

MAINE STATE LEGISLATURE

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STATE OF MAINE
LEGISLATIVE COUNCIL
STATE HOUSE
AUGUSTA, MAINE 04330

REPRESENTATIVE LARRY E. SIMPSON
CHAIRMAN

SENATOR JOSEPH E. BRENNAN
VICE CHAIRMAN

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PETER W. DANTON
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RICHARD N. HEWES
JOHN L. MARTIN
PATRICK N. McTEAGUE

TO: Members of the 107th Maine Legislature

FROM: Larry E. Simpson, Chairman
Legislative Council, 106th Legislature

RE: Report of Legislative Council, 106th Legislature

Chapter 590, Public Laws of 1973, created the Legislative Council replacing the Legislative Research Committee within the Maine State Legislature, and pursuant to the Revised Statutes, Title 3, Section 162, subparagraph 5, the following Legislative Council report is hereby submitted.

The Legislative Council met at least once a month since July 1973 with considerable effort placed on its organization and legislative management function. Rules were adopted which were bipartisan and, hopefully, in the best interests of the Maine Legislature and Council for many years to come. Some problems were encountered and, like most new legislative acts, the Council needs refinement and constructive legislation to enhance its operation. These will be described further in this report.

As the first Chairman of the Council, I sincerely appreciated the cooperation and assistance we had from the other members, the Legislature and our legislative service agencies, and wish to express my thanks for a very busy and productive session. Special thanks for an excellent job are extended to Mrs. Louise Giroux, Legislative Research Office, who patiently served as Council Secretary.

STUDIES

One of the prime reasons for the Legislative Council is the involvement of every legislator in the legislative process throughout his two-year term of office, calling especially upon his expertise within his assigned committees with complex studies during the interim period between sessions.

Many studies were ordered by the Legislature and assigned to the Council for distribution. These are outlined below by committee. Many of these studies were combined by the committees to which they were assigned. Other studies were recommended by legislators but denied by the Council. Too many studies were approved by the Legislature and Council, and more serious consideration needs to be given to "killing" many study orders instead of quietly passing them. The staff and committees can only handle a few and do an excellent job with them.

APPROPRIATIONS

S.P. 935.....procedures and pricing on legislative printing, with emphasis on the feasibility of competitive bidding procedures.

H.P. 1567.....review and evaluation of state budget appropriations.

H.P. 1626.....financing of bill "AN ACT to Designate the Maine Publicity Bureau as The State's Agent in Certain Matters Pertaining to the Promotion of Vacation and Travel."

H.P. 2085.....current means and trends in state finance for the purpose of accurately forecasting the financial needs and revenue outlook for the forthcoming biennium and to develop reliable information and data as to expansion of existing sources, or added sources, of revenue to meet, adequately and equitably, any needs projected.

H.P. 2091.....future role of Augusta and Bangor Mental Health Institutes.

H.P. 2098.....to conduct and supervise a study of the "design-build" concept and other policies and procedures relating to state construction projects in consultation with the Bureau of Public Improvements.

BUSINESS LEGISLATION

H.P. 1551.....study of Consumer Credit Code.

S.P. 663.....No Fault Insurance.

S.P. 965.....inquire into manner in which Department of Finance and Administration, through Bureau of Purchases, presently purchases property and services, particularly in respect to any policy of purchasing from small businesses.

H.P. 2033.....subject matter of H.P. 1860, L.D. 2365, "AN ACT to Abolish the Assigned Risk Plan and to Establish the Maine Motor Vehicle Reinsurance Facility."

EDUCATION

S.P. 688.....post-secondary educational services by the University of Maine.

S.P. 699.....the University of Maine at Portland-Gorham.

S.P. 929.....subject matter of S.P. 863, L.D. 2432, "AN ACT Abolishing the State Board of Education and Creating an Advisory Board."

H.P. 2035.....feasibility study to determine desirability of establishing a centralized or regional frozen food production center to provide foods to all schools through Grade 8 on a continuous wholesale basis.

HEALTH AND INSTITUTIONAL SERVICES

S.P. 641.....needs and health care for retarded people of Maine.

H.P. 1541.....health maintenance organizations (HMO)

JUDICIARY

H.P. 1634.....trespass on certain lands surrounding lakes and other bodies of water.

H.P. 1644.....petition process under the Constitution.

LEGAL AFFAIRS

S.P. 647.....Village Corporations.

H.P. 1469.....manner and cost of processing claims.

H.P. 1821.....the problem of rural crime in Maine.

Assigned by Council.....present law on charitable corporations seeking the use of "Maine" in their names.

Assigned by Council.....Statewide Building Code.

LIQUOR CONTROL

S.P. 698.....operations and procedures employed by the Bureau of Alcoholic Beverages.

NATURAL RESOURCES

S.P. 655.....site location of development act.

