

MAINE STATE LEGISLATURE

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SEN. MARK W. LAWRENCE
CHAIR

REP. G. STEVEN ROWE
VICE-CHAIR



119th MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. CHELLIE PINGREE
SEN. JANE A. AMERO
SEN. ANNE M. RAND
SEN. RICHARD A. BENNETT
REP. MICHAEL V. SAXL
REP. THOMAS W. MURPHY, JR.
REP. DAVID C. SHIAH
REP. RICHARD H. CAMPBELL

SARAH C. TUBBESING
EXECUTIVE DIRECTOR

**MEETING SUMMARY
OCTOBER 25, 1999**

Approved November 18, 1999

CALL TO ORDER

The Council's Vice-Chair, Speaker Rowe, called the Council to order at 12:10 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators:	Sen. Pingree, Sen. Amero, Sen. Rand, Sen. Bennett Absent: President Lawrence
Representatives:	Speaker Rowe, Rep. Saxl, Rep. Murphy, Rep. Shiah, Rep. Campbell
Legislative Officers:	Joy O'Brien, Secretary of the Senate Joseph Mayo, Clerk of the House James Clair, Director, Office of Fiscal and Program Review David Boulter, Director, Office of Policy and Legal Analysis Margaret Matheson, Revisor of Statutes Paul Mayotte, Director, Legislative Information Services

SUMMARY OF SEPTEMBER 22, 1999, COUNCIL MEETING

Motion: That the Summary be accepted and placed on file. (Motion by Rep. Shiah; second by Sen. Amero; unanimous).

REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS

Item #1: Renovations: Progress Report

Stan Fairservice, the Council's Owner's Representative, distributed copies of a proposed floor plan for the South end of the second floor of the State Office Building which would accommodate all staff in the Office of Policy and Legal Analysis. This space had originally been designed to house two legislative hearing rooms. He stressed that Council action on this space was critical in order to avoid the significant costs involved in construction delay. Senator Rand, Chair of the Council's Space Committee, stated that the architect would work closely with David Boulter to finalize the plans.

Motion: That the conceptual redesign to move all of the Office of Policy and Legal Analysis staff to the State Office Building be approved. (Motion by Sen. Rand; second by Rep. Saxl).

Discussion

Rep. Murphy asked for clarification that the entire OPLA office would move, and Senator Rand responded affirmatively. Rep. Murphy expressed concern, stating that it would be important for OPLA to continue to have some presence in the State House. Rep. Saxl noted that the proposed plan provides contiguous space for all OPLA staff, adding that David Boulter feels this is important for the effective functioning and management of the office. Speaker Rowe indicated that he shared Rep. Murphy's concerns, but pointed out that most of the committee rooms will be located in the State Office Building once the renovations are complete. Senator Rand reminded Council members that the Space Committee had been unable to identify an area of comparable square footage in the State House for the OPLA staff who are currently located in Room 135; and Rep. Murphy restated his concern that OPLA needs a presence in the State House.

The previously-offered motion was approved, 6-1.

Item #2: Interim Studies: Status

David Boulter reported that all study commissions are now underway, and that two have requested extensions. These requests appear under **New Business** on the printed agenda, but the Council took them up at this point. (See below for Council action). Mr. Boulter stated that he anticipated that additional extension requests would be forthcoming.

Item #3: Fiscal Update

Jim Clair provided a brief overview of the cumulative fiscal impact of the acts and resolves enacted by the 119th Legislature in its 1st Regular Session. He reported that the compendium which the Office of Fiscal and Program Review prepares annually to summarize this information would be available at the end of the week.

Item #4: Legislative Council's Involvement During the Final Development of the New Budget Management System

Jim Clair drew Council members' attention to a letter that he and Paul Mayotte had prepared that reports on the activities of a Budget Management Focus Group that is working to replace the current budget management system that supports executive departments' work in this area. Mr. Clair and Mr. Mayotte recently attended a meeting to review and discuss the executive branch plans and have concluded that there is an opportunity for the Legislature to take advantage of some functionality of the new system, but that this participation would require Council action.

This item was informational: the Council directed Mr. Clair and Mr. Mayotte to pursue the discussions and bring a formal proposal back.

