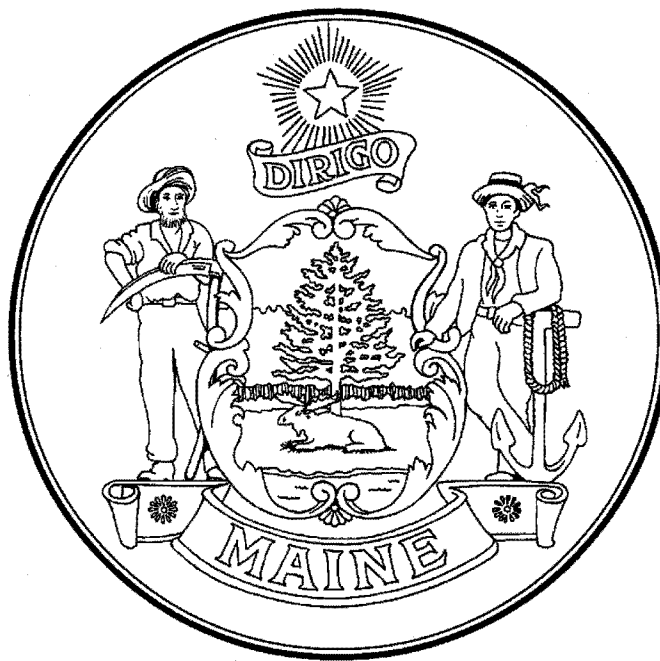


# MAINE STATE LEGISLATURE

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**LEGISLATIVE COUNCIL  
AUGUST 17, 1998  
REVISED AGENDA**

**CALL TO ORDER**

**ROLL CALL**

**SUMMARY OF July 13, 1998, COUNCIL MEETING**

**REPORT FROM THE EXECUTIVE DIRECTOR**

Item #1: Renovations: Status Report (Stan Fairservice, Sally Tubbesing)

Item #2: Personnel Activity

Item #3: Updates from Staff Offices  
a. Interim Studies : Dave Boulter  
b. Legislative Record : Paul Mayotte

**REPORTS FROM COUNCIL COMMITTEES**

**Migration Oversight Steering Committee**

**Personnel Committee**

**OLD BUSINESS**

Item #1: Proposed Construction of Paths in Capitol Park (memo from Sally enclosed)

**NEW BUSINESS**

Item #1: Maine Development Foundation/Policy Leaders Academy: Overview  
(Presentation by Henry Bourgeois, President, and Laura Hudson)

Item #2: 2000 Census: Participation in Phase 2, Voting District Project  
(Memo from Sally enclosed)

**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**  
**JULY 13, 1998**

**CALL TO ORDER**

The Chair, Speaker Mitchell, called the Council to order at 1:40 p.m. in the Council Chamber.

**ROLL CALL**

Senators:	President Lawrence, Sen. Pingree, Sen. Rand, Sen. Kieffer Absent: Senator Amero
Representatives:	Speaker Mitchell, Rep. Kontos, Rep. Campbell Absent: Representatives Donnelly and Saxl
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 Jim Clair, Office of Fiscal and Program Review Patrick Norton, Office of Policy and Legal Analysis Margaret Matheson, Revisor of Statutes Paul Mayotte, Director, Legislative Information Services Rose Breton, Office of the Executive Director

**SUMMARIES OF MAY 26 AND JUNE 15, 1998 COUNCIL  
MEETINGS**

**Motion:** That the Meeting Summaries be approved and placed on file. (Motion by Sen. Rand; second by Rep. Kontos; unanimous)

## NEW BUSINESS

The Chair, Speaker Mitchell, took up the following item out of order with Council members' agreement:

**Item #2: Recent Changes in Collective Bargaining Legislation: Overview and Considerations for the Legislature (Presentation by Marc Ayotte, Executive Director, Maine Labor Relations Board)**

The Chair, Speaker Mitchell, recognized Marc Ayotte, Executive Director, Maine Labor Relations Board. Mr. Ayotte proposed that in view of the passage of legislation that permits certain groups of legislative employees to organize for the purpose of collective bargaining, his staff conduct a brief training session for members of the Council, legislative management staff and legislative employees. He noted that the MLRB is a neutral agency whose charge is to enforce the law and suggested that this makes it the best agency to offer objective information about the law and the organizing process.

**Motion:** That the Council endorse a presentation by the MLRB in early September or October. (Motion by Sen. Rand; second by Sen. Pingree; unanimous).

The Chair, Speaker Mitchell, then returned to the printed agenda.

## EXECUTIVE DIRECTOR'S REPORT

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

**Item #1: Legislative Budget Status as of June 30 (end of Fiscal Year)**

Ms. Tubbesing drew members' attention to materials in their agenda packets and then turned to Rose Breton, who stated that, based on her preliminary analysis, the Legislative account would have balances as follows as of June 30: Personal Services: \$380,000; All Other: \$59,000; Capital: \$3,000. Ms. Breton noted that invoices totaling approximately \$75,000 were in hand as of June 30; thus, the \$59,000 "balance" in All Other needs to be viewed in this context.

