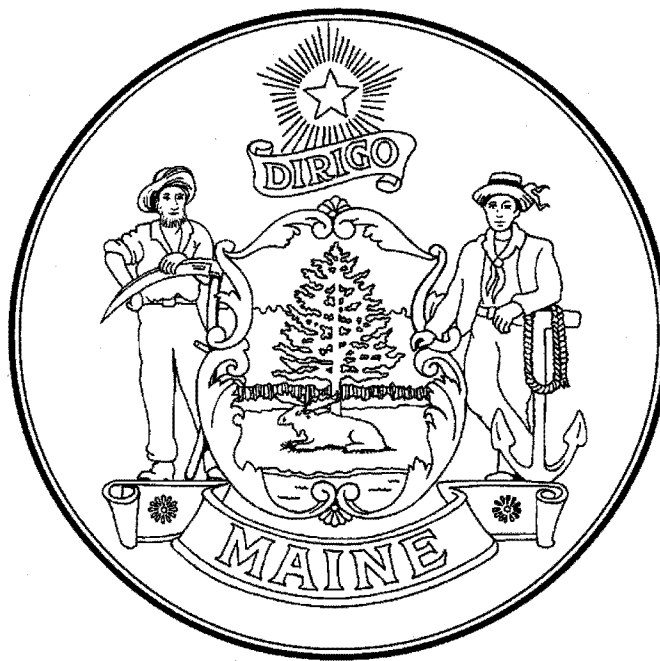


MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**LEGISLATIVE COUNCIL
MARCH 23, 1998
REVISED AGENDA**

CALL TO ORDER

ROLL CALL

SUMMARY OF MARCH 9 AND MARCH 12 COUNCIL MEETINGS

EXECUTIVE DIRECTOR'S REPORT

Item #1: State House Repairs: Status

- a) Responses to Ad for Owners Representative
- b) Construction Manager

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

Legislative Facilities Committee

OLD BUSINESS

Item #1: Proposal to Issue an RFP to Seek Assistance in the Legislative Computer System Migration Project

Item #2: Performance Budgeting: Follow-up Discussion Regarding Proposed Amendments (see enclosed memo from Jim Clair, Office of Fiscal and Program Review)

NEW BUSINESS

Item #1: Notification of Completion of Reviews Under the Government Evaluation Act

- Joint Standing Committee on Agriculture, Conservation and Forestry (Reviews of the Department of Agriculture, Food and Rural Resources and the Baxter State Park Authority)
- Joint Standing Committee on Marine Resources (Reviews of the Atlantic States Marine Fisheries Commission and the Department of Marine Resources)

- Joint Standing Committee on Natural Resources (Reviews of the Board of Environmental Protection and the Department of Environmental Protection)
- Joint Standing Committee on Utilities and Energy (Review of the Office of the Public Advocate)

Item #2: Study Reports

- Commission to Study the Funding and Distribution of Teletypewriters and Other Telecommunications Equipment for People With Disabilities (pursuant to Resolves of 1997, chapter 72)
- Commission to Study the Use of Pharmaceuticals in Long-term Care Settings (pursuant to Resolves of 1997, chapter 71)

Item #3: After Deadline Bill Requests

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

REP. ELIZABETH H. MITCHELL
CHAIR

SEN. MARK W. LAWRENCE
VICE-CHAIR



118th MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. CHELLIE PINGREE
SEN. JANE A. AMERO
SEN. ANNE M. RAND
SEN. R. LEO KIEFFER
REP. CAROL A. KONTOS
REP. JAMES O. DONNELLY
REP. MICHAEL V. SAXL
REP. RICHARD H. CAMPBELL

SARAH C. TUBBESING
EXECUTIVE DIRECTOR

MEETING SUMMARY
MARCH 9, 1998

CALL TO ORDER

The Chair, Speaker Mitchell, called the Council meeting to order at 3:25 p.m., in Room 427, Banking and Insurance Committee Room.

ROLL CALL

Senators:	President Lawrence, Sen. Pingree, Sen. Amero, Sen. Rand, Sen. Kieffer
Representatives:	Speaker Mitchell, Rep. Kontos, Rep. Donnelly, Rep. Saxl, Rep. Campbell
Legislative Officers:	Joy O'Brien, Secretary of the Senate Judi Delfranco, Assistant Secretary of the Senate Joseph Mayo, Clerk of the House Millicent MacFarland, Assistant Clerk of the House Sally Tubbesing, Executive Director, Legislative Council John Wakefield, Director, Office of Fiscal and Program Review David Boulter, Director, Office of Policy and Legal Analysis Margaret Matheson, Revisor of Statutes Lynn Randall, State Law Librarian Paul Mayotte, Director, Legislative Information Services

**SUMMARIES OF FEBRUARY 23 and FEBRUARY 25, 1998, COUNCIL
MEETINGS**

Motion: That the Summaries be accepted and placed on file. (Motion by Senate President Lawrence; second by Rep. Kontos; unanimous).

EXECUTIVE DIRECTOR'S REPORT

Sally Tubbesing reported on the following:

Item #1: Status of Bills

Ms. Tubbesing drew members' attention to the Bill Status Summary in their packets. The Chair, Speaker Mitchell, announced that the goal for adjournment **sine die** is still March 27.

This was an information item: no formal Council action was required.

Item #2: Legislative Computer System: Report from Paul Mayotte, Director, Legislative Information Services

The Chair, Speaker Mitchell, recognized Paul Mayotte. Mr. Mayotte drew Council members' attention to the material that was included in the agenda packet and stated that he wished to focus on three areas in his presentation: the progress in technology in the Legislature during the past year; the proposed project for completing the "migration" from the Wang environment to the client server environment; and discussion of the next steps and the estimated cost of the migration effort.

Technology Progress

Mr. Mayotte stated that much of the work of the Information Services staff is in the background and designed to make sure that legislative users get the support they need. He pointed to some of the tangible signs of progress that had been accomplished in the past year, including:

- Improving the quality of the "Cyber Room" which is restricted to legislators only.
- Working to change the dynamics of the relationship with the International Roll Call Corporation, to ensure that his staff and IRC are working together to support the software applications that IRC has developed to support Bill Stamping, Calendar and Voting functions in the Senate and House.
- Support to legislative offices to help them take advantage of technology. Mr. Mayotte pointed to the work his office has been involved in with the Law Library to set up ADA-compliant work stations as an example of this kind of support. Information Services staff have assumed key roles in getting the Maine Statutes on the Internet, as well as bill and amendment text.
- The development of tools to support the Committee process, including the development of WORD templates for use by the Committee Clerks.
- Implementation of new products on the Legislature's WEB Page and support to the Legislature's key WEB Users.

Mr. Mayotte characterized the Legislature's WEB Page as a true team effort, one that is supported by staff in virtually every legislative office. He noted that the primary role of the Information Services staff in this enterprise has been working on some of the more complex WEB products, such as the statutes, as well as general technical support.

Other "fronts" where progress has been made include the development of more structure within the Information Services Office to ensure timely response to requests for help; training of staff to ensure backup support for key areas; and significant work on the technology "infrastructure", including upgrading the electrical power supply.

Questions from Council members about Mr. Mayotte's summary of progress included the following:

1. Do we have someone on our staff trained to support International Roll Call's application? (Senate President Lawrence)

Mr. Mayotte responded that he does have one person trained to provide "front line support", (Casey Begin) but that this will never completely eliminate the need for support from IRC.

2. What is the Legislature's Year 2000 risk? (Sen. Rand).

Mr. Mayotte replied that the key to eliminating the Legislature's risk in this area is moving off the Wang; if the Legislature does not replace the Wang by the year 2000, it will be necessary to develop a plan for addressing this issue.

Proposed "Migration" Project

Mr. Mayotte stated that some of the Legislature's key business applications are still on the Wang VS, including bill drafting and bill status, which be characterized as highly complex, highly integrated systems - and, in his contacts with other states, very advanced systems in terms of what is available to most other legislatures. The Wang technology that supports these systems, however, is obsolete. The hardware is aging; and trained Wang support people are very difficult to find. The applications and software use old technology: they do not provide "clean" support of Windows or the WEB, and could not support future chamber automation. Maintenance and modification of Wang software is slow, limited and costly; and Wang software and operating systems pose year 2000 problems.

Mr. Mayotte went on to say that migration off the Wang is not a simple project: it not only involves replacing both the hardware environment and supporting software, but the conversion of data from past legislative sessions. The preliminary planning for the migration, which has produced the draft RFP, has involved the entire user community in defining both current systems and software application requirements. Mr. Mayotte stressed that the migration is a necessary first step to allow chamber automation, but that it will not actually accomplish chamber automation, a project that would require action by a future Council.

