

LEGISLATIVE COUNCIL November 9, 2004 2:00 p.m. Room 334, Legislative Council Chamber REVISED AGENDA

Page No. Item

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<u>Action</u>

CALL TO ORDER

ROLL CALL

1 SUMMARY OF THE OCTOBER 12, 2004 COUNCIL MEETING

Decision

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

- Executive Director's Report (David Boulter)
- Fiscal Report (Pennoyer)
- Office of Information Services' Report (Mayotte)
- Update on Interim Studies (Elliott)

REPORTS FROM COUNCIL COMMITTEES

• Personnel Committee (Rep. Richardson, Chair)

Report of the October 19, and November 9, 2004 Personnel Committee meetings.

• State House Facilities Committee (Sen. Gagnon, Chair)

Status of office space options update for OPEGA Program.

OLD BUSINESS

17	Item #1: Percent for Art Project for the State House	Decision
	NEW BUSINESS	
36	Item #1: Legislative Document Service: Fee Schedule for 122 nd Legislature	Decision
	Item #2: Submission of Annual Reports:	Acceptance
38 42	 Loring Development Authority of Maine Washington County Development Authority 	
47	Item #3: Final Report of the Health Care Workforce Leadership Council	Information

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

SEN. BEVERLY C. DAGGETT CHAIR

REP. PATRICK COLWELL VICE-CHAIR



121st MAINE STATE LEGISLATURE

LEGISLATIVE COUNCIL

MEETING SUMMARY October 12, 2004

CALL TO ORDER

The Chair, Senate President Daggett, called the Legislative Council meeting to order at 2:31 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators:

Representatives:

Legislative Officers:

President Daggett, Sen. Treat, Sen. Davis, Sen. Gagnon Absent: Sen. Woodcock

Speaker Colwell, Rep. Richardson, Rep. Bruno, Rep. Duplessie, Rep. Bowles

Millicent MacFarland, Clerk of the House David Boulter, Executive Director, Legislative Council Grant Pennoyer, Director, Office of Fiscal and Program Review David Elliott, 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 14, 2004 COUNCIL MEETING

Motion: That the Meeting Summary of September 14, 2004 be accepted and placed on file. (Motion by Speaker Colwell, second by Rep. Duplessie, unanimous).

REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS

• Executive Director's Report

David Boulter, Executive Director of the Legislative Council, reported on the following items:

1. With the agreement of the State YMCA of Maine Executive Director, the Youth and Government Program has been scheduled for April 8 – 10, 2005. A second program will be held in November of 2005, and thereafter the program will be held in the fall.

SEN. KENNETH T. GAGNON SEN. CHANDLER E, WOODCOCK REP. JOHN RICHARDSON REP. JOSEPH BRUNO REP. ROBERT W. DUPLESSIE REP. DAVID E. BOWLES DAVID E. BOULTER

SEN. SHARON ANGLIN TREAT

SEN. PAUL T. DAVIS, SR.

DAVID E. BOULTER EXECUTIVE DIRECTOR

- 2. On September 22, 2004 the Governor issued Executive Order # 24, FY 04/05, which creates a task force on traditional land uses and public access to lands in Maine. The task of the group is to develop recommendations about how best to address issues relating to access to private land for "traditional uses." The task force is comprised of 24 members; the President and the Speaker are invited to make 1 appointment each to the task force. An interim report is due on February 15, 2005, and a final report by September 1, 2005.
- 3. Recruitment is underway for the OPEGA Director. Once the director is selected, the director will then begin recruitment and selection of staff to start the office. By law the Department of Administration and Financial Services is required to make space available without cost to house OPEGA offices. The Commissioner of DAFS, after considering several areas within the Cross Building, rejected the space as being inadequate because of size, having insufficient privacy, or separation of executive branch agencies. Therefore, the Commissioner recommended that the OPEGA offices be housed in office space that is available in the NASH School, which is located immediately to the west of the Cross Building and it currently houses offices of the Secretary of State. Director Boulter will be consulting with the OPEGA Oversight Committee chairs as to the suitability of the space for the OPEGA offices.

Motion: That the Executive Director, be charged with entering into agreements with the Commissioner of the Department of Administrative and Financial Services to secure suitable offices for OPEGA, in or adjacent to the Cross Building, and that such agreements be completed by December 15, 2004. Prior to completing the agreements, the Executive Director must consult with the chairs of the OPEGA Oversight Committee. (Motion by Sen. Gagnon, second by Sen. Treat, unanimous).

Fiscal Report

Grant Pennoyer, Director, Office of Fiscal and Program Review, presented his report to the Council.

General Fund and Highway Fund Revenue

The General Fund was \$17 million ahead of revenue projections for the month of September, bringing the year-to-date positive variance to \$39.2 million for the first quarter. Sales tax revenue was under budget for the month of September. Although individual income tax revenue was a major contributor to the positive variance, Maine Revenue Services believes it is a timing issue and by fiscal year end individual income tax may be at projected levels. Corporate income tax revenues were ahead of budget by \$5.5 million in September and \$11.2 million for the first quarter.

The Highway Fund revenues continue to perform well and were \$1.4 million ahead of budget in September and \$4.4 million ahead for the year-to-date.

Revenue Forecasting Committee

The Consensus Economic Forecasting Commission met on October 7, 2004 and developed a tentative forecast. The major economic variables were the wage and salary employment, personal income and the consumer price index. Mr. Pennoyer said he would not expect the tax revenues driven by the economic variables to increase significantly as a result of the economic forecast.

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LEGISLATIVE COUNCIL MEETING SUMMARY October 12, 2004

The Revenue Forecasting Committee has not yet set a date for its first meeting, although the work is ongoing. Mr. Pennoyer will advise Council members once a date is set for a Revenue Forecasting Committee meeting.

Cash Pool Status

The General Fund remains negative absent the use of Tax Anticipated Notes and reserves. The trend however is still improving.

No Council action is required.

The Council proceeded with the status of interim legislative studies.

• Status of Interim Studies

David Elliott, Director, Office of Policy and Legal Analysis, referred members to the Progress Report on Legislative Studies in their packet. The six studies from the previous year are all making progress toward their reporting deadlines. The Commission to Study Public Health is requesting an extension, which is on the Agenda for Council action later in the meeting.

A copy of the Progress Report on Legislative Studies is attached.

• Office of Information Services' Report

Paul Mayotte, Director, Legislative Information Services presented his report to the Council on the status of the HP contract to develop a bill drafting system. Performance testing of the system concluded on September 17, 2004. Two of the three criteria was met by HP and significant improvement was shown in the third criteria item. Based on discussion with HP senior management, the Executive Director issued a proposal to HP for further upgrades to the hardware. As of October 8, 2004, HP accepted the proposal in writing. Mr. Mayotte believes the performance issue of the contract has been addressed to the level that meets the contract and the Revisor's needs. Final negotiations are moving forward to resolve the remaining functional items. Negotiations are expected to begin the week of October 18, 2004.

Mr. Mayotte advised that non-English Spam filters have been added to the Legislature's software in a continuing effort to control junk email.

No Council action required.

REPORTS FROM COUNCIL COMMITTEES

• Personnel Committee

Rep. Richardson, Chair of the Personnel Committee, reported that the committee met earlier in the day to review the work performance of office directors Lynn Randall, Grant Pennoyer and David Boulter.

No action by the Legislative Council is required for Lynn Randall. Both Mr. Pennoyer and Mr. Boulter had completed a 3-year term and are subject to reappointment. Reappointments will be considered later in today's Council meeting.

• State House Facilities Committee (Sen. Gagnon, Chair)

The State House Facilities Committee did not meet.

OLD BUSINESS

Item #1: Council Actions Taken by Ballot

Funding provisions of the Maine Drug Return Implementation Group under P.L. 2003, c. 679, sec. 2(7).

Motion: Pursuant to P.L. 2003, c. 679, the Legislative Council accepts funds in the amount of \$3,000 offered by the Maine Medical Association (MMA) to fund costs related to the Maine Drug Return Implementation Group, and accepts MMA's representation that it has no pecuniary or other vested interest in the outcome of the matters to be studied. The Implementation Group is hereby authorized to convene.

Approved: September 23, 2004, 7 - 1 - 0 - 2

NEW BUSINESS

Item #1: OPEGA Director Update

Executive Director Boulter reported that the position advertisement has been made in the area newspapers, Boston Globe, and the Internet sources, including a program evaluation society website for peers of this position in other states. The application deadline is October 20, 2004. Once the application deadline is closed, the Council's recruitment committee will review applications and schedule interviews.

Sen. Gagnon asked if the Commission could be provided with demographic information regarding the applicants. Mr. Boulter said that information would be provided.

Item #2: Request for Further Extension of Study Reporting Deadline

• Commission to Study Public Health (from its first extension request of November 3, 2004 to December 1, 2004).

Motion: That the request of the Commission to Study Public Health's request for an extension to December 1, 2004 be granted. (Motion by Sen. Treat, second by Sen. Gagnon, failed 5-4, Representatives Richardson, Bruno, Bowles and Senator Davis opposed).

Item #3: Reappointment of Grant T. Pennoyer, Director, Office of Fiscal and Program Review

Motion: That upon the unanimous recommendation of the Personnel Committee, Grant Pennoyer be reappointed to a 3-year term as Director of the Office of Fiscal and Program Review, the date of reappointment being retroactive to April 26, 2004. (Motion by Rep. Richardson, second by Rep. Bruno, unanimous).

Item #4: Reappointment of David E. Boulter, Executive Director of the Legislative Council

Motion: That upon the unanimous recommendation of the Personnel Committee, David E. Boulter be reappointed to a 3-year term as Executive Director of the Legislative Council, the date of reappointment being retroactive to September 17, 2004. (Motion by Rep. Richardson, second by Sen. Gagnon, unanimous).

