

First Regular Session 131st Legislature

Basics on Bills: Filing Legislation & Deadlines

November 16th & 17th, 2022



So, what goes in a “bill” anyway?

- Do you want to change or eliminate a law?
- Do you want to establish a new law?



But, what exactly is a “law”?

Prohibit

- The commissioner may not employ additional staff...
- The fee may not exceed...
- A person who ____ commits a Class E crime...

Authorize

- The commissioner may contract with the Finance Authority of Maine to assist in administration....
- A licensee may operate more than one place of business if ...

Require

- The bureau shall adopt rules to implement...
- The report must include recommendations to...
- An applicant must be...

Legislative Framework



Constitution of Maine



Legislative Rules



Statutes



Constitution of Maine

For example:

- General effective date
- Bills that CAN'T be emergencies
- 2nd Regular Session legislation subject matter limitations



Joint Rules

For example:

- Cloture
- Minimum content of request
- Public disclosure of bill titles and sponsors
- Directions to ROS
 - Bill titles
 - Bill summaries
 - Form and format



Statutes

For example:

- Definitions
- Rules of construction



Legislative Instruments:

- A. Constitutional Resolution
- B. Resolve
- C. Act
 - i. Public Law
 - ii. Private and Special Law



Constitutional Resolutions

- Propose changes to Maine Constitution
- Requires a 2/3 vote of Legislature
- Submitted to voters for ratification



Resolves

- Restricted application and of limited duration
- Doesn't affect the general law
- Has the force of law



Acts

- Potentially unlimited duration
- Public law bills affect all persons or things within a specified group & are allocated to MRS
- Private & special law bill relates to particular persons or things & are not allocated to MRS



Filing a bill request

- **When?**
 - Any time before the **date & time** set as cloture by Joint Rule
- **Where?**
 - The Office of the Revisor of Statutes (Room 108) – BUT WAIT!



- How?

- In person in Room 108
- Electronically: Submit a Legislative Bill Request at:
<http://legislature.maine.gov/legis/ros/E-requestform.htm>
- By e-mail at
revisor.office@legislature.maine.gov
- By telephone: 287-1650
- By Fax: 287-6468



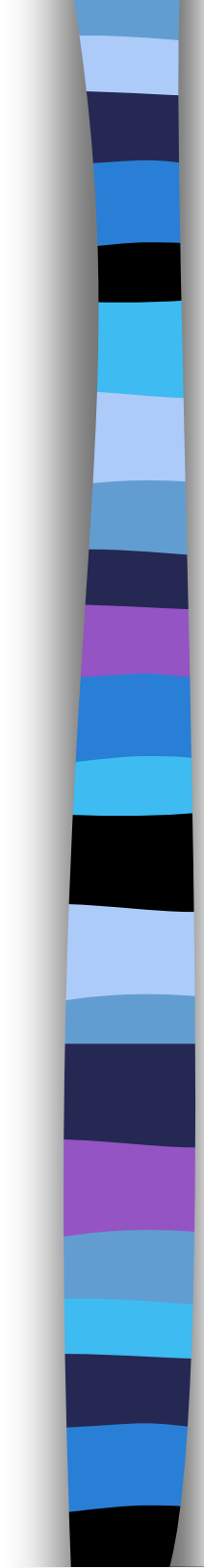
What?

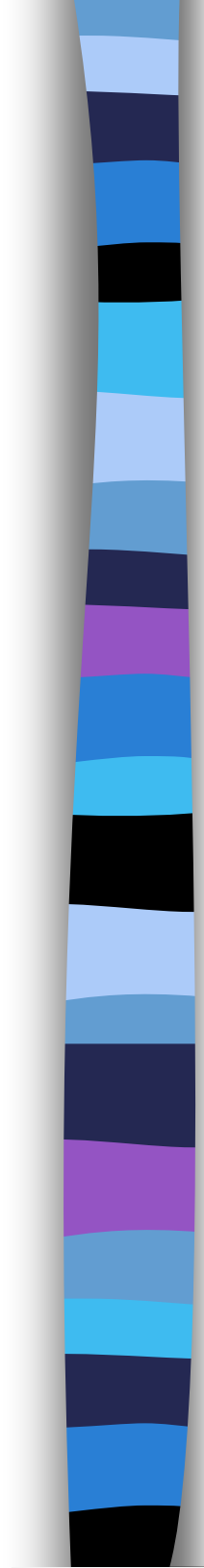
- Sufficient information, instructions or data from which a bill may be drafted
UNLESS:
 - If a Concept Draft is requested, need fewer details
 - If “outside source” will draft, must submit **complete draft by cloture**

