

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL
April 18, 2000
AGENDA

CALL TO ORDER

ROLL CALL

**REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE
DIRECTORS**

REPORTS FROM COUNCIL COMMITTEES

OLD BUSINESS

NEW BUSINESS

Item #1: Submission of Study Report

- Committee to Address the Recognition of the Tribal Government Representatives of Maine' Sovereign Nations in the Legislature (pursuant to Joint Order H.P. 1524).

Item #2: Reports from Committees Pursuant to Government Evaluation Act

- Joint Standing Committee on Transportation: Department of the Secretary of State, Bureau of Motor Vehicle
- Joint Standing Committee on State and Local Government: Review of the Provisions and Effects of the Government Evaluation Act

Item #3: Correspondence From the Joint Standing Committee on State and Local Government Regarding the Maine Canadian Legislative Advisory Commission and the New England and Eastern Canada Legislative Commission

Item #4: Proposed Studies

Item #5: Requests to Introduce Legislation

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

SEN. MARK W. LAWRENCE
CHAIR

REP. G. STEVEN ROWE
VICE-CHAIR



119th MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. CHELLIE PINGREE
SEN. JANE A. AMERO
SEN. ANNE M. RAND
SEN. RICHARD A. BENNETT
REP. MICHAEL V. SAXL
REP. THOMAS W. MURPHY, JR.
REP. DAVID C. SHIAH
REP. RICHARD H. CAMPBELL

SARAH C. TUBBESING
EXECUTIVE DIRECTOR

MEETING SUMMARY
MARCH 31, 2000

CALL TO ORDER

The Chair, Senate President Lawrence, called the Council to order at 12:25 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators:	Senate President Lawrence, Sen. Pingree, Sen. Amero, Sen. Rand, Sen. Bennett
Representatives:	Speaker Rowe, Rep. Saxl, Rep. Murphy, Rep. Shiah, Rep. Campbell
Legislative Officers:	Joy O'Brien, Secretary of the Senate Millicent MacFarland, Assistant Clerk of the House Paul Mayotte, Director, Legislative Information Services David Boulter, Director, Office of Policy and Legal Analysis Margaret Matheson, Revisor of Statutes Lynn Randall, State Law Librarian Sally Tubbesing, Executive Director, Legislative Council

OLD BUSINESS

Item #1: State House Renovations

Council members received a package of material containing information related to the renovations that had been prepared in response to their questions the previous day. Speaker Rowe asked Stan Fairservice, the Council's Owner's Representative for the Construction, and Bruce Hilfrank, Senior Project Manager for Granger Northern, to explain the difference between two figures included in the material, both labeled "cost beyond current funding" (\$6,988,315 and \$7,031,950). Mr. Fairservice responded that the difference represented rounding: one figure was based on an estimated cost over square foot and the other one a compilation of pricing estimates for specific components of the work.

Motion: That the Legislative Council recommend to the Appropriations Committee that \$7 million be included in the budget to support completion of State House renovations. (Motion by Speaker Rowe; second by Rep. Saxl; failed 4 – 3).

Motion: That this item be tabled (Motion by Speaker Rowe; second by Rep. Shiah; approved).

Item #2: Migration Project

The Chair, Senate President Lawrence, recognized Paul Mayotte and asked him to respond to the request that had been made at the Council meeting the previous day to compare the approaches to chamber support that have been proposed by the International Roll Call Corporation (IRC) and by Compaq.

Mr. Mayotte distributed a chart that summarized the two approaches and stated that he had reviewed the analysis briefly with the Clerk and Assistant Clerk. He noted that the information describing the Compaq approach had been provided by Compaq and that he and his staff had not had an opportunity to review these materials in detail yet. Compaq's total proposed cost to implement the chamber support modules is \$655,300, and IRC's is \$809,500. Senate President Lawrence asked whether these prices included hardware, and Mr. Mayotte responded affirmatively.

Discussion

Senate President Lawrence stated that his charge to gather this information at the previous day's meeting had been to the Secretary and Clerk and not Mr. Mayotte, and Secretary of the Senate Joy O'Brien responded that she had missed this. Clerk Mayo stated that IRC had reduced its price based on the fact that it would no longer be working as a subcontractor to KPMG. He went on to say that this is "an apples and oranges comparison", since the Alabama Legislature is set up very differently from Maine. Assistant Clerk MacFarland distributed materials and offered some specific differences: 1) Maine has a joint committee process; 2) Maine's rules require concurrence at each step of the process and papers move back and forth between the 2 chambers many times; 3) Alabama does not have a daily Calendar as Maine does; but simply publishes a list of bills that remain on the list until someone takes them up, whereas Maine's calendars have a structure; and 4) Alabama puts out very little on the Internet.

Ms. MacFarland noted that Alabama is very pleased with the system Compaq has provided them, but stated that the cost of the system would have been higher if Compaq had fully understood the scope of work. She concluded by saying that if Maine were to move to a new vendor at this point to design/redesign the chamber support system, it would clearly delay proceeding with improvements to the current system.

Representative Murphy stated that the Council needed to get back to the central issue: that is, that project started out as redesign of the bill drafting system under the oversight of Mr. Mayotte, the Council's Information Services Director, but did not originally include chamber support. He asked Mr. Mayotte if there had ever been side-by-side demonstrations of alternative chamber support systems; and Mr. Mayotte responded that there had not because he had proceeded on the assumption that the Senate and House had already chosen a direction for chamber support. The Chair, Senate President Lawrence, clarified that the Council has no authority to select software for the chambers; and Representative Murphy countered that the Senate and House needed the funds to support the work they hoped to do yet had not provided information to other Council members. Senate President Lawrence responded that a variety of systems had been assessed over

the past 3 years and that the Senate and House had concluded that IRC was the most fiscally prudent choice for chamber support.

Clerk Mayo reiterated that the Compaq and IRC systems are not comparable, noting that Compaq has installed a system in 1 state at this point and that IRC has installed chamber support systems in 27 states and has been in Maine for 34 years. Representative Murphy again asserted that it is essential to either inform and empower all of the Council members or to structure two separate budgets – one for the presiding officers and one for those items under the Council's jurisdiction.

The Chair, Senate President Lawrence, stressed that Mr. Mayotte had always been very helpful to the Senate and House, but that the Senate and House must be directly involved and that the decision on what vendor to use lies with the Chambers. He continued, stating that the Council is responsible for developing a budget that includes all of the Legislatures expenditures and presenting this to the Appropriations Committee, noting that the Senate and House do participate in this process. Representative Saxl noted that the presiding officers are elected by the entire body and that their responsibilities go beyond partisan activities and include oversight and administration of the entire body. He commended both Senate President Lawrence and Speaker Rowe on carrying out their responsibilities in a very balanced way.

Senator Bennett acknowledged the presiding officers' authority to administer their respective bodies, but stated that, from a budgeting point of view, the Council has a responsibility for making responsible budget decisions, distinguishing this responsibility from the administrative decisions required to manage the two chambers. He then returned to the analyses that Mr. Mayotte and the Clerk's Office had distributed, and asked for an explanation of the differences. Mr. Mayotte reviewed the figures, noting that the difference was due to a \$27,500 reduction in IRC's price proposal, which had been offered in a letter dated March 31 (the date of this Council meeting). Senator Bennett stated that the questions are how much work is going to be done that goes beyond migration and what position the Council will take on laptops for members. He expressed support for adopting the Compaq proposal, but added that he wanted to try and reduce Compaq's price by more than the price of the laptops, noting that \$6.3 million was too high in his view. The Chair, Senate President Lawrence, suggested that the Council authorize Mr. Mayotte to negotiate on behalf of the Council up to a certain amount. Representative Murphy stated that his concern was related to the structure of the Legislature's budgetary process and did not reflect on the presiding officers or on their authority to spend money. He added that every expenditure of taxpayers' dollars should be based on a professional evaluation of products to ensure the best decision. Representative Campbell followed up on this discussion, asking Mr. Mayotte how much of the proposed \$6.3 million is required for migration and how much is related to improvements. Mr. Mayotte responded that the bill drafting system is the core of the migration effort, that both the budget system and laptops represented improvements, and that the chamber support component involves both. He added that the Compaq solution provides more integration of the pieces and that its price includes all project management.

Motion: That the Council allow Mr. Mayotte to negotiate up to a figure of \$5,280,000, exclusive of laptops, and including \$777,000 for Chamber support and a reserve of \$250,000, for a total of \$5,530,000, to support migration and related application development. (Motion by Senator Bennett).

Discussion of the Motion:

- Representative Saxl asked Secretary O'Brien and Clerk Mayo if the reduction in the IRC proposal amount that this motion includes would preclude a future legislature from adding it back. Ms. O'Brien and Mr. Mayo replied that IRC's fee could change, based on the market, and Mr. Mayotte added that the cost of deferring some work could be subject to inflation.

- Speaker Rowe asked Senator Bennett the source of the figures in his motion (i.e., a ceiling of \$4.2 million for the Compaq component). Senator Bennett responded that it was arbitrary and that his intent was to empower Mr. Mayotte to go out and negotiate with Compaq.
- Representative Shiah stressed the importance of having a quality product that is a good investment to future legislators.
- Representative Murphy asked Senator Bennett if his motion intended that IRC would be in the chambers; and Senator Bennett responded that the intent of his motion was to allocate a total of \$777,000 for chamber support but not to identify a vendor. Speaker Rowe stated that he had scrutinized IRC very closely during the past year and that he had concluded that the IRC system works pretty well and that IRC is the best vendor at this point: “doing anything else would set us way back.” Senate President Lawrence clarified that Mr. Mayotte is the Information Systems Officer for the entire Legislature and that his role is to ensure an integrated approach. He pointed out that the Migration Committee represents all legislative offices and that it was designed to assume communication through the process.

The Motion presented earlier by Senator Bennett and seconded by Representative Campbell was approved unanimously by those present 9 – 0.

RECESS

Motion: That the Council go in to recess. (Motion by Senator Bennett; second by Representative Shiah; unanimous).

The Council recessed at 1:40 p.m.

RECONVENE

The Council reconvened at 2:25 p.m. All 10 members of the Council were present.

Motion: That the Legislative Council recommend to the Appropriations Committee that \$7 million be included in the budget to support completion of State House Renovations (Motion by Speaker Rowe; second by Senator Rand; approved 6 – 4).



MAINE STATE LEGISLATURE

Augusta, Maine 04333

**COMMITTEE TO ADDRESS THE RECOGNITION
OF THE TRIBAL GOVERNMENT REPRESENTATIVES
OF MAINE'S SOVEREIGN NATIONS IN THE LEGISLATURE**

April 11, 2000

The Honorable Mark W. Lawrence, Chair
Legislative Council
119th Maine Legislature
State House
Augusta, ME 04333

Dear President Lawrence:

This letter is to inform you that the Committee to Address the Recognition of the Tribal Government Representatives of Maine's Sovereign Nations in the Legislature has submitted the attached report to the Executive Director of the Legislative Council, the Joint Select Committee on Joint Rules (care of the Clerk of the House and Secretary of the Senate) and the Law and Legislative Reference Library, pursuant to Joint Order H.P. 1524, as amended by Senate Amendment "A" (S-271).

Sincerely,

A handwritten signature in cursive script, reading "Chellie Pingree".

Senator Chellie Pingree, Co-Chair

Committee to Address the Recognition of the Tribal
Government Representatives of Maine's Sovereign Nations in
the Legislature

A handwritten signature in cursive script, reading "Richard H. Thompson".

Representative Richard H. Thompson, Co-Chair

Committee to Address the Recognition of the Tribal
Government Representatives of Maine's Sovereign Nations in
the Legislature

Attachment

cc: Members of the Legislative Council
Joint Select Committee on Joint Rules (c/o the Clerk of the House of Representatives and
Secretary of the Maine Senate)
Sally Tubbesing, Executive Director, Legislative Council
David E. Boulter, Director, Policy and Legal Analysis

JOINT STANDING COMMITTEE ON TRANSPORTATION

SENATE

WILLIAM B. O'GARA, DISTRICT 29, CHAIR
JUDY PARADIS, DISTRICT 1
VINTON E. CASSIDY, DISTRICT 4

GRO FLATEBO, LEGISLATIVE ANALYST
LOCK KIERMAIER, FISCAL ANALYST
JUDY ST. PIERRE, COMMITTEE CLERK

HOUSE

JOSEPH M. JABAR, SR., CHAIR
GERALD N. BOUFFARD, LEWISTON
CHARLES D. FISHER, BREWER
GARY J. WHEELER, ELIOT
LAURA J. SANBORN, ALTON
DAVID A. LINDAHL, NORTHPORT
CHRISTINE R. SAVAGE, UNION
ROBERT A. CAMERON, RUMFORD
EDGAR WHEELER, BRIDGEWATER
RONALD F. COLLINS, WELLS

March 30, 2000

MEMO TO: The Honorable Mark W. Lawrence, Chair of the Legislative Council

FROM: Senator William B. O'Gara, Senate Chair *WBO*
Representative Joseph M. Jabar, Sr., House Chair *JMJB*

RE: Government Evaluation Act Review of the Department of Secretary of State, Bureau of Motor Vehicles.

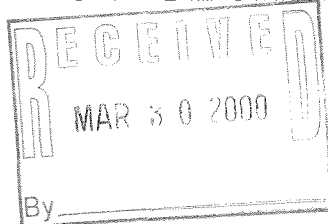
We are pleased to submit the report of the Joint Standing Committee on Transportation with respect to our review of the Department of the Secretary of State, Bureau of Motor Vehicles pursuant to the Government Evaluation Act, Maine Revised Statutes, Title 3, chapter 35.

A copy of our report is attached. The committee has found that the Bureau is effectively carrying out its statutory mandate to enhance roadway safety by ensuring the accuracy of motor vehicle records and the integrity of driver licensing services and providing efficient and convenient services to Maine citizens.

We have, however, found that new challenges are facing the Bureau. The Joint Standing Committee on Transportation will report out legislation to clarify procedures for the Bureau to electronically process vehicle registrations. Our thinking is outlined in our report and background information is contained in the Bureau's GEA report to the Committee.

Thank you.

CC: Dan Gwadosky, Secretary of State



<p style="text-align: center;">JOINT STANDING COMMITTEE ON TRANSPORTATION</p>
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**Review of the Department of Secretary of State, Bureau of Motor
Vehicles Under the Government Evaluation Act**

The Government Evaluation Act

The Government Evaluation Act (“Act”) provides for a system of periodic review of the efficacy and performance of state government agencies. The review of an agency’s finances and programs must include a review of agency management and organization, program delivery, goals and objectives, statutory mandates and fiscal accountability (3 MRSA § 951 et seq.). The law was enacted by the 117th Legislature to replace the old Government Audit and Program Review Program and substituted a legislative audit of each agency on a rotating basis with an agency self assessment.

The keystone to the Act is the agency program evaluation report that consists of a number of components required by the statute. Essentially, the report is an agency self-assessment that the committee of jurisdiction uses as a starting point for its evaluation of the agency’s effectiveness, efficiency and performance. The components that must be included in the report are: the agency’s enabling state and federal legislation; program descriptions; organizational structure, position count and job classifications; compliance with federal and state health and safety laws; ten-year financial summaries; regulatory agenda; coordinated efforts with other state agencies; constituencies served by the agency; alternative delivery systems; and emerging issues for the agency.

Review Process

Pursuant to the requirements of the Act, the Joint Standing Committee on Transportation notified the Department of Secretary of State, Bureau of Motor Vehicles of its intent to review the Bureau shortly before the end of the 119th Legislature’s First Regular Session.

The Transportation Committee held three meetings to conduct its review under the Act. On February 15, 2000, the Secretary of State presented a program evaluation report to the committee. The Transportation Committee met again on March 23 and 27, 2000 to continue this review and to formulate findings and recommendations.

Findings

The Joint Standing Committee on Transportation has reviewed the Department of Secretary of State, Bureau of Motor Vehicles and finds that the Bureau is operating

within its statutory authority and is effectively working towards its goal of enhancing roadway safety by ensuring the accuracy of motor vehicle records and the integrity of driver licensing services and providing efficient and convenient services to Maine citizens. The next section outlines the challenges the Bureau is meeting in the year 2000.

Challenges

Internet Services

The Bureau of Motor Vehicles is providing a number of high volume services online for its customers through InforME. Some of these services are available only to subscribers while others are available to the general public. Over time, the Bureau will expand the number and kinds of services available through the internet. These services help the Bureau serve high volume users quickly and defray its workload.

The Bureau is developing a rapid renewal process for vehicle registration and has identified several procedures that need to be clarified in the statutes to facilitate that program. Proposed legislation is attached to this report and has been reported out of the Transportation Committee to implement those changes.