Rep. Campbell asked why there was a deficit in Legislative Salaries; and Ms. Tubbesing responded that this reflects the per diems paid to legislators for the Second Special Session, in addition to the salary for the Regular Session.

This item required no action.

**Item #2: Interim Studies: Status Report**

Patrick Norton, OPLA Principal Analyst, reported in David Boulter's absence that several studies are already underway, although most are awaiting appointments. Sally Tubbesing noted that most of the legislation creating study commissions had effective dates the previous week and that appointments seemed to be well underway. The Chair, Speaker Mitchell, asked that the Council receive a status report at each meeting through the interim.

This item did not require formal Council action.

**Item #3: Recommendation Regarding Disposition of Obsolete Computer Equipment**

Paul Mayotte, Director of Legislative Information Services, recalled that Council members had required last year that they formally approve the decision to declare computer equipment surplus based on a recommendation from Mr. Mayotte. He drew members' attention to a list of equipment and explained that most of the PC's on the list were upgradable. He added that his staff does keep some PC's that is otherwise obsolete to "cannibalize" for parts.

**Motion:** That the recommendation to declare computer equipment surplus be approved as presented. (Motion by Senate President Lawrence; second by Sen. Rand; unanimous).

**Item #4: Proposal to Construct Pathways In Capitol Park**

Sally Tubbesing reported that a group had been working to develop detailed plans for construction of the pathways in Capitol Park, noting that this is one of the projects that had been included on the Renovations "agenda" for the current construction season. She stated that the State House and Capitol Park Commission had been approached a year ago by the Maine Conservation Corps about participating in this project. The MCC is the contemporary successor of the Civilian Conservation Corps that had done work in the Park during the 1930's. Ms. Tubbesing stated that the MCC's participation would significantly reduce the cost of the project.

In discussion that followed, Council members raised the following questions and concerns:

1. Whether the plans specified who would be responsible for what (Sen. Kieffer)

Sen. Kieffer stated that, based on his knowledge of MCC work in his district, supervision is very important.

2. Whether there is a site plan for this work (Rep. Campbell)

Rep. Campbell noted that detailed specifications are particularly important if donated labor is to be used.

Ms. Tubbesing responded that the landscape architect who has worked with the Commission on the Park had developed both a grading plan and a layout plan.

3. Total cost of the project (Sen. Kieffer)

Ms. Tubbesing responded that revised cost information would be available within the next couples of weeks.

**Motion:** That this item be tabled pending the availability of additional information and that the Executive Director poll Council members by phone if this information is available prior to the August Council meeting. (Motion by Sen. Rand; second by Rep. Kontos; unanimous).

## REPORTS FROM COUNCIL COMMITTEES

### Personnel Committee

Speaker Mitchell, who chairs the Committee reported that the Committee had met and addressed the following items:

- Voted to authorize the vacancy created by John Kelly's resignation to be filled as of September 1.
- Discussed a process for filling the position of Director, Office of Fiscal and Program Review.

Speaker Mitchell reported that a memo would go out to all legislative offices describing the process and stated that the Committee hoped to have a final recommendation to present to the full Council at its September meeting.

- Authorized Sally to proceed to place an ad in Maine newspapers inviting firms to request a copy of a Request for Proposals to conduct a classification and compensation review of all legislative positions. Speaker Mitchell noted that the RFP would also be sent to both NCSL and the State Legislative Leaders Foundation.

This report did not require formal Council action.

### Migration Project Steering Committee

Senate President Lawrence, who chairs the Committee, offered the following update on the process for selecting a firm to guide the migration project. He reported that the Committee had now narrowed its search to 3 firms: Onicron; DRI (which is partly owned by the International Roll Call Corporations); and X-Link. All 3 of these firms have legislative experience, but based on its thorough review of proposals, references, each firm's financial status, and follow up meeting with each of the firms, the Committee has questions about each of the three. These questions and concerns related to price; schedule; the risks associated with contracting with a small company; the experiences these firms have had in other states; and some technical risks. None of the vendors appears to be able to guarantee completing the Migration Project by the year 2000.

Senate President Lawrence stated that the Committee has concluded that it needs to continue to work with each of the firms to determine whether it is possible to come up with a solution, with the goal of coming back to the Council with a final recommendation at its August meeting. He noted that this decision means that the Council must deal separately with the Year 2000 problem and recommended that the Council authorize the Migration Committee to initiate a Year 2k program immediately.

The discussion that followed included the following points:

- We need more information regarding the practicality of adapting the Wang to Year 2K (Speaker Mitchell).

Paul Mayotte responded that the Migration Team needs to develop a plan so the issues can be fully addressed by December 31, 1999. He stated that he and his staff have a good fix on those aspects of the operating system, but that we still need a review of the code that supports the Legislature's applications to see what other fixes are required.

- Whether the 3 firms are capable of providing a performance and payment bond (Sen. Kieffer)

Senate President Lawrence stated that the Committee had discussed this and that such a bond would be a financial burden to the smaller firms so that the Legislature would probably cover the cost of the bond. Sen. Kieffer observed that this would be a good investment.

**Motion:** That the Committee proceed with developing a plan for year 2000 compliance, as well as the association costs for this work. (Motion by Rep. Kontos; second by Sen. Rand; unanimous).

