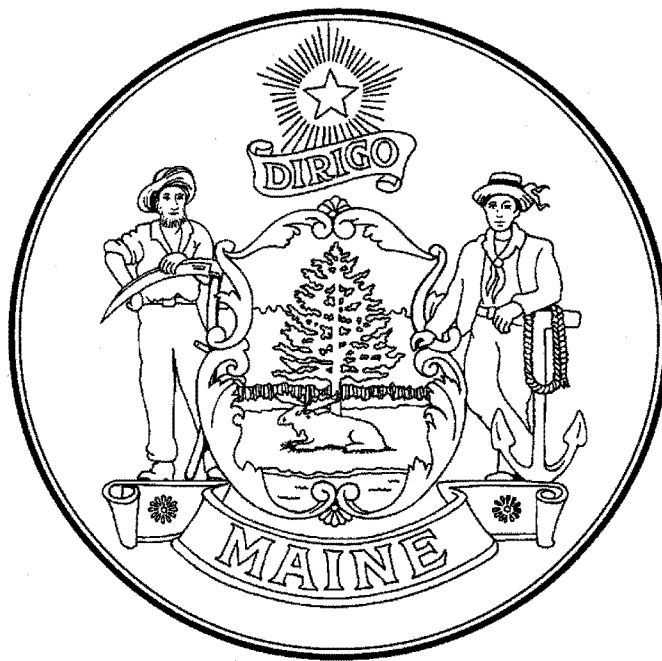


# MAINE STATE LEGISLATURE

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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  
SEPTEMBER 14, 1998**

**Approved October 13, 1998**

**CALL TO ORDER**

The Chair, Speaker Mitchell, called the Council meeting to order at 2:25 p.m. in the Council Chambers.

**ROLL CALL**

Senators:	President Lawrence, Sen. Rand Absent: Senators Pingree, Amero, and Kieffer
Representatives:	Speaker Mitchell, Rep. Kontos, Rep. Saxl, Rep. Campbell Absent: Rep. Donnelly
Legislative Officers:	Joy O'Brien, Secretary of the Senate 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 Paul Mayotte, Director, Legislative Information Services

## SUMMARY OF AUGUST 17, 1998 COUNCIL MEETING

Senate President Lawrence drew members' attention to the record of the Report from the Migration Oversight Committee and asked that the language of the motion regarding direction to the committee to proceed with contract negotiations be revised. He stated that some of the language that had been incorporated in the formal motion had actually been general discussion.

**Motion:** That the Meeting Summary be approved as amended. (Motion by Sen. Rand; second by Rep. Saxl; unanimous).

The Chair, Speaker Mitchell, proceeded out of order, and without objection, to NEW BUSINESS.

### NEW BUSINESS

Item #1: Renovation of State Office Building, Reconstruction of Connector, and State House West Wing Entrance: Presentation and Discussion

Speaker Mitchell recognized Janet Waldron, Commissioner of Administrative and Financial Services, to lead off the discussion. Ms. Waldron stated that planning for the renovation of the State Office Building was moving at a rapid pace and on schedule. She commended the Legislature for its cooperation and noted that Sally Tubbesing is a member of a Steering Committee that has been established to ensure overall coordination between the plans in the two buildings.

Commissioner Waldron briefly described a series of committees that she has set up in conjunction with the Renovation project. These include a Communications Committee, whose primary role is to keep employees informed of plans as they move forward; a Safety Committee; a Security Committee, whose membership will include the Secretary of the Senate, Clerk of the House and the Council's Executive Director; and a Relocation Committee. All appropriate committees will include representation from the Legislature. Ms. Waldron noted that some departments are already beginning the relocation process: both the Bureau of Information Services and the Maine Revenue Services will move to a building on Edison Drive before next spring, for example. She concluded her introductory remarks by reporting that the planned renovations in Tyson and Marquardt -- two buildings on the AMHI campus -- are on schedule, and that SMRT is moving ahead with the development of preliminary designs for the mechanical systems in the State Office Building. She then introduced Ellen Belknap, an architect with SMRT, who is managing the State Office Building Project.

Ms. Belknap reviewed the overall schedule for the renovation of the State Office Building, which has been developed around the legislative session. It anticipates an 18 month construction schedule, beginning in June, 1999, with agencies, including the Legislature, moving back into the renovated building beginning in December, 2000. The work will go out to bid in late March or early April, 1999. She stated that the State Office Building would be completely vacant during the construction period. Ms. Belknap then drew Council members' attention to a series of boards that presented

preliminary floor plans for each of the floors in the State Office Building, and focused on the plans for the Second Floor, which has been assigned to the Legislature. Questions and comments offered by Council members throughout the presentation included the following:

- ◆ **Committee Offices.** It is proposed that each hearing room in the State Office Building have a separate adjacent office for the Chairs. Speaker Mitchell stated that the vision for these offices is to accommodate both Chairs, the minority lead and a work space for other committee members.

