

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

February 10, 1987

PRELIMINARY AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

- Minutes of January 27, 1987, Council Meeting

DIRECTOR'S REPORT

REPORTS FROM COUNCIL COMMITTEES

OLD BUSINESS

NEW BUSINESS

Item #1: After Deadline Requests

SEN. CHARLES P. PRAY
CHAIRMAN

REP. JOHN L. MARTIN
VICE-CHAIRMAN



STATE OF MAINE
LEGISLATIVE COUNCIL
STATE HOUSE
AUGUSTA, MAINE 04333

SEN. NANCY RANDALL CLARK
SEN. DENNIS L. DUTREMBLE
SEN. THOMAS R. PERKINS
SEN. CHARLES M. WEBSTER
REP. JOHN N. DIAMOND
REP. DAN A. GWADOSKY
REP. THOMAS W. MURPHY, JR.
REP. EUGENE J. PARADIS

LEGISLATIVE COUNCIL

Tuesday, January 27, 1987

MEETING SUMMARY

CALL TO ORDER

The meeting of the Legislative Council was called to order in the Council Chambers by the Chairman, Charles P. Pray, at 9:10 a.m..

ROLL CALL

Senators: Sen. Clark, Sen. Dutremble, Sen. Perkins, Sen. Pray, Sen. Webster

Representatives: Rep. Diamond, Rep. Gwadosky, Rep. Paradis, Rep. Martin, Rep. Murphy

Legislative Officers:

Sally Diamond	Executive Director, Legislative Council
Peter Siegel	Law Librarian
Bent Schlosser	Director, Office of Fiscal and Program Review
Helen Ginder	Director, Office of Policy and Legal Analysis
David Silsby	Revisor of Statutes

SECRETARY'S REPORT

The minutes of the Council's January 16 and 20 meetings were approved and placed on file (Motion by Sen. Clark; second by Sen. Dutremble; unanimous).

DIRECTOR'S REPORT

No Report.

REPORTS FROM COUNCIL COMMITTEES

No Reports.

OLD BUSINESS

None.

NEW BUSINESS

Item #1: Status of the Cultural Building: Report from the Joint
Standing Committee on Audit and Program
Review

Sen. Bustin and Rep. Rolde, Chairs of the Joint Standing Committee on Audit and Program Review, had requested that this item appear on the agenda. The Committee, in the course of its review of the State Library, had met with Library staff the previous week and concluded that the asbestos abatement project was in a state of "crisis", of which the Council needed to be made aware so that it could determine whether additional action was required at this time.

The Library continues to be closed to the general public, and it appears that this will be the case for several more months. Asbestos abatement and repairs have gone far more slowly than anticipated, and the asbestos contractor's work appears to have created the need for additional repairs, including shelving.

Council members agreed to reconvene at a later time so that representatives from the Bureau of Public Improvements could be present.

RECESS

The Legislative Council recessed until 3:00 p.m.

RECONVENE

The Legislative Council reconvened at 3:10 p.m. to continue its consideration of the printed agenda.

Note: Representative Martin was absent for the reconvened session.

Item #3: Reappointment of Peter Siegel to Position of State Law Librarian

The reappointment was necessary to comply with technical requirements of the Secretary of State.

Motion: That Peter Siegel be reappointed to the position of State Librarian (Motion by Sen. Perkins; second by Sen. Clark; unanimous).

Item #4: Requests from Senator Clark

Sen. Clark raised the following issues that she had been asked to bring to the Council's attention.

- Parking during Economic Tours

Legislators' cars had been "plowed in" during the last tour. Sally Diamond agreed to work with Capitol Security and the Bureau of Public Improvements to prevent this from happening on subsequent tours.

No Council action necessary.

- Post Office

The location of the boxes in the Post Office makes some of them relatively inaccessible. Sen Pray indicated that since the Post Office was the responsibility of the Senate, he would investigate the problem and rerefer it to the Council if necessary.

No Council action necessary.

- Legislature's Drafting Policies

Many bill drafts prepared outside of the Legislature do not conform to style and format rules. Sen. Clark suggested that republication of the Drafting Manual might alleviate this problem.

The Council took no action on this item.

- Joint Resolution regarding former Governor Brennan's Desk and Chair.

Brief discussion established that, because the resolution had been introduced, this was not Council business.

The Council took no action on this item.

Item #2: After Deadline Requests

A list of the After Deadline Requests considered by the Council and a summary of the Council's action is attached.

Item #1: (Continued Discussion of the Status of the Cultural Building)

In addition to Sen. Bustin and Rep. Rolde, others present included the following:

Sen. Pearson, House Chairman, Committee on
Appropriations and Financial Affairs
Harvey DeVane, Commission of Administration
Leighton Cooney, Director, Bureau of Public
Improvements and other representatives from the
Bureau
Gary Nichols, State Librarian
Paul Rivard, Director, State Museum
Bob Tillotson, Oak Point Associates and other
representatives

Sen. Pray opened the discussion by noting that the purpose of the discussion was to inform Council members of the current status of the project:. he stressed that the Council was not the final decision-making authority with regard to this project and that any necessary legislative action should be taken by the appropriate legislative committee.