#### **Discussion continued:**

- Whether NCSL and CSG should not be used as resources for finding qualified vendors to support the Migration Project (Rep. Kontos)

Paul Mayotte responded that we have used these organizations extensively in the identification of vendors. Senate President Lawrence observed that legislatures present a unique application environment and that each of the 50 states has significant differences in its organization and process so that it is not possible to simply install an application that has been developed for another state.

- Where Maine is relative to other states in terms of automation (Rep. Campbell)

Senate President Lawrence responded that we have a very sophisticated system, but that the Wang is on its last legs. Mr. Mayotte concurred, adding that Maine's system is highly integrated and that it reflects the uniqueness of the Maine Legislature and process. Sen. President Lawrence pointed out that the RFP has been highly commended by all vendors - for the level of detail and planning that it includes. He concluded that other states have counseled him and other members of the committee to make sure that the contract language is very tight. He acknowledged that hard work that all of the Committee members expended to date.

## OLD BUSINESS

### **Item #1: Progress Report on Renovations from Stan Fairservice, Owner's Representative**

The Chair, Speaker Mitchell, recognized Stan Fairservice, the Council's Owner's Representative; and Mr. Fairservice offered a brief report of the status of the work, noting that Granger Northern is focused on evaluating bids and awarding subcontracts for various aspects of the work. The subcontracts that have been awarded include: sound system equipment; long lead mechanical items (ventilation system); House Chamber windows; scaffolding (interior and exterior); demolition; elevators; general electrical. Work that is currently out for bid includes data/networking and masonry and steel.

Rep. Campbell asked Mr. Fairservice how he felt about the progress and expressed his concern that progress is slow. Mr. Fairservice responded that everyone is focused on meeting the November 15 deadline. He acknowledged that resolution of a couple of issues is lagging, but that all parties were working to gain momentum. Rep. Campbell again expressed concern about the progress, but noted that he sees great talent in the team that has been assembled to do the work. The Chair, Speaker Mitchell, asked Mr. Fairservice to stay on top of the work and to keep Sally and the Council informed.

## NEW BUSINESS

### **Item #1: Joint Select Committee on Substance Abuse: Progress Report (letter from Senator Daggett and Representative Brennan, Chairs)**

**Motion:** That the Chair be informed that the Committee has been authorized to have 4 meetings and that the payment of per diem has been approved. (Motion by Rep. Campbell; second by Rep. Kontos; unanimous).

### **Item #3: Legislative Record: Status**

The Chair, Speaker Mitchell, recognized Paul Mayotte, who reported that since he assumed his position in March, 1997, he had worked to eliminate the significant backlog for indexing the Legislative Record. He drew members' attention to a chart which listed the current status of each session and stated that, with Meg Matheson's help, he has more than doubled the number of people working on the project.

The Chair, Speaker Mitchell, observed that the schedule for completing the record is a policy decision; and that staff should not presume that the Record can be set aside despite other priorities. She asked Mr. Mayotte to provide the Council with a status report at subsequent meetings.

### **Item #4: Developing a Protocol for Informing Legislators of High Profile Incidents (Request of Representative Kontos)**

The Chair, Speaker Mitchell, recognized Rep. Kontos, who introduced Alan Ball, Director of the Bureau of Remediation & Waste Management, DEP, and a representative from the Maine Municipal Association.



She stated that the discovery of MTBE in Windham had raised a number of concerns related to notification of both legislators and local officials and that she and her staff had since met with DEP to discuss the development of a protocol regarding contacts and work with towns and with legislators. Rep. Kontos proposed that DEP determine whether the nature of any incident warranted notification of legislators and that a single point of contact be established within the Legislature to facilitate timely notification.

In the ensuing discussion, Council members concluded that the appropriate points of contact should be the presiding officers, who are in the position to determine which committees and which local legislators need to be notified. Mr. Ball stated that employees at the technical level in an agency don't often think politically; and Senate President Lawrence suggested that if an incident was going to end up on the front page of the newspapers, the Legislature should be notified.

The Chair, Speaker Mitchell, thanked Mr. Ball for participating in the discussion.

## **ANNOUNCEMENTS AND REMARKS**

**August Council Meeting: Monday, August 17**

## **ADJOURNMENT**

The Council meeting was adjourned at 3:03 p.m.

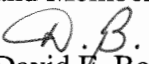


*Maine State Legislature*  
**OFFICE OF POLICY AND LEGAL ANALYSIS**

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

## **Memorandum**

**To:** The Honorable Elizabeth H. Mitchell, Chair  
and Members of the Legislative Council

**From:**   
David E. Boulter, Director

**Date:** August 14, 1998

**Re:** Status of Report on Legislative Studies

---

In accordance with your request at the July meeting of the Legislative Council, I have prepared a brief report summarizing the status of legislative studies and studies involving joint standing committees this interim. If you have any questions or would like further information on any of the studies, please let me know.

attachment

DEB/law  
Enclosure

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*David E. Boulter, Director*  
Offices Located in the State House, Rooms 101/107/135

**Progress Report to Legislative Council  
on Legislative Studies  
118th MAINE LEGISLATURE --2nd Session Interim  
Status as of August 14, 1998**

