

**Protocols for Review of Legislative Study Proposals**  
**127<sup>th</sup> Legislature**  
**Legislative Council Meeting**  
**June 2015**

**Background: Requirements Relevant to Studies in the First Regular Session**

Under the terms of the Joint Rules of the 127<sup>th</sup> 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 February 26, 2015, the Legislative Council unanimously adopted a policy on legislative studies for the 127<sup>th</sup> 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 alphabetically in LD or payer 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 on 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.

## **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.

SEN. MICHAEL D. THIBODEAU  
CHAIR

REP. MARK W. EVES  
VICE-CHAIR

EXECUTIVE DIRECTOR  
GRANT T. PENNOYER



127<sup>TH</sup> MAINE STATE LEGISLATURE  
LEGISLATIVE COUNCIL

SEN. GARRETT P. MASON  
SEN. ANDRE E. CUSHING  
SEN. JUSTIN L. ALFOND  
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REP. SARA GIDEON  
REP. KENNETH W. FREDETTE  
REP. ELEANOR M. ESPLING

## **Legislative Council Policy on Legislative Studies for 127<sup>th</sup> Maine Legislature**

### **1. Introduction**

On March 22, 2007, the Legislative Council unanimously endorsed revisions to Joint Rule 353 and revisions to Legislative Council policies proposed by a Legislative Council subcommittee established to study the legislative study process. On May 15, 2007, the Legislative Council's proposed revisions to Joint Rule 353 were adopted by the House and the Senate, as amended by the Joint Select Committee on Joint Rules. Joint Rules adopted by each successive legislature have included Joint Rule 353.

Joint Rule 353, Section 11, requires the Legislative Council to adopt policies governing legislative studies at the beginning of each legislative biennium. Pursuant to that authority, the Legislative Council adopts this policy on legislative studies to establish policies and procedures governing the Legislative Council's authorization of legislative studies, conditions on the funding of legislative studies, exceptions to the definition of legislative study, legislative study drafting standards and other provisions necessary to satisfy the requirements of Joint Rule 353.

### **2. Council authorization of legislative studies**

Legislative studies are authorized only upon the approval of a majority of the Legislative Council during its review of the study table, except that approval of 2/3 of the Legislative Council is required to authorize a legislative study that is required to submit a report to a subsequent Legislature.

### **3. Funding of legislative studies**

The Legislative Council shall establish a study line in the Legislative Account to which legislative studies are budgeted and study expenses charged. That study line must include funds appropriated by the Legislature for those purposes and funds allocated by the Legislature from other departmental accounts to the Legislative Account for the purposes of funding a legislative study. The Legislative Council shall also establish budgets and provide sufficient money from the legislative account for studies to be conducted by joint standing committees, joint select committees and other study committees of the Legislature. The Legislative Council shall

provide sufficient money to enable the committees to reasonably conduct and complete the requirements of the studies.

#### **4. Acceptance of private contributions to support legislative studies**

Private financial or in-kind contributions to support the work of legislative studies may not be accepted from any party having a pecuniary or other vested interest in the outcome of the study. Any person, other than a state agency, authorized and desiring to make a financial or in-kind contribution must certify to the Legislative Council that it has no pecuniary or other vested interest in the outcome of the study. All such contributions are subject to the approval of the Legislative Council. All contributions accepted must be forwarded to the Executive Director of the Legislative Council along with an accounting record that includes the amount of contributions, the date the contributions were received, from whom the contributions were received and the purpose of and any limitation on the use of those contributions. The Executive Director of the Legislative Council shall administer the contributions and shall notify the chairs of the legislative study committee when those contributions have been received. If funding for a legislative study is contingent upon receipt of private contributions and sufficient contributions have not been received within 30 days after the effective date of the study instrument, then no meetings of the study are authorized and no study-related expenses of any kind may be incurred or reimbursed.

#### **5. Exceptions to Joint Rule 353**

The following limited exemptions to Joint Rule 353 are provided.

- A. Boards and commissions created in statute and codified in Title 5, chapter 379 are exempted from the provisions of this Joint Rule, except that the use of new legislative financial resources or Legislative Council staffing by a new board or commission or as the result of an amendment to an existing board or commission must be referred to a special study table for review and approval by the Legislative Council regarding the use of those resources;
- B. Legislation directing an agency or a group of stakeholders to study and report to the Legislature on any matter may include the appointment of not more than two members of the Legislature, provided that the report of the agency or group is required to be submitted within the biennium in which the legislation is introduced, that there are no other legislative appointments required, that the legislators are appointed consistent with subsection 3 and that no other legislative resources are required. Legislation creating such groups must be referred to a special study table for review and approval by the Legislative Council regarding the use of those resources.
- C. Notwithstanding Joint Rule 353, section 8, a joint select committee established in a manner consistent with Joint Rule 351 may, if so authorized in joint order establishing the joint select committee, introduce legislation to implement its recommendations.



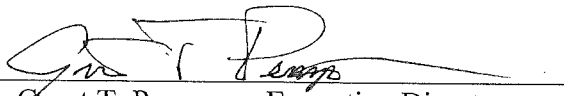
**6. Council review of committee requests to vary from Joint Rule 353**

Pursuant to Joint Rule 353, joint standing and joint select committees may not, except upon the prior approval of the Legislative Council, report to the Legislature any bill, resolve or joint order proposing a legislative study that is inconsistent with that joint rule. Such requests must be made in writing to the Legislative Council and must include the committee's recommended draft language for the proposed study along with a list of the ways in which the proposed study does not conform to Joint Rule 353 and an explanation of why those nonconforming provisions are needed. Such instruments reported to the Legislature by a committee with the prior approval of the Legislative Council remain subject to the provisions of Joint Rule 353 which requires that all legislative studies be referred to a special study table for review and funding authorization by the Legislative Council.

**7. Authority and effective date**

Pursuant to its authority under Joint Rule 353, Section 11, the Legislative Council hereby adopts this policy governing legislative studies on this 26<sup>th</sup> day of February, 2015.

This policy takes effect immediately.

BY:   
Grant T. Pennoyer, Executive Director

**SP 533**

**The Maine Health Exchange  
Advisory Committee**

## STATE OF MAINE

In Senate SP 533

**ORDERED**, the House concurring, that, notwithstanding Joint Rule 353, the Maine Health Exchange Advisory Committee, referred to in this order as "the advisory committee," is established to advise the Legislature regarding the interests of individuals and employers with respect to any health benefit exchange, referred to in this order as "the exchange," that may be created for this State pursuant to the federal Patient Protection and Affordable Care Act.

**1. Appointments; composition.** The advisory committee consists of 19 members appointed as follows:

A. The following 5 members of the Legislature, of whom 3 members must serve on the Joint Standing Committee on Insurance and Financial Services and 2 members must serve on the Joint Standing Committee on Health and Human Services or the Joint Standing Committee on Appropriations and Financial Affairs:

(1) Two members of the Senate, appointed by the President of the Senate, including one member recommended by the Senate Minority Leader; and

(2) Three members of the House of Representatives, appointed by the Speaker of the House of Representatives, including one member recommended by the House Minority Leader;

B. Two persons representing health insurance carriers, one of whom is appointed by the President of the Senate and one of whom is appointed by the Speaker of the House of Representatives;

C. One person representing dental insurance carriers, appointed by the Speaker of the House of Representatives;

D. One person representing insurance producers, appointed by the President of the Senate;

E. One person representing Medicaid recipients, appointed by the Speaker of the House of Representatives;

F. Two persons representing health care providers and health care facilities, including one member representing federally qualified health centers, appointed by the Speaker of the House of Representatives;

G. One person who is an advocate for enrolling hard-to-reach populations, including individuals with mental health or substance abuse disorders, appointed by the President of the Senate;

H. One member representing a federally recognized Indian tribe, appointed by the President of the Senate;

I. One member who has expertise in tax matters, appointed by the President of the Senate; and

J. Four members representing individuals and small businesses, including:

(1) One person, appointed by the President of the Senate, who has purchased or can reasonably be expected to purchase individual coverage through an exchange with the assistance of a premium tax credit and who can reasonably be expected to represent the interests of consumers purchasing individual coverage through the exchange;



- (2) One person, appointed by the Speaker of the House of Representatives, representing an employer that has purchased or can reasonably be expected to purchase group coverage through an exchange and who can reasonably be expected to represent the interests of such employers;
- (3) One person, appointed by the President of the Senate, representing navigators or entities likely to be licensed as navigators; and
- (4) One person, appointed by the Speaker of the House of Representatives, employed by an employer that has purchased or can reasonably be expected to purchase group coverage through an exchange and who can reasonably be expected to represent the interests of such employees.

The President of the Senate and the Speaker of the House of Representatives shall invite the Superintendent of Insurance, or the superintendent's designee, and the Commissioner of Health and Human Services, or the commissioner's designee, to participate as ex officio nonvoting members.

