

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

Wednesday, September 24, 1986

PRELIMINARY AGENDA

I. CALL TO ORDER

II. ROLL CALL

III. SECRETARY'S REPORT

- Minutes of August 20 Council Meeting

IV. DIRECTOR'S REPORT

Item #1 Authorization to hire Kimberly Morrow, Paralegal Assistant, Office of Revisor of Statutes

Item #2 Approved Step Increases

Item #3 Out-of-State Travel

V. REPORTS FROM COUNCIL COMMITTEES

Committee on Allocation of Legislative Space
Committee on Data and Word Processing
Personnel Committee

VI. OLD BUSINESS

Item #1 Conversion of Liquor Warehouse: Status Report

Item #2 NCSL Recommendations Regarding Classification and Pay Plan for Non-Partisan Employees

VII. NEW BUSINESS

Item #1 Report from Joint Select Committee on
Improvements to the Corrections System
(Note: Copies of this report were mailed to all
Council members on September 16)

Item #2 Interim Studies by Joint Standing Committees:
Status

NOTE: Requests for extensions from the
following committees are enclosed:

<u>Committee</u>	<u>Study</u>	<u>Proposed Date</u>
Business & Commerce	Availability of Credit through Finance Companies	November 15
Marine Resources	Mussel Study	December 1
Energy & Natural Resources	Wood Measurement	December 1
Transportation	Government Subsidy of Transportation Modes	(Not specified)
Utilities	Electric Power Transmission & Purchase	November

Legislative Council

September 24, 1986

Agenda Supplement

VII. NEW BUSINESS

- Item #3: Request from Joint Standing Committee on Local and County Government to extend drafting deadline (letter from Helen Ginder).
- Item #4: Proposed Fee Schedule for Legislative Document Service (letter from Edwin H. Pert, Clerk of the House).
- Item #5: Request from Joint Standing Committee on State Government for one meeting to establish procedures prior to December 1, 1986 by which emergency allocations of industrial revenue bonds may be made under the state ceiling. (P.L. 1985, c. 594) (letter from Rep. Gwadosky)

DIRECTOR'S REPORT
September, 1986

APPROVED STEP INCREASES

Gilbert Brewer, Analyst, Office of Policy and Legal Analysis,
effective September 10 (Step C, \$479.60 to Step D, \$505.48)

Jeri Gautschi, Analyst, Office of Policy and Legal Analysis,
effective September 28 (from Step A, \$427.91 to Step B, \$453.71)

Diane King, Legislative Technician, Office of Revisor, effective
September 7 (Step D, \$291.91 to Step E \$303.20)

Theresa Lahey, Legislative Technician, Office of Revisor,
effective September 14 (Step E \$303.16 to Step F \$315.47)

Cynthia Norris, Legislative Technician, Office of Revisor,
effective September 17 (Step B, \$270.98 to Step C, \$280.80)

Valerie Parlin, Secretary, Office of Policy and Legal Analysis,
effective September 19 (from Step C, 297.43 to Step D, \$307.18)

Claire Paquette, Secretary, Maine-Canadian Legislative Advisory
Office, effective September 26 (Step F, \$283.63 to Step G,
\$297.59)

The following employees have completed another year of
legislative service, but have reached the top of their respective
salary ranges:

Brian Blaisdell, Assistant Director, Office of Revisor

Judy O'Brien, Legislative Technician II, Office of Revisor

Gerry Dubord, Office of Executive Director

**CLASSIFICATION AND PAY PLAN FOR
NONPARTISAN EMPLOYEES OF THE
MAINE LEGISLATURE**

**Prepared by the
National Conference of State Legislatures
September 1986**

**Adopted by the Legislative Council
with amendments
September 24, 1986**

**CLASSIFICATION AND PAY PLAN FOR
NONPARTISAN EMPLOYEES OF THE
MAINE LEGISLATURE**

**Prepared by the
National Conference of State Legislatures
September 1986**

Project Staff:

Lucinda Simon, Consulting Project Director

Jan Carpenter, Principal Analyst

EXECUTIVE SUMMARY

The proposed pay and classification plans achieve internal consistency and equity among the nonpartisan staff offices and establish legislative staff salaries at competitive levels when compared with non-legislative positions. The proposed plans organize legislative work into 28 job classes tied to 15 new salary ranges that were developed after surveying major public and private Maine employers.

Classification Plan. The plan describes the general characteristics, typical duties and required background for all nonpartisan legislative jobs. Clear career ladders set forth in a logical progression positions of increased management and technical responsibilities to which a clerical or professional can aspire. Several new "senior" classes create opportunities for promotions based on high standards of demonstrated competence but without a significant change in duties and responsibilities. Specific recommendations cover the general management and implementation of the classification plan. (See pages 2 to 7).

Salary Plan. The plan consists of 15 ranges with a starting salary (Step A) and six annual increments and two "career" steps scheduled at eight and ten years experience in a position. To allow the Legislature to recruit experienced workers, salaries are set 10 percent above the starting step of the nearest comparable state executive branch position. Most steps are calculated at five percent, with one nine percent step after the first or second year to recognize the "learning curve" of an employee's development. Related recommendations provide flexibility in setting hiring salary, procedures for handling pay increases, guidelines for awarding half-step or two-step increases, and limitations on outside employment. (See pages 40 to 46).

Performance Appraisal. We strongly recommend that a performance appraisal system be developed. Many of the salary and classification provisions of the report cannot be fully implemented without a process in place and supervisors adequately trained. A task force should be appointed of legislators, staff and managers to undertake and complete this task by September 1987. (See pages 47 to 49).

Leave Time. Almost all legislative staff are required to work overtime because of the demands of the session. To compensate for these demands and to bring uniformity to current practices, a new category of leave -- "legislative leave" -- is recommended. The leave would be awarded on the basis of complete sessions worked. At the same time, compensatory time for professional staff would be limited. Clerical employees would have the option, with Director approval, of selecting compensatory time or receiving overtime pay for all hours worked in excess of a 40-hour week. (See pages 49 to 52).

Implementation. The total cost to implement the plans represents an increase in the current annual payroll for nonpartisan staff of approximately 13.5%. The largest increases go to employees who gain because of five primary reasons: underclassified, longevity considerations, internal equity, market parity, and new position. The average proposed annual increase for all other employees is 8.7 percent. Three implementation options are described, but the preferred plan is largely a step-to-step conversion of all employees to the new plan on December 1, 1986. (See pages 53 to 56).

TABLE OF CONTENTS

	Page
I. Introduction	i
II. Classification Plan	1
Key Features	2
Recommendations	5
Proposed Job Classes	8
III. Pay Plan	40
Key Features	40
Recommendations	43
Proposed Pay Plan	45
IV. Compensation-related Policies	47
Performance Appraisal Recommendations	48
Leave Policies, Overtime and Compensatory Time Recommendations	49
V. Implementation Issues	53
Impact on Individuals	53
Impact on the Legislature	54
Implementation Options	55
 Addenda	
Job and Salary Comparisons	

INTRODUCTION

In June 1986, the Maine Legislative Council contracted with the National Conference of State Legislatures (NCSL) to develop classification and salary plans for the non-partisan staff offices of the Maine Legislature. The Council asked NCSL to:

- develop a pay and classification plan that achieves internal consistency and equity among the legislative staff offices and establishes legislative pay levels at a competitive level when compared with non-legislative positions;
- identify those positions which require adjustment in salary and thus provide the Council with a basis for implementing the new salary plan;
- present recommendations for uniform policies on such compensation related issues as longevity and merit considerations in pay increases, overtime and compensatory time off, and performance appraisal; and
- provide the Council and office directors with a uniform basis for management and a staff plan.

This report represents the conclusion of the project and includes the proposed new legislative classification and pay plan. The proposed plan reduces the number of job classes and salary groups, identifies comparable positions within the different staff offices, creates for the first time clear career ladders for both professional and clerical employees, and sets salaries commensurate with experience, responsibility and market competition.

The NCSL appreciates the cooperation and assistance of the Legislative Council and the entire legislative staff. Working under deadline pressures at various points in the project, office directors and their staffs provided

prompt and thoughtful commentary to guide the project. The insights and suggestions of the staff and directors helped to shape the final product in various and substantial ways. Each staff member provided valuable information through questionnaires, interviews and review.

**CLASSIFICATION PLAN FOR
NONPARTISAN STAFF OF THE MAINE LEGISLATURE**

A classification plan is not just a set of job descriptions or job titles.

It is a document that:

- reflects working units, supervisory relationships and subordinate responsibilities;
- provides a consistent framework for recruitment, advancement, performance evaluation and other personnel decisions;
- creates career ladders and advancement opportunities for employees who desire to move upward and are willing to work toward the requirements of a more responsible job;
- allows staff directors to identify training needs to advance or promote staff; and
- provides a management tool with which to ensure fair treatment of employees and equal pay for equal work.

The proposed classification plan consists of 28 job classes describing the distinguishing characteristics of full-time, nonpartisan positions within the legislature, giving examples of the types of work performed and identifying the minimum education, experience and qualifications required. The figure below summarizes current staffing levels by office:

SUMMARY OF NON-PARTISAN POSITIONS

OFFICE	POSITION COUNT
Executive Director	13*
Fiscal and Program Review	12
Law Library	11
Maine-Canadian	2
Policy and Legal Analysis	23
Revisor of Statutes	23**
TOTAL	84

*Includes 1 "Session" position
**Includes 8 "Session" positions

The classification plan was developed from information gathered through detailed questionnaires completed by every employee and personal interviews with more than 50 staff. Each position was evaluated and rated in terms of its duties and responsibilities, independence of action, personnel authority, knowledge and skills required, work relationships and working conditions. Based on guidance from Council members and office directors, the NCSL gave greatest weight to:

1. duties and responsibilities -- complexity and difficulty of tasks performed and scope and effect of an employee's job;
2. independence of action -- variety and complexity of decisions made, supervision received, consequence of error, analytic thinking required; and
3. working relationships -- the extent, variety and complexity.

The proposed classifications were reviewed and discussed with all office directors and all employees were given an opportunity to comment.

KEY FEATURES

The 28 proposed job classes range from Office Assistant I to Executive Director. The classes fall into salary groups tied to 15 new ranges. The table on the next page shows the placement of current staff by office and proposed new range and illustrates the hierarchical distribution of employees within the classification plan.

PROPOSED DISTRIBUTION OF EMPLOYEES AND CLASSES

NEW CLASS	ED	OFPR	LIB	MC	OPLA	ORS	TOTAL
Clerical/Secretarial/ Technical Classes (Ranges 1 - 4)	3	2	3	1	3	12	24
Entry Level Pro- fessional & Secre- tarial/Technical Supervisory Classes (Ranges 5 - 8)	7	1	3	1	5	7	24
Research/Analyst Classes (Ranges 9 - 11)	1	5	2	-	12	2	22
Senior Professional/ Middle Level Managers (Ranges 12 - 13)	-	3	2	-	2	1	8
Senior Management (Ranges 14 - 15)	2	1	1	-	1	1	6

The most significant feature of the proposed plan is the development of career ladders for clerical and professional employees. Career ladders give the Legislature and office directors an opportunity to train, develop, promote and reward employees as they gain experience, take on increasing responsibility, and become more valuable to the Legislature.

In the proposed plan, the career ladders not only recognize the potential for employees to move into higher level management or technical positions but also the potential for employees to be rewarded for special expertise, leadership and maturity, gained through their experience and demonstrated competence in Maine.

Examples of the Proposed Career Ladders

<u>Secretarial/Technical Ladders</u>		<u>Analyst/Attorney Ladder</u>
Secretary	Legislative Technician	Legislative Analyst
Senior Secretary	Senior Legislative Technician	Senior Analyst
*Administrative Secretary	*Supervising Technician	*Principal Analyst
*Administrative Coordinator	*Administrative Coordinator	*Deputy Director
		*Director

Job classes marked above with an asterisk are limited in number and would be available for promotions only when vacancies occur. For example, there is no more than one Administrative Secretary in each office, typically the secretary to the director or the secretary to whom office-wide administrative responsibilities are assigned. Similarly, there is intended to be only one Deputy Director in an office, and the roles and responsibilities of Administrative Coordinators or Principal Analysts are specific to a given position.

The term "senior" is used in the job title of those positions to which an employee may be promoted without a significant change of duties and responsibilities. There is no specified number of "senior" positions, and promotions to these positions would not be contingent upon a vacancy being available. New employees generally should not be hired initially into these classes, but rather would be considered for promotion after a period of time. The "senior" positions will necessitate the development of a performance appraisal system. Promotions into the "senior" classes should not be automatic, but rather should be carefully awarded to only those employees who meet high standards of demonstrated competence, quantity and quality of work products, maturity, independence and leadership.

In the plan, there are some job classes that cover only a small number of employees for whom career advancement opportunities are limited by the very nature of their jobs or the size of their office. This includes the following positions:

Legislative Information Assistant
Accounting Technician
Computer Programmer
Intergovernmental Specialist
Research Assistant/Paralegal
Administrative Services Manager
Associate Law Librarian

It does not, at this time, make sense to create "senior" positions for each job class, but these employees should not be penalized in terms of their opportunity for salary advances. To compensate for the lack of career ladders, a special one-time, two-step increase is recommended as an option when such an employee meets the same high standards of demonstrated competence expected of an employee being promoted to a "senior" position. Again, a performance appraisal system will be required to implement the two-step increase. (See Recommendation 8, page 44.)

RECOMMENDATIONS

To adopt and implement the proposed classification plan, the Legislative Council should consider the following recommendations related to the management of the plan.

Administration of the Classification Plan

1. Responsibility for implementing and maintaining the classification and pay plans should be assigned to the Office of the Executive Director working with individual office directors and under the guidance and ultimate authority of the Legislative Council.

2. The Office of the Executive Director should be responsible for initiating a periodic review of the plan and overseeing all classification-related decisions (e.g. new hires, promotions, reclassifications and the development of new classes when necessary).
3. From time to time, reclassification of a position or establishment of a new job class may be warranted due to changes in roles and responsibilities, modifications in office structure or the introduction of new technologies or functions. In such instances, an employee or his or her supervisor may request a review of the employee's classification or propose creation of a new class. Procedures for both processes should be developed and circulated in writing to all staff.

At a minimum, each of these processes should include:

- completion of a position evaluation questionnaire;
- a job audit interview conducted under the direction of the Executive Director with the employee and his/her supervisor; and
- a written recommendation form the office director

If an office director or the employee disagrees with the reclassification decision of the Executive Director, a written appeal may be filed with the Legislative Council which may decide to hear the appeal or take whatever action it deems appropriate. The employee has a right to a timely, written response regarding the Legislative Council's action on the appeal.

Implementation of the Plan

4. A 30-day appeal period should be allowed for any employee to request review of his/her classification based on this study. Appeals should be submitted in writing to the Office of the Executive Director. Based upon the written recommendations of the appropriate director and the Executive Director, the Legislative Council should determine whether reclassifications are needed. (The NCSL project staff is available to assist as needed with appeals.)
5. Since a job class is a general description of the work performed in a given position, more detailed descriptions are often a very useful management tool to outline specific duties and expectations of an individual employee. It is recommended that office directors work with individual employees to develop detailed position descriptions for all nonpartisan staff.

6. Until superior performance criteria can be formulated and a performance appraisal process can be developed and implemented, the job class of "Senior Legislative Analyst/Attorney" should not be utilized. All other promotions to "senior" classes, except those assignments proposed for the immediate implementation of this plan, should similarly be postponed pending development of a performance appraisal system. (See also Recommendation 2, page 13.)

**PROPOSED
JOB CLASSES**

**SALARY GROUPINGS FOR
NONPARTISAN LEGISLATIVE EMPLOYEES**

<u>Salary Groups</u>	<u>Job Classes</u>
1.	Office Assistant
2.	Office Assistant II
3.	Secretary Library Assistant Legal Proofreader
4.	Legislative Information Assistant Senior Secretary Legislative Technician Senior Legal Proofreader
5.	Senior Legislative Technician Library Associate Accounting Technician
6.	Administrative Secretary Legislative Information Coordinator Supervising Legislative Technician
7.	Administrative Coordinator Research Assistant Paralegal
8.	Computer Programmer Intergovernmental Specialist
9.	Associate Law Librarian
10.	Legislative Analyst/Attorney Administrative Services Manager
11.	Senior Analyst/Attorney

**SALARY GROUPINGS FOR
NONPARTISAN LEGISLATIVE EMPLOYEES
(CONT.)**

Salary Groups

Job Classes

12.	Principal Law Librarian Principal Analyst/Attorney
13.	Deputy Director
14.	Director
15.	Executive Director

Salary Group 1

OFFICE ASSISTANT I

Position Characteristics:

Under close supervision, performs routine clerical work which is generally limited in variety and follows routine, standardized procedures. Tasks are performed with limited guidance after work procedures are learned. Work is subject to review in terms of correctness, accuracy and adherence to instructions and established procedures.

Examples of Work Performed:

1. Performs simple filing;
2. Processes incoming and outgoing mail;
3. Prepares routine correspondence, form letters and invoices;
4. Assists with processing requisitions and checking materials.

Education, Experience or Qualifications Required:

1. Requires a high school diploma or any equivalent combination of education and experience.
2. Ability to follow verbal as well as written instructions.

SECRETARY

Position Characteristics:

Under limited supervision, performs moderately advanced and complex secretarial duties, sometimes of a confidential nature, for a legislator, legislative committee or staff group. Oversees, monitors or independently carries out a wide variety of complex clerical work in accordance with standard procedures, making independent decisions concerning the processes to be followed, the appropriateness of the information to be processed and the actions to be taken. Uses various office machines including typewriter, word processor, calculators and photocopying equipment. Works under limited supervision and results are reviewed for soundness of technical judgments, appropriateness and conformity to policy and administrative requirements.

Examples of Work Performed:

1. Types correspondence, memos, reports and manuscripts;
2. Schedules appointments, meetings and travel;
3. Maintains files and office records;
4. Answers telephone calls and acts as office receptionist;
5. Takes and transcribes dictation of meeting proceedings for a legislator, staff member or committee;
6. Handles incoming and outgoing mail.

Education, Experience or Qualifications Required:

1. Requires a high school diploma, including or supplemented by courses in secretarial work or any equivalent combination of education and experience.
2. Requires one year secretarial experience.
3. Ability to perform varied secretarial tasks with speed and accuracy.
4. Ability to work cooperatively with legislators and legislative staff on a daily basis and sometimes under pressure.

LIBRARY ASSISTANT

Position Characteristics:

Performs a variety of moderately complex clerical and library support tasks to assist the professional library staff in cataloguing, accessing, classifying and indexing documents, books, periodicals and other printed materials. Employee must apply a knowledge of the routines and procedures of the library and a knowledge of modern library techniques in completing assignments. Work is controlled by established library policy and procedure; although working independently, employees rarely deviate from established methods without consulting their supervisor.

