

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL
APRIL 25, 2001
REVISED AGENDA

CALL TO ORDER

ROLL CALL

SUMMARY OF THE MARCH 28, 2001 COUNCIL MEETING

REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS

- Executive Director's Report
- Renovations: Status Report
- Revisor's Report
- Fiscal Update
- Migration Project Status

REPORTS FROM COUNCIL COMMITTEES

- Personnel Committee
- Space Committee
- Technology and Migration Committee
- Time and Attendance Subcommittee

OLD BUSINESS

Item #1: Proposed Drafting Guidelines for Legislative Studies-120th Legislature

NEW BUSINESS

Item #1: Review of 2002-2003 "Part II" Legislative Budget Requests

Item #2: After Deadline Requests

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

REP. MICHAEL V. SAXL
CHAIR

SEN. RICHARD A. BENNETT
VICE-CHAIR



120th MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. BEVERLY C. DAGGETT
SEN. MARY E. SMALL
SEN. PAUL T. DAVIS, SR.
SEN. SHARON ANGLIN TREAT
REP. PATRICK COLWELL
REP. JOSEPH BRUNO
REP. WILLIAM S. NORBERT
REP. WILLIAM J. SCHNEIDER

JAMES A. CLAIR
EXECUTIVE DIRECTOR

MEETING SUMMARY
MARCH 28, 2001

CALL TO ORDER

The Chair, Speaker Saxl, called the Council meeting to order at 1:07 p.m. in the Legislative Council Chambers.

ROLL CALL

Senators:	Sen. Bennett, Sen. Daggett, Sen. Small, Sen. Davis, Sen. Treat
Representatives:	Speaker Saxl, Rep. Colwell, Rep. Bruno, Rep. Norbert, Rep. Schneider
Legislative Officers:	Joy O'Brien, Secretary of the Senate Pamela Cahill, Assistant Secretary of the Senate Millicent MacFarland, Clerk of the House David Shiah, Assistant Clerk of the House James A. Clair, Executive Director, Legislative Council Grant Pennoyer, Acting Director, Office of Fiscal and Program Review David Boulter, Director, Office of Policy and Legal Analysis Margaret Matheson, Revisor of Statutes Lynn Randall, State Law Librarian Paul Mayotte, Director, Legislative Information Services

**SUMMARIES OF THE FEBRUARY 13 and 21, 2001 COUNCIL
MEETINGS**

Motion: That the Summaries of February 13 and 21, 2001 be accepted and placed on file.
(Motion by Sen. Bennett, second by Rep. Colwell, unanimous).

NEW BUSINESS

Item #1: After Deadline Requests

After deadline requests were considered by the Legislative Council. The Council's action on these requests are included on the attached list.

REPORTS FROM EXECUTIVE DIRECTOR AND STAFF OFFICE DIRECTORS

- **Executive Director's Report** (see written Summary)

James Clair explained to members that there were three agreements which he was seeking their authority to enter into. All of them concerned the Law and Legislative Reference Library.

Mr. Clair enter into a contract if the Council so authorizes, for: (1) temporary shelving; (2) the move of the Library, both in and out; and (3) 161 Capitol Street temporary rental space. Speaker Saxl asked if the lease was to be coterminous with the move of the Library. Mr. Clair said the lease would be entered into one month early, assuming the Library was moving out July 1, or hopefully late June. He had asked that the building be available June 1st. The Speaker asked if there was anything else the Council should be aware of that may be out of order. Mr. Clair did not know if it was out of order, but there was also a one month cushion at the other end of the move as well. Based on previous experience of not meeting renovation deadlines with the two previous wings, he wanted the leased space through January 31, 2002

Motion: That James Clair be authorized to enter in agreements on behalf of the Law and Legislative Reference Library for Temporary Shelving, moving in and out services and the lease at 161 Capitol Street during the North Wing renovations. (Motion by Sen. Bennett, second by Rep. Bruno, unanimous).

Mr. Clair moved to the next item of the Executive Director's Report. He said the quarterly budget variance reports were based on the budget the way it was established for this fiscal year. The quarter ends on March 31st and the Legislative Council members would have a variance report by the middle of next week.

No Council action required.

- **Renovations: Status Report**

None.

- **Fiscal Update**

Grant Pennoyer apologized to the members for not having a written report, but would get something out in writing as soon as the "Part I" budget and budget amendments were over. There were approximately 90 amendments in his office awaiting fiscal review, about 1/3 of them had been outstanding longer than 5 working days. Speaker Saxl asked Mr. Pennoyer if a report providing committee fiscal note information could be done before the next Chair and Leads meeting.

Mr. Pennoyer referred members to the Revenue Update in their packet. He wanted to bring to the Council's attention that the General Fund did not include the revenue reprojection, it showed a negative variance in February of \$11.5 million, but for the year to date, were still up by a half a million dollars. When the reprojection was figured in, the report would have shown a positive year to date variance of approximately \$2 million and believed the next time the Commissioner of Administrative and Financial Services released the monthly revenue sheet, they would incorporate the revenue reprojection, so he would have a better sense of how they were doing on budget to actual basis based on the reprojection. The Highway Fund was up \$2.3 million to date.

No Council action required.

- **Migration Project Status**

Paul Mayotte reported to the Legislative Council that Compaq would be installing bill drafting software next week, the week of April 2, once that had been completed, they would begin extensive testing.

No Council action required.

- **Interim Studies: Status Report**

David Boulter said the interim studies for the 119th Second Regular Session had concluded with the exception of 4, which were two year studies.

No Council action required.

REPORTS FROM COUNCIL COMMITTEES

- **Personnel Committee**

Speaker Saxl gave an update on the process of hiring a Director for the Office of Fiscal and Program Review. The Search Committee had narrowed the candidates to 5, would be interviewing on April 3rd and 4th and hoped to have a recommendation for the full Legislative Council by the April 25, 2001 Council meeting.

The Personnel Committee took up 2 other matters that required Council approval. The first item was income protection.

Motion: Speaker Saxl moved that income protection for a Legislative employee be granted as reviewed and accepted by the unanimous vote of the Personnel Committee at its March 28, 2001 meeting, second by Sen. Bennett, 9-0 unanimous).

Motion: Notwithstanding the current policy regarding the Sick Leave Bank established by the previous Legislative Council, which has not yet been officially implemented, we move that the Executive Director is authorized to implement a limited sick leave bank for an employee and to report back to the Legislative Council for the duration of the access to the Bank and develop a recommendation that would appropriately implement the Sick Leave Bank on a permanent basis. (Motion by Speaker Saxl, second by Sen. Bennett, 9-0 unanimous).

For purpose of explanation, Speaker Saxl said there has been a long standing policy at the Legislature to create a Sick Leave Bank where healthy employees can donate their sick leave to a Bank. Because the policy has been very cumbersome, it has only been implemented on an informal basis. There is now a case where an employee is very much in need of the Bank, and the Personnel Committee would like to grant the Executive Director the latitude to make the policy work for the employee, but do not want it to continue to be an informal policy. The Committee would like the formal policy to work so they had asked Mr. Clair to come back with a recommendation on how a formal policy would work, while not disadvantaging an employee who is very much in need of the support presently.

- **Space Committee**

Speaker Colwell reported that the Space Committee had met twice since the last Council meeting. They had 3 motions to present to the full Council for consideration.

The first item was the placement of a touch screen display computer to educate people about the Hall of Flags and various other educational efforts in providing them access to the State House.

Motion: That the Legislative Council, should the Part 2 supplemental funding be appropriated, endorse the placement of a personal computer, possibly a "touch screen display", that will provide information about the Hall of Flags, be located in the "Visitor Center" on the 1st Floor/West Wing rather than in or near the Hall of Flags itself. (Motion by Rep. Colwell, second by Sen. Small, 10-0 unanimous).

The Committee discovered the budget amount for the West Wing, 1st floor kiosk, which is similar to the one in the State Office Building where the staff person sits and directs people to various areas of the building, was budgeted at \$15,000. The bid that has been received for the kiosk designed by the architect and the Committee is \$23,000, approximately an \$8,000 overrun. The Space Committee believed the Legislature could absorb the overrun from the State House and Capitol Park Commission appropriation

Motion: That the Executive Director be authorized to fund from the State House and Capitol Park Commission appropriation that part of the 1st floor/West Wing "kiosk" bid estimate that exceeds the budget amount. (Motion by Rep. Colwell, second by Sen. Small, 10-0 unanimous).

The 3rd item from the Space Committee, was approval for the Executive Director to enter into an agreement for the North Wing's furnishing design. Mr. Clair said some offices had recent furnishings and items in storage. The Legislature had brought in, on a limited basis, a furnishings design consultant from Creative Office Pavilion. They were assisting with what furnishings could be reused and incorporate into the future North Wing when it opens in December or January. Mr. Clair said he was seeking authority to enter into a contract with Creative Office Pavilion to do that. Rep. Colwell said the Space Committee unanimously recommended that the Council authorize the Executive Director to enter into the agreement.

Motion: That the Legislative Council authorize the Executive Director to enter into an agreement with Creative Office Pavilion for a furnishing design for the North Wing. (Motion by Rep. Colwell, second by Sen. Small, 9-0 unanimous).

Rep. Colwell also reported to the members of the Legislative Council that the Space Committee had been discussing the smoking policies at the State House. The Committee had come up with 2 locations for smoking. One would be in the Governor's parking area and the other at the South End where the Education Building was. The Committee was discussing the possibility of putting up some type of shelter in those 2 areas. They are working with Earle Shettleworth, Capitol Security and the Architect to present some designs for approval or disapproval to the full Council. The Space Committee was still working on the issue and hopefully would have a recommendation to the Council in the near future. Senators Small and Treat both discussed smoking on the front porch. With spring not far off, they were sure it was going to become an issue. Rep. Colwell said the Committee, hopefully, would come up with a final or interim recommendation shortly.

Rep. Watson said she had discussed her concerns regarding the smoking policy at the Space Committee meeting and was at the Legislative Council meeting to present an interim proposal to the Legislative Council. She requested that the current policy of 20 feet from any entrance of the State House be extended to 50 feet from the building. Sen. Daggett was concerned about the location for smoking. Rep. Colwell said the Committee was focusing on 2 separate areas, both being further from the building, hoping to make them an attractive permanent solution so the issue will not have to be brought back every year to the Council. He believed the policy before the Council today was to amend the current policy of 20 feet to 50 feet. Sen. Treat thought before people started complaining about the smoke, that the distance be 2 feet from the stone porch. She asked if it was possible for the Space Committee to meet on just the issue of the smoking policy before the next Council meeting. Sen. Bennett did not believe the construction of buildings for smoking purpose was a very good idea, and would not support it. He would prefer to see a more sensible policy, as Sen. Treat had suggested, and maybe there could be a consensus from the Council today to have something in effect, for a temporary basis, so the Committee could at a more leisurely pace, reconsider. Speaker Saxl thought it a very difficult issue, and thought the intention of the past Council had been to keep people 20 feet away from the building. Until the Space Committee could come to a better recommendation, he would suggest that the existing rule be enforced. He said that a letter should be sent to Legislative members and staff from the Council as a reminder that during warm weather, and windows are open, remind members and set the appropriate receptacles for smoking further away at the line, and see if there is still a problem after the notice has been sent out. Rep. Bruno asked who was responsible for enforcing the policy? Someone needs to be in charge whether it is Capitol Security or the Offices. Speaker Saxl asked before heavier handed enforcement goes into effect, could they try the notice first. A notice or reminder had not been distributed. One being sent asking that people respect that windows will be open, and that the smoking receptacles would be placed at a distance that would be appropriate according to the Council rules. If that does not work, come back and enforce other mechanism. Rep. Colwell said the Space Committee was trying to create an aesthetically pleasing shelter along the parking lot lines. If it is not what other members want, that is fine but you do have to be realistic. If it is snowing or rainy, you have no enforcement mechanism or shelter for people, they will smoke on the porch, they will smoke where they can. The Committee has been wrestling with the smoking issue, it is not a simple problem. Sen. Treat thought it was unclear what the current rules were and asked if the Presiding Officers could send out a map with areas "X" where people could or could not smoke. Sen. Bennett agreed the rules were not clear. He thought it should be 20 feet from the building and no smoking at all on the south side ramp.

