

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

APRIL 27, 1978

CALL TO ORDER

The meeting was held in the Council Chambers and called to order by Rep. John. L. Martin, Chairman, at 11: a.m.

ROLL CALL

Senators: Sen. Conley, Sen. Huber, Sen. Sewall

Representatives: Rep. Garsoe, Rep. Quinn, Rep. Martin

Staff: William Garside, Legislative Admin. Director
Ronald Lord, Legislative Finance Officer
David Silsby, Legislative Research Director
Helen Ginder, Legislative Staff Coordinator
Edith Hary, Law Librarian

SECRETARY'S REPORT

MOTION

A motion was made, seconded and voted to approve the minutes of the meetings of January 4th & 24th and February 7th & 28th.

STAFF REPORTS

Legislative Administrative Director - William Garside informed the Chairman that his staff members had individual reports to present to the Council and that he would discuss the space situation under New Business.

Legislative Finance Officer - Ronald Lord recommended a merit increase for Bent Schlosser from \$395.69 to \$414.98 a week, to be effective May 24th.

MOTION

Sen. Sewall moved the Council approve a merit increase for Bent Schlosser according to the recommendation of the Legislative Finance Officer.

The motion was seconded by Sen. Huber and carried.

Mr. Lord distributed copies of the undedicated revenue for the month ending March 31, 1978 and a listing of the action taken by the last session, which shows a \$4.4 million estimated surplus.

The Finance Officer also presented a report for guidelines for implementation of the Maine Sunset Act along with an agency summary sheet. Mr. Lord explained that he has been working with the Performance Audit Committee and that Sen. Morrell asked that this material be presented to the Council for approval. He stressed that the law reads that these guidelines should go out by May 1st. The law requires the establishment of a procedure and the design of a format to be used by department agencies in preparation of the justification of reports. Mr. Lord added that this material will be going out to the agencies with a cover letter from Sen. Morrell and Rep. Berube and should be back to the committee by October 31st.

MOTION

Sen. Conley moved that the Council approve the distribution of the guidelines for implementation of the Maine Sunset Act to the departments.

The motion was seconded by Rep. Quinn and carried.

Law Librarian - Edith Hary asked that the Council consider storage space for the state law books which are presently housed at the Nash School. It was the Law Librarian's understanding that Nash School is slated to be demolished. Miss Hary suggested obtaining space in the Civil Defense area for storage of law books. She added that this would be relatively handy rather than storage space in the Ray Building and waiting for the State truck to pick up and deliver the required books. Rep. Martin suggested that a letter be prepared to ask permission from BPE to store the law books in the cellar of the State Office Building. Sen. Conley inquired if this would be a long-range solution and whether or not Archives could handle these books. Edith advised him that Archives would not take any non-archive material.

Legislative Research Director - David Silsby submitted a request for the Council's approval of a merit increase for Brian Blaisdell from \$265.77 to \$281.84 a week, retroactive to January 16, 1978.

MOTION

Sen. Huber moved the approval of a merit increase for Brian Blaisdell as recommended by the Legislative Research Director.

The motion was seconded by Rep. Quinn and carried.

Mr. Silsby informed the Council that Ellen McMonagle, Legislative Indexer, will be taking a leave of absence from June 16th to October 16th.

The Director advised the Council members that the engrossed bills received from the Kennebec Journal Printing are of such poor quality that they cannot reproduce them. He stated that they are working with the printer to find some other method of working directly from plates. He added that the published copy of the law is very light and there was no way the commercial printer could darken that print. Mr. Silsby mentioned concern in the distinguishing between light and dark print which distinguishes new and old law. He stated that those working with this bold type have difficulty distinguishing it. He advised that he would be working with the Engrossing Department and those concerned with engrossing bills and printing to try to have something worked out this summer. Mr. Silsby explained that the KJ has turned to a computer system and when they printed the bills there were a lot of misspelled words which had no relationship to the original bill. Mr. Silsby informed the Council that he has talked with May Ross about this matter and the only way to correct the errors is through next year's errors bill. William Garside added that hopefully another time around the KJ should have the system under control. Mr. Silsby added that the KJ is correcting as many of the errors as possible, but a cutoff date is necessary in order to have the laws published before the end of July. Rep. Martin stated that if the printer can't give a firm commitment for a solution by the first of July, Mr. Silsby should make plans for alternate bidding process.

Legislative Staff Coordinator - Helen Ginder reminded the Council that the National Conference of State Legislatures is providing a seminar for Legislators and Leadership regarding implementation of Maine's Agency Rule Review Law on May 2, 1978. Rep. Martin and Rep. Garsoe advised that they could only attend the morning session.

Mrs. Ginder requested authorization to have up to four staff members attend the National Conference of State Legislatures in Denver, Colorado. Rep. Garsoe inquired as to the number of staff members that attended last year. Mrs. Ginder replied that only one staff member went to the conference last year. Mr. Garside advised that the cost would be about \$300 for air travel.

MOTION

Rep. Garsoe moved the Council's approval of sending 2 staff members to the National Conference of State Legislatures.

The motion was seconded by Sen. Sewall and carried.

Helen Ginder informed the Council that the staff has held one meeting concerning updating and keeping current the school finance data base established for the Education Finance Report of the National Conference of State Legislatures.

Mrs. Ginder asked for approval for James McKenna to attend the annual meeting of the Council of State Governments' State Legislation Committee meeting on June 29th in Hyannis, Massachusetts.