Examples of Work Performed:

1. Processes, sorts, labels, routes and shelves documents;
2. Helps patrons locate materials in the library;
3. Instructs and assists patrons in the use of the library;
4. Assists with circulation functions including checking out materials, calculating overdue charges, and reshelving returned materials;
5. Performs various clerical functions including preparing catalog cards, handling incoming and outgoing mail, typing and photocopying;
6. May supervise office assistants or student clerks in performing routine library functions;
7. Enters data and editing records for on-line computer access system.

Education, Experience or Qualifications Required:

1. Requires a high school diploma or any equivalent combination of education and experience.
2. Requires one year of library, clerical or related experience.
3. Requires a working knowledge of library practices.
4. Ability to establish rapport and good relationships with a variety of library patrons and other staff.

LEGAL PROOFREADER

Position Characteristics:

Under close supervision, edits and proofreads legislative bills, resolutions, congratulatory messages and amendments for spelling, grammar, punctuation, statutory form and general clarity. Editing and proofreading must be near perfect as errors may result in delays in the processing of legislation.

Examples of Work Performed:

1. Edits and proofreads legislative bills, resolutions, congratulatory messages and amendments for spelling, grammar, punctuation, statutory form and general clarity;
2. Verifies legislative references and conducts routine research of statutes to ensure correct terminology and accuracy of titles and sections;
3. Photocopies legislative documents.

Education, Experience and Qualifications Required:

1. Requires a high school diploma or any equivalent combination of education and experience.
2. Requires one year of proofreading, editing or related experience.
3. Requires superior skills in and an excellent command of English language and grammar.
4. Ability to establish and maintain cooperative work relationships.
5. Requires attention to detail and willingness to work long hours under pressure.

LEGISLATIVE INFORMATION ASSISTANT

Position Characteristics:

Records official legislative action on bills and amendments; collects other relevant bill status information; enters information into the bill status system; and, responds to telephone and in-person inquiries for status information. Ability to accurately record and enter legislative action correctly is essential for maintaining complete legislative histories. Must exercise independent judgment according to established procedures and with general supervision.

Examples of Work Performed:

1. Listens to legislative floor debate, and determines and records official action taken;
2. Collects, checks and verifies legislative action taken by committees or introduction of legislative documents;
3. Interprets legislative actions in preparation for posting to Legislative Information System;
4. Performs data entry tasks;
5. Performs routine clerical work.

Education, Experience or Qualifications Required:

1. Requires a high school diploma or any equivalent combination of education and experience.
2. Requires one year clerical, secretarial, receptionist or related experience.
3. Requires a working knowledge of legislative terminology, parliamentary procedure, and the legislative process.
4. Requires good interpersonal skills, language skills and shorthand.
5. Ability to deal with a wide variety of individuals, members of the public, legislators and legislative staff.
6. Ability to work long hours with minimal supervision and often under pressure.

LEGISLATIVE TECHNICIAN

Position Characteristics:

Prepares legislative documents using specialized technical skills and text processing equipment. Preparation of legislative documents must be near perfect as errors may result in delays in the processing of legislation. Work is performed independently according to standard procedures; instructions are received on special assignments and procedural changes.

Examples of Work Performed:

1. Prepares and formats bills and amendments on text processing equipment;
2. Engrosses bills;
3. Cross references statutes;
4. Incorporates new legislative statutes into the Laws of Maine;
5. Composes simple amendments;
6. Proofreads for spelling, grammar, punctuation, and references;
7. Performs complex text processing functions on specialized equipment using advanced technical and clerical skills.

Education, Experience or Qualifications Required:

1. Requires a high school diploma or any equivalent combination of education and experience.
2. Requires two years word processing, text processing or related technical work experience.
3. Requires a fundamental knowledge of the format, style and organization of the Laws of Maine.
4. Requires attention to detail and willingness to work long hours under deadline pressures.

SENIOR LEGAL PROOFREADER

Position Characteristics:

Under limited supervision, edits and proofreads legislative bills, resolutions, congratulatory messages, and amendments for spelling, grammar, punctuation, statutory form and general clarity. Editing and proofreading must be near perfect as errors may result in delays in the processing of legislation.

Examples of Work Performed:

1. May perform all or any duties expected of a Legal Proofreader with a high degree of skill, speed, accuracy and independence;
2. May assist with training new proofreaders or providing general assistance to and problem solving for other proofreaders.

Education, Experience or Qualifications Required:

1. Requires a high school diploma and three years proofreading experience or any equivalent combination of education or experience.
2. Requires at least one year of experience and demonstrated competence as a Legal Proofreader or comparable position.
3. Requires superior skills in and an excellent command of English language and grammar.
4. Requires a working knowledge of legislation and statutory forms, terminology and practices.
5. Requires attention to detail and willingness to work long hours under pressure.
6. Ability to establish and maintain cooperative work relationships.

SENIOR SECRETARY

Position Characteristics:

Performs advanced and complex secretarial duties of an administrative and sometimes of a confidential nature for a legislator, legislative committee, senior professional, assistant office director, or other staff person of similar responsibilities. Employees must use independent judgment in determinations on varied assignments. Work requires flexibility to respond to and handle a variety of different and varied assignments from a number of different publics. Uses various office machines including typewriter, word processor, calculators and photocopying equipment.

Examples of Work Performed:

1. May perform all or any duties expected of a Secretary with a high degree of skill, speed, accuracy and independence;
2. Establishes and maintains files and office records;
3. Prepares and maintains mailing lists;
4. Obtains, assembles and formats information for reports and documents;
5. May coordinate the work of other clerical staff on a project basis or may assist in training new secretaries.
6. May order supplies, keep specialized office records and coordinate the preparation and printing of publications;

Education, Experience or Qualifications Required:

1. Requires a high school diploma, including or supplemented by courses in secretarial work, plus three years secretarial experience or any equivalent combination of education and experience.
2. Requires at least one year experience and demonstrated competence as a Secretary or comparable position.
3. Ability to perform varied secretarial tasks with speed and accuracy.

LIBRARY ASSOCIATE

Position Characteristics:

Assists with a broad range of library duties under the general direction of a professional librarian and using basic library science techniques. This is a paraprofessional library position requiring knowledge of or experience in library science. Employees work with considerable independence following established procedures and library policy or specific instructions from a supervisor.

Examples of Work Performed:

1. Assists with reference services for library patrons;
2. Coordinates and maintains specialized information files such as legislative histories, newspaper clippings, federal documents, and special collections or data bases;
3. May coordinate the work of other library staff on a project basis;
4. Assists with circulation functions including checking out materials and calculating overdue charges.

Education, Experience or Qualifications Required:

1. Requires a bachelor's degree or high school diploma plus four years experience in library or related work or any equivalent combination of education and experience.
2. Requires good organizational skills and attention to detail.
3. Ability to work with a variety of library patrons and other staff.

SENIOR LEGISLATIVE TECHNICIAN

Position Characteristics:

Prepares legislative documents using specialized technical skills and text processing equipment. Preparation of legislative documents must be near perfect as errors may result in delays in the processing of legislation. Work is performed independently according to standard procedures; instructions are received on special assignments and procedural changes. A Senior Legislative Technician must have a working knowledge of the format, style and organization of the Laws of Maine to be able to resolve technical problems or answer substantive questions for Legislative Technicians or Legal Proofreaders.

Examples of Work Performed:

1. May perform any or all duties expected of a Legislative Technician with a high degree of skill, speed, accuracy and independence;
2. Types bills and amendments in proper form;
3. Proofreads for spelling, grammar, punctuation and references, and related tasks requiring a knowledge of the format, style and organization of the Laws of Maine;
4. May order supplies, keep specialized office records and coordinate the preparation and printing of publications.

Education, Experience or Qualifications Required:

1. Requires a high school diploma or any equivalent combination of education and experience.
2. Requires three years word processing, text processing or related technical work experience.
3. Requires demonstrated competence and at least one year experience as a Legislative Technician or comparable position.
4. Requires attention to detail and willingness to work long hours under pressure.

ACCOUNTING TECHNICIAN

Position Characteristics:

Under limited supervision and using generally recognized accounting and fiscal procedures, maintains complex accounting and financial records. Work involves responsibility for independent decisions within a limited scope and requires interpretation of various policies and procedures. Work is of a most exacting nature in an effort to eliminate the possibilities of error which could create a disruption of services.

Examples of Work Performed:

1. Prepares regular payrolls;
2. Keeps personnel records;
3. Prepares invoices;
4. Maintains account information;
5. Audits vouchers for accuracy and completeness.
6. Assists with the preparation of budget information, fiscal statements or reports.

Education, Experience or Qualifications Required:

1. Requires a business college certificate plus two years experience or a high school diploma, supplemented by business and accounting courses, plus four years experience. Any equivalent combination of education and experience may be substituted.
2. Requires attention to detail, good organizational skills, plus a working knowledge of bookkeeping and financial procedures.

LEGISLATIVE INFORMATION COORDINATOR

Position Characteristics:

Coordinates and oversees the collection, data entry, maintenance and dissemination of bill status information for the legislature. Helps determine user needs and coordinates services or modifies existing procedures to provide quality work and efficient service. Work is performed under limited supervision. A Legislative Information Coordinator must have the knowledge, experience and skill to resolve work related problems, interpret complex parliamentary situations, and answer technical and substantive questions related to bill status and legislative information services.

Examples of Work Performed:

1. Indexes legislative documents;
2. Reviews the daily floor action records for accuracy and proper data entry;
3. Answers telephone and in-person inquiries for bill status information;
4. Compiles and disseminates regular bill status reports;
5. Works with programmers on system improvements and changes;
6. Supervises, trains and evaluates legislative information assistants and office assistants.

Education, Experience or Qualifications Required:

1. Requires a high school diploma or any equivalent combination of education and experience.
2. Requires at least four years previous clerical, secretarial, receptionist or related experience.
3. Requires a complete knowledge of legislative terminology and procedure and a working knowledge of data processing.
4. Requires strong interpersonal skills and language skills.
5. Ability to deal with a variety of individuals, members of the public, legislators and legislative staff.

ADMINISTRATIVE SECRETARY

Position Characteristics:

An Administrative Secretary is the lead secretarial position in an office, usually working for a director and frequently coordinating the work of other secretaries or clerical employees. Performs complex secretarial duties of intricate variety for an office director and handles office-wide administrative matters, records and procedures. Work is of a most exacting nature in an effort to eliminate the possibilities of errors which could result in legislative session delays and embarrassment. Uses various office machines and equipment. Work is performed independently according to standard procedure or special instructions; however, an administrative secretary may develop new methods and advise or train other secretaries as required to meet special assignments or changing situations.

Examples of Work Performed:

1. Performs all or any duties expected of a Senior Secretary with a high degree of skill, speed, accuracy and independence;
2. Acts as a liaison on behalf of the office or legislature with vendors such as printers, travel agents, and suppliers;
3. Reviews bids, vouchers and office expenditures;
4. Schedules meetings, hearings and facilities;
5. Establishes and maintains specialized office personnel files and records;
6. Composes correspondence for the signature of others;
7. Performs general typing, filing and record-keeping duties;
8. May supervise other secretaries, clerical or session employees in an office.

Education, Experience or Qualifications Required:

1. Requires a high school diploma, including or supplemented by courses in secretarial work or any equivalent combination of education or experience.
2. Requires at least four years previous secretarial experience and demonstrated competence as a Senior Secretary or comparable position.
3. Ability to perform a broad range of secretarial tasks with speed and accuracy.
4. Ability to work cooperatively with legislators, legislative staff and others on a daily basis and often under pressure.

SUPERVISING LEGISLATIVE TECHNICIAN

Position Characteristics:

Supervises the work of legislative technicians and legal proofreaders in the preparation and processing of legislative documents from research to drafting, amendment, enactment, engrossing and statutory revision. A Supervising Legislative Technician must have the knowledge, experience and skill to resolve work related problems, interpret complex situations and answer technical and substantive questions related to the preparation and processing of legislative documents.

Examples of Work Performed:

1. Schedules employee hours and workloads;
2. Decides priorities for typing and proofreading bills and amendments;
3. Answers technical questions on form, terminology and content of legislative documents;
4. Supervises, trains and evaluates Legislative Technicians and Legal Proofreaders.

Education, Experience or Qualifications Required:

1. Requires a high school diploma or any equivalent combination of education and experience.
2. Requires at least five years word processing, text processing or related technical work experience.
3. Requires complete knowledge of the format, style and organization of the Laws of Maine and prior experience and demonstrated competence in the preparation and processing of legislative documents.
4. Requires strong organizational and interpersonal skills.
5. Ability to lead and manage others.

ADMINISTRATIVE COORDINATOR

Position Characteristics:

Assists an office director with complex administrative matters involving staff functions or operations in more than one legislative office and requires a thorough understanding of legislative operations and policies. Plans, coordinates or performs major administrative functions or technical services with limited supervision and requiring independent judgment and the ability to deal with various individuals and groups.

Examples of Work Performed:

1. Supervises, trains and coordinates clerical or administrative staff;
2. Develops, maintains and provides data processing and word processing applications;
3. Assists an office director in carrying out technical or administrative support functions that span the legislature as a whole or more than one office;
4. May serve as liaison to other staff offices for data processing and word processing services.

Education, Experience or Qualifications Required:

1. Requires a business school certificate, associate's degree or high school diploma supplemented by business or secretarial courses or any equivalent combination of education and experience.
2. Requires at least five years progressive administrative or secretarial experience.
3. Requires strong interpersonal skills including initiative, leadership and tact.

**PARALEGAL
RESEARCH ASSISTANT
BUDGET ASSISTANT
PROGRAM ASSISTANT**

Position Characteristics:

Under direct supervision, performs background policy and legal research, bill drafting, budget analysis or program reviews for a legislative committee. This is an entry-level professional position requiring the use of general research methods, routine analysis and simple legal research. Work is routinely reviewed for accuracy, completeness, content and methods.

Examples of Work Performed:

1. Researches and drafts memos, reports and legislation;
2. Analyzes budgets, expenditures and programs;
3. Gathers information through questionnaires, interviews, literature reviews and other methods and sources;
4. Assists other professional staff in organizing, preparing and presenting information for legislative committees;
5. Analyzes data.

Education, Experience or Qualifications Required:

1. Requires a bachelor's degree or paralegal experience or certification or any equivalent combination of education and experience.
2. Requires good oral and written communication skills.
3. Requires an ability to work cooperatively with legislators and staff.
4. Requires basic research skills.

COMPUTER PROGRAMMER

Position Characteristics:

Under direct supervision, performs a variety of moderately complex technical functions relating to the full range of legislative computer services. Assists in the design, development and maintenance of legislative applications.

Examples of Work Performed:

1. Analyzes system needs;
2. Programs, maintains and operates computer hardware and software;
3. Develops and maintains security systems;
4. Installs new equipment and applications;
5. Answers technical questions.

Education, Experience or Qualifications Required:

1. Requires a bachelor's degree in computer science or advanced computer or technical training or any equivalent combination of education and experience.

INTERGOVERNMENTAL SPECIALIST

Position Characteristics:

Under general supervision, handles varied research and liaison functions for a specialized interparliamentary or intergovernmental commission, committee, individual legislator or other staff. Performs research, constituent assistance and reference work requiring knowledge of the United States, Canadian and Maine governmental systems, documents and issues. Coordinates with commission chairmen the operations of a specialized committee. Develops work priorities, organizes special information files and determines methods and assignments in coordination with commission chairmen.

Examples of Work Performed:

1. Performs research, reference and referral tasks for a legislative commission, individual legislators, government agencies and a wide variety of other publics on issues and questions concerning the Maine Legislature and Canadian governments;
2. Gathers information on Canadian issues and developments through governmental reports and documents, interviews, the media and other methods and sources;
3. Researches and writes memos and reports for a legislative commission, committee or individual legislators on issues and questions involving Maine-Canadian relations;
4. Assists individual legislators with constituent problems concerning Canada;
5. Performs a variety of bilingual tasks including the translation of correspondence and government documents, and drafting speeches in French and English.

Education, Experience or Qualifications Required:

1. Requires a bachelor's degree and one year of public service or government-related service or any equivalent combination of education and experience.
2. Requires bilingual oral and written communication skills in English and French.
3. Requires a working knowledge of the Maine-Canadian governmental systems and issues.
4. Requires basic research skills.
5. Requires an ability to work cooperatively with legislators and a wide variety of others.

ASSOCIATE LAW LIBRARIAN

Position Characteristics:

Performs complex professional library work involving independent judgment in the provision of reference services or technical functions. Performs technical library work such as accessing, cataloguing, classifying, and indexing books, documents and periodicals. Also provides a range of complex reference services requiring knowledge of bibliographic and reference tools and techniques. May supervise other professionals, support personnel and paraprofessionals in technical or reference library services.

Examples of Work Performed:

1. Conducts legal research, bibliographic searches and on-line data base searches;
2. Assists library patrons in the use of library resources;
3. Catalogues books, periodicals and other documents according to recognized rules and procedures;
4. Answers simple as well as complex research requests using state, federal and national reporters, digests, standard legal reference sources and on-line data bases.

Education, Experience or Qualifications Required:

1. Requires a master's degree in library science or any equivalent combination of education and experience.
2. Requires two years prior library experience in a technical services role or in a special or law library.
3. Requires good organizational skills and attention to detail.
4. Ability to work with a variety of patrons.

**LEGISLATIVE ANALYST
LEGISLATIVE ATTORNEY**

Position Characteristics:

Under general supervision, performs research, policy and fiscal analysis for a legislative committee or individual legislators. Researches and analyzes information; determines methods for gathering information; writes reports, memos and papers; drafts legislation and amendments; and coordinates with committee chairs the operations of a committee or commission. Develops work priorities, methods and assignments at the request of or in consultation with legislators, supervisors or other staff and then works independently to complete tasks. Material requested by committees or legislators is submitted to them for approval. The office director or designee may regularly review products for content, style, form, objectivity and consistency.

Examples of Work Performed:

1. Researches and drafts amendments or legislation;
2. Analyzes budgets;
3. Researches and analyzes policy issues;
4. Evaluates government programs and services;
5. Acts as liaison with interest groups and executive agencies on behalf of or at the direction of a committee;
6. Writes reports, memos, fiscal notes and analyses;
7. Attends committee hearings and work sessions;
8. May coordinate the work of paralegals, or budget, program or research assistants.

Education, Experience or Qualifications Required:

1. Requires a bachelor's degree and three years of public policy research experience, a master's degree and one year of public policy experience, or a law degree. A graduate degree is preferred, but any equivalent combination of education and experience may be substituted.
2. Requires strong oral and written communication skills.
3. Ability to work cooperatively with legislators, legislative staff, executive agency personnel and others.
4. Ability to deal with legislators and others in a wide variety of situations and often under pressure.

