

# MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL MEETING  
Legislative Council Chamber  
October 21, 1976

CALL TO ORDER

The October meeting was called to order at 10:40 a.m. by the Chairman, Sen. Jerrold Speers.

ROLL CALL

Senators: Sen. Speers, Sen. Conley

Representatives: Rep. Martin, Rep. Najarian, Rep. Palmer

Note: Sen. Speers advised that Rep. McKernan had resigned from the Legislature.

Staff: William Garside, Legislative Admin. Director  
Ronald Lord, Legislative Finance Officer  
Edith Hary, Law Librarian  
David Silsby, Legislative Research Director  
Charles R. Priest, Leg. Research - Asst. Director  
Helen Ginder, Coordinator Leg. Staff Assistants

Guests: Steve Lakis, State Legislative Leaders Foundation  
Rep. Roger Snow, Temporary Compensation Review Board  
Pat Ryan, Personnel Board/Temp. Compensation Review Board

SECRETARY'S REPORT

MOTION

Rep. Najarian moved that the Secretary's Report be accepted as presented.

The motion was duly seconded and carried.

STAFF REPORTS

Legislative Administrative Director: William Garside submitted a Legislative Expenditures report covering the months from July 1, through September 30, 1976. Total Personal Services expenses amounted to \$91,395.73 and Total All Other amounted to \$104,783.17. Attached to this report was an account of Legislative Committee meetings covering the entire 107th Legislature, which showed a total expenditure of \$126,740.35. It was explained to the Council that some committees averaged higher expenses due

Legislative Administrative Director (Cont'd)

to traveling distance of the members, whereas other committees receive only per diem allowance.

Disucssion.

MOTION

Sen. Conley moved that the Legislative Administrative Director's report be accepted and placed on file.

The motion was duly seconded and carried.

Legislative Finance Officer: Ronald Lord submitted reports on Undedicated Revenue - General Fund for the months ending August 31, 1976 and Spetember 30, 1976.

Law Librarian: Edith Hary stated that she had nothing to report for the month.

Legislative Research Director: David Silsby informed the Council that Mrs. Eunice Flagg, a Research Technician, has submitted her notice because of the overtime hours during the Legislative session. He asked the Council to notify any interested candidates of this opening and have them contact the Legislative Research Office.

Mr. Silsby advised that the computer program was at the stage where it could pick up conflicts in the law. He inquired how the Council wanted to handle these conflicts, as the Research Office could only bring such conflicts to their attention. David Silsby stated that in order to provide the support that is necessary to make this program work, someone should be given the power to hold a bill up until conflicts are cleared. He suggested that perhaps the Committee on Bills in the Second Reading be empowered by rule to hold bills until the sponsors clear conflicts. Rep. Martin advised that conflicts could now be caught at the second reading, with the Committee on Second Readers conducting the leg-work of notifying sponsors and leadership. David Silsby advised that the program which was on a project basis last session will be fully operational in the next session, giving title, section and sub-section.

COMMUNICATIONS

MOTION

Rep. Martin moved that communications be placed on file.

The motion was duly seconded and carried.

## COMMITTEE REPORTS

No committee reports were submitted for October.

It was moved and motion carried at this time to take up items under New Business.

## NEW BUSINESS

#1 - Sen. Speers advised the Council that in response to a letter from Ralph Craft of Rutgers University he had written to inform Mr. Craft that Maine is presently moving into the area of legislative review and would be interested in the review program offered by Eagleton Institute. Sen. Speers is now waiting for a reply regarding details of the program.

#2 - The Council discussed a letter from Mrs. Lorraine Stevens pertaining to the closing of Bangor Mental Health Institute.

#3 - A letter has been received from David Clark of the Ford Foundation informing the Council that recommendations for the grant of \$15,000 for the tax valuation study will be submitted to the officers of the Foundation.

## MOTION

Sen. Conley moved to place all letters on file.

The motion was duly seconded and carried.

#4 - Charles Priest submitted a preliminary agenda for the Pre-Legislative Conference. In going over this agenda, the Council agreed that the opening session on Tuesday, November 30 would consist of general registration, a tour of the statehouse, and a legislative film. It was suggested that the booklet, "How a Bill Becomes Law in Maine," be distributed to the freshmen legislators after the elections. Edith Hary will be taking charge of this detail. SMVTI was selected to cater the buffet luncheon in the Hall of Flags. Edith Hary advised that the Library would be available if the Hall of Flags was overcrowded. It was decided that the Holiday Inn would host the social hour and evening banquet on November 30th, based on the ample space and nearby location. Suggestions for a Keynote speaker were George Will, Dan Rather, Larry Margolis, Neil Pierce, Bill Ratchford, and Art Buchwold.

