

MAINE STATE LEGISLATURE

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**LEGISLATIVE COUNCIL
MAY 26, 1998
REVISED AGENDA**

CALL TO ORDER

ROLL CALL

SUMMARY OF APRIL 15, 1998, COUNCIL MEETING

EXECUTIVE DIRECTOR'S REPORT

- Item #1: Legislative Budget: Current Year Status and Projections through June 30
- Item #2: Inquiry from NCSL regarding Portland as the site for a joint meeting of Assembly on Federal Issues and the Assembly on State Issues meeting in September, 1999
- Item #3: Personnel Activity

REPORTS FROM COUNCIL COMMITTEES

Legislative Facilities Committee

Migration Project Steering Committee

Personnel Committee

OLD BUSINESS

- Item #1: Joint Standing Committee on Education: Request for Reconsideration of Council's Action on the Review on the Governance Structure of the Governor Baxter School for the Deaf

NEW BUSINESS

- Item #1: State House Renovations: Overview of 1998 Work by Architect, Engineers and Construction Manager
- Item #2: 1% for Art Program: Overview and Discussion
- Item #3: Custodial Support in the State House (memo enclosed)

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

REP. ELIZABETH H. MITCHELL
CHAIR

SEN. MARK W. LAWRENCE
VICE-CHAIR



118th MAINE STATE LEGISLATURE

LEGISLATIVE COUNCIL

MEETING SUMMARY APRIL 15, 1998

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

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.

118th Maine State Legislature
Legislative Council
Migration Project Status Report
May 26, 1998

- Following Legislative Council authorization, the Bill Drafting / Bill Status System request for proposal was sent out on April 22, 1998 with a due date of May 22, 1998.
- Twenty-six vendors have requested a copy of the RFP.
- The Migration Oversight Team held its first meeting on May 7, 1998.
 - ✓ Based on the request of two vendors, an extension of time to submit RFP responses to Monday, June 1, 1998 was approved.
 - ✓ The Team discussed schedule options for the review of the submitted vendor priced proposals. The following schedule was adopted:

<u>EVENT</u>	<u>Current Schedule</u>
Bidder Response Due	June 1, 1998
Proposal Copies Distributed	June 3, 1998
Initial Review Meeting	June 9, 1998
Second Review Meeting	June 18, 1998
Provide Council a Status Report	June 26, 1998
Third Review Meeting	June 26, 1998
Draft Recommendation Package	June 30, 1998
Final Recommendation Package	July 2, 1998
Provide Recommendation to Council	July 6, 1998
Council Action	July 13, 1998
Negotiations	
Contract Award (on or before)	July 31, 1998

- ✓ The Team will meet next on Thursday, May 28, 1998 to establish the process for evaluation of the priced proposals and to develop the initial project issues list.
- On Thursday, May 14, 1998, a Bidder's Conference was held at the State House. Eight firms attended with twenty vendor personnel present. All Legislative Offices were represented.
 - ✓ Conference topics included the legislative business process, the technical environment, and the plans for reviewing the submitted proposals. An extensive campus tour was provided.
 - ✓ Vendor questions focused on project funding, project and session schedules, on-site space, contract terms and conditions, and integration with existing applications.
- The Migration Oversight Team, based on its review of the priced vendor proposals, will provide its recommendation to the Members of the Legislative Council on July 6, 1998 for Council action at its July 13 meeting.

**Summary of Funding Request to Legislative Council for the
Governor Baxter School for the Deaf Governance Review Committee**

Pursuant to P. L. 1995, Ch. 676, the Joint Standing Committee on Education and Cultural Affairs is authorized to establish a committee to review the new governance structure of the Governor Baxter School for the Deaf (GBSD), including the provision of administrative assistance by the Department of Education to the Baxter School.

