

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

JUNE 14, 1978

CALL TO ORDER

The meeting was held in the Council Chambers and called to order by Rep. John L. Martin, Chairman, at 3:20 p.m.

ROLL CALL

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

Representatives: Rep. Quinn, Rep. Martin, Rep. Tierney

Staff: William Garside, Legislative Admin. Director
Helen Ginder, Legislative Assistants Coordinator
Ronald Lord, Legislative Finance Officer
David Silsby, Legislative Research Director

Guests: Sen. Andrew Redmond

SECRETARY'S REPORT

MOTION

Rep. Tierney moved that the minutes of the meeting of April 27th be accepted as presented.

The motion was seconded by Sen. Huber and carried.

STAFF REPORTS

Legislative Administrative Director - William Garside advised that the subcommittee assigned to go over the study orders met the first of May. He distributed the list of study orders submitted for approval of funding by the Council.

MOTION

Rep. Quinn moved that the subcommittee's report on the funding of study orders be approved.

The motion was seconded by Sen. Speers and carried.

Mr. Garside advised that at the April 27th meeting the Council discussed frank mailing privileges and set up a subcommittee, but there was never a motion made setting up that subcommittee.

MOTION

Rep. Quinn moved that a subcommittee consisting of William Garside, Ed Pert and May Ross be assigned to resolve the matter of frank mailing privileges.

The motion was seconded by Sen. Conley and voted unanimously.

The Legislative Administrative Director informed the Council that the press move has been made to the 5th floor and that those two rooms on the 4th floor will be renovated for Helen Ginder's staff. He also advised that they have closed the Judiciary balcony in and will be moving Bob Bergeron's crew upstairs too. He stated that tentatively the Xerox will go in the office where Mr. Bergeron is at present, and the Xerox room will be renovated for the Judiciary Committee. The Education Committee will have the room where the foot lockers are, and the foot lockers will be moved to the entrance to the tunnel. Mr. Garside advised that the Judiciary room will be an open hearing room to be used by any committee. He added that in the fall they plan to renovate the House Chambers.

William Garside informed the Council that another inward watts line is being installed and a memo will be sent out on the use of this line.

Legislative Finance Officer - Ronald Lord submitted the undedicated revenue sheet for the month ending May 31st.

Mr. Lord also presented a request from the Committee on Performance Audit for a review of the Alcoholic Abuse Prevention Program. He informed the Council that the problem originated with the closing of a rehabilitation center on the coast. Mr. Lord advised that he had attended a meeting on this matter with Sen. Morrell, Rep. Berube and David Smith, Commissioner of Human Services. He indicated that the committee felt that there needed to be clarification in the new drug abuse treatment plan over the difference between a community based treatment center and a hospital based treatment center. Rep. Tierney indicated that the attention given to a study conducted between one legislature and the next was even less than the attention given to studies conducted between the legislative sessions of the same legislature. Sen. Huber asked if there was staff available to do this sort of thing. Ronald Lord advised that this could be handled by staff, but that the allocation is required for a public hearing to be held in Augusta. Discussion followed.

MOTION

Sen. Conley moved that the matter on alcoholic abuse prevention be tabled until the next Legislative Council meeting.

The motion was duly seconded and carried.

Legislative Research Director - David Silsby advised that the pamphlet laws are being printed and should be ready by July 17th. He asked if the Council wanted to go along with distributing ten books per legislator. Rep. Martin advised to handle the distribution in the same way as before.

COMMUNICATIONS

There were no publications or correspondence received.

COMMITTEE REPORTS

There were no committee reports received.

OLD BUSINESS

There was no Old Business to discuss.

NEW BUSINESS

#1 - Health Benefits for Short-term Employees. The Chairman advised that Richard Dieffenbach, Commissioner of Finance and Administration wrote expressing concern over the fact that the Legislature has allowed employees to come into legislative employment with Blue Cross/Blue Shield coverage and then leave legislative employment continuing with the coverage. Rep. Martin explained that there was an employee who was brought by a legislator to work as an aide or secretary. She worked for about two weeks, quit and retired and picked up Blue Cross/Blue Shield while she was employed. Because she retired as a State employee, the State now has to pick up her cost of coverage until she is 65 years of age. William Garside stated that there was a bill in the last session of the Legislature to try to tighten this up by setting a minimum on the number of years in service to qualify for coverage. Rep. Martin advised that he brought this matter up to have the Council aware of the situation. He added that this problem would have to be addressed later by the Legislature.

#2 - Salary Adjustment for the Assistant Director of Legislative Research. David Silsby submitted a letter to the Legislative Council noting a disparity between the pay of the Assistant Director of Legislative Research and the Assistant Finance Officer. William Garside explained that this salary difference resulted when the Hay Report was implemented. At that time, the Assistant Finance Officer was placed on a different salary rate and received a two-step increase as a result of the Legislative Council and of Appropriations Committee action. Mr. Garside advised that the Assistant Director of Legislative Research should be placed on the same salary schedule as the Assistant Finance Officer and advanced to one pay-step below the Assistant Finance Officer because of the two-step increase previously granted to the Assistant Finance Officer.

