

# MAINE STATE LEGISLATURE

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M I N U T E S

LEGISLATIVE COUNCIL MEETING

Legislative Council Chamber  
Augusta, Maine

July 25, 1973

CALL TO ORDER

The meeting was called to order at 10:30 A.M. by Chairman Simpson.

ROLL CALL

SENATORS: Berry, Brennan, MacLeod, Sewall

REPRESENTATIVES: Birt, Hewes, McTeague, Simpson

COMMITTEE CHAIRMEN: Sen. Cummings, Rep. Soulas, Sen. Greeley

LEGISLATIVE STAFF:

Assistant Legislative Research Director: Mr. David Silsby

Legislative Finance Officer: Mr. William Garside

Assistants: Mr. George Viles            Mr. Robert Clarke  
                 Miss Nancy Ross            Mr. Robert Frates  
                 Mr. Thomas Downing        Mr. Roland Berry

SECRETARY'S REPORT

MOTION:

Sen. MacLeod: That the minutes be accepted as read with corrections suggested by Senator Berry.

Seconded: Sen. Berry

Discussion.

Motion Carried Unanimously.

## COMMUNICATIONS

The chairman presented to the Council a letter from Rep. Louis Jalbert pertaining to the proposed modified work week by Commissioner Carroll McGary, Department of Educational and Cultural Services.

The chairman presented a communication from Legislative Counsel, Jon Doyle, pertaining to staff assignments and activities during the interim period between Council meetings.

These communications were accepted and placed on file.

## COMMITTEE REPORTS

### STATE GOVERNMENT:

No report.

### JUDICIARY

Staff Assistant Thomas Downing reported that he had met with Chairman Wakine Tanous pertaining to the studies to be undertaken by the Judiciary Committee and that he has started research in these areas.

### APPROPRIATIONS:

Staff Assistant Robert Frates reported that he had met with the Department of Health and Welfare pertaining to the payments of drug bills by the Department under Federal Title 19 and that he was not prepared to submit a final report at this time.

### LIQUOR CONTROL:

No report.

PUBLIC UTILITIES:

Sen. Cummings reported that inquiries of other states had been made regarding their laws and progress concerning Cable Television. She has met with Miss Nancy Ross, Legislative Staff Assistant, to discuss preliminary research in the two areas assigned to her committee.

Sen. Cummings stated that she would prefer not to use the entire committee unless necessary since she felt a subcommittee could be more effective.

LEGAL AFFAIRS:

Staff Assistant Thomas Downing reported that he had discussed the study of Village Corporations with Chairman Cyril Joly and that he has prepared material for the committee. He further reported that work had begun on researching the types of small claims which are consistently submitted to the Legislature in an effort to determine how to better handle this type of legislation.

TRANSPORTATION:

Chairman Greeley reported that he planned to meet with his staff assistant to begin work on the study order pertaining to commuter tickets for the Maine Turnpike.

Sen. Greeley requested that he and several other members from his committee be allowed expenses for a visit to New Hampshire and Vermont for the purpose of reviewing the construction programs and policies of the two highway departments. He further reported that he felt his committee should eventually undertake

a thorough review of our Department of Transportation's construction policies and financing so that we might determine what our future costs and methods of financing might be.

Action on this matter was deferred until "New Business."

VETERANS AND RETIREMENT

No report.

MOTION:

Rep. Birt: That the reports as presented be accepted.

Seconded: Rep. Hewes

Discussion.

Motion Carried Unanimously

OLD BUSINESS:

RULES OF ORDER:

MOTION:

Sen. Berry: That the proceedings of the Council shall be constructed in accordance with Robert's Rules of Order except as otherwise specified in the Council's own rules.

Seconded: Rep. McTeague

Motion Carried Unanimously

MOTION:

Sen. MacLeod: That the Council hold its regular meetings on the 3rd Wednesday of the month unless otherwise ordered by the chairman.

Seconded: Sen. Berry

Motion Carried Unanimously

MOTION:

Sen. MacLeod: That the official meeting place be the new Legislative Council chambers unless designated in the call of the meeting.