Canadian Commercial Vehicle Traffic

Canada is expected to enter into the International Registration Plan agreement to prorate registration fees for commercial vehicles by 2001. Maine will benefit from this agreement with a potential revenue increase of \$1.5 million in the Highway Fund. However, the Bureau expects a 20% increase in its workload and will need increased clerical help.

Digital Drivers Licenses

The Bureau is experimenting with digital driver's licenses. These allow license enhancements such as protected images, bar coding, convenient duplicates, and a choice of photos. While only available in Augusta, Rockland, Bangor, Topsham, Mexico and Lewiston now, the licenses will be available throughout the state in the next year.

Social Security Numbers

The 1996 Illegal Immigration Reform and Immigrant Responsibility Act required Maine to collect and display social security numbers on driver's license and state identification cards. The Bureau had been planning to encrypt the social security number on the driver's license bar code, hidden to the casual observer. That requirement has been repealed so there will be no encryption on driver's licenses.

The Bureau has recently been made aware of federal requirements for recording social security numbers on driver's license applications in order to receive child support enforcement funding (42 USC section 666(a) (13)). Loss of federal funding for child support enforcement could result in a loss of about \$17 million to the Department of Human Services.

LD 2605 as amended, repeals the requirement for the Bureau to collect social security numbers in State law. The Transportation Committee felt strongly that social security numbers should not be required and voted LD 2605 out of committee 9 to 3 in favor of repealing this requirement.

Motor Vehicle Data Base

The Bureau is in the process of designing and developing a data base to replace the 20-year old computer system that is currently in use. Part of this shift will allow a unified database funded through federal grants, to share and update accounts in the state's major commercial vehicle licensing system.

Low Speed Vehicles

Low speed vehicles are four-wheeled vehicles that travel at between 20 to 25 miles per hour. They look very much like golf carts but meet federal safety requirements. The Bureau has recently received a request to register low speed vehicles for use on public roads. LD 2649, An Act to Allow the Use of Low Speed Vehicles, was introduced late in the session and addresses this issue. The Transportation Committee amended the bill to allow the use of these vehicles on the 12 Maine islands that do not have state roads or roads maintained by the Department of Transportation, if the municipality chooses to allow them. The amendment also requires the Bureau and the State Police to study the issues surrounding the use of these vehicles in Maine.

Recommendations

1. The Joint Standing Committee on Transportation will report out legislation to clarify procedures for rapid renewal of vehicle registrations electronically.

Attachment

G:\OPLANRG\COMMTTEE\TRA\GEA Report for BMV.DOC)

Sec. 1. 29-A MRSA §204, sub-§4 is amended to read

4. Rules. The Secretary of State may adopt rules to implement the provisions of this section. The rules may ~~must~~ include limits on agent fees, requirements for training of registration agents, ~~for~~ accounting standards and inventory control processes and requirements for the electronic collection and transmission of data and funds between registrants, registration agents and the bureau. By rule, the Secretary of State may also designate specific registration requirements that cannot be met by filing electronically with an agent. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

Summary

This bill clarifies procedures for electronic processing of vehicle registrations

SENATE

PEGGY A. PENDLETON, DISTRICT 30, CHAIR
JILL M. GOLDTHWAIT, DISTRICT 5
PAUL T. DAVIS, DISTRICT 8

CHRISTOPHER J. SPRUCE, LEGISLATIVE ANALYST
DANIELLE D. FOX, LEGISLATIVE ANALYST
NINA WICKENHEISER, COMMITTEE CLERK



STATE OF MAINE

ONE HUNDRED AND NINETEENTH LEGISLATURE

COMMITTEE ON STATE AND LOCAL GOVERNMENT

HOUSE

DOUGLAS J. AHEARNE, MADAWASKA, CHAIR
MARTHA A. BAGLEY, MACHIAS
BENJAMIN L. RINES, JR., WISCASSET
JOHN F. MCDONOUGH, PORTLAND
JOANNE T. TWOMEY, BIDDEFORD
RANDALL L. BUMPS, CHINA
SUSAN KASPRZAK, NEWPORT
ARLAN R. JODREY, BETHEL
EARL E. RICHARDSON, GREENVILLE
BELINDA A. GERRY, AUBURN
DONALD G. SOCTOMAH, PASSAMAQUODDY TRIBE

April 11, 2000

Honorable Mark Lawrence, Senate President
Honorable G. Steven Rowe, Speaker of the House
3 State House Station
Augusta, ME 04333-0003


Dear President Lawrence and Speaker Rowe:


Pursuant to 3 MRSA, Chapter 35, section 963, we enclose the "Report on the Government Evaluation Act by the Joint Standing Committee on State and Local Government." This report reviews the provisions and effects of Chapter 35 of Title 3 and makes recommendations for changes to the Government Evaluation Act.

Please note that Appendix B of the report includes draft legislation reflecting the changes proposed by the State and Local Government Committee. We recommend that this proposed legislation be considered by the First Regular Session of the 120th Legislature.

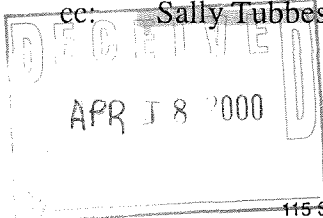
Please also note that Recommendation #2 (see page 1 of the Executive Summary) proposes that a subcommittee of the State and Local Government Committee meet during the interim to consider developing a revised scheduling guideline for Governmental Evaluation Act review of agencies and independent agencies. On behalf of the committee, we will be submitting a formal request for authorization to allow the subcommittee to meet during the Interim.

Sincerely,


Sen. Peggy Pendleton, Senate Chair


Rep. Douglas Ahearne, House Chair

cc: Sally Tubbesing, Executive Director, Legislative Council



STATE OF MAINE
119TH LEGISLATURE
SECOND REGULAR SESSION

Report on the
Government Evaluation Act
by
the Joint Standing Committee on State and Local
Government

Pursuant to 3 MRSA, Chapter 35, §963

Members:

Sen. Peggy A. Pendleton, Chair
Sen. Jill M. Goldthwait
Sen. Paul T. Davis
Rep. Douglas J. Ahearne, Chair
Rep. Martha A. Bagley
Rep. Benjamin A. Rines Jr.
Rep. John F. McDonough
Rep. Joanne T. Twomey
Rep. Randall L. Bumps
Rep. Susan Kasprzak
Rep. Arlan R. Jodrey
Rep. Earl E. Richardson
Rep. Belinda A. Gerry
Rep. Donald G. Soctomah

Staff:

Christopher Spruce, Legislative Analyst

Office of Policy & Legal Analysis
13 State House Station
Augusta, Maine 04333
(207) 287-1670

EXECUTIVE SUMMARY

This report by the Joint Standing Committee on State and Local Government is made pursuant to 3 MRSA, Chapter 35, Section 963. This provision of the Government Evaluation Act requires the State and Local Government Committee to review the provisions and effects of the Act no later than June 30, 2000 and every 10 years thereafter.

The Joint Standing Committee on State and Local Government Committee held one public hearing and 2 work sessions during the Second Regular Session of the 119th Legislature in which the members considered the provisions and effects of Chapter 35. During its review of the GEA process, the committee received written or oral testimony from the Joint Standing Committee on Business and Economic Development, the Bureau of Corporations, Elections and Commissions of the Department of the Secretary of State, and the Task Force to Study the Effect of Government Regulation on Small Businesses. Committee staff also reviewed a number of GEA program evaluation reports submitted by various agencies to their committee of jurisdiction during the past two Legislatures, as well as a number of GEA reports issued by the reviewing policy committees in both the 118th and 119th Legislatures. Staff provided the committee analyses of these reports.

The committee made the following recommendations as the result of its review of the Government Evaluation Act:

1. Legislative Leadership should determine whether or not the GEA process is a priority activity of the policy committees. If Leadership concludes that GEA is a priority activity, Leadership should clearly communicate that position to the committee chairs. Further, Leadership should considering setting aside a specific period of time (e.g., one week) early within the Second Regular Session of each Legislature to allow committees to focus exclusively on GEA. The process also may be expedited by the committees of jurisdiction beginning their scheduled GEA reviews prior to the beginning of the Second Regular Session. Chapter 35 should be amended to require agencies to submit their program evaluation reports by October 1st of their review year. The policy committees then should invite the agencies being reviewed to present their program evaluation reports between October 15th and the Thanksgiving holidays prior to the Second Regular Session. This will allow the committees to focus on GEA follow-up and analysis early in the session when they are not pressured by deadlines.
2. A subcommittee of the Joint Standing Committee on State and Local Government should develop a revised scheduling guideline for review of agencies and independent agencies and report back to the 119th Legislature by November 1, 2000 with proposed legislation to enact those revisions, if acceptable, in the next Legislature. The committee also recommends that any new scheduling guideline continue to allow the committees of jurisdiction the authority to schedule an agency or independent agency for review at any time.

3. Section 956 of chapter 35 should be amended to require every agency and independent agency that has prepared a strategic plan and performance budget under the provisions of Title 5, Chapter 151-C to append the latest iteration of the agency's strategic plan to their program evaluation reports.

4. The Legislature should urge the Governor to require each agency or independent agency of State Government to ensure that it has on staff, or under contract, an individual with expertise in program evaluation to assist the agency or independent agency with preparation of the program evaluation report. Further, that agencies should prepare program evaluation reports to conform with generally accepted practices relating to program evaluation. Further, that the Legislature should sponsor seminars in program evaluation for standing committee members and legislative staff in the First Regular Session of each biennium.

5. Chapter 35 of Title 3 should be amended to require the committee of jurisdiction to provide public notice of each GEA review meeting it conducts. Further, that section 956 of Title 3 should be amended in subsection 2, paragraph H to require that the agency or independent agency not only identify the constituencies it serves, but also to notify these constituencies that the agency is the subject of a GEA review and that these constituencies are invited to comment on the agency's performance to the joint standing committee of the Legislature conducting the agency's GEA review. The agency or independent agency also should be required to keep these constituencies informed of the progress of its GEA review.

6. Excluding independent agencies or commissions, chapter 35 of Title 3 should be amended to require that every new board or commission established by the Legislature be assigned to a department of State Government for the purposes of GEA Review. Pursuant to §960 of chapter 35, newly created independent agencies and boards would be assigned a GEA review date by the Legislative Council and the committee of jurisdiction and unless otherwise indicated would not be affiliated by a department of State Government. Further, that all advisory boards and commissions established under section 12004-I of Title 5 should be automatically repealed within 5 years of its creation unless the Legislature acts to continue the advisory board or commission.

Report on the Government Evaluation Act by the Joint Standing Committee on State and Local Government

Pursuant to 3 MRSA c. 35, §963

This report by the Joint Standing Committee on State and Local Government is made pursuant to 3 MRSA, Chapter 35, section 963. Section 963 states:

“The joint standing committee of the Legislature having jurisdiction over state and local government matters shall review the provisions and effects of this chapter no later than June 30, 2000 and at least once every 10 years after June 30, 2000.”

INTRODUCTION

The 117th Legislature established the Government Evaluation Act (GEA) to replace the Maine Sunset Act and the functions of the former Joint Standing Committee on Audit and Program Review. As currently constituted in Chapter 35 of Title 3, the Government Evaluation Act provides a system of periodic review of agencies and independent agencies of State Government in order to evaluate their efficacy and performance. Essentially, each agency designated for review in Chapter 35 must conduct a self-evaluation of its management and organization, program delivery, agency goals and objectives, statutory mandate and fiscal accountability. The program evaluation report of each agency designated for review is submitted to that agency's legislative committee of jurisdiction for review. The legislative committee of jurisdiction must then submit a report to the Legislature on the committee's findings, administrative recommendations or proposed legislation.

MAINE SUNSET ACT AND GEA

Chapter 35 of Title 3 replaced the former Maine Sunset Act (Chapter 33 of Title 3) effective in 1997. The new Government Evaluation Act differed from the former Sunset Act in several important ways (*See Table 1*). The most significant change was the elimination of the Joint Standing Committee on Audit and Program Review, which had been responsible for all reviews of state departments and independent agencies, and its replacement in the review process by the committees having jurisdiction over the agencies (policy committees). Under the Sunset Act process, the policy committee's involvement was limited to one or two members of the committee serving as “adjunct members” of the Audit and Program Review Committee's subcommittee (*prior to 1992*;

Report on the Government Evaluation Act

TABLE 1

Comparison of the Provisions of the Maine Sunset Act and the Government Evaluation Act

Subject	Maine Sunset Act	Government Evaluation Act
Statutory citation	3 MRSA c. 33 §921 et. seq.	3 MRSA c. 35 §951 et. seq.
<i>Review schedule determination; termination</i>	Specified in §927. Multiple departments and independent agencies reviewed by Audit & Program Review Committee each year; unless continued or modified by the Legislature prior to June 30 th of the year in which it was reviewed, an independent agencies was terminated after a grace period of up to one year	Specified in §959 and occurs over biennium. Under §954 committee can waive review, modify review process, or add an agency for review with certain limitations; independent agencies may be recommended for termination, but termination is not automatic in lieu of legislative action
<i>Committee responsible for conducting review</i>	Audit & Program Review Committee	Policy committees of jurisdiction
<i>Type of report required</i>	Program or Justification Report	Program Evaluation Report
<i>Report Contents</i>	§924 required enabling legislation, description of programs (including priorities, objectives, effectiveness, operation, communications lines, population served, staffing and future plans), financial summary, list of related programs have similar or complementary objectives, and other specifically requested information	§956 requirements, which include enabling legislation, program description, organizational structure, financial summary, constituency identification, alternative delivery system efforts, and identification of emerging issues, among other items
<i>Process</i>	Subcommittees with adjunct members from committee of jurisdiction reviewed assigned portions agency; make recommendations to full committee	All members of policy committee of jurisdiction participate in entire review process and develop recommendations
<i>Timeline</i>	Agency Justification Report Due – Mar 31 st of year prior to review date in §927. A&PR Committee report & recs due - June 30 th of year of review <i>(In 1992 and after, full committee met to consider agencies reviewed. Prior to 1992, subcommittees met during session and between sessions; after full committee acted on subcommittee recommendations, staff prepared report and drafted bill containing all recommended legislation; bill draft was referred to full committee for review and recommendation to full Legislature)</i>	Agency Program Report Due– Nov. 1 st Begin Committee Review By – Feb. 1 st Committee Final Report Date – Mar. 15 th <i>(Staff-prepared committee report includes suggested legislation, if any; full Legislature refers such legislation back to committee for review and recommendation)</i>
Product	Report with recommendations for all agencies reviewed, plus proposed legislation	Single report for each agency reviewed, plus proposed legislation, if any, and requests for follow-ups, if any

see Table 1 “Timeline,” Column 2) for each department or independent agency being reviewed during that year. The adjunct members were drawn from the joint standing committee with jurisdiction over the same policy and substantive matters as the department or independent agency being reviewed (e.g., the subcommittee reviewing the Department of Agriculture would include a member from the Agriculture Committee, as it was known at that time).

Review timetables

Despite this substantive change, the new GEA process, established in Public Laws 1995, Chapter 488, echoed several of the statutory provisions of the Sunset Act. (*See Appendix A for the complete text of Chapter 35.*) GEA requires that the committees of jurisdiction review the list of agencies scheduled for review in section 959 on or before April 1st of any first regular session. Although the former Sunset Act established a timetable for agency review, it differed from GEA significantly in its requirement that the Legislature vote to continue an independent agency prior to a June 30th review deadline in its specified year of review. In lieu of such a positive action by the Legislature, an independent agency was provided a “grace period” of up to one year prior to termination. Termination of independent agencies under GEA is not automatic in lieu of legislative action. Under section 958, termination requires a recommendation by the committee of jurisdiction and a vote of the Legislature. GEA does, however, retain the grace period of up to one year for the winding down of a terminated independent agency.

While the Sunset Act allowed the full Legislature by joint resolution to designate any agency or independent agency for review in any year, the GEA gives that authority to the committee of jurisdiction (§954). By a 2/3 vote of all committee members, the committee of jurisdiction may exempt an agency or independent agency from review and establish a new review date, establish a modified review process requiring more or less information than required by Chapter 35, or add an agency or independent agency for review.

Section 955 of GEA sets out a specific schedule for committees of jurisdiction to follow, beginning with a written notification to the agency by May 1st of the first regular session. The notice declares the committee’s intent to go forward with the scheduled GEA review. Agencies so notified then must submit a program evaluation report to its committee of jurisdiction by November 1st prior to the second regular session. (Under the old Sunset Act, the agency or independent agency scheduled for review was required to submit a “justification report” by March 31st of the year prior to its review deadline.) The committee is then required to begin its review of the agency no later than February 1st of the second regular session and must submit to the Legislature no later than March 15th of the second regular session its findings, administrative recommendations or legislation required to implement recommendations made as a result of its review, analysis and evaluation.