H.P. 1608.....all environmental laws.

H.P. 1944.....review spruce budworm control problem.

PUBLIC LANDS

H.P. 1619....study of forest practices (originally assigned to the Natural Resources Committee)

H.P. 2100.....study forest practices.

PUBLIC UTILITIES

H.P. 227.....Study of community antenna television systems (Cable T-V)

STATE GOVERNMENT

S.P. 687.....Maine Housing Authority.

S.P. 918.....investigate establishment of centralized organization to provide for the management and integration of state's telecommunications activities as recommended by the Maine Management and Cost Survey.

S.P. 936.....feasibility of utilizing the Women's Correctional Center at Skowhegan for purposes other than corrections to determine appropriate disposition of the facility upon termination of its present use.

H.P. 1388.....study of personnel laws.

H.P. 1535.....establishment of data processing center. (This study was undertaken by a consulting team provided by the Council of State Governments under the supervision of the State Government Committee.)

H.P. 1636.....funding of Maine Law Enforcement Academy.

H.P. 1638.....central computer services.

H.P. 2058.....feasibility of extending longevity increases to all classified employees.

H.P. 2066.....subject matter of H.P. 1859, L.D. 2354, "AN ACT to Establish Pay Scales for Managers and Assistant Managers in State Liquor Stores."

Assigned directly by the Council.....financial disclosure laws.

TAXATION

H.P. 1935.....Maine Forestry District tax, its assessment and use to determine what, if any, inequities exist between towns and to formulate such legislation as may be necessary to correct the situation.

H.P. 2105.....the manner in which the state tax in municipalities is handled under the Revised Statutes, Title 36, Sections 451, 452, and 453, to determine how the existing procedures of the state tax respectively should be treated.

TRANSPORTATION

S.P. 649.....commuter-type tickets for Maine Turnpike.

H.P. 2079.....to examine various systems for mass transportation presently suitable to this state, to determine feasibility of utilizing one or more such systems to meet the future needs of this state.

Assigned directly by the Council.....restoration of railroad passenger service.

Assigned directly by the Council.....truck weight limits legislation.

VETERANS AND RETIREMENT

H.P. 1387.....Maine State Retirement System.

ETHICS COMMITTEE

Legislative ethics law and disclosure form.

ASSIGNED DIRECTLY TO STAFF

H.P. 878.....excise tax structure.

H.P. 1496.....evaluation of Maine's disaster contingency plans.

H.P. 1629.....Commission on Accupuncture.

H.P. 2068.....to review findings and recommendations of the Maine Management and Cost Survey Commission which have not already been implemented to determine which of these are deserving of further study and possible implementation by the 107th Legislature.

PROGRAM AND REVIEW AUDITORS

S.P. 950.....to study operation of Aid to Families with Dependent Children (AFDC) program and make recommendations relating to budget standard, payment standard, disregarded income, federal and state laws, regulations and administrative practices and other factors affecting payments to families and expenditures of substantial amounts of state and federal tax dollars. (Originally assigned to the Human Resources Committee.)

OUTSIDE GROUPS

S.P. 896.....Maine Education Council to review recommendation of Maine Management and Cost Survey on closing schools in unorganized territories.

S.P. 897.....Maine Educational Council to review on-going programs of instruction in the metric system in Maine schools.

S.P. 898.....Maine delegation to New England Board of Higher Education to review ongoing programs of tax support for students attending medical schools, including Massachusetts College of Optometry.

H.P. 1930.....Bureau of Insurance within the Department of Business Regulation to investigate extent by which curtailment of speed has affected insurance rates in this and other states.

H.P. 2087.....Department of Environmental Protection and Maine Municipal Association to study and evaluate Maine's water pollution construction grant program.

STUDIES WITHDRAWN

S.P. 675.....study of salaries of members of Industrial Accident Commission and of Workmen's Compensation Insurance Fund (withdrawn by request of committee chairman)

S.P. 690.....prison and parole reform (withdrawn because of duplication of effort resulting from Governor Curtis' commission studying the same subject)

H.P. 2103.....Organization and administration of activities now conducted by the Bureau of Social Welfare within the Department of Health and Welfare (never assigned to a committee because of excessive committee and staff workload)

Education Subsidy Commission.....special commission studying the future impact of educational funding laws, specifically L.D. 1994.

