

MAINE STATE LEGISLATURE

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**LEGISLATIVE COUNCIL
MARCH 30, 2000
AGENDA**

CALL TO ORDER

ROLL CALL

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

REPORTS FROM COUNCIL COMMITTEES

- Subcommittee to Study the Structure and Operation of the Maine Legislature
- Migration Project Steering Committee
- Subcommittee to Review Migration Costs
- Subcommittee to Review Smoking Policy

OLD BUSINESS

Item #1: State House Renovations

NEW BUSINESS

Item #1: After Deadline Requests

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

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

**LEGISLATIVE COUNCIL SUBCOMMITTEE TO STUDY THE STRUCTURE AND
OPERATION OF THE MAINE LEGISLATURE**

March 24, 2000

The Honorable Mark W. Lawrence, Chair
Legislative Council
119th Maine State Legislature
#115 State House Station
Augusta, ME 04333

Dear Sen. Lawrence:

Enclosed is the report of the Legislative Council Subcommittee to Study the Structure and Operation of the Maine Legislature. The subcommittee consisted of Sen. Rand, Sen. Bennett, Rep. Mike Saxl, Rep. Tom Murphy, Rep. Campbell and myself as chair.

As outlined in our report, the subcommittee discussed a wide-range of issues, met with interested officials in the Executive Branch, within the Legislature and outside of State government. We also surveyed current legislators on their opinions about the way the Legislature operates.

The recommendations contained in the attached report will help the Legislature operate more effectively and efficiently in carrying out its constitutionally mandated role. Our recommendations can be implemented by legislative rule or policy without the need for legislation or Constitutional amendment.

We have all enjoyed working on these important issues and hope that you find our report helpful. Members of the subcommittee look forward to discussing our recommendations with the full council at the Legislative Council Meeting on March 27th.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Rowe'.

Rep. G. Steven Rowe, Chair
Legislative Council Subcommittee

Migration Team Meeting

Room 427, Banking and Insurance

March 28, 2000

President Lawrence called the meeting to order shortly after 4 p.m.

The following members were present:

President Lawrence

Dave Boulter

Judi DelFranco

Polly Gosselin

Teen Griffin

Millie MacFarland

Meg Matheson

Joe Mayo

Paul Mayotte

Joy O'Brien

Lynn Randall

Sally Tubbesing

Also present were Rick McCarthy, Pat Damon, and Ralph Pears (representing Compaq).

It was moved by Meg Matheson and seconded by Joy O'Brien and Lynn Randall that it is the Migration Team's recommendation to the Legislative Council that Compaq be selected as the vendor to provide a new bill drafting system for the Maine State Legislature.

Following a short discussion, President Lawrence called for a vote. All Migration Team members present voted in favor of the motion. (Note: Had he been able to attend, Jim Clair states he would have voted in favor of the motion.)

Action items: (Paul Mayotte)

1. Provide a copy of the first round of Compaq questions and answers to Joy O'Brien.
2. Follow up with Joy O'Brien on her open questions re: Compaq's assumptions.
3. Obtain additional information from International Roll Call and Compaq on the scope and functions of their Committee Support application.


There being no further business, the meeting was adjourned at approximately 4:25 p.m.

SARAH C. TUBBESING
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

March 29, 2000

TO: Members of the Legislative Council
FROM: Sally 
SUBJECT: Information Related to Renovations

Stan and I have worked with Bruce Hilfrank and Rick Burt to put together the information you requested at Monday's Council meeting. The enclosed package includes the following items:

- Analysis of Construction Costs Beyond Funding
- State House Renovations: Summary of Estimated Construction Costs
- Balance to Complete Construction: Analysis
- Summary of Legislative Council Actions related to the South Wing
- Summary of Fees paid to Architect to Date
- The motion regarding assignment of Space that you tabled on Monday

President Lawrence asked what percentage of the 2000 costs may be attributed to any delayed decisions and consequent delays in design. Stan and Bruce estimate that these delays increase the total cost by approximately 1/2% of the total construction cost **per week**.

Representative Campbell had also asked for line item estimates for both the West and North Wings. Bruce and Stan agree that now that you have approved the assignment of space, the architect can now proceed to complete construction documents. Sound line item estimates can then be developed.

Stan is available to go over this information with you if you wish; and we will all be at the meeting tomorrow to go over these materials with you.