- ◆ **Committee Rooms**

- a. Electronics in these spaces (Rep. Saxl)

Speaker Mitchell reported that she and Senate President Lawrence are planning to set up a meeting with television news directors and their engineers to determine what their needs are. She observed that “built-in” television coverage raises many policy issues as well as physical ones; and Clerk of the House Joe Mayo noted that these decisions must come from within the two chambers. Rep. Saxl expressed his support for some sort of pool coverage.

- b. It would be helpful for each hearing room to have an antenna for the press, equipment, etc. (Rep. Campbell)

- ◆ **Legislators’ Space**

In response to a question from Sen. Rand, Ms. Belknap stated that this area is intended at this point to be constructed with modular furnishings to provide spaces where legislators could plug in a lap top, have access to a phone, etc.

Senate President Lawrence stressed that space is very limited and plans are still evolving. Speaker Mitchell agreed, noting that this proposal represents only a first phase and that there are other goals to strive toward in the future: for example, a facility in the Cultural Building that could accommodate programs for school children theater-style presentations for legislators, state employees, and others.

The Chair, Speaker Mitchell, then recognized Rick Burt, architect for the State House Renovations, and Earle Shettleworth, Director of the Historic Preservation Commission and Chair of the State House and Capitol Park Commission, and asked them to discuss preliminary plans for the Connector between the State House and the State Office Building. Mr. Burt reported that the redesign of the Connector requires a complete reassessment of how the State House should be used, of how best to enhance the interrelationships between the State House and State Office Building and of how to improve accessibility to the State House. He drew Council members’ attention to two boards that portrayed schematic drawings of the proposed new Connector, which comprises an underground pedestrian walkway between the two buildings and a separate, adjacent tunnel for all utilities. Visitors to the State House would enter at a new entrance, to be constructed at the West Wing. Mr. Shettleworth observed that the proposed new entrance offers the opportunity to address significant issues related to both accessibility and security.

He stressed the importance of retaining the separate architectural identities of the State House and the State Office Building and observed that this could be achieved with the design under discussion.

In discussion, the Council members raised the following:

- The impact of the proposed redesign on parking. (Rep. Campbell)

Ms. Belknap recognized that parking is a major issue in the State House Complex and stated that the current proposals would not decrease the amount of parking currently available in the general area. She went on to state that safety and security considerations would affect traffic flow and general vehicular access to both buildings.

- Accommodations for drop-offs in inclement weather (Rep. Campbell)

Ms. Belknap responded that there would be provisions for this at the south entrance of the State Office Building.

- Deliveries (Speaker Mitchell)

Ms. Belknap pointed out the new loading dock at the south end of the State Office Building, which will be adjacent to the new connector, in anticipation that most deliveries would use the connector. Mr. Burt added that it would be desirable to schedule larger deliveries outside of normal business hours.

- Width of the Tunnel (Senate President Lawrence)

Mr. Burt stated that the current tunnel is 7 feet wide, but that the pipes actually make less than this width available for pedestrian traffic. The new proposed pedestrian tunnel would be 8 feet wide, and the pipes would be in an adjacent "side saddle" tunnel.

- Estimated cost of the new Tunnel (Rep. Campbell)

Mr. Burt responded that the preliminary estimate is \$4 million, which includes all sitework, interior and exterior lighting, the new staircase in the State House, and the extension of the west wing elevator. Rep. Campbell expressed his concerns that the design would push people away from the State House and about putting \$4 million into an underground structure.

- The evolution of the current design (Rep. Campbell)

At Rep. Campbell's request, Mr. Shettleworth traced the development of the current design, noting that it had evolved from a design that featured an above-ground connector. He stressed the importance of retaining the State House's separate architectural identity, which the current design honors. Rep. Campbell then asked if there were other ways to accomplish this, pointing to the new addition to the Camden Public Library as an example. Mr. Shettleworth responded that if the existing tunnel were to continue to house utilities only, the need to provide protected access between the two buildings in inclement weather is not addressed. Mr. Campbell requested that the record

reflect his concern that “the above-ground options have not been explored sufficiently to take care of some of the problems that I have in terms of drop offs with vehicular traffic to and closer to the entrance, through the entrance area and to me it looks like we’re throwing money away; and I sincerely don’t believe there’s been enough effort to creatively to look at the cost effective construction to both satisfy your concern about separate buildings, because that could be done with landscaping and I’m quite disenchanted with it but I’m only one and simply a carpenter.”

Discussion about the proposed Connector continued. Speaker Mitchell stressed the importance of creating a true “front door” to the State House that is accessible to all. In response to a question from Rep. Saxl, Mr. Burt responded that he had begun a dialogue with representatives of the disabled community to ensure that the design of the new entrance fully accommodates their needs.

The Chair, Speaker Mitchell, thanked both Ms. Belknap and Mr. Burt for their presentations.

She then returned to the printed agenda.

## **REPORT FROM THE EXECUTIVE DIRECTOR**

### **Item #1: Renovations: Status Report**

Ed O’Brien, President, Granger Northern, Inc.  
Stan Fairservice and Sally Tubbesing

Speaker Mitchell recognized Stan Fairservice who provided a brief update of the status of the renovations. Mr. Fairservice noted that “we are now making real headway” with the beginning of the installation of the new elevator cars, the delivery of the House members’ new desks, and the installation of the upper windows in the House Chamber.