Item #5: Labor Contract Between Legislative Council and MSEA, Local 1989, SEIU, AFL-CIO

Motion: That, in accordance with 1 MRSA section 405, subsection 6, the Legislative Council enter into an executive session with its counsel and negotiators for the purposes of discussing labor contracts and proposals involving MSEA and its represented legislative employees. (Motion by Speaker Colwell, second by Sen. Treat, unanimous).

The Council proceeded into Executive Session at 2:52 p.m.

MEETING CONVENED

The Council ended its Executive Session and reconvened in open session at 3:00 p.m. on the motion of Sen. Treat, second by Speaker Colwell, unanimous.

Motion: That pursuant to its authority under 26 MRSA, section 979-A, subsection 5, the Legislative Council of the 121st Legislature ratifies the collective bargaining agreement negotiated and tentatively agreed to by authorized representatives of the Legislative Council and the Maine State Employees Association, Local 1989, SEIU, AFL-CIO on behalf of the Administrative Unit of Legislative Employees. Such agreement shall expire on September 30, 2007. (Motion by Sen. Treat, second by Sen. Gagnon).

Discussion: Rep. Bruno said that he will vote in favor of ratification, with some hesitancy. Rep. Bruno does not favor the longevity pay provision in the contract but indicated that he believed the contract negotiated by legal counsel Linda McGill and Legislative Council employees Rose Breton and David Boulter led to a reasonable compromise and a fair agreement.

President Daggett believed it to be a fair contract with considerable time, effort and care being put into it and that it represents the interest of all parties.

(Motion by Sen. Treat, second by Sen. Gagnon, approved 8-1, Rep. Bowles opposed).

Motion: That the Legislative Council provide for a one-time payment of \$1,000 for full-time and \$700 for part-time and session-only employees who were employed by the Legislature during the 1st or 2nd regular or special sessions of the 121st Legislature and who remain employed as of December 1, 2004 and who are not represented by a collective bargaining agent. The executive director shall administer this payment when administratively feasible but not later than December 31, 2004 and shall make such payment using funds from unexpended balances in legislative accounts.

Furthermore, the Executive Director is authorized to enter into negotiations for a comparable payment with representatives of legislative employees who are authorized to bargain collectively but who have not entered into a collective bargaining agreement with the Legislative Council. (Motion by Speaker Colwell, second by Rep. Richardson).

Discussion: Rep. Richardson asked for clarification as to which group of legislative employees who are authorized to bargain have not reached an agreement. Mr. Boulter said the group of employees that those in the Independent Association of Nonpartisan Legislative Professionals bargaining unit. The group includes certain positions of analysts, paralegals, and researchers totaling approximately 29 employees. The IANLP has not sought to negotiate an agreement. Rep. Duplessie inquired as to the anticipated scope of negotiations that would be undertaken for this bargaining unit. Mr. Boulter responded that it would be solely to negotiate a payment comparable to that authorized for other legislative employees. He has had initial discussions with a representative of the group and believes it may be a very brief negotiation, but payment is subject to negotiation. Mr. Boulter clarified that this group is unaffiliated with MSEA and is not subject to the contract. Sen. Treat supported the motion and said that she believed all employees should receive the same financial arrangement. Rep. Duplessie asked whether the Independent Association of Nonpartisan Legislative Professionals was piggybacking on the MSEA contract. Executive Director Boulter clarified that the Independent Association of Nonpartisan Legislative Professionals group has not been privy to any provisions of the tentative contract with MSEA and had not expressed any inclination to negotiate a similar contract.

(Motion by Rep. Colwell, second by Rep. Richardson, approved 8-1, Rep. Bowles opposed).

Motion: That the Legislative Council reinstate a policy of providing for longevity stipends to eligible legislative employees in the same manner and to the same extent as the longevity stipend policy that was adopted by the Legislative Council and the presiding officers in 2002. This policy is effective on December 1, 2004 and shall apply to legislative employees not covered by a collective bargaining agreement entered into by the Legislative Council. (Motion by Sen. Gagnon, second by Speaker Colwell, approved 8-1, Rep. Bowles opposed).

Item #6: W. Tom Sawyer, Jr., et al v. Legislative Council et. al (CV-04-97)

Motion: That, in accordance with 1 MRSA, section 405, subsection 6, the Legislative Council enter into an executive session for the purposes of discussing the pending lawsuit by W. Tom Sawyer, Jr., <u>et al</u> v. Legislative Council <u>et al.</u> (Motion by Speaker Colwell, second by Sen. Treat, unanimous).

The Council proceeded into Executive Session at 3:10 p.m.

MEETING RE-CONVENED

The Council ended its executive session and reconvened in open session at 3:23 p.m. on the motion of Sen. Treat, second by Speaker Colwell, unanimous.

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ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

The Legislative Council meeting was adjourned at 3:25 p.m. (Motion by Speaker Colwell, second by Rep. Duplessie, unanimous).

Fiscal Briefing for the Legislative Council

November 9, 2004 Meeting

Prepared by the Office of Fiscal & Program Review

1. General Fund & Highway Fund Revenue - October 2004 (See attached)

- General Fund
 - October 2004 General Fund revenue was under budget by (\$0.9M). However, absent the negative variance of \$5.2M in individual income tax, which was expected (timing issues), October revenue would have been \$4.3M over for the month. For the first 4 months of FY05, General Fund revenue was over budget by \$38.2M.
 - Overview of major revenue lines:
 - Sales Tax (including Service Provider Tax) \$4.4M over budget in October and was \$5.7M over budget of FYTD;
 - Individual Inc Tax (\$5.2M) negative variance in October due to shift of withholding receipts from October to September, but remained over budget by \$17.8M for FYTD;
 - Corporate Inc Tax Over by \$0.3M in October and by \$11.5M for FYTD;
 - ≻ Cigarette Tax Under by (\$2.0M) in October and (\$0.1M) for FYTD;
 - ▶ Insurance Tax Over by \$1.5M in October and \$1.6M for FYTD;
 - Estate Tax On budget in October, but remained under budget by (\$0.9M) for FYTD; and
 - Lottery Revenue Under budget by (\$0.6M) in October and (\$0.3M) for FYTD; and

Highway Fund

• Highway Fund revenue also continues to perform very well and was \$1.4M ahead of budget in October and \$5.8M ahead for first 4 months of FY05.

2. Revenue Forecasting Schedule

- Consensus Economic Forecasting Commission report for November 2004 has been released and is available on OFPR's web page (see <u>Revenue Forecasting</u>).
- Revenue Forecasting Committee is scheduled to meet Friday, November 19th in Appropriations Committee Room beginning at 9:30AM.

3. Cash Pool Status

- September 2004 Cash Pool Summary (see attached)
- General Fund & Highway Fund cash trends through October 2004 both still show an improving trend (see attached)

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General Fund and Highway Fund Revenue

Fiscal Year Ending June 30, 2005

Based on All Actions of the 121st Legislature through 2nd Special Session and March 2004 Revenue Forecast

OCTOBER 2004 VARIANCE REPORT

		ана. Алана алана ал					FY05 YTD	FY05 Budgeted
FUND	Revenue Line	Oct. '04 Budget	Oct. '04 Actual	Oct. '04 Var.	FY05 YTD Budget	FY05 YTD Actual	Variance	Totals
GF	Sales and Use Tax	81,927,394	85,814,161.77	3,886,767.77	256,560,721	263,639,501.23	7,078,780.23	896,092,063
GF	Service Provider Tax	4,092,783	4,583,937.48	4 9 1,154.48	12,349,030	10,980,787.58	(1,368,242.42)	46,700,000
GF	Individual Income Tax	88,939,584	83,726,670.48	(5,212,913.52)	307,620,237	325,394,638.15	17,774,401.15	1,166,441,294
GF	Corporate Income Tax	6,575,410	6,879,834.98	304,424.98	27,951,753	.39,490,877.49	11,539,124.49	104,391,604
GF	Cigarette and Tobacco Tax	9,676,940	7,696,605.57	(1,980,334.43)	34,616,683	34,487,999.08	(128,683.92)	96,919,864
GF	Public Utilities Tax	0	17,633.34	17,633.34	(150,000)	(132,366.66)	17,633.34	28,050,000
GF	Insurance Companies Tax	4,262,627	5,770,782.91	1,508,155.91	5,948,807	7,568,232.62	1,619,425.62	65,848,416
GF	Estate Tax	2,654,711	2,662,267.56	7,556.56	5,434,796	4,539,142.73	(895,653.27)	31,941,909
GF	Property Tax - Unorganized Territory	9,722,362	9,638,377.00	(83,985.00)	9,722,362	9,638,377.00	(83,985.00)	10,580,086
GF	Income from Investments	139,595	374,765.77	235,170.77	303,303	1,162,141.82	858,838.82	1,020,345
GF	Transfer to Municipal Revenue Sharing	(9,258,294)	(9,181,234.83)	77,059.17	(30,828,574)	(32,564,796.01)	(1,736,222.01)	(112,894,875)
GF	Transfer from Lottery Commission	4,522,047	3,919,435.03	(602,611.97)	17,173,754	16,847,265.97	(326,488.03)	52,074,827
GF	Other Revenue	12,888,941	13,316,106.29	427,165.29	107,068,933	110,950,466.87	3,881,533.87	264,442,965
GF	Totals	216,144,100	215,219,343.35	(924,756.65)	753,771,805	792,002,267.87	38,230,462.87	2,651,608,498
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HF	Fuel Taxes	18,865,461	19,372,019.19	506,558.19	58,507,331	61,369,502.37	2,862,171.37	218,638,488
HF	Motor Vehicle Registration and Fees	5,239,524	5,686,996.78	447,472.78	23,179,800	25,803,339.74	2,623,539.74	78,693,539
HF	Inspection Fees	258,739	329,209.57	70,470.57	1,226,737	1,363,412.98	136,675.98	3,470,359
HF	Fines	178,927	276,862.68	97,935.68	705,025	582,046.61	(122,978.39)	2,165,359
HF	Income from Investments	89,000	75,375.66	(13,624.34)	269,000	218,416.65	(50,583.35)	1,026,195
HF	Other Revenue	456,249	758,813.64	302,564.64	2,056,839	2,379,809.66	322,970.66	13,443,932
HF	Totals	25,087,900	26,499,277.52	1,411,377.52	85,944,732	91,716,528.01	5,771,796.01	317,437,872

