

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
NOVEMBER 29, 2000

CALL TO ORDER

The Chair, Senate President Lawrence, called the Council meeting to order at 2:00 p.m. in Room 127, State House.

ROLL CALL

Senators: President Lawrence
Absent at the time of roll call: Sen. Pingree, Sen. Rand,
Sen. Amero, Sen. Bennett

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

All members were eventually present.

Legislative Officers: Joy O'Brien, Secretary of the Senate
Judi Delfranco, Assistant Secretary of the Senate
Joseph Mayo, Clerk of the House
Millicent MacFarland, Assistant Clerk of the House
James A. Clair, Acting Executive Director, Legislative Council
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 SUMMARY

Motion: That the Summary of October 25, 2000 Council meeting be accepted and placed on file.
(Motion by Representative Shiah; second by Representative Saxl; unanimous).

REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS

Item #1: Renovations

Stan Fairservice gave a brief overview of the progress on the West Wing renovations, noting that the 3rd and 4th floors are nearly complete. He also reminded members that blasting would continue throughout the day.

Item #2: Fiscal Update

Jim Clair reported that General Fund revenues were down significantly, but that the Highway fund revenues are doing particularly well. He referred to last page of his handout, a summary of the Revenue Forecasting Committee's rejections, which lowers the estimate of the structural gap.

Item #3: Migration

Paul Mayotte referred to his handout and reported on the progress of the bill drafting system. Paul noted that final system requirements are in the final review stage between Compaq and users, and that discussions with Compaq on the actual contract cost are underway and going well. The LDR is complete and being fine-tuned. Information Systems is working with IRC on a mock session test and the transfer of data back and forth.

Item #4: Interim Studies: Status

Dave Boulter referred to his handout on interim studies and noted that they are well underway. Most are on track, but a few are asking for additional meetings.

REPORTS FROM COUNCIL COMMITTEES

Hall of Flags

Representative Cowger, House Chair of the Hall of Flags Committee was present and referred to a draft report, which includes the committee's recommendations. He noted that the Committee has held two meetings and have also viewed the flags. The top priority is to preserve the flags. They need to be kept flat and that would require new cases in Hall of Flags. He also noted that the Hall of Flags is not climate controlled and that is important in preserving the Flags. The Committee recommends the original flags be located in the Museum and replicas be hung in the Hall of Flags with a visual display. Museum staff was also present to answer questions. Representative Murphy stressed the importance of the touch screen display, which will include descriptions of the flags. Mr. Phillips confirmed that the request will be in the Governor's Emergency FY 01 budget and that they are all present to ask if the recommendations have the Council's support

Representative Murphy noted that he would support the recommendations. Representative Saxl inquired about a Strategic Plan for the Museum and Mr. Phillips confirmed that they do have a Plan but the current budget does not support their Plan, even with private funds that have been raised.

Senator Daggett was present and noted that Hall of Flags Committee was concerned about the Vietnam Memorial Plaque that was scheduled to be placed in the Hall. The Committee had concerns about future requests for displays there. Representative Campbell noted that the placement of that plaque was provided for in statute.

Senator Bennett asked if any of the items in the recommendation needed to be dealt with by the current council. Representative Cowger stated that they were looking for direction from the Council on the concept.

Motion: That the Council adopt the Hall of Flags Committee recommendation #6. (Motion by Representative Murphy; second Representative Campbell; Senator Bennett abstains; motion prevails 9-1).

Executive Director Search Committee

Speaker Rowe reported that the Search Committee, assisted by Martha Freeman had completed its work. Eighty-three applications were received, many were excellent candidates and the Committee has made the following recommendation today.

Motion: On behalf of the Executive Director Search Committee, that James Clair be appointed as Executive Director of the Legislative Council for a 3-year term commencing on December 1, 2000, at grade 15 step 7, and as provided in Title 3, Section 162, Subsection 6 of the Maine Revised Statutes, that reappointment be based on performance and in accordance with policies and procedures established by the Legislative Council. Second by Rep. Shiah; unanimous.

Mr. Clair extended his appreciation to the search committee for the way it conducted its work and noted that they were very thorough. He looks forward to working with members and their successors.

Motion: That, effective December 1, 2000, James Clair serve as Acting Director of the Office of Fiscal and Program Review until the new Legislative Council appoints someone as Interim Director. (Motion by Speaker Rowe; second by Representative Campbell; unanimous).

Speaker Rowe noted that the following issues were discussed with Mr. Clair and that the Search Committee recommends that they be considered by the 120th Legislative Council.

- Conducting a management and financial audit;
- Establishment of a policy of pre-approval for expenditures over certain limits;
- Cost center budgeting and reporting;
- Establishment of timelines for decision-making;
- Uniform policy for competitive bidding;
- Itemized review of all Legislative Council policies, including the personnel policies.

Space Committee

Senator Rand reported that the Committee met Monday, November 27th. A parking plan was unanimously approved which includes a shuttle system that has not been finalized. She noted that there will be sufficient space for legislator and handicapped parking.

