

# MAINE STATE LEGISLATURE

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M I N U T E S

LEGISLATIVE COUNCIL MEETING  
Legislative Council Chamber

May 12, 1975

A. CALL TO ORDER

The meeting was called to order at 3:10 p.m. by the Chairman, Senator Jerrold B. Speers.

B. ROLL CALL

Senators: Conley, Cummings, Danton, Sewall, Speers

Representatives: Martin, Palmer

Staff: Mr. William H. Garside, Legislative Finance Officer  
Miss Edith L. Hary, Law Librarian  
Mrs. Suzanne Havens, Chief of Legislative Staff  
Mr. David S. Silsby, Director, Legislative Research

Guest: Sen. Richard E. Berry

C. SECRETARY'S REPORT

MOTION

Sen. Danton: That we accept the secretary's report as submitted.

Seconded: Rep. Palmer

Motion carried unanimously.

D. COMMUNICATIONS

None

E. COMMITTEE REPORTS

1. Legislative Administrative Director

After discussion, it was moved, seconded and voted that the legislative budget be presented in three parts, as follows: Legislative Research; Law Librarian; and Legislative.

2. Legislative Staff

No report

F. OLD BUSINESS

1. TABLED AND TODAY ASSIGNED ITEMS

None

2. TABLED AND UNASSIGNED ITEMS:

- A. Discussion of legislative account by Chairman of the Council, President of the Senate, and Legislative Finance Officer
- B. Letter to Director of Legislative Research from West Publishing Co. re. L.D. 212, Appropriating Funds for Replacement Volumes of the Revised Statutes
- C. Report of the Legislative Council of the 106th Legislature and Suggestions for Implementing Legislation
- D. Joint Order HP 1060, Committee on Health and Institutional Services, study of effect of inflation on Maine's elderly living on fixed incomes
- E. Joint Order HP 1477, Committee on Local and County Government, study of salaries of county officers
- F. Joint Order, SP 180, Committee on Health and Institutional Services, to study distribution of social service funds

The above items remained on the table, unassigned.

G. NEW BUSINESS

1. Memo from Performance Audit Committee

Sen. Richard E. Berry discussed the role of the Performance Audit Committee as presented to the Council in its memo of earlier in the session. Particular attention was paid to the bill making the Legislative Audit Staff within the Department of Audit responsible to both the Legislative Council and the Performance Audit Committee. Sen. Berry suggested that the bill remain as presented by the Performance Audit Committee.

H. ANNOUNCEMENTS & REMARKS

The next meeting of the Council will be held on Monday, June 9th, at 3:00 p.m. in the Legislative Council Chamber.

I. ADJOURNMENT

The meeting adjourned at 3:30 p.m.



# WEST Publishing Company

ALFRED V. ALLIEGRO  
Editor-in-Chief

ST. PAUL, MINNESOTA 55102 TEL. 612/228-2500

February 24, 1975

Mr. David S. Silsby  
Director of Legislative Research  
State Capitol  
Augusta, Maine 04330

Dear Dave:

I have your letter of February 14th in which you indicate that the legislation appropriating funds for replacement volumes of the Maine Revised Statutes failed passage. This is regrettable since the longer we delay replacement volumes for the Revised Statutes, the more material will build up in pocket parts and pamphlets. This will make the sets far less useable and ultimately require a higher replacement volume cost.

In answer to the question as to whether we feel it would be feasible to discontinue publication of the unannotated Maine Revised Statutes, we unequivocally do believe that it would be feasible and practical to discontinue it. In my personal view it has become an unnecessary and burdensome cost on the State. If we are unable to replace volumes of the unannotated set periodically, it will become increasingly costly to produce pocket parts. I can foresee that with the limited number that are purchased each year, the cost could easily be doubled in the very near future.

For immediate savings, it is obvious that over \$100,000.00, presently projected for replacement volumes and pocket parts, could be saved to the State if we were to discontinue it as of now. I see no reason why the Maine Revised Statutes Annotated, which has the official text, cannot be treated as the official edition so that the other may be eliminated. This would mean an easier upkeep service, and an upkeep service where at least a substantial portion of the cost would be shared by members of the Bar. This is not the case with the unannotated version.

There are many states, including some of the largest, that do not have an unannotated version of their statutes. Whatever the reason was initially to have both an unannotated and an annotated set in similar form for the State of Maine, that reason has since disappeared.

I would strongly urge that for the good of the statutes of Maine you consider the possibility of immediately giving up publication of the unannotated version.

Cordially yours,  
WEST PUBLISHING COMPANY

*Al Allegro*  
Editor-in-Chief

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ONE HUNDRED AND SEVENTH LEGISLATURE

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Legislative Document

No. 212

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S. P. 72

In Senate, January 16, 1975

Referred to Committee on Appropriations and Financial Affairs. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Huber of Cumberland.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

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AN ACT Appropriating Funds for Replacement Volumes of the Revised Statutes.

