

# MAINE STATE LEGISLATURE

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Lynn Randall  
Legislative Council Info.

SEN. JANE A. AMERO  
CHAIR

REP. ELIZABETH H. MITCHELL  
VICE-CHAIR

SEN. JEFFREY H. BUTLAND  
SEN. R. LEO KIEFFER  
SEN. MARK W. LAWRENCE  
SEN. BEVERLY MINER BUSTIN  
REP. DAN A. GWADOSKY  
REP. PAUL F. JACQUES  
REP. WALTER E. WHITCOMB  
REP. JOSEPH G. CARLETON, JR.

SARAH C. TUBBESING  
EXECUTIVE DIRECTOR

117th MAINE STATE LEGISLATURE

LEGISLATIVE COUNCIL

**MEETING SUMMARY**

**February 8, 1995**

**Approved March 1, 1995**

**CALL TO ORDER**

The Chair, Senator Amero, called the Council meeting to order at 10:43 a.m. in the Legislative Council Chamber.

**ROLL CALL**

Senators:	President Butland, Sen. Lawrence, Sen. Bustin, Sen. Amero Absent: Sen. Kieffer
Representatives:	Speaker Gwadosky, Rep. Jacques, Rep. Whitcomb, Rep. Mitchell Absent: Rep. Carleton
Legislative Officers:	Sally Tubbesing, Executive Director, Legislative Council Lynn Randall, State Law Librarian John Wakefield, Director, Office of Fiscal and Program Review David Boulter, Director, Office of Policy and Legal Analysis Margaret Matheson, Revisor of Statutes May Ross, Secretary of the Senate Pamela Cahill, Assistant Secretary of the Senate Joseph Mayo, Clerk of the House Millicent MacFarland, Assistant Clerk of the House

## SUMMARY OF JANUARY 25 MEETING

**Motion:** That the Meeting Summary be approved, and placed on file. (Motion by Speaker Gwadosky, second by Rep. Jacques; unanimous).

**Note:** As the result of a discussion later in the meeting, Sen. Bustin requested that the Meeting Summary be amended to reflect that she had not been "absent" when members of the Council were working out the assignment of committee hearing rooms and offices. Sen. Bustin clarified that the Committee on State House Space had not been formally convened, and she further requested that formal notice of all future meetings of Council Committees be provided to all committee members.

## EXECUTIVE DIRECTOR'S REPORT

Sally Tubbesing presented the following items for Council members' consideration:

### Item #1: Legislative Budget for FY 96-97 Biennium: Governor's Recommendations

Ms. Tubbesing drew members' attention to an item in the agenda packet that summarized the impact of the Governor's recommendations on the budget originally submitted by the Legislature last fall. The Governor has recommended \$400,000 less in each of the two years of the biennium. Ms. Tubbesing also reported that she had just received a draft request for information from the Office of Fiscal & Program Review on behalf of the Appropriations Committee, which must be submitted to the Committee prior to the public hearing on the Legislature's budget request. Noting that the "draft" nature of the request signified that the Committee was still in the process of finalizing its schedule, Ms. Tubbesing reported that she would send copies of the Committee's memo to all Council members.

Both the Chair, Sen. Amero, and Speaker Gwadosky clarified that the Council would review all materials before they are submitted to the Appropriations Committee.

The Council took no formal action on this item.

### Item #2: Personnel Activity

Ms. Tubbesing reported the following resignations from the Legislature's non-partisan staff:

- Cheryl Ring, who had served as Principal Analyst, coordinating the staffing of the Joint Standing Committee on Audit & program Review, resigned effective February 3, to pursue other professional interests. The position of Principal Analyst had been

eliminated by the Council soon after the Legislature elected to eliminate the Audit & Program Review Committee; and Ms. Ring had chosen not to move into either of two vacant Analyst positions.