Program evaluation report

Many of the requirements of the former Sunset Act's "justification report" also are required as elements of a reviewed agency's program evaluation report under GEA. The GEA report must include the following:

- Enabling or authorizing law or other relevant mandate;
- Description of each program administered by the agency;
- Organizational structure;
- Compliance with federal and state health and safety laws;
- Financial summary;
- When applicable, the regulatory agenda and summary of rules adopted;
- Identification of areas where an agency has coordinated its efforts with other agencies in achieving program objectives;
- Identification of constituencies served by the agency or program;
- A summary of efforts by an agency or program regarding the use of alternative delivery systems in meeting its goals and objectives;
- Identification of emerging issues; and
- Any other information specifically requested by the committee of jurisdiction.

The manner in which the policy committees in conducting the GEA reviews employ the agency evaluation reports represents a notable difference between the Sunset Act and GEA. The justification report required under the Sunset Act "provide(d) baseline data used to orient staff and Committee to the agency's programs and finances," according to one description of the Audit and Program Review Committee process. The subcommittee assigned to review the agency then requested additional information and often held several meetings to review materials prepared by the staff with respect to the issues identified in the review.

In the GEA process, the program evaluation report is the primary focus of the policy committee's review, as the committee attempts to make a determination whether or not the agency being reviewed is operating within its statutory authority and carrying out its statutory mandate. Members of a committee of jurisdiction react to the information presented in the program evaluation report by asking questions, seeking further explanation or requesting additional information. In some cases, the policy committees will focus on a particular program within an agency and will request a follow-up report on a date certain. It appears, however, that the GEA review process relies more on the effort invested by the agency in developing the program evaluation report, which is essentially a self-assessment report, than the former Sunset Act process where the justification report merely established the baseline of information that the staff used in developing additional information and options for the Audit and Program Review Committee.

Although there are many other differences between the two review processes, perhaps the single, most striking difference is the products of the processes. The Audit and Program Review Committee issued three to four volumes of Sunset Act reviews each biennium

with each volume usually containing the results of multiple reviews of agencies and independent agencies conducted over the two-year period. The reviews, however, sometimes were expressed in the form of either administrative or statutory recommendations with little explanatory text. In other reports, the review provided extensive texts along with findings and recommendations. (The differing formats for presentation of the program reviews appear to be related in part to the subject of the review. For example, a report on a major department included extensive text along with findings and recommendations, while the report on an independent agency or board that had a specific and limited mission included only findings and recommendations. The varied styles also may be attributed to the reporting style preferred by the author of the report.)

In the GEA review process, each policy committee issues an individual report for each agency or independent agency reviewed. The introductory text for most reports is similar; only the sections on identification of emerging issues and findings and recommendations vary in presentation and content. Most committee reports are only a few pages in length.

GEA REVIEW SCHEDULING

Section 959 details the scheduling guidelines for the initial round of GEA reviews. Thirty-five agencies or independent agencies were scheduled for review in the 1997-1998 biennium. As this report is being written, an additional thirty-six reviews were scheduled for the 1999-2000 biennium. The GEA reviews that coincide with the Second Regular Session of the 119th Legislature were to be completed by the committees of jurisdiction by March 15, 2000. As the initial round of GEA reviews are completed, the subparagraphs in section 959 that designate the date of review become outdated law unless the committee of jurisdiction submits legislation to amend the section by establishing new review dates. The committee's review of the schedules in section 959 reveals not only that some policy committees have conducted only a single GEA review but also that some policy committees have yet to conduct any GEA reviews (e.g., Judiciary, Taxation, Criminal Justice). Thus, the committee's review of the process is limited to the extent that not all policy committees have undertaken a GEA review and, as a result, can offer few insights into the relative merits of the requirements of Chapter 35.

Some committees, such as Business and Economic Development and Education and Cultural Affairs are scheduled to conduct a significantly greater number of GEA reviews than the other policy committees. While this may sharpen the committees' skills in GEA review, it may also present additional challenges to the committees to complete their work in the timeframe accorded by adjournment deadlines. Further, the greater number of GEA program evaluations that fall upon a departments such as Education or Professional and Financial Regulation to prepare will to some extent further tax the limited resources of those agencies.

ANALYSIS OF AGENCY PROGRAM EVALUATION REPORTS

Staff of the State and Local Government Committee reviewed several program evaluation reports provided by agencies and independent agencies to the policy committees in the

first two Legislatures in which GEA has been in effect. As may be anticipated because of the differing nature of the statutory mandate of a major department versus that of an independent agency, the program evaluation reports vary in their scope and content. For example, the 1999 GEA program evaluation report of the State Employee Health Commission that was provided to the Joint Standing Committee on Banking and Insurance runs only 7 pages in length, but adequately covers the elements required under section 956. The SEHC is an independent agency whose mission is narrowly defined. However, the program evaluation report provided by the Department of Education to the Joint Standing Committee on Education and Cultural Affairs in 1997 covers more than 200 pages and includes no fewer than 14 sections describing its various programs, mandates and other section 956 requirements. The department's mandates are so extensive that its enabling legislation covered 34 pages of the program evaluation report.

Several of the program evaluation reports, prepared by the agencies, provided little or no assessment of the agency's progress toward meeting its goals and objectives (§956, sub-§2, ¶B(3)), which, in lieu of the Audit and Program Review process, is a key component of GEA. Although it is always a resource issue, large departments should be able to describe their progress in achieving their goals and objectives and explain how they measured such progress. Without internal or external assessments of agency performance, there is no "evaluation" component of the GEA process and policy committees thus do not receive the quantitative or qualitative data they need to determine whether a department or independent agency is meeting its statutory mandate.

Staff analysis indicated that many independent agencies did not respond to requirements specified in section 956, sub-section 2-B, noting only that they did not administer any "program." Although "program" may legitimately be opened to such interpretation, this response suggests that it is not necessary for the independent agency or its staff to measure the agency's efforts to carry out its statutory mandate -- even if that mandate reflects a singular or limited purpose. This response also does not seem to be consistent with the stated purpose of GEA.

Finally, the program evaluation reports of several agencies offered more information about "emerging issues" than they did about the programs for which they are responsible. Although the emerging issues section is helpful to legislators conducting the agency review, it may not always be worthy of such extensive treatment. This may particularly be the case if the "emerging issues" could as easily be viewed as an agency "wish list."

ANALYSIS OF COMMITTEE GEA REPORTS

Staff of the State and Local Government Committee conducted a review and analysis of a sampling of GEA reports issued by the substantive policy committees in the Second Regular Session of the 118th Legislature and the Second Regular Session of the 119th Legislature. The 31 selected reports examined for this analysis (*See Table 2*) ranged across 12 policy committees and included both major departments of State Government and independent boards or commissions.

Table 2

Summary of Analyses of Selected Committee Reports on GEA Reviews							
Biennium	Agency/Board Reviewed	Comm. Of Jurisdiction	Number of GEA meetings	O-WISA	Recs	Requested Follow-up	Submitted Legislation
97-98	Agriculture Dept.	Ag. Conservation, Forestry	5	Y	Y	Y	N
97-98	Atlantic States Marine Fisheries Commission	Marine Resources	1	Y	N	N	N
97-98	Baxter State Park Authority	Ag. Conservation, Forestry	2	Y	N	N	N
97-98	Board of Environmental Protection	Natural Resources	3	¹	Y	Y	N
97-98	Dept. of Environmental Protection	Natural Resources	3	Y	Y	Y	N
97-98	Economic & Community Development Dept.	Business & Econ. Develop.	3	Y	Y	Y	N
97-98	Education Dept.	Education & Cult. Affairs	4	Y	Y	N	N
97-98	Inland Fisheries and Wildlife Dept.	IFW	2+	²	Y	N	Y
97-98	Maine Development Foundation	Business & Econ. Develop.	3	Y	Y	N	Y
97-98	Maine State Retirement System	Labor	1	Y	N	N	N
97-98	Marine Resources Dept.	Marine Resources	2	Y	N	N	N
97-98	Office of Public Advocate	Utilities & Energy	3	Y	Y	N	Y
97-98	Office of Substance Abuse, DMHMR	Health & Human Services	2	Y	N	N	N
97-98	Professional and Financial Reg. Dept.	Business & Econ. Develop.	3	Y	Y	N	Y
	(joint review by BEC and BAN committees)	& Banking & Insurance	2	Y	Y	N	Y
97-98	State Board of Education	Education & Cult. Affairs	2	Y	Y	N	N
97-98	Telecommunications Relay Services Advisory Council	Education & Cult. Affairs	1	Y	N	N	N
99-00	Advisory Commission on Radioactive Waste and Dec.	Natural Resources	1	Y	Y	N	Y
99-00	Board of Pesticides Control	Ag. Conservation, Forestry	2	Y	Y	N	Y
99-00	Bureau of Alcoholic Beverages and Lottery Operations	Legal and Veterans Affairs	1	Y	N	N	N
99-00	Bureau of Liquor Enforcement	Legal and Veterans Affairs	2	Y	Y	N	N
99-00	Dept. of Conservation	Ag. Conservation, Forestry	4	Y	Y	Y	Y
99-00	Labor Dept.	Labor	2	Y	N	N	N
99-00	Lobster Advisory Council	Marine Resources	2	Y	Y	Y	N
99-00	Maine Governmental Facilities Authority	State & Local Govt.	2	Y	N	N	N
99-00	Maine Municipal & Rural Electrification Cooperative	Utilities & Energy	1	³	N	N	N
99-00	Maine Seed Potato Board	Ag. Conservation, Forestry	2	Y	Y	N	Y
99-00	Maine State Housing Authority	Business & Econ. Develop.	7	Y	Y	Y	N
99-00	Public Utilities Commission	Utilities & Energy	1	Y	Y	N	Y
99-00	State Civil Service Appeals Board	State & Local Govt.	2	Y	Y	N	N
99-00	State Claims Commission	State & Local Govt.	2	Y	Y	N	N
99-00	Wild Blueberry Commission & Blueberry Advisory Comm.	Ag. Conservation, Forestry	1	Y	N	N	N
Notes:							
O-WISA= Operating within its statutory authority							
¹ Natural Resources Committee required a follow-up review with BEP and did not issue final report in the 118th Legislature							
² IFW Committee did not find O-WISA.							
³ Utilities Committee noted that MMRECA had yet to exercise any of its substantive powers.							
Summary:	31 selected agencies/boards reviewed		73	28	21	7	10
			2.4	90%	68%	23%	32%
			Avg. # of GEA				
			Meetings/Review				

Of the 31 reports examined, 28, or 90%, included a statement from the reviewing committee of jurisdiction that the agency or board was operating within its statutory authority, while only three did not. Of these 3, only one report made a finding that the department was not operating within its statutory authority. In the case of the remaining 2 reports, one committee did not issue a final report because it requested additional information and scheduled additional meetings, while the other committee concluded that the independent agency it was reviewing had yet to exercise any of its substantive powers. In neither case could a finding of “operating within its statutory authority” be made.

Of the 31 reports reviewed, 10, or approximately 32%, contained no recommendations for the future operation of the board or agency. Of the remaining 21 reports that included recommendations, 23% (7) requested follow-up meetings with the agency reviewed, while 32% (10) included proposed legislation to either make changes in statute or to request additional appropriations for the agency.

STATE AND LOCAL GOVERNMENT COMMITTEE’S GEA REVIEW PROCESS, 1999-2000

The Joint Standing Committee on State and Local Government conducted 3 GEA reviews during the 1999-2000 biennium. In March 1999, the committee determined it would notify both the State Civil Service Appeals Board and the State Claims Commission that it would go forward with their scheduled GEA reviews. Further, the committee concluded that it should conduct the scheduled GEA review of the former Maine Court Facilities Authority, now renamed the Maine Governmental Facilities Authority, the duties of which were expanded during the 118th Legislature to include building projects put forward by the Legislative and Executive branches, in addition to the Judicial branch. The chairs of the Joint Standing Committee on Judiciary, which was originally scheduled to conduct the Court Facilities Authority GEA review in the 1999-2000 biennium, agreed with the chairs of the State and Local Government Committee that the latter committee was the appropriate committee of jurisdiction for the MGFA. Legislation to amend section 959 to reflect this change was to be submitted to the Second Regular Session of the 119th Legislature. In the interim, the chairs of the two policy committees agreed to have the State and Local Government Committee proceed with the GEA review for MGFA.

In May 1999, the State and Local Government Committee notified the 3 boards or agencies that it was proceeding with the GEA reviews as scheduled and that each board or agency should prepare a program evaluation report and submit it to the committee by November 1, 1999. In November, all three agencies submitted their program evaluation reports. On December 6, 1999, each agency provided the committee with a presentation of its GEA program evaluation report. On January 21, 2000, each agency returned for a work session before the State and Local Government Committee, at which committee members asked additional questions of the agency representatives. At the conclusion of that work session, the committee instructed staff to prepare draft reports for each of the agencies reflecting the committee’s findings and recommendations. None of the committee’s recommendations in response to the GEA program evaluation reports required follow-up meetings of statutory changes. The most significant was a

recommendation that the Department of Administrative and Financial Services adhere to a recommendation made by the Joint Standing Committee on Audit and Program Review in 1989 to move funding for the State Civil Service Appeals Board from an account within the Bureau of Human Resources – always the defendant in reclassification appeals -- to a special account within the Office of the Commissioner to provide more autonomy for the board.

The State and Local Government Committee reviewed and approved the draft reports on February 14, 2000. The chairs submitted the reports to the Presiding Officers on February 15, 2000. In summary, the committee's review of these 3 boards or agencies occurred over three meetings spanning about 2-1/2 months. Although the committee had some questions in response to the agencies' program evaluation reports, for the most part, the program evaluation reports served as means of educating the policy committee as to the duties and responsibilities of the agencies as established in the statutes, as well as some of the challenges facing the agencies in carrying out its legislative mandate.

While the educative function of the GEA process is a distinct benefit, it is not the only desired outcome of the process as established by the 117th Legislature. As the title of the Act suggests, "evaluation" indicates a level of examination that extends beyond reacting to what is reported. Webster's New Collegiate Dictionary offers the following definition of "evaluate": "1: to determine the value of 2: to determine the significance or worth of usu. by *careful appraisal and study*...." In the context of busy legislative sessions, the challenge to the policy committees is to find the time and staff resources to conduct a "careful appraisal and study" of the agencies that present themselves for GEA review.

Further, program evaluation is as much a science as an art. There are established quantitative and qualitative approaches to evaluating programs within an organization. (*See, for example, Taking Stock: A Practical Guide to Evaluating Your Own Programs, by Bond, Boyd and Rapp, Horizon Research, 1997.*) It is fairly clear from the GEA program evaluation reports reviewed by the policy committees through the current session that not all boards or agencies engaged in an internal review process that applied established program evaluation processes. The question for both the agencies and the Legislature is whether more formal analyses of a department's programs would enhance the GEA process, even if such analyses means engaging additional resources in the effort.

STATE AND LOCAL GOVERNMENT COMMITTEE'S REVIEW OF GEA PROVISIONS AND EFFECTS

The Joint Standing Committee on State and Local Government Committee held one public hearing and 2 work sessions during the Second Regular Session of the 119th Legislature in which the members considered the provisions and effects of Chapter 35. During its review of the GEA process, the committee received written or oral testimony from the Joint Standing Committee on Business and Economic Development, the Bureau of Corporations, Elections and Commissions of the Department of the Secretary of State, and the Task Force to Study the Effect of Government Regulation on Small Businesses.

Committee staff also reviewed a number of GEA program evaluation reports submitted by various agencies to their committee of jurisdiction during the past two Legislatures, as well as a number of GEA reports issued by the reviewing policy committees in both the 118th and 119th Legislatures. Staff provided the committee analyses of these reports. (*See above.*)

Despite a published legal notice and an e-mail notification to departments and agencies that have undergone GEA reviews, the public hearing held by the State and Local Government Committee on February 16, 2000 was sparsely attended and resulted in no oral testimony being presented to the committee. Some members of the committee interpreted the lack of testimony less as evidence of a little interest in the GEA process and more as a function of committees' priorities in completing their assigned legislative bill load by the deadlines. In the opinion of some members, agency oversight through GEA reviews often does not rise to the level of importance that a committee assigns to specific proposed legislation in which there is significant constituent interest. Further, some members think that GEA process will not be considered a priority among legislators until Leadership signals that it is.