Motion: The Chairs of the Legislative Council create a communication with some visuals attached to it that will clearly communicate the current smoking policy and the fact that it will be enforced pending any new policy the Council may come up with. (Motion by Sen. Treat, second by Rep. Bruno, unanimous).

- **Technology and Migration Committee**

Sen. Treat reported to the Council the Committee met on March 9th, unfortunately the attendance was not very good. Rep. Norbert did attend, and the Committee proceeded to do a line-by-line review of the Part 2 Budget, get updates on the bill drafting system, the legislative management system, and the fiscal note issue. They requested that staff come back to the Committee with more complete information on a number of those items. There will have to be another meeting of the full Committee in order to make some proposals about the budget, present it to the Council in time to have some input into the Part 2 decisions on the Budget. She thought it was a very productive meeting and thought it was helpful in sorting through the issues that they will be dealing with.

- **Time and Attendance Subcommittee**

Sen. Treat said this Subcommittee goes along with the Technology and Migration Committee and the issues will be resolved when the Technology issues are resolved.

OLD BUSINESS

Item #1: Submission of Study Report:

- Task Force on Educational Programming At Juvenile Correctional Facilities (pursuant to P.L. 1999, Chapter 770).

Motion: Move for acceptance of the Committee Report. (Motion by Speaker Saxl, second by Sen. Bennett, unanimous).

Item #2: Report Back From the Percent for Art Committee

Rep. Watson spoke on behalf of Sen. Abromson and herself, who are on the Committee. She wanted to answer the questions by Sen. Bennett at the previous Council meeting, if the funds for Percent for Art could be used for other things other than the purchase of art for the project, in the West Wing and the Connector. She referred members to the information provided by Paul Faria from the Maine Arts Commission that refers to Section 452 in the definitions of art and the rules section. It explains that the intent is to encourage the development of Maine artists, and the money has to be spent just on this project alone and spent while the project is going on. Sen. Bennett thanked the Committee for getting back to the Council. His reading of the statute is it would be a bit of a stretch to do that, although regrettable, because a lot of money is being spent by the Legislature on the dioramas and they are the work of a Maine artist and are something that people have argued for as art.

NEW BUSINESS

Item #1: Submission of Study Report:

- Committee to Study Access to Private and Public Lands in Maine
(pursuant to H.P. 1951)

Motion: Move for acceptance of the Committee Report. (Motion by Rep. Bruno, second by Sen. Bennett, unanimous).

Item #2: Proposed Drafting Guidelines for Legislative Studies-120th Legislature

Motion: To Table the Proposed Drafting Guidelines for Legislative Studies-120th Legislature until a future meeting. (Motion by Speaker Saxl, second by Sen. Bennett, unanimous).

ANNOUNCEMENTS AND REMARKS

None.

ADJOURNMENT

Sen. Bennett moved that the Council adjourn at 2:55 p.m. (Motion by Sen. Bennett, second by Rep. Norbert, unanimous).



Executive Director's Report

April 25, 2001

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### **1. North Wing Planning Process**

- Pre-bid update (furnishings; architectural; etc)
- Bid-to-budget review in early June 2001
- mid-June 2001 kick-off?

### **2. Cross Office Building uses**

- Press Conferences in 2nd Floor lobby?
- Administration's view is that that lobby was not designed for this use; they prefer that Rm. 107/CSOB be reserved for that purpose
- Recommend that E/D meet with Administration to develop a solution & report back at the May 2001 Legislative Council meeting
- See Attachment A

### **3. Examine Certain Publication Fees?**

- Laws of Maine (at \$20 since at least 1990; production costs approach \$40 per unit)
- Recommend that fees set by the Council but not updated recently be examined with a report back at the May 2001 Leg. Council meeting
- See Attachment B

2-4  
PB (1)

Attachment A

APPROVED

CHAPTER

APR 16 '93

788

BY GOVERNOR

PUBLIC LAWS

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-EIGHT

H.P. 1631 - L.D. 2259

An Act to Preserve the State House and to Renovate State  
Facilities

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

Sec. 1. 4 MRSA §1603, sub-§7, as amended by PL 1997, c. 523, §6, is further amended to read:

7. Project, projects or part of any project. "Project, projects or part of any project" means the acquisition, construction, improvement, reconstruction or equipping of, or construction of an addition or additions to, any structure designed for use as a court facility, state office or state activity space and intended to be used primarily by the State, any agency, instrumentality or department of the State or by any branch of State Government. The structure may include facilities for the use of related agencies of state, county or local government. "Project, projects or part of any project" includes all real and personal property, lands, improvements, driveways, roads, approaches, pedestrian access roads, parking lots, parking facilities, rights-of-way, utilities, easements and other interests in land, machinery and equipment and all fixtures, appurtenances and facilities either on, above or under the ground that are used or usable in connection with the structure, and also includes landscaping, site preparation, furniture, machinery, equipment and other similar items necessary or convenient for the operation of a particular facility or structure in the manner for which its use is intended. "Project, projects or part of any project" also includes the acquisition, construction, improvement, reconstruction or repair of any

Attachment A

equipment, device, technology, software or other personal property intended to be used primarily by the State, any agency, instrumentality or department of the State or by any branch of State Government or any related agency of state, county or local government. The exact scope of each project, projects or part of any project, other than those for the Judicial Branch and the Legislative Branch, must be set forth in a written designation by the Commissioner of Administrative and Financial Services to the authority and the exact scope of each project, projects or part of any project for the Judicial Branch must be set forth in a written designation by the State Court Administrator to the authority. The scope of each project for the Legislative Branch must receive a majority vote of the Legislative Council and be set forth in a written designation by the Executive Director of the Legislative Council to the authority. "Project, projects or part of any project" does not include such items as fuel, supplies or other items that are customarily considered as a current operating charge.

Sec. 2. 4 MRSA §1606, sub-§2, as amended by PL 1997, c. 523, §15, is further amended to read:

2. Limitation on securities issued. The authority may not issue securities in excess of ~~\$60,000,000~~ \$83,000,000 outstanding at any one time, of which no less than \$30,000,000 must be specifically allocated to projects relating to the Judicial Branch, except for the issuance of revenue refunding securities authorized by section 1610. The amount of securities that may be outstanding in the name of the authority may be increased by the Legislature upon a showing by the authority that its available revenues are sufficient to support additional issuance of securities and that the issuance of securities will not materially impair the credit standing of the authority, the investment status of securities issued by the authority or the ability of the authority to fulfill its commitments to holders of securities. Nothing in this chapter may be construed to authorize the authority to issue securities to fund the construction, reconstruction, purchase or acquisition of facilities without a ~~2/3~~ majority vote of approval in each House of the Legislature.

Sec. 3. Legislative space in the State Office Building. The Commissioner of Administrative and Financial Services shall provide the Maine State Legislature with not less than 33,000 gross square feet of space in the State Office Building, including common areas and private offices. Use and design of this space must be determined by majority vote of the Legislative Council. Aside from costs associated with the design phase and site preparation, including asbestos remediation, no expenditure of funds regarding this space may be made until its use and design are determined.

## Attachment A

The Legislative Council has the authority to authorize the Executive Director to enter into contracts for the purpose of maintaining or improving the 33,000 gross square feet of space in the State Office Building provided to the Legislature.

Sec. 4. Maine Governmental Facilities Authority; resolution for issuance of securities. Pursuant to the Maine Revised Statutes, Title 4, section 1606, subsection 1, the Maine Governmental Facilities Authority is authorized to issue securities in its own name in an amount up to \$52,500,000 for the purposes of paying the cost of the construction of a connector between the State Office Building and the State Capitol Building; the preservation and renovation of the State Capitol Building; and the renovations of the State Office Building, the Tyson Building and the Marquardt Building.

Sec. 5. Allocation. The proceeds from the sale of the bonds must be expended as follows:

|                                                                             |                     |
|-----------------------------------------------------------------------------|---------------------|
| Connector construction                                                      | \$4,000,000         |
| Renovation and preservation of<br>the State Capitol Building                | 19,283,830          |
| State Office Building, Tyson Building<br>and Marquardt Building renovations | 29,216,170          |
| TOTAL                                                                       | <u>\$52,500,000</u> |

## LEGISLATIVE PUBLICATIONS

## Summary of Distribution and Fee Policy

Adopted by the Legislative Council September 20, 1990

NOTE: Prices marked with an asterisk (\*) are  
for 116th Regular Session

| Document                                              | Distributor                         | Price                                                                                                                                                      |
|-------------------------------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Legislative Council Materials</b>                  |                                     |                                                                                                                                                            |
| • Preliminary Agenda & Minutes                        | Document Room                       | \$100*                                                                                                                                                     |
| • After-Deadline Lists<br>(Requests & Council Action) | Document Room                       | \$50*                                                                                                                                                      |
| <b>Legislation and Related Publications</b>           |                                     |                                                                                                                                                            |
| • LD's                                                | Document Room                       | \$450* 1st Class/Daily;<br>\$360* 1st Class/twice weekly;<br>\$300* 3rd Class/twice weekly;<br>\$180* pick-up<br>Revisor (Disk) \$ 25 in any bridge format |
| • Amendments                                          | Document Room                       | \$100* mailed;<br>\$60* pick-up                                                                                                                            |
| • Chaptered Laws                                      | Document Room                       | \$250* mailed;<br>\$150* pick-up                                                                                                                           |
|                                                       | Revisor/Engrossing                  |                                                                                                                                                            |
|                                                       | - Hard copy                         | Up to 5 copies: no charge;<br>5 or more: \$1 each                                                                                                          |
|                                                       | - Disk/tape                         | \$ 25/law in any bridge format;<br>\$10/law on WANG tape                                                                                                   |
| ⇒ • Laws of Maine<br>(compiled)                       | Revisor of Statutes/<br>Law Library | Single copies: no charge;<br>Additional copies: \$20 each                                                                                                  |
| • Cumulative Index                                    | Law Library                         | \$ 10/copy                                                                                                                                                 |
| • History & Final Disposition                         | Legislative Information<br>Office   | Single copies: no charge;<br>Additional copies: \$5 each                                                                                                   |
| • Joint Resolutions                                   | Document Room                       | \$ 75* mailed                                                                                                                                              |
| • Weekly Listing of Bills<br>Printed & Enacted        | Document Room                       | \$ 20* mailed                                                                                                                                              |

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**House & Senate Calendars**~~Calendars~~~~Document Room~~~~\$ 50 mailed~~~~With Supplements~~~~Document Room~~~~\$100 mailed~~**Bill Status System Reports**~~Weekly Printout~~~~Document Room~~~~\$200\* 1st Class;~~~~\$100\* 3rd Class;~~~~\$ 50\* Pick-up~~~~Advance Notice of  
Public Hearings~~~~Documents Room~~~~\$ 20\* 1st Class~~**Other Publications**

• Legislative Record

~~Document Room~~~~\$115\* 1st Class;~~~~\$ 85\* Pick-up~~

• Senate/House Registers

Secretary of the Senate  
Clerk of the House

\$ 1/copy

• Study Reports

OPLA  
OFPR  
Law LibrarySingle copies: no charge;  
Additional copies: \$5 each

• Maine Revised Statutes

Law Library

Price set annually, based on cost  
to Legislature

Current price: \$40/volume

**Online Searches/Prints**

• Maine Statutes

Revisor of Statutes

State Agencies: \$50/hour, plus  
10¢/page: \$50 minimumPublic: \$50/hour, plus 10¢/page:  
\$100 minimum**Legislative On-Line Status System  
(LINK)**Information Systems,  
Office of Executive  
Director**Initial Start-up Fee:**

State Agencies

\$ 50

Non-State Subscribers

\$ 300

**Annual Subscription Fee:**

All Subscribers

\$ 100

**On-Line Charges  
(thru 800 line)**

7 am - 6 pm

\$27/hr

6 pm - 6 am

\$18/hr



Joseph W. Mayo  
Clerk of the House

# State of Maine House of Representatives

Augusta 04333-0002

287-1400

Attachment 3

OCT 26

October 25, 2000

The Honorable Mark W. Lawrence  
Chair, Legislative Council  
2 State House Station  
Augusta, Maine 04333-0002

Dear Mr. Chairman:

The following proposed schedule is hereby submitted for the consideration of the Legislative Council. We are recommending no increase in the schedule of fees for Document Service for the First Regular Session of the 120th Legislature.