ADMINISTRATIVE SERVICES MANAGER

Position Characteristics:

Under general supervision, manages complex financial, personnel and administrative functions of the legislature as a whole. Oversees legislative accounting, budgeting and payroll systems and approves payment of expenses according to established policies and budgetary guidelines.

Examples of Work Performed:

1. Analyzes expenditures and prepares budgets;
2. Researches and recommends ways to improve administrative support;
3. Assists with the management of legislative facilities;
4. Supervises the work of technical staff involved in accounting, payroll and personnel functions;
5. Administers the legislative personnel system;
6. Administers the legislative accounting system.

Education, Experience or Qualifications Required:

1. Requires a bachelor's degree in business, public administration or economics and finance with at least five years progressive experience; or a master's degree and three years experience. Any equivalent combination of education and experience may be substituted.
2. At least one year of experience should be in a supervisory role.
3. Requires a complete knowledge of accounting systems, budget and fiscal procedures and general management practices.
4. Requires knowledge and experience in computer applications for problem solving and operations.

**SENIOR LEGISLATIVE ANALYST
SENIOR LEGISLATIVE ATTORNEY**

Position Characteristics:

Performs complex and diverse research, fiscal, analytic or legal functions for legislative committees or commissions, individual legislators or other legislative staff. Coordinates with committee chairs the operations of a committee or commission. Exercises considerable independence in setting work priorities, initiating projects, determining methods and completing assignments while following general office policies, administrative procedures and guidelines of committee chairs or office director or designee. Material requested by committees or legislators is submitted to them for approval. The office director or designee may periodically review products for content, form, style, objectivity and consistency. Because of their specialized skills, expertise and experience, a Senior Legislative Analyst or Senior Legislative Attorney may be called upon to coordinate special projects, assume additional work assignments and provide expert professional assistance to other staff.

Examples of Work Performed:

1. May perform all or any duties expected of a Legislative Analyst or Legislative Attorney with a high degree of skill, speed, accuracy and independence;
2. Conceives, plans, directs or conducts independent research projects.

Education, Experience or Qualifications Required:

1. Requires a bachelor's degree and five years of public policy research experience, or a master's degree or law degree and three years of public policy experience. A graduate degree is preferred, but any equivalent combination of education and experience may be substituted.
2. Requires at least two years experience and demonstrated competence and maturity as a Legislative Analyst or Legislative Attorney or comparable position.
3. Requires proven skills in oral and written communications.
4. Requires proven problem solving, decision making and interpersonal skills in dealing with legislators and others in a wide variety of situations and often under pressure.

PRINCIPAL LAW LIBRARIAN

Position Characteristics:

Coordinates a major function of the State Law Library including supervising other professional librarians, paraprofessionals and support personnel in the development and management of technical library services or legislative reference support for legislators, state agencies, the judiciary, private attorneys and the general public. Plans, directs and evaluates the work of library personnel.

Examples of Work Performed:

1. Provides legal and legislative reference services to patrons;
2. Accesses, catalogues, classifies and indexes books, documents and periodicals;
3. Coordinates training and use of on-line search services and other library resources for library staff and patrons;
4. Works with other legislative offices in the development of new services and computer applications;
5. Participates in acquisition and collection maintenance decisions;
6. Oversees the management and development of the various library programs and procedures.

Education, Experience or Qualifications Required:

1. Requires a master's degree in library science or any equivalent combination of education or experience.
2. Requires at least five years of professional library experience including at least two years in a supervisory role.
3. Ability to work cooperatively with a wide variety of library patrons.
4. Requires the ability to manage and lead others.

**PRINCIPAL ANALYST
PRINCIPAL ATTORNEY**

Position Characteristics:

A Principal Analyst or Principal Attorney is a lead professional responsible for planning, organizing and coordinating the provision of a major legislative service or the performance of a highly specialized policy or legal function within an office. Within their assigned area of expertise and responsibility, Principal Analysts and Principal Attorneys supervise, coordinate and review the work of other analysts, attorneys, assistants and paralegals. A Principal Analyst or Principal Attorney performs highly complex and intricate legal, fiscal, research and program review tasks exercising substantial judgment and independence. A Principal Analyst or Principal Attorney may participate in office-wide management decisions.

Examples of Work Performed:

1. May perform all or any duties expected of a Senior Analyst or Senior Attorney with a high degree of skill, speed, accuracy and independence;
2. Plans, assigns, coordinates, supervises and reviews the work of other professional staff;
3. Initiates, plans and directs office projects within an assigned area of responsibility and expertise;
4. Acts as office liaison on special research, administrative or legal projects involving more than one office or the legislature as a whole.

Education, Experience or Qualifications Required:

1. Requires a bachelor's degree and at least seven years of public policy research experience; or a master's degree or law degree and five years research experience. A graduate degree is preferred, but any equivalent combination of education and experience may be substituted.
2. Requires at least two years experience and demonstrated competence at the level of Senior Legislative Analyst, Senior Legislative Attorney, or comparable position.
3. Requires ability to facilitate group decision-making by colleagues and to implement those decisions.
4. Requires the ability to manage and lead other staff. Supervisory experience is desired.
5. Requires demonstrated exceptional ability within area of expertise.

DEPUTY DIRECTOR

Position Characteristics:

Assists an office director in a broad range of management and administrative tasks including supervision of other staff. Serves as the administrative leader, makes office management decisions and interprets office policy in the absence of the office director. Performs complex and diverse research, analytic, fiscal, library and legal functions for the legislature, a legislative committee or individual legislators.

Examples of Work Performed:

1. May perform all or any duties expected of a Principal Analyst, Principal Attorney or Principal Librarian with a high degree of skill, speed, accuracy and independence;
2. Sets priorities, supervises, evaluates, coordinates and reviews the work of other professional staff;
3. Reviews reports, memos, fiscal notes and analyses;
4. Plans and directs office-wide projects;
5. Participates in office management decision making;
6. Acts as liaison on special projects involving more than one office or the legislature as a whole.

Education, Experience or Qualifications Required:

1. Requires a bachelor's degree and at least seven years of public policy research experience; a law degree or a master's degree and five years public policy experience; or a master's of library science and at least five years library experience. Any equivalent combination of education and experience may be substituted.
2. Requires at least two years experience and demonstrated competence as a Principal Analyst, Principal Attorney, Principal Librarian or comparable position.
3. Requires demonstrated competence at the supervisory level and proven skills at managing and leading other employees.

DRAFT

Salary Group 14

DIRECTOR

Position Characteristics:

An Office Director is the senior manager of a major function of legislative services such as fiscal and program analysis, statutory revision, policy and legal analysis, information systems or library services. An Office Director plans, directs and manages a wide range of professional, technical and secretarial services and coordinates the provision of those services with other offices. Performs a broad range of highly complex administrative and managerial tasks. Works in concert with the Executive Director and other office directors to identify, develop and strengthen overall policies and procedures dealing with the administration of the Legislature and the accomplishment of legislative work. An Office Director works under the overall direction of the Executive Director in carrying out policies established by the Legislative Council.

Examples of Work Performed:

1. Plans, assigns, directs, schedules, supervises, coordinates and evaluates the work of all professional, technical, secretarial and supervisory personnel in an office;
2. Recruits, trains, coaches, evaluates and disciplines, when necessary, employees of an office;
3. Reviews, critiques and otherwise ensures that high standards of quality are met in the work products of an office;
4. Coordinates with other office directors and the Executive Director the provision of legislative services, the completion of interoffice projects, and the development of new activities;
5. Participates in the development of legislative policies and procedures with other office directors and the Executive Director and articulates, implements and interprets those policies, procedures and guidelines for an office;
6. Manages legislative personnel, financial resources and office work in accordance with Legislative Council policy, statutory provisions and other guidelines articulated by the Executive Director;
7. Identifies and implements new strategies for accomplishing the work of an office.

Education, Experience or Qualifications Required:

1. Requires a bachelor's degree and at least eight years of progressive public policy and managerial experience; or a law degree or a master's degree and at least five years of progressive public policy and management experience. Any equivalent combination of education and experience may be substituted.

2. Requires at least three years of management experience in the functional area of legislative service which the individual will direct.
3. Requires a working knowledge of the operations and procedures of state government and state legislatures.
4. Requires demonstrated competence to lead and manage people.
5. Requires demonstrated skill in problem solving and decision making.

DRAFT

Salary Group 15

EXECUTIVE DIRECTOR

Position Characteristics:

The Executive Director is the chief executive administrative officer of the legislature with responsibility for directing the operations and functions of all nonpartisan legislative staff offices and managing the administrative, policy development, and financial functions for the legislature as a whole. The Executive Director works with and at the direction of the Legislative Council to identify problems, develop alternative solutions and oversee the implementation of new programs, policies and technologies. Manages and performs a broad range of highly complex and intricate administrative and managerial tasks for the legislature.

Examples of Work Performed:

1. Oversees the management of all legislative administrative functions including personnel, facilities and information systems;
2. Directs and coordinates legislative policy development and implementation, working at the direction of the Legislative Council and with other office directors;
3. Oversees the management of financial, payroll and accounting functions of the legislature as a whole;
4. Directs the budgeting and planning processes of the legislature working with and at the direction of the Legislative Council.

Education, Experience or Qualifications Required:

1. Requires a bachelor's degree and at least ten years of progressive public policy and management experience; or a master's degree and at least eight years of progressive public policy and management experience. Any equivalent combination of education and experience may be substituted.
2. Requires at least three years experience in a senior management position. Broad and varied experience in planning, administration, policy analysis and project management is desired and experience in working in state government or state legislatures is preferred.
3. Requires knowledge of basic accounting and personnel procedures.
4. Requires demonstrated ability to lead and manage people, to identify and solve intricate management problems and to facilitate and implement complex policy decisions.
5. Requires a working knowledge of the operations and procedures of state government and state legislatures.

**PROPOSED
SALARY PLAN**

PROPOSED SALARY PLAN FOR NONPARTISAN LEGISLATIVE EMPLOYEES

At its July 1986 meeting, the Legislative Council directed the NCSL study team to develop a pay plan that is highly competitive with the local market and that allows the Legislature to recruit experienced people from the executive branch.

Salary information was gathered from other state legislatures, the state personnel system (various bargaining units as well as the confidential employees' scales), the University of Maine, a major Maine law firm, Central Maine Power, the Public Utilities Commission and other selected employers. From this data, benchmark positions from other organizations were compared with legislative positions.

KEY FEATURES

In calculating the proposed salary ranges¹, the following principles were followed:

- To allow the Legislature to recruit experienced workers, legislative salaries are set 10 percent above the starting step of the nearest comparable state executive branch position. It is important to note that an executive branch employee after one year of experience is paid at the second step, nine percent above the starting salary.
- Each of the proposed salary ranges has an average salary increase of 38 percent between Steps A and G. Overall in the state system the average spread in the ranges is 30 percent with many higher level positions having ranges of as wide as 40 percent. The wider legislative ranges compensate for the limitations on promotions and reclassifications.

¹Throughout this report and the attached tables, salaries are shown using employee paid retirement.

- Most steps are calculated at five percent or \$750, whichever is more. (The minimum increment of \$750 affects only salaries of \$15,000 or less.) A nine percent step increase is scheduled after the first or second year to recognize the "learning curve" of an employee's development. For ranges 1 through 5 (principally the clerical/secretarial ranges), employees would receive a nine percent step increase after their first year. For ranges 6 through 15, employees would receive a nine percent increase in the second year.
- The basic structure of the plan calls for seven steps (a hiring salary followed by six annual step increases) and two "career steps" of five percent scheduled at eight and ten years of service in the employee's current position.
- Every effort was made to keep the legislative salary groupings together, unless the salary survey results showed the legislative positions were out of line by more than 20 percent over or below the market.

The results of the salary survey forced a few adjustments in the proposed salary groups that came out of the classification study.

First, the classification of "Computer Programmer" moved one group higher than it was originally slotted. The state system and its salary levels for programmers result in a high degree of turnover, and the proposed salary for this position is set at a level more comparable to private employers so that the Legislature can enjoy a measure of stability and low turnover.

Second, the salary survey revealed that the legislature generally leads the market for librarian salaries, and the initially proposed grouping of "Associate Law Librarian" with the "legislative Analyst" class would have placed librarian salaries more than 30 percent above the market. As a result of the salary survey, the classification of Associate Law Librarian is placed one range lower than Legislative Analyst.

Similarly, the salary survey suggests that the salary level for the position of "Principal Librarian" may be at least 20 percent above the market. However, there are important issues of comparable responsibilities and internal equity in the Legislature which argue for placing this position in the same grouping with "Principal Analyst" and "Principal Attorney."

Longevity is recognized not only in the pay plan but also in the establishment of a new "legislative leave" based on sessions worked. After seven years of service, an employee would receive no step increase but would be eligible for a faster legislative leave accrual. The career steps would be awarded after eight and 10 years in a position; and after 12 years of legislative service an employee would earn legislative leave at a faster accrual rate.

The proposed plans greatly expand the opportunities for professional growth, advancement and reward, but in any system some people eventually reach the top -- reaching their own career goals or the limits of their education and experience and, at some point, the end of the salary range. We encourage the Legislative Council to recognize through non-cash awards those employees who have served the Legislature for more than 15 years.

RECOMMENDATIONS

To adopt the proposed pay plan, the Legislative Council should consider the following recommendations related to the implementation and maintenance of the system.

General Salary Administration

1. In conjunction with its objective of remaining competitive with the local market, the Legislative Council should establish a policy that permits assignment of new employees in Steps A through C of any range based on previous experience and salary history. All recommendations to start an employee above Step A should be reviewed and approved by the Executive Director.
2. Lateral transfers from one job class to another job class in the same pay range should not result in a step increase..
3. When an employee is officially appointed by the Legislative Council to serve as "Acting Director" of an office or "Acting Executive Director", the employee should be compensated at Step A (or that step which provides at least a five percent increase over current compensation) of range 14 or 15, respectively. The higher rate of pay would be applicable only during the period in which the employee serves in an "acting" capacity.
4. Because the proposed plan provides highly competitive salaries, full-time, nonpartisan legislative employees should not be otherwise employed in any activity that creates conflicts of interest in appearance or substance. Notice of all outside employment should be provided in writing to the appropriate office director and the Executive Director.
5. Written salary administration procedures may be desirable to cover such issues as (a) establishing salaries for employees transferring from a state agency or (b) reinstating employees who resign or take an extended leave of absence.

Pay Increases and Promotions

6. Employees who are promoted to a higher class are entitled to be paid at least the minimum starting salary for the new class or at the step that provides at least a five percent increase in salary. Each promotion to a new range establishes a new "anniversary date" to be used in calculating eligibility for subsequent pay increases.
7. Even though the salary schedules allow for annual increase, all step increases, including longevity steps, must be based primarily on merit and demonstrated performance. Development and implementation of a written performance appraisal process will be

required. To be considered for a salary advance, an employee must receive an unqualified rating of "satisfactory" or better from an office director. In cases of marginal or unsatisfactory performance, office directors should be given the discretion to recommend half-step increases or to postpone a step increase for three or six months.

8. Office directors should be given the discretion to recommend a two-step increase when an employee demonstrates exemplary performance but is in a job that does not have a "senior" class available for possible promotion. Such an employee must meet the same high performance standards as would be expected of an employee being considered for a "senior" position. A two-step jump should be awarded only once during an employee's tenure in a legislative position.
9. Recommendations for salary increases are to be submitted to the Executive Director in writing by an office director along with documentation of a completed performance appraisal. The Legislative Council should approve all salary increases, promotions, or other salary-related actions.
10. Compensation for nonpartisan legislative employees and the salary schedule itself should be adjusted annually to keep pace with cost-of-living awards and other changes in the state personnel system. The Executive Director, at the direction of the Legislative Council, should periodically review the plan for market comparability.
11. Pending the development and implementation of a performance appraisal system, it is recommended that all employees continue to receive scheduled step increases on their established anniversary date.

MAINE LEGISLATURE
CURRENT ANNUAL SALARY SCALE

GRADE	STEPS							
	A	B	C	D	E	F	G	H
5	11,768	12,307	12,873	13,469	14,093	14,749	15,475	0
6	12,334	12,750	13,208	13,666	14,165	14,664	15,267	0
7	12,919	13,385	13,877	14,368	14,908	15,473	16,112	0
8	12,938	13,395	13,874	14,373	14,893	15,454	16,099	0
9	13,313	13,703	14,093	14,511	14,960	15,467	15,973	0
10	13,606	14,073	14,589	15,178	15,767	16,382	17,094	0
11	13,624	14,123	14,602	15,184	15,766	16,037	16,390	0
12	14,511	14,960	15,466	15,973	16,518	17,120	17,776	0
13	14,873	15,458	16,098	16,739	17,435	18,159	18,883	0
14	14,883	15,473	16,112	16,725	17,438	18,179	18,887	0
15	15,392	15,995	16,640	17,347	18,034	18,803	19,573	0
16	15,973	16,517	17,120	17,777	18,665	19,598	0	0
17	16,525	17,180	17,895	18,640	19,415	20,311	21,196	0
18	16,544	17,184	17,908	18,660	19,440	20,303	21,195	0
19	17,867	18,637	19,427	20,238	21,154	22,131	23,171	0
20	18,598	19,416	20,289	21,207	22,223	23,294	24,420	0
21	19,528	20,388	21,303	22,267	23,335	24,460	25,640	0
22	20,058	21,061	22,114	22,179	24,381	25,598	26,879	0
23	22,251	23,593	24,939	26,285	27,630	28,977	30,322	31,667
24	22,842	23,922	25,101	26,304	27,581	28,907	30,283	0
25	25,756	27,044	28,396	29,817	31,309	32,872	34,516	0
26	30,120	31,585	33,123	34,738	36,433	38,213	40,081	0
27	38,868	39,621	42,765	44,861	47,063	49,372	51,802	0
28	41,636	43,678	47,424	49,755	52,192	54,645	57,159	0

NOTE: The above scale reflects "Employee-Paid Retirement." Legislative employees who elect "State Paid Retirement" receive a gross annual salary which is 5% less.