- ◆ The Education Committee held two public meetings with representatives from the Department of Education and the GBSD to assess the status of the transition process already underway and to review the provisions included in the current "Agreement for Administrative Assistance" signed by the Department and the Baxter School;
- ◆ The Education Committee established a Governance Review Committee that will consist of 20 members and that will be chaired by a member of the Education Committee who is appointed jointly by the Chairs of the Education Committee;
- ◆ Pursuant to P.L. 1995, c. 676, § 11, sub-§§ 11 and 12, the Governance Review Committee shall review the new governance structure of the GBSD, including the current "Agreement for Administrative Assistance" signed by the Department and the Baxter School. The Governance Review Committee shall present its findings and make recommendations for the provision of administrative assistance for the period beginning July 1, 1999;
- ◆ This review will address critical state and education policy issues that are involved in the transition to a new governance structure for the Baxter School Deaf. Policy issues to be reviewed include, but are not limited to, the following matters: budget and finance, personnel, legal representation, facilities management, and the provision of statewide outreach programs and services to deaf and hearing-impaired children.

For these reasons, the Education Committee asked that the Legislative Council review and approve the following funding requests for the Governance Review Committee:

1. Funding for the per diem and expenses of the Education Committee Member who will chair this review committee;
2. Providing staffing assistance to support this critical endeavor; and
3. Funding for the expenses of providing interpreter services for the deaf and hearing-impaired members of the review committee, as well as the public. The need for so-called "mirror" interpreters will require that 3 interpreters be scheduled for each meeting. For a 6 hour meeting (say 9 am - noon and 1 pm - 4 pm) plus travel time, the cost for 3 interpreters will be approximately \$980 per day.

SENATE

PEGGY A. PENDLETON, DISTRICT 31, CHAIR
 MARY R. CATHCART, DISTRICT 7
 MARY E. SMALL, DISTRICT 19

PHILLIP D. MCCARTHY, LEGISLATIVE ANALYST
 MERLE WORTH, COMMITTEE CLERK



STATE OF MAINE

HOUSE

SHIRLEY K. RICHARD, MADISON, CHAIR
 MICHAEL F. BRENNAN, PORTLAND
 MABEL J. DESMOND, MAPLETON
 JAMES G. SKOGLUND, ST. GEORGE
 ELIZABETH WATSON, FARMINGDALE
 CHRISTINA L. BAKER, BANGOR
 ALVIN L. BARTH, JR., BETHEL
 RODNEY W. MCELROY, UNITY
 VAUGHN A. STEDMAN, HARTLAND
 IRVIN G. BELANGER, CARIBOU

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS

MEMORANDUM

April 1, 1998

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

FROM: Senator Peggy A. Pendleton, Senate Chair; *BB pom*
 Representative Shirley K. Richard, House Chair; *SKR pom*
 Joint Standing Committee on Education and Cultural Affairs

SUBJ: **Committee to Review the Governance Structure of the
 Governor Baxter School for the Deaf**

Pursuant to Chapter 676, Public Laws of 1995, the Joint Standing Committee on Education and Cultural Affairs is authorized to establish a committee to review the new governance structure of the Governor Baxter School for the Deaf, including the provision of administrative assistance by the Department of Education to the Governor Baxter School for the Deaf. On behalf of the Education Committee, we are pleased to inform you of our actions regarding the establishment of the Committee to Review the Governance Structure of the Governor Baxter School for the Deaf.

The Education Committee held two public meetings with representatives from the Department of Education and the Governor Baxter School for the Deaf during the Second Regular Session to assess the status of the transition process already underway and to review the provisions included in the current Agreement for Administrative Assistance established between the Department and the Baxter School. As you can see from the enclosed Public Law and the Agreement for Administrative Assistance, there is a considerable amount of work to do before the December 15, 1998 reporting deadline. This review will address critical state and education policy issues -- including budget and finance, personnel, legal representation, facilities management and statewide outreach programs and services -- that are involved in the transition to a new governance structure for the Governor Baxter School for the Deaf. A list of the Governance Review Committee membership established by the Education Committee and some additional background information are also enclosed.