**2. Chairs.** The first-named Senator is the Senate chair of the advisory committee and the first-named member of the House of Representatives is the House chair of the advisory committee.

**3. Appointments; convening.** All appointments must be made no later than 30 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the advisory committee shall call and convene the first meeting of the advisory committee. If 30 days or more after the passage of this order a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the advisory committee to meet and conduct its business.

**4. Duties.** The advisory committee shall:

- A. Advise the Legislature regarding the interests of individuals and employers with respect to any exchange that may be created for this State;
- B. Serve as a liaison between any exchange and individuals and small businesses enrolled in the exchange;
- C. Evaluate the implementation and operation of any exchange with respect to the following:
  - (1) Whether the State should transition from a federally facilitated exchange model to a state-based exchange or partnership model;
  - (2) The essential health benefits benchmark plan designated in this State under the federal Patient Protection and Affordable Care Act, including whether the State should change its designation;
  - (3) The impact of federal and state laws and regulations governing the health insurance rating for tobacco use on accessibility and affordability of health insurance;
  - (4) The consumer outreach and enrollment conducted by the exchange and whether the navigator program is effective and whether navigators or other persons providing assistance to consumers are in compliance with any federal or state certification and training requirements;
  - (5) The coordination between the state Medicaid program and the exchange;

- (6) Whether health insurance coverage through the exchange is affordable for individuals and small businesses, including whether individual subsidies are adequate;
- (7) Whether the exchange is effective in providing access to health insurance coverage for small businesses;
- (8) The implementation of rebates under the federal Patient Protection and Affordable Care Act and the Maine Revised Statutes, Title 24-A, section 4319;
- (9) The coordination of plan management activities between the Department of Professional and Financial Regulation, Bureau of Insurance and the exchange, including the certification of qualified health plans and rate review;
- (10) The potential for establishing a basic health program or seeking a Medicaid state plan amendment or state innovation waiver to provide alternative health coverage programs for individuals;
- (11) Whether changes should be considered in federal law or regulations to address dental health coverage available through the marketplace, including, but not limited to, premiums and out-of-pocket costs;
- (12) Whether the State should consider changes to its designated rating areas for geographic area to the extent permitted by federal law and regulations;
- (13) The impact of so-called churn on the effective operation of the marketplace, public health programs and the private health insurance market;
- (14) The impact of federal requirements to provide employer-sponsored health coverage;
- (15) The impact of any change in the definition of "small group" for health insurance purposes;
- (16) The impact of federal transitional risk adjustment programs and whether the State should consider ending the suspension of the Maine Guaranteed Access Reinsurance Association under Title 24-A, section 3953;
- (17) The impact of health insurance policies continued in the State under the transitional relief granted by the federal Department of Health and Human Services; and
- (18) Any issue relating to the implementation of the federal Patient Protection and Affordable Care Act agreed upon by a majority of the advisory committee; and

D. Based on the evaluations conducted by the advisory committee pursuant to this order, make recommendations for any changes in policy or law that would improve the operation of an exchange for consumers and small businesses in the State.

**5. Compensation.** The legislative members of the advisory committee are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the advisory committee. Public members not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses and, upon a demonstration of financial hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of the advisory committee.

**6. Quorum.** A quorum is a majority of the members of the advisory committee.

**7. Meetings.** The advisory committee shall meet at least 4 times a year at regular intervals and may meet at other times at the call of the chairs. Meetings of the advisory committee are public proceedings as provided by the Maine Revised Statutes, Title 1, chapter 13, subchapter 1.

**8. Records.** Except for information designated as confidential under federal or state law, information obtained by the advisory committee is a public record as provided by the Maine Revised Statutes, Title 1, chapter 13, subchapter 1.

**9. Staffing.** The Legislative Council shall provide staff support for the operation of the advisory committee, except that the Legislative Council staff support is not authorized when the Legislature is in regular or special session or for more than 4 meetings annually between regular or special sessions of the Legislature. In addition, the advisory committee may contract for administrative, professional and clerical services if funding permits.

**10. Funding for advisory committee activities.** The Legislative Council on behalf of the advisory committee may apply for and receive funds, grants or contracts from public and private sources to support its activities. Contributions to support the work of the advisory committee may not be accepted from any party having a pecuniary or other vested interest in the outcome of the matters being studied. Any person, other than a state agency, desiring to make a financial or in-kind contribution shall certify to the Legislative Council that it has no pecuniary or other vested interest in the outcome of the advisory committee's activities. Such a certification must be made in the manner prescribed by the Legislative Council. All contributions are subject to approval by the Legislative Council. All funds accepted must be forwarded to the Executive Director of the Legislative Council along with an accounting record that includes the amount of funds, the date the funds were received, from whom the funds were received and the purpose of and any limitation on the use of those funds. The Executive Director of the Legislative Council shall administer any funds received by the advisory committee.

**11. Reports.** The advisory committee shall submit to the Joint Standing Committee on Insurance and Financial Services a preliminary report on its activities no later than December 4, 2015. The advisory committee shall submit to the Joint Standing Committee on Insurance and Financial Services a final report on its activities no later than November 5, 2016.

**SPONSORED BY:** \_\_\_\_\_

(Senator WHITTEMORE)

COUNTY: Somerset

**LD 144**

**Task Force to Study State and Federal  
Laws Regarding Online Privacy and  
Data Security to Develop Ways to  
Further Protect Consumers from  
Identity Theft and Fraud**

STATE OF MAINE

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IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FIFTEEN

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H.P. 102 - L.D. 144

**Resolve, To Study State and Federal Laws Regarding Online Privacy and  
Data Security To Develop Ways To Further Protect Consumers from  
Identity Theft and Fraud**

**Sec. 1. Task force established. Resolved:** That the Task Force To Study State and Federal Laws Regarding Online Privacy and Data Security To Develop Ways To Further Protect Consumers from Identity Theft and Fraud, referred to in this resolve as "the task force," is established; and be it further

**Sec. 2. Task force membership. Resolved:** That the task force consists of 13 members appointed as follows:

1. Three members of the Senate appointed by the President of the Senate, including members from each of the 2 parties holding the largest number of seats in the Legislature;
2. Four members of the House of Representatives appointed by the Speaker of the House, including members from each of the 2 parties holding the largest number of seats in the Legislature;
3. Two members appointed by the President of the Senate, one who represents online retailers and one who represents the information technology industry;
4. Two members appointed by the Speaker of the House, one who represents an international privacy association with expertise in privacy and data security and one who represents financial institutions or credit unions; and
5. Two members appointed by the Governor, one who represents consumer protection advocates and one who represents an organization whose mission is to protect the United States Constitution and the privacy of citizens; and be it further

**Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the task force; and be it further

**Sec. 4. Appointments; convening of task force. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the task force. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may convene the task force to meet and conduct its business; and be it further

**Sec. 5. Duties. Resolved:** That the task force shall:

1. Study state and federal laws regarding online privacy and data security;
2. Review best practices from other states to protect consumers against online identity theft;
3. Identify and analyze best practices from other states for data security; and
4. Identify policy options for the State to consider to protect consumers from identity theft and fraud when making purchases online; and be it further

**Sec. 6. Meetings. Resolved:** That meetings of the task force must be conducted in public in accordance with the Maine Revised Statutes, Title 1, chapter 13. The task force shall provide notice of its meetings to the Joint Standing Committee on Insurance and Financial Services; and be it further

**Sec. 7. Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the task force. Upon request, the Department of the Attorney General, the Department of Professional and Financial Regulation and the Department of Administrative and Financial Services shall provide information and assistance to the task force; and be it further

**Sec. 8. Report. Resolved:** That, no later than December 2, 2015, the task force shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 127th Legislature; and be it further

**Sec. 9. Funding. Resolved:** That the task force may seek funding contributions to fund the costs of the study. All funding is subject to approval by the Legislative Council in accordance with its policies.