<u>Study Commission</u>	<u>Date First Convened</u>	<u>Date, Time &amp; Location of Next Meeting</u>	<u>Report Date</u>	<u>Status/Progress of Study Commission</u>
Alternative Fuels Study (to be conducted by DEP with consultation from NAT Committee)		TBA	Interim 1-15-99 Final 1-15-00	DEP is in information gathering stage. Meeting with NAT is not expected before September.
Children's Mental Health Oversight Committee (to be conducted by DMHMRSA)		Thu, Aug 20 Noon Rm 334 SH	2-1-98 (& annually thereafter)	Committee appointed. The 1st meeting will be on 8/20. Agency is required to provide staffing.
Eating Disorders, Commission on	Held early August	TBA		Chair was selected.
Enforcement of Civil and Criminal Penalties, Plan to Enhance	June 11, 1998	----	12-15-98	Commission selected chair, dividing into task forces.
Financial Services Taxation Advisory Group & Jt. Select Committee	June 25, 1998	Tues, Sept 1 1:30-4 Rm 334, SH	1-15-99 (Exec Order) 12-1-98 (Jt. Select)	Committee met informally with Gov's Task Force and will meet formally on 9/1. Further meetings will be jointly with Task Force.
Fish and Wildlife Laws, Review of State (Presiding Officer approval)	N/A	----		IFW will meet twice, with 1st meeting anticipated in mid-September.
Governor Baxter School, Review of the Governance Structure of the	Awaiting appointments from AG & Bureau of Employee Relations	Wed, Aug 19 9-4 Gov. Baxter Sch. for Deaf	12-15-98	First meeting is scheduled for 8/19.
Health & Human Services Committee Meetings re: Jackson Brook Institute	N/A	Wed, Aug 19 9-11:15 - JBI 1-4:30 PH Deering High School	----	Tour of JBI, public meeting to follow.
Judicial Compensation Commission	on-going	----	12-1-98	
Legislative Rules, Special Commission on				Special Commission is not yet convened. Commission appointments are being made. A meeting is anticipated by September 1.
Liquor Store in Fort Kent, Study the Opening of a Discount	Awaiting appointments	TBA	1-1-99	Commission not yet convened. 1 meeting will be held in Ft. Kent.
Long-Term Care Facilities, Study to Examine Rate Setting and Financing of	Mon, Nov 3, 1997	Wed, Sept. 2 12:30-4:30 Rm 436 SH	11-20-98	Commission has met 3 times since session ended. Several more meetings are planned before December.
MRSA Criminal Statutes, Review of		TBA	1-1-99	Task Force met periodically throughout 118th. OPLA is drafting necessary legislation.
Ombudsman for DHS and Department of Mental Health, Mental Retardation and Substance Abuse Services, Study the Need for an	Awaiting appointments	TBA	12-15-98	Commission is not yet convened. 4 meetings are authorized.
Performance Budgeting, Commission on	on-going	TBA		Chair of commission not yet appointed.

**Progress Report to Legislative Council  
on Legislative Studies  
118th MAINE LEGISLATURE --2nd Session Interim  
Status as of August 14, 1998**

<u>Study Commission</u>	<u>Date First Convened</u>	<u>Date, Time &amp; Location of Next Meeting</u>	<u>Report Date</u>	<u>Status/Progress of Study Commission</u>
Probation Services, Review of Procedures and Consider Improvements in	Thu, Aug 13, 1998	not scheduled	1-15-00	Study group was convened in August 13. A tour of DOC facilities by the commission is anticipated.
Research and Development, Jt. Select Committee on	May 12, 1998	Tues, Sept 15 9:00 a.m. Rm 334, SH	before 119th	Committee has held 5 meetings regionally, touring R&D facilities and speaking with key public and private sector participants. It will meet next to discuss the information received and develop recommendations.
Sexually Violent Predators, Jt. Select Committee to Implement Program for Control, Care and Treatment of	Thu, May 14 12:30 p.m. Rm. 438 SH	Thu, Sept 17 9:30 a.m. Rm 438 SH	10-15-98	Committee has met 3 times, hearing from interested persons and viewed video conference. Report and recommendations to be discussed and developed.
State Compensation Commission	Awaiting appointments	-----		Commission not yet convened.
Substance Abuse, Jt. Select Committee on	Mar 1998	Wed, Sept 9 9-12 OSA (tentative)	10-14-98 (anticipated)	4 subcommittees formed, with reports due 8/31. A draft full report is anticipated for comment at 3 public hearings on Sept. 16.
Superior and District Courts, Task Force to Develop Recommendations to Implement the Unification of the		Organizational mtg: 9/25/98 1 pm Maine Judicial Ctr. Augusta	<u>Interim</u> 3-15-99 <u>Final</u> 12-15-99	First meeting is scheduled.
Tax Filing, State and Federal	Nov 24, 1997	TBA	1-1-99	Membership expanded to include an accountant. Four meetings remaining; coordinating with IRS. Expected to reconvene in fall.
Telecommunications Taxation, Task Force to Study	Awaiting legislative appointments (as of 8/3)	-----	1-15-99	Task Force is not yet convened.
Teletypewriters and Other Telecommunications Equipment for People with Disabilities, Study the Funding and Distribution of	Fri, Dec 1, 1997	A late September or early October meeting is anticipated.	1-15-99	Study commission is waiting for completion of Dept. of Education school summary and Bureau of Rehabilitative Services and comprehensive plan development prior to meeting.
Violent Students, Study Providing Educators with More Authority to Remove	Chairs appointed, awaiting other appointments	Aug 26, Sept 9, Sept 23, Oct 9	10-30-98	Not yet convened; chairs have sent letters to Commissioner & AG, requesting speedy appointments. The first meeting will include public hearings held regionally.

