

MAINE STATE LEGISLATURE

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SEN. KEVIN L. RAYE
CHAIR

REP. ROBERT W. NUTTING
VICE-CHAIR

EXECUTIVE DIRECTOR
DAVID E. BOULTER



SEN. JONATHAN T. E. COURTNEY
SEN. BARRY J. HOBBS
SEN. DEBRA D. PLOWMAN
SEN. JUSTIN L. ALFOND
REP. PHILIP A. CURTIS
REP. EMILY ANN CAIN
REP. ANDRE E. CUSHING III
REP. TERRY HAYES

125TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

**MEETING OF LEGISLATIVE COUNCIL
JUNE 16, 2011
12:15 PM
REVISED AGENDA**

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Action

CALL TO ORDER

ROLL CALL

**1 SUMMARY OF THE JUNE 3, 2011 MEETING OF
THE LEGISLATIVE COUNCIL (Revised)**

Acceptance

OLD BUSINESS

5 Item #1: Council Actions Taken By Ballot (No Action Required)

NEW BUSINESS

**Item #1: Review of Legislative Studies
(separate handout)**

Roll Call Vote

**6 Item #2: VoIP Telecommunications System – Recommendation
(Scott Clark, Director, Office of Information Technology)**

Decision

8 Item #3: Consideration of After Deadline Requests

Roll Call Vote

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

SEN. KEVIN L. RAYE
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125TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

MEETING SUMMARY
June 3, 2011

CALL TO ORDER

Legislative Council Chair, Senate President Raye called the June 3, 2011 special meeting of the Legislative Council to order at 5:57 P.M. in the Legislative Council Chamber.

ROLL CALL

Senators: President Raye, Senator Courtney, Senator Plowman, Senator Hobbs, Senator Alfond

Representatives: Speaker Nutting, Representative Curtis, Representative Cushing, Representative Cain

Absent: Representative Hayes

Legislative Officers: David E. Boulter, Executive Director of the Legislative Council
Patrick Norton, Director, Office of Policy and Legal Analysis
Grant Pennoyer, Director, Office of Fiscal and Program Review
Suzanne Gresser, Revisor of Statutes
Scott Clark, Director, Legislative Information Technology
John Barden, Director, Law and Legislative Reference Library
Beth Ashcroft, Director, Office of Program Evaluation and Government Accountability
Rose Breton, Legislative Finance Director

Senate President Raye convened the meeting at 5:57 P.M. with a quorum of members present.

SUMMARY OF MAY 26, 2011 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary of May 26, 2011 be accepted and placed on file. Motion by Senator Courtney. Second by Representative Cushing. **Motion passed unanimous.** (9-0, with Representative Hayes absent)

NEW BUSINESS

Item #1: Review of Final Legislative Budget

Executive Director Boulter and Legislative Finance Director Breton reviewed for the Legislative Council the Budget Subcommittee's recommendations for the Legislature's FY2012/2013 budget. \$3,494,090 of savings result from the Legislature's component of statewide deappropriations already included in the Governor's proposed budget; this amount is subject to change based on decisions by the Appropriations Committee. A second component of General Fund savings totals \$4,463,606 representing additional savings not already accounted for in the proposed budget. Together these components total \$8,876,520. However, the Budget Subcommittee also recommended a new appropriation to the Bureau of Capitol Police in the amount of \$546,123 thus reducing the net savings to \$8,330,397. The new appropriation would be used to hire officers to operate security screening equipment and increase security in the State House. Legislative Finance Director Breton concluded by explaining each component of a proposed motion by the Budget Subcommittee that was distributed to the Legislative Council members.

[Note: Subsequent to the June 3rd meeting, the Appropriations Committee voted changes that resulted in reducing overall savings to legislative accounts to \$8,126,054. As a result of those changes made subsequent to the June 3rd meeting, the net savings are \$7,579,931.]

The motion as presented was moved by Speaker Nutting, seconded by Representative Curtis.

Senator Alford expressed his concern about increasing state appropriations for security in this time of economic uncertainty and when there are so many other state priorities competing for funding in the biennial budget. He commented that he felt that the State House already has heightened security, that he has not felt threatened, and that increasing security costs is not necessary at this time.

Senator Courtney stated that when one looks at the totality of the budgetary savings in the Legislative accounts, the expenditure for increasing security in the State House is reasonable, and the additional security measures are necessary.

Speaker Nutting concurred and noted that there are components of the Legislative budget with which individual members may be uncomfortable, but the Budget Subcommittee developed and presented its recommendation reflecting its best judgment.

Senator Plowman stated that she supports increasing building security and reminded Legislative Council members that each of the 3 threat assessments conducted on the State House has recommended measures that are consistent with this new funding proposal.

President Raye commented that the nation's Capitol and even the federal building in Augusta have extensive security/screening measures in place, and that increasing security would be in keeping with other state capitols. The budget proposed is not extreme when viewed in light of the security issues and threats in this day and age. He reiterated that the Legislative Council has a responsibility to protect the safety of people who enter the State House. He concluded by stating this budget action on security is the responsible action to take.

Senator Hobbins questioned whether this proposed security expenditure would be exempted from budget reductions had it already been part of the existing budget. He suggested that it likely would be subject to a budget cut.

Representative Cain commented that it is appropriate to articulate a philosophical perspective on the security matter, a perspective that was expressed by Legislative Council members during the discussions of the State House Facilities Committee and the Budget Subcommittee. It does not necessarily reflect opposition to the budget, but instead a statement of priorities. The Budget Subcommittee's recommendation reflects compromise, as it should.

President Raye agreed.