Charles Priest will give an up-date of the agenda at the November meeting.

## New Business (Cont'd)

#5 - Rep. Roger Snow and Pat Ryan, who are members of the Temporary Compensation Review Board, advised that they have held 300 hearings involving 8,000 employees. They expect by December 3rd to have a hundred or so hearings left. At that time the Board plans to make an interim report so that the Controller's Office can compute the transitional allowances and pay changes in pay checks before Christmas. Rep. Snow advised that there will be a few hearings left, but they couldn't go any faster than 50 hearings a week. These should be completed by December 17. He added that the Board expects to return in January for the unclassified series, which involve about 2,000 positions. These should boil down to about a few hundred and will be heard by departments. It was advised that the non-standard work week employees are to be given a 10% wage supplement over the salary set out in the Hay Report. Rep. Snow reported that things are under control and that he will report again at the November meeting.

## OLD BUSINESS

The Council took up the tabled and unassigned item of the Legislative Resource Improvement Study Report being conducted by Mr. Steve Lakis.

Steve Lakis presented recommendations to the Council in recognition of the need to make effective use of the Legislature's time by a pre-session organizing after the November elections.

During discussion Mr. Lakis advised that the Legislators should begin with Leadership elections (which would involve a constitutional change), have the committee assignments completed and have committees organized before the convening of the session. Sen. Speers suggested that after the Pre-Legislative Conference if members of committees and Leadership are known, the Leadership could meet informally and indicate to committees what bills they will receive and ask that each committee schedule hearings for the first week of the session. Mr. Lakis pointed out that perhaps the Leadership should be granted authority to suspend all floor activities for the purpose of moving the Legislature into a period of extended committee activity.

On the subject of pre-filing, Steve Lakis brought up the suggestion to administer the Oath of Office to members-elect before the January session convened. Such a step would necessitate salaries for the Legislators to be effective in December. Both steps would require a constitutional change. Rep. Martin agreed with Mr. Lakis that the Leadership should encourage executive agencies and departments to pre-file and also permit the reference to committees of pre-filed bills.

## Legislative Resource Improvement Study Report (Cont'd)

Deadlines for reports out of committees were discussed by the Council. Rep. Palmer stated that there are so many bills that naturally the committees keep the larger ones until last. He pointed out that this is where the trouble begins. An enforced deadline structure would prevent complex legislation being presented by committees at the end of the session. Sen. Speers stated that committees should be directed to report all bills to the Legislature to select those to be taken up. Rep. Martin added that toward the end of the session, the committees should submit reports recommending a list of bills to be referred to the next session for consideration and set a deadline for this action. If the Legislature objected to any bill being on this list, they can recommend it out of committee. Steve Lakis stressed the point that deadlines for committee reports are clear and are enforced. Types of deadlines suggested through discussion were staggered deadlines by category, extended deadlines for freshmen, or specific deadline periods of perhaps 3 weeks with provision for extensions by a 2/3 vote of the committee.

Also discussed was whether or not the Reference of Bills Committee should be abolished. There was concern as to the time involved with the Reference of Bills Committee. Steve Lakis suggested that perhaps the Clerk of the House and the Secretary of the Senate assign bills to committees through the President and the Speaker. This would be strictly an advisory role on the part of the Clerk of the House and the Secretary of the Senate. Sen. Speers noted that the 10 members of the committee would have a better chance of referring similar and duplicated bills to the same committee and would reduce the possibility of a deadlock on certain legislation.

Steve Lakis advised that he would revise recommendations based on the Council's discussion and make a presentation to the next meeting of the Council.

### MOTION

Rep. Palmer moved that the Council adjourn.

The motion was duly seconded and carried.

### ADJOURNMENT

The Legislative Council adjourned at 1:40 p.m.

The next meeting of the Legislative Council is set for November 19, 1976.