Commission to Study a Comprehensive Health Insurance Program for Maine.....(self-explanatory)

APPOINTMENTS

Mrs. Suzanne Havens	Director of Legislative Staff
Mrs. Helen Ginder	Staff Assistant
Edward W. Porter	Staff Assistant
Jonathan Hull	Staff Assistant
James A. McKenna III	Staff Assistant
Edward W. Brown	Staff Assistant
Ann Clark	Secretary to Legislative Staff
Samuel Slosberg	Director of Legislative Research
Bent Schlosser	Budget Analyst, Legislative Finance Office
Rod Scribner	Budget Analyst, Legislative Finance Office

APPOINTMENTS
(continued)

David Silsby	Director of Legislative Research 10/5/74 - 7 year appointment
Charles R. Priest	Assistant Director, Legislative Research after probationary period, effective 8/19/74 - 7 year appointment
William H. Garside	Legislative Finance Officer 7 /17/74 -7 year term
Ellen M. McMonagle	Legislative Indexer, Legislative Research
Mrs. Charlotte Carrie	Legislative Information Officer III
Mrs. Dorothy L. Rollins	Legislative Information Officer II
Mrs. Louise Tripp	Legislative Information Officer I (part-time)
Representative William Garsoe	Legislative Council designee relative to cost-related items in collective bargaining process
Senator Peter Danton	Member, State Advisory Board, Law Enforce- ment Planning and Assistance Agency
Representative John Martin	Alternate, State Advisory Board, LEP&AA
Representative Simpson) Representative Martin)	State Parking Garage Selection Committee
Representative Simpson	Council liaison to new State Office Building Selection Committee
Senator Danton) Representative Martin)	Members to the Bureau of Public Improvements' Advisory Committee on Fee Schedule for new Parking Garage

RESIGNATIONS

Samuel Slosberg	Director of Legislative Research
Robert Frates	Legislative Staff
Nancy Ross	Legislative Staff

CONFERENCES ATTENDED

Pre-Legislative Conference	Chicago	Mrs. Havens, Legislative Staff George Viles, Legislative Staff
Housing Conference	New Orleans	George Viles, Legislative Staff
Northeastern States Energy Seminar	Boston	Entire Leadership
Federal Legislation and Social Services Program	Wash., D.C.	Robert Frates, Legislative Staff
Eastern Regional Conf. Council of State Gov'ts.	Bass River, Mass.	2 Members, Legislative Staff
National Legislative Conf.	Albuquerque, N.M.	Mrs. Havens, Legislative Staff
Eastern States Legislative Fiscal Office Ass'n. Conf.	Cape Cod, Mass.	4, Legislative Finance Office
Council of State Gov'ts. Legislative Staff Conf.	Hartford, Conn.	Charles Priest, Asst. Director Legislative Research; Mrs. Suzanne Havens, Legislative Staff; Mrs. Charlotte Carrie, Legislative Information Office

SPACE

Space within the Capitol Complex is a very acute problem and was often addressed during the year. This problem will continue, especially within the State House, as the Secretary of State's Office, the Attorney General's Office, the Governor's Office and the Legislative Agencies continue to expand. Serious consideration needs to be given to this area in the coming year, possibly moving either the Attorney General's Office or the Secretary of State's Office entirely out of the Capitol Building and into the State Office Building.

The House Majority Floor Leaders' Office was moved into newly remodeled offices between the rotunda and the stairway. The post office was moved next to the Document Room with both areas remodeled. All remodeling was accomplished by the Bureau of Public Improvements with state employees. Special recognition should be given to the efficiency of this crew and the quality of their work.

The fifth floor of the Capitol Building was remodeled slightly with the Environmental Division of the Attorney General's Office now located therein.

SPACE
(cont'd)

The Council discovered that the Ray Building at the Augusta Mental Health Institute was completely vacant and being remodeled for a sheltered workshop program at the Institute. After consultation with Commissioner Kearns and the Bureau of Public Improvements, this remodeling was halted and the sheltered workshop moved to the Tyson Building on the hospital grounds which was also vacant. Approximately 40,000 square feet of new office space thus became available and is being remodeled. The Department of Conservation is scheduled to be located within the Ray Building upon its completion.

The Department of Health and Welfare approached the Council with a proposal from Mr. Brooks Brown of Augusta who owns land within the Capitol Planning Complex next to the Department of Health and Welfare. Mr. Brown proposed building a new office building adjacent to the present Health and Welfare building offering a longterm lease to the Dept. of Health & Welfare. The state would have a purchase option at any time. The Council, after considerable deliberation, turned down this proposal.

Mr. David Swearingen, chairman of the State House news corps, requested the Council to study the space requirements for the various news media and that appropriate rental fees be established for the use of this space. A complete plan and fee schedule was negotiated and will be implemented January 1 with the major news media in the state having office space on the fourth floor. Amending legislation is recommended allowing more than only daily newspapers access to these fourth floor rooms.

