

MAINE STATE LEGISLATURE

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**LEGISLATIVE COUNCIL
May 22, 1996**

Lynn Randall
Legislative Council Info.

REVISED AGENDA

CALL TO ORDER

ROLL CALL

SUMMARY OF APRIL 30, 1996 COUNCIL MEETING

EXECUTIVE DIRECTOR'S REPORT

Item #1: Request for Proposals to Provide Technical Assistance
to Support "Migration" of Bill Drafting to
Client/Server Environment: Status Report

Item #2: Legislative Record: Letter from Rep. Lemke

Item #3: Legislative "page" on the Maine State Government WEB
Site (letter from Robert Marshall)

Item #4: Recommendations for Professional Development Involving
Out-of-State Travel

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

Strategic Planning Working Group

CSG/ERC '97 Steering Committee

OLD BUSINESS

NEW BUSINESS

Item #1: Request to Extend Reporting Deadline from the Task
Force to Study Environmental Regulation Relating to the
Paper Industry.

(Note: Resolve establishing the Task Force authorizes
the Council to adjust the deadline).

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

SEN. JANE A. AMERO
CHAIR
REP. ELIZABETH H. MITCHELL
VICE-CHAIR



SEN. JEFFREY H. BUTLAND
SEN. R. LEO KIEFFER
SEN. MARK W. LAWRENCE
SEN. BEVERLY MINER BUSTIN
REP. DAN A. GWADOSKY
REP. PAUL F. JACQUES
REP. WALTER E. WHITCOMB
REP. JOSEPH G. CARLETON, JR.

SARAH C. TUBBESING
EXECUTIVE DIRECTOR

117th MAINE STATE LEGISLATURE

LEGISLATIVE COUNCIL

MEETING SUMMARY

APRIL 30, 1996

Approved May 22, 1996

CALL TO ORDER

The Chair, Senator Amero, called the Council to order at 1:20 p.m.

ROLL CALL

Senators:	President Butland, Sen. Amero Absent: Sen. Kieffer; Sen. Lawrence; Sen. Bustin
Representatives:	Speaker Gwadosky, Rep. Jacques, Rep. Whitcomb, Rep. Mitchell Absent: Rep. Carleton
Legislative Officers:	Sally Tubbesing, Executive Director, Legislative Council Lynn Randall, State Law Librarian David Boulter, Director, Office of Policy and Legal Analysis Margaret Matheson, Revisor of Statutes May Ross, Secretary of the Senate Joseph Mayo, Clerk of the House

SUMMARIES OF MARCH 7 AND APRIL 2 COUNCIL MEETINGS

Motion: That these Summaries be approved and placed on file.
(Motion by Speaker Gwadosky; second by Rep. Jacques; unanimous).

EXECUTIVE DIRECTOR'S REPORT

Sally Tubbesing presented the following items for the Council's consideration.

Item 1: Personnel Actions

Ms. Tubbesing reported that Michael Higgins had accepted a newly-created senior-level position with the Department of Education and noted that he had been a highly-valued member of the Legislature's non-partisan staff. Senator Amero augmented this, noting that both she and Representative Mitchell had found Mr. Higgins to be excellent, fair-minded and even-tempered in their work with him on the Education Committee.

Motion: That Mr. Higgins' resignation be accepted with regret, and that a letter of appreciation be sent to him. (Motion by Rep. Mitchell; second by Rep. Jacques; unanimous).

Motion: That David Boulter and Sally Tubbesing be authorized to fill the position in October. (Motion by Rep. Mitchell; second by Speaker Gwadosky; unanimous).

Item 2: Legislative Budget: Status Report

Ms. Tubbesing drew members' attention to materials included in their agenda packets and briefly summarized the information. Based on actual expenditures through March 31, Ms. Tubbesing stated that she estimates that the Legislative Account will have a balance of approximately \$900,000 at the end of the fiscal year, on June 30. She noted that nearly half of this amount will be in the Personal Services line and reminded Council members that these savings will need to be applied to the previously identified "gap" in the Legislature's FY 97 appropriation.

No Council action was required on this item.