The preliminary migration planning has included an assessment of the resources represented by the Information Services staff, and Mr. Mayotte has concluded that while his staff has a basic knowledge of the software development tools and process,

they do not have the depth of development experience required to do a "first class job," nor is his office staff at the level that would be required to accomplish this project in a timely manner and continue to support all users. He views contracting as the most cost-effective way to accomplish this project; and, based on a survey of vendors who have worked with other state legislatures, believes that 3 or 4 vendors have products that could be customized to meet the Maine Legislature's requirements.

Mr. Mayotte then reviewed the proposed schedule for the Migration Project and indicated that he had distributed a preliminary draft of the RFP to the Secretary of the Senate, Clerk of the House, the Executive Director, and the Directors of the Revisor's Office and the Offices of Policy and Legal Analysis and Fiscal and Program Review for review and comment.

Discussion of this segment of Mr. Mayotte's presentation focused on the following issues:

1. Whether Mr. Mayotte planned to have anyone on his staff involved in the project (Senate President Lawrence)

Mr. Mayotte confirmed that he intends to integrate some of his staff fully into the project. He added that the successful vendor will also be required to turn over all source code that is developed so that Information Services staff will be able to modify it in the long run.

2. What are the most significant comments that Mr. Mayotte has received from those who have had the opportunity to review the RFP? (Speaker Mitchell)

Mr. Mayotte replied that there were two areas: First, that the draft describes the current drafting and status systems too closely and does not reflect the need for changes. He stressed that the focus of the migration is on the redevelopment of a database to support drafting, status reporting and related functions. The second broad area is related to the section on Terms and Conditions; and Mr. Mayotte stated that Sally Tubbesing was working on getting a legal review of this section.

The discussion then turned to how the Council would proceed. In response to Senator Amero's request as to whether the vote needed to be taken at this meeting, the Chair, Speaker Mitchell responded that the Council needs to vote before the RFP is released. Senate President Lawrence asked whether it would be appropriate to vote on the concept of contracting out; at which point the Chair, Speaker Mitchell, turned to Mr. Mayotte, who responded that he was seeking direction from the Council with regard to the RFP itself and to paying for the proposed contract. He stressed the fact that the success of this project requires a team effort. The Chair, Speaker Mitchell, stated that the Council does support the migration and asked Mr. Mayotte to continue to collect comments on the draft RFP and report these to the Council at a meeting to be scheduled. She then invited Mr. Mayotte to continue with the final segment of his presentation.

Next Steps and Estimated Project Cost

Mr. Mayotte drew Council members' attention to the estimated budget for the migration project, noting that of the total projected cost of \$1,193,250 for hardware, software and related training, he had identified \$141,000 in his FY 1999 budget that could be "contributed" to this effort, leaving an unfunded balance of \$1,051,400. Council members raised the following issues and concerns in the discussion that followed Mr. Mayotte's overview of the budget estimate:

1. Whether there would be a schedule of payments to the contractor (Senate President Lawrence)

Mr. Mayotte responded that in projects of this size payment is generally based on the submission of approved deliverables: a progress payment is made upon approval of the deliverable, with a pre-defined percentage held to be issued as a final payment once the Legislature has formally accepted the newly designed system.

2. Whether bidders know the estimated budget (Rep. Kontos)

Mr. Mayotte replied that this estimate would be a matter of public record once the RFP has been issued.

3. How many vendors might be expected to submit bids (Rep. Kontos)

Mr. Mayotte responded that he had developed a list of 12 vendors and would expect at least 4 or 5 of these firms to submit proposals.

4. How the Legislature purchases computers compared to the Executive Branch, which utilizes lease-purchase financing. (Speaker Mitchell)

Ms. Tubbesing responded that the Legislature has used lease purchase financing for hardware in the past. Senate President Lawrence then stated that this project involves purchase of technical assistance in software development and that a lease purchase arrangement would be inappropriate.

5. The cost of the current bill drafting and bill status system and the projected pay back of the new system (Rep. Campbell)

Mr. Mayotte: The lease purchase agreement for the Wang VS was fully paid off in the summer of 1997; however, the Legislature continues to pay for a maintenance contract, which includes licenses, at a cost of approximately \$5,000/month. Other costs associated with the operation of the Wang include other licenses (est. \$12,000-\$15,000/year); the assignment of Information Services staff -- who could be reassigned to tasks related to support of the client/server network as soon as the migration is complete; and a year 2000 cost, which cannot be estimated at this point.

- Could the cost of the proposed work be spread out over a period of years?
(Rep. Campbell)

Mr. Mayotte: Most of the hardware required to support the migration is already in place. The only alternatives to an outright purchase would be to stay on the Wang or to have in-house staff do all of the development work (which carries the risk of being more expensive ultimately)

Rep. Campbell asked for additional information about potential cost savings.

- The time frame for the project, which appears to be tight. (Senate President Lawrence)

Mr. Mayotte: Some time for overruns and delays has been built into the proposed schedule, but it is vital that the Council be comfortable with both the time frame and the entire project.

The Chair, Speaker Mitchell, concluded this discussion with the announcement that she would try to reconvene the Council later in the week, at which time the Council would also discuss the management structure for this project. Representative Kontos also asked that if anyone was opposed to anything in the proposed RFP, they raise their concerns at the next meeting so that Council members could understand the issues and concerns.

No formal action was taken.

REPORTS FROM COUNCIL COMMITTEES

(None)

OLD BUSINESS

Item #1: Special Committee to Review the Study Commission Process: Submission of Report (Tabled at February 25 Council meeting)

The Chair, Speaker Mitchell expressed her thanks to all of the people who had worked on this study. She then recognized David Boulter, who proceeded to present an overview of the Special Committee's findings and recommendations. Mr. Boulter first drew members' attention to the Executive Summary in the Report, noting that some of the recommendations would require changes in current procedure, while others involve policy.

He reported that the Commission had convened last November to look at the problems in the current process, and at how study commission had been handled in the past. He stated that the more than 30 new study commissions that had been created by the Legislature during the 1st Regular Session had heightened awareness of the inefficiencies of the current process and convinced legislators and others that a number of changes could be made that would both increase the satisfaction of study commission members and improve the timeliness and thoroughness of study reports.

Mr. Boulter noted that the current method for creating study commissions through legislation had evolved since 1987, and that, prior to that time, study orders were used to direct joint standing committees on specially organized joint select committees to conduct studies.

Mr. Boulter reported that the Committee had identified significant procedural barriers that prohibit study commissions from accomplishing their legislative charge in many cases. He identified four broad problem areas that the Special Committee had identified. These include:

- 1) The lack of legislative control due to the fact that legislators constitute a minority of the members on most study commission;
- 2) Inconsistent funding and compensation of members;
- 3) Lack of drafting guidelines; and
- 4) Cumbersome appointment process.

These procedural barriers create an environment that is rarely conducive to the careful evaluation of important policy issues and options -- thus defeating the very reason for creating study commission.

Mr. Boulter then drew Council members' attention to the recommendations that the Special Committee had developed. They focus on returning the control of these studies to the Legislature through the use of joint standing and joint select committees for most studies; the appointment of both members and chairs by the presiding officers; and staffing studies through the Legislative Council. Other recommendations address the compensation of study commission members; the establishment of reporting deadlines before the convening of legislative sessions; and changes in the management of study expenses and the coordination of the convening of study commissions. He noted that some of the recommended changes would require amending both the Joint Rules, and the development of Legislative Council policies to provide clear guidance for studies.

In discussion following Mr. Boulter's presentation, the Chair, Speaker Mitchell, asked Mr. Boulter what issues had been raised in the Senate Caucus to whom he had previously made a presentation. Mr. Boulter responded that those present had raised the following issues and questions:

1. Whether adoption of these recommendations would completely foreclose other types of studies;
2. Whether membership on study commissions should be restricted to legislators; (Mr. Boulter clarified that the Committee's recommendation acknowledges that there should be some exceptions to the "legislator only" rule); and
3. Whether the presiding officers should be the sole appointing authorities.

Rep. Kontos asked Mr. Boulter if the Caucus had raised the issue of timing and Mr. Boulter responded that if study commissions are convened promptly, they should have adequate time to complete their work. He again pointed to the recommendation that all studies be completed before the next legislative session. Senate President Lawrence stated that there are some issues that need to be resolved and suggested that he meet with Mr. Boulter to go over these issues.

The Chair, Speaker Mitchell then posed the question as to whether this Legislature should consider the proposed amendment to the Joint Rules so it would be in place when the 119th Legislature convenes.

The Chair, Speaker Mitchell, thanked Mr. Boulter again; and, in the absence of a quorum, asked him to arrange to distribute copies of both the Report Summary and the proposed amendment to the Joint Rules to all members of the Legislature.

