

# MAINE STATE LEGISLATURE

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APPROVED AND PLACED  
ON FILE MAY 4, 1984

LEGISLATIVE COUNCIL

April 25, 1984

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 4:40 p.m.

ROLL CALL

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

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

Legislative Officers and Staff:

Sally Diamond - Legislative Administrative Director

SECRETARY'S REPORT

MOTION

Rep. Martin moved that the minutes of March 27, 1984 be approved and placed on file.

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

DIRECTOR'S REPORT

The Legislative Administrative Director's report was submitted to the Council by Sally Diamond. It outlined approved staff travel for Anna Wood-Cox to attend a Wang training session in New York City and the resignation of William Saufley, Legislative Assistant, effective April 27th.

MOTION

Rep. Martin moved that the director's report be accepted and placed on file.

Rep. Higgins seconded the motion and it was carried unanimously.

The Personnel Committee recommended the approval of a 6-month merit increase for Haven Whiteside, Assistant Director of Legislative Assistants.

MOTION

Rep. Higgins moved that the merit increase be approved.

Rep. Martin seconded the motion and it was carried unanimously.

COMMITTEE REPORTS

Study reports from Legislative Committees were submitted to the Council and voted upon. (See attached list)

COMMITTEE STUDY REQUESTS

Study requests from Legislative Committees were submitted to the Council and voted upon. (See attached list)

It was agreed that all Legislative Committees whose study requests had been approved by the Council, should be directed to develop budget requests for consideration by the Council at the next meeting.

ADJOURNMENT

MOTION

Sen. Carpenter moved that the Council meeting be adjourned at 5:30 p.m.

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

JOINT STANDING COMMITTEE STUDY REPORTS  
SUBMITTED TO THE LEGISLATIVE COUNCIL  
ACCEPTED AND PLACED ON FILE

April 25, 1984

Committee

Study Title

Election Laws

Campaign Finance and Ballot Question  
Reform

Review of the Committee on Tax Con-  
formity

Citizens' Civil Emergency Commission

JOINT STANDING COMMITTEE STUDY REQUESTS  
SUBMITTED TO THE LEGISLATIVE COUNCIL

<u>Vote</u>	<u>Committee</u>	<u>Study</u>
Accepted	Aging, Retirement & Veterans	Disability Retirement under the Maine State Retirement System
Accepted	Appropriations	LD1836, AN ACT to Require the State to Finance a General Assistance Program for Migrant Workers.
Rejected	Appropriations	Impact of Exempting State Agencies from Paying Gasoline Tax
Accepted	Appropriations	Adequacy of Health Care and Insurance Available to Maine Citizens
Accepted	Business Legislation	Continued Oversight of Developments in the Financial Services Industry
Accepted	Education	Authority and Statutory Status of the Maine Secondary School Principals' Association
Accepted	Fisheries and Wildlife	Study of all Nonfish and Nongame Related Duties Performed by the Department of Inland Fisheries and Wildlife and Their Financial Impact
Accepted	Marine Resources	Limit on Lobster Traps
Accepted	State Government	LD 2109, AN ACT to Strengthen the Audit and Program Review Process
Accepted	State Government	Policies and Procedures of State Economic Development Agencies

Accepted	Transportation	Study of New General Registration Plate Issues
Tabled	Transportation	Study of Issues Related to Motor Vehicle Auctions and the Validity of Motor Vehicle Titles
Accepted	Joint Select Committee (to be appointed)	Study Issue of Teacher Contributions and Benefits from the Maine State Retirement System

SENATE

G. WILLIAM DIAMOND, DISTRICT 6, CHAIR  
MICHAEL D. PEARSON, DISTRICT 27  
JAMES MCBREAIRTY, DISTRICT 31

JANET E. WALDRON, SENIOR PROGRAM ANALYST  
LARS E. LOREN, PROGRAM ANALYST  
CHERYL E. RING, PROGRAM ANALYST



HOUSE

NEIL ROLDE, YORK, CHAIR  
JEFFREY N. MILLS, BETHEL  
CAROL ALLEN, WASHINGTON  
RUTH JOSEPH, WATERVILLE  
ROBERT W. NORTON, BIDDEFORD  
HERBERT CLARK, MILLINOCKET  
ORLAND G. McPHERSON, ELIOT  
DOUGLAS E. CURTIS, WALDOBORO  
THOMAS W. MURPHY, JR., KENNEBUNK  
EDWIN C. RANDALL, EAST MACHIAS

