

# **FINAL**

## **MINUTES OF OPEN SESSION**

### **LEGISLATIVE COUNCIL MEETING**

**Thursday, March 21, 1996**

**8:30 a.m.**

**State Capitol Building - Room 402-403**

#### **ATTENDANCE**

**Present were:**

Speaker Paul Hillegonds, Chair  
Senator Dick Posthumus, Alternate Chair  
Representative Tom Alley, Member  
Senator Dan L. DeGrow, Member  
Representative Frank M. Fitzgerald, Member  
Representative Pat Gagliardi, Member  
Representative Kenneth R. Sikkema, Member  
Senator Glenn Steil, Member  
Representative Timothy L. Walberg, Member

Representative Jan C. Dolan, Alternate Member

Dianne M. Odrobina, Legislative Council Administrator  
Lisa-Ann Acquario, Secretary to the Council Administrator,  
Committee Clerk, Legislative Council  
Judy Barton, Chief Policy and Legal Counsel, Office of the Speaker of the House  
Jackie Martin, Director of Administration, Office of the Senate Majority Leader  
Nancy Childs, Legislative Assistant, Office of Representative Gagliardi  
Judy Allen, Administrative Aide, Office of Senator DeGrow  
Helen Freeman, Chief of Staff and Legislative Coordinator, Office of Senator Steil  
Mary Kay Scullion, Assistant Clerk of the House  
Alan Canady, Senate Democratic Counsel  
David E. Oppliger, Legal Counsel, Office of Democratic Leader,  
House of Representatives  
George Weitzel, Legislative Assistant, Office of Representative Kelly  
Steve Benkovsky, Director of Facility Operations for the Michigan Library and  
Historical Center  
Clayton Burch, Legislative Corrections Ombudsman

**Present were (Continued):**

Jeff Johnson, Deputy State Librarian  
Robin VanAlstine, Director of Human Resources, Library of Michigan  
Janet Laverty, Director of Internal Operations, Library of Michigan  
Kathleen Menanteaux, Director of Technical Services, Library of Michigan  
Susan Nearing, Director of Public Services, Library of Michigan  
Tina Deitrich, Administrative Assistant, Library of Michigan  
Linda McFadden, Board of Trustees, Library of Michigan  
Don Porter, Book Distribution, Library of Michigan  
Larry Seratti, Book Distribution, Library of Michigan  
Elliott Smith, Director of the Legislative Service Bureau  
Traci Kanillopoolos, Administrative Secretary to the Director, Legislative Service Bureau  
Marcia Cornell, Human Resources Director, Legislative Service Bureau  
Jim Shane, Division Director of Information Systems, Legislative Service Bureau  
Leo Kennedy, Director of Legislative Research Division, Legislative Service Bureau  
Jerry Lawler, Director of Facilities for the Legislative Council  
Carol P. Ginotti, Attorney/Administrator of Michigan Sentencing Guidelines  
Commission  
Jon Smalley, Muchmore Harrington

A number of other individuals were present, but did not identify themselves.

**Members Excused:**

Senator John D. Cherry Jr., Member  
Senator Virgil Clark Smith, Member  
Senator John J. H. Schwarz, Member

Representative William Byl, Alternate Member  
Senator Jon A. Cisky, Alternate Member  
Representative Curtis Hertel, Alternate Member  
Senator Michael J. O'Brien, Alternate Member  
Senator Bill Schuette, Alternate Member

**ITEM 1.      *Convening of the Meeting***

Council Chair, Speaker Hillegonds, called the meeting to order at 8:35 a.m. and announced that a quorum was present.

**ITEM 2.      *Approval of the Minutes of the January 30, 1996, Legislative Council meeting***

The Chair asked for the members to review the minutes of the January 30, 1996, open meeting of the Legislative Council. There were no comments. A copy of the minutes is attached by this reference.