**LD 155**

**Commission to Study  
Difficult-to-place Patients**

STATE OF MAINE

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IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FIFTEEN

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H.P. 113 - L.D. 155

**Resolve, To Establish the Commission To Study Difficult-to-place Patients**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** this resolve establishes the Commission To Study Difficult-to-place Patients to study certain issues related to difficult-to-place patients with complex medical conditions and the feasibility of making policy changes to the long-term care system for those patients; and

**Whereas,** immediate enactment of this resolve is necessary to provide the commission adequate time to complete its work; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it,

**Sec. 1. Commission established. Resolved:** That, notwithstanding Joint Rule 353, the Commission To Study Difficult-to-place Patients, referred to in this resolve as "the commission," is established; and be it further

**Sec. 2. Commission membership. Resolved:** That the commission consists of 13 members appointed as follows:

1. Two members of the Senate appointed by the President of the Senate, including members from each of the 2 parties holding the largest number of seats in the Legislature;
2. Three members of the House of Representatives appointed by the Speaker of the House, including members from each of the 2 parties holding the largest number of seats in the Legislature;
3. The Commissioner of Health and Human Services or the commissioner's designee; and



4. Seven members appointed by the Governor who possess expertise in the subject matter of the study, as follows:

- A. The director of the long-term care ombudsman program described under the Maine Revised Statutes, Title 22, section 5106, subsection 11-C;
- B. An individual representing a statewide association of long-term care facilities;
- C. An individual representing a statewide association of hospitals;
- D. An individual representing an organization that represents people with disabilities;
- E. An individual representing a statewide organization advocating for people with mental illness;
- F. An individual representing an organization promoting independent living for individuals with disabilities; and
- G. An individual or a family member of an individual with a complex medical condition; and be it further

**Sec. 3. Chairs; subcommittees. Resolved:** That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission. The chairs of the commission are authorized to establish subcommittees to work on the duties listed in section 5 and to assist the commission. Any subcommittees established by the chairs must be composed of members of the commission and interested persons who are not members of the commission and who volunteer to serve on the subcommittees without reimbursement. Interested persons may include individuals with expertise in placing individuals with complex medical conditions in long-term care placements, individuals who provide long-term care to individuals with complex medical conditions, individuals affected by neurodegenerative diseases and individuals affected by mental illness; and be it further

**Sec. 4. Appointments; convening of commission. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members and after adjournment of the First Regular Session of the 127th Legislature, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business; and be it further

**Sec. 5. Duties. Resolved:** That the commission shall study the following issues and the feasibility of making policy changes to the long-term care system for patients with complex medical conditions:

- 1. Identification of categories of patients with complex medical and mental health conditions who are unable to be discharged from hospitals because there are no facilities or providers who are able to care for them or to accept them for care;

2. A description of how patients with complex medical and mental health conditions are placed currently, including the involvement of staff from the Department of Health and Human Services;

3. Identification of primary barriers to placement of patients with complex medical and mental health conditions currently;

4. A description of facilities in which patients with complex medical and mental health conditions are currently placed, including whether the facilities are in-state and the costs associated with the patients' care;

5. Options for increasing availability of residential care and long-term care facilities, including conversion of existing facilities such as hospitals, nursing homes and the Dorothea Dix Psychiatric Center to long-term care facilities for specialized populations that are difficult to place for care, such as ventilator-dependent patients, geropsychiatric patients and bariatric patients;

6. Rates of reimbursement necessary to operate facilities to manage patients with complex medical conditions, including psychiatric conditions and neurodegenerative diseases; and

7. Any other issue identified by the commission; and be it further

**Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the commission; and be it further

**Sec. 7. Information and assistance. Resolved:** That the Commissioner of Health and Human Services shall provide information and assistance to the commission as required for its duties; and be it further

**Sec. 8. Report. Resolved:** That, no later than December 2, 2015, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Joint Standing Committee on Health and Human Services.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

**LD 500**

**Working Group to Develop Solutions  
to Meet the Needs for Municipal  
Volunteer Personnel**

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FIFTEEN

H.P. 339 - L.D. 500

**Resolve, To Create a Working Group To Develop Solutions To Meet the  
Needs for Municipal Volunteer Personnel**

**Sec. 1. Municipal Volunteer Working Group established. Resolved:** That the Municipal Volunteer Working Group, referred to in this resolve as "the working group," is established; and be it further

**Sec. 2. Working group membership. Resolved:** That the working group consists of 9 members appointed as follows:

1. Two members of the Senate, appointed by the President of the Senate, one from the party with the greatest number of members and one from the party with the 2nd greatest number of members;

2. Three members of the House of Representatives, appointed by the Speaker of the House, at least one of whom is from the party with the greatest number of members and at least one of whom is from the party with the 2nd greatest number of members;

3. One representative from the Maine State Federation of Firefighters, appointed by the President of the Senate;

4. One volunteer firefighter or emergency responder who may be active or nonactive, appointed by the Speaker of the House;

5. One chief of a volunteer fire department, appointed by the President of the Senate; and

6. One representative from the Maine Fire Chiefs' Association, appointed by the Speaker of the House; and be it further

**Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the working group; and be it further

**Sec. 4. Appointments; convening of working group. Resolved:** That all appointments must be made no later than 30 days following the effective date of this

resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the working group. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the working group to meet and conduct its business; and be it further

**Sec. 5. Duties. Resolved:** That the working group shall find solutions to the recruitment, training and retention problems facing volunteer fire departments and volunteer emergency medical services providers in Maine.

The working group shall solicit input from municipalities with volunteer fire departments and volunteer emergency medical services, volunteer firefighters and volunteer emergency medical services providers and members of the public. The working group shall identify the reasons for recruitment, training and retention problems and recommend solutions; and be it further

**Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the working group; and be it further

**Sec. 7. Report. Resolved:** That, no later than December 2, 2015, the working group shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Criminal Justice and Public Safety. The committee may submit legislation related to the report to the Second Regular Session of the 127th Legislature.

**LD 665**

**Commission to Study Services  
Available on the Long-term Care  
Continuum**

STATE OF MAINE

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IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FIFTEEN

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H.P. 446 - L.D. 665

**Resolve, Establishing the Commission To Study Services Available on the Long-term Care Continuum**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the Commission To Study Services Available on the Long-term Care Continuum is established to study the transitions between services and the accessibility, efficiency and sufficiency of services available to individuals in need of services for aging in place; and

**Whereas,** the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Commission established. Resolved:** That the Commission To Study Services Available on the Long-term Care Continuum, referred to in this resolve as "the commission," is established; and be it further

**Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint Rule 353, the commission consists of 13 members appointed as follows:

1. Two members of the Senate appointed by the President of the Senate, including members from each of the 2 parties holding the largest number of seats in the Legislature;
2. Three members of the House of Representatives appointed by the Speaker of the House, including members from each of the 2 parties holding the largest number of seats in the Legislature; and

3. Eight members appointed by the Governor who possess expertise in the subject matter of the study as follows:

- A. The executive director of the long-term care ombudsman program described under the Maine Revised Statutes, Title 22, section 5106, subsection 11-C;
- B. A representative of a statewide association representing long-term care facilities;
- C. A representative of a statewide association representing consumer-directed long-term care services;
- D. A representative of a statewide association representing area agencies on aging;
- E. A representative of a statewide association providing homemaker services;
- F. A representative of a statewide association providing home-based care;
- G. A representative of a statewide association providing legal services to the elderly; and
- H. A representative of the Governor; and be it further

**Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission; and be it further

**Sec. 4. Appointments; convening of commission. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business; and be it further

**Sec. 5. Duties. Resolved:** That the commission shall study the issues regarding the continuum of long-term care services in the community and in facilities. The commission shall:

- 1. Review the programs and waivers currently available in the Department of Health and Human Services that serve the elderly and persons with disabilities in home-based and community-based settings and in nursing and residential facilities;
- 2. Review recommendations from other studies, recent legislation and departmental initiatives;
- 3. Examine trends, such as the growth of the aging population, the needs of aging and disabled populations, the changing workforce and caregiver availability, to determine future needs in the long-term care continuum;
- 4. Develop ways for individuals to move with dignity across the long-term care continuum as their needs change and in a manner that is sustainable for families and for MaineCare;



5. Examine the role of staff who provide home care services to develop solutions, including possible consolidation of services, to improve service delivery;

6. Examine the waiting lists for individuals requiring lower levels of care, including homemaker services and home-based care, to determine whether those waiting lists are contributing to increased numbers in residential and institutional care facilities for those individuals who would remain in their homes if homemaker services and home-based care were available;

7. Examine the issues affecting the direct care workforce, including wages and benefits, qualifications, retention, morale and demographics;

8. Develop strategies to support those individuals who provide free care to family members and friends; and

9. Examine programs in other states to determine if there are models that could be used in this State to use MaineCare funds more efficiently; and be it further

**Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the commission; and be it further

**Sec. 7. Report. Resolved:** That, no later than December 2, 2015, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Health and Human Services. The committee may report out legislation on the subject matter of the report to the Second Regular Session of the 127th Legislature.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

**LD 721**

**Commission to Strengthen and Align  
the Services Provided to Maine's  
Veterans**

STATE OF MAINE

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IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FIFTEEN

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H.P. 497 - L.D. 721

**Resolve, To Establish the Commission To Strengthen and Align the Services  
Provided to Maine's Veterans**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** a legislative study by a study commission needs sufficient time for the commission to properly do its work; and

**Whereas,** there is insufficient time after the 90-day period for a study commission to properly do its work before reporting to the Legislature; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Commission To Strengthen and Align the Services Provided to Maine's Veterans established. Resolved:** That, notwithstanding Joint Rule 353, the Commission To Strengthen and Align the Services Provided to Maine's Veterans, referred to in this resolve as "the commission," is established; and be it further

**Sec. 2. Commission membership. Resolved:** That the commission consists of 13 members appointed as follows:

1. Three members of the Senate appointed by the President of the Senate who are either veterans of military service or members of the Joint Standing Committee on Veterans and Legal Affairs;