MOTION

Rep. Tierney moved that the Council approve the salary adjustment for Charles Priest, Assistant Director of Legislative Research according to the recommendations of the Legislative Administrative Director.

The motion was seconded by Sen. Huber and carried.

#3 - Desirability for Study of Personnel System. The Chairman informed the Council that the State Government Committee changed the law dealing with the Personnel Department about three years ago. He stated that Rep. Judy Kany is a member of that committee and has submitted a suggestion that work be done during the interim by the committee. He added that some legislators are unhappy with the present personnel system. The Chairman advised that the problem is with the way the law is written. Rep. Quinn stated that the State Government Committee for the 109th Legislature is not going to remotely resemble the present one and may not go along with what this one says. He added that the present situation came about during an interim between two legislatures. Rep. Tierney pointed out that the request for this study didn't come through the chairmen of the committee.

MOTION

Rep. Tierney moved that this matter be placed on the table.

The motion was seconded by Rep. Quinn and carried.

The following items were taken up out of order.

#5 - Study on Soil Erosion. The Committee on Natural Resources submitted a request to increase the amount allocated for their study on soil erosion to \$1,200. Rep. Martin explained that this is based on the need for meetings to investigate soil erosion and to review and study reports that have been submitted in the past. The Chairman advised that the committee should do what they could on the \$500, and when that is exhausted, if their study is not completed, then they should come back to the Council. He added that they should try to work within the \$500. Discussion.

MOTION

Sen. Huber moved that the matter be referred to the Legislative Administrative Director to consult with the chairpersons on the committee.

The motion was seconded by Rep. Tierney and carried.

#6 - Draft Probate Code Hearings. Rep. Martin advised that the Judiciary Committee submitted a request to hold four public hearings regarding the probate code. He related that these meetings are scheduled for Aroostook County, Bangor, Lewiston and Portland.

MOTION

Rep. Tierney moved that the Council approve the request by the Judiciary Committee for four public hearings on the probate code as requested.

The motion was seconded by Sen. Conley and carried.

At this time the Council took up Item #4.

#4 - Federal Fund Transfers. Ronald Lord distributed a memo which would acquaint the members with a technical problem that may come up this fall concerning the budgeting of State expenditures of federal funds. The memo refers to transfers from the General Fund Account to the Federal Account which permit timely expenditures from the Federal Account and which are later reimbursed by the federal government. Mr. Lord explained that the memo points out that technically some of the advances we have to make in this year's budget could be interpreted as transfers. He requested approval of the Council that these transfers be allowed for the 1978-79 year only, stating that instead of these transfers coming to the Council, the Finance Office will review them with the Council's approval and only those not related to the federal fund would come to the Council for action.

MOTION

Sen. Sewall moved to approve the recommendation of the Finance Officer on the transfer of federal funds.

The motion was seconded by Sen. Conley and carried.

At this time the Council took up the report of the Legislative Assistants Coordinator.

Legislative Assistants Coordinator - Helen Ginder presented a list of those who attended the seminar on Regulation Review. She advised that Rep. Garsoe had attended the meetings and that he suggested a committee be comprised of some of those who attended the seminar to make recommendations to the Council resolving some of those revisions.

MOTION

Rep. Tierney moved that a subcommittee of 5, to be selected by the Council Chairman from those who attended the Regulation Review Seminar, be assigned to work on revisions.

The motion was seconded by Sen. Huber and carried.

Mrs. Ginder also submitted a request from the Committee on Marine Resources for the Council's approval for one member of the Office of Legislative Assistants to travel to the conference in Denver, Colorado (July 17-19) on Limited Entry.

MOTION

Sen. Sewall moved that the Council approve the request of the Committee on Marine Resources to have a member of the Office of Legislative Assistants attend the conference on Limited Entry, which is being held in Colorado.

The motion was seconded by Sen. Huber and carried.

#7 - Proposed Form for Study Orders. Rep. Martin informed the Council that David Silsby had submitted a proposed standardized form for study orders. He advised that if anyone had any remarks on this form to contact Mr. Silsby.

#8 - State Liquor Stores. Sen. Redmond spoke before the Council to express his concern on the manner in which the Liquor Control Office handles the closing of liquor stores. He stated that when the Legislature passed LD 2122, it was not the intention to have the Liquor Control Director close some state-run stores and open up agency stores. Sen. Redmond advised that the people in his area were concerned over the closing of three stores and have expressed dissatisfaction.

Rep. Martin suggested that a subcommittee be appointed to hold hearings on this matter. He added that 26 more stores are scheduled to close. Sen. Sewall asked if the Committee on Liquor Control couldn't handle this matter. Sen. Speers advised that perhaps the chairmen of the Committee on Liquor Control could appoint a subcommittee.

MOTION

Sen. Conley moved that the Council authorize the chairmen of the Committee on Liquor Control to assign a subcommittee to include 5 members, 3 from the House and 2 from the Senate, to hold a hearing on the problem of the State Liquor Stores.

The motion was duly seconded and carried.

ADJOURNMENT

The Council adjourned at 3:50 p.m.