

REP. RYAN FECTEAU
CHAIR

SEN. TROY D. JACKSON
VICE-CHAIR

EXECUTIVE DIRECTOR
SUZANNE M. GRESSER



130TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. ELOISE A. VITELLI
SEN. MATTHEA E. DAUGHTRY
SEN. JEFFREY L. TIMBERLAKE
SEN. MATTHEW POULIOT
REP. MICHELLE DUNPHY
REP. RACHEL TALBOT ROSS
REP. KATHLEEN R.J. DILLINGHAM
REP. JOEL STETKIS

**June 24, 2021
2:30 P.M.**

AGENDA

<u>Page</u>	<u>Item</u>		<u>Action</u>
		CALL TO ORDER	
		ROLL CALL	
1		SUMMARY OF THE MAY 27, 2021 MEETING OF THE LEGISLATIVE COUNCIL	Decision
		REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS	
5		<ul style="list-style-type: none">Fiscal Report (Mr. Nolan)	Information
		REPORTS FROM COUNCIL COMMITTEES	
		No reports	
		OLD BUSINESS	
9	Item #1:	Council Actions Taken by Ballot (No Action Required)	
		NEW BUSINESS	
11	Item #1:	Consideration of After Deadline Bill Requests	Roll Call Vote
12	Item #2:	Consideration of Legislative Study Requests <ul style="list-style-type: none">Suggested Protocol for Considering Proposed StudiesConsideration of Proposed Legislative Studies	Decision Roll Call Vote
29	Item #3	Proposed Second Session Cloture Schedule and Related Dates (Ed Charbonneau, Revisor of Statutes)	Decision
32	Item #4	Announcement of the Single Audit of the State of Maine (Office of the State Auditor)	Information
		ANNOUNCEMENTS AND REMARKS	
		ADJOURNMENT	

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**LEGISLATIVE COUNCIL
MEETING SUMMARY
May 27, 2021**

CALL TO ORDER

Speaker Fecteau called the May 27, 2021 meeting of the 130th Legislative Council to order at 1:37 p.m.

ROLL CALL

Senators: President Jackson, Senator Vitelli, Senator Daughtry, Senator Timberlake and Senator Pouliot

Representatives: Speaker Fecteau, Representative Dunphy, Representative Talbot Ross and Representative Stetkis

Legislative Officers: Suzanne Gresser, Executive Director of the Legislative Council
Darek Grant, Secretary of the Senate
Rob Hunt, Clerk of the House
Ed Charbonneau, Revisor of Statutes
Chris Nolan, Director, Office of Fiscal and Program Review
Danielle Fox, Director, Office of Policy and Legal Analysis
Nik Rende, Director, Legislative Information Technology
Dawna Lopatosky, Legislative Finance Director
Jackie Little, Human Resources Director

Speaker Fecteau convened the meeting at 1:37 p.m. with a quorum of members present.

SUMMARY OF May 20, 2021 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary for May 20, 2021 be accepted and placed on file. Motion by President Jackson. Second by Rep. Dunphy. **Motion passed unanimously (10-0).**

REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES

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 2021 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Change
April	\$379.5	\$492.9	\$113.3	29.9%	\$535.5	-8.0%
FYTD	\$3,062.3	\$3,453.7	\$391.4	12.8%	\$3,301.3	4.6%

General Fund revenue was over budget by \$113.3 million (29.9%) for the month of April and over budget by \$391.4 million (12.8%) for the fiscal year to date. **These positive variances do not reflect the May 2021 revenue forecast, which increased budgeted General Fund revenue by \$479.4 million for FY 2021.**

Individual income tax revenue was over budget by \$5.0 million for the month and over budget by \$177.6 million for the fiscal year to date. Individual income tax payments in April were below budget by \$73.4 million as a result of the delay in the tax filing deadline to May 17th. Individual income tax refunds were \$43.4 million less than budget (positive impact on revenue) for the month and \$69.3 million less for the fiscal year to date, also continuing to reflect the delay in the filing deadline. Corporate income tax revenue was over budget by \$44.2 million for the month and by \$70.3 million for the fiscal year to date. The positive variance for the month was largely the result of final payments exceeding budget by \$27.3 million and for the fiscal year to date, was largely the result of estimated payments exceeding budget by \$39.6 million.

Sales and use tax revenue (March sales) was over budget by \$35.9 million for the month and by \$110.5 million for the fiscal year to date. Estate tax revenue was over budget by \$20.4 million for April.

2. Highway Fund Revenue Update

Total Highway Fund Revenue - FY 2021 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Change
April	\$26.6	\$29.4	\$2.8	10.6%	\$25.0	17.9%
FYTD	\$272.0	\$278.9	\$6.9	2.6%	\$282.3	-1.2%

Highway Fund revenue was over budget by \$2.8 million (10.6%) for the month of April and over budget by \$6.9 million (2.6%) for the fiscal year to date. **These positive variances do not reflect the May 2021 revenue forecast, which decreased budgeted Highway Fund revenue by \$0.2 million for FY 2021.**

Fuel taxes were under budget by \$1.4 million for the month and by \$3.3 million for the fiscal year to date. Motor vehicle registrations and fees were over budget by \$3.7 million for the month and by \$9.4 million for the fiscal year to date.

3. Cash Balances Update

The average balance in the cash pool for April was \$2,578.3 million a decrease from March's average of \$2,644.5 million. The decrease was largely the result of the continued decrease in the average balance from federal Coronavirus Relief Fund (CRF) payments (from \$274.3 million in March to \$240.6 million in April), and a decrease in the General Fund balance which

is typical in the months prior to the individual income tax filing deadline. The average Highway Fund balance in April was \$63.9 million, an increase from March's average of \$58.0 million.

REPORTS FROM COUNCIL COMMITTEES

Personnel Committee

President Jackson reported that the Personnel Committee met on Thursday, May 6, 2021 to consider the following matters:

1. Request for Temporary Disability from a Partisan Staff member

The committee considered a request by the legislative employee for temporary disability income benefits. The request was consistent with the provisions for temporary disability income benefits under the Legislative Council's personnel policies and guidelines. Upon the recommendation of the Executive Director, the committee voted unanimously to approve the request. No Legislative Council action is required.

2. Review of Legislative Council's Harassment Policy and Discussion of Conduct Policy

The committee reviewed the Legislative Council's harassment policy and discussed possible approaches to the development of a conduct policy. This matter will be discussed at a future meeting.

OLD BUSINESS

Item #1: Council Actions Taken by Ballot

Legislative Council Decisions:

Motion: That the privileges governing guest access to the State House for Rep. Shelley Rudnicki are indefinitely suspended due to Rep. Rudnicki's disregard on April 28, 2021 of the explicit requirements set forth in the Legislative Council's COVID-19 Prevention Policy.

Motion by: Speaker Ryan Fecteau Second: President Troy Jackson

Date: May 5, 2021

Vote: 6-4-0-0 Passed (with Senator Timberlake, Senator Pouliot, Representative Dillingham and Representative Stetkis opposed)

Requests for Introduction of Legislation:

LR 2066 An Act To Amend the Sales Tax Exemption for Nonprofit Housing Development Organizations

Submitted by: Representative Traci Gere

Date: May 25, 2021

Vote: 6-4-0-0 Passed (with Senator Pouliot, Speaker Fecteau, Representative Dillingham and Representative Stetkis opposed)

LR 2068 An Act To Improve The Hancock County Courthouse

Submitted by: Senator Louis Luchini
Date: April 30, 2021
Vote: 7-2-0-1 Passed (with Senator Pouliot and Speaker Fecteau opposed and Representative Dillingham Absent)

LR 2074 An Act To Provide Assistance To Law Enforcement Officers To Allow Them To Protect The Residents Of The State

Submitted by: Senator Jeff Timberlake
Date: May 7, 2021
Vote: 8-2-0-0 Passed (with Representative Dunphy and Representative Talbot Ross opposed)

NEW BUSINESS

Item #1: Consideration of After Deadline Bill Requests

The Legislative Council proceeded to consider and vote on six (6) after deadline bill requests and one (1) Joint Resolution. The Legislative Council rejected six (6) after deadline bill requests, and authorized one (1) Joint Resolution for introduction. The Legislative Council's action on the requests is attached.

Item #2: Request to Authorize Study and Remove from Study Table

Motion: That the Legislative Council remove from the Study Table and authorize LD 312, "An Act To Extend the Maine Bicentennial Commission and the Use of Maine Bicentennial Registration Plates through 2021." Motion by President Jackson. Second by Senator Daughtry. **Motion passed (8-2, with Senator Pouliot and Representative Stetkis opposed).**

ANNOUNCEMENTS AND REMARKS

Members of the Legislative Council discussed the previous week's vote by the Council to retain the protective face covering requirement in the Legislative Council's COVID-19 Prevention Policy. With no other business to consider or further announcements, the Legislative Council meeting was adjourned at 2:56 p.m.

Fiscal Briefing

June 24, 2021

Prepared by the Office of Fiscal & Program Review

1. General Fund Revenue Update (see attached)

Total General Fund Revenue - FY 2021 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Change
May	\$287.0	\$495.0	\$208.0	72.5%	\$250.1	97.9%
FYTD	\$3,723.9	\$3,948.6	\$224.8	6.0%	\$3,551.5	11.2%

General Fund revenue was over budget by \$208.0 million (72.5%) for the month of May and over budget by \$224.8 million (6.0%) for the fiscal year to date. **These positive variances now include the May 2021 revenue forecast in the budgeted amounts.**

Individual income tax revenue was over budget by \$176.7 million for the month. Individual income tax payments in May were over budget by \$121.3 million as a result of the delay in the tax filing deadline to May 17th. Individual income tax refunds were \$46.4 million less than budgeted (positive impact on revenue) for the month. Corporate income tax revenue was over budget by \$14.0 million for the month, a combination of positive variances in corporate tax payments, estimated payments and refunds (less than budgeted).

