

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL
May 11, 1994
REVISED AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

Summary of March 7, 1994, Council Meeting

EXECUTIVE DIRECTOR'S REPORT

Item #1: Interim Studies: List and Staffing Assignments

Item #2: Progress Report on State House Repair and Restoration
Projects

Item #3: NCSL Skills Development Seminar

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

Committee on TQM in the Legislature

OLD BUSINESS

NEW BUSINESS

Item #1: Vietnam Veterans Memorial

- a. Report from State House and Capitol Park Commission
(Letter from Earle Shettleworth, Chair, enclosed).
- b. Request to Have a Ceremony at the Memorial

Item #2: Notification from the Department of Conservation of a
Transfer of Land (letter from Susan J. Bell, Director,
Maine Forest Service).

Item #3: Transfer of Funds to the Reserve Fund for State House
Preservation and Maintenance pursuant to statute
(Chapter 54, P & S, 1993)

Item #4: Proposed Work Plan for Joint Standing Committee on Audit & Program Review (memo from Sen. Cleveland and Rep. Erwin, Committee Chairs).

Item #5: NCSL Legislative Staff Management Institute: Application by Millie MacFarland, Assistant Clerk of the House.

Item #6: Proposal to Further Automate Operations in the Senate and House Chambers.

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

Lynn Randall
Legislative Council Info.



REP. DAN A. GWADOSKY
CHAIR

SEN. DENNIS L. DUTREMBLE
VICE-CHAIR

STATE OF MAINE

116th LEGISLATURE

LEGISLATIVE COUNCIL

J. DONALD E. ESTY, JR.
N. PAMELA L. CAHILL
SEN. BEVERLY MINER BUSTIN
SEN. DAVID L. CARPENTER
REP. PAUL F. JACQUES
REP. WALTER E. WHITCOMB
REP. PATRICK E. PARADIS
REP. STEPHEN M. ZIRNKILTON

SARAH C. TUBBESING
EXECUTIVE DIRECTOR

March 7, 1994

MEETING SUMMARY

Approved May 11, 1994

CALL TO ORDER

The Chair, Speaker Gwadosky, called the Council meeting to order at 1:13 p.m. in Room 437 of the State House, the Legal Affairs Committee Room.

ROLL CALL

Senators: President Dutremble, Sen. Esty, Sen. Cahill, Sen. Bustin, Sen. Carpenter

Representatives: Speaker Gwadosky, Rep. Jacques, Rep. Whitcomb, Rep. Paradis, Rep. Zirnkilton

It should be noted that all members were present at some point during the meeting; however, some were not present for the votes on all items.

Legislative Officers: Sally Tubbesing, Executive Director, Legislative Council
Lynn Randall, State Law Librarian
Grant Pennoyer, Principal Analyst, representing the Office of Fiscal and Program Review
Martha Freeman, Director, Office of Policy and Legal Analysis
Margaret Matheson, Revisor of Statutes
Joy O'Brien, Secretary of the Senate
Joseph Mayo, Clerk of the House

SECRETARY'S REPORT

The Summary of the February 9 Council meeting was approved and placed on file. (Motion by Rep. Paradis; second by Rep. Jacques; unanimous).

EXECUTIVE DIRECTOR'S REPORT

None.

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

Speaker Gwadosky, Committee Chair, reported that the Committee had met on Thursday, February 17, for the purpose of conducting a performance review with John Wakefield in conjunction with his reappointment to the position of Office Director. Speaker Gwadosky noted that the Committee was unanimous in its support of John's reappointment and in their appreciation of his dedication to the Legislature and his commitment to supporting the continued evolution of the budget process. He noted that Mr. Wakefield was not in attendance at the meeting because he was staffing a work session of the Taxation Committee.

Motion: That John Wakefield be reappointed as Director of the Office of Fiscal & Program Review, and that this appointment be retroactive to his anniversary date. (Motion by Speaker Gwadosky; second by Rep. Jacques; unanimous).

Committee on State House Space

In the absence of the Committee Chair, President Dutremble, Speaker Gwadosky reminded Committee members that they would meet, as previously scheduled, at 2 p.m. in the President's Office.

OLD BUSINESS

None.

NEW BUSINESS

Item #1: Submission of Reports pursuant to Statute

- Maine Harness Racing Commission Annual Report for 1993. (submitted by Philip M. Tarr, Chair, pursuant to 8 MRSA § 267).

- Violence Among Children, Adolescents and Young Adults in Maine: Part I (submitted by the Division of Maternal and Child Health, Department of Human Services pursuant to Resolves of 1993, Chapter 22).

Motion: That both reports be accepted and placed on file. (Motion by Sen. Esty; second by Rep. Jacques; unanimous).

Item #2: Requests for Introduction of After Deadline Bills

Before proceeding with the list, the Chair, Speaker Gwadosky, asked Meg Matheson to give a brief report regarding the status of bill drafting in her office. Ms. Matheson responded that her office still had custody of 9 "live" bills, all of which were Governor's bills, and noted that some of these had been delivered in final form to the Governor's Office. She reported that the focus of her office has now shifted to processing committee amendments and that, because her staff had not had to juggle both amendments and new bills at the same time, the turnaround on amendments had been good. Martha Freeman added that there were approximately 310 bills remaining in committee and that committees had yet to complete their work on about 220 of these bills.

The Chair, Speaker Gwadosky, noted that he viewed it as "remarkable" that drafting of initial bills was virtually complete given that the Revisor's Office had been understaffed for most of the session, and again complimented the staff offices on the teamwork that had gotten the Legislature to this point. He reiterated that it was the intention of both the presiding officers to have no committee meetings the week of March 14, noting that this recess was important if the system was to work efficiently. In response to questions from Rep. Paradis regarding the impact of having committees meet that week, Ms. Freeman reported that the need to continue to sit with committees would delay her staff's drafting of amendments. Rep. Jacques then asked for clarification that the goal of the recess is to have committee amendments on the Calendar when the Legislature resumes on March 22, and the Chair replied that this was indeed the goal.

The Council then proceeded to consider after deadline requests. The Council's action on these requests is summarized on the attached list.

