

MAINE STATE LEGISLATURE

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Lynn Randall
Legislative Council Info.



STATE OF MAINE

115th LEGISLATURE

LEGISLATIVE COUNCIL

November 13, 1992

MEETING SUMMARY

Approved December 3, 1992

SEN. CHARLES P. PRAY
CHAIR

REP. DAN A. GWADOSKY
VICE-CHAIR

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

CALL TO ORDER

The Legislative Council meeting was called to order by the Chair, Senator Pray, at 3:15 p.m.

ROLL CALL

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

The Chair, Senator Pray, also recognized Senators Esty and Bustin, who had recently been elected to Senate leadership posts for the 116th Legislature and would, therefore, be members of the new Legislative Council.

SECRETARY'S REPORT

The Summary of the October 6, 1992, Council meeting was approved and placed on file. (Motion by Sen. Dutremble; second by Sen. Cahill; unanimous).

EXECUTIVE DIRECTOR'S REPORT

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

Item #1: Blue Ribbon Commission To Examine Alternatives To The Workers' Compensation System And To Make Recommendations Concerning Replacement Of The Present System: Final Budget Status Report

The report indicates that a balance of \$79,256.67 remains out of the Commission's original appropriation of \$250,000. Mr. Tubbesing also drew members' attention to the letter from Richard Dalbeck, one of the Blue Ribbon Commission's Co-Chairs, in which Mr. Dalbeck commended Jane Orbeton and Lisa Copenhaver for their competence and their non-partisanship.

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

Item #2: Legislative Printing Contracts for the 116th: Bid Awards

Council members had received a memo identifying the successful bidders for the various printing contracts for the 116th legislative biennium. They are:

LD's	:	J.S. McCarthy
Amendments	:	Copy Center
Senate & House Calendars	:	J.S. McCarthy
Senate & House Roster	:	Letter Systems
Senate & House Register	:	J.S. McCarthy
District Directory	:	J.S. McCarthy
Legislative Record	:	Copy Center
Acts & Resolves	:	Quality Copy

Because the Council had previously authorized the Executive Director to execute contracts with the low bidders, this was presented as an information item: no further Council action was required.

Item #3: Personnel Actions

Ms. Tubbesing reported that the following individuals had been hired to fill vacant positions as previously authorized by the Council:

- Erna Koch, to fill a vacant Analyst position in the Office of Fiscal & Program Review, and
- Marion Hylan Barr, to fill a vacant Analyst position in the Office of Policy & Legal Analysis.

Resumes for both Ms. Koch and Ms. Barr had been included in the advance mailing to Council members.

Ms. Tubbesing then reported that Karen Hruby, an Analyst in the Office of Policy & Legal Analysis had submitted her resignation

She requested Council approval of Martha Freeman's recommendation to promote Roy Lenardson, currently a Research Assistant, to the vacant Analyst position and to hire Darlene Shores Lynch to fill the Research Assistant position.

Motion: That Ms. Hruby's resignation be accepted and that the Council authorize the position to be filled as recommended. (Motion by Speaker Martin; second by Sen. Dutremble; unanimous).

Item #4: 3rd and 4th Special Sessions: Summary of Expenditures

The report from Ms. Tubbesing indicates that the total cost of the Third Special Session (October 1 - 6) was \$231,767.78, and the cost of the Fourth Special Session (October 16) was \$40,007.25.

Motion: That this report be accepted and placed on file. (Motion by Sen. Dutremble; second by Sen. Cahill; unanimous).

REPORTS FROM COUNCIL COMMITTEES

EXECUTIVE SESSION

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

The Council proceeded to go into Executive Session at 3:19 p.m.

RECONVENE

The Council reconvened at 3:26 p.m., and continued its consideration of Reports from Council Committees.

Personnel Committee

Representative Gwadosky, presented the following recommendations, in the form of motions:

Motion: That the Legislative Council approve the award of Income Protection to legislative employees as recommended by the Personnel Committee. (Motion by Speaker Martin; second by Sen. Cahill; unanimous).

Motion: That Stephanie Ralph be promoted to the position of Principal Law Librarian, a currently vacant position, effective immediately. (Motion by Sen. Clark; second by Rep. Marsano; unanimous).

