

MAINE STATE LEGISLATURE

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SEN. MARK W. LAWRENCE
CHAIR

REP. G. STEVEN ROWE
VICE-CHAIR



119th MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. CHELLIE PINGREE
SEN. JANE A. AMERO
SEN. ANNE M. RAND
SEN. RICHARD A. BENNETT
REP. MICHAEL V. SAXL
REP. THOMAS W. MURPHY, JR.
REP. DAVID C. SHIAH
REP. RICHARD H. CAMPBELL

SARAH C. TUBBESING
EXECUTIVE DIRECTOR

MEETING SUMMARY
JUNE 7, 1999

Approved July 14, 1999

CALL TO ORDER

The Chair, Senate President Lawrence, called the Council meeting to order at 2:08 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators:	President Lawrence, Sen. Amero, Sen. Rand, Sen. Bennett Absent: Sen. Pingree
Representatives:	Speaker Rowe, Rep. Saxl, Rep. Murphy, Rep. Shiah, Rep. Campbell
Legislative Officers:	Joseph Mayo, Clerk of the House Sally Tubbesing, Executive Director, Legislative Council James Clair, Director, Office of Fiscal and Program Review Patrick Norton, Principal Analysts, Office of Policy and Legal Analysis Margaret Matheson, Revisor of Statutes Lynn Randall, State Law Librarian

**REPORTS FROM THE EXECUTIVE DIRECTOR AND COUNCIL
STAFF OFFICE DIRECTORS**

None.

REPORTS FROM COUNCIL COMMITTEES

None.

OLD BUSINESS

Item #1: Natural History Dioramas

The Chair, Senate President Lawrence, noted that several members of the Community Liaison Committee that he had recently established were present and asked them to introduce themselves. They included Ms. Melicent Verstieg, Mr. Eric Carson, Mr. Robert Baudo, Ms. Lila Segal, and Patrick Paradis, formerly a member of the Legislature and currently Kennebec County Treasurer. Senator Lawrence stated that he had created the Committee to provide a vehicle for an open dialogue regarding renovations to the State House.

He then asked Sally Tubbesing to introduce those who had been invited to present an overview of the proposed relocation of the natural history dioramas. This group included Ron Harvey, Tuckerbrook Conservation; Joseph R. Phillips, Director, Maine State Museum and Gary Hoyle, Natural History Curator at the Museum; Bruce Hilfrank, Granger Northern, Inc.; and Stan Fairservice, the Council's Owner's Representative. Ms. Tubbesing then drew Council members' attention to two items in their agenda packets: a Preliminary Task Plan and Schedule for the project and a Preliminary Budget. Mr. Harvey opened the discussion, noting that he had been called in to determine whether the dioramas could be removed and reinstalled. He stated that the process, the materials and the techniques required for this project have all been used before.

Rep. Saxl, referring to the proposed budget, asked Mr. Harvey whether it was necessary for him to be onsite full-time throughout the project, adding that he is completely behind the conservation and restoration of the dioramas. Mr. Harvey responded that the 45 day schedule that is proposed is a tight time schedule for the project and that he planned to be onsite at all times to ensure that all of the items in the dioramas are handled in an appropriate manner. He then briefly described the work to be performed by the paint conservators from the Williamstown Art Conservation Center (Williamstown, Massachusetts).

Senate President Lawrence then asked Mr. Harvey how he had examined the dioramas to determine the feasibility of moving them, and Mr. Harvey responded that he and members of the Museum staff had walked inside them. Because Granger Northern had opened up some of the walls, they were able to examine all areas of each diorama. Joseph R. Phillips added that he and his staff concurred that it is possible to move the dioramas out, store, restore and reinstall them in a different location in the future. He stated that they would be "better visible" than they have been in 20 years because the relocation will provide an opportunity to properly light them. He noted that Museum staff would be involved in some aspects of the work, but that some of the work goes beyond the expertise of his staff.

Rep. Saxl asked Mr. Phillips to put the proposed cost of this project in some context. Mr. Phillips responded that in most cases around the country, dioramas have been simply pulled out and destroyed in order to make room for new exhibits, adding that the estimated costs of building a single new diorama is \$170,000 - 200,000. Rep. Saxl then turned to the issue of identifying a new location for the dioramas. Mr. Phillips answered that he understood that this would be a topic of discussion through the summer and fall as detailed designs are developed for the new West Wing Entrance and the Connector, adding that lighting, climate control, and full access to the public will all be important issues. Speaker Rowe asked about the costs associated with reinstallation, and Mr. Harvey replied that everything possible is being done in the removal to facilitate reinstallation, with the goal of keeping reinstallation costs as low as possible. Speaker Rowe then stressed the Council's commitment to preserve the dioramas.