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Composition of State's Cash Pool September 2004 Average Daily Balances

	September 2004
General Fund - Total	\$92,117,289
General Fund - Detail	·
Budget Stabilization Fund (Rainy Day Fund)	\$33,195,923
Reserve for General Fund Operating Capital	\$16,532,953
Tax Anticipation Notes	\$190,000,000
General Fund - Other	(\$147,611,587)
Highway Fund	\$52,160,437
Other Special Revenue - Contributing to General Fund	\$197,802,502
Other Special Revenue - Retaining Interest Earned	\$68,845,663
Other State Funds - Contributing Interest to General Fund	\$2,596,040
Other State Funds	\$173,305,247
Independent Agency Funds	\$104,229,510
Total Cash Pool	\$691,056,688







TAX ANTICIPATION NOTES (TAN's) - History from FY 1990-91

Fiscal Year	Amount Authorized	Amount Issued	Reference
2004-05 (1)	\$301,688,831 ⁽¹⁾	\$190,000,000	5 MRSA, §150 (as amended by PL 2001, c. 705)
2003-04 (1)	\$284,492,042 (*)	\$275,000,000	5 MRSA, §150 (as amended by PL 2001, c. 705)
2002-03 (0)	\$282,869,203 ^m	\$250,000,000	5 MRSA, §150 (as amended by PL 2001, c. 705)
2001-02	\$100,000,000	\$0	5 MRSA, §150 (as amended by PL 2001, c. 467)
1997-98	\$100,000,000	\$0	PL 1997, c. 24, §F-1 (Repealed by PL 1997, c. 643, §E-5)
1996-97	\$190,000,000	\$150,000,000	PL 1995, c. 665 §P-1
1995-96	\$182,000,000	\$182,000,000	PL 1995, c. 368, §V-1
1994-95	\$175,000,000	\$175,000,000	PL 1993, c. 707, §P-2
1993-94	\$170,000,000	\$170,000,000	PL 1993, c. 382, §1
1992-93	\$170,000,000	\$170,000,000	PL 1991, c. 780, §BB-1
1991-92	\$150,000,000	\$150,000,000	PL 1991, c. 589, §1
1990-91	\$125,000,000	\$115,000,000	PL 1991, c. 5, §1

Notes: ⁽¹⁾ 5 MRSA, §150 provides the statutory authorization for Tax Anticipation Notes. As amended by PL 2001, c. 705, the limit is the same as that imposed by the Constitution of Maine, Article IX, Sec. 14, 10% of total General Fund appropriations and Highway Fund allocations or 1% of the State Valuation, whichever is less. The amounts authorized for fiscal years 2002-03 and 2003-04 reflect General Fund appropriations and Highway Fund allocations through the 121st Legislature, 1st Regular Session. Amounts for fiscal year 2004-05 reflect budgeted amounts at the end of the 121st Legislature, 2nd Special Session. Special exceptions to the general authorization levels are detailed in this table.

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Updated: 11/1/2004



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121st MAINE STATE LEGISLATURE LEGISLATIVE COUNCIL Technology Report November 9, 2004

- On October 27, 2004 an agreement was reached with HP to settle the remaining issues with the bill drafting system. HP is proceeding with implementation.
- The agreement provides the Legislature with the system performance, functionality and warranty coverage needed and provides HP with a clear scope and path to completing the contract.
- HP will complete its work by the end of the 2004.
- Agreement Specifics:
 - HP will provide at their cost upgraded computer equipment consisting of 1 HP Server and 8 HP Desktop PCs
 - HP will correct 7 items at their cost
 - The Legislature will correct 4 items
 - The Legislature will compensate HP \$15,000 for the last month of the 12 month warranty period

<u>Progress Report on Legislative Studies</u> (Studies authorized or undertaken following the 121st Legislature)

Status as of 11/9/2004 11:03:29AM

<u>Study Name</u>	<u>First Meeting Date</u>	<u>Date, Time &</u> <u>Location of Next</u> <u>Meeting</u>	<u>Report Dates/</u> <u>Reports To</u>	<u>Comments/Status of</u> <u>Study</u>
Recodification of Title 7 SP0586 -			January 15, 2005: ACF Committee	OPLA/ROS developing draft for ACF Committee review
Commission to Study Public Health LD0471 - Resolve 2003, Chapter 95	12/5/03	11/13/04 9:00 am Room 228, State House	November 3, 2004: 1st Regular Session, 122nd Legislature	Final meeting scheduled to approve recommendations
Health Care System and Health Security Board LD0855 - Public Law 2001, Chapter 439, Part ZZZ	10/12/01		Nov. 1, 2004: 1st Reg. Session of 122nd Legislature	Report sent to printer; legislation anticipated
Commission to Study Compliance with Maine's Freedom of Access Laws LD1079 - Resolve 2003, Chapter 83	11/19/03		November 3, 2004: Joint Standing Committee on Judiciary	Final meeting held; report being drafted; legislation anticipated
Task Force to Study Parity and Portability of Retirement Benefits for State Law Enforcement Officers, Municipal and County Law Enforcement Officers and Firefighters LD1343 - Resolve 2003, Chapter 76	8/11/03	11/12/04 9:00 am Rm 220, CSOB	December 1, 2004: 1st Reg. Session of 122nd Legislature	Expect to finalize recommendations at next meeting
Commission to Improve the Sentencing, Supervision, Management and Incarceration of Prisioners LD1614 - Public Law 2003, Chapter 451	9/4/03		2/5/2004: Criminal Justice and Public Safety Committee 1/1/2005: Criminal Justice and Public Safety Committee	Two meetings held

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<u>Progress Report on Legislative Studies</u> (Studies authorized or undertaken following the 121st Legislature) Status as of 11/9/2004 11:03:30AM

<u>Study Name</u>	First Meeting Date	<u>Date, Time &</u> <u>Location of Next</u> <u>Meeting</u>	<u>Report Dates/</u> <u>Reports To</u>	<u>Comments/Status of</u> <u>Study</u>
Citizen Trade Policy Commission LD1815 - Public Law 2003, Chapter 699	10/6/04	11/9/04 9:00 am State House Room 127	Annual: Governor, Legisalture AG and municipalities	1st meeting held; 2nd meeting scheduled
			Annually: Congressional delegation, Maine	
			International Trad : Maine International Trade Center	
			: Maine Municipal Association : United States Trade	
			Representative's Office : NCSL and NAAG	
Maine Drug Return Implementation Group LD1826 - Public Law 2003, Chapter 679	10/15/04	11/12/04 10:00 am CSOB, Room 202	January 31, 2005: Health and Human Services Committee	1st meeting held; 2nd meeting scheduled
Health and Human Services Committee Review of the Establishment of the Department of Health and Human Services LD1913 - Public Law 2003, Chapter 689	7/27/04	11/9/04 10:00 am CSOB, Room 202	None Required	Two meetings held; 3rd meeting scheduled
Intergovernmental Advisory Group LD1930 - Public Law 2003, Chapter 696			Annually in January: State and Local Government Committee	2 legislative appointments made; awaiting 13 gubernatorial appointments
Government Oversight Committee (OPEGA) LD2193 - Public Law, Ch. 702	8/19/04			Committee rules adopted; working on mission statement;3 rd meeting anticipated in November

Selection criteria: Session ID = 121 Study Type = Legislative

1.11

DAVID E. BOULTER

EXECUTIVE DIRECTOR OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR LEGISLATIVE COUNCIL

Memo

To: Members, Legislative Council From: David Boutter, Executive Director Date: November 9, 2004

Re: Percent for Art Project for the State House

In 1998, the Legislative Council established a Percent for Art Committee whose charge was to review proposals for art to be purchased for the State House under the Maine Percent for Art Program. The committee made its recommendations for artwork to be funded in 2002. On August 21, 2002, the Legislative Council was presented with the recommendations and tabled its decision until a future meeting. On September 24, 2002, the Legislative Council discussed the recommendations but did not make a decision at that time.

The committee's recommendations are as follows:

- 1. Diana Cherbuliez is a sculptor. She has proposed for the entrance to the State House two large contemporary figurehead pieces in wood which would emerge from the corner walls, depictions of the fishing and farming industry. The cost of the carved sculptures is \$66,250.
- 2. Valdermar Skov is a craftsman of furniture and is known to members for his work crafting the House rostrum. His current proposal includes 4 carved benches on granite bases, 2 for the outer lobby area and 2 for the inner lobby area. The cost of the benches is \$29,050. (Later revised to \$33,000).
- 3. Robert Indiana is an artist of international reputation. He has proposed an oil on canvas painting for the first floor inner lobby east wall. The cost is \$75,000.

I have attached for your review background information on this matter, including relevant Legislative Council meeting summaries.

Attachments

Percent for Art Program and Committee Information (including recommendations)

What is Percent for Art?

