

# MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

JUNE 16, 1989

PRELIMINARY AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

- Summary of June 8, 1989, Council Meeting.

EXECUTIVE DIRECTOR'S REPORT

REPORTS FROM COUNCIL COMMITTEES

OLD BUSINESS

NEW BUSINESS

Item #1: Advisory Committee on Legislative Structure and  
Operations: Progress Report from Senator Clark and  
Mr. MacLeod, Committee Chairs

Item #2: After Deadline Requests

Item #3: Requests to Carry Bills Over to the Second Regular  
Session

Item #4: Request from Judiciary Committee for Authorization to  
Hold Public Hearings this Fall

Item #5: Interim Study Requests

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT



REP. JOHN L. MARTIN  
CHAIR

SEN. DENNIS L. DUTREMBLE  
VICE-CHAIR

STATE OF MAINE

114th LEGISLATURE

LEGISLATIVE COUNCIL

## LEGISLATIVE COUNCIL

**JUNE 8, 1989**

### MEETING SUMMARY

**APPROVED JUNE 16, 1989**

SEN. CHARLES P. PRAY  
SEN. NANCY RANDALL CLARK  
SEN. CHARLES M. WEBSTER  
SEN. PAMELA L. CAHILL  
REP. DAN A. GWADOSKY  
REP. JOSEPH W. MAYO  
REP. MARY CLARK WEBSTER  
REP. FRANCIS C. MARSANO

SARAH C. DIAMOND  
EXECUTIVE DIRECTOR

## CALL TO ORDER

The Legislative Council was called to order by the Chair, Speaker Martin, at 4:14 p.m., in the Legislative Council Chambers.

## ROLL CALL

Senators: Sen. Pray, Sen. Clark, Sen. Dutremble, Sen. Webster, Sen. Cahill

Representatives: Rep. Mayo, Rep. Gwadosky, Rep. Martin, Rep. Marsano

Absent: Rep. Webster

### Legislative Officers:

Sally Diamond	Executive Director, Legislative Council
Lynn Randall	State Law Librarian
John Wakefield	Deputy Director, Office of Fiscal and Program Review
Martha Freeman	Director, Office of Policy and Legal Analysis
David Kennedy	Revisor of Statutes
John H. Bailey	Information Systems Director
David Silsby	Director, State Capitol Commission
Joy O'Brien	Secretary of the Senate

## SECRETARY'S REPORT

The Summary of the May 24, 1989, Council meeting was accepted and placed on file. (Motion by Sen. Pray; second by Rep. Marsano; unanimous).

## EXECUTIVE DIRECTOR'S REPORT

Item #1: Policy Regarding Statute "Prints" for Executive Department Agencies.

Sally Diamond, Executive Director, referred Council members to the memo prepared by David Kennedy and asked Mr. Kennedy to summarize it. The purpose of the memo was to propose that the Council adopt a series of policies to govern the preparation of printouts of the statute data base maintained by the Legislature for use by executive departments and agencies. The proposed policies include:

1. That the Council ratify the provision of this service to departments and agencies, with the understanding that it should, in no case, impede the Revisor's support of the Legislature.
2. That the tradition of customizing the format of the printout to individual agency specifications be replaced by adoption of a single format, and that agencies be provided a computer disk as well as a "hard copy" of the printout so that they can edit the text as they wish.
3. That the Council institute a fee policy for statute printouts as follows: \$50.00 per request and \$1.00 per printed page of text.

Mr. Kennedy noted that imposition of a fee structure was consistent with Council policy already adopted with regard to the Public Bill Status system and that the fees were designed to recover only the estimated marginal costs of providing this service.

**Motion:** That the Revisor's recommendations be adopted. (Motion by Sen. Clark; second by Sen. Pray; unanimous).

Item #2: Personnel Actions

Ms. Diamond had two items to report.

- Simone Antworth, Administrative Secretary in the Law Library, had completed her 11th year of legislative service. She is at the top of her salary range and is, thus, not eligible for a step increases.
- The Personnel Committee had previously reviewed and unanimously endorsed her recommendation to promote Janet Grard, Office Support Coordinator, Information Systems, from Salary Range 5 to Salary Range 7. Ms. Diamond noted that the position, which Ms. Grard has occupied since last October, was classified in the higher salary range but that a 6-month probationary period had been established in order to provide Ms. Grard with the opportunity to acquire training and technical skills which were central to the position.

**Motion:** That Ms. Grard's promotion be approved as recommended. (Motion by Rep. Gwadosky; second by Sen. Dutremble; unanimous).

## REPORTS FROM COUNCIL COMMITTEES

None.

## OLD BUSINESS

Item #1: LD 1626, RESOLVE Concerning the Development of a New Master Plan for the Capitol Area: Status Report

Speaker Martin noted that this was one of two pieces of legislation that had emerged from the early work of the State Capitol Commission and had subsequently received the Council's unanimous endorsement. He noted that the State and Local Government Committee was considering substantial

changes in the original bill and suggested that Council members who were interested in pursuing the Council's interest in this bill meet with David Silsby, Director, State Capitol Commission, and the State Government Committee Chairs who will assemble in the President's Office on Friday, June 9, at 10:00 a.m. Those who expressed an interest in participating included Sen. Pray, Sen. Clark, Sen. Cahill, Sen. Webster, and Rep. Gwadosky. Sen. Cahill requested that the Commissioner of Administration, Chip Morrison, also be invited to this meeting, and the Executive Director was asked to contact him. Finally, Sen. Webster stressed that he felt it was essential that the Council maintain its active, bi-partisan role in the development of this legislation.

No motion required.

## NEW BUSINESS

Item #1: Request to relocate handicapped parking spaces.

Council members briefly discussed the problem raised by the letter addressed to Sen. Pray from Mr. Raymond L. Emond. Suggestions that emerged from the discussion included the following:

- Working with the Joint Standing Committees to try and anticipate which hearings deal with issues of particular concern to handicapped persons so that we could arrange with Capitol Security to have additional handicapped parking slots designated on those days. (Speaker Martin)
- Improving our efforts to publicize the best access routes for handicapped persons to both the State House and the State Office Building. (Rep. Marsano)

**Motion:** That Mr. Emond's letter be accepted and placed on file and that a letter of acknowledgement be sent to him. (Motion by Sen. Dutremble; second by Sen. Clark; unanimous).

- Item #2: Request to Review Policy Regarding Location of Large Legislative Hearings.

A letter from Ms. Bettina Dobbs, President of the Guardians of Education of Maine, addressed to Ms. Diamond, recommended that the Legislature have a "standing" reservation at the Augusta Civic Center so that public hearings that exceeded the capacity of the assigned legislative hearing room could be moved. Council discussion focussed on

1) the cost of such an arrangement, and 2) the problems with having hearings outside of the Capitol Complex.

**Motion:** That Ms. Dobbs' letter be accepted and placed on file and that a letter of acknowledgement be sent. (Motion by Sen. Clark; second by Sen. Cahill; unanimous).

- Item #3: Advisory Committee on Legislative Structure and Operations: Appointment of Chairs.

**Motion:** That Sen. Nancy Randall Clark and Mr. Kenneth MacLeod be appointed as Chairs of the Advisory Committee on Legislative Structure and Operations, pursuant to Chapter 15 of the Resolves of Maine of 1989. (Motion by Sen. Pray; second by Rep. Mayo; unanimous).

- Item #4: After Deadline Requests

After deadline requests were considered by the Legislative Council. The Council's action on these requests is included on the attached list.

- Item #5: Requests to Carry Bills Over to the Second Regular Session

A list of the requests considered by the Council with the Council's action noted is attached.

## **ANNOUNCEMENTS AND REMARKS**

The Chair introduced Alan Sokolow, Director of the Eastern Regional Conference of the Council of State Governments.

## **ADJOURNMENT**

The Legislative Council meeting was adjourned at 5:20 p.m., on the motion of the Chair.



Legislative Council  
Action on Requests to Carry Over Bills  
to the Second Regular Session  
at the  
June 8, 1989 Meeting

Committee Name	Title	Sponsors	Action
Aging, Retirement & Veterans L.D. 696	An Act Concerning Out-of-state Service for Members of the Maine State Retirement System	TITCOMB HICKEY	CARRY OVER APPROVED
Business Legislation L.D. 1311	An Act to Amend the Third-party Prescription Program Act and Provide for Responsible Health Care Decisions	HANDY DUTREMBLE D JOSEPH RUHLIN	CARRY OVER APPROVED
L.D. 1710	An Act Amending the Licensure Requirements for Plumbers	BALDACCI WHITMORE GURNEY STEVENS A	CARRY OVER APPROVED
Corrections (Joint Select Committee) L.D. 1617	An Act to Allow Sheriffs' Departments to Transport Juveniles to State-approved Treatment Facilities	RUHLIN	CARRY OVER APPROVED
Housing & Economic Development L.D. 1012	Resolve, to Establish the Commission to Study Foreign Ownership and Investment in Maine Land and Business	CATHCART BOST NADEAU G R DUTREMBLE D	DENIED
L.D. 1265	An Act to Promote Maine's Participation in the Global Economy and to Enhance the Department of Economic and Community Development	WEYMOUTH BAILEY	DENIED
Human Resources L.D. 1591	An Act Relating to the Status of Nursing Professions in Maine (Reported Pursuant to Resolves of 1987, Chapter 106)		DENIED
L.D. 1657	An Act to Establish a Program of Health, Education and Treatment for Persons Convicted of Drug and Sex-related Offenses	RYDELL RAND PERKINS BUSTIN	DENIED
Judiciary L.D. 544	An Act to Extend the Statute of Limitations for Medical Malpractice Cases	PARADIS E	CARRY OVER APPROVED

Committee Name	Title	Sponsors	Action
L.D. 727	An Act to Improve the Availability of Emergency Obstetrical Services	TWITCHELL MACBRIDE	CARRY OVER APPROVED
L.D. 762	An Act to Establish the Maine Medical Malpractice Act	GAUVREAU MANNING BURKE MACBRIDE	CARRY OVER APPROVED
L.D. 899	An Act to Improve the Availability of Emergency Medical Services	TWITCHELL WALKER JACKSON	CARRY OVER APPROVED
L.D. 1026	An Act to Modify Joint and Several Liability in Medical Malpractice Actions	HANLEY HOLLOWAY BEGLEY	CARRY OVER APPROVED
L.D. 1038	An Act to Establish a Limit on Noneconomic Damages in Medical Liability Actions	TWITCHELL MACBRIDE ROLDE HOLLOWAY	CARRY OVER APPROVED
L.D. 1075	An Act to Prevent Double Recoveries in Medical Liability Actions	TWITCHELL KANY WALKER JACKSON	CARRY OVER APPROVED
L.D. 1150	An Act to Strengthen the State Forensic Service	PARADIS P PRIEST PINEAU	CARRY OVER APPROVED
L.D. 1151	An Act to Amend the Common Law Collateral Source Rule in Medical Professional Liability Cases	TWITCHELL MACBRIDE NUTTING HOLLOWAY	CARRY OVER APPROVED
L.D. 1248	An Act to Encourage the Continuation of Obstetrical Services in the Medicaid Program	RANDALL	CARRY OVER APPROVED
L.D. 1390	An Act to Ensure that Child Support Payments Benefit the Family	ALLEN GAUVREAU FARNSWORTH CONLEY	CARRY OVER APPROVED
L.D. 1436	An Act to Amend the Laws Relating to Offers of Judgment	HANLEY MARSANO HOBBINS STEVENS P	CARRY OVER APPROVED

Committee Name	Title	Sponsors	Action
L.D. 1466	An Act to Waive Restrictions on Certain Physicians	GILL	CARRY OVER APPROVED
L.D. 1512	An Act to Reform the Juvenile Criminal Justice System (Reported Pursuant to Resolves of 1987, Chapter 68)		CARRY OVER APPROVED
Legal Affairs			
L.D. 1126	An Act to Enhance Enforcement of the Driving Under the Influence of Alcohol and Drug Laws	PARADIS P MAYO PRIEST MATTHEWS	CARRY OVER APPROVED
Transportation			
L.D. 1219	An Act to Provide Access to Camps	ROTONDI HOGLUND MARTIN J TWITCHELL	CARRY OVER APPROVED
L.D. 1303	An Act Concerning the Operation of Emergency Medical Vehicles	COLLINS THERIAULT GREENLAW BURKE	DENIED
Utilities			
L.D. 11	Resolve, to Study the Economic Effect of Competitive Telecommunication Services	BOST CLARK H MARTIN J CARPENTER	CARRY OVER APPROVED
L.D. 579	An Act to Promote the Access of Cable Television to Maine Citizens	PRAY HOBBINS PARADIS E CLARK H	CARRY OVER APPROVED
L.D. 1629	An Act to Amend the Laws Concerning Service Territories of and Additional Service by Public Utilities	PARADIS E MARSH PAUL CARPENTER	CARRY OVER APPROVED

--- End of Report ---



MAINE STATE LEGISLATURE  
Augusta, Maine 04333

ADVISORY COMMITTEE ON LEGISLATIVE STRUCTURE AND OPERATIONS

June 15, 1989

Honorable John L. Martin, Chair  
and Members of the Legislative Council  
114th Maine Legislature  
State House  
Augusta, Maine 04333

Dear John and Members of the Council:

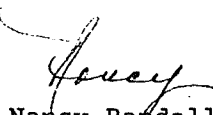
The Advisory Committee on Legislative Structure and Operations was convened for its first meeting on Wednesday, June 14. All members were present.

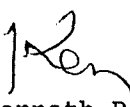
As the Co-Chairs of the Committee, we are writing to report that the Committee reviewed a draft of the Request for Proposals which had been prepared by the Executive Director in accordance with Chapter 15 of the Resolves, 1989. The Committee has unanimously approved that draft with minor changes and authorized the Executive Director to issue it immediately. Notice of its availability will appear in newspapers this weekend. We have also compiled a preliminary list of firms to whom the RFP will be sent and would welcome any suggestions you may have for additions to this list.

The Committee plans to meet next on Monday, July 10, which is the deadline for submission of proposals, to begin its evaluation of the proposals.

We would be happy to answer any questions you may have about our work to date.

Sincerely,

  
Nancy Randall Clark  
Chair

  
Kenneth P. MacLeod  
Chair

ABT Associates, Inc.  
55 Wheeler Street  
Cambridge, MA 02138

Arthur D. Little, Inc.  
25 Acorn Park  
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**114th MAINE LEGISLATURE  
LEGISLATIVE COUNCIL**

**Request for Proposals**

**Study of Legislature's Structure and Operations**

**PROPOSAL DEADLINE: July 10, 1989**

**Office of the Executive Director  
Legislative Council  
State House Station 115  
Augusta, Maine 04333  
Telephone: 207-289-1615**

114th Maine Legislature  
Legislative Council  
Requests for Proposals  
for  
Study of Legislature's Structure and Operations

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ATTACHMENTS

- #1. Chapter 15, Resolves, 1989 and  
List of Members of Advisory Committee  
on Legislative Structure and Operations
- #2. Maine Legislature: Organization Chart
- #3. Non-Partisan Staff Offices: Overview



114th MAINE LEGISLATURE  
STUDY OF THE LEGISLATURE'S STRUCTURE AND OPERATIONS  
REQUEST FOR PROPOSALS

The Maine Legislature's Legislative Council seeks proposals from consultants having experience in organizational and management analysis and in application of this experience in a legislative environment to conduct a study of the structure and operations of the Maine Legislature.

Consultants interested in submitting a proposal should direct all questions relative to this Request for Proposal to Sarah C. Diamond, Executive Director of the Legislative Council, State House Station 115, Augusta, Maine 04333 (Telephone: 207-289-1615).

The deadline for submission of proposals is Monday, July 10, 1989, at 10 a.m. Questions received during the period prior to this deadline and their answers will be provided in writing to all who have received a copy of this RFP.

I. INTRODUCTION

Background

The Maine Legislature adopted its current staff structure in 1976. Since then, this Legislature, like state legislatures throughout the country, has continued to undergo substantial change due to the growth in legislative responsibilities and the increasing complexity of issues requiring legislative action. To respond to these changes, the Maine Legislature has followed a national trend of modernization which has included the development and growth of professional staff; the expansion and improvement of legislative facilities; and the development of computer capabilities which has supported significant growth in legislative information and analysis capacity.

In view of the increasing evidence that growth and change are becoming constants, and concern about growth of the legislative budget over the past 10 years, the Legislature has taken action during this current legislative session to undertake a comprehensive examination of its structure and operation to determine their adequacy and effectiveness.

The Legislature has established an Advisory Committee on Legislative Structure and Operations to oversee this study. A copy of the Resolve enacted by the Legislature to create the Advisory Committee and a list of its members and their affiliations are included as Attachment 1 to this Request for Proposals.

## II. STUDY SCOPE AND OBJECTIVES

Chapter 15 of the Resolves of Maine, 1989, which authorizes this study defines the scope and primary objectives of the study as well as specific tasks to be performed in the course of the study. These include:

1. Analysis of the structure and operations of the Legislature, including all legislative staff offices and the Legislative Council, and of the efficiency of the current legislative process.

Specific Tasks to be performed shall include:

- Analysis of legislative staffing patterns and operations and their impact on the legislative process;
- Analysis of the operating policies of the legislative staff offices and their impact on the legislative process;
- Analysis of the process by which a bill becomes law;
- Analysis of the degree and quality of responsiveness of the current legislative process to the needs and problems of Maine's citizens, with specific emphasis on the role of the Legislative Council in the legislative process.
- Review of the costs of accessibility of the legislative process to Maine citizens;
- Analysis of the degree and quality of responsiveness of the Legislative Council and the the legislative staff and support offices to the problems and needs of both the Legislature as an institution and individual legislators.