# STATE OF MAINE

Inter-Departmental Memorandum Date OCTOBER 18, 1976

To ALL LEGISLATIVE COUNCIL MEMBERS Dept. ---

From SEN. JERROLD B. SPEERS, CHAIRMAN Dept. ---

Subject OCTOBER 21st MEETING OF LEGISLATIVE COUNCIL

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The October meeting of the Legislative Council has been scheduled for Thursday, October 21, 1976, at 10 a.m.

Sen. Cummings

Rep. Martin

Sen. Danton

Rep. McKernan

Sen. Conley

Rep. Rolde

Sen. Sewall

Rep. Palmer

Rep. Najarian

✓ Edith Hary, Law Librarian

Helen Ginder, Staff Asst.

William Garside, Leg. Admin. Dir.

LEGISLATIVE EXPENDITURES

July 1, 1976 --- September 30, 1976

PERSONAL SERVICES

Regular Salaries	\$ 60,606.27
Temporary Salaries	15,915.25
Per Diem Salaries	7,450.00
Employer Retirement Costs	<u>7,424.21</u>

TOTAL PERSONAL SERVICES	\$ 91,395.73
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ALL OTHER

4000 Research services	8,700.00
Misc. Prof. Fees	167.72
4100 Computer fees	13,798.96
4200 Travel expenses - in state	16,253.03
4300 Travel expenses - out of state	7,952.71
4500 Telephone, telegraph	17,856.81
4700 Repairs - buildings and equipment	177.11
4800 Insurance	10,873.27
4900 Postage	2,172.59
Printing - outside	19,233.52
Printing - state	5,296.06
Advertising notices	1,510.57
Other misc.	10.00
5300 Office Supplies	552.33
5600 Misc. minor supplies and equipment	<u>228.49</u>

TOTAL ALL OTHER	\$ 104,783.17
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<u>TOTAL EXPENDITURES</u>	<u>\$ 196,178.90</u>
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LEGISLATIVE COMMITTEE MEETINGS  
January 1, 1975 - October 8, 1976

Legislative Finance Office

COMMITTEE	NUMBER OF MEETINGS *	CUMULATIVE AMOUNTS PAID
AGRICULTURE	9	\$ 4,277.09
APPROPRIATIONS	16	5,243.44
BUSINESS LEGISLATION	12	5,076.93
CENSUS	1	90.45
EDUCATION	10	3,976.05
ELECTION LAWS	14	5,000.70
ENERGY	17	6,139.31
FISHERIES & WILDLIFE	1	48.25
HEALTH & INSTITUTIONAL SERVICES	35	8,718.42
HUMAN RESOURCES	3	850.23
JOBS	11	4,188.28
JUDICIARY	10	2,911.11
LABOR	9	2,129.18
LEGAL AFFAIRS	13	5,834.22
LIQUOR CONTROL	7	1,627.92
LOCAL & COUNTY GOVERNMENT (Includes Joint Select Committee )	37	14,153.28
MARINE RESOURCES	14	4,306.13
NATURAL RESOURCES	22	6,302.16
PERFORMANCE AUDIT	19	5,457.84
PUBLIC UTILITIES	10	5,192.98
REFERENCE OF BILLS	3	1,152.09
STATE GOVERNMENT	16	9,017.15
TAXATION	11	3,756.76
TAX VALUATION COMMITTEE	5	565.30
TAX POLICY COMMITTEE	14	4,203.55
TRANSPORTATION	4	1,029.23
VETERANS & RETIREMENT	-	---
LEGISLATIVE COUNCIL	19	5,810.06
MISCELLANEOUS COMMITTEE WORK**		<u>9,598.56</u>
		\$126,740.35

\* Meeting dates are taken from Expense Accounts, so may include only the Chairman or a subcommittee of two or more persons.

\*\* Includes Leadership, Collective Bargaining, Legislative Assistants, Out-of-State Conferences, Interstate Boundary Commission, Interstate Cooperative Commission, Forestry Commission and others.

*Leg Council*

October 6, 1976

Mr. Ralph Craft  
The Eagleton Institute of Politics  
Rutgers University  
New Brunswick, New Jersey 08901

Dear Mr. Craft:

Thank you very much for your recent letter asking whether or not the Maine Legislature would be interested in participating in a project operated by the institute to develop legislative capability to oversee the operation of state government. I was very happy to have had the opportunity to discuss with you briefly such a project on the part of the Eagleton Institute and to indicate to you at that time that the State of Maine would be very much interested in participating.

