

# MAINE STATE LEGISLATURE

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REP. MICHAEL V. SAXL  
CHAIR

SEN. RICHARD A. BENNETT  
VICE-CHAIR



120<sup>th</sup> MAINE STATE LEGISLATURE  
LEGISLATIVE COUNCIL

SEN. BEVERLY C. DAGGETT  
SEN. MARY E. SMALL  
SEN. PAUL T. DAVIS, SR.  
SEN. SHARON ANGLIN TREAT  
REP. PATRICK COLWELL  
REP. JOSEPH BRUNO  
REP. WILLIAM S. NORBERT  
REP. WILLIAM J. SCHNEIDER  
**David E. Boulter**  
JAMES A. CLAIR  
EXECUTIVE DIRECTOR

**MEETING SUMMARY**  
**September 26, 2001**  
**Approved October 29, 2001**

**CALL TO ORDER**

The Chair, Speaker Michael V. Saxl, called the Council meeting to order at 1:15 p.m. in the Legislative Council Chamber.

**ROLL CALL**

Senators:	Sen. Bennett, Sen. Small, Sen. Davis, Sen. Treat Absent: Sen. Daggett
Representatives:	Speaker Saxl, Rep. Colwell, Rep. Bruno, Rep. Norbert, Rep. Schneider
Legislative Officers:	Joy O'Brien, Secretary of the Senate Millicent MacFarland, Clerk of the House David Shiah, Assistant Clerk of the House David Boulter, Executive Director, Legislative Council Grant Pennoyer, Director, Office of Fiscal and Program Review David Elliott, Interim 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 THE SEPTEMBER 6, 2001 COUNCIL MEETING**

That the Summary of the September 6, 2001, meeting be accepted and placed on file.  
(Motion by Rep. Colwell, second by Sen. Davis, unanimous).

## REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS

Speaker Saxl welcomed Mr. Boulter in his new role as Executive Director.

- Executive Director's Report

In his first week as Executive Director, Mr. Boulter had been receiving briefings on the two important and time sensitive projects: the State House renovations, and the Compaq Computer project. In addition, he is starting to meet with different offices to better understand their needs as they relate to services provided by the Executive Director's Office.

Stan Fairservice had been working with contractors to arrange for the replacement of the failing flexible piping in the West Wing. Work is now underway, on weekends so as to not interfere with legislative business. A meeting had been scheduled for the following week with legal counsel to discuss issues related to liability for the cost of replacement of the West Wing piping.

Mr. Boulter also reported that Mr. Fairservice was working with the contractor to develop an updated schedule for completion of all the renovation work that hopefully will be available on or before the next Council meeting.

Locks in the State House that had been keyed are being removed and replaced with a card reader system in accordance with an earlier approved security plan.

Mr. Boulter plans to meet with Capitol Security and the Executive Branch representatives to discuss the adequacy of the security plans and the coordination efforts, in light of the tragic events of September 11<sup>th</sup>.

Lastly, he reported that the Revisor's Office has issued this year's Revisor's Report, which makes minor technical corrections to the law enacted during the session. He thanked Revisor Matheson and her staff for the fine work they did in producing the report. There were relatively few corrections needed, which speaks very well of their work under heavy workload conditions during the session.

- Fiscal Update

Grant Pennoyer presented 3 items for the Council's information.

- An update on General Fund Cash Balances. The monthly averages are still declining. The Executive Branch officials felt that for the few days it may go negative, it would not be necessary to issue a Tax Anticipation Note. As of September 26, 2001, the General Fund Cash position was in excess of \$80 million, which includes balances in the Maine Rainy Day Fund and other reserve accounts.
- A look at the August, 2001 Revenue Variances. The General Fund was down \$16.3 million for Fiscal Year to date. The Highway Fund was up \$1.1 million for Fiscal Year to date.
- The last item was a briefing on the Economic and Revenue Forecasts. The Consensus Economic Forecasting Commission's meeting for September 25<sup>th</sup> was postponed until September 27<sup>th</sup>. He cautioned Council members not to expect anything significant at

the meeting; it would be more a preliminary discussion. Mr. Pennoyer did not expect a reforecast of the underlying economic forecast until late October. The Revenue Forecasting Committee would likely delay their report until the December 1<sup>st</sup> date.

