

MAINE STATE LEGISLATURE

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Peter Siegel

LEGISLATIVE COUNCIL

MAY 27, 1987

PRELIMINARY AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

- Summary of May 19, 1987, Council Meeting

DIRECTOR'S REPORT

- Approved Step Increases

REPORTS FROM COUNCIL COMMITTEES

- Item #1: Committee on Effective Utilization of Legislative Space

OLD BUSINESS

- Item #1: Proposal to NCSL to Study Education Fund Formulas (letter from Sen. Estes and Rep. Bost attached)

VII. NEW BUSINESS

- Item #1: After Deadline Requests
- Item #2: Requests to Carry Bills Over to the Second Regular Session (list attached)

SEN. CHARLES P. PRAY
CHAIRMAN

REP. JOHN L. MARTIN
VICE-CHAIRMAN



STATE OF MAINE
LEGISLATIVE COUNCIL
STATE HOUSE
AUGUSTA, MAINE 04333

SEN. NANCY RANDALL CLARK
SEN. DENNIS L. DUTREMBLE
SEN. THOMAS R. PERKINS
SEN. CHARLES M. WEBSTER
REP. JOHN N. DIAMOND
REP. DAN A. GWADOSKY
REP. THOMAS W. MURPHY, JR.
REP. EUGENE J. PARADIS

LEGISLATIVE COUNCIL

MAY 19, 1987

MEETING SUMMARY

APPROVED MAY 27, 1987

CALL TO ORDER

The meeting of the Legislative Council was called to order in the Council Chambers by the Chairman, Senator Pray, at 10:40 a.m.

ROLL CALL

Senators: Sen. Clark, Sen. Dutremble, Sen. Pray, Sen. Webster

Absent: Sen. Perkins

Representatives: Rep. Diamond, Rep. Gwadosky, Rep. Martin, Rep. Murphy, Rep. Paradis

Legislative Officers:

Sally Diamond	Executive Director, Legislative Council
Peter Siegel	Law Librarian
Richard Sawyer	Deputy Director, Office of Fiscal and Program Review
Helen Ginder	Director, Office of Policy and Legal Analysis
David Silsby	Revisor of Statutes

SECRETARY'S REPORT

The summary of the Council's May 13, 1987, meeting was approved and placed on file (Motion by Sen. Webster; second by Rep. Diamond; unanimous).

DIRECTOR'S REPORT

Sally Diamond reported that, based on a favorable performance evaluation, she had approved a step increase for Laura Goss, Law Library Associate, from Step G to Step Q in Salary Range 5, effective May 15.

Motion: That the Executive Director's report be accepted and placed on file (Motion by Sen. Webster; second by Sen. Clark; unanimous).

REPORTS FROM COUNCIL COMMITTEES

Item #1: Committee on Effective Utilization of Legislative Space

Sen. Pray, Committee Chair, reported that representatives of an architectural firm recommended by Earle Shuttleworth, had begun a preliminary review of the projects included in the Committee's report to the Council at its May 5 meeting.

No Council action required.

OLD BUSINESS

None.

NEW BUSINESS

Item #1: Committee to Study the Retirement System:
Staffing

Sally Diamond noted that this Committee was established in the "Emergency" Appropriations Act, which has already been signed into law. The law provides that the Committee may request staffing assistance from the Legislative Council. Ms. Diamond recommended that primary responsibility for staffing be assigned to the Office of Fiscal and Program Review, with the understanding that the Office of Policy and Legal Analysis be consulted on substantive issues.

Motion: That the Executive Director's staffing recommendation be approved (Motion by Sen. Clark; second by Rep. Diamond; unanimous).

Item #2: After Deadline Requests

A list of After Deadline Requests considered by the Council and a summary of the Council's action is attached.

Item #3: Requests from Committee to Carry Bills Over to
Second Regular Session

A list of Carry Over Requests considered by the Council and a summary of the Council's action is attached.

ADJOURNMENT

The Legislative Council meeting was adjourned at 10:57 a.m.
(Motion by Sen. Dutremble; second by Sen. Clark; unanimous).

SARAH C. DIAMOND
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

DIRECTOR'S REPORT

MAY 27, 1987

Approved Step Increases

Jim Clair, Principal Analyst (Salary Range 12), from Step A to Step B, effective May 20.

Martha Freeman, Principal Attorney (Salary Range 12), from Step C to Step D, effective May 28.

Laura Goss, Law Library Associate (Salary Range 5), from Step G to Step Q, effective May 15.

Cheryl Ring, Principal Analyst (Salary Range 12), from Step B to Step C, effective May 20.