Senator Rand also referred to the CSOB Policy Manual that was previously presented to the Council in draft form and noted that there is an understanding from the Executive Branch about the 2nd floor, which is Legislative space. They will hold orientation sessions regarding security and other issues that do affect the Legislature and that Legislators and staff should attend. The next meeting will be with the Executive Branch concerning leases and memorandum of understanding.

Senator Rand also noted that blasting and the move back are on schedule.

Personnel Committee

Speaker Rowe reported that the Personnel Committee met to conduct performance evaluations for James Clair, Lynn Randall and David Boulter. The following motions were made:

Motion: That David Boulter be reappointed to a 3-year term as the Director of the Office of Policy and Legal Analysis, retroactive to October 24, 2000; that Lynn Randall be reappointed as the Law and Legislative Reference Librarian for a 3-year term retroactive to June 16, 2000; and that James Clair, who is assigned to Grade 14, Step 8, move to Step 9 of Grade 14, retroactive to November 1, 1999, which is his anniversary date. (Motion by Speaker Rowe; second by Representative Saxl; unanimous).

OLD BUSINESS

President Lawrence asked members if there were any remaining agenda items that should be set aside for the 120th Legislative Council's action.

Item #1: Legislative Document Service

Motion: That the Legislative Council adopt the proposed document service fee schedule. (Motion by Representative Saxl; second by Representative Shiah; unanimous).

Item # 2: Study Requests

David Boulter referred to the handout in the packet and pointed out that some were requests that were not dealt with at the last meeting for lack of a quorum. The list includes new requests as well. This includes extensions of reporting dates, requests to hold additional meetings and submission of work plans.

Motion: That the Task Force to Study Market Power Issues Related to the Solid Waste Hauling and Disposal Industry be granted an extension to December 15, 2000. The extension request from the Citizen's Advisory Committee to Secure the Future of Maine's Wildlife and Fish was referred to the 120th Council. (Motion by Representative Saxl; second by Senator Pingree; unanimous).

Motion: That the Task Force on Educational Programming at Juvenile Correctional Facilities and the Task Force on the Maine Learning Technology Endowment be granted approval for additional meetings. (Motion by Representative Campbell; second by Senator Pingree; unanimous).

Motion: That the work plans and budgets for the Commission to Study Economically and Socially Just Foreign Investments and Foreign Purchasing by the State; Task Force on the Maine Learning Technology Endowment; and the Task Force on Educational Programming at Juvenile Correctional Facilities be approved. (Motion by Representative Campbell; second by Representative Saxl; unanimous).

NEW BUSINESS

Item #1: Cross State Office Building Plaque

Representative Saxl noted that the State of Maine Seal should be at the top.

The Council would communicate with the Executive Branch that the State Seal should be relocated to the top and that the item be referred to the next Council for their consideration.

Item #2: Time and Attendance Systems

Scott Clark, Deputy Director, Information Services, reported that the Executive Branch is putting together a time and attendance reporting system. It will allow all employees to enter information about time worked, leave, etc. into an Internet browser type interface and to have that information transmitted to payroll and accounting systems. Scott referred to his handout and pointed out the major reasons for having this system in place. The system seems to be able to accommodate the Legislatures needs. He asked the Council if there is a desire to participate in this system and do away with our current paper based systems. There is a cost associated with it, they are estimating on the high end, approximately \$15 per year for each employee. Approximately \$3750 per year.

Motion: That this item be referred to Personnel Committee and that Scott Clark attend meetings for informational purposes.

Item #3: Changing Web Server Administration

Paul Mayotte reported that the executive branch, BIS, is moving to the INFORME program. They are asking the Legislature to consider moving to INFORME. He is looking for direction from the Legislative Council on how to proceed. Control would be maintained by the Legislature and a service agreement with INFORME would be needed.

Motion: That this item be tabled until the next Legislative Council Meeting. (Motion by Representative Saxl; second by Representative Campbell).

Item #4: Submission of Study Reports.

Motion: That the following study reports be accepted and placed on file:

- Commission to Recognize Vietnam Veterans in the State House Hall of Flags
- Commission on Child Abuse
- Joint Study Committee to Study Bomb Threats in Maine Schools
- Joint Select Committee on the Psychiatric Treatment Initiative

(Motion by Representative Campbell; second by Representative Saxl; unanimous).

Item #5: Requests for Extension of Reporting Deadline

See Old Business, Item #2 above.

Item #6: Performance Budget bills in WANG

President Lawrence asked that the 120th Legislative Council be informed about this issue at the next meeting.

ANNOUNCEMENTS AND REMARKS

Speaker Rowe noted that it was the last meeting of this Council and thanked members and staff.

NEW BUSINESS (con't)

Item #7: Atlantic salmon

Representative Campbell read a Resolution regarding the listing of the Atlantic salmon as endangered species and informed the Council that the rural caucus would be meeting with Maine's Congressional Delegation regarding the matter on December 11th. Council members offered their support on the issue.

ADJOURNMENT

Senator Rand moved that the Council adjourn at 3:15 pm; second by Representative Saxl.