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

The Council meeting was adjourned by the Chair at 2:45 p.m.

**116th MAINE LEGISLATURE/SECOND REGULAR SESSION
STATUTORY STUDIES TO BE STAFFED THROUGH THE
LEGISLATIVE COUNCIL**

Commission/Study	Membership	Staff	Funding	Report
Healthy Start Task Force (continuation) (Resolves, Chapter 54)	14 members, including 2 legislators	DHS OPLA: Jane Orbeton	DHS to absorb costs	12/15/94
Review and Study of Statutory Changes in the Tree Growth and Open Space Laws (P.L., Chapter 576)	Taxation Committee subcommittee	OFPR: Locke Kiermaier OPLA: Julie Jones (legal)	None	11/1/94
Committee to Study the Operations of the Baxter School (P.L., Chapter 508, Part D)	10 members, including 2 legislators	Dept. of Ed OPLA: Marion Barr (Drafting only)	\$ 2,360 (GF)	10/17/94
Biennial Review of Sales Tax Exemptions pursuant to (36 MRSA § 197 et seq.)	Taxation Committee	OFPR	---	1/95
Commission to Study Biotechnology & Genetic Engineering (Resolves, Chapter 72)	15 members, including 2 legislators	OPLA: Roy Lenardson Deb Friedman (legal)	\$ 7,380 (GF)	12/1/94
Public Participation Team (P.L., Chapter 738)	7 members, including 5 legislators	OPLA: Paul Saucier	(May accept outside funding)	12/1/94
Committee to Create Retirement Alternatives (P & S, Chapter 91)	11 members; no legislators	Various State Agencies OPLA: Drafting only in 1995	\$104,970 (GF)	1/1/96
Unorganized Territory Education and Services Fund Study Commission (P & S, Chapter 100)	11 members, including 5 legislators	OFPR: Kevin Madigan OPLA: Julie Jones (legal) (others for specific info)	\$ 9,140 (GF)	11/15/94
Commission on the Future of Maine's Paper Industry (Resolves, Chapter 75)	8 members	OPLA: John Knox John Clark (legal) Darlene Shores Lynch OFPR Contact: Kevin Madigan	\$ 3,700 (GF)	1/15/95

Commission/Study**Membership****Staff****Funding****Report**

Committee to Study Organizational
and Tax Issues in Public Schools
(P.L., Chapter 684)

5 members
(no legislators)

Contract
OPLA: Mike Higgins
John Kelley
David Elliott (legal)
OFPR Contact: Kevin Madigan

\$108,375 (Alloc; GF)

1/15/95

Commission to Study Potato Quality
Issues
(P.L., Chapter 699)

9 members, including
3 legislators

OPLA: Deb Friedman
Jill Ippoliti

\$ 6,500 (Alloc)

4/15/95

5/4/94

PROPOSED INTERIM STUDIES THAT POTENTIALLY INVOLVE LEGISLATIVE STAFFING
116th LEGISLATURE/2nd REGULAR SESSION

I. Already Enacted and Chaptered

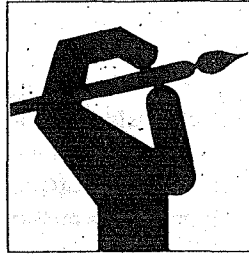
Commission/Study	Membership	Staffing	Funding	Report
Study Group on Energy & the Environment (P & S, Chapter 80)	To be constituted by Chair, PUC; Director, SPO; & Commissioner DEP	Departments	--	Progress Report to Utilities Committee by 1/1/95
Healthy Start Task Force (continuation) (Resolves, ch. 54)	14 members, including 2 legislators	Legislative Council		12/15/94
Review and Study of the Changes in the Tree Growth and Open Space Laws in P.L. 1993, ch. 452 (P.L., Chapter 576)	Taxation Committee subcommittee	Legislative Council	None	11/1/94
Committee to Study the Operations of the Baxter School (P.L., Chapter 508, Part D)	10 members, including 2 legislators	Dept. of Ed; Legislative Council for drafting	\$2,360	10/17/94
Biennial Review of Sales Tax Exemptions (36 MRSA § 197 et seq.)	Taxation Committee	Legislative Council (OFPR)	Leg. Account	1/95

II. PROPOSED INTERIM STUDIES STILL IN THE PROCESS

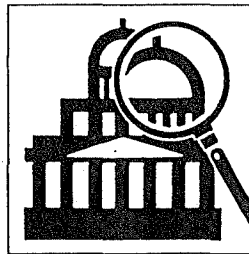
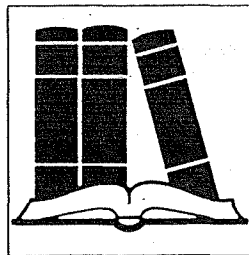
Commission/Study	Membership	Staffing	Funding	Report	Council Action
Commission to Study Biotechnology & Genetic Engineering (LD 1361)	15 members, including 2 legislators	Legislative Council	GF \$ 1,720 (94) 5,660 (95)	12/1/94	APPROVED 4/8
Issues related to the State's Regulatory Authority with regard to Cable Television (LD 1483)	(Utilities Committee)	(Legislative Council)	—	Utilities Committee may report out legislation to 117th/1st Regular	DEFER 4/11
Oversight Committee on Performance-based Contracting (LD 1732)	17 members, including 5 legislators	Legislative Council (also consultation from outside groups)	None	12/1/98	BILL APPROVED AS AMENDED 4/11
People with Disabilities Access Commission (LD 1783) ("Finally Passed" 4/8)	17 members, no legislators	Legislative Council for drafting	Spec Rev: \$10,000	2/1/95	FAILED 4/11
Public Participation Team (LD 1793)	7 members, including 5 legislators	Legislative Council	GF \$ 14,700	12/1/94	BILL AMENDED TO ELIMINATE "TEAM" 4/11
Sales Fraud Study Commission (LD 1838)	11 members, including 5 legislators	Legislative Council	GF \$ 4,400	11/1/94	FAILED 4/11
Committee to Create Retirement Alternatives (LD 1841)	11 members; no legislators	Legislative Council for drafting	GF \$104,970	1/1/96	APPROVED 4/8
Unorganized Territory Education and Services Fund Study Commission (LD 1920)	11 members, including 5 legislators	Legislative Council (others for specific info)	GF \$ 9,140	11/15/94	APPROVED 4/8
Blue Ribbon Commission on Hunger and Food Security (LD 1930)	15 members, including 4 legislators	SPO & DHS	GF \$ 7,000	11/1/95	APPROVED 4/11
Task Force on Maine School of Visual & Performing Arts (LD 1958)	20 members, including 1 legislator	Dept. of Education	GF \$ 1,700	12/15/94	BILL AMENDED TO ELIMINATE TASK FORCE 4/11
Maine Health Care Reform Commission (LD 1985)	3 Commissioners	Hire staff	GF \$275,000	11/1/95	(IN BUDGET)
Commission on the Future of Maine's Paper Industry (LD 1996)	8 members	Legislative Council	GF \$ 3,700	1/15/95	APPROVED 4/8
Committee to Review Taxation Issues Related to Funding Public Schools (LD 2003)	10 legislators	Legislative Council	GF \$ 6,800	1/15/95	FAILED 4/11