2. Analysis of the legislative budget process.

Specific tasks to be performed shall include:

- Analysis of the costs of operating the Legislature and recommendations to control the costs;
- Analysis of the impact of legislative expenditures on the operation of the Legislature; and,
- Analysis of the process for the payment of legislative bills and expenses and recommendations for modifications in this process; and
- Development of an annual planning process to ensure adequate and timely expense planning for the Legislature.

3. Analysis of patterns and trends in the growth in legislative activity, in the members and types of staff, and in the legislative budget over the past 10 years. This analysis should include identification of specific policies and practices which have either contributed to the growth of the legislature's staff budget, or which have proven effective in controlling the rate of growth.
4. Analysis of the extent to which the quality and nature of the Legislature's work is likely to change within the next decade, based on reasonable evidence. This analysis should include the specific identification of changes that may be necessary to enable a part-time Legislature to effectively address both the increased demands and the changing nature of legislative work.

### III. ORGANIZATION OF MAINE LEGISLATURE: OVERVIEW

The basic constitutional organization, size and functions of Maine's Legislature have remained constant since its establishment in 1820. The Legislature is comprised of 151 representatives and 35 senators. Members of both houses serve two-year terms; and all are elected at the same time in the November election in the even-numbered years.

The Legislature has held annual sessions since 1976 (108th Legislature). The length of each session is governed by statute: the first Regular Session, or the "long" session convenes the first week in December of even-numbered years and must adjourn by the third Wednesday in June of the following year; and the Second Regular Session extends from January of the even-numbered year through the third Wednesday in April.

Members' salaries are set by statute. At the present time, members receive a salary of \$9,900 for the first regular session and \$6,600 for the second regular session; in addition, they receive an expense allowance or up to \$60 for each day they attend the legislative session. The presiding officers and members of leadership receive increments above this base salary; again, these are established by law. Members who attend authorized committee meetings during the interim receive a \$55 per diem and reimbursement for mileage, meals and necessary lodging expenses. All members receive a Constituent Service Allowance of \$500 annually.

#### Legislative Council

Maine adopted a Legislative Council form of organization in 1974. The Legislative Council comprises the 10 elected members of leadership: the President of the Senate, the Speaker of the House, the Majority and Minority Floor Leaders of both houses and their Assistants. The Council Chair and Vice-Chair are elected by the Legislative Council at the beginning of each legislative biennium. By tradition, the chairmanship alternates between the House and Senate every biennium. The Legislative Council is required by statute to meet at least once monthly.

The Council is responsible for the overall management of the entire Legislature. Its powers and duties are set forth both in statute (3 MRSA § 162) and in the Joint Rules which the legislature adopts at the beginning of each legislative biennium. These include: approval of all legislative budgets prior to formal submission to the Joint Standing Committee on Appropriations and Financial Affairs and provision for oversight of legislative funds; establishing salary and benefit schedules for all legislative employees, except as otherwise provided by law; approval of employment practices; appointment of the Executive Director and the

directors of the non-partisan staff offices; planning and overseeing projects designed to improve the organization, operation and physical facilities of the Legislature; and assignment of work to legislative committees when the Legislature is not in session. Policies adopted by the Council are implemented under the direction of the Executive Director.

Further responsibilities of the Council include consideration of all bills submitted after cloture (after deadline bills) during any legislative session and approval of all bill requests prior to their introduction in the Legislature's Second Regular Session and all Special Sessions.

An organization chart for the legislative branch is included as Attachment 2.

### Committees

The work of the Legislature is conducted through its joint standing committees. Each committee is comprised of 3 senators appointed by the President of the Senate and 10 representatives appointed by the Speaker of the House. Currently, there are 19 joint standing committees and one joint select committee.

Each Committee is assigned a Committee Clerk for the duration of the legislative session; 17 individuals are employed in this capacity during the current legislative session. Clerks are appointed by mutual agreement of the House and Senate Chairs of each committee and perform their work under the administrative supervision of an Administrative Coordinator in the Office of the Executive Director.

Clerks are responsible for securing hearing rooms for public hearings, preparing public notices for upcoming hearings, keeping lists of witnesses appearing at hearings, maintaining custody of bills from the time they are referred to committee until such time as they are reported out of committee, obtaining the necessary signatures of committee members on all bill "jackets" and performing secretarial services for the committee.

### Senate and House of Representatives

The Senate employs a total of 20 full-time staff and 15 session staff; and the House of Representatives employs 29 people on a full-time basis and 19 for the session only. These include Chamber staff, staff in the leadership offices, and those staff who work under the supervision of the Secretary of the Senate. Members of the rank and file do not have any personal staff, but receive assistance from staff in the leadership offices and secretarial support from a stenographic pool.

The Secretary of the Senate and the Clerk of the House are the chief administrative officers for their respective chambers. Both are elected at the beginning of each biennium and are responsible for performing a variety of tasks necessary to the efficient operation of their chambers. These include keeping journals of proceedings and verbatim records of floor debate, and preparing the Advance Journal and Calendar for each day's session. These officers maintain a record of votes and other actions taken by the Senate and House and are responsible for all papers, bills and documents in possession of the Senate and House respectively. The Secretary and Clerk, together, are responsible for suggesting committee reference for bills. In addition, the Secretary processes the various nominations by the Governor which require Senate confirmation.

Both the Secretary and Clerk perform a variety of additional duties including hiring the office staff, certifying vouchers for officers and employees of the Senate, ordering necessary equipment and supplies, supervising the work flow of the office, providing information for individual legislators and supervising the printing for their respective bodies. The Secretary and Clerk carry out these administrative functions with the approval of their respective presiding officers while the Executive Director of the Legislative Council provides administrative services to the House and Senate, including personnel payroll, budgeting and accounting, administrative actions in the House and Senate do not require the prior approval of the Executive Director.

#### **Leadership Staff**

The President of the Senate, the Speaker of the House, and the Majority and Minority Floor Leaders of both houses are entitled to hire aides to assist them in their legislative and partisan functions. These aides carry out legislative and constituent work during and between sessions, prepare speeches and press releases and assist legislators in their work. They also provide research for committee review of gubernatorial nominations.

The Senate President and the Speaker also employ legal counsels during the legislative session to aid them in their review of legislation before its referral to a committee, or as it comes to the floor.

#### **Non-Partisan Staff Offices**

The Legislative Council is responsible by law for providing professional, non-partisan staff support services to the Legislature and its officers, members, committees and commissions. These services include:

Bill drafting  
General policy, legal and fiscal research and analysis  
Fiscal note preparation  
Committee staffing  
Computer support services  
Public information  
Reference services  
Publication and maintenance of the state's laws and  
Revised Statutes  
General administrative services

These services are provided through five offices, under the overall direction of the Executive Director of the Legislative Council. Currently, the non-partisan staff comprises 94 full-time positions and 19 session positions. The organization, purposes and responsibilities of the non-partisan staff offices are set forth in 3 MRS § 163 et. seq. A brief description of each of the non-partisan offices is included as Attachment 3 to this RFP.

As non-partisan employees of the Legislature, members of these staff offices are prohibited from engaging in political activity or taking a public position with regard to any matter that is under active consideration by the Legislature.

#### IV. PROGRESS REPORTING AND REQUIRED REPORTS

##### Progress Reporting

The consultant shall submit written progress reports to the Advisory Committee on the 15th of each month.

The consultant shall also schedule monthly meetings with the Advisory Committee to review the work in progress and to raise issues of policy and procedure that may emerge in the course of the work. The Executive Director of the Legislative Council will provide assistance in arranging these meetings.

##### Required Reports

The consultant shall submit reports to the Advisory Committee and the Legislative Council as follows:

- Interim report by December 1, 1989.
- A final report by April 1, 1990, including an Executive Summary and any appendices.
- Prior to submission of each of these reports, the consultant shall submit 25 copies of a complete draft for review with the Advisory Committee and the Legislative Council. Once the Advisory Committee and Legislative Council have accepted these reports, the consultant shall provide 25 copies of the final report which incorporates any changes and/or corrections made during the review process.

Both reports may include recommendations regarding the structure and operations of the Legislature, a schedule for implementation of these recommendations and any necessary implementing legislation.

The consultant shall be available for a reasonable time following submission of the final report to assist the Advisory Committee and the Legislative Council with implementation of the study findings.



## V. ASSISTANCE AVAILABLE TO THE CONSULTANT

The Resolve authorizing this study provides that the Legislative Council shall provide both the funds and staff necessary to conduct the study.

1. The Legislative Council will make arrangements for the consultant to have access to legislative staff for the purpose of interviews and other data collection in accordance with a schedule provided by the consultant.

It should be noted that the Resolve includes specific provisions which extend confidentially to all information provided by legislative staff persons in the course of this study, including all testimony, records, documents, and materials, and all written and oral information provided to the consultant.

2. The Executive Director of the Legislative Council will assist in organizing meetings as needed.
3. The consultant shall have access to the administrative records related to budget, accounting, personnel and payroll that are maintained by the Office of the Executive Director.

If any assistance is anticipated beyond interviews with members of the staff (which should be described in the methodology), the proposal shall include a description of the specific types of assistance that will be requested from legislative staff, including an estimate of the level of effort that will be required, and a schedule for completion of this work.

## **VI. PROPOSAL REQUIREMENTS AND CONDITIONS**

### **Deadline**

Sealed packages containing 15 copies of the proposal must be delivered on or before 10:00 a.m. EDT, July 10, 1989, and addressed as follows:

**LEGISLATIVE STRUCTURE AND OPERATIONS STUDY  
Executive Director of the Legislative Council  
State House Station 115  
Augusta, Maine 04333**

Proposals will be publicly opened and made available for inspection at the time and place specified above. Proposals received after this date and time cannot be considered for contract award and will be returned.

Issuance of this RFP in no way constitutes a commitment by the Maine Legislature to award a contract or to pay any costs incurred in the preparation of a response to this request or to procure a contract for services or supplies. The Legislative Council reserves the right to reject any and all proposals and to negotiate with all qualified sources.

### **Organization of the Proposal**

All proposals shall be submitted in the format below and shall include sufficient detail to enable the Advisory Committee to adequately review the proposal. If the offeror proposes to enter into subcontractual arrangements for any portion of this study, the specific tasks to be performed by the subcontractor the costs associated with this work, and information comparable to that requested in Sections 4 and 5 below must be included.

#### **A. Technical proposal**

**Note:** Sections 1-3 of the Technical Proposal should not exceed 25 pages in length.

1. A concise statement of the offeror's understanding of the study purpose and objectives and of the work to be performed.
2. A description of the methodology the offeror proposes to accomplish the work, including the specific components of the work, time estimates to perform each component, and a schedule of all work to be performed, by job classification, for each phase of the study.
3. A description of each of the reports and other products the offeror will produce in the course of this study.

4. Information regarding the offeror's background and experience in providing consulting services of similar scope, including any work for other state legislatures. Offerors must include references for three prior clients; references for work performed for other state legislatures are preferred.
5. Resumes of the staff to be assigned to the project, which define the individuals' position in the firm, total years with the firm, description of prior work assignments, and other relevant experience. Please tell us who will be on-site and for how long.
6. A description of plans for overall project management and for supervision of project staff.
7. A statement of any reservations about the proposed study, with an explanation.

B. Cost Proposal

1. Total fixed fee for professional services, accompanied by a schedule which details hourly rates for each job classification included in the proposal.
2. Total anticipated out-of-pocket expenses, with a fixed ceiling.
3. Description of all assumptions underlying the cost proposal.

## VII. SELECTION OF CONTRACTOR

It is the Legislative Council's intention that the written proposals submitted shall be the primary basis for determining the successful bidder. The Advisory Committee on Legislative Structure and Operations will commence its evaluation of the proposals submitted on July 10, with the objective of selecting the successful bidder by Friday, July 15. The Advisory Committee may, at its discretion, interview one or more bidders after reviewing the written proposals.

### Evaluation of Proposals

Proposals will be evaluated by the Advisory Committee on Legislative Structure and Operations, who will judge the merit of each proposal based on the following criteria:

FACTOR	MAXIMUM POINTS
A. Demonstrated understanding of the work to be performed. This will be determined by evaluation of the adequacy of estimates of time to perform the work and a review of the bidder's description of how the work will be accomplished.	25
B. Prior experience of the firm and of the project team in organizational analysis studies, with particular emphasis on consulting or other services to state legislatures.	30
C. Qualifications of persons assigned to this project specific identification of prior experience related to state legislatures. This will be evaluated on the basis of resumes submitted. Education, position in the firm, years and types of experience will be considered. Also considered will be provisions for overall supervision of the project.	30
D. Price	<u>15</u>
Maximum points	100

The Legislative Council is prepared to begin contract negotiations immediately upon selection of the successful bidder. The consultant should be prepared to begin work as soon as possible, but no later than July 25, 1989.

ADVISORY COMMITTEE ON LEGISLATIVE STRUCTURE  
AND OPERATIONS

(Chapter 15 Resolves, 1989)

MEMBERSHIP

Chairs

Honorable Nancy Randall Clark  
Senate Majority Leader  
State House Station #3  
Augusta, Maine 04333  
289-1515

Honorable Kenneth MacLeod  
  
Brewer, Maine 04412

Legislators

Honorable Dan A. Gwadosky  
House Majority Leader  
State House Station #2  
Augusta, Maine 04333  
289-1430

Honorable Robert C. Dillenback  
Maine Senate  
State House Station #3  
Augusta, Maine 04333

Home:

Cumberland 04021

Honorable Judith C. Foss  
Maine House of Representatives  
State House Station #2  
Augusta, Maine 04333

Home:

Yarmouth 04096

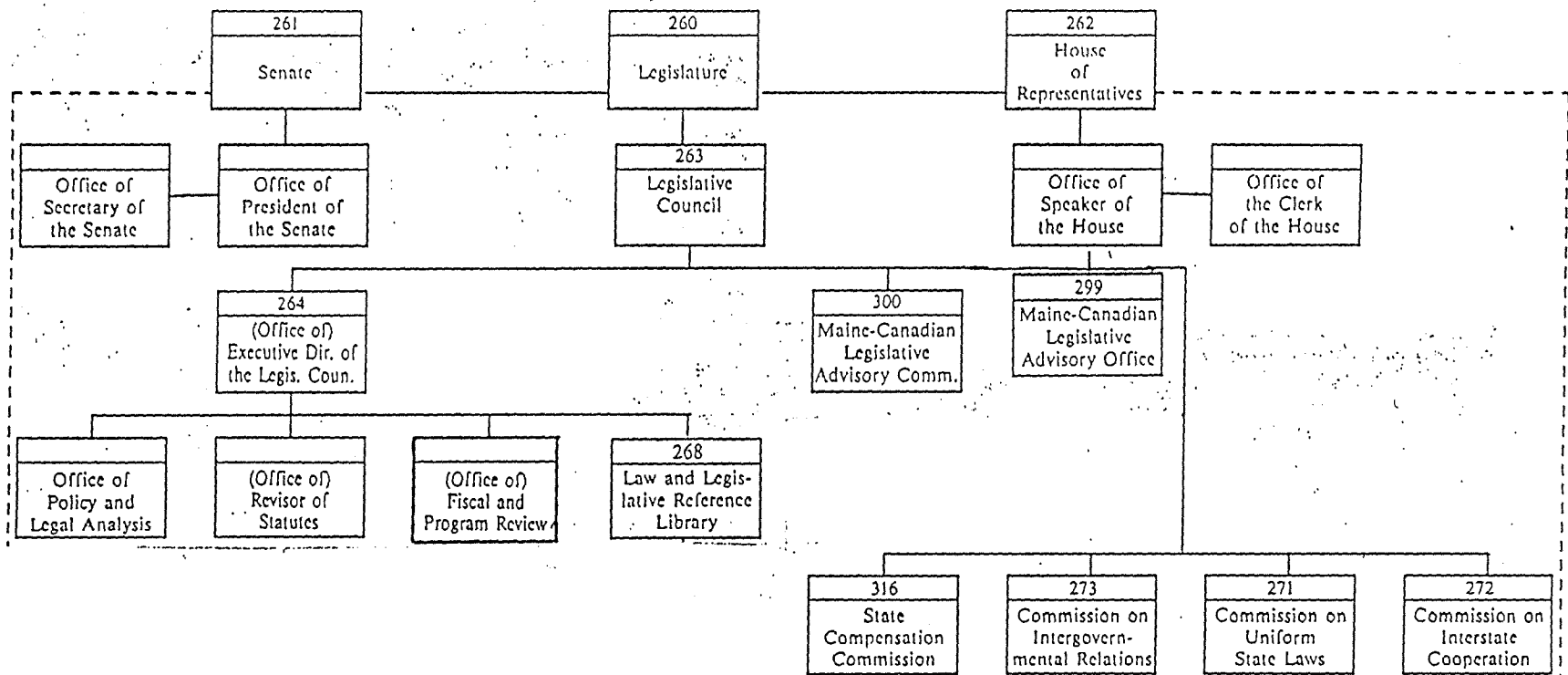
Public Members

Honorable John D. Chapman  
  
Woolwich, Maine 04412

Mr. Michael Healy, Esq  
Verrill & Dana  
P.O. Box 957  
45 Memorial Circle  
Augusta, Maine 04330  
623-3889

Honorable Paul E. Violette, Executive Director  
Maine Turnpike Authority  
430 Riverside  
Portland, Maine 04101  
871-7771