MAINE LEGISLATURE

PROPOSED ANNUAL SALARY SCALE

GRADE	STEPS									
	A	B	C	D	E	F	G	Q	X	
1	11,012	12,003	12,753	13,503	14,253	15,003	15,753	16,541	17,368	
2	12,610	13,745	14,495	15,245	16,007	16,808	17,648	18,530	19,457	
3	13,750	14,988	15,737	16,524	17,350	18,217	19,128	20,085	21,089	
4	14,300	15,587	16,366	17,185	18,044	18,946	19,893	20,888	21,932	
5	15,620	17,026	17,877	18,771	19,709	20,695	21,730	22,816	23,957	
6	16,500	17,325	18,884	19,828	20,820	21,861	22,954	24,102	25,307	
7	18,300	19,215	20,944	21,992	23,091	24,246	25,458	26,731	28,067	
8	21,100	22,155	24,149	25,356	26,624	27,955	29,353	30,821	32,362	
9	23,900	25,095	27,354	28,721	30,157	31,665	33,248	34,911	36,656	
10	26,040	27,342	29,803	31,293	32,858	34,500	36,225	38,037	39,939	
11	29,160	30,618	33,374	35,042	36,794	38,634	40,566	42,594	44,724	
12	32,270	33,884	36,933	38,780	40,719	42,755	44,892	47,137	49,494	
13	34,515	36,241	39,502	41,478	43,551	45,729	48,015	50,416	52,937	
14	38,875	40,819	44,492	46,717	49,053	51,506	54,081	56,785	59,624	
15	41,800	43,890	47,840	50,232	52,744	55,381	58,150	61,057	64,110	

NOTE: The above scale reflects "Employee-Paid Retirement."
 Legislative employees who elect "State Paid Retirement" will receive a
 gross annual salary which is 5% less.

COMPENSATION-RELATED POLICIES

PERFORMANCE APPRAISAL

A sound performance evaluation system is essential to many important personnel decisions, including promotion, dismissal and salary increases. A formal evaluation process supplements, but is not a substitute for, routine and continuous feedback on daily assignments. Performance appraisal ensures regular communication between a supervisor and an employee on work-related issues and provides an opportunity for regular discussion of goals, objectives and standards of quality. Regular performance appraisal reviews also help a manager identify training needs and coach an individual employee in terms of professional growth.

Performance evaluation systems take different forms. Some managers prefer standardized rating questionnaires while others are more comfortable with open-ended assessments or evaluations based on objectives mutually set by a manager and an employee. Some systems combine different formats.

The classification and pay plans proposed in this report will necessitate the development of a performance evaluation system, so that evaluative criteria are job-related and not wholly subjective. The success of any performance appraisal system depends most heavily on three factors: 1) the ability and willingness of supervisors and managers to consistently follow the process, 2) the development of evaluative criteria that are meaningful,

clearly specified and articulated to staff, and 3) the skills and abilities of supervisors, developed through a concerted training effort, to conduct performance appraisals.

The implementation of a performance appraisal system should not be undertaken hastily, ~~but rather~~ should be the product of a thoughtful process that garners input from a representative cross-section of legislators, staff and managers. At the same time, it is critical to point out that many of the recommendations of this report cannot be fully implemented without a performance appraisal process.

RECOMMENDATIONS

1. A performance appraisal system should be developed. The Legislative Council is encouraged to appoint a task force(s) of legislators, staff and managers to participate in the development of an appraisal process and identification of performance criteria that could be adopted for Maine nonpartisan employees. A reasonable deadline for implementation is September 1987.
2. Because of the recommended delay in implementation of the classification of "Senior Legislative Analyst", the Legislative Council is encouraged to appoint a special working group of legislators, managers and staff to consider and expedite the development of performance standards applicable for this job class.

In developing superior performance criteria, the working group should be guided by the distinctions drawn between the job class descriptions for Legislative Analyst and Senior Legislative Analyst. The distinguishing characteristics of the Senior Legislative Analyst class include:

- greater complexity and diversity of work performed, such as legislative experience and competence in more than one broad substantive area;
- considerable independence in determining priorities, methods and assignments and initiating projects;
- less frequent review of work resulting from a history of consistent, quality performance and work products judged to be superior in content, form, style and objectivity; and

- Proven professional leadership and maturity demonstrated by the willingness and capacity to coordinate and carry out special projects, assume additional work assignments and provide expert professional assistance to other staff.
3. An essential part of the implementation of a performance appraisal system should be the provision of training for all supervisors and directors. The training should focus on not only the specifics of the performance appraisal process but also on the general skills of giving employees performance feedback.
 4. Written performance appraisals would be conducted after an employee's first six months on the job and then annually thereafter at least two months before an employee's anniversary date. If a performance review results in an unsatisfactory or marginal rating or an office director's recommendation for a half-step increase or delay in a step increase, then subsequent review should be conducted at six-month intervals until the situation is resolved.
 5. Performance appraisals should be conducted by an employee's supervisor with review by an office director. The written appraisal should be signed by the supervisor and employee with a copy maintained in the employee's confidential personnel file in the Office of the Executive Director. Release of any information from that file requires the written permission of the employee.
 6. If an employee disagrees with the conclusions reached in a performance appraisal, he or she should have the opportunity to provide any supplementary comments or materials to the record. An employee can appeal in writing to the Executive Director for a review of an office director's recommendation. An employee has the right to a timely, written response, regarding the Executive Director's action on the appeal. The Executive Director may modify, approve or request that a Director reconsider the recommendation.

LEAVE POLICIES,¹ OVERTIME AND COMPENSATORY TIME

Most organizations include a variety of cash and non-cash benefits in their overall compensation package. In addition to supplementing salary, these benefits can be used to meet other management objectives including a) prevention or alleviation of burnout and b) reward for work effort which exceeds the norm.

¹The current leave policies including vacation, illness, bereavement, military and jury duty generally parallel the state personnel system. No changes are recommended in these policies.

Almost all legislative employees are required to work overtime because of the schedule of the legislative session. It is important to reward these extraordinary work demands in a manner which supports uniformity between the different legislative offices in the overtime and compensatory time practices. At present, there are very different practices among the legislative staff offices. Coupled with the highly competitive salary plan, we are proposing a package of interrelated leave, compensatory time and overtime policy changes.

Compensatory time off and overtime pay are necessary to combat the uneven work loads and session time demands of legislative work. Comp time and overtime not only serve to compensate legislative employees for work performed, but also serve as a useful management tool to give employees necessary time off to alleviate stress and fatigue.

At the same time, compensatory time off is often very difficult to manage equitably. Therefore, many employers do not recognize comp time for professional-level employees. Among state legislatures, the large majority of states pay clerical employees either overtime pay or reward compensatory time off. The rates of accrual are typically either time-and-a-half or hour-for-hour. For professional legislative employees, about half of the states reward compensatory time, usually on an hour-for-hour accrual rate and often under limitations in the total number of hours which can be accrued. In legislatures, as in most organizations, comp time rarely is awarded to top management employees, who are usually assumed to be paid at rates that command whatever effort is necessary to "get the job done".

RECOMMENDATIONS

Legislative Leave

1. In recognition of session demands, the adoption of "legislative leave" is recommended based on the following accrual schedule:

<u>Legislative Sessions Completed</u>	<u>Leave Days Earned</u>
0 - 6	3
7 - 12	5
13+	7

2. Legislative leave must be taken during the biennium in which it is earned. Legislative leave has no cash value, and therefore an employee may not be paid to accrued legislative leave.
3. Employees with less than 13 years of legislative service should be allowed to accumulate and carry over no more than 40 days of unused vacation. Employees with 13 or more years of service should be allowed to accumulate and carry over no more than 45 days of unused vacation. Managers should encourage employees to take and not accumulate vacation leave.
4. An employee who leaves legislative service may utilize accrued vacation immediately prior to separation or be paid for unused vacation.

Compensatory Time and Overtime

1. For salary grades 1 through 6, employees should be paid for work performed over and above a standard 40-hour work week. The rate of accrual should be comparable with the executive branch of Maine state government. Employees in these grades should have the option, with the approval of the Office Director, of being paid for overtime or collecting compensatory time off. If an employee opts to receive compensatory time, it must be taken at a time mutually agreed to by the Director and the employee recognizing the work flow of an office. Compensatory time that is not used in the biennium in which it is earned shall be lost.
2. For salary grade 7, an employee may earn comp time on an hour-for-hour basis for all work performed over and above a 40-hour work week. The maximum accumulation of compensatory time shall not exceed 110 hours at any given time, and the maximum accrual shall not exceed 110 hours in a calendar year.

For salary grades 8 through 13, compensatory time may be earned on an hour-for-hour basis for all work performed over and above 45 hours in a week. The maximum accumulation of compensatory time shall not exceed 120 hours at any given time, and the maximum accrual shall not exceed 120 hours in a calendar year.

Compensatory time must be taken at a time mutually agreed to by the employer and the Director and in recognition of the work flow of an office. Upon implementation of this policy, an employee may carry forward more than 120 hours of accumulated comp time provided that sufficient documentation is provided to the Executive Director.

3. Employees in grades 14 and 15 do not earn compensatory time or overtime. In addition to the standard accrual, employees in grades 14 and 15 should be awarded a bonus of seven legislative leave days at the completion of each session.
4. All overtime work beyond a standard work week should be approved in advance by a supervisor or office director.
5. Accurate weekly time records must be kept to qualify for overtime or compensatory time.
6. Where the Fair Labor Standards Act establishes different overtime rules, employees of the State Law Library are not subject to this policy.

IMPLEMENTATION ISSUES

IMPACT ON INDIVIDUALS

Table A illustrates how individual employees are affected by the implementation of the new pay and classification plans. Employees are assigned to the new ranges through a step-to-step conversion based on their years of service in their current position. In a couple of instances (notably the "Principal Analyst" class), the conversion utilizes the recommended policy guidelines for handling promotions and places employees in the new pay ranges based on their actual "time in grade" in the new position, provided the employee is at a step at least five percent higher than his or her prior salary.

Some employees would lose salary if a step-to-step in conversion is implemented. In keeping with the initial assumption that no employee would be penalized as a result of the study, we recommend that those employees be continued at their current salary level until their next anniversary date. At that time, these employees could be converted to the new pay plan without a loss in salary. (Table B identifies those employees currently above the salary levels in the proposed new plan.)

The impact on individuals varies, but a few statistics may be helpful:

Given the history of the current legislative pay ranges, it is not surprising that major adjustments are in order. The existing pay ranges were created in 1981 and have not been adjusted except for cost-of-living increments and the addition of a few new job titles. The original plan was derived from the independent submissions of proposed pay ranges by the then office directors.

IMPLEMENTATION OPTIONS

Three options appear to be appropriate for the Legislative Council to consider:

1. On December 1, 1986, or some other date, the Legislative Council could implement the proposed pay and classification plans in the manner outlined.
2. The Legislative Council could direct that the proposed plans be phased in to mitigate the overall fiscal impact. We would recommend a two-step phase-in:
 - a) On December 1, 1986, all employees would receive their scheduled pay increase up to a maximum of 10 percent of their current salary. Those employees who receive their entire proposed pay increase at that time would be assigned a new anniversary date of December 1.
 - b) Those employees who do not receive their entire proposed increase on December 1, 1986, would do so effectively July 1, 1987, and would be assigned a new anniversary date of July 1.
3. The Legislative Council could adopt the classification plan but direct that the new pay schedule be developed utilizing different principles to calculate the actual ranges and steps.

These options appear to provide for the most equitable implementation of the new classification and salary plan. Other implementation strategies have serious flaws in terms of equity. For example, all employees could be converted to the new pay plan at the step in the new range that is at least five percent above their current salary. Such a strategy would penalize

employees with longer seniority and advantage relatively new employees.
Whichever option the Legislative Council choses for implementing the plan,
the NCSL staff is available for further assistance, direction and guidance.

JOB AND SALARY COMPARISONS

Proposed
Legislative Salary¹

Private Sector & Public Salaries

Legislative Salaries²
from Other States

Salary Group 1

Office Assistant
\$11,012-15,753

Clerk Typist I - State Range 5 \$10,774-13,852
General Clerk (Law Firm) \$10,920 to start
Mail Clerk (CMP) \$13,200-16,170 (approx.)

Salary Group 2

Office Assistant II
\$12,610-17,648

Clerk Typist II - State B.U.A. Range 8 \$11,461-14,851
File Clerk (CMP) \$13,500-17,100 (approx.)

Salary Group 3

Library Assistant
Secretary
Legal Proofreader
\$13,750-19,128

Secretary - State Range 13 \$13,000-16,994
Clerk-Typist III - State Range 12 \$12,646-16,515
Legal Secretary (Law Firm) \$11,960 to start
Legal Secretary - State Range 13 \$13,000-16,994
Law Library Clerk-UM Law Library \$12,979
Library Assistant - State Range 8 \$11,461-14,851

CT-Administrative Asst. II \$14,103-19,142
IA-Legis. Text Processor II \$14,747-19,448

Salary Group 4

Legislative Information Assistant
Senior Secretary
Legislative Technician
Senior Legal Proofreader
\$14,300-19,893

Secretary B (CMP) \$15,600-20,800
Word Processor (CMP) \$14,500-18,600 (approx.)
Admin. Sec. - State Range 16 \$14,268-18,920

CT-Administrative Asst. III \$15,346-22,256
IA-Legis. Text Processor III \$15,454-22,069

Salary Group 5

Accounting Technician
Library Associate
Senior Legis. Technician
\$15,620-21,730

Librarian I - State Range 15 \$13,811-18,221
Law Library Asst.-UM Law Library \$12,501
Clerk IV - State Range 15 \$13,811-18,221

IA-Librarian \$17,118-21,154

¹The salary ranges reflected below do not include the proposed longevity steps.

²Clerical salaries often are difficult to compare because they tend to be driven by the local market.

JOB AND SALARY COMPARISONS

Proposed
Legislative Salary

Private Sector & Public Salaries

Legislative Salaries
from Other States

Salary Group 6

Administrative Secretary
Legis. Info. Coordinator
Supervising Legis. Technician
\$16,500-22,954

Senior Legal Secretary - St. Range 16 \$14,269-18,928
Senior Admin. Secretary - St. Range 18 \$15,766-21,195
Computer Support Super. - St. Range 19 \$15,974-21,424
Secretary A (CMP) \$17,160-23,504

IA-Executive Administrator \$18,658-22,984

Salary Group 7

Administrative Coordinator
Research Assistant
Paralegal
\$18,300-25,458

Admin. Asst. (St. Conf.) - St. Rge. 20 \$17,044-23,192
Legal Asst./Admin. Asst. (CMP) \$21,000-31,400
Computer Operations Super.-St. Rge. 20 \$16,619-22,547

IA-Research Analyst I \$18,658-25,002
IN-Legis. Analyst II/
Budget Analyst II \$18,527-34,091
CT-Analyst (Budget, Program,
Research) \$20,751-34,091

Salary Group 8

Computer Programmer
Intergovernmental Specialist
\$21,100-29,353

Software Analyst I-State Range 24 \$19,864-27,102
Programmer Analyst - State Range 23 \$18,886-25,875

Salary Group 9

Associate Law Librarian
\$23,900-33,248

Librarian III - State Range 25 \$20,821-28,538
Reference Librarian - UM Law
Library \$20,000-24,000

Salary Group 10

Legislative Analyst
Legislative Attorney
Admin. Services Manager
\$26,040-36,225

Budget Analyst - State Range 28 \$23,670-33,051
Policy Development Spec.-St. Rge. 28 \$23,670-33,051
Utility Financial Analyst (PUC) \$27,000-35,500
Asst. Dir. of Admin. Serv. - State
Range 28 \$23,670-33,051
Dir. of Admin. Serv. - St. Range 30 \$25,605-35,776
Budget Analyst (CMP) \$23,400-35,000
Attorney II (CMP) \$28,800-43,200
Attorney (Law Firm) \$35,000 to start

CT-Legislative Attorney/
Research Attorney \$24,307-42,982
IN-Legislative Analyst I/
Budget Analyst I \$24,700-36,868
IA-Research Analyst III \$25,002-34,694

JOB AND SALARY COMPARISONS

Proposed
Legislative Salary

Private Sector & Public Salaries

Legislative Salaries
from Other States

Salary Group 11

Senior Analyst
Senior Attorney
\$29,160-40,566

Senior Attorney Examiner (PUC) \$27,000-35,500
Attorney III (CMP) \$31,900-47,900

CT-Senior Analyst (Budget,
Program, Research) \$32,370-42,642
IN-Senior Legislative
Analyst/Senior Budget
Analyst \$27,352-41,366
IA-Senior Research Analyst \$33,072-42,182
IA-Attorney III \$28,725-42,182

Salary Group 12

Principal Librarian
Principal Analyst
Principal Attorney
\$32,270-44,892

Librarian (CMP) \$26,000-39,000
Librarian IV - State Range 28 \$22,942-31,470
Head - Ref. Dept. (UM Law Library) \$29,000
Dir., Planning & Dev.-St. Range 32 \$27,726-38,750
Attorney IV - (CMP) \$35,400-53,000
Depty. State Budget Ofcr.-St. Rge. 33 \$28,933-40,435

CT-Head Law/Legislative
Reference Dept. \$31,889-38,663
CT-Chief Analyst (Budget,
Program, Research) \$38,596-47,310
CT-Chief Legis. Attorney/
Chief Res. Attorney \$41,242-51,046
IN-Legis. Analyst E VI/
Budget Analyst E VI \$29,536-45,552
IA-Senior Legal Counsel \$38,251-48,838

Salary Group 13

Deputy Director
Deputy Law Librarian
\$34,515-48,015

Dir., Ofc. of Policy Anal.-St. Rge. 34 \$30,160-42,203
Supervising Attorney (CMP) \$43,000-64,400

CT-Assistant Director \$44,976-55,248
IN-Deputy Director \$33,592-52,286

Salary Group 14

Director
\$38,875-54,081

Dir., St. Planning Ofc., State \$37,024-54,163
Range 89 (9 steps)
State Budget Ofcr., State Range 89 \$37,024-54,081
(9 steps)

CT-Office Director \$49,802-62,874
IN-Office Director \$40,716-63,128

Salary Group 15

Executive Director
\$41,800-58,150

Commissioner \$41,870-61,547
State Range 91 (9 steps)

CT-Executive Dir., Legis. Mgmt. \$56,998-70,070
IN-Executive Dir., Leg. Ser. Agy. \$48,984-76,466



State of Maine
Senate Chamber
Augusta, Maine 04333

September 15, 1986

Rep. John Diamond, Chairman
Legislative Council
Maine State Legislature
State House
Augusta, ME 04333

Dear Chairman Diamond:

Attached are the findings and recommendations of the Joint Select Committee on Improvements to the Corrections System. These recommendations were approved by the required two-thirds of the Committee members.

This report is submitted pursuant to Senate Paper 986, a joint order which was passed by both houses on May 30, 1986.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Paul Gauvreaux".

Paul Gauvreaux
Maine State Senator
Chairman, Joint Select
Committee on Improvements
to the Corrections System

6896-1

SARAH C. DIAMOND
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

September 16, 1986

TO: Members of the Legislative Council
FROM: Sally Diamond *SD*
SUBJECT: Report of the Joint Select Committee on Improvements to
the Corrections System

Enclosed is the report of the Joint Select Committee, which was to be presented to the Legislative Council by September 15 in accordance with Joint Order, SP 986.