Sales and use tax revenue (April sales) was over budget by \$13.9 million for the month.

2. Highway Fund Revenue Update (see attached)

Total Highway Fund Revenue - FY 2021 (\$'s in Millions)						
	Budget	Actual	Var.	% Var.	Prior Year	% Change
May	\$25.1	\$29.0	\$3.8	15.3%	\$19.9	45.7%
FYTD	\$302.3	\$307.9	\$5.6	1.8%	\$302.2	1.9%

Highway Fund revenue was over budget by \$3.8 million (15.3%) for the month of May and over budget by \$5.6 million (1.8%) for the fiscal year to date. **These positive variances now reflect the May 2021 revenue forecast in the budgeted amounts.**

Fuel taxes were over budget by \$0.9 million for the month. Motor vehicle registrations and fees were over budget by \$3.3 million for the month and by \$5.3 million for the fiscal year to date.

3. Cash Balances Update

The average balance in the cash pool for May was \$3,041.7 million, an increase from April's average of \$2,578.3 million. The increase was largely the result of an increase in the General Fund balance (a result of the May tax filing deadline) and the first deposits of American Rescue Plan (ARP) funds received from the U.S. Treasury. The average Highway Fund balance in May was \$65.1 million, an increase from April's average of \$63.9 million.

General Fund Revenue
Fiscal Year Ending June 30, 2021 (FY 2021)

Preliminary 6/17/21

May 2021 Revenue Variance Report

Revenue Category				Fiscal Year-To-Date					FY 2021 Budgeted Totals
	May '21 Budget	May '21 Actual	May '21 Variance	Budget	Actual	Variance	Variance %	% Change from Prior Year	
Sales and Use Tax	140,219,512	154,087,981	13,868,469	1,583,404,202	1,600,705,728	17,301,526	1.1%	11.9%	1,770,854,678
Service Provider Tax	3,876,734	4,257,464	380,730	47,485,284	48,042,329	557,045	1.2%	-8.0%	52,562,000
Individual Income Tax	122,126,631	298,850,297	176,723,666	1,646,896,242	1,823,619,918	176,723,676	10.7%	10.1%	1,806,896,248
Corporate Income Tax	(1,228,118)	12,750,924	13,979,042	218,535,003	232,514,044	13,979,041	6.4%	30.6%	246,035,003
Cigarette and Tobacco Tax	11,361,795	9,693,434	(1,668,361)	129,674,721	128,528,833	(1,145,888)	-0.9%	1.5%	140,586,329
Insurance Companies Tax	2,107,875	4,869,864	2,761,989	54,981,245	57,509,663	2,528,418	4.6%	8.4%	84,350,000
Estate Tax	750,000	196,708	(553,292)	39,300,000	40,180,536	880,536	2.2%	91.2%	40,050,000
Other Taxes and Fees *	11,849,408	13,898,807	2,049,399	133,010,509	139,327,314	6,316,805	4.7%	13.3%	147,078,546
Fines, Forfeits and Penalties	980,646	405,732	(574,914)	9,511,363	7,885,877	(1,625,486)	-17.1%	-14.6%	10,157,186
Income from Investments	499,894	550,333	50,439	5,176,863	5,235,482	58,619	1.1%	-52.5%	6,296,062
Transfer from Lottery Commission	5,435,123	6,444,655	1,009,532	59,968,104	67,530,409	7,562,305	12.6%	14.1%	65,000,000
Transfers to Tax Relief Programs *	0	(126,865)	(126,865)	(74,450,024)	(75,973,253)	(1,523,229)	-2.0%	-4.9%	(74,462,300)
Transfers for Municipal Revenue Sharing	(14,636,668)	(15,949,107)	(1,312,439)	(136,111,809)	(134,424,730)	1,687,079	1.2%	-30.7%	(148,219,686)
Other Revenue *	3,623,552	5,025,550	1,401,998	6,478,640	7,941,930	1,463,290	22.6%	6.0%	23,765,184
Totals	286,966,384	494,955,778	207,989,394	3,723,860,343	3,948,624,082	224,763,739	6.0%	11.2%	4,170,949,250

* Additional detail by subcategory for these categories is presented on the following page.

General Fund Revenue
Fiscal Year Ending June 30, 2021 (FY 2021)

Preliminary 6/17/21

May 2021 Revenue Variance Report

Revenue Category	May '21 Budget	May '21 Actual	May '21 Variance	Fiscal Year-To-Date					FY 2021 Budgeted Totals
				Budget	Actual	Variance	Variance %	% Change from Prior Year	
Detail of Other Taxes and Fees:									
- Property Tax - Unorganized Territory	0	0	0	12,447,341	12,556,140	108,799	0.9%	18.5%	14,713,169
- Real Estate Transfer Tax	1,882,446	2,135,255	252,809	19,444,604	19,675,735	231,131	1.2%	27.9%	21,655,753
- Liquor Taxes and Fees	1,445,679	1,608,400	162,721	20,648,154	20,463,106	(185,048)	-0.9%	6.8%	22,093,824
- Corporation Fees and Licenses	1,706,514	2,811,329	1,104,815	9,673,481	11,478,403	1,804,922	18.7%	41.1%	11,138,649
- Telecommunication Excise Tax	(75,046)	(50,155)	24,891	6,575,047	6,724,254	149,207	2.3%	4.8%	6,500,000
- Finance Industry Fees	2,296,449	2,026,550	(269,899)	24,729,191	24,782,770	53,579	0.2%	0.4%	26,957,740
- Milk Handling Fee	595,576	595,576	0	2,940,578	3,710,052	769,474	26.2%	209.1%	3,546,767
- Racino Revenue	623,967	722,090	98,123	6,174,361	6,292,525	118,164	1.9%	-3.8%	6,718,748
- Boat, ATV and Snowmobile Fees	888,105	921,258	33,153	3,639,468	4,030,243	390,775	10.7%	18.0%	4,523,561
- Hunting and Fishing License Fees	1,593,235	1,745,389	152,154	14,008,235	16,266,891	2,258,656	16.1%	9.8%	15,990,794
- Other Miscellaneous Taxes and Fees	892,483	1,383,115	490,632	12,730,049	13,347,194	617,145	4.8%	5.4%	13,239,541
Subtotal - Other Taxes and Fees	11,849,408	13,898,807	2,049,399	133,010,509	139,327,314	6,316,805	4.7%	13.3%	147,078,546
Detail of Other Revenue:									
- Liquor Sales and Operations	2,375	4,662	2,287	26,125	71,800	45,675	174.8%	40.2%	28,500
- Targeted Case Management (DHHS)	3,810	0	(3,810)	79,351	34,432	(44,919)	-56.6%	-52.9%	83,160
- State Cost Allocation Program	1,894,465	2,275,417	380,952	25,538,513	26,021,288	482,775	1.9%	15.1%	27,891,450
- Unclaimed Property Transfer	0	0	0	0	0	0	N/A	N/A	12,200,000
- Tourism Transfer	0	0	0	(17,076,345)	(17,076,345)	(0)	0.0%	5.9%	(17,076,345)
- Transfer to Maine Milk Pool	(654,025)	(622,876)	31,149	(12,121,960)	(12,090,812)	31,148	0.3%	-66.0%	(12,778,320)
- Transfer to STAR Transportation Fund	0	0	0	(9,911,067)	(9,911,067)	(0)	0.0%	11.0%	(9,911,067)
- Other Miscellaneous Revenue	2,376,927	3,368,347	991,420	19,944,023	20,892,635	948,612	4.8%	-2.1%	23,327,806
Subtotal - Other Revenue	3,623,552	5,025,550	1,403,521	6,478,640	7,941,930	1,463,290	22.6%	6.0%	23,765,184
Detail of Transfers to Tax Relief Programs:									
				0.00	0				
- Me. Resident Prop. Tax Program (Circuitbreaker)	0	430	430	0	11,133	11,133	N/A	32.6%	0
- BETR - Business Equipment Tax Reimb.	0	(127,295)	(127,295)	(20,500,000)	(21,961,345)	(1,461,345)	-7.1%	5.4%	(20,500,000)
- BETE - Municipal Bus. Equip. Tax Reimb.	0	0	0	(53,962,300)	(54,023,041)	(60,741)	-0.1%	-9.8%	(53,962,300)
Subtotal - Tax Relief Transfers	0	(126,865)	(126,865)	(74,462,300)	(75,973,253)	(1,510,953)	-2.0%	-4.9%	(74,462,300)
Inland Fisheries and Wildlife Revenue - Total	2,579,784	2,739,585	159,801	18,397,448	21,041,148	2,643,700	14.4%	10.4%	21,355,533

Highway Fund Revenue
Fiscal Year Ending June 30, 2021 (FY 2021)