FINDINGS AND RECOMMENDATIONS

The Joint Standing Committee on State and Local Government makes the following findings and recommendations as a result of its review of the Government Evaluation Act (*See Appendix B for suggested legislation.*):

1. Finding and Recommendation

Finding: For most committees, GEA reviews represent additional workload on top of hearing and working bills, confirmation hearings, budget reviews and recommendations, dealing with major substantive rules and other committee duties. While committees have generally been diligent in conducting the scheduled reviews, it is clear that many committees do not view GEA as a priority, and even when considered a priority have insufficient time to conduct more thorough reviews of the scheduled agencies.

Recommendations: That Legislative Leadership determines whether or not the GEA process should be a priority activity of the policy committees. If Leadership concludes that GEA is a priority activity, Leadership should clearly communicate that position to the committee chairs. Further, Leadership should considering setting aside a specific period of time (e.g., one week) early within the Second Regular Session of each Legislature to allow committees to focus exclusively on GEA. The members of policy committees without a GEA review scheduled during a particular biennium would benefit from having time to participate in the GEA reviews conducted by other policy committees. The process also may be expedited by the committees of jurisdiction beginning their scheduled GEA reviews prior to the beginning of the Second Regular Session. Chapter 35 should be amended to require agencies to submit their program evaluation reports by October 1st of their review year. The policy committees then should invite the agencies being reviewed to present their program evaluation reports between October 15th and the Thanksgiving holidays prior to the Second Regular Session. This will allow the

committees to focus on GEA follow-up and analysis early in the session when they are not pressured by deadlines.

2. Finding and Recommendation

Finding: That the current presumption that all agencies and independent agencies should be scheduled for review every 5 years is too broad. Clearly, major departments of State Government deserve greater scrutiny than limited authority boards or commissions, yet the current GEA timetable treats these similarly. The committee believes that consideration should be given to establishing two or three different timetables under which the various agencies and independent agencies would fall. For example, major departments could be slated for review every 5-7 years, while independent agencies with significant resources could be scheduled for review every 8-10 years, and independent agencies with limited authority or advisory authority could be slated for review every 11-15 years.

Recommendation: That a subcommittee of the Joint Standing Committee on State and Local Government develop a revised scheduling guideline for review of agencies and independent agencies and report back to the 119th Legislature by November 1, 2000 with proposed legislation to enact those revisions, if acceptable, in the next Legislature. The committee also recommends that any new scheduling guideline continue to allow the committees of jurisdiction the authority to schedule an agency or independent agency for review at any time.

3. Finding and Recommendation

Finding: That strategic planning and performance budgeting have required agencies and independent agencies to develop goals and objectives as well as performance measures by which their efforts to achieve their goals and objectives can be evaluated. Having invested significant effort in this initiative and having worked with their committees of jurisdiction to refine their strategic plans, agencies and independent agencies would be remiss in not incorporating these strategic plans into their GEA reports. Because the strategic plans describe what an agency does and how it does it, the program evaluation report must of necessity include the strategic plan. Further, the strategic plans provide both quantitative and qualitative information that a committee of jurisdiction needs to accurately evaluate an agency's performance.

Recommendation: That section 956 of chapter 35 be amended to require every agency and independent agency that has prepared a strategic plan and performance budget under the provisions of Title 5, Chapter 151-C to append the latest iteration of the agency's strategic plan to their program evaluation reports.

4. Finding and Recommendation

Finding: That an agency's program evaluation report is a critical document in the GEA review process. Program evaluation has established rules and processes that should be followed in the preparation of the performance evaluation reports. It is clear from the staff's review of several of those reports that some agencies and independent agencies are

not familiar with program evaluation techniques. Further, committee members could benefit from instruction in program evaluation so that they can cast a more critical eye on the program evaluation report submitted to them by agencies and independent agencies for GEA review.

Recommendations: That the Legislature urge the Governor to require each agency or independent agency of State Government to ensure that it has on staff, or under contract, an individual with expertise in program evaluation to assist the agency or independent agency with preparation of the program evaluation report. Further, that agencies prepare program evaluation reports to conform with generally accepted practices relating to program evaluation. Further, that the Legislature sponsor seminars in program evaluation for standing committee members and legislative staff in the First Regular Session of each biennium.

5. Finding and Recommendation

Finding: That there is no requirement that the committees of jurisdiction provide public notice of GEA meetings. Further, there is no requirement that an agency or independent agency provide notice to the constituencies it serves that it is the subject of a GEA review and that its constituents may present their comments to the policy committee. The lack of such requirements has meant that some significant stakeholders to an agency's review were not notified of the agency's GEA review and thus did not provide information to the committee of jurisdiction that may have impacted the committee's findings and recommendations.

Recommendation: That chapter 35 of Title 3 be amended to require the committee of jurisdiction to provide public notice of each GEA review meeting it conducts. Further, that section 956 of Title 3 be amended in subsection 2, paragraph H. to require that the agency or independent agency not only identify the constituencies it serves, but also to notify these constituencies that the agency is the subject of a GEA review and that these constituencies are invited to comment on the agency's performance to the joint standing committee of the Legislature conducting the agency's GEA review. The agency or independent agency also should be required to keep these constituencies informed of the progress of its GEA review.

6. Finding and Recommendation

Finding: That a number of advisory boards and commissions currently are not subject to GEA review. As of this writing, more than 95 such boards or commissions exist in statute (5 MRSA section 12004-I). Although these boards are required to file annual reports on their activities with the Department of Secretary of State, there often is no other legislative oversight of those boards. The State and Local Government Committee initiated a process in the Second Regular Session of the 119th Legislature to terminate a number of inactive boards and commissions, including 17 advisory boards. The committee also is proposing to amend chapter 379 of Title 5 to enhance the ability of the Secretary of State to recommend repeal of inactive boards and commissions.

Recommendation: That, excluding independent agencies or commissions, chapter 35 of Title 3 be amended to require that every new board or commission established by the Legislature be assigned to a department of State Government for the purposes of GEA Review. Pursuant to §960 of chapter 35, newly created independent agencies and boards would be assigned a GEA review date by the Legislative Council and the committee of jurisdiction and unless otherwise indicated would not be affiliated by a department of State Government. Further, that all advisory boards and commissions established under section 12004-I of Title 5 be automatically repealed within 5 years of its creation unless the Legislature acts to continue the advisory board or commission.

References:

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**CHAPTER 35
STATE GOVERNMENT EVALUATION
(HEADING: PL 1995, c. 488, @2 (new))**

§951. Short title

This chapter may be known and cited as the "State Government Evaluation Act."

§952. Scope

This chapter provides for a system of periodic review of agencies and independent agencies of State Government in order to evaluate their efficacy and performance. Only those agencies, independent agencies or parts of those agencies and independent agencies that receive support from the General Fund or that are established, created or incorporated by reference in the Maine Revised Statutes are subject to the provisions of this chapter. The financial and programmatic review must include, but is not limited to, a review of agency management and organization, program delivery, agency goals and objectives, statutory mandate and fiscal accountability.

§953. Definitions

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

1. Agency. "Agency" means a governmental entity subject to review pursuant to this chapter, but not subject to automatic termination.

2. Committee or committee of jurisdiction "Committee or committee of jurisdiction" means the joint standing committee of the Legislature having jurisdiction over the same policy and substantive matters as an agency subject to review under this chapter.

3. Independent agency. "Independent agency" means a governmental entity subject to review and to termination pursuant to this chapter.

§954. Designation by legislative policy committee

1. Authorization. On or before April 1st of any first regular session, the committee of jurisdiction shall review the list of agencies scheduled for review in section 959.

2. Waiver from review. The committee of jurisdiction may, with a 2/3 vote of all committee members, do one of the following with regard to an agency review:

A. Exempt an agency or independent agency from review and establish a new review date;

B. Establish a modified review process in which an agency or independent agency may be asked to provide less information than required by this section or additional information; or

C. Add an additional agency or independent agency for review, except that an agency that has been reviewed in accordance with this chapter in the legislative session immediately preceding the current legislative session may not be added for review.

§955. Committee schedule

1. Review established. The committee of jurisdiction shall establish its agency review schedule in accordance with this chapter and upon approval of the necessary resources by the Legislative Council. The committee of jurisdiction shall provide each agency with a written notice of its intent to review an agency by no later than May 1st of the first regular session of the Legislature.

2. Submission of program evaluation report. Each agency and independent agency shall prepare and submit no later than November 1st prior to the second regular session of the Legislature, a program evaluation report as required in section 956, to the Legislature through the committee of jurisdiction.

3. Conduct review. The committee of jurisdiction shall begin its agency review process no later than February 1st of the second regular session of the Legislature and in accordance with this chapter.

4. Report issued. For those agencies and independent agencies selected for review by the committee of jurisdiction, the committee shall submit to the Legislature no later than March 15th of the second regular session of the Legislature the findings, administrative recommendations or legislation required to implement recommendations made as a result of its review, analysis and evaluation.

5. Follow-up review. The committee of jurisdiction shall establish in its final report a specified time in which the committee may review the progress of an agency in meeting the recommendations of the committee report. A follow-up review may consist of written progress reports, public hearings with the agency and committee or any other method approved by the committee of jurisdiction in its final report.

§956. Program evaluation report

1. Report required. Each agency and independent agency shall prepare and submit to the Legislature, through the committee of jurisdiction, a program evaluation report by a date specified by the committee.

2. Program evaluation report; contents. Each report must include the following information in a concise but complete manner:

A. Enabling or authorizing law or other relevant mandate, including any federal mandates;

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B. A description of each program administered by the agency or independent agency, including the following for each program:

- (1) Established priorities, including the goals and objectives in meeting each priority;
- (2) Performance criteria, timetables or other benchmarks used by the agency to measure its progress in achieving the goals and objectives; and
- (3) An assessment by the agency indicating the extent to which it has met the goals and objectives, using the performance criteria. When an agency has not met its goals and objectives, the agency shall identify the reasons for not meeting them and the corrective measures the agency has taken to meet the goals and objectives;

C. Organizational structure, including a position count, a job classification and an organizational flow chart indicating lines of responsibility;

D. Compliance with federal and state health and safety laws, including the Americans with Disabilities Act, the federal Occupational Safety and Health Act, affirmative action requirements and workers' compensation;

E. Financial summary, including sources of funding by program and the amounts allocated or appropriated and expended over the past 10 years;

F. When applicable, the regulatory agenda and the summary of rules adopted;

G. Identification of those areas where an agency has coordinated its efforts with other agencies in achieving program objectives and other areas in which an agency could establish cooperative arrangements;

H. Identification of the constituencies served by the agency or program, noting any changes or projected changes;

I. A summary of efforts by an agency or program regarding the use of alternative delivery systems, including privatization, in meeting its goals and objectives;

J. Identification of emerging issues for the agency or program in the coming years; and

K. Any other information specifically requested by the committee of jurisdiction.

§957. Committee analysis and recommendations

1. **Authority.** For each agency or independent agency or a component part of each agency or independent agency subject to review pursuant to section 952, the committee of jurisdiction may conduct an analysis and evaluation that may include, but need not be limited to, an evaluation of the program evaluation report, the extent to which the agency or independent agency operates in accordance with its legislative authority and the degree of success achieved by the agency or independent agency in meeting its statutory and administrative mandate. In consultation with the Legislative Council, the committee shall select agencies or independent

agencies for review either in accordance with the scheduling guidelines provided in this chapter or at any time determined necessary or warranted by the committee.

§958. Termination of independent agencies

1. Termination process. The committee of jurisdiction may recommend to the Legislature that any independent agency be terminated if indicated or warranted by the committee's review, analysis and evaluation of the independent agency. An independent agency may be accorded a grace period of not more than one year from the effective date of the legislation approving termination in which to complete its business. During the grace period, the statutory powers and duties of the independent agency are not limited or reduced.

2. Disposition of property, funds and records. During the grace period, the Legislature shall determine the disposition of:

- A. All property, including any land, buildings, equipment and supplies used by the independent agency;
- B. All funds remaining in any account of the independent agency; and
- C. All records resulting from the activities of the independent agency.

3. Expiration of grace period. Upon the expiration of the grace period, the independent agency shall cease its activities and terminate.

§959. Scheduling guideline for review of agencies or independent agencies

1. Scheduling guidelines. Except as provided in subsection 2, reviews of agencies or independent agencies must be scheduled in accordance with the following.

A. The joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters shall use the following list as a guideline for scheduling reviews:

- (1) Baxter State Park Authority in 1997;
- (2) Department of Conservation in 1997;
- (3) Blueberry Advisory Committee in 1999;
- (4) Board of Pesticides Control in 1999;
- (5) Wild Blueberry Commission of Maine in 1999;
- (6) Seed Potato Board in 1999;
- (7) Maine Dairy and Nutrition Council in 2001;
- (8) Maine Dairy Promotions Board in 2001;

- (9) Maine Milk Commission in 2001;
- (10) State Harness Racing Commission in 2001;
- (11) Maine Agricultural Bargaining Board in 2003;
- (12) Department of Agriculture, Food and Rural Resources in 2003; and
- (13) State Soil and Water Conservation Commission in 2003.

B. The joint standing committee of the Legislature having jurisdiction over banking and insurance matters shall use the following list as a guideline for scheduling reviews:

- (1) State Employee Health Commission in 1999; and
- (2) Department of Professional and Financial Regulation, in conjunction with the joint standing committee of the Legislature having jurisdiction over business and economic development matters, in 2007.

C. The joint standing committee of the Legislature having jurisdiction over business and economic development matters shall use the following list as a guideline for scheduling reviews:

- (1) Maine Development Foundation in 1997;
- (2) Board of Examiners in Physical Therapy in 1997;
- (3) Board of Examiners on Speech Pathology and Audio logy in 1997;
- (4) Board of Hearing Aid Dealers and Fitters in 1997;
- (5) Department of Professional and Financial Regulation, in conjunction with the joint standing committee of the Legislature having jurisdiction over banking and insurance matters, in 2007;
- (6) Maine Athletic Commission in 1997;
- (7) Manufactured Housing Board in 1997;
- (8) Maine State Board for Licensure of Architects, Landscape Architects and Interior Designers in 1997;
- (9) Oil and Solid Fuel Board in 1997;
- (10) Plumbers' Examining Board in 1997;
- (11) Real Estate Commission in 1997;
- (12) Board of Barbering and Cosmetology in 1997;

- (13) State Board of Certification for Geologists and Soil Scientists in 1997;
- (15) State Board of Examiners of Psychologists in 1997;
- (16) State Board of Funeral Service in 1997;
- (17) State Board of Licensure for Professional Foresters in 1997;
- (18) State Board of Alcohol and Drug Counselors in 1997;
- (19) Department of Economic and Community Development in 1997;
- (21) Board of Occupational Therapy Practice in 1999;
- (22) Board of Respiratory Care Practitioners in 1999;
- (23) Maine State Housing Authority in 1999;
- (24) Radiologic Technology Board of Examiners in 1999;
- (25) Arborist Examining Board in 1999;
- (26) Board of Accountancy in 1999;
- (27) Maine Board of Pharmacy in 1999;
- (28) Electricians' Examining Board in 1999;
- (29) State Board of Social Worker Licensure in 1999;
- (30) Board of Counseling Professionals Licensure in 2001;
- (31) Board of Real Estate Appraisers in 2001;
- (32) Finance Authority of Maine in 2001;
- (33) Petroleum Advisory Committee in 2001;
- (34) State Board of Veterinary Medicine in 2001;
- (35) Board of Chiropractic Licensure in 2003;
- (36) Board of Dental Examiners in 2003;
- (37) Board of Osteopathic Licensure in 2003;
- (38) Board of Licensure in Medicine in 2003;
- (39) Board of Licensure of Podiatric Medicine in 2003;

Report on the Government Evaluation Act

- (40) Nursing Home Administrators Licensing Board in 2003;
- (41) State Board of Nursing in 2003;
- (42) State Board of Optometry in 2003;
- (43) Board of Licensure for Professional Land Surveyors in 2003;
- (45) State Board of Registration for Professional Engineers in 2003;
- (47) Board of Licensing of Auctioneers in 2005;
- (48) Board of Licensing of Dietetic Practice in 2005;
- (49) Board of Complementary Health Care Providers in 2007;
- (50) Maine Science and Technology Foundation in 2007;
- (51) Board of Boiler Rules in 2007; and
- (52) Board of Elevator and Tramway Safety in 2007.

D. The joint standing committee of the Legislature having jurisdiction over criminal justice matters shall use the following list as a guideline for scheduling reviews:

- (1) Department of Public Safety, except for the Bureau of Liquor Enforcement, in 2001; and
- (2) Department of Corrections in 2003.

E. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs shall use the following list as a guideline for scheduling reviews:

- (1) Telecommunications Relay Services Advisory Council in 1997;
- (2) Department of Education in 1997;
- (2-A) State Board of Education in 1997;
- (3) Maine Arts Commission in 1999;
- (4) Maine Conservation School in 1999;
- (5) Maine Historic Preservation Commission in 1999;
- (5-A) Notwithstanding section 952, Maine Historical Society in 1999;
- (6) Maine Library Commission in 1999;

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- (6-A) Maine State Cultural Affairs Council in 1999;
- (6-B) Maine State Library in 1999;
- (6-C) Maine State Museum in 1999;
- (7) Maine State Museum Commission in 1999;
- (8) Office of State Historian in 1999;
- (9) Board of Trustees of the Maine Maritime Academy in 2001;
- (10) Board of Trustees of the University of Maine System in 2001;
- (11) Educational Leave Advisory Board in 2001;
- (12) Maine Technical College System in 2001;
- (13) Maine Health and Higher Educational Facilities Authority in 2003; and
- (14) Maine Educational Loan Authority in 2003.

F. The joint standing committee of the Legislature having jurisdiction over human resource matters shall use the following list as a guideline for scheduling reviews:

- (2) Office of Substance Abuse in 1997;
- (3) Maine Advisory Committee on Mental Retardation in 1999;
- (5) Maine Emergency Medical Services in 2001;
- (6) Department of Human Services in 2001;
- (7) Board of the Maine Children's Trust Incorporated in 2003;
- (8) Governor's Committee on Employment of People with Disabilities in 2003;
- (9) Maine Developmental Disabilities Council in 2003; and
- (10) Department of Mental Health, Mental Retardation and Substance Abuse Services in 2005.

G. The joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters shall use the following list as a guideline for scheduling reviews:

- (1) Department of Inland Fisheries and Wildlife in 1997; and
- (2) Advisory Board for the Licensing of Taxidermists in 2005.

Report on the Government Evaluation Act

H. The joint standing committee of the Legislature having jurisdiction over judiciary matters shall use the following list as a guideline for scheduling reviews:

- (1) Maine Court Facilities Authority in 1999;
- (2) Maine Human Rights Commission in 2001;
- (3) Maine Indian Tribal-State Commission in 2003; and
- (4) Department of the Attorney General in 2003.

I. The joint standing committee of the Legislature having jurisdiction over labor matters shall use the following list as a guideline for scheduling reviews:

- (1) Maine State Retirement System in 1997;
- (2) Department of Labor in 1999;
- (3) Maine Labor Relations Board in 2001; and
- (4) Workers' Compensation Board in 2001.

J. The joint standing committee of the Legislature having jurisdiction over legal and veterans' affairs shall use the following schedule as a guideline for scheduling reviews:

- (2) State Liquor and Lottery Commission in 1999;
- (3) Bureau of Liquor Enforcement within the Department of Public Safety in 1999; and
- (4) Department of Defense, Veterans and Emergency Management in 2001.

K. The joint standing committee of the Legislature having jurisdiction over marine resource matters shall use the following list as a guideline for scheduling reviews:

- (1) Atlantic States Marine Fisheries Commission in 1997;
- (2) Department of Marine Resources in 1997;
- (4) Lobster Advisory Council in 1999;
- (5) Maine Sardine Council in 1999; and
- (6) Atlantic Salmon Authority in 2001.

L. The joint standing committee of the Legislature having jurisdiction over natural resource matters shall use the following list as a guideline for scheduling reviews:

- (1) Department of Environmental Protection in 1997;

Report on the Government Evaluation Act

- (2) Board of Environmental Protection in 1997;
- (3) Advisory Commission on Radioactive Waste in 1999;
- (4) Saco River Corridor Commission in 2005; and
- (5) Board of Underground Oil Tank Installers in 2003.

M. The joint standing committee of the Legislature having jurisdiction over state and local government matters shall use the following list as a guideline for scheduling reviews:

- (1) Capitol Planning Commission in 1997;
- (2) State Civil Service Appeals Board in 1999;
- (3) State Claims Commission in 1999;
- (4) Maine Municipal Bond Bank in 2001;
- (5) Office of Treasurer of State in 2001;
- (6) Department of Administrative and Financial Services, except for the Bureau of Revenue Services in 2003;
- (7) Department of the Secretary of State, except for the Bureau of Motor Vehicles, in 2003; and
- (9) State Planning Office in 2001.

N. The joint standing committee of the Legislature having jurisdiction over taxation matters shall use the following schedule as a guideline for scheduling reviews:

- (1) State Board of Property Tax Review in 2001; and
- (2) Department of Administrative and Financial Services, Bureau of Revenue Services in 2003.

O. The joint standing committee of the Legislature having jurisdiction over transportation matters shall use the following schedule as a guideline for scheduling reviews:

- (1) Maine Turnpike Authority in 1997;
- (2) The Bureau of Motor Vehicles within the Department of the Secretary of State in 1999;
- (3) The Department of Transportation in 1999; and
- (4) Maine State Pilotage Commission in 2001.

P. The joint standing committee of the Legislature having jurisdiction over utilities and energy matters shall use the following list as a guideline for scheduling reviews:

(1) Public Advocate in 1997;

(2) Board of Directors, Maine Municipal and Rural Electrification Cooperative Agency in 1999; and

(3) Public Utilities Commission in 1999.

2. Waiver. Notwithstanding this list of agencies arranged by year, an agency or independent agency may be reviewed at any time by the committee pursuant to section 954.

§960. Future or reorganized agencies and independent agencies

The chief staff administrator of a newly created or substantially reorganized agency or independent agency shall contact the committee to ensure placement of that agency or independent agency in the scheduling guideline outlined in section 959. The committee and the Legislative Council shall determine the placement of that agency or independent agency in the scheduling guideline.

§961. Legislative Council

The Legislative Council shall issue rules necessary for the efficient administration of this chapter and shall provide the committees of jurisdiction with assistance as required to carry out the purposes of this chapter.

§962. Legal claims

Termination, modification or establishment of agencies or independent agencies as a result of the review required by this chapter does not extinguish any legal claims against the State, any state employee or state agency or independent agency. The provisions of this chapter do not relieve the State or any agency or independent agency of responsibility for making timely payment of the principal and interest of any debt issued in the form of a bond or note.

§963. Review

The joint standing committee of the Legislature having jurisdiction over state and local government matters shall review the provisions and effects of this chapter no later than June 30, 2000 and at least once every 10 years after June 30, 2000.

DRAFT

TITLE:

An Act to Amend the Government Evaluation Act

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 3 MRSA §955, sub-§§2 and 3 are amended to read:

2. Submission of program evaluation report. Each agency and independent agency shall prepare and submit no later than ~~November 1st~~ October 1st prior to the second regular session of the Legislature, a program evaluation report as required in section 956, to the Legislature through the committee of jurisdiction.

3. Conduct review. The committee of jurisdiction shall begin its agency review process no later than ~~February 1st~~ November 15th prior to the beginning of the second regular session of the Legislature and in accordance with this chapter. The committee of jurisdiction shall provide public notice of each committee meeting in which a review or any part of a review under this chapter is conducted.

Sec. 2. 3 MRSA §956, sub-§1 is amended to read:

1. Report required. Each agency and independent agency shall prepare and submit to the Legislature, through the committee of jurisdiction, a program report by a date specified ~~by the committee~~ in subsection 2 of section 955.

Sec. 3. 3 MRSA §956, sub-§2, sub-¶B-1 is enacted to read:

B-1. For any agency required to have prepared a strategic plan pursuant to Title 5, chapter 151-C, the most recent version of that agency's strategic plan.

Sec. 4. 3 MRSA §956, sub-§2, sub-¶H-1 is enacted to read:

H-1. Evidence of notification to the constituencies identified in subparagraph H that the agency or program is the subject of a review under this chapter, including an invitation to provide comments on the performance of the agency or program to the joint standing committee of the Legislature conducting the review of that agency or program;

Sec. 5. 3 MRSA §960 is amended to read:

§960. Future or reorganized agencies and independent agencies

The chief staff administrator of a newly created or substantially reorganized agency or independent agency shall contact the committee to ensure placement of that agency or independent agency in the scheduling guideline outlined in section 959. The committee and the

Legislative Council shall determine the placement of that agency or independent agency in the scheduling guideline. Except for independent agencies, each new board or commission created by the Legislature shall include in its enabling legislation designation of an agency of State Government with which it will be affiliated for the purposes of review under this chapter.

Sec. 6. 5 MRSA §12015 sub-§2-A is enacted to read:

2-A. Termination. Unless continued or modified by law, each advisory board or commission established by the Legislature under section 12004-I of this chapter shall terminate within 5 years of its establishment.

SUMMARY

This bill makes several changes to the Government Evaluation Act. The bill:

1. Changes the deadline for the filing of agency program evaluation reports.
2. Changes the deadline for the initiation of the review of an agency by the committee of jurisdiction.
3. Requires the inclusion of an agency's strategic plan in its program evaluation report.
4. Requires evidence that an agency has provided notice to its constituencies that it is the subject of a review under Chapter 35 of Title 3.
5. Requires each new board or commission created after the effective date of this act to specify an affiliation with an agency of State Government for the purposes of review under Chapter 35 of Title 3.
6. Automatically terminates within 5 years of its creation each new advisory board or commission established after the effective date of this act in lieu of legislative action to continue or modify the advisory board or commission.

SENATE

PEGGY A. PENDLETON, DISTRICT 30, CHAIR
JILL M. GOLDTHWAIT, DISTRICT 5
PAUL T. DAVIS, DISTRICT 8

CHRISTOPHER J. SPRUCE, LEGISLATIVE ANALYST
DANIELLE D. FOX, LEGISLATIVE ANALYST
NINA WICKENHEISER, COMMITTEE CLERK



STATE OF MAINE

HOUSE

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ONE HUNDRED AND NINETEENTH LEGISLATURE

COMMITTEE ON STATE AND LOCAL GOVERNMENT

March 27, 2000

Maine-Canada Legislative Advisory Commission
New England and Eastern Canada Legislative Commission
c/o Sarah Tubbesing, Executive Director
Legislative Council
115 State House Station
Augusta, ME 04333

Dear Sally:

The Joint Standing Committee on State and Local Government recently considered the repeal of the Maine-Canadian Legislative Advisory Commission and the New England and Eastern Canada Legislative Commission during its deliberations on LR 4079, "An Act to Repeal Certain Inactive Boards and Commissions and to Amend Certain Laws Governing Boards and Commissions." The committee ultimately decided not to repeal the boards at this time, but asked that the co-chairs of the committee write this letter to the respective commissions on behalf of the State and Local Government committee.

During testimony in support of retaining the two commissions, a number of legislators testified that there were several economic and cultural initiatives ongoing between Maine and Canada and that the two commissions were necessary to the continued success of those efforts. However, proponents also admitted to the committee that neither of the commissions had been active in recent years. The committee wishes to request that the Maine-Canadian Legislative Advisory Commission return to active status and that its members actively participate, when appropriate, in the current or future initiatives that involve Maine and Canada.

Further, the State and Local Government Committee requests that the New England and Eastern Canada Legislative Commission explore with the possibility of merging its mission and duties with those of the Maine-Canadian Legislative Advisory Commission. The committee respectfully requests that the two commissions report to the State and Local Government Committee on the results of their discussions by November 1, 2000.

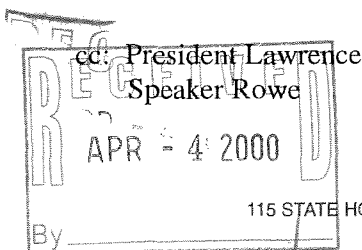
Respectfully,

A handwritten signature in black ink, appearing to read "Peggy A. Pendleton".

Senator Peggy Pendleton, Senate Chair

A handwritten signature in black ink, appearing to read "Douglas J. Ahearne".

Rep. Douglas J. Ahearne, House Chair




SARAH C. TUBBESING
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

April 14, 2000

TO: Honorable Mark W. Lawrence, Chair
Honorable G. Steven Rowe, Vice-Chair
and Members of the Legislative Council

FROM: Sally 

SUBJECT: Proposed Studies on the Appropriations Table and the Senate Special Study Table

As you turn your attention to the Appropriations Table, I wanted to draw your attention to the studies that are there.

Currently there are **27 study bills** on the Appropriations Table, with a total "value" of \$289,240. There are also 5 Joint Study Orders on the Senate Special Study Table. Excluding the Joint Orders, these studies call for 125 legislative members, in addition to one that would involve the entire Labor Committee.

A preliminary list of the proposed studies is enclosed for your information. With Dave Boulter's assistance, we have sorted them by major subject area to assist you in reviewing them. The packet that we will have for the Council meeting will include copies of the enactors for each study. Please let me know if you have questions or need additional information.

Enclosure
cc: David Boulter
James Clair
Teen Griffin

Proposed Legislative Studies and Related Commissions, 119th Legislature, Second Regular Session (April 14, 2000)

LD #	Emergency	Bill Title	Policy Area	Purpose	# Members	# Legislators	Start Date	Report Date	Compensation	Staffing	Fiscal Costs	Sponsor
LD 2005	Non-Emerg.	Resolve, to Establish the Round Table to Study Economic and Labor Issues Relating to the Forest Products Industry	ACF	Study trends in logging industry, including employment relationships, dynamics of import & export markets for roundwood & other forest products.	19	4	not specified	12/5/01	Per Diem & Expenses	OPLA	10,480 PS:\$880 AO:\$9,600 (4 mtgs)	Rep. Volenik
LD 2486	Emergency	Resolve, to Establish a Legislative Committee to Study Access to Private and Public Land in Maine	ACF	Gather and study information on issues relating to access to forest lands for which access is restricted by gates, checkpoints or other means..	5	5	8/1/00	11/1/00	Per Diem & Expenses	OPLA	3,650 PS:\$1,650 AO:\$2,000 (6 mtgs)	Rep. McGlocklin
LD 2343	Emergency	Resolve, to Establish the Task Force to Reduce the Burden of Home Heating Costs on Low-Income Households	AFA	Investigate problems facing low-income households in the heating of their homes, cost of heating, energy conservation, demand-side management and availability of federal programs.	16	4	30 days following last appointment	11/1/00	Per Diem & Expenses	Legislative Council	5,720 PS:\$1,320 AO:4,400 (6 mtgs)	Rep. Berry

LD #	Emergency	Bill Title	Policy Area	Purpose	# Members	# Legislators	Start Date	Report Date	Compensation	Staffing	Fiscal Costs	Sponsor
HP 1857	Non-Emerg.	Joint Order Relative to Establishing the Joint Select Committee to Study the Creation of a Public/Private Purchasing Alliance to Ensure Access to Health Care for all Maine Citizens	BAN	Examine the public policy, regulatory and legislative issues related to the creation of a public/private purchasing alliance.	13	13	5/15/00	12/1/00	Per Diem & Expenses	OPLA	6 meetings/ Council to approve	Rep. J. Saxl
LD 1931	Non-Emerg.	An Act to Amend the Franchise Law. [The Commission to Study the Most Effective Method of Providing Retail Rate Reimbursement for Parts and Labor]	BEC	Study how to most effectively implement the retail rate reimbursement provisions of the 10 MRSA, Section 1176, while protecting interests of warranty/nonwarranty repair consumers.	5	2	15 days following last appointment	12/15/00	Per Diem & Expenses	Legislative Council	1,340 PS:\$440 AO:\$990 (4 mtgs)	Sen. LaFountain
LD 2535	Non-Emerg.	Resolve, to Establish the Commission to Study Ownership Patterns in Maine	BEC	Investigate the current patterns of in-state, out-of-state and international ownership of Maine businesses.	13	4	14 days following last appointment	11/15/00	Per Diem & Expenses	State Planning Office	3,380 PS:\$880 AO:\$2,500 (4 mtgs)	Rep. Rowe
LD 2557	Non-Emerg.	An Act to Implement the Recommendations of the Blue Ribbon Commission to Establish a Comprehensive Internet Policy	BEC	Commission would be re-authorized to meet to continue the work of the Commission from the 119th First Regular Session relating to state internet policy.	18	5	Following adjournment of 2nd Regular Session	12/6/00	Per Diem & Expenses	OPLA	3,125 PS:\$1,375 AO:\$1,750 (5 mtgs)	Sen. Kontos