- Steven Sanford, a Legislative Technician in the Office of the Revisor, has resigned his position effective February 24, to relocate to Chicago, Illinois, where he has accepted a position that will employ his multi-lingual skills.
- Julie Jones, Principal Analyst, Office of Policy & Legal Analyst, who has resigned to pursue other professional interests. Mr. Tubbesing noted that Ms. Jones had been a member of the non-partisan staff for 14 years, and that her wide ranging knowledge of Maine law was a resource that staff throughout the nonpartisan offices had relied on.

Ms. Tubbesing reported that she and the non-partisan Office Directors had met with the Personnel Committee earlier in the week to discuss the impact of these resignations on the Legislature at this critical point in the session. She announced that, with the Committee's approval, Judy O'Brien would transfer to the Revisor's Office to fill the vacancy created by Steve Sanford's resignation and that Dave Boulter would work to fill the vacant position in OPLA as quickly as possible in order to assure staff coverage of the Legal & Veterans' Affairs Committee.

Finally, Ms. Tubbesing stated that the staffing levels in both the Legislative Information Office and the Information Systems Office were not "on par" with the demands on both of those offices during the session and that she would continue to work with the Personnel Committee on a resolution to this. At Rep. Mitchell's request, she agreed to send all Council members a copy of the memo that she had written to the Chair, Sen. Amero, and Rep. Mitchell on this subject.

The Council took no formal action on this item.

**Item #3: Freedom of Information Request from Paul Carrier, the Portland Newspapers**

Ms. Tubbesing reported that she had received a second request for copies of documents in various libraries assigned to the Senate from Paul Carrier and that she had contacted the Attorney General's Office and would work with that Office in responding to the request. She noted that the documents referred to in the second part of Mr. Carrier's request had been turned over to the Attorney General and were now in the custody of that office.

Brief discussion followed, during which Rep. Whitcomb stressed that it was important that the Council be on record as complying with Mr. Carrier's request. Rep. Jacques, agreed, but asserted that the Attorney General should determine the availability of those specific documents that were now in the custody of the Attorney General.

**Motion:** That the Executive Director comply with the request to the fullest extent possible with regard to those documents and records still within the Legislature's jurisdiction. (Motion by Rep. Whitcomb; second by Rep. Jacques; unanimous (7-0)).

## REPORTS FROM COUNCIL COMMITTEES

### Committee on Computer Security and Access

In Sen. Kieffer's absence, Ms. Tubbesing reminded Committee members that they were scheduled to meet the following Tuesday, February 14, at 3 p.m.

### Personnel Committee

Sen. Amero, Committee Chair, reported that the Committee members had felt fortunate that it had been possible to find a position for Judy O'Brien for which she was well-qualified. She noted that the Committee would be working to develop a policy that establishes a procedure and standards for taking length of legislative service into account in the event that positions are eliminated and/or downgraded. Finally, she reported that Speaker Gwadosky had asked the Committee to look at different ways of handling bills, including practices in other states and that she would convene the Committee in the near future to pursue the Speaker's interest in "concept drafting." Rep. Mitchell noted that the Joint Select Committee on Rules had spent considerable time studying this issue during the 116th Legislature, and she encouraged Sen. Amero and the Personnel Committee to begin by reviewing the work that has already been done.

The Council took no formal action on the Committee's report.

## OLD BUSINESS

None.

## NEW BUSINESS

### Item #1: Requests for Council Approval to Introduce Joint Resolutions and After Deadline Bills

The Council considered after deadline requests. A summary of the Council's action on these requests is attached to this meeting summary.

**Item #2: Role of Policy Committees in the Budget Review Process**

Sen. Bustin asked if the role of the policy committees had been defined, in view of the fact that the Appropriations Committee had begun developing its preliminary public hearing schedule for the "Part I" Budget. Sen. Amero responded that the Joint Rules defined a process for including the policy committees in the review of the budget. Sen. Bustin indicated that she would circulate a draft proposal on this topic to Council members.

No Council action was required on this item.

**ANNOUNCEMENTS AND REMARKS**

None.

**ADJOURNMENT**

The Council meeting was adjourned at 11:40 a.m., on the motion of Sen. Lawrence (second by Rep. Jacques).