Preliminary 6/18/21

May 2021 Revenue Variance Report

Revenue Category				Fiscal Year-To-Date					FY 2021 Budgeted Totals	Budgeted Change FY 2020 to FY 2021
	May '21 Budget	May '21 Actual	May '21 Variance	Budget	Actual	Variance	% Variance	% Change from Prior Year		
Fuel Taxes:										
- Gasoline Tax	14,337,297	14,599,862	262,565	168,879,471	168,236,922	(642,549)	-0.4%	-6.6%	186,299,525	-10.7%
- Special Fuel and Road Use Taxes	3,969,259	4,756,425	787,166	44,147,514	44,866,639	719,125	1.6%	1.4%	46,789,000	-7.9%
- Transcap Transfers - Fuel Taxes	(1,314,360)	(1,424,339)	(109,979)	(15,714,258)	(15,671,348)	42,910	0.3%	5.0%	(17,137,716)	10.1%
- Other Fund Gasoline Tax Distributions	(357,098)	(365,099)	(8,001)	(4,233,525)	(4,220,410)	13,115	0.3%	6.4%	(4,666,041)	10.5%
Subtotal - Fuel Taxes	16,635,098	17,566,849	931,751	193,079,202	193,211,804	132,602	0.1%	-5.0%	211,284,768	-10.1%
Motor Vehicle Registration and Fees:										
- Motor Vehicle Registration Fees	5,493,532	7,036,251	1,542,719	66,162,590	67,785,224	1,622,634	2.5%	19.6%	71,856,632	3.9%
- License Plate Fees	307,806	558,737	250,931	3,447,870	3,758,625	310,755	9.0%	17.4%	3,817,643	5.5%
- Long-term Trailer Registration Fees	410,976	869,367	458,391	11,901,360	14,233,108	2,331,748	19.6%	5.8%	12,384,523	4.2%
- Title Fees	1,048,551	1,586,578	538,027	14,649,374	15,187,401	538,027	3.7%	19.8%	15,525,795	8.4%
- Motor Vehicle Operator License Fees	488,622	954,090	465,468	9,649,108	10,114,574	465,466	4.8%	26.0%	10,107,411	0.4%
- Transcap Transfers - Motor Vehicle Fees	0	0	0	(12,826,174)	(12,826,174)	0	0.0%	-11.4%	(17,441,983)	-5.6%
Subtotal - Motor Vehicle Reg. & Fees	7,749,487	11,005,023	3,255,536	92,984,128	98,252,758	5,268,630	5.7%	19.0%	96,250,021	4.0%
Motor Vehicle Inspection Fees	247,832	97,407	(150,426)	2,378,024	2,227,199	(150,825)	-6.3%	-19.8%	2,753,228	-14.0%
Other Highway Fund Taxes and Fees	64,907	152,036	87,129	1,313,113	1,437,113	124,000	9.4%	30.3%	1,367,454	-0.1%
Fines, Forfeits and Penalties	30,597	152,822	122,225	409,330	1,138,059	728,729	178.0%	30.7%	426,101	-29.7%
Interest Earnings	15,351	36,142	20,791	262,435	255,024	(7,411)	-2.8%	7.6%	261,450	-16.5%
Other Highway Fund Revenue	390,047	(30,735)	(420,782)	11,896,997	11,354,259	(542,738)	-4.6%	0.2%	12,100,331	-1.0%
Totals	25,133,319	28,979,545	3,846,226	302,323,229	307,876,216	5,552,987	1.8%	1.9%	324,443,353	-6.0%

**Legislative Council Actions
Taken by Ballot Since the
May 27, 2021 Council Meeting**

Legislative Council Decisions:

Motion: **Motion:** That the Legislative Council authorizes the funding for and approves the nonconforming elements pursuant to Joint Rule 353 of the legislative study included in LD 609, “Resolve, To Establish a Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions.” Further, the Legislative Council authorizes an amendment to LD 609 to require the Commission to seek outside funding resources to fully fund the costs of the study. All outside funding is subject to approval by the Legislative Council in accordance with its policies.

Motion by: Speaker Ryan Fecteau Second: President Troy Jackson
Date: May 24, 2021
Vote: 7-3-0-0 Passed (with Senator Timberlake, Representative Dillingham and Representative Stetkis opposed)

Motion: (1) That the Legislative Council direct the Executive Director to make every effort to negotiate a memorandum of understanding with the Maine State Employees Association, Local 1989, Service Employees International Union (or “MSEA”), notwithstanding Article 32, subsections 1 and 2 of the Collective Bargaining Agreement, to authorize for the legislative interim occurring in 2021, the payment by the Legislative Council for session-only employees during the months that the employees are not in active work status of that share of the employee’s premium for health plan coverage and the premium for health plan coverage for eligible dependents for employees electing dependent coverage, and the employee’s premium for dental coverage, equal to that paid by the Legislative Council while those employees are in active work status;
(2) Upon the attainment of such a memorandum of understanding, notwithstanding Article 32, subsections 1 and 2 of the Collective Bargaining Agreement, the Legislative Council authorize for the legislative interim occurring in 2021 the payment by the Legislative Council for session-only employees during the months that the employees are not in active work status of that share of the employee’s premium for health plan coverage and the premium for health plan coverage for eligible dependents for employees electing dependent coverage, and the employee’s premium for dental coverage, equal to that paid by the Legislative Council while those employees are in active work status; and
(3) That the Legislative Council direct the Executive Director to identify available balances in legislative accounts that are sufficient to cover the costs associated with section (2) .

Motion by: Speaker Ryan Fecteau Second: President Troy Jackson
Date: June 9, 2021
Vote: 6-1-0-3 Passed (with Representative Stetkis opposed, Senator Timberlake, Senator Pouliot and Representative Dillingham absent)

Motion: That, effective upon the ending of Maine’s State of Civil Emergency on June 30, 2021, the Legislative Council COVID-19 Prevention Policy is rescinded.

Motion by: Speaker Ryan Fecteau Second: President Troy Jackson
Date: June 11, 2021
Vote: 10-0-0 Passed

Requests for Introduction of Legislation:

LR 2089 Joint Resolution Memorializing The Federal Government to Establish a Federal Waiver Process for States to Establish a Universal Health Care Plan.

Submitted by: Senator Heather Sanborn
Date: June 7, 2021
Vote: 6-3-0-1 Passed (with Senator Timberlake, Senator Pouliot, Representative Dillingham opposed and Representative Stetkis absent.)

LR 2090 Joint Resolution Memorializing The President of The United States and United States Congress To Fix The So-Called Family Glitch In The Federal Affordable Care Act.

Submitted by: Representative Denise Tepler
Date: June 7, 2021
Vote: 6-3-0-1 Passed (with Senator Timberlake, Senator Pouliot, Representative Stetkis opposed and Representative Dillingham absent.)

**130th Maine State Legislature
Legislative Council
Requests to Introduce Legislation**

As of: 6/23/2021

AFTER DEADLINE BILL REQUESTS

Session(s): R1, S1

SPONSOR:

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2106	An Act To Fund Collective Bargaining Agreements with Certain Judicial Department Employees	In Ballot Process

TABLED BY THE LEGISLATIVE COUNCIL

AFTER DEADLINE BILL REQUESTS

SPONSOR: Rep. Jeffery Hanley

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2033	An Act To Eliminate the 100-megawatt Limit on Hydroelectric Generators under the Renewable Resources Laws	Tabled 03/25/21

SPONSOR: Rep. Laurel Libby

<u>LR #</u>	<u>Title</u>	<u>Action</u>
2046	An Act To Restore COVID-19 Relief Equality and Tax Fairness for Maine's Working Families	Tabled 04/22/21

Protocols for Review of Legislative Study Proposals
130th Legislature
Legislative Council Meeting
June 24, 2021

Background: Requirements Relevant to Studies in the First Regular Session

Under the terms of the Joint Rules of the 130th 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 25, 2021, the Legislative Council unanimously adopted a policy on legislative studies for the 130th 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 roll call vote, 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.
- Discussion of the requests will be confined to council members. However, if committee chairs and other legislators are present in the meeting, 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.

General Fund Miscellaneous Studies Account

General Fund Miscellaneous Studies - Budget	2021	2022	2023	2024 Est.
Miscellaneous Studies Budget	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
Expended as of March 31, 2019 (Bicentennial Commission)				
Available Unobligated Balance - Prior Year	\$ 21,260			
Available Balance - General Fund Miscellaneous Studies Budget	\$ 31,260	\$ 10,000	\$ 10,000	\$ 10,000

Previously Authorized Studies

LD 2	PL c. 21 - An Act to Require the Inclusion of Racial Impact Statements in the Legislative Process	Legislative Council		\$ 5,250			10	4
LD 312	PL c. 89 - An Act To Extend the Use of Maine Bicentennial Registration Plates through 2021	Maine Bicentennial Commission		\$ 1,500			4	2
Total - Previously Authorized Studies				\$ 6,750	\$ -	\$ -		
II. Available Balance - General Fund Miscellaneous Studies Budget				\$ 31,260	\$ 3,250	\$ 10,000	\$ 10,000	

To be funded from the General Fund Miscellaneous Studies account.