4/11/94

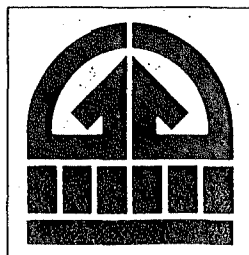
Skills Development Seminar



*for Legislative
Staff*



June 22-June 25, 1994
Holiday Inn by the Bay
Portland, Maine



National
Conference
of State
Legislatures

SKILLS DEVELOPMENT SEMINAR

June 22-June 25, 1994

Holiday Inn by the Bay

Portland, Maine

WHAT THIS SEMINAR COVERS

State legislative staff work in a unique environment for which little formal training is available. In an effort to respond to the training needs that most states face, the National Conference of State Legislatures is offering a seminar tailored for legislative employees that emphasizes the development of professional skills for entry level staff. The seminar consists of four program tracks--**bill drafting, fiscal analysis, program evaluation and research**. Participants may enroll in only one track.

WHO SHOULD ATTEND

The seminar is designed primarily for legislative employees who have **less than two years experience** in the legislature or for more experienced legislative staff who are moving into new job responsibilities.

The *Skills Development Seminar* will:

Improve the skills and abilities of legislative staff professionals;
Increase participants understanding of their role within the context of the various staff activities that enable legislatures to perform effectively; and
Provide an invaluable forum in which legislative staff can meet and learn from other states thus developing critical networks for future research.

AGENDA

Wednesday, June 22

3:00pm-5:00pm Registration
5:30pm-7:00pm Opening Reception,
Holiday Inn
by the Bay

Thursday, June 23

7:30am-8:30am Registration
8:30am-11:30am Program Tracks
11:30am-1:00pm Lunch
(on your own)
1:00pm-4:00pm Continuation of
Program Tracks
6:00pm-9:30pm Lobster Bake,
Winslow State Park

Friday, June 24

8:30am-12:00 Continuation of
Program Tracks
12:00-1:30pm Lunch
1:30pm-4:30pm Concurrent Sessions

Saturday, June 25

7:30am-8:30am Continental Breakfast
8:30am-11:30am Concurrent Sessions
11:30am Meeting Adjourns

INVITED FACULTY

Bob Frohling

Senior Policy Specialist, NCSL, Colorado

Judith Frye

Assistant State Auditor for Program Evaluation, State Auditor's Office, Wisconsin

Bruce Feustel

Assistant Chief Counsel, Legislative Reference Bureau, Wisconsin

L. Allan Green

Director, Office of Legislative Research, Connecticut

Gary T. Henry

Director, Center for Urban Policy Research, Georgia State University, Georgia

Julie Jones

Principal Analyst, Office of Policy and Legal Analysis, Maine

Robert Keaton

Director, Office of Fiscal Affairs and Policy Development, Louisiana

Rebecca C. Lennahan

Deputy Director, Office of Legislative Legal Services, Colorado

Jim Pellegrini

Deputy Legislative Auditor, Montana

Lynn Randall

State Law Librarian, Law and Legislative Reference Library, Maine

Paul Saucier

Legislative Analyst, Office of Policy and Legal Analysis, Maine

Ron Snell

Program Director, Fiscal Affairs, NCSL, Colorado

Carl Tubbesing

Director of State Federal Relations, NCSL, Washington, D.C.

John Turcotte

Director, Jt. Committee on Performance Evaluation & Expenditure Review, Mississippi

PROGRAM TRACKS

Each of the program tracks will devote most of the day to work on case material, which will include specific tasks, assignments and skill-building exercises. Below are examples of the kinds of skills to be covered in each track. Participants may enroll in only one track.

BILL DRAFTING TRACK. Participants will:

Draft, review and critique bills and amendments with attention to language, organization, technical correctness, and statutory or constitutional redundancy;
Sharpen interviewing skills necessary for working with legislators to determine and clarify drafting requests; and
Analyze bill drafting assignments in terms of legal research needs, policy and constitutional considerations, and fiscal implications.

FISCAL TRACK. Participants will:

Review state budget processes;
Analyze an agency budget request and critique the corresponding legislative analysis;
Prepare a budget analysis;
Examine legislation with fiscal impact and identify cost components;
Analyze a case study with fiscal implications and formulate possible solutions; and sharpen fiscal note skills.

PROGRAM EVALUATION TRACK. Participants will examine common problems and approaches to:

Defining the scope of evaluations and performance evaluation controls;
Selecting research methods;
Collecting and analyzing data;
Documenting conclusions and findings; and
Drafting reports.

RESEARCH TRACK. Participants will:

Improve skills necessary for responding to research requests from legislators and constituents;
Using a case study, identify information resources and prepare a research design;
Sharpen policy analysis skills through class discussion and exercises; and
Evaluate research reports and memoranda for organization, style, format and language.