NEW BUSINESS

Item #1: Reconsideration of Request from Task Force to Study the Feasibility of Creating a Maine Mobility Fund for an Extension (Request denied by unanimous vote of the Council at the January 21, 1998, meeting; reconsideration requested by Senate President Lawrence; copy of original letter from Task Force enclosed).

The Chair, Speaker Mitchell, recognized Senator William O'Gara, Senate Chair of the Joint Standing Committee on Transportation. Sen. O'Gara stated that the Task Force had not originally convened until December because the Governor had not completed his appointments until late November. The Task Force had met only once; thus, the members could not be faulted for failing to meet their January 1 reporting deadline. Sen. O'Gara noted that members of the Transportation Committee had worked very hard to create this Task Force and requested the extension so the Task Force would have an opportunity to complete its work.

In discussion, Rep. Saxl asked for information about how the Council had acted on other extension requests to date. Senate President Lawrence responded that the Council's responses had been varied; and Sen. Amero added that she did not think that the Council had authorized any extension beyond the term of the 118th Legislature to date. Sen. Kieffer asked if the next Legislature could act on recommendations from a study created by this Legislature, and Speaker Mitchell responded affirmatively.

Motion: That the request to extend the Task Force's reporting date to October 15, 1998 be approved. (Motion by Sen. Rand; second by Senate President Lawrence; failed 5-3)

Item #2: Notification of Final Reports Submitted by Study Commissions

- Commission to Study the Certificate of Need Laws, pursuant to 1997 Resolves, Chapter 82 (submitted to Joint Standing Committee on Health and Human Services and the Legislature).

- Task Force to Review the Applied Technology Centers and Applied Technology Regions, pursuant to 1997 Resolves, Chapter 74 (also submitted to the Joint Standing Committee on Education and Cultural Affairs and the Legislature).
- Commission to Designate Outstanding Maine Citizens Whose Portraits are to be Displayed in the State House, pursuant to 1997 Resolves, Chapter 64 (submitted to the Legislature).

No formal Council was action required on these reports.

Item #3: Northern New England Passenger Rail Authority: Submission of 1997 Annual Report pursuant to 23 MRSA, Chapter 621.

Item #4: After Deadline Requests

After deadline requests were considered by the Legislative Council. The Council's action on these requests is included on the attached list.

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

The Legislative Council meeting was adjourned at 5:04 p.m.

REP. ELIZABETH H. MITCHELL
CHAIR

SEN. MARK W. LAWRENCE
VICE-CHAIR



118th MAINE STATE LEGISLATURE

LEGISLATIVE COUNCIL

SEN. CHELLIE PINGREE
SEN. JANE A. AMERO
SEN. ANNE M. RAND
SEN. R. LEO KIEFFER
REP. CAROLA A. KONTOS
REP. JAMES O. DONNELLY
REP. MICHAEL V. SAXL
REP. RICHARD H. CAMPBELL

SARAH C. TUBBESING
EXECUTIVE DIRECTOR

MEETING SUMMARY March 12, 1998

CALL TO ORDER

The Chair, Speaker Mitchell, called the Council to order at 2:30 p.m. in Room 124, State House.

ROLL CALL

Senators: President Lawrence, Sen. Rand, Sen. Kieffer
Absent: Senator Pingree; Senator Amero

Representatives: Speaker Mitchell, Rep. Kontos, Rep. Donnelly,
Rep. Saxl
Absent: Rep. Campbell

Legislative Officers: Joy O'Brien, Secretary of the Senate
Judi Delfranco, Assistant Secretary of the Senate
Joseph Mayo, Clerk of the House
Millicent MacFarland, Assistant Clerk
of the House
Sally Tubbesing, Executive Director,
Legislative Council
John Wakefield, Director, Office of Fiscal
and Program Review
David Boulter, Director, Office of Policy
and Legal Analysis
Margaret Matheson, Revisor of Statutes
Lynn Randall, State Law Librarian
Paul Mayotte, Director, Legislative
Information Services

EXECUTIVE DIRECTOR'S REPORT

(None)

REPORTS FROM COUNCIL COMMITTEES

(None)

OLD BUSINESS

Item #1: Proposal to Issue an RFP to Seek Assistance in the Legislative Computer System Migration Project

The Chair, Speaker Mitchell asked the Secretary of the Senate, Joy O'Brien, and the Clerk of the House, Joe Mayo, to join Mr. Mayotte as presenters in this discussion, which was a continuation of the Council's discussion of the proposed computer migration project and the draft RFP which has been developed to accomplish the project.

At her invitation, Clerk Mayo spoke first. He noted that while he had supported the Information Systems Office throughout his legislative career, he has concerns about the RFP in its current form. His primary concerns are that the RFP seems to perpetuate the current system and that it does not adequately reflect or address the need for support of 3rd floor operations. The reference to a Bill Status system in the RFP appears to ignore the Bill Stamping system that is now used in the Senate and House Chambers, but, instead, reflects the continuation of parallel tracking systems, which is not satisfactory. He further expressed his concern that the RFP recognizes only the Legislative Council as having authority for overseeing the proposed project and approving the deliverables that result from it, thus failing to recognize the separate authorities of the Senate and House. He expressed confidence that the migration can go forward, but only if "we move outside the box" and rethink the way we do business, including the flow of information and documents.

Joy O'Brien, Secretary of the Senate, stated that she shared Clerk Mayo's concerns and that it is important not only to revamp the RFP to reflect these, but to look at other avenues to obtain the funding that the migration project requires.

The Chair, Speaker Mitchell, expressed her hope that the discussion would focus not only on identifying the problems, but on finding ways to address them. She then turned to Mr. Mayotte, who agreed that his discussions with those who had reviewed the Draft RFP had indicated there are several issues that need to be addressed, and he drew Council members' attention to a document that he had prepared following the Council meeting earlier that week. The document summarized the concerns that had been expressed by those who had reviewed the RFP to date, many of which the Clerk had just restated. He noted that many of the concerns dealt with issues of policy and stressed that the technology can support policy but not resolve it, and that these issues need, therefore, to be addressed in conjunction with the design of the new system over the course of the summer.

Mr. Mayotte then proceeded to go through the other items on the handout. He described the **Phased Implementation** that he has proposed stating that the migration needs to be done in managed steps to insure that key users are involved throughout. Senator Rand asked if the RFP had to be entirely rewritten to address the concerns raised by the Secretary and Clerk, and Secretary O'Brien responded "no" but said that

she and Clerk Mayo had asked for a number of changes. The Chair, Speaker Mitchell, asked if it were possible to proceed with the initial steps in the project “without closing some doors;” and Mr. Mayotte responded that no doors will be locked until the Council and the contractor signoff on the design, which would occur in September or October based on the proposed schedule, adding that the new system architecture will be much more flexible than the Wang architecture. Rep. Saxl asked Mr. Mayotte whether he had worked with the architect and engineers on the infrastructure required for the full migration to a client server system, and Mr. Mayotte responded affirmatively.

Council members’ discussion then returned to issues related to the scope of the RFP and the administration of the proposed project, including:

- The role of the Legislative Council in administration of the contract for the project (Senate President Lawrence)

Mr. Mayotte drew Council members’ attention to a chart depicting a proposed Oversight Team for the project, noting that the Council must be involved in establishing both a process and a defined group that will be accountable to the Council throughout the project and that this group needs to have full communication with the Council. Secretary O’Brien stated that the project would not work in her view unless it was directly driven by the Council. In the ensuing discussion Council members agreed that a Council member should chair the Steering Committee; that Mr. Mayotte should be the person responsible for coordinating the work on the Steering Committee; and that the Steering Committee and Council need to begin review and discussion of the policy issues associated with this project immediately.

- Proposed timetable for issuance of the RFP (Rep. Kontos)

Rep. Kontos asked if the proposed timetable for issuance of the RFP is realistic given the discussion. Council members asked Mr. Mayotte to continue to gather comments from those who had reviewed the initial draft of the RFP and provide them all with revised draft which incorporates the changes.

- Process for resolving outstanding policy issues.

Rep. Kontos turned to the question of how to resolve the policy questions that had been raised in the course of the discussion. Mr. Mayotte stated that it was his job to implement policy, and to ensure that policy decisions drive the technology. The Chair, Speaker Mitchell, asked Ms. Tubbesing to work with the Secretary, Clerk and the Office Directors to develop a list of the policy issues known at this point. Discussion concluded with consensus that the Oversight Committee is key to the success of the project and that Lynn Randall and Teen Griffin should be added to the membership of the Steering Committee.

- Project Funding

Clerk Mayo proposed that the Council should pay a rate lower than \$33/month for each device that is hooked to the Wide Area Network (this is the current charge levied by the Bureau of Information Services). Council members asked Mr. Mayotte to get more information about this charge.