# ORGANIZATIONAL CHART LEGISLATIVE DEPARTMENT



MAINE STATE LEGISLATURE  
LEGISLATIVE COUNCIL

114TH LEGISLATIVE COUNCIL

Rep. John L. Martin, Chair  
Speaker of the House

Sen. Dennis L. Dutremble, Vice-Chair  
Senate Assistant Majority Leader

Sen. Charles P. Pray  
President of the Senate

Sen. Nancy Randall Clark  
Senate Majority Leader

Sen. Charles M. Webster  
Senate Minority Leader

Sen. Pamela L. Cahill  
Senate Assistant Minority Leader

Rep. Dan A. Gwadosky  
House Majority Leader

Rep. Joseph W. Mayo  
House Majority Whip

Rep. Mary Clark Webster  
House Minority Leader

Rep. Francis C. Marsano  
House Assistant Minority Leader

January, 1989

**MAINE STATE LEGISLATURE  
LEGISLATIVE COUNCIL**

**NON-PARTISAN STAFF OFFICES**

**January, 1989**



MAINE STATE LEGISLATURE  
LEGISLATIVE COUNCIL

OFFICE OF THE EXECUTIVE DIRECTOR

Room 340, State House  
289-1615

General Administrative Services

- Directs the activities of the non-partisan staff offices pursuant to policy established by the Legislative Council
- Coordinate agenda preparation for the Legislative Council and implement policy decisions of the Council
- Provide general administrative support for the Legislature, including legislators' expense reimbursements, payroll, accounting and budgeting
- Coordinate work of Committee Clerks during the Legislative Session
- Schedule legislative hearing rooms

Information Systems

- Direct operation of legislative computer systems
- Work with legislative offices to develop computer applications to support legislative functions
- Record and compile current status of all matters considered by the Legislature
- Provide information about Legislation considered in the current biennium

January, 1989

MAINE STATE LEGISLATURE  
LEGISLATIVE COUNCIL

LAW AND LEGISLATIVE REFERENCE LIBRARY

Room 202, State House  
289-1600

Primary Services

- Provide research assistance to legislators, their staffs and constituents
- Conduct computerized literature searches, utilizing over 200 online databases
- Collect and distribute information and data on specialized topics to legislative committees and staff
- Coordinate an extensive lending collection of State and Federal documents
- Interlibrary borrowing
- Compile legislative histories

Collections of Special Interest

- Extensive collection of primary legislative materials, including:
  - Maine Statutes and Session Laws from 1820
  - Legislative Record from 1897
  - House and Senate Journals from 1854
  - Roll Calls and Sponsor Lists
- Newspaper clipping files, with articles selected from over 25 Maine and national newspapers
- Biographical files of all state legislators, other political figures, attorneys and judges

January, 1989

MAINE STATE LEGISLATURE  
LEGISLATIVE COUNCIL

OFFICE OF FISCAL & PROGRAM REVIEW

Room 225, State House  
289-1635

Primary Services

- Collect and analyze fiscal and program information related to the finances and operation of state government
- Analyze the Governor's budget and all other appropriations requests
- Conduct special budget studies, including revenue and expenditure projections and trends
- Prepare fiscal notes for all proposed legislation having a projected fiscal impact
- Monitor agency financial status, including transfers of funds
- Conduct detailed compliance, programmatic, and fiscal reviews of state agencies, boards and commissions pursuant to the statutory "sunset review" process
- Staff the Committees on Appropriations and Financial Affairs, Audit and Program Review, Taxation, Transportation (fiscal matters), and other legislative committees as assigned
- Provide staff assistance to approved interim study committees and commissions and draft final reports and accompanying legislation
- Provide general fiscal research upon request from legislators, legislative committees or commissions

January, 1989

MAINE STATE LEGISLATURE  
LEGISLATIVE COUNCIL

OFFICE OF POLICY AND LEGAL ANALYSIS

Rooms 101, 107, and 135, State House  
289-1670

Primary Services

Provide staff assistance to joint standing and select committees

- Provide policy and legal research and analysis on pending bills
- Help organize and facilitate committee decision-making process
- Prepare committee amendments and new drafts
- Help design study research requests

Provide staff assistance to approved interim study subcommittees and commissions

- Provide policy and legal research and analysis on assigned studies
- Help organize and facilitate study group decision-making process
- Draft final report and legislation

Draft bills for introduction in cooperation with the Revisor of Statutes

Prepare general legal and policy background materials and assist legislators with information requests

January, 1989

MAINE STATE LEGISLATURE  
LEGISLATIVE COUNCIL

OFFICE OF THE REVISOR OF STATUTES

Room 106, State House  
289-1650

Primary Services

Screen all requests for proposed legislation prior to introduction

Draft legislation and amendments

Review all legislative instruments for proper form prior to introduction

Draft joint resolutions, memorials, orders and congratulatory orders

Administer cloture and related deadlines established by statute, joint rule, and the Legislative Council

Identify duplication and conflicts in legislation and take necessary steps for their resolution

Review legislation at second reading in each house and prepare any necessary amendments

Engross all documents passed to be engrossed and prepare bills for final enactment

Maintain the Maine Revised Statutes, including annual updates and revisions

Maintain and update the Constitution of Maine

Publish various session publications, including the Laws of Maine

January, 1989

LEGISLATIVE COUNCIL  
JUNE 16, 1989  
REQUESTS TO INTRODUCE LEGISLATION  
FIRST REGULAR SESSION

COUNCIL ACTION REQUIRED

Action

SPONSOR: Sen. Berube

LR 2501 An Act to Exempt Certain Persons from  
the Restoration to Service Laws

Cosponsors: Sen. Gauvreau

SPONSOR: Rep. Rotondi

LR 2502 An Act Concerning the Dennistown  
Plantation School Budget

SPONSOR: Sen. Webster

LR 2503 An Act to Amend the Norridgewock Water  
District Charter

TABLED BY THE LEGISLATIVE COUNCIL

SPONSOR:	Rep. Burke	Tabled
		06/08/89
LR 2346	An Act to Ban Mail Order Sales of Smokeless Tobacco	
	Cosponsors: Rep. Kilkelly Rep. Carroll, Donnell	
SPONSOR:	Rep. Lisnik	Tabled
		06/08/89
LR 2394	An Act to Amend and Clarify School to Community Transition Coordination Services for Handicapped Youth Aged	
	Cosponsors: Rep. Martin, John L. Sen. Theriault	
SPONSOR:	Rep. Melendy	Tabled
		06/08/89
LR 2293	An Act to Protect Adults at Risk	
SPONSOR:	Rep. Mitchell	Tabled
		06/08/89
LR 2303	An Act Regarding the Diesel Fuel Tax	
SPONSOR:	Rep. Nadeau, Gregory G.	Tabled
		06/08/89
LR 2234	An Act to Establish a Maine Savings Bond Program	

JOINT RESOLUTION

SPONSOR: Rep. Allen

Tabled  
06/08/89

LR 2482 JOINT RESOLUTION MEMORIALIZING THE CONGRESS  
OF THE UNITED STATES TO REQUIRE HEALTH AND  
SAFETY DISCLAIMERS ON ALL BROADCAST AND



Legislative Council  
Requests to Carry Over Bills  
to the Second Regular Session

DB: TEST4  
RPT: SPEC04

June 16, 1989

<u>Committee Name</u>	<u>Title</u>	<u>Sponsors</u>
Agriculture L.D. 1737	Resolve, to Establish the Commission on Maine's Food Policy	WHITCOMB TARDY EMERSON
Banking and Insurance L.D. 1741	An Act to Authorize Mortgagees to Require Property Insurance Provided by Insurers Which Meet Standards Established by Federal Mortgage Loan Corporations	NADEAU G G
L.D. 1743	An Act to Modernize the Capital Structure of Domestic Stock Insurers	HOBBINS
Education L.D. 38	Resolve, Creating the Blue Ribbon Commission to Study the Establishment of a Cabinet-level Department of Children within State Government (Reported Pursuant to Resolves 1987, Chapter 110)	
L.D. 902	An Act Regarding the Maine Vocational-Technical Institute System	MARTIN J O'DEA PARADIS P BUSTIN
L.D. 1226	An Act to Assure Access to Nutrition Programs for Kindergarten and Part-day Students	KILKELLY HOLLOWAY HANDY ESTES
Energy & Natural Resources L.D. 1608	An Act to Clarify the Traffic Movement Standards under the Site Location and Development Law	ROLDE JACQUES
L.D. 1725	An Act to Amend Maine's Underground Oil Storage Law	KANY LORD MICHAUD JACQUES
Human Resources L.D. 1591	An Act Relating to the Status of Nursing Professions in Maine (Reported Pursuant to Resolves of 1987, Chapter 106)	
L.D. 1648	An Act to Improve Services for Maine's Mentally Ill	BUSTIN PRAY PEDERSON TITCOMB

Committee Name

Judiciary

L.D. 1387

Title

An Act to Increase the Priority of Wage Claims Against  
Insolvent Employers

Sponsors

PRIEST  
CONLEY  
MCHENRY  
MATTHEWS

— End of Report —

SENATE

BARRY J. HOBBS, DISTRICT 31, CHAIR  
N. PAUL GAUVREAU, DISTRICT 23  
MURIEL D. HOLLOWAY, DISTRICT 20

PEGGY REINSCH, LEGISLATIVE ANALYST  
TODD BURROWES, LEGISLATIVE ANALYST  
PAULA ASHTON, COMMITTEE CLERK



HOUSE

PATRICK E. PARADIS, AUGUSTA, CHAIR  
CONSTANCE D. COTE, AUBURN  
GERARD P. CONLEY, JR., PORTLAND  
PATRICIA M. STEVENS, BANGOR  
CUSHMAN D. ANTHONY, SOUTH PORTLAND  
SUSAN FARNSWORTH, HALLOWELL  
MARY H. MACBRIDE, PRESQUE ISLE  
DANA C. HANLEY, PARIS  
PETER G. HASTINGS, FRYEBURG  
JOHN H. RICHARDS, HAMPDEN

STATE OF MAINE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
COMMITTEE ON JUDICIARY

June 13, 1989

Honorable John L. Martin, Chair  
Legislative Council  
114th Maine Legislature  
Augusta, Maine 04333

Dear Representative Martin:

We are writing to request authorization to hold public hearings on the following bills this fall.

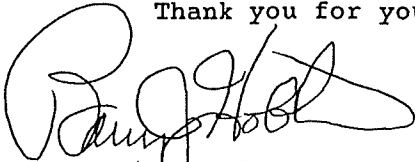
- (L.D. 544) Bill "An Act to Extend the Statute of Limitations for Medical Malpractice Cases"
- (L.D. 727) Bill "An Act to Improve the Availability of Emergency Obstetrical Services"
- (L.D. 762) Bill "An Act to Establish the Maine Medical Malpractice Act"
- (L.D. 899) Bill "An Act to Improve the Availability of Emergency Medical Services"
- (L.D. 1026) Bill "An Act to Modify Joint and Several Liability in Medical Malpractice Actions"
- (L.D. 1038) Bill "An Act to Establish a Limit on Noneconomic Damages in Medical Liability Actions"
- (L.D. 1075) Bill "An Act to Prevent Double Recoveries in Medical Liability Actions"
- (L.D. 1151) Bill "An Act to Amend the Common Law Collateral Source Rule in Medical Professional Liability Cases"

(L.D. 1248) Bill "An Act to Encourage the Continuation of  
Obstetrical Services in the Medicaid Program"

(L.D. 1466) Bill "An Act to Waive Restrictions on Certain  
Physicians"

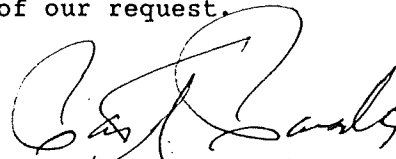
The Committee would like to hold these bills for public hearing over a period of at least two days. If at all possible we would like to hold them in conjunction with any special session that the Legislature may have this fall. By using this format the committee hopes to give the most thorough examination of this issue in order to develop the most comprehensive package possible.

Thank you for your consideration of our request.



Barry J. Hobbins  
Senate Chair

Sincerely,



Patrick E. Paradis  
House Chair

114th LEGISLATURE  
STUDY COMMISSIONS AND REQUESTS  
AS OF JUNE 10, 1989

COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
Aging, Retirement & Veterans	NO REQUESTS PENDING			
Corrections (Jt. Select)	NO REQUESTS PENDING			

COMMITTEE

COMMISSION/STUDY

MEMBERS

CHAIR

STAFF

FISCAL NOTE

Agriculture

COUNCIL STUDY REQUESTS

Agricultural Marketing & Bargaining  
Act

5

Leg.

STATUTORY STUDIES UNDER CONSIDERATION

Commission for Farmland  
Preservation  
(LD 286)

17  
(4 Legislators)

Members elect\*

Dept. Agriculture  
Leg. Council\*

\$24,100

Commission to Study the Creation  
of a Statewide Horse Council  
(LD 1221)

9  
(4 Legislators)

Pres/Spkr to  
appoint

Leg. Council

\$ 5,925

COMMITTEE

COMMISSION/STUDY

MEMBERS

CHAIR

STAFF

FISCAL NOTE

Appropriations &  
Financial Affairs

STATUTORY STUDIES UNDER CONSIDERATION

Commission on State Finance\*

9  
4 legislators;  
Director, OFPR

Members elect

New position

\$237,000 FY 90  
\$100,000 FY 91

A Title V Commission (permanent); involves Legislative members and  
legislative staff

COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
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Banking & Insurance

COUNCIL STUDY REQUESTS

Study of Current Operation of State Guarantee Funds (Ch. 67, P.L. 1989);	13	Leg.	Leg. Council	
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STATUTORY STUDIES UNDER CONSIDERATION

Special Study Commission on Workers' Compensation Insurance (LD 1320)	9 All B & I	Not specified	Leg. Council	\$28,340
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STATUTORY STUDIES PREVIOUSLY AUTHORIZED

Study of Uninsured Motorists Data (29 MRSA @ 790)	?	?	Leg. Council/ OPLA	
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COMMITTEE

COMMISSION/STUDY

MEMBERS

CHAIR

STAFF

FISCAL NOTE

Business Legislation

COUNCIL STUDY REQUESTS

Third-Party Prescription Program

5

(Chairs)

Leg. Council

STATUTORY STUDIES UNDER CONSIDERATION

Commission to Study Real Estate  
Appraiser Certification and  
Licensing  
(LD 1491)

9  
No legislators;  
All gubernatorial  
appointments

Governor

Dept. Prof &  
Finan Reg.

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Commission to Study the Regulation  
of Welders  
(LD 109)

10  
All Gov

DOL

\$ 3,500

COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
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Education

#### COUNCIL STUDY REQUESTS

Home Schools	Subcommittee but #s not specified	Not specified	Leg. Council	
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#### STATUTORY STUDIES UNDER CONSIDERATION

Special Commission to Study Instructional Time in Schools (LD 175)	15 (5 legislators) All Leg. apptmnts.	Members elect*	DECS; Leg. Council	\$10,500
Blue Ribbon Task Force to Promote Equity of Opportunity for Women in the Public School System (LD 1034)	19 (6 legislators)*	Members elect chair & co-chair	Contract	\$50,000
School Organization Study Committee (LD 1469)	12 (3 legislators)	Members elect	No provision	\$ 6,440
Special Commission to Study and Evaluate the Status of Education Reform in Maine (LD 1564)	19 (4 legislators)	Members elect* (co-chairs)	Hire consult- ants; Leg. Council	\$28,1200 FY 90 \$37,1100 FY 91

NOTE: LD 1550, Commission to Study Employment of Minors calls for 3  
Education Committee Members

COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
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Energy/Nat. Resources

STATUTORY STUDIES UNDER CONSIDERATION

Commission to Evaluate the Structure and Function of the BEP (LD 722) COMMITTEE PRIORITY	7 All Legislators	Members elect	Leg. Council	\$12,595
Study to Design a System of Ecological Reserves in the State (LD 1241)	N/A (Steering Committee)	N/A	SPO	\$46,000 FY 90 \$60,500 FY 91
Commission to Study the Feasibility of Establishing a Piscataqua River Basin Compact Between Maine and New Hampshire (LD 1370)	11 3 Legislators	Members elect	DOC	\$ 6,590
Study of the Laws and Rules Regulating Campgrounds (LD 1454)	N/A	N/A	DOC	---

See also LD 249, Legislative Study Commission on Growth Management & Tax Policy

COMMITTEE

COMMISSION/STUDY

MEMBERS

CHAIR

STAFF

FISCAL NOTE

Fisheries & Wildlife

COUNCIL STUDY REQUESTS

None

STATUTORY STUDIES PREVIOUSLY AUTHORIZED

Whitewater Rafting Advisory  
Committee  
(12 MRSA @ 7369-A)

6  
(4 Legislators)

Not specified  
(has been non-  
legislator)

DOC;  
Leg. Council  
(by tradition, not  
statute)

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COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
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Housing & Economic  
Development

STATUTORY STUDIES UNDER CONSIDERATION

Commission to Study Foreign Ownership and Investment in Maine Land and Business (LD 1012)	10 (5 legislators)	Members select (chair & vice- chair)	Leg. Council	
Commission to Study the Establishment of a State and Tribal Partnership to Encourage Economic Development (LD 1701)	12 (3 Legislators)	Members select	Hire (Limited period)	\$34,750

Note: LD 249, Legislative Study Commission on GrowthManagement and Tax Policy  
has members from this Committee.

COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
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Human Resources

COUNCIL STUDY REQUESTS

Review of State Mental Health Services	Not specified until AMHI Oversight Comm reports	Not specified	Leg. Council
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STATUTORY STUDIES UNDER CONSIDERATION

Commission to Study the Level of Services for Maine's Elderly Citizens (LD 747)	15 3 legislators	Pres/Spkr to appoint from members	Leg. Council	\$14,675
Hospital Rate Setting Advisory Commission (LD 920)	7 (1 Legislators)	Members elect	Me. Health Care Finance Comm.	

COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
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Judiciary

COUNCIL STUDY REQUESTS

An Act Concerning the Right to Die (LD 1010) CARRYOVER APPROVED	13	Leg.	Leg. Council
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COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
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Labor

#### COUNCIL STUDY REQUESTS

Recodification of Title 26	5 Legislators	Not specified	Leg. Council	
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#### STATUTORY STUDIES UNDER CONSIDERATION

Commission to Study the Use of Professional Strikebreakers (LD 715)	7 3 Legislators	Retired judge*	Leg. Council	\$ 5,690
Commission to Study the Employment of Minors (LD 1550)	9 6 Legislators	Pres/Spkr to select	Leg. Council	\$ 7,180

\*If active retired could not serve as member, only as advisory



COMMITTEE

COMMISSION/STUDY

MEMBERS

CHAIR

STAFF

FISCAL NOTE

Legal Affairs

STATUTORY STUDIES UNDER CONSIDERATION

Commission to Study Public  
Financing of State Elections  
(LD 887)

13  
(6 Legislators  
or 7 if Chair is  
a Legislator)

Pres/Spkr to  
appoint

Leg. Council

\$15,360

STATUTORY STUDY PREVIOUSLY AUTHORIZED

Commission to Examine Rent  
Increase & Other Issues Concerning  
Mobile Homes  
(P&SL 1987, c. 139)  
(LD 630)

13  
(6 Legislators)

Rep. Priest

Atty General;  
Leg. Council

COMMITTEE

COMMISSION/STUDY

MEMBERS

CHAIR

STAFF

FISCAL NOTE

Marine Resources

STATUTORY STUDIES UNDER CONSIDERATION

Commission to Study Crab Fishing  
in Maine  
(LD 1440)

7  
(3 Legislators)

Not specified

Leg. Council

\$ 5,000

COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
State & Local Gov't					
STATUTORY STUDIES UNDER CONSIDERATION					
	Commission to Study the Redistribution of County Functions (LD 817)	9 (All Legislators)	Not specified	Leg. Council	
	Commission to Study the Preservation of Volunteer Ambulance Crews and Volunteer (LD 847)	12 (4 Legislators)	Members select	Leg. Council	\$ 6,920
	Blue Ribbon Commission to Study the Establishment of a Cabinet-level Department of Children within State Government (LD 1666)	13 (All Legislators)	(Jt. Select Comm.)	Leg. Council (Jt. Select Comm.)	\$ 3,000 FY 90* \$ 3,000 FY 91*

\*Also transitional funding for the proposed  
Dept: \$195,000 FY; \$175,000 FY 91

Also see LD 1054, Advisory Committee to Update Maine Aviation Systems Plan

COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
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Taxation

STATUTORY STUDIES UNDER CONSIDERATION

Legislative Study Commission on Growth Management and Tax Policy (LD 249)	9 (All Legislators)	Members	Leg. Council	\$ 5,250
Taxpayers' Bill of Rights Commission (LD 1644)	7 (5 legislators)	Members	Leg. Council	\$ 5,800
Commission to Study Problems with Municipal Assessment, Valuation, and Collection of Property Taxes	9 5 legislators	Members elect	Leg. Council	\$ 7,150

See also LD 1546, Commission on State Finance

STATUTORY STUDIES PREVIOUSLY AUTHORIZED

Annual Review of Tax Expenditures (36 MRSA @ 198)	Full Committee	Committee Chair	Leg. Council (OFPR)	\$ 1,300
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COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
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Transportation

COUNCIL STUDY REQUESTS

Access to Camps  
(LD 1219 )  
CARRYOVER APPROVED

5

Leg. (S & LG Com)

Leg. Council

STATUTORY STUDIES UNDER CONSIDERATION

Commission to Study Town Super-  
vision of Private Roads  
(LD 1318)

7  
(5 Legislators)

Pres/Spkr  
to appoint

Leg. Council

\$ 3,200

COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
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Utilities

STATUTORY STUDIES UNDER CONSIDERATION

Commission to Study the Possibility of Including the Cost of Environmen- tal Impacts in the Least-cost Planning Process of Electrical Utilities and the Public Utilities Commission (LD 306)	13 (5 Legislators)	Members elect a <u>legislative</u> member	Leg. Council	\$ 7,250
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LEGISLATIVE COUNCIL  
REQUESTS FROM COMMITTEES TO CONDUCT INTERIM STUDIES

June 16, 1989

Committee	Study Topic	# Members	# Mtgs
Agriculture	Agriculture Marketing & Bargaining Act	5	5
Banking & Insurance	Current Operation of State Guarantee Funds (Chapter 67, P.L. 1989)	13	Not specified
Business Legislation	Third-Party Prescription Programs	5	4
Education	Issues Relating to Home Schools	13	Not specified
Energy & Natural Resources	Redesign the Structure of BEP (LD 722 : on TABLE)		
Human Resources	Review of State Mental Health Services  (See also LD 747: on TABLE Commission to Study the Level of Services for Maine's Elderly Citizens)	Not yet known	Not yet known
Judiciary	Termination of Medical Treatment, Hydration, & Nutrition (LD 1010 : CARRYOVER)	Full Committee	4 public hearings;

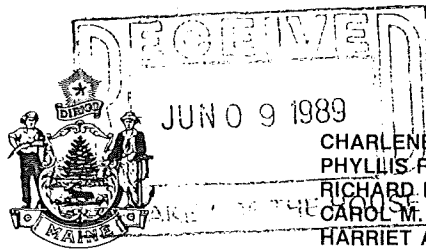
Committee	Study Topic	# Members	# Mtgs
Labor	Employment of Minors (LD 1550 : on TABLE)  Recodification of Title 26		
Transportation	Access to Camps	5	2 Subcommittee 1 Full Committee



SENATE

RAYNOLD THERIAULT, DISTRICT 1, CHAIR  
BEVERLY MINER BUSTIN, DISTRICT 19  
DONALD F. COLLINS, DISTRICT 2

DEBORAH FRIEDMAN, LEGISLATIVE ANALYST  
HAVEN WHITESIDE, LEGISLATIVE ANALYST  
TORREY GRAY, COMMITTEE CLERK



HOUSE

CHARLENE B. RYDELL, BRUNSWICK, CHAIR  
PHYLLIS R. ERWIN, RUMFORD  
RICHARD H. C. TRACY, ROME  
CAROL M. ALLEN, WASHINGTON  
HARRIET A. KETOVER, PORTLAND  
RUTH JOSEPH, WATERVILLE  
ANNE M. RAND, PORTLAND  
PHILIP E. CURRAN, WESTBROOK  
JOSEPH A. GARLAND, BANGOR  
HARVEY C. DONALD, BUNTON

STATE OF MAINE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
COMMITTEE ON BANKING AND INSURANCE

June 6, 1989

Speaker John L. Martin  
Chairman  
Legislative Council

Dear Speaker Martin:

Earlier this session, the Joint Committee on Banking & Insurance reported out LD750, a bill revising the current mechanism for guaranteeing that persons insured by insolvent insurance companies receive payment for claims under their policies for life, health, workers' compensation and other property and casualty insurance. The legislation as introduced proposed a major overhaul of the state's Guarantee Fund mechanism. The committee, however, was not given adequate time to fully consider these major changes.

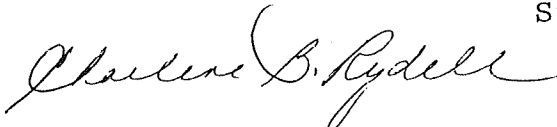
The committee dealt with LD750 in a crisis atmosphere, because the Guarantee Fund which provides payment to injured workers in the state, when their employer's workers' compensation insurer becomes insolvent, ran out of funds at the end of March. The company which sends checks to those injured workers was, according to the superintendent of insurance, threatening to stop sending checks unless some method was worked out to provide more funds to the Guarantee Fund. Thus, the committee agreed to a major change in the law, to alleviate the immediate crisis. We added to the bill a repeal date 91 days after adjournment of the 2nd Regular Session of the 114th Legislature, and a provision requiring the committee to perform an interim study of the issue of guarantee funds. The sunset and the study were critical aspects of the bill which enabled us to deal with the immediate crisis with the assurance that we would have an opportunity to examine the issue more carefully during the interim. The interim study is necessary to fully consider the ramifications of the changes made to the structure, to review other models for guarantee funds, and to propose a viable, long-term structure for the funds which will

prevent future crises such as the one we recently suffered in the workers' compensation guarantee fund.

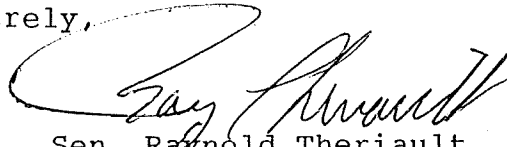
The bill requires the Committee to seek funding and staff from the Legislative Council in order to carry out the study. The purpose of this letter is to request staffing and funding to perform this proposed study, as set forth in the attached proposal.

Given the importance of this issue, and the impending sunset of the legislation at the end of the next legislative session, we urge the Legislative Council to approve this study request. Please let one of us know if you have any questions.

Sincerely,



Rep. Charlene Rydell  
House Chair



Sen. Raynold Theriault  
Senate Chair

## SENATE

RAYNOLD THERIAULT, DISTRICT 1, CHAIR  
BEVERLY MINER BUSTIN, DISTRICT 19  
DONALD F. COLLINS, DISTRICT 2

DEBORAH FRIEDMAN, LEGISLATIVE ANALYST  
HAVEN WHITESIDE, LEGISLATIVE ANALYST  
TORREY GRAY, COMMITTEE CLERK



## HOUSE

CHARLENE B. RYDELL, BRUNSWICK, CHAIR  
PHYLLIS R. ERWIN, RUMFORD  
RICHARD H. C. TRACY, ROME  
CAROL M. ALLEN, WASHINGTON  
HARRIET A. KETOVER, PORTLAND  
RUTH JOSEPH, WATERTOWN  
ANNE M. RAND, PORTLAND  
PHILIP E. CURRAN, WESTBROOK  
JOSEPH A. GARLAND, BANGOR  
HARVEY C. DONALD, BUXTON

STATE OF MAINE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
**COMMITTEE ON BANKING AND INSURANCE**

**STUDY PROPOSAL FROM THE  
BANKING & INSURANCE COMMITTEE**

The Joint Standing Committee on Banking and Insurance shall study the current operation of state guarantee funds and make recommendations to change or strengthen the current system. The committee shall study issues such as the feasibility of a circuit breaker on assessments and the appropriate manner of paying claims of insolvent insurers and self-insurers.

**Study methods.** In examining these issues, the committee may hold informational sessions and public hearings, determine and summarize legislative actions undertaken in other states, perform a survey of literature to determine alternative methods of assuring payments of insureds' claims, review historical data on assessments and claims payments of the associations and perform such other study as it deems appropriate.

**Meetings.** The Committee shall meet up to the number of times specified by the Legislative Council to perform the study.

**Findings.** The committee shall report its findings, together with any necessary implementing legislation, to the Second Regular Session of the 114th Legislature no later than December 1, 1989.

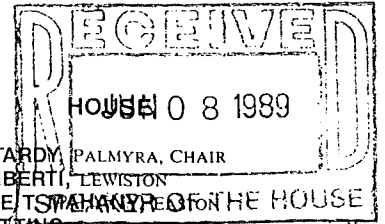
**Compensation.** Committee members shall receive legislative per diem and expenses, as defined in the Maine Revised Statutes, Title 3, section 2, for days of attendance at committee meetings. Members shall also receive reimbursement for travel and other necessary expenses upon application to the Executive Director of the Legislative Council.

**Staffing.** The Committee requests staffing and clerical assistance from the Legislative Council.

SENATE

R. DONALD TWITCHELL, DISTRICT 15, CHAIR  
JUDY C. KANY, DISTRICT 17  
JEROME A. EMERSON, DISTRICT 9

LARS RYDELL, LEGISLATIVE ANALYST  
RUSSELL W. MARTELL, COMMITTEE CLERK



ROBERT J. TARDY, PALMYRA, CHAIR  
JOHN A. ALIBERTI, LEWISTON  
B. CAROLYNNE STANLEY, LEWISTON  
JOHN N. NUTTING, LEEDS  
ROBERT E. HUSSEY, JR., MILO  
WILFRED J. BELL, CARIBOU  
WESTON R. SHERBURNE, DEXTER  
SUSAN J. PINES, LIMESTONE  
PAUL PARENT, BENTON  
WALTER E. WHITCOMB, WALDO

STATE OF MAINE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
COMMITTEE ON AGRICULTURE

June 7, 1989

Speaker John L. Martin, Chairman  
Legislative Council  
Maine Legislature  
Augusta, Maine 04333

Dear Speaker Martin:

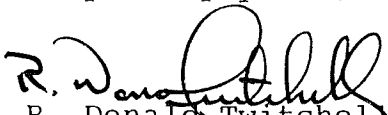
Recent events in the potato industry and the committee's work prior to amending of the agricultural marketing and bargaining act in L.D. 1624 have raised a number of questions about the fairness and efficacy of the existing bargaining act. Time constraints prevented the committee from fully addressing these questions in our recent amendment. For this reason, the Joint Standing Committee on Agriculture requests that a 5 person committee be appointed to perform a comprehensive examination of the agricultural marketing and bargaining act.

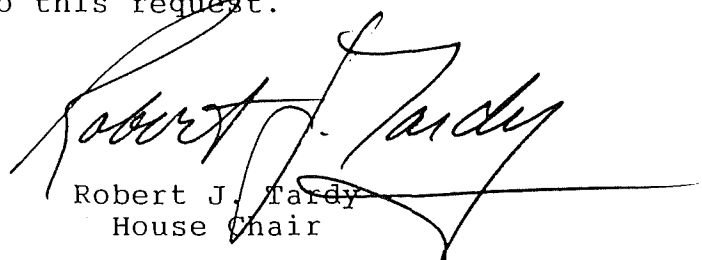
We suggest the study committee be comprised of 3 representatives appointed by the Speaker of the House and 2 Senators appointed by the President of the Senate. We also suggest the appointed members not be limited to members of the Joint Standing Committee on Agriculture. In addition, we request staff support be assigned and we foresee a need for at least 5 meetings at an estimated expense of \$4,825. At least one meeting should be in Aroostook County.

As stated, the committee would undertake a comprehensive look at the bargaining act, but would focus on the required mediation or "final binding offer arbitration" process. Issues related to required mediation and other study issues are outlined on the attached page.

We hope the Council agrees that review of the agricultural marketing and bargaining act is important at this time and stand ready to answer any questions you may have with regard to this request.

Very truly yours,

  
R. Donald Twitchell  
Senate Chair

  
Robert J. Tardy  
House Chair

## STUDY ISSUES

### Subcommittee to Study the Agricultural Marketing & Bargaining Act

Issues related to the required mediation process:

Should the arbitrator decide all issues which have been under negotiation or only those issues which remain unresolved?

Should a negotiated agreement between the parties be allowed to supercede the arbitrator's decision once that decision has been reached, but before a contract is signed? After a contract has been signed?

Other issues brought to the committee's attention:

The make-up of the Agricultural Marketing and Bargaining Board;

Should conditions under which growers obtain seed potatoes from processors be limited;

Should a condition of "rebuttable presumption" be imposed on a party accused of unfair practices;

Contract reporting requirements for processors; and

The adoption of a fixed contract date to trigger the various preseason negotiation activities.

## STUDY COSTS

### Personal Services

5 Legislators X \$55 Per Diem X 5 Meetings = \$ 1,375

### All Other

5 Legislators X \$50 Meals & Travel X 5 Meetings = \$1,250

Printing 1,900

Advertising 300

\$3,450

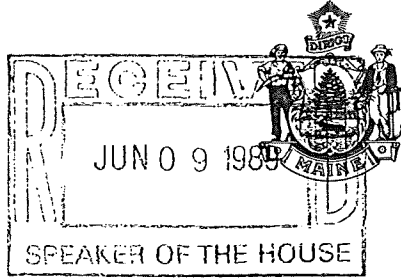
TOTAL \$4,825

3217m

SENATE

JOHN E. BALDACCI, DISTRICT 10, CHAIR  
BARRY J. HOBBS, DISTRICT 31  
PETER WHITMORE, DISTRICT 22

JOHN KNOX, LEGISLATIVE ANALYST  
SHERRY DUDLEY, COMMITTEE CLERK



HOUSE

CAROL ALLEN, WASHINGTON, CHAIR  
CARL F. SHELTRA, BIDDEFORD  
CHRISTOPHER SCOTT GURNEY, PORTLAND  
VIRGINIA CONSTANTINE, BAR HARBOR  
NASON S. GRAHAM, HOULTON  
BERTRAM MARSTON, OAKLAND  
JOHN TELOW, LEWISTON  
ALBERT G. STEVENS, SABATTUS  
GARY W. REED, FALMOUTH  
JACK L. LIBBY, KENNEBUNK

STATE OF MAINE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
COMMITTEE ON BUSINESS LEGISLATION

June 8, 1989

Rep. John L. Martin, Chairman  
Legislative Council  
State House Station #115  
Augusta, ME 04333

Re: Request for study

Dear Chairman Martin:

The Committee on Business Legislation would like to request a study of third-party prescription programs. This request is in response to 2 bills which came before the committee in the last session: LD's 1083 and 1311. These bills presented complex and important subjects which the committee was not able to adequately deal with, particularly since the latter was rereferred to the committee quite late in the session.

The details concerning this study request are as follows:

I. Study subject & tasks

A. Subject of study

The subject of the study is third-party prescription programs and the use of mail order prescriptions in conjunction with them.