**Senator DeGrow moved, seconded by Representative Walberg, to adopt the minutes of the January 30, 1996, meeting. The Chair asked for discussion of the motion. There was no discussion.**

**The minutes were unanimously adopted.**

**ITEM 3.      *Report of the Legislative Council Services and Administration Subcommittee-  
Senator Dick Posthumus, Chair, and Speaker Paul Hillegonds, Alternate Chair***

Senator Posthumus, who was unable to attend the Subcommittee meeting, asked Speaker Hillegonds, Alternate Chair, to review the report for the Council. Speaker Hillegonds then requested Ms. Odrobina to review the Services and Administration Subcommittee report. Ms. Odrobina stated that the Subcommittee requested approval of the Legislative Council Agencies' budget recommendations and requests for the Fiscal Year 1996-97. A copy of the Subcommittee report is attached and will be part of the minutes by this reference. After the review of the budget requests, Ms. Odrobina asked Elliott Smith, Director of the Legislative Service Bureau, to review the Personnel section. Mr. Smith reviewed the new hires and the reclassifications of current positions.

Ms. Odrobina followed with a request for approval to move forward with the Council Law Publishing project. The Legislative Service Bureau would like to gather quotes from the private sector, pursuant to the Subcommittee report with approval by the Council Chair and the Alternate Chair.

Ms. Odrobina reviewed proposed legislation that would impact the Legislative Council. The entire list is attached.

The Chair asked for discussion of the report, none followed.

**Senator Posthumus moved, supported by Representative Gagliardi, the adoption of the report.**

**The Services and Administration Subcommittee Report was unanimously adopted.**

**ITEM 4.      *Report of the Legislative Council Agencies Subcommittee- Representative Frank M. Fitzgerald, Chair, and Senator Dan L. DeGrow, Alternate Chair***

Ms. Odrobina had been asked to review the Agencies Subcommittee report for the Council, by Representative Fitzgerald's office. Ms. Odrobina listed the budget requests and recommendations for the office of the Legislative Corrections Ombudsman. A copy of this report is attached and will be part of the minutes by this reference. Ms. Odrobina noted that the budget request is very close to last year's appropriation. She explained that adequate funds are necessary for the Legislative Council Corrections Ombudsman to remove and replace their caseload information off the tandem system.

Representative Gagliardi inquired how the changes implemented by the Legislative Council impacted the office of the Legislative Corrections Ombudsman. Mr. Burch stated the caseload has been reduced by 20% and expects further reductions as more individuals learn the new procedures. The office still receives approximately 150 complaints a week directly from the inmates. The Corrections Ombudsman plans to send out notices to the different facilities explaining the new procedures.

Ms. Odrobina continued with the report regarding the changes in the guidelines for the Legislative Corrections Ombudsman, which were recommended by the Agencies Subcommittee. At this point in the meeting, Representative Walberg offered an amendment to the guidelines. The amendment would require prisoners to include their last Michigan address on the form when they submit a complaint to their legislator. The address will help the legislator in determining whether the prisoner is in their district. The amendment was distributed to the Council.

The Chair asked for discussion on the amendment. Representative Gagliardi inquired why there is a need for the amendment. Representative Walberg explained that there has been confusion determining which legislator is responsible for the prisoner's complaint.

**Representative Walberg moved, seconded by Representative Sikkema, that the following sentence be added to Corrections Ombudsman Rule 9 to read as follows, "Prisoners shall state on their complaint to legislators their last Michigan address before incarceration so that the legislator may determine if they represent the complainant's district."**

**The motion was unanimously approved.**

The next section of the Agencies Subcommittee report covered the Library of Michigan. Ms. Odrobina listed the recommendations for the Library of Michigan's budget for Fiscal Year 1996-97, a copy of the report is attached and will be part of the minutes by this reference. Ms. Odrobina then requested Mr. Jeff Johnson, Deputy State Librarian, Library of Michigan, to

review the Personnel section. Mr. Johnson listed the new hires and the job reclassifications for current positions.

Senator Posthumus questioned the number of vacancies being filled. Mr. Johnson responded by referring to the recent number of retirements and turnovers, along with vacancies that developed due to staff advancement.

Senator Posthumus inquired about an issue raised in the Auditor's Report (attached) regarding accounts payable. Mr. Johnson explained that the issue concerned items that were ordered in one fiscal year, but were actually received on the loading dock after October 1st. A shortage of staff contributed a delay in information to the business office.

**Representative Fitzgerald moved, supported by Senator DeGrow, to adopt the Legislative Council Agencies Subcommittee report. The Chair asked for discussion of the motion, none followed.**

**The report of the Legislative Council Agencies Subcommittee was unanimously adopted.**

**The Chair moved to excuse the absent members.  
The motion was unanimously adopted.**

ITEM 5. Old Business

Speaker Hillegonds recognized Elliott Smith for his service as the Secretary to the Council. The Chair acknowledged Mr. Smith's 16 years of excellent service. The Chair thanked Mr. Smith for all he has meant to the Council and continues to mean to the Legislative Service Bureau.