Percent for Art

The Percent for Art law was enacted in 1979 to provide for art in public buildings. Under the law, an amount equal to one percent of the construction budget is set aside to purchase original works of art for new or renovated buildings receiving state funds. In the case of public schools, a maximum of \$50,000 may be used for art purchases.

How Many Sites have Taken Advantage of this Program?

Since 1979 there have been more than 350 Percent for Art projects, resulting in the purchase or commissioning of over 1,000 works of art. State buildings account for about 20% of the total. University and Technical College projects account for an additional 20%. Public schools account for the remaining 60%. Public school participation is optional, and has increased from 14% in 1979 to consistently more than 90% over the past 10 years.

Who Chooses the Art?

The contracting agency has final authority over the selection of artwork. An art selection committee, made up of one or two representatives appointed by the contracting agency, one or two arts professionals appointed by the Maine Arts Commission, and the project architect, selects the art. The art selection committee recommends commissions or purchases to the contracting agency for final approval. Non-voting representatives of the contracting agency are encouraged to attend committee meetings.

What is the Commission's Role?

The Maine Arts Commission provides leadership, resources, and materials to facilitate the art selection process. Following the approval of the contracting agency, the Maine Arts Commission approves the art selection process.

What Kind of Art May Be Purchased with Percent for Art Funds?

The art selection committee may consider all art forms. Paintings, stained glass windows, ceramic murals, sculpture, fiber art, photography, and prints are some of the choices available to your selection committee. A slide registry of artists working in each of these media is available to the committee from the Maine Arts Commission office.

What is the Artist Registry?

The Maine Arts Commission maintains a registry of the portfolios of artists who would like to be considered for purchases or commissions in the Percent for Art program. Portfolios include resumes, news clippings, artists' statements, and slides and photographs of each artist's work. Additional slides are retained in juried carousels for viewing by art selection committee members. These carousels and portfolios are the primary resource for art selection committees.

How Do I Learn More?

For more information or a list of Percent for Art projects in your area, contact Paul Faria at 287-2726 or paul.faria@state.me.us

The Maine Arts Commission shall encourage and stimulate public Interest and participation in the cultural heritage and cultural programs of our state; shall expand the state's cultural resources; and shall encourage and assist freedom of artistic expression for the well being of the arts, to meet the needs and aspirations of persons in all parts of the state.

If you need special accommodation to participate in any Maine
 Arts Commission program, please contact Kathy Ann Jones,
 associate for Contemporary Arts, Maine Arts Commission,
 287-2750 or kathy.jones@state.me.us

Maine State House Percent for Art Committee History of the Process

The Percent for Art project at the Maine State House is one of the most exceptional projects in the history of Maine's Percent for Art program. The works reside in one of the State's most important buildings, both historically and architecturally. It is a building for all the people of Maine - both those who come to participate in the governmental process and those who come as visitors seeking to share in this expression of Maine's heritage. The State House artwork takes a place of prominence in a public setting that is visited by thousands each year.

The process of art selection for the Maine State House began in 1998. The original voting Committee members included photographer Nathaniel Bowditch of Richmond, Assistant Director of Colby College Museum of Art Lynn Marsden-Atlass from Belfast, 118th Maine Legislature Speaker of the House Elizabeth Mitchell of Vassalboro, Senator Joel Abromson of Portland, Architect Rick Burt of Burt-Weinrich in Damariscotta. Nonvoting members were Sarah Tubbesing, Executive Director of the Legislative Council, Earle Shettleworth, Executive Director of Maine Historic Preservation Commission, Alden C. Wilson, Director of the Maine Arts Commission, and Peter Simmons, the Maine Arts Commission's former Assistant Director. The first phase of the process addressed the Speaker's rostrum of the House Chamber. The Committee at that time selected a design team headed by Thomas Thomsen, who designed the original woodwork, to create a classical motif that complimented the existing design.

The second phase of the process of selection began in May of 2000. The 119th Legislative Council appointed new member Representative Elizabeth Watson of Farmingdale to replace Speaker Mitchell. Dr. Rich Entel, who is also a painter from Manchester, replaced Lynn Marsden-Atlass on the committee. Jim Clair replaced Sarah Tubbesing as Executive Director of the Legislative Council in the 119th Legislature and David Boulter replaced Jim Clair in the 120th. With the unfortunate passing of Senator Joel Abromson late in the year 2001, the Legislative Council appointed Senator Betty Lou Mitchell of Etna to take his place.

During this phase of selection the Percent for Art Committee held sixteen more meetings over a period of twenty-four months through May of 2002. In May of 2000, the statewide advertisement of the project and the availability of the prospectus netted ninety-five applications from artists. The Committee work throughout the process included evaluation of artistic quality, community context, anticipated audience, location, media, cost, and technical issues in addition to the important criteria of the artists' professionalism and experience. After reviewing the slides and letters from each artist, the committee requested detailed proposals from six finalists. They also set aside the names of several painters to consider for a single purchase. During the later phase of selection, the Committee slowed the process to allow the time necessary to reconsider changes that were taking place in the designated use of the spaces, which also affected art locations.

Artists Selected

Evan Haynes, Portland, Maine. "*Communiqué*" - Granite engraving. Two sections 22' X 7'. \$50,000. Artwork location: State House Connector. Approved by the Legislative Council on January 31, 2001.

Diana Cherbuliez of Vinalhaven: Painted pine sculptures for the first floor lobby. \$66,250.

Robert Indiana of Vinalhaven: A painting for the east wall of the inner lobby on the first floor. Oil on canvass, 60" x 60." \$75,000.

Valdemar Skov of Waldoboro: Carved benches for the inner and outer lobby spaces on the first floor. \$29,050.

The committee recommended the selection of Evan Haynes' proposal to the Legislative Council for its endorsement on January 31, 2001. The Legislative Council unanimously approved the committee's recommendation. Mr. Haynes completed the installation of his work in July 2001. His carved granite work that enhances the Connector between the State House and the Cross Office Building centers on the theme of human communication and its trail through Maine's ethnic and cultural roots. The texts are excerpts from French-Abenaki dictionaries compiled by two French Jesuit missionaries, Joseph Aubéry and Sebastian Rasles in the late 1600's and early 1700's.

The committee then set to working on the direct purchase decision. They reviewed the past and proposed work of six painters of national and international reputation. In the final review, the committee recommended the selection of a painting by Robert Indiana of Vinalhaven for the inner lobby on the first floor. The artist based his image upon the first light of dawn, which Maine alone experiences first, of all the United States, at the beginning of each new day. In the actual work, the numeral 1 is an intensely saturated red in front of the symbolic sunrise of gold and green on a field of violet.

In March, the Committee reviewed the proposals requested from the other five finalists that they selected. In the final selection, the Committee chose for recommendation to the Legislative Council Diana Cherbuliez of Vinalhaven and Valdemar Skov of Waldoboro.

Ms. Cherbuliez proposes to create two carved and painted pine sculptures evocative of 19th century ship figureheads for the first floor outer lobby. The two female figures serve as counterpoint and compliment to the two men on the state seal. One dressed as a fisherwoman and one as a farmer, the women balance the gender representation and update the symbols of inner and coastal Maine. Ms. Cherbuliez stated, "They are not portraits of specific women, but of an underrepresented labor force." The two figures mirror each other, their right hand over their hearts. "The hand gesture is consistent with traditional figureheads as well as being appropriate for the State House." In material and representation, they symbolize and embody Maine's natural resources, people, and products. From the artist's own assessment, "they will complement the neo-classical renovations with grace and just enough wit."

Valdemar Skov is proposing benches for the inner and outer lobby spaces on the first floor. Mr. Skov designed the hardwood benches with highly durable and comfortable leather upholstered top panels, an uninterrupted band of hand carving around the entire bench, and "Jet Mist" granite bases to match the baseboard elements in each lobby. The carving design incorporates the pinecone and tassel, Maine's State flower on one set of benches, and beech leaves and trillium, also native to Maine's forests, on the other set. "The cumulative effect of the bench that I envision is a solid, elegant, interesting, but not too showy, very functional seating solution for this space, befitting the Maine State House."

The committee discussed the feasibility of locating paintings on the corridor walls in the inner lobby and near the information kiosk. The viewing distance and flow of traffic would allow effectively locating artwork on these walls. The committee would like to recommend this idea of reserving the space currently in use as exhibit space for ongoing temporary exhibits.

THE PERCENT FOR ART ACT

§451 Purpose

Recognizing the need to enhance culture and the arts and to encourage the development of artists, it is the intent of the Legislature to establish the Percent for Art Program to provide funds for and authorize the acquisition of works of art for certain public buildings and other public facilities.

§453 Expenditure for and location of art

Any contracting agency, except a school administrative unit, shall expend out of any money appropriated or allocated by the Legislature for the construction of any public building or facility, except for correctional facilities, a minimum amount of 1% of the construction portion of the appropriation or allocation, for the purpose of acquiring, transporting and installing works of art.

Maine State House Percent for Art Project Total Percent for Art Budget: \$240,000 Selection Process: Open Call to Maine artists

Art Selection Committee:

MAC:	Nathaniel Bowditch, Photographer, Office of Tourism, Augusta
MAC:	Richard Entel, Painter, Hallowell,
Site:	Hon. Elizabeth Watson
Site:	Hon. Betty Lou Mitchell
Architect:	Weinrich & Burt, Damariscotta,
Non-voting:	Alden Wilson, Director, Maine Arts Commission
Non-voting: •	Earle Shettleworth, Director, Maine Historic Preservation Commission
Agency:	Sarah Tubbesing, Director, 119th Legislative Council
NV	Jim Clair, Director, 120th Legislative Council
	David Boulter, Director, 120th Legislative Council

Meetings:

The Percent for Art Committee held sixteen meetings over a period of twenty-four months from May 2000 through May of 2002.

