

MAINE STATE LEGISLATURE

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APPROVED AND PLACED ON
FILE AUGUST 13, 1984

LEGISLATIVE COUNCIL

July 11, 1984

CALL TO ORDER

A meeting of the Legislative Council was held in the State Government Committee Chambers, Room 334, and called to order by Chairman Charles P. Pray at 11:15 a.m.

ROLL CALL

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

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

Legislative Officers and Staff:

Sally Diamond - Legislative Administrative Director
Catherine Atchley - Law Librarian
Helen Ginder - Legislative Assistants Director

SECRETARY'S REPORT

MOTION

Rep. Mitchell moved that the minutes of June 21, 1984 be approved and placed on file.

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

DIRECTOR'S REPORT

The Legislative Administrative Director, Sally Diamond, submitted her report to the Council outlining step increases and out-of-state travel for legislative employees.

MOTION

Rep. Martin moved that the report be approved.

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

Ms. Diamond also presented a progress report on the State House Masonry Restoration Project for which funds were appropriated in the Legislature's fiscal year 1985 budget. The Advisory Committee on State House Restoration has recommended that a contract, not to exceed \$5,000, be negotiated with Preservation Technologies, Inc., of Boston to provide professional services for the survey, chemical analysis and development of recommendations for the necessary work in conjunction with the State House masonry restoration project.

MOTION

Rep. Martin moved that the recommendation be approved.

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

The resignation of Carol Jackson from the Office of Legislative Assistants was submitted to the Council. Approval was requested to fill the position on a temporary basis.

MOTION

Rep. Martin moved that the resignation be accepted and that the position be filled on a temporary basis.

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

COUNCIL COMMITTEE REPORTS

Committee on Data and Word Processing

A recommendation was made that the Legislature purchase software from the Data Retrieval Corporation. This software has been used by the Legislature since 1981 under a lease agreement. The recommendation for conversion to purchase is based on recently announced significant reductions in purchase price and the conclusion that the Data Retrieval software is the best alternative currently available for the functions it supports.

MOTION

Rep. Martin moved that the recommendation be approved.

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

STUDY REQUESTS

A request was received from the Joint Select Committee on Alcoholism Services to hold a series of committee meetings in Augusta.

MOTION

Rep. Mitchell moved that 1 full committee meeting and 1 subcommittee meeting be approved.

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

ADJOURNMENT

MOTION

Rep. Mitchell moved that the Council meeting be adjourned at 11:30 a.m.

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



MAINE STATE LEGISLATURE

Augusta, Maine 04333

DIRECTOR'S REPORT

July 6, 1984

Approved Step Increases

(Note: All figures below include the 3½% cost-of-living increase which took effect July 1.)

Law Library

Jane Edwards, Associate Law Librarian
From \$20,722 to \$21,702
Effective July 18

Legislative Finance Office

Janice Anderson, Secretary
From \$12,537 to \$12,926
Effective July 16

James Clair, Budget Analyst
From \$20,186 to \$21,404
Effective July - (Completion of 6 month probationary period)

Timothy Leet, Budget Analyst
From \$20,186 to \$21,404
Effective July 4

Richard Sawyer, Assistant Finance Officer
From \$27,360.47 to \$28,619
Effective July 17 (Completion of 6 month probationary period)

Maine-Canadian Legislative Advisory Office

Donat Boisvert, Director
From \$22,118 to \$23,223
Effective July 16

Office of Legislative Assistants

Helen Ginder, Office Director
From \$41,252.12 to \$44,791
Effective July 1

Legislative Administrative Office

Sally Diamond, Legislative Administrative Director
From \$41,012 to \$43,024
Effective July 31

Approved Out - of - State Travel

The following staff will be attending all or part of the NCSL meeting in Boston. There is a daily registration fee, which will allow a number of staff to attend a workshop of particular relevance to their work.

