

# MAINE STATE LEGISLATURE

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M I N U T E S  
Legislative Council MEETING  
LEGISLATIVE COUNCIL CHAMBER  
Augusta, Maine

September 18, 1975

CALL TO ORDER

The meeting was called to order at 10:15 a.m. by the chairman, Sen. Jerrold B. Speers.

ROLL CALL

Senators: Sen. Conley, Sen. Cummings, Sen. Danton, Sen. Speers

Representatives: Rep. McKernan, Rep. Najarian, Rep. Palmer,  
Rep. Rolde

Staff: William H. Garside, Legislative Finance Officer  
Suzanne L. Havens, Director, Legislative Staff Assistants  
Edith L. Hary, Law Librarian  
David S. Silsby, Director, Legislative Research Office

Guests: Sen. John Roberts; Rep. Anne Boudreau,  
Rep. Laurence Connolly, Commissioner David Smith,  
Department of Health & Welfare, Marshall Cohen,  
Administrative Assistant and Robert Mittel, Directing  
Attorney, Portland Office, Pine Tree Legal Association

SECRETARY'S REPORT

MOTION

Rep. Rolde: That the secretary's report be accepted as presented.

Seconded: Rep. Palmer

Motion carried unanimously.

STAFF REPORTS

The Legislative Finance Officer advised the Council of problems his office is encountering in assigning rooms for committee hearings and requested some direction from the Council in this matter.

MOTION

Sen. Danton: That the policy currently being followed by the Legislative Finance Office in assigning rooms for committee hearings and other functions, be continued.

STAFF REPORTS (Cont'd)

Legislative Finance Office - cont'd

Seconded: Rep. Najarian

Dsicussion.

Motion carried unanimously

The Council members then reviewed with the Legislative Finance Officer the monthly report of state revenue.

The Director of the Legislative Staff Assistants office presented a monthly report of activities of her office to the Council. Discussion then concerned assignment of Legislative Staff Assistants to the Legislative Research Office during the legislative session for purpose of assisting in drafting legislation.

The Law Librarian had no report at this time.

The Director of the Legislative Research Office advised that copies of public laws enacted at the regular session of the 107th Legislature were being distributed. The supply of "History and Disposition of Legislative Documents and Papers" is exhausted and the Director asked whether or not the Council felt that additional copies should be ordered. No conclusion was reached at this time.

The Director of Legislative Research asked that his assistant, Charles Priest, be authorized to attend the National Conference of State Legislatures in Philadelphia.

MOTION

Sen. Conley: That the Assistant Director of the Office of Legislative Research be designated to represent that office at the National Conference of State Legislatures.

The motion was duly seconded and carried unanimously.

COMMUNICATIONS

MOTION

Sen. Conley: That items 1 and 2 under Communications be accepted and placed on file

The motion was duly seconded and carried unanimously.

The Council then discussed correspondence received from Rep. McMahan concerning tours of the State Capitol Building.

COMMUNICATIONS (cont'd)

MOTION

Rep. Palmer: That the letter from Rep. McMahon be referred to the Bureau of State Museum or other appropriate entity for appropriate action.

The motion was duly seconded and carried unanimously

MOTION

Sen. Conley: That the letter from Sen. Roberts, now under New Business, be taken up out of order.

The motion was duly seconded and carried unanimously.

Sen. John Roberts, chairman of the Joint Standing Committee on Energy, appeared briefly before the Council to explain his Committee's request for payment of expenses.

MOTION

Rep. Palmer: That the request from Sen. Roberts for approval of expenses of the Energy Committee's postponed trip to Millinocket on September 24 be approved.

Seconded: Sen. Conley

Motion carried unanimously

COMMITTEE REPORTS

Committee reports were received from the Joint Standing Committees on: Business Legislation; Human Resources; Marine Resources; Performance Audit and Public Utilities.

It was moved and unanimously voted to accept the committee reports and place them on file.

Correspondence received from Sen. Curtis, chairman of the State Government Committee concerned that committee's assignment to study the subject matter contained in H.P. 1781 (Executive Council abolition). The committee felt that this subject should more appropriately be studied by the Joint Standing Committee on Election Laws.

