

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

NOVEMBER 21, 1977

CALL TO ORDER

The meeting was called to order by Rep. John L. Martin, Chairman at 9:20 a.m.

ROLL CALL

Senators: Sen. Conley, Sen. Danton, Sen. Sewall, Sen. Speers
Sen. Huber
Representatives: Rep. Garsoe, Rep. Martin, Rep. Palmer (9:40)
Rep. Tierney
Staff: William Garside, Legislative Admin. Director
Ronald Lord, Legislative Finance Officer
David Silsby, Legislative Research Director
Charles Priest, Leg. Research Assistant Director
Helen Ginder, Legislative Staff Coordinator
Edith Hary, Law Librarian

SECRETARY'S REPORT

Rep. Martin explained to Rep. Garsoe that the tape recording of the October 21st meeting show the minutes to be accurate. Rep. Garsoe withdrew his objection and made the following motion.

MOTION

Rep. Garsoe moved that the Council accept the minutes of the October 21st meeting as presented.

The motion was seconded by Sen. Danton and carried unanimously.

STAFF

Legislative Finance Officer - Ronald Lord submitted the undedicated Revenue Sheet for the month ending October 31, 1977.

Mr. Lord suggested to the Council that fiscal notes be required on bills at the time a committee makes a favorable report of passage to the Legislature for debate. He explained that trying to attach the fiscal notes as a requirement of the bill when introduced could cause a delay in the drafting process. Ronald Lord presented the following change to Joint Rule 28:

28. Fiscal Notes: Every bill or resolve affecting revenue or appropriations which has a committee recommendation of other than "Ought Not to Pass," shall include a fiscal impact statement. This statement shall be incorporated in the bill before it is reported out of committee. The Office of Legislative Finance shall have sole responsibility for preparing such fiscal notes.

Following some discussion the Council agreed to handle the matter of attaching fiscal notes according to the proposed change by the Office of Legislative Finance.

Ronald Lord requested that the Council approve the appointment of Barbara S. Gottschalk to fill one of the Legislative Program Analysts positions. Mr. Lord recommended a starting salary of \$265.76 per week with a review at the end of six months.

MOTION

Sen. Huber moved that the Council approve the recommendations of the Legislative Finance Officer for the hiring of Barbara Gottschalk as a Legislative Program Analyst.

Rep. Garsoe seconded the motion which was carried unanimously.

Law Librarian - Edith Hary reported that West Publishing will have the mailing of the supplements to the statutes soon and that they will be in place for the session.

Legislative Research Director - David Silsby submitted a request to place the full-time seasonal personnel of his office within the following salary ranges. Mr. Silsby explained that the salary recommendations are necessary for continuity of service and that funds had been budgeted for this purpose.

<u>Title</u>	<u>Employee</u>	<u>Salary Range</u>	<u>Increase</u>
Specialist II	Mary Harding	Range 12, Step B	\$5.20
Specialist I	Marjorie Gilman	Range 10, Step B	1.10
	Sharon Linton	Range 10, Step B	1.10
	Judy Armstrong	Range 10, Step A	5.40
Receptionist/ Docket Clerk	Joyce Hoxie	Range 8, Step A	1.00

MOTION

Sen. Sewall moved that the Council approve the recommendations of the Legislative Research Director.

Rep. Tierney seconded the motion which carried unanimously.

COMMUNICATIONS

No communications were received.

No committee reports were submitted.

TABLED AND UNASSIGNED ITEMS

Rep. Martin brought before the Council the matter dealing with the Senate Majority Leaders Internship Program. He explained to the Council that the reason the matter was before them was to ascertain two basic points in terms of the commitments on the part of the Legislature for office space and for potential liabilities in terms of costs.

Sen. Speers informed the Council that there was no request for office space. He related that William Garside spoke of space available upstairs if it were needed. Sen. Speers explained that the interns would work out of his office with no extra desks or telephones requested. He stated that if space were available he would appreciate having the use of it, but the program doesn't depend on it. Rep. Martin summarized that as there wouldn't be any involvement of the legislature in this program there was no need of Council approval.