NEW BUSINESS

- Item #1: Letter from Blue Ribbon Commission to Study the Effects of Government Regulation and Health Insurance Costs on Small Businesses in Maine Regarding Regulatory Agendas Submitted by State Departments and Agencies (enclosed)

The Council took no formal action on this item in the absence of a quorum.

- Item #2: Government Evaluation Act: Process for Dealing with Reports and Legislation (at request of Rep. Kontos)

Rep. Kontos reported that the Utilities Committee had been working that week on its review of the Public Advocate pursuant to the Government Evaluation Act. She expressed concerns about the very compressed period available for the Committee's consideration of complex, and sometimes controversial issues and programs, as well as concern that there are unanswered questions surrounding the development of legislation in conjunction with GEA reviews.

The Chair, Speaker Mitchell, asked David Boulter to address the issues raised by Rep. Kontos. Mr. Boulter recalled that the Government Evaluation Act was set up as the successor to the audit and program review function to provide legislative oversight of departments' organization and operations. The statute lays out a 2-tiered process, which is intended to dovetail with the strategic planning process. In the first stage, legislative committees determine which departments they want to review, using the schedule that appears in the law, and departments prepare a self-assessment during the interim. The second stage involves review of these self assessment reports by legislative committees and the of legislation if the committee deems this necessary to address issues identified in the course of the review.

Following this overview, Mr. Boulter stated that the difficulty with the GEA is that the heaviest workload -- review of departments' submissions -- comes at the busiest time of the session. He further noted that, in most cases, the legislation that committees have developed as a result of their reviews has not had a public hearing. He identified some measures that the Legislature could take to address some of the concerns expressed, including authorizing committees to meet during the interim to conduct the reviews of departments. The Chair, Speaker Mitchell, expressed concern that these

reviews should occur during the interim following the 1st Regular Session so that the reviews aren't left to "lame duck legislators." Rep. Kontos added that it is important to clarify the current language in the Government Evaluation Act with regard to how to deal with department reports and with legislation that emerges from a review.

No formal action was taken in the absence of a quorum, but Council members suggested that the questions raised during the discussion might be appropriate for an interim Staff Study.

Item #3: After Deadline Bill Requests

In the absence of a quorum, this item was not taken up.

ANNOUNCEMENTS AND REMARKS

The Chair, Speaker Mitchell, announced that the Council would meet again on Monday, March 23, to take final action on the Migration Project proposal.

ADJOURNMENT

The Council meeting was adjourned at 3:20 p.m.

Construction Manager

Status

- ◆ 3 firms have responded to Request for Qualifications
 - Granger Northern, Inc., Portland
 - Nickerson & O'Day, Inc., Bangor
 - Wright - Ryan Construction, Inc., Portland
- ◆ Orientation Tour of State House has been scheduled for this Thursday, March 26
 - Tour "guides" include architect and engineers
 - Members of the Council are welcome!
- ◆ Interviews with each firm have been scheduled for Thursday, April 2
 - Interview panel to include State House "team" (architect and engineers); Earle Shettleworth; Director of Professional Services Division; BGS; Executive Director; **and members of the Council as determined by the Council.**
- ◆ Group to make a recommendation to Council for final approval



Organizing for Summer 1998 Capital Improvements

- ◆ Owner's Representative

- ◆ Construction Manager

Owner's Representative

Status

- ◆ Ad appeared in weekend papers on March
Deadline for submission of qualifications: Friday, March 20

- ◆ Two candidates filed by deadline
Eric N. Grondahl, P.E., Norway, Maine
Sylvanus Doughty, Architect, Hallowell, Maine

- ◆ Copies of packages have been distributed to members of the
Legislative Facilities Committee

Proposed Review and Selection Process

- ◆ Conduct "orientation tour" of State House for both candidates

- ◆ Develop evaluation criteria

- ◆ Facilities Committee to conduct interviews and make recommendation
for Council for final approval

LEGISLATIVE COUNCIL

ADA Coordinator

Proposed Responsibilities

- General oversight of compliance with ADA.
- Work with Secretary of the Senate, Clerk of the House and Executive Director to identify need for improvements required to achieve compliance and/or to improve level and quality of services and facilities.
- Maintain a record of all requests, complaints and written grievances filed in conjunction with ADA, and presenting these to the Legislative Council with recommendations regarding corrective action.
- Review plans for State House renovations to ensure that accessibility issues are appropriately incorporated.
- Develop education and training programs and materials for both legislators and legislative staff to promote awareness of the Americans with Disabilities and the services available to persons with disabilities.
- Work with all legislative offices to insure that information about the services available to persons with disabilities is included in all relevant publications.
- Coordinate contractual relationships with outside providers for the provision of interpreters.

MAINE STATE LEGISLATURE

LEGISLATIVE COUNCIL

ACCESSIBILITY TO LEGISLATIVE PROGRAMS, SERVICES, & ACTIVITIES

The Maine State Legislature is committed to complying with the provisions of the Americans with Disabilities Act (ADA) and the Maine Human Rights Act and affirms its commitment to the goal that individuals with disabilities shall not be excluded from participating in or be denied the benefits of any program, service or activity offered by the Legislature.

Discrimination on the basis of disability is also prohibited by the Maine Human Rights Act; and it is the responsibility of legislators and legislative employees to support the goals, objectives and concept of the ADA and the Maine Human Rights Act in their dealings with the public, with co-workers and with prospective employees.

The Legislature will strive to provide auxiliary communication aids to individuals with disabilities as necessary to afford them equal opportunity to participate in or benefit from the Legislature's programs, services and activities.

Information regarding services that are available to assist persons with disabilities to participate in the activities of the Legislature is available in any of the following offices:

Senate

Secretary of the Senate
Room 327, State House

Phone: 207-287-1540
TDD : 207-287-1583
FAX : 207-287-1900

House of Representatives

Clerk of the House
Room 300, State House

Phone: 207-287-1400
TDD : 207-28704469
FAX : 207-287-1456

Legislative Information Office

Room 314, State House

Phone: 207-287-1692
TDD: 207-287-6826
FAX: 207-287-1580

LEGISLATIVE COMPUTER SYSTEM

POLICY ISSUES THAT NEED TO BE ADDRESSED IN MIGRATION PROJECT

PRELIMINARY LIST

■ General System Requirements and Design

- a) Need to review the information that current status system captures and determine need for additional items.

■ Process and Document Flow

- a) Need to review current data entry responsibilities and identify opportunities for
 - Eliminating duplicate data entry
e.g. Using data captured by Bill Stamping System and eliminating Info Office data entry of docket information.
 - Capturing data closer to its point of organization
e.g. Committee "status" information.
- b) Need to review the way we currently process documents related to bills and amendments

Examples

- Should Fiscal Notes be integrated into bill/amendment text or appended (separate sheet)?
- At what point in the process should Fiscal Notes be prepared?
Wait until Committee takes an affirmative action?
- Floor amendments
 - Should they be fully drafted before the body adopts in concept?
 - Filing deadlines?

■ **Data Ownership and Access**

- a) Need to define who “owns” data and who has the following rights/access to each set of data
 - Create
 - Read
 - Update
 - Delete
- b) Need to define data that the creating office has sole ownership of (i.e. to use only for internal management purposes)?
- c) Need to ensure that access to the data is “user friendly” and readily supports ad hoc reporting as well as defined standard reports.

■ **Data Security:**

- a) Who establishes, maintains, and is accountable for security levels?
 - Office security
 - Application security
 - Data security
 - System security
- b) What the right balance between the level of security and ease of system use?

■ **Data Validation and Verification**

- a) Need to review current responsibility for this function for each set of data and reaffirm or propose changes.
e.g. If Committee Clerks directly enter data, who is responsible/accountable for verifying completeness and accuracy?

■ **Publication of Data**

- a) Need to define who controls the release/availability of various types of information
 - to the public
 - to the WEB
- b) Need to review current publications

■ **Migration Project Management**

- a) **Roles, authority and membership of Migration Project Oversight Committee need to be defined.**

PROPOSED

Oversight Committee

- a) Reviews proposals and makes provisional selection of vendor, subject to final approval of the Council.
- b) Provides oversight to ensure that final system design
 - Provides robust support for functions related to drafting and capture and reporting of status information so as to meet defined requirements of Senate, House and Legislative Council offices related to these functions.
 - Offers appropriate integration with IRC applications.
 - Supports implementation of the Legislature's Strategic Plan.
- c) Is involved in identification and resolution of policy issues that arise in the course of the contract.
- d) Is apprised of all technical issues and their resolution by the Director of Information Services.
- e) Reviews need for contract amendment, and approves amendments based on recommendation of Director of Information Services.
- f) Approves payment in accordance with contract schedule, based on review and recommendation of Director of Information Services.

