

SEN. TROY D. JACKSON
CHAIR

REP. SARA GIDEON
VICE-CHAIR

EXECUTIVE DIRECTOR
GRANT T. PENNOYER



129TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. NATHAN L. LIBBY
SEN. ELOISE A. VITELLI
SEN. DANA L. DOW
SEN. JEFFREY L. TIMBERLAKE
REP. MATTHEW W. MOONEN
REP. RYAN M. FECTEAU
REP. KATHLEEN R.J. DILLINGHAM
REP. HAROLD TREY STEWART III

129th Legislature
Legislative Council

June 17, 2019

AGENDA

<u>Page</u>	<u>Item</u>	<u>Action</u>
	CALL TO ORDER	
	ROLL CALL	
1	SUMMARY OF THE MAY 23, 2019 MEETING OF THE LEGISLATIVE COUNCIL	Decision
	REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	
	<ul style="list-style-type: none">Executive Director's Report (Mr. Pennoyer) No Report	Information
	<ul style="list-style-type: none">Fiscal Report (Mr. Nolan) No Report	Information
	REPORTS FROM COUNCIL COMMITTEES	
	<ul style="list-style-type: none">Personnel CommitteeState House Facilities Committee No Report	
	OLD BUSINESS	
7	Item #1: Council Actions Taken by Ballot (No Action Required)	Information
	NEW BUSINESS	
9	Item #1: Placement of the Honorable Service Plaque	Decision
12	Item #2: Consideration of Legislative Study Requests	Decision
15	<ul style="list-style-type: none">Suggested Protocol for Considering Proposed StudiesConsideration of Proposed Legislative Studies	Roll Call Vote

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

SEN. TROY D. JACKSON
CHAIR

REP. SARA GIDEON
VICE-CHAIR

EXECUTIVE DIRECTOR
GRANT T. PENNOYER



129TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. NATHAN L. LIBBY
SEN. ELOISE A. VITELLI
SEN. DANA L. DOW
SEN. JEFFREY L. TIMBERLAKE
REP. MATTHEW W. MOONEN
REP. RYAN M. FECTEAU
REP. KATHLEEN R.J. DILLINGHAM
REP. HAROLD TREY STEWART III

**LEGISLATIVE COUNCIL
MEETING SUMMARY
May 23, 2019**

CALL TO ORDER

Speaker Gideon called the May 23, 2019 meeting of the 129th Legislative Council to order at 2:37 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators: Senator Libby

Absent: President Jackson, Senator Vitelli, Senator Dow and Senator Timberlake (all arrived late)

Representatives: Speaker Gideon, Representative Moonen, Representative Fecteau, Representative Dillingham and Representative Stewart

Legislative Officers: Darek Grant, Secretary of the Senate
Robert Hunt, Clerk of the House
Grant T. Pennoyer, Executive Director of the Legislative Council
Dawna Lopatosky, Legislative Finance Director
Jackie Little, Human Resources Director
Suzanne Gresser, Revisor of Statutes
Chris Nolan, Director, Office of Fiscal and Program Review
Marion Hylan Barr, Director, Office of Policy and Legal Analysis
John Barden, Director, Law and Legislative Reference Library
Nik Rende, Director, Legislative Information Technology

Speaker Gideon convened the meeting at 2:37 p.m. with a quorum of members present.

SUMMARY OF APRIL 25, 2019 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary for April 25, 2019 be accepted and placed on file. Motion by Senator Libby. Second by Representative Stewart. **Motion passed unanimously (6-0-0-4**, with President Jackson and Senators Vitelli, Dow and Timberlake absent).

REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES

Executive Director's Report

Grant Pennoyer, Executive Director, presented the following report.

1. Remote Public Testimony Application

The application to allow for the submission of testimony online has been working well for the last month. The Office of Legislative Information Technology (LIT) and the Legislative Information Office (LIO) worked cooperatively to quickly address identified issues with the application. I would like to thank those offices for their efforts to make the implementation of this application successful. As I mentioned last month, we will be evaluating the shift from emailed testimony to testimony submitted using this new application and reporting back to you after the session with options for the future.

