

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 28, 2000
APPROVED JULY 25, 2000

CALL TO ORDER

The Chair, Senate President Lawrence, called the Council meeting to order at 11:09 a.m. in Room 127, State House.

ROLL CALL

Senators: President Lawrence, Sen. Pingree, Sen. Rand,
Sen. Bennett
Absent: Sen. Amero

Representatives: Speaker Rowe, Rep. Murphy, Rep. Shiah,
Rep. Campbell
Absent: Rep. Saxl

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

MEETING SUMMARIES

Motion: That the Summaries for the March 31, April 18 and April 26 Council meetings be accepted and placed on file. (Motion by Rep. Campbell; Second by Rep. Shiah; unanimous).

REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS

Item #1: Fiscal Update

Jim Clair, Director, Office of Fiscal and Program Review, drew Council members' attention to printed information that had been distributed. He first reviewed the current status of the General Fund, stating that budget projections show that the fund will end fiscal year 2000 with a balance of approximately \$1.2 million. Final "actual" figures will be available sometime in mid-August. Mr. Clair reported that his office is in the process of updating a series of reports that the office publishes annually following the end of the legislative session to reflect the fiscal actions of the Session.

Mr. Clair then drew Council members' attention to a sheet that summarized the turnaround time of the preparation of fiscal notes throughout the session, noting that he uses this as a management tool to track the performance of his office. More than 80% of all fiscal notes prepared during the Second Regular Session were produced within 5 days of receipt of the request. He closed his report with a brief update on the status of the development of the Legislative Budget Management System, which is being developed in conjunction with both the development of a new budget management system to be used by the State Budget Office and the Legislature's migration project. Mr. Clair and his staff are currently working with Paul Mayotte and the vendor, Legacy Systems, to define requirements for the new system.

Item #2: Interim Studies: Status

David Boulter drew members' attention to a listing of staff assignments for the interim studies that have been authorized. He stated that few studies had actually started – most are awaiting appointments of members. The Chair, Senate President Lawrence, stated that he and Speaker Rowe were working on appointments and hoped to have them completed within 2 weeks.

In response to a question from Speaker Rowe, Mr. Boulter reported that Amy Holland has resigned as an Analyst after 5½ years with the Office and that Gro Flatebo, who had worked during the past session, has concluded that she does not wish to work full time.

These items required no Council action.

Item #3: Renovations: Schedule and Status Update

Stan Fairservice, Owners' Representative, reported that demolition and abatement on the 4th floor have been completed and that the electricians have begun roughing in. Demolition and abatement continue on the 2nd and 3rd floors, and the foundation work will begin shortly. Construction of the Connector has proceeded to a point past the skylight, and will stop at this point until the blasting has been completed.

Representative Campbell asked Mr. Fairservice for an update on the status of the budget for the West Wing renovation, and Mr. Fairservice responded that he, Granger and the architect, Rick Burt, were reviewing subcontractor bids very closely because most have come in higher than anticipated. The value engineering process – examination of alternative methods and products – is underway, although Mr. Fairservice cautioned that, "we don't want to value engineer the beauty out of the

project." Rep. Campbell reiterated his concern that the subcontractors are being directly involved in the value engineering process, and Mr. Fairservice assured him that this was the case.

This item required no Council action.

Item #4: Migration Project Status

Paul Mayotte, Director of Legislative Information Services, drew members' attention to a printed summary of the status of the various components of the project. He reported that Compaq began work on June 5 pursuant to a Letter of Agreement while final contract details were being worked out and noted that the Attorney General's Office has provided valuable support in the contract process. The hardware to support the new bill drafting system has been ordered, and Compaq will begin loading software onto the servers as soon as they are delivered.

Mr. Mayotte stated that contract negotiations with International Roll Call Corporation for Chamber support are also nearing completion and that the server to support this work has already been installed. Elaborating on Mr. Clair's earlier report on the Legislative Budget Management System, Mr. Mayotte stated that the target for having a final contract is mid-July. Finally, he noted that a Committee support system has not been funded at this point and that he and his staff are working with Senate, House and Legislative Council staff to define the requirements for this system so that a schedule and budget can be developed.

This item required no formal Council action.

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

Speaker Rowe, who chairs the Committee, reported that the Committee had met earlier in the day to discuss several issues, as follows:

Committee Clerks Compensation

Speaker Rowe stated that several Committee Clerks attended the meeting for the purpose of challenging the method that had been used to reclassify some employees in conjunction with the implementation of the new compensation and classification plan last January. Following lengthy discussion of the issues raised by the Clerks, the Committee wants to gather some additional information and plans to meet again before the July Council meeting to conclude its review and develop recommendations for the presiding officers, who have the authority to set compensation for Committee Clerks pursuant to the Joint Rules.

This item required no Council action.

Annual Reviews of Directors

Speaker Rowe stated that the Committee had reviewed the anniversary dates of the Directors and would begin scheduling annual reviews. He reported that the Committee had unanimously approved award of a step increase for Paul Mayotte, retroactive to his anniversary date, in accordance with the Council's Rules of Procedure.

Constitutional Officers

Speaker Rowe reported that the Committee had approved step increases for the Secretary of State, Treasurer of State and State Auditor pursuant to the Council's Rules of Procedures, noting that the Attorney General is topped out in his assigned salary range and is, therefore, not eligible for a step increase.

Compensation-Related Issues

Finally, Speaker Rowe reported that the Committee has turned its attention to reviewing several recommendations that NCSL had put forward regarding compensation – related items and would be bringing recommendations to the Council as this review proceeded. He drew members' attention to the copy of a draft revision of the Personnel Policies Handbooks, noting that the Committee would review this in depth in the weeks ahead.

