

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE COUNCIL

NOVEMBER 28, 1979

CALL TO ORDER

A scheduled meeting of the Legislative Council was held in the Statehouse Council Chambers and called to order by Sen. Richard H. Pierce, Chairman, at 9:55 a.m.

ROLL CALL

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

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

Staff: William Garside - Legislative Administrative Director
Ronald Lord - Legislative Finance Officer
David Silsby - Legislative Research Director
Brian Blaisdell - Assistant Director, Legislative Research
Erland Hardy - Legislative Attorney
Judy LeClair - Legislative Technician I
Edith Hary - State Law Librarian
Helen Ginder - Legislative Assistants Coordinator

OLD BUSINESS

As the first order of business, the Council moved to validate the proceedings of its previous meeting due to an absence of a quorum. Those actions validated were as follows:

1. Legislative Finance Officer - hiring of an additional Program Analyst. (accepted tabling motion)
2. Fees for Document Service - Edwin Pert
3. Meeting pursuant to Joint Rule 26 (submission of legislation.)
4. Staff Assistant, John R. Selser to attend the NCSL on Forest Resources Taxation Symposium in Boston.
5. Joint Select Committee on Vocational Education - request for extension.
6. Family Impact - James Harrod - Authorization to attend a training seminar in Washington.
7. Committees on Appropriations and Financial Affairs, and Health and Institutional Services - Authorization to attend meetings outside of Augusta.

MOTION

Rep. Tierney moved that the Council approve the items taken up at the previous meeting.

The motion was seconded and carried unanimously.

STAFF REPORTS

Computer Terminal

William Garside requested Council approval to put in a computer terminal in the Legislative Assistants Office.

MOTION

Sen. Sewall moved that a computer terminal be put in the Legislative Assistants Office.

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

Merit Increase

Mr. Garside also advised that he had received a letter from the State Law Librarian requesting authorization for a merit increase for Lynn E. Randall from Step B (\$178.40) to Step C (\$185.20).

MOTION

Rep. Garsoe moved that the request for the recommended merit increase be approved.

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

NEW BUSINESS

1. Extension of study orders.

MOTION

Rep. Martin moved to extend all study committees until January 15.

The motion was duly seconded and carried.

2. Agriculture Committee - Request of Commissioner Smith to hold meeting on reorganization of the department.

MOTION

Rep. Martin moved that the Council authorize transportation costs and per diem costs for the Agriculture Committee to meet with the Commissioner prior to the session.

The motion was seconded and carried unanimously.

3. Committee on Health and Institutional Services - Authorize the expenditure of funds to meet in Augusta.

MOTION

Rep. Martin moved that the Council authorize the expenditure of funds for the committee to meet in Augusta with Commissioner Petit.

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

4. Sen. David Ault and Rep. Judy Kany - Committee on State Government - Authorization to study the personnel system and housing policy.

This was discussed by the Council and decided that no formal approval was needed.

MOTION

Rep. Tierney moved to formally approved the study on the personnel system and housing policy proposed by Sen Ault and Rep. Kany

The motion was seconded but did not carry.

5. Legislative Positions - Legislative Assistants Office

William Garside advised the Council of the recommendation of Sen. Conley, Rep. Mitchell and Rep. Garsoe to hire 3 full-time employees for the Legislative Assistants Office. Two of the positions are full-time, permanent; the other will be filling a vacancy created by the leave of absence of Robert Clarke and will be a one-year contract.

MOTION

Rep. Martin moved that the Council approve Haven Whiteside, Kenneth Hovermale and Lars Rydell to fill the vacancies in the Legislative Assistants Office.

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

Rep. Garsoe spoke briefly suggesting that in the future a subcommittee from the Council merely interview acceptable candidates chosen by Helen Ginder on a review basis only, for recommendation to the Council and spare the Council members the need to spend the whole day interviewing many candidates.

MOTION

Rep. Martin moved that a subcommittee of 3 be appointed from the Council by the Chairman to review the further hiring practices by the Council.

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

SCREENING OF LEGISLATION

There was a discussion concerning the screening process of legislation for the second regular session. The points covered were:

1. Legislation will be let in by motion only.
2. It will take 6 votes to introduce legislation.
3. The Council has the option of recalling a bill later in the day.
4. The legislators would be allowed to present written testimony or speak for themselves on any legislation turned down.
5. On duplicate bills - one title would be introduced and the sponsors would decide who would sponsor and cosponsor.
6. Letting in legislation not covered by the Governor's Call.
7. Recording the vote.

The legislation was then discussed and voted on. A list of bills approved for introduction is attached.

The meeting was recessed at 12:05 p.m. and recalled to order at 1:25 p.m.

FURTHER SCREENING AND AFTER DEADLINE REQUESTS

Mr. Silsby presented the Council members with a list of after deadline requests received in his office.