2. Archived Committee Audio

Pursuant to the Legislative Council's motion at its last meeting, LIT has made the archived versions of the committee audio files available on the Legislature's website. I have not made a broad announcement of its availability as I was waiting for LIT to address some minor issues in the way the files are accessed. When LIT completes the corrections and makes it available, I will be sending out an announcement of its availability both internally and to the interested parties lists.

3. Fiscal Year 2019-20 Insurance Premium Increases

The Department of Administrative and Financial Services recently released the proposed rate changes for fiscal year 2019-20 for both Health Insurance and Dental Insurance that will take effect July 1st. Health Insurance premiums will increase by 3.8% and dental insurance premiums will increase by 9%. I would note that this is the first increase in dental insurance premiums since 2013. Coverage changes are available on the website of the Office of Employee Health and Benefits within the Bureau of Human Resources.

Fiscal Report

Chris Nolan, Director, Office of Fiscal and Program Review, presented the following report.

1. General Fund Revenue Update

Total General Fund Revenue - FY 2019 (\$'s in Millions)

	Budget	Actual	Var.	% Var.	Prior Year	% Growth
April	\$447.0	\$520.2	\$73.2	16.4%	\$432.0	20.4%
FYTD	\$3,085.8	\$3,179.4	\$93.5	3.0%	\$2,934.4	8.3%

General Fund revenue was over budget by \$73.2 million (16.4%) for the month of April and by \$93.5 million (3.0%) for the fiscal year to date. These positive variances **do not reflect the May 2019 revenue forecast**, which increased budgeted revenue by \$66.7 million for FY 2019. Individual income tax revenue was over budget by \$53.0 million for the month and by \$35.3 million for the fiscal year to date; \$25 million of this positive year-to-date variance is reflected in the May 2019 revenue forecast. The positive variance in individual income tax revenue in April was largely the result of a positive variance in year-end filing receipts of \$54.3 million. Corporate income tax revenue was over budget by \$13.2 million for the month and by \$35.2 million for the fiscal year to date; \$35 million of this positive year-to-date

variance is reflected in the May 2019 revenue forecast. Sales and use tax revenue (March sales) was under budget for the month by \$0.6 million and on budget for the fiscal year to date; the May 2019 forecast made no changes in these lines.

2. Highway Fund Revenue Update

Total Highway Fund Revenue - FY 2019 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Growth
April	\$27.7	\$28.9	\$1.2	4.3%	\$27.7	4.4%
FYTD	\$284.0	\$289.2	\$5.2	1.8%	\$278.4	3.9%

Highway Fund revenue was over budget by \$1.2 million (4.3%) for the month of April and by \$5.2 million (1.8%) for the fiscal year to date. These variances **do not reflect the May 2019 revenue forecast**, which increased budgeted revenue by \$4.8 million for FY 2019. Fuel taxes were over budget by \$0.2 million for the month but under budget by \$0.8 million for the fiscal year to date. Motor vehicle registrations and fees were over budget for the month by \$0.8 million and over budget for the fiscal year to date by \$6.1 million; \$4.5 million of this positive year-to-date variance is reflected in the May 2019 revenue forecast.

3. Cash Balances Update

The average balance in the cash pool for April was \$1,415.6 million, an increase from March's average of \$1,337.1 million and above both last April's average balance and the ten-year average for the month. Historically, March is a low point in the fiscal year for cash balances that are then usually replenished in April and May. The average Highway Fund balance of \$65.0 million in April was up significantly from March's average of \$35.2 million and above last April's average balance. This positive variance was largely the result of receiving a distribution of bond funds in April.

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

Speaker Gideon reported that the Personnel Committee met on Thursday, May 16th to consider the following matters:

1. Onsite Child Care

The committee met with Bert Bilodeau, Director of the Bureau of Real Estate Management to discuss possible locations for nearby childcare. The committee reviewed the results of the recent demographic study. This matter will be discussed at a future meeting.