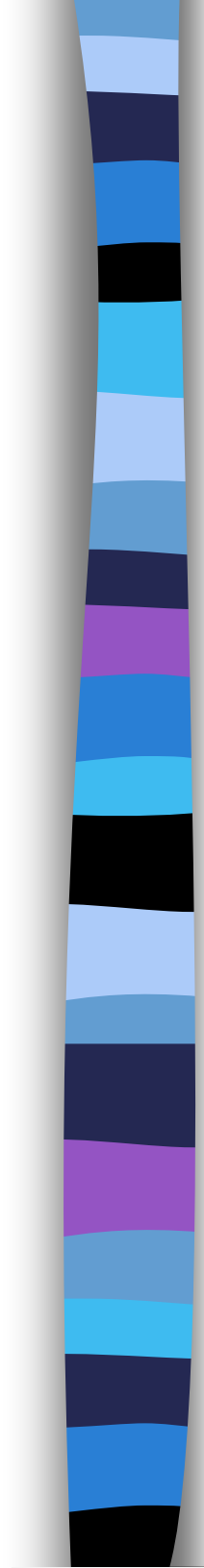


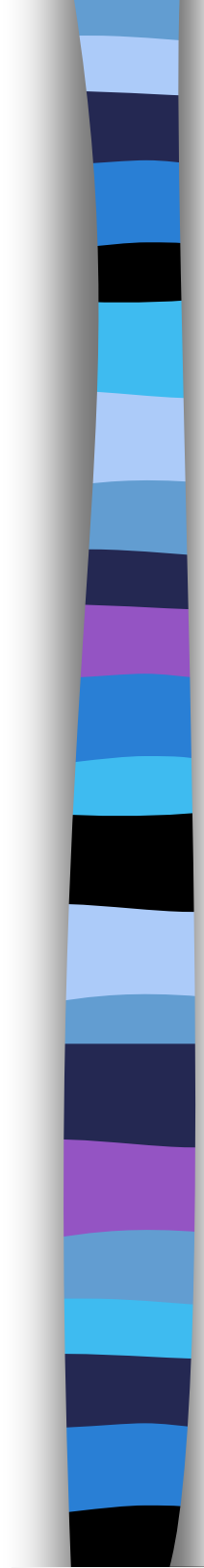
Sufficient Information

- What is the problem you are seeking to address?
- What is your proposed solution?

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- Is it essential that this proposal take effect immediately (requiring a 2/3 vote of both Houses), or can it take effect on the general effective date after the legislative session is over? If it is an emergency, why is it an emergency?

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- Who is being directed to implement your proposal?
 - How will it be enforced? Are there any penalties?
 - Do you have any background materials that would help staff draft your proposal?

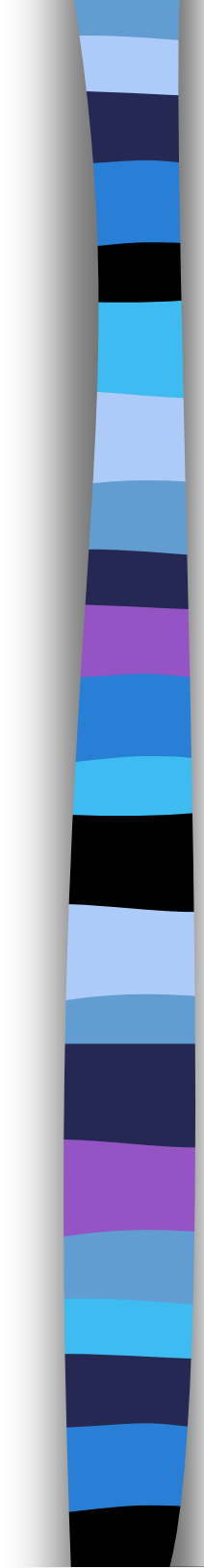
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- Are you aware of any other states that have tried your proposed solution? If so, which states?
 - Has this solution been proposed to the Maine Legislature in the past? If so, when?

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- Staff may need to discuss certain elements of your proposal in order to properly draft the bill. Is there any person or group that you prefer we not contact? Is there a specific individual we should contact?



- Who?

- Nonpartisan staff can help you research an issue and file bill requests.
- Nonpartisan staff, operating under rules of confidentiality, will prepare a bill draft for your review.

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- ✓ Office of the Revisor of Statutes
 - ✓ Office of Policy and Legal Analysis
 - ✓ Office of Fiscal and Program Review



Common concerns



How many bills can I file?

- Management of bills



What if I miss filing a bill?

- After deadline?



✂ What if I miss something in my bill?

- Review
- Change process

☹ What if I still miss something?

- Committee
- Amendment

Questions & Comments?
Thanks!



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