Enclosures

**STATE HOUSE RENOVATIONS
ANALYSIS OF CONSTRUCTION COSTS BEYOND FUNDING**

CORRECTED COPY

	Exp. to Date	Est. to Complete	Total
Unforeseen Conditions			
Structural Modifications & Upgrades			
Asbestos/Lead Paint Abatement	\$ 551,428	\$1,051,697	
Flooring	38,664		
Emergency Repairs to Dome	<u>11,750</u>	<u> </u>	
			\$1,653,539
Space Planning Changes			
Finish Carpentry	93,954		
Glass	6,000		
Ceilings	5,193		
Drywall	69,967		
Plumbing	62,247		
Electrical	<u>246,800</u>	---	
			484,161
Increases in Scope			
Security System			
State House	250,000	100,000	
SOB	<u>---</u>	<u>75,000</u>	
			425,000
State Office Building			
OPLA Space	---	450,000	
Sound System/Hearing Rooms		<u>100,000</u>	
			550,000
Dioramas			
Removal/Storage	100,000		
Reinstallation	<u>---</u>	<u>680,000</u>	
			780,000
Escalation in Construction Costs			
1999 (10% of \$ 7,700,000)	770,000		
2000 (14% of \$10,934,632)		1,530,850	
2001 (17% of \$ 4,931,965)	<u> </u>	<u>838,400</u>	
			<u>3,139,250</u>
Total Cost Beyond Funding	\$2,206,003	\$4,825,947	\$7,031,950



STATE HOUSE RENOVATIONS ESTIMATED CONSTRUCTION COSTS: SUMMARY

FUNDING SOURCES FOR CONSTRUCTION

Governmental Facilities Authority	
State House	\$ 19,283,830
Connector	4,000,000
ADA Bond Issue (1998)	<u>2,000,000</u>
Total Construction Funds Available	\$25,283,830

COMMITTED CONSTRUCTION COSTS

1998		
Construction	\$3,116,321	
Architect/Engineer	192,241	
Owner's Administration	<u>46,740</u>	\$3,355,302
1999		
State House Construction	\$8,232,230	
Architect/Engineer	548,578	
Owner's Administration	<u>72,000</u>	\$8,852,808
Connector Construction	1,314,411	
Architect/Engineer	186,537	
Owner's Administration	<u>3,500</u>	\$1,504,448
Total Committed Costs		\$13,712,558

BALANCE TO COMPLETE CONSTRUCTION

State House		
West Wing	7,896,160	
Approved Increases in Scope	1,305,000	
North Wing/Exterior	5,730,755	
Connector	<u>2,495,552</u>	\$17,427,467
Contingency		<u>871,373</u>
Total Estimated Balance to Complete		\$ 18,298,840
Total Estimated Costs (Committed + Balance)		\$ 32,272,145

Cost Beyond Current Funding

\$ 6,988,315

**STATE HOUSE
EXAMPLES OF OWNER'S REQUESTS
BEYOND SCOPE
1999 RENOVATIONS**

1. Installation of Temporary Stairs & Lighting @ East Entry
2. Resurface Northwest Walkway, Add Lighting
3. Expansion of Handicap Parking @ Northwest Entrance
4. Installation of Plexiglass @ Handicap Entrance
5. Remove columns in Hearing Rooms 126 & 127
6. Install Electrical for Office Furnishings
7. Demolition and Removal of Press Corps Building
8. Installation of Temporary Space for Press Corps
9. Installation of Electrical, Sound, Plumbing and Data for Press Corps
10. Install Temporary Office Trailers
11. Installation of Electrical, Sound, Plumbing and Data for Temporary Offices
12. Enlarge Senate Presidents Bathroom
13. Electric Door Opener @ 3rd Floor Bathroom
14. Installation of Ramp @ House Chambers
15. Remove Closet in Room 425
16. Remodel Senate Retiring Room Kitchenette
17. House Minority Office Electrical Upgrade
18. Install Carpet and Paint @ House Minority Office
19. Install Handicap Elevator and Associated Work @ House Minority Office
20. Refinish existing Senate Bookcases
21. Office Furnishings for House Minority Office
22. Furniture Design Consultant (Lisa Whited)
23. Add Squawk Boxes, Call to Chambers, Fire Alarm Systems (Upgrade), to North & West Wings
24. Meetings requiring the presence of the Design Team, Granger Northern, Inc. to discuss Diorama's, Press Corp and Tree Removal
25. Senate President Chimney Inspection
26. Senate President Chimney Repair
27. Handicap Railing in 3rd Floor Men's Room
28. Install New Water Line
29. Additional Southwing Electrical, Data and CCTV
30. Emergency Repair to Dome
31. Pre-action Sprinkler System
32. Move Owners Furnishings
33. Set-up Owners Furnishings
34. Install Drywall Partitions in Office Trailers
35. Revisor's Office AC Modification
36. Temporary installation of carpet in Rooms 425, 427 and 228

