

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

October 25, 1994

REVISED AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

Summary of September 29, 1994, Meeting

EXECUTIVE DIRECTOR'S REPORT

Item #1: Printing Contracts for the 117th Legislature

REPORTS FROM COUNCIL COMMITTEES

OLD BUSINESS

NEW BUSINESS

Item #1: Request to Extend Reporting Deadline for Committee to Study the Operations of the Governor Baxter School for the Deaf. (Letter from Rep. George Kerr, Committee Chair)

Item #2: Legislative Document Service & Proposed Changes in Fee Schedule for the 117th Legislature.

Item #3: Presentation by Committee on Audit and Program Review. (Letter from Sen. Cleveland and Rep. Erwin)

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

SEN. DONALD E. ESTY, JR.
SEN. 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

MEETING SUMMARY

September 29, 1994

Approved, October 25, 1994

CALL TO ORDER

The Chair, Speaker Gwadosky, called the Legislative Council to order at 3:25 p.m. in the Council Chamber.

ROLL CALL

Senators:	President Dutremble, Sen. Cahill, Sen. Bustin Absent: Sen. Esty, Sen. Carpenter
Representatives:	Speaker Gwadosky, Rep. Jacques, Rep. Whitcomb, Rep. Paradis, Rep. Zirnkilton
Legislative Officers:	Sally Tubbesing, Executive Director, Legislative Council Lynn Randall, State Law Librarian Grant Pennoyer (for John Wakefield), Office of Fiscal and Program Review David Elliott, Acting Director, Office of Policy and Legal Analysis Margaret Matheson, Revisor of Statutes Joy O'Brien, Secretary of the Senate

SECRETARY'S REPORT

The Summary of the August 29, Council meeting was accepted and placed on file.

EXECUTIVE DIRECTOR'S REPORT

Item #1: Retirement of Jane Edwards, Principal Law Librarian

Sally Tubbesing reported that Lynn Randall and she had recently been notified by Ms. Edwards of her intent to retire effective September 30. Ms. Tubbesing reported that she endorsed Ms. Randall's recommendation to appoint Sheila Bearor, currently an Associate Law Librarian, to the Principal Analyst position that Ms. Edwards has occupied. Speaker Gwadosky then reported that he had had the opportunity to have an exit interview with Ms. Edwards and that he would appoint a subcommittee of the Personnel Committee to meet with Ms. Randall and Ms. Tubbesing to review several issues that had come up in the course of the interview.

Motion: That a letter be sent to Ms. Edwards upon her retirement expressing the Council's appreciation for her service; and, further, that the recommendation to appoint Sheila Bearor to the position of Principal Analyst be accepted. (Motion by Senate President Dutremble; second by Sen. Bustin; unanimous).

The Chair, Speaker Gwadosky, asked that the search for a new Associate Law Librarian (to replace Ms. Bearor upon her promotion) be deferred until the Personnel Subcommittee had met for the purpose described previously.

Item #2: Legislative Information Network (LINK): Proposed Changes in Subscription Fees

Ms. Tubbesing summarized her memo, which had been distributed to Council members previously, noting that the recommendation to eliminate the subscription fees for access to the Legislative Information Network (LINK) had emerged from two developments. First, technical changes in the system have significantly reduced the Legislature's costs of operation; and, second, the decision is consistent with trends to make public information as accessible to the general public as possible.

Motion: That the initial sign-up and annual subscription fees for access to the Legislature's LINK system be eliminated; and that subscribers be charged only for the Users' Manual and the software they choose to purchase. (Motion by Senate President Dutremble; second by Rep. Jacques; unanimous)

Rep. Jacques asked for clarification that the intent of the motion was not to eliminate the LINK service, but only to eliminate the subscribers' fees. Ms. Tubbesing affirmed that the system would continue to be available.

REPORTS FROM COUNCIL COMMITTEES

OPLA Director Search Committee

Speaker Gwadosky, who chaired the Search Committee, reported that the Committee had concluded its work and was prepared to make a recommendation to the Council. He noted that the Committee had reviewed 158 resumes and interviewed 10 candidates over a 2-day period the previous week, and that each candidate had also spent the better part of a day "touring" the non-partisan staff offices, affording those from the outside an opportunity to develop some understanding of our process and the 3 internal candidates an opportunity to view a process they know well from a different perspective.