We are still assembling other materials for the Council's meeting next Wednesday, but I wanted to give you as much time as possible to review this report.

Please call me if you have any questions.

Enclosure

cc: Bent Schlosser, Director, Office of Fiscal and Program Review
David Silsby, Revisor of Statutes
Helen Ginder, Director, Office of Policy and Legal Analysis
Peter Siegel, Law Librarian ✓

REPORT OF
THE JOINT SELECT COMMITTEE
ON IMPROVEMENTS
TO THE CORRECTIONS SYSTEM

SEPTEMBER 1986

MEMBERS:

Sen. N. Paul Gauvreau (Chair)
Sen. Beverly Miner Bustin
Sen. Barbara A. Gill
Sen. Michael D. Pearson
Rep. Donnell P. Carroll
Rep. Laurence E. Connolly
Rep. Ruth S. Foster
Rep. Linwood M. Higgins
Rep. Kerry E. Kimball
Rep. John Lisnik
Rep. Peter J. Manning
Rep. Rita B. Melendy
Rep. Merle Nelson
Rep. Susan J. Pines
Rep. P. Kelly Simpson

Staff:

John B. Knox, Legislative Policy Analyst
Office of Policy and Legal Analysis
Room 101, State House--Sta. 13
Augusta, Maine 04333
(207) 289-1670

Table of Contents

	<u>Page #</u>
Executive Summary	1
Background	2
I. Legislative	3
II. Prison Standards	4
III. Prisoner Class Action Suit	5
IV. Studies	7
Method	10
Findings & Conclusions	11
I. Prison Living	11
II. Construction Costs	15
III. Conclusions	15
Recommendations	35
Appendix:	38
A. An Act to Authorize a General Bond Issue in the Amount of 15,000,000 for Construction and Renovation of Correctional Facilities.	
B. House Amendment F to the Above	
C. S.P. 986 Establishing the Joint Select Committee on Improvements to the Corrections System	

Executive Summary

The recommendation of the Committee for the expenditure of the \$16mm bond issue is as indicated on this page. Detail on these expenditures and other recommendations are in the body of the report.

100 bed free standing maximum security facility at Warren	\$11,000,000
50 bed minimum security housing at MSP Farm at S. Warren	1,400,000
100 bed medium security housing at the Maine Correctional Center at S. Windham	2,000,000
50 bed minimum security housing at Charleston Correctional Center	1,000,000
Renovation & construction at MSP related to treatment, recreation and programs	600,000

Background

I. Legislative

After some years of failure to get voter approval of corrections related bond issues, the last three years have seen voter acceptance of 1 bond issue and passage of a significant amount of legislation. The more important pieces of this legislation are summarized below:

A. LD 2479, 1984 An Act to Authorize a General Fund Bond Issue in the amount of \$10,035,000 for Construction and Renovation of Correctional Facilities.

This act split the authorized bond money into \$7,465,000 for the Maine Correctional Center, \$2,200,000 for the State Prison and \$270,000 for the Charleston Correctional Center. It was approved by the voters and initially allocated by the Department of Corrections as follows (this allocation is subject to revision by the Department):

	<u>Cost</u>	<u>Completion</u>
Charleston - Segregation Unit	\$ 270,000	Jan. 1987
Maine State Prison -		
Kitchen/Dining	\$ 500,000	In planning
Administration Bldg.	1,500,000	Held up pending resolution current bond issue
Program Facilities	200,000	In planning
Maine Correctional Center -		
Industries Bldg. (to be used initially as 100 bed dorm)	\$ 750,000	March 1987
Women's Unit	2,245,000	July 1988
Reception/Segregation Unit	1,925,000	July 1988
Men's Med. Security Dorm	1,800,000	July 1988
Perimeter Security	745,000	Not known
Dept. Master Plan -		
Ehrenkrantz	\$ 100,000	Completed

B. LD 2434, 1986 An Act to Implement Certain Recommendations of the Blue Ribbon Commission on Corrections.

The 2 major provisions of this act are:

1. It provides for a program of intensive supervision as an alternative to imprisonment for certain persons sentenced to more than 1 year in prison for Class A, B & C crimes.

2. It provides for the confinement of less serious offenders in county jails. This involves those with sentences of 6 months or less from March 31, 1987 to Dec. 31, 1989 and 9 months or less after Dec. 31, 1989. The Governor's Commission had recommended immediate implementation of a plan involving those with under 1 year sentences and called for confinement in county facilities, not necessarily jail, while the DOC Ehrenkrantz report recommended those sentenced to 6 months or less and specified jails.

C. LD 2439, 1986 An Act to Authorize a General Bond Issue in the Amount of \$15,000,000 for Construction and Renovation of Correctional Facilities.

This bill required that the Legislature allocate the proceeds of the sale of the bonds to specific facilities and locations. The bill was amended to increase the amount to \$16mm, to limit the expenditures to State facilities and to require that the proceeds of the bond sale be allocated by the 113th Legislature. The amendment removed the provision as to how the Legislature should allocate the proceeds i.e. by facility and location. The following amendments were proposed but did not pass:

1. Require that the funds be spent on the State Prison or a new maximum security facility to relieve overcrowding and meet federal requirements for prison housing. (Rep. Scarpino)

2. Raise the amount to \$18,000,000 and allot it as follows:

Renovation MSP	\$ 4,732,000
Renovation & Construction	
MSP Program Area	650,000
Construction at Correctional	2,000,000
Center	
Construction Maximum Security	
Facility	10,618,000

(Rep. T. Murphy)

The bond issue is to go to the voters in November and is to take effect 30 days after the results have been proclaimed by the Governor. It will be the 1st on the ballot of 8 bond issues, whose total is \$65.8 mm.

D. LD 2442, 1986 An Act to Appropriate Funds Necessary to Implement an Intensive Supervision Program, to Develop Community Corrections Programs and to Address Needs of the Department.

The following were the major purposes for which funds were allotted by this Act:

Establish a Centralized Classification Office	\$ 62,000
Additional Funding for Excavation & Site Preparation for Previously Authorized 100 Bed Dormitory at MCC	355,000
Purchase of Treatment Services	130,000
Create & Staff a 100 Bed Dormitory at MCC	276,000
Expand Program for Special Needs Offenders at MCC	103,000
Additional Guards & Correctional Officers	241,000
Probation & Parole Personnel	295,000
Intensive Supervision Teams	313,000
County Per Diem Funds	250,000

E. Senate Paper 986 A Joint Resolution Which Established the Joint Select Committee on Improvements to the Corrections System.

The mission of this committee is to present to the Legislative Council by Sept. 15 its findings and recommendations as to how the LD 2439 bond money should be spent. A 2/3 vote is required for a recommendation to be submitted. The Legislative Council is required to inform the voters prior to the November election of the proposed allocation of the bond issue monies.

II. Prison Standards

The existence of prison standards and the threat of a suit based on them, particularly a class action suit, has undoubtedly prompted a good bit of the recent attention to the prison situation. The American Civil Liberties Union has been particularly active in supporting prisoner interests.

The two most generally used sets of prison standards are discussed below:

A. U.S. Constitution

1. Prison inmates have the right to be reasonably free from violence.

a. An environment in which officials have lost control is forbidden.

b. Officials must exercise reasonable care to provide reasonable protection from unreasonable risk of harm.

2. Prisoners are entitled to living conditions that are not so inhumane as to fall below contemporary standards of decency or deny inmates minimal civilized measure of life's necessities.

a. Comfortable prisons are not mandated by the Constitution.

b. Freedom from discomfort is prohibited for those convicted of serious crime.

3. Expert opinion does not establish constitutional guidelines.

4. Prisoners do not have a right to rehabilitation.

5. Deprivation of job and educational opportunities does not violate the Constitution.

6. Protective custody inmates are not required to be treated identically with the general prison population.

7. Administrative convenience and expense are properly considered by a court in determining constitutional validity of prison policy.

B. American Correctional Association

1. Population must not exceed rated bed capacity

2. One inmate per cell in cells designed for 1 inmate

3. The cell to have a minimum of 60 square feet for confinement of less than 10 hours and 80 square feet if more than 10 hours

4. Multiple occupancy cells allowed only in minimum security institutions

5. Multiple occupancy cells should have no fewer than 3 inmates and no more than 50.

6. Each inmate in multiple occupancy cells should have a minimum of 50 square feet.

III. Prisoner Class Action Suit

One of the major recent landmarks in the history of the Maine Correctional System was a class action suit by inmates at the State Prison which began in the late 1970's and was adjudicated in 1983. The issues posed in the 1983 case were:

A. 8th & 14th Amendment claims

1. The level of violence at MSP is unnecessarily excessive due to

- a. inadequate staffing
- b. blind spots in the East Wing
- c. pervasive idleness
- d. failure to separate violent and non-violent inmates

2. Living and working conditions are substandard due to:

- a. inadequate living space
- b. substandard sanitation, lighting and ventilation
- c. excessive noise
- d. deficient fire safety and industrial hygiene

3. There is a lack of meaningful work and vocational, educational and recreational offerings. The Court rejected this claim on the basis that prisoners do not have a constitutional right to rehabilitation.

With the exception of #3, the Court found that there was a constitutional basis to these claims, but the evidence presented did not support a finding that the defendants were in violation of constitutional standards. However, the Court stated that it did not approve of conditions at the prison and that in a number of instances the threat of the suit had been required to raise conditions to the level of acceptability. It also stated that it was displeased that there were a number of low cost improvements which still had not been made.

B. Restraint cells

The Court found that these cells violated 8th Amendment standards.

C. State Law Claims

The Court declined to consider these claims because of:

- 1. the dearth of State Court authority interpreting these provisions
- 2. the awkwardness of projecting the interpretation of State law by the State's highest court
- 3. the deference due State courts on questions of State law

IV. Studies

Three study reports by commissions or outside consultants were completed in the period Dec. 1985 to Feb. 1986. These reports dealt with the issues raised by the class action suit and the 1984 legislation and led in large measure to the 1986 legislation. They are discussed below:

A. The Master Plan for the Statewide Correctional System by the Ehrenkrantz Group & Allied Engineering

The total budget recommendation of this study was for \$59mm. Forty-nine million dollars of this was for construction and renovation and was broken down as follows:

500 bed maximum facility	\$45.0mm
279 maximum security	
116 reception	
83 mental health	
21 segregation	
100 interim trailer beds at MCC	.5
30 Charleston Barracks renovation beds	.1
Renovations to Bangor Pre-Release Kitchen	.1
State Prison Renovations (Installation of life safety devices and expansion of industry program space)	3.0

It was also recommended that a test be conducted of the following methods of handling the State/county relationship as far as corrections is concerned:

1. Maintain the current system
2. Place those sentenced for less than 6 months in county jails.
3. Place those sentenced for less than 1 year in county based non-institutional treatment.
4. Integrate county jails into the State system.

The legislation that passed implemented #2 on a statewide basis. Relative to #3, it implemented a program of intensive supervision under the Department of Corrections for certain persons sentenced to more than 1 year for A, B & C offenses.

B. The Governor's Blue Ribbon Commission on Corrections

The mission of this Commission was to deal principally with program issues and with alternatives to incarceration in the State prison system. As far as funding is concerned, the major recommendations of the Governor's Commission were:

1. A program for incarcerating in county jails all prisoners whose sentences are for less than 1 year with the State to pay per diem for their custody. This per diem would include all prisoners currently sentenced to county jails.

Legislation was passed implementing the essence of this recommendation with the exception that from the April 1, 1987 inception of the program until Dec. 31, 1989 the only persons involved would be those with 6 month sentences or less. Beginning with Jan. 1, 1990, this would be extended to 9 months. The other exception is that under the legislation the State would not reimburse the county for those convicted of Class D & E crimes.

2. A program of intensive supervision rather than confinement.
3. A three fold increase in the funds allocated for programs through community development and purchase of contracted services.

These programs would include establishment and reimbursement of halfway houses, group homes, therapeutic group homes, and residential treatment facilities for multiple offender groups, including drug, alcohol and sex offenders, both juveniles and adults.

While the Legislature has since appropriated funds for additional community corrections services, funding levels were below the recommendation of the Blue Ribbon Commission. The Department of Corrections has committed itself to seeking further increases in community corrections funding in the 113th Legislature.

C. "An Evaluation of the Proposed 12 Month State Inmate Program upon the County Facilities of Maine." A report submitted to the Sheriff's Association and the Dept. of Corrections by Carter/Goble Assocs. functioning as the private contractor for the National Institute of Corrections.

This study sought to measure the effect on the county jail system of the proposed transfer of prisoners. Its major conclusions were as follows:

1. Implementation of the county transfer program will require the development of a substantially expanded supply of bedspace at both county and state levels. The program will not remove the State from that requirement.
2. Eight counties would have to begin an immediate program to expand their bedspace supply. Most of these counties would need to take this action regardless of the Governor's recommended program. The 1987 capital impact for bedspace for these 8 counties is \$18.4mm, of which \$16.6 would be required without the Governor's program and \$1.9 would be required by the Governor's program. This is based on the Sheriff's recommendation for transferring those with sentences of 9 months and under.
3. The remaining counties could begin to participate in the Governor's program, but with 9 month sentences, without requiring a program for additional bedspace. However, by 1990 and with 12 month sentences all but 1 county would require additional bedspace for a total cost of \$8.5mm.
4. If the Governor's program is not followed, the State has the following other options.
 - a. Construct a 500 bed mixed custody facility for inmates serving less than 12 months
Cost \$37.5mm;
 - b. Construct 3 regional minimum custody facilities of 100 beds each.
Cost \$13.0mm
5. While finding that a cost analysis is favorable to the Governor's Committee's proposals, the author recommended that a great deal more study and evaluation be undertaken before the shift of inmates to county responsibility is undertaken.
6. A further recommendation was that a requirement of a community based program such as this is the continuation of open and frank communication between the State and the counties.

Method

The Committee undertook the following activities in order to obtain information necessary to making its recommendations.

1. Reviewed all corrections oriented legislation beginning in 1984.
2. Reviewed the following 3 reports:
 - a. The Master Plan for the Maine State Correctional System as prepared by Ehrenkrantz Assocs., Dec. 1985
 - b. The Report of the Governor's Blue Ribbon Commission on Corrections, Dec. 1985
 - c. An Evaluation of the Proposed 12-Month State Inmate Program Upon the County Facilities by Carter Goble Assocs. under the direction of the National Institute of Corrections, Feb. 1986
3. Made visits to the Maine State Prison at Thomaston, the Prison Farm at Warren, and the Maine Correctional Center at S. Windham and held coincident public hearings.
4. Held 5 public hearings in Augusta at which the following individuals testified.

Donald Allen, Commissioner, Dept. of Corrections
Craig McEwen, Maine Civil Liberties Union
Mark Corrigan, Director, National Institute for Sentencing Alternatives
Curtis Pulitzer, Project Mgr., The Ehrenkrantz Group
Kevin Concannon, Commissioner, Dept. of Mental Health
Lloyd Ohlin, Chairman, the Governor's Commission on Corrections
Charles Sherburne, Donald Cannon and Joseph Parisi of the American Federation of State, County & Municipal Employees

Findings & Conclusions

I. Prison Living

The 1983 class action law suit gave an excellent description of living conditions at the Maine State Prison. It forms the basis for the following description with modification made to reflect findings of this Committee.

A. Living units

MSP was built in 1920. It has an operational capacity of 402.

It is intended that inmates at MSP reside in single occupancy cells or in open dormitories. However, currently 1.5% of cells have double occupancy, with further double celling, on an emergency basis, expected during September, 1986. The prison cell block is divided into the East Wing Cell Block (East Block), the largest single housing subdivision, the Center Cell Block (Center Block), and the West Wing Cell Block (West Block). The prison open dormitories, and the Administrative Segregation Unit are located across the vehicle entrance from West Block in the "New Building."

Generally speaking, cells for the general population are located on four tiers. Windows are located across the steel grate walkways from the cells. Cells measure approximately 42 square feet. Each cell normally contains a bed and a mattress, a folding chair, a writing table, a footlocker, a toilet which can be operated from within the cell, a wash basin with hot and cold running water, an electrical outlet, and a television cable connection. A light is located on the inside far wall of the cell and also can be operated from within the cell.

In addition to the generalizations made above, in the Center Block there are two panels, each of seven cells, formerly used to house Protective Custody inmates. These measure only about 35 square feet. Between the two levels of these cells is a platform containing a picnic table and a shower, which serves as a dayroom for inmates confined in the 14 cells. In the West Block on the first floor, which is below-ground, Protective Custody inmates inhabit two Cell Dormitories.

There are two types of dormitories at MSP: cell dormitories and open dormitories. Cell dormitories are so designated because the barred corridor which runs parallel to the cells is wide enough to allow for tables and chairs, and can serve therefore as a dayroom for the inmates. There are six open dormitories. The occupancy of these dormitories ranges from 7 to 25 inmates. One of these dormitories is for protective custody inmates.

The Administration Segregation Unit at MSP is located west of West Block on the top floor of the New Building. The appointment of the cells in the Segregation Unit at MSP is more spartan than those in the other prison cell blocks. None of the cells in the Segregation Unit have hot running water. The light of each North and Plank side cell is controlled by a switch outside the cell. There are no electrical outlets in the North and Plank side cells for televisions, radios or other appliances.

A statistical summary of living situation data is contained in Exhibit H.

B. Industries and Jobs

Most jobs within the prison industries program are performed in shifts so that one inmate works in the morning and another works the same job in the afternoon. The workshop employs the majority of inmates who work in the prison industries program. There are 65 inmates employed in the four principal divisions of the industries program out of a total population of about 490.

In addition to the industries program, inmates at MSP hold a variety of other jobs maintaining or operating the prison. Three hundred ten inmates are employed in these jobs outside the industries program. If an inmate performs his assigned job satisfactorily, he is eligible for two days of extra good time per month.

The crafts program at MSP is reserved for inmates who hold prison jobs. In the crafts program, inmates may use their free time to manufacture and sell novelties to the public for a profit at the prison outlet store in Thomaston.

A limited number of cleaning and maintenance jobs are open to Protective Custody inmates. Protective Custody inmates are allowed to manufacture crafts in their dormitories.

Because they are restricted to their segregated housing areas, Administrative Segregation inmates do not have access to the industries program at MSP. Administrative Segregation inmates rarely can earn the good time credits afforded working inmates. Administrative Segregation inmates are also barred from participation in the prison crafts program.