GENERAL INFORMATION

The Skills Development Seminar is a relaxed learning experience; casual attire is recommended. Thursday's social event will be outside along the water so you may want to bring a light jacket.

Hotel amenities include an indoor pool, sauna and fitness center. The Holiday Inn by the Bay is within walking distance to the historic and intriguing Old Port which is found along the waterfront. In the contiguous area, there are countless shops, museums, and restaurants.

CONCURRENT SESSIONS

Participants will have the option of attending two of the seven concurrent workshops that will be offered on Friday and Saturday.

PRESENTATION EXCELLENCE: SKILLS FOR EFFECTIVE PUBLIC SPEAKING. In this workshop, participants will learn and practice some of the basic skills necessary for formal speechmaking and effective presentations within the legislative environment. It will highlight the best techniques for transferring information to legislators in official settings..

CLARITY IN WRITING. This workshop will review the elements of clear and proper language in written communication appropriate for a legislative audience. It will be a refresher course on basic writing skills that are always worth re-visiting.

TRANSLATING STATISTICS FOR LEGISLATIVE USE. This session will focus on understanding statistical terminology, interpreting statistics for non-technical audiences and making effective use of analytic data in the legislative environment.

THE LEGISLATIVE ENVIRONMENT: STAFF STRUCTURES AND RESPONSIBILITIES. This session will describe the make-up of the 50 state legislatures, including the different approaches to organizing legislative staff, and will review the role that staff play in the legislative process.

USING GRAPHICS. This session will focus on the purpose, elements and common uses of graphics. Participants will learn how to create effective charts and graphs that confer information clearly and concisely..

LEGISNET TRAINING. This training will provide you with all the basic skills necessary to perform quick and easy research in these data bases: **Legislative Information System, Uniform and Model Acts, and Rules and Procedures.** The session will outline the new and improved searching techniques available with the upgraded software. To obtain further information, call: Bob Frohling at (303) 830-2200.

MANAGING CONFLICT IN THE LEGISLATIVE ARENA. Participants will acquire skills useful in resolving conflicts that inevitably occur in the legislative environment. The emphasis will be on tried and true mediation techniques.

HOTEL RESERVATIONS

A block of rooms has been reserved at the **Holiday Inn by the Bay**, 88 Spring Street, Portland, Maine 84101. The conference rate is \$79 (plus tax) for a single or double room. Arrange hotel accommodations by phone, and indicate that you are attending the NCSL Skills Development Seminar to secure the conference rate. The Holiday Inn's direct number is (207) 775-2311 or toll free Holiday Inn Hotel Reservation Center at 1-(800) 345-5050.

Reservations must be held by one night's room deposit (credit card guarantee acceptable). NCSL cannot be responsible for guarantees. **The deadline for making hotel reservations is May 25, 1994.** After this date, reservations will be accepted at the seminar rate based on availability.

CONFERENCE REGISTRATION

Registration fees for the Skills Development Seminar are:

\$225 - Legislative staff
\$ 65 - Spouse/Guest

NCSL must receive your conference registration by May 25, 1994. The registration fee is payable in advance to the National Conference of State Legislatures or at registration.

Fax: Registrations can be faxed to (303) 830-8057 until May 25, 1994. Registrations received after May 25, 1994 cannot be processed. Faxed forms will not be confirmed by phone.

Onsite Registration: If you cannot meet the May 25, 1994 preregistration deadline, please register onsite at the Holiday Inn by the Bay, Portland. Sorry no onsite substitutions.

Spouse/Guest Registrations: This fee includes admission to all scheduled meal function and evening social events. The \$65 fee for spouse/guest must be paid in full at time of registration.

Cancellation/Refunds: All cancellations must be made in writing and will be refunded based on these criteria:

Cancellations received by June 17 will be refunded minus a \$50 processing fee.

Cancellations received after June 17 will be refunded at 50% of the registration fee.

Deadline for requesting refunds is June 27, 1994.

Please fax your cancellation notice to (303) 860-8057.

Substitutions: Allowed on prepaid registrations only until May 25, 1994. Sorry no on-site substitutions.

TRANSPORTATION

NCSL Special Discount Airfare.

United Airlines is the official carrier for the Skills Development Seminar.

Make your reservations through NCSL's official Travel Headquarters to receive:

Discounts off coach and lowest applicable roundtrip airfare to Portland, Maine (**reservations must be made 7 days in advance**);

Access to a 24-hour toll-free reservation service for changes and emergencies;

\$150,000 flight insurance coverage;

Special meals on request;

Tickets and boarding passes mailed directly to your home or office;

Reservations must be made 7 days in advance. To make reservations, call Corporate Travel Services 1-(800) 825-3283 (8:00 a.m. - 5:30 p.m. MST). In Colorado or outside the continental U.S., call (303) 741-6331.

Airport-Hotel Transportation.

The Holiday Inn by the Bay is located in Historic Downtown Portland. The hotel is only 10 minutes from International Jetport. Transportation is available to the hotel by airport courtesy van. Use courtesy phones in baggage claim area to call hotel for van service. There is free parking at hotel for registered guests.

FOR MORE INFORMATION

Please write Tim Storey, Sally Kittredge, or NCSL's Seminars Department at NCSL Denver Office, 1560 Broadway, Suite 700, Denver, CO 80202 or call (303) 830-2200.

Clip the above registration form and mail to the National Conference of State Legislatures, 1560 Broadway, Suite 700, Denver, CO 80202-5140.

The National Conference of State Legislatures serves the nation's 50 states, its commonwealths and territories. NCSL was created in January 1975 by the merger of three organizations that served or represented state legislatures. NCSL is a bipartisan organization with three objectives:

- To improve the quality and effectiveness of state legislatures;
- To foster interstate communication and cooperation; and
- To ensure legislatures a strong, cohesive voice in the federal system.

Denver Office
1560 Broadway, Ste. 700
Denver, CO 80202-5140
303/830-2200



Washington Office
444 N. Capitol St. NW, Ste. 500
Washington, D.C. 20001
202/624-5400

William T. Pound
Executive Director

1994 SKILLS DEVELOPMENT SEMINAR

June 22-June 25, 1994

Holiday Inn by the Bay

Portland, Maine

*Name																				
*Title																				
*Affiliation																				
Address																				
City																State				
Zip						Business Phone										-				
*Spouse/ Guest Name																				

*Fill in as you wish name badge to appear.