ITEM 6. New Business

Senator Posthumus asked if the Council had been updated on the status of the Legislative Session Integration System Project. Senator Posthumus requested Ms. Odrobina to update the Council on the status of the project.

Ms. Odrobina explained that details of the project had been reviewed several weeks ago in the Services and Administration Subcommittee meeting. Ms. Odrobina stated that the original projected cost of 5.7 million dollars for implementation throughout the Legislature included hardware and software costs and consultant fees. The Council's consultant for the project, Integrated Systems Solution Corporation (ISSC), completed the final blueprint for implementation. Based on that blueprint, legislative staff with the assistance of ISSC estimated

the entire project cost at 13.8 million dollars. This estimate included: the services contract with ISSC; a hardware component that was subject to a competitive bid process and purchases of software. A very thorough and detailed analysis of all aspects of the project took place by legislative technical and project staff in order to determine where project costs had increased and where a reexamination of the project could result in savings. It was determined that the estimates had increased for a variety of reasons including increased requirements for the complexity of the legislative system; utilization of list prices for hardware and software costs; the condensed timetable for the project which required additional resources. Legislative staff carefully examined the project to pare down the total costs; user group needs were critically assessed to assign software packages; expenses more appropriately absorbed by the entities versus the project were eliminated from the latter; activities initially contemplated as ISSC's duties were reassigned to the technical staffs of the House, Senate, and LSB.

Representative Gagliardi expressed concerns regarding cost estimates provided by ISSC and felt that there was a possibility that the contractor was taking advantage of the Legislature. He wanted to ensure that precautions and safeguards were taken on possible cost overruns on the project.

Senator Posthumus explained the competitive bid process involving the contractor; legislative staff supported ISSC's continuation of the implementation phase of the project. The Senator also outlined that extensive processes had been used to ensure that the Legislature was receiving the most competitive prices from vendors who would supply hardware, software and consulting services on the project to the Legislature. The Senator further explained that all of these matters had been discussed with the four quadrant leaders who are supportive of moving the project ahead with ISSC working very closely with the legislative technical staff. The Senator further stressed that the 13.8 million dollars had been reduced substantially through careful analysis by legislative staff working with ISSC and by seeking a variety of discounts on hardware and software, and hundreds of hours of specific final analysis of all aspects of the implementation of the project within the Legislature.

Representative Dolan stated that she appreciated how this thorough analysis had proceeded. Her experience as a member of the Appropriation Committee is that State projects often start with a low estimate and then increase in the midst of a project. The Representative stated, while this project is just beginning, the process is more straightforward than many she has observed in the State budget process.

Representative Gagliardi reiterated that he was simply expressing concerns over the original versus final estimates for the project and wanted to be assured that ISSC could be trusted to implement the project within current estimates.

Senator Posthumus acknowledged the concerns and stated that he felt that ISSC had provided

good faith estimates which were greater than the original 5.7 million dollar estimates for a wide variety of well understood and acknowledged reasons. Both the Chair and Alternate Chair of the Council stated they intended to sign the ISSC implementation contract which had been rigorously analyzed by legislative attorneys and technical staff and supported by Senator Posthumus, Speaker Hillegonds, Senator Cherry and Representative Hertel in a recent meeting.

Representative Gagliardi stated that he was not questioning the integrity of the Chair and Alternate Chair of the Council. He only had the reservations stated above and wanted to be assured that staff and leadership would carefully monitor ISSC's role throughout the project.

**ITEM 7.                    *Public Participation***

The Chair asked if anyone in the audience wished to address the Council. No one responded.

**ITEM 8.            *Time, Date, and place of the next Legislative Council Meeting***

The next council meeting will be scheduled for December 4, 1996, at 8:30 a.m. Location of the meeting will be determined after consultation with Members' offices.

**ADJOURNMENT**

The Chair adjourned the meeting at 9:08 a.m.

Respectfully Submitted,

Dianne M. Odrobina  
Secretary

DMO:la

*(Minutes approved at the May 30, 1996 Legislative Council meeting.)*