Gary Hoyle, the Museum's Natural History Curator, noted that the dioramas are examples of an art form that has only recently been recognized and stressed that the work on these dioramas would be carefully documented to assist others throughout the country in preserving those dioramas that remain.

Senate President Lawrence asked members of the Community Liaison Committee if they had any questions or comments. Representative Colwell asked about the estimated budget for restoration of the animals, and Mr. Phillips reiterated that the budget is based on Museum staff doing some of the required taxidermy work, augmented by outside expertise. Representative McKee noted that the South Museum space has been an invaluable area for public meetings, press conferences, etc., and she asked whether this area could be preserved as a public space. Senator Rand responded that a Council Subcommittee has been working diligently on an occupancy plan for the renovated State House and that the new West Wing Entrance area has been designated as a public space.

Senator Rand asked for clarification about whether work on the dioramas could begin; and the Chair, Senate President Lawrence responded that this discussion had been intended to be a briefing and that the Council's prior approval of the removal, preservation and relocation of the dioramas in the Capitol Complex stood.

NEW BUSINESS

Item #1: Application of Provisions of Collective Bargaining Agreements to Legislative Employees

Sally Tubbesing drew Council members' attention to a memo in their packets regarding extension of the salary and benefit increases that had recently been awarded to all other State employees to the Legislature's employees. She stated that the funds required to support these increases were included in the appropriation to the Salary Plan.

Motion: That the Council approve the award of salary and benefit increases to legislative employees comparable to those included in recently-ratified collective bargaining agreements. (Motion by Rep. Murphy; second by Rep. Shiah; unanimous).

Item #2: Application of Provisions of Collective Bargaining Agreements to the Constitutional Officers and State Auditor Pursuant to 3 MRSA § 162-B

Ms. Tubbesing stated that Council authorization was also required to award salary and benefit increases to the Constitutional Officers and State Auditor. In response to a question from Rep. Murphy regarding the action of prior Councils on salary adjustments pursuant to collective bargaining, she affirmed that the Council had followed suit with one exception in the early 1990's.

Motion: That the Council approve the award of salary and benefit increases to the Constitutional Officers and State Auditor comparable to those included in recently-ratified collective bargaining agreements. (Motion by Sen. Rand; second by Sen. Amero; unanimous).

Item #3: Proposal to Review the Legislative Process

Senator Bennett, recalling that the Council had discussed the desirability of conducting a thorough review of the legislative process earlier in the session, expressed his hope that such a review could be pursued during the coming interim. He offered the following motion:

That the Council create a subcommittee of the Council to solicit, study and report upon proposals to improve the structure and process of the Legislature. (Motion by Sen. Bennett; second by Rep. Murphy).

Discussion

Rep. Saxl noted that such a study falls within the purview of the Rules Committee; and Sen. Bennett, while indicating his respect for the Rules Committee, stated that there are many issues and concerns that go beyond the jurisdiction of that Committee and that the Council has a responsibility to step back and take a fresh look at the big picture. He offered two examples -- 1) scheduling, including cloture and the statutory adjournment date, and 2) the effect of the legislative schedule and workload on the Legislature's staff. Rep. Saxl suggested that both of these issues fall within the prerogatives of the presiding officers, if not the Rules Committee; but Senate President Lawrence stated that he saw Senator Bennett's concerns as broader, noting that they really address the fundamental structure of the Legislature, which was originally formed to reflect an agrarian society -- a society that has changed drastically even though the Legislature's structure has not. Rep. Saxl responded that he is very receptive to improving the legislative process and making it more humane but stated again his concern that it is important to clearly define which issues fall within the purview of the presiding officers and not intrude on the jurisdiction of other entities. Senate President Lawrence said again that he thought such a review could be very worthwhile, noting that there are many issues that could benefit from a closer look. Rep. Murphy concurred, noting that there is a period in each session when the Legislature needs to get focused, but that we need to find ways to limit the period of time when members

can expect to do nothing but fulfill their legislative responsibilities. Speaker Rowe recalled that the Legislature at one time had a TQM (Total Quality Management) Committee that had pursued some of these issues and indicated his support for looking at how the session is structured. Senate President Lawrence suggested that the Council solicit ideas from NCSL; and Senator Rand suggested soliciting ideas from legislators.

Motion: That the item be tabled and the motion circulated by ballot. (Motion by Rep. Saxl; second by Sen. Bennett; unanimous).

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Council meeting was adjourned at 3:10 p.m. on the motion of Rep. Saxl; second by Speaker Rowe.