All items listed below, with the exception of Joint Resolutions and Legislative Council minutes, are available on the Legislature's website.

|                                                                                                             | 119th Rates | Proposed Rates<br>120 <sup>th</sup> 1 <sup>st</sup> Reg. |
|-------------------------------------------------------------------------------------------------------------|-------------|----------------------------------------------------------|
| 1. Bills & Resolves (L.D.s)<br>FIRST CLASS-Mailed Daily                                                     | \$500.00    | \$500.00                                                 |
| 2. Bills & Resolves (L.D.s)<br>FIRST CLASS-Mailed-Twice Weekly                                              | 400.00      | 400.00                                                   |
| 3. Bills & Resolves (L.D.s)<br>THIRD CLASS-Mailed Twice Weekly                                              | 330.00      | 330.00                                                   |
| 4. Bills & Resolves (L.D.s)<br>PICKED UP AT DOCUMENT ROOM                                                   | 200.00      | 200.00                                                   |
| 5. Amendments (Combined with any Legislative Document<br>Service)-Mailed Weekly                             | 120.00      | 120.00                                                   |
| 6. Amendments<br>PICKED UP AT DOCUMENT ROOM                                                                 | 80.00       | 80.00                                                    |
| 7. Legislative Record<br>FIRST CLASS-Mailed Weekly                                                          | 125.00      | 125.00                                                   |
| 8. Legislative Record<br>PICKED UP AT DOCUMENT ROOM                                                         | 90.00       | 90.00                                                    |
| 9. Public & Private & Special Laws, Resolves, &<br>Constitutional Resolutions<br>FIRST CLASS-Mailed Weekly  | 275.00      | 275.00                                                   |
| 10. Public & Private & Special Laws, Resolves &<br>Constitutional Resolutions<br>PICKED UP AT DOCUMENT ROOM | 150.00      | 150.00                                                   |
| 11. Weekly Computer Printout-Status of Bills<br>FIRST CLASS MAIL                                            | 225.00      | 225.00                                                   |
| 12. Weekly Computer Printout-Status of Bills<br>THIRD CLASS MAIL                                            | 115.00      | 115.00                                                   |

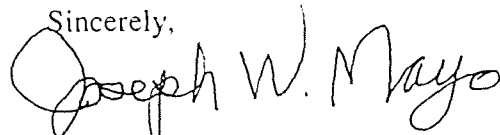
Printed on Recycled Paper



|                                                                                                                |              |        |        |
|----------------------------------------------------------------------------------------------------------------|--------------|--------|--------|
| 13. Weekly Computer Printout-Status of Bills<br>PICKED UP AT DOCUMENT ROOM                                     | Attachment B | 60.00  | 60.00  |
| 14. Advance Notice of Public Hearings on Bills<br>FIRST CLASS-Mailed Weekly                                    |              | 25.00  | 25.00  |
| 15. Weekly Listings of Bills Printed & Enacted<br>FIRST CLASS MAIL                                             |              | 25.00  | 25.00  |
| 16. Joint Resolution<br>FIRST CLASS MAIL                                                                       |              | 80.00  | 80.00  |
| 17. House & Senate Daily Calendars<br>FIRST CLASS-Mailed Weekly                                                |              | 60.00  | 60.00  |
| 18. House & Senate Daily Calendars<br>with Supplemental Calendars<br>FIRST CLASS-Mailed Weekly                 |              | 125.00 | 125.00 |
| 19. Legislative Council-Notice of Preliminary Agenda and<br>Minutes, After Deadline List Pre and Post Versions |              | 175.00 | 175.00 |
| 20. Weekly Legislative Calendar<br>FIRST CLASS MAIL                                                            |              | 25.00  | 25.00  |
| 21. Roll Call Votes (House & Senate)<br>FIRST CLASS MAIL-Mailed Weekly                                         |              | 75.00  | 75.00  |
| 22. Roll Call Votes (House & Senate)<br>PICKED UP AT DOCUMENT ROOM                                             |              | 25.00  | 25.00  |

I will be happy to respond to any questions the Council may have on this proposed schedule that has been discussed with appropriate legislative support agencies.

Sincerely,



Joseph W. Mayo  
Clerk of the House

# **Fiscal Briefing for the Legislative Council**

**April 25, 2001**

*Prepared by the Office of Fiscal & Program Review*

- 1. Fiscal Note Production Update**
- 2. March Revenue Variances**
- 3. General Fund Cash Balances**
- 4. Question-and-Answer**

Office of Fiscal and Program Review  
120th Legislature, First Regular Session  
Fiscal Note Production - Update

Original Bills - Printed LD's - Status of Fiscal Note Memos - As of 4/24/01

|                                                                          |            |                   |
|--------------------------------------------------------------------------|------------|-------------------|
| Total LD's Printed                                                       | <u>#'s</u> | <u>% of Total</u> |
| Number of LD's Printed                                                   | 1777       | 100.0%            |
| Fiscal Note Memos Completed                                              | 1417       | 79.7%             |
| LD's with Public Hearing on or before 4/24/01                            | <u>#'s</u> | <u>% of Total</u> |
| LD's Already Heard                                                       | 1713       | 100.0%            |
| LD's Already Heard - Fiscal Note Completed *                             | 1408       | 82.2%             |
| LD's Already Heard - Not Completed                                       | 305        | 17.8%             |
| * Includes LD's with No Fiscal Note Memo ("ONTP", Amended & Carry-overs) | 446        | 26.0%             |

Amendments - Requests for Fiscal Reviews - As of 4/24/01 8:00PM

|                                                                          |            |                   |
|--------------------------------------------------------------------------|------------|-------------------|
|                                                                          | <u>#'s</u> | <u>% of Total</u> |
| Total Requests                                                           | 635        | 100.0%            |
| Total Fiscal Reviews Completed**                                         | 484        | 76.2%             |
| Total Requests - Outstanding                                             | 151        | 23.8%             |
| "Late" Fiscal Reviews (>5 working days to complete)                      | 242        | 38.1%             |
| ** Note: 186 Fiscal Reviews completed from April 17th through April 24th |            |                   |

Source: Legislature's WANG Bill Status, Bill Tracking and Fiscal Note Systems

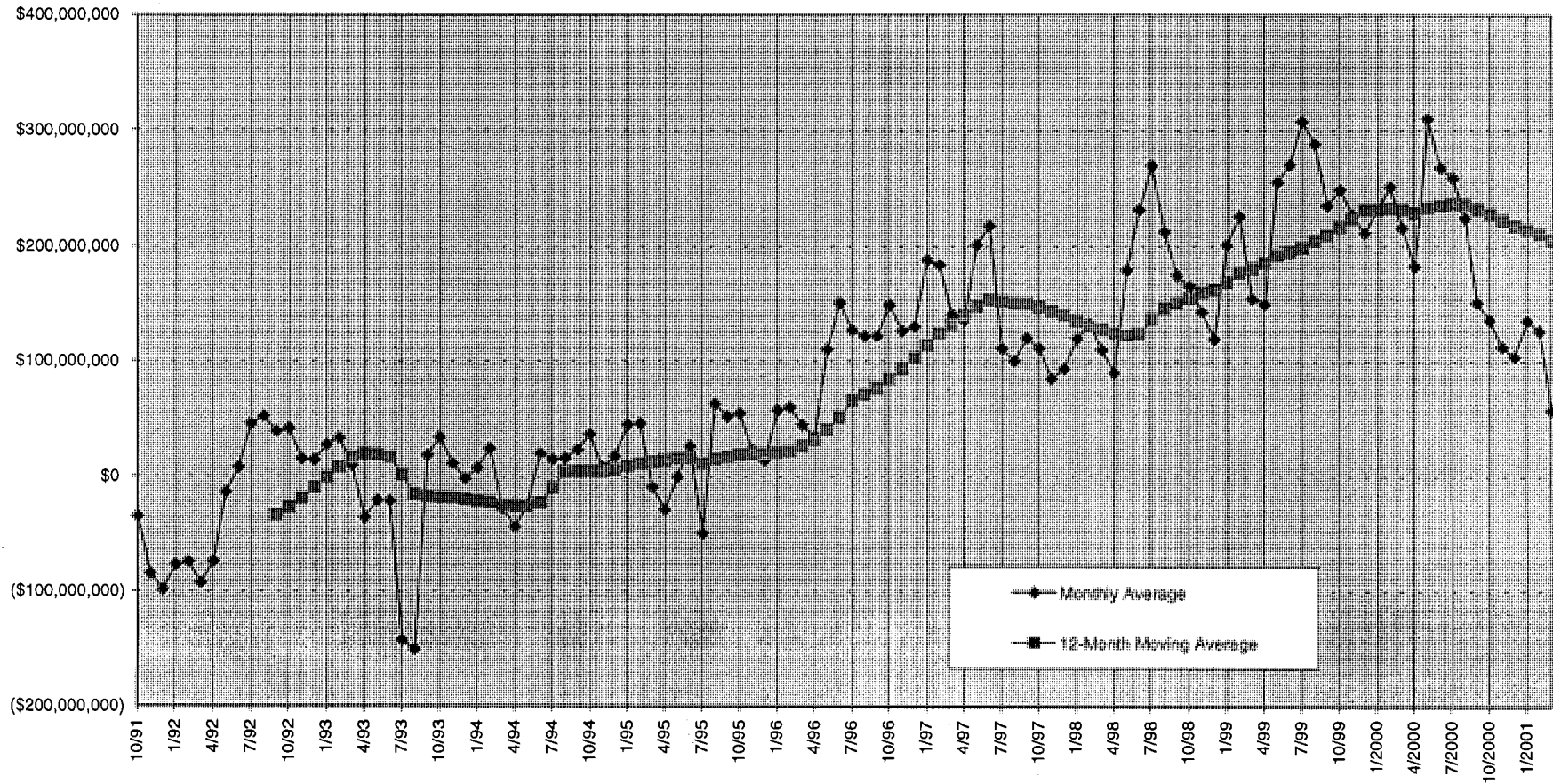
## Revenue Update

| General Fund Revenue Variance Summary                                                          |              |                                   |
|------------------------------------------------------------------------------------------------|--------------|-----------------------------------|
| For the Month of March 2001                                                                    |              |                                   |
| (Note: Includes effects of March 2001 Downward Revenue Reprojection of \$11.4 Million in FY01) |              |                                   |
| In Millions                                                                                    |              |                                   |
| Revenue Source                                                                                 | March 2001   | Fiscal Year-to-Date<br>March 2001 |
| Sales and Use Tax                                                                              | (\$4.7)      | (\$3.7)                           |
| Individual Income Tax                                                                          | \$8.7        | \$10.0                            |
| Corporate Income Tax                                                                           | (\$9.6)      | (\$10.9)                          |
| Cigarette and Tobacco Tax                                                                      | \$0.8        | \$1.1                             |
| Public Utilities Tax                                                                           | \$0.0        | \$0.1                             |
| Insurance Companies Tax                                                                        | \$0.2        | \$1.5                             |
| Inheritance and Estate Tax                                                                     | (\$0.7)      | (\$2.3)                           |
| Property Tax - Unorganized Territories                                                         | \$0.0        | \$0.8                             |
| Income from Investments                                                                        | \$0.1        | \$0.8                             |
| Transfer to Municipal Revenue Sharing                                                          | \$0.3        | \$0.2                             |
| Transfer from Liquor                                                                           | \$0.1        | \$1.9                             |
| Transfer from Lottery                                                                          | \$0.1        | (\$0.6)                           |
| Other Revenues                                                                                 | \$5.2        | \$3.7                             |
| <b>Total General Fund - Variances</b>                                                          | <b>\$0.5</b> | <b>\$2.4</b>                      |