5/24/00 Introduction to Percent for Art Guidelines & Rules,

Construction plans review

6/20 Publicity & prospectus design

7/26 Information meeting for artists

8/30 Applications and proposals review

9/13 Semi-finalist interviews

9/21 Semi-finalist information meeting

10/11 Review of Committee process and decisions

11/14 One proposal review, plus one semi-finalist interview

12/11 Haynes final proposal

1/5/01 Meeting with Chris Crosman & Bruce Brown. Review of new information provided by Valdemar Skov

8/1/01 Review list of painters to consider for the East Wall.

9/13/01 Review images from painters being considered for the East wall

10/31 Third round of review of painters. Meeting with Chris Crosman

3/7/02 Presentation of proposal by Robert Indiana

3/22 Five finalist presentations

5/2/02 Final presentations & selection

Legislative Council Meeting Summaries

- July 31, 2002
- August 21, 2002
- September 24, 2002

Ms. Steward is expecting approximately 150 people to the State House for a luncheon, estimating the cost to be \$9.50 to \$10.00 per meal. She is requesting the Council approve payment up to \$1,500 for the luncheon. Mr. Boulter said the money was not specifically budgeted, but the Legislature had sufficient funds to cover the expense. Sen. Daggett reiterated what Mr. Boulter said. Ms. Steward was unable to attend the Council meeting due to an illness in the family.

Motion: That the Legislative Council authorize up to \$1,500 for the cost of hosting a luncheon for NCSL Leadership Staff Section members at the State House in September. (Motion by Rep. Colwell, second by Sen. Treat, unanimous).

ANNOUNCEMENTS AND REMARKS

Item #1: The next Legislative Council meeting is scheduled for August 21, 2002 at 1:00 p.m.

Item #2: Sen. Small reported she had attended a Percent for Art Committee meeting and agreed with committee members that the Legislative Council needs to provide some direction as to acceptable artists and artwork. She asked how that guidance can be conveyed to the Commission. Mr. Boulter said the recommendations of the Percent for Art Committee will be on August 21, 2002 Council agenda unless the Council chooses otherwise. The Committee will have its recommendations and other information in writing prior to the meeting. It was Mr. Boulter's understanding that the committee will recommend 3 artists for funding under the Percent for Art program, each one to be voted on individually if the Council so chose.

Sen. Small thought it would be helpful to have clear steps the Council needs to take and its options. Mr. Boulter noted that the decision is the Council's with respect selecting the artist and the artwork. One artist has chosen to complete his artwork in advance of the Council decision because the artist wanted to give its best presentation; the others have not started on their artwork. There is no binding commitment to the council; it is free to accept, reject or accept in part the artwork presented. All artists had been put on notice from the outset that ultimately the decision is that of the Council.

No Council action required.

ADJOURNMENT

The Legislative Council meeting was adjourned at 2:13 p.m. (Motion by Sen. Treat, second by Sen. Small, unanimous).

7

NEW BUSINESS

Item #1: Percent for Art Committee recommendations for funding of State House artwork pursuant to the Percent for Art program

Speaker Saxl welcomed Representative Elizabeth Watson and Senator Betty Lou Mitchell, Percent for Art Committee Co-chairs to the Council meeting. Rep. Watson turned the presentation over to Sen. Mitchell. Sen. Mitchell introduced other members of the Committee present at the meeting: David Boulter, Executive Director of the Legislative Council; Alden Wilson, Director, Maine Arts Commission; Earle Shettleworth, Director, Maine Historic Preservation Commission; and Christopher Crosman, Director, Farnsworth Library and Art Museum who is the Advisor for the Committee All are non-voting members. Sen. Mitchell then introduced Alden Wilson.

Mr. Wilson gave the background information of the Percent for Art Committee's Legal charge: to carry out an open competition for artwork to engender the widest possible participation among the artistic community. The law was created by an act of the Legislature in 1979 and was amended approximately 10 years later. The committee sought to select works to represent the geographic and cultural diversity of the State of Maine. The total budget was \$240,000. The State House project had 2 phases, with the first phase being the completion of the rostrum. The rostrum was 1% of the construction portion of the allocation. The first artwork approval of the Council for phase 2 was the selection of Evan Haynes' "Communiqué", the granite inscribed piece in the connector. The cost of the granite engraving was \$50,000.

Mr. Wilson said the proposals being presented to the Legislative Council for its consideration are:

- 1. Diana Cherbuliez is a sculptor. She has proposed for the entrance to the State House two large contemporary figurehead pieces in wood which would emerge from the corner walls, depictions of the fishing and farming industry. The cost of the carved sculptures is \$66,250.
- 2. Valdermar Skov is a craftsman of furniture and is known to members for his work crafting the House rostrum. His current proposal includes 4 carved benches on granite bases, 2 for the outer lobby area and 2 for the inner lobby area. The cost of the benches is \$29,050.
- 3. Robert Indiana is an artist of international reputation. He has proposed a painting for the first floor inner lobby east wall. The cost is \$75,000.

Mr. Wilson introduced Mr. Christopher Crosman who spoke to the Council regarding Robert Indiana's proposed work for the State House and why he believes his design for the State House is especially appropriate.

Earl Shettleworth then spoke on behalf of the State House and Capitol Park Commission. He believes when the Percent for Art Committee looked for art to be placed in the new entry to the State House, they looked at art that would express the future, not merely just the past. Mr. Shettleworth recommended the above artwork to the Council for its consideration.

2

Discussion followed regarding the importance of having all members of the Legislative Council being present to vote on the artwork that would be in the State House. There was an initial suggestion to vote by ballot, since not all Legislative Council members were present, but it was generally decided the matter should be discussed among themselves prior to any vote.

Speaker Saxl thanked the Percent For Art Committee members for their hard work and was appreciative of all they had done. He said the Council would try to have a collective answer as soon as possible.

Motion: Sen. Treat moved to table a decision on the recommended artists and artwork until a future Legislative Council meeting, when all members were present, seconded by Rep. Colwell; unanimous.

REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS

Executive Director's Report

David Boulter, Executive Director of the Legislative Council, reported on the status of renovations at the State House. Progress is being made on the East and South entrances, with an anticipated completion date of October 15th for the East entrance and approximately September 15th for the south entrance.

One major punch list item that is still outstanding is the correction of the marble tiling problem on the third floor. He continues to work with Granger Northern to find an acceptable solution to the tile breakage.

Mr. Boulter reminded Leaders that appointments to the Legislative Curriculum Committee should be made as soon as possible. Pursuant to earlier Council action the Committee is to develop new legislator orientation and policy forum programs for the incoming legislature. The Committee should meet within the next month. Mr. Boulter asked members to submit the names of appointees to the Speaker or him.

Mr. Boulter and Rose Breton, Assistant for Administrative Services, are in the process of preparing the FY 04/05 Part I budget based upon currently authorized positions and existing levels of current services, and are working closely with each office to develop the initial budget for the Legislature. Pursuant to law, the Executive Director is authorized to submit a tentative consolidated legislative budget request to the Budget office by September 1. Mr. Boulter suggested that the Executive Director's Office develop the summary information at the program and line categories. It would then be distributed to Council members prior to the September 24 Council meeting and following the meeting, if acceptable to members, will be submitted to the Budget Office by October 1st. Following that procedure, the Council may want to consider creating a budget subcommittee to look at either Part II requests or budget adjustments that may be necessary in light of the budget revisions for the next biennium.

The last item in Mr. Boulter's report related to fire alarms in the State House. There have been a number of alarms and he has since learned that the design of the fire alarms is a onestage rather than a two-stage system. In most public buildings two events must happen before an external alarm is activated. Mr. Boulter is working with Granger Northern and Bureau of General Services to evaluate an alternative system that will not trigger as many false alarms.

No Council action required.

OLD BUSINESS

Item #1: Percent for Art Committee

Motion: Move that the recommendations of the Percent for Art Committee item be removed from the table. (Motion by Sen. Small, second by Rep. Bruno, failed 3-6, Sen. Treat, Sen. Daggett, Sen. Michaud, Speaker Saxl, Rep. Colwell and Rep. Norbert opposed).

Discussion: Sen. Small expressed her desire that the Legislative Council act on the earlier recommendations of the Percent for Art Committee. She felt it was a disservice to the artists who had made proposals for the Legislative Council not to decide the matter, even though she was not particularly supportive of the recommended artwork.

Speaker Saxl responded by indicating his view that the Council should postpone a discussion on the recommendations until the current budget situation has been resolved. Sen. Small noted that the Council has a legal responsibility to approve or disapprove the art selections, and a decision would decide whether the money set aside for the Percent for Art selections would be committed or whether alternatives would be considered.

There was some brief discussion by other members of the Council on reviewing the budget proposals before spending Percent for Art money.

No further Council action was taken on this item.

NEW BUSINESS

Item #1: Legislative Budget for the 2004-2005 Biennium

Executive Director Boulter presented the proposed current services budget for the Legislature for the 2004-2005 biennium. Under current law, the Executive Director's office is authorized to submit to the State Budget Officer a proposed current services budget on behalf of the Legislative Council, subject to review by the next Council. Mr. Boulter noted that the current services budget represents the budget required to continue legislative operations at their current level. All agencies of state government are required to prepare and submit a current services budget to the State Budget Officer.

