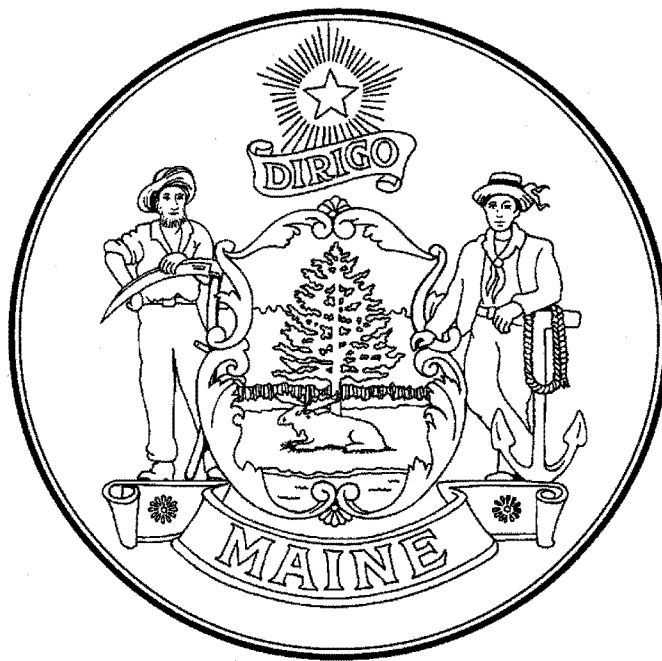


MAINE STATE LEGISLATURE

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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
APRIL 15, 1998

CALL TO ORDER

The Chair, Speaker Mitchell, called the Legislative Council to order at 1:42 p.m. in the Council Chamber.

ROLL CALL

Senators:

President Lawrence, Sen. Rand
Absent: Sen. Pingree, Sen. Amero, Sen. Kieffer

Representatives:

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

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 MARCH 23 AND APRIL 2, 1998, COUNCIL
MEETINGS**

Motion: That these Meeting Summaries be accepted and placed on file. (Motion by Sen. Lawrence; second by Rep. Saxl; unanimous)

EXECUTIVE DIRECTOR'S REPORT

Item #1: Summer Renovations: Status Report

Sally Tubbesing reported that contract negotiations with Granger Northern, Inc. were in their final stages pursuant to the Council's approval to hire Granger as the Construction Manager for the Summer 1998 renovations. She noted that she was also working with Representatives Campbell and Saxl, as representatives of the Council's Legislative Facilities Committee, to complete the selection of an Owner's Representative and deferred to them to discuss this item in greater detail.

Senate President Lawrence asked Ms. Tubbesing to follow up on the establishment of a working group to oversee planning for the Capitol Complex.

This report required no formal action by the Council.

REPORTS FROM COUNCIL COMMITTEES

Legislative Facilities Committee

Rep. Saxl, Committee Chair, stated that the two applicants who had responded to the original newspaper ad for the position of Owner's Representative had both been interviewed. The two candidates present very different backgrounds; one is an architect and one is an engineer. Rep. Saxl noted that the architect had been highly recommended; however, Rep. Campbell expressed his opinion that the State House renovations need some "dynamic tension," which he feels would be best supported by hiring someone who is not an architect.

Rep. Saxl asked Council members for advice on how to proceed, noting that it is important to get an Owner's Representative on board as quickly as possible since the final planning for this summer's work is proceeding rapidly.

After discussion, Council members agreed that the position should be readvertised if Representatives Saxl and Campbell conclude that this is necessary; that Council members be polled by telephone if a consensus recommendation is available before the May Council meeting; and that Ms. Tubbesing work with Representatives Saxl and Campbell to expedite the final selection process.

OLD BUSINESS

Item #1: Migration RFP: Status and Appointment of Steering Committee

The Chair, Speaker Mitchell, noted that the Council had deferred action on approving the release of the RFP to support the Migration Project during the last weeks of the session, but that the Council needed to take action at this meeting unless the Council was willing to defer the entire project. She asked Paul Mayotte to provide a brief status report. Mr. Mayotte drew Council members' attention to several items in their

packet, including a list of their firms who had expressed an interest to date on bidding for the work, pending the release of the RFP; a list of the members of the proposed Migration Project Steering Committee; and a recommendation to fund the estimated costs associated with the RFP.