- Renovations: Status Report by Owner's Representative

Mr. Fairservice reported the re-piping in the West Wing began last weekend, with installation of new mains for the heating and cooling waters on the first floor and piping below. During the weekend ahead, contractors are scheduled to do the Governor's Cabinet Room and small conference room, including to change out the piping that feeds the units in that area, plus the one that feeds the Snack Bar. During the weekend of October 6<sup>th</sup> they will be re-piping in the Governor's Office itself, the South side of his office complex and then will proceed to the 3<sup>rd</sup> and 4<sup>th</sup> floors on the North side. During the weekend of October 13<sup>th</sup> they will do the 3<sup>rd</sup> and 4<sup>th</sup> floors on the South side of the building.

With respect to the renovation in the North Wing, contractors are doing put back on the 4<sup>th</sup> floor, and 80% of the demolition on the 3<sup>rd</sup> floor has been completed. Asbestos was found unexpectedly in chases running from the 4<sup>th</sup> floor to the 1<sup>st</sup> floor. The Contractor is undertaking asbestos removal now, using approved containment procedures. He has asked Granger for an updated schedule within the next few weeks.

Mr. Fairservice said most of the granite had been received for the underground Connector, with the balance of the granite due September 27<sup>th</sup>. The Connector should be completed in 3 weeks.

- Migration Project Status

Paul Mayotte reported there had been computer virus attacks over the past week, and the legislative computer operations had been impacted by the virus. To his knowledge no information or data was lost. It was asked if the Legislature would be less susceptible to the viruses if it was not linked to the State's system, and would require additional staff. Mr. Mayotte said the level of protection would improve only slightly and it was mostly a technology software/hardware issue.

Mr. Mayotte also reported that the Legislature had met its contractual requirement to complete the user functionality testing on August 24, 2001. The final acceptance testing, the test to validate that all problems found in the testing were corrected by Compaq, is scheduled to be completed on September 28<sup>th</sup>. Sixty-four problems were found in the test and he believed all but 14 had been resolved or corrective action was underway. Compaq has until October 15<sup>th</sup> to correct the items and if that date is not met, the warranty on the contract extends out day-by-day. Mr. Mayotte referred members to the last Council meeting and also the ballot regarding the Contract Amendment #3, and to a commitment acknowledged by former Executive Director, James Clair, made to Compaq to attempt to find \$50,000 for "missed requirements". The Executive Director's Office was continuing its review of the FY 02 budget for any funds available. To date no funds had been identified, but he will keep the members informed, and come back to the Council with a recommendation for them to consider.

## REPORTS FROM COUNCIL COMMITTEES

- Technology and Migration Committee

Sen. Treat reported that the Committee met and the Legislature was making progress on having an independent Internet access. LIS is in the final stages of selecting an Internet Service provider. LIS also has met with BIS to discuss the issues of separation from BIS, including continued access to the global address system, and a connection to budget system and data warehouse. Talks are progressing with InformME regarding a contract to host the Internet Website.

Sen. Bennett asked about the Internet Service provider ISP vendor. Mr. Mayotte explained that the LIS has solicited bids from qualified services providers. Two vendors were identified, one specializing in home use, and the other a more commercial vendor. The two potential vendors are CommTel and Mid-Maine Communications.

The Committee also discussed establishing policies for Internet system usage, such as ADA compliance for websites, privacy and what usage should be allowed for employees. Other discussions focused on the unmet needs that were not funded in the Part II Budget. These needs include a backup server system and software licensing. The Committee is looking for no cost or low cost ways to meet these needs. Mr. Mayotte said he could make a list of the priorities and validate the cost estimates for unmet needs. The Speaker requested that Mr. Mayotte, in conjunction with the Technology Committee, come up with a list of additional items, in order of priority, with a cost estimate and a timeline for unmet needs.

- Space Committee
  - Subcommittee to Determine the Use of the Interpretive Center

Rep. Colwell reported that the Subcommittee had met twice. Rep. Linda McKee had been elected Chair. They believe one more meeting is needed before presenting a recommendation to the Legislative Council. No further information was presented at this time.

- Personnel Committee

Speaker Saxl said the Committee had decided the process for recruitment and review of candidates and had begun the search process for a Director for OPLA and hope to hire a new director by the first week of December.

They had also begun reviewing the current personnel policies of the Legislative Council, which were last revised more than a decade ago.

The Committee has completed the performance evaluation of Lynn Randall, Law and Legislative Reference Librarian, and received the Committee's highest endorsement. The Speaker thanked Ms. Randall for her great work and the tremendous work she had done with the Law Library.

## **OLD BUSINESS**

None.

## **NEW BUSINESS**

None.

## **ANNOUNCEMENTS AND REMARKS**

None.

## **ADJOURNMENT**

The Legislative Council meeting was adjourned at 1:53 p.m. (Motion by Rep. Bruno, second by Sen. Bennett, unanimous).