BALANCE TO COMPLETE CONSTRUCTION: ANALYSIS

▲Detail on next page

2000

West Wing (37,600 sf @ \$185/sf) ▲

Construction	\$ 6,956,000	
Arch/Eng.	765,160	
Owner's Rep/Consultants	<u>175,000</u>	
		\$7,896,160

Increases in Scope Approved by Council▲

Dioramas: Reinstallation	680,000	
State Office Building		
OPLA Space	450,000	
Sound System/Hearing Rooms	100,000	
Security System	<u>75,000</u>	
		\$1,305,000

Connector

2,495,552

Subtotal/2000 Construction

\$11,696,712

2001

North Wing (19,450 @ \$190/sf) ▲

Construction	3,695,500	
Arch/Eng	406,505	
Owner's Rep/Consultants	<u>100,000</u>	
		\$ 4,202,005

Exterior Renovations

Masonry	\$175,000	
Roof & Dome	302,250	
Dome Lighting	65,000	
Lightning Protection	35,000	
Rebuild East Steps	800,000	
Capitol Park	75,965	
Arch/Eng	<u>151,500</u>	
		<u>1,528,750</u>

Subtotal/2001 Construction

\$ 5,730,755

5% Contingency

871,373

Subtotal/Balance to Complete Construction

\$18,298,840

Revised 3/28/00

**LEGISLATIVE COUNCIL
SUMMARY OF ACTIONS RELATED TO 1999 RENOVATIONS**

Action	Date Approved	
Demolish Press Corps building; relocate Press Corps to SOB and house in portable unit until December, 2000	04/05/99	7-3
Scope of Work for South Wing (Attachment # 1)	04/05/99	unanimous (10-0)
Approval of design for Appropriations Committee Room and assignment of space on 2 nd floor	08/31/99	unanimous (9-0)
Final approval of assignment of space in South Wing: added Room 225 to Governor's assigned space and assigned Engrossing to Room 121	09/22/99	6-1
Approval of Guaranteed Maximum Price for Construction in South Wing	09/22/99	unanimous (8-0)
Approve preliminary design for space in SOB for OPLA	10/25/99	6-1
Approval of plan to reinstall Dioramas at the base of the entrance to the West Wing	11/18/99	7-1

The Committee was directed to include the following in all relevant discussions:

Kay Rand, Chief of Staff to the Governor
Mal Leary, on behalf of the Press
Others as required

Senator Rand asked Ms. Tubbesing what the process for allocating space in the State Office Building had been and who had been involved. Ms. Tubbesing responded that the amendment to the Governmental Facilities Authority Act specifically assigned 33,000 square feet -- the equivalent of one floor in the State Office Building -- to the Legislature and that this had been negotiated with the leadership of the 118th Legislature. Senate President Lawrence suggested that the Council pursue negotiations with the Governor.

Motion: That the Legislative Council approve the proposed scope of work for renovations in the south wing of the State House and authorize the architect and construction manager to proceed with the development of construction documents for the following:

- General Upgrade of Systems and Finishes Throughout the South Wing.
 - a) Replacement of all exterior windows and reconditioning of wood frames;
 - b) Installation of mechanical and electrical systems including sprinkler system, upgrade of electrical systems, heating, ventilation and air conditioning in a manner that both achieves compliance with all relevant codes and preserves the historical and architectural character of the building;
 - c) Renovation of all bathrooms in this wing and relocation of women's bathroom on the first floor;
 - d) Installation of security devices in accordance with a plan to be finally approved by the Council by April 30;
- Renovation of the Senate Chamber, in a manner consistent with the scope of work comparable to that completed in the House Chamber last summer, including:
 - a) Renovation of the front dais area to accommodate technology and to support enhanced work flow in a manner that is consistent with accessibility requirements;
 - b) Replacement of members' desks, chairs, and carpet;
 - c) A comprehensive treatment of all finishes (plaster, paint, and wood surfaces);
 - d) Integration of the sound system and the electronic voting/request to speak system.
- Construction of two hearing rooms and a new locker area for legislators at the south end of the first floor, in accordance with schematic designs dated March, 1999, and removal of the Klir Beck cases from this area;

- Complete refurbishing of all other rooms in the south wing in a manner that is consistent with their assigned use, with assignments to be confirmed by April 30, 1999;
- Relocation of all legislators, legislative employees, and the State House Press Corps, who currently occupy space in the south wing, to portable classrooms for the period of construction.