This report required no formal Council action.

Committee on Allocation of Legislative Space

Senator Rand, Committee Chair, reported that the Committee had met to consider several issues related to the renovations that had arisen since the last Council meeting. They include provisions to support remote broadcasting and provisions for parking.

Parking

She asked Rick Burt to review the parking options for the Council; and Mr. Burt, in turn, introduced Marion Pressley, President of Pressley Associates, the landscape architecture firm that has been working on the renovations.

Ms. Pressley, using a site plan of the West Wing entrance area, led Council members through the present proposal for the area between the State House and State Office Building. The proposal would restrict vehicle access immediately to the west of the State House to emergency vehicles; it would provide an ADA-compliant pedestrian path up from the parking area to the south of the State House; and it includes a retaining wall that is seating height. In response to the Council's request, the proposal provides for an increased number of designated handicapped parking spaces in the area outside of the "Governor's Entrance." Ms. Pressley stated that the design team has tried to fit in as many spaces as possible, given other features of the space (i.e., the need to maintain a clear pad at the base of the fire escape and the need to preserve access for emergency vehicles) and has concluded that the maximum number that can be created is 13.

Senator Rand asked if it was possible to increase the number of handicapped parking spaces at the east entrance of the State Office Building, and Ms. Pressley responded that that area is included in the State Office Building project. Her conversations with the landscape architect for that project indicate that the Department of Administrative and Financial Services has initiated a formal parking study, which is still in process. Senator Bennett asked how this area had been designated for legislative parking in the past, given that it was under the

jurisdiction of the executive branch; and Clerk Mayo responded that the Legislature has worked cooperatively with the Chief of Capitol Security to assign legislative parking. Ms. Pressley fielded several questions related to opportunities for additional handicapped parking, and the discussion concluded with a request from the Chair, Senate President Lawrence, that the Space Committee meet with representatives from the Executive Branch to negotiate parking and that the parking plan include provisions for legislators, staff, and the public.

Motion:

That the Council approve the design for handicapped parking at the West entrance with the understanding that it will provide 13 spaces. (Motion by Representative Campbell; second by Senator Rand; unanimous).

Remote Broadcasting

Senator Rand asked Stan Fairservice to update Council members on the status of this aspect of the project. Mr. Fairservice stated that the architect and design team had originally designed an area that would accommodate four television vans on the path leading from the south to the West Wing, based on a series of meetings with the broadcast media to define their needs. As the design process has progressed, the requirements have increased; and the broadcast community now suggests that provisions need to include 7 – 12 vans. Mr. Fairservice noted that the remote broadcast system is very sophisticated because it provides direct links to each defined broadcast point in both the State House and the State Office Building and requires a massive quantity of conduit and wiring to provide the audio and video links as well as power. He added that the number of vans that can be accommodated on the drive is fixed so the team had explored additional options, including the parking lot at the south end of the State Office Building and the area where the portable units are currently located. Both of these areas are already served by power and conduits. He added that, pursuant to the Space Committee's June 15 meeting, he had directed Granger to install four additional conduits underground between the State House and the State Office Building to preserve the option of using the parking lot to the south of the State Office Building in the future. He concluded that the key question is whether the Legislature is going to install the full system in more than one location, stressing that the redundancy (of more than one location) will involve additional cost.

Senator Rand stated that most of the media feel that they could function from the parking lot to the south of the State Office Building, but that Maine Public Broadcasting requires closer access. Senator Bennett asked Mr. Fairservice to provide an estimated cost for this project; and Mr. Fairservice responded that the electrical subcontractor had provide a price of \$350,000, but that this price can be reduced and that he was meeting with engineers from some of the television stations for the purpose of exploring ways to achieve the required functionality at a lower price. Senator Bennett suggested that the users, who are all for-profit organizations with the exception of Maine Public Broadcasting, should assume the cost of this work. Representative Campbell countered that the companies' position is that they already paid for this once, but agreed that they should assume responsibility for anything beyond the walkway outside the West Wing and that the money needs to be found **within** the existing project budget to complete the work to the walkway. Mr. Fairservice reiterated that his major concern is the redundancy involved in equipping more than one location and the associated costs. The need to equip multiple locations increases the scope of the work; and while it can be value-engineered, it is important not to underestimate the work.

Senator Rand stressed that the Council has done a considerable amount in the renovation project to accommodate the media, including a significant expansion in the number of broadcast points and the designation and equipping of a press satellite room in the State House. Senator Bennett reiterated that he sees no reason to subsidize the media and asked whether the Legislature could develop an arrangement to lease the technology it installs back to the broadcast users.

Motion: That the Council provide access for the broadcast media in a single location at the Southwest wall of the West Wing and that this work be accomplished with available funds; and, further, that the broadcast media pay for anything beyond this scope (Motion by Representative Campbell; second by Senator Rand).

Discussion on the Motion:

- Senator Bennett asked for clarification that installation of the additional conduit was included in the motion, and Mr. Fairservice responded that this represented an insignificant cost and could be absorbed within the existing budget.
- Mr. Burt asked for clarification that the motion included the "contents" in the panel box that will allow stations to hook into any of the broadcast points and received an affirmative response.

The motion was then approved unanimously.

OLD BUSINESS

None.

NEW BUSINESS

None.

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

The Council meeting was adjourned at 12:45 p.m., on the motion of Senator Rand, (second by Senator Bennett).