2. Four members of the House of Representatives appointed by the Speaker of the House of Representatives who are either veterans of military service or members of the Joint Standing Committee on Veterans and Legal Affairs;

3. The Commissioner of Defense, Veterans and Emergency Management or the commissioner's designee;

4. Three members appointed by the President of the Senate, representing both genders, including a member who is 30 years of age or younger and a member who is 65 years of age or older. Members appointed under this subsection must have experience in:

- A. Developing, implementing or advising on veterans' affairs policy;
- B. Representing a veterans' service organization; or
- C. Providing services to veterans as part of a nonprofit organization; and

5. Two members appointed by the Speaker of the House of Representatives, including a member who is between 30 and 40 years of age and a member who is between 41 and 64 years of age. Members appointed under this subsection must have experience in:

- A. Developing, implementing or advising on veterans' affairs policy; or
- B. Providing services to veterans as part of a nonprofit organization; and be it further

**Sec. 3. Chairs. Resolved:** That the Senate member is the Senate chair and the House of Representatives member is the House chair of the commission; and be it further

**Sec. 4. Appointments; convening of commission. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. The first meeting date must be set within 15 days after and be held within 30 days after all appointments have been made; and be it further

**Sec. 5. Duties. Resolved:** That the commission shall:

1. Review the services provided by the State to veterans for the purpose of identifying gaps, duplications and inefficiencies;
2. Consider methods and strategies for improving the State's engagement and communication with veterans of the conflicts in Afghanistan and Iraq;
3. Identify gaps and insufficiencies in the provision of health care and mental health care services to veterans through both state and federal programs and consider ways in which the State can improve health care and mental health care services for veterans where insufficiencies or gaps in federal resources or state services exist;
4. Study how to better align community, state and federal services and resources for veterans who are facing the problem of homelessness;
5. Study how the State can develop and implement a campaign and marketing strategy to better communicate with veterans and military retirees regarding attending colleges in the State and to better attract veterans and military retirees to live and work in the State;

6. Study how the State can encourage partnerships with businesses, industry groups and nonprofit organizations to improve veterans' employment, career and volunteer opportunities;

7. Make recommendations to the Commissioner of Defense, Veterans and Emergency Management concerning practices or rules regarding services and programs for veterans;

8. Work with the Commissioner of Defense, Veterans and Emergency Management to develop a multiyear plan that identifies priorities and suggests initiatives to strengthen and align services provided to veterans in the State;

9. Make recommendations to the Joint Standing Committee on Veterans and Legal Affairs concerning changes to services and programs for veterans; and

10. Study other critical veterans' issues that arise as agreed upon by the commission; and be it further

**Sec. 6. Staff assistance. Resolved:** That the Office of Policy and Legal Analysis shall provide necessary staffing services to the commission as approved by the Legislative Council; and be it further

**Sec. 7. Report. Resolved:** That, no later than January 15, 2016, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Veterans and Legal Affairs. The Joint Standing Committee on Veterans and Legal Affairs may report out legislation to the Second Regular Session of the 127th Legislature based upon the report.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

**LD 902**

**Commission to Study Parking for  
Persons with Physical Disabilities**

STATE OF MAINE

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IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FIFTEEN

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H.P. 621 - L.D. 902

**Resolve, To Establish the Commission To Study Parking for Persons with Physical Disabilities**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** this resolve establishes the Commission To Study Parking for Persons with Physical Disabilities in order to study parking issues that exist for persons with physical disabilities in this State and make recommendations for changes to current law to improve accessibility and convenience; and

**Whereas,** the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Commission established. Resolved:** That the Commission To Study Parking for Persons with Physical Disabilities, referred to in this resolve as "the commission," is established; and be it further

**Sec. 2. Commission membership. Resolved:** That the commission consists of 11 members appointed as follows:

1. Two members of the Senate with expertise in the subject matter of the study appointed by the President of the Senate;
2. Four members of the House of Representatives with expertise in the subject matter of the study appointed by the Speaker of the House;
3. One member of the Maine Statewide Independent Living Council appointed by the President of the Senate;

4. One member who has knowledge and expertise in the federal Americans with Disabilities Act appointed by the Speaker of the House;

5. One representative of the Department of the Secretary of State, Bureau of Motor Vehicles with expertise in the subject matter of the study appointed by the Secretary of State;

6. One representative of the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services with expertise in the subject matter of the study appointed by the Adjutant General; and

7. The Commissioner of Transportation or the commissioner's designee; and be it further

**Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission; and be it further

**Sec. 4. Appointments; convening of commission. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business; and be it further

**Sec. 5. Duties. Resolved:** That the commission shall study parking issues that exist for persons with physical disabilities in this State and make recommendations for changes to current law to improve accessibility and convenience. The commission shall, at a minimum, review the laws and rules in other states that may work successfully in this State concerning on-street and off-street parking for persons with physical disabilities. The commission shall also consult with businesses and experts in traffic management and parking design; and be it further

**Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the commission; and be it further

**Sec. 7. Report. Resolved:** That, no later than December 2, 2015, the commission shall submit a report that includes findings and recommendations, including suggested legislation, to the Joint Standing Committee on Transportation.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.



**LD 1019, Pt. HHHH**

**Commission to Study the Public  
Reserved Lands Management Fund**

1

**PART FFFF**

2

**Sec. FFFF-1. Vacancy report.** The Department of Administrative and Financial Services, Bureau of the Budget shall review vacant positions, regardless of funding source. The bureau shall submit a report on its findings to the Joint Standing Committee on Appropriations and Financial Affairs by September 30, 2015 with any recommendations for eliminating vacant positions. The report must also be delivered to the Joint Standing Committee on Transportation if the report includes any positions that are partially or wholly funded by the Highway Fund or by internal service funds, enterprise funds or Other Special Revenue Funds accounts of the Department of Transportation, the Department of Public Safety or the Department of the Secretary of State.

12

**PART GGGG**

13

**Sec. GGGG-1. Distribution of assistant district attorney positions.** The Attorney General and the 8 district attorneys shall jointly develop a proposed policy on the distribution of assistant district attorney positions across all prosecutorial districts that is equitable to each district. The Attorney General and the district attorneys shall jointly submit a written report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Judiciary by September 1, 2015. The report must contain the proposed policy, a description of the process used to develop the proposed policy and any other information the Attorney General and the district attorneys believe is relevant. The Joint Standing Committee on Judiciary may report out legislation related to the report to the Second Regular Session of the 127th Legislature.

23

**PART HHHH**

24

**Sec. HHHH-1. Commission established.** Notwithstanding Joint Rule 353, the Commission To Study the Public Reserved Lands Management Fund, referred to in this Part as "the commission," is established.

27

**Sec. HHHH-2. Commission membership.** The commission consists of the following members:

29

1. Two members of the Senate, appointed by the President of the Senate, including one member from each of the 2 parties holding the largest number of seats in the Legislature;

32

2. Three members of the House of Representatives, appointed by the Speaker of the House, including at least one member from each of the 2 parties holding the largest number of seats in the Legislature;

35

3. Four members appointed by the President of the Senate as follows:

36

A. A commercial wood harvester;

37

B. A state-licensed forester;

38

C. A scientist who has studied forest health and management; and

- 1 D. A representative of the tourism industry;
- 2 4. Four members appointed by the Speaker of the House as follows:
- 3 A. A representative of a conservation organization;
- 4 B. An individual who represents outdoor recreation interests;
- 5 C. A representative of commercial timber holdings in the State; and
- 6 D. A representative of a sportsman's group;
- 7 5. The Commissioner of Agriculture, Conservation and Forestry, or the
- 8 commissioner's designee; and
- 9 6. The Director of the Bureau of Parks and Lands within the Department of
- 10 Agriculture, Conservation and Forestry, or the director's designee.

11 **Sec. HHHH-3. Chairs.** The first-named Senate member is the Senate chair and  
12 the first-named House of Representatives member is the House chair of the commission.

13 **Sec. HHHH-4. Appointments; convening of commission.** All appointments  
14 must be made no later than 30 days following the effective date of this Part. The  
15 appointing authorities shall notify the Executive Director of the Legislative Council once  
16 all appointments have been completed. After appointment of all members, the chairs  
17 shall call and convene the first meeting of the commission within 45 days. If 30 days or  
18 more after the effective date of this Part a majority of but not all appointments have been  
19 made, the chairs may request authority and the Legislative Council may grant authority  
20 for the commission to meet and conduct its business.

21 **Sec. HHHH-5. Duties.** The commission shall meet a minimum of 4 times to  
22 review, study and analyze:

- 23 1. The proper use of the Public Reserved Lands Management Fund established in the
- 24 Maine Revised Statutes, Title 12, section 1849 and its possible expansion to other uses;
- 25 2. The proper sustainable harvest levels on state land and how best to maintain those
- 26 levels;
- 27 3. How best to manage public lands to preserve forests for recreation, wildlife habitat
- 28 and public use while ensuring a healthy working forest;
- 29 4. After reviewing data and current science, how best to manage the State's public
- 30 lands to deal with possible pest and disease issues;
- 31 5. Investments in public lands to increase access to public lands and spur rural
- 32 economic development;
- 33 6. The impact of outdoor recreation on the State's tourism economy and the role
- 34 public lands play in that economy; and
- 35 7. Any other issues the commission feels necessary to protect and manage public
- 36 lands and the funds derived from those public lands.