			2021	2022	2023	2024 Est.	Leg	Mtngs
ST	LD 247	Resolve, To Reestablish the Commission to Study College Affordability and College Education System		\$ 2,750			5	4
ST	LD 380	Resolve, To Establish the Remote Learning Taskforce		\$ 2,750			5	4
ST	LD 446	Resolve, Establishing a Commission To Research and Recommend Solutions for Regional and Municipal Planning		\$ 4,125	\$ 4,125		8	4/4
ST	LD 584	Resolve, To Establish the Commission To Study the Reduction of Unfunded and Outdated Municipal Mandates		\$ 575	\$ 1,075	\$ 575	4	1 & 2 & 1
ST	LD 629	Resolve, To Establish the Task Force To Study the Process for Bringing Criminal Cases in Situations of Violence Against Health Care Workers		\$ 2,250			4	4
ST	LD 681	Resolve, To Establish a Task Force to Study Safe and Stable Housing in Lodging Facilities		\$ 1,750			3	4
ST	LD 719	Resolve, To Establish the Commission To Create a Plan To Incorporate the Probate Courts into the Judicial Branch		\$ 2,750			5	4
	LD 842	An Act to Create a Commission to Examine the Reinstatement of Parole		\$ 2,750			5	4
SAT	LD 924	Resolve, To Establish a Task Force To Study the Coordination of Services and Expansion of Educational Programs for Young Adults with Intellectual or Developmental Disabilities To Identify Barriers to Full Societal Integration		\$ 1,500	\$ 750		3	4 & 2
SAT	LD 966	Commission To Study Fair, Equitable and Competitive Tax Policy To Enable the Implementation of the State's 10-year Economic Development Strategy		\$ 3,125	\$ 3,125		6	4 & 4
	LD 1001	Resolve, To Establish a Task Force To Study Procedures to Ensure Individuals with Intellectual Disabilities or Autism Have Access to Family Members During Hospitalizations		\$ 4,250			8	4
	LD 1073	Resolve, Establishing the Commission To Research Effective Strategies and Efficiencies of Legislatures		\$ 11,500 Revised			9	10 Revised

ST	LD 1512	Resolve, To Study the Establishment of the Office of the Education Ombudsperson	Task Force To Study the Establishment of the Office of the Education Ombudsperson		\$ 3,250			6	4
ST	LD 1514	Resolve, Establishing the Commission to Study the Impact of Various Types of Taxes on Various Populations in the State	Commission to Study the Impact of Various Types of Taxes on Various Populations in the State		\$ 3,250			6	4
ST	LD 1559	Resolve, To Create the Commission To Develop a Paid Family and Medical Leave Benefits Program	Commission To Develop a Paid Family and Medical Leave Benefits Program		\$ 2,000			4	4
SAT	LD 1569	Resolve, Establishing the Commission to Study the Role of Water as a Resource in the State of Maine	Commission to Study the Role of Water as a Resource in the State of Maine <i>Bill includes \$20K GF Appropriation FY22</i>		\$ 2,250			4	4
ST	LD 1601	Resolve, To Establish an Advisory Panel To Study the Implications of Genome-editing Technology for the Citizens of the State	Advisory Panel To Study the Implications of Genome-editing Technology for the Citizens of the State		\$ 4,625	\$ 4,625		9	4/4
ST	LD 1618	Resolve, To Place a Temporary Moratorium on the Approval of Any New Motor Vehicle Registration Plates and Initiate a Registration Plate Working Group	Working Group		\$ 1,000			2	4
ST	LD 1630	Resolve, To Establish the Commission on Proportional Fines	Commission on Proportional Fines - <i>Legislative Council Staff Support</i>		\$ -			0	0

Total - General Fund Miscellaneous Studies \$ - \$ 56,450 \$ 13,700 \$ 575

Balance / (Shortfall) General Fund Miscellaneous Studies Account \$ 31,260 \$ (53,200) \$ (3,700) \$ 9,425
Cumulative Balance \$ 31,260 \$ (21,940) \$ (25,640) \$ (16,215)

Summary of Fiscal Impact of Other Studies

Requiring a General Fund Appropriation

				2021	2022	2023	2024 Est.	Leg	Mtngs
SAT	LD 541	An Act to Improve Health Care Data Analysis	Maine Health Data Organization Health Information Advisory Committee		\$ 780	\$ 780	\$ 780	2	4 (2 dur interim)
SAT	LD 1303	An Act to Ensure Judicial Discretion in Sentencing	Office of the Revisor of Statutes		\$ 11,400			0	0
SAT	LD 1517	An Act To Establish the Maine Workforce, Research, Development and Student Achievement Institute	Legislature to contract with the University of Maine System		\$ 100,000	\$ 100,000		0	0
SAT	LD 1588	Resolve, To Replace Stigmatizing Language in the Maine Revised Statutes with Respectful Language	Office of the Revisor of Statutes		\$ 11,400				

Total - Studies Requiring a General Fund Appropriation \$ - \$ 123,580 \$ 100,780 \$ 780

To be funded from the General Fund baseline budget for interim Joint Standing Committee meetings.

				2021	2022	2023	2024 Est.	Leg	Mtngs
ST	JSO SP 578	Joint Study Order, To Create a Working Group to Review the Process for Ongoing Review of Tax Expenditures by the Legislature	Working Group		\$ 4,000			8	4
Finally passed	LD 1668	Resolve, To Develop a Plan To Close the Long Creek Youth Development Center and Redirect Funding to Community Integration Services for Adjudicated Youth	JSC Criminal Justice and Public Safety		\$ 6,500			13	4

Total - Proposed Studies Requiring the Use of the Legislative Baseline Budget \$ - \$ 10,500 \$ - \$ -

To be funded from the Highway Fund Miscellaneous Studies - Legislative account.

				2021	2022	2023	2024 Est.	Leg	Mtngs
SHT	LD 284	Resolve, To Study Maine's Motor Vehicle Inspection Program	Commission To Study Maine's Motor Vehicle Inspection Program		\$ 2,250			4	4

Total - Proposed Studies Requiring the Use of the Legislative Baseline Highway Fund Allocation \$ - \$ 2,250 \$ - \$ -

To be funded from outside funding resources.

			2021	2022	2023	2024 Est.	Leg	Mtngs	
ST	LD 563	Resolve, To Create the Criminal Records Review Committee	Criminal Records Review Committee		\$ 2,750			5	4
	LD 609	Resolve c. 59 - Resolve, To Establish a Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions	Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions		\$ 2,250			4	6
ST	LD 1005	Resolve, Establishing the Commission To Study Strategies To Assist Working-class Families in Building Wealth and Achieving Upward Mobility	Commission To Study Strategies To Assist Working-class Families in Building Wealth and Achieving Upward Mobility		\$ 3,750			7	4
ST	LD 1246	Resolve, To Study Best Practices and Different Area Needs for Development of Affordable Homes and Expanding Home Ownership in Maine Communities	Commission To Study Best Practices and Different Area Needs for Development of Affordable Homes and Expanding Home Ownership in Maine Communities		\$ 50,000			7	4
ST	LD 1603	An Act To Implement the Recommendations of the Committee To Study the Feasibility of Creating Basic Income Security	Committee To Study the Feasibility of Creating Basic Income Security		\$ 25,000			6	4
ST	LD 1603	An Act To Implement the Recommendations of the Committee To Study the Feasibility of Creating Basic Income Security	Resolve 2019, Chapter 82 balances		\$ (5,985)				
Total - Proposed Studies Requiring Outside Funding				\$ -	\$ 77,765	\$ -	\$ -		
Total Cost of Other Studies				\$ -	\$ 214,095	\$ 100,780	\$ 780		

**130th MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL REVIEW OF PROPOSED STUDIES
FIRST REGULAR AND FIRST SPECIAL SESSIONS
PROPOSED STUDIES SUMMARY**

Does it Conform to Rules and Council Policy?														
Page #	LD (or other)	Notes	Policy Area	Study Name	Purpose	Membership	Report Date(s)	Staff	Jt. Rule and Council Policies	Compensation and # mtgs.	FY 2021	FY 2022	FY 2023	FY 2024
Previously Authorized Studies														
pg. 1	LD 2 PL 2021, c. 21	Not an Emergency	SLG	Legislative Council Study of Establishing and Implementing a System of Using Racial Impact Statements for Legislation	Study the best method to establish and implement a system of using racial impact statements for legislation.	TOTAL: 10 Legis: 10 Sen: 5 House: 5 Chairs: Chairs of Legislative Council	November 1, 2021 to Legislative Council (implementation report). Pilot project report date December 15, 2022 (comes after commencement of 131st Legislature - committee chairs required to report may not be reelected when required to submit report)	Legislative Council staff		Legislative per diem and expenses; 4 meetings		\$5,250		
pg. 7	LD 312 P.L. 2021, c. 89	Emergency	EDU	Maine Bicentennial Commission	Extends the Maine Bicentennial Commission to December 31, 2021.	TOTAL: 22 Legis: 6* Sen: 2 House: 2 Chairs: Commission selects from among legislative members * Previously appointed members (from 129th) are deemed to continue	December 1, 2021 to EDU Committee	Maine State Cultural Affairs Council	Extension of previously approved Commission Nonconforming *Membership - more than 13 members and a majority of members are not legislators	Legislative per diem and expenses; 2 meetings		\$1,500		
General Fund Miscellaneous Studies														
pg. 15	LD 247, as amended by Committee "A" (On Senate Study Table)	Emergency	EDU	Commission to Study College Affordability and College Completion	Review the work of the 2014 Commission and examine and make recommendations on the development of strategies to keep the cost of public post secondary education in the State affordable and to increase the graduation rate of students enrolled in state-supportive public institutions of higher education, including reviewing average debt incurred by students graduation from community colleges and public universities in the State, the Maine Maritime Academy and private universities in the State.	TOTAL: 14 Legis: 5 Sen: 2 (1 from each maj. party and members of EDU) House: 3 (1 from each maj. party and members of EDU) Chairs: First-named Senator and Representative	January 2, 2022 to EDU Committee	University of Maine System, the Maine Community College System and the Maine Maritime Academy; legislative council may provide drafting assistance	Nonconforming * Membership - more than 13 members and a majority of members are not legislators *Report date - January 2, 2022	Legislative per diem and expenses; 4 meetings		\$2,750		

