

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

OCTOBER 13, 1978

CALL TO ORDER

The meeting was held in the Legislative Council Chambers and called to order by John L. Martin, Chairman, at 10:25 a.m.

ROLL CALL

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

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

Staff: William Garside - Legislative Administrative Director
Ronald Lord - Legislative Finance Officer
Helen Ginder - Legislative Assistants Coordinator
David Silsby - Legislative Research Director

SECRETARY'S REPORT

MOTION

Sen. Huber moved that the Council accept the minutes of the meeting of August 25th.

The motion was seconded by Rep. Quinn and carried.

STAFF REPORTS

Legislative Administrative Director - William Garside informed the Council that he had received the first Sunset Justification Report from the Maine Seed Potato Board.

MOTION

Rep. Tierney moved that the first report under the Maine Sunset Act be referred pursuant to law to the Joint Standing Committee on Performance Audit.

The motion was seconded by Sen. Speers and carried.

William Garside stated that there would be additional reports due by October 31st and that this was only one portion. He also stated that authorization should be given to the Committee on Performance Audit for per diem expenses for reviewing the sunset legislation reports. Discussion followed, after which the Council agreed to table the question of assigning the report on sunset legislation until the next Council meeting.

Mr. Garside submitted a summary of study order expenses, dated October 6th. The summary showed that all study expenses were below the figure authorized. He explained that the Committee on Marine Resources has requested an additional \$750 to cover a present overdraft and three additional meetings. The Legislative Administrative Director advised that he is presently holding \$325.37 for expense accounts. Rep. Martin explained that this was a situation where a Joint Select Committee on Marine Research was set up by the previous Legislature and that the first regular session of this Legislature, by error, neglected to structure the committee.

MOTION

Sen. Speers moved that \$750 be allocated to the Joint Select Committee on Marine Research.

The motion was seconded by Sen. Conley and carried.

Mr. Garside advised that he had received a letter from David Silsby, Director of Legislative Research, requesting authorization to fund recent range changes from salary savings. The range changes, approved by the Department of Personnel, are as follows:

<u>Employee</u>	<u>Previous Range</u>	<u>New Range</u>
Ella Andrews	18	20
Louise Giroux	14	16
Josephine Glidden	14	16

MOTION

Sen. Huber moved that the Council approve the range changes according to the salary schedule, effective October 16th.

The motion was seconded by Sen. Danton and carried.

William Garside also recommended merit increases for the following legislative agencies, effective October 18th.

<u>Title</u>		<u>Present Salary</u>	<u>Proposed Salary</u>
Legislative Admin. Director	(Garside)	\$540.03	\$566.53
Legislative Finance Officer	(Lord)	487.03	510.88
Legislative Research Director	(Silsby)	487.03	510.88
Leg. Research, Asst. Director	(Priest)	377.32	395.69
Law Librarian	(Hary)	487.03	510.88
Leg. Information Officer III	(Carrie)	209.20	219.20
Leg. Information Officer II	(Rollins)	202.80	212.40

MOTION

Sen. Huber moved that the Council authorize the merit increases for the agency heads as recommended by the Legislative Administrative Director.

The motion was seconded by Sen. Speers and carried.

Mr. Garside submitted a letter from Ronald Lord, Legislative Finance Officer. In the letter Mr. Lord recommended a merit increase for Richard Sawyer, Budget Analyst, from \$362.23 to \$378.30, effective November 2nd.

MOTION

Sen. Huber moved that a merit increase be authorized for Richard Sawyer, Budget Analyst, as recommended by the Legislative Finance Officer.

The motion was seconded by Sen. Speers and carried.

The Legislative Administrative Director informed the Council that the printing of the Probate Code Revision Report has run to \$13,000 and that the summary report, which is being printed now, is another \$1,900. He advised that there is another large report (over 700 pages), of which 350 copies are to be printed. Mr. Garside related that the L.D. itself will have to be reprinted to include an L.D. number and a sponsor's name. He added that the cost of sending these to those individuals on the mailing list would be high. Discussion followed on setting a fee to cover the cost of printing and mailing. Rep. Martin advised that according to the rules an L.D. number cannot be assigned before December 15th. He suggested that on the first day of the session a number and sponsor be assigned by way of an order and by doing this avoid another printing.

MOTION

Sen. Sewall moved that the Clerk of the House, through the document room mail a letter to those on the mailing list stating that the preliminary report and the L.D. is available at a charge of about \$6, with the exception that the libraries and individual legislators will receive one copy free of charge.

The motion was seconded by Sen. Huber and carried.

Legislative Research Director - David Silsby presented two bills for the Council's consideration. The Council voted on the introduction of "AN ACT Permitting the Commissioners of Franklin County to Transfer Bridge Account Moneys" and "AN ACT to Appropriate \$5,000,000 to Provide for Necessary Construction or Improvement of County Jail Facilities on a 50/50 Matching Basis." The result was unanimous (with one absentee) to reject introduction of these two bills into the second special session of the 108th Legislature.

Mr. Silsby also presented two proposed deadline schedules for submission of legislation for the first regular session of the 109th Legislature for the Council's consideration. He advised that difficulty has arisen in understanding the intent of the Joint Rules due to the fact the Legislature had completely revised the deadline system, but didn't take into consideration filing legislation in the event of a December convening nor filing in the year of a newly elected Governor. He offered suggested changes in the rules to correct the situations stating these were not intended as substantive changes but corrections which would be necessary to make the rules workable. In response to Mr. Silsby's offer to meet with the Council next week to finalize needed changes, Rep. Martin stated that the Council would consider these proposals after the election when it will be known when the session will convene..

COMMUNICATIONS

There were no correspondence or publications received.

COMMITTEE REPORTS

There were no committee reports received.