Item 3: Legislative Computer System: Request for Authorization to Proceed with Phase I of Proposed Migration of Applications to Client Server Network

Ms. Tubbesing reported that the "migration" of the Legislature's computer system was well underway. The first phase has involved hardware -- the installation of a local area network to connect users in all legislative offices with one another and with the Wide Area Network that connects all state agencies and provides a link to the Internet. This phase has also involved upgrading work stations so that they can take full advantage of the client server technology.

The second phase of the "migration" will involve converting the major applications that are currently supported on the Wang system to the client server technology. She then turned to Gerry Thibault, Information Systems Manager, who described the plan that he and his staff have developed to accomplish the migration of the major applications, which include bill drafting; the statute database; bill status; calendars; amendments; and several administrative systems over the next 18 months to 2 years.

Speaker Gwadosky asked for clarification of the implications of the proposed first phase of the migration -- bill drafting and statutes -- for the operations performed by the Offices of the Secretary of the Senate and the Clerk of the House and expressed concern that we not lose the strong working link that currently exists between the Senate and House and the Information Systems Office. Ms. Tubbesing responded that the degree to which the Maine Legislature's computer system integrates the work of various offices is unique among all State legislatures, and that one of the key objectives of the migration is to further strengthen the level of integration. Clerk of the House, Joe Mayo, specifically pointed out that the Bill Stamping System, which the Senate and House had installed, needed to be fully integrated in this project.

Rep. Whitcomb then asked whether the proposed plans were compatible with the objective of providing personal computers on members' desks in the Chambers, and stressed his concern that everything we are doing now should be consistent with this objective. Mr. Thibault assured Rep. Whitcomb that this objective had been incorporated. Speaker Gwadosky then asked about the "unofficial" legislative WEB page; and Ms. Tubbesing responded that plans for the summer include convening a working group to design an "official" Legislative WEB page.

Ms. Tubbesing reported that she was working with Mr. Thibault and members of his staff to develop a request for proposals which would seek software and consultant support for the bill drafting migration.

Motion: That the Executive Director be authorized to go out to bid for support in the development of a client server-based bill drafting system. (Motion by Rep. Whitcomb; second by Rep. Mitchell; unanimous).

Item 4: Performance Budgeting**a. Recommendation for Implementation in Legislative Branch**

Ms. Tubbesing reported that John Wakefield, Dave Boulter, and several members of the staff in both OFPR and OPLA were attending an intensive 5-day training program in strategic planning and performance budgeting, which is designed to equip participants to support agencies in the development of their individual plans. She stated that Lynn Randall had attended a 1-day seminar in preparation for undertaking the development of a strategic plan for the Law Library, so that the Library can be the "pilot program" within the legislative branch for this new process.

Senator Amero asked Ms. Tubbesing to convene a working group comprising interested Council members, the Secretary of the Senate, the Clerk of the House and the Staff Office Directors to develop a proposed strategic plan for the legislature. Speaker Gwadosky, Representative Mitchell, and Senator Amero all volunteered to serve on the working group.

The Council took no formal action on this item.

b. Statewide Implementation Issues Related to Legislative Oversight

Ms. Tubbesing turned to Dave Boulter, who reported that several of the Legislature's joint standing committees had been contacted by agencies who are also in the process of developing strategic plans, asking them to participate in that process. Ms. Tubbesing indicated that she needed direction from the Council regarding payment of per diem to members who did participate in these planning sessions.

After discussion, Council members agree that a letter should be sent to all Committee Chairs encouraging them to try and "piggyback" these meetings on other authorized committee meetings (e.g. confirmation hearings) to the extent possible.

The Council took no formal action on this item.

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

Senator Amero, Committee Chair, reported that the Committee had scheduled a meeting in the morning, preceding the Council meeting, and that she and Speaker Gwadosky had attended. She stated that the Committee was prepared to offer recommendations on two items, noting that recommendations related to performance reviews for the Staff Office Directors and the Executive Director would be deferred until all of the reviews had been completed.

Motion: That the Legislative Council authorize coverage under the Income Protection Plan to eligible employees as recommended. (Motion by Speaker Gwadosky; second by Rep. Jacques; unanimous).

Motion: That the Council approve the reclassification of the existing position of Computer Operator, Salary Range 2, to Salary Range 5, Office and Network Support Technician and that this reclassification be effective May 1. (Motion by Speaker Gwadosky; second by Sen. Amero, unanimous).