B. Specific questions to be examined

1. Should there be a change in the law relating to mail order prescriptions, in general, and particularly in conjunction with third-party prescription programs?

2. For which, if any, of the following reasons does fulfillment of a prescription by mail order constitute a threat to the citizens of Maine?

(a) Such a process might result in the demise of many retail pharmacies and, therefore, people living in small towns may be without a local pharmacy.

(b) The fact that mail order suppliers are generally large firms located out-of-state might result in the following problems:

- 1) prescriptions may be filled under laws less strict than Maine's.
- 2) their fulfillment will not be subject to Maine's disciplinary procedures.

(c) The fact that the prescription is filled by mail is more apt to result in misfilled prescriptions.

(d) The fact that the prescription is filled by mail may result in the loss of the following:

- 1) maintenance of, and reference to, the patient's profile by the pharmacist.
- 2) patient counseling by the pharmacist
- 3) the face-to-face evaluation of the patient by the pharmacist.
- 4) easy contact between pharmacist and doctor.

(e) The introduction of a mail order option will result in the consumer getting his drugs from 2 sources, which could result in taking drugs that should not be taken together. Several hypotheses need to be checked as to current patient behavior:

- 1) do patients get prescriptions from more than 1 doctor?
- 2) do patients have prescriptions filled at only 1 pharmacy?

3. Are Maine pharmacists providing consumer counseling and making reference to patient profiles? Are these important consumer benefits?

4. Would regulation of out-of-state mail order result in interstate commerce or other constitutional problems? Would it be preempted by the Employee Retirement Income Security Act of 1974 (ERISA)?

5. Does mail order represent a cost saving? To the patient? The employee? The insurer? Is this true if the same brand of drug is used? Is this true if the possible wastage occasioned by the large quantities required by mail order programs is considered?

6. Should Maine require out-of-state pharmacies to verify the prescription and that a legitimate physician-patient relationship exists?

7. Does use of an out-of-state business by State agencies result in an unacceptable loss of income to Maine businesses and loss of tax dollars to the State.

8. Is the mail order firm that Maine does business with the best available in terms of safety? Price?

C. Specific tasks to be undertaken

1. Invite representatives of the following organizations to appear before the committee at informational sessions:

- State Employees' Health Commission
- Maine Pharmacy Association
- Board of Commissioners of Pharmacy
- Maine Employees' Association
- Blue Cross/Blue Shield
- Paid Prescriptions Programs, Inc.
- National Pharmacies, Inc.
- Maine State Employees' Health Insurance Program
- Board of Registration in Medicine
- Maine Medical Association

2. Since this is an issue in which most states are involved or concerned, contact the National Council of State Legislatures and the Council of State Governments for information.

3. Obtain information from national trade associations such as:

- The National Association of Mail Service Pharmacies
- National Association of Boards of Pharmacy
- American Pharmaceutical Association

4. Since a number of possible solutions to this problem lie in the federal area, keep up to date on the activities of the Food and Drug Administration.

5. Review consumer complaints received on prescription fulfillment with the following groups:

- (a) In Maine, with the Attorney General, Pharmacy Association and the Pharmacy Board.
- (b) In New Jersey, where Maine prescriptions are now filled, with similar groups.
- (c) With similar groups in other states doing business with the firm with which Maine currently does business



## II. Appointment of members

The study shall be conducted by a subcommittee of 5 members of the Committee on Business Legislation chosen by the chairs of that committee. This selection is to be completed by July 1, 1989.

## III. Convening of the study group

The Chair of the Legislative Council shall call the first meeting, which is to take place no later than August 1, 1989.

## IV. Selection of chair

The Chairs of the Committee on Business Legislation are to select the chair of the study committee.

## V. Staffing

Staffing and clerical assistance is to be provided by the Legislative Council.

## VI. Compensation of members

All members are to receive legislative per diem and reimbursement for expenses.

## VII. Report

The study group is to prepare a report and any supporting legislation that it feels necessary. This report is to be submitted to the Committee on Business Legislation by November 10, 1989. That committee is to present any recommended legislation, with a supporting study if it so desires, to the Legislature by December 1, 1989.

## VIII. Administrative item

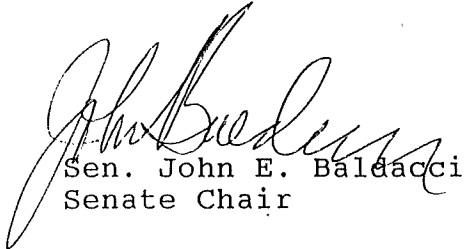
The Executive Director of the Legislative Council is to administer the committee's budget.

## IX. Number of meetings

The study committee is to hold no more than 4 meetings, including those required for organization and for developing conclusions and recommendations. The study committee may hold an additional meeting with the full Committee on Business


Legislation to present its findings to that body. Permission for further additional meetings is to be requested of the Legislative Council.

This is a very important issue to our committee and we hope that the Council will act favorably on this request.



Sen. John E. Baleacci  
Senate Chair

Sincerely,



Rep. Carol Allen  
House Chair

SENATE

STEPHEN C. ESTES, DISTRICT 35, CHAIR  
STEPHEN M. BOST, DISTRICT 11  
BARBARA A. GILL, DISTRICT 32

DAVID ELLIOTT, LEGISLATIVE ANALYST  
DEBORAH FRIEDMAN, LEGISLATIVE ANALYST  
JULIE FORTIN, COMMITTEE CLERK



HOUSE

NATHANIEL J. CROWLEY, SR., STOCKTON SPRINGS,  
CHAIR  
JAMES R. HANDY, LEWISTON  
WILLIAM O'GARA, WESTBROOK  
MARGE L. KILKELLY, WISCASSET  
JUDY PARADIS, FRENCHVILLE  
JAMES V. OLIVER, PORTLAND  
JOHN O'DEA, ORONO  
MARY E. SMALL, BATH  
OMAR P. NORTON, WINTHROP  
WENDY L. AULT, WAYNE

STATE OF MAINE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE

COMMITTEE ON EDUCATION

June 12, 1989

Speaker John L. Martin  
Chairman  
Legislative Council

Dear Speaker Martin:

We are writing to request approval for a subcommittee of the Joint Committee on Education to study issues relating to home schools during the upcoming interim.

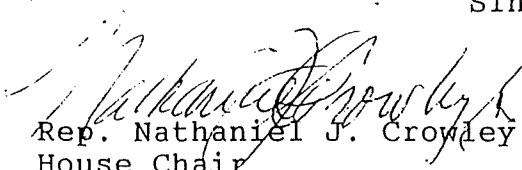
The committee considered three bills this session relating in part to home schools, all of which attracted significant amounts of interest from the public and from legislators. During its consideration of these bills, the Committee heard extensive testimony indicating a number of problems with the current system of local school board approval of home schools and ambiguity with respect to cooperation and coordination between local school boards and home schools. For example, it is unclear what obligation a public school has to share resources with home school children. The Committee favorably reported out one bill, LD1317, which removes the requirement that home schools receive approval by local school boards. This would resolve one of the problems relating to home schools. However, many issues raised during the discussion of that bill were not resolved.

The number of home schools in the state has increased dramatically in the past few years, and is expected to continue to grow. Despite this increase, and despite a recent significant court case in 1988 relating to approval of home schools, no legislative committee has had the opportunity recently to fully examine the issues raised by home schooling. Given the extensive interest in the bills considered this session, the evidence of increased interest in home schooling in the future, and the Committee's feeling that the issue was


not fully resolved by LD1317, we request that the Legislative Council approve a study for this interim, as described in the attached study proposal.

Thank you. Please let us know if you have any questions.

Sincerely,



Rep. Nathaniel J. Crowley  
House Chair



Sen. Stephen C. Estes  
Senate Chair

## STUDY PROPOSAL FROM THE EDUCATION COMMITTEE

The Joint Committee on Education proposes to study issues related to home schooling. The study would include, but not be limited to, the following issues:

1. Should the Guidelines for Non-Approved Private Schools of the Department of Educational and Cultural Services be formally adopted as rules or statute?
2. Should the Guidelines for Non-Approved Private Schools be made applicable to home schools?
3. What state subsidy do school units receive for home school students, and what liability, if any, does receipt of subsidy create for the local unit?
4. To what extent do local units currently make facilities and programs available to home school students, and under what circumstances should facilities and program be available?
5. How do the current rules of the Maine Secondary School Principal's Association relating to eligibility for interscholastic sports apply to home schooled children, and how should the rules apply?

Meetings. The committee would hold up to the number of meetings set by the Legislative Council, as necessary to complete its tasks pursuant to this section.

Compensation. Members of the committee would receive the legislative per diem, as defined in Maine Revised Statutes Title 3, section 2 for days of attendance at subcommittee meetings. All members of the committee shall receive reimbursement for travel and other necessary expenses upon application to the Executive Director of the Legislative Council. If the committee meets on a day when the Legislature is in session, members shall receive only one legislative per diem on that day, but may be reimbursed for all necessary expenses upon application to the Executive Director of the Legislature Council.

Staffing. The Committee shall request staffing assistance from the Legislative Council.

Report. The committee shall submit its report to the Second Regular Session of the 114th Legislature no later than December 1, 1989, together with any necessary implementing legislation.

SENATE

JUDY C. KANY, DISTRICT 17, CHAIR  
EDGAR E. ERWIN, DISTRICT 8  
MARGARET G. LUDWIG, DISTRICT 3

TIM GLIDDEN, LEGISLATIVE ANALYST  
GRO FLATEBO, LEGISLATIVE ANALYST  
JO-ELLEN STAPLES, COMMITTEE CLERK



HOUSE

MICHAEL H. MICHAUD, EAST MILLINOCKET, CHAIR  
PAUL F. JACQUES, WATERTOWN  
JAMES MITCHELL, FREEPORT  
JAMES REED COLES, HARPSWELL  
ANNETTE M. HOGLUND, PORTLAND  
RICHARD A. GOULD, GREENVILLE  
P. KELLEY SIMPSON, CASCO  
EDWARD L. DEXTER, KINGFIELD  
WILLIS A. LORD, WATERBORO  
MALACHI ANDERSON, WOODLAND

STATE OF MAINE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
COMMITTEE ON ENERGY AND NATURAL RESOURCES

June 12, 1989

Honorable John L. Martin, Speaker of the House  
114th Maine Legislature  
Augusta, Maine 04333

Dear Speaker Martin:

We are writing to request that a recommendation be made to the Appropriations Committee regarding the statutory study:

L.D. 722 "Resolve, to Redesign the Structure of the Board of Environmental Protection."

Among the studies referred to our Committee, the one mentioned above is our priority to be dealt with.

Thank you for your consideration.

*Judy C. Kany*  
Sen. Judy C. Kany  
Senate Chair

/s

Sincerely,

*Michael H. Michaud*  
Rep. Michael H. Michaud  
House Chair

SENATE

N. PAUL GAUVREAU, DISTRICT 23, CHAIR  
BONNIE L. TITCOMB, DISTRICT 25  
EDWIN C. RANDALL, DISTRICT 7

JULIE JONES, LEGISLATIVE ANALYST  
ANNIKA LANE, LEGISLATIVE ANALYST  
MARK E. SIROIS, COMMITTEE CLERK



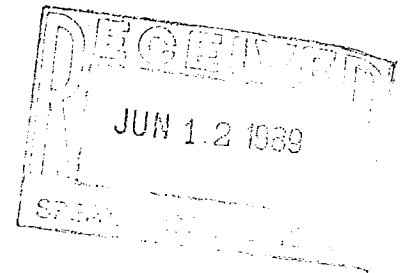
HOUSE

PETER J. MANNING, PORTLAND, CHAIR  
NEIL ROLDE, YORK  
BRADFORD E. BOUTILIER, LEWISTON  
MARGARET PRUITT CLARK, BRUNSWICK  
CHRISTINE F. BURKE, VASSALBORO  
MARY R. CATHCART, ORONO  
EVERETT O. PEDERSON, BANGOR  
JEAN T. DELLERT, GARDINER  
MICHAEL F. HEPBURN, SKOWHEGAN  
PEGGY A. PENDLETON, SCARBOROUGH

STATE OF MAINE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
COMMITTEE ON HUMAN RESOURCES

June 12, 1989

Rep. John L. Martin, Chair  
Legislative Council  
State House  
Augusta, Maine 04333



Dear Rep. Martin:

The Joint Standing Committee on Human Resources requests permission of the Legislative Council for the following interim study in order of priority.

1. STUDY TO REVIEW STATE  
MENTAL HEALTH SERVICES

The provision of mental health services by the State has been the subject of serious concern during the course of this session. Although the Legislature has taken some emergency measures, as a first step toward the improvement of services, there is still much work that needs to be done.

During the next few months, the consortium of hospitals will be assisting in the management of the Augusta Mental Health Institute. It is vital that there be a continued legislative oversight of that effort and the implementation of any further activities recommended by that organization.

While a great deal of time has been spent in addressing the emergency nature of problems at the mental health institutes, there is a serious need for additional consideration of the issues involved in the relationship between institutional services and community services. An interim study is the best way to consider and address these issues.

The status of eligibility of the mental health institutes for federal Medicare and Medicaid funding continues to be an issue of uncertainty that requires legislative involvement.

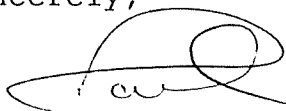
The Human Resources Committee will be hearing the report of the AMHI Oversight Committee on Tuesday, June 13. We expect that it will be necessary to meet frequently during the summer; however, we will not be able to discuss with the Human Resources Committee the manner of the Committee's involvement over the summer until we know the recommendations of the AMHI Oversight Committee. After that meeting we will be able to provide additional information regarding the number of members and meetings that will be necessary to accomplish this task.

## 2. ELDERLY SERVICES STUDY COMMISSION

The Joint Standing Committee on Human Resources also has a strong interest in L.D. 747, RESOLVE, Establishing a Commission to Study the Level of Services for Maine's Elderly Citizens (copy attached). This bill is currently on the Appropriations Table. It establishes a study commission with 15 members (including 3 legislators) and authorizes the study commission to request legislative staffing. While we believe this study to be extremely important, in light of the gravity and immediacy of the mental health issues, we must list the L.D. 747 study as our second priority.

The Committee is also reporting out legislation relating to health care financing (L.D. 920) which recommends the establishment of a study commission relating to health planning and deregulation of ambulatory health services. This study commission has three legislative members; however, staffing will be provided by the Maine Health Care Finance Commission.

Sincerely,



Sen. N. Paul Gauvreau  
Senate Chair



Rep. Peter J. Manning  
House Chair



SENATE

BARRY J. HOBBS, DISTRICT 31, CHAIR  
N. PAUL GAUVREAU, DISTRICT 23  
MURIEL D. HOLLOWAY, DISTRICT 20

PEGGY REINSCH, LEGISLATIVE ANALYST  
TODD BURROWES, LEGISLATIVE ANALYST  
PAULA ASHTON, COMMITTEE CLERK



HOUSE

PATRICK E. PARADIS, AUGUSTA, CHAIR  
CONSTANCE D. COTE, AUBURN  
GERARD P. CONLEY, JR., PORTLAND  
PATRICIA M. STEVENS, BANGOR  
CUSHMAN D. ANTHONY, SOUTH PORTLAND  
SUSAN FARNSWORTH, HALLOWELL  
MARY H. MACBRIDE, PRESQUE ISLE  
DANA C. HANLEY, PARIS  
PETER G. HASTINGS, FRYEBURG  
JOHN H. RICHARDS, HAMPDEN

STATE OF MAINE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
COMMITTEE ON JUDICIARY

June 12, 1989

Honorable Charles P. Pray, President of the Senate  
Honorable John L. Martin, Speaker of the House  
114th Legislature  
Maine State Legislature

Re: Judiciary Committee Study Request

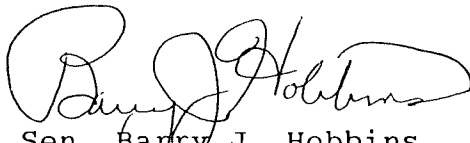
Dear President Pray and Speaker Martin:

The Joint Standing Committee on Judiciary is submitting the attached study request for Legislative Council approval.


The Council approved our request to carry over LD 1010, AN ACT Concerning the Right to Die so that we may spend more time on and involve experts while we examine the issue of termination of medical treatment, hydration and nutrition.

Please contact us if the attached study request does not provide all the information you need.

Thank you for your consideration.

  
Sen. Barry J. Hobbs  
Senate Chair

Sincerely,

  
Rep. Patrick E. Paradis  
House Chair

attachment

3566m

**COMMITTEE:** JUDICIARY

**STUDY REQUEST:** Termination of Life Support Services

**SOURCE:** This study will provide recommendations on which the Judiciary Committee can base its deliberations on LD 1010, AN ACT Concerning the Right to Die.

**STUDY GROUP:** Full Judiciary Committee

**FIRST MEETING:** To be held no later than 9/1/89.

**STUDY SUBJECT:** The central issue the Committee will examine is the appropriate forum in which to make decisions concerning the termination of medical treatment, extraordinary or otherwise, hydration and nutrition for incapacitated persons.

**SPECIFIC QUESTIONS TO BE EXAMINED:**

1. Is the Probate Code the appropriate forum to make termination decisions? Is the Superior Court a better forum?
2. Does the Probate Code need revision to adequately address the issue of termination of medical treatment, hydration and nutrition?
3. Does the "living wills" legislation require revision to adequately address the issue of termination of hydration and nutrition?