Program Track (select only one): ☐ Bill Drafting ☐ Fiscal ☐ Program Evaluation ☐ Research

Registration Fee:

\$225 Legislative staff, government employees

\$ 65 Guest/spouse

Registration Payment Method:

☐ Enclosed ☐ Pay on-site ☐ Voucher/Purchase Order

Please charge to my:

☐ Visa ☐ Mastercard ☐ American Express

Number: _____

Exp. Date _____

Signature _____

Registration fees are payable in advance or at registration. Please return this form by May 25, 1994 to the National Conference of State Legislatures, Seminars Department, 1560 Broadway, Suite 700, Denver, CO 80202. Each registration cancelled after June 17, 1994 will incur a \$50 service charge. This also will apply to those who do not attend or fail to cancel their registration.



National Conference of State Legislatures
P.O. Box 480303
Denver, Colorado 80248

SKILLS DEVELOPMENT SEMINAR
Registration Materials Enclosed



MAINE STATE LEGISLATURE

Augusta, Maine 04333

STATE HOUSE AND CAPITOL PARK COMMISSION

April 11, 1994

Honorable Dan A. Gwadosky, Chair
and Members of the Legislative Council
116th Maine Legislature
State House
Augusta, Maine 04333

Dear Speaker Gwadosky and Members of the Council:

Last August, I appeared before you to present recommendations from the State House and Capitol Park Commission regarding repairs and improvements to the Vietnam Veterans' Memorial. You will recall that you asked us to continue to work on the design of the flagpole and to further study the proposal to install a plaque in an effort to see if we could reach consensus on these issues.

I am very pleased to report to you that, after a series of meetings involving all interested parties, we have been able to achieve the consensus we sought. The enclosed recommendations were unanimously adopted by the Vietnam Veterans Memorial Subcommittee in late January and, subsequently, by the State House and Capitol Park Commission. Many of these recommendations have actually been implemented over the last few months, as the Subcommittee's Report indicates. I am happy to report that the flagpole is now in the process of being fabricated, and our goal is to have it installed in time for Memorial Day ceremonies.

I would note that we were finally successful in achieving consensus for two primary reasons. First, in the course of our work, all the members of the Subcommittee developed a shared understanding of the symbolism of the Memorial's design and concluded that the artist's conception that this is a memorial not just to those who died in Vietnam or are still unaccounted for, but to all those who served there and whose lives were touched by this War argued **against** a plaque that would memorialize only a few. Second, our ultimate success is directly attributable to the members of the Subcommittee themselves -- to their commitment to achieving a

Honorable Dan A. Gwadosky, Chair
and Members of the Legislative Council
April 11, 1994
Page Two

true consensus around a very emotional set of issues, to their openness with one another even though it meant exposing old wounds, and to their willingness to spend the time and effort required. It is our sincere hope that their efforts have heightened the public awareness of the Memorial and all it symbolizes.

In closing, I would again acknowledge the significant role that David Lovejoy has played -- both in focussing our attention on the state of disrepair into which the Memorial had fallen and in prevailing upon various members of the veterans' community to find the common ground.

The Commission is working with our landscape architect, Marion Pressley, to develop a plan for maintaining the Memorial in a proper state of repair. In order to assure that this maintenance is carried out year after year, we plan to include funds in our next biennial budget request to you for this purpose.

I would be happy to meet with you to discuss our final report and recommendations regarding the Vietnam Veterans' Memorial.

Sincerely,

A handwritten signature in dark ink, appearing to read "Earle Shettleworth, Jr.", with a stylized, cursive script.

Earle Shettleworth, Jr.
Chair

Enclosure

VIETNAM VETERANS' SUBCOMMITTEE
RECOMMENDATIONS TO THE
STATE HOUSE & CAPITOL PARK COMMISSION

Adopted by the Subcommittee January 24, 1994

Approved by the Commission February 4, 1994

In concluding its work, the Vietnam Veterans' Subcommittee would like to summarize those recommendations that have already been implemented, as well as some additional ones. These include:

1. Repair of the Walk Around the Memorial

This work was completed last fall.

Recommendation:

The walk should be checked regularly for signs of deterioration and repaired promptly. In the event that the concrete walk is ever replaced with a different material, the material selected should:

- a) meet the requirements of the Americans with Disabilities Act; and
- b) be consistent with the Master Plan for Capitol Park.

2. Repair of the Lighting

After review of the condition of the existing lighting, the Subcommittee and the Commission concluded that it was necessary to completely replace the lighting. This work has now been completed. The new lighting system was selected because it is weather-resistant and because it offers more protection against vandalism.

Recommendation:

The lights should be checked regularly to ensure that the system is working properly. Burnt out and/or damaged lights should be replaced promptly.

3. Installation of a Flag Pole

The Subcommittee reiterates its earlier recommendation to install a flag pole at the site of the Memorial and further recommends that the installation be complete by Memorial Day, 1994. The Subcommittee has reviewed the proposed siting of the flag pole by Roger Richmond, and is in accordance with his proposal.

Installation of Flag Pole (cont.)

Recommendation:

Following lengthy discussion, the Subcommittee has agreed to the following specifications for the flag pole:

Height of flag pole to be 35 feet.

Base of flag pole to be designed to accomodate mowing.

The dimensions of the flag should be in proportion to the flag pole.

Flag pole is to be a single shaft with no cross bar or mast and no ornament on the top. The flag pole should be black.

Lighting is to be installed in the flag pole in such a manner as to ensure that the flag is properly illuminated at night.

Consistent with existing policy, the POW and MIA flags will be flown **below** the U.S. and State of Maine flags on the following 3 days each year: Memorial Day; Veterans' Day; and POW-MIA Recognition Day.

4. Landscaping

The Subcommittee endorses additional plantings consistent with the Olmsted Master Plan for Capitol Park for the area surrounding the Memorial.

