

MAINE STATE LEGISLATURE

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M I N U T E S
LEGISLATIVE COUNCIL MEETING
Legislative Council Chamber

April 17, 1974

CALL TO ORDER

The chairman called the meeting to order at 10:05 a.m.

ROLL CALL

Senators: Berry, Danton, MacLeod

Representatives: Birt, Simpson

Chief of Legislative Staff, Mrs. Suzanne Havens
Legislative Finance Officer, William H. Garside
Law Librarian, Miss Edith L. Hary
Legislative Staff Assistant, Robert Frates

Guests: Rep. Roderick E. Farnham
Mrs. Imlay, Christian Science Publications
Richard G. Bachelder, Director, Bureau of Public Improvements
Edson K. Labrack, Director, Administration Bureau,
Department of Health & Welfare

SECRETARY'S REPORT

MOTION

Sen. Danton: That the secretary's report be accepted as mailed.

Seconded: Sen. MacLeod

Motion carried unanimously.

COMMUNICATIONS

1. Request from Capitol News for office space and furnishings.
2. Several announcements of conferences sponsored by Council of State Governments and National Legislative Conference.

COMMITTEE REPORTS

1. Legislative Finance Officer - No report.
2. Legislative Staff - See attached Memorandums
A complete status report on legislative studies assigned after the regular session, and Study Orders from the special session, were submitted by the Chief of Legislative Staff and each item was thoroughly reviewed by Council members. (See attached reports)
3. Legislative Reorganization - The April 16th meeting was cancelled and rescheduled for April 24th.
4. Bill Status Retrieval System - Completed and equipment removed. Results and recommendations for future use will be presented for action at May 15th meeting.
5. Collective Bargaining - Committee will meet the first week in May.
6. Disaster Planning - See attached Legislative Staff report.
7. Excise Tax Study - " " " " "

MOTION

Sen. Berry: That the subject matter of H.P. 878, Excise Tax Structure, be referred to the Joint Standing Committee on Taxation for further review.

Seconded: Sen. Danton

Motion carried unanimously.

8. Appropriations and Financial Affairs - No new action.
9. Business Legislation - See Attached Legislative Staff Report.
10. Education - No report
11. Health & Institutional Services - See report submitted by staff member, Robert Frates
12. Judiciary - No report.
13. Labor - No report.

COMMITTEE REPORTS (Continued)

14. Legal Affairs -

MOTION

Sen. Berry: That the Committee be authorized to hold a public meeting in Rockland on May 13 relative to their rural crime study.

Seconded: Rep. Simpson

Motion carried unanimously.

15. Liquor Control - No report.

16. Natural Resources - Report attached.

MOTION

Sen. Berry: That a letter be sent to the subcommittee of the Natural Resources Committee stating that outside counsel has not been authorized by the Legislative Council to assist the committee.

Seconded: Sen. MacLeod

Motion carried unanimously.

17. Public Lands - No report.

18. Public Utilities - No report.

19. State Government - See attached report.

20. Transportation - No report.

21. Veterans and Retirement -

MOTION

Sen. MacLeod: That the request submitted from the Joint Standing Committee on Veterans and Retirement to obtain outside Counsel to draft legislation pertaining to their Retirement Study Report, be denied and that our Legislative Staff be utilized.

Seconded: Sen. Berry

Motion carried unanimously.

MOTION

Sen. MacLeod: That the Committee Reports be accepted as presented.

Seconded: Sen. Danton

Motion carried unanimously.

OLD BUSINESS

MOTION

Sen. Berry: That a study of a possible State Building Code be referred to the Joint Standing Committee on Legal Affairs.

Seconded: Rep. Birt

Motion carried unanimously

MOTION

Rep. Birt: That the subject of Financial Problems of Private Educational Institutions not be considered for further study.

Seconded: Sen. Berry

Motion carried unanimously.

A report from the Legislative Staff outlining the problems concerning services to exceptional children was received by the Council members. Action upon this report will be taken at a later meeting after a review of the report.

NEW BUSINESS

MOTION

Sen. Berry: That the Legislative Council chairman be authorized to hire Maine college students as interns assisting the Joint Standing Committees whenever he and the Chief of Legislative Staff feel that assistance is necessary.