Speaker Mitchell then recognized Ed O’Brien, President of Granger Northern, Inc. who presented the proposed budget for the work underway. This budget will comprise the Guaranteed Maximum Price for the work, which means that Granger Northern, in its capacity as Construction Manager, has committed to the expenditure level. Mr. O’Brien drew Council members’ attention to a package that his firm had prepared, which detailed 3 categories of projected costs: costs committed in contracts; the balance required to complete known items of work; and costs associated with work that will be performed, but are not yet committable. He noted that there are three items that were not contemplated in the budget that was originally developed for work this summer. These include the upgrade of the Roll Call System, the replacement of the windows in the Speaker’s Office (which have deteriorated beyond repair), and the interim “facelift” in the Stairwells.

The Chair, Speaker Mitchell, thanked Mr. O’Brien and asked Council members to review the materials and direct any questions through Stan Fairservice or Sally Tubbesing prior to the October Council meeting.

## Item #2: Personnel Activity

This item was addressed in conjunction with the report from the Personnel Committee.

## Item #3: Updates from Staff Offices

## a. Interim Studies: Dave Boulter

David Boulter reported that most of the interim study commissions have convened at this point and that they are well underway. He drew Council members' attention to a memo which identified 4 commissions that are still awaiting appointments. Speaker Mitchell indicated that she and President Lawrence would follow up on these immediately.

No other action was required.

## b. Legislative Record: Paul Mayotte

Paul Mayotte drew members' attention to the most recent status report, which indicates that everything is on schedule. He added that he has initiated conversations with Sally Tubbesing preliminary to going out to bid for printing. Rep. Kontos asked that the record reflect the Council's appreciation for the efforts that Mr. Mayotte, Margaret Matheson and their respective staffs have devoted to this project.

## c. Revenue Update: John Wakefield and Jim Clair

John Wakefield and Jim Clair provided Council members with an update on the status of the following:

- Preliminary figures for August General Fund Revenues.
- 1/2 cent Sales Tax Reduction that will take effect October 1, pursuant to Statute.
- Activities of the Consensus Economic Forecasting Commission.
- Upcoming meeting of the Consensus Revenue Forecasting Committee

Mr. Clair stated that preliminary figures indicate that the "structural gap" is decreasing appreciably, noting that there is always a gap because the process for revising revenue estimates lags behind actual economic activity. He described the remaining gap as "very manageable".

Speaker Mitchell stated that this is an issue that the entire Legislature needs to understand and asked Mr. Clair to have the Office of Fiscal and Program Review develop information briefs for all legislators. Mr. Clair responded that the office is already working on this.

**Item #4: Orientation Program for 119th Legislature: Preliminary Proposals**

The Chair, Speaker Mitchell, recognized Henry Bourgeois, President of the Maine Development Foundation, who drew Council members' attention to a reviewed proposal that he had developed for various orientation activities for the incoming Legislature.

The Council took no action on this item.

**REPORTS FROM COUNCIL COMMITTEES**

**Motion:** That the Council go into Executive Session to discuss personnel matters. (Motion by President Lawrence; second by Sen. Rand; unanimous).

The Council proceeded into Executive Session at 3:55 p.m.

**RECONVENE**

The Council reconvene in public session at 3:59 p.m.

**Personnel Committee**

Speaker Mitchell, who chairs the Committee, reported that Committee members had met with Jim Clair and had a preliminary discussion of his proposals for reorganizing the Office. She expressed the Committee's commitment to continue working with Mr. Clair in his new position. She then presented the following motion.

**Motion:** That the Council appoint James A. Clair to the position of Director, Office of Fiscal and Program Review, for a three-year term beginning November 1, 1998; and, further that the position of Deputy be eliminated and that new Principal Analyst position be created in its place and that two Senior Analyst position be created.

Speaker Mitchell congratulated both Mr. Clair and John Wakefield, who is retiring from the position.

**Migration Oversight Steering Committee**

President Lawrence, Committee Chair, updated Council members on the status of two items:

**Migration Project**

The Steering Committee has scheduled a work session with KPMG/Peat Marwick later this week to discuss the scope of work, the Steering Committee's objectives, and a proposed contract price. President Lawrence also stated that the Attorney General has assigned a member of his staff to support contract negotiations. The Steering Committee hopes to complete contract negotiations by early October.



### **Year 2000**

President Lawrence reported that three firms have submitted bids to correct the Year 2000 code problems in various legislative computer applications. Two of the firms have facilities in India to support this work, and are, therefore, able to perform the work at less cost. Senator Rand expressed concern that the Legislature could inadvertently be supporting "sweat shops" and asked that the item be tabled until further information is available.

**Motion:** That the item be tabled. (Motion by Sen. Rand; second by Rep. Saxl; unanimous).

## **ANNOUNCEMENTS AND REMARKS**

## **ADJOURNMENT**

The meeting was adjourned at 4:52 p.m.