Recommendation:

The area surrounding the Memorial should be well-maintained at all times. To this end, the Subcommittee recommends that the general plan for maintaining the Memorial specifically address pruning, trimming and care of plantings in accordance with the Master Plan.

5. Name Plaque

After lengthy deliberation, the Subcommittee has concluded that it does **not** recommend the addition of a plaque listing the names of those killed and missing in action.

6. Accessibility of the Memorial

In addition to the routine maintenance of the Memorial to ensure its physical accessibility, the Subcommittee feels **strongly** that both the location of the Memorial and its history be made more readily available to the public. The Subcommittee urges the State House and Capitol Park Commission to consider:

Accessibility of the Memorial (cont.)

- a) The installation of directional signs to help people find the Memorial;
- b) Installation of an interpretive panel at the Capitol Street entrance to the Park, to be designed in consultation with the architect of the Memorial, subject to the final approval of the State House and Capitol Park Commission.

7. Administration

Recommendation:

The Subcommittee recommends that the Commission appoint a standing subcommittee and charge it with the responsibility for monitoring the condition of the Memorial and its immediate grounds on a regular basis and reporting its findings and recommendations to the full Commission. This Subcommittee should include members of the Commission and representatives of Maine's veterans community.



John R. McKernan, Jr.
Governor

C. Edwin Meadows, Jr.
Commissioner

DEPARTMENT OF CONSERVATION

March 31, 1994

Sally Tubbesing, Executive Director
Legislative Council
State House Station 115
Augusta, Maine 04333

Dear Sally:

The Maine Forest Service and the Bureau of Public Lands are interested in trading two small parcels of land in an ongoing effort to consolidate and maintain facilities. The Maine Forest Service plans to sell a portion of one of the properties which requires the notification of the Chairpersons of the Joint Standing Committee on Energy and Natural Resources and the Executive Director of the Legislative Council (MRSA 12, Section 8003).

The Bureau of Public Lands has been occupying a small Maine Forest Service site in Ashland for twenty years. Public Lands has also added another 1/3 acre of adjoining property, a leach field, and made improvements to a Maine Forest Service building. The Maine Forest Service would transfer this property and buildings to BPL.

A Maine Forest Service facility is currently located on the Bureau of Public Land's property in Cupsuptic as it has for over 20 years. The Bureau of Public Lands would transfer this property to the Maine Forest Service. The Maine Forest Service plans to sell a vacant forestry house and adjacent property and use the proceeds to upgrade the district headquarters which does not meet OSHA standards. Attached are maps which will clearly identify the actions which we plan to take.

I have met with the Chairs of the Joint Standing Committee on Energy and Natural Resources and will be notifying the elected legislators in each location. If I can be of further assistance please let me know.

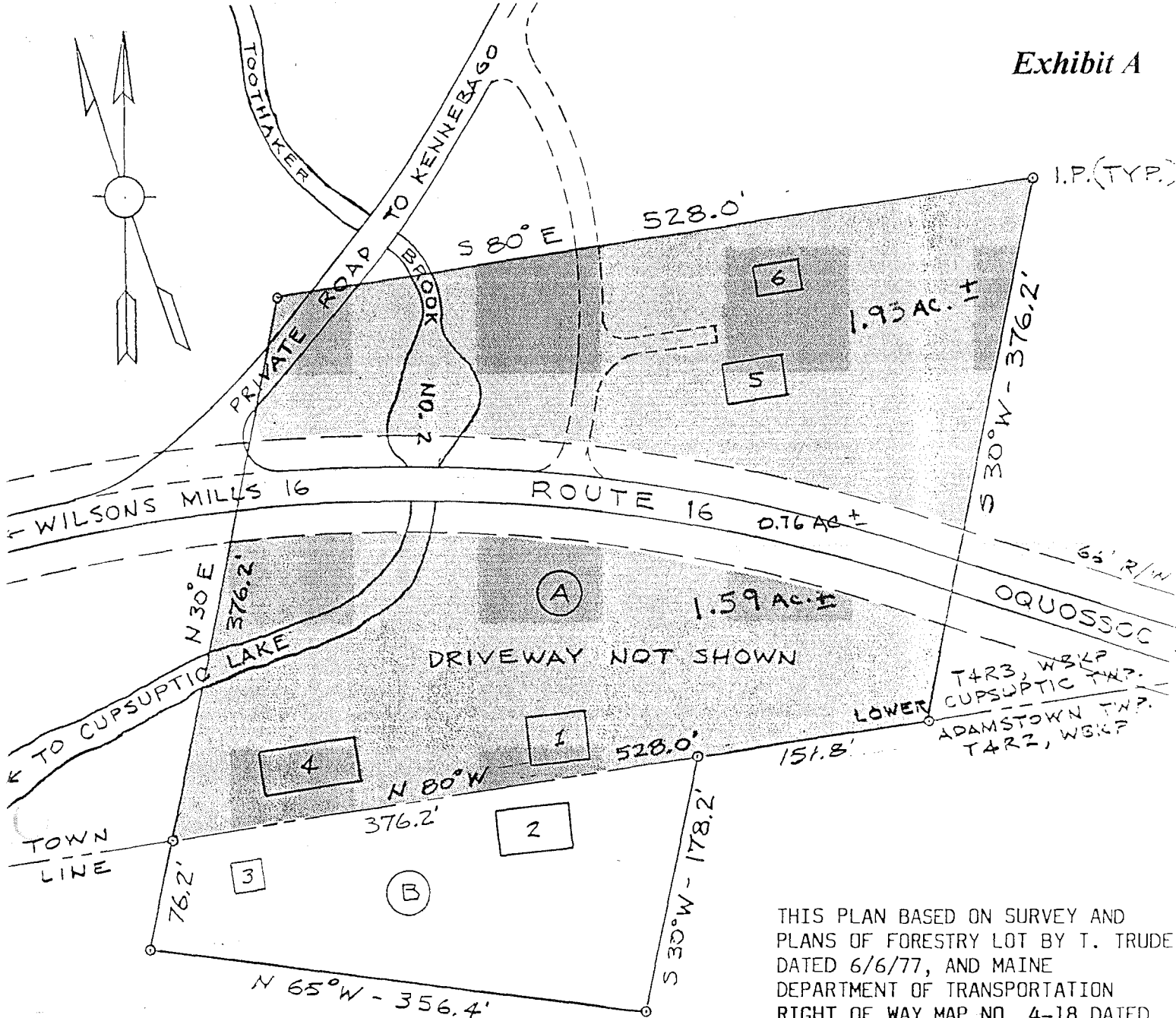
Sincerely,

A handwritten signature in cursive script that reads "Susan Bell".