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pg. 21	LD 380, as amended by Committee "A" (On Senate Study Table)	Emergency	EDU	Remote Learning Task Force	Assess the demand and capacity for virtual learning opportunities for Maine students in all grade levels, with a particular focus on grades 7 to 12; research best practices in virtual learning; and establish recommendations regarding virtual learning, including recommendations for future legislation.	TOTAL: 14 Legis: 5 Sen: 2 (1 each maj. party) House: 3 (1 each maj. party) Chairs: First-named Senator and Representative	December 1, 2021 to EDU Committee	Legislative Council (not during regular or special sessions)	Nonconforming *Membership - more than 13 members and a majority of members are not legislators	Legislative per diem and expenses; 4 meetings		\$ 2,750		
pg. 27	LD 446, as amended by Committee "A" (On Senate Study Table)	Not an Emergency	SLG	Commission to Research and Recommend Solutions for Regional and Municipal Planning	Research and recommend solutions to promote, coordinate and provide direct support for comprehensive and sustainable municipal and regional planning.	TOTAL: 15 Legis: 8 Sen: 4 (2 each maj. party) House: 4 (2 each maj. party) Chairs: First-named Senator and Representative	December 31, 2022 to SLG Committee <i>(two-year study)</i>	Legislative Council (not during regular or special sessions)	Nonconforming *Membership - more than 13 members *Report date - December 31, 2022 (legislative members may no longer be serving - won't receive per diem/expenses for meetings after 12/7)	Legislative per diem and expenses; 4 meetings each year of the study		\$ 4,125	\$ 4,125	
pg. 31	LD 584, as amended by Committee "A" (On Senate Study Table)	Not an Emergency	SLG	Commission To Study the Reduction of Unfunded and Outdated Municipal Mandates	Review unfunded and outdated municipal mandates in order to provide recommendations and to report out a list of mandates for the Legislature to consider eliminating or revising.	TOTAL: 15 Legis: 4 Sen: 2 (1 appt. by President and 1 appt. by Minority Leader) House: 2 (1 appt. by Speaker and 1 appt. by Minority Leader) Chairs: Senate Member appointed by the President and House member appointed by the Speaker (membership could change if legislators, including chairs not re-elected)	December 31, 2023 to SLG Committee <i>(multi-year study)</i>	Legislative Council staff	Nonconforming *Membership - more than 13 members and a majority of members are not legislators *Report date - December 31, 2023 *Staffing - does not prohibit assistance of LC staff during session	Legislative per diem and expenses; 4 meetings		\$ 575	\$ 1,075	\$ 575

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Does it Conform to Rules and Council Policy?														
Page #	LD (or other)	Notes	Policy Area	Study Name	Purpose	Membership	Report Date(s)	Staff	Jt. Rule and Council Policies	Compensation and # mtgs.	FY 2021	FY 2022	FY 2023	FY 2024
pg. 37	LD 629, as amended by Committee "A" (On Senate Study Table)	Emergency	HHS	Task Force To Study the Process for Bringing Criminal Cases in Situations of Violence Against Health Care Workers	Study the process by which criminal cases may be brought related to incidents of violence in hospitals and other health care facilities and settings.	TOTAL: 9 Legis: 4 Sen: 2 (1 each maj. party) House: 2 (1 each maj. party) Chairs: First-named Senator and Representative Task force invites 2 members of Judicial branch and 2 members representing DA as members - needs clarification if voting or ex-officio members minor drafting issue with subcommittee language in Sec. 3	December 1, 2021 to CJPS Committee	Legislative Council (not during regular or special sessions)	Nonconforming *Membership - majority of members are not legislators	Legislative per diem and expenses; 4 meetings		\$ 2,250		
pg. 43	LD 681, as amended by Committee "A" (On Senate Study Table)	Not an Emergency	JUD	Task Force to Study Safe and Stable Housing in Lodging Facilities	Review landlord-tenant statutes, licensing statutes pertaining to lodging facilities that are inhabited over 30 days, but less than 365 days, and any other relevant statutes, legislative histories, licensing procedures and Law Court cases, and develop a plan to ensure safe and stable housing for persons in these lodging facilities.	TOTAL: 8 Legis: 3 Sen: 1 House: 2 (1 each maj. party) Chairs: Senate member	December 1, 2021 to JUD Committee	Legislative Council (not during regular or special sessions)	Nonconforming *Membership -majority of members are not legislators	Legislative per diem and expenses; 4 meetings		\$ 1,750		
pg. 47	LD 719, as amended by Committee "A" (On Senate Study Table)	Not an Emergency	JUD	Commission To Create a Plan To Incorporate the Probate Courts into the Judicial Branch	Create a plan for a probate court system with full-time judges. The commission may consider for inclusion in the plan any features that the commission determines relevant, including, but not limited to, features that will ensure timely, convenient and meaningful access to justice, promote judicial responsibility and adherence to the code of judicial responsibility, provide for qualified full-time judges, provide adequate professional staff, reflect efficient practices in scheduling and case management throughout the system, allow for convenient and consumer-friendly processing of matters that are not contested and reflect economies of scale in all appropriate operational aspects, and describe how the system would be funded.	TOTAL: 15 Legis: 5 Sen: 2 (1 each maj. party) House: 3 (1 each maj. party) Chairs: First-named Senator and Representative Members #7 and #8 are silent with regard to appointing authority.	December 1, 2021 to JUD Committee	Legislative Council (not during regular or special sessions)		Legislative per diem and expenses; 4 meetings		\$ 2,750		

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pg. 53	LD 842 (Senate insisted ONTP; House engrossed with Committee "A")	Emergency	JUD	Commission to Examine the Reinstatement of Parole	Examine parole as it currently operates in this State and in other states, the benefits and drawbacks of parole, different models of parole, the effect on parolees, the costs and savings of instituting parole and the elements of a plan to implement parole.	TOTAL: 13 Legis: 5 Sen: 2 (1 each maj. party) House: 3 (1 each maj. party) Chairs: First-named Senator and Representative	December 1, 2021 to JUD Committee	Legislative Council (not during regular or special sessions) Authorizes commission to request assistance of consultants	Nonconforming *Membership - a majority of the members are not legislators	Legislative per diem and expenses; 4 meetings		\$ 2,750		
pg. 57	LD 924, as amended by Committee "A" (On Senate Special Appropriations Table)	Not an Emergency	HHS	Task Force To Study the Coordination of Services and Expansion of Educational Programs and Vocational Opportunities for Young Adults with Intellectual or Developmental Disabilities or Acquired Brain Injury	Study the barriers to accessing higher education and vocational opportunities for young adults with intellectual disabilities, developmental disabilities, acquired brain injury and similar conditions and make recommendations to improve access to higher education and vocational opportunities.	TOTAL: 27 Legis: 3 Sen: 1 (from LBHS Committee) House: 2 (1 EDU and 1 HHS Committees) Chairs: Commissioner of Education to appoint (not necessarily legislators) No date by which appointments must be made	No later than one year after the convening of the task force to EDU Committee, HHS Committee and LBHS Committee No specified reporting date -potential that meetings could continue into new Legislative Session - appointed legislators may not be reelected.	Department of Education	Nonconforming *Membership - more than 13 members and a majority of the members are not legislators 17 of the 27 members are apointed by the Commissioner of Education	Legislative per diem and expenses; 6 meetings		\$ 1,500	\$ 750	
pg. 65	LD 966, as amended by Committee "A" (On Senate Special Appropriations Table)	Emergency	TAX	Commission To Study Fair, Equitable and Competitive Tax Policy To Enable the Implementation of the State's 10-year Economic Development Strategy	Study issues associated with the effects of tax policy on the State's working families and small businesses and develop recommendations designed to ensure that the tax policy of the State is fair and equitable, improves the competitive position of the State, encourages more investment in new and existing small businesses and helps attract skilled and knowledgeable workers, and evaluate the direct impact of any proposed tax changes on after-tax income by income decile and examine whether the State's current revenue streams are adequate to support the strategies and recommendations identified in the State's 10-year economic development strategy.	TOTAL: 13 Legis: 6 Sen: 3 (1 each maj. party) House: 3 (1 each maj. party) Chairs: First-named Senator and Representative	January 15, 2023 to the TAX Committee (multi-year study)	Legislative Council (not during regular or special sessions)	Nonconforming *Membership - a majority of members are not legislators *Report date - multi year study with a report date of January 15, 2023 (could conflict with provision which does not permit LC staff assistance during session)	Legislative per diem and expenses; 4 meetings each year of the study		\$3,125	\$ 3,125	*Bill includes a \$20,000 GF approp. for outside part-time staffing or outside data analysis