Office of Legislative Assistants

Helen Ginder
Martha Freeman
Christos Gianopoulos

Legislative Finance Office

Bent Schlosser
Janet Waldron

Legislative Research

Meg Matheson

Law Library

David Rabasca	July 23-24
Bob Michaud	July 23-24

Legislative Administrative Office

John Bailey	July 24-25
Sally Diamond	

STATE HOUSE MASONRY RESTORATION PROJECT
PROGRESS REPORT

Background

As you know, \$285,000 was included in the Legislature's budget for FY 1985 to undertake a comprehensive program of repainting and cleaning the exterior walls of the State House. The project has become increasingly important as evidence of damage from moisture has spread through many areas of the State House.

Inclusion of funds for such a major capital project on a historical landmark in an agency budget seems to represent a departure from precedent: normally, these funds are appropriated directly to BPI, and BPI directs all phases of the work.

Progress to Date

Two major steps have been taken since the end of the Session.

1. Involvement of Masonry Preservation Specialist

In consultation with Earle Shettleworth, Director of the Historic Preservation Commission, and Leighton Cooney, we decided that it would be important to involve an expert in masonry preservation in developing the scope and specifications for the contract bid. Earle provided the names of three preservation experts. All three were contacted: one never responded; a second was unable to schedule additional work this summer due to other commitments.

We invited the third, Dr. Judith Selwyn, Preservation Technologies, Inc., Boston, to come to Augusta to survey the building and to discuss the scope of the work. Dr. Selwyn and her associate, Bill Finch have now made two trips to Augusta. The results of their work to date are summarized below.

2. Formation of Advisory Committee

At Leighton's suggestion, we have formed a small Advisory Committee with the primary objective of bringing together those who have a particular historical or technical expertise that bears on the project. A list of the members of this Committee is attached.

Summary of Findings

Judy Selwyn and Bill Finch have reviewed blueprints and drawings for the original Bullfinch building and the two subsequent additions in 1898 and 1909. They have been in the dome, on the roof, up the fire escapes, up in a bucket truck, and explored crawl spaces known only to a few. Their primary objective has been to identify the root cause of the moisture damage that is particularly evident in both chambers and in many of the fourth floor rooms. Their preliminary findings and conclusions include:

1. Source of Moisture Damage

The primary problem is the top six feet of masonry below the roof, or the upper parapet, which was added in the 1909 construction. There are downspouts in the roof but they appear to be too far back from the roof edge so that too much water collects in front of them and cascades over the sides of the roof. The roof itself is sound.

Recommendation:

There is consensus among the consultants and members of the Advisory Committee that addressing the moisture problem is the top priority for the work schedule and the funds available.

Dr. Selwyn and Mr. Finch will recommend alternative approaches in their report, and BPI is working on the problem too. The solution will probably involve some combination of the following:

- Altering the pitch of the roof to direct more of the water to the existing downspouts
- Additional flashing
- Waterproofing the horizontal projections.

Dr. Selwyn has stressed repeatedly that even after the work to avert further moisture damage has been completed, we can anticipate more evidence of damage on the interior surfaces of the building. In many places, the granite blocks are moist throughout; and it may take as much as a year for these to dry out. In the drying process, some of the moisture will evaporate, but some will continue to travel through the plaster. Thus, any replastering and painting that is done now, particularly in the known trouble spots will certainly have to be redone.

2. Repointing

Although there has been selective repointing all over the exterior, this has been done on a "bandaid" basis and not as part of an ongoing, planned maintenance program. Dr. Selwyn and Mr. Finch have found hairline cracks between the mortar and the granite blocks all over the building. In addition, the mortar that has been used does not permit the flexibility that is required to keep the joints from cracking. They believe that the repointing portion of the work is fairly straightforward.

Recommendation:

Undertake a comprehensive repointing project which involves the following:

- Thoroughly cleaning out old joints
- Removal of existing surface membranes
- Vertical repainting

3. Cleaning

Dr. Selwyn has conducted masonry cleaning tests on all three phases of the building. In her estimation, cleaning will also be a straightforward task: the dirt on the building is general atmospheric pollution and runoff from the roof. She has pointed out that cleaning will produce a definite change in the appearance of the building, leaving it brighter and "starker".

Recommendation:

The Consultant's report will include recommendations regarding the cleaning material and process. A chemical and water solution should be used, and, based on the tests, a fairly low concentration will be sufficient. The use of abrasives (blasting) is not recommended as it damages the surface of the stone.

