

# MAINE STATE LEGISLATURE

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**LEGISLATIVE COUNCIL  
AUGUST 22, 1995  
AGENDA**

**CALL TO ORDER**

**ROLL CALL**

**SUMMARY OF PREVIOUS COUNCIL MEETING**

Summary of July 31, 1995, Council Meeting

**EXECUTIVE DIRECTOR'S REPORT**

**REPORTS FROM COUNCIL COMMITTEES**

Personnel Committee

**OLD BUSINESS**

**NEW BUSINESS**

Item #1: Review of Policies Governing Payment of Per Diem During  
the Interim

Item #2: Concept Drafting and Related Efforts to Streamline the  
Legislative Process: Discussion

Item #3: Schedule for Council Review of Bill Requests for Second  
Regular Session: Review

**ANNOUNCEMENTS AND REMARKS**

**ADJOURNMENT**

SEN. JANE A. AMERO  
CHAIR

REP. ELIZABETH H. MITCHELL  
VICE-CHAIR



Lynn Randall  
Legislative Council Info.

JEFFREY H. BUTLAND  
R. LEO KIEFFER  
MARK W. LAWRENCE  
BEVERLY MINER BUSTIN

REP. DAN A. GWADOSKY  
REP. PAUL F. JACQUES  
REP. WALTER E. WHITCOMB  
REP. JOSEPH G. CARLETON, JR.

SARAH C. TUBBESING  
EXECUTIVE DIRECTOR

117th MAINE STATE LEGISLATURE

LEGISLATIVE COUNCIL

## MEETING SUMMARY

July 31, 1995

Approved August 21, 1995

### CALL TO ORDER

The Chair, Senator Amero, called the Council to order at 1:25 p.m. in the Legislative Council Chamber.

### ROLL CALL

Senators:	President Butland, Sen. Lawrence, Sen. Amero, Sen. Bustin Absent: Sen. Kieffer,
Representatives:	Rep. Jacques, Rep. Mitchell, Rep. Carleton Absent: Speaker Gwadosky, Rep. Whitcomb
Legislative Officers:	Sally Tubbessing, Executive Director, Legislative Council Lynn Randall, State Law Librarian John Wakefield, Director, Office of Fiscal and Program Review David Boulter, Director, Office of Policy and Legal Analysis Margaret Matheson, Revisor of Statutes May Ross, Secretary of the Senate Joseph Mayo, Clerk of the House

### SUMMARY OF JUNE COUNCIL MEETINGS

**Motion:** That the Summaries of the June 7 and June 30 Council meetings be accepted and placed on file (Motion by Rep. Jacques; secondly Rep. Carleton; unanimous).

## EXECUTIVE DIRECTOR'S REPORT

Sally Tubbesing brought the following items to Council members' attention:

- **Bills carried over to the Second Regular Session**

Ms. Tubbesing drew members' attention to the list in their packets and noted 101 bills had been carried over.

- **Interim Studies**

Again, Ms. Tubbesing drew members' attention to a list of all interim studies that will be staffed through the Council, as well as those studies that have legislative members, but have other staffing arrangements.

- **Legislative Budget Status as of June 30**

Ms. Tubbesing noted that while final figures were not yet available, it appeared that the legislative account would have a balance forward comprised of approximately \$339,000 in Personal Services and \$2,400 in Capital. She stated that she would prepare a complete summary for the August Council meeting.

No Council action was required on these items.

- **Cloture for Second Regular Session**

Ms. Tubbesing recommended that the Council set both the cloture date and its meeting dates for screening bill requests to give legislators as much notice as possible and to ensure that Council members set aside the dates.

In response to a question from the Chair, Sen. Amero, Margaret Matheson reviewed the schedule used in the past and noted that adoption of a similar schedule would yield the following for the current year:

Tuesday, October 2: Filing Deadline for Legislators and Departments

Sunday, October 22: Council Meeting to screen requests

Wednesday, October 25: Notification of Council's action to sponsors

Monday, October 30: Deadlines for a) Filing appeals and b) Filing final drafts or sufficient information to draft all bills previously accepted by the Council.

Saturday, November 4: Council meeting to consider appeals.

**Motion:** That the schedule be adopted as presented. (Motion by Rep. Jacques; second by Rep. Carleton; unanimous).

## REPORTS FROM COUNCIL COMMITTEES

### a. Committee on Total Quality Management in the Legislature and TQM Subcommittee on Rules

(No report).

### b. Personnel Committee

Sen. Amero, who chairs the Personnel Committee, reported that the Committee had met prior to the Council meeting to consider a lengthy agenda. Three of the 4 members were present and had voted unanimously to present the following recommendations to the Council for action:

**Motion:** That the step increases for which Lynn Randall and Margaret Matheson were eligible in 1994 be awarded to them retroactive to their anniversary dates, pursuant to the favorable reviews conducted by the Personnel Committee for the 116th Legislative Council. (Motion by Sen. Amero; second by Rep. Jacques; unanimous).

**Motion:** That the Legislative Council authorize coverage under the Income Protection Plan to eligible employees as recommended. (Motion by Sen. Amero; second by Sen. Lawrence; unanimous).

**Motion:** That David Boulter be authorized to work with the Executive Director to fill the following vacant and budgeted positions in the Office of Policy and Legal Analysis: 1) Analyst and 2) Administrative Secretary. (Motion by Sen. Amero; second by Rep. Jacques; unanimous).

**Motion:** That, pending the development of a formal policy by the Council, each Office Director be responsible for monitoring the impact of temperature and humidity on the productivity of staff and work with the Executive Director to determine whether to recommend to the Council Chair that the Office be closed. (Motion by Sen. Amero; second by Rep. Carleton; unanimous).

## OLD BUSINESS

None.

## NEW BUSINESS

### Item #1: Maine Health Care Reform Commission: Presentation regarding Draft Proposals

The Chair, Sen. Amero, recognized Neil Rolde, one of the 3 Commissioners of the Maine Health Care Reform Commission. Mr. Rolde then introduced Peter Hayes, a fellow Commissioner, and Ellen Schneider, the Commission's Executive Director and noted that the third Commissioner, Dr. Robert Keller, had been unable to be present.

Mr. Rolde briefly reviewed the Commission's statutory charge, which requires the Commission to develop at least 3 plans in the form of legislation -- 1) a universal plan with a single payor; 2) a universal plan that is multi-payor; and 3) an incremental plan with emphasis on managed care and other means of cost containment. After describing the process the Commission has employed to develop its proposals, Mr. Rolde briefly described each of the 3 plans, stating that the Commission has concluded that the only plan that is feasible without substantial federal financial participation is the plan based on an incremental managed care approach. Mr. Hayes provided greater detail regarding some of the major obstacles that would prevent successful implementation of either of the other plans.