RESOLUTIONS AND MEMORIALS

Assistant Attorney General George West, retirement

Director of Parks and Recreation, Larry Stuart, retirement

Hon. Ireenee Cyr, Fort Kent, 100th birthday

Hon. Clifford M. McIntyre, deceased

EQUIPMENT

PURCHASES

Filing Cabinets	House Minority Leader		
	Senate Majority Leader		
	Legislative Staff		
Desk, Secretarial	House Majority Leader		
Desk, Executive	Senate Democratic Office	(2)	
Bookcases	Legislative Staff	(2)	
	House Majority Leader	(2)	
Filing Cabinets, 4-drawer	State Government Committee	(3)	
Typewriters	Legislative Staff	(2)	(3 traded in)
	House	(3)	(3 traded in)
	Senate	(3)	(3 to committee clerks)
Miscellaneous			
Drapes replaced	Legislative Council Chamber		
Marquee Boards ordered	for each house roster, and 1 for committee meeting announcements in the rotunda		
Recording Equipment	Recorders	(2)	
	Transcribers	(3)	
"Legislative Record" Binders	- 19" x 20"	(210)	
Carpeting	Hearings Rooms 134, 135		
Legislative Management Manuals		(250)	
Side Chairs and Settee	(2) (1)	Senate Democratic Office	
Side Chairs	(20)	Committee Offices	
Settees refurbished	First floor Museum		
Phones, Intercomm. System	House Floor Leaders, and Speaker's Rostrum		

RETURNED TO SURPLUS

Old printing machine
2 straight back chairs
5 manual typewriters
1 A B Dick Mimeograph machine

LEGISLATIVE MANAGEMENT MANUAL

A management policy and orientation manual was written covering all the legislative service agencies and the entire legislative operation. This was implemented December 1, 1974. The manuals have been distributed to all service agencies and each incoming legislator.

LEGISLATIVE INFORMATION OFFICE

A computer was used during the Special Session, as a backup to the Legislative Docket, for bill status and retrieval purposes only. The 107th will use the computer as the primary bill status and retrieval system, and the docket as a secondary system, with a complete phase-out of the docket after the Regular Session. Many other types of information were programmed into the computer and many more can be programmed in the future.

The Docket Room is now known as the Legislative Information Office and is part of the Legislative Research function. Two permanent employees were authorized and employed on a year around basis and fees were established for services provided in mass quantity. Permanent staffing of this office was authorized with the provision that the Senate and House offices would not be staffed between sessions, with all phones connected to and answered by the Legislative Information Office.

LEGISLATIVE ADMINISTRATIVE DIRECTOR

The Council did not feel that a Legislative Administrative Director was warranted at this time and, therefore, did not hire a fulltime Director. The Director of Legislative Finance was appointed Acting Administrative Director and assigned specific duties. We are recommending legislation to abolish the position of Legislative Administrative Director while assigning his duties to various legislative service agencies.

CONSTITUENT SERVICES OFFICER

The Council did not feel that a Constituent Services Officer was warranted at this time, especially with the creation of the Legislative Information Office. Responsibilities of the Constituent Services Officer should be handled by the Information Office and legislation is recommended to remove the Constituent Services Officer from the present statutes.

PRE-LEGISLATIVE CONFERENCE

This orientation conference for all new legislators was held December 2 - 5 with excellent participation by legislators and program participants. Many new ideas and programs were inserted in this year's schedule.

MISCELLANEOUS

After a recommendation in an Appropriations Committee study, plus extensive study by the Council, it was voted to discontinue printing the "Legislative Record" as in the past. Instead, the current "Horse Blanket" will be indexed, the pages numbered consecutively and the "Daily Record" better proofed before printing. Binders were ordered for this "Record" and a savings is estimated in the neighborhood of \$200,000.

After considerable study and deliberation, it was unanimously agreed that Court Reporters should no longer be used and that high quality tape machines be purchased and used at a considerable economic savings.

The Maine Cost and Management Report was given considerable time, especially in the areas which did not pass.

The Council approved the combination of all the individual legislative budgets while keeping a separate account within the Legislative Finance Office. A legislative budget request for the next biennium amounting to \$5,232,391 was approved.

The Council represented the Legislature in the selection of a contractor for the new State Parking Garage and the new State Office Building.

Authorization was given for a Legislative Seal.

A standard "Joint Resolution" and "Memorial" was approved, drafted, printed, and is ready for use during the 107th Maine Legislature.

A Legislative Security Officer was authorized for use at legislative sessions and committee hearings whenever deemed necessary by the Senate President or the Speaker of the House.

The Council made the Office of Legislative Staff a fulltime service agency, naming Mrs. Suzanne Havens as Director and appointing three new Staff Assistants. Legislation is strongly recommended in this area.

MISCELLANEOUS
(continued)

Salary adjustments were made within the staff and several other legislative positions. A conflict exists relative to salary schedules and the authorization for them between the Joint Rules and the Statutes. This area needs further consideration, with all salaries being approved by the Council for permanent and temporary personnel.

Legislative printing is now handled by the Printing Department within the Bureau of Purchases, and the old printing machine was returned to surplus.

The Council has recommended a new Clerk Typist I in the Law Library and a new position of Assistant Law Librarian.