MOTION

Rep. Palmer: That the two questions contained in Sen. Curtis' correspondence be referred to the Joint Standing Committee on Election Laws and that the Election Laws committee be requested to report its recommendations to the Joint Standing Committee on State Government.

The motion was duly seconded and carried unanimously.

OLD BUSINESS

1. TABLED AND SPECIALLY ASSIGNED

- a. Publication of roll call votes

It was voted to table and specially reassign this item for one month.

- b. Report of subcommittee studying direction for study of University of Maine budget

The Legislative Finance Officer has distributed packets of information to Council members concerning this study and advised that further information is being gathered. It was voted to table and specially reassign this item for one month.

- c. Request from Joint Standing Committee on Marine Resources to spend additional funds

The Council was advised that the request pertained to the Marine Resources Commission rather than the Committee and also that the request had been cancelled. It was voted to indefinitely postpone this item.

- d. Property tax valuation - S. P. 610

MOTION

Rep. Rolde: That the subject matter of S. P. 610 be studied by the Joint Standing Committee on Taxation

Seconded: Sen. Cummings

Discussion.

Motion carried unanimously.

MOTION

Sen. Cummings: That the legislative staff be directed to look into the possibility of obtaining a Ford Foundation grant for the purpose of studying the subject matter contained in S.P. 610 and, if possible, to make application to that Foundation for such a grant.

Discussion.

Motion duly seconded and carried unanimously.

OLD BUSINESS

1. TABLED AND SPECIALLY ASSIGNED (cont'd)

- e. Legal Affairs - partisan membership of subcommittee

MOTION

Sen. Cummings: That the Joint Standing Committee on Legal Affairs be authorized to set up their subcommittee as requested.

Discussion.

Motion duly seconded and carried unanimously.

- f. Election Laws - request for meeting in Orono

Rep. Anne Boudreau appeared before the Council to explain the reasons for request for meeting in Orono by the Joint Standing Committee on Election Laws.

MOTION

Sen. Cummings: That the Council approve the request of the Joint Standing Committee on Election Laws to meet in Orono.

The meeting was duly seconded and carried unanimously.

- g. Salary policy for legislative staff:

MOTION

Rep. McKernan: That we table and specially assign for the afternoon of October 16th, the matter of salary policy for legislative staff.

The motion was duly seconded and carried unanimously.

2. TABLED AND UNASSIGNED ITEMS

- a. H. P. 1060 - study of effect of inflation on Maine's elderly living on fixed income

It was voted to leave this item tabled and unassigned.

- b. Report of subcommittee on suggestions for computer savings

Sen. Conley presented a verbal report on this study and advised that another meeting is scheduled. It was voted to leave this item on the table unassigned.

OLD BUSINESS

2. TABLED AND UNASSIGNED ITEMS (cont'd)

- c. Possibility of internship program for Legislature during interim

MOTION

It was voted that the study of possibility of a legislative internship program not proceed due to legislative expense involved.

- d. S. P. 537 - Maintenance of legislative records

This item was left on the table unassigned.

NEW BUSINESS

1. Request from Sen. Katz concerning travel expenses

MOTION

Rep. Palmer: That travel expenses for Sen. Katz' trip to Washington, D. C. with Commissioner H. Sawin Millett, Jr., concerning Maine's problems with the federally impacted student funds be authorized.

Discussion.

Motion was duly seconded and carried on vote of 6 - 1. (Rolde opposed)

2. Request from Sen. Trotzky for approval of expenses of Natural Resources Committee

MOTION

Rep. Najarian: That the expenses of this committee be paid and that a letter be forwarded to all committee chairmen advising that this is the last time committee expenses for travel after the fact will be paid.

The motion was duly seconded, but failed on a vote of 5 - 3 (Conley, Danton and Rolde opposed)

3. State Budget Officer's assembling of annual reports of the Legislature and legislative offices in the Maine State Government Annual Report, 1975 edition.

NEW BUSINESS (cont'd)

MOTION

Sen. Cummings: That the Legislature and legislative offices be included in the publication of Maine State Government Annual Report and the legislative staff officers be directed to prepare the information for submission to the State Budget Office.

