

# MAINE STATE LEGISLATURE

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L.D. 2

Date: 3-10-21

(Filing No. H-36)

MINORITY  
STATE AND LOCAL GOVERNMENT

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "B" to H.P. 5, L.D. 2, "An Act To Require the Inclusion of Racial Impact Statements in the Legislative Process"

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

'An Act To Require the Inclusion of Population Impact Statements in the Legislative Process'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 2 MRSA c. 7 is enacted to read:

CHAPTER 7

POPULATION IMPACT STATEMENTS

§201. Information regarding population impact statements

1. Definitions. As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Legislative committee" means a joint standing committee of the Legislature, a joint select committee of the Legislature, a task force, commission or council or any other committee established by the Legislature and composed wholly or partly of Legislators for the purpose of conducting legislative business.

B. "Population impact statement" means an assessment of the potential impact that legislation could have on populations residing within the borders of the State.

C. "State agency" means a state department, agency, office, board or commission or a quasi-independent agency, board, commission, authority or institution.

2. Population impact statement information. Upon the request of a legislative committee, by a 2/3 vote of the members of the committee, a commissioner or director of

**COMMITTEE AMENDMENT**

ROFS

1 a state agency or the commissioner's or director's designee shall provide to that legislative  
2 committee data, analysis and other information necessary to prepare a population impact  
3 statement for legislation before that legislative committee or legislation being prepared by  
4 that legislative committee. The population impact statement information must be provided  
5 in a timely manner and compiled and analyzed within existing resources.

6 **Sec. 2. Implementation of population impact statement process pilot**  
7 **project.** The Legislative Council or its delegate shall perform a study to determine the  
8 best method to establish and implement a system of using population impact statements for  
9 legislation. For purposes of this section, "population impact statement" means an  
10 assessment of the potential impact that legislation could have on populations residing  
11 within the borders of the State.

12 **1. Study.** In making the determination required by this section, the Legislative Council  
13 shall study and consider:

14 A. What has been done in other states to accomplish the development and use of  
15 population impact statements;

16 B. What data, analysis or other information is needed to produce a population impact  
17 statement and what the best source of that data, analysis or other information is, such  
18 as, but not limited to, an executive branch department or agency;

19 C. Specific policy areas that would benefit from the use of population impact  
20 statements, including, but not limited to, education; health care; employment, including  
21 wages; housing, including home ownership; and criminal justice and public safety;

22 D. The costs of implementing the use of population impact statements, either on a  
23 limited basis, such as for certain committees, policy areas or instruments, such as  
24 committee or floor amendments, or for all joint standing committees and all legislation;  
25 and

26 E. Anything else the Legislative Council considers relevant.

27 **2. Findings; recommendations for limited pilot project.** The Legislative Council  
28 shall complete its study under subsection 1 no later than November 1, 2021 and compile a  
29 report with its findings. Based on the information gathered pursuant to subsection 1 and  
30 its findings, the Legislative Council shall implement, no later than December 1, 2021, a  
31 pilot project for the limited use of population impact statements in the Second Regular  
32 Session of the 130th Legislature.

33 In determining the scope of the pilot project, the Legislative Council shall consider:

34 A. Which joint standing committees will participate in the pilot project, which must  
35 be at least one but not more than 4;

36 B. What legislation, such as bills, committee amendments and floor amendments, will  
37 be subject to population impact statement review;

38 C. What standards will be used to review legislation under paragraph B;

39 D. What resources or adjustments to the committee process will be needed to facilitate  
40 the inclusion of population impact statements;

41 E. The cost required to implement such a pilot project;

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COMMITTEE AMENDMENT "B" to H.P. 5, L.D. 2

- 1 F. Information or other resources needed to compile population impact statements; and
- 2 G. Any other information relevant to the Legislative Council.

3 **3. Report by pilot project committees.** The chairs of each joint standing committee  
4 that was a part of the pilot project established pursuant to subsection 2 shall provide a report  
5 to the Legislative Council no later than 30 days following adjournment of the Second  
6 Regular Session of the 130th Legislature. The report must include:

- 7 A. The number of pieces of legislation and the types of legislation for which population  
8 impact statements were requested and used;
- 9 B. The manner in which the population impact statements were obtained or developed;
- 10 C. The amount of time, both as an average and individually, needed to develop each  
11 population impact statement; and
- 12 D. The cost, if any, to the joint standing committee from obtaining or developing  
13 population impact statements.

14 Based on the report of the joint standing committees, the Legislative Council shall  
15 determine whether to expand or eliminate the use of population impact statements and  
16 make that recommendation to the Legislative Council of the 131st Legislature no later than  
17 December 15, 2022.'

18 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
19 number to read consecutively.

20 **SUMMARY**

21 This amendment, which is the minority report of the committee, requires the study and  
22 implementation of a pilot program to assess the impact of legislation on populations  
23 residing within the borders of the State. The amendment requires a 2/3 vote of a committee  
24 to request data, analysis and other information from a state agency. The amendment  
25 requires a state agency to comply with such a request within existing resources.

26 **FISCAL NOTE REQUIRED**

27 (See attached)



# 130th MAINE LEGISLATURE

LD 2

LR 58(03)

**An Act To Require the Inclusion of Racial Impact Statements in the Legislative Process**

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

*BCH-31)*

**Committee: State and Local Government**

**Fiscal Note Required: Yes**

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## Fiscal Note

### Legislative Cost/Study

#### Legislative Cost/Study

The general operating expenses of this study are projected to be \$5,250 in fiscal year 2021-22. The Legislature's proposed budget for the 2022-2023 biennium includes \$10,000 in fiscal year 2021-22 and \$10,000 in fiscal year 2022-23 for the costs of legislative studies, as well as \$21,260 of balances carried over from prior years for this purpose. Whether these amounts are sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature. The additional costs of providing staffing assistance to the study during the interim can be absorbed utilizing existing budgeted staff resources.

#### Fiscal Detail and Notes

The additional costs to executive branch agencies are assumed to be absorbed within existing budgeted resources.