Before the vote was taken Speaker Rowe clarified that the motion would include the renovation of rooms currently occupied by the Governor, but that it defers all decisions about where people will go. Joy O' Brien, Secretary of the Senate, inquired whether the renovation of the Senate Chamber should be included in the motion, and Ms. Tubbesing replied that because these renovations would be funded through the Governmental Facilities Authority, it did require Council approval in accordance with the law. (Motion by Senator Bennett; second by Senator Rand; unanimous).

NEW BUSINESS

Item #1: Request to Review Smoking Policy (Letter from Rep. Watson)

The Chair, Senate President Lawrence, drew members' attention to a letter from Representative Watson requesting that the Council revise the current smoking policy to ban all smoking on the second floor portico. He recognized Rep. Watson, who was present and invited her to present her request. Rep. Watson stated that the current policy essentially puts the second floor portico off limits for non-smokers who are concerned about second hand smoke, and she noted that smoke comes into the State House when the doors are open. She added that she thought the current policy is inconsistent with the law the Legislature had recently passed that bans smoking in restaurants and that it sends a negative message to the many school children who visit the State House.

The Chair, Senate President Lawrence, then recognized Representative Rines, who described himself as a smoker who uses the portico. Rep. Rines said that it is difficult to hear the bells out on the porch and further stated that if the policy is going to be changed, it should be done between legislative bienniums so that smokers would know the policy before they decided to run.

In response to a question from Senator Pingree, Sally Tubbesing summarized the current smoking policy, which prohibits smoking in all areas in the State House, within 20 feet of any entrance to the building, and on the third floor balcony.

Discussion: Speaker Rowe stated that he does not like smoke, but that he does have concerns that as the session advances, the number of roll calls will increase, and that it takes time to get members back into the chamber. Senator Bennett, noting that the Council has to come to some sort of workable solution, stated that he cannot open the window in his office without being overtaken by the odor of smoke that rises from the second floor portico. He pointed out that the current policy, which prohibits smoking within 20 feet of an entrance, may still put the smoker under an open window. Secretary of the Senate O'Brien suggested that the definition of entrance be modified

Payments to Weinrich + Burt

Payments include Architect's fees, as well as fees and reimbursable expenses for consultants listed on the enclosed. Fees are based on fee schedule developed by the Bureau of General Services (last revised in 1986) and are currently 11% of construction costs, based on approved GMP.

1998 Renovations

House Chamber/Elevator Replacement/Sound System/ East Portico Ceiling	\$192,240.88
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1999 Renovations

- State House South Wing

03/08/99	\$ 33,796.31
04/23/99	33,151.50
05/07/99	43,536.71
06/08/99	39,512.00
07/23/99	49,659.09
09/08/99	121,043.51
10/00/99	56,939.78
11/13/99	62,334.50
12/08/99	54,561.32
01/10/00	<u>54,042.84</u>

Total	\$548,577.56
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- Connector Design

01/08/99	\$ 19,753.00
03/08/99	53.00
04/08/99	1,988.50
06/00/99	1,667.77
09/08/99	3,194.50
12/08/99	49,395.88
01/10/00	62,672.75
02/08/00	<u>47,801.25</u>

Total to Date	\$186,526.65
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**STATE HOUSE RENOVATIONS
WEINRICH + BURT ARCHITECTS
ARCHITECTURAL DESIGN TEAM**

Caswell Engineering, P.A. - Structural

Bartlett Design - Electrical and Lighting Engineering

J & M Associates - Lighting Consultant (interior)

SMRT, Inc. - Mechanical/Plumbing/Fire Suppression

Pressley Associates, Inc. - Site Planning/Landscape Architectural

Acentech - Acoustic Engineering

Haley & Aldrich, Inc. - Geotechnical Engineering

Concrete Constructives - Waterproofing Consultant

Independent Roof Services, Inc. - Roofing

DeLuca-Hoffman Associates, Inc. - Civil Engineering

Firepro, Inc. - Life Safety Consultant

Alpha One - Accessibility Review

Finch & Rose - Historical Millwork

Taveres Custom Woodworking, Inc. - Millwork/Furnishings

Woodward Thomsen Co. - Millwork/windows

Ed Oechsle - Hardware Consultant

Arthur T. Cannon - Construction specifications

COMMITTEE ON ALLOCATION OF LEGISLATIVE SPACE

Motion: That the Legislative Council approve the proposed assignment of space in the West and North Wings of the State House and authorize the Architect and Construction Manager to proceed with the development of construction documents for work in both Wings including:

- General Upgrade of Systems and Finishes through the West Wing:
 - a) Replacement of all exterior windows and reconditioning of wood frames;
 - b) Installation of mechanical and electrical systems including sprinkler system, heating/ventilation and air conditioning systems, upgrade of electrical and fire alarm systems; in a manner that achieves compliance with all relevant codes and preserves the historical and architectural character of the building;
 - c) Renovation of the 1st and 3rd floor bathrooms, including the previously authorized relocation of the women's bathroom on the 1st floor;
 - d) Installation of security devices consistent with previous recommendations
- Complete refurbishing of all rooms occupied by the Legislature in the West Wing in a manner that is consistent with the proposed assignments.
- Relocation of all legislators and legislative employees who currently occupy space in the West Wing, to portable classrooms for the period of construction.

