the evaluation and improvement efforts which the Council has been engaged in for several years. Senator Cahill stated that the TQM Committee had been the most interesting and informative committee she had served on in all of her years as a legislator.

No formal Council action was required on this item.

NEW BUSINESS

Item #1: Recommendation from the Speaker Regarding the Salary for the Newly-Elected Clerk of the House.

Motion: That, pursuant to law, the Council approve assignment of the newly-elected Clerk of the House to Step B of the statutory salary range, Range 14. (Motion by Speaker Martin; second by Sen. Clark).

Discussion: Rep. Marsano asked for clarification about the meaning of the motion and the Speaker responded that the statute gives the Council authority to assign a newly-elected Clerk to Step B based on the relevance of the person's prior experience.

The motion was approved unanimously by those members present, 6-0.

Item #2: Commission to Study a Long-term Disability Program for the Maine State Retirement System Members: Submission of Report and Request for Legislative Action

Motion: That the Council authorize the Joint Standing Committee on Aging, Retirement & Veterans to meet to review the proposed legislation. (Motion by Speaker Martin, second by Rep. Marsano; unanimous).

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Council meeting was adjourned at 6:47 p.m., on the motion of Sen. Cahill.