

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

MARCH 22, 1979

CALL TO ORDER

The meeting was held in the Council Chambers and called to order by Sen. Richard H. Pierce, Chairman, at 2:10 p.m.

ROLL CALL

Senators: Sen. Conley, Sen. Katz, Sen. Pierce, Sen. Pray,
Sen. Sewall

Representatives: Rep. Garsoe, Rep. Martin, Rep. Mitchell,
Rep. Tarbell, Rep. Tierney

Staff: William Garside - Legislative Administrative Director
Ronnie Lord - Legislative Finance Officer
Helen Ginder - Legislative Assistants Coordinator

Guests: Rep. Ada Brown
Bernard Rhines of Gorham, Registered Land Surveyor

SECRETARY'S REPORT

STAFF REPORTS

William Garside - Legislative Administrative Director - Nothing to discuss

Ronnie Lord - Legislative Finance Officer - Salary adjustment for Bent Schlosser.

MOTION

Rep. Garsoe moved that the salary adjustment for Bent Schlosser be tabled.

The motion was seconded by Sen. Sewall and carried unanimously

David S. Silsby - Director of Legislative Research. Mr. Silsby submitted a letter of recommendation for position of Legislative Attorney, for Erland B. Hardy of West Buxton.

MOTION

Rep. Mitchell moved that the recommendation for Erland B. Hardy be approved.

The motion was seconded by Rep. Garsoe and carried unanimously

COMMUNICATIONS

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Nothing received.

COMMITTEE REPORTS

Nothing received.

OLD BUSINESS

Nancy R. Knapp, Leg. Correspondent - Request for use of photo copy machines. Rep. Mitchell stated that she no longer works for this organization.

MOTION

Rep. Mitchell moved that this item be indefinitely postponed.

The motion was duly seconded and carried unanimously.

Sen. Minkowsky - Claim for damages by State Ward - Gordon Whitney

Sen. Pierce informed the Council that this matter has been taken care of, so this matter needs no further discussion.

Sen. Trotzky - "JOINT RESOLUTION MEMORIALIZING CONGRESS TO CALL A CONSTITUTIONAL CONVENTION TO LIMIT THE ANNUAL FEDERAL BUDGET."

This item has already been disposed of.

NEW BUSINESS

Item #1 - Rep. Ada Brown - Town Lines - Mr. Bernard Rhines of Gorham, a Registered Land Surveyer, submitted a copy of a letter explaining the purpose of this emergency legislation. This bill would clarify only the situations which already exist in the law now. Further discussion followed.

MOTION

Rep. Tierney moved that this bill be accepted.

The motion was seconded by Rep. Garsoe. A vote was taken 10-0 and carried unanimously.

Item #2-A - After deadline request - Rep. Jalbert - "AN ACT to Clarify Home Rule Authority."

MOTION

Sen. Katz moved that this bill be accepted

The motion was seconded by Rep. Martin. A vote was taken 9-1 and carried unanimously.

Rep. Tierney explained that this bill amends small technical sections of statute which would allow the city of Lewiston to vote on the results which the Charter Commission votes out.

Item #2-b. Rep. Stetson - "JOINT RESOLUTION MEMORIALIZING THE UNITED STATES SECRETARY OF TRANSPORTATION TO ESTABLISH AND MAINTAIN AMTRAK SERVICES IN THE STATE OF MAINE."

MOTION

Sen. Garsoe moved that this bill be accepted.

The motion was seconded by Sen. Sewall. A vote was taken 5-5, which did not carry.

Item #2-c. Rep. Joyce JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO CALL A CONSTITUTIONAL CONVENTION FOR THE PURPOSE OF PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO GUARANTEE THE PRESERVATION OF HUMAN LIFE."

MOTION

Sen. Katz moved that this bill be accepted.

The motion was seconded by Rep. Garsoe. A vote was taken 5-5 which did not carry.

Item #2-d. Sen. Hichens - "AN ACT Relating to the Reporting of Illegal Use and Trafficking of Drugs in Maine Schools." Discussion followed.

MOTION

Rep. Tarbell moved that this bill be accepted.

The motion was seconded by Sen. Conley. A vote was taken 9-1 and carried unanimously.

After deadline request not on agenda - Sen. Howard Trotzky - "AN ACT to Relocate the Head of Tide on the Penobscot River

for the Protection of Atlantic Salmon."

MOTION

Sen. Katz moved that this bill be accepted.

The motion was seconded by Rep. Tarbell. Discussion followed.

MOTION

Rep. Tarbell moved that this be tabled until later in the Council meeting.

The motion was duly seconded and carried.

Helen Ginder - Legislative Assistants Coordinator - Agency Rules Law. Helen Ginder stated that an experimental review of rules by the Joint Standing Committees on Agriculture and Aging, Retirement and Veterans was recommended by the Legislative Council on March 15, 1979. Also recommended was assignment of rules to review by these committees by joint order. The departments represented by these committees have not submitted a complete set of rules to the Secretary of State pursuant to the A.P.A. Agriculture should have a complete set by the first week in April and the Bureau of Veterans Services will have adopted rules by mid April. The Bureau of Aging has not adopted rules and the rules of the retirement system probably would be too extensive for committee review at this time. She suggested waiting until the rules for agriculture and veterans are submitted to choose sets for committee review.

Rather than a joint order, since this is an experimental review and not an implementation of the law, the Council might require the review by its order.

Helen Ginder stated she had a conference with Dave Eliot, Officer in the Secretary of State's Office regarding implementing the A.P.A. It was determined that \$13,500 would be the amount necessary ~~to hire one person~~ for a one-time, one-year position to assist the codification and indexing of rules and regulations filed with the Secretary of State pursuant to the A.P.A.

Sen. Pierce made a suggestion to have Helen Ginder draft a bill in regards to this and a formal vote on it will be taken at the next Council meeting.

Subcommittee report by Sen. Conley and Rep. Tarbell in regard to postage being used. They stated that this was not the Council's problem but the Executive Branches. They included that they made an appointment to meet with the Commissioner of Finance and one of Governor Brennan's top aides. Mr. Flannagan and

Mr. Scribner would send out an Executive Order to all departments with respect to the way postage is being used.

Rep. Martin brought to the attention of the Council a comparison of Legislative Bills for the year 1977 and this year for their information.

NEW BUSINESS CON'T

Sen. Trotzky - AN ACT to Relocate the Head of Tide on the Penobscot River for the Protection of Atlantic Salmon." This item had been tabled for later in the Council meeting.

MOTION

Sen. Conley moved that this bill be accepted.

The motion was seconded by Rep. Tarbell. A vote was taken 9-1 and carried unanimously.

MOTION

Rep. Martin moved that the Council adjourn to go into executive session. (3:05 p.m.)

The motion was seconded by Rep. Mitchell.