

MAINE STATE LEGISLATURE

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REP. JOHN L. MARTIN
CHAIR

SEN. DENNIS L. DUTREMBLE
VICE-CHAIR

STATE OF MAINE

114th LEGISLATURE

LEGISLATIVE COUNCIL

SEN. CHARLES P. PRAY
SEN. NANCY RANDALL CLARK
SEN. CHARLES M. WEBSTER
SEN. PAMELA L. CAHILL
REP. DAN A. GWADOSKY
REP. JOSEPH W. MAYO
REP. MARY CLARK WEBSTER
REP. FRANCIS C. MARSANO

SARAH C. DIAMOND
EXECUTIVE DIRECTOR

LEGISLATIVE COUNCIL

JUNE 16, 1989;

JUNE 18, 1989*

MEETING SUMMARY

APPROVED JUNE 21, 1989

*(Council was in recess)

CALL TO ORDER

The Legislative Council was called to order by the Chair,
Speaker Martin, at 6:44 p.m., in the Legislative Council Chamber.

ROLL CALL

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

Representatives: Rep. Mayo, Rep. Martin, Rep. Marsano, Rep.
Webster

Absent: Rep. Gwadosky

Legislative Officers:

Sally Diamond

Martha Freeman

John H. Bailey

Cheryl Ring

Meg Matheson

Executive Director,
Legislative Council
Director, Office of Policy
and Legal Analysis
Information Systems
Director
Principal Analyst, Office of
Fiscal & Program Review
Principal Attorney, Office
of Revisor of Statutes

SECRETARY'S REPORT

The summary of the June 8, 1989, Council meeting was accepted and placed on file. (Motion by Sen. Pray; second by Rep. Marsano; unanimous).

EXECUTIVE DIRECTOR'S REPORT

None.

REPORTS FROM COUNCIL COMMITTEES

None.

OLD BUSINESS

None.

NEW BUSINESS

Item #1: Advisory Committee on Legislative Structure and Operations: Progress Report from Senator Clark and Mr. MacLeod, Committee Chairs

Council members had received a letter from the Co-Chairs of the Advisory Committee reporting that the Advisory Committee had had its initial meeting on June 14. Both Senator Clark and Mr. MacLeod were present at the Council meeting. They reported that the Committee had reviewed and approved with minor changes a draft of the Request for Proposals to be sent to potential bidders for the study. The Committee also approved a preliminary list of potential bidders and set a deadline for receipt of proposals of July 10, at 10:00 a.m. Both invited Council comments and suggestions.

Speaker Martin thanked the Chairs for their willingness to serve and for organizing the work of the Committee so promptly.

Motion: That the letter from the Chairs of the Advisory Committee be accepted and placed on file. (Motion by Sen. Clark; second by Sen. Webster; unanimous).

Item #2: After Deadline Requests

After Deadline Requests were considered by the Legislative Council. The Council's action on these requests is included on the attached list.

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

A list of the requests considered by the Council with the Council's action noted is attached.

Item #4: Request from Judiciary Committee for Authorization to Hold Public Hearings this Fall

This item was Tabled until later by the Chair, without objection.

Item #5: Interim Study Requests

The Legislative Council considered requests from Joint Standing Committees to conduct interim studies. A list of the proposed studies and a summary of the Council's action is attached.

ANNOUNCEMENTS AND REMARKS

None.

RECESS

The Chair moved that the Council stand in recess until a time to be determined later. The Council was recessed at 7:16 p.m.

RECONVENE

The Council was brought to order by the Chair on Sunday, June 18, at 7:10 p.m.

All members of the Council were present, as were Sally Diamond, Executive Director; Martha Freeman, Director, Office of Policy and Legal Analysis; David Kennedy, Revisor of Statutes; John Bailey, Information Systems Director; and Tim Glidden, Principal Analyst, Office of Policy and Legal Analysis.

