

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

May 25, 1983

CALL TO ORDER

A meeting of the Legislative Council was held in the Legislative Council Chambers, Room 327, and called to order by Chairman Charles P. Pray at 11:30 a.m.

ROLL CALL

Senators: Sen. Carpenter, Sen. Collins, Sen. Conley,
Sen. Gill, Sen. Pray

Representatives: Rep. Diamond, Rep. Davis, Rep. Martin,
Rep. Higgins, Rep. Mitchell

Legislative Officers and Staff:

Sarah Diamond - Legislative Administrative Director
David Silsby - Legislative Research Director
Martha Palmer - Law Librarian
Helen Ginder - Legislative Assistants Director
Ronald Lord - Legislative Finance Officer

SECRETARY'S REPORT

MOTION

Rep. Martin moved that the minutes of May 11, 1983 be approved.

Sen. Carpenter seconded the motion and it was carried unanimously.

LEGISLATIVE OFFICERS' AND STAFF REPORTS

A letter from Ronald Lord, Legislative Finance Officer, was received recommending merit increases for Janet Waldron from \$428.09 to \$449.99, effective June 17, 1983, and for Lars Loren from \$384.24 to \$406.17, effective June 14, 1983.

MOTION

Rep. Martin moved that the merit increases be approved.

Sen. Gill seconded the motion, and it was carried unani-

mously.

NEW BUSINESS

A letter from the State Budget Officer pursuant to Title 5, section 8-F, transmitting copies of rules and regulations from those state agencies providing food and/or housing to state employees.

MOTION

Rep. Martin moved that the letter be placed on file.

Sen. Carpenter seconded the motion and it was carried unanimously.

After deadline bills (see attached list) were presented to the Council and voted upon.

Committee requests to carry over bills to the Second Regular Session and to conduct interim studies were presented to the Council and voted upon. (See attached list)

ADJOURNMENT

MOTION

Rep. Martin moved that the Council meeting be adjourned at 12:30 p.m.

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

5/25/83

LEGISLATIVE COUNCIL

BILLS APPROVED FOR CARRYOVER TO SECOND REGULAR SESSION OF 111TH LEGISLATURE

<u>Committee</u>	<u>Carryover Request</u>	<u>Council Action</u>
Aging, Retirement and Veterans	Recodification of the Maine State Retirement System	APPROVED
Business Legislation	L.D. 495 } 497 } 752 }	APPROVED
Energy & Natural Resources	L.D. 1250 } 1277 } 1302 } 1459 }	APPROVED
Judiciary	L.D. 1260	APPROVED
Labor	L.D. 1309	APPROVED
Marine Resources	L.D. 1207	APPROVED
Public Utilities	L.D. 1045	APPROVED
Transportation	L.D. 1547	APPROVED

RONALD H. LORD
LEGISLATIVE FINANCE OFFICER

BENT SCHLOSSER
ASSISTANT FINANCE OFFICER



STATE OF MAINE
OFFICE OF LEGISLATIVE FINANCE
AUGUSTA, MAINE 04333

May 23, 1983

Hon. Charles Pray, Chairman
Members of the Legislative Council
State House
Augusta, Maine

Dear Senator Pray and Members:

This letter is to recommend merit increases, effective on the date indicated, for the following employees in this office.

Janet Waldron	\$428.09	\$449.99	/17/83
Lars Loren	\$384.24	\$406.17	6/14/83

Your consideration and support of this recommendation is requested.

Sincerely,

A handwritten signature in cursive script, appearing to read 'R. Lord'.

Ronald H. Lord
Legislative Finance Officer

RHL/efb

5/25/83

LEGISLATIVE COUNCIL
Study Requests Approved for Interim

<u>COMMITTEE</u>	<u>STUDY</u>	<u>COUNCIL ACTION</u>
Aging, Retirement & Veterans	Integration of the Maine State Retirement System with the Social Security System	APPROVED
Agriculture	Development of Food Policy Statement	APPROVED
	The Dairy Industry in Maine	DENIED
	Review of the Potato Industry in Maine	DENIED
	Agricultural Uses of Peat	DENIED
Business Legislation	Motor Vehicle Insurance	APPROVED
Education	Job Training	APPROVED
	School Finance	DENIED
	Excellence in Administrators, Teachers and Students and Creative and Effective Schools	DENIED
	Threat to Excellence by NBHE	DENIED
	NOTE: Council action based on the determination that the latter two studies can be incorporated in the work to be done by the newly authorized Commission and do not require a separate study by the Education Committee.	
Election Laws	Recodification of the State Election Laws, Title 21, and consideration of substantive reforms needed in several areas.	APPROVED
Energy and Natural Resources	Development of State Policy on Residential Camp leases on Public Lands	APPROVED
	Charging fees for access to Public Lands	APPROVED
	NOTE: Council directed that the two requests should be combined in a single study and budgeted accordingly.	
Judiciary	Maine Tort Claims Act	APPROVED
	Maine Domestic Relations Laws	APPROVED
	A Maine Natural Death Act	DIED FOR LACK OF A MOTION

5/25/83

<u>COMMITTEE</u>	<u>STUDY</u>	<u>COUNCIL ACTION</u>
Judiciary (continued)	Statewide Pretrial Release Investigation Services	(DIED FOR LACK OF A MOT)
	Abandoned Rights of Way	APPROVED
Marine Resources	State and Municipal Claims Management	APPROVED
Local and County Government	Regional Planning Commission	APPROVED
Public Utilities	Telecommunications in Maine	TABLED, PENDING RECONSIDERATION
	Feasibility of Public Power	APPROVED
State Government	Per diem salaries paid to Members of Boards, Comm- issioners, Authorities, Committees, Advisory Boards, etc.	APPROVED
	Disposition of Maine's Public Lands	TABLED
Taxation	The Impact of Maine's Tax Structure on Economic Development	APPROVED
	Elderly Householders Tax and Rent Refund Program	DENIED
	Review of Property Tax Exemptions	(Required by Statute)
	Maine Capital Corporation	(Required by Statute)
Transportation	Transportation of Hazardous Material	APPROVED
	Comprehensive review of Long Term Trailer legislation policies and the use of agents	APPROVED



STATE OF MAINE
 DIRECTOR OF LEGISLATIVE RESEARCH
 AUGUSTA, MAINE 04333

MEMORIAL REQUEST

Date May 24, 1983

Submitted by: Rep. Crowley of Stockton Springs

JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO SUPPORT LEGISLATION WHICH WILL ESTABLISH A NATIONAL OCEANS POLICY COMMISSION.