1. Sen. McBreaarty's bill (#369 - AN ACT to Clarify Provisions for Moose Hunting Permits.) was approved by the Council for introduction.
2. Rep. Curtis' bill (#364 - AN ACT to Authorize the Use of Blue Lights by Certain Personnel of the Maine Forest Service for Control of Christmas Trees.) was deferred for more information.

Next, the Chairman offered any legislators present at the meeting a chance to appeal their bills that were not approved by the Council, provided that any bill they spoke on at this meeting would not again be heard on December 19th.

1. Rep. Call spoke on his 3 bills and each were rejected.
2. Rep. Lewis spoke on one of her bills (#1 - AN ACT Concerning the Temporary Certification of Driver Education Teachers.) and it was accepted for introduction.

The Council then recalled and reviewed bills not approved for introduction in the morning. The bills that were reconsidered and approved were:

1. Rep. Higgins' bill (#123 - AN ACT to Revise the Method of Payment of Taxes by Harness Horse Racing Licensees.)
2. Rep. Birt's bill (#7 - AN ACT to Dissolve Patten Academy.)

Also discussed was #126 which was authorized to be combined with #118; and more information was requested on #159 before the Council could accept.

MOTION

Rep. Tierney moved that the Council adjour (2:00 p.m.)

The motion was duly seconded.

BIRT, WALTER - REP. - E. MILLINOCKET

- 7 AN ACT to Dissolve Patten Academy.
- 100 AN ACT to Authorize the Town of East Millinocket to Purchase the Assets of Northern Water Company.
- 180 AN ACT Clarifying the Authority of Municipalities to Acquire and Operate Water Systems.

CLARK, NANCY RANDALL - SEN. - CUMBERLAND

- 113 AN ACT to Provide Arthritic Drugs to Eligible Individuals Under the Low Cost Drug Program.

COLLINS, SAMUEL W., JR. - SEN. - KNOX

- 324 AN ACT to Make Corrections of Errors and Inconsistencies in the Laws of Maine.

DEVOE, DANA C. - SEN. - PENOBSCOT

- 3 AN ACT to Provide Individual Staff Assistance for Members of the Public Utilities Commission.
- 110 AN ACT to Validate Proceedings Authorizing the Issuance of Bonds and Notes by the Town Council of the Town of Orono.
- 192 AN ACT to Validate Proceedings of Orono School Board Votes.

GARSOE, WILLIAM J. - REP. - CUMBERLAND

- 309 AN ACT Relating to Maine Educational Advisory Organizations.

GAVETT, KATHARINE J. - REP. - ORONO

- 106 AN ACT to Exempt the Interest and Dividends on Savings Accounts from the State Income Tax.

GRAY, WAYNE C. - REP. - ROCKLAND

- 117 AN ACT to Change the Name of the Glen Cove Bible School to the New England Baptist Bible College.

HICHENS, WALTER W. - SEN. - YORK

- 216 AN ACT Relating to the Provision of Telephone Equipment by Telephone Companies to the Hearing Impaired and their Families.

HIGGINS, LINWOOD M. - REP. - SCARBOROUGH

- 123 AN ACT to Revise the Method of Payment of Taxes on Harness Horse Racing Licensees.

IMMONEN, JACOB J. - REP. - WEST PARIS

- 41 AN ACT Amending the Charter of the Paris Utility District.

KANY, JUDY C. - REP. - WATERVILLE

- 4 AN ACT Relating to Publication of School Records under the Education Laws.
- 56 AN ACT Broadening the Elderly Tax and Rent Refund Act to Include Persons who are Currently Married as Well as Unmarried under the Eligibility Standards.

KATZ, BENNETT D.- SEN. - KENNEBEC

- 99 AN ACT to Validate Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District #37.

KELLEHER, EDWARD C. - REP. - BANGOR

- 97 AN ACT to Clarify the Statutes Relating to Natural Gas Pipeline Companies.
- 114 AN ACT Relating to Games of Chance at Agricultural Fairs.

LEIGHTON, PORTER, D. - REP. - HARRISON

- 31 AN ACT to Amend the Charter of the Harrison Water District.
- 207 AN ACT to Make Corrections in Law with Respect to Bridgton Academy.

LEWIS, JOYCE - REP. - AUBURN

- 302 AN ACT to Require that Children who are Under 15 Years of Age to Wear Helmets when they are Passengers on Motorcycles.
- 1 AN ACT Concerning the Temporary Certification of Driver Education Teachers.

LOCKE, STEPHANIE - REP. - SEBEC

- 118 AN ACT to Provide for Renegotiation of the Cost Sharing Formulas for School Districts.
- 236 AN ACT to Assist Private Secular Schools to Comply with the Federal Handicapped Laws on Building Accessibility.

LOWE, GARY L. - REP. - WINTERPORT

- 239 AN ACT to Increase the Borrowing Capacity of the Winterport Sewerage District.