| Highway Fund Revenue Variance Summary |              |                                   |
|---------------------------------------|--------------|-----------------------------------|
| For the Month of March 2001           |              |                                   |
| In Millions                           |              |                                   |
| Revenue Source                        | March 2001   | Fiscal Year-to-Date<br>March 2001 |
| Fuel Taxes                            | \$2.1        | \$3.2                             |
| Motor Vehicle Registration and Fees   | (\$1.2)      | \$0.6                             |
| Inspection Fees                       | \$0.5        | \$0.1                             |
| Other Revenues                        | \$0.1        | (\$0.2)                           |
| <b>Total Highway Fund - Variances</b> | <b>\$1.4</b> | <b>\$3.7</b>                      |

*Prepared by the Office of Fiscal and Program Review  
Based on Preliminary Data; Subject to Change*

### GENERAL FUND DAILY STARTING CASH BALANCES



### TAX ANTICIPATION NOTES FY 1990-91 to FY 1997-98

| Fiscal Year | Amount Authorized | Amount Issued | Reference              |
|-------------|-------------------|---------------|------------------------|
| 1997-98     | \$100,000,000 (1) | \$0           | PL 1997, c. 24, §F-1   |
| 1996-97     | \$190,000,000     | \$150,000,000 | PL 1995, c. 665, §P-1  |
| 1995-96     | \$182,000,000     | \$182,000,000 | PL 1995, c. 368, §V-1  |
| 1994-95     | \$175,000,000     | \$175,000,000 | PL 1993, c. 707, §P-2  |
| 1993-94     | \$170,000,000     | \$170,000,000 | PL 1993, c. 382, §1    |
| 1992-93     | \$170,000,000     | \$170,000,000 | PL 1991, c. 780, §BB-1 |
| 1991-92     | \$150,000,000     | \$150,000,000 | PL 1991, c. 589, §1    |
| 1990-91     | \$125,000,000     | \$115,000,000 | PL 1991, c. 5, §1      |

(1) Authorization subsequently repealed by PL 1997, c. 643, §E-5

## General Fund - Fiscal Year 2000-01 - Beginning Daily Cash Balances

|             |              | July-00 | August-00    | September-00 | October-00   | November-00 | December-00  | January-01 | February-01  | March-01 | April-01     | May-01 | June-01      |
|-------------|--------------|---------|--------------|--------------|--------------|-------------|--------------|------------|--------------|----------|--------------|--------|--------------|
| Day of Week | Week         | Week    | Week         | Week         | Week         | Week        | Week         | Week       | Week         | Week     | Week         | Week   | Week         |
| Mo. Day     | Beg. Balance | Day     | Beg. Balance | Day          | Beg. Balance | Day         | Beg. Balance | Day        | Beg. Balance | Day      | Beg. Balance | Day    | Beg. Balance |
| 1 S         |              | T       | 250,695,744  | F            | 190,079,062  | Su          |              | W          | 106,647,257  | F        | 111,513,870  | M      | Holiday      |
| 2 Su        |              | W       | 259,094,084  | S            |              | M           | 195,926,685  | Th         | 100,040,050  | S        |              | T      | 122,604,208  |
| 3 M         | 295,782,946  | Th      | 252,119,024  | Su           |              | T           | 195,655,146  | F          | 109,443,123  | Su       |              | W      | 103,556,748  |
| 4 T         | Holiday      | F       | 262,570,419  | M            | Holiday      | W           | 172,049,616  | S          |              | M        | 110,967,084  | Th     | 72,035,357   |
| 5 W         | 288,006,832  | S       |              | T            | 158,407,798  | Th          | 170,493,841  | Su         |              | T        | 114,426,490  | F      | 105,482,770  |
| 6 Th        | 280,444,001  | Su      |              | W            | 153,825,964  | F           | 164,645,667  | M          | 109,201,503  | W        | 100,123,754  | S      |              |
| 7 F         | 260,852,327  | M       | 258,082,605  | Th           | 118,866,331  | S           |              | T          | 112,253,416  | Th       | 95,107,064   | Su     |              |
| 8 S         |              | T       | 233,169,023  | F            | 128,136,834  | Su          |              | W          | 123,086,142  | F        | 99,380,655   | M      | 112,968,338  |
| 9 Su        |              | W       | 239,796,162  | S            |              | M           | Holiday      | Th         | 103,823,498  | S        |              | T      | 119,109,967  |
| 10 M        | 286,475,120  | Th      | 225,302,241  | Su           |              | T           | 159,017,400  | F          | Holiday      | Su       |              | W      | 122,622,455  |
| 11 T        | 293,989,030  | F       | 231,225,592  | M            | 131,467,091  | W           | 163,432,299  | S          |              | M        | 91,298,221   | Th     | 123,703,625  |
| 12 W        | 298,408,421  | S       |              | T            | 128,090,421  | Th          | 152,784,419  | Su         |              | T        | 104,276,172  | F      | 126,773,860  |
| 13 Th       | 301,038,997  | Su      |              | W            | 127,209,823  | F           | 128,885,868  | M          | 107,731,503  | W        | 92,508,243   | S      |              |
| 14 F        | 301,794,042  | M       | 230,529,334  | Th           | 126,859,714  | S           |              | T          | 106,883,295  | Th       | 95,273,680   | Su     |              |
| 15 S        |              | T       | 243,706,514  | F            | 128,480,032  | Su          |              | W          | 104,314,946  | F        | 100,054,945  | M      | Holiday      |
| 16 Su       |              | W       | 231,883,292  | S            |              | M           | 130,918,126  | Th         | 112,207,724  | S        |              | T      | 122,347,661  |
| 17 M        | 271,184,067  | Th      | 225,977,784  | Su           |              | T           | 131,252,599  | F          | 120,003,044  | Su       |              | W      | 133,954,686  |
| 18 T        | 274,554,273  | F       | 222,203,856  | M            | 140,582,191  | W           | 127,417,979  | S          |              | M        | 103,040,404  | Th     | 124,955,805  |
| 19 W        | 256,597,083  | S       |              | T            | 149,750,696  | Th          | 124,696,485  | Su         |              | T        | 101,484,733  | F      | 146,131,432  |
| 20 Th       | 195,596,052  | Su      |              | W            | 149,994,765  | F           | 135,783,363  | M          | 135,038,747  | W        | 115,232,057  | S      |              |
| 21 F        | 196,004,071  | M       | 242,120,501  | Th           | 149,003,163  | S           |              | T          | 144,259,804  | Th       | 111,863,437  | Su     |              |
| 22 S        |              | T       | 250,763,505  | F            | 118,832,941  | Su          |              | W          | 103,653,967  | F        | 93,853,280   | M      | 154,164,343  |
| 23 Su       |              | W       | 205,447,267  | S            |              | M           | 113,818,974  | Th         | Holiday      | S        |              | T      | 171,189,194  |
| 24 M        | 221,349,603  | Th      | 167,245,776  | Su           |              | T           | 91,223,410   | F          | Holiday      | Su       |              | W      | 179,375,424  |
| 25 T        | 232,314,939  | F       | 184,644,162  | M            | 175,225,750  | W           | 88,186,656   | S          |              | M        | Holiday      | Th     | 172,935,949  |
| 26 W        | 225,976,963  | S       |              | T            | 180,104,597  | Th          | 91,351,145   | Su         |              | T        | 97,441,927   | F      | 151,654,082  |
| 27 Th       | 216,830,148  | Su      |              | W            | 198,383,953  | F           | 101,576,249  | M          | 105,125,050  | W        | 114,515,489  | S      |              |
| 28 F        | 244,546,079  | M       | 188,037,713  | Th           | 185,656,396  | S           |              | T          | 113,033,899  | Th       | 114,480,643  | Su     |              |
| 29 S        |              | T       | 193,798,940  | F            | 193,304,607  | Su          |              | W          | 110,792,221  | F        | 115,462,707  | M      | 165,943,851  |
| 30 Su       |              | W       | 186,513,887  | S            |              | M           | 104,800,944  | Th         | 115,610,330  | S        |              | T      | 165,096,212  |
| 31 M        | 238,015,789  | Th      | 181,047,162  |              |              | T           | 122,972,657  |            |              | Su       |              | W      | 155,025,773  |
| Average     | 258,988,039  |         | 224,607,591  |              | 151,613,106  |             | 136,518,549  |            | 112,797,343  |          | 104,115,243  |        | 135,791,988  |
| FY Ave.     | #DIV/0!      |         |              |              |              |             |              |            |              |          |              |        | 126,628,979  |
|             |              |         |              |              |              |             |              |            |              |          |              |        | 58,002,046   |
|             |              |         |              |              |              |             |              |            |              |          |              |        | 3,751,691    |
|             |              |         |              |              |              |             |              |            |              |          |              |        | #DIV/0!      |
|             |              |         |              |              |              |             |              |            |              |          |              |        | #DIV/0!      |

Source: MFASIS

Updated: 4/25/01

**LEGISLATIVE COUNCIL  
MIGRATION PROJECT STATUS  
April 25, 2001**

**Bill Drafting:**

- Bill Drafting application software was installed on April 2nd
- Completed technical system testing on April 13<sup>th</sup> with one remaining open item
- User acceptance testing started on April 17<sup>th</sup> with a goal of completing testing in mid-May
- Fixes to problems found in testing are being made by Compaq with the software being updated weekly or "ASAP" based on urgency of the problem

**Legislative Data Repository (LDR):**

- Supporting International Roll Call's requirements for the Legislative Management System (LMS)



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

13 State House Station, Augusta, Maine 04333-0013  
Telephone: (207) 287-1670  
Fax: (207) 287-1275

**Memorandum**

**To:** The Honorable Michael V. Saxl, Chair  
The Honorable Richard A. Bennett, Vice-Chair  
120<sup>th</sup> Legislative Council

*Dave*  
**From:** David E. Boulter, Director

**Date:** March 26, 2001

**Re:** Proposed Drafting Guidelines for Legislative Studies-120<sup>th</sup> Legislature

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Please find attached proposed drafting guidelines for legislative studies that I present to the Legislative Council for its review and adoption, pursuant to Joint Rule 353. Under Joint Rule 353, The Legislative Council must adopt guidelines for the drafting of study orders and legislation at the beginning of each legislative biennium. Study orders and legislation must be consistent with the adopted guidelines.