2. Harassment Prevention Policy Revision

Ms. Little reviewed the latest draft harassment policy. The committee unanimously recommends adoption of this revised policy by the Legislative Council.

Motion: That upon the unanimous recommendation of the Personnel Committee, the Legislative Council adopts the revised Legislative Council Policy on Harassment; and further, authorizes the Executive Director to insert the language of this policy into the *Personnel Policy and Guidelines* handbooks for all legislative employees and into the *Legislators' Handbook*. Motion by Senator Libby. Second by Representative Dillingham. **Motion passed unanimously (9-0-0-1, with Senator Vitelli absent).**

3. Workday Maine Update

Ms. Little provided the committee with a brief update regarding the Workday Maine HR System project. This matter will be discussed at a future meeting.

4. Electronic Communication Guidelines for Legislators and Legislative Staff.

Mr. Rende, Director of LIT, provided information to the committee regarding electronic communications. The committee provided guidance. This matter will be discussed at a future meeting.

5. Performance Evaluation and Step Increase for Nik Rende [Ren-dee]

The committee reviewed the performance of and considered a step increase for Nik Rende, Director of Legislative Information Technology. The committee voted unanimously to approve this step increase.

6. Discussion of Clerk Evaluation Process and Chairs' Input

The committee provided direction to Mr. Pennoyer and Ms. Little regarding the annual performance evaluations for Committee Clerks. It is expected that these changes will be discussed during the Interim as part of the personnel policy updates.

State House Facilities Committee

No Report

OLD BUSINESS**Item #1: Council Actions Taken by Ballot****Requests for Introduction of Legislation:****LR 2494 An Act To Ensure Public Notification of Air Quality Assessments and Violations**

Submitted by: Senator Rebecca Millett

Date: May 1, 2019

Vote: 6-4-0-0 Passed (with Sens. Dow and Timberlake and Reps. Dillingham and Stewart opposed)

LR 2505 An Act To Exempt Purchases by Pet Food Pantries from Sales Tax

Submitted by: Senator Erin Herbig

Date: May 1, 2019

Vote: 8-2-0-0 Passed (with Sens. Dow and Timberlake opposed)

LR 2495 An Act To Ensure Accuracy and Reliability of Environmental Testing

Submitted by: Senator Rebecca Millett
 Date: May 2, 2019
 Vote: 6-4-0-0 Passed (with Sens. Dow and Timberlake and Reps. Dillingham and Stewart opposed)

LR 2529 An Act To Authorize the Transfer of a Plot of Land from the State to the Town of Allagash

Submitted by: President Troy Jackson
 Date: May 14, 2019
 Vote: 7-3-0-0 Passed (with Sen. Timberlake and Reps. Dillingham and Stewart opposed)

LR 2512 An Act To Provide a Sales Tax Exemption for Certain Community Nonprofit Agencies

Submitted by: Representative Trey Stewart
 Date: May 20, 2019
 Vote: 8-2-0-0 Passed (with Sen. Timberlake and Rep. Moonen opposed)

LR 2536 An Act To Enhance Personal and Public Safety

Submitted by: Senator Lisa Keim
 Date: May 21, 2019
 Vote: 8-2-0-0 Passed (with Reps. Moonen and Fecteau opposed)

Item #2: Legislative Budget

After discussion the following motion was made:

Motion: That the Legislative Council accepts the legislative budget proposed in Part A of LD 1001 (Governor's proposed 2020-2021 biennial budget) and LD 1002 (Governor's proposed 2020-2021 Highway Fund biennial budget) with the following adjustments: Appropriate \$74,920 in FY 20 and \$81,599 in FY 21 and establish one legislative position count for one Legislative Aide position; Appropriate \$83,375 in FY 20 and \$96,249 in FY 21 and establish one legislative position count for one Senior Systems Support Coordinator position; Appropriate \$74,920 in FY 20 and \$81,599 in FY 21 and establish one legislative position count for one Digital Director position; Appropriate \$8,792 in FY 20 and \$9,195 in FY 21, establish one legislative position count and reduce FTE count by .808 and increase the weeks authorized for one Executive Secretary position from 42 to 52. And further, that the Legislative Council directs the Executive Director to prepare and submit implementing language reflecting the decisions of the Legislative Council to the Joint Standing Committee on Appropriations and Financial Affairs on behalf of the Legislative Council for inclusion in the committee amendment to the Governor's budget bill, LD 1001. And further, that the Legislative Council authorizes the transfer of \$44,052 from unspent balances in legislative accounts to allow FY 20 annual dues requested by the Council of State Governments and by the National Conference of State Legislatures to be paid in full. And further, that the Legislative Council authorizes legislative budget adjustments to offset the cost of the position changes in the 2020-2021 biennium by lapsing an amount in each fiscal year of the 2020-2021 biennium sufficient to offset the additional General Fund costs from the position changes, from unspent balances in the legislative accounts. Motion by Speaker Gideon.

Second by Senator Libby. **Motion passed unanimously (9-0-0-1**, with Senator Vitelli absent).

NEW BUSINESS

Item #1: Consideration of After Deadline Requests

The Legislative Council took no action on all after deadline requests and joint resolution requests.

Item #2: Proposed Second Session Cloture Schedule and Related Dates

Ms. Gresser, Revisor of Statutes, presented the proposed Second Session cloture schedule and explained the related dates to the Legislative Council.

Motion: That the Legislative Council approves the Second Session cloture schedule and related dates. Motion by President Jackson. Second by Senator Libby. **Motion passed unanimously (9-0-0-1**, with Senator Vitelli absent).

Item #3: Adoption of the *Legislative Council Policy on Harassment*

This item was completed during the report from the Personnel Committee.

Item #4: Request regarding the Yellow Tulip Project

Mr. Pennoyer presented the request from the Quality Improvement Council regarding the Yellow Tulip Project. This project would be to plant yellow tulips in support of mental health in the State House gardens. Mr. Pennoyer reviewed the policy on the *Use of the State House for Political Purposes* and how this relates to this request. After discussion, the following motion was made.

Motion: That the Legislative Council denies the request from the Quality Improvement Council regarding the Yellow Tulip Project. Motion by Representative Dillingham. Second by Senator Libby. **Motion passed unanimously Motion passed unanimously (9-0-0-1**, with Senator Vitelli absent).

Item #6: Bicentennial Briefing

Jamie Ritter, Dana Connors, Kristen Muszynski and Brad Sawyer presented an overview of the plans for the Bicentennial. The kick-off is planned for July 26th. The nonprofit, Maine 200, was established to receive donations. The committee is working to match the public funds (\$1 million) that have been earmarked for the bicentennial. They plan to offer community grants of varying amounts for celebrations and events planned around the bicentennial. More information can be found at <https://www.maine200.org/>. Bicentennial merchandise (hats, shirts, buttons, magnets) are available. A large public relations push will be coming soon.

ANNOUNCEMENTS AND REMARKS

With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 3:17 p.m.

**Legislative Council Actions
Taken by Ballot Since the
May 23, 2019 Council Meeting**

Requests for Introduction of Legislation:

LR 2532 An Act Regarding the Baiting of Deer

Submitted by: Senator Paul Davis
Date: May 28, 2019
Vote: 7-3-0-0 Passed (with Reps. Fecteau, Dillingham and Stewart opposed)

LR 2515 Resolve, To Designate a Bridge in Indian Purchase Township the Detective Benjamin Campbell Bridge

Submitted by: Senator James Dill
Date: May 28, 2019
Vote: 10-0-0-0 Passed

LR 2499 Resolve, To Increase Funding for Evidence-based Therapies for Treating Emotional and Behavioral Problems in Children

Submitted by: Representative Colleen Madigan
Date: May 28, 2019
Vote: 6-4-0-0 Passed (with Sens. Dow and Timberlake and Reps. Dillingham and Stewart opposed)

LR 2482 An Act To Provide a Workers' Compensation Tax Credit for Certain Businesses

Submitted by: Representative Michael Sylvester
Date: May 28, 2019
Vote: 6-4-0-0 Passed (with Sens. Dow and Timberlake and Reps. Dillingham and Stewart opposed)

LR 2519 An Act To Require the Negotiation of a Per-megawatt Fee for the Energy Transmitted over the Central Maine Power Company Hydro Quebec Corridor Line

Submitted by: Representative Jeffrey Hanley
Date: May 28, 2019
Vote: 3-7-0-0 Failed (with Sens. Jackson, Libby, Vitelli and Timberlake and Reps. Moonen, Fecteau and Dillingham opposed)

LR 2547 An Act To Fund the Agreement with Certain Judicial Department Employees

Submitted by: Judicial Department
Date: May 29, 2019
Vote: 8-2-0-0 Passed (with Sen. Timberlake and Rep. Dillingham opposed)

LR 2539 An Act To Provide Funds to Continue the Statewide Online Advanced Placement Course Program Provided by the Department of Education in Partnership with the University of Maine at Fort Ken

Submitted by: Senator Matthew Pouliot
Date: May 30, 2019
Vote: 8-2-0-0 Passed (with Reps. Fecteau and Dillingham opposed)

LR 2560 **Resolve, Regarding Legislative Review of Chapter 1: Adult Use Marijuana, a Late-filed Major Substantive Rule of the Department of Administrative and Financial Services, Office of Marijuana Policy**

Submitted by: Office of Marijuana Policy
Date: June 5, 2019
Vote: 9-1-0-0 Passed (with Sen. Timberlake opposed)

Legislative Council Decisions:

Motion: **That the Legislative Council approve the Commission to Study Long-term Care Workforce Issues established in LD 1001 An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2019, June 30, 2020 and June 30, 2021 that will incur \$2,750 in costs to the Legislature in fiscal year 2019-20. And further that the Legislative Council approves this commission as non-conforming with the provisions of Joint Rule 353.**

Motion by: President Jackson Second by: Speaker Gideon
Date: June 14, 2019
Vote: 7-3-0-0 Passed (with Sens. Dow and Timberlake and Rep. Dillingham opposed)

GRANT T. PENNOYER
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

MEMO

To: Legislative Council Members
From: Grant T. Pennoyer, Executive Director
Date: June 17, 2019
Re: Honorable Service Plaque

Attached is the report submitted by the Department of Defense, Veterans and Emergency Management pursuant to RES 2011, c. 163 regarding an Honorable Service Plaque. As noted in the report, the plaque has been designed to complement the American Legion's 100th Anniversary Plaque that was recently hung in the Hall of Flags. You may remember that when you decided on the location of the American Legion's Plaque earlier this year, I made you aware of this other pending plaque. I am asking the Council today to reaffirm their previous decision in locating the American Legion Plaque and leaving space for the pending Honorable Service Plaque beside the American Legion's Plaque in the Hall of Flags above the Governor's posting bulletin board.

Thank you for your consideration of the department's report and the location of the new plaque.

Attachment

Douglas A. Farnham
Major General
Commissioner
(207) 430-6000



David A. Richmond
Director
(207) 430-6035

Department of Defense, Veterans and Emergency Management

**Bureau of Veterans' Services
117 State House Station, Augusta, ME 04333-0117**

June 3, 2019

Dear Mr. Pennoyer, Distinguished Members of the Council and the Veterans' and Legal Affairs Committee:

The Maine Bureau of Veterans' Services is seeking your approval of our Honorable Service Plaque design as well as it's placement in the Hall of Flags at the State House.

The Honorable Service Plaque will be the same dimensions (28") and have a similar bronzed appearance as the American Legion's 100th anniversary plaque. The Honorable Service Plaque will hang just to the right of the American Legion's Centennial Plaque.

The artist who won the design contract is Georgette Kanach. Ms. Kanach is from Gray, Maine. Two design finalists were chosen from the submittals by a jury committee made up of veterans' and a representative from the Maine Arts Commissions. The final design was chosen by a public survey poll.

The Maine Bureau of Veterans' Services has decided to award the casting of the plaque to Green Foundry, of Elliot, Maine. The cost of the both the mold and the plaque is \$6,875.00

Thank you for your consideration of both the approval and funding for the Honorable Service Plaque as well as it's placement in the Hall of Flags at the State House.

Very Respectfully,

A handwritten signature in black ink, appearing to read 'D. Richmond'.

David A. Richmond, Director
Maine Bureau of Veterans' Services



Protocols for Review of Legislative Study Proposals
129th Legislature
Legislative Council Meeting
June 17, 2019

Background: Requirements Relevant to Studies in the First Regular Session

Under the terms of the Joint Rules of the 129th Legislature, section 353, all joint orders and legislation proposing legislative studies regardless of funding source must be placed on a special study table. The Legislative Council must review proposed studies and establish priorities for allocation of budgetary and staffing resources.

For studies authorized by the Legislative Council, the Legislative Council must provide funds sufficient to enable the committee to reasonably conduct and complete the requirements of the studies.

Also under the Joint Rules, the Legislative Council must adopt a policy relating to preparing study legislation. On March 28, 2019, the Legislative Council unanimously adopted a policy on legislative studies for the 129th Legislature. Joint Rules and the related council policy specify the manner of appointment, selection of chair, compensation of members, report date and other relevants as part of study legislation. Copies of the Joint Rules and the adopted policy are in your notebook (see appendices).

Decision: Suggested Protocol for Authorizing Legislative Studies

- The Legislative Council will review study requests in LD order grouped by funding source.
- Voting will be by a show of hands, and each Legislative Council member's vote on each bill will be recorded. The record of each vote will be made available for public inspection following the meeting.
- Committee chairs and others are welcome to observe the council's deliberations on the study requests, but discussion of the requests will be confined to council members. However, Legislative Council members may ask questions of committee chairs and other legislators regarding the proposed study if needed.
- The Legislative Council shall specifically review those studies that do not conform to applicable standards and policies approved by the Council. The Council will include as part of its motion to authorize a study acceptance of any non-conforming elements of the study. Floor amendments to authorized studies making Council-authorized changes will be prepared in the name of the Senate Majority Leader, except for studies tabled in the House which will be in the name of the House Majority Leader.

Issues: Policy Issues Needing Decision

1. **Number of authorized meetings and meeting location-Recommendation:** Unless otherwise specified by the Legislative Council, the number of study meetings is not to exceed four (4) and meetings are to be held in the Augusta area.
2. **Studies conducted using non-General Fund sources-Recommendation:** When a study committee is required to be funded by outside funds, the study committee may not convene until sufficient funds are received to pay for the study.
3. **Interim committee meetings-Recommendation:** Unless authorized by law or joint order or approved jointly by the presiding officers, joint standing and joint select committees may not meet during the legislative interim. The number of authorized days may not exceed availability of budgeted funds. Committee clerks are not authorized to staff interim committee meetings or studies. Joint standing and joint select committees must complete all assigned work within their authorized meeting days.

Joint Rules, Rule 353. Legislative Studies.

To assist in the exercise of its duties, the Legislature may establish legislative study committees or may alternatively refer matters to joint standing committees or subcommittees of joint standing committees for study. This Joint Rule establishes standards that govern the drafting of legislative study instruments and the authorization of legislative studies. All legislative studies must be consistent with this Joint Rule and with Legislative Council policies adopted under this Joint Rule. Any bill, resolve or joint order proposing a legislative study that is inconsistent with this rule must be reviewed and approved by the Legislative Council.

1. Definitions. For the purposes of this Joint Rule, the following terms have the following meanings:

A. The term 'legislative study' or 'legislative study committee' means any group of individuals established in an Act, Resolve or Joint Order or by the Legislative Council, except those exempted under policies adopted by the Legislative Council, whose duties include studying and reporting to the Legislature on any matter or advising the Legislature on any matter and that requires the use of legislative resources;

B. The term 'legislative resources' means the expenditure of any funds appropriated or allocated to the Legislative Account, the appointment of one or more persons by the Legislature, the inclusion of one or more legislators as members of the legislative study committee or the use of Legislative Council staff; and

C. The term 'non-legislative study' or 'non-legislative study group' means any group of individuals directed by legislation to report back to the Legislature on any issue but that is not otherwise a legislative study.

2. Establishing legislative studies. A legislative study may only be created by joint study order, unless the instrument directs an agency or a person who is not a legislator to take an action or has an existence that extends beyond the Legislature in which it is introduced. A joint standing committee may report out a joint study order requesting that a study be conducted.

3. Appointment of members. A majority of legislative study members must be legislators and the legislative study committee must be chaired by legislators appointed in a manner consistent with subsection 4. The legislative study committee must include members of the 2 parties holding the largest number of seats in the Legislature. All members of legislative study committees established by joint study order must be appointed by the presiding officers: Senate members by the President and House members by the Speaker. Members of a legislative study created by joint study order who are not legislators must be appointed either by the President or the Speaker. Legislative studies may include a minority of non-legislative members appointed by someone outside the Legislature. Joint appointment of members is not permitted.

4. Appointment of chairs. Legislative studies having more than 5 members must be cochaired by legislators. The first appointed Senate member must be the Senate chair and the first appointed House member must be the House chair. Legislative studies having 5 or fewer members must have a single legislative chair appointed by the presiding officer of the body of the originating study order or legislation. The chair of a legislative study having 5 or fewer

members shall appoint a chair pro tem from among the appointed members to serve in the chair's absence.

5. Committee size. Legislative study committees may consist of no fewer than 3 and no more than 13 members.

6. Staffing. Unless the Legislative Council directs otherwise, Legislative Council staff will only be assigned to legislative studies that conform to this Joint Rule.

7. Reporting dates. All reports of legislative study committees that are to be submitted to a first regular session must be completed and submitted not later than the first Wednesday in November preceding the convening of the first regular session of the next legislature. All reports of legislative study committees that are to be submitted to a second regular session must be completed and submitted not later than the first Wednesday in December preceding the convening of the second regular session. Upon request of the study committee, the Legislative Council may extend the reporting date, except that the extension may not go beyond December 15th in odd numbered years or beyond the first Wednesday of December in even numbered years.

8. Legislation may not be introduced by legislative studies or non-legislative study groups. Legislative and non-legislative study committees or groups may include proposed legislation in their reports to the Legislature, but are not authorized to introduce legislation. Upon receipt of a report submitted by a legislative or non-legislative study committee or group, the joint standing committee to which the report is submitted, or the appropriate joint standing committee of jurisdiction in the event that the report is submitted to the Legislature as a whole, may introduce a bill during the session to which the report is submitted to implement its recommendations on matters relating to the study.

9. Compensation. Legislative members are entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of a study committee. Public members not otherwise compensated by their employers or other entities whom they represent are entitled to receive reimbursement of necessary expenses and, upon demonstration of financial hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of a study committee.

10. Study table. All joint study orders or legislation proposing legislative studies must be placed on a special study table in the Senate or House. The Legislative Council shall review the proposed studies and authorize the allocation of budgetary and staffing resources for those studies.

11. Legislative Council study policies. The Legislative Council shall adopt policies governing legislative studies at the beginning of each legislative biennium. Those policies may include conditions on the funding of legislative studies, exceptions to this Joint Rule, drafting standards or other provisions necessary to satisfy the requirements of this Joint Rule.