

MAINE STATE LEGISLATURE

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Date: 02/17/21

(Filing No. S- 199)

STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
SENATE
130TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 341, L.D. 1073, "Resolve, Establishing the Commission To Research Effective Strategies and Efficiencies of Legislatures"

Amend the resolve by striking out everything after the title and inserting 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, the effective and efficient functioning of the Legislature is essential to the health, safety and welfare of the citizens and the economy of the State; and

Whereas, the early adjournment of the 129th Legislature and the significant adjustments to the operation of the 130th Legislature required in response to the novel coronavirus disease 2019, referred to as COVID-19, provide the Legislature with new information and a unique opportunity to reevaluate the procedures, policies and practices that have historically governed the operation of the Legislature; and

Whereas, the passage of time will dilute the usefulness of this new information and will result in missed opportunities to improve the functioning of the Legislature; 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

Sec. 1. Commission established. Resolved: That the Commission To Research Effective Strategies and Efficiencies of Legislatures, referred to in this resolve as "the commission," is established.

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 16 members appointed as follows:

- 1. Four members of the Senate appointed by the President of the Senate, 2 members from the party holding the largest number of seats in the Legislature and 2 from the party holding the 2nd largest number of seats in the Legislature;

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1 2. Four members of the House of Representatives appointed by the Speaker of the
2 House of Representatives, 2 members from the party holding the largest number of seats in
3 the Legislature and 2 members from the party holding the 2nd largest number of seats in
4 the Legislature;

5 3. One member of the Legislature without a party affiliation appointed by the Speaker
6 of the House of Representatives;

7 4. One member of a federally recognized Indian nation, tribe or band in the State
8 appointed by the Governor. The appointment of the member of a federally recognized
9 Indian nation, tribe or band in the State must be based on the unanimous joint
10 recommendation of the tribal governments of the Aroostook Band of Micmacs, the Houlton
11 Band of Maliseet Indians, the Passamaquoddy Tribe at Motahkomikuk, the
12 Passamaquoddy Tribe at Sipayik and the Penobscot Nation to the Governor, except that, if
13 the tribal governments do not make a unanimous joint recommendation within 20 days of
14 the effective date of this resolve, the Governor shall appoint a member of a federally
15 recognized Indian nation, tribe or band in the State and rotate the appointment among
16 members of each federally recognized Indian nation, tribe or band in the State;

17 5. One member appointed by the Governor to represent the executive branch;

18 6. One member appointed by the Chief Justice of the Supreme Judicial Court to
19 represent the judicial branch; and

20 7. Four members of the public, one appointed by the President of the Senate from the
21 party holding the largest number of seats in the Senate, one appointed by the Speaker of
22 the House of Representatives from the party holding the largest number of seats in the
23 House of Representatives, one appointed by the President of the Senate from the party
24 holding the 2nd largest number of seats in the Senate based on the recommendation of the
25 floor leader of that party and one appointed by the Speaker of the House of Representatives
26 from the party holding the 2nd largest number of seats in the House of Representatives
27 based on the recommendation of the floor leader of that party.

28 **Sec. 3. Chairs. Resolved:** That the first-named Senate member and the first-named
29 House of Representatives member shall serve as cochairs of the commission.

30 **Sec. 4. Appointments; convening of commission; number of meetings.**
31 **Resolved:** That all appointments must be made no later than 30 days following the
32 effective date of this resolve. The appointing authorities shall notify the Executive Director
33 of the Legislative Council once all appointments have been completed. After appointment
34 of all members, the cochairs shall call and convene the first meeting of the commission. If
35 30 days or more after the effective date of this resolve a majority of but not all appointments
36 have been made, the cochairs may request authority and the Legislative Council may grant
37 authority for the commission to meet and conduct its business. Notwithstanding Joint Rule
38 353, the commission shall meet at least 10 times and shall allow for remote participation
39 by residents of the State.

40 **Sec. 5. Duties. Resolved:** That the commission shall examine the operations of the
41 Legislature including:

- 42 1. The overall structure of the Legislature, including the number of Legislators;
43 2. The operation and role of the Legislative Council;

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LD 1073

LR 347(02)

Resolve, Establishing the Commission To Research Effective Strategies and Efficiencies of Legislatures

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-199)

Committee: State and Local Government

Fiscal Note Required: Yes

Fiscal Note

Legislative Cost/Study

Legislative Cost/Study

The general operating expenses of this study are projected to be \$4,750 in fiscal year 2021-22. The Legislature's 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

Any additional costs to the Governor's Office and to the Judicial Branch to serve on the Commission To Research Effective Strategies and Efficiencies of Legislatures are expected to be minor and can be absorbed within existing budgeted resources.