Mr. Rolde reported that in addition to the 3 plans, the Commission would also prepare 5 other pieces of legislation that would:

- Increase the percent of state funding for prevention and public health;
- Create a Quality Assurance Foundation;
- Address various medical liability issues; and
- Establish a Health Information Data Center.

He stated that the next phase of the Commission's work will entail convening a series of public hearings throughout the State on the Commission's proposals.

Mr. Rolde closed the presentation by asking Council members' assistance in 3 areas:

- 1) Determining whether it would be feasible to have a full day briefing on the plans for the entire Legislature -- suggesting the possibility of a retreat. The Robert Wood Johnson Foundation, which has awarded a major grant to the commission in support of its work, has asked the Commission to explore this.

After discussion, Council members suggested that the Commission act immediately to insure that legislators were invited to attend any of the public hearings that had already begun. In addition, Senate President Butland said that he would confer with Speaker Gwadosky about the possibility of a briefing.

- 2) That the Legislature consider creating a Special Select Committee to deal with all of the bills submitted by the Commission. Mr. Rolde observed that as many as 4 of the Legislature's joint standing committees have a direct interest in the Commission's work; thus, a Select Committee would provide a way to bring representation from each of these committees.
- 3) Drafting assistance.

Mr. Rolde asked the Council to intercede to make drafting assistance from the Revisor's Office available. At Senator Amero's invitation, Margaret Matheson confirmed that she had, indeed, already offered the availability of her office to provide drafting assistance provided that the Commission presented an initial draft containing the substance of its proposals. She reiterated the availability of this support.

#### Discussion

Sen. Amero opened the floor for questions from Council members, which focussed on 2 issues:

1. The appearance that the Commission has essentially already dismissed two of the 3 plans required by law. (Rep. Mitchell).

Mr. Rolde responded that, based on its analysis, the Commission had concluded that universal care plans are more costly because they not only pick up the previously uninsured, but they also give them access to quality care including preventive care. Under current federal law, companies covered by ERISA would not be required to participate in a new health insurance plan; thus, the total cost of any new plan would be spread over about only half of the providers. He stated that while the Commission had looked at issues related to cost-shifting, budget constraints had limited the amount of analysis it had been able to do. Finally, he noted that the Commission has proposed a "basic" benefit package, which does not cover all of the mandated benefits.

2. Would the Commission consider inclusion of a resolution to Congress in its legislative package. (Sen. Bustin).

Rep. Rolde responded affirmatively.

3. Had the Commission considered piggy-backing on the health insurance program already available to Maine State employees? (Sen. Bustin).

The Chair, Sen. Amero, thanked Mr. Rolde, Mr. Hayes and Ms. Schneider for their presentation.

No Council action was required on this item.

- Item #2: Request from Joint Standing Committee on Education for Authorization to Pay A Portion of the Costs for the Services of a Professional Facilitator (memo from Sen. Small and Rep. Martin)**

**Motion:** That payment be authorized. (Motion by Rep. Jacques; second by Sen. Lawrence).

**Discussion**

Council members expressed concern that the Committee Chairs had committed funds without prior authorization; and Rep. Mitchell noted that the Council had specifically denied the Committee's request to use the balance of funds originally appropriated for development of an education data base last fall. Rep. Jacques indicated that he had spoken to Rep. Martin and been assured that both presiding officers had authorized the Education Committee to proceed with engaging Ms. Cohen-Hird; however, Senate President Butland could not recall this.

Noting that the law clearly reserves to the Council the authority to contract for services, Rep. Jacques agreed to amend his original motion.

**Motion:** That payment be authorized and that a letter be sent to the Chairs clarifying that all contracts must be approved by the Council before any commitments are made or work performed. (Motion by Rep. Jacques; second by Sen. Lawrence; unanimous).

Sen. Bustin suggested a letter containing these procedures be sent to all Committee Chairs at the beginning of each legislative session.

- Item #3: Request from the Council of State Governments for Payment of Dues for Fiscal Years 1996 and 1997**

Sen. Amero noted that the Legislature has committed to hosting the Eastern Regional Conference in 1997. Rep. Mitchell observed that the Legislature is not "in arrears" since the Council had made a conscious decision not to pay dues in Fiscal Years 1992 and 1993 due to budget constraints.



Sen. Amero asked ms. Tubbesing to research the specific action taken by the 115th Legislative Council; and Council members agreed that the Chair should send a letter to CSG stating that the Council has concluded it does not fall under the policy that CSG has adopted.

Although consensus was expressed on this item, there was no formal motion.

**Item #4: Memo from Rep. Heeschon Regarding Tobacco Smoke Pollution in the State House**

**Motion:** That this item be referred to the Committee on Allocation and Improvement of State House Space. (Motion by Sen. Lawrence; second by Sen. Butland; approved 6-1).

Clerk of the House, Joseph Mayo, stated that the Speaker had asked him to call together a small group of smokers and non-smokers to address Rep. Heeschon's concerns on the basis that this was a House issue.

Sen. Bustin emphasized that the issue of "second-hand smoke" which Rep. Heeschon had raised is a very serious problem and is not restricted to space assigned to the House.

**Item #5: Request from Senator Carpenter and Representative Kontos, Chairs, Joint Standing Committee on Utilities and Energy to conduct a Staff Study on Issues Related to Water District Charters**

**Motion:** That the request be approved. (Motion by Rep. Mitchell, second by Sen. Bustin; unanimous).

**Item #6: Request for Clerical Assistance to Support the Work Group on Electric Industry Restructuring. (Letter from Senator Carpenter and Representative Kontos).**

**Motion:** That a letter be sent to the Chairs indicating that they would have access to clerical assistance through the Office of Policy & Legal Analysis. (Motion by Rep. Mitchell; second by Rep. Jacques; unanimous).

## **ANNOUNCEMENTS AND REMARKS**

The August Council meeting will be on Tuesday, August 22, beginning at 10:00 a.m.

## **ADJOURNMENT**

The Council meeting was adjourned at 3:05 p.m., on the motion of Representative Jacques.

VI. PAID BENEFITS

**INCOME PROTECTION**

Income protection provides continued salary benefits to legislative employees who become totally disabled as a result of sickness or accidental bodily injury which is not covered under workers' compensation. The Legislature's income protection plan is supported from funds appropriated to the Legislature; there are no employee contributions or fees. Thus, this benefit is not an entitlement, but a **discretionary benefit**, subject to review and final approval by the Legislative Council.