Seconded: Rep. Birt

Motion carried unanimously.

MOTION

Sen. Danton: That Sen. Hichens' request to attend Boston and Toronto conferences for the mentally retarded be denied.

Seconded: Rep. Simpson

Motion carried unanimously.

NEW BUSINESS (Continued)

MOTION

Sen. Berry: That Robert Frates be authorized to attend one of two scheduled conferences regarding federal legislation on social services programs, and that the choice of conference be at the discretion of the Council chairman.

Seconded: Sen. Danton

Motion carried unanimously.

MOTION

Rep. Birt: That we enter into an executive session.

Seconded: Sen. Sewall

Motion carried unanimously.

MOTION

Rep. Birt: That the salary for Mrs. Helen Ginder, Legislative Staff member, be increased to \$12,600, effective April 22, 1974.

Seconded: Sen. MacLeod

Motion carried unanimously.

MOTION

Sen. Danton: That we rise from executive session.

Seconded: Sen. Berry

Motion carried unanimously.

MOTION

Rep. Birt: That appropriate resolutions be forwarded to Assistant Attorney General George West and Larry Stuart, Director of Parks and Recreation, on the occasion of their retirements.

Seconded: Sen. Berry

Motion carried unanimously.

NEW BUSINESS (Continued)

MOTION

Sen. Berry: That the Legislative Staff be authorized to purchase two bookcases for their office.

Seconded: Sen. Danton

Motion carried unanimously.

MOTION

Sen. Danton: That Mrs. Charlotte Carrie staff the Legislative Docket Room between legislative sessions and that she assist the legislators with constituent problems whenever possible.

Seconded: Sen. Berry

Motion carried unanimously.

The chairman recessed the meeting until 2:00 p.m.

The meeting reconvened at 2:00 p.m.

MOTION

Sen. Berry: That the subject matter of S.P. 918, relating to the Legislative Council's investigation of establishing a centralized organization to provide for the management and integration of the state's telecommunications activities as recommended by the Maine Management and Cost Survey team be referred to the Joint Standing Committee on State Government for study and that the committee consider having the Council of State Government's Computer Study Team undertake this matter and to amend our contract with them accordingly if they agree.

Seconded: Sen. Danton

Motion carried unanimously.

MOTION

Sen. MacLeod: That the subject matter of S.P. 929, "An Act Abolishing the State Board of Education and Creating an Advisory Board," be referred to the Joint Standing Committee on Education for study.

Seconded: Sen. Berry

Motion carried unanimously.

NEW BUSINESS (Continued)

MOTION

Sen. Berry: That the subject matter of S.P. 935, relating to procedures and pricing of legislative printing practices with emphasis on competitive bidding, be referred to the Joint Standing Committee on Appropriations and Financial Affairs for study.

Seconded: Sen. MacLeod

Motion carried unanimously.

MOTION

Rep. Birt: That the subject matter of S.P. 936, concerning usage of Women's Correctional Center at Skowhegan for purposes other than corrections to determine an appropriate disposition of the facility, be referred to the Joint Standing Committee on State Government.

Seconded: Sen. Berry

Motion carried unanimously.

MOTION

Sen. Berry: That the subject matter of S.P. 950, relating to operations of Aid to Dependent Children services, the standards, payments, etc., be referred to the Joint Standing Committee on Human Resources for study.

Seconded: Rep. Birt

Motion carried unanimously.

MOTION

Sen. Berry: That the subject matter of S.P. 965, relative to the manner in which the Department of Finance and Administration, through the Bureau of Purchases, presently purchases property and services, be referred to the Joint Standing Committee on Business Legislation.

Seconded: Rep. Birt

Motion carried unanimously.

NEW BUSINESS (Continued)

MOTION

Sen. Berry: That the subject matter of H.P. 1935, relating to the Maine Forestry District Tax, its assessment and use, be referred to the Joint Standing Committee on Taxation for study.

Seconded: Sen. Danton

Motion carried unanimously.