Discussion.

The motion was seconded and unanimously carried.

4. Space for Legislative Research Office

MOTION

Sen. Conley: That the Legislative Council be constituted a subcommittee as a whole to decide the problem of space for the Legislative Research Office; that subcommittee to meet next Thursday, September 25, at 3:00 p.m. at the State House.

The motion was duly seconded and carried unanimously.

A request from Sen. Trotzky for the authorization of payment of travel expenses for the Natural Resources Committee to visit the Scott Paper Company timberlands in Greenville on September 30 to review their cutting practices; and to visit Great Northern Paper Company, Millinocket on October 7th was discussed.

MOTION

Rep. McKernan: That the Natural Resources Committee be authorized expenses to travel to Greenville on September 30 and to Millinocket on October 7th.

The motion was denied on vote of 5 - 3.

Rep. Laurence Connolly, along with Marshall Cohen and Robert Mittel, attorneys for Pine Tree Legal Association, appeared before the Council to explain their concern regarding the reduced AFDC payments that will be received by certain families beginning October 1st due to implementation of a new plan for distribution of welfare funds.

Commissioner David Smith of the Department of Health and Welfare explained the new method of distribution of payments and the reasons for implementing it.

The chairman of the Council reminded the group that the Council could not act for the entire Legislature in this matter. At the suggestion of the Council, Rep. Connolly, representatives of the Pine Tree Legal Association and Commissioner Smith agreed to review together the impact that this new method of distribution of payments will have on recipients of state welfare funds in order to determine whether or not

NEW BUSINESS (continued)

there might be an alternative method which would lessen any adverse financial effect on AFDC recipients.

I. ANNOUNCEMENTS & REMARKS

The next meeting of the Legislative Council will be held on October 16, 1975, at 10:00 a. m.

The Council, as a Committee of the whole, will meet at the State House on September 25th at 3:00 p.m. for purpose of studying the space problem for the Legislative Research Office.

ADJOURNMENT:

The meeting adjourned at 2:00 p.m.

# STATE OF MAINE

Inter-Departmental Memorandum Date August 20, 1975

Legislative Council

Dept. \_\_\_\_\_

From Suzanne Havens, Director

Dept. Legislative Assistants

Subject Monthly work report, Office of Legislative Assistants

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1. Both of the clerical assistants in the Office of Legislative Assistants have resigned, effective at the end of the last week in August. I am hoping to find at least one replacement in time for a brief training period before Bonnie Davis and Ann Clark leave. For this reason it is very important that the Council reach some decision on this aspect of the proposed salary policy today.

2. I would like to request authorization for expenses to attend the Annual Meeting of the National Conference of State Legislatures in Philadelphia on October 7, 8, 9, 10. Not only is the Training Committee meeting, but for the first time a new "section" of this Conference, for legal and policy research staff, will be meeting. I would also like to request that you consider sending one or more other staff assistants to this conference. I have found this meeting to be invaluable as a learning experience, as did George Viles, the only other staff assistant to go.

3. In addition to the staff study assignments which you have received, the Education Finance Commission has requested (as authorized by statute) that Bob Clarke assist that group. I have discussed this with Senator Huber and he understands that Bob is carrying a very heavy load and can give only a small part of his time to the assignment.

In addition, the Performance Audit Committee has requested research assistance for 4 studies. These studies, and tentative assignments are:

S.P. 587, Inland Fisheries and Game  
Bill Brown and Helen Ginder

S.P. 509, Truth in Lending  
Tom Downing

H.P. 1773, Housing Authority  
Bill Brown

H.P. 529, AFDC Program  
Diana Scully, Bob Clarke

(The committee proposes a followup to the Federal Study.)

These assignments bring the total study load to 46 plus the two special commission assignments. In comparison, 38 studies were completed in the entire biennium of the 106th Legislature.

4. In terms of committee activities as these involve the staff assistants, I would say the following:

A. Virtually every committee has met, organized, and given assignments to the staff assistants.

B. While some committees have established "priorities", most are aiming to finish all assigned studies either before or during the special session. Assistants say that in connection with each assignment more is being asked of them (which is good), quicker, than during the previous biennium. Add to this the fact that each assistant is now staffing more studies than any staffed during any one time in the last biennium, and you will understand what we are up against. People are already working nights and weekends, which I feel shouldn't happen on a year-round basis.

