

# MAINE STATE LEGISLATURE

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11018

L.D. 1645

DATE: 5.31.05

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CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE
SENATE
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 610, L.D. 1645, "Resolve, To Establish a Blue Ribbon Commission To Study Maine's Homeland Security Needs"

Amend the resolve by striking out the title and substituting the following:

'Resolve, To Establish the Task Force To Study Maine's Homeland Security Needs'

Further amend the resolve by striking out everything after the title and before the summary and inserting in its place the following:

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

Whereas, it is appropriate and timely to create a task force to receive the Report of the Governor's Homeland Security Task Force and to involve and educate the Legislature and the public regarding the issues of preparedness and emergency response; and

Whereas, it is also important to identify the State's needs and resource gaps regarding homeland security and communicate these to our congressional delegation; and

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

COMMITTEE AMENDMENT

2       **Sec. 1. Task force established. Resolved:** That the Task Force to  
Study Maine's Homeland Security Needs, referred to in this  
4       resolve as "the task force," is established; and be it further

6       **Sec. 2. Task force membership. Resolved:** That the task force  
consists of 11 members appointed as follows:

8           1. Two Senators, who may not be members of the same  
political party, appointed by the President of the Senate;

10           2. Four members of the House of Representatives, who may  
12       not all be members of the same political party, appointed by the  
Speaker of the House; and

14           3. Five members representing the public interest who are  
16       not directly involved in emergency preparedness or homeland  
security, one appointed by the President of the Senate, one  
18       appointed by the Speaker of the House of Representatives and 3  
members appointed by the Governor; and be it further

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

26       **Sec. 4. Appointments; convening of task force. Resolved:** That all  
appointments must be made no later than 30 days following the  
28       effective date of this resolve. The appointing authorities shall  
notify the Executive Director of the Legislative Council once all  
30       appointments have been completed. Within 15 days after  
appointment of all members, the chairs shall call and convene the  
32       first meeting of the task force, which may be no later than  
August 1, 2005; and be it further

34       **Sec. 5. Duties. Resolved:** That the task force shall do the  
36       following:

38           1. Review Maine's homeland security needs in areas,  
including, but not limited to, law enforcement, emergency  
40       preparedness, public health, port and airport security and  
sensitive-target security;

42           2. Review the current state of homeland security  
44       preparedness, spending priorities and any gap between available  
resources and identified needs in such areas as personnel,  
46       equipment and training, including review of the impact of Maine  
National Guard and Reserve deployments abroad on Maine's  
48       emergency preparedness;

1.6.9 3. As part of its review of needs and preparedness, receive  
2 a report from the Governor's Homeland Security Task Force on the  
vision and plans identified by that task force and the status of  
4 those plans as of May 2005;

6 4. Hold at least 2 of its meetings outside of Augusta and  
provide an opportunity for public comment at those meetings;

8 5. Review ways to improve the flow of information to the  
10 Legislature and the general public about Maine's homeland  
security needs and preparedness; and

12 6. Determine whether and how State Government can better  
14 assist the members of the congressional delegation in advocating  
for Maine's homeland security needs with the Federal Government;  
16 and be it further

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

22 **Sec. 7. Compensation. Resolved:** That the legislative members  
of the task force are entitled to receive the legislative per  
24 diem, as defined in the Maine Revised Statutes, Title 3, section  
2, and reimbursement for travel and other necessary expenses  
26 related to their attendance at authorized meetings of the task  
force. All other members not otherwise compensated by their  
28 employers or other entities that they represent are entitled to  
receive reimbursement of necessary expenses and, upon a  
30 demonstration of financial hardship, a per diem equal to the  
legislative per diem for attendance at authorized meetings of the  
32 task force; and be it further

34 **Sec. 8. Report. Resolved:** That, no later than December 7,  
2005, the task force shall submit an interim report that includes  
36 findings and recommendations, including suggested legislation, to  
the Second Regular Session of the 122nd Legislature. The task  
38 force is authorized to introduce legislation related to its  
report to the Second Regular Session of the 122nd Legislature at  
40 the time of submission of its report. No later than November 1,  
2006, the task force shall submit a final report that includes  
42 its findings and recommendations, including suggested  
legislation, to the First Regular Session of the 123rd  
44 Legislature. The task force is authorized to introduce  
legislation related to its report to the First Regular Session of  
46 the 123rd Legislature at the time of submission of its report;  
and be it further

48 **Sec. 9. Extension. Resolved:** That, if the task force requires  
50 a limited extension of time to complete its interim or

no. 9

COMMITTEE AMENDMENT "A" to S.P. 610, L.D. 1645

final study and make its report, it may apply to the Legislative Council, which may grant an extension; and be it further

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**Sec. 10. Task force budget. Resolved:** That the chairs of the task force, with assistance from the task force staff, shall administer the task force's budget. Within 10 days after its first meeting, the task force shall present a work plan and proposed budget to the Legislative Council for its approval. The task force may not incur expenses that would result in the task force's exceeding its approved budget. Upon request from the task force, the Executive Director of the Legislative Council shall promptly provide the task force chairs and staff with a status report on the task force budget, expenditures incurred and paid and available funds.

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

**SUMMARY**

This amendment strikes the resolve and replaces the blue ribbon commission with the Task Force to Study Maine's Homeland Security Needs. The amendment also changes the membership and redefines the duties. The task force is composed of 11 members: 6 Legislators and 5 members of the public who are not directly involved in homeland security or emergency preparedness. The task force shall review needs and preparedness, using a report from the Governor's Homeland Security Task Force as a beginning point. The task force shall also look at ways to improve communications with the Legislature and the public and consider ways to help the congressional delegation explain Maine's needs on the federal level. The task force shall hold at least 2 of its meetings outside Augusta to allow for public comment in different areas of the State. The amendment also changes the staffing and funding from the Maine Emergency Management Agency to the Legislature.

**FISCAL NOTE REQUIRED**  
(See attached)

**COMMITTEE AMENDMENT**



# 122nd MAINE LEGISLATURE

LD 1645

LR 2206(02)

**Resolve, To Establish a Blue Ribbon Commission To Study Maine's Homeland Security Needs**

**Fiscal Note for Bill as Amended by Committee Amendment "A"**

**Committee: Criminal Justice and Public Safety**

**Fiscal Note Required: Yes**

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## Fiscal Note

Current Costs - Legislative Study

### Legislative Study

The projected costs to fund the general operating expenses of this study are \$5,320 in fiscal year 2005-06 and \$5,320 in fiscal year 2006-07. The Legislature's current budget includes \$30,000 in fiscal year 2005-06 and \$20,000 in fiscal year 2006-07 for legislative studies. Whether the amounts are sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature.