

MAINE STATE LEGISLATURE

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REP. JOHN RICHARDSON
CHAIR

SEN. BETH EDMONDS
VICE-CHAIR



122ND MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. MICHAEL F. BRENNAN
SEN. PAUL T. DAVIS, SR.
SEN. KENNETH T. GAGNON
SEN. CAROL WESTON
REP. GLENN A. CUMMINGS
REP. DAVID E. BOWLES
REP. ROBERT W. DUPLESSIE
REP. JOSHUA A. TARDY

DAVID E. BOULTER
EXECUTIVE DIRECTOR

Meeting Summary
June 15, 2005
Approved July 7, 2005

CALL TO ORDER

The Vice-Chair, Senate President Edmonds, called the Legislative Council meeting to order at 7:55 p.m. in the Legislative Council Chamber.

ROLL CALL

Senators: President Edmonds, Sen. Brennan, Sen. Davis, Sen. Sen. Gagnon, Sen. Weston

Representatives: Speaker Richardson, Rep. Cummings, Rep. Bowles, Rep. Duplessie
Rep. Tardy joined the meeting in progress.

Legislative Officers: David Boulter, Executive Director, Legislative Council
David Elliott, Director, Office of Policy and Legal Analysis

OLD BUSINESS

Item #1: Requests for Interim Studies

President Edmonds referred members to the suggested protocol for deciding legislative study requests and asked David Boulter, Executive Director of the Legislative Council, to summarize for Council members the protocol, which he did.

Motion: That the Legislative Council adopt the suggested protocol for deciding requests for interim legislative studies. (Motion by Sen. Gagnon, second by Rep. Duplessie, unanimous).

A copy of the protocol is attached to this Meeting Summary.

The Legislative Council's action on study requests is included on the attached list.

NEW BUSINESS

None

ANNOUNCEMENTS AND REMARKS

None

ADJOURNMENT

The Legislative Council meeting was adjourned at 9:20 p.m. (Motion by Rep. Duplessie, second by Sen. Brennan, unanimous).

122nd Legislature
Legislative Council Meeting
Review of Legislative Study Proposals
June, 2005

Requirements Relevant to Studies in the First Special Session

- Under the terms of the Joint Rules of the 122nd Legislature, section 353, all joint orders and legislation proposing legislative studies regardless of funding source must be placed on a special study table. The Legislative Council must review proposed studies and establish priorities for allocation of budgetary and staffing resources.
- For studies authorized by the Legislative Council, the Legislative Council must provide funds sufficient to enable the committee to reasonably conduct and complete the requirements of the studies.
- Also under the Joint Rules, the Legislative Council unanimously adopted standards for the 122nd Legislature on February 24, 2005. Among other things, the standards specify manner of appointment, selection of chair, compensation of members and report date. Copies of the standards are in your notebook.

Suggested Protocol for Authorizing Legislative Studies

- The Legislative Council will review study requests alphabetically by policy area.
- Voting will be by a show of hands, with each Council Member's vote on each bill being recorded. The record of each vote will be made available for public inspection following the meeting.
- Committee chairs and others are welcome to observe the Council's deliberations on the study requests, but discussion of the requests will be confined to Council Members and its staff. However, Legislative Council members may ask questions of other Legislators regarding the proposed study if needed.
- Unless otherwise specified by the Legislative Council, authorized studies are to be drafted consistent with applicable standards approved by the Council. Floor amendments to authorized studies making Council-authorized changes will be prepared in the name of the Senate Assistant Majority Leader, except for studies tabled in the House which will be in the name of the House Assistant Majority Leader.

Policy Issues Needing Decision

- **Number of authorized meetings and meeting location-Recommendation:** Unless otherwise specified by the Legislative Council, the number of meetings is not to exceed 4 and meetings are to be held in the Augusta area.
- **Studies conducted using non-General Fund sources-Recommendation:** When a study committee is required to be funded by outside funds, the study committee may not convene until sufficient funds are received to pay for the study.

Authorized Interim Studies List - 2005

Chapter	Study Name	Policy Area	Purpose	Start Date	Report Date(s) / Report To
	Staff Study of Forest Ownership in Maine	ACF	Staff study to update forest ownership report with recent land transfers	Not specified	ACF Committee
P.L. 2005, Ch 386, Part 0	Commission to Reform the State Budget Process	AFA	Study budget related issues, including the establishment of a "zero-based" budget, modifying the current services format used by departments and agencies by including a percent reduction from the previous years appropriation or allocation and proposing adjustments to the current "performance-based" budgeting	No later than 15 days after completion of appointments	January 3, 2006 AFA Committee
Resolve 2005, c. 126	Task Force to Study Maine's Homeland Security Needs	CRJ	Review Maine's homeland security needs in areas including law enforcement, emergency preparedness, public health, port and airport security and review ways to improve the flow of information to the Legislature and the general public about Maine's homeland security needs and preparedness	No later than August 1, 2005	December 7, 2005 - (Interim Report) Second Regular Session of the 122nd Legislature November 1, 2006 (Final Report) First Regular Session of the 123 Legislature
P.L. 2005, c. 423	Criminal Justice and Pulic Safety Committee Review of Sex Offender Laws	CRJ	Review current laws governing the sentencing, registration, release and supervision of sex offenders	Not specified	No report
P.L. 2001, chapter 439 (amended by P.L. 2005, c. 414)	Legislative Youth Advisory Council	EDU	Advise the Legislature on matters related to youth	Continuation	Annually Legislature
Resolve 2005, c. 120	Review and Recodify Laws Pertaining to Violence in Our Schools	EDU	OPLA and ROS to jointly prepare a bill that recodifies sections of Title 20-A dealing with violence and threatening behavior in schools	Not specified	Legislation due December 7, 2005 EDU Committee
Public Law 2003, Chapter 689	Review of the Establishment of the Department of Health and Human Services	HHS	Legislative Council staff to develop legislation to consolidate existing laws into Title 22-A, to update Title 22-A and correct any errors and inconsistencies	Continuation	None Required