I don't see expansion of the staff as a real solution to this problem, since we just don't need many more people during sessions. However, I would like to request that you begin thinking about some kind of policy for passing additional study orders during the special session in order to avoid repetition of this situation. (In the last biennium almost as many orders were passed in the special as in the regular session.)

# STATE OF MAINE

Inter-Departmental Memorandum Date Sept. 16, 1975

To Legislative Council

Dept. \_\_\_\_\_

From Suzanne S. Havens

Dept. Chief, Legislative Assistants

Subject Staff Salary Policy

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Attached you will find a draft of the proposed salary policy for the Office of Legislative Assistants. This draft reflects the decisions made by Council members at the Special meeting on August 29 and those made by the Council at its regular August meeting relative to clerical assistants.

When discussion relating to this policy was initiated, the Council requested my opinion on whether there was a need for additional staff assistants. This matter was referred to in my original memo, but was not discussed at the special meeting. As I indicated in that memo, I feel that George Viles should be replaced. Beyond this, I see no need for further staff expansion at this time in terms of in-session assignments. On the other hand, Committee work at present is of such a volume that pressures on the staff are actually greater than at any time during the regular session just completed. One more person would eliminate a certain amount of pressure but not all. If the Legislative Committees continue their present rate of activity, both in terms of number of studies and frequency of committee meetings, and if the volume and complexity of research requested continues as at present, it will be necessary to expand the staff in order to meet out-of-session needs of the Committees.

## Personnel Policy, Office of Legislative Assistants

In order to promote consistency in hiring practices and to establish meaningful guidelines for personnel practices within the office, the following personnel policy for the Office of Legislative Assistants is established by the Legislative Council.

### I. Legislative Staff Assistants

#### A. Duties.

The duties of Legislative Staff Assistants are described in detail in the State of Maine Legislative Manual. Generally, staff assistants provide research assistance for the Committees of the Legislature and provide some bill drafting and amending services.

#### B. Qualifications.

The duties of staff assistants require that they be familiar with good research techniques and have the ability to write well in order to communicate their findings. Further, it is desirable that staff assistants either be educated or have job experience in a field which is relevant to the needs of the Legislature. For these reasons, the minimum qualifications for a legislative staff assistant are established as follows: A graduate degree in a field useful to the Legislature; or a bachelor's degree and at least 5 years of experience in a field useful to the Legislature.

Further, additional education and/or job experience which is relevant to the needs of the Legislature is desirable, and will be considered at hiring in terms of the starting salary to be offered.

#### C. Starting salary range.

The following starting salary range, and the accompanying qualifications necessary for each step in the range, are intended to be equitable guidelines to be used in hiring Legislative Staff Assistants.

Yearly starting salary.

1. \$12,500 (\$240.38 weekly)

A person with the qualifications outlined in B above would start at this salary.

2. \$13,285.71 (255.48 weekly)

A person with qualifications as follows would start at this salary:

- a. A graduate degree + an additional relevant research experience which is not job connected (This experience could be demonstrated by an additional relevant degree or by some written product indicating that research skills had been exercised over an extended time period); or
- b. A graduate degree + 1-2 years experience in a relevant job; or
- c. A bachelor's degree + 6-7 years experience in a relevant job.

3. \$14,071.42 (270.58 weekly)

A person with qualifications as follows would start at this salary:

- a. A graduate degree + an additional relevant research experience + 1-2 years experience in a relevant job; or
- b. A graduate degree + 3-4 years experience in a relevant job; or
- c. A bachelor's degree + 8-9 years experience in a relevant job.

4. \$14,856.83 (285.68 weekly)

A person with qualifications as follows would start at this salary:

- a. A graduate degree + an additional relevant research experience + 3 or more years experience in a relevant job; or
- b. A graduate degree + 5 or more years experience in a relevant job; or
- c. A bachelor's degree and 10 or more years experience in a relevant job.

