

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 855

H.P. 606

House of Representatives, March 5, 2013

Resolve, To Create a Study Group To Research the Possibility of a Virtual Legislature

(EMERGENCY)

Reference to the Committee on State and Local Government suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CASAVANT of Biddeford.
Cosponsored by Senator DUTREMBLE of York and
Representatives: CHENETTE of Saco, CHIPMAN of Portland, DeCHANT of Bath, KRUGER
of Thomaston, NUTTING of Oakland, PEOPLES of Westbrook, ROCHELO of Biddeford.

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

3 **Whereas,** this resolve establishes the Task Force To Study Issues Associated with
4 Implementation of a Virtual Legislature; and

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

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

12 **Sec. 1. Task force established. Resolved:** That the Task Force To Study Issues
13 Associated with Implementation of a Virtual Legislature, referred to in this resolve as
14 "the task force," is established; and be it further

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

17 1. Three members of the Senate appointed by the President of the Senate, including
18 members from each of the 2 parties holding the largest number of seats in the Legislature;

19 2. Four members of the House of Representatives appointed by the Speaker of the
20 House, including members from each of the 2 parties holding the largest number of seats
21 in the Legislature;

22 3. Two members of the public with technical expertise in the field of networked
23 telecommunications, such as teleconferencing, videoconferencing and web conferencing,
24 used in practical applications such as telemedicine or distance learning, one of whom is
25 appointed by the President of the Senate and one of whom is appointed by the Speaker of
26 the House;

27 4. Two members of the public appointed by the Governor;

28 5. The chair of the Right to Know Advisory Committee, or the chair's designee; and

29 6. The Attorney General, or the Attorney General's designee; and be it further

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

33 **Sec. 4. Appointments; convening of task force. Resolved:** That all
34 appointments must be made no later than 30 days following the effective date of this
35 resolve. The appointing authorities shall notify the Executive Director of the Legislative
36 Council once all appointments have been completed. After appointment of all members,

1 the chairs shall call and convene the first meeting of the task force. If 30 days or more
2 after the effective date of this resolve a majority of but not all appointments have been
3 made, the chairs may request authority and the Legislative Council may grant authority
4 for the task force to meet and conduct its business; and be it further

5 **Sec. 5. Duties. Resolved:** That the task force shall study issues associated with
6 implementation of a virtual Legislature, including but not limited to:

- 7 1. Technical procedures to ensure the identity of participating legislative members;
- 8 2. Legal ramifications associated with virtual legal presence rather than physical
9 legal presence;
- 10 3. Existing laws governing freedom of access; and
- 11 4. Methods of ensuring security of the legislative process and the virtual
12 Legislature's website.

13 In reviewing the issues, the task force shall specifically examine the methods by
14 which other states, including but not limited to Alaska, successfully integrate a virtual
15 aspect into their legislative activities, and shall consider using another state's successful
16 model as a template; and be it further

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

19 **Sec. 7. Report. Resolved:** That, no later than December 4, 2013, the task force
20 shall submit a report that includes its findings and recommendations, including suggested
21 legislation, for presentation to the Second Regular Session of the 126th Legislature.

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

24 SUMMARY

25 This resolve establishes the Task Force To Study Issues Associated with
26 Implementation of a Virtual Legislature.