PROPOSED

Legislative Council

- a) Approves the Migration Project's goals and objectives.
- b) Approves selection of the vendor and contract amount based on recommendation of the Steering Committee.
- c) Approves contract changes if they require use of the contingency reserve.
- d) Receives monthly reports on project progress, policy issues that arise and their resolution.
- e) Has final approval of all recommendations from Steering Committee that involve changes in organizational responsibility.

PROPOSED

Director, Legislative Information Services

- a) Primary contract for overall and day to day project management, including
 - Organizes overall project into manageable components.
 - Develops project task and deliverable schedule.
 - Identifies need for contract changes.
 - Tracks issues requiring review by Oversight Committee and tracking resolution.
 - Oversees technical acceptance testing
 - Coordinates user acceptance testing
 - Coordinates training.
 - Status reporting to Oversight Committee and Legislative Council
 - Coordinates progress payments.
- b) Initial contact point for Contractor.
- c) Contract administration (in consultation with Oversight Committee and Executive Director)
- d) Staff support to the Oversight Committee (Agenda coordination; follow-up, etc.)

**118th MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL**

STATEMENT OF INTENT

LEGISLATIVE INFORMATION TECHNOLOGY

March 23, 1998

It is the intent of the Legislative Council that:

The MAINE STATE LEGISLATURE develops and implements a structured Information Technology Plan, which shall provide the House, the Senate, and the Legislative Council with, cost effective, user enabling automated systems. The automated systems provided are to be flexible in nature to make possible prompt system modifications resulting from changes in Legislative policies or processes.

The Legislative Council is the policy setting body for information technologies, which impact the entire Legislature.

Leadership, Legislators, and the Officers of the Legislature are directly involved in defining, planning, and providing oversight in the implementation of information technology in the Legislature and that the Council establishes an Information Technology Steering Committee made up of these people to perform these functions.

In order to effectively manage information technology projects and minimize risk to the Legislature, that each project be implemented in phases. Each project phase being of a size and duration that can be efficiently planned, scheduled, and measured.

The Legislature migrates its automated systems currently supported by the WANG VS mini-computer to a client/server-computing environment using an "open technology architecture".

**WANG Migration Request for Proposal Schedule
As of March 23, 1998**

March 23, 1998	Legislature Council discussion and direction
March 24, 1998	Place formal advertisement
March 24/26, 1998	Final comments / revisions integrated / complete document
March 27, 1998	Print completed document
March 29, 1998	Advertisement appears in Maine newspapers
March 31, 1998	RFP released
April 27, 1998	Bidders conference
May 15, 1998	Bids due
May 19 – June 12	Bid Review and development of recommendations
June 15 – July 2	Legislative Council review and consideration
July 5 – July 10	Contract negotiations
July 13 – July 15	Final Legislative Council review / consideration / approval
July 17, 1998	Contract award

**Bill Drafting / Legislative Status Project
Bidders List
as of March 23, 1998**

Xlink
14 North Peoria Street, #7G
Chicago, IL 60607

Microstar
3775 Richmond Road
Nepean, Ontario, Canada K2H 5B7

International Roll-Call Corp.
8346 Old Richfood Road1500
Mechanicsville, VA 23116

Omicron
Market Street, Suite 2300 West
Philadelphia, PA 19102

Pythia Corporation
101 West Ohio Street
Indianapolis, IN 46204

Coopers & Lybrand L.L.P.
Two Wall Street
P. O. Box 5086
Manchester, NH 03108

Computer Science Corporation
700 Washington Street
Bath, ME 04530

Keane, Inc.
2 Executive Park Drive
Bedford, NH 03110

Public Systems Associates
770 North Street
Baton Rouge, LA 70802

Software Studios, Inc.
1356 South Main St. Suite 200
Orem, UT 84058

Digital Equipment Corporation
4235 South Stream Blvd.
Suite 200
Charlotte, NC 28217


Grant Thornton, L.L.P.
605 3rd Avenue, 30th Floor
New York, NY 10158



MAINE STATE LEGISLATURE
OFFICE OF FISCAL AND PROGRAM REVIEW
5 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0005
Telephone: (207) 287-1635
FAX: (207) 287-6469

March 18, 1998

TO: Jack Nicholas, State Budget Officer
Evan Richert, Director, State Planning Office
Jody Harris, Strategic Planning Coordinator

FROM: Jim Clair 

RE: **OPTIONAL AMENDMENT TO LD 2002, "AN ACT TO DELAY THE
IMPLEMENTATION OF PERFORMANCE BUDGETING FOR STATE GOVERNMENT"**

You'll recall that the Appropriations Committee, in a previous worksession on LD 2002, asked non-partisan staff to draft optional language for the Committee that reflected the concerns voiced by some members of the Legislative Council and the Committee. Dave Boulter, Rose Breton, John Wakefield and I have met a number of times to attempt to draft that option. Senator Michaud has asked that we share a copy with you. It is our understanding that the Appropriations Committee will discuss LD 2002 in worksession later this week.

Staff will present this draft amendment as one option for the Legislature's consideration this session. The five options that will be before the Appropriations Committee at their worksession will include:

- LD 2002, as written;
- LD 2002, as proposed to be amended by the Commission on Performance Budgeting/ Administration on January 23, 1998;
- LD 2002, as proposed to be amended by Representative Kerr on February 10, 1998;
- LD 2002, as proposed to be amended by the attached March 18, 1998 option; and
- LD 2002, "Ought Not to Pass" (i.e., status quo).

I will try to contact you as soon as a specific worksession date and time has been set. Please contact me with any questions you may have.

cc: Members, Legislative Council
Members, Joint Standing Committee on Appropriations and Financial Affairs
Sally Tubbesing, Executive Director
Rose Breton, Executive Director's Office
David Boulter, OPLA
John Wakefield, OFPR

DRAFT AMENDMENT: LD 2002, An Act to Delay the Implementation of Performance Budgeting for State Government

Amend the bill by deleting everything after the emergency preamble and replacing it with the following:

Sec. 1. 5 M.R.S.A. §1710-K, as amended by PL 1997, c. 184, §3 is further amended to read:

§1710-K. Performance budgeting; definitions

1. Definitions. As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Commission" means the Commission on Performance Budgeting.

B. "Measurable objective" means a specific quantifiable outcome that defines how an agency will achieve its goals and that defines the actual impact on the public being served rather than the level of effort expended by the agency. The use of a measurable objective is a tool to assess the effectiveness of an agency's performance and the public benefit derived.

C. "Performance budgeting" means the method for developing and finalizing an agency's request for appropriations or allocations derived from its strategic plan and consistent with an agency's statutory responsibilities. Performance budgeting allocates resources based on the achievement of measurable objectives, which in turn are related to the agency's mission and goals.

~~D. "Policy area" means a broad functional category into which executive departments, state agencies, organizations, corporations, associations or programs and subprograms are grouped according to the degree to which they share the same goals; encompass activities that share a common purpose; have common or similar customers; have common or similar measurable objectives; and may be analyzed by similar methods as defined by the State Budget Officer and the Legislative Council or the council's designee.~~

E. "Program" means a grouping of activities and expected results that are directed toward the accomplishment of a set of goals and objectives consistent with statutorily defined missions and represent a department, bureau, division or operational entity to which the

Legislature appropriates or allocates resources as defined by the ~~State Budget Officer and the Legislative Council or the council's designee~~ Legislature.

F. "State agency" means a an executive department, agency, independent agency, organization, corporation or association that receives a direct appropriation or allocation from the State or is required to comply with chapter 149, except that for the purposes of this chapter "state agency" does not include the Maine Sardine Council, the Maine Lobster Promotion Council, the Maine Potato Board, the Maine Dairy Promotion Board, the Maine Dairy and Nutrition Council, the Maine Blueberry Commission or the Maine Indian Tribal-State Commission. The Legislative and Judicial branches may elect to participate or not participate in any aspect of this chapter.

G. "Strategic plan" means a long-range, policy-oriented document that maps an explicit path between the present and a vision of the future. A strategic plan is derived from an assessment, goal-setting and decision-making process that relies on careful consideration of an agency's capabilities and environment. A strategic plan identifies a state agency's statutorily-defined mission, goals, measurable objectives and strategies and leads to priority-based resource allocation and other decisions. For purposes of implementing this chapter, the ~~State Planning Office~~ Bureau of the Budget may prescribe the format and process for developing a the strategic plan for performance budgeting.

H. ~~"Subprogram" means a grouping of activities and expected results that is directed toward a set of measurable objectives and represents a subset of a program.~~

I. "Department or agency goals" means general ends toward which the department or agency directs its efforts based on issues that have been identified as priorities. They are broad statements of departments or agency policy, as derived from their statutorily-defined mission, that are ambitious and provide a direction toward which the department or agency intends to head.

