

# MAINE STATE LEGISLATURE

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Lynn Randall  
Legislative Council Info.

REP. DAN A. GWADOSKY  
CHAIR

SEN. DENNIS L. DUTREMBLE  
VICE-CHAIR

STATE OF MAINE

116th LEGISLATURE

LEGISLATIVE COUNCIL

SEN. BEVERLY MINER BUSTIN  
SEN. DAVID L. CARPENTER  
REP. JOHN L. MARTIN  
REP. WALTER E. WHITCOMB  
REP. PATRICK E. PARADIS  
REP. STEPHEN M. ZIRNKILTON

SARAH C. TUBBESING  
EXECUTIVE DIRECTOR

**March 16, 1993**

## **MEETING SUMMARY**

**Approved March 30, 1993**

### **CALL TO ORDER**

The Council meeting was called to order by the Chair, Rep. Gwadosky, at 3:10 p.m.

### **ROLL CALL**

**Senators:** Sen. Dutremble, Sen. Esty, Sen. Cahill,  
Sen. Bustin, Sen. Carpenter

**Representatives:** Speaker Martin, Rep. Gwadosky,  
Rep. Whitcomb, Rep. Paradis,  
Rep. Zirnkilton

**Legislative Officers:** Sally Tubbesing, Executive Director  
Lynn Randall, State Law Librarian  
John Wakefield, Director, Office of  
Fiscal and Program Review  
Martha Freeman, Director, Office of  
Policy and Legal Analysis  
David Kennedy, Revisor of Statutes  
Joy O'Brien, Secretary of the Senate  
Joseph Mayo, Clerk of the House

### **SECRETARY'S REPORT**

The Summary of the March 2, 1993, Council meeting was approved and placed on file. (Motion by Sen. Dutremble; second by Sen. Cahill; unanimous).

## **EXECUTIVE DIRECTOR'S REPORT**

### **Item #1: Weekly "Sponsor" Report from Bill Status System**

**Motion:** That the recommendation be accepted and that a memo be sent to all members explaining the new procedures by which members may obtain lists of their bills. (Motion by Sen. Bustin; second by Speaker Martin; unanimous).

## **REPORTS FROM COUNCIL COMMITTEES**

### **Personnel Committee**

Rep. Gwadosky, Committee Chair, reported that the Committee had met again and is currently awaiting a draft for review.

### **Legislative Budget Committee**

Senator Dutremble, Committee Chair, reported that the Committee had scheduled its next meeting for the following day, March 17, at 1:30 p.m.

No Council action was required on either of these Committee reports.

## **OLD BUSINESS**

**Item #1:** Senate Resolution expressing the Sense of the Senate that the Legislative Council Authorize Formation of a Task Force to address the issues related to the workers' compensation rate structure. (Tabled at February 2 Council meeting).

**Motion:** That this item, which had previously been tabled, be accepted and placed on file. (Motion by Sen. Dutremble; second by Speaker Martin; unanimous).

**Item #2:** Revenue Forecasting Committee Created by Executive Order 4 FY 92/93. (Tabled at February 2 Council meeting)

**Motion:** That this item remain on the table. (Motion by Speaker Martin; second by Sen. Bustin; unanimous).

## **NEW BUSINESS**

**Item #1:** Submission of Final Report of the Commission to Implement Computerization of Criminal History Record Information (pursuant to 1985 P & S, Chapter 135)

**Item #2:** Submission of State Plan for the Prevention, Intervention, Treatment and Research of Alcohol and Other Drug Abuse in the State of Maine for 1994 and 1995 (pursuant to 5 MRSA, Part 24, Chapter 521 § 20009)

**Item #3:** Submission of Report on "School Restructuring in Maine" by the Maine Department of Education and the State Board of Education, pursuant to 1991 P.L., Chapter 407.

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

**Item #4:** Recommendation from Speaker Martin regarding Salary of Millicent McFarland, Assistant Clerk of the House, pursuant to statute, as amended by 1993 P.L., Chapter 6.

Speaker Martin referred Council members to his memorandum in their agenda packet and offered the following motion:

**Motion:** That Millicent McFarland be assigned to Salary Range 9, Step 6, pursuant to law. (Motion by Speaker Martin; second by Sen. Dutremble).

**Discussion:**

Rep. Whitcomb asked for clarification that the Speaker's recommendation was consistent with the amendment to the Supplemental Budget that Council members had earlier reviewed. The Speaker responded affirmatively and noted that this action resulted in assigning Ms. McFarland to a salary level that is equal to the salary she received prior to her election as Assistant Clerk of the House. The Chair, Rep. Gwadosky, noted that the Council is required by law to take action on this item.

The vote was then taken and the motion was approved 7-1.

**Item #5:** Letter from Martha E. Martin requesting consideration of Legislation

**Motion:** That the Chair send a letter to Ms. Martin thanking her for her interest and pointing out the constitutional requirements that govern the bills considered by the Legislature. (Motion by Speaker Martin; second by Sen. Carpenter; unanimous).

**Item #6:** After Deadline Bill Requests

Following the Council's consideration of After Deadline Requests, members engaged in further discussion about the status of bill drafting and the impact of after deadline requests on the workload. In response to an inquiry from the Chair, Rep. Gwadosky, David Kennedy responded that 295 bills were yet to be drafted; about 200 were out for

sponsor review and signature; and about 235 were in the production process. He noted that this puts the Legislature at about the same point it has been in every first regular session in recent years. The Council's discussion then turned to Joint Resolutions and After Deadline Bill Requests.

#### **Joint Resolutions**

Senator Esty asked if the Council should establish criteria or standards for reviewing requests to introduce memorials and later suggested that a subcommittee be appointed to develop policies. Sen. Cahill asked what priority was given to Joint Resolutions in the Revisor's Office? Mr. Kennedy replied that most Joint Resolutions require the effort and resources of a 1-page bill and that his office generally puts them after pre-cloture bills in the queue unless there is a specific, time-sensitive need to draft them earlier.

#### **After Deadline Bill Requests**

In response to a question from Rep. Paradis about whether the Council had ever asked members to defer their after deadline bills to the Second Regular Session, the Chair, Rep. Gwadosky, responded that the Council had discussed the issue of how to most effectively manage the after deadline bill load on many occasions. He stated that he thought it was important for the Council to communicate its concerns to the members.

**Motion:** That the Council Chair send a letter to members encouraging them to exhaust all other possibilities before filing an after deadline request. (Motion by Rep. Paradis; second by Sen. Cahill; unanimous).

Sen. Esty asked if the letter could incorporate language to discourage the filing of Joint Resolutions and was assured by the Chair that this would be done.

Following the Council's action on the motion, both Sen. Dutremble and Speaker Martin indicated that they would also make an announcement to this effect from the rostrum.

## **ANNOUNCEMENTS AND REMARKS**

None.

## **ADJOURNMENT**

The Council meeting was adjourned at 4:17 p.m., on the motion of Sen. Dutremble.