D. Merit increases, evaluation.

With experience, a person becomes more valuable to the Legislature. The following evaluation system and merit increase policy is intended to insure that if a Legislative Assistant performs well he will be compensated accordingly.

1. Each Legislative staff assistant will serve for a probationary period of one year. The length of this period is designed to enable evaluation of his work both during a session of the Legislature and during an interim period. At the conclusion of the probationary period, he will be evaluated, using the process outlined below, and if his work has been satisfactory, he will be hired permanently, and thereafter can be dismissed only for cause.

2. At the end of the first year of employment and annually thereafter in the month of his hiring, each Legislative Assistant's work will be evaluated. At the time of each evaluation, the personnel folder for that assistant will be studied and the Legislative Council, the Chief of Legislative Assistants, Committee Chairmen and other persons as indicated, will participate in the evaluation. At the time of the evaluation, the following decisions relating to that assistant are possible:

1. At the conclusion of his first year of employment, a decision not to permanently hire or a decision to permanently hire him;

2. At the conclusion of any year of employment, a decision to fire that person for cause, as this is defined in this policy; a decision to continue the person's employment but because of mediocre work not to give him a merit increase in salary; a decision to give him a merit increase because of satisfactory performance.

E. Maximum Salary, Merit Increase Amounts.

The maximum salary for Legislative Staff Assistants is established at \$18,000 yearly (\$346.15 weekly). Merit increases will be in the amount of \$785.71 annually (\$15.10 weekly) enabling a Legislative Staff Assistant whose evaluations remain positive to reach the maximum salary level at the beginning of his eighth year of employment. This policy can be presented in table form as follows:

Yearly Starting Salary	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8
1.12,500	240.38	255.48	270.58	285.68	300.78	315.88	330.98	346.08
2.13,285.71	255.48	270.58	285.68	300.78	315.88	330.98	346.08	
3.14,071.42	270.58	285.68	300.78	315.88	330.98	346.08		
4.14,856.83	285.68	300.78	315.88	330.98	346.08			

F. "For cause" dismissal.

The Legislative Council has already established in the Legislative Manual the policy that permanent employees of the Legislature shall be dismissed only for cause, as this term is defined for employees in the classified service. Because of the nature of the duties of the office, the following two types of activity shall also be considered grounds for dismissal:

1. Partisan political activity. If a legislative staff assistant becomes so active in the affairs of a political party that he becomes identified as a proponent of that party, its members, and its platform and thereby loses his non-partisan identity, he may be dismissed by the Legislative Council, following <sup>proof</sup> of such activity and a hearing before the Council. *on time*

2. Loss of objectivity. If for any reason a Legislative Staff Assistant ceases to be objective in his research methods or his methods of transmitting the results of his research to a committee, <sup>on time</sup> he may be dismissed by the Legislative Council upon <sup>proof</sup> of consistent lack of objectivity and following a hearing before the Legislative Council.

G. Job benefits.

As outlined in the Legislative Manual, job benefits for Legislative Assistants shall be those of classified state employees.

II. Clerical Assistants.

A. Duties, qualifications.

The duties of clerical assistants are described in detail in the Legislative Manual. Generally, clerical assistants perform general clerical and office management duties, compile data and carry out research under the supervision of Legislative Staff Assistants. Qualifications are outlined in detail in the Legislative Manual.

B. Hiring and evaluation procedures.

Clerical assistants are hired by the Chief of Legislative Assistants upon authorization of the Legislative Council. Each clerical assistant serves a probationary period of 6 months and upon a positive recommendation by the Chief, thereafter becomes a permanent employee of the Legislature.

C. Merit increase system.

Actual salary amounts for clerical assistants are outlined below. Range I is the pay range for a clerical assistant with the qualifications outlined in the Legislative Manual. Range II is the pay range for a clerical assistant who has extensive experience in the same type

duties before hiring, or who has acquired such experience in employment in this office.

Merit increases in each pay range are structured as in the classified service and it is the intent of the Legislative Council that upon positive evaluation by the Chief, such increases be awarded at the time indicated.

	A(Starting)	B(6 months)	C(18 months)	D(30 months)	E(42 months)
I	125.20	130.80	136.40	142.40	148.80
II	142.40	148.80	155.60	162.40	169.70

Steps X and Y, outlined below, are longevity steps. These steps within the range are to be applied as in the classified service.