STAFF REPORTS

Legislative Staff Coordinator - Helen Ginder submitted a request for authorization to fill two positions. The candidates, who were interviewed by Rep. Martin, Rep. Garsoe, William Garside and Helen Ginder are John Bailey of Rome (starting salary - \$265.76 weekly, starting date 12/12/77) and Christine Holden of Lewiston (starting salary - \$281.84 weekly, starting date 12/19/77).

MOTION

Sen. Conley moved authorization for the replacement of staff.

Rep. Garsoe seconded the motion which carried unanimously.

NEW BUSINESS

#1 - Request from Committee on Taxation for two additional meetings. Rep. Martin explained that the committee has completed as much as they could with the money available. Rep. Garsoe advised that the committee has been putting in long days working on their studies.

MOTION

Rep. Garsoe moved to approve two additional meetings for the Joint Standing Committee on Taxation.

Sen. Speers seconded the motion which carried unanimously.

#2 - Terminal Installation Justification - Request from the Department of Human Services to access the Legislative Information System. David Silsby explained that before any department can access the Legislative Information System they must request permission from the Legislative Council. Commissioner Smith made such a request for the Division of Policy & Program Liaison, Department of Human Services. The Council agreed to approve access by that department.

Rep. Martin then advised the Council that the Maine Municipal Association had requested permission for access to the computer at their cost. He added that they also asked permission to set up a telephone line hook-up to their office in order to install a "squawk box."

MOTION

Sen. Conley moved to table this matter.

The motion was duly seconded and carried unanimously.

#3 - Letter from Hon. Larry Simpson.

MOTION

Sen. Conley moved that this item be placed on file.

The motion was duly seconded and carried.

#4 - This matter was taken up under "Tabled and Unassigned Items."

#5 - Request for additional funds for the Committee on Marine Resources. Rep. Martin informed the Council that this is a request from the chairpersons of the committee dealing with two provisions. One is for an additional meeting and the other is a suggestion that when the bill is redrafted it appear in the Maine Commercial Fisheries Publication. The next issue will be published the week of November 18th and will be mailed to 16,000 MR license holders. This would be at a cost of \$600 compared to commercial printing of \$8,000.

MOTION

Rep. Tierney moved acceptance of this request.

The motion was duly seconded and carried.

#6 - Request for additional funds for the Committee on Transportation.

MOTION

Sen. Danton moved that the requested \$575 for additional meetings be approved provided that out of that sum comes necessary funds to hold a public meeting in the Biddeford/Saco area on the question of the Maine Turnpike.

The motion was seconded by Rep. Garsoe and carried unanimously.

The Council recessed at 11:15 a.m. and reconvened to continue its screening of legislation for the Second Regular Session. Using a revised list of legislation requests supplied by the Director of Legislative Research and procedures for acceptance agreed to previously, the Council screened 268 bills. Of these, 63 bills were accepted for introduction and 205 were provisionally rejected. As a result of the November 4th and November 21st meetings, the Council screened a combined total of 449 bill requests. Ninety-six bills and 6 after deadline bills were accepted for drafting and 353 were provisionally rejected. The Council then agreed to meet on November 30th to review written appeals on any of the 353 provisionally rejected bills.

ADJOURNMENT

MOTION

Sen. Conley moved that the meeting adjourn.

The motion was duly seconded and carried unanimously.

NOVEMBER 30, 1977

The Council met to review all written appeals which were reproduced for each member. At this meeting, following review process, 35 appeals were accepted for drafting and introduction, making a total of 137 bills accepted for the Second Regular Session.

RONALD H. LORD
LEGISLATIVE FINANCE OFFICER

BENT SCHLOSSER
ASSISTANT FINANCE OFFICER



STATE OF MAINE
OFFICE OF LEGISLATIVE FINANCE
AUGUSTA, MAINE 04333

November 16, 1977

John L. Martin, Chairman
and Members of the Legislative Council
State House
Augusta, Maine

Dear Chairman Martin and Members of the Legislative Council:

This office is establishing a meaningful process for attaching fiscal notes to bills. We have considered the timing of such action and have come to the conclusion that trying to do this as a requirement of the bill, when introduced, could cause a delay in the drafting process. In order to make an accurate analysis of the fiscal impact we would not be able to do any work until the bill is in final draft form, thus a later introduction of the bill.