The Maine Legislature is at this point becoming more heavily involved with developing procedures for legislative overview, and an involvement in such a program presented by the Eagleton Institute could not be more timely. We would indeed be very anxious and would find it most helpful to become involved in such a program.

I wish to thank you for your kind attention and thoughtfulness, and I look forward to hearing from you with regard to further details in the near future.

Sincerely,

Jerrold B. Speers

JBS/lb



THE EAGLETON INSTITUTE OF POLITICS  
WOOD LAWN • NEILSON CAMPUS • NEW BRUNSWICK • NEW JERSEY 08901 • 201/828-2210

September 9, 1976

Senator Jerrold B. Speers  
Winthrop, Maine 04364

Dear Senator Speers:

Pursuant to our brief conversation in Kansas City, I am sending you a copy of an article by Speaker Donald Tucker, which describes a program review training effort that Eagleton conducted for the Florida House. We feel that the program was a very successful venture.

As I mentioned, we expect to receive a grant from the Ford Foundation in October which will enable us to conduct similar program review or legislative oversight sessions in eight more states. The project will begin in January, 1977 and will run for thirty months. We will be able to help state legislators and their staffs develop legislative oversight projects during two interim periods: between the 1977 and 1978 sessions, and between the 1978 and 1979 sessions.

The program would differ in each state depending on the legislative structure. We would like to try to get legislators more involved in the overview projects. While the sessions would still be mainly oriented toward developing staff expertise in oversight strategies and techniques, we feel legislator involvement in some of the sessions could be helpful.

If possible Eagleton would like to include Maine as one of the eight states in our new project. Please let us know if you think the Maine Legislature might benefit from participation in this project.

Sincerely,

Ralph Craft  
Instructor

RC:kk  
Enclosure



State of Maine  
Executive Department  
Augusta, Maine  
04330

JAMES B. LONGLEY  
GOVERNOR

September 16, 1976

Honorable Jerrold B. Speers  
State Senate  
Chairman of Legislative Council  
State House  
Augusta, Maine 04333

Dear Senator Speers:

Mrs. Lorraine Stevens of Auburn requested that her letter to the Governor be shared with the Legislative Council.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Nancy Warburton".

Nancy Warburton  
Governor's Office

Aug. 24, 1976.

most Honorable Governor:

I am writing you on a very important matter and I do hope that my plea is presented to the Board of Legislators. It is in regards to the possible closing of the Bangor Mental Institute in which I want very much to be kept open.

My reason is this I have a son who is a patient there, at the age of seven he was sent to Cineland Hospital and was there for nine wasted years. When being transferred to an Institute I chose Bangor rather than Augusta for the better care and welfare for my son.

I have to travel 100 miles to see him, which could have been cut down to 30 miles but I chose the longer ride and see him less often as

(2)

I did not like what I had heard about the Core in Augusta in which way some of the things have been made public so I think I made the right decision when I did.

I, and I hope many others do, are going to fight to keep this Institute open and I am asking for your help and all those in politics.

It is unbelievable what the staff there has done for my son, each one working individually with him, he loves and trusts these people and they love him.

He is happy there and of course it makes me happy. I do not want to see the only world my son has known be destroyed, everything the staff has done for him and I am sure many more be ruined. What they have

(3)

done is going to be for nothing  
and if he goes back into  
depression again they will  
never get him out of it.

But your self in my  
place Governor, to have had two  
normal intelligent children  
and then have this happen  
to my third child, my heart  
was filled with grief. He will  
never know a life like his  
brother did, sports and things  
that boys do, but he is happy  
in his own little world and  
do not want that destroyed

I am not writing  
you out of pity, my only  
concern is my young son  
who spent a wasted nine years  
elsewhere be left where he  
is happy in the surroundings  
and mainly the people who  
care for him

I know you are a  
very busy man and I do  
appreciate you reading my

(4)

letter, sent from the bottom  
of my heart I ask for your  
help, for me, for my son,  
and all those at Bangor  
Institute. Please do not  
let it be closed, I would  
appreciate some kind of a  
reply, also I do hope this  
letter as I said before goes  
before the Board of Legislators.