TABLED ITEMS

Item #1: Interim Study Requests

The Council resumed its consideration of requests to conduct interim studies, focussing at this time on a review of those proposed statutory studies that are still pending. The Chair pointed out to Council members that most of these studies have appropriation sections; in addition, the majority would require staff assistance from the Legislative Council. The Chair noted that both financial and staff resources were limited.

A summary of the Council's action is attached (2 lists: "Approved Study Requests" and "Summary of Denied Study Requests").

Item #2: Request from Judiciary Committee for Authorization to Hold Public Hearings this Fall.

Motion: That the request be approved, provided that the public hearings are scheduled in conjunction with a fall special session should one be called. (Motion by Sen. Pray; second by Rep. Marsano; approved 9-1).

NEW BUSINESS

Item #1: Request to Introduce a Joint Resolution

Joint Resolution Memorializing the President of the United States, the Congress of the United States, and the Interstate Commerce Commission to Restore Passenger Rail Service to the State of Maine.

Sponsor: Rep. McKeen; Cosponsors: Sen. Pray
Rep. Martin, John
Rep. Melendy

ACCEPTED

Item #2: After Deadline Request

AN ACT Concerning Immunity from Liability for Incorporators of Certain Hospitals

Sponsor: Rep. Melendy

ACCEPTED

ANNOUNCEMENTS AND REMARKS

None

ADJOURNMENT

The Legislative Council was adjourned on the motion of the Chair at 9:35 p.m.

Legislative Council
Action on Requests to Carry Over Bills
to the Second Regular Session
at the
June 16, 1989 Meeting

DB: TEST4
RPT: SPEC05

Committee Name	Title	Sponsors	Action
Agriculture			
L.D. 1734	An Act to Increase Various License and Registration Fees of the Department of Agriculture, Food and Rural Resources	TARDY EMERSON WHITCOMB	CARRY OVER APPROVED
L.D. 1737	Resolve, to Establish the Commission on Maine's Food Policy	WHITCOMB TARDY EMERSON	CARRY OVER APPROVED
Appropriations & Financial Affairs			
L.D. 712	An Act to Authorize a General Fund Bond Issue in the Amount of \$10,000,000 to Develop a Statewide Enhanced 9-1-1 Emergency Telephone System	KETOVER GILL CARTER TELOW	CARRY OVER APPROVED
Banking and Insurance			
L.D. 1741	An Act to Authorize Mortgagees to Require Property Insurance Provided by Insurers Which Meet Standards Established by Federal Mortgage Loan Corporations	NADEAU G G	CARRY OVER APPROVED
L.D. 1743	An Act to Modernize the Capital Structure of Domestic Stock Insurers	HOBBS	CARRY OVER APPROVED
Education			
L.D. 38	Resolve, Creating the Blue Ribbon Commission to Study the Establishment of a Cabinet-level Department of Children within State Government (Reported Pursuant to Resolves 1987, Chapter 110)		CARRY OVER APPROVED
L.D. 902	An Act Regarding the Maine Vocational-Technical Institute System	MARTIN J O'DEA PARADIS P BUSTIN	CARRY OVER APPROVED
L.D. 1226	An Act to Assure Access to Nutrition Programs for Kindergarten and Part-day Students	KILKELLY HOLLOWAY HANDY ESTES	CARRY OVER APPROVED

Committee Name	Title	Sponsors	Action
Energy & Natural Resources			
L.D. 1608	An Act to Clarify the Traffic Movement Standards under the Site Location and Development Law	ROLDE JACQUES	CARRY OVER APPROVED
L.D. 1725	An Act to Amend Maine's Underground Oil Storage Law	KANY LORD MICHAUD JACQUES	CARRY OVER APPROVED
Human Resources			
L.D. 1591	An Act Relating to the Status of Nursing Professions in Maine (Reported Pursuant to Resolves of 1987, Chapter 106)		CARRY OVER APPROVED
L.D. 1648	An Act to Improve Services for Maine's Mentally Ill	BUSTIN PRAY PEDERSON TITCOMB	CARRY OVER APPROVED
Judiciary			
L.D. 1387	An Act to Increase the Priority of Wage Claims Against Insolvent Employers	PRIEST CONLEY MCHENRY MATTHEWS	CARRY OVER APPROVED