Seconded: Sen. Berry

Discussion.

Motion Carried Unanimously

MOTION:

Rep. Hewes: That the Legislative Administrative Director, upon the request of the chairman, shall issue written calls for all meetings of the Council. The call shall give the date, time and place of the meeting and such other information as the chairman may direct.

Seconded: Sen. Brennan

Motion Carried Unanimously

MOTION:

Sen. Brennan: That all meetings of the Council shall be public, except for executive sessions, and that all final action shall be made at the public meetings.

Seconded: Sen. MacLeod

Discussion.

Motion Carried Unanimously

MOTION:

Sen. Brennan: That the Legislative Administrative Director shall maintain an accurate permanent record of all meetings and proceedings of the Council.

Seconded: Sen. MacLeod

Motion Carried Unanimously

MOTION:

Sen. Berry: That the order of business of the Council shall be:

- (1) Call to Order
- (2) Roll Call
- (3) Secretary's Report
- (4) Communications
- (5) Committee Reports
- (6) Old Business
- (7) New Business
- (8) Announcements and Remarks
- (9) Adjournment

Seconded: Sen. MacLeod

Motion Carried Unanimously

MOTION:

Sen. Brennan: That the subcommittees of the Council shall be named by the chairman and shall consist of not less than 3 members and shall have representation from each political party.

Seconded: Rep. McTeague

Discussion.

Motion Carried, 7 - 1 (Sen. Sewall)

MOTION:

Sen. Berry: That the Council shall select a chairman who shall preside at all meetings of the Council when present. The Council shall select a vice-chairman who shall act as chairman in the absence of the chairman. The vice-chairman shall not be a member of the same branch of the Legislature; nor a member of the same political party as the chairman.

Seconded: Rep. McTeague

Discussion.

Motion Carried, 7 - 1 (Rep. Hewes)

MOTION:

Sen. Berry: That the rules may be altered, suspended or amended upon a two-thirds vote of the Council present and voting.

Seconded: Sen. MacLeod

Motion Carried Unanimously

STUDY ORDERS:

MOTION:

Sen. Brennan: That the subject matter of House Paper 878 be referred directly to the Legislative Staff for review and recommendations for this Council.

Seconded: Rep. Hewes

Discussion.

Motion Carried Unanimously

MOTION:

Sen. Berry: That the subject matter of H.P. 1388 be referred to the State Government Committee.

Seconded: Rep. Hewes

Discussion.

Motion Carried Unanimously

MOTION:

Rep. McTeague: That the subject matter of S.P. 604 not be considered for study.

Seconded: Rep. Birt

Discussion.

Motion Carried Unanimously

MOTION:

Sen. Brennan: That the subject matter of H.P. 1536 be tabled until the next Council meeting.

Seconded: Rep. Hewes

Motion carried unanimously

The chairman requested that Mr. Frates prepare a series of alternative recommendations for this study order and that they be presented at the next Council meeting.

MOTION:

Rep. Birt: That the subject matter of H.P. 153 be tabled until the next Legislative Council meeting pending an appearance before the Council of Assistant Attorney General John Quinn.

Seconded: Sen. Berry

Motion Carried Unanimously

MOTION:

Rep. Birt: That the subject matter of H.P. 1535 be referred to the State Government Committee.

Seconded: Sen. MacLeod

MOTION: That this be tabled until a later Council meeting pending report from the Cost Management Survey team.

Seconded: Rep. Hewes

Motion Carried Unanimously

MOTION:

Sen. Brennan: That the subject matter of H.P. 1541 be tabled until the next Council meeting.

Seconded: Rep. McTeague

Motion Carried Unanimously

At this point in the meeting the order of business was interrupted as Mr. James Antoniono, Northeast Director, Council of Governments was introduced. Mr. Antoniono stated that he was leaving the employ of the Council of Governments and will be replaced by Mr. Michael Irish who was introduced by Mr. Antoniono. A short discussion followed concerning the activities of the Council of Governments and Maine's relation to it.