APR - 1 1998

You will also note that we will jointly appoint a Member of the Education Committee to chair this Governance Review Committee. We have also indicated that the chair of the review committee may request staffing assistance from the Legislative Council. The Education Committee did discuss the need for interpreter services to be provided, but did not indicate who should pay for these services. For these reasons, we ask that you review and approve the following components of the Governance Review Committee:

1. Funding for the per diem and expenses of the Education Committee Member who will chair this review committee;
2. Providing staffing assistance to support this critical endeavor; and
3. Funding for the expenses of providing interpreter services for the deaf and hearing-impaired members of the review committee, as well as the public.

We trust that the Legislative Council will consider this request at its next scheduled Council meeting. Please contact either one of us should you require any further information. On behalf of the Education Committee, we thank you for your consideration of our request and look forward to receiving notification of the Council's decisions regarding these requests.

Enclosures

cc: Sally Tubbesing, Executive Director, Legislative Council
Members, Joint Standing Committee on Education and Cultural Affairs
David Boulter, Director, Office of Policy & Legal Analysis
Phillip McCarthy, Legislative Analyst, Office of Policy & Legal Analysis

that qualify for reimbursement under the United States Social Security Act, Title XIX. The Department of Education shall have ~~has~~ fiscal responsibility for providing the State's match for federal revenues acquired under this section. An amount equal to the Medicaid reimbursement shall be deposited into the General Fund undedicated revenue from the Governor Baxter School for the Deaf General Fund appropriation. Any funds received as Medicaid reimbursement must be retained by the Governor Baxter School for the Deaf.

Sec. 10. P&SL 1897, c. 446, as amended by P&SL 1953, c. 100, is repealed.

Sec. 11. Transition provisions.

1. The Governor Baxter School for the Deaf, established pursuant to the Maine Revised Statutes, Title 20-A, section 7401, is the successor in every way to the functions and duties of the former Governor Baxter School for the Deaf, established pursuant to Private and Special Law 1897, chapter 446.

2. The Governor shall complete appointments to the School Board for the Governor Baxter School for the Deaf by September 1, 1996. Once appointed, the school board may begin to develop policy and hiring plans to take effect on or after January 1, 1997.

3. The Policy Review Board for the Governor Baxter School for the Deaf and the Superintendent of the Governor Baxter School for the Deaf shall submit to the Department of Education the school's proposed budget for the 1997-98 fiscal year no later than August 15, 1996.

4. Employees of the Governor Baxter School for the Deaf remain state employees in the bargaining units established by the Maine Labor Relations Board and continue to receive all applicable rights and benefits.

5. Unless limited by prior agreement, all existing contracts, agreements and compacts currently in effect at the Governor Baxter School for the Deaf continue in effect after January 1, 1997.

6. All records, property and equipment previously belonging to or allocated for the use of the former Governor Baxter School for the Deaf become, on January 1, 1997, part of the property of the new Governor Baxter School for the Deaf.

7. All existing forms, licenses, letterheads and similar items bearing the name of or referring to the former Governor Baxter School for the Deaf may be utilized by the new Governor Baxter School for the Deaf until existing supplies of these items are exhausted.

8. Any positions authorized and allocated subject to the personnel laws of the former Governor Baxter School for the Deaf are transferred to the new Governor Baxter School for the Deaf and continue to be authorized on or after January 1, 1997.

9. The Policy Review Board of the Governor Baxter School for the Deaf may continue to meet until January 1, 1997.

10. The Department of Education shall provide any necessary administrative assistance to the Governor Baxter School for the Deaf from January 1, 1997 until July 1, 1999 through a written agreement to be established between the department and the School Board of the Governor Baxter School for the Deaf.

