

# 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. DONALD E. ESTY, JR.  
SEN. PAMELA L. CAHILL  
SEN. BEVERLY MINER BUSTIN  
SEN. DAVID L. CARPENTER  
REP. PAUL F. JACQUES  
REP. WALTER E. WHITCOMB  
REP. PATRICK E. PARADIS  
REP. STEPHEN M. ZIRNKILTON

SARAH C. TUBBESING  
EXECUTIVE DIRECTOR

## MEETING SUMMARY

**September 29, 1994**

**Approved, October 25, 1994**

### CALL TO ORDER

The Chair, Speaker Gwadosky, called the Legislative Council to order at 3:25 p.m. in the Council Chamber.

### ROLL CALL

Senators:	President Dutremble, Sen. Cahill, Sen. Bustin Absent: Sen. Esty, Sen. Carpenter
Representatives:	Speaker Gwadosky, Rep. Jacques, Rep. Whitcomb, Rep. Paradis, Rep. Zirnkilton
Legislative Officers:	Sally Tubbesing, Executive Director, Legislative Council Lynn Randall, State Law Librarian Grant Pennoyer (for John Wakefield), Office of Fiscal and Program Review David Elliott, Acting Director, Office of Policy and Legal Analysis Margaret Matheson, Revisor of Statutes Joy O'Brien, Secretary of the Senate

### SECRETARY'S REPORT

The Summary of the August 29, Council meeting was accepted and placed on file.

## EXECUTIVE DIRECTOR'S REPORT

### Item #1: Retirement of Jane Edwards, Principal Law Librarian

Sally Tubbesing reported that Lynn Randall and she had recently been notified by Ms. Edwards of her intent to retire effective September 30. Ms. Tubbesing reported that she endorsed Ms. Randall's recommendation to appoint Sheila Bearor, currently an Associate Law Librarian, to the Principal Analyst position that Ms. Edwards has occupied. Speaker Gwadosky then reported that he had had the opportunity to have an exit interview with Ms. Edwards and that he would appoint a subcommittee of the Personnel Committee to meet with Ms. Randall and Ms. Tubbesing to review several issues that had come up in the course of the interview.

**Motion:** That a letter be sent to Ms. Edwards upon her retirement expressing the Council's appreciation for her service; and, further, that the recommendation to appoint Sheila Bearor to the position of Principal Analyst be accepted. (Motion by Senate President Dutremble; second by Sen. Bustin; unanimous).

The Chair, Speaker Gwadosky, asked that the search for a new Associate Law Librarian (to replace Ms. Bearor upon her promotion) be deferred until the Personnel Subcommittee had met for the purpose described previously.

### Item #2: Legislative Information Network (LINK): Proposed Changes in Subscription Fees

Ms. Tubbesing summarized her memo, which had been distributed to Council members previously, noting that the recommendation to eliminate the subscription fees for access to the Legislative Information Network (LINK) had emerged from two developments. First, technical changes in the system have significantly reduced the Legislature's costs of operation; and, second, the decision is consistent with trends to make public information as accessible to the general public as possible.

**Motion:** That the initial sign-up and annual subscription fees for access to the Legislature's LINK system be eliminated; and that subscribers be charged only for the Users' Manual and the software they choose to purchase. (Motion by Senate President Dutremble; second by Rep. Jacques; unanimous)

Rep. Jacques asked for clarification that the intent of the motion was not to eliminate the LINK service, but only to eliminate the subscribers' fees. Ms. Tubbesing affirmed that the system would continue to be available.

## REPORTS FROM COUNCIL COMMITTEES

### OPLA Director Search Committee

Speaker Gwadosky, who chaired the Search Committee, reported that the Committee had concluded its work and was prepared to make a recommendation to the Council. He noted that the Committee had reviewed 158 resumes and interviewed 10 candidates over a 2-day period the previous week, and that each candidate had also spent the better part of a day "touring" the non-partisan staff offices, affording those from the outside an opportunity to develop some understanding of our process and the 3 internal candidates an opportunity to view a process they know well from a different perspective.

Speaker Gwadosky stated that the Committee had concluded that the Director's position is both a unique one and one that is a very difficult position to fill, noting that it is not one you get trained for, but one that requires an accumulation of certain experiences and skills. Further, it demands a fairly unique combination of strong management skills and experience; a firm grounding in policy analysis and in working with the law; an understanding of the legislative environment and of the role of non-partisan staff in this environment; and a set of personal skills and attributes that are required to be effective in this environment.

He reported that the Search Committee had interviewed all 3 of the internal candidates who applied --

-- and he reflected on how fortunate the Legislature is to have internal candidates of such exceptional skill. He stated that, while all the candidates interviewed offered unique qualities, the Committee was drawn to David Boulter's strong management experience and was unanimous in its recommendation to the full Council.

**Motion:** That the Legislative Council accept the recommendation of the Search Committee to appoint David M. Boulter to the position of Director, Office of Policy & Legal Analysis, and that Mr. Boulter be assigned to Step 6 in his assigned salary range. (Motion by Senate President Dutremble; second by Sen. Bustin; unanimous).

The Chair, Speaker Gwadosky, clarified that this is a 3-year appointment.

Rep. Paradis expressed his deep appreciation to members of the Search Committee for their work. Speaker Gwadosky, in response, noted that he had been extremely pleased with the search process and expressed particular appreciation for the excellent cooperation from the non-partisan staff offices in the process.

**Committee on Total Quality Management in the Legislature**

The Chair, Speaker Gwadosky, noted that Rep. Kontos, TQM Committee Chair, had reported to him that the Committee would have a package of recommendations for the Council at its October meeting that addressed orientation for both new members and Committee Chairs.

No Council action was required on this item.

**OLD BUSINESS**

None.

**NEW BUSINESS****Item #1: Request from Commission to Study the Future of Maine's Paper Industry to Accept Outside Funds Pursuant to Law**

The Chair, Speaker Gwadosky, recognized Glen Foss, Chair of the Commission, and asked him for a progress report. Mr. Foss introduced Gordon Robert, another member of the Commission, and proceeded to describe the fund-raising plan that the Commission had developed to fund a study by an international consulting firm -- Jaakko Poyry, Inc. -- to conduct a Diagnostic Review of Maine's Paper and Pulp Industry. The Commission has identified three classes of potential contributors to the study, and Mr. Foss reported that all firms in the first two categories had been contacted and that he had commitments of \$76,000 in pursuit of a total goal of \$125,000. In response to his suggestion that the Legislative Council make a contribution from the Legislature's own budget for this purpose, Speaker Gwadosky replied that the Legislature would have funded the study originally through an appropriation if funds had been available, but that he would review both the Legislature's budget and work with the Governor's Office to determine the feasibility of state financial participation in the study.

**Motion:** That the request be approved. (Motion by Senate President Dutremble; second by Sen. Bustin; unanimous).

**ANNOUNCEMENTS AND REMARKS**

None.

**ADJOURNMENT**

The Council meeting was adjourned at 3:50 p.m. (Motion by Sen. Bustin; second by Rep. Zirnkilton).