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Does it Conform to Rules and Council Policy?														
Page #	LD (or other)	Notes	Policy Area	Study Name	Purpose	Membership	Report Date(s)	Staff	Jt. Rule and Council Policies	Compensation and # mtgs.	FY 2021	FY 2022	FY 2023	FY 2024
pg. 71	LD 1001 (Engrossed in Senate with Committee A, House engrossed with House A; in non-concurrence)	Not an Emergency	HHS	Task Force to Study Procedures To Ensure Individuals with Intellectual Disabilities or Autism Have Access to Family Members During Hospitalizations	Review current policies regarding parental or guardian access to a hospitalized individual with intellectual disabilities or autism with a particular focus on access during a pandemic or similar situation, and consider remote access policies and in-person access policies with the goal of ensuring the most access possible while still ensuring the safety of patients, guardians, health care workers and the public.	TOTAL: 17 Legis: 8 Sen: 3 (1 each maj. party) House: 5 (1 each maj. party) Chairs: First-named Senator and Representative Members #3 and #7 are silent with regard to appointing authority	December 1, 2021 to HHS Committee	Legislative Council (not during regular or special sessions)	Nonconforming *Membership - a majority of members are not legislators	Legislative per diem and expenses; 4 meetings		\$ 4,250		
pg. 75	LD 1073 (Engrossed in Senate with CA as amended by SA; House engrossed as amended by CA; in non-concurrence)	Emergency	SLG	Commission To Research Effective Strategies and Efficiencies of Legislatures	Examine the operations of the Legislature and the overall structure, including the number of Legislators; the Legislative Council; the process for introducing bills; the number of bills in a legislative session and biennium; the structure of joint standing committees; the budget proses; Legislator term limits; and the legislative pay structure.	TOTAL: 14 (16 in House engrossed bill) Legis: 9 Sen: 4 (2 each maj. party) House: 4 (2 each maj. party; 1 from other party) Chairs: First-named Senator and Representative	February 15, 2022 to the SLG Committee	Legislative Council	Nonconforming *Membership - more than 13 members *Report date - during session February 15, 2022 *Staffing - does not prohibit assistance from LC staff during session	Legislative per diem and expenses; 4 meetings		\$ 11,500	Revised	
pg. 89	LD 1512, as amended by Committee "A" (On Senate Study Table)	Not an Emergency	EDU	Task Force To Study the Establishment of the Office of the Education Ombudsperson	Study how to establish the office of the education ombudsman, including the qualifications for the ombudsman, the ombudsman's duties and powers, the definition of the role of the ombudsman, where the office should be sited and the processes for reporting, communication, relationships, handling of concerns and complaints.	TOTAL: 14 Legis: 6 Sen: 3 (2 maj. party; 1 min. party) House: 3 (2 maj. party; 1 min. party) Chairs: First-named Senator and Representative	January 30, 2022 to EDU Committee	Legislative Council (not during regular or special sessions)	Nonconforming *Membership-more than 13 members and a majority of the members are not legislators *Report date - January 30, 2022 (conflicts with provision that does not permit LC staffing during session)	Legislative per diem and expenses; 4 meetings		\$ 3,250		
pg. 95	LD 1514, as amended by Committee "A" (On Senate Study Table)	Not an Emergency	TAX	Commission to Study the Impact of Various Types of Taxes on Various Populations in the State	Study and analyze the annual effective tax rate of various state and municipal taxes applied to real and personal property, consumer durables, intangible assets, corporate equities, mutual share funds, pension entitlements, private business and other financial instruments and distributional impacts on various categories on various categories of residents of the State.	TOTAL: 9 Legis: 6 Sen: 3 (1 each maj. party) House: 3 (1 each maj. party) Chairs: First-named Senator and Representative	January 1, 2022 to TAX Committee	Legislative Council (not during regular or special sessions)	Nonconforming *Report date- January 1, 2022	Legislative per diem and expenses; 4 meetings		\$ 3,250		

**130th MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL REVIEW OF PROPOSED STUDIES
FIRST REGULAR AND FIRST SPECIAL SESSIONS
PROPOSED STUDIES SUMMARY**

Does it Conform to Rules and Council Policy?														
Page #	LD (or other)	Notes	Policy Area	Study Name	Purpose	Membership	Report Date(s)	Staff	Jt. Rule and Council Policies	Compensation and # mtgs.	FY 2021	FY 2022	FY 2023	FY 2024
pg. 99	LD 1559, as amended by Committee "A" (On Senate Study Table)	Not an Emergency	LBHS	Commission To Develop a Paid Family and Medical Leave Benefits Program	Study the paid family and medical leave benefits programs in other states, including: A. Equity of the program; B. Program funding; C. State partnerships and consortiums, including information technology needs; D. Education and outreach needs; E. Oversight and structure of the program; and F. Relationship between state government and the employers and employees participating in the program; develop a plan to implement a paid family and medical leave benefits program by consulting with other states that have established paid family and medical leave benefits programs; and contract for and complete an actuarial study of the planned program under, including start-up costs and ongoing costs of the program, the economic impact on and benefits to the State and the contributions needed to maintain the solvency of the program.	TOTAL: 12 Legis: 4 Sen: 2 (each maj. party) House: 2 (each maj. party) Chairs: First-named Senator and Representative	February 1, 2022 to the Second Regular Session of the 130th Legislature	Governor's Office of Policy Innovation and Future; DOL, DHHS, DAFS, OIT and BRS may provide additional staffing	Nonconforming *Membership - a majority of members are not legislators *Report date - during session February 1, 2022	Legislative per diem and expenses; 4 meetings		\$ 2,000		
pg. 105	LD 1569, as amended by Committee "A" (On Senate Special Appropriations Table)	Not an Emergency	TAX	Commission to Study the Role of Water as a Resource in the State of Maine	Study issues associated with the role of water resources in the State and the nature and extent of infrastructure involved in the use and delivery of water resources now and in the future.	TOTAL: 16 Legis: 4 Sen: 2 (1 each maj. party) House: 2 (1 each maj. party) Chairs: First-named Senator and Representative	March 15, 2022 to TAX Committee	Legislative Council (not during regular or special sessions)	Nonconforming *Membership - more than 13 members and a majority of members are not legislators *Report date - March 22, 2022 <i>(conflicts with provision that LC staff not permitted to assist during session)</i>	Legislative per diem and expenses; 4 meetings		\$2,250 *Bill includes a \$20,000 GF Approp. for part-time staffing or outside data analyses		
pg. 111	LD 1601, as amended by Committee "A" (On Senate Study Table)	Not an Emergency	HHS	Advisory Panel To Study the Implications of Genome-editing Technology for the Citizens of the State	Study the implications of genome editing technology and the legislative, administrative or other steps that the State should take to capitalize on the potential and avoid the hazards of genome-editing technology.	TOTAL: 17 Legis: 9 Sen: 3 (incl. 1 each maj. party) House: 6 (incl. each maj. party) Chairs: First-named Senator and Representative	December 31, 2022 to First Regular Session of the 131st Legislature (two-year study)	Legislative Council (not during regular or special sessions)	Nonconforming *Membership - more than 13 members and a majority of members are not legislators *Report date - December 31, 2022 <i>(legislative members may not be reelected and thus not serving after 12/7/22)</i>	Legislative per diem and expenses; 4 meetings per year (while members)		\$4,625	\$ 4,625	

**130th MAINE STATE LEGISLATURE
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PROPOSED STUDIES SUMMARY**

Does it Conform to Rules and Council Policy?														
Page #	LD (or other)	Notes	Policy Area	Study Name	Purpose	Membership	Report Date(s)	Staff	Jt. Rule and Council Policies	Compensation and # mtgs.	FY 2021	FY 2022	FY 2023	FY 2024
pg. 117	LD 1618, as amended by Committee "A" (On Senate Study Table)	Emergency	TRA	Working Group on Registration Plates	Identifying and documenting the roles and functions of the State's registration plates; exploring and documenting challenges with the registration plate manufacturing process; examining the benefits, detriments and legal issues arising from specialty registration plates; examining competing interests worth specialty registration plates; and examining standards and systems developed by national and industry experts and exploring ways in which the State can adopt such standards and systems.	TOTAL: 10 Legis: 2 Sen: 1 from TRA Committee House: 1 from TRA Committee Chairs: Not specified	February 1, 2022 to TRA Committee	Secretary of State, Bureau of Motor vehicles; Legislative Council staff not authorized	Nonconforming *Membership - a majority of members are not legislators *Report date - February 1, 2022	Legislative per diem and expenses; 4 meetings		\$1,000		
pg. 123	LD 1630, as amended by Committee "A" (On Senate Study Table; failed final enactment in the House)	Emergency	JUD	Proportional Fines Commission	Examine the proportional fines programs as proposed in models and as implemented in other jurisdictions; identify the logistics necessary to implement such a program, including the underlying assignment of value on which fines will be based, calculations a sentencing court is required to make in imposing a fine in each appropriate case and the information needed to make those calculations, and updating the process for each change in the laws governing crimes.	TOTAL: 9 Legis: 0 Sen: 0 House: 0 Chairs: selected from among members	December 1, 2021 to JUD Committee	Legislative Council or may contract for staff	Nonconforming *Membership - No legislative members *Staffing - LC to provide or contract for staff (no legislative members)					
General Fund Appropriation														
pg. 127	LD 541, as amended by Committee "A" (On Senate Special Appropriations Table)	Not an Emergency	HCIFS	Maine Health Data Organization Health Information Advisory Committee	Make recommendations to the Maine Health Data Organization regarding public reporting of health care trends developed from data reported to the organization.	TOTAL: 11 Legis: 2 Sen: 1 House: 1 Chairs: Members select chair	No reporting requirement	Maine Health Data Organization		Legislative per diem and expenses; 4 meetings		\$780	\$780	\$780
pg. 131	LD 1303, as amended by Committee "A" (On Senate Special Appropriations Table)	Not an Emergency	JUD	Office of the Revisor of Statutes to Compile a List of Mandatory Minimum Sentences Contained in the Statutes	Compile a list of statutes that require the court in sentencing a person for a violation of law to impose a mandatory minimum terms of imprisonment.	TOTAL: No appointments required Legis: Sen: House: Chairs:	January 15, 2022 to CJPS Committee (during session when ROS drafting bills and floor amendments)	Revisor of Statutes staff; may contract with an outside entity		No legislators/No meetings		\$11,400		