* (11.) The joint standing committee of the Legislature having jurisdiction over education and cultural affairs matters shall establish a review committee to review the new governance structure of the school. The review committee must include representatives from the Department of Education, the School Board of the Governor Baxter School for the Deaf, the Governor Baxter School for the Deaf staff, the joint standing committee of the Legislature having jurisdiction over education and cultural affairs matters and other persons designated by the joint standing committee. The review committee shall begin its review by January 1, 1998 and present its findings to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs matters by December 15, 1998.

* (12.) The review committee established in subsection 11 shall review the provision of administrative assistance by the Department of Education to the Governor Baxter School for the Deaf and make recommendations for the period beginning July 1, 1999.

Sec. 12. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1996-97

EDUCATION, DEPARTMENT OF

Governor Baxter School for the Deaf

Personal Services	\$7,150
All Other	3,250

Provides funds for the per diem and expenses of the members of the School Board

AGREEMENT FOR ADMINISTRATIVE ASSISTANCE

The Department of Education and the School Board of the Governor Baxter School for the Deaf agree that the administrative assistance provided by the Department of Education to the Governor Baxter School for the Deaf will be as follows:

PERSONNEL

- The Department of Education will process personnel forms (review; forward for Commissioner's signature; forward to the Bureau of Human Resources) until June 30, 1999.
- The Department of Education will enter personnel data, per the personnel forms, on the Department's MFASIS Budget Management System until June 30, 1999.

BUDGET/FINANCE

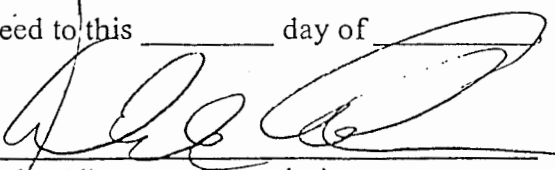
- The Department of Education will review payroll changes resulting from upgrades, reclassifications, evaluations, and other personnel actions taken by the School Board of the Governor Baxter School for the Deaf and will forward them to the Bureau of the Budget.
- The Department of Education will review the Governor Baxter School for the Deaf's annual budget, to be submitted to the Department before September 1 of each year, for review and inclusion in the Department's budget for the following fiscal year. The budget for operation of the school is subject to review and revision by the Governor or Governor-elect.
- The Department of Education will review all work programs, budget orders, and financial order requests and forward them to the Bureau of the Budget.

The Department of Education's responsibility is limited to the ministerial, pass through functions outlined in the Personnel and Budget/Finance sections above. During this period, the Department of Education will also provide technical assistance and guidance, in the areas of personnel and budget/finance described above, as well as in the area of instruction and curriculum, to the School Board and the Superintendent of the Governor Baxter School for the Deaf, upon the written request of the Governor Baxter School for the Deaf School Board or Superintendent.

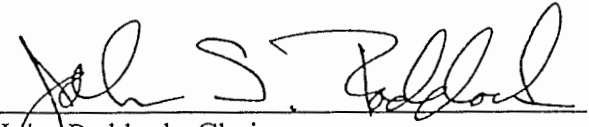
The School Board of the Governor Baxter School for the Deaf, as the policy-making and governing body of the school, is responsible for oversight of the operation and administration of the school and school facilities, including the hiring of the Superintendent and staff, budget development, educational programming, and the safety and welfare of all students. The School Board recognizes its obligation to comply with all federal and state laws and regulations, and all civil service rules and collective bargaining agreements, where applicable.

The Department of Education and the School Board of the Governor Baxter School for the Deaf acknowledge that the provision of administrative assistance by the Department during the period of this agreement, ending June 30, 1999, will be reviewed by the Review Committee established by the Joint Standing Committee sharing jurisdiction over education and cultural affairs, in accordance with P.L. 676. The parties agree that any assistance provided by the Department after June 30, 1999 will be the subject of a separate agreement, the terms of which must be consistent with the recommendations of the Review Committee.

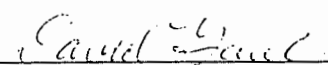
Agreed to this _____ day of _____ 1998 by the undersigned.