And, further, that the Executive Director and Owner's Representative distribute to all Council members progress reports on the renovations and associated expenditures on a biweekly basis.

Legislative Council action on 3/27/00:

Motion presented by Sen. Rand; second by Sen. Pingree.

Motion to Table: by Rep. Campbell; second by Rep. Murphy; approved 8-1.

OTHER RENOVATIONS EXPENDITURES

FUNDING SOURCE

Preservation and Maintenance Fund

FY 99	\$883,388	
FY 00	850,000	
FY 01 (projected)	<u>850,000</u>	
		\$2,583,388

COMMITTED TO DATE	\$1,018,347
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ESTIMATED COSTS BALANCE OF RENOVATIONS

Furnishings/Signage	\$ 500,000
Temporary Relocation (Library)	240,000
Maintenance/Repairs	
HVAC	
Flooring	
Electrical	
Patch & Paint (based on renovated spaces)	<u>175,000</u>
	\$ 915,000

Total	\$1,933,347
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Uncommitted (as of 3/25)	650,041
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PRESERVATION & MAINTENANCE FUND
FY 2000
(Thru 3/20/00)

Dioramas	
Ronald S. Harvey	\$ 34,312.26
Harcros-Chemicals, Inc.	435.29
Weinrich & Burt	5,296.50
Cote Corporation	3,460.00
Portable/Installation	
Granger Northern	220,739.00
Furnishings	
Lisa Whited Planning & Design	42,087.26
Center Shop, Inc.	12,000.00
Moody	10,748.00
Creative Office Pavilion	227,593.42
Tavares Custom Woodworking, Inc.	1,600.00
Laboscam, Inc.	2,997.00
Woodward Thomsen	24,164.00
Stanley H. Fairservice, Jr.	49,313.00
Security System	
HCI	48,000.00
Boulos	200,064.90
Consulting	
Haley & Aldrich (Geotechnical)	12,835.98
Ledgewood, Inc. (Retainage/Final Payment 1998 4th Floor)	75,402.00
West-Wing	
Weinrich & Burt	47,298.73
	<hr/> \$ 1,018,347.34

**LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
SECOND REGULAR SESSION
March 30, 2000**

Action

SPONSOR: Rep. Cowger, Scott W.

LR 4158 Resolve, to Direct the Department of Environmental
Protection to Study Septage Disposal

SPONSOR: Sen. Lawrence, Mark W.

LR 4165 An Act to Protect Maine Jobs and Natural Resources

JOINT RESOLUTION

SPONSOR: Rep. Mendros, Stavros J.

LR 4168 JOINT RESOLUTION MEMORIALIZING CONGRESS TO WORK
TOWARD A SOLUTION TO THE PROBLEM IN CYPRUS

TABLED BY THE LEGISLATIVE COUNCIL

SPONSOR:	Sen. Amero, Jane A.	TABLED
LR 3961	An Act to Exempt from Excise Tax the Cost to Make a Vehicle Handicapped Accessible	01/31/00
SPONSOR:	Rep. Bryant, Bruce S.	TABLED
LR 3928	An Act to Eliminate the One Week Waiting Period for Unemployment Insurance Compensation	01/31/00
SPONSOR:	Rep. Hatch, Pamela H.	TABLED
LR 3988	An Act to Provide Tax Amnesty for the Citizens of the State	02/29/00
SPONSOR:	Rep. Lemont, Kenneth F.	TABLED
LR 4138	An Act to Amend the Unlawful Sexual Contact Penalties	03/27/00
SPONSOR:	Rep. Matthews, Zachary E.	TABLED
LR 3866	An Act to Enact a Patient's Bill of Rights	01/31/00
SPONSOR:	Rep. McKee, Linda Rogers	TABLED
LR 4099	An Act to Provide Funding for Bomb Threat Training for All Public Schools	03/27/00
SPONSOR:	Rep. Mendros, Stavros J.	TABLED
LR 3982	An Act to Repeal the Requirement that School Personnel Submit to Fingerprinting and Criminal Records Checks	02/29/00
SPONSOR:	Rep. Rowe, G. Steven	WITHDRAWN
LR 3939	An Act to Enhance Law Enforcement Compensation	

