

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
DECEMBER 16, 1999
Approved January 31, 2000

CALL TO ORDER

The Chair, Senate President Lawrence, called the Council to order at 10:20 a.m. in Room 437, the Natural Resources Committee Room.

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: Joy O'Brien, Secretary of the Senate
Joseph Mayo, Clerk of the House
Millicent MacFarland, Assistant Clerk
of the House
Sally Tubbesing, Executive Director,
Legislative Council
James Clair, 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

SUMMARY OF NOVEMBER 18, 1999 COUNCIL MEETING

Motion: That the Meeting Summary be approved (Motion by Sen. Rand; Rep. Campbell;
unanimous)

REPORTS FROM THE EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS

▪ **Bill Drafting**

Margaret Matheson, the Revisor of Statutes, drew Council members' attention to a brief report that had been included in their agenda packets. She summarized the report, noting that nearly 50 bills had been sent up to the Secretary and Clerk for reference; that an additional 180 bill drafts are in the hands of sponsors for review; and that nearly half of the 60 bills that are still in the production and drafting queues are study bills. She urged Council members to encourage members of their caucuses to get their bills back to the Revisor's Office – either with a signature or requested changes – so that the bills can get to committee as quickly as possible.

This item required no Council action.

▪ **Y2K Plans for December 31/January 1**

Paul Mayotte, Information Services Director, referring to a summary in the agenda packet, reported that he and his staff would be taking the entire computer system down Thursday evening, December 30 and reactivating it on Saturday, January 1, as a precaution.

This item required no Council action.

▪ **Fiscal Update**

Jim Clair, Director, Office of Fiscal and Program Review, had included materials in the agenda packet that summarized revenues through November 30. Actual General Fund revenues to date exceed projections by more than \$5 million for the first five months of the current fiscal year; and Highway Fund revenues were approximately \$1.75 million above projections for this same period.

- ♦ Senator Bennett asked when the Revenue Forecasting Committee would next meet, and Mr. Clair responded that while the Committee is scheduled to meet in February, preliminary data should be available sometime in late January.
- ♦ Representative Murphy asked what municipalities would gain from the reprojection of revenues. Mr. Clair drew members' attention to the materials he had distributed that indicate that transfers to municipal revenue sharing will be nearly \$6.3 million more in FY 2000 and nearly \$6.6 million more in FY 2001 than originally projected.

This item required no formal Council action.

▪ **Interim Studies: Status**

David Boulter, Director, Office of Policy and Legal Analysis, reported that slightly more than half of the study committees had concluded their work.

This item required no formal Council action.

- **State House Renovations: Stan Fairservice and Sally Tubbesing**

(See Committee on Allocation of Legislative Space below)

REPORTS FROM COUNCIL COMMITTEES

- **Migration Project Steering Committee**

Paul Mayotte, Information Services Director, introduced Lance Wade, Senior Project Manager for KPMG, who summarized the results of the first phase of KPMG's work, a Legislative Process Review. KPMG has concluded that the Legislature's current processes are "very solid", but noted that this is due, in part, to the creativity of many users who have developed ways to overcome the shortcomings of the Wang System. Mr. Wade stressed that the Wang system is obsolete and that the very high risk of failure provides the major impetus for proceeding with the migration of applications to a pc-based client server environment.

Mr. Wade then proceeded to present the conceptual design for the new system, including a high-level plan, schedule, and budget for completing the migration by December, 2000.

Discussion focused on the absolute need to go forward with the work and the projected costs.

Motion: That the Legislative Council authorize amending the existing contract with KPMG through April 15, 2000, to proceed with the scope of work defined for that period as presented by KPMG in the Project Schedule, provided that this work can be completed within the funds currently available for the Migration Project -- \$1,793,108 -- and, further, that KPMG be directed to work with a Subcommittee of the Legislative Council to develop a revised final budget for the balance of the Migration Project for final Council approval. (Motion by Rep. Campbell; second by Rep. Saxl; unanimous).

Formation of Subcommittee:

The Chair, Senate President Lawrence, appointed the following to serve on the Subcommittee to review the proposed project budget: Senator Bennett, Chair; Representative Shiah and Campbell. Senate President Lawrence and Speaker Rowe will serve ex officio.