The proposed guidelines closely track relevant provisions of the Joint Rules of the 120<sup>th</sup> Legislature and the guidelines that were adopted by the 119<sup>th</sup> Legislative Council. Some provisions have been revised somewhat or expanded to provide greater clarity, but the guidelines do not propose any major change in policy with respect to studies. The guidelines also include guidance to staff when preparing joint standing committee requests to the Legislative Council for committee studies and a sample order creating a study committee.

If you have any questions, I would be happy to answer them at the Council meeting.

**Cc:** Senate President Michael H. Michaud  
Jim Clair, Executive Director

G:\ARCHIVES\STUDIES\study guideline memo to council.doc (3/26/01 8:24 AM)

MAR 26 2001

*David E. Boulter, Director*  
Offices Located in the State House, Rooms 101/107/135



# **Legislative Studies: Drafting Guidelines**

**DRAFT**

**Adopted by the 120<sup>th</sup> Legislative Council  
Pursuant to Joint Rule 353(8)**

**March 28, 2001**

**Prepared by the Office of Policy and Legal Analysis  
Maine Legislature**

## Guidelines for Legislative Studies

**Introduction.** Each session the Maine Legislature considers numerous bills that would enact new law or amend or repeal existing laws. While the vast majority of legislation is considered and finally acted upon by the Legislature in the session in which it is introduced, some legislation warrants further study before a final decision is made. When additional time or information is needed to fully evaluate issues, the Legislature may establish a special commission or committee to study the matter by gathering information, evaluating options and making recommendations to the Legislature for its consideration. Conducting legislative studies is an important way that legislators may better inform themselves about complex issues affecting public policy. Conducting legislative studies also is an important way for the Legislature to seek information from interested persons and members of the general public and to help educate the public on matters affecting state policy.

Consistent with the historic legislative purpose of conducting studies to develop information to assist legislators in making policy decisions, Joint Rule 353 and these guidelines enhance the ability of the Legislature to efficiently establish and independently direct the scope and course of legislative studies in ways that best meet its needs.

**Authority.** Section 8 of Joint Rule 353 that was adopted by the 120<sup>th</sup> Legislature on December 6, 2000 directs the Legislative Council to adopt guidelines for drafting legislation that establish studies.

**Scope.** These guidelines apply to legislative studies. Legislative studies are studies established by action of the Legislature that are conducted by a joint standing or select committee of the Legislature, a subcommittee of a joint standing committee or by a special legislative study commission or committee and which reports its findings, conclusions and recommendations to the Legislature or some component of the Legislature. It is the Legislative Council's policy that membership on a legislative study committee or commission consists wholly or primarily of legislators, and non-partisan staff of the Legislature provide staffing assistance to the study commission or committee.

Legislative studies are distinguished from non-legislative studies which include studies that direct an executive department or agency, the Executive or the Judiciary to study the matter and make a report. Study committees or commissions established by Executive Order of the Governor are also non-legislative studies even if they invite appointment of legislators or make a report to the Legislature.

In addition to legislative studies, these guidelines should be applied to the drafting of legislation for non-legislative studies as well, using standardized elements and language as appropriate.

**Purpose and use of the guidelines.** These guidelines implement provisions of Joint Rule 353 as they relate to the preparation of study orders and legislation. These guidelines also incorporate many of the recommendations of the Special Committee on Legislative Rules contained in its final report issued in November 1998 and the Special Commission to Review the Study

Commission Process contained in its final report issued on January 16, 1998. The guidelines identify the major elements that should be included in each proposed joint order, resolve or law that establishes a study committee, offer suggested language for each element and comment on or generally explain the purpose for the language.

These guidelines provide assistance to non-partisan staff who prepare orders, resolves or bills proposing legislative studies. The guidelines will insure inclusion of standardized language for core elements of study orders and legislation, promote efficient drafting and encourage drafting consistency among committees and drafters.

The Legislative Council recognizes that from time to time committees or sponsors of study orders and legislation will need flexibility to address unique aspects of proposed studies not encompassed within the suggested language in these guidelines. The guidelines are sufficiently flexible to accommodate those unique circumstances.

These guidelines will also assist in preparing joint standing committees' requests for approval from the Legislative Council for studies proposed to be conducted by joint standing committees or their subcommittees.

**Key provisions of the guidelines.** These guidelines incorporate the following principles.

1. Joint orders (study orders), resolves or law may be used to establish legislative studies. It is the Legislative Council's general policy that study orders be the legislative instrument for all legislative studies except when studies will: (a) be conducted by a blue ribbon commission or other group created by the Legislature that needs to include substantial membership by non-legislators; or (b) extend beyond the current legislative biennium.
2. Proposed study orders will be referred to joint standing committees for consideration and reported out in the same manner as legislation. Committees also may initiate and report out study orders on their own initiative consistent with Joint Rule 353, section 1.
3. Ordinarily, the presiding officers appoint the members of a study committee, including its chair or co-chairs. In most cases, chairs should be legislators. Also, in most cases, the presiding officers are not directed to make their appointments jointly.
4. Ordinarily, the size of a study committee is between 3 and 13 members and should consist entirely or mostly of legislators. In accordance with the Joint Rules, joint select committees usually consist of 10 members or less.
5. Legislative members, and non-legislative members (if any) who are not otherwise compensated for their time serving on the study committee, are entitled to receive a per diem and reimbursement of necessary expenses, as authorized by their respective presiding officers.
6. Study committees are required to complete their work before the start of a legislative session or to curtail their work during the session if it spans two or more sessions.

7. The Legislative Council may grant limited extensions to the report date for a study committee. However, studies established by joint order may not be extended beyond the current legislative biennium.
8. All study orders or legislation proposing legislative studies must be placed on a special study table in the Senate or in the House and reviewed by the Legislative Council for coordination with legislative priorities and allocation of staffing and budgetary resources to support the study request.
9. Studies will ordinarily be funded from a study line in the legislative budget.
10. Ordinarily, non-partisan employees of the Legislature provide staffing services for legislative studies. Staff and other professional services to the committee or commission are under the direction of the director of the office that provides the primary staffing.

LEGISLATIVE STUDIESDRAFTING GUIDELINESElement of Study Order or LegislationSample LanguageComments**1. Selection of Legislative Vehicle**

- ♦ Five types of document may be used

A. Joint Study Order

(This is the principal method of legislative study and is adaptable for most legislative studies. Particularly appropriate for a limited term study of a specific issue by a committee consisting wholly or mostly of legislators that reports back to the Legislature within the legislative biennium. A joint order study may include a minority of non-legislators as members who participate at the request of the Legislature.)

"Ordered, the (Senate or House) concurring, that the Joint Select Committee on Substance Abuse is established as follows."

or "...that the Joint Standing Committee on Fisheries and Wildlife (or a subcommittee) is directed to study the issue of the recodification of the state hunting and fishing laws as follows."

or...that the Legislative Study Committee on the Integration of Social Security and Maine State Retirement System Benefits is established as follows."

- ♦ Must pass in each chamber only once (unless amended on the floor)
- ♦ Governor's approval not needed
- ♦ Effective immediately, unless otherwise specified
- ♦ Appropriation/fiscal note not needed at time of passage
- ♦ Chair and all or most members are legislators
- ♦ Public and agency members may be invited but not compelled to serve
- ♦ Orders are printed in the Calendar and ordinarily are referred to committee.
- ♦ Introduction of legislation into another biennium requires legislative sponsor
- ♦ May authorize introduction of legislation directly by study group or by legislative committee without legislative sponsor; however, legislation is either "presented" or "reported" by a legislator
- ♦ Cannot authorize a committee in the next biennium to report out legislation
- ♦ Authority terminates with the end of the biennium; Legislative Council cannot extend

| <u>Element of Study Order or Legislation</u>                                                                                                                                                                                                                                                                                                                                                                                                                   | <u>Sample Language</u>                                                                                                                                                                                                                                                                                            | <u>Comments</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>B. <u>Resolve</u></p> <p>(Appropriate for limited-term studies for which the participation of a large proportion of non-legislators is necessary, when outside members may need to be compelled to participate or when the issue to be studied demands the creation of a task force or blue ribbon commission of high profile members. Also appropriate for non-legislative studies to be conducted by agencies with a report back to the Legislature.)</p> | <p>“Resolve, to Establish the Commission to Study Rate Setting and the Financing of Long-term Care Facilities”</p> <hr/> <p>NOTE: Unless otherwise noted in these guidelines, the term “study group” means, study committee, study commission, task force, work group, blue ribbon commission or study group.</p> | <ul style="list-style-type: none"> <li>• Governor’s approval or veto override needed</li> <li>• Unless passed as an emergency, takes effect 90 days after adjournment</li> <li>• May compel participation, assistance or other action by non-legislators</li> <li>• May authorize introduction of legislation directly by study group or by legislative committee without legislative sponsor; however, legislation is either “presented” or “reported” by a legislator</li> <li>• Appropriation/ Fiscal Note required</li> </ul> |
| <p>C. <u>Public Law</u></p> <p>(Appropriate for ongoing, periodic studies established in statute [e.g., judicial compensation], for studies that are an integral part of a bill creating a new program [e.g., learning results, electric utility deregulation] and when the issue to be studied demands the creation of a task force or blue ribbon commission of high profile members [ e.g. workers’ comp reform].)</p>                                      | <p>“An Act to Establish the State Compensation Commission”</p>                                                                                                                                                                                                                                                    | <ul style="list-style-type: none"> <li>• Governor’s approval or veto override needed</li> <li>• Unless passed as an emergency, takes effect 90 days after adjournment</li> <li>• May compel participation, assistance or other action by non-legislators</li> <li>• May authorize introduction of legislation directly by study group or by legislative committee without legislative sponsor; however, legislation is either “presented” or “reported” by a legislator</li> <li>• Appropriation/ Fiscal Note required</li> </ul> |
| <p>D. <u>Letter request to Legislative Council</u></p> <p>(Appropriate for use by joint standing committees or their subcommittees only. Use for limited duration studies.)</p>                                                                                                                                                                                                                                                                                | <p>See Appendix I for the procedure to request approval from the Legislative Council for study.</p>                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

## Element of Study Order or Legislation

## Sample Language

## Comments

E. Special Committees established pursuant to the presiding officer(s) order

See sample order.

Note: Joint standing committees may also study an issue during interim committee authorized by Joint Rule 315.

(Appropriate for use by the presiding officers to establish special committees to meet the study needs of the House and Senate, individually or jointly. Neither the Presiding Officers nor Legislative Council may establish Joint Select or Joint Standing Committees; That authority is reserved to the full Legislature.)

### 2. Establishment of Study Group

#### A. Order or Resolve

"The (study group), referred to in this (order/resolve) as the (committee/commission/task force/blue ribbon commission/etc.) is established."

Not necessary when the study is to be assigned to an existing joint standing committee or a subcommittee of a joint standing committee. (See Appendix I)

#### B. Public Law

"The (study group) established in Title 5, section\_\_\_\_, subsection\_\_\_\_, (boards and commission law) and referred to in this section as the "(committee/commission/ task force/blue ribbon commission/etc.)", consists of (#) members appointed as follows:..."