In accordance with Federal law, pregnancy and childbirth are considered disabilities for purposes of eligibility for income protection using the following guidelines: 6 weeks of income for a normal delivery and 8 weeks of income for a Caesarean delivery.

**A. Sickness or Injury Not Including Pregnancy and Childbirth**

**Eligibility**

A legislative employee, who, after 6 months of employment becomes totally disabled and incurs a loss of time from work as a result of sickness or accidental bodily injury which prevents the employee from performing any and every assigned duty, may receive a benefit payment while the employee remains totally disabled and under the care of a licensed physician.

**Benefit Payment**

The benefit payment shall equal  $\frac{2}{3}$  of the employee's weekly salary on the date of disablement as follows:

**Full-time Employees:** The benefit payment must commence on the date immediately following completion of the use of accumulated sick leave and compensatory time, or 30 days of continuous disability, whichever is greater, and must continue until the employee is able to return to work, but shall, in no case, continue for more than 180 calendar days from the date the benefit payment commences.

**Session Employees:** The benefit payment must commence on the date immediately following completion of the use of accumulated sick leave and compensatory time, or 30 days of continuous disability, whichever is greater, and continue for 180 calendar days or until adjournment ~~sine die~~ of the Regular Session in progress at the point of disablement, whichever is less.

VI. PAID BENEFITS

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**INCOME PROTECTION  
(Cont.)**

**Application**

An employee whose situation appears to qualify for payments under this plan must submit a written request to the Office Director. The Office Director shall forward the request, accompanied by a statement from the employee's physician which attests to the employee's total disablement, to the Executive Director for placement on the agenda of the Council's Personnel Committee. Following review by the Committee, the request will be presented to the full Legislative Council for action.

**B. Pregnancy and Childbirth**

**Eligibility**

A legislative employee, who, after 6 months of employment becomes pregnant, may apply for Income Protection in accordance with the guidelines set forth below.

The employee has the option of not using Income Protection if the employee has enough accrued leave to cover the period of absence at full pay, or of using accrued leave to extend the total period of absence. Employees are not entitled to take all accrued leave at one time, but must take into consideration the needs of the Office and must negotiate leave beyond the 6th (or 8th) week following delivery with the Office Director in advance.

**Full-time Employees** are eligible for Income Protection for a period of 6 weeks following a normal delivery and 8 weeks following a Caesarean delivery. Eligibility for coverage under the Income Protection plan may be extended **with a physician's certificate** for disability caused by birth-related complications, to cover any necessary period of absence beyond the 6th (or 8th) week due to documented disability in accordance with the procedures for Sickness and Injury outlined above.

VI. PAID BENEFITS

**INCOME PROTECTION**  
(Cont.)

**B. Pregnancy and Childbirth (cont.)**

**Session Employees** are eligible for Income Protection for any portion of the 6 or 8 week period following delivery that falls within the period that the Legislature is convened in regular session.

**Benefit Payment**

Upon the Legislative Council's approval of the employee's application for Income Protection, the employee will receive a benefit payment equal to 2/3 of the employee's weekly salary as of the date of child birth. An employee who has accrued earned leave may not augment the benefit payment with that leave.

**Application**

An employee whose situation appears to qualify for payments under this plan must submit a written request to the Office Director. The Office Director shall forward the request, accompanied by a statement from the employee's physician which attests to the employee's total disablement, to the Executive Director for placement on the agenda of the Council's Personnel Committee. Following review by the Committee, the request will be presented to the full Legislative Council for action.



*Maine State Legislature*  
**OFFICE OF POLICY AND LEGAL ANALYSIS**

State House Station 13, Augusta, Maine 04333  
Telephone (207) 287-1670  
Telecopier (207) 287-1275

**MEMORANDUM**

**TO:** Legislative Council -- Subcommittee on Concept Drafting

**FROM:** David E. Boulter, Director, OPLA  
Margaret E. Matheson, Director, ROS

**RE:** Potential Use of Conceptual Drafting in Maine's Legislative Process

**DATE:** August 21, 1995

Following your discussion last Wednesday regarding concept drafting, you asked us to give some further thought as to how a Connecticut-like model of concept drafting may be incorporated into Maine's bill processing method on a trial basis for the 2nd Regular Session.

You asked us to:

1. develop a modified legislative request (LR) format that would help legislators concisely convey their ideas for bills;
2. outline a potential process that utilizes concept drafting either in a limited or more expansive manner; and
3. develop projected time lines for processing to illustrate typical process phases and deadlines needed.

We have done so. Given the limited time available since last week's meeting, the information presented here is necessarily unrefined and skeletal. For the purposes of this discussion however, this level of information should be useful in evaluating approaches you wish to pursue. More detail and refinement obviously will be needed before a concept drafting approach is implemented, so it will be logically and smoothly incorporated and the new process readily understood by others.

We have had some limited discussion with Connecticut officials in their Legislative Branch and have attempted to incorporate relevant aspects of their process as we understand them.

Enclosed for your consideration are:

1. Modified LR form. We offer two versions of a revised legislative request form for your review. While they provide somewhat more structure (and thus guidance), it remains an open format. Depending on what minimum level of information will be needed for a conceptual draft (CD), this form may need to be expanded or made more specific.

2. Concept Process -- Three Models.

We have prepared three "conceptual models" that incorporate a conceptual drafting process in some fundamental way. While there are innumerable ways to structure such a process, we felt these three encompass the major components of concept drafting in useful but to varying extents. They illustrate a range of conceptual drafting steps that may assist the Council in evaluating the best approach for the Maine Legislature.

Concept drafting is not merely a new way of producing bills; it changes the role of sponsors and committees, and the committee process itself, as well as the bill drafting process for nonpartisan staff. Accordingly, incorporation of conceptual drafting into the legislative process will require changes to the Joint Rules and existing policies of the Legislature such as its confidentiality policy. Furthermore, with the new role of committees and with bill drafting occurring in committees in a greatly compressed period, there necessarily will be fundamental changes in committee operations, including committee staffing.

The models presented are summarized on the following pages and are described using flow diagrams. The flow diagrams identify the major steps in each model process and key decision-making points. Viewed in conjunction with the timetable material enclosed, they should provide a general sense as to how each model would likely operate for both the 1st and 2nd Regular Sessions in Maine.

