



114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1546

H.P. 1113

House of Representatives, May 8, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

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EDWIN H. PERT, Clerk

Presented by Representative CARTER of Winslow. Cosponsored by Representative McGOWAN of Canaan, Representative POULIOT of Lewiston and Senator PEARSON of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-NINE

An Act to Establish a Commission on State Finance.

(AFTER DEADLINE)

(EMERGENCY)

Emergency preamble. Whereas, Acts of the Legislature do not 1 become effective until 90 days after adjournment unless enacted 3 as emergencies; and 5 Whereas, the Legislature and the executive branch are in need of regular objective projections of state revenues and 7 projections of fiscal year surplus or deficit figures; and 9 Whereas, such projections are needed immediately to ensure coordinated public policy decisions and for informed decisions on spending choices during the pending legislative session; and 11 Whereas, this legislation provides for a commission to make 13 these necessary projections and unless this legislation takes effect immediately, the commission will not be able to undertake 15 its work in a timely manner; and 17 Whereas, in the judgment of the Legislature, these facts 19 create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately 21 necessary for the preservation of the public peace, health and safety; now, therefore, 23 Be it enacted by the People of the State of Maine as follows: 25 Sec. 1. 3 MRSA c. 26 is enacted to read: 27 CHAPTER 26 29 COMMISSION ON STATE FINANCE 31 <u>§561. Establishment; composition</u> 33 The Maine Commission on State Finance as authorized by Title 5, section 12004-I and in this chapter called the "commission" 35 shall be composed of 9 members, as follows: 37 1. Legislators. The Senate and House of Representatives chairs of the joint standing committee of the Legislature having 39 jurisdiction over appropriations and financial affairs and the Senate and House of Representatives chairs of the joint standing 41 committee of the Legislature having jurisdiction over taxation <u>matters;</u> 43 2. Legislative fiscal officer. The Director of the Office 45 of Fiscal and Program Review; and 47 3. Executive officers. The Commissioner of Finance, the State Budget Officer, the State Tax Assessor and the Director of 49 the State Planning Office.

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1 §562. Organization; meetings; legislative members 3 The commission shall be organized as follows. 5 1. Chairs. The members of the commission shall elect a chair and a vice-chair of the commission. 7 9 2. Meeting requirement. The commission shall not conduct any meeting unless at least one legislative member from each 11 House is present. 13 3. First meeting; subsequent meetings. The commission shall hold its first meeting no later than 30 days after the 15 effective date of this chapter and shall meet at the call of the chair or at the request of a majority of the members. 17 4. Legislative members. Members of the Legislature serving as members of the commission shall be considered a joint 19 committee of the 2 Houses of the Legislature constituting and 21 acting as an investigating committee, and as such shall have the powers and duties imposed on such committees by the Joint Rules of the Senate and House of Representatives. 23 25 §563. Open meetings; executive sessions 27 All meetings of the commission shall be open to the public, except that the commission may meet in executive session as 29 permitted under Title 1, section 405. 31 §564. Powers 33 In carrying out its duties and responsibilities under section 565, the commission shall have the following powers: 35 1. Examination. To examine any document, report or data, 37 including computer programs and data files, held by any state agency. All state agencies shall cooperate with the commission 39 and its employees in any such examination; 41 2. Meet. To meet at such times and places as it considers proper; 43 3. Hearings. As a body or, upon a majority vote of the commission, as a committee composed of 2 or more members with at 45 least one legislative member, to hold hearings at such times and 47 places as it considers proper; 49 4. Subpoenas. Upon a majority vote of the commission, to issue subpoenas to compel the attendance of witnesses and the production of books, records, papers, accounts, reports and 51 documents;

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5. Oaths. To administer oaths; and

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	6. Contracts. To contract with such other agencies or
5	individuals, public or private, as it deems necessary, to provide
	or prepare such services, facilities, studies and reports to the
7	commission as will assist it in carrying out its duties and
	<u>responsibilities.</u>
9	
	§565. Forecasts of revenues, and surplus or deficit
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	In order for the Legislature and the Governor to establish
13	<u>an appropriate, timely and coordinated fiscal policy for the</u>
	<u>State, the commission shall provide the Legislature, the</u>
15	<u>Governor, and the public with forecasts of state revenues and</u>
	<u>current year surplus or deficit at least 4 times each year.</u>
17	
	<u>§566. Staff support</u>
19	
	<u>The Office of Fiscal and Program Review shall be the</u>
21	<u>secretariat of the commission.</u>
23	<u>§567. Compensation</u>
25	The members of the commission who are legislators shall
	receive the legislative per diem, as defined in Title 3, section
27	2, for days in attendance at commission meetings. If the
	commission meets on a day when the Legislature is in session,
29	legislative members shall receive only one legislative per diem
2.1	on that day. All members shall receive reimbursement for all
31	necessary expenses upon application to the Executive Director of
33	the Legislative Council.
33	Sec. 2. 5 MRSA §12004-I, sub-§75-A is enacted to read:
35	Sec. 2. 5 MinoA 912004-1, Sub-975-A is enacted to read:
	<u> 75-A. State Maine Commission Legislative 3 MRSA §561</u>
37	
57	<u>Government</u> on State Finance per diem <u>for Legislative</u>
39	
23	members only-
41	<u>expenses only</u> <u>for others</u>
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10	Emergency clause. In view of the emergency cited in the
45	preamble, this Act shall take effect when approved.
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47	STATEMENT OF FACT
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49	The purpose of this bill is to create the Maine Commission
	on State Finance. The commission will be comprised of 9 members
51	from the legislative and executive branches and is directed to

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1 provide quarterly forecasts of state revenues and projected state surpluses or deficits.

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