

# MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

November 24, 1986

REVISED AGENDA

- I. CALL TO ORDER
- II. ROLL CALL
- III. SECRETARY'S REPORT
  - Minutes of October 17, 1986, Council Meeting
- IV. DIRECTOR'S REPORT
  - Item #1: Approved Step Increases
  - Item #2: Approved Out-of-State Travel
  - Item #3: Legislative Printing Contracts
  - Item #4: Recommendations for Transfer of Engrossing
- V. REPORTS FROM COUNCIL COMMITTEES
  - Item #1: Personnel Committee
  - Item #2: Committee on Allocation of Legislative Space
  - Item #3: Committee on Data and Word Processing
- VI. OLD BUSINESS
  - Item #1: Joint Standing Committee on Transportation:  
Study of Effect of Subsidies on Maine's  
Transportation Industry

VII. NEW BUSINESS

- Item #1: Submission of Interim Study Report on "The Blue Mussel Resource and Harvesting in Maine" from the Joint Standing Committee on Marine Resources.
- Item #2: Cost-of-Living Increases for Constitutional Officers
- Item #3: Request from Special Commission to Study the Utilization of Vacant Buildings at Pineland Center to extend deadline (Letter from Rep. Carroll, Commission Chair)

SARAH C. DIAMOND  
EXECUTIVE DIRECTOR  
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE  
OFFICE OF THE EXECUTIVE DIRECTOR  
LEGISLATIVE COUNCIL

DIRECTOR'S REPORT  
November 24, 1986

Approved Step Increases

Lock Kiermaier, Analyst, Office of Fiscal and Program Review,  
from Step B to Step C, effective November 5.

Grant Pennoyer, Analyst, Office of Fiscal and Program Review,  
from Step B to Step C, effective November 13.

Approved Out-of State Travel

Kevin Madigan, to attend NCSL Seminar on Current Issues in  
Criminal Justice, December 1-2, 1986.

Lars Rydell, to attend a two part workshop for state legislative  
staff on preparing oversight reports of states' policies and  
programs for reducing the rates of school dropouts and youth  
unemployment. Sponsored by NCSL, the first workshop is in  
Washington, DC, and the second in Denver Colorado.

LEGISLATIVE COUNCIL  
LEGISLATIVE PRINTING CONTRACTS  
113th LEGISLATURE

1. L.D.'s : Twin City Printery, Lewiston
2. House & Senate  
Calendars : Twin City Printery, Lewiston
3. Legislative Record  
("Horseblanket" only) : Quality Copy, Hallowell
4. Acts and Resolves : Quality Copy, Hallowell
5. House and Senate  
Registers : J.S. McCarthy

11/24/86

SARAH C. DIAMOND  
EXECUTIVE DIRECTOR  
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE  
OFFICE OF THE EXECUTIVE DIRECTOR  
LEGISLATIVE COUNCIL

November 20, 1986

Honorable John N. Diamond, Chair  
and Members of the Legislative Council  
State House  
Augusta, Maine 04333

Dear John and Members of the Council:

Following the Council's action at its October 17th meeting to transfer the engrossing function from the Secretary of State's office to the Legislature, we have met with Jim Henderson and members of his staff to work out the details of the transfer. We have agreed on the following:

Division of Duties

Legislative Staff, under the direction of the Revisor of Statutes, will assume full responsibility for the following:

- Engrossing bills
- Immediate distribution of engrossed copies
- Assignment of Chapter numbers upon the Governor's signature
- Immediate distribution of copies of chaptered laws

The Secretary of State will be the depository for the original copy of all bills signed by the Governor and provide certified copies upon request.

No legislation is required to effect these changes.

Administration

1. Staffing

The Secretary of State currently has 3 full-time positions and 4 session positions to support both the engrossing and elections functions. The transfer of the engrossing function will require the creation of additional positions.

The Secretary of State needs to retain the full-time positions to support the elections work, and proposes to fill out their year with support of his statutory responsibilities in the areas of ethics filings and boards and commissions. He will also require additional part-time help for ballot tabulation during primary and general elections.

The Legislature will require 3 full-time positions to support engrossing and the authorization to hire session employees. We propose to use the full-time engrossing positions to support the Revisor's oversight of various "session" publications, including the paperbound Session Laws and executive agencies' publication of their own statutes.

We are very fortunate that both Carrie Berry, who supervises engrossing and Jean Blair, her assistant, have expressed an interest in working in the engrossing unit. In accordance with the recently-adopted Job Classification and Pay Plan, David and I recommend the following:

- 1) That the Legislative Council authorize the creation of the permanent, full-time positions, effective December 1, 1986.

- . Supervising Engrosser  
(Salary Range 5)

- . Senior Engrosser  
(Salary Range 5)

- 2) That Carrie S. Berry be transferred to the position of Supervising Engrosser, effective December 1.
- 3) That Jean Blair be transferred to the position of Senior Engrosser, effective December 1.

## 2. Furniture

We will move the shelving and filing cabinets currently used for engrossing.

## 3. Space

The transfer of the engrossing unit creates the need for additional space.

4. Implementation

We have agreed that the transfer can be effective December 1, so that the engrossing unit will be here for the convening of the 113th. This will permit completion of the post-election work as well.

Sincerely,



Sally Diamond  
Executive Director,  
Legislative Council



David S. Silsby  
Revisor of Statutes

EXTENDING ON-LINE ACCESS TO BILL STATUS  
TO NON-GOVERNMENT ORGANIZATIONS

STATUS REPORT

November 21, 1986

The Council authorized extending access to the Legislature's "public" status system to interested members of the general public at its September meeting. John Bailey has been working with the Bureau of Data Processing since then to verify the feasibility of extending access and to define procedures for public users to obtain access. The Bureau is receptive to the idea and feels that there are no major technical obstacles.

Appropriately, the issue of security has been paramount to the Bureau's decisions about extending access to public users. The Legislature's "public" status system is one of three systems on the Bureau's IBM mainframe computer to which access rights may be granted to persons who are not state employees. In order to protect all of the other information on the mainframe, the Bureau has decided to install equipment which provides an additional level of security. This will make the status system slower and more difficult to use and, possibly, more expensive to both the user and the Legislature.

John has explored alternatives, including offering a public version of the legislative status system directly from the Wang system (using a separate computer to assure protection of all other Legislative systems). The cost of this alternative is steep: \$30,000 est.

- RECOMMENDATION:
1. That we proceed with the "pilot project" -- to extend access to a limited number of public users, but ensure that those who participate in the project have as complete information as we can give about the constraints of the system.
  2. That we evaluate the pilot project carefully at the end of the First Regular Session in order to determine what the best long term approach may be.

SENATE

CHARLES G. DOW, DISTRICT 18, CHAIR  
EDGAR E. ERWIN, DISTRICT 8  
ELVIN A. SHUTE, DISTRICT 14

CHRISTOS GIANOPOULOS, LEGISLATIVE ANALYST  
JOAN COLFORD, COMMITTEE CLERK



HOUSE

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HAROLD M. MACOMBER, SOUTH PORTLAND  
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ROGER M. POULIOT, LEWISTON  
FREDERICK F. SOUCY, KITTERY  
JEFFERY N. MILLS, BETHEL  
DONALD A. STROUT, CORINTH  
ORLAND G. MCPHERSON, ELIOT  
PAMELA L. CAHILL, WOOLWICH  
DANIEL J. CALLAHAN, MECHANIC FALLS

STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
COMMITTEE ON TRANSPORTATION

November 18, 1986

Rep. John Diamond, Chairman  
Legislative Council  
State House, Station #115  
Augusta, ME 04333

Dear Representative Diamond:

When we first made our request this spring to study the Effects of Subsidies on the Transportation Industry of Maine, we were really interested in the competitive relationship between trucks and railroads. Shortly after the study order was approved the Railroad Task Force was established ostensibly to probe deep into the questions that arise out of the policy debate about state government's involvement in the future life of the railroad system in Maine. We informed the Council at the time of adoption of legislation creating the Railroad Task Force that we were not going to proceed with our study until the Task Force started its work and generated some questions from which we could steer our inquiry.

The nature and extent of subsidy in the transportation industry is a complex question to address. State and federal support is often so fundamentally integrated into the infrastructure that makes the transportation mode possible in the first place, that it behooves us to ask precise questions about subsidy so that we can get answers that are clear, accurate and reliable. Those questions have not been asked yet and the Transportation Committee does not have the time to pose them now. We, therefore, are not sending you a final report, but we shall make another request at the conclusion of the First Regular Session to study this question again, with or without the participation of the Railroad Task Force.

*Raynold Theriault*  
Raynold Theriault  
House Chair

Sincerely yours,  
*Charles Dow*  
Charles Dow  
Senate Chair

CG/e1k/7608

SENATE

JEAN B. CHALMERS, DISTRICT 21, CHAIR  
LARRY M. BROWN, DISTRICT 7  
MELVIN A. SHUTE, DISTRICT 14

WILLIAM T. GLIDDEN, LEGISLATIVE ASSISTANT  
JANET BRIGGS, COMMITTEE CLERK



HOUSE

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SPRINGS, CHAIR  
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JAMES REED COLES, HARPSWELL  
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MAYNARD G. CONNERS, FRANKLIN  
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GUY G. SCARPINO, ST. GEORGE  
SALLY R. RICE, STONINGTON

STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
COMMITTEE ON MARINE RESOURCES

November 3, 1986

To: Legislative Council  
From: Rep. Nathaniel Crowley, Sr. *Nat/gf*  
Re: Completion of the Mussel Study

It is with great pleasure that I transmit to you twenty copies of our recent study "The Blue Mussel Resource and Harvesting in Maine."