SPONSOR: Rep. Shorey, Kevin L. **TABLED**
03/27/00

LR 4122 An Act to Amend the Snowmobile Franchise Law

SPONSOR: Rep. Thompson, Richard H. **TABLED**
03/27/00

LR 4148 An Act to Provide Equal Protection to State Employees Under
Federal Employment Law

SPONSOR: Rep. Trahan, A. David **TABLED**
01/31/00

LR 3957 An Act to Provide an Alternative to the Fingerprinting
of School Employees

SPONSOR: Rep. Tuttle, Jr., John L. **TABLED**
01/31/00

LR 3912 An Act to Require the Secretary of State to Take the Registration Plates
of a Person Whose License has been Suspended or Revoked

SPONSOR: Rep. Twomey, Joanne T. **TABLED**
03/27/00

LR 3947 An Act to Repeal the Laws that Require Fingerprinting
of School Personnel

SPONSOR: Rep. Weston, Carol **TABLED**
03/27/00

LR 4133 An Act to Establish the Boundary Between the Town of
Burnham in the County of Waldo and the Towns of Detroit
in the County of Somerset and Troy in the County of
Waldo

JOINT RESOLUTIONS

SPONSOR: Rep. McKee, Linda Rogers **TABLED**
01/31/00

LR 3871 JOINT RESOLUTION MEMORIALIZING CONGRESS TO SECURE A NUCLEAR
WEAPONS ABOLITION TREATY

SPONSOR: Rep. Mendros, Stavros J.

TABLED

01/31/00

LR 3915 JOINT RESOLUTION MEMORIALIZING THE POSTMASTER GENERAL OF THE UNITED STATES POSTAL SERVICE TO RESPECT THE RECENT DECISION TO LOCATE THE NEW MAIL PROCESSING CENTER IN THE LEWISTON-AUBURN AREA AND TO RESPECT THE PROCESS BY WHICH THAT DECISION WAS MADE

SPONSOR: Rep. Mendros, Stavros J.

TABLED

02/29/00

LR 3990 JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE SECRETARY OF ENERGY TO DRAW DOWN THE STRATEGIC PETROLEUM RESERVE TO PROVIDE RELIEF FOR OIL CONSUMERS

SPONSOR: Rep. Murphy, Jr., Thomas W.

TABLED

02/29/00

LR 4039 JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES, THE SECRETARY OF STATE, THE SECRETARY OF DEFENSE AND THE UNITED STATES CONGRESS TO CONSIDER WITHHOLDING FOREIGN AID TO THE MEMBERS OF THE ORGANIZATION OF PETROLEUM EXPORTING COUNTRIES IN AN EFFORT TO RESTORE STABLE OIL PRICES

TITLE 3: LEGISLATURE

- **CHAPTER 7: LEGISLATIVE COUNCIL**
 - **SUBCHAPTER I: GENERAL PROVISIONS**
 - § 162. Authority
-

PAGE < **PAGE >****DOWNLOAD TEXT****§ 162. Authority**

The Legislative Council shall have the authority: [1973, c. 590, §4 (rpr).]

1. Legislative budgets. To prepare and approve all legislative budgets;

[1973, c. 590, §4 (rpr).]

1-A. Budget requests. To authorize the Executive Director of the Legislative Council to prepare and submit a tentative consolidated legislative budget request and other budget requests necessary for the operation of the legislative branch and other additional information, as requested, directly to the State Budget Officer on or before September 1st of the even-numbered years prior to review by the Legislative Council. The Legislative Council shall review the tentative budget submission developed by the executive director, altering, revising, increasing or decreasing the items as may be determined necessary. Upon final approval of the full legislative budget request, the Legislative Council shall submit a report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs outlining any differences from the tentative legislative budget submission;

[1997, c. 24, Pt. FF, §1 (new).]

2. Legislative employee salary and benefit schedules. To establish salary schedules for all employees of legislative agencies, departments and offices, except as otherwise provided by law, to develop relatively uniform salary schedules for House and Senate employees and officers and, notwithstanding any other provision of law, to establish benefit schedules for legislative employees. Every publication that states the salary of an employee or a position must also include a statement of the dollar value of the fringe benefit package provided;

[1995, c. 37, §1 (amd).]