**SPECIAL TASKS TO BE UNDERTAKEN:** The Committee may:

1. Review current statutes and case law to determine current status of who may make termination decisions; which decisions may be made; and under what circumstances;
2. Hold 4 public hearings in Augusta;

3. Hold informational sessions for discussions with:

- A. Probate judges
- B. Probate attorneys
- C. Legal experts in the fields of guardianship, living wills, and termination of medical treatment, hydration or nutrition;

4. Conduct, summarize and analyze the results of a literature search on termination of medical treatment, hydration and nutrition; and

5. Determine and summarize the statutes and case law in selected states.

**STAFFING:**

The Committee shall request staffing assistance from the Legislative Council.

**COMPENSATION:**

The Committee members shall receive reimbursement for travel and other necessary expenses and the legislative per diem as defined in the Maine Revised Statutes, Title 3, section 2, for each day's attendance at the Committee meetings.

**REPORT:**

The Committee may produce a written report of findings and recommendations, including any suggested legislation, to be submitted to the full Judiciary Committee no later than December 1, 1989.

3542m

SENATE

DONALD E. ESTY, JR., DISTRICT 28, CHAIR  
ZACHARY E. MATTHEWS, DISTRICT 13  
R. PETER WHITMORE, DISTRICT 22

GILBERT BREWER, LEGISLATIVE ANALYST  
MOLLY PITCHER, COMMITTEE CLERK



HOUSE

EDWARD A. MCHENRY, MADAWASKA, CHAIR  
ANTONIO J. TAMMARO, BAILEYVILLE  
RICHARD P. RUHLIN, BREWER  
ANNE M. RAND, PORTLAND  
M. IDA LUTHER, MEXICO  
ELDEN MCKEEN, WINDHAM  
EDWARD L. PINEAU, JAY  
GARY W. REED, FALMOUTH  
JEFFREY H. BUTLAND, CUMBERLAND  
JOHN S. MCCORMICK, JR., ROCKPORT

STATE OF MAINE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
COMMITTEE ON LABOR

June 12, 1989

Hon. John L. Martin, Chair  
Legislative Council  
Augusta, Maine 04333

Dear Speaker Martin:

On behalf of the Joint Standing Committee on Labor, please find enclosed our request to the Legislative Council to authorize a study to recodify Title 26 of the Maine Revised Statutes. As requested, we have prioritized the potential studies in which the Labor Committee may be involved and have arrived at the following list (#1 being our highest priority study):

- |                                |                 |
|--------------------------------|-----------------|
| 1. Employment of Minors        | L.D. 1550       |
| 2. Recodification of Title 26  | Council request |
| 3. Professional Strikebreakers | L.D. 715.       |

Our priorities were arrived at under the assumption that one or more of the several strikebreaker measures being considered by the Legislature will be enacted and signed into law by the Governor. Thank you for your consideration of these requests.

Sincerely,

Sen. Donald E. Esty, Jr.  
Senate Chair

Rep. Edward A. McHenry  
House Chair

## LABOR COMMITTEE STUDY REQUEST

### I. Membership

The study will be performed by a subcommittee of the Labor Committee, consisting of 5 members appointed by the chairs of the Labor Committee. Members shall receive the legislative per diem for each day's attendance at meetings and reimbursement for expenses.

### II. Subject of Study

In conducted their recent review of the Department of Labor, the Joint Standing Committee on Audit & Program Review became aware of the archaic language and uncoordinated structure of Title 26, which hindered their efforts to understand the laws governing the Department of Labor. The Audit & Program Review Committee has requested that the Labor Committee undertake a study to recodify the Maine Revised Statutes, Title 26. Title 26 contains most of the state statutes related to labor. The purpose of the Labor Committee Committee's study would be to recodify Title 26.

The subcommittee would meet 3-5 times over the summer and fall with one additional full committee meeting to review proposed revisions of Title 26 that would be prepared by legislative staff. We anticipate that various interest groups and the Department of Labor will be intimately involved in reviewing proposed revisions on a formalized basis.

### III. Staffing

The study would require staff assistance from the Office of Policy and Legal Analysis and the Office of Revisor of Statutes.

### IV. Report

The subcommittee will provide a report describing their activities and submit suggested legislation to recodify Title 26. The subcommittee will attempt to complete the recodification process by December 1st, 1989. The subcommittee may not be able to meet this target deadline due to the amount of redrafting necessary to correctly rewrite the current Title 26. Given the experience of recent recodification efforts in the Legislature, we would prefer that the subcommittee wait to deliver a finished product to the Legislature. If the study is not completed by December 1st, 1989, the Labor Committee would request an extension of the study to ensure that a completed draft is available for the First Regular Session of the 115th Legislature.

SENATE

R. DONALD TWITCHELL, DISTRICT 15, CHAIR  
RAYNOLD THERIAULT, DISTRICT 1  
ROBERT R. GOULD, DISTRICT 14

HAVEN WHITESIDE, LEGISLATIVE ANALYST  
JOAN COLFORD, COMMITTEE CLERK



HOUSE

FRED W. MOHOLLAND, PRINCETON, CHAIR  
HAROLD M. MACOMBER, SOUTH PORTLAND  
JEFFERY N. MILLS, BETHEL  
HILDA C. MARTIN, VAN BUREN  
MONA WALKER HALE, SANFORD  
ROBERT E. HUSSEY, JR., MILO  
ORLAND G. McPHERSON, ELIOT  
DONALD A. STROUT, CORINTH  
CLYDE A. HICHBORN, LAGRANGE  
RONALD C. BAILEY, FARMINGTON

STATE OF MAINE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
COMMITTEE ON TRANSPORTATION

June 15, 1989

Hon. John L. Martin, Chairman  
Legislative Council  
State House  
Augusta, ME 04333

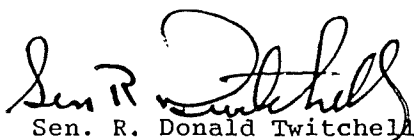
Dear Chairman Martin:

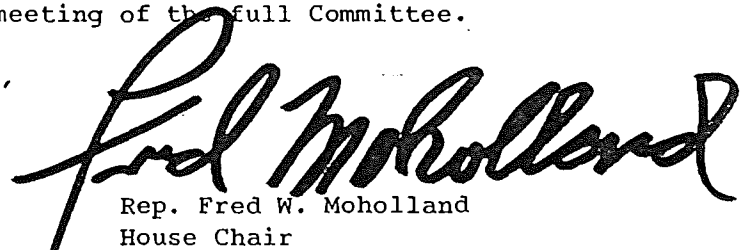
The Joint Standing Committee on Transportation requests authorization to study the issue raised by LD 1219, "An Act to Provide Access to Camps." which has been approved for carryover to the Second Regular Session.

The study is needed because the bill raised complex legal questions of the rights of property owners to use private crossings across railroad lines, and the property rights of the railroad company to impose conditions on those crossings. Since introduction of the LD, there has been some progress by the interested parties towards a satisfactory solution, but agreement has not been reached at this time. This Committee hopes that the parties will reach agreement in the situation which gave rise to this legislation. Even then, the question will remain as to the application of the particular solution to other similar situations that may arise around the State. That may require legislative action.

The study would require 2 meetings of a 5-member subcommittee of the Joint Standing Committee on Transportation and 1 meeting of the full Committee.

Sincerely,

  
Sen. R. Donald Twitchell  
Senate Chair

  
Rep. Fred W. Moholland  
House Chair

1k/3655m

SARAH C. DIAMOND  
EXECUTIVE DIRECTOR  
OF THE LEGISLATIVE COUNCIL

JOHN H. BAILEY  
INFORMATION SYSTEMS  
DIRECTOR

RICHARD N. SAWYER, JR.  
ADMINISTRATIVE SERVICES  
DIRECTOR



MAINE STATE LEGISLATURE  
OFFICE OF THE EXECUTIVE DIRECTOR  
LEGISLATIVE COUNCIL

June 15, 1989

TO: Members of the Legislative Council  
FROM: Sally *Sally*  
SUBJECT: Interim Study Requests

As you know, the Council will be considering requests from committees to conduct interim studies at its meeting tomorrow. Copies of each of the study requests we have received are enclosed for your review. The second enclosure is a listing by committee of all of the proposed studies that are still active. This list includes the requests to the Council, as well as proposed statutory studies and statutory studies that are contained in existing law. The purpose of the consolidated list is to assist us all in seeing the broad picture in terms of committee members' workload during the interim, as well as staff workload.

Martha and I have reviewed the bills creating statutory studies (most have now found their way to the Appropriations Table) carefully. Those that specify staffing through the Legislative Council would require about twice the number of staff that we have available.

Please call me if you have any questions about these materials.

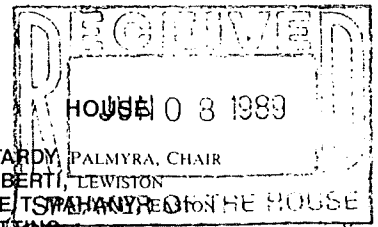
Enclosures

cc: Joy J. O'Brien  
Edwin H. Pert  
Legislative Staff Directors

SENATE

R. DONALD TWITCHELL, DISTRICT 15, CHAIR  
JUDY C. KANY, DISTRICT 17  
JEROME A. EMERSON, DISTRICT 9

LARS RYDELL, LEGISLATIVE ANALYST  
RUSSELL W. MARTELL, COMMITTEE CLERK



ROBERT J. TARDY, PALMYRA, CHAIR  
JOHN A. ALIBERTI, LEWISTON  
B. CAROLYN T. SPANGLER, LEWISTON  
JOHN N. NUTTING, LEEDS  
ROBERT E. HUSSEY, JR., MILO  
WILFRED J. BELL, CARIBOU  
WESTON R. SHERBURNE, DEXTER  
SUSAN J. PINES, LIMESTONE  
PAUL PARENT, BENTON  
WALTER E. WHITCOMB, WALDO

STATE OF MAINE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
COMMITTEE ON AGRICULTURE

June 7, 1989

Speaker John L. Martin, Chairman  
Legislative Council  
Maine Legislature  
Augusta, Maine 04333

Dear Speaker Martin:

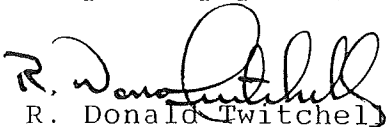
Recent events in the potato industry and the committee's work prior to amending of the agricultural marketing and bargaining act in L.D. 1624 have raised a number of questions about the fairness and efficacy of the existing bargaining act. Time constraints prevented the committee from fully addressing these questions in our recent amendment. For this reason, the Joint Standing Committee on Agriculture requests that a 5 person committee be appointed to perform a comprehensive examination of the agricultural marketing and bargaining act.

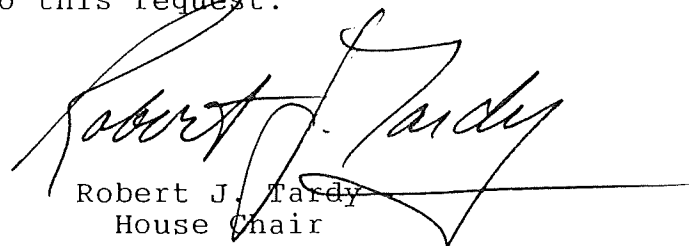
We suggest the study committee be comprised of 3 representatives appointed by the Speaker of the House and 2 Senators appointed by the President of the Senate. We also suggest the appointed members not be limited to members of the Joint Standing Committee on Agriculture. In addition, we request staff support be assigned and we foresee a need for at least 5 meetings at an estimated expense of \$4,825. At least one meeting should be in Aroostook County.

As stated, the committee would undertake a comprehensive look at the bargaining act, but would focus on the required mediation or "final binding offer arbitration" process. Issues related to required mediation and other study issues are outlined on the attached page.

We hope the Council agrees that review of the agricultural marketing and bargaining act is important at this time and stand ready to answer any questions you may have with regard to this request.

Very truly yours,

  
R. Donald Twitchell  
Senate Chair

  
Robert J. Tardy  
House Chair



## STUDY ISSUES

### Subcommittee to Study the Agricultural Marketing & Bargaining Act

Issues related to the required mediation process:

Should the arbitrator decide all issues which have been under negotiation or only those issues which remain unresolved?

Should a negotiated agreement between the parties be allowed to supercede the arbitrator's decision once that decision has been reached, but before a contract is signed? After a contract has been signed?

Other issues brought to the committee's attention:

The make-up of the Agricultural Marketing and Bargaining Board;

Should conditions under which growers obtain seed potatoes from processors be limited;

Should a condition of "rebuttable presumption" be imposed on a party accused of unfair practices;

Contract reporting requirements for processors; and

The adoption of a fixed contract date to trigger the various preseason negotiation activities.

## STUDY COSTS

### Personal Services

5 Legislators X \$55 Per Diem X 5 Meetings = \$ 1,375

### All Other

5 Legislators X \$50 Meals & Travel X 5 Meetings = \$1,250

Printing 1,900

Advertising 300

\$3,450

TOTAL

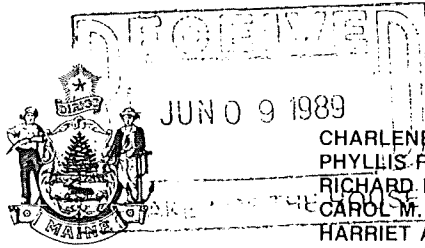
\$4,825

3217m

SENATE

RAYNOLD THERIAULT, DISTRICT 1, CHAIR  
BEVERLY MINER BUSTIN, DISTRICT 19  
DONALD F. COLLINS, DISTRICT 2

DEBORAH FRIEDMAN, LEGISLATIVE ANALYST  
HAVEN WHITESIDE, LEGISLATIVE ANALYST  
TORREY GRAY, COMMITTEE CLERK



HOUSE

CHARLENE B. RYDELL, BRUNSWICK, CHAIR  
PHYLLIS R. ERWIN, RUMFORD  
RICHARD H. C. TRACY, ROME  
CAROL M. ALLEN, WASHINGTON  
HARRIET A. KETOVER, PORTLAND  
RUTH JOSEPH, WATERTOWN  
ANNE M. RAND, PORTLAND  
PHILIP E. CURRAN, WESTBROOK  
JOSEPH A. GARLAND, BANGOR  
HARVEY C. DONALD, BUNTON

STATE OF MAINE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
COMMITTEE ON BANKING AND INSURANCE

June 6, 1989

Speaker John L. Martin  
Chairman  
Legislative Council

Dear Speaker Martin:

Earlier this session, the Joint Committee on Banking & Insurance reported out LD750, a bill revising the current mechanism for guaranteeing that persons insured by insolvent insurance companies receive payment for claims under their policies for life, health, workers' compensation and other property and casualty insurance. The legislation as introduced proposed a major overhaul of the state's Guarantee Fund mechanism. The committee, however, was not given adequate time to fully consider these major changes.

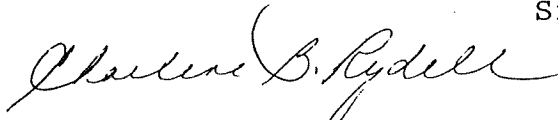
The committee dealt with LD750 in a crisis atmosphere, because the Guarantee Fund which provides payment to injured workers in the state, when their employer's workers' compensation insurer becomes insolvent, ran out of funds at the end of March. The company which sends checks to those injured workers was, according to the superintendent of insurance, threatening to stop sending checks unless some method was worked out to provide more funds to the Guarantee Fund. Thus, the committee agreed to a major change in the law, to alleviate the immediate crisis. We added to the bill a repeal date 91 days after adjournment of the 2nd Regular Session of the 114th Legislature, and a provision requiring the committee to perform an interim study of the issue of guarantee funds. The sunset and the study were critical aspects of the bill which enabled us to deal with the immediate crisis with the assurance that we would have an opportunity to examine the issue more carefully during the interim. The interim study is necessary to fully consider the ramifications of the changes made to the structure, to review other models for guarantee funds, and to propose a viable, long-term structure for the funds which will

prevent future crises such as the one we recently suffered in the workers' compensation guarantee fund.

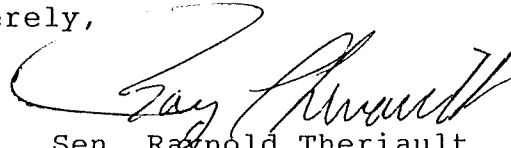
The bill requires the Committee to seek funding and staff from the Legislative Council in order to carry out the study. The purpose of this letter is to request staffing and funding to perform this proposed study, as set forth in the attached proposal.

Given the importance of this issue, and the impending sunset of the legislation at the end of the next legislative session, we urge the Legislative Council to approve this study request. Please let one of us know if you have any questions.

Sincerely,



Rep. Charlene Rydell  
House Chair



Sen. Raynold Theriault  
Senate Chair

## SENATE

RAYNOLD THERIAULT, DISTRICT 1, CHAIR  
BEVERLY MINER BUSTIN, DISTRICT 19  
DONALD F. COLLINS, DISTRICT 2

DEBORAH FRIEDMAN, LEGISLATIVE ANALYST  
HAVEN WHITESIDE, LEGISLATIVE ANALYST  
TORREY GRAY, COMMITTEE CLERK



## HOUSE

CHARLENE B. RYDELL, BRUNSWICK, CHAIR  
PHYLLIS R. ERWIN, RUMFORD  
RICHARD H. C. TRACY, ROME  
CAROL M. ALLEN, WASHINGTON  
HARRIET A. KETOVER, PORTLAND  
RUTH JOSEPH, WATÉVILLE  
ANNE M. RAND, PORTLAND  
PHILIP E. CURRAN, WESTBROOK  
JOSEPH A. GARLAND, BANGOR  
HARVEY C. DONALD, BUNTON

STATE OF MAINE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
**COMMITTEE ON BANKING AND INSURANCE**

**STUDY PROPOSAL FROM THE  
BANKING & INSURANCE COMMITTEE**

The Joint Standing Committee on Banking and Insurance shall study the current operation of state guarantee funds and make recommendations to change or strengthen the current system. The committee shall study issues such as the feasibility of a circuit breaker on assessments and the appropriate manner of paying claims of insolvent insurers and self-insurers.