The full committee reviewed and endorsed the recommendations of the subcommittee found on pages 1 to 3.

NC:GF:1k  
Enc.:7285

CONSTITUTIONAL OFFICERS

And STATE AUDITOR

	<u>Range</u>	<u>Step</u>	<u>Annual</u>	<u>Annual + 4%</u>
Attorney General	90	F	\$50,148.80	\$52,154.75
Secretary of State	87	G	\$44,012.80	\$45,773.31
Treasurer of State	87	E	\$39,956.80	\$41,555.07
State Auditor	88	B	\$36,275.20	\$37,726.21

11-24-86

November 17, 1986

Charles P. Pray,  
President of the Senate  
State House Station 2  
Augusta, Maine 04333

Dear Mr. President,

I am requesting your consideration of extending the December 3, 1986 deadline of the Special Commission to Study the Utilization of Vacant Buildings at Pineland Center. The Commission has concluded its work and the additional time will enable the writing and printing of the report to be completed.

Your consideration of this matter is most appreciated. Unless I hear from you or any of the other persons copied on this letter, I will assume that this extension has been granted.

Sincerely,



Donnell P. Carroll, Chairperson

cc: Governor Brennan  
John L. Martin

SENATE

THOMAS H. ANDREWS, DISTRICT 30, CHAIR  
WALTER W. HICHENS, DISTRICT 35  
DAVID T. KERRY, DISTRICT 31

TED POTTER, LEGISLATIVE ANALYST  
JANET BELANGER, COMMITTEE CLERK



HOUSE

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ARTHUR G. DESCOTEAUX, BIDDEFORD  
ELAINE LACROIX, OAKLAND  
GUY R. NADEAU, SACO  
ROBERT G. DILLENBACK, CUMBERLAND  
DONALD F. SPROUL, AUGUSTA  
ALBERTA M. WENTWORTH, WELLS  
CLYDE A. HICHBORN, LAGRANGE

STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
COMMITTEE ON STATE GOVERNMENT

November 7, 1986

The Honorable Joseph E. Brennan, Governor  
State of Maine  
State House  
Augusta, ME 04333

Dear Governor Brennan,

The Joint Standing Committee on State Government, pursuant to P.L. 1985, Chapter 594, held a public hearing on Thursday, November 6, 1986 to obtain information relating to the allocation of the state ceiling (\$250,000,000) on industrial development bonds (IDB's). This law requires the State Government Committee to develop a procedure by which the state ceiling can be allocated for an interim period in 1987. The intent of the interim allocation is to prevent the federal allocation formula from taking effect on January 1, 1987, and to allow the State to establish the allocation that it believes will best meet the particular needs of Maine.

Following the testimony of spokespeople from the agencies that issue industrial development bonds, the members of the State Government Committee unanimously recommend that the Governor of Maine in cooperation with the Governor-Elect prepare emergency legislation to be submitted to the First Regular Session of the 113th Legislature upon the convening of the Legislature on December 3, 1986.

It is the intention of the Committee that this legislation be enacted by the Legislature in December to be effective on January 1, 1987. The interim allocation will remain in effect until the Legislature approves the allocation submitted by the Governor to the Legislature no later than February 1, 1987 as required by law (P.L. 1985, C. 594).

The State Government Committee respectfully recommends that the emergency legislation submitted by the Governor and Governor-Elect to the Legislature on December 3, 1986 allocate the ceiling as unanimously proposed by the IDB issuing agencies of the State. This proposal recommends the following:

1987 Calendar Year Allocations: \$250 million available

° State GO Bonds:	\$ 20 million	
° Maine Municipal Bond Bank:	\$ 12 million	
° FAME:	\$ 50 million	(Small Issue IDBs)
° MSHA:	\$ 50 million	
° Unallocated Reserve	\$118 million	
	<u>\$ 250 million</u>	

\* The unallocated reserve of \$118 million would be allocated under the permanent allocation bill.

The allocation proposed in this recommendation, in the opinion of the State Government Committee, adequately meets the needs of these agencies. In addition, these agencies will be able to issue IDB's in early 1987 as the needs of Maine citizens arise, particularly in the area of business financing.