MOTION

Rep. Birt: That the subject matter of H.P. 1944, relating to Spruce Budworm Control and state involvement, be referred to the Joint Standing Committee on Natural Resources for study.

Seconded: Sen. Berry

Motion carried unanimously.

MOTION

Sen. Danton: That the subject matter of H.P. 2033, "An Act to Abolish the Assigned Risk Plan and to Establish the Maine Motor Vehicle Re-insurance Facility," be assigned to the Joint Standing Committee on Business Legislation.

Seconded: Sen. MacLeod

Motion carried unanimously.

MOTION

Sen. Berry: That the subject matter of H.P. 2035, relating to a feasibility study to determine the desirability of establishing a centralized or regionalized frozen food production and distribution center or centers to provide such foods to all schools through Grade 8, be tabled until a later meeting.

Seconded: Sen. MacLeod

Motion carried unanimously.

NEW BUSINESS (Continued)

MOTION

Sen. Danton: That the subject matter of H.P. 2058, relating to a feasibility study of extending longevity increases to all classified employees of the State of Maine, be referred to the Joint Standing Committee on State Government.

Seconded: Rep. Birt

Motion carried unanimously.

MOTION

Sen. Berry: That the subject matter of H.P. 2066, "AN ACT to Establish Pay Scales for Managers and Assistant Managers in State Liquor Stores," be referred to the Joint Standing Committee on State Government for study.

Seconded: Sen. Danton

Motion carried unanimously.

MOTION

Rep. Birt: That the subject matter of H.P. 2068, relating to the Maine Management and Cost Survey Commission's recommendations which were not enacted, be tabled until the next meeting of this Council.

Seconded: Sen. Berry

Motion carried unanimously.

MOTION

Sen. Berry: That the subject matter of H.P. 2079, relating to examination of the various systems for mass transportation presently suitable to this State, be referred to the Joint Standing Committee on Transportation for study.

Seconded: Sen. Danton

Motion carried unanimously.

NEW BUSINESS (Continued)

MOTION

Sen. MacLeod: That the subject matter of H.P. 2085, concerning current means and trends in state finance for the purpose of accurately forecasting the financial needs and revenue outlook for the forthcoming biennium, be referred to the Joint Standing Committee on Appropriations and Financial Affairs for study.

Seconded: Sen. Berry

Motion carried unanimously.

MOTION

Sen. MacLeod: That the subject matter of H.P. 2091, relative to the future role of the Augusta and Bangor Mental Health Institutes, be referred to the Joint Standing Committee on Appropriations and Financial Affairs for study.

Seconded: Sen. Danton

Motion carried unanimously.

MOTION

Sen. Berry: That the subject matter of H.P. 2098, relating to "Design-build" concepts, policies and procedures, be referred to the Joint Standing Committee on Appropriations and Financial Affairs for study.

Seconded: Sen. MacLeod

Motion carried unanimously.

MOTION

Sen. Berry: That the subject matter of H.P. 2103, relating to the organization and administration of activities now conducted by the Bureau of Social Welfare within the Department of Health & Welfare, be tabled until the next meeting of this Council.

Seconded: Sen. Danton

Motion carried unanimously.

MOTION

Sen. Berry: That the subject matter of H.P. 2105, relating to the handling of state tax in municipalities under R.S., T.36, sections 451, 452 and 453, be referred to the Joint Standing Committee on Taxation for study.

Seconded: Sen. MacLeod

Motion carried unanimously.

NEW BUSINESS (Continued)

The Council had been advised of request from one Mrs. Flynn requesting that she be given space, furniture, etc., for the purpose of setting up a Capitol News Bureau in the Capitol Building. Members discussed this and other requests from the news media for office space. All members then went on an inspection tour of the 5th floor of the Capitol Building accompanied by Richard Bachelder, Director of the Bureau of Public Improvements.

Mr. Bachelder advised the Council that he had received a request for more office space from the Attorney General's office along with some suggestion on where that office would like to be located in the Capitol Building.