Committee on State House Use and Improvements

Representative Mitchell, Committee Chair, reported that this Committee had also met earlier in the day and offered the following recommendations for the Council's consideration in the form of motions:

Motion: That the Council approve the request from Channel 8-TV, Portland, for assignment of space in the Press Center; and, further, that the Executive Director be directed to negotiate with appropriate parties to deposit revenues gained from the lease of space in the Press Center to the Reserve Fund for State House Preservation and Maintenance. (Motion by Rep. Mitchell; second by Rep. Jacques; unanimous).

Motion: That the Legislative Council authorize the transfer of \$250,000 from the FY 95 Balance in the legislative account to the Reserve Fund for State House preservation & Maintenance, in accordance with law; and that these funds be used for projects specifically approved by the Legislative Council. (Motion by Rep. Mitchell; second by Rep. Jacques; unanimous).

Motion: That the Council approve the projects included in Phase I of the proposed Capital Projects Plan, with the agreed revision in the proposed budget for refurbishing committee hearing rooms in the State Office Building. (Motion by Rep. Mitchell; second by Rep. Jacques; unanimous).

OLD BUSINESS

None.

NEW BUSINESS

Item #1: Recommendation Regarding Salary Adjustments for the Secretary of the Senate and the Clerk of the House

Motion: That step increases be awarded to the Secretary of the Senate and the Clerk of the House in accordance with the recommendations of the presiding officers. (Motion by Rep. Jacques; second by Sen. Butland; unanimous).

Item #2: Meeting of the Council of State Governments/Eastern Regional Conference in Portland, July, 1997

Senator Amero stated that she and Representative Kontos were co-chairing the Host Committee for the meeting and noted that the meeting presents a major opportunity to bring legislators and their families to Maine and to showcase Maine people on the program.

Representative Kontos continued, noting that she and Senator Amero had received enthusiastic support from the Governor, from Joel Russ, President of the Greater Portland Chamber of Commerce, and from legislative colleagues. She reported that Maine's host responsibilities include raising approximately \$150,000 to fund programs and activities during the conference and stated that she and Senator Amero had undertaken work to identify Co-Chairs of a Private Sector Host Committee from Maine's business community.

Rep. Kontos reported that a Legislative Steering Committee is also being formed and that most of the legislators who had attended the CSG/ERC annual meeting in Quebec City last summer had agreed to serve on this Committee, she stated that she and Senator Amero would work with the newly-elected leaders of the 118th Legislature to add to the Steering Committee. Rep. Kontos pointed out that the Committee's primary responsibility this summer is to plan a Maine Reception at this year's meeting in Princeton, New Jersey. Both Rep. Kontos and Sen. Amero stressed the importance of sending a good delegation of legislators to the Princeton meeting so that we can learn from the experience.

No Council action was required on this item.

ANNOUNCEMENTS AND REMARKS

May Council Meeting: Members present agreed to meet on Wednesday, May 22, at 1 p.m.

ADJOURNMENT

The Council meeting was adjourned at 2:45 p.m., on the motion of Rep. Jacques.



HOUSE OF REPRESENTATIVES

STATE HOUSE AUGUSTA 04333-0002
287-1400

William Lemke
360 Pride Street
Westbrook, Maine 04092

**Senator Jane A. Amero
Representative Elizabeth H. Mitchell
Legislative Council
115 State House Station
Augusta, Maine 04330-0115**

Dear Senator Amero and Representative Mitchell

I am in the process of doing research utilizing the Legislative Record. This process is made much more difficult by the lack of an index for the Record from the 113th Legislature forward. I would request that you look into this matter to determine if resources could be reallocated to complete the indexes for the past Legislative Record. Please understand this is not a criticism of the Law Library staff, who have always been courteous and helpful when I have made requests.

Thank you for your attention to this matter.

Sincerely yours,

A handwritten signature in cursive script that reads "W. Lemke".