- **Committee on Allocation of Legislative Space**

Stan Fairservice briefly updated Council members on the status of each floor, stating that progress conformed to the schedule that had been distributed at the November Council meeting. He reported that the blasting for the new Connector was underway and that it has become clear that the amount of ledge that must be removed is less than anticipated. Bruce Hilfrank confirmed the schedule, adding that there will be no blasting after December 4. He also stated that his work force continues to encounter unanticipated structural issues in the south wing that must be addressed, noting that another chimney flue had been discovered.

Senator Rand, Committee Chair, stated that the Council needs to make two decisions to allow the design team to proceed with final drawings and turned to Rick Burt, who presented an overview of the site plan at the new West Wing Entrance, as well as several conceptual designs for a skylight in the connector.

In the ensuing discussion, Council members agreed that:

- ◆ It is essential to carry out a thorough study of handicapped parking before the design is finally approved.
- ◆ They were prepared to adopt the overall concept for the Connector, with the provision that Mr. Burt should continue to explore options for the skylight.

Motion: That the overall conceptual design for the West Wing Entrance and the Connector be approved, with the understanding that Mr. Burt will continue to bring detailed design documents to the Council as they are developed. (Motion by Rep. Campbell; second by Sen. Rand; unanimous).

▪ **Personnel Committee**

Executive Session

Motion: That the Council go into Executive Session to discuss items related to personnel. (Motion by Sen. Bennett; second by Sen. Amero; unanimous)

Recoverne

The Council recovered at 12:55 p.m.

Motion: That the Legislative Council approve the award of income protection for a period of up to 8 weeks, as recommended by the Personnel Committee. (Motion by Sen. Bennett; second by Rep. Shiah; unanimous).

OLD BUSINESS

Item #1: Requests from Study Commissions for Extensions of Reporting Deadlines

- Task Force to Study the Implementation of Alternative Programs and Interventions for Violent and Chronically Disruptive Students to January 14, 2000.
- Task Force to Review the Educational Program and the Governance System of the Governor Baxter School for the Deaf to January 14, 2000.
- Blue Ribbon Commission to Establish a Comprehensive Internet Policy, to December 17, 1999.
- Committee to Address the Recognition of the Tribal Government Representatives of Maine's Sovereign Nations in the Legislature, to January 1, 2000.

Motion: That the extensions be approved as requested. (Motion by Sen. Amero; second by Rep. Shiah; unanimous).

NEW BUSINESS

Item #1: Requests from Study Commissions for Extensions of Reporting Deadlines

- Commission to Study Children in Need of Services: Extension to January 15, 2000 (letter from Sen. Cathcart, Senate Chair and Rep. Quint, House Chair, enclosed)
- Commission to Study Traffic Congestion Including Truck Traffic Along the Route 1 York Corridor and the Route 236 Corridor (letter from Commission enclosed)
- Task Force to Study the Operation of and Support for the Board of Environmental Protection (letter from Sen. Nutting, Senate Chair, and Rep. Martin, House Chair, enclosed)
- Task Force to Study the Need for An Agricultural Vitality Zone Program: Extension to December 22. (Memo from Sen. Goldthwait and Rep. Volnik, Task Force Chairs)
- Commission to Study the Enhancement of Fire Protection Services throughout the State: Extension to December 17 **and** request for 2 additional meetings. (Memo from Sen. O’Gara and Rep. Muse, Commission Chairs)
- Select Commission to Study State Participation in Funding Cleanup and Remediation of Uncontrolled Hazardous Substances: Request for one additional meeting. (Memo from Sen. Treat and Rep. McKee, Commission Chairs)
- Commission to Propose an Alternative Process for Forensic Examinations for Sexual Assault Victims: Extension to January 7, 2000. (Memo from Sen. Murray and Rep. Norbert, Commission Chairs).

Motion: That the extensions be approved as requested. (Motion by Sen. Amero; second by Rep. Shiah; unanimous).

Item #2: Commission on the Ceiling on Tax Exempt Bonds: Submission of Work Plan and Budget

Motion: That the Work Plan and budget be approved as presented. (Motion by Rep. Shiah; second by Sen. Amero; unanimous).

Item #3: After Deadline Bill Requests

After deadline requests were considered by the Legislative Council. The Council’s action on these requests is included on the attached list.

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Council meeting was adjourned at 1:05 p.m., on the motion of Rep. Shiah (second by Sen. Rand).

