

MAINE STATE LEGISLATURE

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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

June 26, 1996

CALL TO ORDER

The Chair, Senator Amero, called the Council meeting to order at 2:15 p.m. in the Legislative Council Chamber

ROLL CALL

Senators:	President Butland, Sen. Kieffer, Sen. Bustin, Sen. Amero Absent: Sen. Lawrence
Representatives:	Speaker Gwadosky, Rep. Jacques, Rep. Carleton Absent: Rep. Mitchell, Rep. Whitcomb
Legislative Officers:	Sally Tubbesing, Executive Director, Legislative Council John Wakefield, Director, Office of Fiscal and Program Review David Boulter, Director, Office of Policy and Legal Analysis May Ross, Secretary of the Senate Joseph Mayo, Clerk of the House

SUMMARY OF MAY 22 COUNCIL MEETING

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

EXECUTIVE DIRECTOR'S REPORT

Sally Tubbesing reported that she had no items to bring before the Council at this meeting.

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

Senator Amero, who chairs this Committee, recalled that the Council had tabled the Committee's recommendation to award step increases to the Directors of the 4 non-partisan staff offices, pending clarification. She reported that the entire Committee had met at length following the May Council meeting to discuss a variety of issues related to both the policy and process for awarding step increases to those legislative employees who occupy senior management positions and are thus assigned to the top salary ranges in the legislative salary schedule.

Senator Amero noted that Committee members share a concern that the members of this group, "who are so important to the way this Legislature functions," be treated fairly and equitably, however, they are equally committed to the principle that step increases should not be automatic at this level. She stressed that the annual review process that the Personnel Committee has employed with both the Staff Office Directors and the Executive Director is very valuable and that future Councils should continue it but make sure that they do it in a timely manner. She then turned to the Directors who were in attendance and asked if they had any questions or concerns about the proposed motion. The Directors indicated that they had none.

Sen. Amero then presented the following motion as the unanimous recommendation of the Committee:

Motion: That Lynn Randall, John Wakefield, David Boulter and Margaret Matheson be awarded step increases retroactive to their respective anniversary dates; and, further that, for purposes of calculating eligibility for step increases, the anniversary dates for the Executive Director and the 4 Staff Office Directors be changed to July 1, effective July 1, 1997; and, further, that for purposes of calculating eligibility for step increases, the anniversary dates for the Secretary of the Senate, the Clerk of the House, the Constitutional Officers and the State Auditor be changed to January 1, 1997.

(Motion by Sen. Amero; second by Rep. Carleton).

Discussion: Rep. Jacques asked for clarification that the intent of the motion was not to defer action on the item regarding step increases for the Constitutional Officers. Sen. Amero assured him that it was not. Sen. Bustin, noting that she did not believe in step increases, asked whether the proposed change in anniversary dates would cause any of the affected individuals to lose money. Speaker Gwadosky, responded that the Committee had struggled to find a way to manage these reviews in a manner that recognized the constraints of the legislative schedule and concluded that the proposal achieved this goal.

The vote was taken, and the motion failed 5-1.

Motion: That the 4 Directors be awarded step increases retroactive to their anniversary dates. (Motion by Sen. Bustin).

Discussion: Sen. Amero clarified that the Personnel Committee's recommendation had been a package. Sen. Kieffer suggested that the proposed motion was, therefore, in conflict with the Personnel Committee's recommendation.

There was no second to this motion.

Motion: That the Council reconsider its previous action on the motion to award step increases to the 4 Directors. (Motion by Sen. Bustin; second by Rep. Carleton; unanimous).

Motion: That the Council authorize the award of step increases to the 4 Directors as recommended by the Personnel Committee. (Motion by Rep. Carleton; second by Rep. Jacques; unanimous).

CSG/ERC '97 Steering Committee

Sen. Amero reported that the Steering Committee was working to finalize planning and fund-raising for the reception which Maine is responsible for hosting at this year's Annual Conference in Princeton, New Jersey. She stated that the Committee had initially established a budget of \$25 - 30,000 for this event. Firm commitments are in hand for about half of this amount at the present time, and the Committee anticipates being able to raise the full amount. Sen. Amero recognized the extensive role that Muriel Mosher, Chief of Staff in the Senate Majority Office, has contributed to the fund-raising effort, and she also acknowledged Sally Tubbesing's work with the Office of Tourism and other groups to assemble a Maine Information Booth at the Conference.

Speaker Gwadosky commended the Steering Committee for its work to date, noting that it is very important to make as favorable impression on behalf of Maine as possible in order to maximize attendance at next year's meeting. Both he and Senator Amero noted that the Tourism Bureau estimates that bringing 1,000 people into the State for a week long conference will generate approximately \$5 million of activity in the State.

No Council action was required on this item.