Speaker Gwadosky stated that the Committee had concluded that the Director's position is both a unique one and one that is a very difficult position to fill, noting that it is not one you get trained for, but one that requires an accumulation of certain experiences and skills. Further, it demands a fairly unique combination of strong management skills and experience; a firm grounding in policy analysis and in working with the law; an understanding of the legislative environment and of the role of non-partisan staff in this environment; and a set of personal skills and attributes that are required to be effective in this environment.

He reported that the Search Committee had interviewed all 3 of the internal candidates who applied --

-- and he reflected on how fortunate the Legislature is to have internal candidates of such exceptional skill. He stated that, while all the candidates interviewed offered unique qualities, the Committee was drawn to David Boulter's strong management experience and was unanimous in its recommendation to the full Council.

Motion: That the Legislative Council accept the recommendation of the Search Committee to appoint David M. Boulter to the position of Director, Office of Policy & Legal Analysis, and that Mr. Boulter be assigned to Step 6 in his assigned salary range. (Motion by Senate President Dutremble; second by Sen. Bustin; unanimous).

The Chair, Speaker Gwadosky, clarified that this is a 3-year appointment.

Rep. Paradis expressed his deep appreciation to members of the Search Committee for their work. Speaker Gwadosky, in response, noted that he had been extremely pleased with the search process and expressed particular appreciation for the excellent cooperation from the non-partisan staff offices in the process.

Committee on Total Quality Management in the Legislature

The Chair, Speaker Gwadosky, noted that Rep. Kontos, TQM Committee Chair, had reported to him that the Committee would have a package of recommendations for the Council at its October meeting that addressed orientation for both new members and Committee Chairs.

No Council action was required on this item.

OLD BUSINESS

None.

NEW BUSINESS**Item #1: Request from Commission to Study the Future of Maine's Paper Industry to Accept Outside Funds Pursuant to Law**

The Chair, Speaker Gwadosky, recognized Glen Foss, Chair of the Commission, and asked him for a progress report. Mr. Foss introduced Gordon Robert, another member of the Commission, and proceeded to describe the fund-raising plan that the Commission had developed to fund a study by an international consulting firm -- Jaakko Poyry, Inc. -- to conduct a Diagnostic Review of Maine's Paper and Pulp Industry. The Commission has identified three classes of potential contributors to the study, and Mr. Foss reported that all firms in the first two categories had been contacted and that he had commitments of \$76,000 in pursuit of a total goal of \$125,000. In response to his suggestion that the Legislative Council make a contribution from the Legislature's own budget for this purpose, Speaker Gwadosky replied that the Legislature would have funded the study originally through an appropriation if funds had been available, but that he would review both the Legislature's budget and work with the Governor's Office to determine the feasibility of state financial participation in the study.

Motion: That the request be approved. (Motion by Senate President Dutremble; second by Sen. Bustin; unanimous).

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Council meeting was adjourned at 3:50 p.m. (Motion by Sen. Bustin; second by Rep. Zirnkilton).

October 14, 1994

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

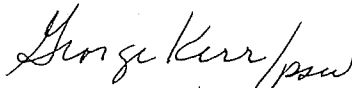
Dear Ms. Tubbesing:

P.L. 93, Chapter 508 (L.D. 1919, Part D), established the Committee to Study the Operations of the Governor Baxter School for the Deaf. This Committee is responsible for reviewing the administrative structure, operation and physical plant of the Governor Baxter School for the Deaf and for making recommendations for improved operation and management, and reporting to the Legislature by October 17, 1994.

As you are aware, the Committee has worked since July to accomplish its task. We have had the capable assistance of Marion Hylan Barr and Shirrin Blaisdell. At this point, the Committee has developed its recommendations pertaining to the Governor Baxter School for the Deaf. As Chair of the Committee, I would appreciate an extension for submission of the report in order to assure that we will have one final opportunity to review the report as a committee and, as well, be able to share it with Governor Baxter School for the Deaf staff through a staff meeting and with interested parties across the state through use of the ITV System. This extension will also permit the finalization of legislation resulting from the report.