SENATE

STEPHEN C. ESTES, DISTRICT 35, CHAIR
JUDY C. KANY, DISTRICT 17
EDWIN C. RANDALL, DISTRICT 7

DAVID ELLIOTT, LEGISLATIVE ANALYST
LARS RYDELL, LEGISLATIVE ANALYST
JULIE FORTIN, COMMITTEE CLERK



HOUSE

STEPHEN M. BOST, ORONO, CHAIR
JAMES R. HANDY, LEWISTON
WILLIAM O'GARA, WESTBROOK
RICHARD A. GOULD, GREENVILLE
MARGE L. KILKELLEY, WISCASSET
JUDY PARADIS, FRENCHVILLE
KENNETH L. MATTHEWS, CARIBOU
MARY E. SMALL, BATH
WILLIAM F. LAWRENCE, PARSONSFIELD
OMAR P. NORTON, WINTHROP

STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
COMMITTEE ON EDUCATION

May 20, 1987

President Charles P. Pray, Chair
Legislative Council
State House
Augusta, ME 04333

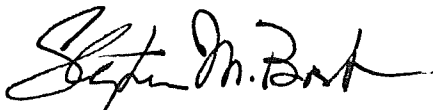
Dear President Pray:

We would like to thank the Council for giving initial approval to the Education Finance Study Grant that the committee submitted to NCSL.

Unfortunately, NCSL did not approve the grant for funding. The major reason appears to be that the grant did not have a sufficient national interest. We feel that the study would have provided a useful information base upon which to assess proposed changes in Maine's education finance formula. Hopefully, either through the Commissioner of Education's task force or the committee's own questioning, similar information will be forth coming before the start of the next session.

Thank you again for your support.

Sincerely,


Stephen Bost
House Chair


Stephen Estes
Senate Chair

0332*

LEGISLATIVE COUNCIL
AFTER DEADLINE REQUESTS

MAY 26, 1987

SPONSOR: ANDREWS

LR 3032 AN ACT to Provide Special License Plates or Placards
for Handicapped Persons.

SPONSOR: LISNIK

LR 3034 AN ACT to Conserve Agricultural Production Capability
and to Promote Harmony between Agriculture and Adjacent
Development.

COSPONSORS: NUTTING
RIDLEY
PERKINS

SPONSOR: PRAY

LR 3031 AN ACT to Improve the Operation of the State's Low-Income
Weatherization Program.

REQUESTS TO INTRODUCE JOINT RESOLUTIONS

SPONSOR: JOSEPH

LR 3033* JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF
THE UNITED STATES TO ENACT THE KENNEDY-HAWKINS
BILLS TO INCREASE THE FEDERAL MINIMUM WAGE

TABLED AFTER DEADLINE REQUESTS

SPONSOR: PERKINS

LR 2402 AN ACT to Provide for the Replacement of Carl Perkins Federal Money and to Improve Services Provided by the Maine Fire Training and Education Program.

TABLED
[04/07/87]

113TH MAINE STATE LEGISLATURE FIRST REGULAR SESSION

Legislative Council

Requests to Carry Over Bills
to the Second Regular Session

Committee Name	Title	Sponsors
Education		
L.D. 146	An Act Authorizing Husson College to Confer the Degree of Bachelor of Science	DIAMOND GARLAND STEVENS P BALDACCI
L.D. 355	An Act to Increase the State's Share of Education Costs	CASHMAN MARTIN J BOST EMERSON
Legal Affairs		
L.D. 1377	An Act to Clarify the Laws Relating to Notary Public	MAYBURY ERWIN E MURPHY T COTE
L.D. 1452	An Act to Establish a 10% Surtax on Fines to be Dedicated to the Maine Criminal Justice Academy in Lieu of Tuition Paid by Municipalities	VOSE GWADOSKY JACQUES
Utilities		
L.D. 671	An Act to Incorporate the Pembroke Utilities District	MOHOLLAND RANDALL THERIAULT TAMMARO
L.D. 729	An Act Establishing the Maine-Canada Energy Cooperation Act	PRAY WEYMOUTH PERKINS MARTIN J
L.D. 1311	An Act Creating the Fayette Water District	KANY NORTON

--- End of Report ---

SENATE

STEPHEN C. ESTES, DISTRICT 35, CHAIR
JUDY C. KANY, DISTRICT 17
EDWIN C. RANDALL, DISTRICT 7

DAVID ELLIOTT, LEGISLATIVE ANALYST
LARS RYDELL, LEGISLATIVE ANALYST
JULIE FORTIN, COMMITTEE CLERK



HOUSE

STEPHEN M. BOST, ORONO, CHAIR
JAMES R. HANDY, LEWISTON
WILLIAM O'GARA, WESTBROOK
RICHARD A. GOULD, GREENVILLE
MARGE L. KILKELLEY, WISCASSET
JUDY PARADIS, FRENCHVILLE
KENNETH L. MATTHEWS, CARIBOU
MARY E. SMALL, BATH
WILLIAM F. LAWRENCE, PARSONSFIELD
OMAR P. NORTON, WINTHROP

STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
COMMITTEE ON EDUCATION

May 22, 1987

The Honorable Charles P. Pray, President of the Senate
The Honorable John L. Martin, Speaker of the House
Maine State Legislature
State House
Augusta, ME 04333

Dear President Pray and Speaker Martin:

The Joint Standing Committee on Education requests permission to carry over L.D. 146, An Act Authorizing Husson College to Confer the Degree of Bachelor of Science, and L.D. 355, An Act to Increase the State's Share of Education Costs.

Sincerely,

Stephen C. Estes
Senate Chair

Stephen M. Bost
House Chair

:jf

SENATE

JUDY C. KANY, DISTRICT 17, CHAIR
STEPHEN C. ESTES, DISTRICT 35
ROBERT G. DILLENBACK, DISTRICT 27

MARGARET REINSCH, LEGISLATIVE ANALYST
DEBBIE MCKAY, COMMITTEE CLERK



HOUSE

CHARLES R. PRIEST, BRUNSWICK, CHAIR
FRANCIS D. PERRY, MEXICO
NORMAN R. PAUL, SANFORD
HILDA C. MARTIN, VAN BUREN
JOHN JALBERT, LISBON
ELEANOR M. MURPHY, BERWICK
DANA P. STEVENSON, UNITY
BETTY J. HARPER, LINCOLN
ALBERT G. STEVENS, SABATTUS
HELEN M. TUPPER, ORRINGTON

STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
COMMITTEE ON LEGAL AFFAIRS

May 26, 1987

President Charles P. Pray
Chairman, Legislative Council
Maine Legislature
State House Station 3
Augusta, ME 04333

Subject: LD 1377, AN ACT to Clarify the Laws Relating to
Notary Public

Dear President Pray:

The Joint Standing Committee on Legal Affairs requests permission to retain LD 1377, AN ACT to Clarify the Laws Relating to Notary Public, in committee until the Second Regular Session. The current notary laws contain archaic language which may or may not be obsolete and the laws do not sufficiently address responsibilities, misconduct and the consequences of misconduct.

The same or similar bill has been introduced in the past 2 Legislatures. Each time, the committee to which the bill was assigned - State Government, then Judiciary last session - voted Leave to Withdraw because the issue is so complicated and important and there was not sufficient time to adequately address it.

We would like to investigate the current law and its shortcomings, but realize, once again, that time is too short. We, therefore, request permission to carry-over LD 1377 until the Second Regular Session, at which point we will have more time to devote to a thorough review of the current law and

needed changes. This will also provide ample opportunity for the Maine Bar Association, the Maine Association of Realtors and other interested parties to participate in the review.

Thank you for your consideration.

Sincerely,

Charles R. Priest

Rep. Charles R. Priest
House Chair

Judy C. Kany

Sen. Judy C. Kany
Senate Chair

0347*

SENATE

JUDY C. KANY, DISTRICT 17, CHAIR
STEPHEN C. ESTES, DISTRICT 35
ROBERT G. DILLENBACK, DISTRICT 27

MARGARET REINSCH, LEGISLATIVE ANALYST
DEBBIE MCKAY, COMMITTEE CLERK



HOUSE

CHARLES R. PRIEST, BRUNSWICK, CHAIR
FRANCIS D. PERRY, MEXICO
NORMAN R. PAUL, SANFORD
HILDA C. MARTIN, VAN BUREN
JOHN JALBERT, LISBON
ELEANOR M. MURPHY, BERWICK
DANA P. STEVENSON, UNITY
BETTY J. HARPER, LINCOLN
ALBERT G. STEVENS, SABATTUS
HELEN M. TUPPER, ORRINGTON

STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
COMMITTEE ON LEGAL AFFAIRS

May 26, 1987

President Charles P. Pray
Chairman, Legislative Council
Maine Legislature
State House
Augusta, ME 04333

Dear President Pray:

Subject: LD 1452, AN ACT to Establish a 10% Surtax on Fines to
be Dedicated to the Maine Criminal Justice Academy in
Lieu of Tuition Paid by Municipalities

Dear President Pray:

The Joint Standing Committee on Legal Affairs requests permission to retain in committee until the Second Regular Session LD 1452, concerning a surcharge on fines to help fund the Maine Criminal Justice Academy. Under current law, municipalities must bear a heavy financial burden when complying with their statutory duty to send their law enforcement officers through training. This bill is intended to help alleviate that problem.

As written, however, the bill leaves several questions unanswered. The committee would like to carry-over the bill to structure an appropriate funding mechanism that will fund the Academy while at the same time reducing the burden on municipalities. This will entail substantial revision of the bill. In addition, we would rather postpone a final decision on this bill until the report of the Academy's review committee is complete, which will be in the next month or so. We will then be able to use the recommendations, as well as our work on law enforcement training (LD 790, approved for carry-over May 19) to present a comprehensive package to the Legislature next session.

We therefore request permission to carry-over LD 1452 until
the Second Regular Session.

Sincerely,

Charles R. Priest

Rep. Charles R. Priest
House Chair

Judy C. Kany

Sen. Judy C. Kany
Senate Chair

0426*

SENATE

JOHN M. KERRY, DISTRICT 31, CHAIR
EDGAR E. ERWIN, DISTRICT 8
CHARLES W. WEBSTER, DISTRICT 4

HAVEN WHITESIDE, LEGISLATIVE ANALYST
JULIE JONES, LEGISLATIVE ANALYST
JANE LEONARD, COMMITTEE CLERK



HOUSE

HARRY L. VOSE, EASTPORT, CHAIR
HARLAN BAKER, PORTLAND
ALEXANDER RICHARD, MADISON
CAROL ALLEN, WASHINGTON
WILLIAM O'GARA, WESTBROOK
MARIA GLEN HOLT, BATH
NORMAN E. WEYMOUTH, WEST GARDINER
RALPH M. WILLEY, HAMPDEN
EARL G. NICHOLSON, SOUTH PORTLAND
MARY C. WEBSTER, CAPE ELIZABETH

STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
COMMITTEE ON UTILITIES

May 18, 1987

Charles P. Pray, President of the Senate
John L. Martin, Speaker of the House
Maine State Legislature
State House
Augusta, ME 04333

Dear President Pray and Speaker Martin:

The Joint Standing Committee on Utilities requests permission to hold over the following bills until the Second Regular Session of the 113th Legislature.

LD 671 AN ACT to Incorporate the Pembroke Utilities District

LD 1311 AN ACT Creating the Fayette Water District

We wish to hold these bills pending further study of the relevant water rights issues by the Public Utilities Commission (see new draft LD 1200).

We also request permission to hold over the following bill pending Public Utilities Commission review of the application of Central Maine Power for the Hydro-Quebec purchase:

LD 729 AN ACT Establishing the Maine-Canada Energy Cooperation Act

Sincerely,

A handwritten signature in cursive script, appearing to read "John".

Sen. John Kerry
Senate Chair

A handwritten signature in cursive script, appearing to read "Harry".

Rep. Harry Vose
House Chair

HW/jlb/0286

LEGISLATIVE COUNCIL

REQUEST TO INTRODUCE JOINT RESOLUTIONS: SUPPLEMENT

MAY 27, 1987

SPONSOR: MARTIN, J.

LR 3048 JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE
UNITED STATES TO ~~APPROVE~~ ANY USE OF DEDICATED FUNDS
FOR GENERAL FUND PURPOSES.

Legislative Council

Action on Requests to Carry Over Bills
to the Second Regular Session

Committee Name	Title	Sponsors	Action
Education			
L.D. 146	An Act Authorizing Husson College to Confer the Degree of Bachelor of Science	DIAMOND GARLAND STEVENS P BALDACCI	APPROVED
L.D. 355	An Act to Increase the State's Share of Education Costs	CASHMAN MARTIN J BOST EMERSON	APPROVED
Legal Affairs			
L.D. 1377	An Act to Clarify the Laws Relating to Notary Public	MAYBURY ERWIN E MURPHY T COTE	APPROVED
L.D. 1452	An Act to Establish a 10% Surtax on Fines to be Dedicated to the Maine Criminal Justice Academy in Lieu of Tuition Paid by Municipalities	VOSE GWADOSKY JACQUES	APPROVED
Utilities			
L.D. 671	An Act to Incorporate the Pembroke Utilities District	MOHOLLAND RANDALL THERIAULT TAMMARO	APPROVED
L.D. 729	An Act Establishing the Maine-Canada Energy Cooperation Act	PRAY WEYMOUTH PERKINS MARTIN J	APPROVED
L.D. 1311	An Act Creating the Fayette Water District	KANY NORTON	APPROVED

--- End of Report ---