STATE OF MAINE

ONE HUNDRED AND ELEVENTH LEGISLATURE

COMMITTEE ON AUDIT AND PROGRAM REVIEW

April 4, 1984

The Honorable Charles P. Pray, Chair  
Legislative Council  
State House  
Augusta, Maine 04333

Dear Charlie & Members of the Council:

We would like to take this opportunity to review for you the status of the Audit Committee's review schedule. The Audit Committee has reported out the final legislation pursuant to our review of the Departments of Conservation, Inland Fisheries and Wildlife, and various Independent Agencies. This means that we are preparing to seriously begin our reviews of the Department of Marine Resources, Department of Environmental Protection, State Development Office, Office of Energy Resources, and various other agencies. In addition, we will be resuming our review of the Public Utilities Commission. To accomplish these reviews in accordance with our regular process, the full Committee has been broken down into three subcommittees, each with a designated chair. We are encouraging these subcommittee chairs to begin their reviews prior to the session's end by having an organizational meeting and a meeting with the agencies under review to go through the program justification reports.

As we found last year, by beginning to meet earlier, we were able to increase the depth of our review by taking advantage of the time during the legislative session. Another practice which served to enrich the audit process was the inclusion this year on the subcommittees of members from other joint standing committees which are concerned with the subject areas under review. This enabled us to coordinate and work closely with these standing committees. Therefore, we are planning to include adjunct members again this year.

To evaluate these agencies as charged under the Maine Sunset Act in sufficient detail and report back to the Legislature as prescribed by law no later than December 31, 1984, the Audit Committee process necessitates periodic

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meetings throughout the iterim. We also expect that our interim work, as in the past, will involve some site reviews to the field of operations of the departments under review. Again, we will closely monitor the number of meetings held to assure the best use of time and to minimize cost.

A list is attached for your information of the subcommittees which have been established to accomplish our reviews. Please let us know if you have any questions concerning our past or upcoming reviews. We will make every effort again this year to keep you up-dated on our activities and invite your input.

Sincerely,



G. William Diamond  
Senate Chairman



Neil Rolde  
House Chairman

cc Sally Diamond, Legislative Admin. Director ✓

CURRENT AREAS FOR REVIEW

SUBCOMMITTEE ON ENVIRONMENTAL PROTECTION

Department of Environmental Protection;  
State Development Office;  
Soil & Water Conservation Commission; and  
Saco River Corridor Commission

Members

Senator Michael Pearson, Chair  
Senator G. William Diamond  
Senator James McBreairty  
Representative Neil Rolde  
Representative Thomas Murphy, Jr.  
Representative Douglas Curtis

Adjunct Member

Energy & Natural Resources Member

Main Staff Contact

Cheryl Ring

SUBCOMMITTEE ON MARINE RESOURCES

Department of Marine Resources;  
Atlantic States Marine Fisheries Commission;  
Maine Sardine Council;  
Lobster Advisory Council;  
Atlantic Sea-Run Salmon Commission;  
Office of Energy Resources;  
State Energy Resource Advisory Board;  
Maine Development Foundation; and  
Watercraft Fund

Members

Representative Carol Allen, Chair  
Senator G. William Diamond  
Representative Neil Rolde  
Representative Herbert Clark  
Representative Orland McPherson  
Representative Jeffrey Mills

Adjunct Member

Representative Nathaniel Crowley

Main Staff Contact

Lars Loren

SUBCOMMITTEE ON PUBLIC UTILITIES

Public Utilities Commission;  
Board of Directors, Maine Municipal & Rural  
Electrification Cooperative Agency;  
Low Level Waste Siting Commission;  
State Board of Examiners of Psychologists;  
Inspection of Dams & Reservoirs; and  
Snowmobile Fund