### 3. Appointment of Study Group Members

- ◆ Specify total number of members, usually ranging from 3-13 members

"The (study group) consists of (#) members appointed as follows."

Conduct of studies by joint standing committees or their subcommittees or by joint select committees consisting entirely of legislators is the method preferred by the Legislative Council See Joint Rule 353 (2).

- ◆ Describe the method of appointment or selection of members

#### A. Joint study order

"The President of the Senate shall appoint (#) members and the Speaker of the House of

Unless specific circumstances warrant, the Presiding Officers should be the appointing

| <u>Element of Study Order or Legislation</u>                      | <u>Sample Language</u>                                                                                                                                                                                                                                                                                                                                | <u>Comments</u>                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                   | Representatives shall appoint (#) members to the (study group)."                                                                                                                                                                                                                                                                                      | authority for all members, but should not make appointments jointly.                                                                                                                                                                                                                                                                                                                                                                 |
| B. <u>Resolve or bill</u>                                         | "The (President of the Senate and Speaker of the House of Representatives, the Governor or other appointing authority) shall appoint (#) members to the (study group)."                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| ◆ Specify qualifications or affiliations of members               | (Describe broad qualifications or other eligibility criteria, if any, e.g. membership on a joint standing committee, professional affiliation, or residency.)                                                                                                                                                                                         | Avoid appointment procedures that include narrow restriction to very specific membership slots or appointment by outside organizations                                                                                                                                                                                                                                                                                               |
| ◆ Establish deadline for appointments                             | "All appointments must be made no later than 30 days following the (effective date of this resolve or Act/passage of this order)."                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| ◆ Establish terms and provide for filling vacancies               | "All members must be appointed for (# of years or to coincide with the legislative biennium). A vacancy must be filled (specify manner)."                                                                                                                                                                                                             | Ordinarily applies only to on-going study group established in statute                                                                                                                                                                                                                                                                                                                                                               |
| ◆ Specify notification of appointments to administering authority | "The (appointing authorities) shall notify the (Executive Director of the Legislative Council or other administering authority) upon making their appointments."                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 4. Selection of Chair                                             |                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| ◆ Designate the selection process or appointing authority         | <p>"The first named Senate member is the Senate chair and the first named House of Representatives member is the House chair."</p> <p><u>(Alternatives to preferred approach:)</u></p> <p>"The (Governor, the President of the Senate, Speaker of the House of Representatives or other authority) shall appoint the chair of the (study group)."</p> | Unless there is some compelling reason to do otherwise, appointment of study chair or co-chairs is by the presiding officers and is made at the same time the member appointments are made. If the study group consists of 5 or fewer members, one chair should be appointed by the presiding officer of the body in which the study order or legislation originates; otherwise the Senate President should appoint the Senate Chair |



Element of Study Order or Legislation

Sample Language

Comments

and the Speaker the House Chair. See Joint Rule 353 (3). Avoid joint appointment of a chair.

or

“At its first meeting, the (study group) shall select a chair from among its members. Notice of selection of the chair must be given to the Executive Director of the Legislative Council.”

Use this method of chair appointment only for blue ribbon commissions or similar groups where there is a compelling reason for the group members to select the chair.

**5. Convening of Study Group**

- ◆ Specify who is to call first meeting

“When appointment of all members of the (study group) is completed, the (chair of the study group or chair of the Legislative Council) shall call and convene the (study group) for the first meeting...”

Ordinarily, the chair will do this. However, if the chair is to be selected by the members of the study group, the chair of the Legislative Council shall call and preside at the first meeting.

- ◆ Establish deadline for first meeting

“...which must be no later than (date).”

All study groups should, ordinarily, be convened by August 1 in the first session and by June 1 in the second session. However, studies should not be convened prior to legislative adjournment in order to avoid scheduling conflicts for legislators and staff.

**6. Study Subject & Tasks**

- ◆ State subject of study

“The (study group) shall study (subject of study)”

Unlike other legislation, study orders, resolves and legislation should include greater narrative description as to the purpose and scope of the matter to be studied. The purposes and charge of the study group should be specific enough for members to readily understand the nature and scope of the study and expected work products.

- ◆ Specify issues to be studied

“The (study group) shall examine the following issues: (list issues)”

Listing specific issues to be studied provides a clear legislative charge to the study group. It also will facilitate planning and preparation by

| <u>Element of Study Order or Legislation</u>                                                                                                                                                                           | <u>Sample Language</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <u>Comments</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>◆ Specify tasks to be performed when studying the issue</li> </ul>                                                                                                              | <p>"In examining these issues, the (study group) may:</p> <ul style="list-style-type: none"> <li>- Hold (#) public hearings in (places);</li> <li>- Hold informational sessions for discussions with (list of experts by generic identification); or representatives of programs undertaken in (list states or other jurisdictions) on (topics); etc."</li> <li>- Conduct, a (telephone survey or other interview) of (people or groups) on (information sought);</li> <li>- Identify and summarize the legislative actions or governmental programs undertaken in (list states or other jurisdictions) on (topics); etc."</li> </ul> <p>"The (study group) shall (invite the participation of or offer the opportunity for) (entity) to submit comments on proposed recommendations of the study group."</p> | <p>the chairs and staff before the first meeting.</p> <p>Listing specific tasks to be performed will facilitate planning and preparation by the chairs and staff before the first meeting. Only those tasks that are essential to the charge of the study group should be mentioned.</p> <p>Use with study orders when outside participation is necessary to direct the study group to invite the participation of entities that may assist the study group in its work.</p> |
| <b>7. Staffing</b>                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <ul style="list-style-type: none"> <li>◆ Utilize non-partisan staff for legislative studies; (for non-legislative studies, executive agency or other personnel should be directed to staff the study group)</li> </ul> | <p>"Upon approval of the Legislative Council the (non-partisan office or offices) shall provide necessary staffing services to the (study group)."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>Ordinarily, non-partisan staff will be assigned as primary staff to a study group only if the study is a legislative study.</p>                                                                                                                                                                                                                                                                                                                                           |
|                                                                                                                                                                                                                        | or                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <ul style="list-style-type: none"> <li>◆ Direct another state agency to provide primary staff</li> <li>- specify who is to provide assistance in drafting study legislation</li> </ul>                                 | <p>"The (state agency) shall provide staff assistance to the (study group)."</p> <p>"The (state agency) shall prepare any legislation recommended by the (study group)."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>Non-partisan staff resources ordinarily should not be committed to non-legislative studies. If it is necessary, they should be committed only during times when the Legislature is not in session.</p>                                                                                                                                                                                                                                                                    |

Element of Study Order or Legislation

Sample Language

Comments

or

(For non-legislative studies)

"If the (study group) requires assistance with the preparation of any recommended legislation, it may request, and upon approval from the Legislative Council, receive such assistance from (non-partisan staff office or offices) staff."

- Specify who is to provide clerical assistance

"The (non-partisan staff office) or (state agency) shall provide clerical support to the (study group)."

◆ Permit the employment of consultants or other staff assistance

"The (study group), with the approval of the Legislative Council, may contract with a (consultant or expert) to provide staffing or other professional services."

Ordinarily, staffing will not be contracted, but will be provided by nonpartisan legislative staff for study activities. (designate as primary staff or cross-reference the pertinent study issues, tasks and products).

**8. Compensation of Members**

◆ Specify which members are eligible to receive per diem

"Legislative members are entitled to receive the legislative per diem and reimbursement for travel and other necessary expenses for their attendance at authorized meetings of the study group. Public members not otherwise compensated by their employers or other entities whom they represent are entitled to receive reimbursement of necessary expenses and a per diem equal to the legislative per diem for their attendance at authorized meetings of (a study committee)."

This is consistent with Joint Rule 353 (5).

Element of Study Order or Legislation

Sample Language

Comments

9. Report & Study Group Termination

- ◆ Specify work products to be prepared by the study group

“The (study group) shall submit a report that includes its findings and recommendations, including suggested legislation, to the (specify which) Session of the (specify which) Legislature no later than (date). The (study group) is authorized to introduce legislation related to its report to the (specify session) Session of the (specify legislature) Legislature at the time of submission of its report.”  
Alternative: “The (study group) is not authorized to introduce legislation.”

or

“The (study group) shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on (joint standing committee) and the Legislative Council by (date). The (study group) is not authorized to introduce legislation.” “Following receipt and review of the report, the (joint standing committee) may report out a bill to the (specify which) Session of the (specify which) Legislature.”

or

“The (study group) shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on (joint standing committee) and the Legislative Council by (date). The (study group) is authorized to introduce legislation related to its report to the (session ) Session of the (specify) Legislature at

Reports and legislation are to be submitted by the first Wednesday in November preceding a 1st Regular Session or the first Wednesday in December preceding a 2nd Regular Session. These dates are to assure that the report will be prepared and submitted for review by Legislators before the start of the legislative session and to allow for timely preparation of any accompanying legislation. Due to their committee responsibilities, legislative analysts do not ordinarily staff study commissions during legislative sessions. See Joint Rule 353 (6) and (7).

Ordinarily, the reports should be submitted to the “Legislature.” The language should be specific as to whether the study group has authority to introduce legislation or whether it is prohibited from doing so. The deadline for submission of legislation should be concurrent with submission of the study report.

If, however, the scope of the study is so narrow as to affect only a joint standing committee, then the report may be submitted to the joint standing committee having jurisdiction over the relevant policy area. The language should be specific as to whether the study group has authority to introduce legislation or whether it is prohibited from doing so. Furthermore, the language should be specific as to whether the joint standing committee has authority to report out a bill.

Authority to introduce legislation should not be

| <u>Element of Study Order or Legislation</u>                                                                                      | <u>Sample Language</u>                                                                                                                                                               | <u>Comments</u>                                                                                                                                                                                                                                                              |
|-----------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                   | the time of submission of its report”                                                                                                                                                | granted to both the study group and the joint standing committee. In addition, it should not be granted to joint standing committees jointly.                                                                                                                                |
| ◆ Specify date for submission of work products to the Legislature and to whom the report or other work product is to be submitted | (If the work product is not a report). “The (study group) shall submit (a questionnaire or survey summary, an informational booklet, legislation only, etc.) no later than (date)).” |                                                                                                                                                                                                                                                                              |
| ◆ Study Group Termination                                                                                                         | “Upon submission of its required report(s), the study group terminates.”                                                                                                             |                                                                                                                                                                                                                                                                              |
| ◆ Extension of reporting deadline                                                                                                 | “If the (study group) requires a limited extension of time to conclude its study and make its report, it may apply to the Legislative Council, which may grant the extension.”       | A report date should not be extended into a legislative session. A study group created by a joint study order cannot extend beyond the biennium because the authority granted by the Legislature for the joint study order lapses with the convening of the new legislature. |

| <u>Element of Study Order or Legislation</u>                                                                          | <u>Sample Language</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <u>Comments</u>                                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>10. Funding &amp; Management of Study Expenses</b>                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                  |
| ♦ Seek appropriation lines and figures from OFPR                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | This is included only if a study is not by joint study order.                                                                                                                                                                                    |
| ♦ Specify the authority to administer the study group budget                                                          | <p>“The chair(s) of the (study group), with assistance from the (study group) staff shall administer the study budget. Within 10 days after its first meeting the (study group) shall present a work plan and proposed budget to the Legislative Council for approval. The (study group) may not incur expenses that would result in the study group exceeding its approved budget.”</p> <p>“Upon request from the (study group), the Executive Director of the Legislative Council or the Executive Director’s designee shall promptly provide the (study group) chair and staff with a status report on the study budget, expenditures incurred and paid and available funds.”</p> | Although the projected number of meetings will be a factor in determining the study budget, avoid specifying in the study instrument the specific number of meetings authorized. Allow the study group flexibility to operate within its budget. |
| ♦ Indicate alternative ways the study group may be funded and whether it is precluded from using General Fund dollars | <p>“The chair(s) of the study group may seek and accept outside funding. Prompt notice of solicitation and acceptance of funds must be sent to the Legislative Council. All funds accepted must be forwarded to the Executive Director along with an accounting that includes amount, date received, from whom, purpose and limitation on use of the funds. The (Executive Director of the Legislative Council or other administering authority) administers any funds received. Expenses that have an effect on the General Fund may not be incurred by the (study group).”</p>                                                                                                     | The general policy is to not allow solicitation or use of funds other than those appropriated or allocated by the Legislature. However, in the event that use of outside funding is appropriate and necessary, this language should be used.     |

# Legislative Council-Authorized Studies

## Requests for Studies

The joint standing committees of the Legislature may request authorization from the Legislative Council to conduct studies during the interim. These studies offer committees the opportunity to carry out research and evaluation on legislative matters of a scope and depth that is not possible during the sessions given legislator time constraints and availability of staff resources.

## Limitations

Within the Legislature's budgetary and staff resources, the Council's general policy is to authorize interim studies to be conducted by a subcommittee of the joint standing committee. If appropriate, studies may be conducted by the full committee or by committee staff.

## Staffing assistance to Committees

Studies conducted by joint standing committees or their subcommittees are staffed by members of the nonpartisan staff. The appropriate Office Director, in consultation with the Executive Director makes specific staffing assignments. Frequently, more than 1 committee analyst is assigned in order to draw on the expertise of various staff members and to provide adequate staffing levels during a study.

## Procedures to Request Studies

Study requests must be made in writing to the Legislative Council and must follow applicable portions of the Drafting Guidelines for Legislative Studies approved by the Council, including those relating to study charge, convening of study groups, administration and reports.

### Study requests must include the following (as applicable):

- Topic, policy area or nature of the problem to be studied
- Description of the tasks to be completed
- The proposed chair or chairs
- Number and identification of the members who will serve on the study
- Proposed study budget and workplan
- Number of and anticipated location of any public meeting(s) to be held
- Anticipated convening and completion dates of the study

## Decisions by the Legislative Council

Ordinarily, the Council will decide requests for committee studies when it considers other requests for studies when reviewing the Study Table, pursuant to Joint Rule 353(8). The Council will convey its decision regarding committee study requests in writing to the chairs of the joint standing committee and committee staff in a timely manner.

**SAMPLE**

**LEGISLATIVE INSTRUMENT**

**FOR AUTHORIZING STUDIES**



# SAMPLE JOINT ORDER (STUDY ORDER) CREATING A STUDY

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND ONE

In House \_\_\_\_\_

H. P. 1951

## Joint Study Order to Establish the Committee to Study Access to Private and Public Lands in Maine

**WHEREAS**, this joint study order establishes the Committee to Study Access to Private and Public Lands in Maine; and

**WHEREAS**, the charge of this committee is vital to the interests of Maine citizens and camp and business owners in this State; and

**WHEREAS**, the spring and summer months begin the seasons of peak use of the Maine woods for Maine citizens and tourists and, therefore, are the optimal time for the committee to study access issues; now, therefore, be it

**ORDERED**, the Senate concurring, that the Committee to Study Access to Private and Public Lands in Maine is established as follows.

**1. Committee established.** The Committee to Study Access to Private and Public Lands in Maine, referred to in this order as the "committee," is established.

**2. Committee membership.** The committee consists of 6 members appointed as follows. The President of the Senate shall appoint 2 Senators; the Speaker of the House shall appoint 3 members of the House; and the Commissioner of Conservation is invited to participate as an ex officio member. When making the appointments, the President of the Senate and the Speaker of the House shall appoint at least one member of a party that does not hold the majority of seats in that body and shall give preference to members who serve the Joint Standing Committee on Agriculture, Conservation and Forestry.

**3. Committee chair.** The first named Senator is the Senate chair of the committee and the first named member of the House is the House chair of the committee

**4. Appointments; convening of committee.** All appointments must be made no later than 30 days following the effective date 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 has been completed, the chairs of the committee shall call and convene the first meeting of the committee, which must be no later than August 1, 2001.

**5. Duties.** The committee shall hold its meetings at various locations in the State, to be determined by the chairs. Geographic locations of meetings must be chosen to accommodate maximum participation by landowners and people using lands that are the subject of this study. The committee shall gather information and request necessary data from public and private entities in order to:

- A. Estimate the number of acres of land owned or controlled by landowners or landowner associations to which access is controlled by checkpoints, gates or other means and estimate the number of people accessing those lands, categorize the various uses of those lands and assess environmental damage and costs to landowners associated with public access to those lands;
- B. Determine the number of acres of land managed by the Bureau of Parks and Lands within the Department of Conservation or the Department of Inland Fisheries and Wildlife that are commonly accessed via roads on which checkpoints are located and fees are charged.
- C. Review existing fee structures for accessing lands beyond checkpoints operated by landowners or landowner associations and compare these fees and systems of public access to access and fee systems in other states; and
- D. Assess the need for legislation to ensure reasonable access to the public resources of this 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. The Legislative Information Office shall provide clerical services to the committee.

**7. Compensation.** Members of the committee are entitled to receive the legislative per diem and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the committee. Public members not otherwise compensated by their employers or other entities whom they represent are entitled to receive reimbursement of necessary expenses for their attendance at authorized meetings of the committee.

**8. Report.** The committee shall submit its report that includes its findings and recommendations, including suggested legislation, to the Second Regular Session of the 120<sup>th</sup> Legislature no later than December 5, 2001. The committee is authorized to introduce legislation related to its report to the Second Regular Session of the 120<sup>th</sup> Legislature at the time of submission of its report.

**9. Extension.** If the committee requires a limited extension of time to complete its study and make its report, it may apply to the Legislative Council, which may grant an extension. Upon submission of its required report, the committee terminates.

**10. 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 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 shall promptly provide the committee chairs and staff with a status report on the committee's budget, expenditures incurred and paid and available funds.

G:\ARCHIVES\STUDIES\Legislative Studies Drafting Guidelines 03-28-01.doc (3/26/01 8:27 AM)

**MAINE STATE LEGISLATURE**  
**PROPOSED PART II REQUESTS**  
**FISCAL YEARS 2002-2003**

(Updated 04/23/01)

| Priority                                   | Request                                                       | FY 2002 |           |         |           | FY 2003 |         |     |         | DESCRIPTION                                                                                                                                  |
|--------------------------------------------|---------------------------------------------------------------|---------|-----------|---------|-----------|---------|---------|-----|---------|----------------------------------------------------------------------------------------------------------------------------------------------|
|                                            |                                                               | PS      | AO        | Cap     | Total     | PS      | AO      | Cap | Total   |                                                                                                                                              |
| OFFICE OF LEGISLATIVE INFORMATION SERVICES |                                                               |         |           |         |           |         |         |     |         |                                                                                                                                              |
| 1                                          | Information Office - Reception Positions (3)                  | 113,736 | 13,500    |         | 127,236   | 122,589 | 4,500   |     | 127,089 | Support for the reception/information functions in the state office bldg and west wing statehouse. Leg. Count = 3,000                        |
| 2                                          | Desktop Administrator                                         | 55,900  | 4,500     |         | 60,400    | 59,965  | 1,500   |     | 61,465  | Replace existing contractor with staff position. Leg. Count = 1,000                                                                          |
| 3                                          | Network Administrator                                         | 61,473  | 4,500     |         | 65,973    | 65,909  | 1,500   |     | 67,409  | For expanded local area network. Leg. Count = 1,000                                                                                          |
|                                            | Section Total                                                 | 231,109 | 22,500    | 0       | 253,609   | 248,463 | 7,500   | 0   | 255,963 |                                                                                                                                              |
| 1                                          | Complete Phase I, Migration Project                           |         |           |         | 0         |         |         |     |         | Originally \$300,000 included to complete the migration of bill drafting; no longer needed due to contract amendment                         |
| 2                                          | Phase II Migration Project                                    |         | 1,500,000 | 100,000 | 1,600,000 |         | 500,000 |     | 500,000 | Provides faster document throughput, improved status & tracking functions, automates committee activities, better availability to the public |
| 3                                          | Additional Data File/Tape Backup/Recovery Capacity            |         | 10,000    | 40,000  | 50,000    |         |         |     |         | To accommodate growth of network, new client/server on line storage and need for more reliable backup                                        |
| 4                                          | Operating System Software Upgrades                            |         | 25,000    |         | 25,000    |         | 30,000  |     | 30,000  | Support for current operating systems being dropped in favor of updated and or new systems                                                   |
| 5                                          | Network Management Tools Software                             |         | 25,000    |         | 25,000    |         |         |     |         | Better utilization of existing network bandwidth and automate problem detection & notification, maintenance of log of events                 |
| 6                                          | Database Software Upgrades                                    |         |           |         |           |         | 30,000  |     | 30,000  | Support for current database software being dropped.                                                                                         |
| 7                                          | Establish Direct Legislative Access to Internet               |         | 67,000    | 33,000  | 100,000   |         | 36,000  |     | 36,000  | Service Improvement, cost reduction in current usage                                                                                         |
| 8                                          | Legislator/Staff Remote Access to Network (needs priority #7) |         | 75,000    |         | 75,000    |         | 20,000  |     | 20,000  | Provides direct log on from home, office, etc. over the network                                                                              |
| 9                                          | Tape Recording Equipment                                      |         | 5,000     |         | 5,000     |         |         |     |         | Replace current equipment barely functional, needs to be portable and plug into new sound system                                             |
| 10                                         | Convert Historical Data and On-line Data Storage              |         | 55,000    | 15,000  | 70,000    |         |         |     |         | Make data from 111th forward available in near real time or real time                                                                        |
| 11                                         | Maintenance Contract on Network Switch Gear                   |         | 12,000    |         | 12,000    |         | 12,300  |     | 12,300  | 24x7 coverage plus software upgrades                                                                                                         |
| 12                                         | Security System Maintenance                                   |         | 5,000     |         | 5,000     |         | 5,000   |     | 5,000   | Keep security system functional                                                                                                              |
| 13                                         | E-mail Software Upgrade                                       |         |           |         |           |         | 25,000  |     | 25,000  | Support Remote Access, keep software current                                                                                                 |