37 **Sec. HHHH-6. Staff assistance.** The Legislative Council shall provide  
38 necessary staffing services to the commission.

# COMMITTEE AMENDMENT

1        **Sec. HHHH-7. Report.** No later than December 5, 2015, the commission shall  
2 submit a report of its findings and recommendations to date, including suggested  
3 legislation, to the Joint Standing Committee on Agriculture, Conservation and Forestry.  
4 The joint standing committee is authorized to submit a bill to the Second Regular Session  
5 of the 127th Legislature related to the subject matter of the report.

6  
**PART III**

7        **Sec. III-1. Rename Land and Water Quality program.** Notwithstanding  
8 any other provision of law, the Land and Water Quality program within the Department  
9 of Environmental Protection is renamed the Water Quality program.

10        **Sec. III-2. Establish Land Resources program.** Notwithstanding any other  
11 provision of law, the Land Resources program is established within the Department of  
12 Environmental Protection.

13  
**PART JJJ**

14        **Sec. JJJ-1. 2 MRSA §6, sub-§4,** as repealed and replaced by PL 2007, c. 695,  
15 Pt. A, §5 and affected by §47 and amended by PL 2011, c. 286, Pt. B, §5, is further  
16 amended to read:

17        **4. Range 88.** The salaries of the following state officials and employees are within  
18 salary range 88:

19        Director, Bureau of Air Quality;

20        Director, Bureau of ~~Land and~~ Water Quality;

21        Director, Bureau of Land Resources;

22        Director, Bureau of Remediation and Waste Management;

23        Deputy Commissioner, Environmental Protection;

24        Director, Office of Professional and Occupational Regulation;

25        Administrator, Office of Securities; and

26        Deputy Chief of the State Police.

27        **Sec. JJJ-2. 5 MRSA §938, sub-§1-A, ¶G,** as enacted by PL 1995, c. 560, Pt.  
28 E, §2, is amended to read:

29        G. Director, Bureau of Remediation and Waste Management; ~~and~~

30        **Sec. JJJ-3. 5 MRSA §938, sub-§1-A, ¶H,** as enacted by PL 1995, c. 560, Pt.  
31 E, §2, is amended to read:

32        H. Director, Bureau of ~~Land and~~ Water Quality; and

33        **Sec. JJJ-4. 5 MRSA §938, sub-§1-A, ¶I** is enacted to read:

34        I. Director, Bureau of Land Resources.

**LD 1042**

**Task Force on School Leadership**

STATE OF MAINE

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IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FIFTEEN

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S.P. 368 - L.D. 1042

**Resolve, To Create the Task Force on School Leadership**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** this resolve establishes the Task Force on School Leadership to conduct a comprehensive study of excellence in school leadership; and

**Whereas,** the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Task force established. Resolved:** That, notwithstanding Joint Rule 353, the Task Force on School Leadership, referred to in this resolve as "the task force," is established; and be it further

**Sec. 2. Task force membership. Resolved:** That the task force consists of 19 members appointed as follows:

1. Two members of the Senate appointed by the President of the Senate, including members from each of the 2 parties holding the largest number of seats in the Legislature;
2. Three members of the House of Representatives appointed by the Speaker of the House, including members from each of the 2 parties holding the largest number of seats in the Legislature;
3. Seven members appointed by the President of the Senate as follows:
  - A. Three members with expertise in school leadership issues;
  - B. One member who is a secondary school principal;

- C. One member who is an assistant principal;
- D. One member who is a school special education director; and
- E. One member who is a superintendent of a small rural school district;
- 4. Six members appointed by the Speaker of the House as follows:
  - A. Three members with expertise in school leadership issues;
  - B. One member who is an elementary school principal;
  - C. One member who holds a staff position at the Maine Principals' Association; and
  - D. One member who is a superintendent of a large urban school district; and
- 5. The Commissioner of Education or the commissioner's designee.

Prior to making appointments to the task force pursuant to subsections 3 and 4, the President of the Senate and the Speaker of the House shall seek nominations from the Maine Principals' Association and the Maine School Superintendents Association. The President of the Senate and the Speaker of the House shall request the Maine Principals' Association and the Maine School Superintendents Association to survey their members for recommended nominations; and be it further

**Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the task force; and be it further

**Sec. 4. Appointments; convening of task force. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the task force. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the task force to meet and conduct its business; and be it further

**Sec. 5. Duties. Resolved:** That the task force shall conduct a comprehensive study on excellence in school leadership in prekindergarten to grade 12 public schools. In performing its work, the task force shall research the various aspects of the issues related to excellence in school leadership and arrange presentations by recognized experts and practitioners in school leadership including an expert from a school administration preparation program at the University of Maine. The task force shall develop strategies to enhance the identification, recruitment, preparation, mentoring, evaluation, professional development and retention of effective public school principals and other public school leaders; and be it further

**Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the task force; and be it further

**Sec. 7. Report. Resolved:** That, no later than December 2, 2015, the task force shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 127th Legislature. The Joint Standing Committee on Education and Cultural Affairs may report out a bill to the Second Regular Session of the 127th Legislature.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.



**LD 1061**

**Commission to Study a Stable  
Continuum of Care for Persons with  
Intellectual Disabilities and Autism**

STATE OF MAINE

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IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FIFTEEN

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H.P. 730 - L.D. 1061

**Resolve, To Create the Commission To Study a Stable Continuum of Care  
for Persons with Intellectual and Developmental Disabilities and Autism**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the study must be initiated before the 90-day period expires so that the Commission To Study a Stable Continuum of Care for Persons with Intellectual and Developmental Disabilities and Autism may submit its report no later than December 2, 2015; and

**Whereas,** the expedient appointment of the members of the commission is necessary for the commission to have sufficient time to fully review the matters addressed in this legislation and to develop recommendations to be included in this report; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Commission established. Resolved:** That, notwithstanding Joint Rule 353, the Commission To Study a Stable Continuum of Care for Persons with Intellectual and Developmental Disabilities and Autism, referred to in this resolve as "the commission," is established; and be it further

**Sec. 2. Commission membership. Resolved:** That the commission consists of 13 members appointed as follows:

1. Two members of the Senate appointed by the President of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature;
2. Three members of the House of Representatives appointed by the Speaker of the House, including at least one member from each of the 2 parties holding the largest number of seats in the Legislature; and

3. Eight members appointed by the Governor who possess expertise in the subject matter of the study as follows:

- A. One representative of a statewide association of providers of services for individuals with intellectual disabilities and autism;
- B. One representative of a statewide association of adults with developmental disabilities and autism;
- C. One representative of a statewide organization that provides advocacy services to individuals with disabilities;
- D. One representative of a statewide parents' organization that advocates for housing for individuals with intellectual disabilities and autism;
- E. One individual with intellectual disabilities or autism;
- F. One representative from the Department of Health and Human Services;
- G. One representative from the Department of Education; and
- H. One representative from the Department of Labor; and be it further

**Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission; and be it further

**Sec. 4. Appointments; convening of commission. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business; and be it further

**Sec. 5. Duties. Resolved:** That the commission shall:

1. Examine the most efficient ways to maintain a stable continuum of care within the different state systems involved in the lifelong care of persons with intellectual and developmental disabilities and autism in the Department of Health and Human Services, the Department of Education and the Department of Labor so that all 3 departments are able to provide assistance without duplication of efforts and programs and to ensure seamless transitions between departments; and

2. Determine the viability of and benefits concerning the participation in this State of the federal Intermediate Care Facilities for Individuals with Intellectual Disabilities; and be it further

**Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the commission; and be it further

**Sec. 7. Report. Resolved:** That, no later than December 2, 2015, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 127th Legislature.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

**LD 1019, Pt. A-46 and Pt. DDD**

**Commission to End Student Hunger  
(Title 5 permanent commission)**

PART A-46

COMMITTEE AMENDMENT "A" to H.P. 702, L.D. 1019

1 Initiative: Appropriates funds for the per diem costs and other expenses of one member of  
 2 the Senate and one member of the House of Representatives to participate in up to 4  
 3 meetings of the Commission to End Student Hunger during each interim period.