Mr. Boulter summarized the major areas of change from the FY 02/03 budget; Personal Services increased about 18%, largely due to cost factors beyond the Legislature's immediate control, including increased costs for employee and legislator health insurance, retirement fund increases, a 27^{th} payroll in the fiscal year and the cost of previously authorized general salary increases for employees. The All Other portion of the budget, which constitutes a greater degree of discretionary spending and more fully within the immediate control of the Legislature, includes only a modest increase – 1.9%. Capital expenditures show a 27% increase, although the actual dollar increase was very small compared to the overall legislative budget. In developing the current services budget, Rose Breton and Mr. Boulter consulted with the heads of legislative offices.

Artists and Artwork Proposal

- Diana Cherbuliez
- Robert Indiana
- Valdemar Skov

Cherbuliez

The ship is an apt metaphor for the State House. The ship does not defy nor conquer the given variables, but employs them, much as our government must. A ship and our Government are means, not ends, and must wed the waters with the woods.

For the State House project I will make two carved and painted pine sculptures, evocative of 19th century ship figureheads, for the two rear corners of the new lobby. Despite the disappearance of the figurehead as a nautical element, it retains power as an emblem – a body between sailor and the angry seas, a mediator. The forward thrust of the body and the upward/outward gaze, though dictated by the bow's design, emphasizes the figurehead as guide, a steady assurance of safe passage, and enduring companion. My figureheads are female, though unlike the Lady of Wisdom atop the State House dome, these do not refer to a mythic ideal or woman as muse. They are derived from actual women, and serve as a counterpoint and compliment to the men on the State Seal. The figureheads correct the gender representation imbalance and update the symbols of inner and coastal Maine. The women are not portraits of specific women, but of an underrepresented labor force. The left-hand figure is a fisher(wo)man, identifiable by the oilskins she wears. The rope she holds in her hand is a general implement of fishing, not specific to one fishery. The right-hand figure is a farmer, ideally to be modeled from a Native American farmer, in appropriate work clothing and holding an agricultural tool. In terms of stance, the two figures mirror each other, with their left knee forward in stride, and their right hands on their hearts. That hand position is consistent with traditional figureheads as well as being appropriate for the State House. Their posture is not of symmetry but unison, as they draw you into the lobby and up the ramp.

I have developed my proposal to be all encompassing, incorporating the past and present and implying the future, and referential to both the native Mainers and those "from away". The figures cite our natural resources (our people <u>and</u> products) representationally and by being made of native wood. They will complement the neo-classical renovations with grace and just enough wit. The pieces are slightly larger then life, 5 feet from knee to head so to have a presence from the front of the lobby, yet not crowd the space. They will be hung from the wall at a height that allows seating placement. They are laminated pine with a rich rubbed painted finish. The colors will be those of the real working clothing the models choose to wear, with some adjustments, so to compliment each other and the yellow walls. They will be extremely simple to maintain, requiring only dusting and damp wiping. Wood is a material that ages gracefully, thus its proximity to, and temptation for little fingers is a small matter, and may add to the patina in the long run.

This is a large carving project that I am estimating will take 10 months.



The About Maine Exhibit, *First State: Works by Robert Indiana* features three proposals by the artist for the Percent for Art project at the Maine State House, one of the most exceptional projects in the history of Maine's Percent for Art program. The Percent for Art Committee for the Maine State House recommended the selection of the painting "First State", subject to the approval of the Legislative Council, for the inner lobby on the first floor.

Robert Indiana lives on Vinalhaven and based his compelling image upon the first light of dawn, which Maine alone experiences of all the United States. In the work, the numeral 1 is an intensely saturated red in front of the symbolic sunrise of gold and green on a field of violet.

Robert Indiana is one of Maine's most distinguished resident painters and sculptors. He is internationally recognized as one of the most important living artists and is one of the original inventors and most significant creators of the pop-art movement. Christopher Crosman, Director of the Farnsworth Art Museum writes "Robert is no newcomer, part-time resident of Maine. He has lived on Vinalhaven for more than a quarter century. His work is included in nearly every major museum collection in the United States and he is one of the most recognized American artists in the world. *Love* with its stacked letters and tilted 'O' is one of the genuine icons of modern American Art ... Maine is more than landscape. It's people and ideas that have original and enduring qualities, qualities that Mr. Indiana's epic image captures with powerful simplicity, grace, and timeless eloquence."

- . n /

Indiana


VALDEMAR SKOV

FINE FURNITURE ARCHITECTURAL DETAILS CARVED LETTERING WOODCARVER & FURNITUREMAKER



ORNAMENTAL CARVING RESTORATION/REPLICATION CARVING INSTRUCTION

Proposal: State House lobby benches.

October 14, 2004

Two benches to be installed between the columns

Dimensions: 76"x 24" Jet mist granite bases Three leather upholstered seat panels Cherry wood frame Pine cones and boughs w/ chickadees carved in side panels; end panels (facing columns) with same or similar detail as connector benches.

Price 18,500.

Two benches to be installed on either side of door way

Dimensions: 84"x22" Jet mist granite bases Three leather upholstered seat panels Cherry wood frame Beech leaf and trillium pattern carved into one long side and both ends.

Price 14,500.

Notes

All sides of the benches would be "finished," that is, acceptable for public view, if they were to be installed elsewhere at some point in the future. The Percent for Art Committee had chosen to add carving to the remaining uncarved sides to allow greater flexibility in their future use.

I can't recommend using maple and staining it as we did on the connector benches. I had difficulty keeping the stain absorption even, on the end grain. The color can get very blotchy, and the carved areas, which are by nature composed of varying degrees of end grain, would be very problematic. An alternative would be to use a toner, which is essentially a stain in the finish top coat, but I don't like the loss of clarity. In the stronger light of the lobby area, I think that cherry, finished naturally, would look the best. It would not be Maine grown, but I should be able to get certified wood.

437 MILLER RD., WALDOBORO, ME 04572 (207) 832-5106 vcskov@midcoast.com



P35



STATE OF MAINE HOUSE OF REPRESENTATIVES CLERK'S OFFICE 2 State House Station Augusta, Maine 04333-0002

Millicent M. MacFarland Clerk of the House

November 9, 2004

The Honorable Beverly C. Daggett Chair, Legislative Council 2 State House Station Augusta, Maine 04333-0002

Dear Madam Chair:

The following proposed schedule is hereby submitted for consideration by the Legislative Council for Document Service for the First Regular Session of the 122nd Legislature. The rates were increased two years ago to reflect an increase in postage costs, however, another increase in postage rates is not expected again until 2006, therefore, the document service rates will remain the same.

All items listed below, with the exception of Joint Resolutions and Legislative Council minutes, are available on the Legislature's website.

	Rates 121st 1 st Reg. Session	Proposed Rates 122nd 1 st Reg. Session
1. Bills & Resolves (L.D.s)		
FIRST CLASS-Mailed Daily	\$550.00	\$550.00
2. Bills & Resolves (L.D.s)		
FIRST CLASS-Mailed-Twice Weekly	450.00	450.00
3. Bills & Resolves (L.D.s)		
THIRD CLASS-Mailed Twice Weekly	350.00	350.00
4. Bills & Resolves (L.D.s)		
PICKED UP AT DOCUMENT ROOM	200.00	200.00
5. Amendments (Combined with any Legislative Document	Service and a set	
Service)-Mailed Weekly	-130.00	130.00
6. Amendments		
PICKED UP AT DOCUMENT ROOM	80.00	80.00
7. Legislative Record		
FIRST CLASS-Mailed Weekly	140.00	140.00
8. Legislative Record		
PICKED UP AT DOCUMENT ROOM	90.00	90.00
9. Public & Private & Special Laws, Resolves, &		
Constitutional Resolutions		
FIRST CLASS-Mailed Weekly	300.00	-300.00
10. Public & Private & Special Laws, Resolves &		
Constitutional Resolutions		
PICKED UP AT DOCUMENT ROOM	150.00	150.00

11. Weekly Computer Printout-Status of Bills		
FIRST CLASS MAIL	250.00	250.00
12. Weekly Computer Printout-Status of Bills		
THIRD CLASS MAIL	130.00	130.00
13. Weekly Computer Printout-Status of Bills		
PICKED UP AT DOCUMENT ROOM	60.00	60.00
14. Advance Notice of Public Hearings on Bills		
FIRST CLASS-Mailed Weekly	- 30.00	30.00
15. Weekly Listings of Bills Printed & Enacted		
FIRST CLASS MAIL	30.00	30.00
16. Joint Resolution		
FIRST CLASS MAIL	80.00	80.00
17. House & Senate Daily Calendars		
FIRST CLASS-Mailed Weekly	65.00	65.00
18. House & Senate Daily Calendars		
with Supplemental Calendars		
FIRST CLASS-Mailed Weekly	135.00	135.00
19. Legislative Council-Notice of Preliminary Agenda and		
Minutes, After Deadline List Pre and Post Versions	175.00	175.00
20. Weekly Legislative Calendar		
FIRST CLASS MAIL	30.00	-30.00
21. Roll Call Votes (House & Senate)		
FIRST CLASS MAIL-Mailed Weekly	85.00	85.00
22. Roll Call Votes (House & Senate)		
PICKED UP AT DOCUMENT ROOM	25.00	25.00

I will be happy to respond to any questions the Council may have on this proposed schedule that has been discussed with appropriate legislative support agencies.

Sincerely,

millicent M. Mac Jarland

Millicent M. MacFarland Clerk of the House

LORING COMMERCE CENTRE

October 27, 2004

Mr. David Boulter Executive Director State of Maine Legislative Council 115 State House Station Augusta, ME 04333

Dear Mr. Boulter:

Pursuant to "Section 13080-L Annual Report" of the Loring Development Authority of Maine's (LDA) enabling legislation, enclosed please find a complete report on the activities of the LDA for fiscal year 2004 ended June 30, 2004 and subsequent events for fiscal year 2005 through October 15, 2004.

