

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

APRIL 17, 1979

CALL TO ORDER

The meeting was held in the Office of the President of the Senate and was called to order by Sen. Richard H. Pierce, Chairman, at 2:45 p.m.

ROLL CALL

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

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

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

COMMUNICATIONS

Item 1, Correspondence:

MOTION

Sen. Conley moved that the letter of appreciation from Vaughn C. Anthony be received and placed on file.

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

MOTION

Sen. Conley moved that the letter of appreciation from William Kirk, Chairman, Interim Education Finance Commission, be received and placed on file.

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

COMMITTEE REPORTS

None received

OLD BUSINESS

Item 1 a. Salary adjustment for Bent Schlosser

MOTION

Rep. Tarbell moved that the matter of salary adjustment for Bent Schlosser, Assistant Legislative Finance Officer, be tabled.

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

Item 1 b. Helen Ginder ' "AN ACT to Provide for the Codification and Indexing of State Agency Rules by the Secretary of State." (A.P.A.)

MOTION

Rep. Tarbell moved that the Legislative Council - ordered bill, "AN ACT to Provide for the Codification and Indexing of State Agency Rules by the Secretary of State" be accepted for introduction into the Legislature.

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

Item 1 c. Helen Ginder - "AN ACT to Amend the Maine Sunset Law."

MOTION

Rep. Tarbell moved that the Legislative Council - ordered bill, "AN ACT to Amend the Maine Sunset Law ' be accepted for introduction.

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

NEW BUSINESS

After deadline bills

Item #1 - Rep. James Reeves - "AN ACT to Extend until July 1, 1980, the Date for the Newport Water District to Purchase the Property of the Maine Water Company."

MOTION

Sen. Conley moved to admit this Legislation.

The motion was seconded by Rep. Martin, vote was taken 8-0 and carried.

Item #2 - Sen. Mary Najarian - "AN ACT to Set Aside Two Days in January of Each Legislative Session to Review the Several County Budgets."

MOTION

Rep. Tarbell moved to admit this Legislation.

The motion was seconded by Sen. Conley, vote was taken 6-3 and carried. (opposed - Sen. Katz, Sen. Pray, Sen. Sewall)

Item #3 - Sen. Richard H. Pierce - "AN ACT to Grant the Public Utilities Commission Jurisdiction to Review Adjustments Under the Fuel Adjustment Clause."

MOTION

Rep. Martin moved to table this matter until later in the meeting. Motion did not carry.

MOTION

Rep. Tarbell moved to admit this Legislation.

The motion was seconded by Sen. Katz, vote was taken 9-0 and carried.

Item #4 - Rep. Philip Berry - "AN ACT to Prohibit Unreasonable and Unjust Fuel Charges from being Passed on to Consumers."

MOTION

Rep. Tarbell moved to admit this Legislation.

The motion was seconded by Sen. Pray, vote was taken 7-2 and carried. (opposed - Sen. Katz, Sen. Sewall)

Item #5 - Rep. Merle Nelson - "AN ACT to Clarify the Powers of the Masonic Trustees of Portland as to their Authority to Sell Real Estate."

MOTION

Rep. Martin moved to admit this Legislation.

The motion was seconded by Rep. Tarbell, vote was taken 8-1, and carried (opposed - Sen. Pray)

Item #6 - Rep. James Silsby - "AN ACT to Increase the Self-imposed Tax on Blueberries for Research Regarding the Effects of Inflation and Fuel Oil Shortage on the Industry."

MOTION

Rep. Martin moved to admit this Legislation and explained the self-imposed blueberry taxation to members of the Council.

The motion was seconded by Sen. Conley, vote was taken 9-0 and carried.

Item #7 - Local and County Government - Authorization for application for Grant from Advisory Commission Intergovernmental Relations.

In discussing item #7, the Legislative Administrative Director, William Garside, explained that the application is in the process and suggested that authorization be granted because the Council already has the authority to accept grants. The Legislative Finance Officer, Ronald Lord explained that this was a one-year situation.

MOTION

Rep. Martin moved to admit this Legislation.