4

5	<b>GENERAL FUND</b>	<b>2015-16</b>	<b>2016-17</b>
6	Personal Services	\$220	\$220
7	All Other	\$280	\$280
8			
9	<b>GENERAL FUND TOTAL</b>	<u>\$500</u>	<u>\$500</u>

10 **LEGISLATURE 0081**  
 11 **PROGRAM SUMMARY**

12

13	<b>GENERAL FUND</b>	<b>2015-16</b>	<b>2016-17</b>
14	POSITIONS - LEGISLATIVE COUNT	146.500	146.500
15	POSITIONS - FTE COUNT	35.698	35.698
16	Personal Services	\$20,054,384	\$21,360,375
17	All Other	\$4,208,208	\$4,567,972
18			
19	<b>GENERAL FUND TOTAL</b>	<u>\$24,262,592</u>	<u>\$25,928,347</u>

20

21	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2015-16</b>	<b>2016-17</b>
22	All Other	\$500	\$500
23			
24	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$500</u>	<u>\$500</u>

25 **State House and Capitol Park Commission 0615**

26 Initiative: BASELINE BUDGET

27

28	<b>GENERAL FUND</b>	<b>2015-16</b>	<b>2016-17</b>
29	All Other	\$67,834	\$67,834
30			
31	<b>GENERAL FUND TOTAL</b>	<u>\$67,834</u>	<u>\$67,834</u>

32

33	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2015-16</b>	<b>2016-17</b>
34	All Other	\$500	\$500
35			
36	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$500</u>	<u>\$500</u>

37 **STATE HOUSE AND CAPITOL PARK COMMISSION 0615**

1 Services, Centers for Medicare and Medicaid Services to request that home-delivered  
2 meals be a reimbursable covered service under Chapter 101: MaineCare Benefits Manual,  
3 Chapter II, Section 19, Home and Community Benefits for the Elderly and for Adults  
4 with Disabilities. Individuals receiving the home-delivered meal services under the  
5 waiver must both qualify for Section 19 services and be experiencing a transition of care,  
6 have a debilitating or acute illness or be primarily homebound and unable to prepare  
7 nutritious meals.

8 **PART CCC**

9 **Sec. CCC-1. PL 2007, c. 240, Pt. X, §2,** as amended by PL 2013, c. 368, Pt.  
10 VVV, §1, is further amended to read:

11 **Sec. X-2. Transfer of funds.** Notwithstanding the Maine Revised Statutes, Title  
12 5, section 1585 or any other provision of law, until June 30, ~~2015~~ 2017, available  
13 balances of appropriations in MaineCare General Fund accounts may be transferred  
14 between accounts by financial order upon the recommendation of the State Budget  
15 Officer and approval of the Governor.

16 **PART DDD**

17 **Sec. DDD-1. 5 MRSA §12004-I, sub-§12-B** is enacted to read:

18 **12-B.**  
19 Education                      Commission To End Expenses Only                      20-A MRSA §6663  
20 Student Hunger

21  
22 **Sec. DDD-2. 20-A MRSA §6663** is enacted to read:

23 **§6663. Commission To End Student Hunger**

24 The Commission To End Student Hunger, as established in Title 5, section 12004-I,  
25 subsection 12-B and referred to in this section as "the commission," is established within  
26 the department as set forth in this section.

27 **1. Commission membership.** The commission consists of 11 members as follows:

28 A. One member of the Senate appointed by the President of the Senate, from the  
29 party holding the largest number of seats in the Legislature;

30 B. One member of the House of Representatives appointed by the Speaker of the  
31 House, from a party other than the party holding the largest number of seats in the  
32 Legislature;

33 C. Three public members appointed by the President of the Senate, chosen from 3 of  
34 the following options:

35 (1) One member from a statewide organization dedicated to food security;

1           (2) One member from a statewide or regional organization dedicated to  
2           alleviating child hunger;

3           (3) One member from a statewide or regional organization that runs a food  
4           pantry; and

5           (4) One member who is a food service director in a municipality or school  
6           administrative unit that uses the United States Department of Agriculture  
7           community eligibility provision, as provided in 42 United States Code, Section  
8           1759a(a)(1)(F);

9           D. Three public members appointed by the Speaker of the House, chosen from 3 of  
10          the following options:

11           (1) One member from a statewide or regional farm organization;

12           (2) One member from a statewide or regional organization that runs a school  
13           food program for students in at-risk areas;

14           (3) One member who is a superintendent of a school administrative unit; and

15           (4) One member who is an elected official in a municipality that participates in  
16           the United States Department of Agriculture community eligibility provision, as  
17           provided in 42 United States Code, Section 1759a(a)(1)(F);

18          E. One public member appointed by the Governor who is a parent of a child who has  
19          used or is using free or reduced-price student meal programs;

20          F. The commissioner or the commissioner's designee; and

21          G. The Commissioner of Health and Human Services or the commissioner's  
22          designee.

23          2. Chairs. For the first 2 years of the commission, the Senate member is the Senate  
24          chair and the House of Representatives member is the House chair. In subsequent years,  
25          the chair of the commission must be elected by the members of the commission at the  
26          first meeting of each year.

27          3. Appointments; vacancies; quorum. A nonlegislative member of the  
28          commission must be appointed for a 2-year term. A member may continue to serve until  
29          the member's replacement is appointed. When a vacancy exists, the appointing authority  
30          shall appoint a new member from the same category as the member vacating the  
31          commission. A quorum consists of 6 members.

32          4. Duties; funding. The commission shall meet at least 2 and no more than 4 times  
33          per year. The commission shall work to implement the 5-year plan to end student hunger  
34          developed by the Task Force To End Student Hunger in Maine pursuant to Resolve 2013,  
35          chapter 107, shall monitor the plan and shall update it if necessary. In addition, the  
36          commission may conduct public meetings throughout the State to highlight the issue of  
37          student hunger. Every one or 2 years the commission may conduct a statewide summit of  
38          state leaders regarding ending student hunger. The commission shall provide advice  
39          regarding the responsibilities of and supervision of the hunger coordinators in their



1 working across the State and performing the following functions within school  
2 administrative units and communities:

3 A. Compile and analyze data to identify opportunities to increase food security and  
4 the progress made in decreasing student hunger;

5 B. Raise awareness of food insecurity and of opportunities and best practices to  
6 decrease food insecurity;

7 C. Assist school board and school food service directors and community leaders in  
8 understanding, applying for and complying with the requirements of the child  
9 nutrition programs offered by the United States Department of Agriculture and  
10 understanding the effect of the programs on students, schools and communities; and

11 D. Report by November 15th each year to the commission on food insecurity in  
12 communities and school administrative units and the progress made in decreasing  
13 student hunger.

14 5. Staff assistance. The department shall provide necessary staffing services to the  
15 commission.

16 6. Report; legislation. By January 10th each year, the commission shall submit to  
17 the joint standing committee of the Legislature having jurisdiction over education matters  
18 a report that includes findings and recommendations for action to eliminate student  
19 hunger. The commission is authorized to submit to the Legislature legislation as the  
20 commission may determine to be appropriate.

21 **Sec. DDD-3. Collaboration to reduce student hunger.** The Department of  
22 Education and the Department of Health and Human Services shall collaborate to reduce  
23 student hunger through the following actions.

24 1. Using new state funding and creating a new position, the Department of Education  
25 and the Department of Health and Human Services shall increase communication and  
26 cooperation between the 2 departments and the monitoring of child hunger and nutrition  
27 programs in both departments. Representatives of the departments shall meet quarterly to  
28 collaborate on child hunger and nutrition programs. The departments shall provide  
29 quarterly reports to the joint standing committee of the Legislature having jurisdiction  
30 over education matters and to the Commission To End Student Hunger, established in the  
31 Maine Revised Statutes, Title 5, section 12004-I, subsection 12-B, on their quarterly  
32 meetings and on cooperation between the departments regarding child hunger and  
33 nutrition programs.

34 2. The Department of Education and the Department of Health and Human Services  
35 shall expand access to departmental data in order to measure and track access to and  
36 participation in child hunger and nutrition programs under the jurisdiction of both  
37 departments. The departments shall provide each school administrative unit and school  
38 with analyses of its existing child hunger and nutrition programs and their funding and  
39 federal funding not being used. The departments shall make student meal program data  
40 available on their publicly accessible websites.

41 **Sec. DDD-4. Encouraging participation in federal meals and snacks**  
42 **programs for students.** The Department of Education and the Department of Health  
43 and Human Services shall encourage the congressional delegation of the State to make

1 participation in federal meals and snacks programs for students easier for school  
2 administrative units and nonprofit organizations and to make administration of the  
3 programs easier for the Department of Education and the Department of Health and  
4 Human Services.

5 **PART EEE**

6 **Sec. EEE-1. Transfer of funds.** Notwithstanding any other provision of law,  
7 dedicated family support services funds within the Department of Health and Human  
8 Services, Developmental Services - Community program may be transferred to support  
9 individuals receiving services to the Office of Aging and Disability Services Central  
10 Office program and the Long Term Care - Office of Aging and Disability Services  
11 program by financial order upon the recommendation of the State Budget Officer and  
12 approval of the Governor. These transfers are not considered adjustments to  
13 appropriations.