J. Duke Albanese, Commissioner
Department of Education



John Paddock, Chair
The School Board of the
Governor Baxter School for the Deaf



David Gaul, Superintendent
Governor Baxter School for the Deaf

Committee to Review the Governance Structure of the Governor Baxter School for the Deaf

Pursuant to P.L. 1995, c. 676, § 11, sub-§ § 11 and 12, the Joint Standing Committee on Education and Cultural Affairs establishes the Committee to Review the Governance Structure of the Governor Baxter School for the Deaf. The Education Committee voted unanimously to establish the Governance Review Committee subject to the following provisions:

1. The Committee to Review the Governance Structure of the Governor Baxter School for the Deaf shall consist of 20 members appointed as follows:

A. One Legislator, who must be member of the Joint Standing Committee on Education and Cultural Affairs and who will chair the Committee; to be appointed jointly by the Chairs of the Joint Standing Committee on Education and Cultural Affairs;

B. The Commissioner of Education, or a designee;

C. The Commissioner of Administrative and Financial Services, or a designee;

D. The Commissioner of Conservation, or a designee;

E. The Director of the Office of Employee Relations, or a designee;

F. The Attorney General, or a designee;

G. Four members representing the School Board of the Governor Baxter School for the Deaf, appointed by the School Board of the Baxter School;

H. One member who is a staff member at the Governor Baxter School for the Deaf, appointed jointly by the Superintendent and the School Board of the Baxter School;

I. One member who is a parent whose child attends the Governor Baxter School for the Deaf, appointed by of the Governor Baxter School for the Deaf Parents Association;

J. One member who is a student representing students attending the Governor Baxter School for the Deaf, appointed by the Governor Baxter School for the Deaf Student Council;

K. One member representing the deaf community in the state, appointed jointly by the Superintendent and the School Board of the Baxter School;

L. One member representing school administrators and school boards in the state, appointed by the Maine School Management Association;

M. One member representing teachers who are public school teachers in the State, appointed by the Maine Education Association;

N. One member representing directors of special education services in the State, appointed by the Maine Association of Directors of Services of Children with Exceptionalities;

O. One member representing state employees at the Governor Baxter School for the Deaf, appointed by the Maine State Employees Association;

P. One member representing state employees at the Governor Baxter School for the Deaf, appointed by the American Federation for State and County Municipal Employees; and

Q. The Town Manager of Falmouth, who shall serve as an ex-officio and non-voting member;

2. Appointments: The appointing authorities shall notify the Chairs of the Education Committee upon making their appointments. When the appointment of all members is complete, the Chairs of the Education Committee shall call and convene the first meeting of the Governance Review Committee no later than May 15, 1998;

3. Duties: Pursuant to Public Laws of 1995, Chapter 676, § 11, sub-§§ 11 and 12, the Governance Review Committee shall review the new governance structure of the Governor Baxter School for the Deaf, including the current agreement defining the provision of administrative assistance by the Department of Education to the Governor Baxter School for the Deaf. The Governance Review Committee shall present its findings and make recommendations for the provision of administrative assistance for the period beginning July 1, 1999;

4. Committee Meetings: In examining these governance issues, the Governance Review Committee shall make every reasonable effort to provide public access to the committee meetings, including providing interpreter services and utilizing the ATM Project Network;

5 Staffing Assistance: The chair of the Governance Review Committee may request staffing assistance from the Legislative Council of the Maine State Legislature; and

6. Report: The Governance Review Committee shall submit its report with findings and recommendations regarding the governance structure of the Governor Baxter School for the Deaf and the provision of administrative assistance for the period beginning July 1, 1999, to the joint standing committee having jurisdiction over educational and cultural affairs matters of the 119th Legislature by December 15, 1998.