MOTION:

Sen. MacLeod: That the subject matter of H.P. 1619 be referred to the Natural Resources Committee and that the Natural Resources Committee follow the recommendations as

outlined by Staff Assistant, Nancy Ross's report to this Council.

Seconded: Rep. Hewes

Discussion.

Motion Carried Unanimously.

The meeting recessed at 12:30 P.M. for lunch and was to reconvene at 2:00 P.M.

The meeting reconvened at 2:00 P.M. All of the morning session members were present except Senator Sewall.

MOTION:

Rep. Birt: That the subject matter of S.P. 641 be tabled until a later Council meeting.

Seconded: Sen. Brennan

Motion Carried Unanimously

MOTION:

Sen. Brennan: That the subject matter of H.P. 1542 be tabled until a later Council meeting.

Seconded: Rep. Birt

Motion Carried Unanimously

MOTION:

Sen. MacLeod: That the subject matter of H.P. 1551 be referred to the Business Legislation Committee.

Seconded: Rep. Birt

Discussion.

Motion Carried Unanimously

MOTION:

Sen. Brennan: That the subject matter of S.P. 650 not be considered for study.

Seconded: Sen. MacLeod

Discussion.

Motion Carried Unanimously

MOTION:

Rep. Birt: That the subject matter of H.P. 1569 be tabled until a future Council meeting.

Seconded: Sen. Berry

Motion Carried Unanimously

MOTION:

Sen. MacLeod: That the subject matter of H.P. 1576 not be considered for study.

Seconded: Sen. Berry

Discussion.

Motion Carried Unanimously

The chairman instructed Mr. Viles to compile a list of all orders approved by the Council for study either by the staff or by the Joint Standing Committees and that a copy of this list be forwarded to the Legislative Law Librarian, the Director of Legislative Finance and the Assistant Director of Legislative Research.

NEW BUSINESS:

MOTION:

Rep. Hewes: That Mr. George Viles be authorized to attend the

National Legislative Conference for the purpose of  
furthering his study on computerization of the Legislature.

Seconded: Sen. Brennan

Discussion.

Motion Carried Unanimously

MOTION:

Sen. Berry: That the Chairman of the Transportation Committee  
be authorized to select not more than 3 members of the Com-  
mittee, including himself, to visit the states of New Hampshire  
and Vermont for the purpose of reviewing the respective  
budgeting and construction policies within the highway depart-  
ments; and that the committee members be reimbursed for their  
expenses.

Seconded: Rep. Birt

Discussion.

Motion Carried Unanimously

Commissioner McGary's proposed modified work week was discussed  
briefly and it was the opinion of the Council that the letter sub-  
mitted by the chairman to the Executive Director of the Maine State  
Personnel Board requesting a complete report of the Personnel Board's  
findings and recommendations would be sufficient action for the  
Council at this time.

MOTION:

Sen. MacLeod: That the Legislative Administrative Director be authorized to approve all payrolls and accounts for payment until further notice.

Seconded: Sen. Berry

Discussion.

Motion Carried Unanimously

MOTION:

Sen. MacLeod: That a subcommittee consisting of the chairman, Sen. Brennan, Sen. MacLeod, Rep. Hewes and Rep. Martin be appointed to review the organizational structure of the legislative operation, especially as it pertains to the new statute creating this Council and its responsibilities.

Seconded: Rep. McTeague

General Discussion.

Motion Carried Unanimously

ANNOUNCEMENTS AND REMARKS:

The chairman requested that Mr. George Viles have the legislative staff prepare a proposed policy to be used by the Joint Standing Committees while reviewing studies assigned to them by this Council when the Legislature is not in session and to present this at the next Council meeting. He was further requested to incorporate into the policy those items approved by the Council at our first regular meeting.

Mr. Viles was also requested to prepare a policy concerning the use of subcommittees by the Joint Standing Committees.

Mr. Viles was also requested to have the legislative staff present at all regular meetings of the Council.

The next meeting of the Council will be in the Legislative Council chamber on Wednesday, August 1, at 10:00 A.M.

ADJOURNMENT:

The meeting adjourned at 3:00 P.M.