The State Government Committee trusts that you understand the urgency and need for the legislation that is recommended in this letter. If you have any thoughts or concerns that you wish to convey to the committee with respect to this issue, the committee is very willing to consider them and discuss the matter with you.

We appreciate your help in this matter and the assistance that you have provided to the committee in the past.

We wish you success in your office as Congressman from the First District. We praise you for the achievement of your administration which have benefitted Maine citizens.

Sincerely,

Dan A. Gwadosky  
House Chair

Thomas H. Andrews  
Senate Chair

TP/e1k/7482

cc: Legislative Council



Peter M. Siegel  
State Law Librarian

Lynn E. Randall  
Deputy Law Librarian

Rita P. Bouchard  
Principal Law Librarian

STATE OF MAINE  
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Tel. 207 289-1600

TO: Sally Diamond, Executive Director  
Legislative Council

FROM: Peter M. Siegel, State Law Librarian *PS*

RE: Distribution and Pricing of West MRSA 1986 Pocket Parts

DATE: November 24, 1986

At our last meeting, on Wednesday, November 19, you and I discussed the bill for 1,110 sets of MRSA 1986 pocket parts that has been received from the West Publishing Company. The Law and Legislative Reference Library maintains in its files a list of MRSA subscribers that was drawn up pursuant to 3 MRSA Section 173 Paragraph 3, prior to the amendments enacted by 1985 Me. Laws ch. 501. The effect of these recent amendments on the Library's document distribution function was twofold: first, the authority to fix prices for law books and to develop policy and procedures for the distribution of this material was given to the Legislative Council; second, the rather lengthy list of eligible recipients of this material was eliminated from the statute. Whatever the intended consequences of the legislation, it is my understanding that West has shipped the 1986 pocket parts as if the "old dispensation" remained in effect. I think, therefore, that it would be appropriate at this time for the Legislative Council to address the issue of establishing prices, policies and procedures to govern the sale and distribution of law books, and I would be pleased to work with the Council to achieve this end.

On a more immediate, practical note, 407 of the 1,110 sets of pocket parts were shipped to paying customers -- mainly town and county governments. In the past the State Law Librarian customarily priced pocket parts at 50% of cost, which practice, if continued, would result in \$32,560 being returned to the General Fund (407 subscriptions at \$80 each). I do require immediate approval from the Legislative Council before I instruct my staff to send out billing notices.

SENATE

THOMAS H. ANDREWS, DISTRICT 30, CHAIR  
WALTER W. HICHENS, DISTRICT 35  
DAVID T. KERRY, DISTRICT 31

TED POTTER, LEGISLATIVE ANALYST  
JANET BELANGER, COMMITTEE CLERK



HOUSE

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BRADFORD E. BOUTILIER, LEWISTON  
ARTHUR G. DESCOTEAUX, BIDDEFORD  
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ROBERT G. DILLENBACK, CUMBERLAND  
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CLYDE A. HICHBORN, LAGRANGE

STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
**COMMITTEE ON STATE GOVERNMENT**

November 18, 1986

Representative John Diamond, Chairperson  
Legislative Council  
State House, Station #2  
Augusta, ME 04333

Dear Representative Diamond,

The Joint Standing Committee on State Government, pursuant to Public Law 1985, Chapter 594, convened on November 6, 1986 to consider proposals and procedures for the allocation of the state ceiling on industrial development bonds (IDBs) for the interim period beginning on January 1, 1986. The State Government Committee received testimony from the Finance Authority of Maine, the Maine State Housing Authority, the Municipal Bond Bank, and the Office of the Treasurer.

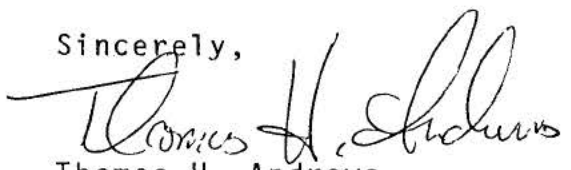
As a result of the testimony, the State Government Committee unanimously approved a proposal by which Governor Brennan with the consent of Governor-Elect McKernan would submit a bill to the 113th Legislature in December, 1986 to be acted upon in December. The bill would allocate the IDB ceiling for an interim period only in 1987 until a final bill is approved later in the First Regular Session.

Copies of the committee's letters to Governor Brennan and Governor-Elect McKernan are enclosed along with a copy of the proposal presented by the state agencies to the committee.

If you have any questions about the proposal we are willing to discuss it with the Council.

  
Dan A. Gwadosky  
House Chair

Sincerely,

  
Thomas H. Andrews  
Senate Chair

TP/e1k/7602