LD #	Emergency	Bill Title	Policy Area	Purpose	# Members	# Legislators	Start Date	Report Date	Compensation	Staffing	Fiscal Costs	Sponsor
LD 2174	Emergency	An Act to Protect the Citizens of Maine from the Dangers of Counterfeit Consumer Goods [Commission to Study Counterfeiting and the Unauthorized Sale of Consumer Goods and Labels]	CRJ	Examine the effect of counterfeit goods in this state, including the effect of counterfeit Universal Price Code labels on state revenue, losses to merchants and manufacturers.	9	4	7/1/00	12/1/00	Per Diem & Expenses	OPLA	3,600 PS:\$1,100 AO:\$2,500 (5 mtgs)	Sen. Kilkelly
LD 2651	Emergency	Resolve, to Establish the Commission to Study Domestic Violence	CRJ	Study the problem of domestic violence and determine methods of alleviating this problem by evaluating areas of law enforcement, education and investigation procedures.	19	5	30 days after last appointment	12/5/01	Per Diem & Expenses	OPLA	3,900 PS:\$1,100 AO:\$2,800 (4 mtgs)	Rep. McAlevey
LD 2685	Non-Emerg.	Maine Fire Protection Services Commission (on-going)	CRJ-Special	Monitor and evaluate the state's fire protection services.	21	5	Title 5	12/31/00	Per Diem & Expenses	May employ staff as needed	52,100 PS:\$3,740 AO:\$48,360	CRJ
HP 1938	Non-Emerg.	Joint Order relating to the Joint Study Committee to Study Bomb Threats in Maine Schools	EDU	Study the problem of bomb threats in schools in the State and methods of deterring threats, including withholding certain privileges from a student until the age of 20.	6	6	6/1/00	11/1/00	Per Diem & Expenses	OPLA	4,280 PS:\$630 AO:\$3,650	Rep. McDonoug

LD #	Emergency	Bill Title	Policy Area	Purpose	# Members	# Legislators	Start Date	Report Date	Compensation	Staffing	Fiscal Costs	Sponsor
LD 2608	Non-Emerg.	An Act to Improve Educational Programming at Juvenile Correctional Facilities [a: Task Force on Educational Programming at Juvenile Correctional Facilities; b: Policy Review Council]]	EDU	Establishes a task force to study educational programs at juvenile correctional facilities.	13	4	30 days following last appointment	11/1/00	Per Diem & Expenses	OPLA	4,720 a: PS:\$880 AO:\$3,000 (4 mtgs) b: PS:\$440 AO:\$400 (4 mtgs)	Rep. Brennan
HP 1864	Non-Emerg.	Joint Order Relative to Establishing the Joint Select Committee on School-based Health Care Services	EDU/HHS	Committee will review current funding sources for school-based health care services, & examine the social & financial impact & efficacy of mandating health insurance coverage.	5	5	5/15/00	12/1/00	Per Diem & Expenses	OPLA		Rep. Fuller
LD 2327	Non-Emerg.	Resolve, to Establish a Commission to Study Kindergarten-to-grade-12 Educator Recruitment and Retention	EDU-Special	Study teacher supply and hiring needs, hiring practices, teacher's salaries, supervisory systems and benefits and attractiveness of teaching profession as a career.	14	0	15 days following last appointment	1/15/01	Expenses Only	consultant to be hired	38,200 AO:\$38,000	Rep. Brennan
LD 2187	Non-Emerg.	Resolve, to Study Youth Homelessness	HHS	Study youth homelessness, a potential homeless youth system, effects of recent decreased funding of general assistance program and relationship of program to homeless.	10	3	9/10/00	12/1/00	Per Diem & Expenses	OPLA	22,100 PS:\$1,100 AO:\$1,000	Rep. Quint

LD #	Emergency	Bill Title	Policy Area	Purpose	# Members	# Legislators	Start Date	Report Date	Compensation	Staffing	Fiscal Costs	Sponsor
LD 1623	Non-Emerg.	Youth in Need of Services Oversight Committee (on-going)	HHS-Special	Oversee, monitor and review reports and gather facts regarding the needs of youth health and youth services being provided in the state.	25	6	not provided	1/15/01	Per Diem & Expenses	DHS	1,260 PS:\$660 AO:\$600 (2 mtgs)	Rep. Brennan
LD 2580	Non-Emerg.	Task Force to Study the Implementation of the Marijuana for Medical Purposes Law	HHS-Special	Study the implementation of the marijuana for medical purposes law and recommend steps to implement the law and provide access to marijuana for medical purposes.	7	7	not provided	10/1/00	Per Diem & Expenses	Attorney General	2,940 PS:\$1,540 AO:\$1,400 (4 mtgs)	Sen. Rand
LD 2679	Non-Emerg.	An Act to Establish the Council on Children and Families and to Ensure the Continuation of the Governor's Children's Cabinet (on-going)	HHS-Special	Establish a council to advise and make policy recommendations to the Governor, the Children's Cabinet, the Legislature and the Judiciary regarding several program & policy goals.	12	7	Meet 3X a year, with report each year to Governor		Per Diem & Expenses	Governor's Office/ Add'l staff may be requested by Leg. Council	2,205 PS:\$1,155 AO:\$1,050 (3 mtgs)	EDU
LD 2645	Emergency	Resolve, to Create the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft	IFW	Determine the percentage of gas tax paid on gas consumed by certain vehicles, assess need for enforcement of laws, and review strategic boating plan and off-road fuel consumption.	15	10	30 days following last appointment	12/6/00	Per Diem & Expenses	OPLA	10,100 PS:\$4,400 AO:\$5,700 (8 mtgs)	IFW

LD #	Emergency	Bill Title	Policy Area	Purpose	# Members	# Legislators	Start Date	Report Date	Compensation	Staffing	Fiscal Costs	Sponsor
HP 1914	Non-Emerg.	Joint Order Relative to the Committee to Study Further Decriminalization of the Criminal Laws of Maine	JUD	Study further decriminalization of the criminal laws of Maine.	5	5	5/1/00	11/1/00	Per Diem & Expenses	OPLA	4,175 PS:\$1,050 AO:\$3,125	Rep. Thompson
HP 1930	Non-Emerg.	Commission on the Study and Prevention of Child Abuse	JUD	Investigate the mistreatment of children and report on the occurrence and causes of mistreatment and recommend measures to intervene to the benefit of children.	15	8	6/1/00	11/1/00	Per Diem & Expenses	OPLA		Rep. Trahan
LD 1620	Emergency	Resolve, to Establish the Committee to Develop a Compensation Program for Victims of Abuse at the Governor Baxter School for the Deaf and to Continue Oversight of Multiagency Cooperation	JUD	Develop a compensation program for victims of abuse at the Governor Baxter School for the Deaf.	5	5	5/15/00	11/1/00	Per Diem & Expenses	OPLA	31,700 PS:\$2,200 AO:\$29,500 (8 meetings)	Rep. Townsend
LD 2334	Non-Emerg.	An Act to Correct Errors and Inconsistencies in the Laws of Maine [No Council Action Req'd]	JUD-Special	Resolve extends the deadline to 1/15/01 for the Maine Criminal Justice Information System Policy Board to complete its drafting project established by Resolve 1997, Chapter 105.				1/1/00		OPLA		Rep. Thompson


LD #	Emergency	Bill Title	Policy Area	Purpose	# Members	# Legislators	Start Date	Report Date	Compensation	Staffing	Fiscal Costs	Sponsor
LD 835	Emergency	Resolve, to Study Pension Plan Design and Benefits under the Maine State Retirement System	LAB	Study the design of pension plans for state employees and teachers and the level and equity of the benefits available under those plans..	13	13	not specified	11/1/00	Per Diem & Expenses	Legislative Council	19,325 PS:\$3,575 AO:\$15,750 (5 meetings)	Rep. T. Murphy
LD 1562	Non-Emerg.	Resolve, to Create the Commission to Study the Establishment of an Environmental Leadership Program	NAT	To develop criteria for defining a company as an environmental leader, incentives for them to become environmental leaders, & opportunities for an environmental leadership program.	8	8	45 days following effective date	1/15/02	Per Diem & Expenses	OPLA	7,220 PS:\$3,520 AO:\$3,700 (8 Meetings)	Sen. Amero
LD 2442	Non-Emerg.	Task Force to Study Market Power Issues Related to the Solid Waste Hauling and Disposal Industry	NAT	To study market power issues in all aspects of the public and private solid waste hauling and disposal industry.	5	5	30 days following last appointment	12/5/01	Per Diem & Expenses	OPLA	7,600 PS:\$1,100 AO:\$6,500 (4 mtgs)	Rep. Povich
LD 2600	Non-Emerg.	An Act to Implement the Land Use Recommendations of the Task Force on State Office Building Location, other State Growth-related Capital Investments and Patterns of Development	NAT	To review the growth management laws, including the subdivision law, with the goal of improving the law to make it more responsive to issues of sprawl.	14	3	30 days following last appointment	11/1/00	Per Diem & Expenses	OPLA	9,320 PS:\$4,620 AO:\$4,700 (6 mtgs) Other \$	NAT

LD #	Emergency	Bill Title	Policy Area	Purpose	# Members	# Legislators	Start Date	Report Date	Compensation	Staffing	Fiscal Costs	Sponsor
LD 2084	Non-Emerg.	Mercury Products Advisory Committee (Title V) (on-going)	NAT-Special	Advise the department, the Executive Department, State Planning Office and the Legislature on actions needed to prevent and reduce environmental releases of mercury.	13	4	not provided (meet 4X year)	1/15/02	Per Diem & Expenses	DEP	3,480 PS:\$880 AO:\$2,600	Sen. Treat
LD 2461	Non-Emerg.	Resolve, to Create a Commission to Study Economically and Socially Just Policies on Investments and Purchasing by the State	SLG	Study economically and socially just policies for investment and purchase by the State and to make recommendations about such policies.	12	4	Executive Director shall call and convene 1st mtg	11/1/00	Per Diem & Expenses	OPLA	4,820 PS:\$1,320 AO:\$3,500 (6 mtgs)	Rep. Matthews
LD 253	Emergency	Resolve, to Create the Commission to Study the Feasibility of Televising Senate and House Sessions	SLG	Review the experience of other states that broadcast proceedings and find ways to televise proceedings without diminishing the historical value of the chambers, and proposed costs.	15	9	30 days following last appointment	12/15/00	Per Diem & Expenses	OPLA	8,865 PS:\$3,465 AO:\$5,400 (7 meetings)	Rep. Andrews
LD 299	Emergency	Resolve, to Create the Committee to Study the Governance of the Unorganized Territories of Maine	SLG	Examine the feasibility of establishing an alternative system of governance for the unorganized territories.	17	5	15 days after last member appointed	11/1/00	Per Diem & Expenses	OPLA	7,250 PS:\$1,650 AO:\$5,600 (6 meetings)	Rep. Joy

LD #	Emergency	Bill Title	Policy Area	Purpose	# Members	# Legislators	Start Date	Report Date	Compensation	Staffing	Fiscal Costs	Sponsor
LD 2087	Non-Emerg.	Board of Directors/Public Resources and Information for Maine Foundation (on-going)	SLG-Special	Provide the State's citizens with increased access to unbiased information about state government procedures, deliberations and public policy events to promote civic education.	15	2	Annual		Per Diem & Expenses	Title 5	840 PS:\$440 AO:\$400 (4 mtgs)	Sen. Kontos
LD 2471	Non-Emerg.	Resolve, to Recognize Veterans of the Vietnam War in the State House Hall of Flags [No Council Action Req'd]	SLG-Special	Arrange for a plaque, accept private donations and make arrangements for flag to be displayed in Hall of Flags.	5	0	not specified	12/1/00	No Compensation	None	500	Rep. Campbell
LD 2460	Non-Emerg.	Economic Development Incentive Commission (5 MRSA, Section 13070-L) (on-going)	TAX-Special	Review existing economic development and tax incentive programs and report to joint standing committee of the Legislature having jurisdiction over taxation for 2 year period.	11	5	not specified	11/1/00	Per Diem & Expenses	OFPR	20,000 AO:\$20,000	Rep. Gagnon
HP 1774	Non-Emerg.	Joint Study Order to Establish a Committee on Gasoline and Fuel Prices	TRA	Established to gather information on fuel oil prices, the change in gasoline prices, and study and gauge the effect of these changes on the state.	13	13	February 1, 2000	11/1/00	Per Diem & Expenses	OPLA	10,055 PS:\$2,730 AO:\$7,325	Rep. Goodwin



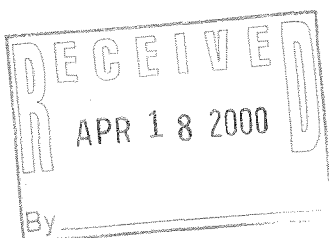
MAINE STATE LEGISLATURE
OFFICE OF FISCAL AND PROGRAM REVIEW
5 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0005
Telephone: (207) 287-1635
FAX: (207) 287-6469

TO: Members, Legislative Council
FROM: Jim Clair, Director 
SUBJ: Study Orders
DATE: April 18, 2000

Through this morning, there are 6 Joint Orders on the Special Study Table. Attached for your review are OFPR's "fiscal notes" for the additional Joint Order placed on the Study Table last Friday, April 14 and the previous five Joint Orders that are currently on the Special Study Table. Although Joint Rule 312 does not call for fiscal notes to be prepared for Study Orders, OFPR has prepared fiscal estimates for these orders, in a manner similar to that currently used for bills and resolves. We hope that this will assist you in reviewing and prioritizing all studies today.

Please let me know if you have any specific questions about this fiscal information.

cc: Sally Tubbesing, Executive Director
David Boulter, Director, OPLA
Teen Griffin, Manager, Legislative Information Office
Joe Mayo, Clerk of the House
Joy O'Brien, Secretary of the Senate



H.P. 1774
Committee on Gasoline and Fuel Prices

	<u>FY 1999-00</u>	<u>FY 2000-01</u>
General Fund Appropriations:	\$2,730	\$7,325

Comments:

The Legislature will incur additional costs estimated to be \$2,730 in fiscal year 1999-00 and \$7,325 in fiscal year 2000-01 for the per diem and expenses of legislative members for 7 meetings of the Committee on Gasoline and Fuel Prices and to print the required report. Of this amount, \$5,005 is required in the Personal Services line category and \$5,050 in the All Other line category. If the Legislative Council approves additional meetings, the estimated cost for the per diem and expenses of legislative members for each additional meeting is \$1,365.

The additional costs associated with providing staffing assistance to the committee during the interim between legislative sessions can be absorbed by the Legislature utilizing existing budgeted resources. If an extension of the reporting deadline is granted and the committee requires staffing assistance during the legislative session, additional costs would be incurred to contract for staff services.

H.P. 1857

Joint Select Committee to Study the Creation of a Public/Private Purchasing Alliance to Ensure Access to Health Care for All Maine Citizens

	<u>FY 1999-00</u>	<u>FY 2000-01</u>
General Fund Appropriations:	\$1,365	\$7,325

Comments:

The Legislature will incur additional costs estimated to be \$1,365 in fiscal year 1999-00 and \$7,325 in fiscal year 2000-01 for the per diem and expenses of legislative members for 6 meetings of the Joint Select Committee to Study the Creation of a Public/Private Purchasing Alliance to Ensure Access to Health Care for all Maine Citizens and to print the required report. Of this amount, \$4,290 is required in the Personal Services line category and \$4,400 in the All Other line category. If the Legislative Council approves additional meetings, the estimated cost for the per diem and expenses of legislative members for each additional meeting is \$1,365.

The additional costs associated with providing staffing assistance to the committee during the interim between legislative sessions can be absorbed by the Legislature utilizing existing budgeted resources. If an extension of the reporting deadline is granted and the committee requires staffing assistance during the legislative session, additional costs would be incurred to contract for staff services.

The Department of Professional and Financial Regulation, the Department of Human Services, the State Employee Health Commission and the University of Maine System will incur some minor additional costs to provide expertise to the committee. These costs can be absorbed within the existing budgeted resources of the affected agencies.

H.P. 1864

Joint Select Committee on School-based Health Care Services

	<u>FY 1999-00</u>	<u>FY 2000-01</u>
General Fund Appropriations:	\$525	\$2,600

Comments:

The Legislature will incur additional costs estimated to be \$525 in fiscal year 1999-00 and \$2,600 in fiscal year 2000-01 for the per diem and expenses of legislative members for 5 meetings of the Joint Select Committee on School-based Health Care Services and to print the required report. Of this amount, \$1,375 is required in the Personal Services line category and \$1,750 in the All Other line category. If the Legislative Council approves additional meetings, the estimated cost for the per diem and expenses of legislative members for each additional meeting is \$525.