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THE RECORD  
Status Report  
August 17, 1998

Session	Marked	1st Round Complete	2nd Round Complete	Percent Complete	Data Input Complete Date	Index Printer-ready
114th 1st Regular	Yes	Yes	In progress	60 %	September 15	October 31
114th 2nd Regular	Yes	Yes	Yes	100 %	Done	October 31
114th Special	Yes	Yes	Yes	100 %	Done	October 31
August 15	Yes	Yes	Yes	100 %	Done	October 31
115th 1st Reg House	Yes	Yes	Yes	100%	Done	November 15
115th 1st Reg Senate	Yes	Yes	Yes	100%	Done	November 15
115th 2nd Reg House	Yes	Yes	In progress	80 %	August 31	November 15
115th 2nd Reg Senate	Yes	Yes	None	40%	September 15	November 15
115th Spec House	Yes	Yes	Yes	100%	Done	November 15
115th Spec Senate	Yes	Yes	Yes	100%	Done	November 15
115th Conf Senate	Yes	Yes	Yes	100%	Done	November 15
116th 1st Reg House	Yes	Yes	Yes	100 %	Done	November 30
116th 1st Reg Senate	Yes	In progress	None	40 %	October 31	November 30
116th 2nd Reg House	Yes	Yes	Yes	100 %	Done	November 30
116th 2nd Reg Senate	Yes	In progress	None	30 %	October 31	November 30
116th Conf Senate	Yes	In progress	None	30 %	October 31	November 30
117th 1st Reg House	Yes	In Progress	None	25 %		
117th 1st Reg Senate	Preparing	Senate	Text			
117th 2nd Reg House	Yes	In progress	None	25 %		
117th 2nd Reg Senate	Preparing	Senate	Text			
117th Spec House	Yes	In Progress	None	25 %		
117th Spec Senate	Preparing	Senate	Text			
117th Conf Senate	Preparing	Senate	Text			

118<sup>th</sup> MAINE STATE LEGISLATURE  
Legislative Council  
Report of the Migration Oversight Team  
August 17, 1998

Year 2000:

1. As a result of extending the schedule for the Migration Project 12 months, the Legislature is undertaking an effort to ensure its current WANG computer systems and application software will continue to function properly after December 31, 1999.
2. Work is now in progress on the WANG hardware and WANG operating system software.
3. The goal is to have the hardware and operating System software 2000 compliant before the start of the January 1999 Legislative Session.
4. Meetings took place with several vendors that specialize in finding and correcting year 2000 errors in application software such as the bill drafting and bill status systems.
5. The vendors have been requested to provide pricing to review, correct, and test 120,000 lines of computer code with a completion date of September 1999.
6. One vendor has provided a quote, which is seen as excessive, based on the scope of work.
7. A second quote is due on August 17<sup>th</sup>.
8. Funding for the application code scope of work is not included in the Office of Information Systems budget.

#### Migration:

Extensive discussions took place with the three vendors, Omicron, Xlink, and Data Retrieval International.

#### Omicron:

- Achieved price reductions by adjusting scope, Omicron reductions, and assigning scope to the Legislature. Final price \$2,300,000
- Concerns remain re termination of the Omicron/Delaware contract and the level of the scope of work that would need to be undertaken by the Legislature.
- Concerns remain re leading edge technology

#### Xlink:

- Addressed company size concerns by proposing Peat Marwick KPMG as the prime contractor with Xlink as a subcontractor
- Schedule adjusted for 12 additional months
- The addition of 12 months and KPMG increased the price by \$900,000 to \$2,400,000
- Concerns remain re Xerox/North Carolina (Xlink sub) contract

#### Data Retrieval International: (DRI)

- Addressed company size concerns by proposing International Roll Call as the prime contractor with DRI as a subcontractor
- Schedule adjusted for 12 additional months
- Looking into changing text database tool and software development tool
- The addition of 12 months and scope clarifications increased the price by \$300,000 to \$1,800,000.
- Concerns remain re DRI lack of staffing, lack of project management approach, and implementing technology changes

Migration Oversight Team  
Migration Recommendation  
August 17, 1998

That the Legislative Council authorizes the Migration Oversight Team to enter into final contract negotiations with KPMG Peat Marwick LLP for the design, development, and installation of automated systems for bill drafting, bill status reporting, and Chamber programs.

That KPMG Peat Marwick LLP subcontracts directly with Data Retrieval International, LLC or International Roll Call Corporation for specific tasks and computer software related to Chamber programs.