Thanking you  
Very sincerely yours

Mrs. Harvaine Stevens  
920 Main Ave  
Auburn, Me  
04218

Tel - 784-0354

THE FORD FOUNDATION  
320 EAST 43<sup>RD</sup> STREET  
NEW YORK, NEW YORK 10017

DIVISION OF  
EDUCATION AND RESEARCH  
PUBLIC EDUCATION

The Honorable Gerrold B. Speers  
Chairman Legislative Council  
The State of Maine  
State House  
Augusta, Maine 04333

September 28, 1976

Dear Senator Speers:

Thank you for your letter of September 17 together with the state's proposal for funding of a study of the Maine state valuation. I have read through the proposal carefully, and I believe it contains all of the information that we will need. Should I need anything else I will be in touch with Helen Ginder or Jim McKenna.

While no assurance of a grant from the Ford Foundation to the Legislative Council can be made at this time, please know that your proposal will be carefully and thoroughly reviewed by the Foundation staff in the coming weeks.

I have greatly enjoyed working with Helen Ginder and Jim McKenna, and I look forward to meeting you sometime in the coming months. I trust this letter will arrive with the state's fall colors in their full glory. With best wishes.

Sincerely yours,



David G. Clark  
Project Specialist

THE FORD FOUNDATION  
320 EAST 43<sup>RD</sup> STREET  
NEW YORK, NEW YORK 10017

DIVISION OF  
EDUCATION AND RESEARCH  
PUBLIC EDUCATION

October 6, 1976

The Honorable Terrold B. Speers  
Chairman Legislative Council  
The State of Maine  
State House  
Augusta, Maine 04333

Dear Senator Speers:

Persuant to my letter of September 28 to you, I am writing to give you and members of the Joint Select Committee on State Property Tax Valuation, a more definite set of dates concerning the review of your proposal for a grant in support of an extended study of the state's property tax administration.

I have talked with James Kelly and with the Foundation's legal staff about your proposal. On the basis of those discussions, we see no complications with the project as proposed, and a recommendation for a grant of \$15,000 will be submitted to the officers of the Foundation within the next two weeks. You should be aware that such recommendation does not constitute official approval of the project. Such approval exists only when the officers of the Foundation have reviewed the recommendation, and the President, McGeorge Bundy, has given his assent. However, if we tell you that the recommendation is going to be made, you can be very optimistic and reasonably certain--though not absolutely so--that the grant will be approved as recommended.

I hope this news will permit the Joint Select Committee to move ahead expeditiously with the planning and implementation of the consulting work to be undertaken by Thomas L. Jacobs and Associates. Please let me know if any additional information is needed.

Sincerely yours,



David G. Clark  
Project Specialist

PRELIMINARY AGENDA

1976 PRE-LEGISLATIVE CONFERENCE

Tuesday, November 30 --- Opening Session

8:00 a.m. - Noon General Registration - 3rd Floor Rotunda

9:00 a.m. - Noon Periodic tours of State House

10:30 a.m. - 11:30 a.m. Film (NCSL)

Noon Buffet Luncheon - Hall of Flags, State House  
- SMVTI

1:30 p.m. Hall of House  
- Opening Remarks

2:00 p.m. Legislative Caucuses

6:00 p.m. Get Acquainted Social (cash bar)

7:00 p.m. Banquet

Welcoming Addresses:

President of the Senate, Joseph Sewall  
Speaker of the House, John Martin  
Chairman of the Legislative Council,  
Jerrold Speers

Keynote Address:

(Speaker to be chosen)

Wednesday, December 1

Orientation

8:30 a.m. Film (Possibly NCSL or How a Bill Becomes  
a Law)

9:30 a.m. Hall of House

Orientation

Overview of Legislative Organization and  
Agencies by Sen. Speers and members of  
the Council.

Constitutional Officers

Governor's Office

CSG -- NCSL

9:30 a.m. - 11:45 a.m. For Spouses and Children:

A tour of the Capitol complex

(Including State House, State Office Building, Blaine House, Archives, Museum and Library building)

~~11:45 a.m. Lunch (State House Cafeteria)~~

~~1:15 p.m. Tour of Legislative Facilities~~

2:00 p.m. Individual seminars by Legislative Service Agencies and Media

Legislative Administrative Director

Legislative Research (Bill Drafting)

Legislative Assistants (Committee Structure, Function and Studies)

Law and Legislative Reference Library (Research)

Legislative Finance (Appropriations Process)

Media

4:30 p.m. Adjournment