3. Comparative Time Lines for Bill Processing and Committee Action.

We have prepared a comparative time line for bill processing and committee action for each model and for the current process. These are for illustrative and comparative purposes only, intended to give a sense of the processing phases for each model and the need, if any, for deadlines to keep the processing moving to completion. The time lines presume statutory adjournment will remain as now established. Much of the latter part of the session under models 2 and 3 is without specific deadlines because the committees control when a bill is to be drafted as an LD. As such, we cannot estimate when bills will be finally drafted, or hearings completed, except that we know the research and bill drafting using conceptual drafting will be "backloaded" -- i.e. occurring in the latter part of the session.

4. Issues for Consideration.

We have also identified a number of matters that will influence development of a processing model, but were not discussed last week. Some guidance on these matters would be helpful.

During the 1st Regular Session of the 117th Legislature, approximately 2400 bill requests were made, resulting in 1586 legislative documents most of which were referred to committees. About 900 bills were pursued by committees, though about 650 were actually enacted this session.

As a final note, the Maine Legislature has a long tradition of enacting laws that are legally correct, easily read and referenced, and provide a clear legislative trail or history so that the origin of legislation is readily traced and understood by the courts and others. We envision these goals be continued, in the models presented or others adopted by the Legislative Council.

We look forward to further discussion of these matters with you at the Legislative Council meeting on Tuesday.

## BILL REQUEST WORKSHEET

Please fill out your bill request worksheet as completely as possible **before** you meet with an attorney or paralegal in the Office of the Revisor. If you have any questions, please call the Revisor's office at 287-1650, or stop by room 108.

■ What is the problem you are seeking to address?

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■ What is your proposed solution?

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■ What agency will this most likely effect?

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■ Do you have any background materials that would help staff draft your proposal?

■ Miscellaneous Questions:

☐ Are you aware of any other states that have tried this? If so, which ones?

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☐ Do you know if this idea been proposed to the Maine Legislature in the past?

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☐ Is this request an emergency? (An emergency bill is effective as soon as it is signed by the Governor, but requires a 2/3 vote of both houses to be passed.)

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■ Is there anything else you want us to know before we draft your bill?

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**Bring your completed form for each bill request to the Revisor's office, which is located in room 108 on the first floor in the Capitol building. An attorney or paralegal will meet with you to finalize your bill request.**

# BILL REQUEST WORKSHEET

## ➡ STEP 1: Items to consider when filing a bill request

- ☐ What is the problem you are seeking to address?
- ☐ What is your proposed solution?
- ☐ Who is being directed to implement your proposal?
- ☐ How will it be enforced?
- ☐ Who can staff talk to for additional information? (state agencies, other Legislators, etc.)
- ☐ Do you have any background materials that would help staff draft your proposal?
- ☐ Are you aware of any other states that have tried this? If so, which ones?
- ☐ To your knowledge, has this idea been proposed to the Maine Legislature in the past?

## ➡ STEP 2: Your draft of the bill

Preliminary Title: \_\_\_\_\_

Sponsor: \_\_\_\_\_

Please use this space to describe the bill request. (Use back if necessary)

## ➡ STEP 3: Other matters to help with the drafting process:

- ☐ Is there any agency that the staff **MAY NOT** contact? If so, which one(s)?
- ☐ Name any person that you wish to have access to the draft of your bill ?

## ➡ STEP 4: File your final request with an attorney or paralegal at the Revisor's Office. The office is located in Room 108 or call 287-1650.



### **Model 1. (Limited use concept drafting for similar bills)**

**General Approach:** This model provides a parallel system of bill processing; using both the traditional process and a conceptual drafting process. Prepare bills for introduction and consider bills in committee in the traditional manner, except bills that have "similar" objectives will be collectively drafted as conceptual bills for consideration by the committee of jurisdiction. Governor's bills, and with a new administration, department and agency bills generally will be excluded from the concept drafting component. Once committees, after public hearing, decide a concept to pursue, they will authorize committee staff to research and draft a bill or bills in LD (near final, legal format) for further consideration by the committee. All bills are reported out with recommendation as to final Legislative action.

### **Model 2. (Concept drafting with priority setting)**

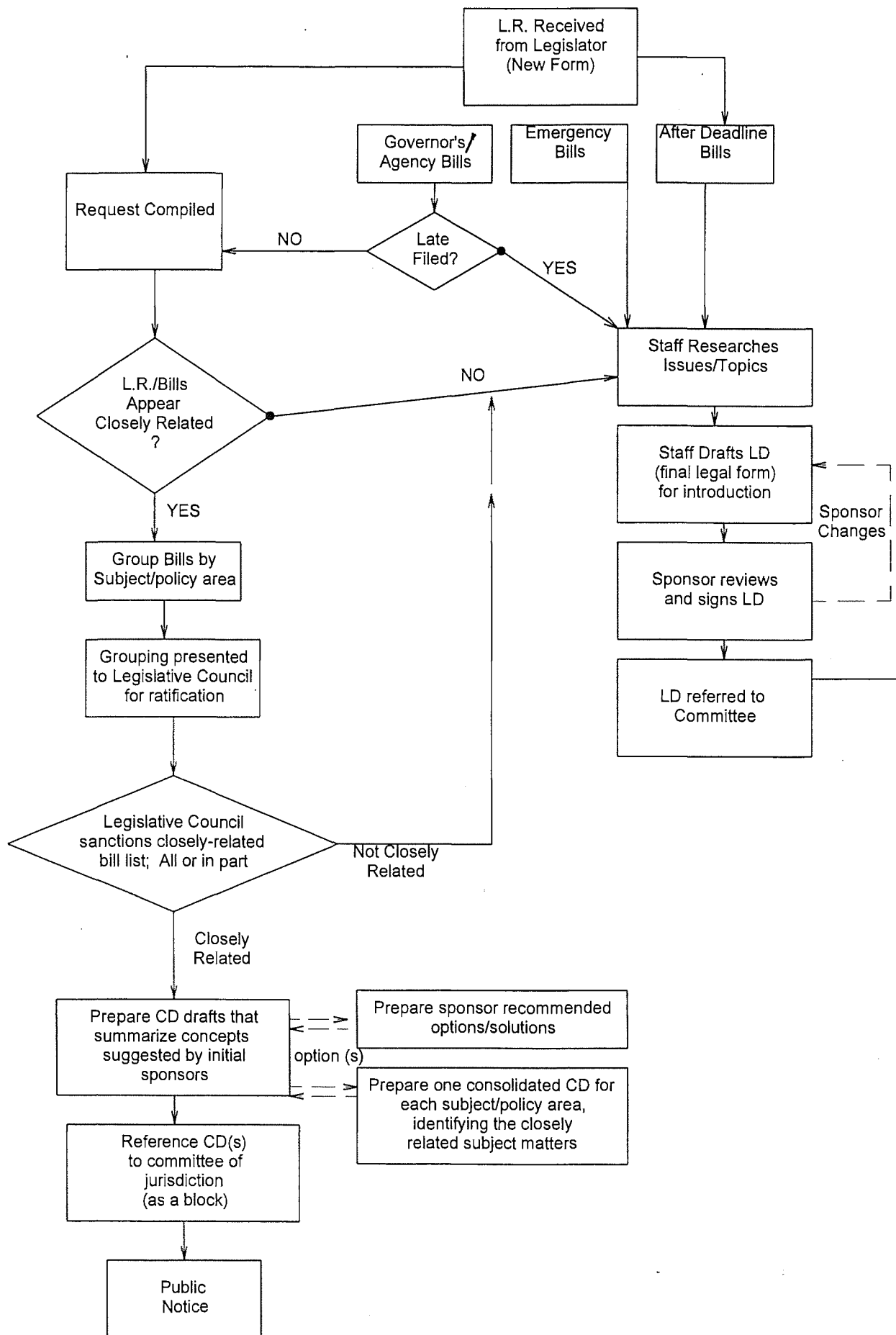
**General Approach:** Prepare all bills as conceptual legislation, following which they are simultaneously referred to the committee of jurisdiction for review. Committees will establish the priorities and process track for each bill. The committee (or alternatively committee chairs) will vote to decide:

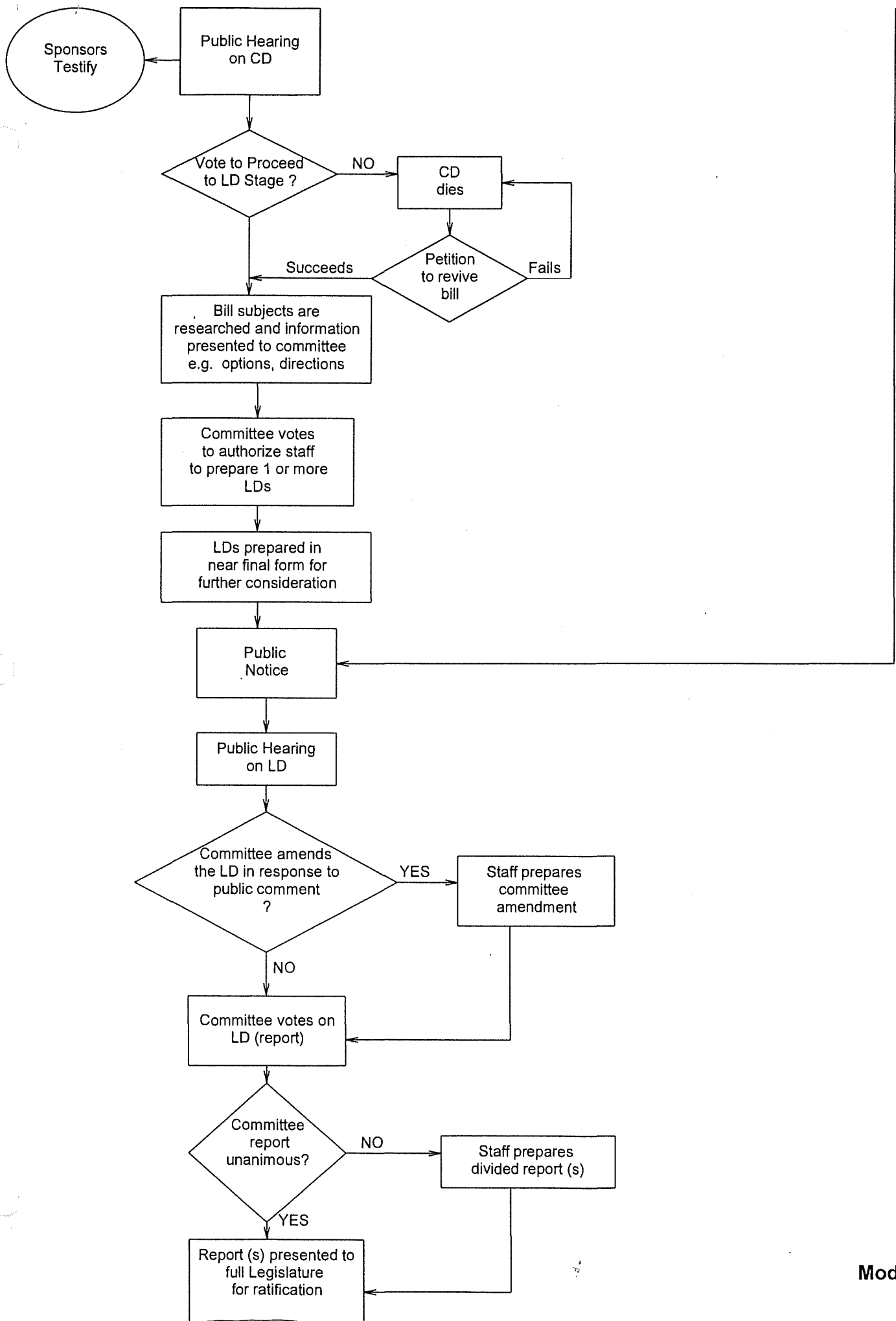
- A. bills that do not have sufficient committee interest in pursuing. These bills are not further considered. An appeal or petition process will allow for those disagreeing with the committee decision to seek reversal of the committee decision.
- B. bills that have sufficient committee interest in pursuing, but have broad policy implications, are not sufficiently defined, are similar to other bills or have substantial public or legislative interest. These bills are further considered in their conceptual form by the committees. Following hearing and work sessions on the conceptual bills, bills considered by the committee as having merit are researched and drafted in LD form (near final, legal format) for further consideration by the committee (committee bills). Primacy over these bills rests with the committee; or
- C. bills that have sufficient committee interest in pursuing and when a near final bill draft will facilitate the committee's review. These bills are drafted in near final, legal format for further consideration and hearing (raised bills). The sponsors retain primacy over the bills until the public hearing;

### **Model 3. (Concept drafting as sole bill processing track)**

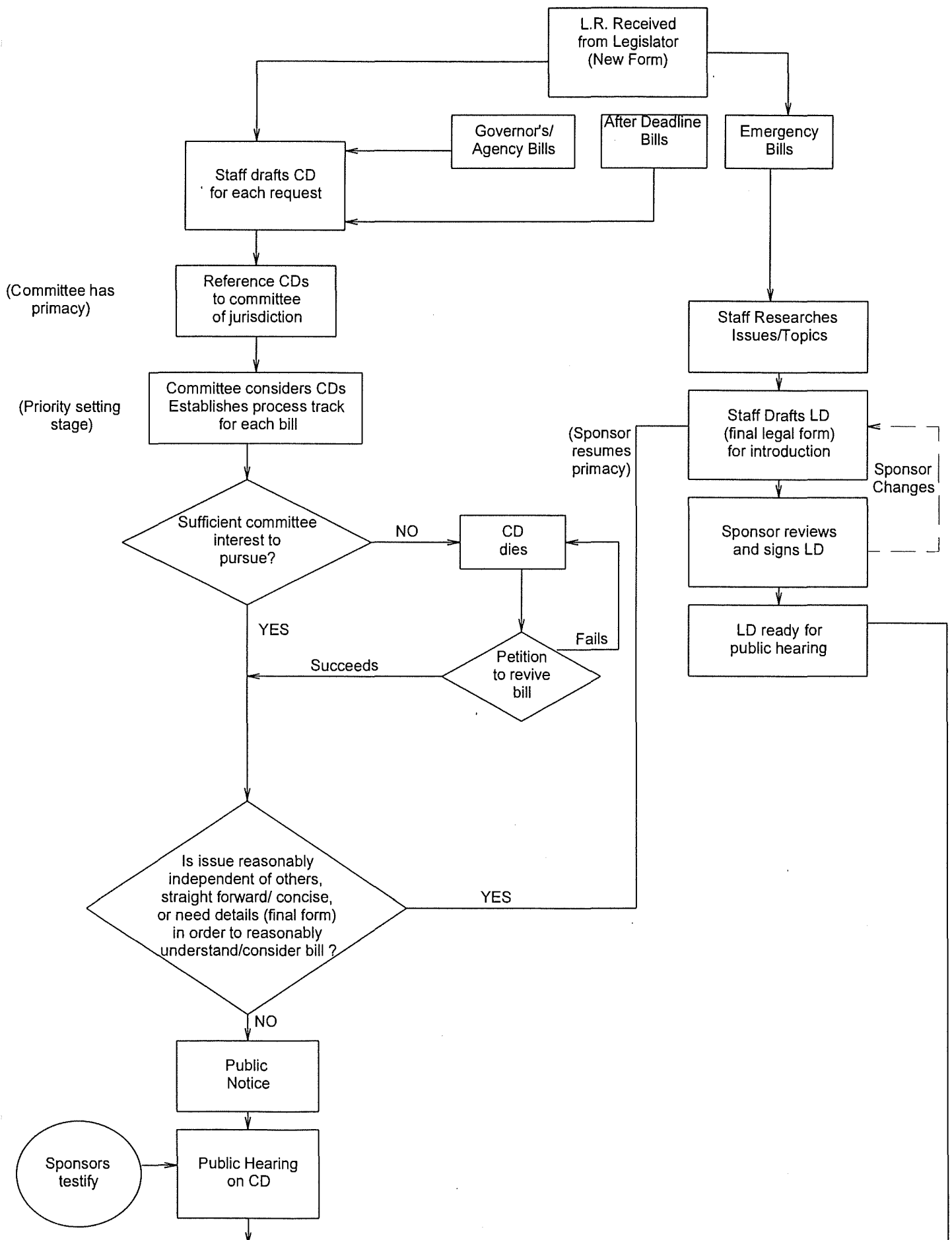
**General Approach:** Prepare all bills as conceptual legislation, following which they are referred simultaneously to the committee of jurisdiction for public hearing and committee consideration. Unlike Model 2, no priority-setting or winnowing of concepts occurs at this stage. All bills will have a public hearing and work sessions in their conceptual draft form to explore the concepts. Following hearing and work sessions, committees will decide those bills to pursue. Bills so authorized by committees are then researched and drafted into LD form (near final, legal format) for further hearing and consideration by the committees. Primacy for the bills rests with the committees. An appeal or petition process will allow for those disagreeing with a committee's decision not to pursue a bill beyond its conceptual stage to seek reversal of the committee's decision.

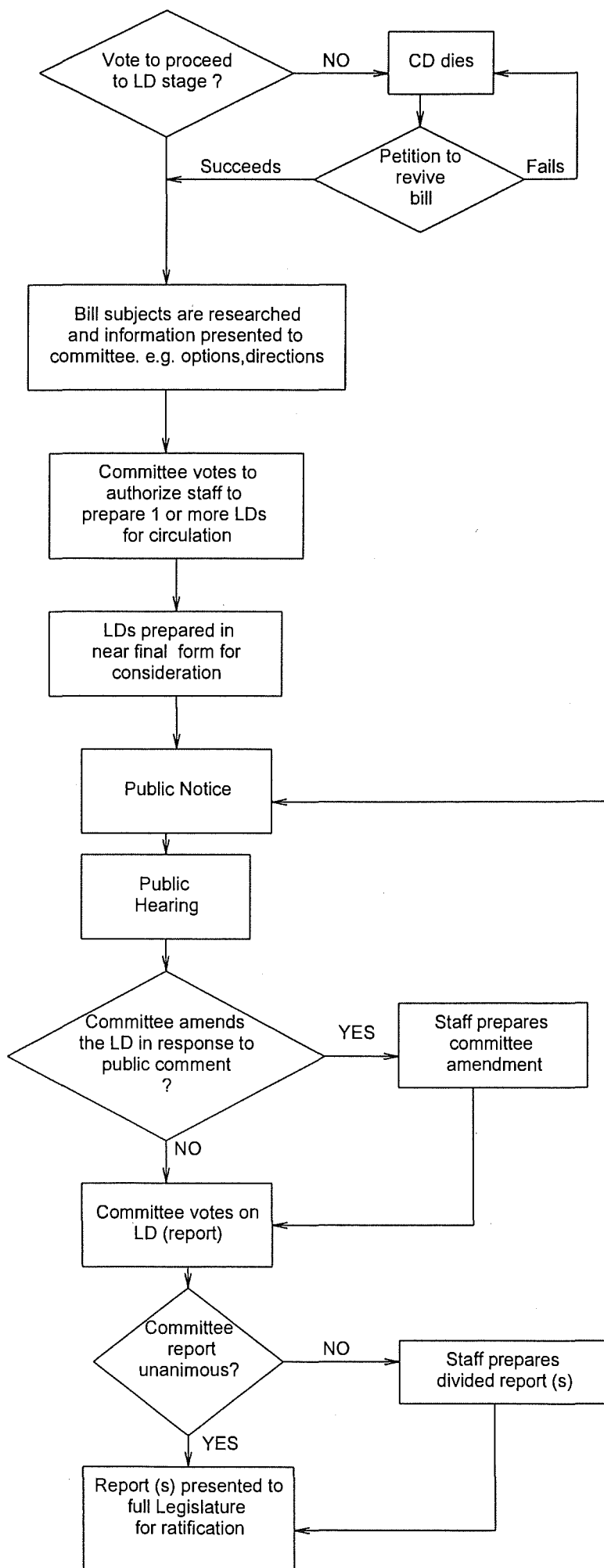
# MODEL 1- Limited Use of Conceptual Bill Drafts (Dual Processing Track)



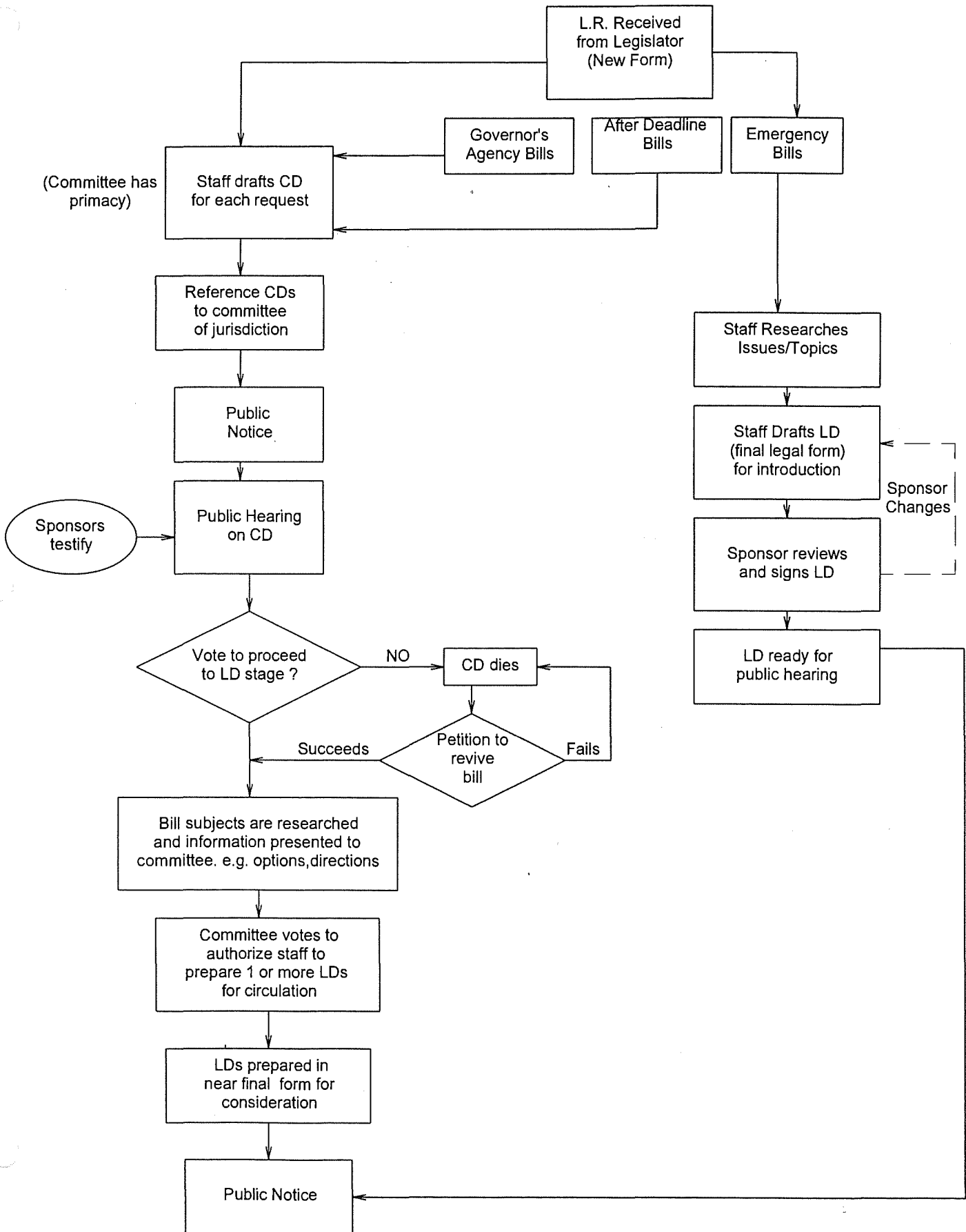


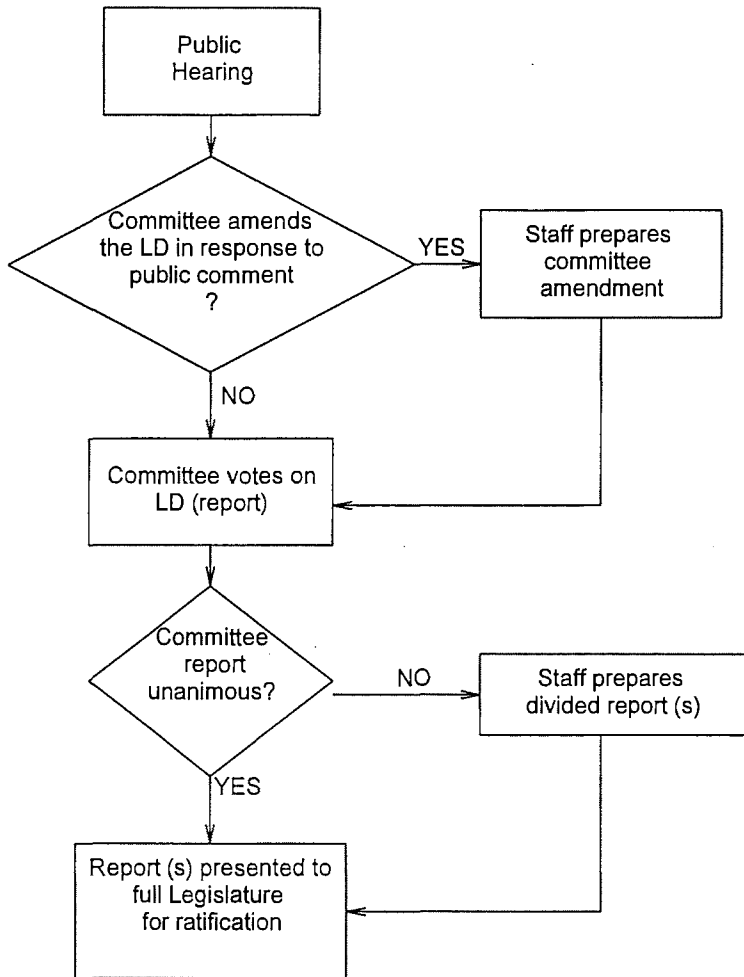
## MODEL 2 (Conceptual Bill Drafting With Priority Setting)