J. "Strategy" means the methods to achieve department or agency goals and objectives. A strategy may be employed by a department or agency bureau, division, program or organizational entity having identifiable management responsibility and measures of accountability approved by the Legislature.

Sec. 2. 5 M.R.S.A. § 1710-L, as amended by PL 1997, c. 184, §4, is further amended to read:

§1710-L. Commission on Performance Budgeting established; membership; appointment

The Commission on Performance Budgeting, as established in section 12004-I, subsection 29-C, is established to monitor, track and guide performance budgeting in

State Government and to periodically report to the Legislature and the Governor on recommendations for improvements in performance budgeting.

1. Membership. The commission is composed of the following ~~44~~ 13 members:

A. Two members of the Senate and 2 members of the House of Representatives who serve on the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs, appointed by the presiding officers of their respective legislative bodies;

B. One member of the Senate and one member of the House of Representatives who serve on the joint standing committee of the Legislature having jurisdiction over state and local government matters, appointed by the presiding officers of their respective legislative bodies;

C. ~~Four~~ Six members representing state departments, appointed by the Governor;

~~D. The Director of the State Planning Office;~~

~~E. The State Budget Officer;~~

~~F. The State Controller;~~ and

G. One member representing the judiciary, appointed by the Chief Justice.

At least one of the legislative members appointed by the President of the Senate and one of the members appointed by the Speaker of the House of Representatives must belong to the political party that has the 2nd largest number of members in the legislative body of that appointed member.

2. Chair. The ~~Governor,~~ the President of the Senate and the Speaker of the House of Representatives shall appoint a chair from among the legislative members of the commission.

3. Time of appointment; terms. Commission members must be appointed in January and serve 2-year terms, except that the initial commission members must be appointed within 30 days of the effective date of this section and serve until January 1998.

Sec. 3. 5 M.R.S.A. §1710-M, as amended by PL 1997, c. 184, §5, is further amended to read:

§1710-M. Duties of commission

The commission shall:

1. Provision of guidance and advice. Provide strategic guidance and advice to the Legislature and the Governor regarding performance budgeting in State Government, including the methods and strategies used by departments and agencies for the collection and evaluation of information related to programs and services provided, public benefits, services not provided, coordination, alternatives and impact. The commission shall also provide guidance and advice on the methods and strategies for implementing performance budgeting in State Government;

2. Evaluation. Evaluate the structure and system of performance budgeting in State Government;

3. Review of performance budgeting information. Receive and review performance budgeting information on a periodic basis from the Legislature and the Governor;

4. Research. Research national trends among other states in the implementation of performance budgeting; and

4-A. Auditing. No later than January 15, 1999, recommend the most cost-effective method for State Government to annually validate measurable objectives and conduct audits of the performance budgets for the most recent fiscal year.

5. Report. Report periodically to the Legislature and the Governor on recommendations for improvements in performance budgeting in State Government.

Sec. 4. 5 MRSA §1710-N, as amended by

§1710-N. Staffing

The commission ~~may~~ shall receive staff assistance from the Legislative Council, ~~The, the~~ State Planning Office, the Bureau of the Budget, the Department of Audit and the Department of Administrative and Financial Services shall provide staff assistance upon the request of the chair of the commission. The heads of all departments and agencies of State Government shall cooperate with the commission on matters related to performance budgeting including, as necessary, the provision of staff to work with the Bureau of the Budget, the State Planning Office, the Legislative Council, the Department of Audit and the Department of Administrative and Financial Services.

Sec. 5. 5 M.R.S.A. §1710-P, as amended by PL 1997, c. 184, §7-10, is further amended to read:

§1710-P. Performance budgeting

State Government shall fully implement performance budgeting according to the following schedule.

~~1. Development of a draft strategic plan. By August 1, 1996, each state agency shall develop a draft strategic plan. During preparation of the plan, each agency shall consult with and receive comments from the joint standing committee of the Legislature having jurisdiction over that agency's matters. Each state agency shall provide copies of its draft strategic plan to the Director of the State Planning Office, the State Budget Officer, the Director of the Office of Fiscal and Program Review and the joint standing committee of the Legislature having jurisdiction over that agency's matters.~~

1-A. Development of a draft strategic plan. By December 1, 1998, each state agency shall develop a draft strategic plan. During preparation of the plan, each agency shall consult with and receive comments from the joint standing committee of the Legislature having jurisdiction over that agency's matters. Each state agency shall provide copies of its draft strategic plan to the Director of the State Planning Office, the State Budget Officer, the Director of the Office of Fiscal and Program Review, the Director of the Office of Policy and Legal Analysis and the joint standing committee of the Legislature having jurisdiction over that agency's matters for their review and comment.

~~2. Selection of a program within each agency. By September 1, 1996, each state agency shall develop for one program budget proposals that are tied to measurable objectives for that program. During selection of the program, each agency shall consult with and receive comments from the joint standing committee of the Legislature having jurisdiction over that agency's matters, the State Budget Officer and the Director of the Office of Fiscal and Program Review.~~

~~3. Submission of the final strategic plan and program selection for legislative review. No later than February 1, 1997, each state agency shall submit its final strategic plan and budget proposal for the selected program to be piloted for performance budgeting for review by the joint standing committee of the Legislature having jurisdiction over that agency's matters. Copies of each final strategic plan and pilot budget proposal must be provided to the Director of the State Planning Office, the State Budget Officer and the Director of the Office of Fiscal and Program Review.~~

~~3-A. Pilot performance budgets. The State Budget Officer and the Director of the Office of Fiscal and Program Review shall coordinate the submission of agencies' pilot budget proposals to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs for the purposes of reviewing and evaluating the pilots.~~

3-B. Submission of a final strategic plan for legislative review. No later than December 1, 1999, each state agency shall submit its final strategic plan for review and comment by the joint standing committee of the Legislature having jurisdiction over that agency's matters. Copies of each final strategic plan must be provided to the Director of

the State Planning Office, the State Budget Officer, the Director of the Office of Fiscal and Program Review and the Director of the Office of Policy and Legal Analysis.

~~4. Selection of program by policy area. By September 1, 1997, each state agency shall identify at least one program or significant subprogram within a policy area that has the same or similar goals and objectives as one or more other state agencies; develop jointly with those state agencies measurable objectives; and coordinate strategies for achieving those objectives. During selection of the program, and development of the joint goals and objectives, each agency shall consult with and receive comments from the joint standing committee of the Legislature having jurisdiction over that agency's matters, the State Budget Officer and the Director of the Office of Fiscal and Program Review.~~

~~Each state agency shall submit its joint measurable objectives and strategies to the Director of the State Planning Office, who shall provide copies to the State Budget Officer, the Office of Fiscal and Program Review and the joint standing committee of the Legislature having jurisdiction over the agency's matters.~~

~~5. Development of policy areas. By December 31, 1997 the State Budget Officer and the Legislative Council or the council's designee, in consultation with state agencies, shall group all state agencies into policy areas, which must be formed around common goals and measurable objectives. Any grouping that proposes to transfer or modify the existing statutory mission or mandate of an agency must be submitted to and approved by the Legislature prior to implementation.~~

~~6. Development of joint strategic plans. By June 30, 1998 state agencies within each policy area shall develop joint strategic plans that identify common goals, measurable objectives and strategies for all programs. Plans must be submitted to the Director of the State Planning Office. The Director of the State Planning Office shall provide copies to the joint standing committees of the Legislature having jurisdiction over the matters encompassed by each policy area.~~

6. Inter-agency coordination of strategic plans. By September 1, 2001, each state agency shall identify programs within the agency that have the same or similar goals and objectives as one or more other state agencies; consult with those agencies; coordinate strategies for achieving those goals and objectives so the goals, objectives and strategies of the agencies are not in conflict; and submit revised strategic plans for review and comment to the Director of the State Planning Office, the State Budget Officer, the Director of the Office of Fiscal and Program Review, the Director of the Office of Policy and Legal Analysis and to the joint standing committees of the Legislature having jurisdiction over the matters encompassed by each agency.

~~7. Development of joint budget proposals. By September 1, 1998, state agencies within each policy area shall develop budget proposals that are tied to their joint measurable objectives in their strategic plan.~~

~~8. Demonstration project; job training programs. The Department of Labor, the Department of Education, the Department of Human Services, the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Maine Technical College System shall at a minimum select job training and develop joint goals and objectives and coordinate strategies as a demonstration.~~

9. Prototype performance budget. By December 31, 1999, the Governor shall present a prototype budget bill and budget document to the Second Regular Session of the 119th Legislature for its review in a performance budget format utilizing performance measures and indicators that reflect legislatively approved appropriations and allocations for fiscal year 1999-2000 and 2000-2001. The Second Regular Session of the 119th Legislature shall, by resolve, make recommendations to the Governor for changes or modifications to the prototype budget bill and budget document for use in the 2002-2003 biennial budget submission.