LUND, SYLVIA, V. - REP. - AUGUSTA

- 196 RESOLVE, Authorizing the Attorney General to Convey the State's Interest in Certain Parcel of Land and Buildings in Augusta to the Community Shelters for Children, Inc.

MacEACHERN, ROBERT A. - REP. - LINCOLN

- 15 RESOLVE, Concerning the Disability Retirement of Stephen Bearce of Lincoln.

MARTIN, JOHN L. - REP. - EAGLE LAKE

- 157 AN ACT to Exempt Church-sponsored Schools and Schools of Religious Charter from Approval Requirements of the Department of Educational and Cultural Services.
- 256 AN ACT Relating to Plumbing Permits and Waivers for Septic Systems under Certain Conditions.

MASTERTON, NANCY N. - REP. - CAPE ELIZABETH

- 75 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Bring into Conformance the Year in which the House and Senate shall be Apportioned.
- 76 AN ACT Combining the Offices of Justice of the Peace and Notary Public and to Establish their Appointment by the Secretary of State.
- 77 RESOLUTION, Proposing and Amendment to the Constitution of Maine Deleting all Reference to the Office of Justice of the Peace.

MINKOWSKY, CARROLL E. - SEN. - ANDROSCOGGIN

- 217 AN ACT to Amend the Charter of the Lewiston-Auburn Water Pollution Control Authority.

MITCHELL, ELIZABETH H. - REP. - VASSALBORO

- 108 AN ACT to Provide Emergency Funds to Restore Public Library Book Collections Destroyed by Unforeseen Catastrophe.

MORTON, RICHARD G. - REP. - FARMINGTON

- 138 AN ACT to Authorize a Bond Issue for Franklin County for Construction of a New Detention Facility.

NAJARIAN, MARY. - SEN. - CUMBERLAND

- 103 AN ACT to Amend Support and Enforcement Laws on Divorce and Related Cases
- 243 AN ACT to Assure Advocacy Services for Children Committed to the Custody of the State of Maine.
- 358 AN ACT to Allow City of Portland to Sell or Lease its Central Fire Station.

NELSON, NORMAN W. - REP. - MACHIAS

- 47 AN ACT to Exempt any Tree Growth within 250 Feet from Lakes and Streams from the Tree Growth Law.
- 90 AN ACT to Authorize a District Attorney and Assistant District Attorneys for Washington County.

POST, BONNIE - REP. - OWLS HEAD

- 334 AN ACT to Provide Ferry Freight Service for Vinalhaven Island.

PRAY, CHARLES P. - SEN. - PENOBSBOT

195 AN ACT to Limit the Department of Human Services from Mandating Medicaid X-ray Requirements in Regard to Chiropractic Treatment.

REDMOND, ANDREW J. - SEN. - SOMERSET

260 RESOLVE, to Reimburse Larry Coffren of Strong for Damages by Vandals Caused by Inmates in State Institutions while on Furloughs.

367 RESOLVE, Authorizing a Suit Against the State for Damages Caused by Construction of a Bridge over Mill Stream in the Town of Strong.

REEVES, POLY R. - REP. - PITTSTON

173 AN ACT Relating to Budgetary Hardship in Maintaining Special Education Student.

SHUTE, MELVIN A. - SEN. - WALDO

167 AN ACT to Establish the Boundary Between Rockport and Rockland.

SILSBY, JAMES, A. - REP. - ELLSWORTH

13 RESOLVE, Authorizing the State to Convey its Interests in the Public Lots in Osborn to the Inhabitants of the Town of Osborn.

SILVERMAN, HAROLD L. - SEN. - WASHINGTON

128 AN ACT to Provide for Clam Conservation Ordinances for the Unorganized Territory of Edmunds.

SIMON, JOHN W. - REP. - LEWISTON

230 AN ACT to Protect the Newsman's Privilege of Confidential Sources.

TARBELL, SWIFT - REP. - BANGOR

122 AN ACT for Shelter Facilities for Victims of Family Violence.

THERIAULT, ALBERT - REP. - RUMFORD

240 AN ACT to Permit Participating Local Districts of the Maine State Retirement System to Amend Retirement Benefits for Policemen and Firefighters Prospectively.

TWITCHELL, R. DONALD - REP. - NORWAY

164 AN ACT Concerning the Category of "Street Rod" under the Motor Vehicle Statutes.

VIOLETTE, PAUL E. - REP. - VAN BUREN

- 24 AN ACT Concerning Membership on the Board of Trustees
of the Van Buren Light and Power District.
- 361 AN ACT to Revise the Van Buren Light and Power District
Charter.

WHITTEMORE, ALTON W. - REP. - SKOWHEGAN

- 63 AN ACT to Permit Optional Credit Life Insurance for the
Comaker of a Debt.