That KPMG Peat Marwick LLP subcontracts directly Xlink Corporation for specific tasks and computer software related to bill drafting and bill status systems.

That the price Migration Oversight Team is authorized to negotiate to a level of \$2,000,000 to \$2,200,000, and to report back to the Council for approval for anything above the \$2,200,000.

That the Negotiation Team include a representative from the Office of the Attorney General.



SARAH C. TUBBESING  
EXECUTIVE DIRECTOR  
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE  
OFFICE OF THE EXECUTIVE DIRECTOR  
LEGISLATIVE COUNCIL

August 14, 1998

TO: Honorable Elizabeth H. Mitchell, Chair  
Honorable Mark W. Lawrence, Vice-Chair  
and Members of the Legislative Council

FROM: Sally 

SUBJECT: Proposal to Construct Paths in Capitol Park

This memo is a followup to the discussion at the July Council meeting regarding the proposed project in Capitol Park.

### **Background**

As you know the Olmsted Brothers, one of the pre-eminent landscape architecture firms in the early 20th century, developed a complete landscape design for Capitol Park in 1920. The Olmsteds' design divided the Park into different "activity zones" which included a shrub and tree garden, a grove for public speaking and concerts, and a large open area for unstructured activities and enjoyment of a beautiful natural setting.

Part of the design was implemented, but the lack of funding precluded completion of the entire plan. Since the 1920 work, the majestic elms that lined the "Grand Allee" leading from the east steps of the State House to the river have fallen victim to Dutch Elm Disease and have been replaced with the existing red oaks; the Vietnam Veteran Memorial was erected near the area where tennis courts were located at one time; and some plant materials have been added in a haphazard manner.

### **Master Plan**

One of the first projects undertaken by the State House and Capitol Park Commission was the development of a "Master Plan" for the Park. The Plan included the construction of pathways through the Park, consistent with the Olmsteds' general design as well as extensive rehabilitation of existing trees and shrubs, additional planting, and the addition of benches and signage. This Plan was adopted by the Legislative Council in 1989; but the budget situation through the early 90's led to the deferral of this project. Implementation of the Master Plan for the Park (estimated cost : \$222,965) is included in the \$19 million State House Master Plan that the legislature has approved.

### **Proposed Project**

As I described to you at the July meeting, we have been working with the Maine Conservation Corps to determine the feasibility of involving one of their college teams in the reconstruction of the paths. Construction of the paths will enhance use of the Park and provide handicapped access through the Park; and the proposal is to use a phased approach in construction of the paths so that the entire Park is not involved in construction at any one time. The first phase, which we propose to conduct this fall, would involve the paths in the "front" of the Park; and it is estimated to take 6-8 weeks.

This approach - - partnering with the MCC -- would not only create a historic link to the work done by the Civilian Conservation Corps in the Park in the 1930's, but it would significantly reduce the cost of the project. Additionally, the Corps often works with the Department of Transportation, and DOT has agreed to provide some of the equipment required for the work, training in use of the equipment, and onsite supervision while the equipment is being used at no cost. A grading plan and specifications for the materials and methods to be employed has been developed by the firm of Pressley Associates, the landscape architects who have worked with the State House and Capitol Park Commission over the years on issues related to Park design.

### **Estimated Cost/Phase I**

<b>Original Budget</b>	:		\$100,000
<b>Revised Estimated Budget</b>	:		
Design/Construction Documents		\$ 5,000	
Labor & Supervision (Maine Conservation Corps) 6 weeks x 40 hrs x 7 corpsmen		10,000	
Supervision and Technical Support Frank Wingate/McGee		12,000	
Materials (sand; gravel, loam; safety fencing; cones; etc.)		6,500	
Equipment rental		12,000	
Contingency (15%)		<u>5,250</u>	
<b>Revised Total Estimate</b>			<b>\$ 50,750</b>

## RECOMMENDED IMPROVEMENTS TO THE POLICY LEADERS ACADEMY

Draft, for discussion purposes only; prepared by the Maine Development Foundation  
for Legislative Council meeting, August 17, 1998

Legislative Leadership have suggested several positive changes to the Academy, including five new components and two expansions. Their ideas are outlined below. MDF needs 5-7 weeks lead time to plan each session.

Mid-Nov.     *Workshop for New Legislators [new]*

- a. Participants: 20-25 of the 30+/- who have never been legislators.
- b. Topic: basics of the economy, basics of the legislative process.
- c. Format: one-day workshop

Mid-Dec.     *Regional Workshops on How the Legislature Works [new]*

- a. Participants: 500 business and community leaders
- b. Topic: How the legislature works, using the video; launch speaker's bureau.
- c. Format: 2-hour workshops delivered at TC/University campuses in partnership with local chambers, development groups.

January       *Facilitate Training Session for Committee Chairs & Minority Leads [new]*

- a. Topic: training on leadership skills, committee process, etc.

*Committee Retreats and Tours [new]*

- a. Process: Meet with each committee's chairs/minority lead to determine what support, if any, each committee needs and when/how to deliver it.
- b. Organize with committee members, deliver at their convenience.

*Conduct one, two-day Economic tour of the State*

- a. Participants: 75-80 legislators on each tour.
- b. Topics/Location/Format to be determined.