10. Development of state agency budget proposals consistent with strategic plans. By September 1, 2000, in accordance with section 1665, each state agency and association's receiving or desiring to receive state funds under provisions of law shall prepare and submit to the Bureau of the Budget proposals for the 2002-2003 biennium in a strategic plan and performance budget format prescribed by the Bureau of the Budget. Goals, measurable objectives and strategies for each program must be identified in a budget document and budget bill. In accordance with section 1666, the Governor, with assistance from the Bureau of the Budget, shall review, revise, alter, increase or decrease the budget proposals in a strategic plan and performance budgeting approach for submission to the First Regular Session of the 120th Legislature including a budget document and budget bills representing the Governor's budget recommendations and priorities in a strategic plan and performance budget format for the 2002-2003 biennium.

11. Biennial strategic plan revisions and performance budgets. Each state agency shall periodically review, and after consultation with the joint standing committee of the Legislature having jurisdiction over the agency, update and revise its strategic plan, including goals, measurable objectives and strategies for fulfilling its statutory responsibilities. Revised plans must be submitted to the Director of the State Planning Office, the State Budget Officer, the Director of the Office of Fiscal and Program Review, the Director of the Office of Policy and Legal Analysis and the joint standing committee of the Legislature having jurisdiction over that agency's matters for their review and comment no later than December 1, 2000 and no later than December 1 of each even numbered year thereafter.

The goals, measurable objectives and strategies, as revised, that support each program for which an appropriation or allocation is provided or sought must be identified in each budget document and budget bill representing the Governor's budget recommendations and priorities for subsequent biennia.

Sec. 5. 5 M.R.S.A. §1710-Q, as amended by PL 1995, c. 705, §2, is further amended to read:

Sec. 6. Retroactivity. That section of this Act that amends the Maine Revised Statutes, Title 5, section 1710-P, subsection 5 applies retroactively to December 31, 1997.

§1710-Q. Repeal

This chapter is repealed July 1, ~~2003~~ 2007.

Sec. 6. Retroactivity. That section of this Act that amends the Maine Revised Statutes, Title 5, section 1710-P, subsection 5 applies retroactively to December 31, 1997.

SENATE

MARGE L. KILKELLY, DISTRICT 16, CHAIR
JUDY PARADIS, DISTRICT 1
R. LEO KIEFFER, DISTRICT 2

JILL IPPOLITI, LEGISLATIVE ANALYST
DARLENE SIMONEAU, COMMITTEE CLERK



STATE OF MAINE

HOUSE

GEORGE H. BUNKER, JR., KOSSUTH TWP, CHAIR
ROLAND B. SAMSON, JAY
DAVID C. SHIAH, BOWDOINHAM
PAUL VOLENIK, BROOKLIN
LINDA ROGERS MCKEE, WAYNE
SHARON LIBBY JONES, GREENVILLE
RUEL P. CROSS, DOVER-FOXCROFT
EDWARD L. DEXTER, KINGFIELD
WALTER R. GOOLEY, FARMINGTON
PRISCILLA LANE, ENFIELD

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

March 13, 1998

TO: The Honorable Elizabeth H. Mitchell, Chair, Legislative Council

FROM: Marge L. Kilkelly, Senate Chair
George H. Bunker, Jr., House Chair *G. H. Bunker, Jr.*
Joint Standing Committee on Agriculture, Conservation and Forestry

RE: Government Evaluation Act Review of the Department of Agriculture, Food and Rural Resources

This memorandum is to inform you that the Joint Standing Committee on Agriculture, Conservation and Forestry has submitted its findings and recommendations from the review and evaluation of the Department of Agriculture, Food and Rural Resources under the State Government Evaluation Act to the Legislature pursuant to Title 3 Maine Revised Statutes, chapter 35. Pursuant to 3 MRSA §955, sub-§5, we request permission for the committee to meet once in August or September to review the department's progress in meeting the recommendations of the committee report.

cc: Members, Legislative Council
Executive Director, Legislative Council

G:\OPLANRG\COMMITTEE\ACFCORRESP\GEAAFR1.DOC (03/09/98 10:59 AM)

MAR 17 1998

SENATE

MARGE L. KILKELLY, DISTRICT 16, CHAIR
JUDY PARADIS, DISTRICT 1
R. LEO KIEFFER, DISTRICT 2

JILL IPPOLITI, LEGISLATIVE ANALYST
DARLENE SIMONEAU, COMMITTEE CLERK



STATE OF MAINE

HOUSE

GEORGE H. BUNKER, JR., KOSSUTH TWP, CHAIR
ROLAND B. SAMSON, JAY
DAVID C. SHIAH, BOWDOINHAM
PAUL VOLENIK, BROOKLIN
LINDA ROGERS MCKEE, WAYNE
SHARON LIBBY JONES, GREENVILLE
RUEL P. CROSS, DOVER-FOXCROFT
EDWARD L. DEXTER, KINGFIELD
WALTER R. GOOLEY, FARMINGTON
PRISCILLA LANE, ENFIELD

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

March 9, 1998

TO: The Honorable Elizabeth H. Mitchell, Chair, Legislative Council

FROM: Marge L. Kilkelly, Senate Chair *MKL*
George H. Bunker, Jr., House Chair *GHB*
Joint Standing Committee on Agriculture, Conservation and Forestry

RE: Government Evaluation Act Review of the Baxter State Park Authority

This memorandum is to inform you that the Joint Standing Committee on Agriculture, Conservation and Forestry has submitted its findings and recommendations from the review and evaluation of the Baxter State Park Authority under the State Government Evaluation Act to the Legislature pursuant to Title 3 Maine Revised Statutes, chapter 35.

cc: Members, Legislative Council
Executive Director, Legislative Council

G:\OPLANRG\COMMTTEE\ACF\CORRESP\GEABAX1.DOC (03/09/98 10:56 AM)

MAR 13 1998

SENATE

JILL M. GOLDTHWAIT, DISTRICT 5, CHAIR
PEGGY A. PENDLETON, DISTRICT 31
BRUCE W. MACKINNON, DISTRICT 33

JOHN G. KELLEY, LEGISLATIVE ANALYST
SUSIE CYR, COMMITTEE CLERK



STATE OF MAINE

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

COMMITTEE ON MARINE RESOURCES

March 13, 1998

MEMO TO: The Honorable Elizabeth H. Mitchell, Chair, Legislative Council

FROM: Senator Jill M. Goldthwait, Senate Chair *JMG/sgk*
Representative David Etnier, House Chair *DE/sgk*
Joint Standing Committee on Marine Resources

RE: Government Evaluation Act Review of the Atlantic States Marine Fisheries Commission

This memorandum is to inform you that the Joint Standing Committee on Marine Resources has submitted to the Legislature its findings from the review of the Atlantic States Marine Fisheries Commission under the State Government Evaluation Act pursuant to Title 3 Maine Revised Statutes, chapter 35.

MAR 16 1998

cc: Members, Legislative Council
Executive Director, Legislative Council

G:\OPLANRG\COMMTTEE\MAR\CORRESP\ASMFC-2.DOC (03/11/98 11:32 AM)

HOUSE

DAVID ETNIER, HARPSWELL, CHAIR
PAUL VOLENIK, BROOKLIN
MARTHA A. BAGLEY, MACHIAS
ALBION D. GOODWIN, PEMBROKE
WENDY PIEH, BREMEN
WILLIAM D. PINKHAM, LAMOINE
JAMES D. LAYTON, CHERRYFIELD
ROYCE W. PERKINS, PENOBSCOT
KENNETH A. HONEY, BOOTHBAY
REGINALD G. PINKHAM, BRUNSWICK
FREDERICK J. MOORE III, PASSAMAQUODDY TRIBE

SENATE

JILL M. GOLDTHWAIT, DISTRICT 5, CHAIR
PEGGY A. PENDLETON, DISTRICT 31
BRUCE W. MACKINNON, DISTRICT 33

JOHN G. KELLEY, LEGISLATIVE ANALYST
SUSIE CYR, COMMITTEE CLERK



STATE OF MAINE

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

COMMITTEE ON MARINE RESOURCES

March 13, 1998

MEMO TO: The Honorable Elizabeth H. Mitchell, Chair, Legislative Council

FROM: Senator Jill M. Goldthwait, Senate Chair *JMG/396*
Representative David Etnier, House Chair *DE/396*
Joint Standing Committee on Marine Resources