Members

Representative Ruth Joseph, Chair  
Senator G. William Diamond  
Representative Neil Rolde  
Representative Edwin Randall

Adjunct Members

Senator John Baldacci  
Representative Harriet Lewis Robinson  
Representative Harlan Baker

Main Staff Contact

Janet Waldron

SENATE

PETER W. DANTON, YORK, CHAIR  
G. WILLIAM DIAMOND, CUMBERLAND  
JEROME A. EMERSON, PENOBSBOT

DEBORAH ENGLISH, COMMITTEE CLERK



HOUSE

GEORGE A. CARROLL, LIMERICK, CHAIR  
POLLY R. REEVES, PITTSTON  
HAROLD M. MACOMBER, SOUTH PORTLAND  
FRED W. MOHOLLAND, PRINCETON  
GREGORY G. NADEAU, LEWISTON  
RAYNOLD THERIAULT, FORT KENT  
DONALD A. STROUT, CORINTH  
ORLAND G. McPHERSON, ELIOT  
PAMELA L. CAHILL, WOOLWICH  
DANIEL CALLAHAN, MECHANIC FALLS

STATE OF MAINE

ONE HUNDRED AND ELEVENTH LEGISLATURE

COMMITTEE ON TRANSPORTATION

April 6, 1984

Senator Charles Pray,  
Chairman, Legislative Council  
State House, Station #3  
Augusta, ME 04333

Dear Senator Pray,

The Motor Vehicle Division of the Department of Secretary of State requested the Joint Standing Committee on Transportation to provide the Motor Vehicle Division with highway fund monies to prepare for a new general issue of registration plates in 1986. According to the Motor Vehicle Division, registration plates have a useful life of 6 years, but current registration plates are 10 years old. As a result, many plates are in serious deterioration and there is a significant degree of evasion of the registration plate law. The Committee on Transportation understands that it is roughly estimated that evasion of the current law generates revenue losses of up to \$250,000 per year in the Highway fund.

Unfortunately, the Highway Fund surplus is not sufficient to finance the acquisition of all the materials required for a new plate issue in 1986 and fund other priorities as well. As a result, it is necessary to consider alternatives to the motor vehicle proposal, especially in light of the estimated annual loss in revenues due to registration evasion.


The Joint Standing Committee on Transportation requests the Legislative Council to authorize the Committee to conduct a study on the topic of new general registration plate issues. This study would investigate:

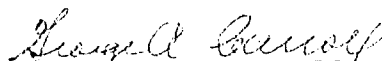
1. the degree of evasion of motor vehicle registration in Maine,
2. the financial impact of evasion of motor vehicle registration on the Highway Fund and on municipalities (lost excise tax revenues),
3. a funding mechanism by which pre-registration plate issue costs may be funded (\$1,600,000) without serious threat to the Highway Fund,

4. various methods by which registration plates can be issued and the financial impact of these methods, and
5. the design of a new registration plate to reduce motor vehicle registration evasion.

The Committee on Transportation recommends that a subcommittee of 7 people conduct the study which will require 5 meetings. The Committee is extremely interested in this issue and appreciates the attention that you give to this request.

Sincerely yours,

  
Peter W. Danton  
Senate Chairman

  
George A. Carroll  
House Chairman

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SENATE

PETER W. DANTON, YORK, CHAIR  
G. WILLIAM DIAMOND, CUMBERLAND  
JEROME A. EMERSON, PENOBSCOT

HEBORAH ENGLISH, COMMITTEE CLERK



HOUSE

GEORGE A. CARROLL, LIMERICK, CHAIR  
POLLY R. REEVES, PITTSTON  
HAROLD M. MACOMBER, SOUTH PORTLAND  
FRED W. MOHOLLAND, PRINCETON  
GREGORY G. NADEAU, LEWISTON  
RAYNOLD THERIAULT, FORT KENT  
DONALD A. STROUT, CORINTH  
ORLAND G. McPHERSON, ELIOT  
PAMELA L. CAHILL, WOOLWICH  
DANIEL CALLAHAN, MECHANIC FALLS