14 **PART FFF**

15 **Sec. FFF-1. Transfer of funds.** Notwithstanding any other provision of law,  
16 available balances of appropriations in the Nursing Facilities program in the Department  
17 of Health and Human Services may be transferred to support individuals who are  
18 transitioning to the Money Follows the Person/Homeward Bound program through the  
19 home-based care program by financial order upon the recommendation of the State  
20 Budget Officer and approval of the Governor. These transfers are not considered  
21 adjustments to appropriations.

22 **PART GGG**

23 **Sec. GGG-1. Transfer of funds.** Notwithstanding any other provision of law, for  
24 fiscal years 2015-16 and 2016-17, the Department of Health and Human Services may  
25 transfer available balances of appropriations from the State-funded Foster Care/Adoption  
26 Assistance program in the All Other line category to the Office of Child and Family  
27 Services - Central and the Office of Child and Family Services - District programs to  
28 fund expenditures in the Personal Services or All Other line category that are incurred  
29 due to the cost of administering the child welfare program. These amounts may be  
30 transferred by financial order upon the recommendation of the State Budget Officer and  
31 approval of the Governor. These transfers are not considered adjustments to  
32 appropriations.

33 **PART HHH**

34 **Sec. HHH-1. 20-A MRSA c. 333 is enacted to read:**

35 **CHAPTER 333**

36 **COMMUNITY SCHOOLS**

**LD 905**

**Joint Standing Committee on Health  
and Human Services Study of  
Allocations of the Fund for a Healthy  
Maine**

STATE OF MAINE

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IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FIFTEEN

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H.P. 624 - L.D. 905

**Resolve, To Study Allocations of the Fund for a Healthy Maine**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** this resolve directs the Joint Standing Committee on Health and Human Services to meet to review the alignment of allocations from the Fund for a Healthy Maine with the State's current public health care and preventive health priorities and goals; and

**Whereas,** the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Study established. Resolved:** That the Joint Standing Committee on Health and Human Services, referred to in this resolve as "the committee," shall study allocations of the Fund for a Healthy Maine as required in this resolve; and be it further

**Sec. 2. Convening of committee. Resolved:** That the chairs of the committee shall call and convene the first meeting of the committee for the purposes of this resolve no later than 30 days following the effective date of this resolve; and be it further

**Sec. 3. Meetings. Resolved:** That the committee may meet for the purposes of this resolve only when the Legislature is not in regular or special session. The committee is authorized to meet up to 6 times to accomplish its duties; and be it further

**Sec. 4. Duties. Resolved:** That the committee shall review the alignment of allocations from the Fund for a Healthy Maine, established in the Maine Revised Statutes, Title 22, section 1511, with the State's current public health care and preventive health

priorities and goals. The committee shall gather information and data from public and private entities as necessary to:

1. Identify or review the State's current public health care and preventive health priorities and goals;
2. Identify or review strategies for addressing priorities and goals and potential effectiveness of those strategies;
3. Assess the level of resources needed to properly pursue the strategies identified in subsection 2;
4. Make recommendations for how Fund for a Healthy Maine funds should be allocated to most effectively support the State's current public health and preventive health priorities, goals and strategies; and
5. Make recommendations for processes to be used to ensure that Fund for a Healthy Maine allocations stay aligned with the State's health priorities and goals; and be it further

**Sec. 5. Cooperation. Resolved:** That the Commissioner of Administrative and Financial Services, the Commissioner of Education, the Commissioner of Health and Human Services and the Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services shall provide information and data to the committee as necessary for its work; and be it further

**Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the committee; and be it further

**Sec. 7. Report. Resolved:** That, no later than December 2, 2015, the committee shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 127th Legislature.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

**LD 706**

**Commission to Study Transportation  
Funding Reform**

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FIFTEEN

—  
H.P. 482 - L.D. 706

**Resolve, To Establish a Commission To Study Transportation Funding Reform**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas**, adequate, sustainable and predictable transportation funding is critical to the safety and economic well-being of all Maine citizens; and

**Whereas**, funding for transportation infrastructure in Maine and the nation is seriously deficient; and

**Whereas**, the shortfall of funding related to Maine's state highway and bridge system is at least \$150,000,000 per year, without consideration of general obligation bonding; and

**Whereas**, general obligation bonding levels are unpredictable due to the current short-term focus of the process that determines bonding levels and priorities, a process that usually takes place late in a legislative session after finalization of the General Fund budget, if at all; and

**Whereas**, higher fuel efficiency of vehicles and alternative fuel vehicles continue to erode the funding provided by per gallon fuel taxes and increase the inequity among drivers in terms of the fee paid per mile for use of the highway and bridge system; and

**Whereas**, fuel prices are relatively low but surely will rise in the years ahead; and

**Whereas**, approximately 30,000,000 people visit Maine each year, a state with a year-round population of about 1,300,000 people, and the capacity and a significant portion of the cost of Maine's transportation system are driven by seasonal traffic volumes; and

**Whereas**, through years of capital planning, prioritization and efficiency initiatives, the Department of Transportation has proven that it uses funding efficiently and effectively and can be trusted to do so with additional funding; and

**Whereas**, federal transportation funding is unpredictable and a predictable long-term federal solution to Maine's transportation funding problem is unlikely; and

**Whereas**, other states are finding transportation funding solutions and the State of Maine has an obligation to all Maine citizens to seek solutions now; and

**Whereas**, the Commission To Study Transportation Funding Reform established in this resolve is a bipartisan commission charged with analyzing options and recommending legislation and is the best way to reform and supplement transportation funding in Maine; and

**Whereas**, the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

**Whereas**, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Commission established. Resolved:** That the Commission To Study Transportation Funding Reform, referred to in this resolve as "the commission," is established; and be it further

**Sec. 2. Commission membership. Resolved:** That the commission consists of 11 members as follows:

1. Three Legislators appointed by the President of the Senate, at least one of whom is from the party holding the 2nd largest number of seats in the Senate, including at least one member of the Joint Standing Committee on Transportation and one member of either the Joint Standing Committee on Appropriations and Financial Affairs or the Joint Standing Committee on Taxation;

2. Seven Legislators appointed by the Speaker of the House of Representatives, at least 3 of whom are from the party holding the 2nd largest number of seats in the House, including at least one member of the Joint Standing Committee on Transportation and one member of either the Joint Standing Committee on Appropriations and Financial Affairs or the Joint Standing Committee on Taxation; and

3. The Commissioner of Transportation, or the commissioner's designee; and be it further

**Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission. The first-named Senate member must be from the Joint Standing Committee on Transportation and the first-named House member must be from the Joint Standing Committee on Transportation; and be it further



**Sec. 4. Appointments; convening of commission. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business; and be it further

**Sec. 5. Duties. Resolved:** That the commission shall study how to reform and adequately supplement funding for the State's transportation infrastructure to promote equity, sustainability and predictability in a manner that allows the State to responsibly provide a safe and reliable state transportation system. The study must focus on funding the state highway and bridge system, but must also consider capital funding through bonding of multimodal infrastructure. The commission shall:

1. Determine funding levels necessary to achieve the highway and bridge capital goals set forth in the Maine Revised Statutes, Title 23, section 73, subsection 7, paragraphs A to D, including anticipated shortfalls, for the next 10 years;
2. Identify mechanisms that will increase the predictability of general obligation bonding levels for capital planning at the Department of Transportation for the state highway and bridge system and multimodal infrastructure for the next 10 years;
3. Identify mechanisms to address the erosion of Highway Fund receipts and the rising inequity among drivers caused by higher automobile fuel efficiency and alternative fuel vehicles, such as adding a registration fee surcharge on hybrid, electric or other alternative fuel passenger automobiles;
4. Consider a voluntary so-called "vehicle miles traveled" pilot program for passenger automobiles;
5. Identify methods to more equitably share the costs of the highway system between residents of this State and nonresidents, including exploring the feasibility of reducing year-round baseline gasoline tax rates and adding a seasonal gasoline tax surcharge;
6. Consider new highway tolling options;
7. Consider adding a wholesale fuel tax component, including options that would reduce baseline per gallon fuel tax rates;
8. Consider adjusting fuel tax rates, including options that can be implemented or eliminated as fuel prices rise due to market forces or increases to the federal fuel tax rates;
9. Consider dedicating a portion of sales tax receipts from transportation-related sales to transportation infrastructure;

10. Evaluate the likelihood, extent and time frame of possible future funds being dedicated to transportation infrastructure from revenues from potential additional casinos in the State; and

11. Invite knowledgeable stakeholders to provide written and oral comments on draft recommendations of the commission. Knowledgeable stakeholders must include representatives from the American Council of Engineering Companies of Maine, the Maine Section of the American Society of Civil Engineers, the Associated General Contractors of Maine, the Maine Automobile Dealers Association, the Maine Better Transportation Association, the Maine State Chamber of Commerce, the Mayors' Coalition on Jobs and Economic Development, the Maine Motor Transport Association, the Maine Municipal Association, the Maine Service Center Coalition, the Maine Tourism Association and the Maine Turnpike Authority.