February     *Legislative Summit [new]*

- a. Participants: 186 legislators, 50 staff, 20 speakers/resources
- b. Topics: to be determined in December by Leg. Council, including presentation on the State of Maine economy.
- c. Format: one or two-day Summit at TC or University campus, early February (length contingent on number of issues discussed).

**Begin Weekly Luncheon Briefings on the Economy [expand]**

- a. Participants: 25-30 legislators each week.
- b. Topics: Selected from Growth Council's 54 benchmarks.
- c. Format: 90-minute briefings, held same time/place each week, from February through end of session.

March

**Shadowing Sessions For Business and Community Leaders [expand]**

- a. Participants: 100 business and community leaders (20 per day)
- b. Format: Shadow legislator (from district) from 8:30 a.m. To 4:30 p.m. Partnering spread across five session days to accommodate legislators/partners schedules.
- c. Conduct once in this session and once in next session.

**Conduct one, two-day Economic tour of the State**

- a. Participants: 75-80 legislators on each tour.
- b. Format: Two-day tour, Sunday/Monday
- c. Topics/Location to be determined.

**Short Session Agenda**

Program components to include:

Two, two-day economic tours of the state

One five-day shadowing program

Weekly luncheon briefings on the economy

Maine Development Foundation  
Policy Leaders Academy  
Budget Projections for 1998/1999/2000 Program in 119th Legislature  
prepared by the Maine Development Foundation, draft, for discussion purposes only, August 25, 1998

1998 Program Components		Proposed Leg. Costs	Support from Business
<i>December 9-10</i>			
<b>Two-Day Workshop for New Legislators (50)</b>			
Facility rental	\$ 500.00		\$ 500.00
Food (6 meals) @ \$75	\$ 3,600.00	\$ 3,600.00	\$ -
One Overnight @ \$38	\$ 1,900.00	\$ 1,900.00	\$ -
Other direct costs	\$ 500.00		\$ 500.00
Staff/curriculum design (80 hours)	\$ 4,000.00	\$ 2,000.00	\$ 2,000.00
	<u>\$ 10,500.00</u>	<u>\$ 7,500.00</u>	<u>\$ 3,000.00</u>
<i>December 7-18</i>			
<b>4 Regional Workshops - how legislature works (400)</b>			
Facility rental (inkind)	\$ -	\$ -	\$ -
Food (snacks and drinks) @ \$4	\$ 1,600.00		\$ 1,600.00
Other direct costs	\$ 1,500.00		\$ 1,500.00
Staff/curriculum design (150 hours)	\$ 7,500.00		\$ 7,500.00
	<u>\$ 10,600.00</u>	<u>\$ -</u>	<u>\$ 10,600.00</u>
<b>Total 1998 Program Components</b>		<u><u>\$ 7,500.00</u></u>	<u><u>\$ 13,600.00</u></u>
<b>1999 Program Components</b>			
<i>January</i>			
<b>Two-Day Economic Tour of Northern Maine (80)</b>			
Food (7 meals) @ \$80	\$ 6,400.00	\$ 6,400.00	
Two Overnights @ \$38	\$ 6,080.00	\$ 6,080.00	
Other direct costs	\$ 2,500.00		\$ 2,500.00
Staff/economic data collection (200 hours)	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00
	<u>\$ 24,980.00</u>	<u>\$ 17,480.00</u>	<u>\$ 7,500.00</u>
<b>Legislative Summit (180)</b>			
Facility rental (2 days)	\$ 600.00		\$ 600.00
Food (5 meals) @ \$52	\$ 9,360.00	\$ 7,800.00	\$ 1,560.00
One Overnight @ \$38	\$ 5,700.00	\$ 5,700.00	
Other direct costs	\$ 3,500.00		\$ 3,500.00
Staff/curriculum design (200 hours)	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00
	<u>\$ 29,160.00</u>	<u>\$ 18,500.00</u>	<u>\$ 10,660.00</u>
<b>Training for Committee Chairs &amp; Minority Leads (68)</b>			
Facility rental	\$ 500.00		\$ 500.00
Food (2 meals) @ \$25	\$ 650.00	\$ 650.00	
Other direct costs	\$ 4,000.00		\$ 4,000.00
Staff/curriculum design (120 hours)	\$ 6,000.00	\$ 3,000.00	\$ 3,000.00
	<u>\$ 11,150.00</u>	<u>\$ 3,650.00</u>	<u>\$ 7,500.00</u>

**Committee Retreats/Tours (2 retreats/3 tours)**

Facility rental (2 committee retreats)	\$ 600.00		\$ 600.00
Food (2 meals) @ \$16 + (3 meals) @ \$36	\$ 1,820.00	\$ 1,820.00	
One overnight (3 committee tours) @ \$38	\$ 1,482.00	\$ 1,482.00	
Other direct costs	\$ 8,000.00		\$ 8,000.00
Staff/curriculum design (120 hours)	\$ 6,000.00	\$ 3,000.00	\$ 3,000.00
	<u>\$ 17,902.00</u>	<u>\$ 6,302.00</u>	<u>\$ 11,600.00</u>