RE: Government Evaluation Act Review of the Department of Marine Resources

This memorandum is to inform you that the Joint Standing Committee on Marine Resources has submitted to the Legislature its findings from the review of the Department of Marine Resources under the State Government Evaluation Act pursuant to Title 3 Maine Revised Statutes, chapter 35.

cc: Members, Legislative Council
Executive Director, Legislative Council

G:\OPLANRG\COMMITTEE\MAR\CORRESP\MAR-GEA2.DOC (03/11/98 11:30 AM)

SENATE

SHARON ANGLIN TREAT, DISTRICT 18, CHAIR
JOHN M. NUTTING, DISTRICT 20
JEFFREY H. BUTLAND, DISTRICT 26

AMY B. HOLLAND, LEGISLATIVE ANALYST
KAREN MONTELL, COMMITTEE CLERK



STATE OF MAINE


HOUSE

G. STEVEN ROWE, PORTLAND, CHAIR
DAVID C. SHIAH, BOWDOINHAM
THOMAS BULL, FREEPORT
SCOTT W. COWGER, HALLOWELL
LINDA ROGERS MCKEE, WAYNE
BRUCE S. BRYANT, DIXFIELD
EDWARD L. DEXTER, KINGFIELD
ROY I. NICKERSON, TURNER
JUNE C. MERES, NORRIDGEWOCK
CLIFTON FOSTER, GRAY

ONE HUNDRED AND EIGHTEENTH LEGISLATURE
COMMITTEE ON NATURAL RESOURCES

March 13, 1998

TO: The Honorable Elizabeth H. Mitchell, Chair, Legislative Council

FROM: Senator Sharon Anglin Treat, Senate Chair
Representative G. Steven Rowe, House Chair 
Joint Standing Committee on Natural Resources

RE: Government Evaluation Act Review of the Board of Environmental Protection

This memorandum is to inform you that the Joint Standing Committee on Natural Resources has submitted its findings and recommendations from the review and evaluation of the Board of Environmental Protection under the State Government Evaluation Act to the Legislature pursuant to Title 3 Maine Revised Statutes, chapter 35.

cc: Members, Legislative Council
Executive Director, Legislative Council

G:\OPLANRG\COMMITTEENAT\CORRESP\GEALTR6.DOC

MAR 13 1998

SENATE

SHARON ANGLIN TREAT, DISTRICT 18, CHAIR
JOHN M. NUTTING, DISTRICT 20
JEFFREY H. BUTLAND, DISTRICT 26

AMY B. HOLLAND, LEGISLATIVE ANALYST
KAREN MONTELL, COMMITTEE CLERK



STATE OF MAINE

HOUSE

G. STEVEN ROWE, PORTLAND, CHAIR
DAVID C. SHIAH, BOWDOINHAM
THOMAS BULL, FREEPORT
SCOTT W. COWGER, HALLOWELL
LINDA ROGERS MCKEE, WAYNE
BRUCE S. BRYANT, DIXFIELD
EDWARD L. DEXTER, KINGFIELD
ROY I. NICKERSON, TURNER
JUNE C. MERES, NORRIDGEWOCK
CLIFTON FOSTER, GRAY

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

COMMITTEE ON NATURAL RESOURCES

March 13, 1998

TO: The Honorable Elizabeth H. Mitchell, Chair, Legislative Council

FROM: Senator Sharon Anglin Treat, Senate Chair *SA*
Representative G. Steven Rowe, House Chair *SR*
Joint Standing Committee on Natural Resources

RE: Government Evaluation Act Review of the Department of Environmental Protection

This memorandum is to inform you that the Joint Standing Committee on Natural Resources has submitted its findings and recommendations from the review and evaluation of the Department of Environmental Protection under the State Government Evaluation Act to the Legislature pursuant to Title 3 Maine Revised Statutes, chapter 35.

cc: Members, Legislative Council
Executive Director, Legislative Council

GAOPLANRGCOMMTTEENAT\CORRESPAGEALTR4.DOC

MAR 13 1998

SENATE

RICHARD J. CAREY, DISTRICT 14, CHAIR
JOHN J. CLEVELAND, DISTRICT 22
PHILIP E. HARRIMAN, DISTRICT 23

JON CLARK, LEGISLATIVE ANALYST
VIOLET BATES, COMMITTEE CLERK



STATE OF MAINE

HOUSE

KYLE W. JONES, BAR HARBOR, CHAIR
CAROL A. KONTOS, WINDHAM
RONALD E. USHER, WESTBROOK
GARY O'NEAL, LIMESTONE
PATRICK COLWELL, GARDINER
CHARLES C. LAVERDIERE, WILTON
JOSEPH B. TAYLOR, CUMBERLAND
HENRY L. JOY, CRYSTAL
DONALD P. BERRY, SR., BELMONT
JOHN W. VEDRAL III, BUXTON

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

COMMITTEE ON UTILITIES AND ENERGY

MEMORANDUM

DATE: March 13, 1998

TO: Representative Elizabeth H. Mitchell, Chair, Legislative Council

FROM: Senator Richard J. Carey, Chair *RJC*
Representative, Kyle W. Jones, Chair *KWJ*
Joint Standing Committee on Utilities and Energy

RE: Government Evaluation Act Review of the Office of the Public Advocate

This is to inform you that the Joint Standing Committee on Utilities and Energy, pursuant to the Government Evaluation Act, has submitted its findings and recommendations with respect to the Office of the Public Advocate.

cc: Members, Legislative Council
Sally Tubbesing, Executive Director

G:\OPLANRG\COMMITTEE\UTE\CORRESP\UTE\GEAPA2.DOC(03/07/98 10:18 AM)

MAR 17 1998



Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

March 17, 1998

The Honorable Elizabeth H. Mitchell, Speaker
Legislative Council
118th Legislature
State House
Augusta, Maine 04333

Dear Chair Mitchell:

This letter is to inform you that the Commission to Study the Funding and Distribution of Teletypewriters and Other Telecommunications Equipment for People With Disabilities has submitted the attached report including recommended legislation to the Legislative Council and the Joint Standing Committees on Judiciary and Labor pursuant to Resolve 1997, chapter 72. Copies of the report have also been placed on file with the Law and Legislative Reference Library.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Treat".

Senator Sharon Treat, Chair
Commission to Study the Funding
and Distribution of Teletypewriters
and Other Telecommunications
Equipment for People With Disabilities

Enclosure

MAR 17 1998



MAINE STATE LEGISLATURE
Augusta, Maine 04333

March 20, 1998

The Honorable Elizabeth H. Mitchell, Chair
Legislative Council
118th Maine Legislature
State House
Augusta, ME 04333

Dear Chair Mitchell:

This letter is to inform you that the Commission to Study the Use of Pharmaceuticals in Long-term Care Settings has submitted the attached report including recommended legislation to the Legislative Council and the Joint Standing Committee on Health and Human Services pursuant to Resolves 1997, chapter 71. Copies of the report have also been placed on file with the Law and Legislative Reference Library.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael J. Fiori', written over a large, stylized circular flourish.

Michael J. Fiori
Chair
Commission to Study the Use of
Pharmaceuticals in Long-term
Care Settings

cc: Members of the Legislative Council
Sen. Judy Paradis, Rep. Mitchell, Chairs, Joint Standing Committee on Health and Human Services
Sally Tubbesing, Executive Director, Legislative Council
David Boulter, Director, Office of Policy and Legal Analysis

MAR 20 1998

LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
SECOND REGULAR SESSION
March 18, 1998

Action

SPONSOR: Rep. Perkins, Royce W.

LR 3519 An Act to Appropriate \$30,000,000 from the General Fund
Surplus to the Highway Fund Including \$1,500,000 to
Rebuild a Section of Route 175 between Orland and Castine

TABLED BY THE LEGISLATIVE COUNCIL

SPONSOR: Rep. Gooley, Walter R. Tabled
01/21/98

LR 3368 An Act to Extend the Deadline for Filing Updated Management
Plans Under Tree Growth Tax Laws

SPONSOR: Rep. Mitchell, Elizabeth H. Tabled
11/20/97

LR 3289 An Act Making Supplemental Appropriations and Allocations
for the Expenditures of State Government and to Change
Certain Provisions of Law Necessary for the Operation of
State Government for the Fiscal Year Ending June 30, 1998
and June 30, 1999

SPONSOR: Sen. Pingree, Chellie Tabled
11/20/97

LR 3288 An Act to Improve Access to Women's Healthcare

SPONSOR: Rep. Snowe-Mello, Lois A. Tabled
02/23/98

LR 3454 Resolve, to Name the Timber Bridge in Byron the Richard
Lauze Memorial Bridge

SPONSOR: Rep. Saxl, Michael V. Tabled
02/26/98

LR 2965 An Act to Ensure the Participation in Court Proceedings of
Victims of Violent Crimes