STATE OF MAINE

ONE HUNDRED AND ELEVENTH LEGISLATURE

COMMITTEE ON TRANSPORTATION

March 29, 1984

Senator Charles Pray, Chairman  
Legislative Council  
State House, Station #3  
Augusta, ME 04333

Dear Senator Pray,

The Joint Standing Committee on Transportation was presented with LD 2272, "AN ACT Concerning Car Auctions and the Validity of Motor Vehicle Titles," for which a public hearing was held on Monday, March 26, 1984. The bill raises a broad range of very substantive and controversial issues that cannot be resolved until a comprehensive study of these issues has been completed. These issues include:


1. the need for standards for motor vehicle auctions conducted in Maine,
2. the need for standards for licensing motor vehicle auctioneers and dealers,
3. the means by which the State of Maine can reduce or stop the fraudulent resale of motor vehicles in Maine which have originated from outside the State,
4. the fraudulent sale of motor vehicles in Maine to retail and wholesale buyers, and
5. the loss in revenues to the State and municipalities from the issue of motor vehicle dealer plates.

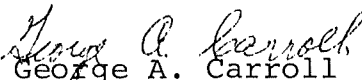
The sponsor of LD 2272 has agreed to accept a "Leave-to-Withdraw" report with the understanding that the issues raised by the bill are to be addressed by a study.

The Joint Standing Committee on Transportation requests the Legislative Council to authorize the Committee to study the issues raised by LD 2272 and to report its findings and any necessary implementing legislation to the First Regular Session of the 112th Legislature. The study would be conducted primarily by a subcommittee of 5 people and would require 3 subcommittee meetings and one full Committee meeting for a final decision.

We trust that you appreciate the serious problem of fraudulent sales of motor vehicles in Maine and the possible significant loss of revenues to the State and municipalities that result from these sales and from other factors. We are looking forward to your response.

Sincerely yours,

  
Peter W. Danton  
Senate Chairman

  
George A. Carroll  
House Chairman

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STATE OF MAINE

In House \_\_\_\_\_

WHEREAS, teachers are required to contribute to the Maine State Retirement System based on earnable compensation, including overtime pay and reimbursement for performance of extra-curricular activities; and

WHEREAS, retirement benefits are based on the average final compensation received during the teacher's highest 3 years of earning, which are usually the last 3 years of work; and

WHEREAS, many teachers work extra hours and perform extra-curricular activities early in their careers when their earnings are low for which they must contribute to the retirement system, but for which they are often not compensated upon retirement because that work did not occur during the highest 3 years of earning; and

WHEREAS, these earnings are typically not included in the calculation of retirement benefits; now, therefore, be it

ORDERED, the Senate concurring, subject to the Legislative Council's review and determinations as provided, that a special select committee be established to study the issue of teacher contributions to and benefits from the Maine State Retirement System based on overtime and extra pay; and be it further

ORDERED, that this committee be comprised of 8 members, 4 of whom shall be members of the joint standing committee having jurisdiction over education and 4 of whom shall be members of the joint standing committee having jurisdiction over aging, retirement and veterans. The President of the Senate, the Speaker of the House, the Minority Leader of the Senate and the Minority Leader of the House shall each appoint 2 members to the special select committee; and be it further

ORDERED, that the special select committee report its findings and recommendations, together with all necessary implementing legislation in accordance with the Joint Rules, to the Legislative Council for submission in final form at

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the First Regular Session of the 112th Legislature; and be it further

ORDERED, that the Legislative Council, before implementing this study and determining an appropriate level of funding, shall first ensure that this directive can be accomplished within the limits of available resources, that it is combined with other initiatives similar in scope to avoid duplication and that its purpose is within the best interests of the State; and be it further

ORDERED, upon passage in concurrence, that a suitable copy of this Order shall be forwarded to members of the committee.

(Rep. L. Higgins)  
SPONSORED BY: \_\_\_\_\_

TOWN: Scarborough