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Be it enacted by the People of the State of Maine, as follows:

**Appropriation.** There is appropriated from the General Fund to the office of Director of Legislative Research the sum of \$214,980 to republish replacement volumes of the Revised Statutes. Any unexpended balance shall not lapse but shall remain a continuing carrying account to be expended for the same purpose. The breakdown shall be as follows:

	1975-76
OFFICE OF DIRECTOR OF LEGISLATIVE RESEARCH	
All Other	\$214,980

STATEMENT OF FACT

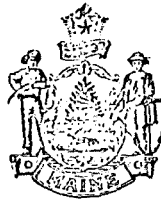
At the time of the last "bulk" revision, so-called, of the Maine Revised Statutes, the less costly method of republishing individual replacement volumes as needed was envisioned for future updating of the statutes. Accordingly, the 106th Maine Legislature authorized funds to replace the volumes containing the Maine Insurance Code and the Maine Business Corporation Act, as these volumes had become so bulky and large that they were no longer convenient to use. In keeping with this system of publishing replacement volumes of the Revised Statutes in an orderly manner this legislation

provides necessary funds for republication of additional volumes which have become inconvenient to use. The bill proposes the expenditure of \$214,980 as follows:

Maine Revised Statutes (Unannotated)	
810 copies at \$36 each volume for 3 volumes which replace present volumes 5 and 6	\$ 87,480
Maine Revised Statutes Annotated	
1200 sets (2 books) at \$33.75 each set which replaces present vol- ume 14	40,500
1200 sets (2 books) at \$35 each set which replaces present vol- ume 15	42,000
1200 sets (2 books) at \$37.50 each set which replaces present vol- ume 16	45,000
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	\$214,980

SENATE

HOUSE



RICHARD N. BERRY, DISTRICT 8, CHAIRMAN  
THEODORE S. CURTIS, JR., DISTRICT 26  
ALTON E. CIANCHETTE, DISTRICT 23

GEORGETTE B. BERUBE, LEWISTON, CHAIRMAN  
ANNE J. BACHRACH, BRUNSWICK, SECRETARY  
RICHARD J. CAREY, WATERVILLE  
CHARLES G. DOW, WEST GARDNER  
LEIGHTON COONEY, SABATTUS  
THOMAS R. LAPOINTE, PORTLAND  
JOHN M. NORRIS, II, BREWER  
HAROLD L. SILVERMAN, CALAIS  
WALTER A. BIRT, EAST MILLINDEKET  
SAMUEL A. HINDS, SOUTH PORTLAND

C. MERINE M. FENDERSON, ASSISTANT

STATE OF MAINE

ONE HUNDRED AND SEVENTH LEGISLATURE

COMMITTEE ON PERFORMANCE AUDIT

February 12, 1975

TO: Legislative Council

FROM: Richard N. Berry, Senate Chairman  
Georgette B. Berube, House Chairman

The Committee has analyzed the possible objectives that seem necessary and feasible to fulfill its responsibilities in the legislative performance audit area.

Attached is a proposed Joint Order setting forth the Committee's recommendations both as to objectives and methods of operation for the Council's consideration and approval prior to presentation. This Order is the result of several weeks' work on the part of the subcommittee composed of Representative Georgette Berube, Representative Samuel Hinds and Senator Alton Cianchette.

With slight alterations as presented by the subcommittee, it has received the unanimous endorsement of the full Committee and is presented to the Council for its consideration.

As soon as comments of the Council are received, it is contemplated that the Resolve will be introduced forthwith.

RNB/cmf

Attachment

# STATE OF MAINE

In Senate.....

CP  
OF R.  
\*\*\*\*\*  
**Ordered,**

WHEREAS, in January of 1975, the 107th Legislature established and created a new Joint Standing Committee of the Legislature on Performance Audit; and

~~WHEREAS, the Legislature has yet to provide specific duties and interests for the Performance Audit Committee to undertake; and~~

~~WHEREAS, there is a need for direct and close involvement in the auditing of state governmental operations, including the matter of program evaluation; now, therefore, be it~~

~~ORDERED, the House concurring, that the Joint Standing Committee on Performance Audit, otherwise known as the Audit Committee, shall be authorized and directed to assume the following powers and duties:~~

1. To provide effective liaison between the Legislature and the office of the State Auditor by assuming an oversight role in the conduct of that office, but not to include direct management;

~~2. To evaluate the role of the State Auditor and his relationship to the executive and legislative branches of government;~~

3. To evaluate the performance of the Department of Audit with regard to existing goals, objectives, techniques and results as related to serving the best interest of the Legislature and general public;

4. To determine improved methods by which the Department of Audit can most effectively achieve the goals, objectives and results desired by the Legislature and the general public;

5. To assign special audits and program evaluations which reflect the interests of the Legislature;

D. OF R.

, are concerned, and to serve as a legislative listening post for complaints by citizens and citizen groups about the administration of policies underlying governmental programs. The committee may, when it deems necessary, order an audit study or review of any program of state government in order to determine whether or not that program is being carried out in accordance with legislative intent.

(Berry)

NAME:

COUNTY: Cumberland