**Study methods.** In examining these issues, the committee may hold informational sessions and public hearings, determine and summarize legislative actions undertaken in other states, perform a survey of literature to determine alternative methods of assuring payments of insureds' claims, review historical data on assessments and claims payments of the associations and perform such other study as it deems appropriate.

**Meetings.** The Committee shall meet up to the number of times specified by the Legislative Council to perform the study.

**Findings.** The committee shall report its findings, together with any necessary implementing legislation, to the Second Regular Session of the 114th Legislature no later than December 1, 1989.

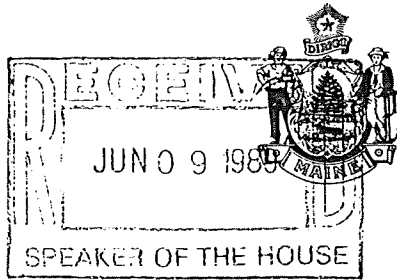
**Compensation.** Committee members shall receive legislative per diem and expenses, as defined in the Maine Revised Statutes, Title 3, section 2, for days of attendance at committee meetings. Members shall also receive reimbursement for travel and other necessary expenses upon application to the Executive Director of the Legislative Council.

**Staffing.** The Committee requests staffing and clerical assistance from the Legislative Council.

SENATE

JOHN E. BALDACCI, DISTRICT 10, CHAIR  
BARRY J. HOBBINS, DISTRICT 31  
R. PETER WHITMORE, DISTRICT 22

JOHN KNOX, LEGISLATIVE ANALYST  
SHERRY DUDLEY, COMMITTEE CLERK



HOUSE

CAROL ALLEN, WASHINGTON, CHAIR  
CARL F. SHELTRA, BIDDEFORD  
CHRISTOPHER SCOTT GURNEY, PORTLAND  
VIRGINIA CONSTANTINE, BAR HARBOR  
NASON S. GRAHAM, HOULTON  
BERTRAM MARSTON, OAKLAND  
JOHN TELOW, LEWISTON  
ALBERT G. STEVENS, SABATTUS  
GARY W. REED, FALMOUTH  
JACK L. LIBBY, KENNEBUNK

STATE OF MAINE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
COMMITTEE ON BUSINESS LEGISLATION

June 8, 1989

Rep. John L. Martin, Chairman  
Legislative Council  
State House Station #115  
Augusta, ME 04333

Re: Request for study

Dear Chairman Martin:

The Committee on Business Legislation would like to request a study of third-party prescription programs. This request is in response to 2 bills which came before the committee in the last session: LD's 1083 and 1311. These bills presented complex and important subjects which the committee was not able to adequately deal with, particularly since the latter was rereferred to the committee quite late in the session.

The details concerning this study request are as follows:

I. Study subject & tasks

A. Subject of study

The subject of the study is third-party prescription programs and the use of mail order prescriptions in conjunction with them.

B. Specific questions to be examined

1. Should there be a change in the law relating to mail order prescriptions, in general, and particularly in conjunction with third-party prescription programs?

2. For which, if any, of the following reasons does fulfillment of a prescription by mail order constitute a threat to the citizens of Maine?

(a) Such a process might result in the demise of many retail pharmacies and, therefore, people living in small towns may be without a local pharmacy.

(b) The fact that mail order suppliers are generally large firms located out-of-state might result in the following problems:

- 1) prescriptions may be filled under laws less strict than Maine's.
- 2) their fulfillment will not be subject to Maine's disciplinary procedures.

(c) The fact that the prescription is filled by mail is more apt to result in misfilled prescriptions.

(d) The fact that the prescription is filled by mail may result in the loss of the following:

- 1) maintenance of, and reference to, the patient's profile by the pharmacist.
- 2) patient counseling by the pharmacist
- 3) the face-to-face evaluation of the patient by the pharmacist.
- 4) easy contact between pharmacist and doctor.

(e) The introduction of a mail order option will result in the consumer getting his drugs from 2 sources, which could result in taking drugs that should not be taken together. Several hypotheses need to be checked as to current patient behavior:

- 1) do patients get prescriptions from more than 1 doctor?
- 2) do patients have prescriptions filled at only 1 pharmacy?

3. Are Maine pharmacists providing consumer counseling and making reference to patient profiles? Are these important consumer benefits?

4. Would regulation of out-of-state mail order result in interstate commerce or other constitutional problems? Would it be preempted by the Employee Retirement Income Security Act of 1974 (ERISA)?

5. Does mail order represent a cost saving? To the patient? The employee? The insurer? Is this true if the same brand of drug is used? Is this true if the possible wasteage occasioned by the large quantities required by mail order programs is considered?

6. Should Maine require out-of-state pharmacies to verify the prescription and that a legitimate physician-patient relationship exists?

7. Does use of an out-of-state business by State agencies result in an unacceptable loss of income to Maine businesses and loss of tax dollars to the State.

8. Is the mail order firm that Maine does business with the best available in terms of safety? Price?

C. Specific tasks to be undertaken

1. Invite representatives of the following organizations to appear before the committee at informational sessions:

- State Employees' Health Commission
- Maine Pharmacy Association
- Board of Commissioners of Pharmacy
- Maine Employees' Association
- Blue Cross/Blue Shield
- Paid Prescriptions Programs, Inc.
- National Pharmacies, Inc.
- Maine State Employees' Health Insurance Program
- Board of Registration in Medicine
- Maine Medical Association

2. Since this is an issue in which most states are involved or concerned, contact the National Council of State Legislatures and the Council of State Governments for information.

3. Obtain information from national trade associations such as:

- The National Association of Mail Service Pharmacies
- National Association of Boards of Pharmacy
- American Pharmaceutical Association

4. Since a number of possible solutions to this problem lie in the federal area, keep up to date on the activities of the Food and Drug Administration.

5. Review consumer complaints received on prescription fulfillment with the following groups:

- (a) In Maine, with the Attorney General, Pharmacy Association and the Pharmacy Board.
- (b) In New Jersey, where Maine prescriptions are now filled, with similar groups.
- (c) With similar groups in other states doing business with the firm with which Maine currently does business

## II. Appointment of members

The study shall be conducted by a subcommittee of 5 members of the Committee on Business Legislation chosen by the chairs of that committee. This selection is to be completed by July 1, 1989.

## III. Convening of the study group

The Chair of the Legislative Council shall call the first meeting, which is to take place no later than August 1, 1989.

## IV. Selection of chair

The Chairs of the Committee on Business Legislation are to select the chair of the study committee.

## V. Staffing

Staffing and clerical assistance is to be provided by the Legislative Council.

## VI. Compensation of members

All members are to receive legislative per diem and reimbursement for expenses.

## VII. Report

The study group is to prepare a report and any supporting legislation that it feels necessary. This report is to be submitted to the Committee on Business Legislation by November 10, 1989. That committee is to present any recommended legislation, with a supporting study if it so desires, to the Legislature by December 1, 1989.

## VIII. Administrative item

The Executive Director of the Legislative Council is to administer the committee's budget.

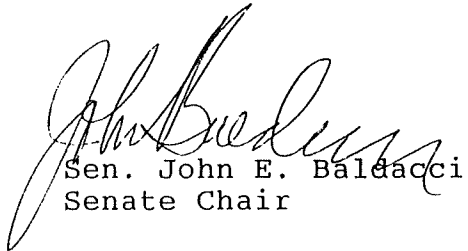
## IX. Number of meetings

The study committee is to hold no more than 4 meetings, including those required for organization and for developing conclusions and recommendations. The study committee may hold an additional meeting with the full Committee on Business



Legislation to present its findings to that body. Permission for further additional meetings is to be requested of the Legislative Council.

This is a very important issue to our committee and we hope that the Council will act favorably on this request.



Sen. John E. Balducci  
Senate Chair

Sincerely,



Rep. Carol Allen  
House Chair

SENATE

STEPHEN C. ESTES, DISTRICT 35, CHAIR  
STEPHEN M. BOST, DISTRICT 11  
BARBARA A. GILL, DISTRICT 32

DAVID ELLIOTT, LEGISLATIVE ANALYST  
DEBORAH FRIEDMAN, LEGISLATIVE ANALYST  
JULIE FORTIN, COMMITTEE CLERK



HOUSE

NATHANIEL J. CROWLEY, SR., STOCKTON SPRINGS,  
CHAIR  
JAMES R. HANDY, LEWISTON  
WILLIAM O'GARA, WESTBROOK  
MARGE L. KILKELLY, WISCASSET  
JUDY PARADIS, FRENCHVILLE  
JAMES V. OLIVER, PORTLAND  
JOHN O'DEA, ORONO  
MARY E. SMALL, BATH  
OMAR P. NORTON, WINTHROP  
WENDY L. AULT, WAYNE

STATE OF MAINE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
COMMITTEE ON EDUCATION  
June 12, 1989

Speaker John L. Martin  
Chairman  
Legislative Council

Dear Speaker Martin:

We are writing to request approval for a subcommittee of the Joint Committee on Education to study issues relating to home schools during the upcoming interim.


The committee considered three bills this session relating in part to home schools, all of which attracted significant amounts of interest from the public and from legislators. During its consideration of these bills, the Committee heard extensive testimony indicating a number of problems with the current system of local school board approval of home schools and ambiguity with respect to cooperation and coordination between local school boards and home schools. For example, it is unclear what obligation a public school has to share resources with home school children. The Committee favorably reported out one bill, LD1317, which removes the requirement that home schools receive approval by local school boards. This would resolve one of the problems relating to home schools. However, many issues raised during the discussion of that bill were not resolved.

The number of home schools in the state has increased dramatically in the past few years, and is expected to continue to grow. Despite this increase, and despite a recent significant court case in 1988 relating to approval of home schools, no legislative committee has had the opportunity recently to fully examine the issues raised by home schooling. Given the extensive interest in the bills considered this session, the evidence of increased interest in home schooling in the future, and the Committee's feeling that the issue was


not fully resolved by LD1317, we request that the Legislative Council approve a study for this interim, as described in the attached study proposal.

Thank you. Please let us know if you have any questions.

Sincerely,



Rep. Nathaniel J. Crowley  
House Chair



Sen. Stephen C. Estes  
Senate Chair

## STUDY PROPOSAL FROM THE EDUCATION COMMITTEE

The Joint Committee on Education proposes to study issues related to home schooling. The study would include, but not be limited to, the following issues:

1. Should the Guidelines for Non-Approved Private Schools of the Department of Educational and Cultural Services be formally adopted as rules or statute?
2. Should the Guidelines for Non-Approved Private Schools be made applicable to home schools?
3. What state subsidy do school units receive for home school students, and what liability, if any, does receipt of subsidy create for the local unit?
4. To what extent do local units currently make facilities and programs available to home school students, and under what circumstances should facilities and program be available?
5. How do the current rules of the Maine Secondary School Principal's Association relating to eligibility for interscholastic sports apply to home schooled children, and how should the rules apply?

**Meetings.** The committee would hold up to the number of meetings set by the Legislative Council, as necessary to complete its tasks pursuant to this section.

**Compensation.** Members of the committee would receive the legislative per diem, as defined in Maine Revised Statutes Title 3, section 2 for days of attendance at subcommittee meetings. All members of the committee shall receive reimbursement for travel and other necessary expenses upon application to the Executive Director of the Legislative Council. If the committee meets on a day when the Legislature is in session, members shall receive only one legislative per diem on that day, but may be reimbursed for all necessary expenses upon application to the Executive Director of the Legislature Council.

**Staffing.** The Committee shall request staffing assistance from the Legislative Council.

**Report.** The committee shall submit its report to the Second Regular Session of the 114th Legislature no later than December 1, 1989, together with any necessary implementing legislation.

SENATE

JUDY C. KANY, DISTRICT 17, CHAIR  
EDGAR E. ERWIN, DISTRICT 8  
MARGARET G. LUDWIG, DISTRICT 3

TIM GLIDDEN, LEGISLATIVE ANALYST  
GRO FLATEBO, LEGISLATIVE ANALYST  
JO-ELLEN STAPLES, COMMITTEE CLERK



HOUSE

MICHAEL H. MICHAUD, EAST MILLINOCKET, CHAIR  
PAUL F. JACQUES, WATERVILLE  
JAMES MITCHELL, FREEPORT  
JAMES REED COLES, HARPSWELL  
ANNETTE M. HOGLUND, PORTLAND  
RICHARD A. GOULD, GREENVILLE  
P. KELLEY SIMPSON, CASCO  
EDWARD L. DEXTER, KINGFIELD  
WILLIS A. LORD, WATERBORO  
MALACHI ANDERSON, WOODLAND

STATE OF MAINE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
COMMITTEE ON ENERGY AND NATURAL RESOURCES

June 12, 1989

Honorable John L. Martin, Speaker of the House  
114th Maine Legislature  
Augusta, Maine 04333

Dear Speaker Martin:

We are writing to request that a recommendation be made to the Appropriations Committee regarding the statutory study:

L.D. 722 "Resolve, to Redesign the Structure of the Board of Environmental Protection."

Among the studies referred to our Committee, the one mentioned above is our priority to be dealt with.

Thank you for your consideration.

*Judy C. Kany*  
Sen. Judy C. Kany  
Senate Chair

/s

Sincerely,

*Michael H. Michaud*

Rep. Michael H. Michaud  
House Chair

SENATE

N. PAUL GAUVREAU, DISTRICT 23, CHAIR  
BONNIE L. TITCOMB, DISTRICT 25  
EDWIN C. RANDALL, DISTRICT 7

JULIE JONES, LEGISLATIVE ANALYST  
ANNIKA LANE, LEGISLATIVE ANALYST  
MARK E. SIROIS, COMMITTEE CLERK



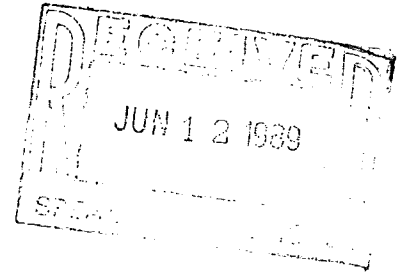
HOUSE

PETER J. MANNING, PORTLAND, CHAIR  
NEIL ROLDE, YORK  
BRADFORD E. BOUTILIER, LEWISTON  
MARGARET PRUITT CLARK, BRUNSWICK  
CHRISTINE F. BURKE, VASSALBORO  
MARY R. CATHCART, ORONO  
EVERETT O. PEDERSON, BANGOR  
JEAN T. DELLERT, GARDINER  
MICHAEL F. HEPBURN, SKOWHEGAN  
PEGGY A. PENDLETON, SCARBOROUGH

STATE OF MAINE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
COMMITTEE ON HUMAN RESOURCES

June 12, 1989

Rep. John L. Martin, Chair  
Legislative Council  
State House  
Augusta, Maine 04333



Dear Rep. Martin:

The Joint Standing Committee on Human Resources requests permission of the Legislative Council for the following interim studys in order of priority.

1. STUDY TO REVIEW STATE  
MENTAL HEALTH SERVICES

The provision of mental health services by the State has been the subject of serious concern during the course of this session. Although the Legislature has taken some emergency measures, as a first step toward the improvement of services, there is still much work that needs to be done.

During the next few months, the consortium of hospitals will be assisting in the management of the Augusta Mental Health Institute. It is vital that there be a continued legislative oversight of that effort and the implementation of any further activities recommended by that organization.

While a great deal of time has been spent in addressing the emergency nature of problems at the mental health institutes, there is a serious need for additional consideration of the issues involved in the relationship between institutional services and community services. An interim study is the best way to consider and address these issues.

The status of eligibility of the mental health institutes for federal Medicare and Medicaid funding continues to be an issue of uncertainty that requires legislative involvement.

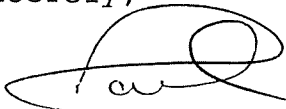
The Human Resources Committee will be hearing the report of the AMHI Oversight Committee on Tuesday, June 13. We expect that it will be necessary to meet frequently during the summer; however, we will not be able to discuss with the Human Resources Committee the manner of the Committee's involvement over the summer until we know the recommendations of the AMHI Oversight Committee. After that meeting we will be able to provide additional information regarding the number of members and meetings that will be necessary to accomplish this task.

## 2. ELDERLY SERVICES STUDY COMMISSION

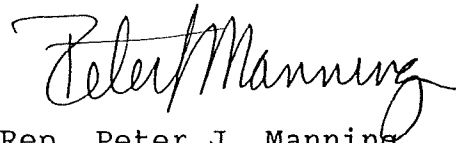
The Joint Standing Committee on Human Resources also has a strong interest in L.D. 747, RESOLVE, Establishing a Commission to Study the Level of Services for Maine's Elderly Citizens (copy attached). This bill is currently on the Appropriations Table. It establishes a study commission with 15 members (including 3 legislators) and authorizes the study commission to request legislative staffing. While we believe this study to be extremely important, in light of the gravity and immediacy of the mental health issues, we must list the L.D. 747 study as our second priority.

The Committee is also reporting out legislation relating to health care financing (L.D. 920) which recommends the establishment of a study commission relating to health planning and deregulation of ambulatory health services. This study commission has three legislative members; however, staffing will be provided by the Maine Health Care Finance Commission.