**130th MAINE STATE LEGISLATURE
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Does it Conform to Rules and Council Policy?														
Page #	LD (or other)	Notes	Policy Area	Study Name	Purpose	Membership	Report Date(s)	Staff	Jt. Rule and Council Policies	Compensation and # mtgs.	FY 2021	FY 2022	FY 2023	FY 2024
pg. 135	LD 1517, as amended by Committee "A" (On Senate Special Appropriations Table)	Not an Emergency	IDEA	Maine Workforce, Research, Development and Student Achievement Institute	Advise the Legislature on matters related to workforce training, research and development, student debt and economic advancement in the State.	TOTAL: 13 (IDEA Committee to appoint) Legis: 0 Sen: 0 House: 0 Chairs: Elect a chair from among members	No reporting requirement	Legislature to contract with the University of Maine System		No legislators or legislative meetings		\$ 100,000	\$ 100,000	
pg. 141	LD 1588, as amended by Committee "A" (On Senate Special Appropriations Table)	Not an Emergency	CJPS	Office of the Revisor of Statutes to Review Title 22, 22-A, 25 and 34-A for Stigmatizing Language in the Laws	Review laws governing the Department of Health and Human Services, the Department of Public Safety and the Department of Corrections for stigmatizing language. Requires ROS to recommend editing the laws to accommodate change to stigmatizing language.	TOTAL: No appointments required Legis: Sen: House: Chairs:	Revisor of Statutes to report by January 15, 2022 to CJPS Committee with draft legislation to amend the laws of the three departments (during session when ROS drafting bills and floor amendments)	Revisor of Statutes staff; may contract with an outside entity		No legislators or legislative meetings		\$ 11,400		
General Fund Legislative - Interim JSC Meeting Budget														
pg. 145	JO SP 578; Passed in Senate and House (On House Special Study Table)	Not an Emergency	TAX	Working Group to Review the Process for Ongoing Review of Tax Expenditures by the Legislature	Examine and make recommendations regarding the process for the ongoing review of tax expenditures by the Legislature, including provisions of MRSA Title 3 and Title 36 governing tax expenditures; the experience of key entities involved in tax expenditure reviews under the MRSA, Title 3; tax expenditure review policies, approaches and processes in other states; and the input from stakeholders engaged in the administration of tax expenditures.	TOTAL: 8 Legis: 8 Sen: 4 (2 each maj. party; 2 from GOC and 2 from TAX) House: 4 (2 each maj. party; 2 from GOC and 2 from TAX) Chairs: First-named Senator and Representative	December 1, 2021 to the Second Regular Session of the 130th Legislature	Legislative Council (not during regular or special sessions)	Conforms with Jt. Rule 353	Legislative per diem and expenses; 4 meetings		\$4,000		
pg. 149	LD 1668 (Finally Passed in House and Senate)	Not an Emergency; Passed to be engrossed in Senate and House	CJPS	CJPS Committee to Study the Selection of an Entity to Manage and Distribute Corrections Funds Designated for Youth Incarceration	Study the selection of an entity to manage and distribute corrections funds designated for youth incarceration.	TOTAL: 13 Legis: 13 Sen: 3 House: 10 Chairs: Chairs of CJPS	No report required	Legislative Council staff (presumed)		Legislative per diem and expenses; 4 meetings		\$ 6,500		

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Does it Conform to Rules and Council Policy?														
Page #	LD (or other)	Notes	Policy Area	Study Name	Purpose	Membership	Report Date(s)	Staff	Jt. Rule and Council Policies	Compensation and # mtgs.	FY 2021	FY 2022	FY 2023	FY 2024
Highway Fund Misc. Studies - Legislative Account														
pg. 153	LD 284, as amended by Committee "A" (On Special Highway Table)	Not an Emergency	TRA	Commission to Study Maine's Motor Vehicle Inspection Program	Review Maine's motor vehicle inspection program in order to provide recommendations regarding: whether the program should continue; if the program should continue, how frequently motor vehicles should be required to be inspected; and whether the fee structure for the program should be changed.	TOTAL: 9 Legis: 4 Sen: 2 (TRA Committee, 1 each maj. party) House: 2 (TRA Committee, 1 each maj. party) Chairs: First-named Senator and Representative	December 1, 2021 to TRA Committee	Legislative Council (not during regular or special sessions)	Nonconforming *Membership- a majority of the members are not legislators	Legislative per diem and expenses; 4 meetings		\$ 2,250		
Outside Funding Resources														
pg. 159	LD 563, as amended by Committee "A" (On Senate Study Table)	Not an Emergency	JUD	Criminal Records Review Committee	1. Review activities in other states that address the expungement, sealing, vacating of and otherwise limiting public access to criminal records; 2. Consider "clean slate" legislation options; 3. Consider whether the following convictions should be subject to different treatment: A. Convictions for conduct that has been decriminalized in this State over the last 10 years and conduct that is currently under consideration for decriminalization; and B. Convictions for conduct that was committed by victims and survivors of sexual exploitation and sex trafficking; 4. Consider whether there is a time limit after which some or all criminal records should not be publicly available; 5. Invite comments and suggestions from interested parties, including but not limited to victim advocates and prison and correctional reform organizations; 6. Review existing information about the harms and benefits of making criminal records confidential, including the use and dissemination of those records; 7. Invite comments and suggestions concerning the procedures to limit public accessibility of criminal records; 8. Consider who, if anyone, should continue to have access to criminal records that are not publicly available; and 9. Develop options to manage criminal records.	TOTAL: 29 Legis: 5 Sen: 2 (1 each maj. party) House: 2 (1 each maj. party) Chairs: First-named Senator and Representative *Note: Current chair of RTKAC is a legislator (should it specify if judicial branch member voting or ex-officio?)	December 3, 2021 to JUD Committee	Legislative Council (not during regular or special sessions)	Nonconforming *Membership - more than 13 members and a majority of members are not legislators	Legislative per diem and expenses; 4 meetings minimum		\$ 2,750		

**130th MAINE STATE LEGISLATURE
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Does it Conform to Rules and Council Policy?														
Page #	LD (or other)	Notes	Policy Area	Study Name	Purpose	Membership	Report Date(s)	Staff	Jt. Rule and Council Policies	Compensation and # mtgs.	FY 2021	FY 2022	FY 2023	FY 2024
pg. 169	LD 609 Enacted, Resolve 2021, c. 59	Emergency	LBHS	Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions	Review data on housing shortages in the State for low-income and middle-income households and state laws that affect the local regulation of housing and efforts in other states and municipalities to address housing shortages; consider measures that would encourage increased housing options in the State; and review and consider the historical role of race and racism in zoning policies and the best measures to ensure that state and municipal zoning laws do not serve as barriers to racial equality.	TOTAL: 15 Legis: 4 Sen: 2 (1 each maj. party) House: 2 (1 each maj. party) Chairs: First-named Senator and Representative	November 3, 2021 to LBHS Committee	Legislative Council (not during regular or special sessions)	Nonconforming *Membership - more than 13 members and a majority of members are not legislators	Legislative per diem and expenses; public members are entitled to receive reimbursement of necessary expenses; 6 meetings		\$ 2,250		
pg. 175	LD 1005, as amended by Committee "A" (On Senate Study Table)	Not an Emergency	IDEA	Commission To Study Strategies To Assist Working-class Families in Building Wealth and Achieving Upward Mobility	Examine and make recommendations on the feasibility of providing every child at birth a publicly funded bond to assist working-class families and to reduce racial and geographic wealth disparities in the State.	TOTAL: 12 Legis: 7 Sen: 4 (at least 1 each maj. party; 1 each from LBHS, HHS, TAX, IDEA) House: 3 (at least 1 each maj. party; 1 each from LBHS, HHS,IDEA) Chairs: First-named Senator and Representative	December 1, 2021 to Second Regular Session of the 130th Legislature	Legislative Council (not during regular or special sessions)		Legislative per diem and expenses; Other members are entitled to receive reimbursement of necessary expenses; 4 meetings		\$ 3,750		
pg. 181	LD 1246, as amended by Committee "A" (On Senate Study Table)	Not an emergency	IDEA	Commission To Study Best Practices and Different Area Needs for Development of Affordable Homes and Expanding Home Ownership in Maine Communities	Study the issue of home ownership being out of reach of low-income and moderate-income families and the issue of the market being determined by buyers of seasonal housing, threatening the year-round character of communities and requiring members of families to commute long distances to their places of employment.	TOTAL: 15 Legis: 7 Sen: 2 House: 5 Chairs: First appointed Senator and Representative	December 1, 2021 to LBHS	Legislative Council (not during regular or special sessions); may obtain consultants and other experts to supply data and research	Nonconforming *Membership- more than 13 members and a majority of the members are not legislators	Legislative per diem and expenses; 4 meetings		\$ 50,000		

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Does it Conform to Rules and Council Policy?														
Page #	LD (or other)	Notes	Policy Area	Study Name	Purpose	Membership	Report Date(s)	Staff	Jt. Rule and Council Policies	Compensation and # mtgs.	FY 2021	FY 2022	FY 2023	FY 2024
pg. 187	LD 1603, as amended by Committee "A" (On Senate Study Table)	Not an emergency; continuation of approved study from the 129th	HHS	Committee To Study the Feasibility of Creating Basic Income Security	Examine and make recommendations about the feasibility and economic impact and poverty reduction effect of providing basic income security through a direct cash payment system and other programs designed to help individuals and families become more economically secure.	TOTAL: 11 Legis: 6 Sen: 3 (1 each LBHS, HHS, TAX) House: 3 (1 each LBHS, HHS, TAX) Chairs: First-named Senator and Representative	December 1, 2021 to LBHS Committee	Legislative Council (not during regular or special sessions); may hire an outside consultant		Legislative per diem and expenses; public member may receive expenses; 4 meetings		\$25,000 (\$5,985)*		