	X	Y
I	155.60	162.40
II	177.80	186.60

#### D. Job Benefits.

Job benefits are those outlined in the Legislative Manual for all permanent legislative employees.

#### III. Chief of Legislative Assistants.

Since the Chief of Legislative Assistants is appointed by promotion from within the office and since such a promotion should include a salary increase, no minimum salary is established here. The maximum salary for this position is established at \$20,000 yearly. The Chief will be eligible for an annual merit increase upon positive evaluation by the Legislative Council. The amount of this increase shall be determined by the Legislative Council.

The Chief shall receive the same benefits and be subject to the same "for cause" firing provisions as the Legislative Staff Assistants.

Application of the proposed salary policy to present legislative assistants:

At the special meeting of the Council, the following application of the proposed salary policy was suggested by those members present;

1. Tom Downing: \$300.78  
(Tom's present salary is \$274 weekly. This increase would place him at Range IV, year 2, on the salary plan which is one step less than his actual qualifications and length of employment would indicate.)
2. Bob Clarke: \$285.68  
(Bob's present salary is \$274 weekly. This increase would place him at Range II, year 3, which is the proper place for him in terms of his qualifications and length of employment.)
3. Helen Ginder: \$270.58  
(Helen's present salary is \$259 weekly. This increase would place her at Range II, year 2, which is the proper place for her in terms of qualifications and length of employment.)
4. Ted Potter: \$255.48  
(Ted's present salary is \$250 weekly. Ted's qualifications and length of employment would indicate that he be placed at Range II, year 2. This figure leaves him one step behind this position.)
5. Jon Hull: \$255.48
6. Jim McKenna: \$255.48  
(Jon's and Jim's present salaries are \$250 weekly. This increase would place them at Range I, year 2, which is the proper place in terms of their qualifications and length of employment.)
7. Bill Brown: \$285.68  
(Bill's present salary is \$278 weekly. This increase would place him at Range IV, year 1, which is the proper place in terms of qualifications and length of employment.)
8. Diana Scully: \$250  
(Diana's present salary is \$250 weekly. Continuing her salary at this amount places Diana above Range I, year 1, which is the proper place in terms of qualifications and length of employment, but is designed to reflect the Council's commitment at the time of her hiring to review her salary following six months of employment.)

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Proposed Salary Policy

The Legislative Council members also decided at the time of the special meeting to recommend to the Council that present staff members be evaluated in future not on the anniversary of their hiring but on the anniversary of the adoption of the salary policy and its application to those presently on the staff.

SH/sym



STATE OF MAINE  
LEGISLATIVE COUNCIL  
STATE HOUSE  
AUGUSTA, MAINE 04333

SENATOR JERROLD B. SPEERS  
CHAIRMAN  
REPRESENTATIVE MARY NAJARIAN  
VICE CHAIRWOMAN

September 22, 1975

SENATORS  
GERARD P. CONLEY  
MINNETTE H. CUMMINGS  
PETER W. DANTON  
JOSEPH SEWALL  
REPRESENTATIVES  
JOHN L. MARTIN  
JOHN R. MCKERNAN, JR.  
LINWOOD E. PALMER, JR.  
NEIL ROLDE

Mr. O. W. Siebert  
State Budget Officer  
Department of Finance and Administration  
Bureau of the Budget  
State Office Building  
Augusta, Maine 04330

RE: Your correspondence dated August 20, 1975;  
The Maine State Government Annual Report,  
1975 edition

Dear Bill:

Please be advised the Legislative Council at its  
September 18, 1975 meeting voted the following:

That the Legislature and Legislative Offices  
be included in the publication of Maine State  
Government Annual Report and the legislative  
staff officers be directed to prepare the  
information for submission to the State  
Budget Office.

We appreciate your calling this matter to our  
attention. Should you have any questions concerning  
material for this publication, please do not  
hesitate to contact me.

Sincerely,

JERROLD B. SPEERS  
Chairman

JBS:lg  
cc: William H. Garside  
David S. Silsby  
Suzanne Havens  
Edith L. Hary