--- End of Report ---

LEGISLATIVE COUNCIL

ACTION ON COMMITTEE REQUESTS TO CONDUCT INTERIM STUDIES

June 18, 1989

Committee	Study Topic	# Members	# Mtgs	Council Action
Agriculture	Agriculture Marketing & Bargaining Act	5	5	APPROVED
Banking & Insurance	Current Operation of State Guarantee Funds (Chapter 67, P.L. 1989)	13	Not specified	APPROVED
Business Legislation	Third-Party Prescription Programs	5	4	APPROVED
Education	Issues Relating to Home Schools	13	Not specified	DENIED
Energy & Natural Resources	Redesign the Structure of BEP (LD 722)			APPROVED AS COUNCIL STUDY
Human Resources	Review of State Mental Health Services	Not yet known	Not yet known	APPROVED
Judiciary	Termination of Medical Treatment, Hydration, & Nutrition (LD 1010 : CARRYOVER)	Full Committee	4 public hearings;	APPROVED
Labor	Employment of Minors (LD 1550)			APPROVED AS COUNCIL STUDY
	Recodification: Title 26			DENIED

Committee	Study Topic	# Members	# Mtgs	Council Action
State & Local Government	Structure of Substance Abuse Assistance and Services in the State (LD 1566)	5	2 Subcommittee 1 Full Committee	APPROVED AS COUNCIL STUDY
	Redistribution of County Functions (LD 817)			APPROVED AS COUNCIL STUDY
Transportation	Access to Camps (L.D. 1219: CARRYOVER)			APPROVED

LEGISLATIVE COUNCIL
STUDY REQUESTS APPROVED
AS OF JUNE 18, 1989

Agriculture

Agricultural Marketing & Bargaining
COUNCIL STUDY
APPROVED 6/16

Banking & Insurance

Study of Current Operation of State
Guarantee Funds
(Ch. 67, P.L. 1989)
COUNCIL STUDY
APPROVED 6/16

Study of Uninsured Motorists
(29 MRSA § 790)
STATUTORY REQUIREMENT

Business Legislation

Third-Party Prescription Program
COUNCIL STUDY
APPROVED 6/16

Education

Special Commission to Study
Instructional Time in Schools
(LD 175)
APPROPRIATIONS TABLE
APPROVED FOR FUNDING
6/18
(\$ 10,500)

Blue Ribbon Task Force to Promote
Equity of Opportunity for Women in
the Public School System
(LD 1034)
APPROPRIATIONS TABLE
APPROVED FOR FUNDING
6/18
(\$ 50,000)

Energy/Nat. Resources

Commission to Evaluate the
Structure and Function of the BEP
(LD 722)
APPROVED AS COUNCIL STUDY
6/18

Fisheries & Wildlife

Whitewater Rafting Advisory
Committee
(12 MRSA § 7369-A)
STATUTORY REQUIREMENT

**Housing & Economic
Development**

Affordable Housing
(Committee reporting out
pursuant to Joint Order)
APPROVED AS COUNCIL STUDY
6/18

Human Resources

Review of State Mental
Health Services

COUNCIL STUDY
APPROVED 6/18

Commission to Study the Level of
Services for Maine's Elderly
Citizens
(LD 747)

APPROPRIATIONS TABLE
APPROVED FOR FUNDING
6/18
(\$ 14,675)

Judiciary

An Act Concerning the Right to Die
(LD 1010)

COUNCIL STUDY
APPROVED 6/16

Labor

Commission to Study the Employment
of Minors
(LD 1550)

APPROPRIATIONS TABLE
APPROVED FOR FUNDING
6/18
(\$ 7,180)

Legal Affairs

Commission to Study Public
Financing of State Elections
(LD 887)