If you have any questions or need additional information, please don't hesitate to call me.

Very truly yours,

B. QLANT

Carl W. Flora President & CEO

Enclosure

cc: Senator Lynn Bromley, Chair, Business Research and Economic Development Committee Representative Nancy B. Sullivan, Chair, Business Research and Economic Development Committee

OCT 2 9 2004

Loring Development Authority of Maine 154 Development Drive, Suite F Limestone, Maine 04750 phone: (207) 328-7005 fax: (207) 328-6811 e-mail: LDA@loring.org

LORING DEVELOPMENT AUTHORITY OF MAINE

2004 ANNUAL REPORT





To the Citizens of the State of Maine:

At its annual meeting on June 9, 2004, the Loring Development Authority of Maine (LDA) commemorated ten years of progress that has taken place since the Air Force officially closed Loring Air Force Base in the fall of 1994. This event gave us a rare opportunity to review not only recent developments over the past year, but the broad progress we have made on a variety of fronts over the decade. Every new business development we see today is a positive step made possible only by good foundation building in the early days. That foundation will allow us to take advantage of development opportunities for years to come.

Some of the important components of our foundation are as follows:

Two "anchor" federal projects (Defense Finance and Accounting Service, beginning in 1995, and Job Corps, beginning in 1997) opened their doors and created over 400 jobs, utilizing 11 buildings at Loring.

In 1997, the LDA gained effective control of the Loring property through a 55 year "Lease in Furtherance of Conveyance". The long-term nature of this lease provided the assurance that private-sector businesses would need in order to justify making significant investments at Loring. Shortly after this, the LDA announced its first major private sector business deal with Sitel Corporation, which employs over 200 persons.

In 2001, the LDA acquired title to approximately two-thirds of the property previously held under the 55 year Lease. This paved the way for real estate transfers and began the process of returning property to the local tax base. A golf course and 158 units of family housing together with undeveloped acreage were sold to a private developer in 2001. The balance of the real estate, which contains most of the commercial and industrial buildings at Loring, is expected to be transferred to the LDA by December 31, 2004.

Our efforts have focused on the continued placement of enterprises in manufacturing; wood and agriculture/food related value-added processing; aviation. and telecommunications sectors. Over the past year, we have assisted a large Canadian firm, Pattison Sign Group, to open its first manufacturing facility in the U.S., creating a projected 100 new jobs with over 65 of those jobs already in place. Telford Aviation Services has expanded the range of aviation-sector activities it's involved in, which includes a long-term aircraft storage program; aircraft parts distribution; aircraft maintenance, repair and overhaul; and a testing and development program for the for unmanned aerial vehicles. Telford has also brought Loring's formidable aviation facilities into the spotlight with two large aerospace firms with whom it works: Volvo

> Loring Development Authority of Maine 154 Development Drive, Suite F Limestone, Maine 04750 phone: (207) 328-7005 fax: (207) 328-6811 e-mail: LDA@loring.org

Aerospace and Science Applications International Corporation. This past year has also seen considerable expansion in the workforce of the Maine Military Authority, which refurbishes "Humvee's" and other military vehicles and equipment, and now employs over 300.

As we look at where we stand today, in contrast to the bleak day in September 1994 when the Air Force left Loring Air Force Base literally vacant, Loring is a busy industrial and commercial center and is the home to over 20 new employers, almost 1200 new jobs, all of which collectively generate an estimated gross annual payroll of over \$27 million.

September 2004 marked the end of long-term "Caretaker" funding, a precedent-setting agreement negotiated with the Air Force, which allowed the LDA to maintain Loring's unoccupied buildings in marketable condition pending their reuse, and to keep Loring's operating systems functioning in support of redevelopment. More than 1.7 million square feet of building space is now occupied and revenue generated from leasing and sales activity, together with on-going financial support from the State of Maine, is projected to enable the LDA to continue to operate Loring's infrastructure on a day-to-day basis.

With the unwavering commitment of the LDA's Board members, along with continued financial and moral support from Maine's Legislature and Governor, the LDA will serve as a powerful regional economic engine for years to come, benefiting not only Aroostook County, but the entire state as well. An investment in Loring will help to secure a better future for us all.

Respectfully submitted,

in OGSFlu

Carl W. Flora President & CEO

WASHINGTON COUNTY DEVELOPMENT AUTHORITY

October 28, 2004

Mr. David Boulter Executive Director Legislative Council 115 State House Station Augusta, ME 04333-0115

Dear Mr. Boulter:

Enclosed please find 2 copies of the annual report of the Washington County Development Authority pursuant to the requirements of Chapter 383, subchapter 3 of Title 5 of the Maine Revised Statutes Annotated.

The Authority is pleased to report that the former Cutler Naval Station facilities in Cutler were successfully transferred from the United States Navy to the WCDA in late 2003, and, then to Sunset Group LCC, the designated developer, on May 13, 2004. We understand that the developer has begun his work to rehabilitate several units of housing at the base for sale to the general public, as well as marketing several former administrative and industrial buildings at the base for reuse as commercial buildings.

Please let me know if you have questions or would like additional information about the activities of the WCDA.

Sincerely,

and Telton hur

Dianne Tilton Chair Washington County Development Authority

Enc.

Cc: Hon. John E. Baldacci, Governor, State of Maine Hon. Lynn Bromley and Hon. Nancy Sullivan, Co-Chairs Joint Standing Committee on Business, Research and Economic Development

> C/o Sunrise County Economic Council P.O. Box 679, Machias, ME 04654 Phone: 207-255-0983; Fax: 207-255-4987

WASHINGTON COUNTY DEVELOPMENT AUTHORITY ANNUAL REPORT

Introduction

Pursuant to the provisions of Title 5 of Maine Revised Statutes Annotated, Chapter 383, Subchapter 3, Article 2-A, the Washington County Development Authority is required to submit an annual report to the Governor, the Executive Director of the Legislative Council and the joint standing committee of the Legislature having jurisdiction over business and economic development matters. The report must be submitted no later than 120 days after the close of the authority's fiscal year. The Authority's second fiscal year ended on June 30, 2004. This annual report must be submitted on or before the statutory deadline of October 28, 2004. The report that follows fulfills that requirement.

Section 13083-F of 5 MRSA requires that the annual report of the Authority include:

- A. A description of the authority's operations and activities;
- B. An accounting of the authority's receipts and expenditures and assets and liabilities at the end of its fiscal year;
- C. A listing of all property transactions pursuant to section 13083-D;
- D. A statement of the authority's proposed and projected activities for the ensuing year; and
- E. Recommendations regarding further actions that may be suitable for achieving the purposes of this article.

History of the Authority

The Washington County Development Authority was established by the Second Regular Session of the 120th Maine Legislature as Chapter 568 of the Laws of Maine 2001. The Authority was established in response to the need to create a state entity that could take title to the former Naval Computer and Telecommunications Station in Cutler, Maine from the United States Navy. This necessity was created by the lack of financial capacity of the Town of Cutler to take direct possession of the base, which is authorized under federal law, and the ineligibility of the Cutler Development Corporation (CDC) to take direct possession of the facility from the Navy. Federal laws do not permit the Navy to transfer the base to a local development corporation such as the CDC, which was formed by Cutler area communities for the specific purposes of ensuring that the NCTS facility is redeveloped. Current member communities of the CDC are Cutler, Machias and East Machias.

The WCDA's board of directors is comprised of nine members, seven of which were appointed by then-Gov. Angus King in October and November of 2002 and two of which were appointed by Gov. John Baldacci in early 2003. Gov. King appointed the following members: George Finch of Eastport, Janet Toth of Eastport, Cynthia Rowden of Cutler, Wanda Cates of Cutler, Evelyn Preston of East Machias, Dianne Tilton of Harrington, and Shirley Erickson of Machiasport. Gov. Baldacci appointed Elmer Harmon of Dennysville as the eighth public member in April 2003 to replace the appointee nominated from Machias who moved from the area prior to Senate confirmation. At the same time, the Governor designated then-Acting Commissioner Dann Lewis of the Department of Economic and Community Development as the ex officio commissioner-designee member of the Authority. Mr. Lewis remains on the board as of the date of this report although he currently serves as Director of the Office of Tourism within the DECD.

The Trustees of the Authority have been appointed to staggered terms of one, two, three and four years. The Commissioner-designee serves at the pleasure of the Governor.

Annual Board Meeting

The WCDA Board of Trustees held its second annual meeting on April 27, 2004 in Machias. At that meeting the following officers were elected: Dianne Tilton, chair; Janet Toth, vice chair; Cynthia Rowden, treasurer; and Shirley Erickson, secretary.

No other business was conducted at the annual meeting.

Other Meetings and Activities

The WCDA Trustees held 10 regular board meetings in Fiscal Year 2003-2004. Most of the Authority's board meetings were devoted to items related to the acquisition of the former Cutler base from the U.S. Navy and the subsequent transfer of the former base to Sunset Group LLC, the developer designated by the Cutler Development Corporation as the end user. Portions of some meetings focused on the issue of whether or not to have legislation submitted to expand the duties and powers of the Authority to allow it to develop, redevelop, acquire, purchase or lease other properties in Washington County for economic development purposes. This would allow the Authority to work with a broader range of interests and provide a much-needed public partner for economic and community development infrastructure projects in Washington County, rather than limiting the WCDA's authority to selling, developing or leasing former military installations. In the 2003-2004 Fiscal Year, the WCDA adopted bylaws, governing the operation of the Authority and a Code of Ethics for Trustees.