In order to provide for the prompt reference of bills after drafting, we would suggest that a fiscal note be required on the bill at the time a committee makes a favorable report of passage to the full legislature for debate.

All fiscal information will, in most cases, be available to the committee before a hearing on the bill. This will allow the committee to review the fiscal aspects along with the content of the bill.

In order to implement this procedure, we suggest the following Joint Rule change:

28. Fiscal Notes: Every bill or resolve affecting revenue or appropriations which has a committee recommendation of other than "Ought Not to Pass", shall include a fiscal impact statement. This statement shall be incorporated in the bill before it is reported out of committee. The Office of Legislative Finance shall have sole responsibility for preparing such fiscal notes.

With your approval, we will try this procedure during the upcoming session. This will give us an indication of whether this process is functional and will provide the legislature with fiscal information in a timely manner.

Your consideration and suggestions will be most welcome.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Ronnie'.

Ronald H. Lord
Legislative Finance Officer

RHL/gd

UNDEDICATED REVENUE
GENERAL FUND
MONTH ENDING OCTOBER 31, 1977

	CURRENT MONTH			YEAR TO DATE			% REC'D TO DATE	TOTAL BUDGETED FOR FISCAL YEAR ENDING 6-30-78
	ACTUAL	BUDGET	ACTUAL MORE OR LESS	ACTUAL	BUDGET	ACTUAL MORE OR LESS		
Sales and Use Tax	\$ 15,629,621	\$ 15,509,760	\$ 119,861	\$ 64,886,124	\$ 64,664,684	\$ 221,440	36.06	\$ 179,926,124
Uniform Property Tax	553,436	433,333	120,103	2,213,743	1,733,333	480,410	42.57	5,200,000
Income Tax - Individual	8,071,612	6,222,000	1,849,612	29,345,272	26,638,000	2,707,272	35.67	82,280,000
Income Tax - Corporation	1,330,150	899,500	430,650	8,563,484	6,583,000	1,980,484	28.93	29,600,000
Cigarette Tax	1,948,817	2,042,000	(93,183)	8,642,098	8,902,000	(259,902)	34.57	25,000,000
Public Utility Taxes	- 0 -	39,000	(39,000)	942,716	39,000	903,716	7.14	13,205,000
Inheritance and Estate Taxes	691,600	658,000	33,600	2,972,715	2,632,000	340,715	37.63	7,900,000
Insurance Company Taxes	1,348,927	788,000	560,927	3,477,387	2,810,000	667,387	37.39	9,300,000
Forestry Taxes	(395,294)	(381,772)*	(13,522)	(431,406)	(381,772)	(49,634)	(4.69)	9,192,841
Income from Investments	272,878	150,000	122,878	775,444	453,500	321,944	45.39	1,708,500
Harness Racing Pari-Mutuel	54,523	50,000	4,523	445,698	500,000	(54,301)	50.13	889,000
Transfer from Liquor Commission	1,966,101	1,977,902	(11,801)	9,355,651	9,271,244	84,407	35.98	26,000,000
Transfer from Lottery Commission	93,446	190,500	(97,054)	454,864	691,000	(236,136)	21.61	2,105,000
Other Revenue	1,124,082	972,837	151,245	6,673,611	6,054,506	619,105	38.63	17,275,577
TOTAL	<u>\$32,689,900</u>	<u>\$29,551,060</u>	<u>\$3,138,840</u>	<u>\$138,317,401</u>	<u>\$130,590,495</u>	<u>\$7,726,906</u>	33.77	<u>\$409,582,042</u>
Variance		10.62%			5.92%			

*Transfer of Spruce Budworm excise tax to Budworm Suppression Fund (Chapter 764 of Public Laws of 1975)

This schedule has been prepared from preliminary reports and is subject to change.

State Controller 11-16-77