#### February

##### 10 Luncheon Briefings (40)

Food @ \$6	\$ 240.00	\$ 240.00	
Other direct costs	\$ 500.00		\$ 500.00
Staff/curriculum design (50 hours)	\$ 2,500.00	\$ 1,250.00	\$ 1,250.00
	<u>\$ 3,240.00</u>	<u>\$ 1,490.00</u>	<u>\$ 1,750.00</u>

##### Two-Day Economic Tour of Southern Maine (80)

Food (7 meals) @ \$80	\$ 6,400.00	\$ 6,400.00	
Two Overnights @ \$38	\$ 6,080.00	\$ 6,080.00	
Other direct costs	\$ 2,500.00		\$ 2,500.00
Staff/economic data collection (200 hours)	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00
	<u>\$ 24,980.00</u>	<u>\$ 17,480.00</u>	<u>\$ 7,500.00</u>

#### March

##### Shadowing for Business & Community Leaders (100)

Food @ \$4	\$ 800.00	\$ 400.00	\$ 400.00
Other direct costs	\$ 2,400.00		\$ 2,400.00
Staff/curriculum design (160 hours)	\$ 8,000.00		\$ 8,000.00
	<u>\$ 11,200.00</u>	<u>\$ 400.00</u>	<u>\$ 10,800.00</u>

##### Total 1999 Program Components

<u>\$ 122,612.00</u>	\$ 65,302.00	\$ 57,310.00
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##### Total 1998/99

\$ 143,712.00	\$ 72,802.00	\$ 70,910.00
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	Legislature	Private Sector
1996 Staff	\$ 18,600.00	\$ 18,600.00
1997 Staff	\$ 16,700.00	\$ 45,359.00
1997 Total Direct	\$ 27,598.00	\$ 7,500.00
	<u>\$ 62,898.00</u>	<u>\$ 71,459.00</u>

SARAH C. TUBBESING  
EXECUTIVE DIRECTOR  
OF THE LEGISLATIVE COUNCIL




MAINE STATE LEGISLATURE  
OFFICE OF THE EXECUTIVE DIRECTOR  
LEGISLATIVE COUNCIL

CORRECTED COPY

August 13, 1998

TO: Honorable Elizabeth H. Mitchell, Chair  
Honorable Mark W. Lawrence, Vice-Chair  
and Members of the Legislative Council

FROM: Sally 

SUBJECT: Census 2000 : Phase 2

The Census Bureau has recently invited all 50 states to participate in Phase 2 of its Planning Program for Census 2000. This Phase builds on Phase 1, completed 1996-1998, in which states suggested boundaries for census blocks. These boundaries generally correspond to geographic features or other visual features so that census block boundaries will correspond to existing natural features where possible.

Maine is divided into 50,000 geographic, or census blocks. The 2000 Census will tabulate the population - and all of the demographic data that is collected through one census - separately for each of these blocks. The purpose of Phase 2 is to allow states to specify their voting districts (including congressional districts; state legislative districts and county commissioner districts) on maps provided by the Census Bureau. The Census Bureau will incorporate this information into the geographic data base that is used to take the census; which means that the Bureau can provide participating states with the Census data by voting district as well as by census block, thus making the data useful for redistricting.

The option to participating in Phase 2 is to "label" the census blocks after the census data is available in mid-2001. The Legislature has participated in Phase 2 in previous years, and the primary advantage of participating in Phase 2 is that the census data by voting district will be available to legislators (and others) earlier than it would be if we postponed the labeling task. The cost of labeling the blocks is the same regardless of when it is done.

Honorable Elizabeth H. Mitchell, Chair  
Honorable Mark W. Lawrence , Vice-Chair  
and Members of the Legislative Council

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The work required for Phase 2 is technical : The Census Bureau provides each state with sets of maps : in 1998, Maine's set comprised several hundred maps. Each map has to be annotated, highlighting the boundaries of each voting district, in accordance with Census Bureau instructions. Maine's liaison for the Census Planning is currently Richard Sherwood, State Planning Office. The Legislative Council approved hiring a research assistant to work under the supervision of Mr. Sherwood to annotate the maps in 1989. This year the Census Bureau is offering states the option of doing the annotations electronically.

### **Legislative Council Role**

Consistent with the non-partisan requirements of federal Public Law 94-171, the Census Bureau requires the Governor and the majority and minority legislative leaders to jointly decide whether a state will participate in Phase 2 and to name a liaison to work with Census Bureau staff.

### **Estimated Cost**

The Legislative Council authorized hiring a research assistant on a temporary basis in 1989 and provided a hearing room in the State Office Building for the mapping project. The work took approximately 3 months; the total cost was approximately \$5000. We have the opportunity to work with our GIS office this year to add the voting district boundaries electronically. I do not yet have complete cost estimate for this option, but anticipate that it would be less since it is less labor-intensive.

### **Recommendation**

- That the Council authorize participation in Phase 2 and designate Richard Sherwood as Maine's liaison for this purpose.
- That the Council direct me to work with the Geographic Information Services Division to explore making the annotations electronically, to develop the estimated cost of this approach, and to provide the Council with comparative cost information at its September meeting.

I would be happy to try and answer any questions you may have.

cc: Richard Sherwood, State Planning Office