Item #5: Personnel Activity

Paul Mayotte, Director of Legislative Information Services, reported that Molly Gallant had resigned her position in the Legislative Information Office to take a position as Assistant to the Gardiner Town Manager.

REPORTS FROM COUNCIL COMMITTEES**• Personnel Committee**

Speaker Rowe, Committee Chair, reported that the Personnel Committee had met on October 6 to begin a detailed review of NCSL's Report on the Classification and Compensation Study. He noted that the Committee has scheduled had two additional meetings in early November, with the goal of bringing recommendations for implementation to the full Council at the November meeting.

Speaker Rowe confirmed that the Committee had also taken up other business as follows:

1. A step increase for Clerk of the House Joe Mayo

Clerk Mayo became eligible for a step increase on his anniversary date at the end of September. Speaker Rowe reported that the Committee had unanimously approved a step increase for the Clerk effective October 1, 1999, and noted that pursuant to the Council's Rules of Procedure, this item required no further Council action.

2. Award of income protection

Motion: That the Legislative Council award Income Protection as recommended by the Personnel Committee in accordance with the Council's policy and its Rules of Procedure. (Motion by Speaker Rowe, second by Rep. Shiah; unanimous)

3. Part-time Position in the Office of Fiscal and Program Review

Speaker Rowe, noting that the level of overtime worked in all of the legislative offices continues to grow, stated that the **average** overtime in the Office of Fiscal and Program Review during the 1st Regular Session exceeded 500 hours, and that Jim Clair and Sally Tubbesing had requested authorization to establish a **part-time Analyst position** in the Office. Speaker Rowe reported that the Personnel Committee has concluded that the demands on OFPR staff will continue to grow with its new responsibilities in economic analysis and revenue forecasting and offered the following motion, based on the unanimous recommendation of the Committee:

Motion: That the Legislative Council authorize the creation of a part-time full year Analyst position in the Office of Fiscal and Program Review effective November 1, 1999; and, further, that the Executive Director be directed to provide the necessary language to the Appropriations Committee to permanently establish and fund this position in the Supplemental Budget. (Motion by Speaker Rowe; second by Rep. Shiah; unanimous).

The Speaker noted that OFPR has accrued salary savings through the summer and fall that can essentially fund this new position for the remainder of the current fiscal year.

- **Committee on Allocation of Legislative Space**

(See above discussion under **Renovation: Progress Report**)

OLD BUSINESS

None.

NEW BUSINESS

Item #1: Request for Extension of Reporting Deadlines Requiring Council Approval

- Commission to Study Traffic Congestion Including Truck Traffic Along the Route 1 York Corridor: Request for Extension to January 7.

Motion: That the request be approved. (Motion by Speaker Rowe; second by Sen. Rand; unanimous).

Item #2: Request for Extension of Reporting Deadline and Additional Meetings

- Task Force on State Office Building Location, Other State Growth-Related Capital Investments and Patterns of Development: Request for Extension to January 14, 2000 and for Authorization to Hold Two Additional Meetings.

Motion: That the request be approved. (Motion by Sen. Pingree; second by Rep. Shiah; unanimous).

Item #3: Legislative Document Service: Proposed Fee Schedule for Second Regular Session

Motion: That the Fee Schedule be approved. (Motion by Sen. Pingree; second by Rep. Shiah; unanimous).

Item #4: Requests to Introduce Legislation for Consideration in the Second Regular Session

The Vice-Chair, Speaker Rowe reminded Council members that a bill request requires 6 affirmative votes to be approved. Following prior practice with regard to closely-related bill requests, Speaker Rowe offered the following motions:

Motion: That the Council consider only that request among a group of requests that have been identified as closely-related with the lowest LR number and automatically deny all of the other requests in that group. (Motion by Speaker Rowe, second by Sen. Rand; unanimous).

Motion: That the Council deny all new requests that have been identified as closely-related to bills that have been carried over. (Motion by Speaker Rowe; second by Sen. Rand; unanimous).

The Council then proceeded to consider each bill request, approving 104 in all. A list summarizing the Council's action was distributed to all legislators following the meeting.

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Council meeting was adjourned at 6:45 p.m.