Strategic Planning Working Group

Senator Amero reported that the Working Group, which includes Speaker Gwadosky, Rep. Mitchell and herself, the Secretary of the Senate, the Clerk of the House, the 4 non-partisan office Directors and the Executive Director, has now completed development of a draft Mission and Goals Statement. The Working Group will next work on the development of objectives, and this "product" will be distributed in draft form to all legislators and legislative staff for review and comment. She thanked John Wakefield and David Boulter for all of their work on this initiative, noting that it is not an easy process.

No Council Action was required on this item.

OLD BUSINESS

None.

NEW BUSINESS**Item #1: Step Increases for Constitutional Officers**

Motion: That Step increases be awarded to those Constitutional Officers who are eligible, retroactive to their anniversary dates. (Motion by Speaker Gwadosky; second by Rep. Jacques).

Discussion: Senator Kieffer inquired whether Council members were comfortable that the steps are still appropriate given today's (economic) situation. Speaker Gwadosky responded that all of the members of the Governor's Cabinet had received step increases within the past few months. He advocated that it is important the Council look at the Constitutional Officers' salaries in the context of what their responsibilities are and further stated that the Council has a responsibility to treat the occupants of these offices equitably with other unclassified positions. Sen. Kieffer stated that there should be a process for reviewing the salary schedules that are used in both the legislative and executive branches.

The motion was approved.

Item #2: Joint Standing Committee on Health & Human Services: Report on Work with Department of Mental Health, Mental Retardation and Substance Abuse Services. (Memo from Sen. Pendexter and Rep. Fitzpatrick)

Motion: That the letter from the Committee Chairs be accepted and placed on file. (Motion by Speaker Gwadosky; second by Rep. Carleton; unanimous).

Item #3: Commission to Study Poverty Among Working Parents: Request for Endorsement of Proposed Budget. (Letter from Rep. Povich and Marc Mutty, Co-Chairs)

The Chair, Senator Amero, introduced Rep. Ed Povich and Mr. Marc Mutty, who Co-Chair the Commission. She stated that the Commission had received no appropriated funds to support its work, although the legislation establishing the Commission does authorize the Commission to raise up to \$500. Rep. Povich drew members' attention to a proposed budget which the Commission felt was required to support its work. Council members raised the following questions of the Co-Chairs.

- The basis for determining the number of meetings and public hearings in the Commission's proposed budget (Speaker Gwadosky). Rep. Povich responded that Commission members felt that this was the minimum level of activity required to effectively address the enormous task assigned to the Commission. He further noted that the Commission had been divided into 4 subgroups in order to accomplish its work in as cost effective a manner as possible.
- Whether the Commission had been able to raise any outside funds. (Sen. Amero). Rep. Povich responded that the Commission had been established by the Legislature and that its membership, as mandated by the legislation, includes some individuals who do not have the financial resources to participate unless they are reimbursed for their travel expenses.
- Inquiry about the Fiscal Note that had been attached to the original bill. (Sen. Amero). Rep. Jacques indicated that it was possible that the fiscal note had been stripped in order to pass the bill. Sen. Kieffer stated that people should know the provisions for payment before they accept an appointment to a study commission. Rep. Povich clarified, however, that it was the Chairs who were bringing this request to the Council and stressed that Commission members would do their best to raise the funds needed to support their work.
- Whether the law would allow payment of mileage reimbursement to the 3 public members. (Rep. Carleton).

Speaker Gwadosky stated that the Legislature routinely absorbs some costs of those study commissions staffed by non-partisan staff and expressed his opinion that the Council has some responsibility to do that in this particular case.

Motion: That the Council authorize payment of \$3,378 to cover the Commission's estimated expenses. (Motion by Sen. Bustin; second by Rep. Jacques; failed).

Discussion: Sen. Kieffer inquired whether any Council action on this Commission's budget request signifies that the Council is prepared to review the budgets for all of the study commissions that were created by legislation in the Second Regular Session. Sen. Amero amplified, noting that the Legislature has created other study commissions with no budget.

Motion: That the Council approve reimbursement for mileage up to \$260. (Motion by Sen. Bustin; second by Sen. Kieffer; unanimous).

Speaker Gwadosky clarified that this motion does not preclude payment of printing costs by the Legislature, and then offered the following:

Motion: That the Council underwrite half of the proposed budget for public hearings with the provision that the Commission raise the rest. (Motion by Speaker Gwadosky; second by Rep. Jacques; failed).

Item #4: "Maine Source": Presentation by Jim Wilfong & Bill Seretta

The Chair, Senator Amero, introduced Mr. Bill Seretta, President, Maine Source, and Mr. Jim Wilfong, who were present to introduce Council members to a new "Intranet" system which has been designed to provide an online network for small business owners and entrepreneurs in Maine. Sen. Amero invited Council members who wished to stay following adjournment of the regular Council meeting for the presentation.

ANNOUNCEMENTS AND REMARKS

After discussion, the July Council Meeting was tentatively scheduled for Thursday, July 25, at 2 p.m. -- to be confirmed.

ADJOURNMENT

The meeting was adjourned at 3:20 p.m., on the motion of Rep. Carleton.