LEGISLATIVE COUNCIL

Sen. Michael Carpenter	Yes	No	Abs.
Sen. Samuel Collins	Yes	No	Abs.
Sen. Gerard Conley	Yes	No	Abs.
Rep. Leland Davis	Yes	No	Abs.
Rep. John Diamond	Yes	No	Abs.
Sen. Barbara Gill	Yes	No	Abs.
Rep. Linwood Higgins	Yes	No	Abs.
Rep. John Martin	Yes	No	Abs.
Rep. Elizabeth Mitchell	Yes	No	Abs.
Sen. Charles Pray	Yes	No	Abs.
TOTAL	_____	_____	_____

ACCEPTED

REJECTED

Date:

By:

Referred to:

JOINT RESOLUTION MEMORIALIZING THE THE CONGRESS OF THE
UNITED STATES TO SUPPORT LEGISLATION WHICH WILL ESTABLISH A
NATIONAL OCEANS POLICY COMMISSION.

Whereas, respectfully present and petition the
Congress of the United States as follows:

Whereas, the honorable Congressman for North Carolina,
Walter B. Jones, has introduced H.R. 2853, "A Bill to Estab-
lish a National Oceans Policy Commission."; and

Whereas there is a current need to examine and monitor
certain long-term ocean policy issues now facing the United
States; and

Whereas there is a need to establish a blue-ribbon
panel of distinguished decisionmakers from a wide range of
ocean interests representing commercial and non-profit orga-
nizations, the gubernatorial leadership of coastal states,
the federal executive and academia; and

Whereas, the importance of unimpaired navigation
through, over and under the World Oceans and the development
of fisheries, oil, gas, ocean minerals and marine resources
are of great concern to the Nation and the State of Maine;
and

Whereas, the purpose of H.R. 2853 is to establish a
commission in order to review and evaluate current marine
policy programs during this present period of fundamental
transition, and to maintain and further U.S. leadership in
the Oceans for the 1980's and 1990's; and

Whereas, H.R. 2853 will ensure progressive, cooperative
and mutual ocean policy developments and interests with Can-
ada, Mexico and other countries; and

Whereas, H.R. 2853 is essential to protect the inter-
ests of the State of Maine and its 3500 miles of coastal
resources,



STATE OF MAINE
DIRECTOR OF LEGISLATIVE RESEARCH
AUGUSTA, MAINE 04333

AFTER DEADLINE REQUEST

Date May 24, 1983

Submitted by: Sen. Trafton of Androscoggin

AN ACT to Remove the Domicile Requirement for Admission to the Maine Bar.

LEGISLATIVE COUNCIL

Sen. Michael Carpenter	Yes	No	Abs.
Sen. Samuel Collins	Yes	No	Abs.
Sen. Gerard Conley	Yes	No	Abs.
Rep. Leland Davis	Yes	No	Abs.
Rep. John Diamond	Yes	No	Abs.
Sen. Barbara Gill	Yes	No	Abs.
Rep. Linwood Higgins	Yes	No	Abs.
Rep. John Martin	Yes	No	Abs.
Rep. Elizabeth Mitchell	Yes	No	Abs.
Sen. Charles Pray	Yes	No	Abs.
TOTAL	_____	_____	_____

ACCEPTED

REJECTED

Date:

By:

Referred to:

An Act to Remove the Domicile Requirement
For Admission to the Maine Bar.

Be it enacted by the People of the State of Maine, as follows:

4 M.R.S.A. § 803 is amended to read:

Every person who shall be of full age, a citizen of the United States, of a good moral character ~~and who shall have established his domicile in the State of Maine~~ may be admitted to practice as an attorney and counselor at law and solicitor and counselor in chancery in all the courts of record of this State on motion made in open court, but the applicant shall first produce the certificate provided for in this chapter from the board, that he possesses sufficient learning in the law and moral character and ability to enable him to properly practice as an attorney and counselor at law and solicitor and counselor in chancery in the courts of this State, which certificate shall have been issued not more than one year prior to the date of the making of the motion, provided that said one-year period may be enlarged by any Justice of the Supreme Judicial Court on motion for good cause shown during said one-year period ~~and he shall file with the court an affidavit that he has established his domicile within the State of Maine.~~ No person shall be entitled to practice as an attorney and counselor at law and solicitor and counselor in chancery in this State until he shall be licensed to do so by the Supreme Judicial Court. No person shall be denied the opportunity to qualify for admission, or admission, on account of race, creed, color, national origin or sex.

Statement of Fact

The purpose of this Bill is to eliminate the requirement of establishing a Maine domicile as a prerequisite to admission to the Maine bar. The constitutionality of domicile requirements has been successfully challenged in a number of other jurisdictions including Alaska, New York, Alabama, North Carolina and South Dakota. There are other less restrictive means to insure that members of the Maine bar are familiar with local rules and practices and are available for court and disciplinary proceedings.