3. Joint committees. When the Legislature is not in session, to assign bills, resolves and studies for consideration by the joint standing committees and joint select committees of the Legislature, to request reports, studies and legislation from said joint standing committees and to convene meetings of said joint standing committees and joint select committees and to exercise supervision over them;

[1973, c. 590, §4 (rpr).]

4. Oaths, subpoenas and depositions. To administer oaths, issue subpoenas, compel the attendance of witnesses and the production of any papers, books, accounts, documents and testimony, and to cause the deposition of witnesses, whether residing within or without the State to be taken in the manner prescribed by law for taking depositions in civil actions in the Superior Court. In case of disobedience on the part of any person to comply with any subpoena issued in behalf of a committee, or on the refusal of any witness to testify to any matters regarding which he may be lawfully interrogated, it shall be the duty of the Superior Court of any county, on application of a member of a committee, to compel obedience by proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein. Each witness, other than a state officer or employee, shall receive for his attendance the fees and mileage provided for witnesses in civil cases in courts of record, which shall be audited and paid upon the presentation of proper vouchers sworn to by such witness and approved by the chairman of the council;

[1973, c. 590, §4 (rpr).]

5. Legislative improvements. To assess ways and means to improve the legislative operation and to make improvements in the legislative organization, procedures, facilities and working conditions, and to make periodic reports to the Legislature concerning its findings. Changes in the organization of the legislative staff offices shall require the approval of two-thirds of the membership of the Legislative Council before they may take effect;

[1985, c. 501, Pt. B, §1 (amd).]

6. Appointment of directors and officers. To appoint an Executive Director of the Legislative Council, a State Law Librarian and such other office directors as the council deems necessary. Each director shall be chosen without reference to party affiliations and solely on the grounds of fitness to perform the duties of his office; each to be appointed for a term of 3 years from the date of his appointment. Reappointment shall be based on performance in the office and shall be considered in accordance with policies and procedures established by the Legislative Council;

[1985, c. 501, Pt. B, §2 (amd).]

6-A. Transition. Any person serving as Legislative Administrative Director, Director or Assistant Director of Legislative Research, Legislative Finance Officer or Assistant Legislative Finance Officer or Director or Assistant Director of Legislative Assistants, on September 19, 1985 may continue to so serve until the expiration of the term for which that person was appointed, unless that person resigns or vacates office before September 19, 1985;

[RR 1997, c. 2, §4 (cor).]

7. Legislative agency operating policy. To establish operating policies for each legislative agency and office;

[1973, c. 590, §4 (rpr).]

8. Oversight of legislative appropriations and accounts. To oversee the appropriations and other financial accounts of the Legislature and of all legislative agencies, departments and offices. Appropriations for carrying out the purposes of this chapter shall be made annually by the Legislature. All appropriations or allocations by the Legislature for specific studies to be carried out by the joint standing committees or joint select committees shall not lapse but shall be carried forward and expended for the purpose for which the appropriation or allocation was made. The balance of any appropriation or allocation for such studies that is not fully expended shall be refunded to the Legislature;

[1973, c. 590, §4 (rpr).]

8-A. Sale of publications. If the Legislative Council determines it advisable for the effective dissemination of statutory information or other information of general interest to the public, to fix the price, sell and deliver publications and materials produced by legislative agencies;

[1991, c. 1 (new).]

9. [1975, c. 770, §4 (rp).]

10. Intergovernmental, interstate and interlegislative organizations. To coordinate and oversee intergovernmental relations programs on behalf of the Legislature, and to recommend to the Legislature participation by the Legislature and its members in interstate and inter-legislative organizations; and to apply for, receive and administer all grants and appropriations for these purposes;

[1973, c. 590, §4 (rpr).]

11. Legislative equipment and supplies. To provide necessary furniture, stationery and other supplies and equipment for the use of the members, committees, agencies and offices of the Legislature;

[1973, c. 590, §4 (rpr).]

12. Physical facilities for Legislature. To ensure that adequate physical facilities are provided for the efficient operation of the Legislature and to provide for and determine the utilization of legislatively controlled facilities both within and without the State House and, notwithstanding Title 5, section 1742, subsection 18, to control and assign the use of all rooms in the State House, except the immediate offices occupied by the Governor and the Governor's staff in the west wing of the State House. The Legislative Council shall ensure that the Governor and the Governor's staff occupy sufficient and appropriate office space within the State House.

The Legislative Council has the authority to authorize the Executive Director to enter into contracts for the purpose of maintaining or improving the physical facilities assigned to the Legislature, as long as the work to be performed is consistent with the official plan for the preservation and development of the aesthetic and historical integrity of the State House as described in section 902, subsection 1;

[1997, c. 671, §1 (amd).]