An extension to November 17, 1994 would be appreciated.

Sincerely,

A handwritten signature in cursive script that reads "George Kerr".

Representative George Kerr, Chair
Committee to Study the Operations of the
Governor Baxter School for the Deaf



State of Maine
House of Representatives
Augusta 04333-0002

Joseph W. Mayo
Clerk of the House

287-1400

October 24, 1994

The Honorable Dan A. Gwadosky
Chairman, Legislative Council
State House, Station #2
Augusta, Maine 04333-0002

Dear Mr. Chairman:

The following proposed schedule of fees for Document Service for the First Regular Session of the 117th Legislature is hereby submitted for the consideration of the Legislative Council.

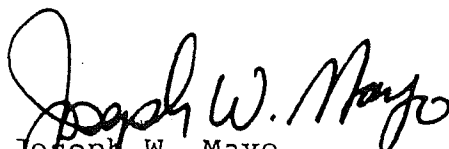
	<u>116th Rate</u>	<u>Proposed 117th Rate</u>
1. Bills and Resolves FIRST CLASS MAIL-Mailed Daily	\$450.00	\$500.00
2. Bills and Resolves FIRST CLASS MAIL-Mailed Twice Weekly	360.00	400.00
3. Bills and Resolves THIRD CLASS MAIL-Mailed Twice Weekly	300.00	330.00
4. Bills and Resolves PICKED UP AT DOCUMENT ROOM	180.00	200.00
5. Amendments (As a combination with any Legislative Document Service) Mailed Weekly	100.00	120.00
6. Amendments PICKED UP AT DOCUMENT ROOM	60.00	80.00
7. Legislative Record FIRST CLASS MAIL-Mailed Weekly	115.00	125.00
8. Legislative Record PICKED UP AT DOCUMENT ROOM	85.00	90.00
9. Public and Private and Special Laws, Resolves, and Constitutional Amendments FIRST CLASS MAIL-Mailed Weekly	250.00	275.00

	<u>116th Rate</u>	<u>Proposed 117th Rate</u>
10. Public and Private and Special Laws, Resolves and Constitutional Amendments PICKED UP AT DOCUMENT ROOM	150.00	150.00
11. Weekly Computer Printout-Status of Bills FIRST CLASS MAIL	200.00	225.00
12. Weekly Computer Printout-Status of Bills THIRD CLASS MAIL	100.00	115.00
13. Weekly Computer Printout-Status of Bills PICKED UP AT DOCUMENT ROOM	50.00	60.00
14. Advance Notice of Public Hearings on Bills FIRST CLASS MAIL-Mailed Weekly	20.00	25.00
15. Weekly Listing of Bills Printed and Enacted FIRST CLASS MAIL	20.00	25.00
16. Joint Resolutions FIRST CLASS MAIL	75.00	80.00
17. House and Senate Daily Calendars FIRST CLASS MAIL-Mailed Weekly	50.00	60.00
18. House and Senate Daily Calendars with Supplemental Calendars FIRST CLASS MAIL-Mailed Weekly	100.00	125.00
19. Legislative Council-Notice of Preliminary Agenda and Minutes, After Deadline List Pre and Post Versions	150.00	175.00
20. Weekly Legislative Calendar FIRST CLASS MAIL	20.00	25.00

Due to an increase in printing costs and a proposed increase in postage rates we have increased our costs approximately 10% to reflect these changes.

I will be happy to respond to any questions the Council may have on this proposed schedule which has been discussed with appropriate legislative support agencies.

Sincerely,


Joseph W. Mayo
Clerk of the House

SARAH C. TUBBESING
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL

RICHARD N. SAWYER, JR.
ADMINISTRATIVE SERVICES
DIRECTOR

GERALD THIBAUT
INFORMATION SYSTEMS
MANAGER

TEEN ELLEN GRIFFIN
LEGISLATIVE INFORMATION OFFICE
MANAGER



MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

October 25, 1994

TO: Honorable Dan A. Gwadosky, Chair
and Members of the Legislative Council

FROM: Sally *Sally*

SUBJECT: Printing Contracts for the 117th Legislature

Secretary of the Senate Joy O'Brien Clerk of the House, Joe Mayo, and I have been working with Dick Thompson, the Director of State Purchasing, to develop bid specifications for the various printing contracts that are awarded in advance of each legislative biennium. These include the contracts for printing LD's, Amendments, Chaptered Laws, Senate and House Calendars, the Senate and House Register, the Roster, the Legislative Record, and the Legislative District Directory.