Motion: That upon the recommendation of the Budget Subcommittee, the Legislative Council approve General Fund budget savings totaling \$4,463,606 to be achieved in legislative accounts during the 2012-2013 biennium through a combination of General Fund deappropriations and by lapsing funds to the General Fund in accordance with the subcommittee's recommendations;

FURTHER, that upon the recommendation of the Budget Subcommittee, the Legislative Council approve a General Fund appropriation in the amount of \$244,974 in fiscal year 2011-12 and \$301,149 in fiscal year 2012-13 to the Bureau of Capitol Police for the express purpose of hiring law enforcement and security officers to fully provide security screening and law enforcement presence on a full-time basis in and in the immediate vicinity of the State House;

FURTHER, that upon the recommendation of the Budget Subcommittee, the Legislative Council approve adjustments related to the Legislature's share of the statewide deappropriations from changes to future state pension obligations, changes to future retiree health insurance obligations and a recalculation of the baseline pension budget. These adjustments remove the value of the projected savings calculated for the Legislature from the statewide deappropriations and place them in the appropriate legislative programs. These adjustments do not affect the overall statewide savings to be achieved as a result of these proposals;

FURTHER, that upon the recommendation of the Budget Subcommittee, the Legislative Council implement Personal Services cost savings measures regarding step increases and longevity stipends affecting legislative employees, consistent with measures recommended by the Joint Standing Committee on Appropriations and Financial Affairs for Executive and Judicial Branch employees and reflected in its committee amendment;

FURTHER, that upon the recommendation of the Budget Subcommittee, the Legislative Council approve the subcommittee's recommended language pertaining to the suspension of the COLA for legislators, clarification of the attrition rate for the 2012-2013 budget and clarification of the scope of the duties of the Streamline and Prioritize Core Government Services Task Force; and

FURTHER, that the Executive Director be directed to prepare and transmit all necessary implementing language reflecting this decision of the Legislative Council to the Joint Standing Committee on Appropriations and Financial Affairs on behalf of the Legislative Council for inclusion in the committee amendment to the Governor's 2012-2013 budget bill. Motion by Speaker Nutting. Second by Representative Curtis. **Motion passed. (8-1, with Senator Alford opposed and Representative Hayes absent)**

ANNOUNCEMENTS AND REMARKS

President Raye remarked that he appreciated the discussion today and the manner in which the Legislative Council members approached the budget and building security issues.

The Legislative Council meeting was adjourned at 6:26 P.M. on a motion by Speaker Nutting, seconded by Representative Cain. **Motion passed unanimous (9-0, with Representative Hayes absent).**

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**Legislative Council Actions
Taken by Ballot Since the
June 3, 2011 Council Meeting**

Request for Introduction of Legislation

A. LR 2212 **An Act to Provide Further Improvements to Maine's Health Insurance Law**


Submitted by: Representative Wesley Richardson
Approved: June 15, 2011 Vote: 9 - 1 in favor

B. LR 2213 **An Act to Ensure Local Control with Respect to Gaming Facilities**

Submitted by: Senator Kevin Raye
Approved: June 16, 2011 Vote: 9 - 1 in favor

Memorandum

To: David Boulter, Executive Director

From: Scott Clark, Director, Information Services 

Date: June 16, 2011

Re: VOIP final review phase

The evaluation of the VOIP proposals is moving forward. Two of the six initial vendors remain as viable options.

In the first phase of review six proposals were received and compared to the requirements in the request for proposal. In particular the technical elements, features and the preliminary pricing were reviewed to determine if the system appeared to be able to work in our environment while providing a savings. Based on that review three of the six submissions were moved forward for further review by a IT team and a Features Team authorized by Legislative Council to assist in that second level of review.

In the second phase of the review a technical team from the IT office met with each of the three vendors. The goal was to discuss the technical details with the vendors to ensure the proposed system will work. Vendors were also asked about any assumptions they made while developing the proposals. They were also asked to explain what appeared to be minor inconsistencies or minor omissions in their proposals. Following that meeting each vendor met with the Features Team to make sure the proposed system will meet the users' needs. Following those meetings the vendors were ask to submit any pricing changes needed based on the conversations. Following those meetings and receipt of any clarifying information the references provided by the vendors were contacted.

Based on the second phase of the review I am recommending moving forward with two of the three proposals for final consideration. The third vendor offered a solution much like one of the remaining two vendors, but at a significantly higher cost. The remaining two vendors offer different technical approaches, different connection methods, different equipment and different user interface software so there are choices.

Our evaluation of both proposals indicates they are technically sound, satisfy the feature requirements, have positive references and will cost less than our current service. The estimated cost is \$2,000 to \$3,000 per month less than the Legislature currently pays while providing significantly better telephone features. We anticipate additional savings from the in-state long distance calling plans each proposal offered.

Based on the evaluation of the two vendors, I recommend the Legislative Council authorize the Information Technology Office move forward with the procurement of a VOIP phone system to replace the 25+ year old existing system. The next steps include a discussion between the vendors and a management team to determine the final details of the system. The Information Technology Director and the Executive Direct will then negotiate a contract with lead vendor and present it to the Legislative Council for approval at a future meeting.

LEGISLATIVE COUNCIL
AFTER DEADLINE REQUESTS TO INTRODUCE LEGISLATION
FIRST REGULAR SESSION 125th LEGISLATURE
As of: June 16, 2011

TABLED BY THE LEGISLATIVE COUNCIL

		Action
SPONSOR: LR 2183	Rep. Cebra, Richard M. An Act To Protect Maine's Border Businesses	TABLED 05/27/11
SPONSOR: LR 2155	Sen. Trahan, A. David An Act To Ensure the Compensation of Public Employees Who Are Injured Due to Acts of Violence of Patients or Prisoners in Their Custody	TABLED 04/28/11
SPONSOR: LR 2139	Rep. Turner, Beth P. An Act To Reform the Land Use Regulation Commission	TABLED 04/28/11