The Chair, Speaker Mitchell, opened the floor for discussion, and Senate President Lawrence proceeded to direct several questions to Mr. Mayotte, to Secretary of the Senate Joy O'Brien, and to Clerk of the House Joe Mayo, which were designed to clarify the scope of the work to be performed in this project. Following this discussion, the Chair, Speaker Mitchell announced that Senate President Lawrence had agreed to chair the proposed Migration Project Oversight Steering Committee and stated that she would appoint additional Council members if any were interested in serving. Senate President Lawrence then offered the following motions:

Motion: That the Legislative Council establish a Migration Oversight Steering Committee to be chaired by a member of the Council appointed by the Council Chair, and to comprise the following members: one or more members of the Council, to be appointed by the Council Chair; the Secretary of the Senate; the Clerk of the House; the Executive Director of the Legislative Council; the Revisor of Statutes; the Director of the Office of Fiscal and program Review; the Director of the Office of Policy and Legal Analysis; the State Law Librarian; the Director of Legislative Information Services; and the Manager of the Legislative Information Office; and, further, that this Committee be charged with the following:

- Review of proposals submitted in response to the RFP and making a final recommendation to the Council.
- Providing oversight to ensure that the final system design supports appropriate integration with other automated systems, and meets the defined requirements of the Senate, House and Legislative Council staff offices related to drafting, bill and amendment production, and the capture of status information related to these functions;
- Identifying and resolving policy issues that arise in the course of the project;
- General oversight of project progress;
- Approval of both changes in project scope and project deliverable; and
- Providing regular reports to the full Council regarding project status.

(Motion by Senate President Lawrence; second by Sen. Rand; unanimous).

Motion: That the Legislative Council authorize the release of the Request for Proposals for Software Applications and Conversion Support for the Migration of Legislative Support Systems to a Client/Server Architecture; and that the Migration Oversight Steering Committee be directed to review the responses and present recommendation of the Council for the selection of a contractor no later than June 30, 1998.

(Motion by Senate President Lawrence; second by Sen. Rand; unanimous).

Motion: That the Legislative Council direct the Executive Director to transfer up to \$550,000 from the FY 99 appropriation to the Reserve Fund for State House Preservation and Maintenance to the general legislative account to be used exclusively to fund activities and services that are required to accomplish the redesign of applications currently supported on the Wang to function in the client-server environment.

(Motion by Senate President Mark Lawrence; second by Sen. Rand; unanimous)

NEW BUSINESS

Item #1: Requests from Committees for Interim Work

- Joint Select Committee to Implement a Program for the Control Care and Treatment of Sexually Violent Predators: Request for Assignment of Staff

Motion: That the Council direct David Boulter to assign a member of the Office of Policy and Legal Analysis to support this committee. (Motion by Rep. Saxl; second by Senate President Lawrence; unanimous)

- Joint Standing Committee on Inland Fisheries and Wildlife: Request to Provide Policy Direction and Oversight to Department Review of Fish and Wildlife Laws

At Ms. Tubbesing's suggestion, the Chair, Speaker Mitchell, asked David Boulter to provide Council members with some background related to this request. Mr. Boulter stated that the Department's review of its governing statutes will, in all probability, lead to a recodification of these laws and that the Committee is requesting the authority to meet, as well as staff support, in order to exercise their oversight responsibilities.

Rep. Saxl asked if the Council had approved any other Committee to meet this summer; and Sen. Rand asked if this request is the result of legislation the Committee considered during the past session. Mr. Boulter responded that the Committee is trying to avoid being presented with a "fait accompli" when the 119th Legislature takes up business in January. Senate President Lawrence expressed his concern that we don't know who will be on the Committee in the 119th.

Motion: That the item be tabled. (Motion by Rep. Kontos; second by Senate President Lawrence; failed 4-2).

Sen. Rand stated that she would support a recodification under the direction of non-partisan staff. Rep. Kontos stated her view that it would be inappropriate for the current Committee on Inland Fisheries and Wildlife to oversee this effort and that it should be left to the 119th Legislature, when the newly-appointed Committee can fully debate proposed changes in the statute with full public participation. The Chair, Speaker Mitchell, agreed, stating that it is important to recognize that there is no directive to recodify at this point.

- Joint Standing Committee on Education: Request for funds and staff to support work of the Committee to Review the Governance Structure of the Governor Baxter School for the Deaf

A memo from Senator Pendleton and Rep. Richard, Chairs of the Committee on Education and Cultural Affairs, requested Council approval of funds to pay the member of the Education Committee who would chair the statutorily-created Governance Review Committee; to pay the expenses of an interpreter for Committee meetings, and to authorize staff support from Legislative Council staff.

Rep. Elizabeth Watson, a member of the Joint Standing Committee on Education and Cultural Affairs, was present to answer Council members' questions.

After extended discussion, the following motion was presented:

Motion: That the Council authorize expenses to support two meetings. (Motion by Senate President Lawrence; second by Sen. Rand; failed 5-1)

Item #2: Notifications from Committees of Completion of Reviews under Government Evaluation Act

- Joint Standing Committee on Labor: Review of the Maine State Retirement System
- Joint Standing Committee on Education and Cultural Affairs
 - Review of Department of Education
 - Review of State Board Education
 - Review of Telecommunications Relay Services Advisory Council

Motion: That these notifications be accepted and placed on file. (Motion by Senate President Lawrence; second by Rep. Saxl; unanimous).

Item #3: Request for Financial Information From the Harness Racing Promotion Board (Letter from Senator Daggett and Representative Tuttle: information item)

Motion: That this request be placed on file. (Motion by Senate President Lawrence; second by Sen. Rand; unanimous).

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

The Council adjourned at 3:20 p.m.