The commission may meet up to 6 times. At least 3 meetings must allow public comment and be held at different locations to allow input from several regions in the State; and be it further

**Sec. 6. Staff assistance. Resolved:** That the Office of Policy and Legal Analysis and the Office of Fiscal and Program Review shall provide necessary staffing services to the commission; and be it further

**Sec. 7. Report. Resolved:** That, no later than December 2, 2015, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Transportation. The Joint Standing Committee on Transportation may submit legislation to the Second Regular Session of the 127th Legislature related to the report; and be it further

**Sec. 8. Funding. Resolved:** That the costs of the study must be provided from the Highway Fund by appropriation or allocation; and be it further

**Sec. 9. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**LEGISLATURE**

**Study Commissions - Funding 0444**

Initiative: Allocates funds on a one-time basis for the per diem costs and other expenses of 3 members of the Senate and 7 members of the House of Representatives to participate in up to 6 meetings of the Commission To Study Transportation Funding Reform during the interim between legislative sessions.

<b>HIGHWAY FUND</b>	<b>2015-16</b>	<b>2016-17</b>
Personal Services	\$3,300	\$0
All Other	\$4,450	\$0
<b>HIGHWAY FUND TOTAL</b>	<b>\$7,750</b>	<b>\$0</b>

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

**LD 1406**

**Task Force to Study College  
Attainment and Degree Completion  
Goals**

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FIFTEEN

—  
S.P. 524 - L.D. 1406

**An Act To Implement the Recommendations of the Commission To Study  
College Affordability and College Completion**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1.** 20-A MRSA §11617, sub-§4 is enacted to read:

**4. Annual report.** The authority shall, by September 1, 2016, and by September 1st each year thereafter, report on the levels of grant awards made from the Maine State Grant Program to eligible students, including possible tiered grants awarded in accordance with authority rules to eligible students attending their 2nd, 3rd and 4th years, or the equivalents thereof, at institutions of higher education, to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs. The report submitted by the authority must also include any data, findings and recommendations related to college affordability and the unmet need levels of Maine college students, including analyses submitted in any studies conducted by the New England Board of Higher Education during the year.

**Sec. 2. College attainment and degree completion goals; report.** The University of Maine System, the Maine Community College System and the Maine Maritime Academy shall each submit a report to the Joint Standing Committee on Education and Cultural Affairs by January 1, 2016 regarding their progress in implementing the goals and objectives pertaining to college attainment and degree completion specified in the "Statewide Education and Workforce Development Strategic Plan" report submitted by the Education Coordinating Committee to the Joint Select Committee on Maine's Workforce and Economic Future on January 30, 2014.

**Sec. 3. Strategic plan and funding required to implement college completion strategies; report.** The boards of trustees for the University of Maine System, the Maine Community College System and the Maine Maritime Academy shall each submit a report to the Joint Standing Committee on Education and Cultural Affairs by January 1, 2016 regarding their reactions to the strategies included in the October 2013 "The Game Changers" report prepared by Complete College America to enable more college students to complete degree programs and certificate programs and graduate

from college. The report submitted by each board of trustees must include which strategies were agreed upon, what additional resources would be required to implement these strategies, what plan of action has been adopted and what assistance is necessary from the State to support the implementation of these strategies.

**Sec. 4. Statutory college attainment goal; task force.** Notwithstanding Joint Rule 353, the Task Force To Study College Attainment and Degree Completion Goals, referred to in this section as "the task force," is established.

1. The task force consists of 15 members as follows:

A. Five members appointed by the President of the Senate, including not more than 2 members from the party holding the largest number of seats in the Legislature, as follows:

- (1) One member of the Senate who serves on the Joint Standing Committee on Education and Cultural Affairs, who shall serve as a cochair of the task force;
- (2) One member of the Senate who serves on the Joint Standing Committee on Appropriations and Financial Affairs;
- (3) One member of the Senate who serves on the Joint Standing Committee on Labor, Commerce, Research and Economic Development;
- (4) One member who serves on the Board of Directors of the Maine Development Foundation; and
- (5) One member who serves on the Board of Directors of Educate Maine;

B. Six members appointed by the Speaker of the House, including not more than 2 members from the party holding the largest number of seats in the Legislature, as follows:

- (1) Two members of the House of Representatives who serve on the Joint Standing Committee on Education and Cultural Affairs, the first of whom shall serve as a cochair of the task force;
- (2) One member of the House of Representatives who serves on the Joint Standing Committee on Appropriations and Financial Affairs;
- (3) One member of the House of Representatives who serves on the Joint Standing Committee on Labor, Commerce, Research and Economic Development;
- (4) One member who serves on the Board of Directors of the Maine State Chamber of Commerce; and
- (5) One member who serves on the Advisory Council of the Maine Centers for Women, Work and Community;

C. The Commissioner of Education or the commissioner's designee;

D. The Commissioner of Labor or the commissioner's designee;

E. The Commissioner of Economic and Community Development or the commissioner's designee; and

F. One public member appointed by the Governor.

2. All appointments must be made no later than 30 days following the effective date of this Act. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. Within 15 days after appointment of all members, the chairs shall call and convene the first meeting of the task force, which must be no later than 30 days following the appointment of all members. The task force may meet 5 times.

3. The study conducted by the task force must include, but is not limited to:

A. A review of the college completion findings and recommendations included in the December 2014 report submitted by the Commission To Study College Affordability and College Completion to the Joint Standing Committee on Education and Cultural Affairs, including the college attainment goals proposed to the commission by Educate Maine, the attainment goals established by the Lumina Foundation and the "40-40-20" aspirational goal for all levels of education established by the State of Oregon;

B. An examination and review of the secondary and postsecondary education attainment metrics contained within:

(1) The Department of Education's Maine Statewide Longitudinal Data System developed pursuant to the Maine Revised Statutes, Title 20-A, section 6005;

(2) The Department of Labor's Maine Workforce Data Quality Initiative;

(3) Educate Maine's Education Indicators for Maine annual report;

(4) The Maine Development Foundation's Measures of Growth annual report; and

(5) The initiatives, research and data conducted and compiled by regional, national and state associations or agencies related to the establishment of postsecondary education attainment goals, as well as the review and monitoring of the postsecondary education attainment metrics related to the established goals;

C. A review of the initiatives proposed by the public and independent colleges and universities in the State as part of the March 2014 "Improving College Affordability and Completion in Maine" report submitted to the Joint Standing Committee on Education and Cultural Affairs;

D. A discussion with the public and independent colleges and universities in the State to recognize the extent to which Maine's institutions of higher education may support proposed state policies and strategies to enable more college and university students to complete degree programs and certificate programs and graduate from Maine institutions of higher education; and

E. An analysis of other policies and strategies that a majority of the task force members agree to include in this study.

4. The task force shall seek outside funding to fully fund all costs of the task force and in accordance with the policy of the Legislative Council with regard to outside

funding. If sufficient outside funding has not been received by the task force by 30 days after the effective date of this Act to fully fund all costs of the commission, no meetings are authorized and no expenses of any kind may be incurred or reimbursed.

5. The University of Maine System, the Maine Community College System and the Maine Maritime Academy shall provide necessary staffing services to the task force. The Department of Education, the Department of Labor, the University of Maine System, the Maine Community College System, the Maine Maritime Academy and the Finance Authority of Maine shall provide the task force with access to any nonconfidential aggregate information in their student record databases for postsecondary education students in the State necessary to carry out the duties of the task force. The Office of Policy and Legal Analysis shall provide drafting assistance to the task force.

6. The task force shall submit a report containing its findings and recommendations, including any necessary implementing legislation, to the Joint Standing Committee on Education and Cultural Affairs by December 15, 2015. The findings and recommendations submitted by the task force must relate to at least the following proposals:

- A. The development of policies and strategies to increase the graduation rate of students enrolled in state-supported public institutions of higher education;
- B. The establishment of a statutory postsecondary education attainment goal for the proportion of the State's adult population holding an associate degree or baccalaureate degree that is not lower than 50% by 2025; and
- C. The development of annual or biennial review procedures to be conducted by the joint standing committee of the Legislature having jurisdiction over education and cultural affairs for monitoring the secondary and postsecondary education attainment metrics contained within the Department of Education's Maine Statewide Longitudinal Data System, the Department of Labor's Maine Workforce Data Quality Initiative, Educate Maine's Education Indicators for Maine annual report and the Maine Development Foundation's Measures of Growth annual report.

The joint standing committee may submit a bill related to this report to the Second Regular Session of the 127th Legislature.

**Sec. 5. Appropriations and allocations.** The following appropriations and allocations are made.

**LEGISLATURE**

**Study Commissions - Funding 0444**

Initiative: Allocates funds for the one-time costs of the legislative per diem and expenses of the Task Force To Study College Attainment and Degree Completion Goals.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2015-16</b>	<b>2016-17</b>
Personal Services	\$1,540	\$0
All Other	\$2,210	\$0



OTHER SPECIAL REVENUE FUNDS TOTAL

\$3,750

\$0