The additional costs associated with providing staffing assistance to the committee during the interim between legislative sessions can be absorbed by the Legislature utilizing existing budgeted resources. If an extension of the reporting deadline is granted and the committee requires staffing assistance during the legislative session, additional costs would be incurred to contract for staff services.

The Department of Professional and Financial Regulation, the Department of Human Services and the Department of Education will incur some minor additional costs to provide expertise to the committee. These costs can be absorbed within the existing budgeted resources of the affected agencies.

H.P. 1914

Committee to Study Further Decriminalization of the Criminal Laws of Maine

	<u>FY 1999-00</u>	<u>FY 2000-01</u>
General Fund Appropriations:	\$1,050	\$3,125

Comments:

The Legislature will incur additional costs estimated to be \$1,050 in fiscal year 1999-00 and \$3,125 in fiscal year 2000-01 for the per diem and expenses of legislative members for 7 meetings of the Committee to Study the Further Decriminalization of the Criminal Laws of Maine and to print the required report. Of this amount, \$1,925 is required in the Personal Services line category and \$2,250 in the All Other line category. If the Legislative Council approves additional meetings, the estimated cost for the per diem and expenses of legislative members for each additional meeting is \$525.

The additional costs associated with providing staffing assistance to the committee during the interim between legislative sessions can be absorbed by the Legislature utilizing existing budgeted resources. If an extension of the reporting deadline is granted and the committee requires staffing assistance during the legislative session, additional costs would be incurred to contract for staff services.

H.P. 1930
Commission on Child Abuse

	<u>FY 1999-00</u>	<u>FY 2000-01</u>
General Fund Appropriations:	\$525	\$5,125

Comments:

The Legislature will incur additional costs estimated to be \$525 in fiscal year 1999-00 and \$5,125 in fiscal year 2000-01 for the per diem and expenses of legislative members for 6 meetings of the Commission on Child Abuse, including 2 public hearings, and to print the required report. Of this amount, \$1,650 is required in the Personal Services line category and \$4,000 in the All Other line category. If the Legislative Council approves additional meetings, the estimated cost for the per diem and expenses of legislative members for each additional meeting is \$525.

The additional costs associated with providing staffing assistance to the commission during the interim between legislative sessions can be absorbed by the Legislature utilizing existing budgeted resources. If an extension of the reporting deadline is granted and the commission requires staffing assistance during the legislative session, additional costs would be incurred to contract for staff services.

The Department of Human Services and the Department of the Attorney General will incur some minor additional costs to consult with the commission. These costs can be absorbed within the departments' existing budgeted resources.

H.P. 1938

Joint Study Committee to Study Bomb Threats in Maine Schools

	<u>FY 1999-00</u>	<u>FY 2000-01</u>
General Fund Appropriations:	\$630	\$3,650

Comments:

The Legislature will incur additional costs estimated to be \$630 in fiscal year 1999-00 and \$3,650 in fiscal year 2000-01 for the per diem and expenses of legislative members for 6 meetings of the Joint Study Committee to Study Bomb Threats in Maine Schools and to print the required report. Of this amount, \$1,980 is required in the Personal Services line category and \$2,300 in the All Other line category. If the Legislative Council approves additional meetings, the estimated cost for the per diem and expenses of legislative members for each additional meeting is \$630.

The additional costs associated with providing staffing assistance to the committee during the interim between legislative sessions can be absorbed by the Legislature utilizing existing budgeted resources. If an extension of the reporting deadline is granted and the committee requires staffing assistance during the legislative session, additional costs would be incurred to contract for staff services.

DATE: 4/3/2000

(Filing No. S-626)

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE
SENATE
119TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "B" to H.P. 1857, "Joint Study Order to Study the Creation of a Public/Private Purchasing Alliance to Ensure Access to Health Care for all Maine Citizens"

Amend the order by striking out everything from the first indented paragraph to the end and inserting in its place the following:

'ORDERED, the Senate concurring, that the Joint Select Committee to Study the Creation of a Public/Private Purchasing Alliance to Ensure Access to Health Care for all Maine Citizens is established as follows.

1. **Joint select committee established.** The Joint Select Committee to Study the Creation of a Public/Private Purchasing Alliance to Ensure Access to Health Care for All Maine Citizens, referred to in this order as the "committee," is established.

2. **Membership.** The committee consists of the following 7 members:

A. Two members of the Senate, appointed by the President of the Senate; and

B. Five members of the House of Representatives, appointed by the Speaker of the House.

3. **Chairs.** The first named Senate member is the Senate chair and the first named House of Representatives member is the House chair.

4. **Appointments; convening of committee.** All appointments must be made no later than 30 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members is complete, the chairs shall call the first meeting of the committee no later than May 15, 2000.

5. **Duties.** The committee shall:

A. Examine the public policy, regulatory and legislative issues related to the creation of a public/private purchasing alliance, including, but not limited to:

(1) The priorities and objectives of a purchasing alliance;

(2) The critical mass needed for an alliance to be effective and the possible public entities that could be included in an alliance;

(3) The ability of private payers such as individuals, small employers and large employers to join an alliance;

(4) The use of community rating, separate risk pools or other risk adjustment mechanisms in an alliance;

(5) The governance and administrative structure of an alliance; and

(6) The benefit structure and choice of health plans that should be offered through an alliance;

B. Review the experience of other states or entities that have established purchasing alliances;

C. Recommend a model and strategies for the establishment of purchasing alliances in this State;

D. Examine the possibility of creating a pilot project for a community-based health plan, including the statutory and regulatory framework for such a project and the need for state funds to cover potential losses incurred by the plan; and

E. Invite the participation of experts and interested parties, including the Department of Professional and Financial Regulation, Bureau of Insurance; Department of Human Services, Bureau of Medical Services; the State Employee Health Commission; the Maine Health Management

SENATE AMENDMENT "B" to H.P. 1857

Coalition; and the University of Southern Maine, Edmund S. Muskie School of Public Service.

6. Staff assistance. Upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the committee.

7. Compensation. Members of the committee are entitled to receive the legislative per diem as defined in the Maine Revised Statutes, Title 3, section 2 and reimbursement for travel and other necessary expenses for attendance at meetings of the committee.

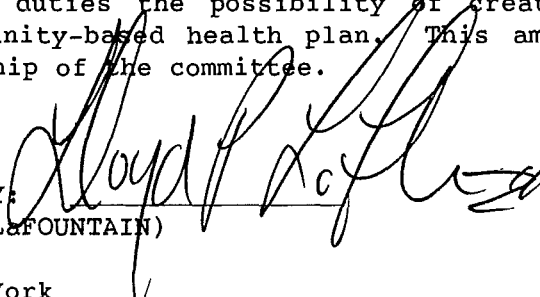
8. Meetings. The committee shall hold 6 meetings, but if the committee requires additional meetings, it may apply to the Legislative Council, which may approve additional meetings.

9. Report. The committee shall submit a report along with any recommended legislation to the First Regular Session of the 120th Legislature by December 1, 2000. If the committee requires an extension of time to make its report, it may apply to the Legislative Council, which may grant the extension.

10. Committee budget. The chairs of the committee, with assistance from the committee staff, shall administer the committee's budget. Within 10 days after its first meeting, the committee shall present a work plan and proposed budget to the Legislative Council for its approval. The committee may not incur expenses that would result in the committee exceeding its approved budget. Upon request from the committee, the Executive Director of the Legislative Council or the executive director's designee shall provide the committee chairs and staff with a status report on the committee budget, expenditures incurred and paid and available funds.'

SUMMARY

This amendment amends the order by including in the committee's duties the possibility of creating a pilot project for a community-based health plan. This amendment also changes the membership of the committee.

SPONSORED BY: 
(Senator LaFOUNTAIN)

COUNTY: York

CORRECTED
COPY

L.D.

DATE: 3-28-00

(Filing No. H-957)

**MAJORITY
TRANSPORTATION**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1774, "Joint Study Order to Establish a Committee on Gasoline and Fuel Prices"

Amend the order by striking out everything from the first indented paragraph to the end and inserting in its place the following:

'ORDERED, the Senate concurring, that the Committee on Gasoline and Fuel Prices is established as follows.

1. Committee on Gasoline and Fuel Prices established. The Committee on Gasoline and Fuel Prices, referred to in this order as the "committee," is established.

2. Committee membership. The committee consists of 13 legislative members. The President of the Senate shall appoint 3 members from the Senate and the Speaker of the House of Representatives shall appoint 10 members from the House of Representatives.

3. Chairs. The first Senate member named is the Senate chair and the first House member named is the House chair.

4. Appointments; convening. All appointments must be made no later than 10 days following the effective date of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have

COMMITTEE AMENDMENT

been made. When the appointment of all members has been completed, the chairs of the study commission shall call and convene the first meeting of the study commission no later than March 31, 2000.

5. Duties. The committee shall:

A. Gather information on the change of fuel oil prices;

B. Gather information on the change of gasoline prices; and

C. Study and gauge the effect and impact of these price changes on the people of the State.

6. Staff assistance. Upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the committee.

7. Compensation. Members of the committee are entitled to receive the legislative per diem as defined in the Maine Revised Statutes, Title 3, section 2 and reimbursement for travel and other necessary expenses for attendance at meetings of the committee.

8. Report. The committee shall submit a report along with any recommended legislation to the Joint Standing Committee on Transportation no later than November 1, 2000. The Joint Standing Committee on Transportation may introduce legislation during the First Regular Session of the 120th Legislature. If the committee requires a limited extension of time to make its report, it may apply to the Legislative Council, which may grant the extension.

9. Committee budget. The chairs of the committee, with assistance from the committee staff, shall administer the committee budget. Within 10 days after its first meeting, the committee shall present a work plan and proposed budget to the Legislative Council for its approval. The committee may not incur expenses that would result in the committee's exceeding its approved budget. Upon request from the committee, the Executive Director of the Legislative Council or the executive director's designee shall provide the committee chairs and staff with a status report on the committee budget, expenditures incurred and paid and available funds.'

SUMMARY

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This amendment is the majority report. It amends the joint order to change the method and requirements for appointment to the committee. Dates to convene the committee and for the committee to report its findings are also changed.

**LEGISLATIVE COUNCIL ACTION ON
PROPOSED LEGISLATIVE STUDIES AND RELATED COMMISSIONS
April 18, 2000**

LD #	Bill Title	Policy Area	Purpose	# Members	# Legislators	Start Date	Report Date	Compensation	Staffing	Budget	Sponsor	Council Action
LD 2005	Resolve, to Establish the Round Table to Study Economic and Labor Issues Relating to the Forest Products Industry	ACF	Study trends in logging industry, including employment relationships, dynamics of import & export markets for roundwood & other forest products.	19	4	not specified	12/05/01	Per Diem & Expenses <i>Legislators only</i>	OPLA	\$10,480 PS: \$ 880 AO: \$9,600 (4 mtgs) <u>PS: \$ 880</u> <u>AO: \$2,800</u> \$3,680	Rep. Volenik	<i>Approved 6-0 with changes noted</i>
LD 2486	Resolve, to Establish a Legislative Committee to Study Access to Private and Public Land in Maine	ACF	Gather and study information on issues relating to access to forest lands for which access is restricted by gates, checkpoints or other means.	5	5	08/01/00	11/01/00	Per Diem & Expenses	OPLA	\$ 3,650 PS: \$1,650 AO: \$2,000 (6 mtgs)	Rep. McGlocklin	<i>Approved 6-0 To be converted to Joint Order with technical changes to conform to drafting guidelines</i>
LD 2343	Resolve, to Establish the Task Force to Reduce the Burden of Home Heating Costs on Low-Income Households	AFA	Investigate problems facing low-income households in the heating of their homes, cost of heating, energy conservation, demand-side management and availability of federal programs.	16	4	30 days following last appointment	11/01/00	Per Diem & Expenses	Legislative Council	\$ 5,720 PS: \$1,320 AO: \$4,400 (6 mtgs) <u>PS: \$ 880</u> <u>AO: \$1,300</u> \$2,180	Rep. Berry	<i>Approved 6-0 for 4 meetings</i>
HP 1857	Joint Order Relative to Establishing the Joint Select Committee on Study the Creation of a Public/Private Purchasing Alliance to Ensure Access to Health Care for all Maine Citizens	BAN	Examine the public policy, regulatory and legislative issues related to the creation of a public/private purchasing alliance.	13	13	05/15/00	12/01/00	Per Diem & Expenses	OPLA	Council to approve (6 mtgs) <u>PS: \$4,290</u> <u>AO: \$4,200</u> \$8,490	Rep. J. Saxl	<i>Approved 6-0 To be funded from Legislative Study Budget Note: House and Senate are currently in non-concurrence regarding size of Jt. Select Committee</i>
LD 1931	An Act to Amend the Franchise Law. [Commission to Study the Most Effective Method of Providing Retail Rate Reimbursement for Parts and Labor].	BEC	Study how to most effectively implement the retail rate reimbursement provisions of the 10 MRSA, Section 1176, while protecting interests of warranty/nonwarranty repair consumers.	5	2	15 days following last appointment	12/15/00	Per Diem & Expenses	Legislative Council	\$ 1,340 PS: \$ 440 AO: \$ 990 (4 mtgs)	Sen. LaFountain	<i>(No vote)</i>

Language in *italics* denotes changes approved by the Legislative Council on April 18, 2000

LD #	Bill Title	Policy Area	Purpose	# Members	# Legislators	Start Date	Report Date	Compensation	Staffing	Budget	Sponsor	Council Action
LD 2535	Resolve, to Establish the Commission to Study Ownership Patterns in Maine	BEC	Investigate the current patterns of in-state, out-of-state and international ownership of Maine businesses.	13	4	14 days following last appointment	11/15/00	Per Diem & Expenses	State Planning Office	\$ 3,380 PS: \$ 880 AO: \$2,500 (4 mtgs)	Rep. Rowe	<i>Approved 6-0 with addition of Emergency Preamble and technical changes to confirm to Drafting Guidelines</i>
LD 2557	An Act to Implement the Recommendation of the Blue Ribbon Commission to Establish a Comprehensive Internet Policy	BEC	Commission would be re-authorized to meet to continue the work of the Commission from the 119 th First Regular Session relating to state internet policy	18	5	Following adjournment of 2 nd Regular Session	12/06/00	Per Diem & Expenses	OPLA	\$ 3,125 PS: \$1,375 AO: \$1,750 (5 mtgs)	Sen. Kontos	<i>Approved 6-0 with addition of Emergency Preamble</i>
LD 2174	An Act to Protect the Citizens of Maine from the Dangers of Counterfeit Consumer Goods [Commission to Study the Counterfeiting and the Unauthorized Sale of Consumer Goods and Labels]	CRJ	Examine the effect of counterfeit goods in this state, including the effect of counterfeit Universal Price Code labels on state revenue, losses to merchants and manufacturers.	9	4	07/01/00	12/01/00	Per Diem & Expenses	OPLA	\$ 3,600 PS: \$1,100 AO: \$2,500 (5 mtgs)	Sen. Kilkelly	<i>(No vote)</i>
LD 2651	Resolve, to Establish the Commission to Study Domestic Violence.	CRJ	Study the problem of domestic violence and determine methods of alleviating this problem by evaluating areas of law enforcement, education and investigation procedures.	19	5	30 days after last appointment	12/05/00	Per Diem & Expenses <i>for legislative members</i>	OPLA	\$ 3,900 PS: \$1,100 AO: \$2,100 (8mtgs total; 4 during interim)	Rep. McAlevey	<i>Approved 6-0 with change noted</i>
LD 2685	Maine Fire Protection Services Commission	CRJ-Special	Monitor and evaluate the state's fire protection services	21	5	Title 5	12/31/00	Per Diem & Expenses	May employ staff as needed	\$52,100 PS: \$ 3,740 AO: \$48,360 PS: \$1,100 <u>AO: \$1,000</u> \$2,100	CRJ	<i>Approved 6-0</i> <i>(Commission budget only, contingent upon action on full bill off the Table; add Emergency Preamble)</i>
HP 1938	Joint Order relating to the Joint Study Committee to Study Bomb Threats in Maine Schools	EDU	Study the problem of bomb threats in schools in the State and methods of deterring threats, including withholding certain privileges from a student until the age of 20.	6	6	06/01/00	11/01/00	Per Diem & Expenses	OPLA	\$ 4,280 PS: \$ 630 AO: \$3,650 PS: \$1,980 AO: \$2,300 (6 mtgs)	Rep. McDonough	<i>Approved 6-0</i> <i>To be funded from Legislative Account/Studies</i>
LD 2608	An Act to Improve Educational Programming at Juvenile Correctional Facilities [a: Task Force on Educational Programming at Juvenile Correctional Facilities; b: Policy Review Council]	EDU	Establishes a task force to study educational programs at juvenile correctional facilities	13	4	30 days following last appointment	11/01/00	Per Diem & Expenses	OPLA	\$ 3,880 a: PS: \$ 880 AO: \$3,000 (4 mtgs) b: PS: \$ 440 AO: \$ 400 (4 mtgs)	Rep. Brennan	<i>Approved Task Force budget 6-0</i> <i>Costs for Policy Review Council members to be absorbed. Add Emergency Preamble.</i>