4. "Waterproofing"

The consultants have recommended that waterproofing i.e., application of a sealant, be used only on the joints, which is where water penetration will occur if it occurs at all. Use of a sealant on the granite itself would discolor the granite and retard the stone's ability to expel moisture.

Next Steps

Dr. Selwyn and Mr. Finch are preparing a written report which will include recommendations for treatment of the moisture problem, repointing and cleaning. Parts of this report will be used in preparing the specifications for the contract bid request. In the meantime, BPI has issued a Pre-Qualification notice for prospective bidders which requests information regarding prior comparable work, references for that work, and the company's financial condition. Again, time is a major factor.

The goal is to award a contract by the end of August for work to begin in September.

It is fairly clear that the actual work that needs to be done is more extensive than can be completed in the time between now and November and within the amount that has been appropriated. Thus, it will be extremely important to establish absolute priorities for the work to be completed this fall. Based on the study to date, these include the work on the upper parapet, including masonry repair, downspouts, gutters and flashing. There is general agreement that, if possible, work should begin on both the House and Senate ends so that the worst moisture problems can be arrested before winter.

Attachments

7/11/84

ADVISORY COMMITTEE ON
STATE HOUSE RESTORATION

Hon. John L. Martin *
Speaker of the House

Hon. Frank Wood
Maine Senate

Walter Anderson
State Geologist/Director Maine Geological Survey

Earle J. Shettleworth, Jr.
Director, Historic Preservation Commission

David Silsby
Director, Legislative Research

Leighton Cooney
Director, Bureau of Public Improvements

Arvah Lyon
Chief, Professional Services Division

James Goulet
Ass't. Superintendent of Buildings

Sarah C. Diamond
Legislative Administrative Director

* Alternate: Edwin H. Pert, Clerk of the House, 289-2866

THIS AGREEMENT entered into the 29th day of June 19 84.
by and between the State of Maine through _____
hereinafter called the Owner and Preservation Technology Associate
hereinafter called the Designer.

WITNESSETH, that

WHEREAS: The Owner has been authorized to have the Designer
provide professional services for survey, chemical analysis and development
of recommendations for the necessary work in conjunction with the State
House Masonry Restoration Project at the State House, Augusta, Maine
Project No. 1050-1037 said services to be performed as enumerated below:

SEE ATTACHMENT "A"

NOW THEREFORE the Owner and the Designer for considerations
hereinafter named, agree as follows:

1. That the Owner will pay the Designer for the services
enumerated above, the following fees (If lump sum, or percentage of
construction costs, so state):

\$50 per hour and pertinent expenses
2. The total of the fees, including any pertinent expenses, shall not
exceed the sum of \$ 5,000.
3. Payments to the Designer may be made monthly in proportion
to work performed, if fee is a lump sum, or percentage of construction
cost or upon the submission of itemized invoices when the fee is on a
cost basis.
4. That the Designer will provide the services enumerated in this
Agreement and submit to the Owner the final documents and/or reports
on or before _____ 19 ____.

ATTACHMENT "A"

Technical analysis of the condition of the parapet, cornices and upper section of the building with the objective of producing a detailed analysis of the current condition of this portion of the building.

Recommendations regarding appropriate methods for cleaning the stone.

Recommendations regarding the proper mortar to use in repointing.

Brief summary description of other areas of the masonry recommended for further study.

Written and illustrated report summarizing analysis and providing recommendations which may be used as a basis for developing plans and specifications for preservation work.

HOLD HARMLESS. The Designer hereby indemnifies the State, the Owner and their officers, agents and employees:

- A. against any liabilities, claims and demands for personal injury or property damage arising out of or caused by any negligent act or omission of Designer, its subcontractors, agents or employees in connection with the performance of this contract; and
- B. against claims and losses accruing, or resulting to any and all of Designer's subcontractors, agents, employees and any other persons, firms, corporations or other legal entities supplying labor, services or materials to Designer in connection with the performance of this contract; and
- C. against any liability, including costs and attorneys' fees, for violation by the Designer, its subcontractors, agents and employees, of proprietary rights, copyrights, or rights of privacy, arising out of the publication, translation, reproduction, delivery, performance, use or disposition of any data furnished under this contract or based on any libelous or other unlawful matter contained in such data.