Susan J. Bell, Director
Maine Forest Service

cc: Michel
Morrison
Parent





THIS PLAN BASED ON SURVEY AND PLANS OF FORESTRY LOT BY T. TRUDEL DATED 6/6/77, AND MAINE DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP NO. 4-18 DATED JAN. 1937.

NOTE: EXACT POSITION OF ROADS, BROOK AND BUILDINGS MAY VARY SOMEWHAT FROM THOSE SHOWN.

Shaded area to be transferred from Bureau of Public Lands to Maine Forest Service

LAND:

(A) 4.28 AC. PARCEL, INCL. 0.81 AC. R/W Parcel "A" owned by BPL

(B) 1.05 AC. PARCEL Parcel "B" owned by MFS

BUILDINGS:

1. NEW WORKSHOP
2. GARAGE
3. BUNKHOUSE
4. OFFICE/STOREHOUSE W/TOWER
5. RANGER'S RESIDENCE (VACANT)
6. WOODSHED/WORKSHOP

STATE OF MAINE
DEPARTMENT OF CONSERVATION

Division of Engineering and Realty

MAINE FOREST SERVICE
AUGUSTA, MAINE

SITE PLAN OF CUPSUPTIC
FIRE CONTROL UNIT
LOWER CUPSUPTIC TWP.

T4R3 WBKP, OXFORD COUNTY

DRAWN R S COFFIN

CHECKED

DATE 4/19/90

SCALE 1"=100'

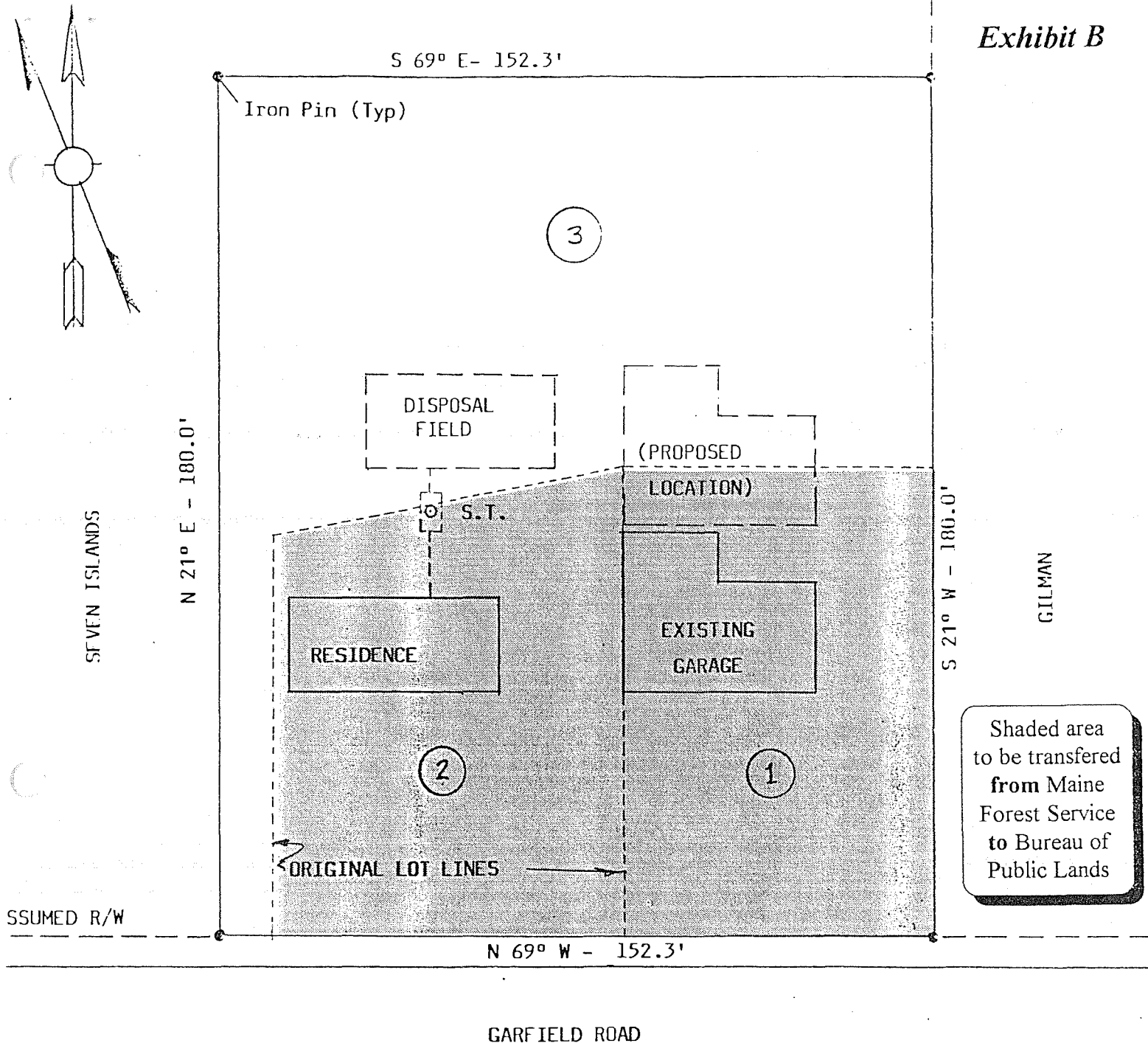
PROJECT NO.

FEDERAL NO.

SHEET 1 of 1

DIRECTOR

DATE



- TO GARFIELD PLT.