### MODEL 3 (Conceptual Drafting as Sole Bill Processing Track)





## Second Regular Session

Week	Model #1	Model #2	Model #3	Current
1 (10/1)	Cloture -- First Monday in October 600-700 LRs			
2	<div style="text-align: center;">▲</div> "books" prepared, indexing done, and CRBs identified	(limited or no indexing) Begin drafting Concepts	(limited or no indexing) Begin drafting Concepts	"books" prepared and indexing done
3	<div style="text-align: center;">▼</div>			
4 (10/22)	First screening -- 3rd Sunday after cloture			
5	Appeals Books Prepared			Drafting Begins
6 (11/5)	Appeals Screening			
	Drafting Ongoing for nonCRB			
7 (11/12)	End of week, concepts for CRBs finalized	Concepts Done	Concepts Done	
8	Beginning to mid week -- council meets to review CRB list	Referrals -- committees meet, prioritize and choose <i>A</i> ONTP, <i>B</i> draft as committee bill, or <i>C</i> draft for sponsor	Referral	
9	Referrals of CRB	Drafting of <i>C</i> bills begins		
10 (12/3)				
11				
12				
13		▼		



## Second Regular Session

Week	Model #1	Model #2	Model #3	Current
14 (12/31)	Legislature Convenes (first Wed. after first Tues.)			
		ROS continues with <i>C</i> Bills		
15	Committees meet, prioritize, advertise (2 weeks), hold hearings, work sessions, fully draft combined CRBs	On <i>B</i> bills committees meet, prioritize, advertise (2 weeks), hold hearings, work sessions, fully draft	On all concepts committees meet, prioritize, advertise (2 weeks), hold hearings, work sessions, fully draft concepts	
16				
17				
18				Bill Drafting Completed
19				
20	▼			
21	?			
22				
23				
24				
25				
26	▼	▼	▼	
27	?	?	?	
28				
29	Mid-week --- Statutory Adjournment			

# First Regular Session

Week	Model #1	Model #2	Model #3	Current
1 (12/1)	Legislature Convenes (first Wednesday in December) Cloture on Friday (12/6) 2100 to 2400 LRs			
2	(Preliminary drafting w/o release in case of CRB)	Begin drafting concepts		Drafting already begun
3		No Indexing	No Indexing	
4				
5	End of Week - Indexing Done Identify CRBs			Cloture
6 (1/5)	CRB Concepts Done	Concepts Done	Concepts Done	
	Committees Must Be Assigned			
7	Council (early) to review CRB list Referrals & Cmtes meet	Referrals; committees meet on the concepts. Prioritize and choose: <i>A</i> ONTP, <i>B</i> cmte bill, <i>C</i> draft for sponsor	Referrals; on all concepts committees meet, prioritize, advertise (2 weeks) hold hearings, work sessions, fully draft concepts	
8	Drafting continues on non-CRBs	Begin drafting top priority <i>C</i> bills Committees Suspend Meeting		
9	Committees meet, prioritize, advertise (2 weeks), hold hearings, work sessions, fully draft combined CRBs			
10 (2/2)		(In New Governor Year --- Department Bills Submitted)		
11				
12		Committees resume meeting --- ROS continues with <i>C</i> bills		
13				

# First Regular Session

Week	Model #1		Model #2		Model #3		Current
14			On <i>B</i> bills committees meet, prioritize, advertise (2 weeks), hold hearings, work sessions, fully draft				
15							
16							
17							
18							
19							
20 (4/13)	▼	?					▼ Bill Drafting Completed
21							
22							
23	▼	?	▼	?	▼	?	
24							
25							
26							
27							
28							
29	Statutory Adjournment -----3rd Week in June						
							Timeline.xls

## ISSUES FOR CONSIDERATION

=> What bills should be included in any concept drafting model?

- Include Governor, executive departments and independent agencies?
- Exceptions. The following are unlikely concept drafting candidates:

Budget bills (Part I, Part II and Supplemental budgets)  
Errors bill  
Any study bills

- What about other bills required by law?
- What about bills engrossed without reference? Who decides they should not be concepts?

=> Under the proposed models, concepts would be drafted without research, verification, follow-up or sponsor review. What are the information requirements of a concept draft?

=> Where in the process does fiscal analysis occur?

=> How does the whole budget process fit? (Timing; committee involvement for review and input; production.)

=> Scheduling takes on great importance, because our staffing pattern here is very different from Connecticut's and more committee "down" time will likely be necessary. The proposed models require additional research, drafting and production time later during the session incrementally from model 1 to model 3.

=> What Joint Rules and other changes are needed?

- Fully relax confidentiality of sponsor/title/concept
- Sponsorship - cosponsorship issues, especially with combined bills, need to be addressed.
- Committee reporting

=> Other issues affecting available resources and committee time:

- After deadline bills
- Agency rules review
- Audit and program review function
- Special sessions
- Emergencies

- => A concept drafting system should have a mechanism for appeal or petition of committee rejection. Who makes the decisions?
- => A concept drafting system must establish a threshold for the committee decision to fully draft. What is a reasonable threshold?
- => For any committee-retained concept, the committee obtains ownership and control of the final product.
- => The potential for an increase in floor amendments under a concept drafting model merits a discussion of changing the amendment process. Concept floor amendments that are fully drafted after being provisionally accepted is a possible solution.
- => Significant numbers of concepts must be winnowed out during the committee review process, especially in models 2 and 3. A cap on the number of bills a committee may request to be fully drafted is a possible solution.
- => Issues regarding the tracking and historical preservation of concept drafts should be explored.

# **117th LEGISLATIVE COUNCIL**

## **REVIEW OF REQUESTS**

### **TO INTRODUCE LEGISLATION TO THE SECOND REGULAR SESSION**

#### **REVISED SCHEDULE**

**October 2 (Monday)  
5 p.m.**

#### **Filing Deadline**

- **Legislators (Title & Summary)**
- **Departments/Agencies  
(Final Drafts)**

**October 22 (Sunday)  
(time to be confirmed)**

#### **Legislative Council Meeting**

**October 25 (Wednesday)**

**Notification of Council's action  
mailed to sponsors**

**October 30 (Monday)  
5 p.m.**

#### **Deadlines for:**

- **Final drafts, or sufficient  
information to draft all bills  
accepted by the Council on  
October 22**
- **Filing appeals**

**New Date: November 9 (Thursday)  
3 p.m.**

**Legislative Council Meeting  
to consider appeals and incomplete  
requests**