*Balance from prior study commission

Additional Legislative Resources for Interim Work

pg. 193	Committee Letter; Council approved	Not an Emergency	SLG	SLG Subcommittee on Discontinued Roads	Review issues related to the maintenance of discontinued public roads by local units of government and formulating recommendations and legislation for the committee to consider during the Second Regular Session.	TOTAL: 5 from SLG Committee Legis: 5 Sen: Not specified House: Not specified Chairs: Not specified	No report required	Legislative Council staff		Legislative per diem and expenses; 3 meetings				
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- EUT Committee request to POs to meet on carryovers during the interim
12 meetings requested
Legislative Council Staff
- Marijuana Advisory Commission
28-B MRSA c. 1, subchapter 9
Legislative Council Staff
- Right to Know Advisory Committee
1 MRSA §411
Legislative Council Staff
- State Education and Employment Outcomes Task Force
20-A MRSA, Chapter 437
Legislative Council Staff



EDWARD A CHARBONNEAU
REVISOR

MAINE STATE LEGISLATURE
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To: Members of the Legislative Council of the 130th Legislature
From: Edward A. Charbonneau, Revisor of Statutes 
RE: Proposed Second Session Cloture Schedule and Related Dates
Date: June 24, 2021

Pursuant to Joint Rule 203, the Legislative Council is charged with establishing the cloture date and procedures for submission of legislation for each second regular session. Attached for your review and consideration is a proposed schedule that establishes dates and deadlines for cloture and related events for the Second Regular Session of the 130th Legislature; this schedule is based on the schedule used for at least the last 3 second regular sessions to align with the previously scheduled 2019 Council meetings.

Consistent with the Joint Rules and past Legislative Council practice and policy, the schedule requires that:

- Bill requests be accompanied on or before the cloture date by sufficient instructions from which a bill may be fully drafted;
- If a bill is to be drafted by an outside source, the final draft must be submitted to the Revisor's Office by the cloture date; and
- Departments and agencies must submit final drafts by the cloture date.

During the time between cloture and the meeting of the Legislative Council to undertake the initial screening of Legislators' bill requests, the Revisor's Office will prepare and distribute a packet that lists all of the requests filed by Legislators that are subject to the Council's vote. Each request to be voted upon will be indexed by subject matter and given a brief summary by the Revisor's Office. The office, with the assistance of the Office of Policy and Legal Analysis and the Office of Fiscal and Program Review, will also identify requests that appear to be closely related to other requests, to bills carried over to the Second Regular Session, or to bills that might be considered finally rejected in the First Regular Session. The packet also includes a list of those bills carried over and a list of bill titles submitted by executive and independent agencies, which, traditionally, have not been subject to the screening process.

After the initial screening of Legislators' requests and decision by the Legislative Council, the Revisor's Office will compile the results and notify each individual Legislator of the Council's actions and provide instructions on the procedure to follow if a Legislator wishes to appeal a decision of the Legislative Council.

A supplemental volume will be prepared and distributed between the appeal deadline and the meeting of the Council to hear those appeals.

The schedule also includes the option of a bill signing day, which is traditionally scheduled in mid-December prior to the convening of the Second Regular Session to ensure that all bills that have been drafted will be signed and ready for introduction when the Legislature convenes in January. I have suggested two alternative days in order to enable the coordination of this year's bill signing day with any Legislator training sessions that may be scheduled.

In the 129th Legislature, out of 397 pre-cloture Legislator-filed bill requests, the Legislative Council accepted a total of 159. In the 128th Legislature, out of 289 pre-cloture Legislator-filed bill requests, the Legislative Council accepted a total of 96. In the 127th Legislature, out of 414 pre-cloture Legislator-filed bill requests, the Legislative Council accepted a total of 91. For all of those years, most of the bills were completed and signed on the applicable bill signing day and transmitted to the Secretary of the Senate and the Clerk of the House for printing and referral to committees before the Second Regular Session convened. Departments and agencies were also subject to the bill signing day, and most of their pre-cloture bill requests were also completed and sent to the chambers before the session convened.

If I can provide you any further information, please do not hesitate to contact me.

Attachment

cc: Suzanne M. Gresser, Executive Director

130TH LEGISLATIVE COUNCIL
 SECOND REGULAR SESSION
 SCHEDULE FOR REVIEW OF LEGISLATOR REQUESTS
 TO INTRODUCE LEGISLATION

September 24th (Friday) 4 p.m.	Filing Deadline (Cloture) * <ul style="list-style-type: none"> • Legislators (with sufficient information to fully draft; OR if outside entity is providing draft, with the final draft) • Departments/Agencies (final drafts)
October 28th (Thursday) 10 a.m.	Legislative Council meeting – Consideration of Legislators’ requests
October 29th (Friday)	Notice of Council’s action sent to sponsors
November 1st (Monday)	Deadline for filing appeals*
November 18th (Thursday) 10 a.m.	Legislative Council meeting to consider appeals
December 15th or 16th (tentative)	Bill Signing Day (subject to approval by Presiding Officers)
January 5th (Wednesday)	Legislature convenes

* Legislators are encouraged to file bill requests well in advance of this deadline.

Sun	Mon	Tue	Wed	Thu	Fri	Sat
September 2021						
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		
October 2021						
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						
November 2021						
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				
December 2021						
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	



STATE OF MAINE OFFICE OF THE STATE AUDITOR

66 STATE HOUSE STATION
AUGUSTA, ME 04333-0066

TEL: (207) 624-6250

Matthew Dunlap
State Auditor

B. Melissa Perkins, CPA
Deputy State Auditor

June 1, 2021

Honorable Members of the Legislative Council for the 130th Legislature

Honorable Janet T. Mills
Governor of the State of Maine

In accordance with Title 5 § 243(9), we are conducting the Single Audit of the State of Maine for the year ended June 30, 2021. The Single Audit is an audit of the State's financial statements and major Federal assistance programs. Professional standards require that we provide you with the following information related to our audit. We would also appreciate the opportunity to meet with you to discuss this information further since a two-way dialogue can provide valuable information for the audit process.

Our Responsibilities under U.S. Generally Accepted Auditing Standards, *Government Auditing Standards* and the Uniform Guidance

As stated in our engagement letter to Commissioner Figueroa dated May 27, 2021, our responsibility, as described by professional standards, is to express opinions about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles. Our audit of the financial statements does not relieve you or management of your responsibilities.

In planning and performing our audit, we will consider the State of Maine's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinions on the financial statements and not to provide assurance on the internal control over financial reporting. We will also consider internal control over compliance with requirements that could have a direct and material effect on a major Federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with the Uniform Guidance.

As part of obtaining reasonable assurance about whether the State of Maine's financial statements are free of material misstatement, we will perform tests of its compliance with certain provisions of laws, regulations, contracts, and grants. However, providing an opinion on compliance with those provisions is not an objective of our audit. Also in accordance with the Uniform Guidance, we will examine, on a test basis, evidence about the State of Maine's compliance with the types of

compliance requirements described in the U.S. Office of Management and Budget (OMB) Compliance Supplement applicable to each of its major Federal programs for the purpose of expressing an opinion on the State of Maine's compliance with those requirements. While our audit will provide a reasonable basis for our opinion, it will not provide a legal determination on the State of Maine's compliance with those requirements.

Generally accepted accounting principles provide for certain required supplementary information (RSI) to supplement the basic financial statements. Our responsibility with respect to management's discussion and analysis, budgetary reporting, state retirement plans, other post-employment benefit plans, and information about infrastructure assets reported using the modified approach, which supplement the basic financial statements, is to apply certain limited procedures in accordance with generally accepted auditing standards. However, the RSI will not be audited and, because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance, we will not express an opinion or provide any assurance on the RSI.

We have been engaged to report on supplementary information such as the combining statements, individual nonmajor fund statements and schedules, which accompany the financial statements but are not RSI, and the Schedule of Expenditures of Federal Awards. Our responsibility for this supplementary information, as described by professional standards, is to evaluate the presentation of the supplementary information in relation to the financial statements as a whole and to report on whether the supplementary information is fairly stated, in all material respects, in relation to the financial statements as a whole.

We have not been engaged to report on the introductory section and statistical section, which accompany the financial statements but are not RSI. Our responsibility with respect to this other information in documents containing the audited financial statements and auditor's report does not extend beyond the financial information identified in the report. We have no responsibility for determining whether this other information is properly stated. This other information will not be audited and we will not express an opinion or provide any assurance on it.

Planned Scope and Timing of the Audit

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested.

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Material misstatements may result from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. We will generally communicate our significant findings at the conclusion of the audit. However, some matters could be communicated sooner, particularly if significant difficulties are encountered during the audit where assistance is needed to overcome the difficulties or if the difficulties may lead to a modified opinion. We will

also communicate any internal control related matters that are required to be communicated under professional standards.

The State of Maine's financial statements are required to include information related to certain component units. Because the financial statements of these component units have been audited by other auditors, and we plan to rely on the audits conducted by the other auditors, we will refer to these other auditors in our audit opinion.

The Office of the State Auditor started the audit in May 2021 and plans to issue our reports no later than March 31, 2022. State Auditor Matthew Dunlap is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them.

This information is intended solely for the use of the Governor, the Legislative Council members, and management of the State of Maine and is not intended to be, and should not be, used by anyone other than these specified parties.

Sincerely,



Matthew Dunlap
State Auditor