ASHLAND 1 MI. →

TRANSFER CONSISTS OF LOTS

1 and 2 WITH BUILDINGS

Owner

AC. DATE

①	MFS	0.15	10/15/40
②	MFS	0.16	8/21/52
③	BPL	0.32	8/29/88

TOTAL 0.63

STATE OF MAINE
DEPARTMENT OF CONSERVATION

Division of Engineering and Realty

BUREAU OF PUBLIC LANDS
AUGUSTA, MAINE
PROPOSED TRANSFER
FROM MAINE FOREST SERVICE
AT
ASHLAND, MAINE

DRAWN	R S COFFIN
CHECKED	
DATE	3/26/90
SCALE	1"=30'
PROJECT No.	
FEDERAL No.	
SHEET	1 of 1

DIRECTOR

DATE

APPROVED

CHAPTER

JUL 15 1993

54

BY GOVERNOR

P. S. LAW

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-THREE

H.P. 779 - L.D. 1052

**An Act to Establish a Mechanism for Ensuring Adequate
Preservation and Maintenance of the State House**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, certain funds must be expended for major repairs and renovations to the State House prior to the expiration of the 90-day period; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. Funds transferred. Notwithstanding Public Law 1993, chapter 410, Pt. AA, or any other provision of law, the transfer of funds authorized in that Part must be made to the Reserve Fund for State House Preservation and Maintenance. These funds must be allotted by financial order and may be expended only for major repairs or renovations to the State House after review and recommendation by the State House and Capitol Park Commission and by a majority vote of the Legislative Council. The funds may not lapse but must be carried forward.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

SENATE

JOHN J. CLEVELAND, DISTRICT 22, CHAIR
 M. IDA LUTHER, DISTRICT 8
 CHARLES M. BEGLEY, DISTRICT 20



HOUSE

PHYLLIS R. ERWIN, RUMFORD, CHAIR
 BEVERLY C. DAGGETT, AUGUSTA
 GEORGE A. TOWNSEND, EASTPORT
 WILLIAM LEMKE, WESTBROOK
 MONA WALKER HALE, SANFORD
 ELEANOR M. MURPHY, BERWICK
 WESLEY FARNUM, SOUTH BERWICK
 ALBERT G. STEVENS, JR., SABATTUS
 ALVIN L. BARTH, JR., BETHEL
 EDWARD L. DEXTER, KINGFIELD

STATE OF MAINE
 ONE HUNDRED AND SIXTEENTH LEGISLATURE
 COMMITTEE ON AUDIT AND PROGRAM REVIEW

March 7, 1994

Honorable Dan A. Gwadosky, Chair
 Legislative Council
 State House Station #2
 Augusta, Maine

3094

Dear Speaker Gwadosky:

Prior to March 31, 1994, we are compelled to settle the Committee's review agenda, in order to adequately plan and schedule the Committee's work for the balance of the 116th Legislative Session. Therefore, we are writing to request the Council's consideration and approval of the meeting schedule we propose below.

Currently, our review mandate includes those agencies listed below. You will note that for each agency we have estimated the **minimum** number of meeting days required for the Committee to complete the three phases of each review: 1) information and orientation, 2) discussion and analysis, and 3) recommendation formation.

AGENCY	# OF MEETING DAYS REQUIRED
Department of Mental Health and Mental Retardation	12
Department of Conservation	12
Department of Inland Fisheries and Wildlife	9
Baxter State Park Authority	4
Maine Turnpike Authority	9
Maine State Board of Optometry	1
Saco River Corridor Commission;	
Acupuncture Licensing Board;	
Board of Licensing of Auctioneers;	

Board of Licensing of Dietetic Practice;
Board of Commercial Driver Education;
Advisory Board for the Licensing of Taxidermists (6 agencies=) 13

Compliance Review 1

TOTAL NUMBER OF MEETING DAYS REQUIRED [MINIMUM] 61

Accordingly, 61 meetings @ \$1,400 would require a budget of **\$84,400** for Legislative expenses. Also, in order to complete our work in the 8 months from April to November, this agenda would require us to schedule between 7 and 8 meetings per month, or about 2 a week.

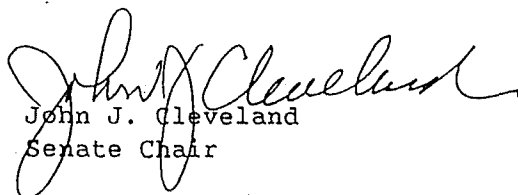
Obviously, we know you will agree that such a schedule is unrealistic, both in terms of cost and resource requirements. Accordingly, we anticipate limiting the Committee's review agenda by forgoing the scheduled review of the Departments of Mental Health and Mental Retardation and of Inland Fisheries and Wildlife, as well as forgoing review of the Maine Turnpike Authority.

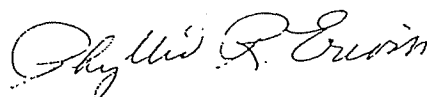
The amended schedule would reduce the Committee's total workload by 30 meetings, allowing the Committee to focus its efforts on the Department of Conservation and the 7 smaller agencies. The amended schedule may be accomplished with a minimum of **31 meetings (4 per month)** and a Committee budget of **\$42,400**. This is the schedule for which we seek Council consideration and approval.

In addition, we continue to look forward to the Council's affirmative action regarding 1) filling the vacant staff position and 2) clarifying the Committee's future role and responsibilities to be consistent with and to satisfy Legislative intent. Obviously, even the shortened schedule demonstrates the need to fill the vacant position to allow the Committee to meet its mandate. With these issues resolved, the Audit Committee can continue to pursue its role as required in statute as a valuable and powerful tool for use by the Legislature in overseeing agencies and programs of State Government.

We would be happy to meet with you and the Council at any time. However, if we don't hear from you prior to March 31, we will assume that the amended schedule is acceptable to you and the Council and that we are free to proceed as outlined here.

Sincerely,


John J. Cleveland
Senate Chair


Phyllis R. Erwin
House Chair

cc. A&PR Committee Members
Sally Tubbesing, Executive Director
John Wakefield, OFPR Director