MOTION

It was moved, seconded and carried to have one person attend the State Legislation Committee meeting on June 29th in Hyannis, Massachusetts.

Mrs. Ginder advised that the revision of Title 20 is underway and they expect to have the first draft completed in 6-8 weeks.

COMMUNICATIONS

MOTION

Sen. Conley moved that all communications be placed on file.

The motion was seconded by Rep. Quinn and carried.

COMMITTEE REPORTS

MOTION

Rep. Garsoe moved that the Council accept 2 reports from Performance Audit, 3 from State Government and 2 from Transportation to be placed on file and distributed as authorized.

The motion was seconded by Sen. Sewall and carried.

OLD BUSINESS

MOTION

Sen. Huber moved that Item #2a be removed from the Table and indefinitely postponed. (Maine Municipal Asso./Terminal hook-up)

The motion was duly seconded and carried.

Item #1 - Letter from the Joint Standing Committee on Judiciary regarding the Probate Code - Rep. Martin explained that the committee hasn't enough money left to carry out the printing of the probate study. He added that \$47,000 has been allotted so far towards this project. The Chairman informed the Council that the printing would include a copy for every lawyer in the State of a publication the size of the Sears' catalog. Discussion followed. Rep. Martin posed the question as to whether this publication could be drafted as an L.D. to avoid reprinting costs. David Silsby advised that he could have this material ready so it could be printed in the form of an L.D. with number "1" assigned, if that was the Council's wish.

MOTION

Rep. Quinn moved that the Judiciary Committee be authorized to proceed with publication.

The motion was seconded by Sen. Sewall and carried.

Item #2 - Press Space Area - William Garside advised that the press has requested that they take over the hearing room where the Xerox machines are now located and that the copiers in that room be moved to the room next to Helen Ginder's office. Mr. Garside stated that as the press will need an air conditioned office, his recommendation would be to move them to the 5th floor which has air conditioning and then later moving them out of the building to the State Office Building where there is also air conditioning in the cellar. He further related that once the hearing room is partitioned off, it will become the press space permanently. Mr. Garside informed the Council that eventually some effort will have to be made to have the Attorney General's Office out of this building to free up some space. Discussion followed. Authorization was given to proceed with the moving of the press room to the 5th floor. Rep. Quinn suggested having the Attorney General's Office moved by a certain date.

MOTION

Rep. Quinn moved to instruct the Attorney General that the Council expected the staff to be out of this building by January 1, 1979.

The motion was seconded by Sen. Conley and carried.

Item #3 - Implementation Study Group Request - Rep. Garsoe advised the Council that in the deliberations of the Lakis Implementation Committee it was felt that it would be helpful to have a meeting with Bill Garside, David Silsby and all the staff people in order to discuss the function of Legislative administration. Mr. Garsoe stated that he would like to have the Council's permission to conduct this meeting.

MOTION

The motion was made to approve a meeting of the Implementation Committee with Legislative staff members to discuss the function of Legislative administration.

The motion was seconded by Sen. Conley and carried.

Item #4 - Study Order regarding the Motor Vehicle Inspection Law - Rep. Martin explained that apparently the rules and regulations of the Motor Vehicle Division allows them to implement changes in motor vehicle inspection stations without public hearing or notification to the transportation committee. The committee has asked for approval to hold a public meeting in order to take a look at the whole question. The Chairman stated that funding would come under that umbrella.

MOTION

Rep. Quinn moved approval for a public meeting to be held in order to study the question of enforcement of the motor vehicle inspection law.

The motion was seconded by Sen. Sewall and carried.

Item #5 - Assignment of Study Orders - Rep. Martin suggested that the sub-committee, consisting of the 4 assistant majority and minority people meet on this issue. Rep. Quinn recommended that the meeting be held in Portland. Rep. Martin advised that the sub-committee should handle both the indefinitely postponed studies and those that ended up passed in the Senate, as well as those we have now, the Probate Code and the Motor Vehicle inspection. Rep. Garsoe asked the Council to clarify the fact that the Council is telling us to consider those that have been indefinitely postponed. The Chairman explained that those in question should be considered because there was no real discussion on them and a lot of people feel they didn't get a shot.

MOTION

Sen. Conley moved that all study orders introduced during the session be referred to a sub-committee of 4 (Sen. Danton, Sen. Huber, Rep. Quinn and Rep. Garsoe) and that a recommendation be made for the implementation of those studies at the next Council meeting.

The motion was seconded by Rep. Quinn and carried.

Because of the primary elections and the fact that the studies should be started as soon as possible, the Chairman advised a vote be taken by phone on implementation.

Item #6 - Frank Mailing - Rep. Garsoe stated that there is a situation where House members are spending up to \$900 on frank mail, adding that newsletters should go out at their own expense. Rep. Martin advised that he had already directed everyone that there would be no franking privileges at all. He stated that the only mailing that will go through the Clerk's Office is the Clerk's, the Leaders' offices and the Document Room. Rep. Garsoe stated that the \$200 constituent fee should be adequate to cover mailing. He informed the Council that \$34,000 has been spent by the 108th Legislature on individual frank mailing. Rep. Martin suggested that next year the individualized system be stopped and that the majority and minority leaders be responsible for this in a budgeted amount.

ADJOURNMENT

MOTION

Sen. Conley moved the Council adjourn.

The motion was duly seconded and carried.

The Council Meeting adjourned at 12:06 p.m.