C. Recreation

A variety of recreational facilities are available to general population inmates at MSP. A corner of the prison yard roughly 50 feet by 100 feet is enclosed with a high chain-link fence topped with coiled razor wire for use by Protective Custody and Administrative Segregation inmates. During their one hour a day of outdoor exercise Protective

Living Situation at
Maine State Prison
(Thomaston)

	Capacity	Current Occupancy %	% of cells that are double occupancy	Cell Size (sq. ft)	Type Inmate	Windows
<u>East Wing</u>						
Cells	210	100	0	42	general	yes(53 no)
Annex(dorm)	16	86	NA	NA	general	yes
<u>Center Block</u>						
reg. cells	49	100	0	42	general	yes(14 no)
cell dorms	28	100	0	35	general	yes
open dorm 7	9	100	NA	NA	general	yes
<u>West Wing</u>						
reg. cells	24	100	22	42	general	yes
cell dorms	48	100	0	35	24 general/24 protect. cust.	no
<u>New building</u>						
open dorm 1	12	100	NA	NA	general	yes
open dorm 2	7	100	NA	NA	general	yes
open dorm 3	21	100	NA	NA	general	yes
open dorm 4	25	92	NA	NA	protect. cust	yes
Administrative Segregation	31	37	21	48(22), 35(6)	NA	yes
<u>American Correctional Assn standards</u>						
general population			0	60		
non-general				80		

JK/j1b/6895

Custody inmates are led through a general population cell block to get out of doors, and, once out of doors, they exercise within view of other inmates. Because they are often heckled, Protective Custody inmates frequently do not exercise in the bullpen. Since they are allowed out of their cells alone one hour a day, and only three hours per week may be spent outdoors, Administrative Segregation inmates have little recreation.

D. Education Programs

The prison employs two teachers and offers a prison literacy program, a G.E.D. program and a college program through the University of Maine at Augusta. Twenty-four inmates are enrolled in college courses and 17 in basic education for a total of 41. Protective Custody and Segregation inmates are not permitted to visit the library or to participate in group educational programs available to general population inmates.

E. Inmate Routine

Inmates' schedules vary depending upon their living area. The schedule of general population inmates confined in the East Block is:

7:10 a.m.	wake up
8:05 a.m.	breakfast
8:30 a.m.	assignment/recreation
11:25 a.m.	return to cell for count
12:10 p.m.	noon meal
12:35 p.m.	assignment/recreation
3:25 p.m.	return to cell
4:00 p.m.	evening meal
4:25 p.m.	lockup

On weekends, East Block inmates return to their cells after breakfast, are accounted for, and then may either go to recreation or stay in their cells. At 3:30 p.m. they are released for the evening meal and then locked up at 4:30 p.m. East Block inmates are also allowed out of their cells three nights a week from about 5:00 p.m. to 8:30 p.m. Saturday evenings are reserved for visitation, religious activities and special events.

Protective Custody inmates may go outdoors for one hour a day in the bullpen area. They may also be out of their cells three nights a week. Administrative Segregation inmates remain in their cells 23 hours a day.

In its broad outline, the typical day of a general population inmate at MSP consists of one half day of work and one half day of recreation. Work at MSP consists of either an assignment to a shift in a shop or an assignment to an operations work crew. Inmates may also choose to participate in a basic education program, a remedial reading class or a G.E.D. course, rather than a job. Recreation at MSP consists of either free time spent at one of the recreation areas at the prison or participation in the prison crafts program.

II. Construction Costs

Table A shows a breakdown of construction costs by type of facility.

III. Conclusions

A. General Agreement

There was nearly unanimous agreement as to the following conclusions:

1. The conditions in the Maine State Prison System are unacceptable and may in some areas be below constitutionally mandated standards. The major issues are overcrowded bed space, idleness caused by lack of sufficient industry and recreation facilities and accompanying programs, and the mixing of inmates of various classifications.
2. The problem is compounded by the changing nature of the prison population with more sex offenders and more older prisoners, occasioned by the use of longer sentences and the elimination of parole. These types of prisoners mix poorly with the hell-raising element that is generally found in prisons, and is on the increase because of, among other things, the decline in the proportion of the population brought up in a traditional family setting and because of the increasing use of drugs.
3. The Ehrenkrantz Master Plan and the Governor's Blue Ribbon Commission are both on target and should form the basis of the State's correctional planning, the former as to facilities and the latter as to programs and alternative sentencing.
4. As to facilities, the State's greatest need is the 500 bed maximum facility for trouble makers, reception, mental health and administrative segregation.

TYPICAL PRISON CONSTRUCTION

EXHIBIT A

METHODS and COSTS

Date: August 1, 1986

By: The Elm-Frontz Group

CLASSIFICATION / COST per BED *

STRUCTURE

FIXTURES/HARDWARE

SECURITY PERIMETER

MAXIMUM

\$ 95,000 - 105,000 / bed

- Steel or concrete frame; Pre-cast/poured in-place concrete
- Masonry construction solidly grouted with reinforcing @ on-center (perimeter)
- Security plaster and or painted block finishes
- Sheet rock finishes in administrative areas only
- Fire rating: Housing: 2 hours
Program: 1-2 hours

- High security locks and hardware
- Security glazing
- High security furnishings and fixtures (i.e. stainless steel combination toilets/lavs.)
- Sophisticated electronic control, monitoring and surveillance systems

- Double security fencing with multiple rows of razor ribbon on and between fencing
- CCTV
- Perimeter intrusion detection alarm
- Guard towers
- Road Patrol

MEDIUM

\$ 70,000 - 90,000 / bed

- Steel or concrete frame
- Masonry solidly grouted (reinforcing where necessary in perimeter)
- Pre-cast and/or poured in-place concrete
- Painted block or plaster finishes
- Sheet rock finishes in selective areas
- Fire rating: Housing: 2 hours
Programs: 1-2 hours

- High security locks and hardware along perimeter
- Medium security locks and hardware within the facility
- Medium security furnishings and fixtures (i.e. porcelain toilets and lavs.) in housing
- Institutional type furnishings elsewhere
- Electronic control and surveillance systems in selective areas
- Security glazing in selective areas

- Double or single security fence
- Perimeter intrusion detection alarm

MINIMUM

\$ 40,000 - 50,000 / bed

- Hollow metal stud framing (or similar)
- Block and sheet rock construction
- Painted block or sheet rock finishes
- Fire rating: Housing: 1 hour
Programs: 0-1 hour

- Commercial grade locks and hardware
- Residential type fixtures and furnishings
- Limited electronic monitoring and surveillance systems
- Institutional grade glazing (i.e. tempered + plate glass)

- None or commercial grade chain link fence

COMMUNITY/ LOW MINIMUM

\$ 20,000 - 30,000 / bed

- Residential wood frame construction
- Sheetrock interiors

- Residential grade locks, hardware, fixtures and furnishings
- No electronic monitoring systems

- NONE

* Costs are in 1988 dollars and reflect totally new free standing facility costs per bed including housing and all support functions

The State currently has no true maximum security facility. At MSP maximum security offenders mix with other classifications during work and recreation periods. Also crowding conditions at MSP are worse than at any other facility.

There is also a lack of a facility to create and implement a centralized uniform classification system. There is a need for a central reception housing unit and for appropriate resources to properly classify inmates according to their individual needs.

5. While current needs are greater for maximum security beds, future shortages are predicted to be most acute for minimum and medium security beds.

B. Areas of Debate

The areas of disagreement in the hearings were caused by the fact that the Committee had only a \$16mm bond issue to work with, while the cost of the desired maximum care facility is \$45mm.

The majority of those appearing before the Committee felt that the State should utilize a major portion of the \$16mm to build a 100 bed free standing maximum care facility and then it should be in proximity to the current facilities in order that certain support functions can be used in common. These people felt that the chances of ever getting a 500 bed facility are slim, that the need is immediate for maximum security beds, and that, if funds became available, the 100 bed facility could be added to or the needs divided and a separate facility developed in another location.

The minority group was opposed to the 100 bed facility. They felt that it is essential that MSP be closed or be redeveloped for very different Corrections use and that the existence of the 500 bed maximum facility is the only way that this will come about. They felt that building the 100 bed facility will virtually eliminate the chances of the 500 bed facility ever being built. Their preference was not to include maximum security needs in this bond issue and to aggressively work for a timely new bond issue to build the desired 500 bed facility.

C. Support Data

Exhibits A1-A3 show 4 options presented by the DOC for the use of the bond issue, while Exhibit B gives the response to those by the Maine Civil Liberties Union. Exhibits D and E provide the final proposals of DOC and MCLU, while Exhibit F is a detailed discussion of the DOC proposals. Finally, Exhibit G indicates the prison capacity situation in 1990 both without the effect of the current bond issue and with the effect based on the Department's plan for utilizing this issue.

MAINE DEPARTMENT OF CORRECTIONS

July 28, 1986

1986 BOND ISSUE POSSIBLE OPTIONSOPTION A

<u>LOCATION</u>	<u>DESCRIPTION</u>	<u>APPROXIMATE COST</u>	<u>BEDSPACE/PROGRAM IMPACT</u>
MSP or Elsewhere	New Maximum Security Facility	\$11,000,000	+100 maximum security beds
MSP	Renovate East Wing to ACA Standards	\$ 4,700,000	-100 maximum security beds
MSP	Renovate/Construct improvements to recreation and athletic areas	\$ 300,000	additional program space

TOTAL BEDSPACE IMPACT OPTION A0

OPTION B

MSP or elsewhere	New Maximum Security Facility	\$11,000,000	+100 maximum security beds
Downeast, Charleston or MCC	New Minimum Security Housing	\$ 2,000,000	+100 minimum security beds
MSP	Finish renovations and additions to recreation and athletic areas	\$ 600,000	additional program space
MSP	Improve East Wing	\$ 2,400,000	Upgrade East Wing housing in terms of electrical, plumbing, ventilation

TOTAL BEDSPACE IMPACT OPTION B+200 BEDS

OPTION C

<u>LOCATION</u>	<u>DESCRIPTION</u>	<u>APPROXIMATE COST</u>	<u>BEDSPACE/PROGRAM IMPACT</u>
MSP or elsewhere	New Maximum Security Facility	\$11,000,000	+100 maximum security beds
Downtown, Charleston, MCC, or MSP Farm Area	Add New Minimum Security Units	\$ 3,600,000	+200 minimum security beds
To Be Determined	Purchase of Community Program Beds	\$ 600,000	+ 30 community beds
MSP	Finish renovations and additions to recreation and athletic areas	\$ 600,000	additional program space
<u>TOTAL BEDSPACE IMPACT OPTION C</u>			<u>+330 BEDS</u>

OPTION D

<u>LOCATION</u>	<u>DESCRIPTION</u>	<u>APPROXIMATE COST</u>	<u>BEDSPACE/PROGRAM IMPACT</u>
Pineland	New Maximum Security Unit	\$ 9,500,000	+100 maximum security beds
Pineland	Renovate for medium minimum and community security classifications	\$ 5,500,000	+250 minimum + 50 medium + 50 community beds
MSP	finish renovations and additions to recreation and athletic areas	\$ 600,000	additional program space
To be determined	Purchase of Community Program Beds	\$ 400,000	+ 20 community beds
<u>TOTAL BEDSPACE IMPACT OPTION D</u>			<u>+470 BEDS</u>

OPTION E

<u>LOCATION</u>	<u>DESCRIPTION</u>	<u>APPROXIMATE COST</u>	<u>BEDSPACE/PROGRAM IMPACT</u>
MSP	New maximum security	\$11,000,000	+200 maximum security beds
MSP	New minimum security	\$ 4,000,000	+100 minimum security beds
MCC	New minimum security	\$ 500,000	+ 50 minimum security beds
To be determined	Purchase of Community Program Beds	\$ 500,000	+30 community beds
<u>TOTAL BEDSPACE IMPACT OPTION E</u>			<u>+ 380 BEDS</u>

Maine Civil Liberties Union
Response to DOC Bond Options

The MCLU has identified the following needs for the Maine Correctional System given current conditions and projections:

1. Significant increase in minimum security bed space---the Ehrenkrantz consultants on the department's master plan estimate that the major shortfall over the next ten years in corrections bed space will be in the minimum security side.
2. The development of substantial new space and program for community corrections at the state and county levels to aid in the reintegration process.
3. A need for program space and program personnel---for education, job training, and rehabilitation.
4. An adequate unit for reception of new inmates and for classification.
5. Need a separate psychiatric unit in which prisoners who have serious adjustment problems can be isolated, controlled, and provided some sort of treatment.
6. Need for a geriatric unit for the increasing numbers of elderly and infirmed inmates.
7. A secure hospital unit that can provide cost-effective treatment and aftercare for inmates who must now be cared for under supervision of correctional officers in expensive hospital units throughout the state.
8. A special unit for housing some sex offenders who now constitute roughly 30% of the prison population and who are difficult to work with because of the abuse from other inmates in general prison population.
9. The elimination of costly, inefficient, and outmoded prison at Thomaston and its replacement by a new facility.
10. The capacity to isolate the 80 to 100 most difficult and violent offenders from the rest of the inmate population.

6889

ANALYSIS OF DOC OPTIONS FOR BOND ISSUE ,

BY MAINE CIVIL LIBERTIES UNION

Bed Space Analysis (as determined by Ehrenkrantz)

	<u>1990 need</u>	<u>shortfall</u>
Maximum	478	123
Medimum	460	46
Minimum	720	232
Contractual	99	0
Segregation	79	11

OPTION A

super max +100 beds maximum
 renovate east wing -100 beds maximum
 recreation additional program space

Needs met:

10. capacity to isolate most difficult and violent inmates
3. additional program space at Thomaston

Needs not met:

1. minimum security beds
2. space and program for community corrections
3. program space and personnel at other institutions
4. reception and classification unit
5. separate psychiatric unit
6. geriatric unit
7. secure and cost effective hospital and aftercare treatment center
8. sex offender unit
9. elimination of costly, inefficient and outmoded prison at Thomaston

Shortfall of beds:

maximum - 123 beds
 medimum - 46 beds
 minimum - 232 beds
 segregation - 11 beds

OPTION B

super max +100 beds
 minimum security +100 beds
 east wing upgraded (may temporarily lose space)
 recreation additional program space

Needs met:

10. capacity to isolate dangerous inmates
1. will meet less than $\frac{1}{2}$ estimated need of minimum space
3. additional program space at Thomaston

Needs not met:

1. 132 minimum security beds
2. space and program for community corrections
3. program space and personnel at other institutions
4. reception and classification unit
5. separate psychiatric unit
6. geriatric unit
7. secure and cost effective aftercare treatment center and hospital
8. sex offender unit
9. elimination of costly, inefficient, and outmoded prison at Thomaston

Shortfall of beds:

maximum - 23
 medimum - 46
 minimum - 132
 segregation - 11

OPTION C

super max +100
 new minimum +200
 community space +30
 renovations program space

Needs met:

10. capacity to isolate 80 - 100 dangerous inmates
3. additional program space at Thomaston
1. barely meets need identified for minimum security beds

OPTION C (cont.)Needs not met:

2. space and program for community corrections
3. program space and personnel at other institutions
4. reception and classification unit
5. separate psychiatric unit
6. geriatric unit
7. secure and cost effective hospital and aftercare treatment center
8. sexoffender unit
9. elimination of costly, inefficient, and outmoded prison at Thomaston

Shortfall of beds:

maximum - 23
 medimum - 46
 segregation - 11

OPTION D

Pineland - not a real option at this time

OPTION E

super max +100 beds
 new minimum +150 beds
 community space +30 beds

Needs met:

10. capacity to isolate 80 - 100 violent inmates
1. will meet some of the need for minimum beds

Needs not met:

1. minimum security beds
2. space and program for community corrections
3. program space and personnel
4. reception and classification unit
5. separate psychiatric unit
6. geriatric unit
7. secure and cost effective hospital and aftercare center
8. sex offender unit
9. elimination of costly, inefficient, and outmoded prison at Thomaston

Shortfall of beds:

maximum - 23
 minimum - 52
 medimum - 46
 segregation - 11

DEPARTMENT OF CORRECTIONS
 OUTLINE OF FINAL PROPOSAL

	<u>Capital Costs</u>	<u>Annual Operating Costs*</u>
100 bed maximum security facility at Warren	\$11,000,000	\$ 2,154,000
50 bed minimum security facility at MSP Farm	1,400,000	785,336
100 bed facility at MCC to free-up industries building	2,000,000	1,298,893
50 bed facility at Charleston Correctional Center	1,000,000	775,923
\$600,000 at MSP to bond funds for recreation & construction related to treatment, recreation and programs	600,000	N/A

* Current DOC operating costs are \$33mm. When the various projects authorized by the 1984 bond issue are completed this will increase by \$4 - \$5mm.

6720-1



Maine Civil Liberties Union

August 27, 1986

To: Legislative Committee on Corrections

From: Craig McEwen, MCLU Criminal Justice and Corrections
Task Force

The MCLU has listened carefully to testimony, debate, and discussion regarding the \$16 million bond issue. We have not altered our commitment to improving the correctional system so that it can meet constitutional standards and accomplish its correctional goals. We have changed our view about the appropriate priorities for this bond money.

The following proposal is based on several considerations:

- 1) A commitment to following through on the blueprints for corrections set out by the Ohlin committee and the Department's master plan;
- 2) An acknowledgement that additional bed space is needed, especially for minimum security inmates and sex offenders;
- 3) A belief that the counties need support in developing a community correction system that will directly meet state needs and free jail space for state inmates requiring higher security;
- 4) A belief, shared with the Department's master plan, that maximum security bedspace (at Thomaston or any new prison) can be reduced to below 300 inmates;
- 5) A belief that centralized classification is essential to making any correctional system successful; and
- 6) A commitment to improving the unconscionable conditions in the East Wing at the prison, especially if political realities

97A Exchange Street, Portland, Maine 04101, (207) 774-5444

Executive Director: Sally Sutton

Board of Directors: John Ballou/Bangor, E. James Burke/Lewiston, Janis Cohen/Scarborough, Peter Cox/Topsham, Charles Devoe/Jefferson, Lynn Dondis/Portland, Mary Lou Dyer/Winthrop, Steven Einstein/Ogunquit, Horace Hildreth/Portland, Lewis Krainin/Naples, Aldo Llorente/Brunswick, Albert Mavrinac/Waterville, Eleanor Mayer/Washington, Sheila McKenna/Augusta, Harry Meserve/Southwest Harbor, Marjorie Phye/Portland, Jean Sampson/Lewiston, Louise Thurber/South Portland, David Turitz/Portland, Vendeau Vafiades/Freeport, Stephen Ward/North Edgcomb

make it improbable that the Maine State Prison will be closed.

The following proposal involves a net increase of over 300 beds in the state/county correctional system.

- \$4.5 million - to county and state community corrections for acquisition of buildings/space for 225 - 275 beds
- \$2 million - 100 beds at MCC to free up industrial space for industrial use
- \$6 million - sex offender unit with 200 minimum/medium security beds (DOC feels that this cost would be close to \$12mm)
- \$3 million - renovation of East Wing to be used as a classification and administrative segregation unit*
- \$.5 million - asbestos removal and rehabilitation of program space at Thomaston

*If there exists a firm commitment to close MSP and build a new facility, this money could be reallocated for other purposes.