Sincerely,



Sen. N. Paul Gauvreau  
Senate Chair



Rep. Peter J. Manning  
House Chair

SENATE

BARRY J. HOBBS, DISTRICT 31, CHAIR  
N. PAUL GAUVREAU, DISTRICT 23  
MURIEL D. HOLLOWAY, DISTRICT 20

PEGGY REINSCH, LEGISLATIVE ANALYST  
TODD BURROWES, LEGISLATIVE ANALYST  
PAULA ASHTON, COMMITTEE CLERK



HOUSE

PATRICK E. PARADIS, AUGUSTA, CHAIR  
CONSTANCE D. COTE, AUBURN  
GERARD P. CONLEY, JR., PORTLAND  
PATRICIA M. STEVENS, BANGOR  
CUSHMAN D. ANTHONY, SOUTH PORTLAND  
SUSAN FARNSWORTH, HALLOWELL  
MARY H. MACBRIDE, PRESQUE ISLE  
DANA C. HANLEY, PARIS  
PETER G. HASTINGS, FRYEBURG  
JOHN H. RICHARDS, HAMPDEN

STATE OF MAINE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
COMMITTEE ON JUDICIARY

June 12, 1989

Honorable Charles P. Pray, President of the Senate  
Honorable John L. Martin, Speaker of the House  
114th Legislature  
Maine State Legislature

Re: Judiciary Committee Study Request


Dear President Pray and Speaker Martin:

The Joint Standing Committee on Judiciary is submitting the attached study request for Legislative Council approval.

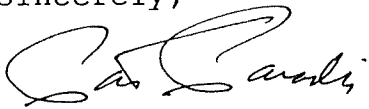
The Council approved our request to carry over LD 1010, AN ACT Concerning the Right to Die so that we may spend more time on and involve experts while we examine the issue of termination of medical treatment, hydration and nutrition.

Please contact us if the attached study request does not provide all the information you need.

Thank you for your consideration.

  
Sen. Barry J. Hobbs  
Senate Chair

Sincerely,

  
Rep. Patrick E. Paradis  
House Chair

attachment

3566m



**COMMITTEE:** JUDICIARY

**STUDY REQUEST:** Termination of Life Support Services

**SOURCE:** This study will provide recommendations on which the Judiciary Committee can base its deliberations on LD 1010, AN ACT Concerning the Right to Die.

**STUDY GROUP:** Full Judiciary Committee

**FIRST MEETING:** To be held no later than 9/1/89.

**STUDY SUBJECT:** The central issue the Committee will examine is the appropriate forum in which to make decisions concerning the termination of medical treatment, extraordinary or otherwise, hydration and nutrition for incapacitated persons.

**SPECIFIC QUESTIONS TO BE EXAMINED:**

1. Is the Probate Code the appropriate forum to make termination decisions? Is the Superior Court a better forum?
2. Does the Probate Code need revision to adequately address the issue of termination of medical treatment, hydration and nutrition?
3. Does the "living wills" legislation require revision to adequately address the issue of termination of hydration and nutrition?

**SPECIAL TASKS TO BE UNDERTAKEN:** The Committee may:

1. Review current statutes and case law to determine current status of who may make termination decisions; which decisions may be made; and under what circumstances;
2. Hold 4 public hearings in Augusta;

3. Hold informational sessions for discussions with:

- A. Probate judges
- B. Probate attorneys
- C. Legal experts in the fields of guardianship, living wills, and termination of medical treatment, hydration or nutrition;

4. Conduct, summarize and analyze the results of a literature search on termination of medical treatment, hydration and nutrition; and

5. Determine and summarize the statutes and case law in selected states.

**STAFFING:**

The Committee shall request staffing assistance from the Legislative Council.

**COMPENSATION:**

The Committee members shall receive reimbursement for travel and other necessary expenses and the legislative per diem as defined in the Maine Revised Statutes, Title 3, section 2, for each day's attendance at the Committee meetings.

**REPORT:**

The Committee may produce a written report of findings and recommendations, including any suggested legislation, to be submitted to the full Judiciary Committee no later than December 1, 1989.

SENATE

DONALD E. ESTY, JR., DISTRICT 28, CHAIR  
ZACHARY E. MATTHEWS, DISTRICT 13  
R. PETER WHITMORE, DISTRICT 22

GILBERT BREWER, LEGISLATIVE ANALYST  
MOLLY PITCHER, COMMITTEE CLERK



HOUSE

EDWARD A. MCHENRY, MADAWASKA, CHAIR  
ANTONIO J. TAMMARO, BAILEYVILLE  
RICHARD P. RUHLIN, BREWER  
ANNE M. RAND, PORTLAND  
M. IDA LUTHER, MEXICO  
ELDEN MCKEEN, WINDHAM  
EDWARD L. PINEAU, JAY  
GARY W. REED, FALMOUTH  
JEFFREY H. BUTLAND, CUMBERLAND  
JOHN S. McCORMICK, JR., ROCKPORT

STATE OF MAINE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
COMMITTEE ON LABOR

June 12, 1989

Hon. John L. Martin, Chair  
Legislative Council  
Augusta, Maine 04333

Dear Speaker Martin:

On behalf of the Joint Standing Committee on Labor, please find enclosed our request to the Legislative Council to authorize a study to recodify Title 26 of the Maine Revised Statutes. As requested, we have prioritized the potential studies in which the Labor Committee may be involved and have arrived at the following list (#1 being our highest priority study):

- |                                |                 |
|--------------------------------|-----------------|
| 1. Employment of Minors        | L.D. 1550       |
| 2. Recodification of Title 26  | Council request |
| 3. Professional Strikebreakers | L.D. 715.       |

Our priorities were arrived at under the assumption that one or more of the several strikebreaker measures being considered by the Legislature will be enacted and signed into law by the Governor. Thank you for your consideration of these requests.

Sincerely,

A handwritten signature in dark ink, reading "Donald Esty, Jr." in a cursive style.

Sen. Donald E. Esty, Jr.  
Senate Chair

A handwritten signature in dark ink, reading "Edward A. McHenry" in a cursive style.

Rep. Edward A. McHenry  
House Chair

## LABOR COMMITTEE STUDY REQUEST

### I. Membership

The study will be performed by a subcommittee of the Labor Committee, consisting of 5 members appointed by the chairs of the Labor Committee. Members shall receive the legislative per diem for each day's attendance at meetings and reimbursement for expenses.

### II. Subject of Study

In conducted their recent review of the Department of Labor, the Joint Standing Committee on Audit & Program Review became aware of the archaic language and uncoordinated structure of Title 26, which hindered their efforts to understand the laws governing the Department of Labor. The Audit & Program Review Committee has requested that the Labor Committee undertake a study to recodify the Maine Revised Statutes, Title 26. Title 26 contains most of the state statutes related to labor. The purpose of the Labor Committee Committee's study would be to recodify Title 26.

The subcommittee would meet 3-5 times over the summer and fall with one additional full committee meeting to review proposed revisions of Title 26 that would be prepared by legislative staff. We anticipate that various interest groups and the Department of Labor will be intimately involved in reviewing proposed revisions on a formalized basis.

### III. Staffing

The study would require staff assistance from the Office of Policy and Legal Analysis and the Office of Revisor of Statutes.

### IV. Report

The subcommittee will provide a report describing their activities and submit suggested legislation to recodify Title 26. The subcommittee will attempt to complete the recodification process by December 1st, 1989. The subcommittee may not be able to meet this target deadline due to the amount of redrafting necessary to correctly rewrite the current Title 26. Given the experience of recent recodification efforts in the Legislature, we would prefer that the subcommittee wait to deliver a finished product to the Legislature. If the study is not completed by December 1st, 1989, the Labor Committee would request an extension of the study to ensure that a completed draft is available for the First Regular Session of the 115th Legislature.

114th LEGISLATURE  
STUDY COMMISSIONS AND REQUESTS  
AS OF JUNE 10, 1989

COMMISSION/STUDY

MEMBERS

CHAIR

STAFF

FISCAL NOTE

Aging, Retirement &  
Veterans

NO REQUESTS PENDING

Corrections  
(Jt. Select)

NO REQUESTS PENDING

COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
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Agriculture

COUNCIL STUDY REQUESTS

Agricultural Marketing & Bargaining Act	5	Leg.		
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STATUTORY STUDIES UNDER CONSIDERATION

Commission for Farmland Preservation (LD 286)	17 (4 Legislators)	Members elect*	Dept. Agriculture Leg. Council*	\$24,100
Commission to Study the Creation of a Statewide Horse Council (LD 1221)	9 (4 Legislators)	Pres/Spkr to appoint	Leg. Council	\$ 5,925

COMMITTEE

COMMISSION/STUDY

MEMBERS

CHAIR

STAFF

FISCAL NOTE

Appropriations &  
Financial Affairs

STATUTORY STUDIES UNDER CONSIDERATION

Commission on State Finance

9  
4 legislators;  
Director, OFPR

Members elect

New position

\$250,000 FY 90  
\$100,000 FY 91

COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
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Banking & Insurance

COUNCIL STUDY REQUESTS

Study of Current Operation of State Guarantee Funds (Ch. 67, P.L. 1989);	13	Leg.	Leg. Council	
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STATUTORY STUDIES UNDER CONSIDERATION

Special Study Commission on Workers' Compensation Insurance (LD 1320)	9 All B & I	Not specified	Leg. Council	\$28,340
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STATUTORY STUDIES PREVIOUSLY AUTHORIZED

Study of Uninsured Motorists Data (29 MRSA @ 790)	?	?	Leg. Council/ OPLA	
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COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
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Business Legislation

COUNCIL STUDY REQUESTS

Third-Party Prescription Program	5	(Chairs)	Leg. Council
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STATUTORY STUDIES UNDER CONSIDERATION

Commission to Study Real Estate Appraiser Certification and Licensing (LD 1491)	9 No legislators; All gubernatorial appointments	Governor	Dept. Prof & Finan Reg.
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Commission to Study the Regulation of Welders (LD 109)	10 All Gov	DOL	\$ 3,500
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COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
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Education

COUNCIL STUDY REQUESTS

Home Schools	Subcommittee but #s not specified	Not specified	Leg. Council
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STATUTORY STUDIES UNDER CONSIDERATION

Special Commission to Study Instructional Time in Schools (LD 175)	15 (5 legislators) All Leg. apptmnts.	Members elect*	DECS; Leg. Council	\$10,500
Blue Ribbon Task Force to Promote Equity of Opportunity for Women in the Public School System (LD 1034)	19 (6 legislators)*	Members elect* chair & co-chair	Contract	\$50,000
School Organization Study Committee (LD 1469)	12 (3 legislators)	Members elect*	No provision	\$ 6,440
Special Commission to Study and Evaluate the Status of Education Reform in Maine (LD 1564)	19 (4 legislators)	Members elect* (co-chairs)	Hire consult- ants; Leg. Council	28,1200 FY 90 37,1100 FY 91

NOTE: LD 1550, Commission to Study Employment of Minors calls for 3  
Education Committee Members

COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
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Energy/Nat. Resources

STATUTORY STUDIES UNDER CONSIDERATION

Commission to Evaluate the Structure and Function of the BEP (LD 722) COMMITTEE PRIORITY	7 All Legislators	Members elect	Leg. Council	\$12,595
Study to Design a System of Ecological Reserves in the State (LD 1241)	N/A (Steering Committee)	N/A	SPO	\$46,000 FY 90 \$60,500 FY 91
Commission to Study the Feasibility of Establishing a Piscataqua River Basin Compact Between Maine and New Hampshire (LD 1370)	11 3 Legislators	Members elect	DOC	\$ 6,590
Study of the Laws and Rules Regulating Campgrounds (LD 1454)	N/A	N/A	DOC	---

See also LD 249, Legislative Study Commission on Growth Management & Tax Policy

COMMITTEE

COMMISSION/STUDY

MEMBERS

CHAIR

STAFF

FISCAL NOTE

Fisheries & Wildlife

COUNCIL STUDY REQUESTS

None

STATUTORY STUDIES PREVIOUSLY AUTHORIZED

Whitewater Rafting Advisory  
Committee  
(12 MRSA @ 7369-A)

6  
(4 Legislators)

Not specified  
(has been non-  
legislator)

DOC;  
Leg. Council  
(by tradition, not  
statute)

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COMMITTEE

COMMISSION/STUDY

MEMBERS

CHAIR

STAFF

FISCAL NOTE

Housing & Economic  
Development

STATUTORY STUDIES UNDER CONSIDERATION

Commission to Study the Establishment of a State and Tribal Partnership to Encourage Economic Development (LD 1701)	12 (3 Legislators)	Members select	Hire (Limited period)	\$34,750
Commission to Study Foreign Ownership and Investment in Maine Land and Business (LD 1012)	10 (5 legislators)	Members select (chair & vice- chair)	Leg. Council	

Note: LD 249, Legislative Study Commission on Growth Management and Tax Policy  
has members from this Committee.

COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
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Human Resources

#### COUNCIL STUDY REQUESTS

Review of State Mental  
Health Services

Not specified  
until AMHI  
Oversight Comm  
reports

Not specified

Leg. Council

#### STATUTORY STUDIES UNDER CONSIDERATION

Commission to Study the Level of  
Services for Maine's Elderly  
Citizens  
(LD 747)

15  
3 legislators

Pres/Spkr to  
appoint from members

Leg. Council

\$14,675

Health Planning & Deregulation of  
Ambulatory Health Services  
(LD 920)

?  
(3 Legislators)

Me. Health Care Finance  
Comm.

COMMITTEE

COMMISSION/STUDY

MEMBERS

CHAIR

STAFF

FISCAL NOTE

Judiciary

COUNCIL STUDY REQUESTS

An Act Concerning the Right to Die  
(LD 1010)  
CARRYOVER APPROVED

13

Leg.

Leg. Council

COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
Labor					

#### COUNCIL STUDY REQUESTS

Recodification of Title 26	5 Legislators	Not specified	Leg. Council
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#### STATUTORY STUDIES UNDER CONSIDERATION

Commission to Study the Use of Professional Strikebreakers (LD 715)	6 2 Legislators	Retired judge*	Leg. Council	\$ 5,060
Commission to Study the Employment of Minors (LD 1550)	9 6 Legislators	Pres/Spkr to select	Leg. Council	\$ 7,180

\*If active retired could not serve as member, only as advisory



COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
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Legal Affairs

STATUTORY STUDIES UNDER CONSIDERATION

Commission to Study Public Financing of State Elections (LD 887)	13 (6 Legislators or 7 if Chair is a Legislator)	Pres/Spkr to appoint	Leg. Council	\$15,360
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STATUTORY STUDY PREVIOUSLY AUTHORIZED

Commission to Examine Rent Increase & Other Issues Concerning Mobile Homes (P&SL 1987, c. 139) (LD 630)	13 (6 Legislators)	Rep. Priest	Atty General; Leg. Council
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COMMITTEE

COMMISSION/STUDY

MEMBERS

CHAIR

STAFF

FISCAL NOTE

Marine Resources

STATUTORY STUDIES UNDER CONSIDERATION

Commission to Study Crab Fishing  
in Maine  
(LD 1440)

8  
(3 Legislators)

Not specified

Leg. Council

\$ 5,000

COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
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State & Local Gov't

STATUTORY STUDIES UNDER CONSIDERATION

Commission to Study the Redistribution of County Functions (LD 817)	9 (All Legislators)	Not specified	Leg. Council	
Commission to Study the Preservation of Volunteer Ambulance Crews and Volunteer (LD 847)	12 (4 Legislators)	Members select	Leg. Council	\$ 6,920
Commission on New Standards of Fire Safety for Buildings Occupied by State Workers (LD 1645)	9 (2 Legislators)	Not specified	Leg. Council	\$ 5,000
Blue Ribbon Commission to Study the Establishment of a Cabinet-level Department of Children within State Government (LD 1666)	13 (All Legislators)	(Jt. Select Comm.)	Leg. Council (Jt. Select Comm.)	\$ 3,000 FY 90* \$ 3,000 FY 91*

\*Also transitional funding for the proposed  
Dept: \$195,000 FY; \$175,000 FY 91

Also see LD 1054, Advisory Committee to Update Maine Aviation Systems Plan

COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
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Taxation

STATUTORY STUDIES UNDER CONSIDERATION

Legislative Study Commission on Growth Management and Tax Policy (LD 244)	9 (All Legislators)	Members	Leg. Council	\$ 5,250
Taxpayers' Bill of Rights Commission (LD 1644)	7 (5 legislators)	Members	Leg. Council	\$ 5,800
Commission to Study Problems with Municipal Assessment, Valuation, and Collection of Property Taxes	9 5 legislators	Members elect	Leg. Council	\$ 7,150

See also LD 1546, Commission on State Finance

STATUTORY STUDIES PREVIOUSLY AUTHORIZED

Annual Review of Tax Expenditures (36 MRSA @ 198)	Full Committee	Committee Chairs	Leg. Council (OFPR)	\$ 1,300
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COMMITTEE	COMMISSION/STUDY	MEMBERS	CHAIR	STAFF	FISCAL NOTE
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Transportation

COUNCIL STUDY REQUESTS

Access to Camps  
(LD 1219 )  
CARRYOVER APPROVED

Leg. (S & LG Com)

Leg. Council

STATUTORY STUDIES UNDER CONSIDERATION

Commission to Study Town Super-  
vision of Private Roads  
(LD 1318)

7  
(5 Legislators)

Pres/Spkr  
to appoint

Leg. Council

\$ 3,200

COMMITTEE

COMMISSION/STUDY

MEMBERS

CHAIR

STAFF

FISCAL NOTE

Utilities

STATUTORY STUDIES UNDER CONSIDERATION

Commission to Study the Possibility  
of Including the Cost of Environmen-  
tal Impacts in the Least-cost  
Planning Process of Electrical  
Utilities and the Public Utilities  
Commission  
(LD 306)

13  
(5 Legislators)

Members elect a  
legislative member

Leg. Council

\$ 7,250