Edson Labrack of the Department of Health and Welfare, along with Mr. Bachelder, explained their request to lease a proposed building to be constructed by Mr. Brooks Brown, within the Capitol complex. Mr. Bachelder explained that Mr. Brown owned part of the property and had an option to buy the other necessary property and that the building would be built with the same specifications as set forth for other State buildings. Mr. Bachelder was advised that the Council needed documented information on this subject. He agreed to report to the Council at its May meeting.

Mr. Bachelder will supply the Council with his recommendations, the distribution, allocation and fees for leases, including the prices for furniture lease, wherein it affects the Press, for the next meeting of the Council.

The chairman advised members concerning progress of the computer in the Docket Room. In lieu of a register, there will be two mini printouts which have a final disposition of all L Ds mailed out to every legislator. There will also be a maxi printout, but only 20 copies will be made. The maxi printout will cover the whole action by subject matter and L.D. There will be a decision made on future use of a computer at the next meeting.

ANNOUNCEMENTS

The next meeting of the Legislative Council will be May 15, 1974, at 10:00 a.m.

ADJOURNMENT

The meeting adjourned at 3:55 p.m.

MEMORANDUM

TO: Legislative Council
FROM: Suzanne Havens
SUBJECT: Legislative Staff Activities
DATE: April 17, 1974

I. Since the conclusion of the special session, staff persons have been occupied principally in three areas of work:

1. Selecting and filing work to be saved from 106th Legislature regular and special sessions. We are saving research in areas likely to be of continuing concern to the legislature.
2. Resuming research on those committee studies not completed before or during the special session. At this point very little direction has been received from Committee Chairmen, though a few committees have already resumed study work or are planning to do so shortly.
3. Initiating or resuming research on special projects outlined by the Council for Staff to study.

II. Most Staff persons will be taking some vacation in the next few weeks.

III. Early in the special session, I was contacted by Professor Melvin Zarr of the University of Maine Law School in regard to a new class at the Law School on Legislative Drafting. Although it was impossible to conduct the type of project Mr. Zarr was interested in, I have sent material which might prove interesting to the class

several times. Mr. Zarr was particularly interested in the work done on the legislation relating to the adoption of illegitimate children and the different forms the bill took. As a result I have been invited to meet with this class for two sessions, on May 3 and May 6, to discuss the drafting process and particularly how the adoption bill arrived at its final form.

IV. I have little to add to the statement given at the last Council meeting concerning Staff work during the special session. While Committees utilized staff very differently, more committees used staff more often than during the regular session.



STATE OF MAINE
LEGISLATIVE COUNCIL
STATE HOUSE
AUGUSTA, MAINE 04330

REPRESENTATIVE LARRY E. SIMPSON
CHAIRMAN

SENATOR JOSEPH E. BRENNAN
VICE CHAIRMAN

SENATORS

RICHARD N. BERRY
PETER W. DANTON
KENNETH P. MACLEOD
JOSEPH SEWALL

REPRESENTATIVES

WALTER A. BIRT
RICHARD N. HEWES
JOHN L. MARTIN
PATRICK N. McTEAGUE

April 3, 1974

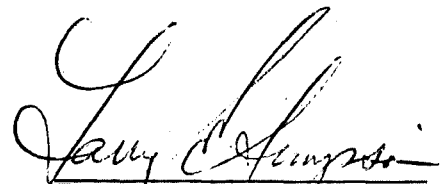
MEMORANDUM

To: Legislative Council
Edith Hary, Law Librarian
Suzanne Havens, Chief, Legislative Staff
David Silsby, Legislative Research
Wm. Garside, Legislative Finance
Governor's Office

From: Larry E. Simpson, Chairman
Legislative Council

The next meeting of the Legislative Council will be held at 10:00 A.M. on Wednesday, April 17th, in the Legislative Council Chamber. We have an extensive Agenda and we are planning a 1- $\frac{1}{2}$ to 2 hour break at noontime for a special luncheon. I recommend that everyone plan to be in attendance and that you do not plan any other activities while here for the day.

The sub-committee of the Council will meet Tuesday, April 16th at 10:00 A.M. to begin work on all the activities assigned to it. This notice is directed at Senators MacLeod and Brennan and Representatives Hewes, Martin and Simpson.


Larry E. Simpson
Chairman

APR 4 1974