Department of Corrections

Detail of Final Proposal

8/28/86

EXHIBIT F-1

\$16 MILLION BOND ISSUE TO BUILD/REPAIR
OR RENOVATE STATE CORRECTIONAL FACILITIES

<u>FACILITY/BUILDING</u>	<u>LOCATION</u>	<u># OF BEDS</u>	<u>DESCRIPTION</u>	<u>BUDGET</u>	<u>NEED</u>
Minimum Security Housing	Charleston Correctional Facility	50	This building would be constructed on the grounds of the Charleston Correctional Facility, providing sleeping, leisure time, shower and storage areas, and staff areas for the supervision of up to 50 minimum security.	\$1,000,000	To help manage present and projected overcrowding. Water, heating, and all other institutional support services can be provided by the Charleston Correctional Facility for the addition of this building. Provide housing for 50 minimum security prisoners. Current projections show a need to develop additional minimum security beds by the year 1990

\$16 MILLION BOND ISSUE TO BUILD/REPAIR
OR RENOVATE STATE CORRECTIONAL FACILITIES

8/28/86

F-2

FACILITY/BUILDING

Minimum Security
housing

LOCATION

Maine
Correctional
Center

OF BEDS

100

DESCRIPTION

This building would house
100 prisoners in individual
cells and/or dormitories and
provide the necessary space
for leisure time activities
of the prisoners.

BUDGET

\$2,000,000

NEED

Help to eliminate present and
projected overcrowding.

Allow the industries Building
Dormitory to be converted to
its original intended use as
a program (Industries)
building.

\$16 MILLION BOND ISSUE TO BUILD/REPAIR
OR RENOVATE STATE CORRECTIONAL FACILITIES

8/28/86

F-3.

<u>FACILITY/BUILDING</u>	<u>LOCATION</u>	<u># OF BEDS</u>	<u>DESCRIPTION</u>	<u>BUDGET</u>	<u>NEED</u>
renovation/Construction Maine State Prison	MSP	-0-	These funds would allow for renovation to existing plant and/or new construction thus providing additional needed program space for projects such as the following: food preparation, recreation, social services, educational, vocational programs, psychological services, administration, industrial programs.	\$600,000	With the completion of the renovations as funded by the Bond Issue of 1984 to the administration building, recreational area and kitchen, the Prison is still in great need for additional program and staff areas to be able to treat and securely house over 400 prisoners. This money would allow additional renovations, social services, psychological, legal, and advocacy services. The recreational/yard area would receive additional renovation needed for adequate physical and leisure time activities for 400 prisoners. Inmate visiting areas and the prison main control room are in need of significant renovation from both programmatic and security points of view. Previous monies allocated for several of these projects have been diminished due to an unforeseen emergency removal of asbestos. These proposed funds would allow the prison to complete renovation work previously planned.

\$16 MILLION BOND ISSUE TO BUILD/REPAIR
OR RENOVATE STATE CORRECTIONAL FACILITIES

<u>FACILITY/BUILDING</u>	<u>LOCATION</u>	<u>#OF BEDS</u>	<u>DESCRIPTION</u>	<u>BUDGET</u>	<u>NEED</u>
Maximum Security Facility	So. Warren MSP land near pre-release center	100	The maximum security facility will offer, through the latest in security design, a physical plant which will help to assure the safety and security of staff, public and prisoners (maximum security prisoners). The facility will provide all the necessary administrative, recreation, work and staff areas necessary for the incarceration of 100 maximum security prisoners.	\$11,000,000	<p>The 100-bed maximum security facility will remove from the present Maine State Prison up to 100 prisoners who cannot be properly supervised or programmed at the Prison due to the fact that the physical plant cannot adequately separate these individuals.</p> <p>Will provide an additional 100 beds to help alleviate bed deficits projected through 1990.</p> <p>When the new maximum security facility opens, it is intended that the present Maine State Prison in Thomaston will continue to house medium security prisoners and some maximum security prisoners that are more appropriately able to function within the confines of the existing facility.</p>

\$16 MILLION BOND ISSUE TO BUILD/REPAIR
OR RENOVATE STATE CORRECTIONAL FACILITIES

<u>FACILITY/BUILDING</u>	<u>LOCATION</u>	<u># OF BEDS</u>	<u>DESCRIPTION</u>	<u>BUDGET</u>	<u>NEED</u>
Minimum Security Housing	So. Warren near Bolduc Unit	50	This building will be constructed adjacent to the present Bolduc Minimum Security Unit and will provide housing, day room, recreation/program, and visiting space for 50 minimum security prisoners. The new 50-bed minimum security unit and the present Bolduc Unit will be under the supervision of one director, who will answer directly to the Warden of the Maine State Prison.	\$1,400,000	<p>Help to eliminate present overcrowding and to meet the projected bed deficits projected through the year 1990.</p> <p>Provide minimum security housing and program areas for 50 prisoners.</p> <p>Will provide outside support services for the maintenance of all buildings and grounds as it pertains to the Maine State Prison, Bolduc Unit, farm operations, and the proposed new maximum security facility in Warren.</p> <p>The new building will offer adequate visiting areas for the new facility as well as help with visiting space deficiencies at the present Bolduc Unit.</p> <p>Will allow for closing of temporary housing of prisoners in a vocational building next to the Bolduc Unit, so that space may be re-utilized for recreation or vocational programs use.</p>

DEPARTMENT OF CORRECTIONS

EXHIBIT G-1

Bed Need as of 1990 by Category

	<u>Maximum</u> *1	<u>Medium</u>	<u>Minimum</u>	<u>Community</u>	<u>Total General Beds</u>	<u>+Segregation</u>	<u>Total</u>
Population Projected by Category - 1990 with 5% Utilization Factor Included	478	460	513	207	1658	79	1737
Bed Capacity Projected to 1990 as of Completion of Construction of Bond Issue of 1984	-355*2	-414	-165	-123	-1057	-68	-1125
Projected 72 Medium and Minimum Inmates Will Not be Sent to the State System with Passage of Community Corrections Act. The Depart- ment cannot predict if space will be available to board State prisoners in the county system.		-36	-36		-72		-72
Projected number of Prisoners Not Sentenced to Confinement Due to Intensive Supervision			-125		-125		-125
Federal Transfers	-25				-25		-25
Bed Need as of 1990 With Completion of Bond Issue of 1984	98	10	187	84	379	11	390
\$16 Million Bond, If Approved - 1986:							
Maximum Security Prison - Warren	-100				-100		-100
Minimum Security Housing - Warren			-50		-50		-50
Minimum Security Housing - MCC			-100		-100		-100
Minimum Security Housing - CCF			-50		-50		-50
BED NEED WITH PASSAGE OF 10/86 BOND BY THE YEAR 1990	+2	(10)	+13	(84)	(79)	(11)	(90)

*1 The Maximum category includes 279 maximum inmates, 116 in Receiving status and 83 on mental health status, who should be housed in a maximum security facility in their own specialized areas.

*2 The Maine State Prison does not meet the Commission on Accreditation for Corrections standards for maximum security facilities.

Recommendations

I. Bond Issue

1. 100 Bed Maximum Security Facility at Warren--\$11,000,000

The Committee recommends construction of a maximum facility of approximately 100 beds at Warren, sufficiently close to the prison farm at South Warren as to be able to utilize that facility's waste treatment plant.

Inmates for this facility will be prisoners who would currently be assigned to the State Prison at Thomaston. The new facility will alleviate the crowding at Thomaston and will remove those prisoners that Thomaston is least well able to handle, the so-called "predators" or "trouble-makers". These individuals require a true maximum security facility, which Thomaston is not. In addition, having them mixed with the general population as they are at Thomaston is very disruptive to the other prisoners, particularly the growing population of sex offenders and older, long term prisoners. The Master Plan of the Dept. of Corrections calls for the immediate construction of a 500 bed maximum facility.

Central to a decision to build a new maximum facility is the need for a policy decision on the future of the State Prison at Thomaston. The Master Plan of the Department of Corrections calls for the immediate construction of a 500 bed maximum facility. However, the size of the bond issue required that the Committee scale this new maximum facility back to 100 beds and, in all probability, created the necessity of continuing to operate the Thomaston prison.

Because of the factors discussed in the previous paragraph, in recommending the 100 bed facility, the Committee further recommends that by 1989 the Legislature appropriate by some means (eg. bond, general fund) the funds required to eliminate the current unacceptable situation in the East Wing at Thomaston, either by reducing the number of inmates housed there to no more than 110 or by renovating that building for exclusive use as a program, treatment or recreation facility. The Committee further recommends that by 1989 funds be appropriated for construction of a maximum facility of a minimum of 116 beds for prisoners in a classification or reception status. It is recommended that the location of this facility be determined by the 113th Legislature during its first session, through a Select Committee on Corrections, which the present Committee recommends be established.

The projected costs for these recommended changes at Thomaston are as follows. (The Committee is not recommending that these funds come from the current bond issue.)

Renovating Thomaston to Fewer Beds

Housing for Temporarily Displaced Prisoners	Not determined
Housing & Program space for Permanently Displaced Prisoners	\$9,750,000
Renovation Work	5,164,000

Renovating Thomaston to Non-Bed Use

Housing & program space for All Displaced Prisoners	20,595,000
Renovation Work	2,200,000

2. 100 Bed Medium Security Building at the Maine Correctional Center \$2,000,000

The Correctional Center is the Department's second most secure facility, housing as it does increasing numbers of medium security inmates.

This new building would allow the prison industries building, which is currently being used for housing inmates, to be returned to its original function. (This return is based on the Department's current population projections.)

3. 50 Bed Minimum Security Building at the Charleston Correctional Facility - \$1,000,000

Charleston is the Department's facility for its minimum security inmates who need the least security. It is basically used as a transition facility, housing those with 18 months or less left to serve. This building would alleviate current crowding and be in line with projections which show minimum and medium beds as the Department's greatest future need.

In recommending construction of this low minimum facility the Committee would particularly like to encourage the Department in its quest for additional funding for community corrections.

4. 50 Bed Minimum Security Building adjacent to the Bolduc Unit at S. Warren - \$1,400,000

Bolduc is the prison farm facility. Increasing its bed capacity would allow the return to its original use of a vocational building now used for housing and would be in line with Department projections showing minimum and medium bed space as the greatest future need.

5. Non-housing Renovation and Construction at the State Prison - \$600,000

The 1984 bond issue allotted \$2.3mm to the State Prison at Thomaston for construction and renovation. This additional \$600,000 would replace approximately \$100,000 which had to be channeled to asbestos removal, provide for important improvements to prison security facilities, renovate recreation facilities and expand the work on program facilities that was initiated by the previous bond issue.

For planning purposes, the Committee is assuming that the construction recommended in this section will be completed approximately 3 years after the required approval of its plan by the 1st session of the 113th Legislature.

II. Other Recommendations

Joint Select Committee on Corrections

The Committee recommends the establishment of a Joint Select Committee on Corrections. The overall mission of this Committee would be to develop a long range legislative corrections plan and to relate this plan to the Department's Master Plan. This Committee would be composed of members of Human Resources, Appropriations and other appropriate committees. The following specific issues are recommended for the attention of this proposed select committee.

1. A review of other State lands and facilities as to their possible use as corrections facilities. This should include Pineland and the former Women's Reformatory at Skowhegan (now privately owned).
2. A review of the entire community based corrections issue, including its adequacy and the relation of the Department of Corrections to it.
3. The treatment and housing of sex offenders, including the desirability of housing them in a separate facility and post-release treatment, including funding.

APPENDIX

1 SECOND SPECIAL SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 2439

6
7 H.P. 1758

House of Representatives, May 30, 1986

8 Reference to the Committee on Appropriations and Financial Affairs
9 suggested and ordered printed.

EDWIN H. PERT, Clerk

10 Presented by Representative Nelson of Portland.

Cosponsored by Senator Gauvreau of Androscoggin, Senator Gill of
Cumberland and Representative Manning of Portland.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-SIX
16

17 AN ACT to Authorize a General Bond Issue in
18 the Amount of \$15,000,000 for
19 Construction and Renovation of
20 Correctional Facilities.
21

22 Preamble. Two-thirds of both Houses of the Leg-
23 islature deeming it necessary in accordance with the
24 Constitution of Maine, Article IX, Section 14, to au-
25 thorize the issuance of bonds on behalf of the State
26 of Maine to provide funds for construction and
27 renovation of correctional facilities.

28 Be it enacted by the People of the State of Maine as
29 follows:

30 Sec. 1. Authorization of bonds to provide funds
31 for construction and renovation of correctional fa-
32 cilities. The Treasurer of State is authorized, under
33 the direction of the Governor, to issue from time to
34 time registered bonds in the name and behalf of the
35 State to an amount not exceeding \$15,000,000 for the

1 purpose of raising funds to provide for construction
2 and renovation of correctional facilities as autho-
3 rized by section 6. The bonds shall be deemed a
4 pledge of the full faith and credit of the State.
5 The bonds shall not run for a longer period than 10
6 years from the date of the original issue of the
7 bonds. Any issuance of bonds may contain a call fea-
8 ture at the discretion of the Treasurer of State with
9 the approval of the Governor.

0 Sec. 2. Records of bonds issued to be kept by
1 the State Auditor and Treasurer of State. The State
2 Auditor shall keep an account of the bonds, showing
3 the number and amount of each, the date when payable
4 and the date of delivery of the bonds to the Treasur-
5 er of State who shall keep an account of each bond
6 showing the number of the bond, the name of the suc-
7 cessful bidder to whom sold, the amount received for
8 the same, the date of sale and the date when payable.

9 Sec. 3. Sale; how negotiated; proceeds appropri-
0 ated. The Treasurer of State may negotiate the sale
1 of the bonds by direction of the Governor, but no
2 such bond may be loaned, pledged or hypothecated in
3 behalf of the State. The proceeds of the sale of the
4 bonds, which shall be held by the Treasurer of State
5 and paid by him upon warrants drawn by the Governor,
6 are appropriated to be used solely for the purposes
7 set forth in this Act. Any unencumbered balances re-
8 maining at the completion of the project in section
9 6 shall lapse to the debt service account established
0 for the retirement of these bonds.

1 Sec. 4. Interest and debt retirement. Interest
2 due or accruing upon any bonds issued under this Act
3 and all sums coming due for payment of bonds at matu-
4 rity shall be paid by the Treasurer of State.

5 Sec. 5. Disbursement of proceeds of the bonds.
6 The proceeds of the bonds shall be expended under the
7 direction and supervision of the Commissioner of Ad-
8 ministration after consultation with the Commissioner
9 of Corrections.

0 Sec. 6. Legislative allocation. The Legislature
1 shall allocate the proceeds of the sale of bonds to
2 specific correctional facilities and locations within

1 the State, provided that the overall limitation is
2 not exceeded.

3 Sec. 7. Contingent upon ratification of bond is-
4 sue. Sections 1 to 6 shall not become effective un-
5 less and until the people of the State have ratified
6 the issuance of bonds as set forth in this Act.

7 Sec. 8. Bonds authorized but not issued. Any
8 bonds authorized but not issued, or for which bond
9 anticipation notes have not been issued within 5
10 years of the ratification of this Act, shall be
11 deauthorized and may not be issued, provided that the
12 Legislature may, within 2 years after the expiration
13 of that 5-year period, extend the period for issuing
14 any remaining unissued bonds or bond anticipation
15 notes for an additional amount of time not to exceed
16 5 years.

17 Sec. 9. Appropriation balances at year end. At
18 the end of each fiscal year, all unencumbered appro-
19 priation balances representing state money shall car-
20 ry forward from year to year. Bond proceeds which
21 have not been expended within 10 years after the date
22 of the sale of the bonds shall lapse to General Fund
23 debt service.

24 Sec. 10. Statutory referendum procedure; submis-
25 sion at general election; form of question; effective
26 date. This Act shall be submitted to the legal vot-
27 ers of the State of Maine at the next general elec-
28 tion in the month of November following passage of
29 this Act. The city aldermen, town selectmen and
30 plantation assessors of this State shall notify the
31 inhabitants of their respective cities, towns and
32 plantations to meet, in the manner prescribed by law
33 for holding a statewide election, to vote on the ac-
34 ceptance or rejection of this Act by voting on the
35 following question:

36 "Do you favor a \$15,000,000 bond issue to build
37 and repair correctional facilities for prisoners?"

38 The legal voters of each city, town and plantation
39 shall vote by ballot on this question, and shall des-
40 ignate their choice by a cross or check mark placed
41 within a corresponding square below the word "Yes" or

1 "No." The ballots shall be received, sorted, counted
2 and declared in open ward, town and plantation meet-
3 ings and returns made to the Secretary of State in
4 the same manner as votes for members of the Legisla-
5 ture. The Governor shall review the returns and, if
6 it appears that a majority of the legal voters are in
7 favor of the Act, the Governor shall proclaim that
8 fact without delay, and the Act shall become effec-
9 tive 30 days after the date of the proclamation.

10 The Secretary of State shall prepare and furnish to
11 each city, town and plantation all ballots, returns
12 and copies of this Act necessary to carry out the
13 purpose of this referendum.

14 STATEMENT OF FACT

15 This bill provides for a bond issue in the amount
16 of \$15,000,000 for construction and renovation of
17 correctional facilities on a statewide basis. The
18 Legislature may allocate these funds to specific
19 projects after the voters have approved the total
20 bond issue.

21 6457052986

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L.D. 2439

(Filing No. H-776)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
112TH LEGISLATURE
SECOND SPECIAL SESSION

HOUSE AMENDMENT "F" to H.P. 1758, L.D. 2439,
Bill, "AN ACT to Authorize a General Bond Issue in
the Amount of \$15,000,000 for Construction and
Renovation of Correctional Facilities."

Amend the bill in the title in the 2nd line by
striking out the figure "\$15,000,000" and inserting
in its place the figure '\$16,000,000'

Further amend the bill in section 1 in the 6th
line (page 1, line 35 in L.D.) by striking out the
figure "\$15,000,000" and inserting in its place the
figure '\$16,000,000'

Further amend the bill by striking out all of
section 6 and inserting in its place the following:

'Sec. 6. Allocations from General Fund bond is-
sue - state correctional facilities. The proceeds of
the sale of bonds shall be expended as deemed neces-
sary for building, repair or renovation of the fol-
lowing: Maine State Prison, Maine Correctional Cen-
ter and other state correctional facilities. No money
may be expended until the proceeds of the sale of
bonds are allocated by the 113th Legislature.'

Further amend the bill in section 10 by striking
out all of the question and inserting in its place
the following:

"Do you favor a \$16,000,000 bond issue to
build, repair or renovate state correctional facili-
ties?"