ARTICLE V - DESIGNER agreement re: Title 5, Chapter 65, Code of Fair Practices and Affirmative Action Section 784.

During the performance of this contract, the Designer agrees as follows:

- A. The Designer will not discriminate against any employee or applicant for employment because of race, color, religious creed, sex, national origin, ancestry or age. Such action shall include, but not be limited to, the following: Employment, upgrading, demotions, transfers, recruitment or recruitment advertising; layoffs or terminations; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
- B. The Designer will, in all solicitations or advertisements for employees placed by or on behalf of the Designer, state that all qualified applicants will receive consideration for employment without regard to race, color, religious creed, sex, national origin, ancestry or age.

- C. The Designer will send to each labor union or representative of the workers with which he has a collective or bargaining agreement, or other contract or understanding, whereby he is furnished with labor for the performances of his contract, a notice, to be provided by the contracting department or agency, advising the said labor union or workers' representative of the Designer's commitment under this section and shall post copies of the notice in conspicuous places available to employees and to applicants for employment.
- D. The Designer will cause the foregoing provisions to be inserted in all contracts for any work covered by this agreement so that such provisions will be binding upon each subcontractor.

The parties hereto agree to the full performance of the Covenants contained herein.

IN TESTIMONY THEREOF, the parties hereunto have set their respective hands and seals the day and year first above written.

Witnessed By:

STATE OF MAINE

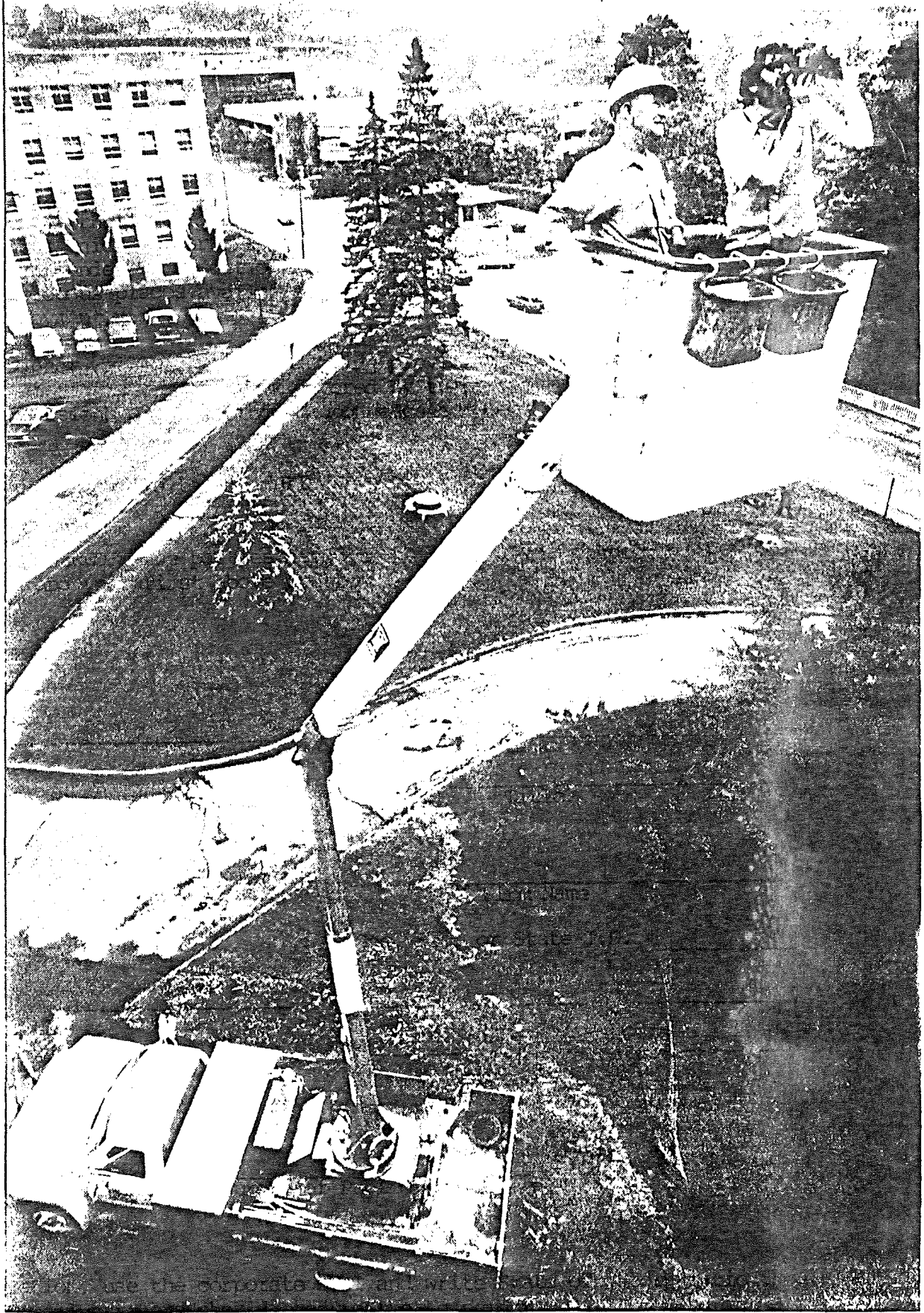
_____ By: _____

 _____ Title _____

 _____ Firm Name _____
 Soc. Sec. or State I.D. # _____
 _____ By: _____
 _____ Title _____

Approved By: _____
 Director, Bureau of Public Improvements

If a corporation, use the corporate seal and write State of Incorporation.
 If a partnership, all partners should execute the Agreement.



✓ KJ 630 p.1
**Close-up
inspection**

Architect Bill Finch of Boston, a preservation specialist from Historic Technologies Inc., gets a 50-foot lift Friday to photograph the State House roof and masonry Friday. The inspection is designed to reveal the source of water leaks that are a continuing problem; later this year, the company will begin long-neglected masonry repairs, paid for by a \$285,000 appropriation by the 111th Legislature. At the controls is Oliver Wheeler of the Department of Transportation. (Staff photo by Fred Field)

Sarah C. Diamond
Legislative Administrative Director



MAINE STATE LEGISLATURE

Augusta, Maine 04333

June 22, 1984

TO: Members of The Committee on Data and Word Processing
FROM: Sally Diamond *Sally*
SUBJECT: Bill Drafting and Statutory Retrieval Software

As you know, we rent software from Data Retrieval to support our bill drafting and statutory retrieval systems. In our review of the Legislature's data and word processing needs last summer, we considered whether or not to purchase this software and concluded that with a price tag of more than \$300,000 it is important to explore other alternatives for supporting bill drafting and statutory retrieval.

Data Retrieval has just announced substantial reductions in the purchase prices for the software we use, to the point that continued rental of the software and the fees we will pay Data Retrieval through the end of the next biennium would exceed the new purchase price.

	Old Purchase Price	New *
ALTER	\$151,412 *	\$135,912
SIRS	\$ 50,328 *	\$ 62,328
CREATE UPDATE	\$ 89,500	**
	<u>\$291,240</u>	<u>\$198,240</u>

* With accrued rental credits

* * Price includes Create Update

The decision to purchase would require the appropriation of additional funds in Fiscal Year 1985 (approximately \$60,000). The balance is already included in the budget for rental of the same software. This additional amount would be more than offset by the second year's rentals.

In summary my recommendation to convert from rental to purchase is based on three major factors:

1. Cost: purchase is more cost effective than rental even in the year term (2 years).
2. System effectiveness: overall the software handles drafting and retrieval better than anything else currently available.
3. Integration with Wang computer system: we are now able to use Wang workstations for drafting and statutory retrieval. In addition, Data Retrieval is presently developing a direct Wang - ALTER interface which may be applicable to our situation.

I wanted to present this issue and recommendation to you in advance of the next Council meeting. Mike has suggested that the Committee meet on July 11 prior to the Council meeting to see if there is consensus on the purchase decision.

Please call me if you have any questions. We will confirm the exact meeting time later.

Have a good weekend.

SCD/tl
cc: David Silsby
John Bailey