The deadline for filing bids was early last week, and the apparent low bidders for each contract have been identified. We were unable to schedule our final evaluation meeting until tomorrow morning, Wednesday, October 26; however, based on our preliminary review of the bid documents, it appears that there will be changes in vendors for only two of the contracts.

In past years, the Council has authorized award of contracts to the low bidders, contingent upon the final evaluation; and we would recommend that you take similar action today so that we can begin working with the successful bidders to prepare for the legislative session as soon as possible.

We will be happy to answer any questions you may have.

Summary of Activities

Audit and Program Review Committee 1994-1995 Review Cycle

- Department of Mental Health and Mental Retardation
- Saco River Corridor Commission
- Board of Commercial Driver Education;
- Acupuncture Licensing Board;
- Board of Licensing of Auctioneers;
- Board of Licensing of Dietetic Practice; and
- Advisory Board for the Licensing of Taxidermists.

Compliance Reviews:

- Board of Optometry - to bring performance on par with other boards
- Board of Podiatry - resolve outstanding bill to AG's Office

Department of Mental Health and Mental Retardation - 14 Meetings (#15 was cancelled due to inability of DMHMR to attend 9/15/94)

- July 20 / July 21 (Site Visit to AMHI and community providers);
- August 3 (1st public meeting) / August 4
- August 18 / August 17
- August 31 / September 1;
- September 28 / September 29;
- October 12 / October 13 (2nd public meeting for providers);
- November 16 / November 17

5 Boards and 1 Commission: 9 Meetings

- May 11, 1994 / May 12
- May 25 / May 26
- June 8 / June 9
- June 29 / June 30
- September 14 (compliance)

PUBLIC HEARING on all Committee Recommendations to date:

- November 30, 1994

EXCERPTS

TITLE 3

(CHAPTER 33)

(JUSTIFICATION OF STATE GOVERNMENT PROGRAMS)

3 § 925-A. Committee analysis and recommendations

1. **Authority.** For each agency or independent agency or a component part of each agency or independent agency subject to review pursuant to section 922, the committee may conduct an analysis and evaluation that may include, but need not be limited to, an evaluation of the justification report, the extent to which the agency or independent agency operates in accordance with legislative intent and the degree of success achieved by the agency or independent agency in meeting its statutory and administrative mandate. **In consultation with the Legislative Council, the committee shall select agencies or independent agencies for review either in accordance with the scheduling guideline provided in section 927 or at any time determined necessary or warranted by the committee.** The Legislative Council shall provide the committee with assistance as required to carry out the purposes of this chapter.

3 § 930. Legislative Council

The Legislative Council shall issue rules necessary for the efficient administration of this chapter.

**3 § 927. Scheduling guideline for review of agencies
or independent agencies**

The committee may use the following list as a guideline for scheduling reviews of agencies or independent agencies. Notwithstanding this list of agencies arranged by year, an agency or independent agency may be reviewed at any time by the committee pursuant to section 925-A.

7. 1996.

A. Agencies:

- (1) Department of Environmental Protection; and**
- (2) Department of Marine Resources.**

B. Independent agencies:

- (2) Atlantic Sea Run Salmon Commission;**
- (3) Public Utilities Commission;**
- (4) Atlantic States Marine Fisheries Commission;**
- (5) Maine Development Foundation;**
- (6) Board of Directors, Maine Municipal and Rural Electrification Cooperative Agency;**
- (7) Lobster Advisory Council;**
- (8) Board of Environmental Protection;**
- (9) Board of Underground Oil Storage Tank Installers;**
- (10) Telecommunications Relay Services Advisory Council; and**
- (11) Public Advocate.**