Major points of the discussion are summarized below:

- **Funding**

Sen. Pearson was invited to review for the Council the actions taken by the Legislature to fund the abatement and repair phases of the project.

\$600,000	appropriated for repairs and renovations to the building to correct the chronic leakage problem
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\$800,000	taken from the Rainy Day Fund
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He noted that the Appropriations Committee had been assured repeatedly that these funds would be sufficient to restore the Library to full use and to permanently solve the structural problems.

- **Project Planning and Management**

This issue was a recurring theme throughout the discussion. Commissioner DeVane pointed out that the project has been a high priority since asbestos was discovered in the Cultural Building. Mr. Cooney reiterated that the project had received daily attention from BPI staff. Specific points included:

- The delays in the work of the asbestos contractor and the lack of coordination among the contractors is traceable in large part to the fact that BPI had no full-time project manager, or "Clerk of the Works", for this project.

- Placing the responsibility for project management with the Library rather than BPI would not be a good precedent.
- The most critical aspect of the project - the redesign to solve the leakage problem - is still only at the conceptual stage. Although there appears to be consensus about the general approach (a "canopy"), the contractor has not yet been authorized - or funded - to complete the "detailed design". It is only upon the completion of this design phase when accurate cost estimates for project completion can be developed; thus, the total costs are not yet known.
- Design

Representatives from Oak Point Associates answered several questions from Council members regarding the "canopy approach". Points of this discussion included:

- The roof of the proposed canopy section will last 15-20 years, like any other roof.
- The original design - the plaza - was destined to have drainage problems because it had to resolve two conflicting uses - pedestrian traffic, which argued for a level surface, and drainage, which called for a "slope".
- The repatching project which is currently underway will be sufficient to allow the Library to move back in after cleanup is completed.
- Replacing the existing roof could technically be done after the Library has re-opened; however, the prudent course would be to delay moving in in the event that heavy rains were to occur during the reroofing.

- Coordination in both the design and implementation of the waterproofing and canopy projects is essential.

- Project Schedule

Estimates for reopening of the Library vary. Mr. Tillotson stated that with prompt authorization to move ahead with the detailed design of the canopy, renovations could be completed with 12-15 months.

Sen. Pray expressed appreciation on behalf of the Council to the Audit Committee for bringing the matter to the Council's attention and to all those who made themselves available on short notice to participate in the discussion.

ADJOURNMENT

The Legislative Council meeting was adjourned at 4:30 p.m.
(Motion by Sen. Clark; second by Sen. Dutremble; unanimous).

LEGISLATIVE COUNCIL

ACTION ON AFTER DEADLINE REQUESTS

FEBRUARY 10, 1987

LR 2066	An Act Relating to the Staff Needs of the Department of Educational and Cultural Services to Meet the Requirements of the Teacher Certification Laws.	TABLED
	SPONSOR: Bost, S COSPONSOR: Estes, S, s	
LR 2065	An Act to Enhance and Expand Services Provided to Victims of Sexual Assault	ACCEPTED
	SPONSOR: Clark, N COSPONSOR: Joseph, R, r	
LR 2059	An Act to Establish Visitation Rights for Siblings of a Deceased Parent	TABLED
	SPONSOR: Gwadosky, D	
LR 2060	An Act to Amend the Marriage Prohibitions Based on Consanguinity	ACCEPTED
	SPONSOR: Martin, J	
LR 2061	An Act to Amend Party Enrollment Requirements for Primary Elections	WITHDRAWN
	SPONSOR: Martin, J	
LR 2067	Resolve Reestablishing the Maine Commission on the Role of State Government in Providing Independent Living Opportunities and Services to Disabled Persons	ACCEPTED
	SPONSOR: Melendy, R.	

LR 2063	An Act Concerning Conflicts of Interest Relating to Department of Environmental Protection Employees	ACCEPTED
	SPONSOR: Murphy, E	
LR 2068	An Act to Transfer the Maine Fire Training and Education Program from the Maine Department of Educational and Cultural Services to the Maine Vocational Technical Institute System	ACCEPTED
	SPONSOR: Perkins, T	
LR 2064	An Act Relating to the Membership of the Waldo County Budget Committee	ACCEPTED
	SPONSOR: Stevenson, D	
LR 2062	An Act to Amend the Chemical Substance Identification Law.	ACCEPTED
	SPONSOR: Taylor, P	
LR 2070	AN ACT to Provide Wildlife Education for Secondary Students in Maine	ACCEPTED
	SPONSOR: Duffy, T.	
LR 2071	AN ACT to Include the Tacoma Lakes in the Valuation of the Cobbossee Watershed District	ACCEPTED
	SPONSOR: Davis, L.	

TABLED AFTER DEADLINE REQUESTS

February 10, 1987

LR 2036 AN ACT to Increase the Appropriation
 to Municipal School Districts for
 the Purchase of School Buses

SPONSOR: Lord, Rep. Willis

LR 2020 AN ACT to Exempt Federal Employee
 Pensions from the State Income Tax

SPONSOR: Tuttle, J.

LR 2021 AN ACT Concerning Gaming

SPONSOR: Tuttle, J.

LR 2022 AN ACT Concerning Local Health
 Board Approval of Special Wastes
 Disposed of in Local or
 Commercial Landfills