Authorized Interim Studies List - 2005

Chapter	Study Name	Policy Area	Purpose	Start Date	Report Date(s) / Report To
Resolve 2005, Ch. 121	Task Force to Study Cervical Cancer Prevention, Detection and Education	HHS	Study the issue of cervical cancer in Maine	By August 1, 2005	Initial report due December 7, 2005 Health and Human Services Committee Initial report due December 7, 2005 Governor November 1, 2006 - Final Report Health and Human Services Committee
Resolve 2005, Ch. 117	Blue Ribbon Commission on the Future of MaineCare	HHS	Study the MaineCare program and make recommendations on how to improve the quality, adequacy, effectiveness and delivery of services under the program in the most cost-effective manner	No later than August 1, 2005	December 7, 2005 HHS Committee December 7, 2005 AFA Committee
P.L. 2005, Chapter 412	DHS Working Group on Department's Accounting Structure	HHS	Create a new budget and financial management system and reporting structure for the Department of Health and Human Services	Not specified	October 1, 2005 Governor October 1, 2005 HHS Committee October 1, 2005 AFA Committee
P&S 2005, Ch. 26	Governor's Committee to Study the Feasibility of the Importation of Prescription Drugs	HHS	Develop a plan to prepare the State to implement drug reimportation upon approval of the Federal Government through federal legislation or a waiver request	Not specified	January 15, 2006 or 30 days after adjournment of Congress HHS Committee
P.L. 2001, chapter 439, Part ZZZ (amended by Resolve 2005, c. 119)	Health Care System and Health Security Board	IFS	Develop recommendations to provide health care to all citizens of Maine	Continuation	December 7, 2005 IFS Committee January 4, 2006 Legislative Council
Resolve 2005, c. 123	Freedom of Access Advisory Committee	JUD	Provides information and advice to Review Committee as it conducts freedom of access reviews of public records exceptions and assists the committee in ensuring that the schedule for review is maintained	No later than October 1, 2005	December 7, 2005 Governor, Legislative Council, Judiciary Committee

Authorized Interim Studies List - 2005

Chapter	Study Name	Policy Area	Purpose	Start Date	Report Date(s) / Report To
Resolve 2005, Ch. 118	Committee to Study State Compliance with the Federal Indian Child Welfare Act of 1978	JUD	Study state compliance with the federal Indian Child Welfare Act of 1978	No later than August 1, 2005	December 7, 2005 Legislative Council December 7, 2005 Judiciary Committee
Public Law 2003, Chapter 699	Citizen Trade Policy Commission	LAB	Assess and monitor the legal and economic impacts of trade agreements on state and local laws, working conditions and the business environment; to provide a mechanism for citizens and Legislators to voice their concerns and to make policy recommendations.	Continuation	Annual Governor, Legislature AG and municipalities Annually Congressional delegation, Maine International Trade Center Maine International Trade Center Maine Municipal Association United States Trade Representative's Office NCSL and NAAG
Resolve 2005, c. 128	Study Commission Regarding Liveable Wages	LAB	Study issues surrounding liveable wages	No later than October 1, 2005	December 7, 2005 Second Regular Session of the 122nd Legislature
P.L. 2005, c. 443	Task Force on Substance Abuse Testing and Treatment	LAB	Review issues related to substance abuse testing and treatment in the workplace	Not specified	December 7, 2005 Labor Committee
Resolve 2005, c. 127	Study Commission to Study Alternative Voting Procedures, the Citizen Initiative Process and Minor Party Ballot Access	LVA	Examine proposals to improve ballot access, including instant run-offs and fusion voting and the duty to inform the public about fiscal implications of proposed citizen initiated legislation	No later than August 1, 2005	December 7, 2005 Second Regular Session of the 122nd Legislature
Resolve 2005, Ch 116	Commission to Arrange for a Monument Honoring Women Veterans of Maine	LVA	Develop recommendations for a design and a location and other matters relating to installation of a monument honoring women veterans of Maine	No later than August 1, 2005	January 2, 2006 Capitol Planning Commission March 1, 2006 - Final Report Capitol Planning Commission
P.L. 2005, c. 452	Study of State Regulation of Groundwater Withdrawal	NAT	Identify any changes in state law needed to ensure a consistent, integrated and scientifically sound state policy that ensures the withdrawal of groundwater does not have an adverse effect on waters of the State	No later than October 1, 2005	November 1, 2007 NAT Committee

Authorized Interim Studies List - 2005

Chapter	Study Name	Policy Area	Purpose	Start Date	Report Date(s) / Report To
Resolve 2005, c. 124	Committee to Establish a Memorial for Emergency Medical Services Personnel and to Set Aside Space for That Memorial	SLG	Study issues and make recommendations regarding the establishment of a memorial to honor emergency medical services personnel who have fallen in the line of duty	Within 15 days of completion of all appointments	January 15, 2006 - initial report SLG Committee March 15, 2006 - final report SLG Committee January 2, 2006 - initial report Capitol Planning Commission March 1, 2006 - final report Capitol Planning Commission
Resolve 2005, c. 125	Commission to Study the Cost of Providing Certain Services in the Unorganized Territories	TAX	Study the provision of fire preparedness and protection services, land use planning services, education services, and other types of services in the unorganized territories; study the cost and reimbursement for services provided in the unorganized territories and recommend if the funding method for these services needs to be changed	No later than August 1, 2005	December 7, 2005 Second Regular Session of the 122nd Legislature