Governor Baxter School for the Deaf

Mackworth Island • P.O. Box 799 • Portland, ME 04104-0799 • (207) 781-3165 TTY/V • FAX (207) 781-6296

April 17, 1998

Senator Peggy A. Pendleton, Co-Chair
Representative Shirley K. Richard, Co-Chair
Joint Standing Committee on Education
and Cultural Affairs
115 State House Station
Augusta, ME 04333-0115

Dear Senator Pendleton and Representative Richard:

The following staff member has been appointed by the School Board and the Superintendent to represent the school on the Legislative Committee to Review The Governance Structure of the Governor Baxter School for the Deaf:

William H. Nye
253 Bruce Hill Road
Cumberland Center, ME 04021
Tel: 892-3051 TTY

If you should need additional information, please do not hesitate to contact me.

Sincerely,



David R. Gaul
Interim Superintendent

ph

Governor Baxter School for the Deaf

Blackworth Island • P.O. Box 799 • Portland, ME 04104-0799 • (207) 781-3165 TTY/V • FAX (207) 781-6296

April 16, 1998

Senator Peggy A. Pendleton, Co-Chair
Representative Shirley K. Richard, Co-Chair
Joint Standing Committee on Education
and Cultural Affairs
115 State House Station
Augusta, ME 04333-0115

Dear Senator Pendleton and Representative Richard:

The following members have been appointed by the Board to represent the School Board on the Legislative Committee to Review The Governance Structure of the Governor Baxter School for the Deaf:

John S. Paddock, Chair
160 Lincoln Street
Bath, ME 04530
Tel: 443-8687 (home)
443-3792 (work)

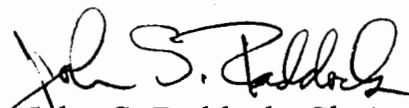
Carolyn (Polly) A. Crowell
209 Winn Road
Falmouth, ME 04105
Tel: 797-5874 (home)
729-4148 (work)

J. Roderick MacInnes
696 Westbrook Street, Apt. 10B
South Portland, ME 04106-1943
Tel: 871-5903 (home/TTY)
871-8211 (work/TTY)

Daniel N. Reardon
381 Spring Street
Portland, ME 04102
Tel: 791-4228 (work)

If you should need additional information, please do not hesitate to contact me.

Sincerely,


John S. Paddock, Chair
School Board

CANDIDATES FOR OWNER'S REPRESENTATIVE

AS OF MAY 8, 1998

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

State House Renovations

Owner's Representative

Primary Services

- Attend/Participate in meetings with Owner, architect and engineers concerning:
 - space requirements
 - design considerations
 - cost-containment strategies
 - energy efficiency considerations
 - any special project requirements
- Review schematic designs and preliminary and final plans
- Assist Owner in reviewing bid responses
- Regular meetings with Owner to review and discuss project progress

Framework for State House Renovations

◇ Provide a safe, healthy, and productive work environment

- Address critical life safety issues
- Support growth in information technologies
- Ensure building's structural integrity

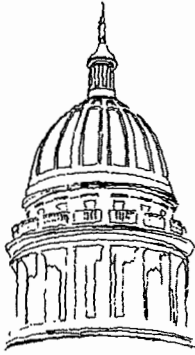
◇ Enhance access by all citizens to all public areas in the State House

- Ensure that both interior and exterior spaces, including the State House, its grounds and Capitol Park, enhance the experience of visitors to the State House.
- Ensure that accessibility measures are well-integrated with the architecture and grounds.

◇ Preserve and enhance the architectural dignity of the State House

- Restore major public spaces in the building, using methods and materials that are consistent with the historic and architectural significance of the State House, and that take into consideration both durability and ongoing maintenance.