OLD BUSINESS

Tabled and Specially Assigned Items: Review of the Alcoholic Abuse Prevention Program - Committee on Performance Audit. This matter was tabled during the June 14th meeting with the understanding that Sen. Morrell would supply additional data.

MOTION

Sen. Conley moved that this item be removed from the table based on the understanding that it has been taken care of through bureaucratic levels.

The motion was seconded by Sen. Danton and carried.

Items #1 (Range change authorization - Legislative Research) and #2 (Request for additional funds of \$750 - Committee on Marine Resources) were taken up by the Legislative Administrative Director and approved by the Council. (See page 2)

Item #2a - Request for travel approval - The Committee on Marine Resources requested approval for travel of two members of the committee and one staff member to attend a joint conference in St. Andrews, New Brunswick. This conference is with the Canadian Maritime Provinces on lobster management in the Gulf of Maine (October 24th - 26th).

MOTION

Sen. Speers moved that the request for travel of two members of the committee and one staff member to the joint conference in St. Andrews, New Brunswick be approved.

The motion was seconded by Sen. Danton and carried.

Item #3 - Report from Marine Resources on the Herring Industry.

MOTION

Rep. Tierney moved that this report be accepted and placed on file.

The motion was seconded by Rep. Garsoe and carried.

Item #4 - Request for three additional hearings (Aroostook County, Bangor, York/Cumberland Counties) by the Committee on Transportation on the motor vehicle inspection law.

MOTION

Sen. Danton moved that the Council approve 4 hearings to include one in Cumberland County and one in York County on the motor vehicle inspection law.

The motion was seconded by Rep. Tierney. The motion did not prevail (Vote 5 - 4, one absentee).

MOTION

Sen. Sewall moved that all hearings outside Augusta be denied.

The motion was seconded by Sen. Conley and was defeated by a vote of 4 - 5.

MOTION

Rep. Tierney moved that 4 hearings be approved on the motor vehicle inspection law, one of which to be held in York County.

The motion was duly seconded and was defeated by a vote of 4 - 5.

MOTION

Rep. Tierney moved that 3 hearings be approved on the motor vehicle inspection law, one of which to be held in York County.

The motion was duly seconded and was defeated by a vote of 4 - 5.

Discussion followed.

MOTION

Sen. Sewall moved that the request for 3 hearings to be held outside the city of Augusta by the Committee on Transportation be approved with the stipulation that they stay within the \$500 already allotted.

The motion was seconded by Sen. Tierney and carried with a vote of 6 - 3.

Items #5 (Maine Seed Potato Board Justification) and #6 (Request for merit increase for Richard Sawyer) were taken up by the Legislative Administrative Director. (See pages 1 & 3)

Sen. Huber explained the letter from John O'Sullivan, Commissioner of the Department of Finance and Administration which covered the General Fund revenue estimates. Sen. Huber also presented two tables showing the projection of revenue and expenditures.

Sen. Conley inquired when the Pre-Legislative Conference would be held. Rep. Martin stated that the date of the conference would depend on the outcome of the vote on the referendum question concerning convening of the Legislature.

The Chairman advised that the Governor's bill, to be submitted to the second special session, should be referred to committee.

MOTION

Sen. Danton moved that the Governor's bill be officially referred to the Committee on Taxation.

The motion was seconded by Sen. Huber and carried.

Rep. Martin advised that the public hearing will be set for Tuesday, October 17th and that legislators who attend this hearing will be reimbursed for expenses and per diem.

ADJOURNMENT

The Council adjourned at 11:40 a.m.



STATE OF MAINE
DIRECTOR OF LEGISLATIVE RESEARCH
AUGUSTA, MAINE 04333

September 30, 1977

TO MEMBERS OF THE 108TH LEGISLATURE:

You are hereby notified under Article IV, Part Third, Section 1 of the Constitution of Maine that the 108th Legislature will convene in its second regular session on the first Wednesday after the first Tuesday of January, which falls on January 4, 1978.

The Constitution further provides that "...the business of the second regular session of the Legislature shall be limited to budgetary matters; legislation in the Governor's call; legislation of an emergency nature admitted by the Legislature; legislation referred to committees for study and report by the Legislature in the first regular session; and legislation presented to the Legislature by written petition of the electors under the provisions of Article IV, Part Third, Section 18."

In accordance with these constitutional mandates and the statutory limitation of 50 legislative days for the second regular session, the legislative leadership has adopted the following schedule and procedures for filing and processing legislation in order to expedite the work of the session:

- November 2, 1977 - Deadline for departmental bills not
(Wednesday) in Governor's call (Joint Rule 22)
- November 4, 1977 - Pre-screening of session legislation
(Friday) on hand for drafting purposes
- November 10, 1977 - Deadline for drafting requests by
(Thursday) legislators
- November 16, 1977 - Final screening of session legislation
(Wednesday)
- November 21, 1977 - Deadline for study legislation (45 days
(Monday) prior to session)
- January 4, 1978 - Second regular session convenes
(Wednesday)

Under this schedule all requests for legislation by members of the Legislature must be submitted to this office together with all information and data required for its preparation no later than Thursday, November 10, 1977, the cloture date for the session.

Following cloture a list of legislative proposals will be compiled and presented to the legislative leadership who on November 16, 1977, will finally screen those requests to ensure compliance with constitutional and other requirements such as Joint Rule 36 concerning measures rejected at the first session. As in past sessions, you will be notified in advance of this meeting if your assistance is needed to screen your legislation. At the close of the screening process a list of all admitted bills will be compiled and made available.

If you have any questions or are in need of assistance, please feel free to call or write members of the legislative leadership or this office.

Thank you for your attention.

Sincerely,



DAVID S. SILSBY
Director, Legislative Research

DSS:lg