Committee on Total Quality Management in the Legislature

The Chair, Senator Pray, recognized Sen. Paul Gauvreau, who had chaired both of the subcommittees that had been appointed to develop recommendations in two specific areas: 1) Committee Rules and Procedures, and 2) the Legislative Confirmation Process. Sen. Gauvreau briefly reviewed the Committee's recommendations, noting that some would require amending the Joint Rules and some amending the statutes.

Motion: That the Committee's report and recommendations be accepted and that the proposed changes in law and the Joint Rules be formally drafted and authorized for introduction. (Motion by Sen. Dutremble; second by Sen. Clark; unanimous).

Rep. Gwadosky stressed the importance of communicating the proposed changes in the Joint Rules to members of the 116th Legislature before they convene. The Chair Senator Pray, replied that he concurred with this.

Senator Pray then thanked Sen. Gauvreau for all of his work with the TQM Committee and congratulated him on the productiveness of the Committee's efforts.

OLD BUSINESS

None.

NEW BUSINESS

Item #1: Request from the Joint Select Committee to Study the Feasibility of a Statewide Health Insurance Program to Extend the Reporting Deadline.

Motion: That the request to extend the reporting deadline to December 1 be approved. (Motion by Speaker Martin; second by Sen. Cahill; unanimous).

Item #2: Proposed Fee Schedule for Legislative Document Service.

Clerk of the House Joe Mayo had submitted the recommended schedule for the First Regular Session, which included no price increases. Senator Pray observed that he thought the fees should be increased; and Speaker Martin replied that he would support an increase in fees if postage rates were to go up during the session.

Motion: That the fee schedule be approved as submitted with the provision that subscribers be notified that rates might increase. (Motion by Speaker Martin; second By Sen. Dutremble; unanimous).

Item #3: Report from State House and Capitol Park Commission Regarding Proposal to Enhance the Vietnam Veterans' Memorial and Other Issues.

Council members had received a letter from the Commission Chair, Earle Shettleworth, that summarized the current status of the Commission's work in 3 areas and presented the following specific recommendations:

1. That funds in the Commission's current budget be set aside to engage the landscape architects firm of William Pressley & Associates to work in consultation with the Commission's Subcommittee on the Vietnam Veteran's Memorial to review the proposed changes and develop recommendations regarding improvements to the Memorial;
2. That the Commission be authorized to issue a Request for Qualifications for an Historic Structures Report for the State House and to present a recommendation regarding a contractor to the 116th Legislative Council; and
3. That the Council authorize the Commission to develop preliminary bid estimates for repair and painting of the rotunda ceiling.

Motion: That the Commission's recommendations be approved. (Motion by Speaker Martin; second by Sen. Clark; unanimous).

Item #4: Submission of Report from the Commission to Arrange the Display of the Flags of Maine's Desert Storm Units in the Hall of Flags of the State House.

Motion: That this report, submitted pursuant to Resolves of 1991, Chapter 35, be accepted and placed on file; and, further, that the Executive Director be directed to bring it to the attention of the 116th Legislative Council for implementation as necessary. (Motion by Speaker Martin; second by Sen. Clark; unanimous).

Item #5: Letter from Rep. Anne M. Larrivee requesting Changes in the Joint Standing Committee Structure.

The Chair recognized Rep. Larrivee, who was present. Rep. Larrivee reported that the intent of her letter was to reinforce a letter that the Council had received several months ago that recommended replacing the current Joint Standing Committee on Judiciary and Joint Select Committee on Corrections with two new joint standing committees - one on Criminal Justice and one on Civil Justice. She stressed the need for close legislative coordination on issues related to corrections and criminal justice.

Discussion

Rep. Marsano expressed his opposition to the recommendation, noting that, although he supports the recommendation to coordinate corrections issues more closely with criminal justice, he does not agree with separating civil and criminal law. He noted that the 116th Legislature would have fewer lawyers among its members than the 115th and that there would not be enough lawyers to "equip" two committees adequately. Rep. Larrivee stated that her objective was to even the workload among committees. Finally, Sen. Cahill expressed her hope that the new Legislative Council would be taking a look at all committees.

Motion: That the letter be accepted and referred to the 116th Legislative Council for priority attention. (Motion by Sen. Clark; second by Sen. Dutremble; unanimous).

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Council meeting was adjourned at 3:40 p.m., on the motion of Sen. Clark.