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

In discussing legislation yet to be considered, the members were concerned in particular about one extra large proposed bill consisting of over 200 pages which is in LD form. Because of the size of the bill, it was suggested that the bill be carried over to the 2nd Regular Session of the 109th Legislature.

MOTION

Rep. Martin moved that "AN ACT to Establish the Insurance Regulatory Commission" be designated a carry-over bill. Further discussion followed.

The motion was seconded by Rep. Mitchell, a vote was taken 8-1 and carried. (opposed - Sen. Pray)

STAFF REPORTS (taken out of order)

Legislative Finance Officer - Governor's report to the Legislature regarding determination of Municipal Cost Components. Ronnie Lord advised the Council that the Governor's report to the Legislature regarding determination of municipal cost components was in the process of being prepared but it would take 2 more weeks to get the bill out, therefore an extension of the imposed deadline was needed to finish the report.

MOTION

Rep. Martin moved that an extension of 30 days be granted for the Governor's report.

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

After consideration of after deadline bill requests, the Council was advised of the recent attendance of Sen. Pierce, Sen. Usher and Rep. Garsoe at the New England Caucus in Boston, Massachusetts. Rep. Garsoe's recommendation was that \$5,000 be appropriated annually to help defray the expenses of the caucus.

MOTION

Rep. Martin moved to accept this recommendation.

The motion was seconded by Rep. Mitchell, a vote was taken 8-1 and carried. (opposed - Sen. Conley)

In an attempt to resolve the matter of the number of bills which have been heard but not yet reported out of committees, the Council considered convening the Legislative sessions at 8:00 a.m. through 10:00 a.m. on Tuesdays, Wednesdays and Thursdays to determine whether or not this would give legislators longer work days for committee work sessions. Further discussion followed.

Prior to adjournment the Council members considered meeting as leadership, rather than Council, through the remainder of the session.

MOTION

Rep. Martin moved that a serious effort be made by members of the Council to meet as leadership, daily at 2:00 p.m., not necessarily with a quorum present, the place of meetings to alternate between the Office of the Speaker of the House and the President of the Senate.

The motion was duly seconded and carried.

ADJOURNMENT

MOTION

Sen. Katz moved that the Council meeting be adjourned. (3:25 p.m.)

The motion was duly seconded and carried.

G. OLD BUSINESS

1. TABLED AND SPECIALLY ASSIGNED ITEMS

- a. Salary adjustment for Bent Schlosser
- b. Helen Ginder - "AN ACT to Provide for the Codification and Indexing of State Agency Rules by the Secretary of State." (A.P.A.)
- c. Helen Ginder - Sunset of Agency Law.

2. TABLED AND UNASSIGNED ITEMS

a.

b.

H. NEW BUSINESS

1. After deadline request - Rep. James Reeves - "AN ACT to Extend until July 1, 1980, the Date for the Newport Water District to Purchase the Property of the Maine Water Company. (Emergency)
2. After deadline request - Sen. Mary Najarian - "AN ACT to Set Aside Two Days in January of each Legislative Session to Review the Several County Budgets."
3. After deadline request - Sen. Pierce - "AN ACT to Grant the Public Utilities Commission Jurisdiction to Review Adjustments Under the Fuel Adjustment Clause." (Emergency)
4. After deadline request - Rep. Philip Berry - "AN ACT to Prohibit Unreasonable and Unjust Fuel Charges from Being Passed on to Consumers." (Emergency)
5. After deadline request - Rep. Merle Nelson - "AN ACT to Clarify the Powers of the Masonic Trustees of Portland as to their Authority to Sell Reas Estate."
6. After deadline request - Rep. James Silsby - "AN ACT to Increase the Self-imposed Tax on Blueberries for Research Regarding the Effects of Inflation and Fuel Oil Shortage on the Industry."
7. Local and County Government - Authorization for application for Grant from Advisory Commission Intergovernmental Relations.
8. New England Caucus meeting in Boston March 3rd and 4th, 1979.

I. ANNOUNCEMENTS & REMARKS

J. ADJOURNMENT