LD #	Bill Title	Policy Area	Purpose	# Members	# Legislators	Start Date	Report Date	Compensation	Staffing	Budget	Sponsor	Council Action
HP 1864	Joint Order Relative to Establishing the Joint Select Committee on School-based Health Care Services	EDU HHS <i>BAN</i>	Committee will review current funding sources for school-based health care services, & examine the social & financial impact & efficacy of mandating health insurance coverage.	5	5	05/15/00	12/01/00	Per Diem & Expenses	OPLA	<i>Council to approve budget</i> PS: \$1,375 AO: \$1,750 \$3,125	Rep. Fuller	<i>Approved 6-0</i> <i>To be funded from Legislative Account/Studies</i>
LD 2327	Resolve, to Establish a Commission to Study Kindergarten-to grade-12 Educator Recruitment and Retention	EDU-Special	Study teacher supply and hiring needs, hiring practices, teacher's salaries, supervisory systems and benefits and attractiveness of teaching profession as a career.	14	0	15 days following last appointment	01/15/01	Expenses Only	consultant to be hired	\$38,000 AO: \$38,000	Rep. Brennan	<i>(Direct Dept. of Education to do this study)</i>
LD 2187	Resolve, to Study Youth Homelessness	HHS	Study youth homelessness, a potential homeless youth system, effects of recent decreased funding of general assistance program and relationship of program to homeless.	10	3	09/10/00	12/01/00	Per Diem & Expenses	OPLA	\$22,100 PS: \$1,100 AO: \$1,000	Rep. Quint	<i>Failed 5-1</i>
	<i>(Proposed Joint Order)</i>	<i>HHS</i>	<i>AMHI Oversight Committee</i>	<i>8</i>	<i>8</i>	<i>07/01/00</i>		<i>Per Diem & Expenses</i>	<i>OPLA</i>			<i>Failed 4-2</i>
LD 1623	Youth in Need of Services Oversight Committee (on-going)	HHS	Oversee, monitor and review reports and gather facts regarding the needs of youth health and youth services being provided in the state.	25	6	not provided	01/15/01	Per Diem & Expenses	DHS	\$ 1,260 PS: \$ 660 AO: \$ 600 (2 mtgs)	Rep. Brennan	<i>Approved 6-0</i> <i>Add Emergency Preamble</i>
LD 2580	Task Force to Study the Implementation of the Marijuana for Medical Purposes Law	HHS	Study the implementation of the marijuana for medical purposes law and recommend steps to implement the law and provide access to marijuana for medical purposes	7	7	not provided	10/01/00	Per Diem & Expenses	Attorney General	\$2,940 PS: \$1,540 AO: \$1,400 (4 mtgs)	Sen. Rand	<i>Approved 6-0</i> <i>Add Emergency Preamble</i>
LD 2679	An Act to Establish the Council on Children and Families and to Ensure the Continuation of the Governor's Children's Cabinet (on-going)	HHS EDU	Establish a council to advise and make policy recommendations to the Governor, the Children's Cabinet, the Legislature and the Judiciary regarding several program & policy goals.	12	7	Meet 3/year, with annual report to Governor		Per Diem & Expenses	Governor's Office/ Add'l staff may be requested by Legislative Council	\$2,205 PS: \$1,155 AO: \$1,050 (3 mtgs)	EDU	<i>Approved 6-0</i>

LD #	Bill Title	Policy Area	Purpose	# Members	# Legislators	Start Date	Report Date	Compensation	Staffing	Budget	Sponsor	Council Action
LD 2645	Resolve, to Create the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft	IFW	Determine the percentage of gas tax paid on gas consumed by certain vehicles, assess need for enforcement of laws, and review strategic boating plan and off-road fuel consumption.	15	10	30 days following last appointment	12/06/00	Per Diem & Expenses	OPLA	\$10,100 PS: \$4,400 AO: \$5,700 (8 mtgs)	IFW	<i>Approved 6-0</i>
HP 1914	Joint Order Relative to the Committee to Study Further Decriminalization of the Criminal Laws of Maine	JUD	Study further decriminalization of the criminal laws of Maine.	5	5	05/01/00	11/01/00	Per Diem & Expenses	OPLA	PS: \$1,050 AO: \$3,125 <i>PS: \$1,925 AO: \$2,250 \$4,175</i>	Rep. Thompson	<i>Approved 6-0</i> <i>To be Funded From Legislative Study Budget</i>
HP 1930	Commission on the Study and Prevention of Child Abuse	JUD	Investigate the mistreatment of children and report on the occurrence and causes of mistreatment and recommend measurers to intervene to the benefit of children.	5	5	06/01/00	11/01/00	Expenses Only	OPLA	<i>PS: \$1,650 AO: \$4,000 \$5,650 (6 mtgs)</i>	Rep. Trahan	<i>Approved 6-0</i>
LD 1620	Resolve, to Establish the Committee to Develop an Compensation Program for Victims of Abuse at the Governor Baxter School for the Deaf and to Continue Oversight of Multi-agency Cooperation	JUD	Develop a compensation program for victims of abuse at the Governor Baxter School for the Deaf.	5	5	05/15/00	11/01/00	Per Diem & Expenses	OPLA	\$31,700 PS: \$ 2,200 AO: \$29,500 (8 mtgs)	Rep. Townsend	<i>Approved 6-0 with specification of legislative Co-Chairs</i>
LD 2334	An Act to Correct Errors and Inconsistencies in the Laws of Maine. [No Council action req'd]	JUD-Special	Resolve extends the deadline to 01/15/01 for the Maine Criminal Justice Information System Policy Board to complete its drafting project established by Resolve 1997, Chapter 105.				01/01/00		OPLA		Rep. Thompson	<i>Extension approved 6-0</i>
LD 835	Resolve, to Study Pension Plan Design and Benefits Under the Maine State Retirement System	LAB	Study the design of pension plans for state employees and teachers and the level and equity of the benefits available under those plans	13	13	not specified	11/01/00	Per Diem & Expenses	Legislative Council	\$19,325 PS: \$ 3,575 AO: \$15,750 (5 mtgs)	Rep. T. Murphy	<i>Per diem and expenses approved as part of the Labor Committee's authorized monthly meetings during the interim (Resolve will be ONTP).</i> <i>Request for use of consultant to be submitted to Council for review.</i>

LD #	Bill Title	Policy Area	Purpose	# Members	# Legislators	Start Date	Report Date	Compensation	Staffing	Budget	Sponsor	Council Action
LD 1562	Resolve, to Create the Commission to Study the Establishment of an Environmental Leadership Program	NAT	To develop criteria for defining a company as an environmental leader, incentives for them to become environmental leaders, & opportunities for an environmental leadership program.	8	8	45 days following effective date	01/15/02	Per Diem & Expenses	OPLA	\$ 7,220 PS: \$3,520 AO: \$3,700 (8 mtgs)	Sen. Amero	<i>(No motion)</i>
LD 2442	Task Force to Study Market Power Issues Related to the Solid Waste Hauling and Disposal Industry	NAT	To study market power issues in all aspects of the public and private solid waste hauling and disposal industry.	5	5	30 days following last appointment	12/05/01	Per Diem & Expenses	OPLA	\$7,600 PS: \$1,100 AO: \$6,500 (4 mtgs)	Rep. Povich	<i>Approved 6-0 as follows: \$4,500 for consultant to come from Table; per diem and expenses to be funded from Legislative Study Budget. Add Emergency Preamble</i>
LD 2600	An Act to Implement the Land Use Recommendations of the Task Force on State Office Building Location, other State Growth-related Capital Investments and Patterns of Development. Task Force to Study Growth Management	NAT	To review the growth management laws, including the subdivision law, with the goal of improving the law to make it more responsive to issues of sprawl.	14	3	30 days following last appointment	11/01/00	Per Diem & Expenses	OPLA	\$9,320 PS: \$4,620 AO: \$4,700 (6 mtgs) <u>PS: \$ 990</u> <u>AO: \$ 900</u>	NAT	<i>Language to be drafted to fund from money included in budget: costs for non-legislative members of Task Force to be absorbed by State Planning Office.</i>
LD 2084	Mercury Products Advisory Committee	NAT-Special	Advise the department, the Executive Department, State Planning Office and the Legislature on actions needed to prevent and reduce environmental releases of mercury.	13	4	not provided (meet 4/year)	01/15/02	Per Diem & Expenses <i>Legislators only</i>	DEP	\$ 3,480 PS: \$ 880 <u>AO: \$2,600</u> <u>PS: \$ 880</u> <u>AO: \$ 800</u> <u>\$1,680</u>	Sen. Treat	<i>Approved 6-0 with reduction in All Other as noted, and addition of Emergency Preamble.</i>
LD 2461	Resolve, to Create a Commission to Study Economically and Socially Just Policies on Investments and Purchasing by the State	SLG	Study economically and socially just policies for investment and purchase by the State and to make recommendations about such policies.	12	4	Executive Director shall call and convene 1 st mtg	11/01/00	Per Diem & Expenses	OPLA	\$ 4,820 PS: \$1,320 AO: \$3,500 (6 mtgs)	Rep. Matthews	<i>(No action)</i>
LD 253	Resolve, to Create the Commission to Study the Feasibility of Televising Senate and House Sessions	SLG	Review the experience of other states that broadcast proceedings and find ways to televise proceedings without diminishing the historical value of the chambers, and proposed costs.	15	9	30 days following last appointment	12/15/00	Per Diem & Expenses	OPLA	\$ 8,865 PS: \$3,465 AO: \$5,400 (7 mtgs)	Rep. Andrews	<i>(No motion)</i>
LD 299	Resolve, to Create the Committee to Study the Governance of the Unorganized Territories of Maine	SLG	Examine the feasibility of establishing an alternative system of governance for the unorganized territories.	17	5	15 days after last member appointed	11/01/00	Per Diem & Expenses	OPLA	\$ 7,250 PS: \$1,650 AO: \$5,600 (6 mtgs)	Rep. Joy	<i>Failed 2-4</i>

LD #	Bill Title	Policy Area	Purpose	# Members	# Legislators	Start Date	Report Date	Compensation	Staffing	Budget	Sponsor	Council Action
LD 2087	Board of Directors/Public Resources and Information for Maine Foundation (on-going)	SLG-Special	Provide the State's citizens with increased access to unbiased information about state government procedures, deliberations and public policy events to promote civic education.	15	2	Annual		Per Diem & Expenses	Tital 5	\$ 840 PS: \$ 440 AO: \$ 400 (4 mtgs)	Sen. Kontos	<i>(No Motion)</i>
LD 2471 <i>Resolves Ch. 113</i>	Resolve, to Recognize Veterans of the Vietnam War in the State House Hall of Flags [No Council Action Required]	SLG-Special	Arrange for a plaque, accept private donations and make arrangements for flag to be displayed in the Hall of Flags.	5	0	not specified	12/01/00	No Compensation	None	\$ 500 <i>(allocation)</i>	Rep. Campbell	<i>(No Action Required)</i>
LD 2460	Economic Development Incentive Commission (5 MRSA, Section 13070-L) (on-going)	TAX-Special	Review existing economic development and tax incentive programs and report to joint standing committee of the Legislature having jurisdiction over taxation for 2 year period.	11	5	not specified	11/01/00	Per Diem & Expenses	OFPR	\$20,000 AO: \$20,000	Rep. Gagnon	<i>Failed 5-1</i>
HP 1774	Joint Study Order to Establish a Committee on Gasoline and Fuel Prices	TRA	Established to gather information on fuel oil prices, the change in gasoline prices, and study and gauge the effect of these changes on the state.	13	13	<i>06/01/00</i>	11/01/00	Per Diem & Expenses	OPLA	\$10,055 PS: \$2,730 AO: \$7,325 <i>PS: \$2,860</i> <i>AO: \$3,200</i> <i>(4 mtgs)</i>	Rep. Goodwin	<i>Approved 6-0 with changes noted</i>

**LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
SECOND REGULAR SESSION
April 18, 2000**

Action

SPONSOR: Rep. Cowger, Scott W.

LR 4158 Resolve, to Direct the Department of Environmental
Protection to Study Septage Disposal

SPONSOR: Rep. McDonough, John F.

LR 4178 An Act to Prohibit Students Convicted of Making Bomb Threats
to Schools from Receiving Driver's Licenses Until Age 20

TABLED BY THE LEGISLATIVE COUNCIL

SPONSOR:	Sen. Amero, Jane A.	TABLED
LR 3961	An Act to Exempt from Excise Tax the Cost to Make a Vehicle Handicapped Accessible	01/31/00
SPONSOR:	Rep. Bryant, Bruce S.	TABLED
LR 3928	An Act to Eliminate the One Week Waiting Period for Unemployment Insurance Compensation	01/31/00
SPONSOR:	Rep. Hatch, Pamela H.	TABLED
LR 3988	An Act to Provide Tax Amnesty for the Citizens of the State	02/29/00
SPONSOR:	Rep. Matthews, Zachary E.	TABLED
LR 3866	An Act to Enact a Patient's Bill of Rights	01/31/00
SPONSOR:	Rep. McKee, Linda Rogers	TABLED
LR 4099	An Act to Provide Funding for Bomb Threat Training for All Public Schools	03/27/00
SPONSOR:	Rep. Mendros, Stavros J.	TABLED
LR 3982	An Act to Repeal the Requirement that School Personnel Submit to Fingerprinting and Criminal Records Checks	02/29/00
SPONSOR:	Rep. Rowe, G. Steven	TABLED
LR 3939	An Act to Enhance Law Enforcement Compensation	01/31/00
SPONSOR:	Rep. Shorey, Kevin L.	TABLED
LR 4122	An Act to Amend the Snowmobile Franchise Law	03/27/00
SPONSOR:	Rep. Thompson, Richard H.	TABLED
LR 4148	An Act to Provide Equal Protection to State Employees Under Federal Employment Law	03/27/00

SPONSOR:	Rep. Trahan, A. David	TABLED 01/31/00
LR 3957	An Act to Provide an Alternative to the Fingerprinting of School Employees	
SPONSOR:	Rep. Tuttle, Jr., John L.	TABLED 01/31/00
LR 3912	An Act to Require the Secretary of State to Take the Registration Plates of a Person Whose License has been Suspended or Revoked	
SPONSOR:	Rep. Twomey, Joanne T.	TABLED 03/27/00
LR 3947	An Act to Repeal the Laws that Require Fingerprinting of School Personnel	
SPONSOR:	Rep. Weston, Carol	TABLED 03/27/00
LR 4133	An Act to Establish the Boundary Between the Town of Burnham in the County of Waldo and the Towns of Detroit in the County of Somerset and Troy in the County of Waldo	

JOINT RESOLUTIONS

SPONSOR:	Rep. McKee, Linda Rogers	WITHDRAW
LR 3871	JOINT RESOLUTION MEMORIALIZING CONGRESS TO SECURE A NUCLEAR WEAPONS ABOLITION TREATY	
SPONSOR:	Rep. Mendros, Stavros J.	TABLED 01/31/00
LR 3915	JOINT RESOLUTION MEMORIALIZING THE POSTMASTER GENERAL OF THE UNITED STATES POSTAL SERVICE TO RESPECT THE RECENT DECISION TO LOCATE THE NEW MAIL PROCESSING CENTER IN THE LEWISTON-AUBURN AREA AND TO RESPECT THE PROCESS BY WHICH THAT DECISION WAS MADE	
SPONSOR:	Rep. Mendros, Stavros J.	TABLED 02/29/00
LR 3990	JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE SECRETARY OF ENERGY TO DRAW DOWN THE STRATEGIC PETROLEUM RESERVE TO PROVIDE RELIEF FOR OIL CONSUMERS	
SPONSOR:	Rep. Murphy, Jr., Thomas W.	TABLED 02/29/00
LR 4039	JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES, THE SECRETARY OF STATE, THE SECRETARY OF DEFENSE AND THE UNITED STATES CONGRESS TO CONSIDER WITHHOLDING FOREIGN AID TO THE MEMBERS OF THE ORGANIZATION OF PETROLEUM EXPORTING COUNTRIES IN AN EFFOR TO RESTORE STABLE OIL PRICES	