APPROPRIATIONS TABLE
APPROVED FOR FUNDING
6/18
(\$ 15,360)

Commission to Examine Rent
Increase & Other Issues Concerning
Mobile Homes
(P&SL 1987, c. 139; also LD 630)

STATUTORY REQUIREMENT
PREVIOUSLY FUNDED
NO COUNCIL ACTION NECESSARY

State & Local Gov't

Commission to Study the
Redistribution of County Functions
(LD 817)

APPROVED AS COUNCIL STUDY
6/18

Blue Ribbon Commission to Study the
Establishment of a Cabinet-level
Department of Children within State
Government
(LD 1666)

TABLE PENDING REVIEW
OF COMMITTEE REPORTS

Current Structure of Substance
Abuse Assistance and Services
throughout the State
(LD 1566)

APPROVED AS COUNCIL STUDY
6/18

Taxation

Commission to Study Problems
with Municipal Assessment,
Valuation, and Collection of
Property Taxes
(LD 1088)

APPROVED AS COUNCIL STUDY
6/18

Taxpayers' Bill of Rights Commission
(LD 1644)

APPROVED AS COUNCIL STUDY
6/18

Transportation

Access to Camps
(LD 1219: CARRYOVER)

COUNCIL STUDY
APPROVED 6/16

LEGISLATIVE COUNCIL
SUMMARY OF "DENIED" STUDY REQUESTS
(Includes action on Proposed Statutory Studies)
June 18, 1989

Agriculture

Commission for Farmland Preservation LD 286	APPROP TABLE	\$ 24,100
Commission to Study the Creation of a Statewide Horse Council LD 1221	APPROP TABLE	5,925

Banking & Insurance

Special Study Commission on Workers' Compensation Insurance LD 1320	(Engrossed)	28,340
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Business Legislation

Commission to Study Real Estate Appraiser Certification and Licensing LD 1491	PASSED	(Cost absorbed)
Commission to Study the Regulation of Welders LD 109	APPROP TABLE	\$ 3,500

Education

Home Schools	(COUNCIL REQUEST)	
School Organization Study Committee LD 1469	(Engrossed)	\$ 6,440
Special Commission to Study and Evaluate the Status of Education Reform in Maine LD 1564	APPROP TABLE	\$ 28,120 FY 90 37,110 FY 91

Energy & Nat. Resources

Study to Design a System of Ecological Reserves in the State LD 1241	APPROP TABLE	\$ 46,000 FY 90 60,500 FY 91
Commission to Study the Feasibility of Establishing a Piscataqua River Basin Compact Between Maine and New Hampshire	APPROP TABLE	6,590
Study of the Laws and Rules Regulating Campgrounds LD 1454	PASSED	Cost Absorbed

**Housing & Economic
Development**

Commission to Study Foreign Ownership
and Investment in Maine Land and
Business
LD 1012 (Engrossed) \$ 6,290

Commission to Study the Establishment
of a State and Tribal Partnership to
Encourage Economic Development
LD 1701 (Engrossed) \$ 34,750

Labor

Recodification of Title 26 (COUNCIL REQUEST)

Commission to Study the Use of
Professional Strikebreakers
LD 715 (Engrossed) \$ 5,690

Marine Resources

Commission to Study Crab Fishing
in Maine
LD 1440 APPROP TABLE \$ 5,000

**State & Local
Government**

Commission to Study the Preservation
of Volunteer Ambulance Crews and Volunteer
Fire Departments
LD 847 APPROP TABLE \$ 6,920

Taxation

Legislative Study Commission on Growth
Management and Tax Policy
LD 249 APPROP TABLE \$ 5,250

Transportation

Commission to Study Town Supervision
of Private Roads
LD 1318 APPROP TABLE \$ 3,200

Utilities

Commission to Study the Possibility of
Including the Cost of Environmental
Impacts in the Least-Cost Planning
Process of Electrical Utilities and
the Public Utilities Commission
LD 306 APPROP TABLE \$ 7,250