◇ Support the effective functioning of the Legislature



State House Master Plan Team

Architect:

Rick Burt, Weinrich + Burt, Damariscotta

Engineers:

Electrical : Larry Bartlett, Bartlett Design, Bath, Maine

Mechanical : Ed Blaisdell, PE, Auburn, Maine

Structural : Ed Caswell, Caswell Engineering, P.A., Brunswick, Maine

Landscape Architect:

Marion Pressley, Pressley Associates, Cambridge, Massachusetts

Construction Manager:

Granger Northern, Inc., Portland

Ed O'Brien, President

Rick Bergeron, Cost Estimator

Bruce Hilfrank, Project Manager



STATE OF MAINE
MAINE ARTS COMMISSION
55 CAPITOL STREET
25 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0025

ANGUS S. KING, JR.
GOVERNOR

ALDEN C. WILSON
DIRECTOR

What Is Percent For Art

The Percent for Art law was enacted in 1979 to provide for art in public buildings. Under the law, an amount equal to one percent of the construction budget is set aside to purchase original works of art for new or renovated buildings receiving state funds. In the case of public schools, a maximum of \$40,000 may be used for art purchases.

How Many Sites Have Taken Advantage Of This Program

Since 1979 there have been more than 300 Percent for Art projects, resulting in the purchase or commissioning of over 1,000 works of art. State buildings account for about 20% of the total. University and Technical College projects account for an additional 20%. Public schools account for the remaining 60%. Public school participation is optional, and has increased from 14% in 1979 to consistently more than 90% over the past 10 years.

Who Chooses The Art

The contracting agency has final authority over the selection of artwork. Art is selected by an art selection committee made up of one or two representatives appointed by the contracting agency, one or two arts professionals appointed by the Maine Arts Commission, and the project architect. The art selection committee recommends commissions or purchases to the contracting agency for final approval. Non-voting representatives of the contracting agency are also encouraged to attend committee meetings.

What Kind Of Art May Be Purchased With Percent For Art Funds

The art selection committee may consider all art forms. Paintings, stained glass windows, ceramic murals, sculpture, fiber art, photography, and prints are some of the choices available to your selection committee. A slide registry of artists working in each of these media is available to the committee from the Maine Arts Commission office.

What Is The Maine Arts Commission's Role

The Maine Arts Commission provides leadership, resources, and materials to facilitate the art selection process. A slide registry of artists working in all media is available to the committee from the Maine Arts Commission office. Following the approval of the contracting agency, the Maine Arts Commission or its Executive Committee approves the art selection process.



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The Art Selection Process

In Maine's Percent for Art Program, art is selected one of three ways:

Open Competition: The project is advertised in various media and in the Percent for Art and Maine Arts Commission newsletters. Artists send a letter of interest and describe their ideas and relevant past work to the committee. The committee may ask artists for additional information before choosing finalists. Artists selected as finalists are paid a design fee plus travel expenses to the site for interviews and presentations to the committee. Final proposals may include models, drawings, samples, and photographs and slides of relevant past work. Design fees may range from \$100 to \$250 or more, and travel is reimbursed at applicable state rates

Limited Competition: Finalists are chosen directly from the Artists Registry and are requested to prepare proposals in the same manner as in an open competition.

Direct Selection: The art selection committee unanimously selects an artist for commission or for purchase after reviewing the Artists Registry and other sources, conducting studio or gallery visits, or interviewing artists.

The Artist Registry


The Maine Arts Commission maintains a registry of the portfolios of artists who would like to be considered for purchases or commissions in the Percent for Art program. Portfolios include resumes, news clippings, artists' statements, and slides and photographs of each artists' work. Additional slides are retained in juried carousels for viewing by art selection committee members. These carousels and portfolios are the primary resource for art selection committees.



MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

May 22, 1998

TO: Honorable Elizabeth H. Mitchell, Chair
Legislative Council

FROM: Sally 

SUBJECT: Custodial Support in the State House

This memo summarizes the discussions we have had over the past year regarding the declining quality of "housekeeping" in the State House and proposes some recommendations.

During the legislative session, the State House has approximately 400 full-time occupants, including the Governor, legislators and their respective staffs. In addition, the building may have several hundred visitors on any given day; and, as the session goes on, legislators, staff and members of the public are often here well into the night. The Bureau of General Services currently assigned 5 custodians to the State House, including the supervisor, Brian Lessard, who also has supervisory responsibilities for the Education Building. BGS has augmented this force with one additional person during the session.