LEGISLATIVE COUNCIL
ACTION ON REQUESTS TO INTRODUCE LEGISLATION
SECOND REGULAR SESSION
December 16, 1999

	Action
SPONSOR: Sen. Amero, Jane A.	ACCEPTED
LR 3876 An Act to Promote Historic and Scenic Preservation	
SPONSOR: Rep. Etnier, David	ACCEPTED
LR 3906 An Act to Amend the Charter of the Small Point Water Company	
SPONSOR: Rep. McGlocklin, Monica	ACCEPTED
LR 3907 An Act to Amend the Charter of the Moscow Water District	
SPONSOR: Sen. Michaud, Michael H.	ACCEPTED
LR 3905 An Act to Implement Recommendations of the Commission on Performance Budgeting	

JOINT RESOLUTIONS

SPONSOR: Sen. Bennett, Richard A.	ACCEPTED
LR 3885 JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO APPROPRIATE FUNDS TO MAINTAIN THE MONUMENTS AT THE GETTYSBURG NATIONAL MILITARY PARK	
SPONSOR: Rep. Campbell, Richard H.	ACCEPTED
LR 3898 JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES AND THE SECRETARY OF THE INTERIOR BRUCE BABBITT TO RECONSIDER THE METHOD TO SAVE THE ATLANTIC SALMON	

TABLED

		ACTION
SPONSOR:	Sen. Berube, Georgette B.	TABLED
		12/16/99
LR 3864	An Act Regarding the Payment of Child Support in Cases of Delayed Parental Notification	
SPONSOR:	Sen. Cassidy, Vinton E.	TABLED
		12/16/99
LR 3861	An Act to Authorize the Land Use Regulation Commission to Establish Conservation Easements	
SPONSOR:	Sen. Cassidy, Vinton E.	TABLED
		12/16/99
LR 3862	An Act to Divide Land Use Regulatory Commission Territories into 7 Regions	
SPONSOR:	Rep. Etnier, David	TABLED
		12/16/99
LR 3875	An Act to Increase Public Participation in the Maine Residents' Property Tax and Rent Refund Program	
SPONSOR:	Sen. LaFountain III, Lloyd P.	TABLED
		12/16/99
LR 3874	An Act to Amend the Acreage Requirements for a Cemetery to Contain a Columbarium	
SPONSOR:	Rep. LaVerdiere, Charles C.	TABLED
		12/16/99
LR 3881	An Act to Implement the Recommendations of the Committee on Sawmill Biomass	
SPONSOR:	Rep. Loring, Donna M.	TABLED
		12/16/99
LR 3872	An Act Concerning the Date by Which Land Must be Acquired by the Penobscot Nation	
SPONSOR:	Rep. Matthews, Zachary E.	TABLED
		12/16/99
LR 3866	An Act to Enact a Patient's Bill of Rights	
SPONSOR:	Rep. Matthews, Zachary E.	TABLED
		12/16/99
LR 3883	An Act to Ensure Workplace Safety	

Action**SPONSOR: Sen. Mills, S. Peter****(See LR 3907
Rep. McGlocklin**LR 3903 An Act to Increase the Borrowing Authority of the Moscow
Water District to Make Use of Certain Matching Funds**SPONSOR: Rep. Muse, Christopher T.****TABLED
12/16/99**LR 3882 An Act to Adopt a New Interstate Compact Regarding
Adults Who are on Probation or Parole**SPONSOR: Sen. Paradis, Judy****TABLED
12/16/99**LR 3863 An Act to Amend the Environmental Laws to Change the
Name of the Native Americans' Representative Agency**SPONSOR: Sen. Ruhlin, Richard P.****TABLED
12/16/99**LR 3904 An Act to Provide Educational Benefits For Maine
National Guard Members**SPONSOR: Rep. Saxl, Michael V.****TABLED
12/16/99**LR 3869 An Act to Amend the Trainee Provisions Under the Barbering
and Cosmetology Licensure Act**SPONSOR: Rep. Tuttle, Jr., John L.****TABLED
12/16/99**LR 3896 An Act to Create a New Category of Liquor License and
to Exempt Pool Halls, Bowling Alleys and Off-track
Betting Facilities from the Prohibition Against
Smoking**JOINT RESOLUTIONS****SPONSOR: Rep. Matthews, Zachary E.****TABLED
12/16/99**LR 3886 JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED
STATES TO OPPOSE CHINA'S ADMISSION TO THE WORLD TRADE
ORGANIZATION**SPONSOR: Rep. McKee, Linda Rogers****TABLED
12/16/99**LR 3871 JOINT RESOLUTION MEMORIALIZING CONGRESS TO SECURE A NUCLEAR
WEAPONS ABOLITION TREATY