12-A. Reserve Fund for State House Preservation and Maintenance. To administer the Reserve Fund for State House Preservation and Maintenance, established and maintained as provided in this subsection. The State Controller at the close of each fiscal year and at the request of the Legislative Council shall transfer from unexpended balances of General Fund appropriations to the Legislature to the Reserve Fund for State House Preservation and Maintenance available amounts up to \$250,000 a year until a maximum of \$1,500,000 is achieved. The State Controller is further authorized to transfer from the Reserve Fund for State House Preservation and Maintenance to the Blaine House Renovations and Repairs Fund the amounts recommended by the Legislative Council. The Reserve Fund for State House Preservation and Maintenance may also receive and accept allocations, appropriations, grants and contributions of money to be held, used or applied to carry out this subsection, subject to the conditions upon which these allocations, appropriations, grants and contributions are made. Expenditures from the Reserve Fund for State House Preservation and Maintenance are subject to legislative allocation, may be made only for major repairs and renovations to the State House, must be reviewed and recommended by the State House and Capitol Park Commission and must receive a majority vote of the Legislative Council. Funds allocated or appropriated to the Reserve Fund for State House Preservation and Maintenance may not lapse but must be carried forward.

Notwithstanding any other provision of law, beginning in fiscal year 1997-98, the State Controller, at the beginning of each fiscal year, shall transfer from the Capital Construction/Repairs/Improvements-Administration program within the Department of Administrative and Financial Services to the Reserve Fund for State House Preservation and Maintenance an amount of \$850,000 each year;

[1997, c. 24, Pt. FF, §2 (amd).]

13. Transfers within the legislative appropriation. To approve any transfers within the legislative appropriation;

[1975, c. 770, §5 (rpr).]

14. Council procedures. To establish published rules of procedure for the conduct of the business of the council;

[1973, c. 590, §4 (rpr).]

15. Other duties and responsibilities. To perform such other duties and responsibilities as may be assigned to the council from time to time by the 2 Houses;

[1989, c. 410, §2 (amd).]

16. Funds from State, Federal Government and private sources. To accept, use, expend and dispose on behalf of the State funds, equipment, supplies and materials from any agency of the United States, from any private foundation and from any other private source;

[1991, c. 622, Pt. L, §1 (amd).]

16-A. Intellectual property. To use, manage or administer on behalf of the Legislature any copyright held by the Legislature or license to use copyrighted materials and to manage the copying, use and dissemination of copies of copyrighted materials in which the Legislature holds the copyright or a license;

[1999, c. 1, §2 (new).]

17. Approve plans to preserve and develop the State House and the immediate grounds. To approve architectural, aesthetic and decorative alterations to the State House. The Legislative Council also has authority to preserve and develop the aesthetic and historical integrity of the State House and the immediate grounds. The Legislative Council has the power to enter into contracts and other powers necessary to implement this subsection and chapter 31;

[1997, c. 43, §1 (amd).]

18. Out-of-state travel report. To submit to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs a quarterly report on out-of-state travel activity of the Legislature. The report must be submitted within 15 days after the end of each quarter and must include, for each individual who has been authorized to travel, the destination, purpose and cost by funding source of each trip; and

[1997, c. 43, §2 (amd).]

19. Legislative information available through the Internet. To make the following information available through the Internet: legislative documents, committee hearing schedules, work session schedules, status of legislation, voting records of Legislators, the laws of Maine, study reports and reports of other study groups established by the Legislature and any other information designated by the Legislative Council.

[1997, c. 43, §3 (new).]

Section History:

1973, c. 590, § 4 (RPR).
 1973, P&SL c. 220, § 3 (AMD).
 1975, c. 657 (AMD).
 1975, c. 770, § 3-5 (AMD).
 1979, c. 541, § A7, A8 (AMD).
 1981, c. 702, § R (AMD).
 1983, c. 2, § 1 (AMD).
 1983, c. 584 (AMD).
 1983, c. 824, § V (AMD).
 1985, c. 501, § B1-3 (AMD).
 1989, c. 410, § 1-4 (AMD).
 1991, c. 1 (AMD).
 1991, c. 622, § L1-3 (AMD).
 1993, c. 415, § J1 (AMD).
 1995, c. 37, § 1 (AMD).
 1997, c. 24, § FF1, 2 (AMD).
 1997, c. 43, § 1-3 (AMD).
 1997, c. 671, § 1 (AMD).
 1997, RR c. 2, § 4 (COR).
 1999, c. 1, § 2 (AMD).