**MAINE STATE LEGISLATURE**  
**PROPOSED PART II REQUESTS**  
**FISCAL YEARS 2002-2003**

(Updated 04/23/01)

| Priority | Request                                                       | FY 2002 |           |         |           | FY 2003 |         |     |         | DESCRIPTION                                                                                                                                  |
|----------|---------------------------------------------------------------|---------|-----------|---------|-----------|---------|---------|-----|---------|----------------------------------------------------------------------------------------------------------------------------------------------|
|          |                                                               | PS      | AO        | Cap     | Total     | PS      | AO      | Cap | Total   |                                                                                                                                              |
| 14       | HR/Time Accounting Package                                    |         | 100,000   |         | 100,000   |         | 5,000   |     | 5,000   | Provide secure HR Database, replace many standalone systems                                                                                  |
| 15       | Helpdesk Software Replacement Package                         |         | 25,000    |         | 25,000    |         | 1,000   |     | 1,000   | Current package obsolete, does not meet needs                                                                                                |
| 16       | Chamber and Committee Sound Broadcast to the Internet (pilot) |         | 50,000    |         | 50,000    |         | 50,000  |     | 50,000  | Enable the Legislature to broadcast over the Internet (pilot project)                                                                        |
| 17       | WEB Page Services (InforMe)                                   |         | 25,000    |         | 25,000    |         | 25,625  |     | 25,625  | Assist Offices without web pages                                                                                                             |
| 18       | LCD Projector and Screen                                      |         |           | 5,500   | 5,500     |         |         |     |         | for computer based presentation protection                                                                                                   |
| 19       | Omni Builder Software                                         |         | 100,000   |         | 100,000   |         | 5,000   |     | 5,000   | Allow OIS staff to modify bill drafting application software and to develop new applications without the need to contract for these services |
|          | <b>Section Subtotal</b>                                       | 0       | 2,012,000 | 160,500 | 2,172,500 | 0       | 708,925 | 0   | 708,925 |                                                                                                                                              |
|          | <b>TOTAL OFFICE OF LEGISLATIVE INFORMATION SERVICES</b>       | 231,109 | 2,034,500 | 160,500 | 2,426,109 | 248,463 | 716,425 | 0   | 964,888 |                                                                                                                                              |
|          | <b>OFPR</b>                                                   |         |           |         |           |         |         |     |         |                                                                                                                                              |
|          | Analyst (session only)                                        |         |           |         |           | 47,906  | 3,923   |     | 51,829  | To support workload during the 1st Regular Session only. FTE Count = .692                                                                    |
|          | <b>TOTAL OFPR</b>                                             | 0       | 0         | 0       | 0         | 47,906  | 3,923   | 0   | 51,829  |                                                                                                                                              |
|          | <b>OPLA</b>                                                   |         |           |         |           |         |         |     |         |                                                                                                                                              |
|          | Analyst (session only)                                        |         |           |         |           | 47,906  | 3,923   |     | 51,829  | To support workload during the 1st Regular Session only. FTE Count = .692                                                                    |
|          | <b>TOTAL OPLA</b>                                             | 0       | 0         | 0       | 0         | 47,906  | 3,923   | 0   | 51,829  |                                                                                                                                              |
|          | <b>REVISORS</b>                                               |         |           |         |           |         |         |     |         |                                                                                                                                              |
|          | Attorney (session only)                                       | 39,217  | 3,923     |         | 43,140    | 47,906  | 1,038   |     | 48,944  | Ensures consistent and trained legal assistance to support legislative drafting functions. FTE Count = .692                                  |
|          | Upgrade Principal Attorney to Dep. Director                   | 9,547   |           |         | 9,547     | 9,665   |         |     | 9,665   | Reflects duties currently being performed that are consistent with Deputy Director position.                                                 |
|          | <b>TOTAL REVISORS</b>                                         | 48,764  | 3,923     | 0       | 52,687    | 57,571  | 1,038   | 0   | 58,609  |                                                                                                                                              |

(Updated 04/23/01)

| Priority                                                       | Request                                   | FY 2002        |                  |                |                  | FY 2003        |                |          |                  | DESCRIPTION                                                                                                                                             |
|----------------------------------------------------------------|-------------------------------------------|----------------|------------------|----------------|------------------|----------------|----------------|----------|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                |                                           | PS             | AO               | Cap            | Total            | PS             | AO             | Cap      | Total            |                                                                                                                                                         |
| <b>SENATE</b>                                                  |                                           |                |                  |                |                  |                |                |          |                  |                                                                                                                                                         |
|                                                                | Legislative Aide (3) (fulltime)           | 174,814        | 13,500           |                | 188,314          | 187,248        | 4,500          |          | 191,748          | These positions may not be needed due to the current organization of the Senate for the 120th Legislature.                                              |
|                                                                | Executive Secretary (fulltime)            | 42,480         | 4,500            |                | 46,980           | 45,716         | 1,500          |          | 47,216           |                                                                                                                                                         |
|                                                                | Executive Secretary (session to fulltime) | 13,080         |                  |                | 13,080           | 11,129         |                |          | 11,129           |                                                                                                                                                         |
|                                                                | <b>TOTAL SENATE</b>                       | <b>230,374</b> | <b>18,000</b>    | <b>0</b>       | <b>248,374</b>   | <b>244,093</b> | <b>6,000</b>   | <b>0</b> | <b>250,093</b>   |                                                                                                                                                         |
| <b>MISCELLANEOUS STUDIES</b>                                   |                                           |                |                  |                |                  |                |                |          |                  |                                                                                                                                                         |
|                                                                | New Method of Funding                     | 30,000         | 55,000           |                | 85,000           | 30,000         | 55,000         |          | 85,000           | To budget for legislative studies in accordance with the Joint Rules. Would fund approximately 15 studies each year at an average of \$5,500 per study. |
| <b>TOTAL REQUEST - LEGISLATURE (04/20/01)</b>                  |                                           | <b>540,247</b> | <b>2,111,423</b> | <b>160,500</b> | <b>2,812,170</b> | <b>675,939</b> | <b>786,309</b> | <b>0</b> | <b>1,462,248</b> |                                                                                                                                                         |
| <b>LAW &amp; LEGISLATIVE REFERENCE LIBRARY</b>                 |                                           |                |                  |                |                  |                |                |          |                  |                                                                                                                                                         |
|                                                                | Image Newspaper Clippings Collection      |                | 10,000           |                | 10,000           |                |                |          |                  | To enable users better access                                                                                                                           |
|                                                                | Shelving in Library Storage Facility      |                | 70,000           |                | 70,000           |                |                |          |                  | Ability to retain and make available older resources which have not been converted to another format. Increased storage capacity.                       |
|                                                                | Relocation Expenses                       |                | 217,775          |                | 217,775          |                |                |          |                  | Relocation Expenses due to renovations                                                                                                                  |
| <b>TOTAL REQUEST - LAW &amp; LEGISLATIVE REFERENCE LIBRARY</b> |                                           |                | <b>297,775</b>   |                | <b>297,775</b>   |                |                |          |                  |                                                                                                                                                         |
| <b>TOTAL - ALL PART II REQUESTS</b>                            |                                           |                |                  |                | <b>3,109,945</b> |                |                |          | <b>1,462,248</b> |                                                                                                                                                         |
| <b>BIENNIUM TOTAL - ALL PART II REQUESTS</b>                   |                                           |                |                  |                |                  |                |                |          | <b>4,572,193</b> |                                                                                                                                                         |

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Office of the Executive Director

LEGISLATIVE COUNCIL  
REQUESTS TO INTRODUCE LEGISLATION

As Of April 17, 2001

Action

SPONSOR: Rep. Bunker Jr., George H.

LR 2540 Resolve to Establish a Task Force to Study  
Issues Regarding Military Personnel Retired or  
Desiring to Retire in Maine

SPONSOR: Sen. Savage, Christine R.

ACCEPTED  
BY BALLOT  
04/17/01

LR 2561 Resolve, Authorizing the Department of Corrections  
to Convey by Sale to the Warren Sanitary District  
the State's Interest in Certain Real Property in  
the Town of Warren

SPONSOR: Rep. Wheeler, Edgar

*Tabbed*

LR 2562 An Act to Amend the Laws Pertaining to Search and  
Rescue Liability and Workers' Compensation Coverage

*Rep. Dorr  
Joint Resolution memorializing ... environmental  
and energy policies*

*Fail 5-5*

# TABLED BY THE LEGISLATIVE COUNCIL

|                 |                                                                                                                                  |                          |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <b>SPONSOR:</b> | <b>Sen. Bennett, Richard A.</b>                                                                                                  | <b>TABLED</b>            |
|                 |                                                                                                                                  | <b>03/28/01</b>          |
| LR 2461         | An Act to Amend the State's Deferred Compensation Plan                                                                           |                          |
| <b>SPONSOR:</b> | <b>Rep. Bryant, Bruce S.</b>                                                                                                     | <b>TABLED</b>            |
|                 |                                                                                                                                  | <b>02/02/01</b>          |
| LR 2415         | An Act to Ensure Public Participation in the Waiver Process for Certificate of Need Review                                       |                          |
| <b>SPONSOR:</b> | <b>Rep. Gagne, Rosita</b>                                                                                                        | <b>TABLED</b>            |
|                 |                                                                                                                                  | <b>03/28/01</b>          |
| LR 2509         | An Act to Stagger Registration Dates for Boat, Snowmobile and Other Light Trailers                                               |                          |
| <b>SPONSOR:</b> | <b>Rep. Matthews, Zachary E.</b>                                                                                                 | <b>TABLED</b>            |
|                 |                                                                                                                                  | <b>01/31/01</b>          |
| LR 2361         | An Act to Create a Tax Amnesty Day                                                                                               |                          |
| <b>SPONSOR:</b> | <b>Rep. Paradis, Jr., Rosaire</b>                                                                                                | <b>WITHDRAWN</b>         |
| LR 2522         | An Act to Designate the St. John Valley a Separate and Independent Tourism Area                                                  |                          |
| <b>SPONSOR:</b> | <b>Sen. Rotundo, Margaret</b>                                                                                                    | <i>w/d</i> <b>TABLED</b> |
|                 |                                                                                                                                  | <b>03/28/01</b>          |
| LR 2486         | An Act to Enhance Teacher Training and Recruitment Efforts                                                                       |                          |
| <b>SPONSOR:</b> | <b>Rep. Snowe-Mello, Lois A.</b>                                                                                                 | <b>TABLED</b>            |
|                 |                                                                                                                                  | <b>02/21/01</b>          |
| LR 2433         | An Act to Give Veterans Day Back to Veterans                                                                                     |                          |
| <b>SPONSOR:</b> | <b>Rep. Trahan, A. David</b>                                                                                                     | <b>TABLED</b>            |
|                 |                                                                                                                                  | <b>03/28/01</b>          |
| LR 2494         | An Act to Prohibit Municipalities From Putting Down Dogs for Excessive Barking                                                   |                          |
| <b>SPONSOR:</b> | <b>Rep. Tuttle, Jr., John L.</b>                                                                                                 | <b>TABLED</b>            |
|                 |                                                                                                                                  | <b>01/31/01</b>          |
| LR 2383         | Resolve, Directing the State Auditor to Simplify the Reporting Form for Candidates                                               |                          |
| <b>SPONSOR:</b> | <b>Rep. Tuttle, Jr., John L.</b>                                                                                                 | <b>TABLED</b>            |
|                 |                                                                                                                                  | <b>02/21/01</b>          |
| LR 2435         | An Act to Name the Maine Turnpike the POW-MIA Memorial Turnpike                                                                  |                          |
| <b>SPONSOR:</b> | <b>Rep. Twomey, Joanne T.</b>                                                                                                    | <b>TABLED</b>            |
|                 |                                                                                                                                  | <b>03/28/01</b>          |
| LR 2495         | An Act to Prohibit Discrimination by Insurance Companies on the Basis of Information Gained by Genetic Testing for Breast Cancer |                          |



ADDENDUM

LEGISLATIVE COUNCIL  
REQUESTS TO INTRODUCE LEGISLATION  
As of April 20, 2001

Action

SPONSOR: Rep. Mendros, Stavros J.

LR 2576 An Act to Allow the Parents of Logan Marr to Sue  
the State

*Fails*  
*2-8*

SPONSOR: Sen. Rotundo, Margaret

LR 2568 An Act to Amend the Charter of Bates College

*10-0*

SPONSOR: Rep. Saxl, Michael V.

LR 2571 An Act Regarding Cigarette Distributors