STATE OF MAINE

In Senate May 30, 1986

Whereas, the Legislature has attempted to resolve the problematic issue of necessary improvements to the Maine corrections system; and

Whereas, the Legislature in L.D. 2439, H.P. 1758 has proposed a General Fund bond issue in the amount of \$16,000,000 to renovate and construct correctional facilities and this shall be submitted to the voters on November 4, 1986; and

Whereas, the Legislature finds it important that the electorate of the State should be informed how the available proceeds from the possible issuance of bonds will be spent; now, therefore, be it

Ordered, the House concurring, that the Joint Select Committee on Improvements to the Corrections System is established. The committee shall consist of 15 members appointed jointly by the President of the Senate and Speaker of the House as follows: Four Senators and 11 members of the House of Representatives, representing the Joint Standing Committee on Human Resources and the Joint Standing Committee on Appropriations and Financial Affairs. The joint select committee shall select one of its members to serve as chairman; and be it further

Ordered, that the joint select committee shall survey the status of the State's correctional facilities and recommend the allocation of funds from the proceeds of the General Fund bond issue authorized pursuant to L.D. 2439; and be it further

Ordered, that the joint select committee report its findings and recommendations, especially with regard to how the money resulting from the proceeds of the bond issue should be spent, to the Legislative Council by September 15, 1986; and be it further

Ordered, that no finding or recommendation may be made by the joint select committee unless that finding or recommendation is approved by at least 2/3 of the members of the joint select committee; and be it further

Ordered, that the Legislative Council shall take such action as it may deem necessary to inform the voters prior to the general election as to the proposed allocations of funds from the General Fund bond issue.

(Sen. GAUVREAU)
SPONSORED BY: _____

COUNTY: Androscoggin

S.P. 986

Joint order

IN SENATE CHAMBER

HOUSE OF REPRESENTATIVES
READ AND PASSED

MAY 30 1986

MAY 30 1986

READ AND PASSED

IN CONCURRENCE

JOY J. O'BRIEN, Secretary

[Signature]
ORDERED SENT FORTHWITH

CLERK

SENT DOWN FOR CONCURRENCE

Ordered Sent Forthwith

0813053086

SENATE

BEVERLY MINER BUSTIN, DISTRICT 19, CHAIR
DAVID T. KERRY, DISTRICT 31
CHARLOTTE ZAHN SEWALL, DISTRICT 20

JERI B. GAUTSCHI, LEGISLATIVE ANALYST
SANDRA CHESLEY, COMMITTEE CLERK



HOUSE

JOSEPH C. BRANNIGAN, PORTLAND, CHAIR
HILDA C. MARTIN, VAN BUREN
ROBERT E. MURRAY, JR., BANGOR
PATRICIA M. STEVENS, BANGOR
JOHN A. ALIBERTI, LEWISTON
CHARLENE B. RYDELL, BRUNSWICK
JOHN TELOW, LEWISTON
RICHARD W. ARMSTRONG, WILTON
ALAN L. BAKER, ORRINGTON
GERALD A. HILLOCK, GORHAM

STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
COMMITTEE ON BUSINESS AND COMMERCE

September 12, 1986

Rep. John N. Diamond, Chairman
Legislative Council
State House
Augusta, ME 04333

Dear Representative Diamond:

We request an extension until November 15 on our study concerning the availability of credit through finance companies in the State. The Bureau of Consumer Credit Protection is in the process of conducting a survey throughout the State on attitudes toward finance companies and a survey of the other states regarding complaints and bankruptcies related to finance companies. This survey work will not be completed until the end of October because of an unexpected delay in hiring a research assistant at the Bureau of Consumer Credit Protection. A survey of literature regarding bankruptcies and finance companies has been completed.

Since the Committee is scheduled to meet only once on this issue, it is important to have all survey work completed and analyzed at that time in order to make an informed decision. Therefore, we hope you will grant us an extension so that we can meet early in November instead of at the end of September.

Sincerely,

Beverly Miner Bustin *JB*
Sen. Beverly Miner Bustin
Senate Chair

Joseph Brannigan *JB*
Rep. Joseph Brannigan
House Chair

JG/e1k/6921

SENATE

JEAN B. CHALMERS, DISTRICT 21, CHAIR
LARRY M. BROWN, DISTRICT 7
ELVIN A. SHUTE, DISTRICT 14

WILLIAM T. GLIDDEN, LEGISLATIVE ASSISTANT
JANET BRIGGS, COMMITTEE CLERK



HOUSE

NATHANIEL J. CROWLEY, SR., STOCKTON
SPRINGS, CHAIR
HARRY L. VOSE, EASTPORT
PETER J. MANNING, PORTLAND
JAMES MITCHELL, FREEPORT
JAMES REED COLES, HARPSWELL
RICHARD P. RUHLIN, BREWER
MAYNARD G. CONNERS, FRANKLIN
ROLAND S. SALSURY, JR., BAR HARBOR
GUY G. SCARPINO, ST. GEORGE
SALLY R. RICE, STONINGTON

STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
COMMITTEE ON MARINE RESOURCES

September 16, 1986

To: Rep. John Diamond, Chairman, Legislative Council
From: Rep. Nat Crowley, Sr., Chairman, *NC/gr*
Mussel Study Subcommittee
Re: Extension for Mussel Subcommittee Study

Mussel harvesting has grown tremendously in the past fifteen years. The technology, marketing and conflicts are new and in most cases undocumented. Gathering and analyzing this information and developing recommendations is time-consuming and difficult. I would like to request an extension for the Mussel Study Subcommittee to develop recommendations to December 1.

To date, the Subcommittee has had an organizational meeting and two lively public hearings. We have spent the days prior to the evening hearings talking with mussel harvesters, processors, wholesalers and lobstermen. The background report for our recommendations is currently out for review. It is the first time much of this information has been gathered and describes how the fishery currently works.

While we reached consensus on some of the major issues at our third meeting, the complexity of instituting a harvesting season, drag size restrictions, and addressing the mussel seed issue require more work.

Again, I feel an extension to December 1 will give the Subcommittee and Marine Resources Committee time to develop sound recommendations.

NC:GF:1k:6854
cc: Helen Ginder, Director
Office of Policy & Legal Analysis

SENATE

RONALD E. USHER, DISTRICT 28, CHAIR
JUDY C. KANY, DISTRICT 17
JEROME A. EMERSON, DISTRICT 9

DAVID ELLIOTT, LEGISLATIVE ASSISTANT
WILLIAM T. GLIDDEN, LEGISLATIVE ASSISTANT
ALICE SCHLOSSER, COMMITTEE CLERK



HOUSE

MICHAEL H. MICHAUD, EAST MILLINOCKET,
CHAIR
PAUL F. JACQUES, WATERVILLE
JAMES MITCHELL, FREEPORT
VINTON T. RIDLEY, SHAPLEIGH
JAMES REED COLES, HARPSWELL
ANNETTE M. HOGLUND, PORTLAND
EDWARD L. DEXTER, KINGFIELD
DARRYL N. BROWN, LIVERMORE FALLS
MURIEL D. HOLLOWAY, EDGECOMB
STEPHEN J. LAW, DOVER-FOXCROFT

STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
COMMITTEE ON ENERGY AND NATURAL RESOURCES

September 12, 1986

Representative John Diamond
Chair, Legislative Council
Maine Legislature
Augusta, Maine

Dear Rep. Diamond:

We request an extension of the study authorized by the Council to examine the implementation of the wood measurement law. We anticipate being able to finalize our recommendations by December 1, 1986.

The subcommittee has held a briefing in Augusta and two field hearings on the study subject. Two additional public hearings in southern Maine are scheduled for September. Because revisions to the wood measurement regulations have been finalized only very recently, further time is needed to solicit public reaction on the changes implemented by the Department of Agriculture, Food and Rural Resources.

Thank you for your attention to this matter.

Sincerely,

Ron Usher
Sen. Ron Usher
Senate Chair

Mike Michaud
Rep. Mike Michaud
House Chair

SENATE

CHARLES G. DOW, DISTRICT 18, CHAIR
EDGAR E. ERWIN, DISTRICT 8
MELVIN A. SHUTE, DISTRICT 14

CHRISTOS GIANOPOULOS, LEGISLATIVE ANALYST
JOAN COLFORD, COMMITTEE CLERK



HOUSE

RAYNOLD THERIAULT, FORT KENT, CHAIR
HAROLD M. MACOMBER, SOUTH PORTLAND
FRED W. MOHOLLAND, PRINCETON
ROGER M. POULIOT, LEWISTON
FREDERICK F. SOUCY, KITTERY
JEFFERY N. MILLS, BETHEL
DONALD A. STROUT, CORINTH
ORLAND G. MCPHERSON, ELIOT
PAMELA L. CAHILL, WOOLWICH
DANIEL J. CALLAHAN, MECHANIC FALLS

STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
COMMITTEE ON TRANSPORTATION

September 5, 1986

Rep. John N. Diamond, Chair
Legislative Council
State House, Station 115
Augusta, ME 04333

Dear Representative Diamond:

The Study Subcommittee from the Transportation Committee, which is looking at the question of Government Subsidy of Transportation Modes, will not be able to complete action on its study assignment prior to the deadline of September 30. A major question in our review concerns the railroads, and we are expecting the recently organized Legislative Task Force on Railroads to provide some leadership and open up the field of inquiry. We are not able to proceed any further with our work until the Legislative Task Force has had more of an opportunity to organize its activities. We, therefore, are requesting an extension on our study work. Thank you.

Sincerely yours,

Charles G. Dow
Sen. Charles G. Dow
Senate Chair

Raynold Theriault
Rep. Raynold Theriault
House Chair

CG/e1k/6873

SENATE

JOHN E. BALDACCI, DISTRICT 10, CHAIR
THOMAS H. ANDREWS, DISTRICT 30
CHARLES W. WEBSTER, DISTRICT 4

HAVEN WHITESIDE, LEGISLATIVE ANALYST
JANE W. LEONARD, COMMITTEE CLERK



HOUSE

HARRY L. VOSE, EASTPORT, CHAIR
HARLAN BAKER, PORTLAND
EDWARD A. MCHENRY, MADAWASKA
HERBERT E. CLARK, MILLINOCKET
ALEXANDER RICHARD, MADISON
NORMAN E. WEYMOUTH, WEST GARDINER
EUGENE J. PARADIS, OLD TOWN
RALPH M. WILLEY, HAMPDEN
EARL G. NICHOLSON, SOUTH PORTLAND
MARY C. WEBSTER, CAPE ELIZABETH

STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
COMMITTEE ON UTILITIES

September 8, 1986

To: Rep. John Diamond, Chair, Legislative Council
From: Sen. John E. Baldacci
Rep. Harry L. Vose
Subj: Committee Study: Electric Power Transmission and Purchase

The Legislative Council has approved 3 Subcommittee meetings and 1 full committee meeting for this study. Rep. Herbert Clark is the Subcommittee chair.

The legislation requiring this study (Public Law, Chapter 740) first requires the Public Utilities Commission to prepare a factual report to assist the study. That report is due November 1st. Authorization is requested for the Subcommittee to hold one of its meetings in October to review the draft PUC report and for the Subcommittee and the full committee to each meet once in November to make findings and recommendations based on the final report. No increase in the number of meetings is requested.

HW/e1k/6803

*Rep. Harry L. Vose
Sen. John E. Baldacci*



HELEN T. GINDER, DIRECTOR
HAVEN WHITESIDE, ASST. DIRECTOR
GILBERT W. BREWER
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STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
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JOHN R. SELSER
CAROLYN J. CHICK, PARALEGAL

August 26, 1986

To: John Diamond, Chair
Legislative Council

From: Helen T. Ginder, Director
Office of Policy and Legal Analysis

Subj: Title 30 - Recodification Bill

The attached memo is self explanatory. We wanted to give the Legislative Council notice of a proposed plan for processing the Title 30 - recodification bill, expeditiously. The work will be done well ahead of the deadline. The timing of introduction is the important issue that the Council needs to consider both now and when the session convenes. An early decision would be most helpful.

HG/jb/6759

Enclosure
cc: Sally Diamond



HELEN T. GINDER, DIRECTOR
HAVEN WHITESIDE, ASST. DIRECTOR
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MEMORANDUM

TO: Helen Ginder
FROM: Gilbert Brewer
RE: Recodification of Title 30

I am writing in response to a problem that has arisen regarding the recodification of Title 30, and to suggest a solution to that problem. The Local and County Government Committee intends to introduce 3 bills arising out of its study to revise Title 30. They include a strict recodification bill, a bill making corrective substantive changes in Title 30 and a bill clarifying the application of home rule in Title 30. The latter 2 bills will repeal obsolete provisions of Title 30 and add clarifying provisions. In order to provide for the best transition to the new Title 30-A, the Committee intends to have the substantive changes and home rule clarifications enacted first as emergencies, so that the recodification can take the changes made by these 2 bills into account in its reorganization of Title 30.

The problem arises because of the November 1st drafting deadline for study legislation. If we were to meet this deadline, it would require essentially 2 drafts of the recodification bill to be done. One would be drafted to amend the present Title 30, and the second would be necessary to take the changes made by the previous 2 bills into account. This would require a duplicate printing of what will be a very large bill--approximately 600 pages.

In order to avoid the duplicate printing costs and effort of drafting, we would like to be excused from the November 1st drafting deadline for the recodification bill only. This will allow us to draft and print only a single recodification bill. This bill will be prepared and introduced after the other 2 bills are enacted and receive a public law chapter number and thus can be written to take the other study recommendations into account. I have spoken with the Revisor's office and they agree that this is the most efficient process to accomplish the recodification purposes.



State of Maine
House of Representatives
Augusta 04333

Ed Pert
Clerk

September 23, 1986

The Honorable John N. Diamond
Chairman
The Legislative Council
State House
Augusta, Maine 04333

Dear Mr. Chairman:

The following proposed schedule of fees for Document Service for the First Regular Session of the 113th Legislature is hereby submitted for the consideration of the Legislative Council.

	<u>112th Rate</u>	<u>Proposed 113th Rate</u>
1. Bills and Resolves FIRST CLASS MAIL - Mailed Daily	\$475.00	\$475.00
2. Bills and Resolves FIRST CLASS MAIL - Mailed Twice Weekly	370.00	370.00
3. Bills and Resolves THIRD CLASS MAIL - Mailed Twice Weekly	275.00	275.00
4. Bills and Resolves PICKED UP AT DOCUMENT ROOM	140.00	140.00
5. Amendments (As a combination with any Legislative Document Service) Mailed Weekly	80.00	80.00
6. Amendments PICKED UP AT DOCUMENT ROOM	42.50	42.50
7. Legislative Record FIRST CLASS MAIL - Mailed Weekly	115.00	115.00
8. Legislative Record PICKED UP AT DOCUMENT ROOM	85.00	85.00
9. Public and Private and Special Laws, Resolves, and Constitutional Amendments FIRST CLASS MAIL - Mailed Weekly	157.50	157.50

The Honorable John N. Diamond
Page 2
September 23, 1986

10. Weekly Computer Printout - Status of Bills FIRST CLASS MAIL	\$200.00	\$200.00
11. Weekly Computer Printout - Status of Bills THIRD CLASS MAIL	100.00	100.00
12. Weekly Computer Printout - Status of Bills PICKED UP AT DOCUMENT ROOM	50.00	50.00
13. Advance Notice of Public Hearings on Bills FIRST CLASS MAIL	20.00	20.00
14. Weekly Listing of Bills Printed and Enacted FIRST CLASS MAIL	20.00	20.00
15. Joint Resolutions FIRST CLASS MAIL	Not Available	75.00

These rates with the exception of the fee for Joint Resolutions are the same as those charged for the First Regular Session of the 112th Maine Legislature.

I will be happy to respond to any questions the Council may have on this proposed schedule which has been discussed with appropriate legislative support agencies.

Sincerely,



Edwin H. Pert
Clerk of the House

EHP/mmm

SENATE

THOMAS H. ANDREWS, DISTRICT 30, CHAIR
WALTER W. HICHENS, DISTRICT 35
DAVID T. KERRY, DISTRICT 31

TED POTTER, LEGISLATIVE ANALYST
JANET BELANGER, COMMITTEE CLERK



HOUSE

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CLYDE A. HICHBORN, LAGRANGE

STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
COMMITTEE ON STATE GOVERNMENT

September 22, 1986

Representative John N. Diamond, Chairperson
Legislative Council
State House, Station 15
Augusta, ME 04333

Dear Representative Diamond,

The Joint Standing Committee on State Government, by P.L. 1985, chapter 594 (Section 13), is required to establish a procedure, prior to December 1, 1986, by which emergency allocations of industrial revenue bonds may be made under the state ceiling. This law was approved by the Legislature to insure legislative participation in the allocation process.

In order to meet the statutory requirement, the Joint Standing Committee on State Government requests the Legislative Council to grant authorization to the committee for one meeting to develop the procedure. Enclosed is a copy of the section of the law with the provision that requires the committee to establish the procedure.

We look forward to your response.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Dan A. Gwadosky'.

Rep. Dan A. Gwadosky
House Chair

enclosure
TP/e1k/6998

Sec. 10. 30 MRSA §4651, last ¶, as enacted by PL 1985, c. 151, §8, is amended to read:

The director of the state authority shall serve as the state's designee to certify to the United States Secretary of the Treasury that qualified mortgage bonds housing-related bonds issued in the State satisfy the applicable ceiling requirements of the United States Internal Revenue Code,¹ Section 103A(g) (4).

¹ 26 U.S.C.A. §1 et seq.

Sec. 11. 30 MRSA §4751, 5th ¶, as enacted by PL 1983, c. 589, is amended to read:

In case any of the commissioners or officers of the authority whose signatures appear on any bonds or coupons shall cease to be such commissioners or officers before the delivery of such bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if such commissioners or officers had remained in office until such delivery. For calendar year 1986, the allocation provisions of Title 10, chapter 9¹ shall supersede this allocation.

¹ Section 361 et seq. of title 10.

Sec. 12. 30 MRSA §5166-A is enacted to read:

§5166-A. Allocation of state ceiling

By rulemaking pursuant to Title 5, chapter 375, subchapter II,¹ the bank may establish a process for allocation and carry forward of that portion of the state ceiling on issuance of tax-exempt bonds allocated to the bank pursuant to Title 10, chapter 9.²

¹ Section 8051 et seq. of title 5.

² Section 361 et seq. of title 10.

Sec. 13. Procedure for the interim period. The joint standing committee of the Legislature having jurisdiction over State Government shall establish a procedure prior to December 1, 1986, by which emergency allocations may be provided for the interim period defined in section 363, subsection 3.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Approved March 21, 1986.

Changes or additions in text are indicated by underline; deletions by ~~strikeouts~~