Receipts and Expenditures

The WCDA received the net cash proceeds from the sale of the facilities to Sunset Group LLC (\$300,000) on May 13, 2004. Another \$100,000 of the total purchase price of \$400,000 was the subject of a promissory note entered into by the parties under which Sunset Group LLC will have to pay the WCDA the remaining \$100,000 of the purchase price if it fails to create 128 new jobs at the former base within three years of the transfer of ownership from the WCDA to Sunset Group LLC. Likewise, should Sunset Group

LLC be successful at creating the 128 new jobs, the WCDA will forgive that portion of the sale price. Following receipt of the sale proceeds, the WCDA paid out one-third of the net sales proceeds (\$100,000) was remitted to the Cutler Development Corporation to cover its expenses associated with marketing and negotiating for redevelopment of the base (see Schedule A attached) by a designated developer. Other funds are earmarked to be distributed in accordance with a vote of the WCDA trustees. (See attached financial statement.)

Property Transactions

The WCDA accepted ownership of the former Cutler Naval Base facilities from the Navy on December 12, 2003. The property included 54 acres representing the former administrative and housing areas of the base and a 25-acre parcel of land north of the base where the water reservoir and treatment facility are located. Following the transfer of this property to the WCDA, the Authority contracted with the Cutler Development Corporation to provide caretaking, security and maintenance services on the acquired properties. The CDC engaged some members of AFGE Local 2635 to provide these services at the former base for a specified hourly rate. It was anticipated that the WCDA would transfer the facilities to Sunset Group LLC within a few weeks of acquiring the former base. However, for a variety of unforeseen reasons, Sunset Group LLC was not able to accept responsibility for heating and maintaining the former base until February 5, 2004. In January 2004, the WCDA voted to accept assignment of the Purchase and Sale Agreement between Sunset Group LLC and the CDC. (See attached letter from Dianne Tilton to David Eldridge). Subsequently, the WCDA entered into a lease-purchase agreement with the Sunset Group on February 5, 2004. Under this agreement, Sunset Group took full responsibility for the care and maintenance of the base, including any expenses associated with those responsibilities. On or about May 13, 2004, the actual sale and transfer of the former base properties by WCDA to Sunset Group LLC occurred.

During the period that WCDA held title to the facility (December 12, 2003 until May 13, 2004), heat, security and maintenance costs totaled approximately \$70,000. These funds came from a line of credit established by the Cutler Development Authority at Machias Savings Bank. Following the closing on May 13, 2004, the CDC was reimbursed these costs out of the net proceeds from the sale of the base. The CDC also was reimbursed for other expenses it incurred associated with the marketing and sale of the facility, including legal and advertising expenses, professional services, and other contractual obligations.

Under a purchase and sale agreement negotiated by the CDC and assigned to the WCDA in February, 2004, Sunset Group LLC paid \$400,000 for the former Cutler base properties, including \$100,000 in the form of a note that could be forgiven if certain job creation requirements were met within 3 years of the sale of the base to Sunset Group. (See attached correspondence between the chair of the WCDA board and the president of the CDC Board of Directors.) Sunset Group gave the WCDA a \$300,000 check, representing the balance of the purchase price.

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Proposed and Projected Activities

The WCDA expects to be successful in obtaining legislative approval to expand its authority, thus positioning the WCDA to work with Washington County municipalities, businesses and non-profits to undertake projects to enhance the development of the county's economy. (See attached FY 2004-2005 budget.)

Recommendations

The WCDA Board of Trustees proposes the following actions that will assist it in carrying out its goals and objectives:

- Passage by the 122nd Legislature of a bill to expand the Authority's powers and duties to enhance economic and community development capacity in Washington County
- Approval by a future Legislature of a multi-million bond issue question to capitalize the WCDA in its expanded role as a public economic and community development agency.
- Continued oversight of the job-creation criteria and the right of first refusal options contained in the Purchase and Sale Agreement with the Sunset Group LLC
- Continued distribution of base sale proceeds in accordance with recommendations by the Cutler Development Corporation Board of Directors, which were adopted by the WCDA Board of Trustees, in the 2003-2004 Fiscal Year (See attached minutes.)

Attachments:

- Financial reports: WCDA Check Register, WCDA Annual Income Statement and Schedule A, FY 2004-2005 Budget
- January 23, 2004 letter from WCDA to Cutler Development Corporation accepting assignment of Purchase and Sale Agreement with Sunset Group LLC
- Minutes of the June 29, 2004 Meeting at which sale proceeds distribution was voted upon (Item 5)
- July 2, 2004 letter from WCDA to CDC confirming oversight responsibilities for Purchase and Sale Agreement follow-on items

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Maine Community College System

2 Fort Road, South Portland, Maine 04106-1698 207.767.5210 • Fax: 207.767.2542 www.ccd.me.edu

November 1, 2004

David Boulter, Executive Director Maine Legislature 115 State House Station Augusta, ME 04333-0115

Vent Dear Mr Boulter:

Enclosed are two copies of the final report of the Health Care Workforce Leadership Council, which has been submitted to the Joint Standing Committee on Health and Human Services in accordance with the resolve which created the Council. When you convened the initial meeting of the Council, you expressed interest in the final report. As a result, I'm forwarding this document to you on behalf of the Council members.

Please let Peggy Pinkham, Chair of the Council, or me know if you have any questions about the report.

Sincerely yours,

Jean E. Mattimore, Ed.D.

E. Matumore, Ed.D Executive Director and Staff to the Council

NOV - 2 2004

Central Maine Community College Auburn Eastern Maine Community College Bangor Kennebec Valley Community College Fairfield

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Health Care Workforce Leadership Council

Final Report

Prepared for the

Joint Standing Committee

on

Health and Human Services

121st Maine Legislature

October 2004



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October 29, 2004

The Honorable Michael F. Brennan, Senate Chair The Honorable Thomas J. Kane, House Chair Joint Standing Committee on Health and Human Services 100 State House Station Augusta, ME 04330-0100

Dear Senator Brennan, Representative Kane, and Committee Members,

On behalf of the members of the Health Care Workforce Leadership Council, I am submitting to you the final report of the Council as required by enabling legislation. As indicated in our interim report, we believe strongly that the recommendations to establish a consistent, ongoing mechanism to monitor health care workforce supply and demand data and their implications is essential to the kind of planning and informed decision-making envisioned by the legislation. Without credible information and a leadership group invested in analyzing that information for the benefit of the health care system in Maine, the Council believes that addressing the State's needs for a knowledgeable and skilled workforce in health care will continue to be limited by a lack of focus.

Consistent with this direction, the Council is also recommending that the Health Workforce Forum be empowered and supported to do the work the Council recommends. The Forum is an existing entity within the Department of Human Services' Bureau of Health and is currently authorized to work with issues very close to the goals of the Council. To that end, Council members are in the process of seeking support to introduce legislation to clarify the Forum's statutory charge to reflect the recommendations of the Council and to provide financial support to execute that charge on an ongoing basis. In addition, the Council has suggested using existing agencies and sources of information in its other recommendations wherever they can achieve the goals of the recommendations to avoid duplication of costs.

When you have reviewed the report, the other Council members and I look forward to meeting with the Committee to discuss our recommendations.

Sincerely yours, argaret & Pinkham

Margatet G. Pinkham Council Chair and President/CEO St. Andrews Hospital & Healthcare

The MaineHealth Family®

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Executive Summary

The health care workforce in Maine is a critical part of the health care system. That system is, in turn, a critical element of our economy and social structure. Many committees and reports over the past few years have heralded the problems of not having an adequate supply of skilled workers to meet the growing demands for accessible health care now and in the future. The Health Care Workforce Leadership Council reviewed its charge and the current situation in Maine regarding the health care workforce. The Council determined that without focused, targeted actions aimed at obtaining and analyzing consistently available information on the workforce and related trends, Maine will continue to lack a common language to discuss these issues thoroughly and to know what actions are needed to address them.

An important part of any suggestion for change is a conviction that the recommendations have a compelling, positive impact on a widely beneficial outcome and provide value for the investment made. The Council believes the actions below can have a lasting impact on our understanding of the essential trends related to the largest non-governmental employment sector of the State's economy and will fuel the decisions we must make going forward.

The data defined and reported on through these recommendations will inform those in the State connected to the health care system about the trends in its demand; the capacities and limitations in supply and the opportunities this presents to people making career choices; and the priorities for training and education resources, both for employers and public policy leaders. Members of the Council expressed their belief that implementing the recommendations in this report can help students make career decisions that will keep them in Maine and at the same time help the health care industry enhance its planning and decision-making, particularly about investments in education and training. In summary, the Council believes that better informed decision-making by a wide range of participants in and leaders of the health care industry is the ultimate benefit of these actions.

The Council makes three recommendations and supports them with detailed action steps found later in this report.

COUNCIL RECOMMENDATIONS

Recommendation 1:

Provide ongoing leadership to assess and address the issues related to the adequate supply of a skilled health care workforce through the Health Workforce Forum, an ongoing partnership of health professionals, employers, professional licensing boards, educators in health occupations, and the Department of Labor.

This recommendation revitalizes and funds the existing Health Workforce Forum as the successor to the Council and ensures ready access to the information defined in the other recommendations.

Recommendation 2:

Collect ongoing data on demand for and supply of health care workers in Maine.

Actions under this recommendation include obtaining information on projected employment demand, on the existing supply of people licensed, registered, or certified in health care occupations, and on the graduates of and students enrolled in health care programs in public and private higher education institutions in the State. All data will be collected by existing State organizations.

Recommendation 3:

Report annually to the Health Workforce Forum the analysis of this demand and supply data for use in making policy recommendations on health care workforce issues in Maine.

Actions for this recommendation address the analysis and reporting of the information obtained in Recommendation 2.