As we have begun the long-awaited process of restoration and refurbishing, the decline in the quality and level of maintenance has become more apparent. This is the result of the interaction of several factors including the following.

- The current level of custodial support in the State House is inadequate for the State's most public building: the State House not only deserves, but requires a higher concentration of custodial staff than other state office buildings.
- Prior to the productivity process, the State House custodial staff comprised 12 full-time equivalents, including a full-time supervisor.
- The Bureau of General Services employs a formula to determine the number of custodians to be assigned to each State building. The formula is based on the total usable floor area in the building (1 for every 18,000 square feet). Under this formula, the Bureau of General Services currently assigns 5 custodians to the State House, including the supervisor, Brian Lessard, who also has supervisory responsibilities for the Education Building. BGS has augmented this force with one additional person during the session.

- The public areas of the State House are in almost constant use during the session for official events, in addition to the normal legislative session activity; and this type of use has continued to grow, particularly during the period when the Legislature is in session. The significant increase in this type of activity diverts the custodial staff from their routine housekeeping duties on many days.

- The custodians now work a single shift, from 5:30 am - 2:30 pm, a work schedule that is incompatible with both the nature and functions of the State House.
 - It virtually assures that the custodians will be trying to complete their work in both the Chambers and various offices while legislators and staff are trying to do their work (often under deadline). A vacuum cleaner is incompatible with bill drafting or pulling together thoughts for floor debate; similarly, it is much more difficult to empty the wastebaskets in the Chambers if members are working at their desks.
 - Orange plastic cones, custodians' carts and equipment should not, as a matter of course, be parked in the corridors of a public building during the hours it is open to the public.
 - The current work schedule also means that there is no custodial coverage during the late afternoons or those evenings when the Legislature is in session.

- The turnover in the State House custodial staff has been striking. Individuals seem to be reassigned with little advance notice. As we undertake the restoration of the State House, the need to have a trained custodial staff is critical. Adequate supervision and a high level of continuity are essential to our efforts to maintain the building in mint condition.

- An appropriate management structure appears to be lacking. Our custodians do not have the proper equipment to perform many of the tasks required, nor are they adequately trained to work with some of the unique tenures of the State House. The care of the marble floors is one example of this.

Recommendations

1. Restructure the schedule for routine custodial work in the State House so that these tasks are performed outside of regular business hours.
 - a) Restore a second shift, comprising 6-8 additional people, including a supervisor, to do the following on a daily basis: bathrooms; corridor floors; vacuum and dust chambers and offices; empty trash. The evening shift could also assist in setups for events the following day as required. The estimated cost of adding 6 positions is summarized below. This work could be done on a contractual basis if necessary.

**Total projected new costs
(including salary and benefits)**

FY 99 (8 months):

1 Custodial Worker III	\$ 18,738
3 Custodial Worker II	\$ 52,551
2 Custodial Worker I	<u>\$ 33,228</u>
	\$104,517

FY 20 (12 months):

1 Custodial Worker III	\$ 29,230
3 Custodial Worker II	\$ 81,648
2 Custodial Worker I	<u>\$ 51,424</u>
	\$162,302

- b) Retain a day shift of 5, but redefine primary duties to include: checking bathrooms during the day to do "spot cleaning" and replenish supplies as required; trash pickup at all entrances to State House and on State House grounds; move furniture upon request; provide support to authorized events that occur in public areas. This staff could also do routine grounds maintenance (e.g. weeding; shovel snow & salt).
2. Restore a full-time custodial supervisor position to the day shift.
3. Develop a comprehensive maintenance schedule that identifies tasks to be performed and frequency.
4. Assign supervisory authority for all State House custodial staff to the Office of the Executive Director to ensure that priorities are handled appropriately, to improve accountability, and to see that custodial staff has proper equipment and training.