**William Lemke
State Representative**

**pc Joseph Mayo, Clerk of the House
May Ross, Secretary of the Senate
Sally Tubbesing, Executive Director**

New Morning Farm
1407 Finntown Road, Waldoboro, Maine 04572

rsm@midcoast.com
(207)832-4080

May 13, 1996

Sarah C. Tubbesing, Executive Director
Legislative Council
State House Station 115
Augusta, Maine 04333

Dear Ms. Tubbesing:

As you may know, I maintain the Maine Legislative Guide (UNOFFICIAL) on the Internet in cooperation with Curtis Memorial Library. The Guide was set up to provide Internet access to state legislative information until such time as it was available by this means from an official source.

The response to the Guide has been quite positive. It is difficult to determine the actual number of users but it is estimated to be fifty per day at present and seemed to peak near seventy five at the end of the most recent legislative session. In the three plus months of operation sixty requests for the text of proposed legislation or existing Maine law have been processed. Many are from out of state and range from the Hawaii Lieutenant Governor's Office to an undergraduate in North Carolina.

In addition to information from the Maine Legislative Information Network (LINK) material has been obtained from the Office of Policy and Legal Analysis (sections of the Legislators' Handbook) and the Commission on Governmental Ethics and Election Practices (lobbyists list). The State Law Librarian provided the text of an "ad" for Law Library services. The Clerk of the House's Legislative Calendar is furnished by Representative Edmund Benedikt of Brunswick.

Although set up primarily for the 117th Legislature, interest in the Guide has been such that I feel under some obligation to maintain it until an official source is on-line. I was informed by a member of the Legislative Council in January that you hoped that a new legislative computer system would be up and running by the time the 118th Legislature meets. Can you provide any more detailed information on the current plans? I am particularly interested in knowing what will be available to the public on the Internet.

Sincerely,



Robert S. Marshall

copies to: Members of the Legislative Council
Brian Damien, Curtis Memorial Library
Rep. Edmund Benedikt



Angus S. King, Jr.
Governor

DEPARTMENT
of
ECONOMIC AND COMMUNITY DEVELOPMENT
33 Stone Street
59 State House Station
Augusta, Maine 04333

Thomas D. McBrierty
Commissioner
207-287-2656
FAX 207-287-2861

March 11, 1996

Senator Jane A. Amero, Chair
Members of the Legislative Council
Maine State Legislature
Augusta, Maine 04333

Re: Resolve, to Establish the Task Force to Study Environmental Regulation Relating to the Paper Industry.

Dear Senator Amero and Members of the Legislative Council:

During the First Regular Session of the 117th Maine Legislature, the Task Force to Study Environmental Regulation Relating to the Paper Industry was created by Resolves, chapter 22. The legislation directed a small task force consisting of representatives from this Department, the Department of Environmental Protection and the paper industry to conduct three major tasks.

The Task Force is required to: 1) identify all Maine environmental statutes, regulations, or interpretations impacting the paper industry which are more stringent than federal standards, and compare them to those of at least five leading paper states; 2) identify and study all duplicative permitting and review requirements affecting the industry, and make recommendations to eliminate duplication; and 3) compare Maine's opportunities for public input, both in statute and in practice, with those of other states, in order to identify causes of longer public involvement in Maine environmental permitting issues.

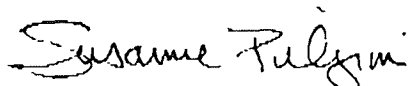
The enabling legislation allowed the Task Force only four months to complete our mission. Although the statute allowed us to adjust our deadline to compensate for delays in appointments and the first meeting (which occurred), nevertheless, the Task Force has determined that due to the enormity of our task, four months is not sufficient to complete the study. The Task Force is committed to producing a quality product which fully explores these complex areas of Maine and federal law, and which can assist Legislative policymakers.

The Task Force is currently developing a survey to gather information from other states and Maine stakeholders. To complete our inventory of environmental standards, gather input from all interested parties on each issue, complete the survey analysis and develop recommendations is not possible in the allocated time period.

As chair of the Task Force to Study Environmental Regulation Relating to the Paper Industry. I write to request a five month extension of the Task Force's reporting deadline. Pursuant to section 6 of our enabling legislation the Task Force has voted to request an extension from the Legislative Council to September 1, 1996.

I appreciate your consideration of this request. Please contact me with any questions you may have.

Sincerely,

A handwritten signature in cursive script that reads "Susanne Pilgrim".

Susanne Pilgrim
Chair

cc: Commissioner McBrierty